

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: 06/22

Date to Members: 11/02/2022

Member's Deadline: 17/02/2022 (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:

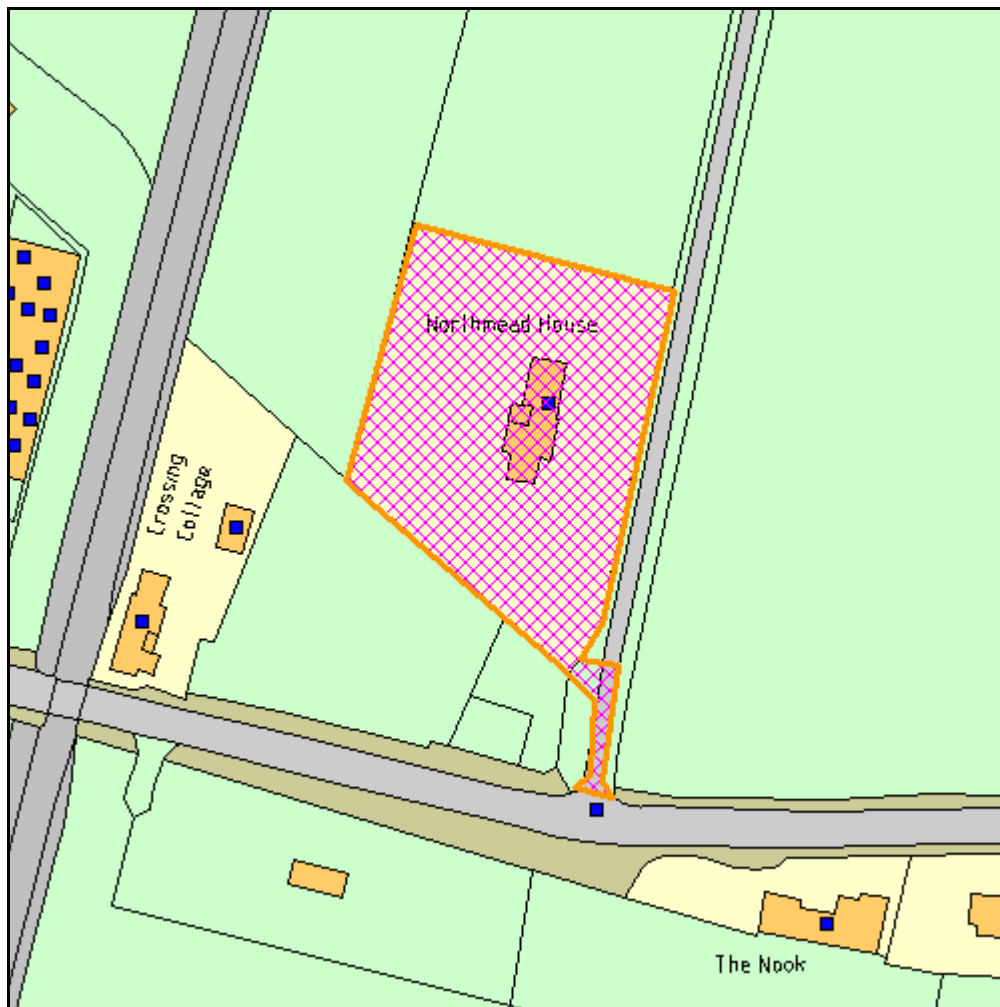
To be emailed to MemberReferral@southglos.gov.uk

CIRCULATED SCHEDULE - 11 February 2022

ITEM NO.	APPLICATION NO.	RECOMMENDATION	LOCATION	WARD	PARISH
1	P21/00942/F	Refusal	Northmead House Latteridge Road Iron Acton South Gloucestershire BS37 9TL	Frampton Cotterell	Iron Acton Parish Council
2	P21/04067/O	Approve with Conditions	Harefield Hall 171 Bath Road Longwell Green South Gloucestershire BS30 9DD	Longwell Green	Oldland Parish Council
3	P21/05331/O	Approve with Conditions	Land To The Rear Of South Face Cowship Lane Cromhall South Gloucestershire GL12 8AY	Charfield	Cromhall Parish Council
4	P21/05991/F	Approve with Conditions	Well Cottage The Common Patchway South Gloucestershire BS34 6AL	Bradley Stoke North	Stoke Lodge And The Common
5	P21/08054/F	Approve with Conditions	4 Sandstone Rise Winterbourne South Gloucestershire BS36 1BB	Winterbourne	Winterbourne Parish Council
6	P21/08166/TRE	Approve with Conditions	South Face Cowship Lane Cromhall South Gloucestershire GL12 8AY	Charfield	Cromhall Parish Council
7	P21/08169/F	Approve with Conditions	11 North Road Thornbury South Gloucestershire BS35 1EA	Thornbury	Thornbury Town Council

CIRCULATED SCHEDULE NO. 06/22 - 11th February 2022

App No.:	P21/00942/F	Applicant:	Mr Jim McAlinden
Site:	Northmead House Latteridge Road Iron Acton South Gloucestershire BS37 9TL	Date Reg:	3rd March 2021
Proposal:	Erection of detached double garage and office space (retrospective).	Parish:	Iron Acton Parish Council
Map Ref:	367502 184470	Ward:	Frampton Cotterell
Application Category:	Householder	Target Date:	21st April 2021



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100023410, 2008. **N.T.S.** **P21/00942/F**

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

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

3 support comments received contrary to Officers recommendation.

1. THE PROPOSAL

- 1.1 Planning permission is sought retrospectively for the erection of a detached double garage and office space at Northmead House, Latteridge Road, Iron Acton.
- 1.2 The application site comprises a detached two storey former agricultural workers dwelling that was originally granted planning consent in 1981 (ref. N7121 and N7121/AP) and has since been extended with a single storey front extension and a first floor side extension over the attached garage (both done without formal planning approval). The application site is located outside of any defined settlement boundary within the Bristol and Bath Green Belt and the Open Countryside. The application site is within Flood Zone 3.
- 1.3 This planning application has been submitted following an enforcement complaint for the unlawful erection of a detached outbuilding. The detached double garage and office space has been fully completed so this application is fully retrospective. A further enforcement complaint has since been received alleging that the outbuilding is actually being hired out as a 17 bed holiday let. This is a separate enforcement complaint and would require a separate planning application to determine its lawfulness. This report will only determine the erection of a building as a garage and office space.
- 1.4 The outbuilding has a length of 14.35 metres, a width of 11.04 metres, an eaves height of 2.85 metres and a maximum height of 6 metres. It has a volume of approximately 690 cubic metres.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework July 2021
National Planning Practice Guidance

2.2 Development Plan

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

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

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

PSP1	Local Distinctiveness
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PSP7	Development in the Green Belt
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) August 2007
 Development in the Green Belt (Adopted) June 2007
 Residential Parking Standard SPD (Adopted) December 2013
 Assessing Residential Amenity TAN (Endorsed) 2016
 Household Design Guide SPD (Adopted) March 2021

3. RELEVANT PLANNING HISTORY

- 3.1 PK18/3710/CLE
 Occupation of dwelling in breach of agricultural occupancy condition 1d of planning permission N7121 dated 22nd January 1981.
 Approve (02/10/2018)
- 3.2 PK09/5924/F
 Erection of single storey rear extension to provide additional living accommodation.
 Withdrawn (05/02/2010)
- 3.3 PK07/3248/RVC
 Removal of Condition 1 attached to planning permission N.7121 dated 22nd January 1981 relating to agricultural occupancy of the dwelling.
 Refusal (21/12/2007)
- 3.4 P90/2962
 Continuation of use of dwelling without complying with condition (d) attached to planning permission N7121 dated 22nd January 1981.
 Refusal (30/01/1991)
- 3.5 P87/1840
 Continuation of use of dwelling without complying with condition (d) attached to planning permission N7121 dated 22nd January 1981.
 Refusal (20/09/1987)
- 3.6 N7121/AP
 Erection of agricultural workers dwelling. (Details following outline). To be read in conjunction with planning permission Ref. No. N.7121.
 Approved (16/04/1981)
- 3.7 N7121
 Erection of an agricultural workers dwelling and installation of a septic tank (outline).
 Approve with Conditions (22/01/1981)

4. **CONSULTATION RESPONSES**

4.1 Iron Acton Parish Council

Objection - The development is in the Green Belt and situated within Flood Zone 3.

4.2 SGC Flood and Water Management Team

No objection subject to informative.

4.3 Local Residents

3 support comments from local residents have been received making the following points:

- The proposal is in keeping with the building and area;
- The proposal will allow cars and equipment to be securely stored;
- Investment into the area and provision of local jobs; and
- The proposal has minimal visual impact and does not threaten the environment.

2 objection comments from local residents have been received making the following points:

- The size of the proposal is disproportionate to the host dwelling and there is already a respectably sized garage integrated into the original dwelling;
- The proposal is for a single storey outbuilding but there is a first floor window;
- Concerns about the use of the building;
- The flood risk assessment seems inaccurate and the site has been prone to flooding in the past;
- The building is being used as a party venue and is available for hire; and
- Further breached of planning, including further outbuildings and dormer windows, are under construction.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The application seeks permission for a detached outbuilding at an existing residential property. Policy PSP38 of the Policies, Sites and Places Plan permits development within established residential curtilages subject to an assessment of design, amenity and transport. The application site is within the Bristol and Bath Green Belt so an assessment of whether it is appropriate development in the Green Belt is needed.

5.2 Green Belt

The application site is located in part of the Bristol and Bath Green Belt, where development is restricted. Paragraph 149 of the National Planning Policy Framework (NPPF) sets out that local planning authorities should regard the construction of new buildings as inappropriate development in the Green Belt. There are a number of exceptions to this, which are set out within paragraphs 149 and 150 of the NPPF. The most relevant exception for this application is considered to be; 'the extension or alteration of a building provided that it does

- not result in disproportionate additions over and above the size of the original building'. As the stated use of the building is for the garaging of residential vehicles and use as residential officer space, and given the proximity of the building to the original dwelling, it is considered that the proposal can be assessed under this exception.
- 5.3 Policy PSP7 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan reflects this, and sets out that as a general guide, an addition resulting in a volume increase up to 30% of the original building would likely be proportionate, additions that exceed 30% volume increase will need to be carefully assessed in terms of whether it would appear out of scale and proportion to the existing building. The larger a building becomes in excess of 30% over and above its original size, the less likely it is that the new extension(s) will be considered proportionate. Additions resulting in a volume increase of 50% or more of the original building would most likely be considered a disproportionate addition and be refused as inappropriate development.
- 5.4 It has not been possible to accurately measure the volume of the original dwelling as approved in 1981 (ref. N7121 and N7121/AP) due to the limited historical records the Council hold but it can be determined that the original dwelling has been previously extended with a single storey front extension and a first floor side extension over the attached garage (both done without formal planning approval).
- 5.5 The proposed detached outbuilding has a volume of approximately 690 cubic metres and covers a floor area of approximately 158 square metres. For reference, the original dwelling only covered a floor area of approximately 122 square metres. Whilst it has not been possible to accurately measure the volume of the original dwelling it is clear to see that the proposed outbuilding along with the previous extensions to the dwelling represent an increase in volume of at least 50%, and likely much more, over and above the volume of the original dwelling.
- 5.6 It is therefore considered that the proposed outbuilding represents a significantly disproportionate addition over and above the size of the original dwelling and has a significantly detrimental impact on the openness and permanence of the Green Belt. The proposed outbuilding is therefore considered to be inappropriate development in the Green Belt, which is by definition harmful, and cannot be supported.
- 5.7 Design and Visual Amenity
Policy CS1 of the Core Strategy and Policy PSP1 and PSP38 of the Policies, Sites and Places Plan seek to ensure that development proposals are of the highest possible standards of design. This means that developments should have appropriate: siting, form, scale, height, massing, detailing, colour and materials which are informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context.

- 5.8 The proposed outbuilding fails to represent the highest possible standard of design and site planning by virtue of its scale, height and massing. The proposal appears disproportionately large when compared to the existing dwelling and is of a scale more akin to a new dwelling than an incidental outbuilding.
- 5.9 On the basis of the assessment set out above, it is considered that the proposed development fails to respect the character, distinctiveness and amenity of both the site and its context.
- 5.10 Residential Amenity
Policy PSP8 of the Policies, Sites and Places Plan outlines that development proposals will be acceptable provided that they do not create unacceptable living conditions or have an unacceptable impact on the residential amenity of the occupiers of the development or of nearby properties. Unacceptable impacts could result from (but are not restricted to): loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and odours, fumes or vibration.
- 5.11 The proposed outbuilding is not located near any neighbouring properties and given its stated use for the garaging of residential vehicles and use as residential office space, it is not considered that the proposal has any significant detrimental impact on the residential amenity of neighbouring properties.
- 5.12 Concerns have been raised about the true use of the building. It is alleged that the outbuilding is actually being hired out as a 17 bed holiday let. This is a separate enforcement complaint and would require a separate planning application to determine its lawfulness, including a new assessment of the impacts on the residential amenity of neighbouring properties.
- 5.13 On the basis of the assessment set out above, it is not considered that the development proposal would result in any unacceptable impacts on the amenity of neighbours.
- 5.14 Highway Safety and Transport
Policy PSP16 of the Policies, Sites and Places Plan sets out the Council's parking standards. Given its stated use for the garaging of residential vehicles and use as residential office space, the proposed development has not increase the number of bedrooms in the property and has not removed any on-site parking spaces and there is sufficient parking provided.
- 5.15 Concerns have been raised about the true use of the building. It is alleged that the outbuilding is actually being hired out as a 17 bed holiday let. This is a separate enforcement complaint and would require a separate planning application to determine its lawfulness, including a new assessment of the impacts on highway safety and transport.
- 5.16 Flood Risk
The Council's Flood and Water Management are satisfied with the submitted Flood Risk Assessment and the level of information included. The submitted

FRA concluded that “The development will not give rise to backwater affects or divert water towards other properties... the proposal will be safe, in terms of flood risk, for its design life and will not increase the flood risk elsewhere.”

- 5.17 Concerns have been raised about the true use of the building. It is alleged that the outbuilding is actually being hired out as a holiday let. This is a separate enforcement complaint and would require a separate planning application to determine its lawfulness, including a new assessment of the flood risks.
- 5.18 The Parish Council are correct that the site is within Flood Zone 3, and the submitted FRA concludes that based on the general assessment of the potential SuDS measures, there is potential of several SuDS measures such as rainwater butt, permeable paving and soakaway. It is proposed that a site-specific Sustainable Urban Drainage Systems (SuDS) Strategy would be developed in the next phase of the proposal.
- 5.19 There is no objection from the Council’s Flood and Water Management team subject to an informative stating that Environment Agency Risk of Surface Water Flooding map shows ground profiles in this development area as being subject to overland flow or flood routing in the event of high intensity rainfall (i.e. non-watercourse and non-sewer surcharging). The development area is shown as category 1 in 1000yr surface water flooding. In line with Flood Risk Standing Advice the developer must consider whether s/he has appropriately considered surface water drainage and flood risks to and from the development site which could occur as a result of the development. *NOTE: This is separate from the watercourse Flood Zone maps and does not require submission of a Flood Risk Assessment.*
- 5.20 Equalities
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.
- 5.21 With regards to the above this planning application is considered to have a neutral impact on equality.
- 5.22 Other Matters
A number of matters raised from the consultation responses have not been addressed in the main body of this report. These will be considered below:
- 5.23 It has been suggested, in support of the application, that the proposal represents investment into the area and provides local jobs. This investment into the area can be considered very minor as what is proposed is a household

development and offers no wider public benefit. Any provision of local jobs would have been during the construction of the proposal, with no long-term jobs created.

- 5.24 It has also been suggested, in support of the application, that the proposal would allow cars and equipment to be securely stored. This may well be the case but this could also be achieved in the existing integrated garage or in a far smaller and more proportionate outbuilding.

