

List of planning applications and other proposals submitted under the planning acts to be determined by the director of environment and community services

CIRCULATED SCHEDULE NO: 02/22

Date to Members: 14/01/2022

Member's Deadline: 20/01/2022 (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 list below a-f where a representation is received within the notification period which is contrary to the officers recommendation from the Parish or Town Council within whose boundary the proposal lies wholly or in part.

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

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

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

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

c. All applications for non-material amendments

d. All applications to discharge planning conditions

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

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

Additional guidance for Members

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

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:

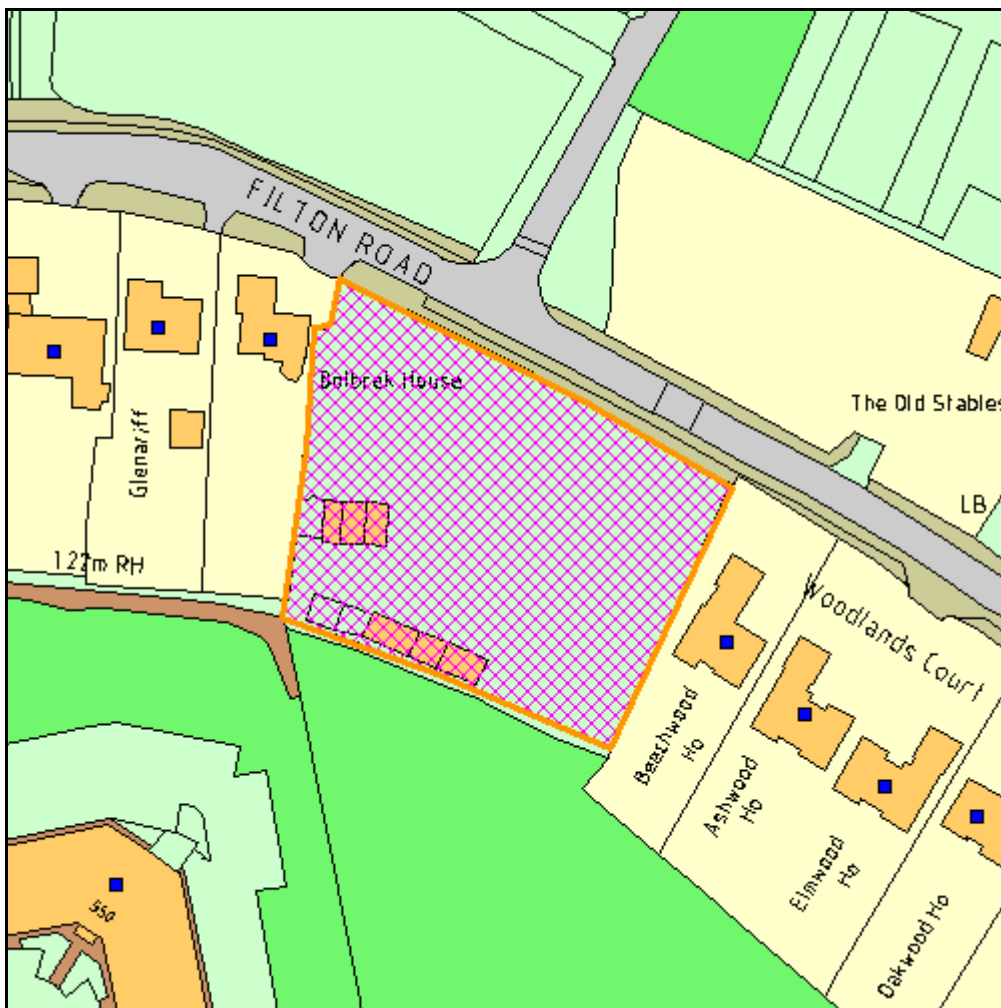
To be emailed to MemberReferral@southglos.gov.uk

CIRCULATED SCHEDULE - 14 January 2022

ITEM NO.	APPLICATION NO.	RECOMMENDATION	LOCATION	WARD	PARISH
1	P20/23557/F	Approve with Conditions	Land Adjoining Bolbrek Filton Road Hambrook South Gloucestershire BS16 1QG	Frenchay And Downend	Winterbourne Parish Council
2	P21/00040/F	Approve with Conditions	The Stables Crossleaze Road Hanham South Gloucestershire BS15 3NH	Hanham	Hanham Abbots Parish Council
3	P21/01704/F	Refusal	Land At The British Yate South Gloucestershire BS37 7LH	Frampton Cotterell	Iron Acton Parish Council
4	P21/04623/F	Approve with Conditions	Church Farm Main Road Aust South Gloucestershire BS35 4AZ	Severn Vale	Aust Parish Council
5	P21/04625/LB	Approve with Conditions	Church Farm Main Road Aust South Gloucestershire BS35 4AZ	Severn Vale	Aust Parish Council
6	P21/05454/F	Approve with Conditions	The Boot Inn 79 Horse Street Chipping Sodbury South Gloucestershire BS37 6DE	Chipping Sodbury And Cotswold Edge	Sodbury Town Council
7	P21/05811/F	Approve with Conditions	Building At Court Farm The Pound Almondsbury South Gloucestershire BS32 4EF	Severn Vale	Almondsbury Parish Council
8	P21/05816/LB	Approve with Conditions	Building At Court Farm The Pound Almondsbury South Gloucestershire BS32 4EF	Severn Vale	Almondsbury Parish Council
9	P21/07540/PIP	Approve	Land Off Grimsbury Road Kingswood South Gloucestershire BS15 9SD	Woodstock	
10	P21/07608/F	Approve with Conditions	211 Soundwell Road Soundwell South Gloucestershire BS15 1PT	Kingswood	
11	P21/07619/F	Approve with Conditions	68 Main Road Mangotsfield South Gloucestershire BS16 9NQ	Boyd Valley	Pucklechurch Parish Council

CIRCULATED SCHEDULE NO. 02/22 - 14th January 2022

App No.:	P20/23557/F	Applicant:	Mr Woods The Baker Trust
Site:	Land Adjoining Bolbrek Filton Road Hambrook South Gloucestershire BS16 1QG	Date Reg:	27th November 2020
Proposal:	Demolition of existing sheds and erection of 4no. detached dwellings with parking and associated works.	Parish:	Winterbourne Parish Council
Map Ref:	362633 178556	Ward:	Frenchay And Downend
Application Category:	Minor	Target Date:	18th January 2021



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008. **N.T.S.** **P20/23557/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.

1. THE PROPOSAL

- 1.1 Full planning permission is sought for the erection of four detached dwellings. The 0.85 ha site lies off the SW side of the Filton Road, within the Green Belt and outside of the defined settlement boundary but close to Bristol Business Park and UWE. Existing detached houses lie to either side of the site, with the Filton Holiday Inn on the opposite side of the road. The site is currently a disused paddock which appears to have been recently been cleared. Mature trees and hedges form the front and rear boundaries of the site. An existing vehicular access onto Filton Road in the north eastern corner of the site would be altered to provide vehicular access to the proposed dwellings.
- 1.2 Since the application was originally submitted, the proposal has been amended, including a reduction from five dwellings to four dwellings, of which one would be a 5-bed, and three would be 4-bed dwellings. External facing materials would be red brick with stone lintels.
- 1.3 In support of the application, the following documents have been submitted:
 - Design and Access Statement
 - Arboricultural Impact Assessment
 - Ground Investigation Report for Infiltration testing
 - Drainage Strategy Plan

2. POLICY CONTEXT

National Guidance

National Planning Policy Framework 2021
Planning Policy Guidance

Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS2 Green infrastructure
CS4a Presumption in Favour of Sustainable Development
CS5 Location of Development
CS6 Infrastructure and Developer Contributions
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS15 Distribution of housing
CS16 Housing Density
CS17 Housing Diversity
CS18 Affordable Housing
CS34 Rural Areas

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

PSP1 Local Distinctiveness
PSP2 Landscape
PSP7 Development in the Green Belt
PSP8 Residential Amenity
PSP11 Transport Impact Management
PSP16 Parking Standards
PSP19 Wider Biodiversity
PSP20 Flood Risk, Surface Water and Watercourse Management
PSP37 Internal Space and Accessibility Standards for Dwellings
PSP40 Residential Development in the Countryside
PSP43 Private Amenity Space Standards

Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007)
South Gloucestershire SPD: Residential Parking Standards (Adopted) 2013
Affordable Housing and Extra Care Housing SPD (Adopted) April 2021.
Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide
SPD – (Adopted) March 2021
SPD: Development in the Green Belt (Adopted) 2007
South Gloucestershire Council Waste Collection: guidance for new
developments SPD (Adopted) Jan 2015
Householder Design Guide SPD (Adopted) March 2021
Trees and Development Sites: Guidance for New Development SPD (Adopted)
April 2021

3. RELEVANT PLANNING HISTORY

- 3.1 P97/1416- Erection of 4 detached dwellings. Permission granted 21.5.97
(*Land adjacent Southern Pastures – adjoining the current application site*)
- 3.2 PT01/1975/O Residential development- Outline. Refused on Green Belt
grounds, 28.11.01
(*Current application site*)

4. CONSULTATION RESPONSES

- 4.1 Winterbourne Parish Council
No objection. The PC request the removal of permitted development rights to
address resident's concerns about possible changes of use.
- 4.2 Internal Consultees
- Highway Authority
No objections following the receipt of revised plans. The area now shown to
the side of Plot 1 is satisfactory for turning in. Delivery vehicles etc., can stop
on Filton Road and access via the proposed footpath. A Highway licence /
permit will be required to construct the new path. Conditions required.