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 That the application be **Refused** for the following reasons:

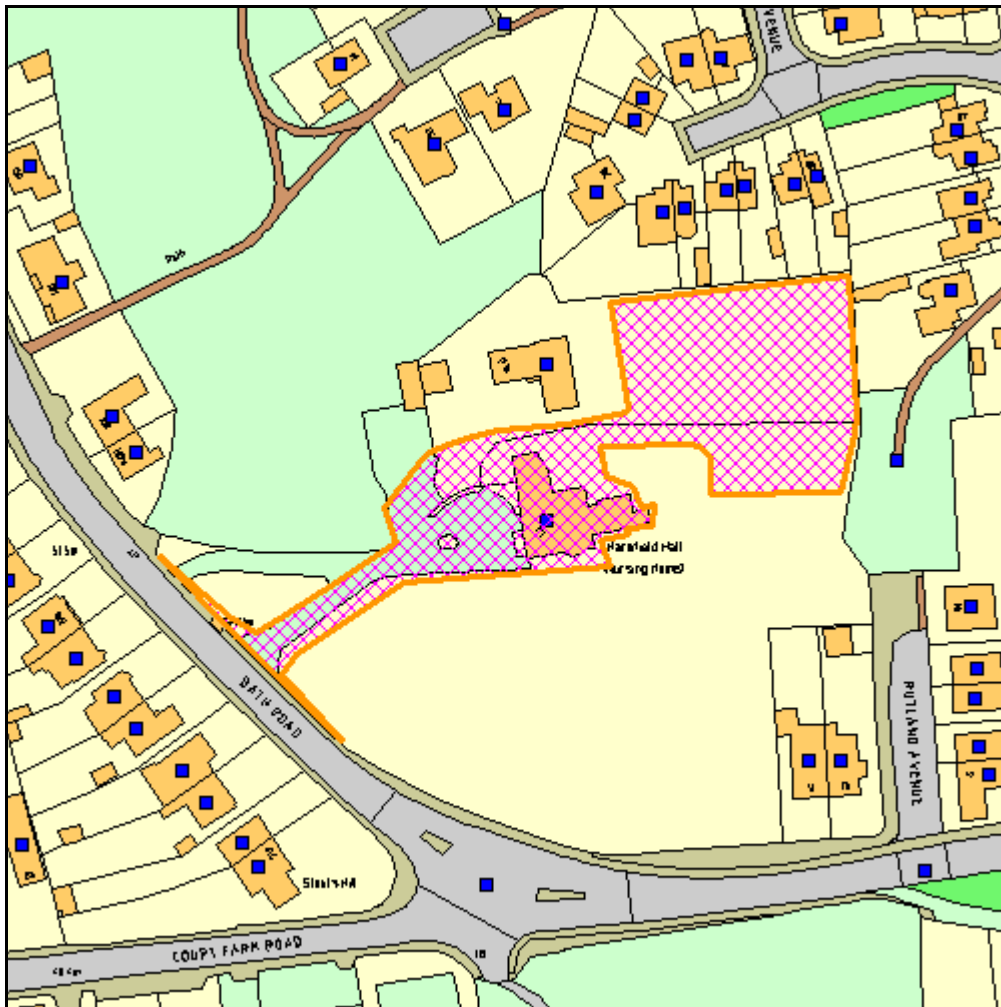
REFUSAL REASONS

1. The proposed outbuilding is considered to be inappropriate development in the Green Belt, which by definition, is harmful to the Green Belt. The proposal represents a disproportionate addition over and above the original dwelling and has a significant detrimental impact on the openness and permanence of the Green Belt. The proposal is therefore contrary to Policy PSP7 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the provision of the National Planning Policy Framework.
2. The proposed outbuilding fails to represent the highest possible standard of design and site planning by virtue of its scale, height and massing. The proposal appears disproportionately large when compared to the existing dwelling and is of a scale more akin to a new dwelling than an incidental outbuilding. The proposed development fails to respect the character, distinctiveness and amenity of both the site and its context. The proposal is therefore contrary to Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP1 and PSP38 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the provision of the National Planning Policy Framework.

Case Officer: Oliver Phippen
Authorising Officer: Helen Ainsley

CIRCULATED SCHEDULE NO. 06/22 - 11th February 2022

App No.:	P21/04067/O	Applicant:	Banff Securities Limited
Site:	Harefield Hall 171 Bath Road Longwell Green South Gloucestershire BS30 9DD	Date Reg:	7th June 2021
Proposal:	Erection of 5 no. new dwellings and subdivision of former care home into 3 no. dwellings with other associated works (outline) all matters reserved.	Parish:	Oldland Parish Council
Map Ref:	366120 170764	Ward:	Longwell Green
Application Category:	Minor	Target Date:	27th July 2021



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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 has been referred to the Circulated Schedule due to the receipt of letters objection contrary to officers' recommendation.

1. THE PROPOSAL

- 1.1 The application seeks outline planning permission for the erection of 5 no. new dwellings with all matters reserved and the subdivision of the former care home into 3 no. dwellings at Harefield Hall, Willsbridge. Therefore, the decision for this scheme will be solely on the principle of development, all others matters (access, layout, appearance, scale and landscaping) are reserved for consideration at reserved matters stage.
- 1.2 The application site is located within the defined settlement boundary, outside the Bristol / Bath Green Belt. Harefield Hall is a locally listed building, a non-designated asset. The proposed 5 no. new dwellings (plots 1-5) will form a 'C shaped' terrace mews within the northeast part of the site behind Harefield Hall, and the hall itself converted into 3 No. residential units.
- 1.3 Harefield Hall is a locally listed, non-designated heritage asset, and comprises a Victorian double-pile country house that was converted to a residential care home. It lies off the northeast side of the A431 Bath Road, within extensive grounds that are surrounded by the built area of Longwell Green. The hall has pennant stone elevations with bath stone quoins and interlocking concrete roof tiles. Due to its imposing stature and architectural form of the hall, the host building makes a landmark feature in the local townscape and the views across it. A few trees growing within or around the site are covered by individual TPO's. A tall (approximately 4 metres high) conifer hedge 'known as G30 in the arboricultural report' encloses the North and East boundaries behind Harefield Court and provides some screening of adjacent residential properties.
- 1.4 To support the proposal, the following documents were submitted:
 - Arboricultural Report dated March 2021 by Wessex Tree Consultancy
 - Design and Access Statement
 - Ecological Appraisal (PEA, PRA and BAT Activity Surveys Report)
 - Statement of Significance
 - Sustainability and Energy Report
 - Transport Statement

During the course of the application, an addendum to Design and Access Statement and a revised indicative block plan were submitted. The submitted details clarified that the proposed dwelling would have a maximum ridge height of 8 metres and a maximum eaves height of 5 metres. The indicative block plan illustrated a potential layout of the proposed dwellings. Nevertheless, it

should be noted that the layout is not part of this outline application and it will be determined at the reserved matters application.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework July 2021
National Planning Practice Guidance
National Design Guidance January 2021

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 'CS'

CS1	High Quality Design
CS2	Green Infrastructure
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

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

PSP1	Local Distinctiveness
PSP2	Landscape
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
PSP22	Unstable Land
PSP21	Environmental Pollution and Impacts
PSP38	Development within Existing Residential Curtilages
PSP39	Residential Conversions, Sub-divisions and house in multiple occupation
PSP43	Private Amenity Standards

2.3 Supplementary Planning Guidance

Householder Design Guidance (Adopted March 2021)
Local List SPD (Adopted February 2008)
Residential Parking Standards SPD (Adopted December 2013)
Waste Collection: Guidance for New Development SPD (Adopted March 2020)
South Gloucestershire Landscape Character Assessment SPD (Revised and Proposed for Adoption November 2014) - Site lies within LCA 14: Kingswood.
Trees and Development Sites: Guidance for New Development SPD (Adopted April 2021)

3. RELEVANT PLANNING HISTORY

The site has been subject to a number of planning applications in the past, and the following applications are the most relevant to the determination of this application:

- 3.1 K66/1 Conversion of existing house to home for elderly people. Approved 12.09.74
- 3.2 K66/3 Erection of bungalow to provide residence for owner of existing elderly persons home. Approved 17.08.76
- 3.3 K66/6 Erection of bedroom wing extension. Approved 18.09.79
- 3.4 K66/7 Erection of bungalow on approximately 0.6 acre (outline). Approved 22.04.85
- 3.5 K66/9 Change of use of outbuildings to dwellings, construction 28 elderly persons dwellings, warden's accommodation and bungalow (outline). Refused 22.02.88
- 3.6 K66/10 Construction of 28 no. elderly persons dwellings and warden accommodation, change of use of outbuildings (outline). Refused 20.07.88
- 3.7 K66/11 Single storey bedroom extension and alterations to nursing home. Approved 08.05.89
- 3.8 K66/12 Erection of bungalow and garage alteration and access. Approved 29.06.92
- 3.9 K66/13 Erection of 1 no. 3-bedroom detached bungalow and garage. Approved 14.11.94
- 3.10 K66/14 Erection of 1 no. 5-bedroom detached dwelling and domestic garage. Approved 11.08.95
- 3.11 K66/15 Variation of condition 13 of planning permission K66/14 relating to boundary wall. Approved 10.10.95
- 3.12 P98/4902 Erection of single storey extension. Approved 19.02.1999
- 3.13 PK03/1070/F Alteration and enlargement to existing roundabout. Construction of new highway access to Harefield Hall, stopping up of existing access. Associated highway works and landscaping. Relocation of existing stone wall. Refused 21.05.04
- 3.14 PK00/1167/F Erection of covered swimming pool extension. Approved 28.06.2000

4. CONSULTATION RESPONSES

- 4.1 Oldland Parish Council – no objection, but commented that the plan for the development is sympathetic to the current layout of the site. It is hoped that the

hedge will be retained at its current height and that any new dwellings will be limited to a two storey build. It was also agreed that consideration of at least one affordable unit be recommended

- 4.2 Sustainable Transport – raised concerns regarding the proposed access, and the existing bus shelter needs to be relocated. However, the Highway Officer suggests a number of conditions can be imposed to seek further details for the reserved matters stage.
- 4.3 Lead Local Flood Authority – unacceptable in current form as method of foul sewage disposal is required.
- 4.4 The Coal Authority - no comments as the application site does not fall within the defined Development High Risk Area and is located instead within the defined Development Low Risk Area.
- 4.5 Conservation Officer – raised concerns due to the uncertainty about the scale and height of the proposed dwellings
- 4.6 Archaeology Officer – no objection subject to condition
- 4.7 Landscape Officer – raised concerns as some requested documents have not been submitted with this outline application
- 4.8 Arboricultural Officer – no objection subject to condition
- 4.9 Environmental Protection – no adverse comments
- 4.10 Enabling Team - As this application is for a total of 7 units on a site of 0.38ha, affordable housing is not required.
- 4.11 Ecology Officer – no objection subject to conditions
- 4.12 Crime Prevention Design Advisor – no objection

Other Representations

4.13 Local Residents

4 letters of objection and 1 no. letter of support were received and the local residents' comments are summarised as follows (Full details of the comments are available in the Council's website).

Objection comments

Residential amenity:

- The properties in Roseville Avenue are situated approximately 1.2 metres lower than the plot proposed, so the privacy that is afforded to these houses is a major concern.
- The proposed town houses will be taller than the average house and this would further increase our privacy issues
- overbearing

Environmental related matters:

- Potential maintenance cost and issues on the existing hedge along the boundary
- The hedge should be reduced to 3.5 metres
- On-going height management of the hedge
- Access to the rear of the hedge needs to be retained for the owners of Units 1 to 5, so the hedge can be maintained
- There should be a legal requirement to replant the hedge and maintain it, if it needs to be removed for hedge health reasons.
- The timber panels that attach to the concrete posts have become significantly weakened or rotted and are in need of repair/replacement.
- The boundary fence would need to be regularly inspected and maintained to an acceptable standard.
- Will the hedge be retained in its present state, i.e. height, etc
- Who will be responsible for maintaining the hedge?
- Will the (management) company also maintain both sides of the hedges or will it be the responsibility of the occupiers of the proposed dwellings.
- Will there be a legal obligation of this maintenance to take place?
- Will there be provisions for re-planting with same or similar species
- To ensure a meaningful and long-term commitment to maintain this natural screen, such work is included within this overall grounds management contract, rather than placing the responsibility for the physical hedge maintenance on individual property owners
- a suitable natural screen replacement shall be provided giving the same degree of screening

Highway matters:

- Concerns over the highway safety that vehicles from these newly erected houses will create an added danger
- The actual entrance to the Hall is near to a busy roundabout and bus-stop, making the approach and exit difficult to manoeuvre. Any additional vehicles using this already very busy section of the road is of added concern
- Although this might be true for pedestrian access to certain local facilities, it is not considered valid for access to a comprehensive bus service serving many key destinations in the area.
- The existing bus services are infrequent or under threat of reduced frequency. No direct bus services to key employment centres on the Bristol East Fringe
- Although relatively near the off-road Railway Path and Ring Road Path, cycling to these routes and indeed other local facilities typically requires the use of busy hazardous roads with no joined up safe cycle network available in the area.

Other concerns:

- Not in keeping with other properties in the area
- They won't necessarily be 'affordable housing'
- The 'mews' dwellings (units 1-5) should be limited to a maximum of two storeys and not exceed the total house height of the surrounding properties in Roseville Ave.

Support comments

- Would not impact on green space of the property
- Would not be an eye sore

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Outline planning permission is sought for the residential development at Harefield Hall. Whilst it is an outline planning application, an indicative block plan was submitted to show the potential layout for the scheme. The proposal is to erect 5 no. dwellings (Unit 1-5) within the grassed area (at the north-eastern corner of the site) and to convert the host building itself to be converted into 3 no. dwellings – Unit 6 (a modern single storey extension to the east), Unit 7 (main house itself) and Unit 8 (two-storey side north wing).

5.2 The site is situated within the defined settlement boundary. Policy CS5 dictates that most new development in South Gloucestershire will take place within communities of the north and east fringes of the Bristol urban area, and within defined settlement boundaries. The application site is located within the defined settlement boundary of Willsbridge and Longwell Green. As such, based solely on location of the site, the principle of development is acceptable.

5.3 In term of the conversion, Policy PSP39 of the PSPP allows the conversion or sub-division of existing residential buildings into units of self-contained residential accommodation. In this instance, it should be noted that the host building was a former residential dwelling, which was subsequently converted into a care home. The applicant confirmed that the operation of the existing care home has ceased for a while. In addition, it gave further explanation on why it is difficult to improve the existing building to meet the required standards of being a care home. Therefore, there is no objection in principle to convert the former care home into residential properties.

5.4 However, the impacts of the development proposal must be further assessed against relevant policy in order to identify any potential harm.

5.5 Affordable Housing and Community Infrastructure

Residents' comments relating to the provision of affordable housing are noted. The proposal is to erect 5 no. new dwellings and the conversion of a former care home into 3 further dwellings. Policy CS18 of the Council's adopted Core Strategy Development Plan Document requires developers to achieve 35% on-site affordable housing on all new housing development, without public subsidy, in urban areas where the proposal would provide 10 or more dwellings on site. As this application would only result in an additional 7 no. units on a site of .38ha, therefore affordable housing is not required, in this instance. In term of the conversion, Policy CS23 of the adopted Core Strategy seeks to provide additional, extended or enhance community infrastructure. Given that the applicant has submitted adequate evidence to demonstrate that the use has ceased and there is no longer a demand; or the facility is no longer fit for purpose; and suitable alternative provision is available within easy walking

distance to the required standard. As such, officers have no objection to the proposed change of use.

5.6 Archaeology

The application lies within an area of archaeological interest, just north of a Roman Road and partly within the bounds of a historic settlement. Due to the size of the development, it is considered that a planning condition should be imposed to seek a programme of archaeological works and subsequent mitigation, outreach and publication strategy. Subject to this condition, there is no objection in this regard.

5.7 Heritage consideration

The proposal comprises 2 key elements, namely (i) the erection of 5 no. new dwellings and (ii) the conversion of existing Harefield Hall into 3 no. residential units.

5.8 The application is supported by a heritage statement (HS). After reviewed the submitted statement, Officers would largely agree with the findings of the HS on the significance of the non-designated asset. Whilst the HS suggests that the importance of the views to the south may have been overstated previously, the case officer agreed with the Conservation Officer's view that the building has clearly been orientated to take advantage of the local topography. While its siting - set back into the plot away from the southern boundary clearly resulted in the building that was not overtly prominent and would not have provided middle-distance commanding views to the south, your case officer considered that the character of the southern boundary and so the contribution of the Hall in views to the south need to be preserved. Therefore the greatest impact will be contained largely to views from within Harefield Hall and its immediate surroundings.

5.9 In assessing the impact of the development proposals on the setting of the Hall, the revised addendum sets out clearly the proposed building heights to eaves (5 metres) and ridge (8 metres), which are considered acceptable. A planning condition is therefore imposed to secure this and to seek a detailed site level plan to be considered in the reserved matters stage.

5.10 The rationale behind the "L-shaped" footprint is to provide for a form of development that complements the host and would ensure its visual and architectural primacy is preserved. Whilst an indicative block plan gives some ideas about the potential layout, officers are concerned that it is more a cranked terrace of units. Given that it is an outline application, in effect, is to establish, as a matter of principle, would the development of 5no. units, two-storeys in height with a maximum height of 8 metres within the application site (as per the red-edged line site plan) arranged in the layout indicated be acceptable in respect of its impact on the setting of the locally listed Harefield Hall and the wider character of the locality. In this instance, officers consider that the development proposed would result in a degree of visual intrusion that would harm the setting and in turn the significance of the non-designated heritage asset. However, in light of the scale and siting of the proposed development and the considered contribution setting makes to the significance

of Harefield Hall, officers would consider that the scale of harm overall would be towards the lower end of any considered spectrum of harm.

- 5.11 In light of the nature of the application the submitted layout plan would remain purely indicative. Whilst a planning condition will be imposed to restrict the building heights, the layout, design, detailing and materials will all be considered at the reserved matters stage. Given the sensitive and prominent location of this site, a high-quality design approach will be essential and will be expected at the reserved matters stage.

5.12 *Conversion of Harefield Hall*

The proposals will also see Harefield Hall itself converted for residential use in the form of 3no. units. No details have been provided at this stage indicating the internal and external alterations required to convert the main building, but in light of its recent care home use, in principle it should be acceptable considering the internal changes that would have already been made to the configuration of the historic plan form.

- 5.13 In summary, as discussed above, by reason of their inherent nature, it is considered that the development would result in a level of visual intrusion that would erode the open setting which can be considered to make a positive contribution to the significance of Harefield Hall. It can however be noted that the scale of impact, by reason of the scale and siting of the development proposals could potentially be limited and so this is not a case where the subdivision and development of its curtilage results in the significant loss of character and ultimately compromises the integrity of a locally listed building.

- 5.14 The application should therefore be determined in line with paragraph 202 of the Framework, which requires the harm to be weighed against the public benefits of the proposal, taking into account the great weight afforded to the asset's conservation (and the more important the asset, the greater the weight should be), irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance (para 199 of the Framework). In order to encompass all balancing issues the planning officer's conclusions on this are set out in the *Planning Balance* section at the end of this report.

5.15 Design and Visual Amenity

Policy CS1 of the Core Strategy seeks to ensure that development proposals are of the highest possible standards and design. This means that development should have appropriate: siting, form, scale, height, massing, detailing, colour and materials which are informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context.

- 5.16 An indicative block plan was submitted to demonstrate how the new dwellings could be accommodated within the application site. In this instance, the proposal would be suitably set to the rear of Harefield Hall and the host dwelling. The layout is clearly different from the predominant character of the

surrounding area. Nevertheless, the detailed layout will be considered at reserved matters stage.

- 5.17 Whilst appearance is not being assessed as part of this outline application, the submitted Design and Access Statement suggested that these new dwellings would have a dual pitched roof. This is considered to be appropriately reflect the immediate context of the site, and an alternative design that would more appropriately respect the existing street scene could be considered at reserved matters stage.
- 5.18 In terms of scale, the revised addendum to Design and Access Statement stated that the proposed buildings heights to eaves (5 metres) and ridge (8 metres). In addition, the ground level of the site is approximately 0.8 metres lower than the ground level of the existing dwelling. As such, a planning condition can be imposed to secure the maximum ridge and eaves height. Regarding the proposed conversion, the submitted statement confirmed that there will be little need to create new openings in the external fabric of the building due to the cellular plan form of the building and there are already existing windows. As such, a planning condition can be imposed to seek detailed floor plans and elevations of the proposed conversion.
- 5.19 Having regard to the assessment above and given that all matters are reserved at this stage, there are no in-principle objections to the proposal. Subject to the suggested height restriction, this outline application is considered to comply with Policy CS1 of the Core Strategy. Further details relating to the layout, scale, design, and finish of the proposed dwellings shall be submitted at reserved matters stage for further consideration.
- 5.20 Arboriculture
Whilst the matter of landscaping is a reserved matter, an arboricultural report was submitted in accordance with BS5837:2012 with tree protection details. There are several trees for removal all are considered to be of low quality. A total of 40 new trees are proposed to be planted. There are no arboricultural objection to the proposal provided that the trees are protected in accordance with the submitted Nigel De Berker Arboricultural report ref: 7369 Rev B and BS:5837:2012.
- 5.21 Landscape
Policy CS9 of the adopted Core Strategy and Policy PSP2 and PSP3 of the adopted PSPP seek to conserve and enhance the landscape character. Residents' concerns regarding the existing hedges are noted.
- 5.22 No Landscape Townscape Visual Impact Assessment was submitted to demonstrate how the proposed development to fit into its landscape or townscape surroundings, and its potential impact on the landscape grounds and setting of the hall, and to inform an appropriate landscape design and mitigation scheme. Given the prominence of the site, such assessment will be required at the reserved matters stage and a planning condition is therefore imposed to seek these details.

5.23 No Landscape Design & Mitigation Strategy was submitted. The proposal will necessitate the removal of a number of trees, which contribute to the landscape setting of the Hall, the planted character of the adjoining section of the A431 and the local townscape. Whilst the submitted indicative scheme shows the intent to replace these trees, and there is the opportunity to include some larger/taller growing 'parkland' species that will form new landmark features to either side of the site entrance. Furthermore, the form, scale and appearance of all new boundary treatments will need to be important to the future appearance of the site. No framework strategy for Long-term landscape/tree/ecology management regime was submitted. There is the opportunity to enhance the character of the site and longevity of its tree cover, together with its biodiversity through a 'reinvigorated' management regime. In summary, there is no landscape objection subject to a condition securing LTVIA, landscape design and mitigation strategy plan, long term management framework plan, detailed planting plans, a landscape and ecological management plan with a subsequent 10 year management period, details of all proposed boundary and hard landscape surface treatments, including proposed levels and any soil retention/retaining walls that may be required.

5.24 Ecology

The site is not covered by any designated sites for Nature Conservation (European Sites, SSSI's and Sites of Nature Conservation Interest or Regionally Important Geological Sites)

A PEA, PRA and Bat Activity Survey Report (ABR Ecology, April 2021) has been submitted with the application, and the Council's Ecology Officer has reviewed the submitted document.

Bats - A roost was recorded within the barn building, however this has been omitted from the plan and will not be impacted by the works, therefore an EPS Bat License will not be required, if the design changes and the building is included a license will be required. Bat activity surveys were conducted and recorded and common pipistrelle, soprano pipistrelle, serotine and myotis therefore sensitive lighting is required.

Great crested newt (GCN) - There are no waterbodies on site and the nearest was 275m east of the site, there are also limited areas of suitable terrestrial habitat, however a mitigation strategy has been recommended which is welcomed.

Birds - There is suitable habitat for nesting birds and appropriate mitigation has been recommended.

Reptiles - The site being of mainly short mown grassland and hardstanding is unlikely to support reptiles, however the mitigation recommended for GCN will also apply to reptiles if present.

Badgers - No evidence of badgers were recorded and it is unlikely that they would use the site.

Hedgehog - The site has some limited potential for hedgehogs, hedgehog holes have been recommended. During works any excavations created as part of the development are to be installed with a ramp as a minimum to ensure a means of escape for any animals that may enter.

After reviewed the submitted details, officers are satisfied that sufficient survey effort has been undertaken. Your case officer also agreed with the Council's Ecology Officer suggested conditions, in particular, the condition regarding lighting strategy, given there are considerable amount of mature trees growing within and round the site. Therefore no ecological objection is raised subject to conditions.

5.25 Residential Amenity

Policy PSP8 of the PSP Plan (November 2017) sets out that development proposals will be acceptable provided they do not create unacceptable living conditions or have an unacceptable impact on the residential amenity of the occupiers of the development or of nearby properties. Unacceptable impacts could result from; loss of privacy, and overlooking; overbearing and dominant impact; or loss of light; noise or disturbance; and odours, fumes or vibration. Residents' concerns regarding loss of privacy and overbearing are noted.

5.26 It is acknowledged that all matters are reserved at this stage and therefore it is not possible to make a full assessment of the potential impact of the development on the residential amenity of the neighbours. The submitted indicative plans show that there would be reasonable separation distance of approximately 21 metres between the rear elevation of the existing and new dwellings. As such, the siting of the proposal as indicated on the indicative plans would unlikely result in significant unacceptable impacts to the amenity of the neighbouring occupiers through loss of light, overbearing or loss of privacy. Nevertheless, officers are mindful that the existing ground level of the site of the application and the neighbouring properties may not be the same. As such, site level plans will be required and to be considered at the reserved matters stage. A planning condition is therefore imposed to seek the details. The plan also shows that the site is likely large enough to accommodate the proposed number of dwellings with acceptable level of private amenity space for the proposed dwellings.

5.27 Regarding the proposed conversion, the submitted Design and Access Statement has confirmed that there would be little changes to be made to the external fabric of the buildings given the existing openings can be utilised for the proposed residential use. As such, it is considered that the potential impact upon the amenity of future residents and nearby residents would unlikely be significant, subject to a condition seeking detailed floor plans of each dwellings.

5.28 Transport

Although it is an outline planning application with all matters reserved, the applicant submitted an indicative layout to demonstrate that how the existing access to be utilised and the potential changes to the internal road layout for the proposed dwellings and the residential conversion.

5.29 Access

The estimated vehicle trips for the proposed development are in the low side and no TRICS data or local surveys were submitted to assess the suitability of the sites selected or the times of the surveys which may include those taken during the Covid restrictions. Nevertheless, the development is modest in size and the access currently serves a care home and one dwelling so the impact on the surrounding highway can be safely accommodated subject to the provision of adequate visibility splays at the site access. The 2.4m x 43m visibility splays are appropriate for the location and speed of traffic. Visibility to the right is constrained by the bus shelter and people waiting there. To address this issue, the Highway Officer considers that the bus shelter to be relocated to an alcove behind the footway with the wall reconstructed around it. Furthermore, the access onto the main road should be reconstructed as an industrial specification vehicle crossover with a dropped kerb to the front and a flush kerb to the rear to keep the current pedestrian priority in accordance with NPPF guidance.

5.30 Site layout

Officers noted that it is not intended to offer the access road for adoption. Nevertheless, the access should be designed to an adoptable standard given the number of dwellings on site. The access road could either be a 5.5m wide carriageway with a footway on one side or a 6m wide shared surface with narrowing or pinch points to keep speeds low. Track plots should be provided to demonstrate that the standard 11.3m long 3 axle waste collection vehicle can safely access and turn within the site turning head. The waste vehicle should also be shown to pass a large car at intervisible points along the access. It should be noted that waste collection vehicles don't normally enter private land so arrangements for waste and recycling collection will need to be negotiated with the Council's Waste Management Team. Forward visibility of 17m should be provided through the sharp bend. Also the alignment of the road shown is too tight to the wall obstructing the necessary intervisibility between drivers, pedestrians or parked cars.

5.31 To address these concerns, a revised drawing, Revision E, was submitted. Whilst it is noted that the footway across the site frontage is widened, the alignment and geometry of the access road does not provide a suitable access for the proposed development. Furthermore, the location of trees T7 and T8 will still prevent the construction of an adoptable standard road, therefore the access needs to remain private, managed and maintained by a management company. As stated in the Transport Statement, the bus shelter will also need to be moved to the back edge of the widened footway. However, this application is in outline only with all matters including access reserved, as such details of a suitable access can be provided at the Reserved Matters stage.

5.32 Parking Facilities

Policy CS8 of adopted Core Strategy and Policy PSP16 of the adopted PSPP seeks adequate vehicles parking, including Electric Vehicle Charging Points, cycle parking to be provided within the site. The EV charging points will also need to be available directly to external walls or garages. This can be secured via planning condition.

- 5.33 In summary, subject to the conditions seeking details of highway works and parking details, there is no objection in this regard.
- 5.34 Drainage
The site is not subject to any high risk of flooding. Given that there are residential properties within the site, there is no objection in principle subject to planning conditions seeking details of both surface water and foul sewerage disposal methods.
- 5.35 Sustainable Energy and Climate Change
As the application is in outline form, there will be a requirement for a full Sustainable Energy Statement being provided at the reserved matters stage to meet Council standards at that time. A condition will therefore be required to ensure that the development contributes to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions. The forthcoming scheme is expected to be designed to include the use of renewable energy, and to maximise on-site renewable power generation to provide a pathway to zero carbon emissions.
- 5.36 Planning Balance – Weighing Up Exercises
Section 38 (6) of the 2004 Act requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise. Paragraph 202 of the NPPF is a further material consideration which indicates that any identified harm to heritage assets should be weighed against the public benefits of the scheme.
- 5.37 Officers have identified that the proposal would result in less than substantial harm to the heritage assets, Harefield Hall, which is a locally listed building. This harm is considered to be at the lower end of the spectrum of less than substantial harm. Nevertheless, the harm to this asset should be given significant weight in accordance with the Policy and statutory duties to give special regard and great weight to the preservation of a listed building and its setting.
- 5.38 Public Benefits
The NPPG identifies that Public Benefits can be anything that deliver economic, social or environmental progress and be of a nature or scale to benefit the public at large.
- 5.39 It is noted that the Council's 5YHLS is now 6.14, however, this proposal provides an opportunity for the Council to increase the surplus and strengthen the 5YHLS position. Whilst the proposed scheme is relatively small, it would still make a material contribution to the supply of a total of 8 no. market housing.
- 5.40 On addition to the above, it is the opinion of the Planning Officer, when considering the merits of the application site that it is located within the settlement and it is relatively close to transport infrastructure, education and community facilities, and shops. The application site is also adjacent to the

existing residential properties and it would significantly set back from the host building, Harefield Hall. As such, the site is therefore well contained.

5.41 There would also be some modest economic benefits through the direct formation of construction (temporary), householders spending in the local area through additional population growth close the nearby services and services.

5.42 When considered together these benefits are considered to hold considerable weight in favour of the proposal.

5.43 Overall Balance

Overall, when weighting up the harm to the non-designated heritage asset against the benefits of the proposal, having regard to paragraph 202 of the NPPF, it is considered by Officers that the heritage harm does not outweigh the public benefits (as identified above).

5.44 CIL Issues

The South Gloucestershire Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide SPD was adopted March 2015. CIL charging commenced on 1st August 2015 and this development, if approved, would be liable to CIL charging.

5.45 Consideration of likely impact on Equalities

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

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

6. CONCLUSION

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

6.2 The recommendation to **grant** permission has been taken having regard to the policies and proposals in the 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 following conditions:

CONDITIONS

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

Reason

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

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

Reason

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

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

Reason

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

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

Reason

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

5. As part of the reserved matters outlined in Condition 1, details of the off street parking facilities for all new dwellings including covered and secure cycle parking spaces and a provision of electric vehicle charging point for each dwellings shall be submitted to the Local Planning Authority for approval. The development shall proceed in accordance with the agreed details which are to be provided prior to the first occupation of the building; and thereafter retained for that purpose.

Reason

To promote sustainable forms of transport, 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; Policies PSP11 and PSP16 of the South Gloucestershire

Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the South Gloucestershire Residential Parking Standards SPD (Adopted) December 2013.

6. As part of the reserved matters outlined in Condition 1, the Reserved Matters Application shall include the following Highway details.

Access.

A 6m wide shared surface dropped kerb vehicle crossover access onto Bath Road with visibility splays of 2.4m set back x 43m in both directions along Bath Road.

A 6m wide shared surface access for a minimum of 12m into the site.

Boundary wall set back behind the visibility splays and the footway widened up to the relocated boundary wall.

Bus shelter relocated to the back edge of the widened footway.

Minimum forward visibility of 17m along the access road.

Minimum road width of 6m behind any perpendicular parking spaces.

A turning area suitable for an 11.3m long 3 axle waste collection vehicle.

The dwellings shall not be occupied until the access road has been completed in accordance with approved layout and construction details including surface water drainage and street lighting to be submitted to and approved in writing by the Local Planning Authority prior to commencement of the Development. Development shall be carried out in accordance with the subsequent approved details.

Reason

In the interest of highway safety, and to accord with Policy PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017) and Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013).

7. As part of the reserved matters outlined in Condition 1, the landscaping details submitted shall include details of the following:
- a. landscape townscape visual impact assessment
 - b. landscape design and mitigation strategy plan
 - c. overarching long term management framework plan
 - d. Tree protection plan to BS5837:2012
 - e. Detailed planting plans specifying the location, species, stock size, planting centres and quantities of all proposed tree and structure planting, and it shall be fully implemented in the first season following completion of construction works
 - f. A landscape and ecological management plan covering the enabling works operations/period and a subsequent 10 Year management period, identifying existing and proposed landscape and ecology related site assets, associated management objectives, schedules of annual maintenance work together with longer term management operations.
 - g. Details of all proposed boundary and hard landscape surface treatments, including proposed levels and any soil retention/retaining walls that may be required.

Development shall be carried out in accordance with the approved details.

Reason

To conserve and enhance the landscape character of the site and locality, and to accord with Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core

Strategy (Adopted) December 2013; Policy PSP1 and PSP2 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework.

8. As part of the reserved matters outlined in Condition 1, site level plans showing the existing ground level of the site and the proposed ground level of the new dwellings shall be submitted to the Local Planning Authority for approval. For the avoidance of doubt, the maximum ridge and eaves height of any new dwelling proposed at the site shall not exceed 8 metres and 5 metres respectively above existing ground level.

Reason

To ensure a satisfactory standard of external appearance and to safeguard the residential amenity of the neighbouring properties, and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework.

9. As part of the reserved matters outlined in Condition 1, details of the surface water drainage including SUDS (Sustainable Drainage Systems e.g. soakaways if ground conditions are satisfactory), and method of foul sewage disposal shall be submitted for approval in writing to the Local Planning Authority. The development shall proceed in accordance with the agreed details.