Tree Officer

No objections, subject to conditions.

SGC Drainage

No objections to the revised and additional drainage information, subject to condition.

SGC Landscape Architect

No objection, subject to conditions. Details under *Analysis'* section.

SGC Ecologist

No objections, subject to conditions.

Other Representations

4.3 Local Residents

Letters have been received from 14 local residents, objecting to the originally submitted proposal on the following summarised grounds:

- Loss of Green Belt
- DAS states the site is unsightly, but it wasn't before the recent clearance
- No mains sewerage indicates unsuitability of site
- Highway hazards exiting Holiday Inn
- Conditions should prevent dwellings becoming HMOs due to UWE proximity
- Overdevelopment of the area
- Drainage and Flooding not properly considered
- Refused in 2001 – what has changed?
- Loss of character of the area
- Loss of view from windows
- Height of new dwellings a concern- site levels should be reduced
- 3 dwellings only would impinge less on adjacent dwellings
- Harm to the environment due to loss of trees and increased vehicles
- Loss of habitat to the wild animals that use the site
- Revised plans reducing dwellings numbers does not appease objections
- A condition should prevent garages from becoming bedrooms

Following consultation on the revised plans which reduced the number of dwellings, no further letters from local residents were received.

5. **ANALYSIS OF PROPOSAL**

Principle of Development

The South Gloucestershire Local Plan Core Strategy Policy CS4 replicates the NPPF in enforcing the presumption in favour of sustainable development. In accordance with the NPPF Core Strategy Policy CS4A states that; when considering proposals for sustainable development, the Council will take a positive approach and will work pro-actively with applicants to find solutions so that sustainable development can be approved wherever possible. Policy CS17 of the Core Strategy sets out the importance of delivering a wide range of

residential accommodation and makes specific reference to the importance of planning for inclusive and mixed communities. The NPPF promotes sustainable transport and states that development should only be prevented on transport grounds where the residual cumulative impacts of development are 'severe'.

It is noted that the NPPF puts considerable emphasis on delivering sustainable development and not acting as an impediment to sustainable growth, whilst also seeking to ensure a high quality of design and good standard of amenity for all existing and future occupants of land and buildings. The NPPF encourages efficient use of land and requires the need to boost significantly the supply of homes.

Policy CS1 of the South Gloucestershire Local Plan Core Strategy seeks to secure good quality designs that are compatible with the character of the site and locality.

The site is located within the Green Belt and outside any defined settlement boundaries. Strict controls exist to guard against inappropriate development, which is harmful to the Green Belt by definition. Inappropriate development should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and all other harm resulting from the proposal, is clearly outweighed by other considerations. The NPPF sets out the forms of development that are not considered to represent inappropriate development. Policies CS5 and PSP7 reflect the guidance within the NPPF in terms of development in the Green Belt. When considering development within the Green Belt, the first consideration is whether the proposed development would represent inappropriate development. Consideration must then be given to the impact of the development on the openness of the Green Belt. Paragraph 148 of the NPPF states that local planning authorities should give substantial weight to any harm within the Green Belt.

Inappropriate development?

The NPPF at para. 137 states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Para. 149 of the Framework sets out that the construction of new buildings in the Green Belt should be regarded as inappropriate development, unless the development is one or more of a list of exceptions. These exceptions include the following:

e) limited infilling in villages;

The Framework does not provide a definition of 'limited', 'infill' or 'villages'. Policy CS34 of the South Gloucestershire Core Strategy (CS) relating to development in rural areas indicates, amongst other things, that the designated Green Belt will be protected. CS Policy CS5 indicates that within the Green Belt, small-scale development may be permitted within the settlement boundaries of villages shown on the Policies Map. The Local Planning Authority is able to demonstrate that it has more than a five year supply of deliverable housing sites. Accordingly, the key policies CS5 and CS34 of the Core Strategy

are up to date for the purposes of this planning application and as such can be attributed full weight in the consideration of this application.

Policy PSP7 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (2017) sets out that “inappropriate development is harmful to the Green Belt and will not be acceptable unless very special circumstances can be demonstrated that clearly outweigh the harm to the Green Belt, and any other harm”. Both Policy CS5 of the Core Strategy and Policy PSP7 of the PSPP are therefore consistent with the Framework in their approach to development within the Green Belt.

Policies CS5 and PSP7 relating to the Green Belt require proposals within the Green belt to comply with the Framework, which states as follows:

A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

e) limited infilling in villages;

Similarly, Policy CS 5 states that ‘*Small scale infill development may be permitted within settlement boundaries of villages shown on the Policies Map*’

The South Glos Green Belt SPD states that: *Infill development is development that is small in scale and which fits into an existing built up area in a defined settlement boundary, normally in-between existing buildings, in a linear formation.*

Does the proposal constitute limited infilling in a village?

It is acknowledged that the site falls outside any settlement boundary, hence could not be said to be comply with the SGC Development Plan policies which require infill to be within a settlement boundary. However, the NPPF is not quite this specific, and requires simply for development to constitute limited infill within a village. Whilst the site is not strictly speaking part of a village, it constitutes an area of Green Belt outside a town and within a scattering of dwellings along the Filton Road to the east of the Bristol Business Park. Furthermore, it is not in open countryside, which it could be reasonably construed is what this policy is seeking to avoid. As the development proposes 4 no. dwellings, it can be reasonably described as ‘limited’ infill development. Despite being outside of the settlement boundary, the development is well associated with the built up area of Bristol Business Park and UWE which are a five minute walk to the west. Furthermore, the dwellings would be sited within a gap between an otherwise built up street of a linear development comprising eight large dwellings on this side of the road. The proposed dwellings would continue this linear character of detached dwellings. To conclude, the proposal is accepted by officers as limited infilling and is therefore appropriate development in the Green Belt which is acceptable in principle.

Therefore, there is no need for the applicant to demonstrate very special circumstances or for officers to consider the effect of the proposed development on the openness or purposes of the Green Belt. Nevertheless, in

order to protect the openness of the Green Belt, the removal of permitted development rights for future extensions or outbuildings etc. is considered justified in this case.

There are currently no buildings on the site apart from a small wooden shack. However, in accordance with the Judgement of Lee Valley Regional Park Authority, R (on the application of) v Epping Forest District Council & Anor (Rev 1) [2016] EWCA Civ 404, if development is found to be not inappropriate, it should not be regarded as harmful either to the openness of the Green Belt or to the purposes of including land within the Green Belt (see APP/P0119/W/18/3214856 para.12).

It is acknowledged that a neighbour has questioned what has changed since a previous application for residential development on the application site was refused on Green Belt grounds in 2001. Officers can confirm that the delegated report did not refer to infilling and moreover the referred to Policy H3 of the South Glos local Plan 2006 is no longer part of the Development Plan.

Design and Visual Amenity

Policy CS1 is the Council's principal design policy. CS1 requires development to demonstrate the highest standards of design and site planning by demonstrating that siting, form, scale, height, massing, detailing colour and materials are informed by respect and enhance the character, distinctiveness and amenity of both the site and its context.

The site is largely screened from the Filton Road by a dense mature hedge along the road frontage. It is gently sloping, being at a lower level than the adjacent dwelling to the north west. The surrounding area comprises businesses and adjoining the site are a number of large detached properties, opposite the site is the Holiday Inn hotel. The site itself being a clear break in the run of existing dwellings.

The proposed four dwellings would be arranged in a linear form to match the character of the existing generously spaced large detached dwellings on this side of Filton Road. The dwellings would be set back from the road, behind a private drive accessed from a single point of access, which would be an enhancement of an existing site access to the field. This would ensure that the boundary hedging along Filton Road – an important feature of the character of the site – is retained.

The originally submitted five dwellings was considered too dense, as the density of the existing dwellings either side of the site should be retained due to the Green Belt status of the land (unlike the denser character of the recently approved dwellings close to the site to the north west – P19/3312/F – which is just outside the Green Belt and more urban in character, being sandwiched between Filton Rd and the A4174).

The proposal follows the height of the surrounding dwellings and would be in line with these. The external materials would be brick with stone lintels and sills following the prevailing materials of properties on this street. The proposed roof

is to be fibre cement slate finish tiles, and white fascia boards. As there are no grey roof tiles in the vicinity, a condition is proposed to ensure that they are brown to match the adjacent dwellings, and the brick types are approved prior to commencement. The capped off roof pitch for the three houses brings the proposed roof line down to match the surrounding property heights. It is considered that the proposed development takes its lead from the neighbouring property styles, and would successfully integrate into the street scene, subject to approval of materials. In terms of design, it is concluded that the proposal satisfies the quality requirement of Policy CS1.

Residential Amenity

Policy PSP8 of the PSP Plan (November 2017) sets out that development should not prejudice residential amenity through overbearing; loss of light; and loss of privacy of neighbouring occupiers. The application has been considered in terms of whether there would be any significant impact in terms of these issues on the adjacent dwellings adjoining the site to the north west – Bolbrek House, and south east – Beechwood House. In addition the residential amenity of future occupants has been considered.

Previously submitted plans were unacceptable for reasons of residential amenity due to Plot 1 having side and rear windows overlooking Bolbrek house and its rear garden due to the proposed dwelling being angled towards the rear garden of Bolbrek House. Revised plans for Plot 1 amended the windows and rotated it and pulled it slightly forward to improve this relationship. The proposed dwelling was moved to the east and taken further away from Bolbrek House to increase the separation distance. In addition the two storey element of the dwelling has been reduced. These changes reduce the sense of overbearing to an acceptable extent. Added to the fact that the application site is set at a lower level than Bolbrek House, it is considered that the revised plans would ensure that there would be no significant impact on the residential amenity of the occupants of Bolbrek house.

Originally, Plot 4 overlooked Beechwood House. Amended plans reduced the size of the windows on the side elevations so that these are high level and remove overlooking.

There were also originally issues with the proposed dwellings themselves overlooking each other. Revisions to siting and windows has now improved this to an acceptable level. In addition the proposed garden sizes are generous and more than comply with minimum gardens sizes set out in Policy PSP 43.

Transport

The site is located just outside of the settlement boundary, however it is within a reasonable walking distance of local facilities, major employment areas and the metrobus service which runs along Coldharbour Lane. Due to the close proximity of UWE the site has good public transport facilities, within a couple of minutes walk. The majority of the day to day facilities such as food shopping are available within easy walking or cycling distance of the site. As such the site is considered to be situated in a sustainable location where journeys to key

facilities can be made easily using sustainable modes of transport. As such it does not conflict with SGC Policy PSP11.

Access would be via an existing dropped kerb for the field access where adequate visibility splays exists along Filton Road. There is a continuous footway link between the site and Coldharbour Lane albeit less than the standard 2m width for a section between the entrance to the Holiday Inn and the new houses on the north side of Filton Road to the west. The additional pedestrian movements from four dwellings would not have a significant impact on pedestrians using this footway which does have the benefit of street lighting.

At the request of the Council's transport officer, revised plans were received which provide a turning area to the side of the house at the end of the private drive so that vehicles don't have to reverse back to the entrance to turn. In addition, revised plans were secured to provide a footpath link to the west of the site connecting through to the footway on Filton Road, with it being widened to 2m adjacent to Filton Road to provide a place for bins to be collected from.

Having received these revised plans there are now no objections from the Council's transport officer, subject to conditions requiring no occupation until the access and parking arrangements have been provided in accordance with the submitted details, the maximum gradient of the access shall not exceed 1 in 12, it shall be surfaced with a consolidated material (not loose stone or gravel) for at least the first 10m from the back of the footway and provided with surface water drainage. In addition, the dwellings to be provided with 7Kw 32 Amp Electric Vehicle Charging Points.

Landscape and Trees

The site lies off the SW side of the Filton Road within the Green Belt. Existing detached houses lie to either side of the site, with the Filton Holiday Inn on the opposite side of the road. A public footpath runs adjacent to the SW site boundary, with woodland beyond.

The line of site trees along the SW boundary includes Category B Ash and a large Category A Oak, with a Category Hazel at the northern end. A Hawthorn/Blackthorn hedge with Category B Ash delineates the NE site boundary along its road frontage and contributes to the green and leafy character of this section of Filton Road, as well as providing a skyline feature above the height of the surrounding housing.

Due to the leafy nature of the site boundaries, the roadside hedge and trees will largely screen summer views into the site, the exceptions being a framed view from the site access, and a local view from the elevated section of Filton Road lying to the north of the site. There may be glimpses of the site from the public footpath lying to its SW through gaps in winter vegetation, and overall a corresponding negligible adverse visual impact on the Green Belt.

The revised plans confirm that there will be no significant hedgerow/frontage trees loss along the site frontage associated with the upgraded site access, apart from the new visibility splay which will require removal of some of the understorey only at the eastern end of the site frontage. The remaining

understorey landscape buffer will require reinforcement through new planting on the south side to compensate. This should form the detail of a planning condition.

The survival of the trees along the SW site boundary will depend upon private house owners. A condition requiring a long-term maintenance regime to be agreed is therefore proposed.

With regard to the trees on site, the Council's Tree Officer has stated that: There are no objections in principle to this proposal. None of the root protection areas of the retained trees are proposed to be affected by the development. The applicant has submitted an Arboricultural report with a tree protection plan. There are only 2 trees proposed for removal of the site. The trees are of poor quality and therefore there are no objections to their removal. The remaining trees will be protected in accordance with BS:5837:2012. The fencing will require erection prior to any works on site including the demolition of the existing shed- to be conditioned. An Arboricultural method statement will be required in accordance with BS:5837:2012- to be conditioned. Although there is a change to the proposed site plan there is no change to the tree protection plan within the original Arboricultural report. Therefore an updated report will not be required and compliance to the submitted report will still be required.

Subject to the above mentioned conditions, there is no objection from the Council's Landscape Architect, and the proposal is considered to comply with Policy PSP3 which requires developments to minimise the loss of existing vegetation, to protect trees provide new planting schemes that retain an integrate healthy mature trees and hedges.

Ecology

An Ecological Appraisal supports the application, and this has been amended and added to, including a further bat survey throughout the determination process.

The site is not covered by any designated sites; habitats present include scrub and trees. Vegetation had been removed previous to the ecological survey, although it is unclear as to when this was. The report outlined likely ecological potential prior to vegetation clearance which is welcomed.

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

Bats:

The site and its surroundings will provide suitable foraging and commuting habitat for bats. There are three dilapidated barns on site that were assessed as being of negligible potential for roosting bats. Trees were also assessed along the northern boundary and found to not supporting potential roosting features. The Council's Ecologist considered that two of the trees along the southern boundary were assessed as being of low potential for roosting bats. It is confirmed by the Case officer that these will not be removed.

Judicial reviews have directed that surveys for bats cannot be left to planning Conditions; and that where bats are present, planning authorities should be applying the same 'tests' to which licence applications are subject to under Regulation 53/56 of the Habitat Regulations 2010. The originally submitted Ecology Report recommended further bat surveys - one survey visit per season (spring – April/May, summer – June/July/August and autumn September/October). As a result, the application could not be determined until further surveys had been undertaken supported by the deployment of static detectors for 5 consecutive nights over the same time period. The Council's Ecologist has now confirmed that sufficient survey effort has been undertaken due to activity and habitat present.

Great crested newt (GCN):

There are suitable terrestrial habitats on site that could be used by GCN and other amphibians, there is connectivity between the site and a waterbody 300m south where a GCN was recorded. Further surveys were recommended of waterbodies within 500m of the site that are not separated from the site by significant dispersal barriers. This was required to be submitted to the local authority prior to determination. Reasonable avoidance measures have now been provided and accepted by the Council's Ecologist.

Dormice:

Dormice have were not detailed within the original report, and the site lies adjacent to a large block of woodland which may support dormice. Further information was therefore required. Sufficient information has now been provided supported by appropriate mitigation.

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

Birds:

Some of the habitats on site will provide suitable nesting opportunities for birds, appropriate mitigation has been recommended.

Reptiles:

The vegetation prior to removal would have had the potential to support refuge for reptiles, though it unlikely provided areas of open habitats for basking reducing the likely presence of large populations of reptiles.

Badgers protected under the Badger Act 1992:

There is suitable habitat on site for badgers, any excavations created during the development are to be installed with a ramp as a minimum to ensure a means of escape.

Species of principle importance (Priority Species) Section 41 Natural Environment and Rural Communities (NERC) Act and Local Biodiversity Action Plan Species:

Hedgehog:

There is suitable habitat for hedgehogs, mitigation post development has been provided and this is welcomed, this is to include mitigation during the development. Suitable mitigation has been provided.

Ecology Conclusion and Recommendations

The Council's Ecologist is satisfied that there are no further surveys required, and appropriate mitigation has been recommended. There is no objection to the proposal in ecology terms subject to conditions requiring compliance with all the mitigation measures submitted. Furthermore, a lighting design for biodiversity, and a Landscape and Ecological Management Plan. It is therefore recommended that these conditions are imposed, in order that the application will comply with NPPF Para 174 – 182 (Conserving and Enhancing the Natural Environment, Habitats and Biodiversity), National Planning Policy Framework; PSP18 – (Statutory Wildlife Sites: European Sites and Sites of Special Scientific Interest (SSSIs)); PSP19 (Wider Biodiversity); CS9 (Managing the Environment and Heritage); CS2 (Green Infrastructure) and PSP3 (Trees and Woodland).

Drainage

As originally submitted, Council's Flood and Water Management Team had concerns that whilst the preliminary Drainage Strategy Layout / and its proposed Attenuated Greenfield discharge rate and storage volume were acceptable, there were queries regarding the strategies proposed for both Surface Water and Foul sewage disposal.

Following the receipt of further information from the applicant there is now no objection from the Flood and Water Management Team subject to a condition requiring surface water and foul sewage drainage details including SUDS (Sustainable Drainage Systems e.g. soakaways if ground conditions are satisfactory), for flood prevention; pollution control and environmental protection to be submitted and approved by the Local Planning Authority.

Subject to this condition the proposal would comply with South Gloucestershire Local Plan: Policies, Sites and Plans Plan (Adopted) November 2017 Policy PSP20; South Gloucestershire Local Plan: South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 Policy CS1 and Policy CS9.

On site renewable and Low carbon energy

Policy PSP6 encourages rather than requires development of this size to provide a reduction in CO2 emissions by 20%. It also encourages solar technology. All the proposed dwellings include roof mounted photovoltaics which are orientated on a southerly aspect. It is considered that subject to a condition to ensure that these are installed prior to first occupation, the application complies with PSP6.