Reason

To ensure a satisfactory means of drainage and pollution control in order to comply with Policy PSP21 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017, and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

10. As part of the reserved matters outlined in Condition 1, detailed proposed floor plans for the proposed conversion of Harefield Hall, shall be submitted for approval in writing to the Local Planning Authority. The development shall proceed in accordance with the agreed details.

Reason

To safeguard the historical architectural features and the amenity of the future residents of these units, and to accord with Policy PSP8, PSP17 and PSP39 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017) and Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013).

11. Notwithstanding the submitted sustainability and energy strategy note, as part of the reserved matters outlined in Condition 1, a detailed Sustainable Energy Statement to accord with the current Council standards shall be submitted to the Local Planning Authority for approval.

Reason

In the interests of sustainability in accordance with Policies CS1, CS3 and CS4 of The South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 and Policy PSP6 of The South Gloucestershire Local Plan : Policies, Sites and Places Plan (Adopted) November 2017 and the National Planning Policy Framework.

12. As part of the reserved matters outlined in Condition 1, a plan showing the location of hedgehog hole shall be submitted for approval in writing to the Local Planning Authority. For the avoidance of doubt, the development to be proposed as part of the reserved matters shall fully incorporate the enhancements stated in the PEA, PRA and Bat Activity Survey Report (ABR Ecology, April 2021). Any deviation from this plans shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works. Development shall be carried out in accordance with the approved details.

Reason

In the interests of protected species and the biodiversity of the locality, to accord with Policy PSP19 of The South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 and Policy CS9 of The South Gloucestershire Local Plan Core Strategy (Adopted) December 2013.

13. Prior to the submission of any reserved matters and prior to the commencement of any groundworks, including any exempt infrastructure, geotechnical or remediation works, a programme of archaeological work and subsequent detailed mitigation, outreach and publication strategy, including a timetable for the mitigation strategy, shall be submitted to and approved in writing by the local planning authority. Thereafter the approved programme of mitigated measures and method of outreach and publication shall be implemented in all respects.

Reason

To accord with policy CS9 of the South Gloucestershire Local Plan: Core Strategy (adopted) December 2013; Policy PSP22 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework. This is required prior to the commencement of development to ensure that the archaeological remains are adequately protected.

14. A site specific Construction Environmental Management Plan (CEMP), shall be agreed in writing with the Local Planning Authority prior to the commencement of proposed development hereby approved. The CEMP as approved by the Council shall be fully complied with at all times.

The CEMP shall include but not necessarily be limited to:

- (i) Measures to control the tracking of mud off-site from vehicles.
- (ii) Measures to control dust from the demolition and construction works approved.
- (iii) Adequate provision for the delivery and storage of materials.
- (iv) Adequate provision for contractor parking.
- (v) Details of Main Contractor including membership of Considerate Constructors scheme or similar.
- (vi) Site Manager contact details.
- (vii) Processes for keeping local residents and businesses informed of works being carried out and dealing with complaints.

Reason

In the interests highway safety and to accord with Policy PSP11 of the South Gloucestershire Policies, Sites and Places Plan (Adopted November 2017) and Policy

PSP8 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013). This is a pre-commencement condition to ensure that appropriate measures in place.

15. The development shall proceed in strict accordance with the Mitigation Measures provided in the PEA, PRA and Bat Activity Survey Report (ABR Ecology, April 2021).

Reason

In the interests of protected species and the biodiversity of the locality, to accord with Policy PSP19 of The South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 and Policy CS9 of The South Gloucestershire Local Plan Core Strategy (Adopted) December 2013.

16. Within six months following the commencement of the development hereby approved, prior to the first occupation of any dwellings, a "lighting design strategy for biodiversity" for the boundary features and any native planting shall be submitted to and approved in writing by the local planning authority. The strategy shall:
- Identify those areas/features on site that are particularly sensitive for bats (specifically north and east boundaries of the site) and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

Reason

In the interests of protected species and the biodiversity of the locality, to accord with Policy PSP19 of The South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 and Policy CS9 of The South Gloucestershire Local Plan Core Strategy (Adopted) December 2013.

17. The existing trees shall be protected in accordance with the submitted Nigel De Berker Arboricultural report ref: 7369 Rev B and BS:5837:2012.

Reason

To safeguard the long term health of the existing trees and to accord with Policy PSP2 and PSP3 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017), and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013).

18. The development hereby approved shall be carried out in accordance with the following plan:

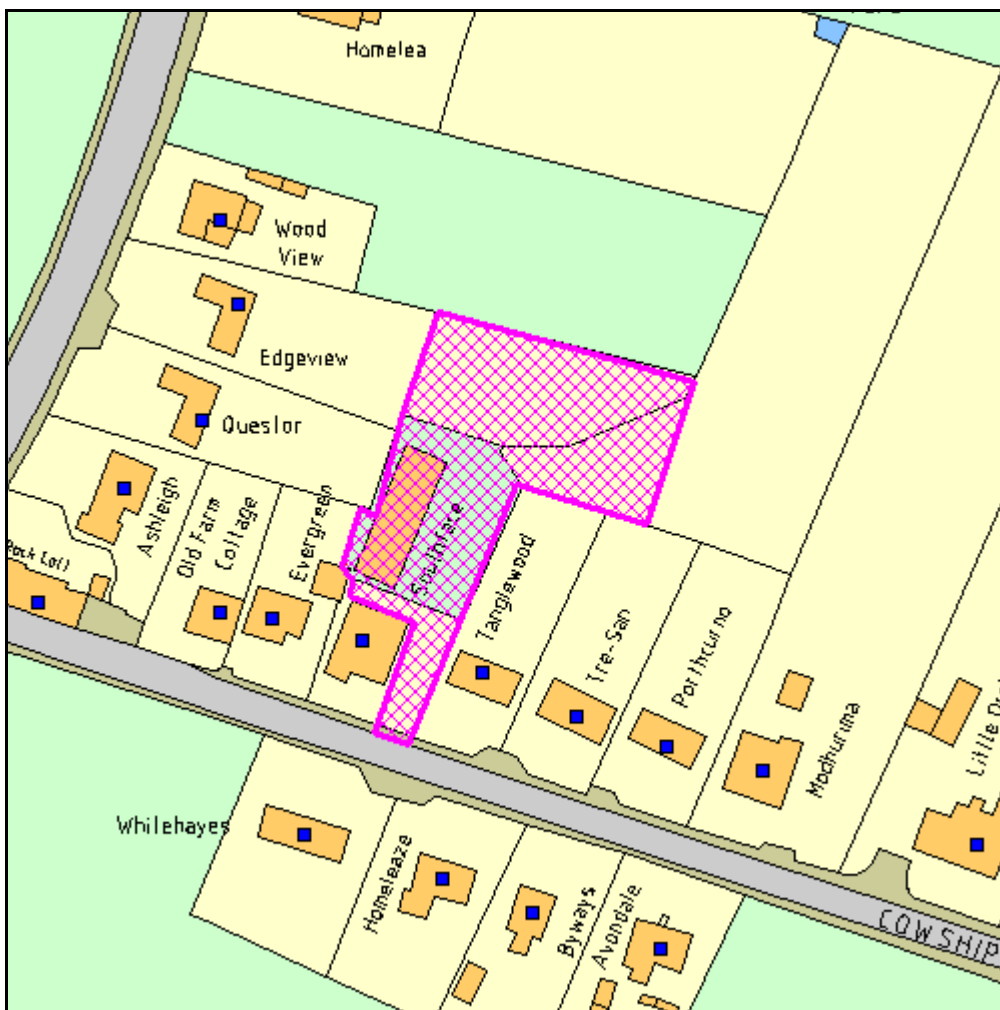
Site location plan, received by the Council on 3 June 2021.

Reason
For the avoidance of doubt.

Case Officer: Olivia Tresise
Authorising Officer: David Stockdale

CIRCULATED SCHEDULE NO. 06/22 - 11th February 2022

App No.:	P21/05331/O	Applicant:	Mr And Mrs Kershaw
Site:	Land To The Rear Of South Face Cowship Lane Cromhall South Gloucestershire GL12 8AY	Date Reg:	5th August 2021
Proposal:	Demolition of existing barns and erection of 1 no. dwelling (Outline) with access to be determined, all other matters reserved.	Parish:	Cromhall Parish Council
Map Ref:	369697 189147	Ward:	Charfield
Application Category:	Minor	Target Date:	28th September 2021



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 100023410, 2008. **N.T.S.** **P21/05331/O**

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

REASON FOR APPEARING ON CIRCULATED SCHEDULE

This application appears on the Council's Circulated Schedule procedure following an objection by the Parish Council and 3no objections from local residents, contrary of the officer recommendation detailed below.

1. THE PROPOSAL

- 1.1 Outline planning permission is sought for the demolition of the existing barns and the erection of 1 no. dwelling, with access to be determined. All other matters are reserved.
- 1.2 The application site relates to an area of land located to the rear of the Southface which is occupied by an existing agricultural building which has standing permission (Ref. P21/06691/PNGR) for the conversion into 2no residential dwellings.
- 1.3 The site is located within the open countryside, but is not within the Bristol/Bath Green Belt. A number of trees covered by Tree Protection Orders (TPOs) surround the site. A revised red line plan has been submitted since the point of application which reduces the proposed curtilage of the development.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS5 Location of Development
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS15 Distribution of Housing
CS16 Housing Density
CS17 Housing Diversity
CS18 Affordable Housing
CS34 Rural Areas

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

PSP1 Local Distinctiveness
PSP2 Landscape
PSP3 Trees and Landscape
PSP8 Residential Amenity
PSP11 Development Related Transport Impact Management
PSP16 Parking Standards

PSP20 Drainage
PSP40 Residential Development in the Countryside
PSP43 Private Amenity Standards

2.3 Supplementary Planning Guidance

The South Gloucestershire Design Checklist SPD (adopted)
The South Gloucestershire Residential Parking Standards SPD (adopted)
Waste Collection: Guidance for New Developments (Adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 P21/06691/PNGR. Permission Granted, 20/12/2021
Proposal: *Prior notification for the change of use from agricultural (Class Q) to 2 no. dwellings (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1985 as amended and associated works.*
- 3.2 PT18/4970/O. Permission Refused, 31/1/2019
Proposal: *Erection of 2 No. detached dwellings (Outline) with access determined, all other matters reserved.*
- 3.3 PT18/4075/PNGR. Permission Refused, 29/10/2018
Proposal: *Prior notification of a change of use from Agricultural Building to 2 no. residential dwellings (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).*
- 3.4 PT18/5038/PNGR. Permission Granted, 21/12/2018
Proposal: *Prior notification of a change of use from Agricultural Building to 2 no. residential dwelling (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) (resubmission of PT18/4075/PNGR).*
- 3.5 *The host dwelling*
PT18/4215/F. Permission Granted, 6/12/2018
Proposal: *Erection of first floor extension and alterations to roof line to form two storey dwelling with associated works.*

4. CONSULTATION RESPONSES

- 4.1 Wickwar Parish Council – Objection.
“The proposed development is within the open countryside and rural area of the district and may not be an appropriate place for new development - CS5 and CS34 of the South Gloucestershire Core Strategy (Adopted) December 2013 and PSP40 of the Policies Sites and Places Plan (Adopted) November 2017, and the National Planning Policy Framework.

“The inherent character of this area shows the current street scene is predominantly one of linear development. The proposal changes this pattern. As identified by officers in a previous application for outline permission for 2 no dwellings, this development would still "result in backland form of development to the north of the built form along Cowship Lane" which if approved "would encroach into the countryside and would be out of keeping with the pattern of development along Cowship Lane and be contrary of policy CS1 and CS34 of

the South Gloucestershire Core Strategy (Adopted) December 2013 and the National Planning Policy Framework."

"There appears a shared driveway which was previously identified as being only 2 metres from principal side windows of South Face which would be detrimental to their residential amenity plus increasing vehicular movements will result in the intensification of the existing access onto Cowship Lane.

"The location is approximately 2km away from the nearest amenities such as the post office and shop in Cromhall - around a 25-minute walk. Whilst the nearest bus stop is some 2-minute walk away on the Bristol Road, services into Yate, and Wotton-under-Edge in Gloucestershire are extremely limited and this property would be car-dependent for accessing employment, health, educational and recreational facilities contrary of policy CS8 of the South Gloucestershire Core Strategy (Adopted) December 2013, policy PSP11 of the Policies Sites and Places Plan (Adopted) November 2017, and the National Planning Policy Framework."

- 4.2 Environmental Protection – No objection, informatives recommended
- 4.3 Landscape Officer – No objection, conditions recommended.
- 4.4 Sustainable Transport – No objection, conditions recommended.
- 4.5 Lead Local Flood Authority – Details of SuDS required.
- 4.6 Tree Officer – Tree Protection Plan and Arboricultural Method Statement required.
- 4.7 Ecology Officer – No objections, conditions recommended.

Other Representations

4.8 Local Residents

The council have received 3no objection comments and one support comment (not inclusive of multiple comments from individual neighbours). Key points are summarised below:

Objection

- Not an appropriate place for development and is contrary to policy;
- Out of character;
- No prospect of the Prior Notification being implemented and is outside the site area – is not a valid fall-back position;
- The application site is not part of the garden for the 'South Face' and is on agricultural land and fields/paddock;
- Council have a 5year land supply, thus departure is not required;
- The removal of the barns is not sufficient to outweigh policies;
- Harm to private amenity and be overbearing;
- Existing barns much lower in scale;
- New house would be entirely in shade, putting pressure on tree removal;
- Insufficient ecology assessment;

- Newts have been seen within 100m of the site;
- The application fails to fully consider impact on endangered species and ecology;
- No biodiversity net gain;
- Topographical survey of site entrance required;
- Vehicle tracking required;
- No visibility splay shown;
- Ordinance survey information antiquate;
- Would increase vehicle conflict
- Garden area is excessive;
- Encroach on the countryside;
- Harm to residential amenity;
- Increased vehicle movements;
- Car dependent;
- Highly visible from neighbouring properties;
- It would require tall fencing, which would be out of character; and
- Better for existing barns to be converted.

Support

- Removal of dilapidated building and its overbearing position;
- Enhancements to existing building not sustainable;
- Will offer garden environment at the boundaries for northern neighbours;
- Objections quoting Local Plans were not upheld on the previous applications;
- No attempt to put repeater housing on the site;
- Lack of aspirational individually self-built houses generally; and
- With this application there is a chance to draw upon sensible and creative design solutions which could add a level of quality to Cowship Lane and the wider village.

5. ANALYSIS OF PROPOSAL

5.1 Spatial Strategy

Policy CS5 of the Core Strategy establishes the spatial strategy for development in the district. Under this policy, new development is directed to the existing urban areas, market towns, and defined rural settlements. Residential development outside of these locations is strictly controlled. Furthermore, policy CS34 of the Core Strategy seeks to protect the character of the rural areas, with residential development outside of a defined settlement generally resisted.

5.2 Given that the LPA are able to demonstrate a sufficient housing land supply in the district, there is limited justification for approving residential developments in inappropriate locations (with appropriate locations defined by the spatial strategy).

5.3 Notwithstanding the points set out above, and whilst the Council's spatial strategy can be given full weight, it is acknowledged that the situation on the ground has evolved in some areas since settlement boundaries were defined. Therefore, the Council may support development on sites situated outside of

the defined settlement boundaries subject to compliance of relative policies, with regards to any material considerations.

- 5.4 Residential Development in the Countryside
Policy PSP40 of the Policies, Sites and Places Plan makes allowances for new development within the countryside. Section 3 of this policy is most relevant, as this allows for the replacement of a single dwelling, where it is of a similar size and scale to the existing dwelling, within the same curtilage, and of design in keeping with the locality, and minimises visual intrusion into the countryside.
- 5.5 The application site sits with a cluster of properties of properties which front Cowship Lane and Bristol Road in a linear formation. The site proposed for development comprises of an allotment type area, which comprises a number of small poly tunnels/green houses, elements of ornamental planting, stone pathways, a dried out pond, and a meadow – for which a number of mature trees scatter the site and its boundary. Whilst the site was known to have a historical agricultural attachment, no evidence of crofting or small scale farming was observed. A small number of chickens (probably no more than around 5 were seen roaming free within the site, however officers do not consider this amounts to agricultural use. A set of goal posts and some seating was also seen within the paddock area. The existing barns were seen to be used for ancillary residential storage, for which artificial grass had been laid outside. Opposite exists a static caravan. No details of this have been provided, however it appears to share a close physical relationship with the host property.
- 5.6 In the officer's opinion, it can be considered beyond reasonable doubt that the agricultural use associated with the site has ceased and is now in the use of amenity land. The residing matter is whether or not the development site is considered to be curtilage, and if the extant prior approval for the proposed barn conversions can be used as a material consideration.
- 5.7 The definition of 'curtilage' is frequently challenged in the courts, with the officers finding the most recent meaning in the decision of *Burford v Secretary of State for Communities and Local Government & Anor [2017] EWHC 1493*. When investigations curtilage, there are three important factors to consider: the physical layout, past and present ownership and the use or function of land, past and present. The Burford case involved an area of land which was adjacent to the host building, which had a lawful development certificate confirming it could be used for purposes incidental to the enjoyment of the dwelling. However, this land was physically separated from the dwelling by hedges and fences. The High Court ruling confirmed that the identification of the extent of curtilage is a matter of planning judgement. The judge in this instances sided with the inspector, for which the case illustrated that whilst the function of land is relevant to the question of curtilage, it is not determinative. Furthermore, even if the land had been used for domestic purposes for more than 10 years, it does not mean it is residential curtilage.
- 5.8 In regards to the commentary above, officers note that the allotment area has been used for purposes ancillary to the enjoyment of the dwelling house, with aerial imagery this has been the case for a number of years. Nonetheless, this is not determinative. Concerning the physical layout, the existing barns

immediately back on to the host dwelling, with only a few meters separating the buildings. Nonetheless, this area is separated-off with a low level fence and gate, beyond which, another low level fence separates the allotment area and provides a barrier most likely to contain the chickens. As such, the allotment area is physically separated by a degree of boundary treatment (all be it minimal) and a reasonable separation distance from the rear elevation of the host dwelling by around 27m. The development area is therefore considered not to fall within the residential curtilage, weight is therefore afforded against the proposed development.