Other matters

It is noted that a local resident has stated that conditions should prevent dwellings becoming HMOs due to UWE proximity. This condition is not considered necessary as there is no inherent objection to a HMO that falls within permitted development rights. It has also been suggested that permitted development rights ensure that a garage could not be used as a bedroom. However this would not constitute development so cannot be controlled, had it been considered necessary. It is considered that permitted development rights over extensions should be removed due to the Green Belt location of the site.

5.14 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 planning permission be APPROVED.

CONDITIONS

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

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

2. The development shall proceed in strict accordance with the mitigation measures provided in the Ecological Appraisal (Ashgrove Ecology, November 2020), Bat Report (Fpcr, October 2021), Ecologist Letter (Fpcr, 02/11/2021), Ecologist Letter (Fpcr, 01/12/2021) and Ecologist Letter (Fpcr, 08/12/2021) (PSP21).

Reason: To protect the wildlife and the ecological interests of the site, in accordance with Policy CS9 of the adopted South Gloucestershire Local Plan: Core Strategy, and Policies PSP18 and PSP19 of the adopted South Gloucestershire Policies Sites and Places Plan.

3. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by the local planning authority prior to the 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. The LEMP is also to include ecological enhancement plan detailing location and specification of the ecological enhancements detailed within the Ecological Appraisal (Ashgrove Ecology, November 2020), Bat Report (Fpcr, October 2021), Ecologist Letter (Fpcr, 02/11/2021), Ecologist Letter (Fpcr, 01/12/2021) and Ecologist Letter (Fpcr, 08/12/2021).

Reason: To protect the wildlife and the ecological interests of the site, in accordance with Policy CS9 of the adopted South Gloucestershire Local Plan: Core Strategy, and Policies PSP18, PSP19 and PSP21 of the adopted South Gloucestershire Policies Sites and Places Plan.

4. Prior to installation of any external lighting, 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.

Reason: To protect the wildlife and the ecological interests of the site, in accordance with Policy CS9 of the adopted South Gloucestershire Local Plan: Core Strategy, and Policies PSP18 and PSP19 of the adopted South Gloucestershire Policies Sites and Places Plan.

5. Prior to the commencement of any groundworks or site clearance, a detailed scheme of landscaping shall be submitted to and approved in writing by the Local Planning Authority, and shall include the following:
 - (i) Details of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection during the course of the development to BS5837:2012;

- (ii) A detailed landscape plan specifying the location, species, stock size, planting centres and quantities of all proposed tree and structure planting (to be implemented in the first season following completion of construction works);
- (iii) Details of all hard landscaping, including hardstanding areas
- (iv) The remaining understorey landscape buffer along the site frontage to include reinforcement through new planting on the south side to compensate for the visibility splay.
- (v) A landscape management plan covering the long-term maintenance operations/inspections of site trees and frontage hedgerow, together with identification of persons/organisation responsible for their management.
- (vi) Details of all proposed boundary treatments,
- (vii) Proposed levels and any soil retention/retaining walls that may be required,

Development shall be carried out in accordance with the agreed details no later than the first planting season following the first occupation of the dwellings hereby approved.

Reason: To protect the character and appearance of the area to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP2 of the Policies Sites and Places DPD (Adopted) November 2017; and the National Planning Policy Framework. The information is required prior to commencement to ensure the proposal would have an acceptable impact on the landscape.

6. Prior to the first occupation of the dwelling hereby approved, electric vehicle charging facilities shall be provided for the new dwellings, rated at a minimum of 7kw/32amp, which are to be retained and maintained thereafter.

Reason: To ensure sustainable travel options are provided, to reduce carbon emissions and to accord with CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013).

7. No development shall commence until surface water and foul sewage drainage details including SUDS (Sustainable Drainage Systems), for flood prevention; pollution control and environmental protection have been submitted and approved by the Local Planning Authority in writing, and all such details as approved shall be implemented prior to the first occupation of the development hereby approved. A detailed development layout showing surface water and SUDS proposals is required as part of this submission. (No public surface water sewer is available).

The following details shall be submitted in order to discharge this condition:

- o CCTV survey of the Highway Drain network from Manhole 7501, 7502, to a point 10 Meters downstream of 8401 inclusively, to determine its size, capacity and condition, (submission to include video footage and report).
- o A clearly labelled drainage layout plan showing the pipe networks and any attenuation features and flow control devices.
- o Approved S104 Adoption Plan (to include the foul rising main, pumping station and final connection point).
- o Updated drainage calculations to show there is no flooding on site in 1 in 30 year storm events (winter and summer); and no flooding of buildings or off site

- in 1 in 100 year plus an allowance for climate change storm event (winter and summer) in line with the current industry accepted allowance.
(Preferably in the MicroDrainage).
- o Where attenuation forms part of the Surface Water Network, calculations showing the volume of attenuation provided, demonstrating how the system operates during a 1 in 100 year plus an allowance for climate change storm event (winter and summer) in line with the current industry accepted allowance.
 - o The drainage layout plan should also show exceedance / overland flood flow routes if flooding occurs and the likely depths of any flooding.
 - o The plan should also show any pipe node numbers referred to within the drainage calculations.
 - o A manhole / inspection chamber schedule to include cover and invert levels.
 - o Ownership and/or responsibility, along with details of the maintenance regime in relation to the Surface Water Network and any components such as Attenuation features and Flow Control Devices where applicable for the lifetime of the development.

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

8. Prior to the commencement of any development on site, including clearance, an Arboricultural method statement, in accordance with BS:5837:2012, shall be submitted to an approved in writing by the Local Planning Authority. All works shall be carried out in accordance with said method statement.

Prior to the commencement of any development on site, including clearance, fencing shall be erected to protect the trees to be retained on site in accordance with BS:5837:2012. Such fencing shall be retained on site at all times during the construction period.

Reason: To protect the character and appearance of the area to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policies PSP2 and PSP3 of the Policies Sites and Places DPD (Adopted) November 2017; and the National Planning Policy Framework. The information is required prior to commencement to ensure the proposal would have an acceptable impact on the landscape.

9. The dwellings hereby approved shall not be occupied until the separate pedestrian link onto Filton Road has been constructed to a width and is available to the public, and provides for 2m width at the Filton Road end for a bin collection point.

Reason: To provide a safe and suitable pedestrian access in the interests of highway safety and sustainable travel and bin collection and to accord with Policy PSP11 of the Policies Sites and Places DPD (Adopted) November 2017.

10. The dwellings hereby approved shall not be occupied until the access and parking arrangements have been provided in accordance with the details hereby approved. Furthermore, the maximum gradient of the access shall not exceed 1 in 12, it shall be

surfaced with a consolidated material (not loose stone or gravel) for at least the first 10m from the back of the footway and provided with surface water drainage.

Reason: To provide a safe and suitable access by preventing loose stones and water from discharging across the footway and the provision of adequate car and cycle parking facilities all in the interests of highway safety and sustainable travel and to accord with Policies PSP11 and PSP16 of the Policies Sites and Places DPD (Adopted) November 2017.

11. With regard to 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 and E, shall be carried out without the prior written consent of the Local Planning Authority.

Reason: Having regard to the Green Belt location of the site, to control any harm to Green belt openness, in accordance with Policy PSP7 of the South Gloucestershire Local Plan: Policies, Sites and Plans Plan (Adopted) November 2017 and the NPPF.

12. Prior to commencement of the development hereby approved, details of external facing bricks and rooftiles shall have been submitted to and approved in writing by the local planning authority. Only such details as approved shall be used. Furthermore, notwithstanding the submitted plans, to rooftiles of the dwellings hereby approved shall be brown in colour, to match the existing adjacent dwellings.

Reason: To protect the character and appearance of the area to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP1 of the Policies Sites and Places DPD (Adopted) November 2017; and the National Planning Policy Framework. The information is required prior to commencement as the details are not known and to ensure the proposal would be of good quality design.

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

Arboricultural Report- Dart Tree Consultancy 27.10.20 - AIA/BOL-20

Drainage Strategy E S 20.048. SK03.00.P3

Housetype A AS19.56.L.02.01 REV 03

SITE PLAN " " L01.01 REV 07

HOUSETYPE B " " L.02.02 REV 02

LOCATION PLAN " L.01.00 REV 01

EXISTING SITE PLAN " L.09.00 REV 01

DEMOLITION PLAN " L.12.03 REV 01

Ecological Appraisal (Ashgrove Ecology, November 2020), Bat Report (Fpcr, October 2021), Ecologist Letter (Fpcr, 02/11/2021), Ecologist Letter (Fpcr, 01/12/2021) and Ecologist Letter (Fpcr, 08/12/2021).

Reason: In the interests of clarity and to prevent the need for remedial action.

14. The roof mounted photovoltaics indicated on the drawings hereby approved shall be installed and useable prior to the first occupation of the relevant dwelling.

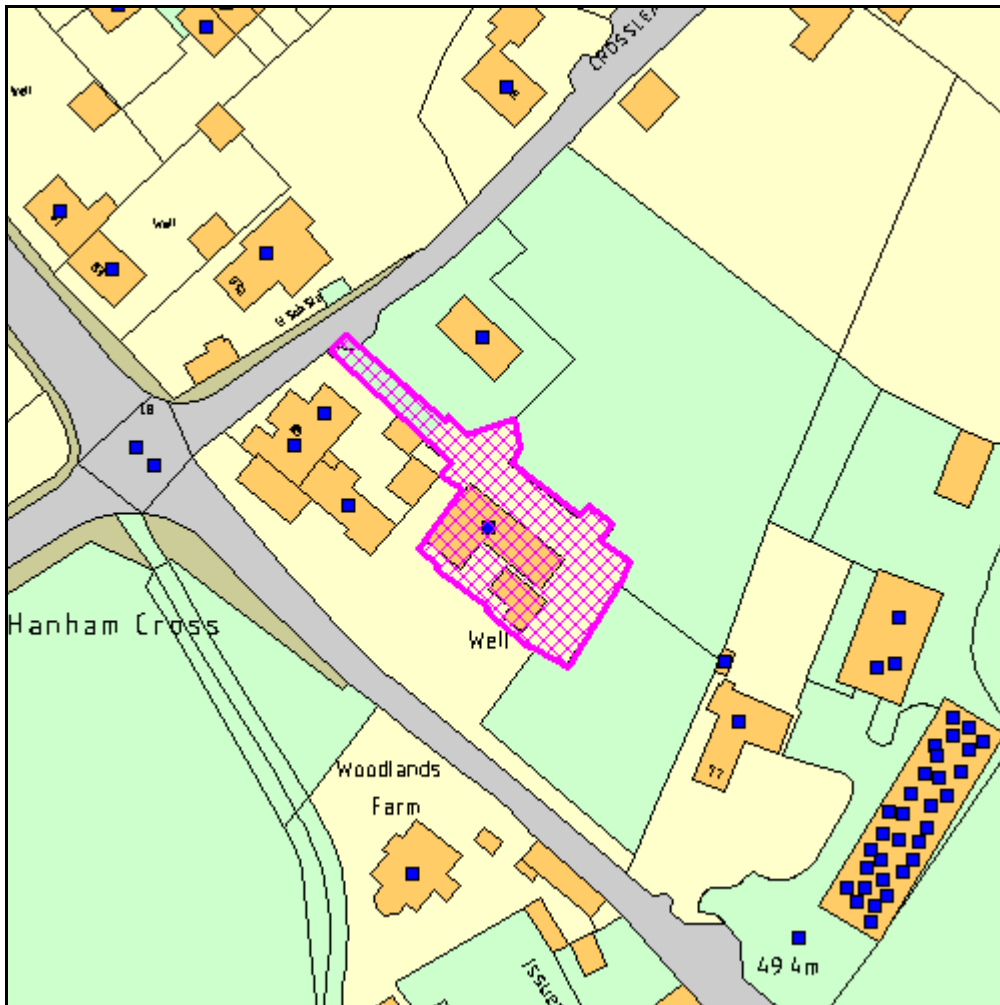
Reason: To mitigate climate change, in accordance with Policy PSP6 of the Policies Sites and Places DPD (Adopted) November 2017; and the National Planning Policy Framework..

Case Officer: Helen Ainsley

Authorising Officer: David Stockdale

CIRCULATED SCHEDULE NO. 02/22 - 14th January 2022

App No.:	P21/00040/F	Applicant:	D Hursthwaite
Site:	The Stables Crossleaze Road Hanham South Gloucestershire BS15 3NH	Date Reg:	8th January 2021
Proposal:	Erection of 1 no. detached garage.	Parish:	Hanham Abbots Parish Council
Map Ref:	364294 170990	Ward:	Hanham
Application Category:	Householder	Target Date:	4th March 2021



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008. **N.T.S.** **P21/00040/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

Contrary view of Hanham Abbots Parish Council.

1. THE PROPOSAL

- 1.1 Planning permission is sought for the erection of 1no. detached garage at The Stables, Crossleaze Road, Hanham.
- 1.2 The application site comprises a detached bungalow that was converted from a former stables block. The application site is located within the Bristol and Bath Green Belt, adjacent to but not within the Bristol eastern fringe settlement boundary.
- 1.3 Revised plans were received for the application to alter the location of the proposed garage. A re-consultation was carried out.

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
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 PK15/1693/RVC
Removal of condition 2 attached to planning permission PK08/1705/F to allow ancillary residential annex to be used as a separate residential dwelling.
Approve with Conditions (21/07/2015)
- 3.2 PK11/0594/F
Part demolition of existing green house and alteration of roof to pitch roof to form additional store.
Approve with Conditions (08/04/2011)
- 3.3 PK09/0089/F
Erection of dual pitched roof over existing flat roof.
Approve with Conditions (06/02/2009)
- 3.4 PK08/1705/F
Conversion of existing stable block and outbuilding to form ancillary residential annexe.
Approve with Conditions (16/09/2008)
- 3.5 P96/4218
Erection of detached stable block.
Approval Full Planning (15/07/1996)

4. CONSULTATION RESPONSES

- 4.1 Hanham Abbots Parish Council
Objection. Lack of information.
- 4.2 Local Residents
1 objection comment from local residents. Concern about future conversion to a residential property.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
The application seeks permission for a garage 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 development is acceptable in principle but will be determined against the analysis set out below.
- 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 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’.
- 5.3 PSP7 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 The proposed detached garage would be in close proximity to the existing dwelling, within the established and lawful residential curtilage, and would be incidental to the enjoyment of the dwelling. The proposed development can therefore be considered to be an extension to the existing building in Green Belt terms.
- 5.5 The proposed detached garage would be modest in scale when compared to the existing dwelling and would not represent a volume increase over the original dwelling of more than 50%. Therefore, the proposal falls within the exception categories of the NPPF and is not inappropriate development.
- 5.6 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 openness and permanence of the Green Belt.
- 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 detached single garage would be modest in scale when compared to the existing dwelling and would be finished in materials to match the finish of the existing dwelling. The proposal would integrate well with both the site and its context and would respect the character and visual amenity of the local area.
- 5.9 On the basis of the assessment set out above, it is not considered that the proposed development would detract from the appearance of the building or negatively impact the visual amenity of the street scene or character of the area.
- 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 When considering the impact of the development on the residential amenity of neighbouring residents, there are no neighbouring properties likely to be affected by the proposal.
- 5.12 The proposal has been carefully assessed and has found to be in compliance with these policies.
- 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. The proposed development would not increase the number of bedrooms in the property and would not remove any on-site parking spaces. The proposed garage meets the minimum size requirements to provide off-street parking for 1 no. vehicles.
- 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.
- 5.16 With regards to the above this planning application is considered to have a neutral impact on equality.
- 5.17 Other Matters
Concern has been raised about the potential future conversion of the proposed detached single garage to a separate residential property. The proposed garage would be modest in scale and would not be of an adequate size to serve as a separate residential property. For the avoidance of doubt a condition will be included with any decision limiting the use of the proposed garage.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to **grant** permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

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

CONDITIONS

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

Reason

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

2. The development/works hereby permitted shall only be implemented in accordance with the plans as set out in the plans list below:
Site Location Plan (Received 08/12/2021)
Site Plan (Received 08/12/2021)
Plans and Elevations (Received 07/01/2021)

Reason

To define the terms and extent of the permission.

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

Reason

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

4. The garage hereby authorised shall be used solely for the garaging of private vehicle(s) associated with the host dwelling (The Stables, Crossleaze Road, Hanham, South Gloucestershire, BS15 3NH).

Reason

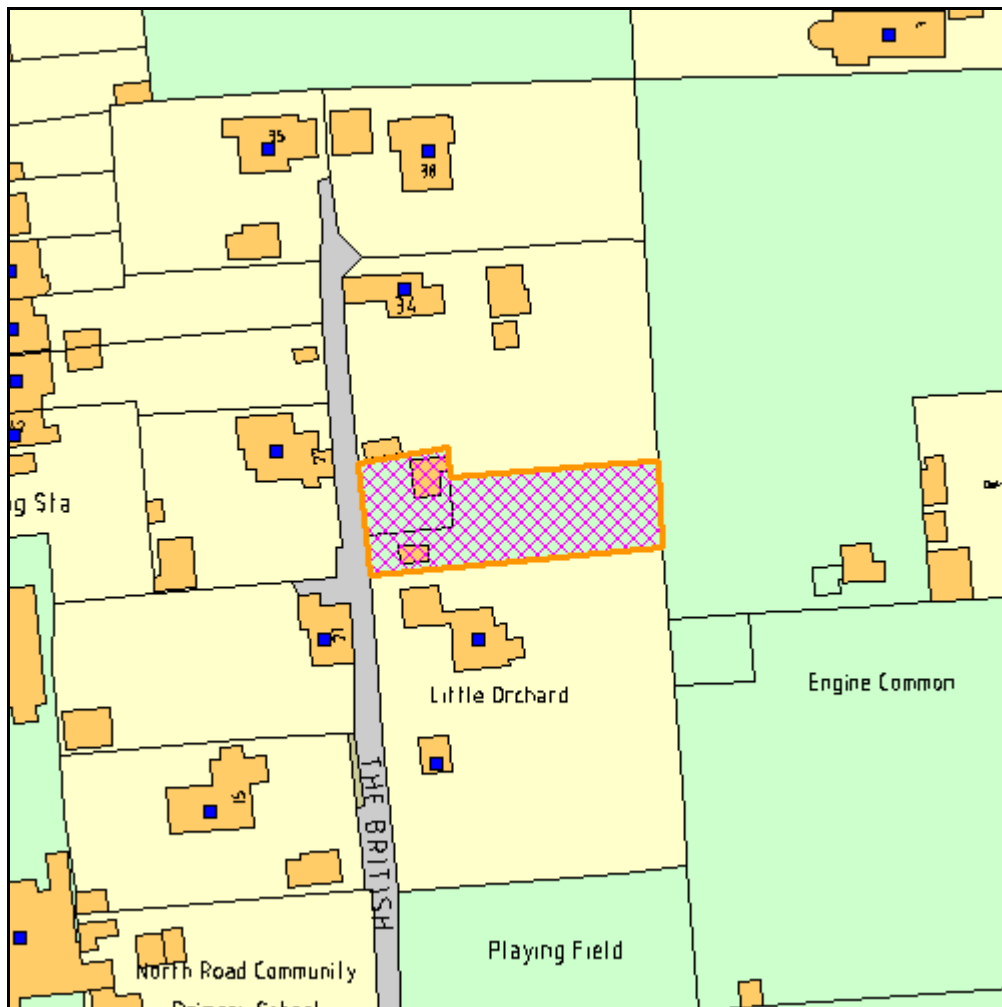
To ensure the satisfactory external appearance of the development in the interests of visual amenity and to protect the residential amenity of the neighbouring occupiers and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