- 5.9 It is acknowledged that the existing barns on site have an extant Class Q Prior Approval Permission, as such development of these barns could be undertaken without the need of express planning permission. This forms fall-back position, and the ultimatum for the proposed development subject to this application.
- 5.10 Whilst the proposed building would be outside of the footprint associated within the Class Q permission. However, the submitted redline plan for this application includes the existing barns and proposes their demolition, with the proposed indicative location of the new dwelling and the existing barns sharing a close physical relationship. Considering that both parcels of land would be impacted by either development, and that the existing barn falls within the red line boundary, merit is afforded to the fall-back position.
- 5.11 Consideration to the fall-back position should be inclusive of the planning balance, the key material considerations addressed in policy PSP40, such as scale, design, amenity, and impact on the surrounding area should be assessed.
- 5.12 The existing fall-back position provides the opportunity 2no. dwellings additional dwellings on the site, forming a 2bed and 1bed property. Each would be afforded with 2no parking spaces and an area of amenity to the front. The included redline plan also indicated an area of associated amenity land to the north which would overlap the proposed/ indicative footprint. Nonetheless, the existing barns appear somewhat out of character when compared to the residential nature of the plot and the surrounding area. The physical appearance of the barns and poor architectural quality is seen to harm the visual appearance of the immediate area. As such, the demolition and removal of these barns would be of benefit. Its removal would also result in a net-reduction of dwellings which aligns with the spatial objective of limiting growth outside of settlement boundaries. Localised benefits for the host dwelling would include an improved outlook, and quantity and quality of external residential amenity space.
- 5.13 The proposed development, provided it's kept to a single storey, would be largely screened in views from Cowslip Lane, as per the existing barns which are proposed for demolition. The resultant impact to the character of the countryside as a result of the barn demolition and the erection of a single storey dwelling, despite the relocation of built volume further north on the plot, is not considered to result in a harmful effect on the character of the countryside which is above and beyond that of the impact of the existing barns. Under a pragmatic view, the relocation of built form is not distanced and is seen as

negligible when taking into consideration the wider character area. Whilst there would be a change of views from some neighbouring properties and from an aerial perspective, the development site would still retain a link to the built up areas of the development pattern and be enclosed amongst neighbouring residential amenity land. Taking a balanced judgement, the proposed development is considered acceptable provided its scale lesser than the existing development, that the design is of high quality with special regard given so to reduce the impact of built volume in the countryside. With the submission of a well development landscaping scheme, the development would conserve the rural character.

Residential Amenity

5.14 Policy PSP8 of the PSP Plan (November 2017) sets out that development proposals will be acceptable provided they do not create unacceptable living conditions or have an unacceptable impact on the residential amenity of the occupiers of the development or of nearby properties. Unacceptable impacts could result from; loss of privacy, and overlooking; overbearing and dominant impact; or loss of light; noise or disturbance; and odours, fumes or vibration.

5.15 It is acknowledged that all matters are reserved at this stage and therefore it is not possible to make a full assessment of the potential impact of the development on the residential amenity of the neighbours. However, from the indicative information provided, there would likely be a change in private views of the proposed building from some surrounding properties. Nonetheless, these dwellings are located a sufficient distance away from the site so not to have an overbearing impact and would retain sufficient levels of outlook. Should the development be maintained to a single storey and incorporate appropriate landscaping, boundary treatments and window design, sufficient levels of privacy would be retained. Furthermore, due to the proposed scale and its location relative to the neighbouring properties, the development would not result in loss of light or overshadowing. Levels of external private amenity space would be improved for the host dwelling, and compliance would be met for the proposed dwelling.

Landscaping and Trees

5.16 The matter of landscaping is a reserved matter and therefore not being assessed, however it is considered the proposal is unlikely to impact on any trees. Nonetheless, this will be fully assessed through the submission of arboricultural details at reserved matters. Appropriate planting and boundary treatments should also be indicated within a landscaping scheme at reserved matters stage.

Ecology

5.17 A Preliminary Ecological Appraisal (Ecologic, June 2021) has been submitted in support of this application.

5.18 Montbretia (listed on Schedule 9 of the Wildlife & Countryside Act 1981, as amended) and winter heliotrope were recorded on site, mitigation has been recommended regarding removal.

- 5.19 The hedgerows, trees and grassland provide foraging habitat for bats. The buildings onsite were assessed for their bat roosting potential and were found to be of negligible potential. A black poplar in the north east corner of the site recorded potential bat roosting features, however this will be retained. Sensitive lighting and enhancements have been recommended and this is welcomed.
- 5.20 There are some potential habitat for GCN, however there are no waterbodies on site and out of the three ponds within 500m of the site two were found to be dry and one separated by housing and a road. Mitigation for common amphibians is recommended and this will form part of an ecological mitigation and enhancement scheme.
- 5.21 The hedgerows are of suitable habitat for dormice, these will be retained.
- 5.22 The habitat on site is suitable for nesting and foraging birds, no evidence or potential opportunity for nesting was noted within the building, some mitigation has been recommended, if removal is to occur in bird nesting season (general March to August inclusive) though this should be avoided, a check is to be undertaken by a suitably qualified ecologist immediately prior to works commencing which includes site clearance.
- 5.23 No evidence of badger was noted on or surrounding the site, however it is considered likely that badgers will use the site for foraging and passing through. Hedgehogs have not been detailed within the report, however there are suitable habitats on site. Mitigation proposed for badgers will also apply to hedgehogs, also any fencing to be installed is to be installed with a hedgehog hole (13cm x 13cm) to allow hedgehogs continuous use.
- 5.24 In conclusion, no further surveys are required and additional information has been recommended in the form of a LEMP and a CEMP. Subject to the recommended conditions, no objections are raised.

Transport

- 5.25 In terms of accessibility the site is outside of a settlement boundary and somewhat distant from local facilities. However, there is a reasonable rural bus service with bus stops accessed along a walkable route some 150m away on Wotton Road. The village of Cromhall is about 1.7Km to the north where there is a post office and a public house. The local primary school in Cromhall is about 1.9km away. There is a footpath all the way to Cromhall although it is narrow in places.
- 5.26 Considering the proposal is for a single dwelling and includes the demolition of a barn which could be converted to residential, the number of additional vehicle trips on the highway network would be negligible. As such, officers consider that the proposal is not inconsistent with the accessibility criteria in Policy PSP11.
- 5.27 Visibility to the left when exiting is a bit restricted, however given the nature of Cowship Lane and the other residential access nearby which are similar it can be considered suitable for the proposal.

- 5.28 It is considered that the site is capable of providing sufficient off-street parking for both the existing and proposed dwelling, for which details can be submitted at reserved matters stage.

Drainage

- 5.29 No detail regarding the method of sustainable drainage systems for surface waste disposal have been provided, however these can be submitted at reserved matters stage.

5.30 Consideration of likely impact on Equalities

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

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

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the 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. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason

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

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

Reason

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

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

Reason

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

4. As part of the reserved matters outlined in Condition 1 details of the off street parking facilities for both the new dwelling and existing dwelling, including covered and secure cycle parking spaces and a provision of electric vehicle charging facilities are to be submitted to the Local Planning Authority for approval. The development shall proceed in accordance with the agreed details which are to be provided prior to the first occupation of the building; and thereafter retained for that purpose.

Reason

To promote sustainable forms of transport, 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; Policies PSP11 and PSP16 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the South Gloucestershire Residential Parking Standards SPD (Adopted) December 2013.

5. As part of the reserved matters outlined in Condition 1, the proposed dwelling must be single storey only and must not provide any forms of living accommodation within the roof space.

Reason

To ensure a satisfactory standard of external appearance, to protect the character of the area and to protect standards of residential amenity. To accord with Policies CS1 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policies PSP1, PSP2, and PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 and the National Planning Policy Framework.

6. As part of the reserved matters, required by Condition 1, the landscaping details submitted shall include details of the following: a Tree Protection Plan and Arboricultural Method Statement, a detailed planting plan specifying the location, species, stock size, planting centres and quantities of all proposed new/replacement tree and structure planting (to be implemented in the first season following completion of construction works), and details of all proposed boundary and hard landscape

surface treatments, including proposed levels and any soil retention/retaining walls that may be required. All documents must be in accordance with BS:5837:2012 and prepared by a suitable qualified person. Development must proceed in strict accordance with the approved details.

Reason

To ensure a satisfactory standard of external appearance, and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP1, PSP2 and PSP3 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework.

7. As part of the reserved matters, required by Condition 1, method of Sustainable Drainage Systems (SuDS) for surface waste disposal must be submitted to the council for approval. Development must proceed in strict accordance with the approved details.

Reason

To ensure adequate forms of drainage are achieved within the development and to comply with policy PSP20 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017

8. The development shall proceed in strict accordance with the Mitigation Measures provided in the Preliminary Ecological Appraisal (Ecologic, June 2021).

Reason

To ensure the works are carried out in an appropriate manner and in the interests of wider biodiversity, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted (2017) and the National Planning Policy Framework. With further regard to the species protected under the Conservation of Habitats & Species Regulations 2017 ('European Protected Species) and Wildlife & Countryside Act 1981 (as amended).

9. Prior to commencement of development, a "lighting design strategy for biodiversity" for the boundary features and any native planting shall be submitted to and approved in writing by the local planning authority. The strategy shall:
 - o Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - o Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in

accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason

To prevent remedial action and to ensure the works are carried out in an appropriate manner and in the interests of wider biodiversity, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted (2017) and the National Planning Policy Framework. With further regard to the species protected under the Conservation of Habitats & Species Regulations 2017 ('European Protected Species) and Wildlife & Countryside Act 1981 (as amended).

10. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall be written in accordance with BS42020, including mitigation details on birds, great crested newt, reptiles, dormice and badger, as well as any pollution prevention measures. The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason

To prevent remedial action and to ensure the works are carried out in an appropriate manner and in the interests of wider biodiversity, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted (2017) and the National Planning Policy Framework. With further regard to the species protected under the Conservation of Habitats & Species Regulations 2017 ('European Protected Species) and Wildlife & Countryside Act 1981 (as amended).

11. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the first occupation of the development. The LEMP shall be written in accordance with BS42020. The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details. A plan detailing all ecological enhancements is also to be included.

Reason

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

under the Conservation of Habitats & Species Regulations 2017 ('European Protected Species) and Wildlife & Countryside Act 1981 (as amended).

12. Prior to the commencement of development for the approved dwelling, the existing barns as shown within the submitted redline plan must be fully demolished.

Reason

To prevent remedial action and to ensure the character of the area is retained. To comply with policies CS1 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013 and policies PSP, PSP2 and PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) 2017.

13. Notwithstanding the provisions of Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no development as specified in Part 1 (Classes A, B, D, E, F) and no development as specified in Part 2 (Classes A and B) other than such development or operations indicated on the plans hereby approved, shall be carried out without the prior written consent of the Local Planning Authority.

Reason

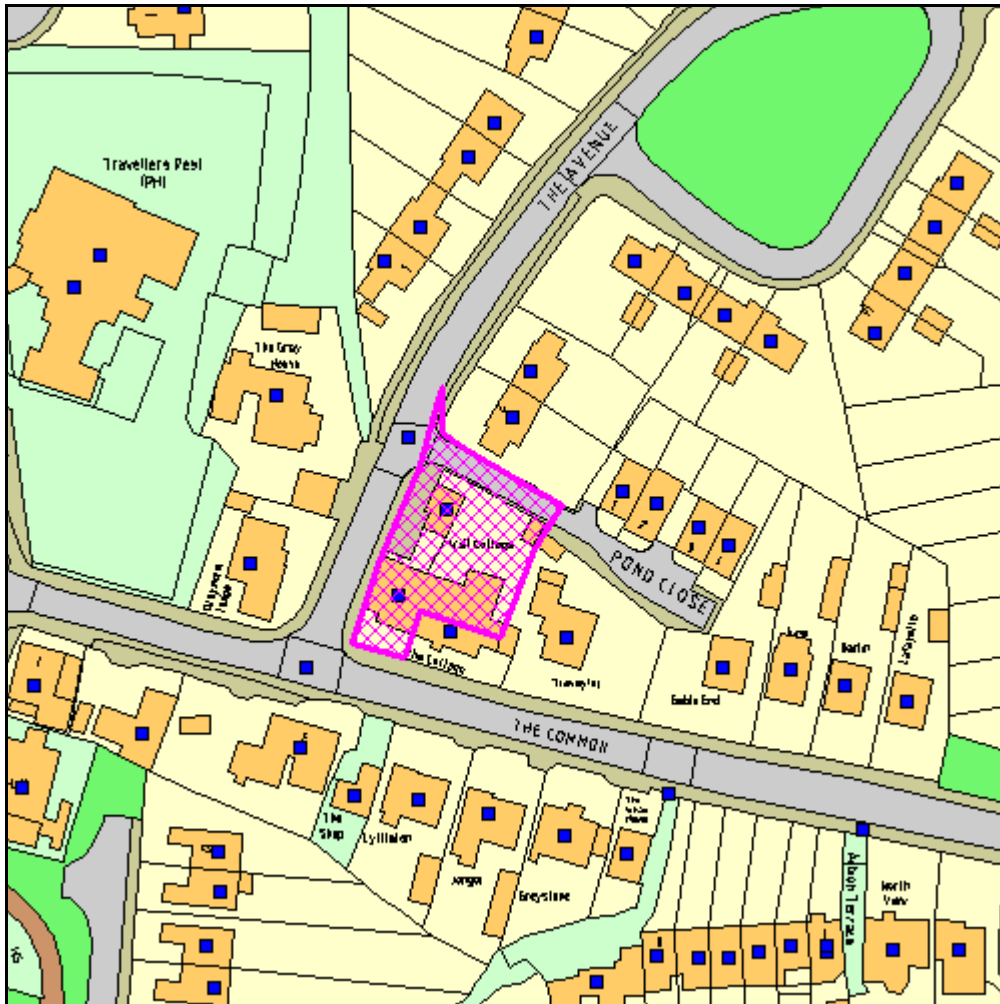
To ensure a satisfactory standard of external appearance and private amenity space, to accord with Policies CS1 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policies PSP1, PSP2 and PSP43 of the Policies, Sites and Places Plan (Adopted) 2017; and the National Planning Policy Framework.

Case Officer: Thomas Smith

Authorising Officer: Suzanne D'Arcy

CIRCULATED SCHEDULE NO. 06/22 - 11th February 2022

App No.:	P21/05991/F	Applicant:	JKJ Properties Ltd
Site:	Well Cottage The Common Patchway South Gloucestershire BS34 6AL	Date Reg:	9th September 2021
Proposal:	Erection of a front porch and a two storey side extension to facilitate sub-division to form 2no dwellings. Change of use of existing detached annexe to separate dwelling.	Parish:	Stoke Lodge And The Common
Map Ref:	360901 182485	Ward:	Bradley Stoke North
Application Category:	Minor	Target Date:	29th October 2021



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N.T.S.