Case Officer: Oliver Phippen

Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 02/22 - 14th January 2022

App No.:	P21/01704/F	Applicant:	P Rubery
Site:	Land At The British Yate South Gloucestershire BS37 7LH	Date Reg:	8th April 2021
Proposal:	Erection of 1 no. dwelling with associated works.	Parish:	Iron Acton Parish Council
Map Ref:	369943 183843	Ward:	Frampton Cotterell
Application Category:	Minor	Target Date:	1st June 2021



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008. **N.T.S.** **P21/01704/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 APPEARING ON CIRCULATED SCHEDULE

This application appears on the Council's Circulated Schedule procedure following the receipt of support comments from more than 3no. local residents, which are contrary to the officer recommendation within the report

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the erection of a one and a half storey, dwelling on land at The British. Although one room is labelled as a Home office/study, the room is of a size that could be used as a bedroom. The proposal is therefore to be treated as a 3bed property. The application site is within the settlement boundary.
- 1.2 The application has been amended since originally submitted, with additional information relating to ecology, drainage, highways and ownership. Applicable re-consultation has been carried out.
- 1.3 Permission for one dwelling on this site was granted in 2015 under ref PK15/4184/F. This permission has since lapsed.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS18	Affordable Housing
CS30	Yate and Chipping Sodbury

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP8	Residential Amenity
PSP11	Transport Impact Management

PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP18	Statutory Wildlife Protection
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

Trees on Development Sites SPG (Adopted) Nov. 2005.
 South Gloucestershire Design Checklist (Adopted) 2007)
 South Gloucestershire SPD: Residential Parking Standards (Adopted) 2013
 Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide
 SPD – (Adopted) March 2015
 South Gloucestershire Council Waste Collection: guidance for new
 developments SPD (Adopted) Jan 2015

3. RELEVANT PLANNING HISTORY

- 3.1 PK15/4184/F - Erection of 1no. detached bungalow with associated works. – Permit - 18.12.2015

Land at School House:

- 3.2 P20/23983/F - Erection of 2 no. dwellings with access, parking, new public footpath and associated works. – Refused - 29.01.2021 – Dismissed at appeal - 31.12.2021

- 3.3 P21/00572/F - Erection of 1no. dwelling with access, parking and associated works (resubmission of P20/23983/F) – Refused - 01.04.2021 – Dismissed at appeal - 31.12.2021

- 3.4 PK16/1490/F - Erection of 1no. detached dwelling with access and associated works. – Permit - 25.11.2016

Land to the rear of 218 North Road

- 3.5 PK17/2400/F - Partial demolition and alterations to existing shop to facilitate erection of 2no.dormer bungalows with access, parking and associated works. – Permit - 20.10.2017

- 3.6 PK16/6886/F - Demolition of existing buildings and erection of 2no detached dwellings and associated works. (re-submission of PK16/2429/F). – Refused - 28.04.2017

4. CONSULTATION RESPONSES

- 4.1 Iron Acton Parish Council – *“This dwelling if constructed can only be accessed via the narrow lane no through lane, The British. This lane is only sufficiently wide for one car or light truck at a time. There is no footway/pavement to protect pedestrians.*

The access from North Road has no visibility splay. Vehicles emerging into North Road must encroach onto the North Road pedestrian pavement to gain vision up North Road. Vehicles cannot emerge and leave at the same time due to the narrowness the lane entrance. The British has no passing places anywhere near the junction.

The British is used as the only available route for children walking from North Road Community Primary School to the schools sports field. Bearing in mind the narrowness of The British, Iron Acton Parish Council believes the danger to Primary School Children and other pedestrians can only be increased by additional development on that lane. IAPC is also concerned about the danger caused by the sub-standard junction with North Road.

South Gloucestershire Council has previously permitted some development on the British, but there has to be a limit where a line must be drawn. Every time an application is made, the argument is made that it will cause only a small percentage increase in vehicle movements. All the small increases are cumulative over time. This development along with relatively recent additions will cumulatively have raised the number of dwellings by around 50%.”

4.2 Drainage – No objection

4.3 Transportation DC – Objection due to substandard access

4.4 Ecology – No objection subject to conditions relating to mitigation, lighting design strategy, enhancements and hedgerow protection.

4.5 Tree Officer – No objection

4.6 Highway Structures – No comment

4.7 Contaminated Land – No objection subject to conditions relating to a desk study, remediation strategy, verification strategy and unexpected contamination.

Other Representations

4.8 Local Residents

3no. objection comments have been received, summarised as:

- Waste of valuable land
- Brambles and scrub removed during nesting season
- Barn with asbestos removed without permission
- Willow tree requires pollarding
- Increase in traffic
- Sufficient turning space for large vehicles should be provided
- Passing bay may not be large enough and could be used for parking
- Will the passing bay be adopted and have double yellow lines?
- Wooden pylon sited within passing bay

3no. general comments have been received, summarised as:

- Inaccuracies in submission

- Vehicle shown in photographs has only recently been parked on the site
- Vehicle on site has not been moved
- Garage on site for owners sole use
- Garage has been used by locals
- Garage only used for storage
- Site previously used for pheasant breeding
- Damage to access should be rectified

18no. support comments have been received, summarised as:

- Extra traffic would be short term
- Building designed for those with mobility problems
- Building could be set back
- Turning/passing place could be marked out
- Time constraints should be made for building
- Sensible choice for this site
- Few bungalows available
- Would not look out of place
- Access appears tight
- Sufficient turning space for large vehicles should be provided
- Passing bay may not be large enough and could be used for parking
- Will the passing bay be adopted and have double yellow lines?
- Wooden pylon sited within passing bay
- Certificate B should be completed and notice served
- Construction Management Plan required
- Inconsistencies with roof lights
- Tree planting gains are required
- Scheme unclear on net habitat gain
- Site within walking distance to school
- Eco friendly accommodation
- Not overdeveloped
- Previous permissions granted
- Only for one dwelling

5. **ANALYSIS OF PROPOSAL**

Principle of Development

- 5.1 Policy CS5 of the Core Strategy outlines the locations at which development is considered appropriate. CS5 dictates that most new development in South Gloucestershire will take place within the communities of the north and east fringes of the Bristol urban area, and within defined settlement boundaries. The application site is located within the area defined as Engine Common. As such, based solely on the location of the site within the context of the Council's locational strategy for development, the proposed development is acceptable in principle.
- 5.2 It is acknowledged that the provision of a new dwelling towards housing supply would have a modest socio-economic benefit. However, the impacts of the development proposal must be further assessed against relevant policy in order to identify any potential harm and to reach a balanced decision. For this type of development at this location, the additional areas of assessment include;

impacts on visual amenity and the character of the area, impacts on residential amenity, and impacts on the surrounding transport network. Furthermore, the Council is able to demonstrate a five year land supply of housing.

- 5.3 Policy CS1 of the Core Strategy seeks to ensure that development proposals are of the highest possible standards and design. This means that developments should have appropriate: siting, form, scale, height, massing, detailing, colour and materials which are informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context. Policy CS1 is fully compliant with design guidance in the NPPF.
- 5.4 Policy PSP1 of the Policies, Sites and Places Plan requires development proposals to demonstrate an understanding of the character of an area. Development proposals should make a positive contribution to the distinctiveness of a locality and innovative architectural responses to design issues are encouraged.
- 5.5 The application is therefore considered acceptable in principle subject to consideration of the following issues.

Design and Visual Amenity

- 5.6 The application site is an approximately rectangular area of land laid to rough grass, with brambles and overgrowth recently cut back. A garage building is situated to the south side of the plot. A dilapidated timber building to the north has been removed as noted by the submitted comments, however its removal would not have required planning permission. Planning records indicate that a caravan was previously situated on the land, however this has long since been removed.
- 5.7 The British is a side road off a main highway, North Road, the entrance into which is flanked to the north by North Road Community Primary School and to the south by a dwellinghouse (formerly the Post Office now shut). The British is a single track cul-de-sac initially running west to east for around 70 metres whereupon it turns sharply to the north running straight for around a further 130 metres to its end. Typically the carriageway is around 2.8 metres wide past this dog-leg but achieving less in other places.
- 5.8 The properties along the British vary in scale, design and form, ranging from small traditional cottages to more modern bungalows and two storey dwellings. Materials and palettes of colour used also differ comprising render and, natural stone and reconstituted stone.
- 5.9 The proposed dwelling would be modest in size and would be one of the smaller properties along this lane. It would be L shaped and with the dormer in the roof presents as a one and a half storey property. It is noted that the property would be set back further into the plot than its closest neighbour at Little Orchard, however there is no uniform building line created by the existing properties.

- 5.10 In terms of design, scale and massing the property would be small but acceptable in this location. The proposed materials are to be render, elements of cedar cladding to the rear and clay pantiles to the roof.
- 5.11 The proposal is considered to be acceptable in terms of design and visual amenity.

Residential amenity

- 5.12 The proposed development provides private amenity space that complies with the required standard for a 3bed dwelling as set out in policy PSP43.
- 5.13 Due to the location of the proposal, neighbouring properties and the single storey nature of the scheme, it is not considered that the proposal would result in significant harm caused to residential amenity due to overlooking or an overbearing impact.

Traffic and highways

- 5.14 The site is proposed to be accessed from The British, this is a narrow single lane serving the school playing field and some 11 other properties. The British measures approximately 3m at its junction with North Road. At 3m wide, this is enough only for one vehicle to use at a time with no separate footway present at this location.
- 5.15 Passing places along The British have been created under planning application PK17/2400/F which have been included as part of the adopted highway, however the road width at its junction remains restricted and with no footway. Construction, service and large delivery vehicles would all have difficulty accessing The British. There is evidence of vehicle strikes on the corner of the building on the south side of the junction.
- 5.16 The route to the application site along the British would take vehicles around a tight corner where the driver's line sight crosses a third part land where forward visibility may be affected.
- 5.17 The visibility at the junction of The British and North Road is 2.4m x over 60m for vehicle to vehicle. The visibility between vehicles and pedestrians has recently been improved slightly by widening the footway on North Road and cutting off the corner of the building on the south side (the former Post Office), however it is still restricted because of the school fence, telegraph pole and the corner of the building on the south side.
- 5.18 In terms of traffic, it is anticipated that proposal would generated about 6 movements per day. Whilst this would be numerically low, nonetheless against the low background traffic of the lane is not considered insignificant. The proposal would increase traffic using The British which is only accessible from the poor junction with North Road. Incremental increase of development traffic through this existing substandard junction which has not been designed to current highway design standards is considered material and has potential to increase the risk of conflict proportionately.

- 5.19 Two recent appeals on Land at School House (P20/23983/F and P21/00572/F) were recently refused and dismissed at appeal for reasons of highway safety, with the Inspector noting *“the incremental increase of highway journeys would exacerbate the existing issues and increase the potential for conflict. For example, two cars entering or exiting the junction would not see each other until they were close, and one would have to reverse back along The British to a passing bay. This would increase the possibility of driver error and would result in an increased delay for any waiting traffic.”*
- 5.20 It is noted that a previous application was permitted on this site for a dwelling. Although this has expired and can only carry limited weight, the delegated report has some relevance to the current scheme. In it, the officer noted that although concerns had been raised regarding the access road and its ability to cope with additional traffic, this was off-set by the fact the proposal was for a 1bed dwelling and the impacts would not be significant. As the proposal is now for a 3bed dwelling, with associated increased traffic movements, the same conclusion cannot be reached.
- 5.21 The applicant has also stated that the current garage on site is let for parking by a third party, and has been in constant use for 15 years. This statement has been disputed by neighbours, however even if it were to be the case, the traffic associated with a 3bed dwelling would be greater compared to a single vehicle.
- 5.22 Concerns have been raised regarding the passing place proposed to the entrance of the site, and the presence of a utility pole. Should any permission be granted, the passing place would be required to be provided by condition, and the utility pole would need to be relocated. The subsequent relocation would be between the applicant and the owner of the pole, and does not form part of the planning process.
- 5.23 In terms of onsite parking and turning, the authority is content that the proposals are appropriate. However, due to the increase in traffic resulting from this proposal, even having regard to previous improvements, would result in unacceptable harm to highway safety. It would therefore conflict with PSP Policy PSP11, which requires appropriate and safe access to be provided for all mode trips and not generate traffic that would have an unacceptable effect on highway and road safety. This Policy is consistent with the highway safety policies of the Framework.

Ecology

- 5.24 A Preliminary Bat Roost Assessment (MPEcology, March 2021) and an Ecological Addendum (MP Ecology, August 2021) has been submitted. The site is not covered by any designated sites.
- 5.25 There is an existing garage on site, which was assessed for bat roosting opportunity. It was considered to offer negligible potential for bats, therefore no further surveys are required. Enhancements have been recommended and this is welcomed.

- 5.26 Two ponds within 500m of the site were surveyed for a separate development and recorded no GCN and no significant terrestrial habitat has been detailed, GCN were not considered further.
- 5.27 No evidence of nesting birds were recorded, however the building has the potential to support them, therefore the building should be removed outside of bird nesting season, if this is not practical then a suitably qualified ecologist is to carry out a check immediately prior to removal. If nests are present, no works can commence until all young have fledged.
- 5.28 The report states that the site lacks areas suitable for reptiles, aside from the eastern boundary. They were not considered further as the constraint were not deemed significant, however if habitats are present along the hedgerow and they are to be retained they will need to be protected throughout development, if they are to be removed mitigation will be required prior to commencement of works.
- 5.29 No evidence was recorded for badgers, however this cannot rule out use for foraging.
- 5.30 Mitigation has been provided to ensure continued use by hedgehogs, however none have been provided during development.
- 5.31 The updated report further details constraints to protected species, however it does lack detail regarding mitigation which does not pose ecological objections and can be conditioned. Conditions will also be required for a lighting design strategy, ecological enhancements and hedgerow barriers, as well as an informative ensuring ramps or covers are installed on any excavations.

Drainage

- 5.32 The caravan previously located on the site was connected to both water and drainage, and the foul drainage has now been shown on the proposed site plan. There is no objection in relation to drainage and flooding.

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. This planning application it is considered to have a slight positive impact on equality due to the proposed mobility bedroom, however this is not considered to outweigh the identified harm to highway safety.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 It is recommended that planning permission is REFUSED.

REASONS FOR REFUSAL

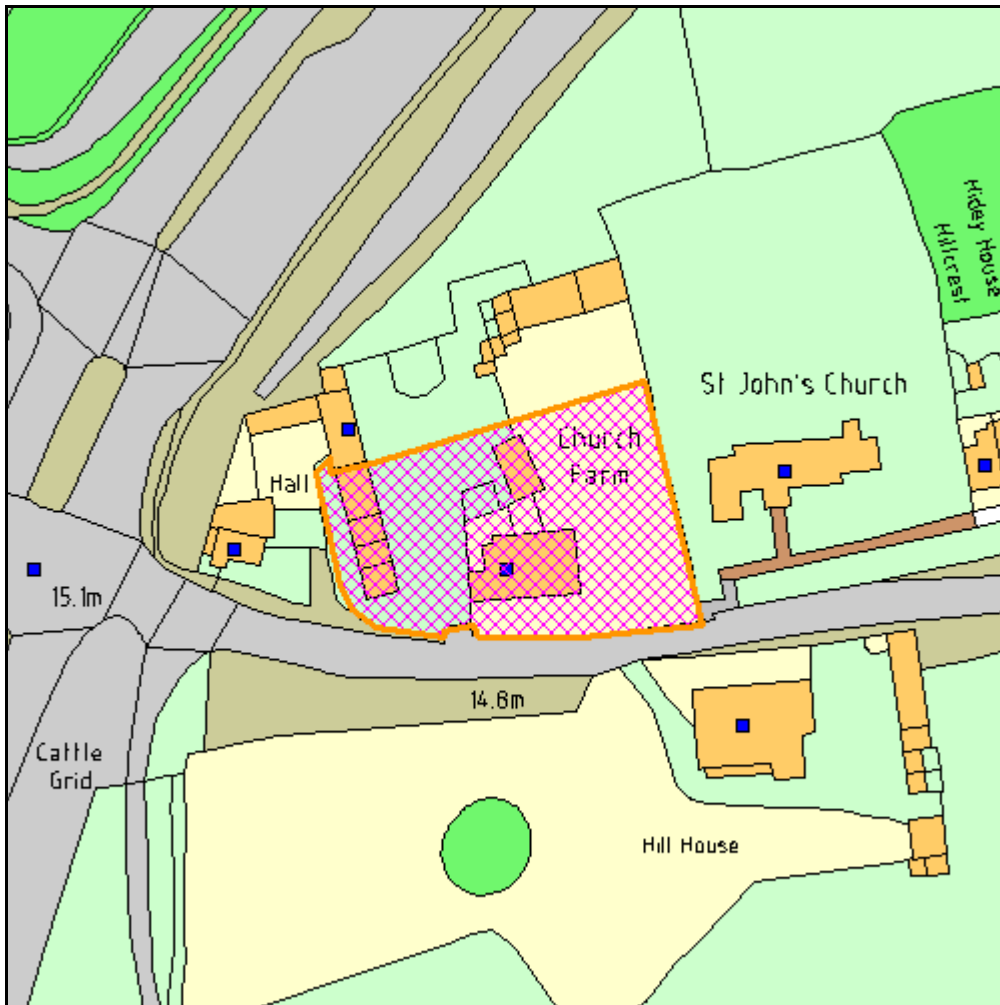
1. The incremental increase of development and the resulting vehicular traffic using a substandard access road The British by reasons of restricted width for two-way vehicular traffic and lack of footway facility at its junction with North Road will result in additional conflict between vehicles and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

Case Officer: Rae Mepham

Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 02/22 - 14th January 2022

App No.:	P21/04623/F	Applicant:	W Thomas
Site:	Church Farm Main Road Aust South Gloucestershire BS35 4AZ	Date Reg:	6th July 2021
Proposal:	Erection of extension to link attached incidental outbuilding.	Parish:	Aust Parish Council
Map Ref:	357195 189063	Ward:	Severn Vale
Application Category:	Householder	Target Date:	27th August 2021



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008. **N.T.S.** **P21/04623/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 Circulated Schedule because a representation has been received from the Parish Council which could be reasonably construed as an objection.