P21/05991/F

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

Reason for Referral to the Circulated Schedule

This application has been referred to the Circulated Schedule following the receipt of objections from Stoke Lodge and The Common Parish Council and 12no. local residents; the concerns received being contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The application site, Well Cottage, consists of a large, semi-detached property set within a relatively large corner plot fronting The Common. The site is situated within the established residential area of Patchway within the North Fringe of the Bristol Urban Area.
- 1.2 The property is enclosed by Pond Close to the north, The Avenue to the west and The Common to the south; No.2 The Common, a detached dwelling within a similarly large plot, lies to the east.
- 1.3 Well Cottage itself consists of several two-storey and single-storey elements, and incorporates a number of architectural features such as a rear-facing gable. The main dwelling is finished in white render. The property is attached at its south and east elevations to a neighbouring property i.e. 'The Cottage'—essentially wrapping around the side and rear of this neighbouring dwelling. The Cottage consists of a 2-storey traditional style cottage of a similar style to the subject property. The Cottage possesses a private front garden separated from the driveway to Well Cottage via a garden fence.
- 1.4 Well Cottage has been significantly altered and extended over time through a number of additions. The westernmost part of the property, which consists of several single storey elements, previously formed a hairdressing salon. However, planning permission was granted in August 2000 for a change of use to residential.
- 1.5 The property also contains a rear garden, two-storey annexe, providing further residential accommodation within the north-western corner of the site.
- 1.6 The site is flanked on all sides by residential development and sits in a well-established residential area of North Bristol. The surrounding area consists of a variety of different building styles and housing types, with no one particular vernacular.
- 1.7 The property possesses multiple parking areas, with spaces available to the front, off 'The Common' and spaces are also accessible to the rear via 'The Avenue'.
- 1.8 This application seeks planning permission for the erection of a front porch and two-storey side extension to facilitate the sub-division of the property to create an additional residential dwelling. The application also seeks to further subdivide the plot to create a further residential dwelling within the two-storey

annexe to the rear of the property, making three separate dwellings in all i.e. net gain of 2no. dwellings.

- 1.9 The proposed works, in terms of built form to the main body of the dwelling, were previously approved under application PT17/2898/F, however the 3-year period for the commencement of development recently lapsed in July 2021. Whilst materially, the proposed works remain identical to the previously approved scheme, the proposal is now intended to facilitate the creation of 2 no. additional dwellings (in tandem with the existing annexe being provided as a standalone dwelling), rather than provide additional living accommodation for Well Cottage alone, as per the content of the previous application.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework Feb 2019
National Planning Policy Guidance 2014

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS4a Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS15 Distribution of Housing
CS16 Housing Density
CS17 Housing Diversity
CS25 Communities of the North Fringe of the Bristol Urban Area

South Gloucestershire Policies, Sites and Places (PSP) 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
PSP21 Environmental Pollution and Impacts
PSP43 Private Amenity Space Standards

2.3 South Gloucestershire Supplementary Planning Documents

Residential Parking Standards SPD (Adopted) December 2013
Design Checklist SPD (Adopted) 2007
Waste Collection: Guidance for New Development SPD (Adopted) January 2015
CIL & S106 SPD
Householder Design Guide SPD – Adopted March 2021

2.4 5-Year Housing Land Supply (5YHLS)

In terms of local plan policy, It has recently been established via the 2020 Annual Monitoring Revue (AMR) (March 2021 Addendum) that, using the Standard Method, South Gloucestershire Council can demonstrate that it currently has a 6.14 year housing land supply. As such the development plan policies are considered to be up to date and for the purposes of decision taking, sustainable development proposals that accord with an up-to-date development plan should be approved without delay (see NPPF para 11c).

3. RELEVANT PLANNING HISTORY

- 3.1 P85/2281 - Erection of single storey front extension to existing hairdressers salon.
Approved 9th Oct. 1985
- 3.2 P86/1910 - Erection of front extension incorporating new shop front.
Approved 16th July 1986
- 3.3 P88/1361 - Conversion of existing garage to form ancillary residential accommodation on two storeys, and erection of single storey extension to form porch and kitchen/ diner. Alterations to existing pedestrian access (in accordance with the applicant's letter dated 19TH march 1988 and received by the council on 21ST march 1988).
Approved 20th April 1988
- 3.4 P91/1458 - Erection of two storey front extension to provide lounge with two bedrooms above (in accordance with the amended plans received by the council on 26th June 1991).
Approved 30th June 1991
- 3.5 P92/1073 - Erection of two storey front extension to form ground floor lounge, enlarge living room and provide first floor bedroom and bathroom.
Approved 23rd Feb. 1992
- 3.6 PT17/2898/F - Erection of front porch and two storey side extension to provide additional living accommodation.
Approved 20th Sept. 2017
Not implemented
- 3.7 PT00/1633/F - Change of use from hairdressing salon to residential.
Approved 1st August 2000

4. CONSULTATION RESPONSES

4.1 Stoke Lodge and The Common Parish Council

The Parish Council objects to this planning application for the following reasons:

The application is not in keeping with the local area. We consider this application to be over development in the local area and not in keeping with the village scene.

The vehicular access from Pond Close is not acceptable for the dwellings proposed.

The vehicular access for the existing properties is already very restricted and vehicles are already forced to reverse from their properties to access The Avenue.

There is currently a disability access requirement in Pond Close and this must not be hindered in any way.

There is insufficient parking provision in this application and the additional cars for these properties would only add to the existing parking issues we have in this area of The Common. Cars are regularly parked in this area all day by people who are working in Aztec West.

The Parish Council is very concerned that this application will be for multiple occupancy and also Air BnB. We suspect that this development is for profit only and the owners will not be living here. There is a strong community spirit within our Parish which we are keen to preserve and feel that this type of development will be detrimental to it. We wish to preserve the village atmosphere which we currently enjoy.

Patchway Town Council

No response

4.2 Other Consultees

Highway Structures

No response

Lead Local Flood Authority

No objection

Transportation D.M.

No objection subject to conditions relating to the provision of the parking & cycle storage facilities and electric vehicle charging points.

Archaeology Officer

No comment (previously raised no objections to PT17/2898)

Wessex Water

No response

Other Representations

4.3 Local Residents

12no. responses were received, all objecting to the proposal. The concerns raised can be summarised as follows:

- 2 parking spaces accessed off Pond Close which is a tight cul-de-sac with limited access. Visibility is bad when reversing out; insufficient room to turn.
- No kitchen in House no.1.

- Pond Lane is a private road – no right of access to the garden of House no.1?
- Will increase parking on The Avenue.
- Entry between House 1 & House 2 so could be used as an Air BnB.
- House 3 was a garage so increased on-street parking.
- Over development.
- The scheme is for profit only, the applicant won't live there.
- Will be used as an HMO.
- Development should be completed before the houses are let.
- The yellow lines are to be continued from The Common into The Avenue.
- Increased noise in Pond Lane.
- Poor visibility at the junction of The Avenue and The Common.
- Increase from single-storey to 2-storey will cause overbearing impact on bungalows and cottage.
- The Common is a designated cycle-way.
- Not in character with bungalows and cottages.
- Loss of property values.
- Request to tie into The Cottage would be refused.
- A 2m fence has already been erected around the garden of House no.2
- The parking space in front of House no.2 is too small due to porch.
- Insufficient parking provision.
- Trees have been removed.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The development plan supports residential development within the established settlement boundaries. Policy CS5 of the Core Strategy encourages new residential development within settlement boundaries and urban areas, and Policy CS25 of the Core Strategy encourages new provision of housing in the North Fringe of the Bristol Urban area. Similarly, Policy PSP38 of the Policies, Sites & Places Plan states that new dwellings and extensions within existing residential curtilages are acceptable in principle but should respect the overall design and character of the street and surrounding area; would not prejudice the amenities of neighbours; would not prejudice highway safety or provisions of an acceptable level of parking provision for any new and existing buildings; would not prejudice the provision of adequate private amenity space, and would not lead to the loss of gardens that form part of a settlement pattern that contributes to local character.

- 5.2 The acceptance in principle of residential development on this site, within the urban area, has been previously established with the grant of PT17/2898/F. Detailed matters relevant to this current application will be assessed below.

Scale, Design and Visual Amenity

- 5.3 Core Strategy Policy CS1 reflects the NPPF in seeking to secure the highest possible standards of design and site planning; development proposals are required to demonstrate *inter alia* that siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the

character, distinctiveness and amenity of both the site and its context. Furthermore, Policy PSP1 of the South Gloucestershire Local Plan : Policies, Sites and Places Plan, seeks to ensure that development demonstrates an overall understanding of, and responds constructively to, the buildings and characteristics that make a particularly positive contribution to the distinctiveness of the locality.

- 5.4 Notwithstanding the conversion of the annexe to a separate dwelling, the current proposal remains identical in terms of built form to that previously approved under PT17/2898/F, the erection of the porch and side extension would now facilitate the creation of an additional new dwelling rather than providing additional living space as previously approved.
- 5.5 The proposed extension would essentially replace the existing single-storey elements with a two-storey dual gable. The northernmost gable would project from the side of the host dwelling, with the southernmost gable projecting from the side of 'The Cottage'. The footprint of the subject property would remain largely unaltered, with the main alteration being the creation of a first floor at the westernmost part of the property.
- 5.6 The proposal would increase the number of dwellings on the plot from one to three, which represents an increased density. The site is located within the defined settlement boundary and therefore the provision of 2 No. new standalone residential dwellings is appropriate in principle. The plot is large enough to accommodate the three dwellings, especially given that the overall footprint of built development would not substantially increase.
- 5.7 The following extract is taken from the previous case officer's report (ref: 17/2898/F), relating to the recently lapsed permission.

Two storey side extension

- 5.8 *The proposed extension would essentially replace the existing single-storey elements with a two-storey dual gable. The northernmost gable would project from the side of the host dwelling, with the southernmost gable projecting from the side of 'The Cottage'. The footprint of the subject property would remain largely unaltered, with the main alteration being the creation of a first floor at the westernmost part of the property.*
- 5.9 *Due to its siting towards the front of the plot, the proposed side extension would be visible from the public areas offered along both 'The Common', and 'The Avenue'. It is noted that the extension would represent a significant, two-storey addition to the existing dwelling. On this basis, it is recognised that the proposed development would have an impact on the immediate streetscene and the character and distinctiveness of the locality.*

Front elevation (Along 'The Common')

- 5.10 *At present, the front elevation of the property consists of a single-storey element, attached to the side of the adjoining property. Ordinarily, an extension of the scale proposed could appear as a disproportionate addition to the host dwelling, which could potentially unbalance the semi-detached pair of properties. However the front elevation of the extension would largely mirror the*

adjoining property in terms of scale and design, with the rest of the subject property screened from view. It should also be noted that the proposed extension would be finished in a white render to match the external finish of the host dwelling and the adjoining property. As such, it is considered that the proposed extension would appear as a well-integrated, proportionate addition when viewed alongside the adjoining property.

- 5.11 *With regard to impacts on the character of the area, the immediate streetscene consists of a variety of property types, and cannot be considered to exhibit any distinctive character. As such, the proposed extension would not appear as an unnatural or overly prominent feature within the streetscene. On this basis, it is not considered that the replacement of the single-storey elements with a two-storey extension would harm the streetscene along 'The Common'.*

Side and rear elevation (Along 'The Avenue')

- 5.12 *The proposed extension would be visible alongside the host dwelling, when viewed from the side/rear of the site along 'The Avenue'. At present, it is considered that the westernmost part of the property (consisting of several single-storey elements with differing roof types and pitches) appears somewhat detached from the rest of the dwelling. This is unsurprising given its previous use as a hairdressing salon. However it is not considered that the single-storey section of the property can easily be read as forming part of the residential unit. Despite an increase in bulk, it is considered that the replacement of the single-storey elements with a two-storey dual-gable would result in a more coherent overall appearance.*

- 5.13 *For the reasons outlined above, it is not considered that the proposed two-storey extension would significantly detract from the appearance of the property, or the character, distinctiveness or visual amenity of the area. Furthermore, the proposed front porch is considered acceptable in terms of scale, design and finish. On balance, it is considered that an acceptable standard of design has been achieved, and that the proposal satisfies design criteria set out in policy CS1 of the Core Strategy.*

- 5.14 Other than the conversion of the annexe to a separate dwelling, the current proposal remains identical in terms of design and visual impact to that previously approved and therefore remains acceptable and policy compliant in line with the officer assessment for the previously approved PT17/2898/F.

Residential Amenity

- 5.15 In line with Policy PSP8 and the recently adopted Householder Design Guide SPD, development proposals will only be acceptable where they do not create unacceptable living conditions or have an unacceptable impact on the residential amenity of occupiers of the development or of nearby properties. Matters to consider are:

- a) Loss of privacy and overlooking;
- b) Overbearing and dominant impact;
- c) Loss of light (daylight/sunlight)
- d) Noise or disturbance; and
- e) Odours, fumes or vibration.

- 5.16 The application site is within a densely populated, built up residential area, and as such, a degree of overlooking, including the perception of it, is to be reasonably expected, especially if the most efficient use of land within the Urban Area is to be achieved, as required by the NPPF. Nevertheless, given the location of the proposed windows, any additional overlooking of neighbouring properties would be from a sufficient distance and angle as to result in only a minimum loss of privacy; that is not considered to warrant a refusal of permission on these grounds.
- 5.17 The previous officer's report determined that whilst the proposed two- storey extension would attach to The Cottage, due to the unusual arrangement of the adjoining plots, the proposed extension would not be sited adjacent to any outdoor amenity space associated with the neighbouring properties. This arrangement significantly limits the potential for overbearing, overshadowing or overlooking impacts that the proposed extension could have. The proposed extension would neither be visible from any of the neighbouring windows and would consequently have no detrimental impact on outlook.
- 5.18 As regards increased noise and disturbance during the development phase, this would be short term only and the hours of working on the site could be controlled by condition. Increased noise or anti-social behaviour from future residents is not a planning issue and falls to be controlled by the appropriate enforcement agencies.
- 5.19 Moving to the issue of amenity space provision; Policy PSP43 requires all new residential units, to have access to private amenity space. The space should *inter alia* be easily accessible from living areas and of a sufficient size and functional shape to meet the needs of the likely number of occupiers. The Policy sets minimum space standards; the requirement for a 1-bedroom house is 40 sq.m.; a 3-bedroom house is 60sq.m. and a 4 bedroom house 70 sq.m.
- 5.20 From the submitted plans:
- House 1 would have 2 bedrooms
 - House 2 would have 4 bedrooms
 - House 3 would have 1 bedroom
- 5.21 Each dwelling contains a generous amount of external amenity space:
- House 1 – 121.3m² (166m² including sheds and parking)
 - House 2 – 67.6m² (116m² including sheds and parking)
 - House 3 – 52.78m² (88m² including sheds and parking)

Whilst the parking areas do not count towards private amenity space provision, officers are satisfied that given the sustainable location, adequate private amenity space would be provided to the rear for each of the proposed dwellings.

Highway Safety

- 5.22 In terms of parking provision, policy PSP16 of the Policies, Sites and Places Plan sets out the Council's minimum parking standards for residential

development. The number of parking spaces that should be provided is based on the number of bedrooms contained within a residential unit.

5.23 The parking standards for the proposed properties are as follows:

- 1 bed house 1 space
- 3 bed house 2 spaces
- 4 bed house 2 spaces

5.24 Following the submission of revised plans, the Council's Transportation Officer raises no objection to the provision of 2 parking spaces for each of houses 1 & 2 and 1 space for house 3. The spaces now all meet the minimum size standards of 2.4m x 4.8m for external spaces. The spaces for house 2 would be accessed directly off The Common as per the existing situation; the spaces are however enlarged, which is a betterment over the current situation.

5.25 The space to the side of the window to house 3, parallel to The Avenue, is of a suitable size but not ideally located. It is however an existing space and as such there is no objection to this. A second existing parking space, to the side, that is currently very awkward to access from The Avenue, would be deleted in the proposed scheme, which would be a further betterment.

5.26 Vehicle tracking diagrams have been submitted to demonstrate that the parking spaces for houses 1 and 3 can all be accessed by a large car. The Council's Transportation Officer now raises no objection to the proposed access arrangements. The applicant has confirmed that the applicant does benefit from a right of way over Pond Close.

5.27 Each house is to be provided with a secure cycle store for 2 cycles. A 7 Kw 32 Amp Electric Vehicle Charging Point would also be provided for houses 1 and 3 respectively; an EVCP cannot be insisted on for house 2 as the house and parking area already exists. These matters can also be secured by condition.

5.28 On balance therefore, the impact on highway safety would not be severe.

Landscape

5.29 There is no vegetation of note within the site. A conifer that previously stood in the rear garden of Well Cottage has been felled, but this was not a protected tree and had limited amenity value. A landscape scheme is not considered justified for what are existing domestic garden areas. There are no objections on landscape grounds.

Environmental Issues

5.30 The site is not within a Coal Referral Area and is not in an area at high risk of flooding. Given the proposed use of the buildings as open market housing, neighbouring property would not be subjected to excessive noise levels. Neither would future occupants be subjected to excessive levels of noise, dust or smell. The Council's drainage engineer raises no objections to the scheme, which would utilise the existing mains sewer.

- Waste and recycling
- 5.31 In line with SPD guidance there is adequate room within the relative plots for bin storage.

- Other Matters
- 5.32 Concerns have been raised by the Parish Council and local residents that have not been addressed above and include the following:
- A kitchen is now shown in House 1 on the revised plans.
 - There are no inter-connecting doors between houses 1 & 2 on the revised plans.
 - The properties are intended to be open market housing. There is no indication within the submission that the properties are to be operated as HMO's or Air BnB's.
 - Whether or not the development is for profit is not a material consideration in the determination of planning applications.
 - Similarly, the impact on house values is also not a material consideration.
 - The applicant will be advised via an informative regarding his responsibilities under the Party Wall Act. The matter of tying the extension into the side wall of the neighbouring cottage is a matter between the respective parties and does not prevent planning permission being granted.

- Consideration of likely impact on Equalities
- 5.33 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 considerations to be reflected into the design of policies and the delivery of services.

- 5.34 With regards to the above, this planning application is considered to have a neutral impact on equality. Equalities have been given due consideration in the application of planning policy as discussed in this report.

- CIL
- 5.35 The South Gloucestershire Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide SPD was adopted March 2015. CIL charging commenced on 1st August 2015 and this development would be subject to CIL.

- Planning Balance
- 5.36 NPPF para. 11c states that development proposals that accord with an up-to-date development plan should be approved without delay. It has recently been established that the Council can demonstrate a 5-year housing land supply and as such the Development Plan is up to date and in accordance with the NPPF, in as much as the main policies for determining this application are concerned.

The proposal has been assessed against the relevant policies within the Development Plan.

- 5.37 The principle of the proposed residential development is acceptable on this site, in an urban location in the Bristol North Fringe. The scheme would make the most efficient use of the site and would provide additional open market housing in a highly sustainable location; this weighs heavily in favour of the scheme. The provision of 2 additional dwellings would make a positive contribution to the Council's 5YHLS albeit only a modest one, this also weighs in favour of the scheme. The scheme would, in the short term support house builders and local craftsmen.
- 5.38 The proposed development would have some impact on the immediate streetscene and the character and distinctiveness of the locality, but as was previously established under PT17/2898/F the level of impact would not be significant. Similarly, any loss of residential amenity to result from the scheme would be minimal.
- 5.39 Officers consider that the positive aspects of the scheme would outweigh the identified harm (such as it is). On balance the scheme is sustainable development that should be approved.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 That planning permission be APPROVED subject to the conditions listed 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 hours of working on site during the period of construction shall be restricted to 07.30hrs to 18.00hrs Mon to Fri; and 08.00hrs to 13.00hrs Sat, and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or

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

Reason

To protect the residential amenity of the neighbouring occupiers and to accord with Policies PSP8 and PSP21 of The Policies Sites and Places Plan (Adopted) 8th Nov. 2017 and the requirements of the NPPF.

3. The development shall not be brought into use until the access, car parking, and cycle parking arrangements have been completed in accordance with the approved Site Layout Plan Drawing No. 21-195 PL10 Rev B and retained thereafter for that purpose.

Reason

To ensure the satisfactory provision of access, car parking and cycle parking, in the interest of highway safety and the amenity of the area, and to accord with Policies PSP11 and PSP16 of the South Gloucestershire Local Plan Policies Sites and Places Plan (Adopted) 8th Nov. 2017 and Policy CS8 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec.2013.

4. The boundary treatments hereby approved (as shown on the approved Ground Floor Plan As Proposed Drwng No. 21-195 PL50 Rev B & Ground Floor Plan - Rear-As Proposed Drwng. no. 21-195 PL55 Rev B) shall be completed before the buildings are first occupied and maintained as such thereafter.

Reason

To protect the residential amenity of the neighbouring occupiers and to accord with Policies PSP8 and PSP21 of The Policies Sites and Places Plan (Adopted) 8th Nov. 2017 and the requirements of the NPPF.

5. The dwelling houses labelled nos. 1 and 3 hereby approved, shall not be occupied until 7Kw 32 Amp Electric Vehicle Charging Points have been provided for each dwelling in accordance with the approved Site Layout - As Proposed Plan Drwing. No. 21-195 PL10 Rev B and retained as such thereafter.

Reason

To promote sustainable travel and to accord with Policy CS8 of the South Gloucestershire Local Plan ; Core Strategy (Adopted) Dec. 2013

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

Existing Ground Floor Plan Drawing No. 21-195 PL15 received 3rd Sept 2021

Existing Rear Ground Floor Plan Drawing No. 21-195 PL20 received 3rd Sept 2021

Existing First Floor Plan Drawing No. 21-195 PL25 received 3rd Sept 2021

Existing Rear First Floor Plan Drawing No. 21-195 PL30 received 3rd Sept 2021

Existing North and South Elevations Plan Drawing No. 21-195 PL35 received 3rd Sept 2021

Existing East and West Elevations Plan Drawing No. 21-195 PL40 received 3rd Sept 2021

Vehicle Tracking Drwing. No. 21-195 PL80 received 15th Dec. 2021

Location and Site Plans Drwing. No. 21-195 PL05 Rev B received 14th Jan. 2022
Site Layout As Proposed Plan Drawing No. 21-195 PL10 Rev B received 14th Jan. 2022
Ground Floor Plan As Proposed Drawing No. 21-195 PL50 Rev B received 14th Jan. 2022
Ground Floor Rear As Proposed Plan Drawing No. 21-195 PL55 Rev B received 14th Jan. 2022
First Floor Plan As Proposed Drawing No. 21-195 PL60 Rev B received 14th Jan. 2022
First Floor Rear As Proposed Drawing No. 21-195 PL65 Rev B received 14th Jan. 2022
North and South Elevations As Proposed Drawing No. 21-195 PL70 Rev B received 14th Jan. 2022
East and West Elevations As Proposed Drawing No. 21-195 PL75 Rev B received 14th Jan. 2022

Reason

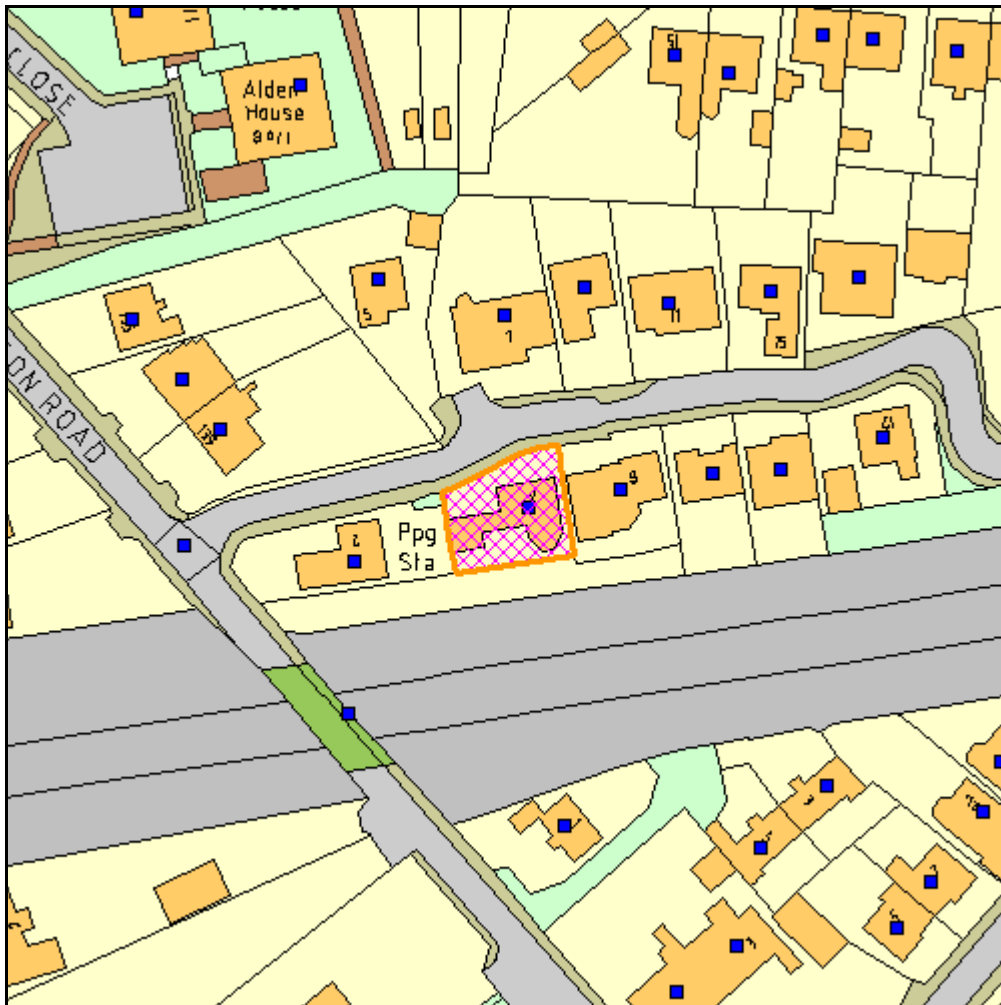
To define the terms and extent of the permission.

Case Officer: Roger Hemming

Authorising Officer: David Stockdale

CIRCULATED SCHEDULE NO. 06/22 - 11th February 2022

App No.:	P21/08054/F	Applicant:	Mr S Hatch
Site:	4 Sandstone Rise Winterbourne South Gloucestershire BS36 1BB	Date Reg:	21st December 2021
Proposal:	Erection of two storey side extension to form additional living accommodation.	Parish:	Winterbourne Parish Council
Map Ref:	365016 179906	Ward:	Winterbourne
Application Category:	Householder	Target Date:	10th February 2022



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 100023410, 2008. **N.T.S.** **P21/08054/F**

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

REASON FOR REFERRING TO CIRCULATED SCHEDULE

This application appears on the Council's Circulated Schedule procedure following an objection from the Parish Council and 1no. comment of objection from local resident, contrary to the findings of this report and the officer recommendation.

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the erection of a two storey side extension to form additional living accommodation, as detailed on the application form and illustrated on the accompanying drawings.
- 1.2 The application site is situated within the wider settlement boundary of Winterbourne and comprises a moderate size plot. The dominant feature within the site is a modern red brick two-storey detached dwellinghouse with linked garage. The property benefits from off-street parking, along with a front and rear garden.
- 1.3 Here, it must be noted that a full planning application for conversion and single storey rear extension of existing garage to create annex ancillary to main dwellinghouse and erection of first floor side extension to form home working space was previously submitted for this property under application ref **P21/06687/F**. The application was refused on design and residential amenity grounds, due to its scale and overbearing impact.
- 1.4 Changes to previous refusal include:
 - Removal of conversion and single storey extension to existing garage to create annex ancillary to the host dwelling from application.
 - Changed first-floor side extension to a two-storey side extension.

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

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

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

- 2.3 Supplementary Planning Guidance
 South Gloucestershire Design Checklist (Adopted August 2007)
 Residential Parking Standards (Adopted December 2013)
 Householder Design Guide (Adopted March 2021)

3. RELEVANT PLANNING HISTORY

- 3.1 **P21/06687/F**. Conversion and single storey rear extension of existing garage to create annexe ancillary to main dwelling house. Erection of first floor side extension to form home working space. **Refusal**. 08/12/2021.
- 3.2 **PT01/1849/F**. Erection of two storey rear extension. **Approve with Conditions**. 02/08/2001.
- 3.3 **P89/2811**. Erection of nine detached dwellings and garages; construction of new estate road. (In accordance with the applicants letter and amended plans received by the council on the 17th November 1989). **Approval Full Planning**. 18/03/1990.
- 3.4 Other history is available but is neither recent nor relevant.

4. CONSULTATION RESPONSES

- 4.1 Winterbourne Parish Council
 Objection. This resubmission still represents a significant increase in massing and can be recognised as such from the public realm.
- 4.2 Sustainable Transport – Transportation DC
 No comments received.
- 4.3 Local Residents
 1no. comment of objection has been received from a local resident raising the following concerns:
1. The new addition will obscure light to our property
 2. Imposing and overbearing visual impact on our garden and outlook
 3. Significant addition to an already extended house and will not match the housing density rendering it out of scale to the houses nearby
 4. The dwelling is a rental property – how does the owner know it will be used as a home working space
 5. Could result in HMO
 6. Insufficient parking
 7. The new extension appears to be separate to the rest of the house and could result in the property being sublet.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application site is situated in an established area of residential development within Winterbourne and is currently utilised as a C3 dwellinghouse. The proposed development would extend the area of living accommodation within the property by building above the existing single-storey side link and at the expense of section of rear garden.

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

5.2 Design and Visual Amenity

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

5.3 The proposed two-storey extension will project from the side elevation (west) of the existing property by (approx.) 3.7 metres and have a maximum depth of 6.7 metres. The extension will be set back from the dwellings principle elevation by 4 metres sitting in line with the existing garage. The extensions front eaves and ridgeline will be set down from the existing property and will feature a dual pitched roof with clipped gable-end, matching that of the host dwelling.

5.4 Incorporated within the design of the new addition will be numerous new openings. This includes 1no. external door located to the front elevation, serving as a secondary entrance to the property. The door will replicate the garden gate located to the existing single-storey side garage link that is to be retained and repurposed to form part of the proposed extension. Additionally, at first-floor the extension will feature 1no. dormer window to the front and rear elevations that sit flush with the façade, mimicking those featured on the existing property.

5.5 The proposed scheme will create a property that is larger, introducing 2no. additional WC's and a home office at first floor. External finish to the extension will be facing brick with clay tiled roof to match the existing dwelling. All new windows will be double glazed set in uPVC frames.

5.6 The proposal appears somewhat subservient to the property, achieved through setting back and setting down the proposed development from the host dwelling. As such, maintaining the properties architectural integrity, and character of the area. Furthermore, the proposals have been designed to respect the existing property through its proportions and choice of materials, ensuring that the aesthetical appearance of the dwelling is harmonious and

continues to complement neighbouring properties. All-inclusive, the proposal is deemed to comply with policies CS1 and PSP38.

5.7 Residential Amenity

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

5.8 No new windows are proposed on the side elevations, with new windows only proposed on the front and rear, which would not lead to any increase in overlooking above and beyond what is already possible.

5.9 The increased mass of the dwelling would be sufficient distance from No.6 to the east to not present any overbearing, light or outlook issues. Nonetheless, there is to be a mass increase to the side (west) of the application dwelling whereby No.2 Sandstone Rise rear garden backs onto. However, the application properties garage sits directly adjacent to the western adjoining boundary. As such a distance of (approx.) 5 metres sits between the new addition and No.2 rear garden, serving to mitigate concerns regarding overbearing affect arising from such a proposal. Moreover, the householder design SPD sets out the 12-metre window to wall test, which requires that primary room windows facing a blank elevation should have a separation distance of at least 12 metres. In this case, the distance between the rear of No.2 and the extension will be (approx.) 16 metres, suggesting that it is unlikely that the proposed development would provide insufficient levels of natural light or outlook to the neighbouring property located to the west.

5.10 In light of the above assessment, the case officer does not consider the proposed scheme to result in any unreasonable harm to residential amenity, satisfying policy PSP8.

5.11 Supplementary to this, policy PSP43 sets out that residential units, are expected to have access to private external amenity space that is: functional and safe; of a sufficient size in relation to number of occupants; and be easily accessible. No details regarding the degree of occupancy within the host dwelling have been provided as part of this application. However, although the proposed development builds on existing rear garden the remaining private amenity space marginally exceeds the Council's space standards expected for a 4+ bedroom dwelling. By reason of the above it is found that the proposed development is in full compliance with policy PSP43.

5.12 Transport (Access and Parking)

Policy PSP16 sets out the Council's criteria for parking specifications. It states that parking space provision per dwellinghouse is proportionate to bedroom. As previously mentioned, the degree of occupancy within the host dwelling is unknown. Whilst the dwelling's detached garage is to remain, the depth is not

sufficient as existing to be considered as parking provision (SGC standards require garages to be 6 metres deep, the existing is 5 metres deep).

5.13 Nevertheless, the submitted plans indicate that the properties driveway holds the capacity to accommodate 3no. off-street parking spaces in line with the SGC space standards. Therefore, the proposals meet the Council's highest level of parking space provision requirements for a residential unit, satisfy policy PSP16.

5.14 Other Matters

Comments from local residents were made regarding concern for potential future subdivision of the property. However, these comments have been given no planning weight as an application needs to be determined on the facts presented, not supposition about future uses or intentions. Similarly, use as a HMO is not proposed and cannot be given weight. In any case, the property could be used as a 6 bed HMO lawfully under permitted development rights. Additionally, the dwelling being rented as opposed to owner-occupied is immaterial to the determination of a householder planning application.

5.15 Consideration of likely impact on Equalities

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

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 conditions.

CONDITIONS

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

Reason

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

2. The development/works hereby permitted shall only be implemented in accordance with the plans as set out in the plans list below (received 16th December 2021):

Combined Existing Plans

Combined Proposed Plans

Existing & Proposed Block Plans

Site Location Plan

Reason

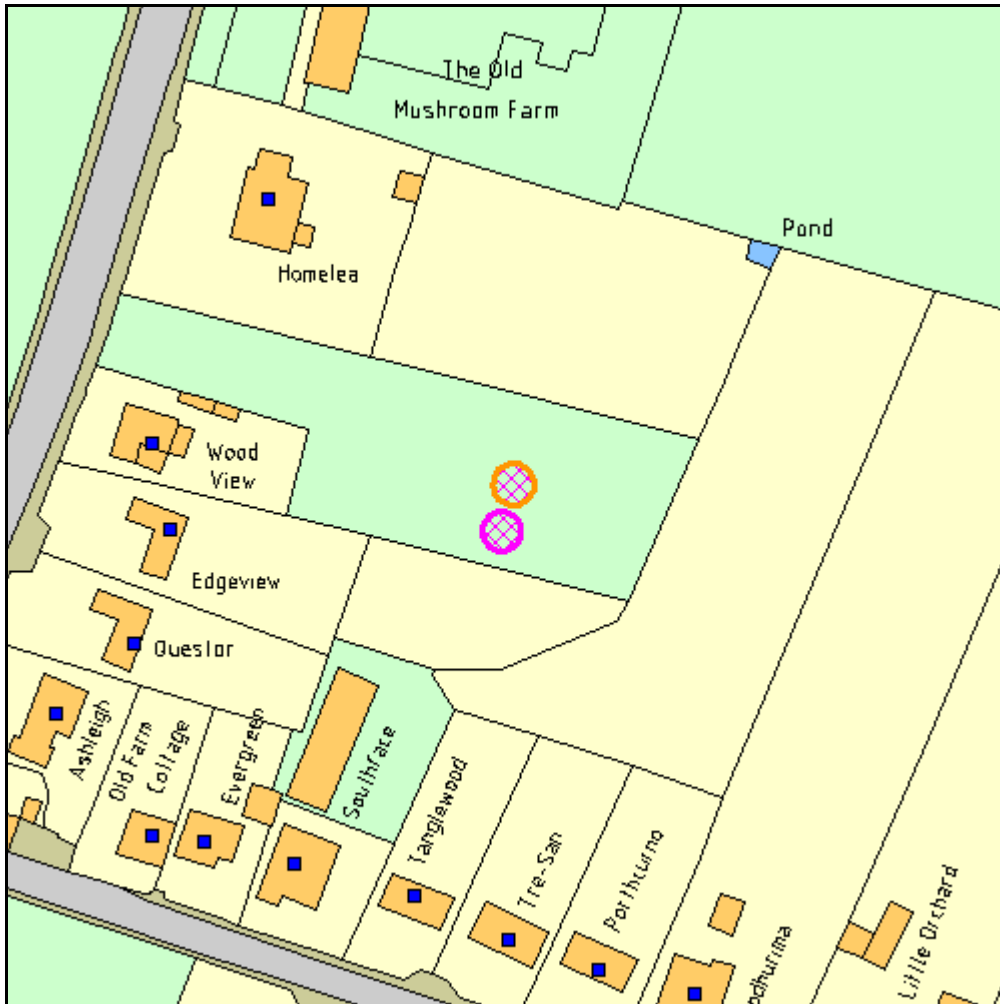
To define the terms and extent of the permission.

Case Officer: Chloe Summerill

Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 06/22 - 11th February 2022

App No.:	P21/08166/TRE	Applicant:	Mr Ian Kershaw
Site:	South Face Cowship Lane Cromhall South Gloucestershire GL12 8AY	Date Reg:	31st December 2021
Proposal:	Works to crown lift 1 no. Ash tree to 3m and crown lift 1 no. Oak tree to 3m reduction in radial spread by 2.5-3m to leave a spread of 7m and height of 12m. Trees covered by SGTPO 39/18 dated 13/03/2019.	Parish:	Cromhall Parish Council
Map Ref:	369670 189128	Ward:	Charfield
Application Category:		Target Date:	18th February 2022



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 100023410, 2008. **N.T.S.** **P21/08166/TRE**

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

REASON FOR APPEARING ON CIRCULATED SCHEDULE

This application appears on the Council's Circulated Schedule procedure following the receipt of objections from 3 or more local residents, which are contrary to the officer recommendation within the report.

1. THE PROPOSAL

1.1 Works to crown lift 1 no. Ash tree to 3m and crown lift 1 no. Oak tree to 3 with a 4m reduction in radial spread to leave a spread of 6m and height of 12m.

1.2 South Face, Cowship Lane, Cromhall

2. POLICY CONTEXT

2.1 National Guidance

- i. The Town and Country Planning Act 1990
- ii. The Town and Country Planning (Tree Preservation) (England) Regulations 2012.

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

PSP2 – Landscape
PSP3- Trees and woodland

3. RELEVANT PLANNING HISTORY

3.1 No relevant planning history

4. CONSULTATION RESPONSES

4.1 Cromhall Parish Council
Defer to the Tree Officer

Other Representations

4.2 Local Residents

Three objection comments have been received.

Comments have been received concerning ownership of the trees, the owner of the trees does not give their consent for the works to the trees except for deadwooding and health and safety works. They consider the works unnecessary.

Further comments have been received concerned with the works considered as cosmetic and the trees form part of the character of the landscape.

5. ANALYSIS OF PROPOSAL

5.1 Works to crown lift 1 no. Ash tree to 3m and crown lift 1 no. Oak tree to 3m reduction in radial spread by 2.5-3m to leave a spread of 7m and height of 12m.

5.2 Principle of Development

The only issues to consider are whether the proposed works would have an adverse impact on the health, appearance, or visual amenity offered by the tree to the locality and whether the works would prejudice the long-term retention of the specimen.

5.3 Consideration of Proposal

All of the proposed works to trees will be from the Southface side of the tree and no works will take place within the neighbouring property therefore the works do not require the consent of the tree owners. This is because of Common Law right to cut back to the boundary. In this case the works are applied for via the planning process because there is a TPO on the trees in question.

The Council's Tree officer has carried out a site visit to discuss the works in detail with the Tree Surgeon and owners. As a result less works are now proposed than was originally applied for.

5.4 The works to the Ash trees are applied for due to the trees being infected with Ash dieback. The trees will also be re assessed in late summer for the progress of the dieback. There are no objections to the works being carried out as the timber can become brittle making them difficult to climb. The reduction works will mean that later removal will be made safer.

5.5 The proposed works to crown lift the Oak tree are minimal and will give clearance below the tree. The reduction in radial spread of the tree will balance the crown of the tree as the majority of the tree crown spread is within the Southface property. The works will not affect the wider amenity of the trees.

6. RECOMMENDATION

6.1 That consent is **GRANTED** subject to the conditions detailed within the decision notice.

CONDITIONS

1. The works hereby authorised shall comply with British Standard 3998: 2010 - Recommendations for Tree Work.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of the health and visual amenity of the tree, and to accord with The Town and Country Planning (Tree Preservation) (England) Regulations 2012.

2. The works hereby authorised shall be carried out within two years of the date on which consent is granted.

Reason

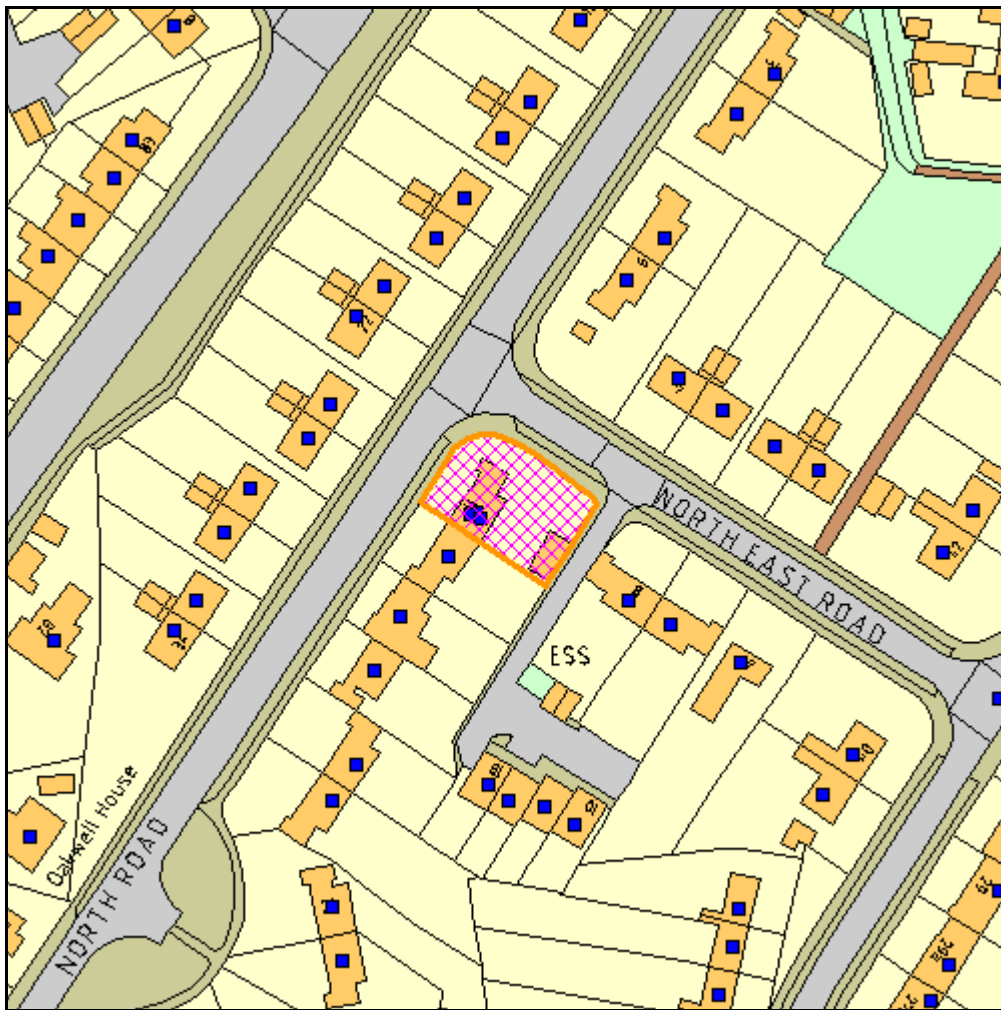
To ensure the works are carried out in an appropriate manner and in the interests of the health and visual amenity of the tree(s), and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

Case Officer: Lea Bending

Authorising Officer: Helen Ainsley

CIRCULATED SCHEDULE NO. 06/22 - 11th February 2022

App No.:	P21/08169/F	Applicant:	Mr C Pointing
Site:	11 North Road Thornbury South Gloucestershire BS35 1EA	Date Reg:	5th January 2022
Proposal:	Erection of 1.8m boundary fence, automatic vehicular gate, car port, store and WC (retrospective).	Parish:	Thornbury Town Council
Map Ref:	364312 190792	Ward:	Thornbury
Application Category:	Minor	Target Date:	25th February 2022



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 100023410, 2008. **N.T.S.** **P21/08169/F**

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

INTRODUCTION

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

1. THE PROPOSAL

- 1.1 The application is for the erection of a 1.8m boundary fence, automatic vehicular gate, car port, store, and WC. This application is retrospective as the works have begun.
- 1.2 This original application site is a semi-detached property, that received consent to extend and split into flats/maisonette (see history below), on a road containing similar properties, layout and building lines, within the residential area of Thornbury. To the rear is a private access tracks to several garages and properties. The majority of the works to create the flats has been completed.
- 1.3 Revised plans were received during the application, which introduced the 1.8m boundary fence and automatic vehicular gate. Appropriately, re-consultations of consultees and neighbours have been carried out.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework (July 2021)
National Planning Policy Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted December 2013)

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

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

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

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted August 2007)
Residential Parking Standards (Adopted December 2013)
Householder Design Guide (Adopted March 2021)

3. RELEVANT PLANNING HISTORY

- 3.1 PT06/3149/F - Demolition of outbuildings. Erection of two storey side and single storey rear extensions to form 1no. self contained flats. Conversion of existing house to form 2no. flats. To include associated parking, cycle and bin store. Withdrawn 12.12.2006.
- 3.2 PT07/0394/F – Demolition of outbuildings. Erection of two storey side and single storey rear extensions to form 1no. maisonette. Conversion of existing house to form 2no. flats. To include associated parking, cycle and bin store. (Resubmission of PT06/3149/F). Approved 17.04.2007.
- 3.3 PT08/0983/F – Erection of two storey side extension and conversion of existing dwelling to form 4no flats and associated works. Refused 19.05.2008.
- 3.4 PT17/2465/F - Erection of 2no self-contained flats with parking and associated works. Approved 15.09.2017.
- 3.5 P20/20554/RVC - Variation of condition 2 attached to PT17/2465/F to amend the external wall finish from brick to render. Approved 20.11.2020.

4. CONSULTATION RESPONSES

- 4.1 Thornbury Town Council
Objection - on the grounds of overdevelopment and concerns about the accuracy of drawings and information provided.

4.2 Other Consultees

Sustainable Transportation
2.no response received.

This proposal still complies with the current standards in terms of parking, therefore there is no transportation objection to this proposal.

Lead Local Flood Authority
No objection, informative recommended.

Other Representations

4.3 Local Residents

1.no letters of objection have been received from local residents raising the following concerns:

- Ongoing work for the whole of last year.
- Problems with dust.
- Queries over the purpose of the store.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

As illustrated in the planning history above, extensions to the original host property have been granted to create 4.no flats. This scheme seeks further permission to add a 1.8m boundary fence, automatic vehicular gate and car port with store and wc.

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

5.3 Design and Visual Amenity

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

5.4 ***Car port, store and WC.***

The proposed outbuilding will be sited to the rear of the building, adjacent to the boundary. One half will feature an open sided car port and the other a store with WC/ dog shower. The store would be used for secure general storage. The outbuilding would feature two hipped roofs for the car port and store elements. The outbuilding would be a total length of (approx.) 6.6 metres and be a width of (approx.) 5.5 metres. The roofs will rise from an eave's height of (approx.) 2 metres to a maximum height of (approx.) 3 metres.

5.5 The proposal will introduce 1.no door and window to the west (side) elevation and 1.no door and window to the north (front) elevation. External finishes to the outbuilding will be rendered blockwork with concrete interlocking roof tiles. Doors and windows will be PVCu.

5.6 ***Boundary fence and automatic vehicular gate***

The proposed boundary fence would feature simple rendered pillars with a timber panel infill. The fence would extend around the east (rear) of the site and along the north (side) boundary at a height of 1.8 metres. The wall would then reduce to 0.8 metres to reveal the front elevation. The automatic vehicular gate would match the height of the boundary wall and be positioned to the rear of the site.

5.7 The proposal would also result in the relocation of the approved cycle store. This would move from the approved front garden location to the rear garden in front of the new outbuilding.

5.8 On the basis of the above, and taking into account the relative proximity and layout of existing dwellings and taking into account the size and orientation of the scheme, it is not considered that any additional impact of the proposals would be so significant in this instance such as to warrant objection or sustain refusal of the application on this basis. The proposal would appear subservient

to the host dwelling and respects the character of the building. As a result of the above, the development is deemed to comply with policies CS1 and PSP38.

5.9 Residential Amenity

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

5.10 The main amenity consideration for the proposed development at this site is the potential overbearing impact on the adjoining property no.13 North Road. The proposed store and car port would be sited alongside the boundary and be a maximum height of 3 metres. Whilst the outbuilding would be positioned close to the boundary it would be located to the rear of the site. The *South Gloucestershire Household Design Guide SPD* confirms that primary living accommodation should not have an enclosed or oppressive outlook. Furthermore, the areas of garden immediately to the rear of the house offer the highest amenity value. The proposal would be sited as to avoid an overbearing impact on the primary living accommodation and most valuable garden area of the neighbouring property. The proposal would not impact any other neighbouring properties.

5.11 In addition, the proposals impact on the occupiers of the site itself should be considered. The proposal would introduce new built form to the rear of the site; however, it is positioned (approx.) 6.5 metres away from the closest ground floor bedroom window. This level of separation, the easterly orientation of the building, and the reasonable height of the store would not create an unacceptable level of overbearing or loss of light to the occupier of the ground floor flat. With regard to the above, the proposal is considered to comply with policy PSP8.

5.12 Transportation

This proposal complies with the Council's current residential parking standards and requirements in terms of parking availability, and the access is as previously approved. On this basis there are no transportation objections to the application.

5.13 Private Amenity Space

Supplementary to this, policy PSP43 sets out that residential units, are expected to have access to private external amenity space that is: functional and safe; of a sufficient size in relation to number of occupants; and be easily accessible. The proposal would have a minor impact on the provision of private amenity space at the property by relocating the cycle storage to the rear. However, post development the incorporated communal space would still provide an acceptable level of private amenity space. On this basis it is considered that there would be sufficient private amenity space within the private curtilage of the plot to serve the requirements combined flats.

5.14 Drainage

There are no objections to the proposals on drainage grounds.

5.15 Equalities

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

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

6. CONCLUSION

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

6.2 The recommendation to **grant** permission has been taken having regard to the policies and proposals in the 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 development/works hereby permitted shall only be implemented in accordance with the plans as set out in the plans list below:
Site location plan 15.089.SK50
Existing site plan 15.089.SK51
Proposed site plan, plans and elevations 15.089.SK52
(Above plans received 24/12/2021)
Existing and proposed block plans 15 089 SK54
(Above plan received 10/01/2022)

Reason

To define the terms and extent of the permission.

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

Reason

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

Case Officer: Charlie Morris

Authorising Officer: David Stockdale