1. THE PROPOSAL

- 1.1 Full planning permission is sought for the erection of an extension to a link attached incidental outbuilding to form a sunroom.
- 1.2 The application site is a detached grade II listed dwelling located within the Western end of the Aust designated settlement boundary. The site is within the Bristol/Bath greenbelt.
- 1.3 The application has been subject to pre-application advice provided by the conservation team, and should be read alongside associated listed building consent application P21/04625/LB.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework July 2021
National Planning Practice Guidance
Planning (Listed Buildings and Conservation Areas) Act 1990

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS34	Rural Areas

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

PSP1	Local Distinctiveness
PSP7	Development in the Green Belt
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP19	Wider Biodiversity
PSP38	Development Within Existing Residential Curtilages
PSP43	Private Amenity Space Standards

- 2.3 Supplementary Planning Guidance
Development in the Green Belt SPD (Adopted) June 2007
Design Checklist SPD (Adopted) August 2007
Householder Design Guide SPD (Adopted) March 2021
Residential Parking Standard SPD (Adopted) December 2013

3. RELEVANT PLANNING HISTORY

- 3.1 P21/04625/LB (pending consideration):
Erection of extension to link attached incidental outbuilding and installation of new door opening.
- 3.2 P19/09924/F (withdrawn 19/12/2019):
Installation of solar panels on the roof valley of Church Farmhouse and on the west facing roof of an existing outbuilding.
- 3.3 P19/09926/LB (withdrawn 19/12/2019):
Installation of solar panels on the roof valley of Church Farmhouse and on the west facing roof of an existing outbuilding.
- 3.4 PT10/2621/LB (approved 19/11/2010):
Internal and external alterations to include recovering and insulation of roof, rebuilding of chimneys, works to existing external render and redecoration, replacement of rainwater goods, fascia replacement, installation of injected dpc, refurbishment and replacement of windows, repair front canopy (in accordance with amended plans/details received on 4 November 2010).
- 3.5 PT13/2266/LB (refused 19/08/2013):
Internal alterations (fireplace, dining room wall and door).
- 3.6 PT13/4278/LB (approved 20/01/2014):
Internal works including 2 no. new internal openings and restoration of fire surround pillars and installation of reclaimed cast iron insert.
- 3.7 P86/1300 (refused 02/12/1986):
Alterations and extensions to existing disused barn to facilitate change of use to single dwelling (in accordance with the amended plans received by the council on 25TH march 1986).
- 3.8 PT13/1200/LB (approved 13/06/2013):
Replacement rooflights.

4. CONSULTATION RESPONSES

- 4.1 Aust Parish Council
No objection to the principle of development but concerned by the proposed roofing material and believe that a roman tiled roof would be more in keeping.
- 4.2 Sustainable Transport
Have no comments to make.

4.3 Listed Building and Conservation Officer

The proposal has been subject to pre-app negotiations. Comments from the Parish Council are noted regarding the roof materials, but it was felt that corrugated roof materials (subject to the right product and profile) would give a utilitarian characteristic that would contrast in a positive way with the glazing. The proposals would ensure that the special historic and architectural significance of the building would be preserved. Conditions would be needed.

4.4 Archaeology Officer

Have no comments to make.

4.5 Environmental Protection

No comments have been received.

4.6 Ecology Officer

Initial comments were that further information in the form of a preliminary bat roost assessment would be needed.

Updated comments upon receipt of the required survey were no objection subject to conditions.

4.7 Western Power Distribution

No comments have been received.

4.8 Residents

1no. letter of objection has been received, summarised as follows:

- Concern regarding the siting of the electricity pole which was sited as it is to give consideration of the view from both properties.
- The proposed electricity pole location will have a negative effect of the view from adjacent property.
- Clarification sought on the need to re-locate the pole
- Deeds of partition were designed to protect the interest of both parties and both properties. The maximum height of any fence or hedge must not exceed 1.83 metres.
- Understand that any other structure must be in excess of 3 metres from the boundary. Is an amendment to the deeds of partition being proposed?
- Request the exact height of the sunroom.

5. ANALYSIS OF PROPOSAL

5.1 The proposal seeks to erect an extension to an existing link attached incidental outbuilding to form a 'sunroom'.

5.2 Principle Of Development

PSP38 of the South Gloucestershire Council Policies, Sites and Places Plan (adopted November 2017) permits development within existing residential curtilages (including extensions) in principle where they do not harm the design, visual amenity and residential amenity of the locality or prejudice highway safety or the provision of adequate private amenity space. PSP38 is achieved through CS1 of the South Gloucestershire Council Core Strategy (adopted December 2013), which requires development to demonstrate the

highest standards of design and site planning by demonstrating that siting, form, scale, height, massing, detailing colour and materials are informed by respect and enhance the character, distinctiveness and amenity of both the site and its context. Additional guidance on achieving good design for householder developments is set out in the Household Design Guide supplementary planning document (SPD), which was formally adopted in March 2021. The development is acceptable in principle, subject to the following detailed consideration.

5.3 Greenbelt

The site is located in Aust, which is 'washed over' by the Bristol/Bath greenbelt. The green belt is an area within the district where development is strictly controlled. The government places great importance on the greenbelts, with the fundamental aim of greenbelt policy being to prevent urban sprawl by keeping land permanently open, as set out in paragraph 137 of the NPPF.

- 5.4 As set out in paragraph 149 of the NPPF, local planning authorities should regard the construction of new buildings as inappropriate in the greenbelt. The same paragraph sets out limited forms of development that are considered appropriate in the greenbelt. One exception is the extension or alteration of existing buildings, provided they are proportionate. The NPPF does not define proportionate. PSP7 sets out that proposals that result in a volume increase of up to 30% over and above the volume of the original dwelling will be acceptable. Additions that are over 30% but below 50% stand to be carefully assessed and additions over 50% of the volume of the original building will be likely to be considered disproportionate. The calculation of added volume should include any previous additions. The term 'original building' means the building as it stood on 1st July 1948, or as it was first built if the building was built after that date.
- 5.5 Planning history, aerial images dating back to 1991 and historic mapping suggest that the existing historic building is unlikely to have been significantly extended previously post 1948. The case officer is certainly unable to find any evidence to suggest that this has been the case, save for the small link between the main dwelling and the attached outbuilding, though this is more of a covered walkway that is open on one side.
- 5.6 No volumetric detail has been provided with the application. Notwithstanding this, the host building is a substantial size and benefits from outbuildings, all of which appear to be pre-1948 additions to the site which would count towards the overall 'original' volume. The case officer on this occasion would therefore be inclined to conclude that the proposed addition would be unlikely to exceed 30% and certainly would not exceed 50% over and above the volume of the original building. In the unlikely event that the proposal is over 30%, it would still appear small in scale in a tucked away location within the defined residential curtilage and the designated settlement boundary of Aust. Accordingly, the proposed development cannot be considered as anything other than proportionate and would not have any material impacts on the greenbelt, its openness, or its permanence. The proposed development is therefore considered acceptable in greenbelt terms.

5.7 Design and Heritage

- The host building is a large, detached farmhouse set within a large curtilage. This list entry for the building describes it as a c.19th century re-fronting of an earlier building with later alterations. It is noted as being of rubble construction with rendered elevations, stone dressings, double roman tiled 2-span roof with coped verges and brick gable stacks. Fenestration on the façade is 16 pane box sash windows. To the rear is a linked outbuilding, with stone elevations and double roman tiled roof.
- 5.8 The proposed development would see a 'sunroom' added to the Northern end of the linked outbuilding which would partially wrap around the North and West elevations of the building, projecting by c.4 metres to the West. The depth of the extension would be c.3.7 metres, and the ridge would be c.3.2 metres high, with a saltbox/cottage style roof. The structure would be cladded to the North, whilst the South and West elevations would be glazed, and the roof would be clad with aluminium sheeting. An opening would be created in the North elevation of the existing outbuilding to facilitate access to the extension.
- 5.9 Purely in design terms, the proposed extension is of a modest scale that suitably accords with and compliments the style and character of the host building. Overall, by reason of scale, design, form and siting, the proposed extension can be considered to be in accordance with the requirements of policies PSP1, PSP38 and CS1.
- 5.10 Turning to heritage, the building being grade II listed means this also needs to be considered beyond the usual design considerations above. The NPPF sets out a paragraph 199 that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation (the more important the asset, the more important the weight). Local plan policies PSP17 and CS9 both require the preservation and where appropriate, enhancement of heritage assets. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 obliges local planning authorities when considering whether to grant planning permission to a development that affects a listed building to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic significance it possesses.
- 5.11 It is noted that pre-application engagement has taken place between the Conservation Officer and the applicant, and this application comes in following that engagement.
- 5.12 The proposed extension, by reason of its design, scale, materials and positioning can be considered to ensure that the special historic and architectural significance of the grade II listed building would be preserved. There would be some loss of fabric as a result of the proposed doorway, but this would be a small localised area and no more than necessary to facilitate access to the extension. This would not result in any loss of interest or character. Large scale details have been submitted for key elements, which the Conservation Officer advises are acceptable.

- 5.13 Comments are noted from the Parish Council regarding the roof material in that it would not be in keeping with adjacent buildings and the local vernacular. Whilst the roofing material would be different to the surrounding materials, it is considered that, subject to the right product and profile, a corrugated roof would give a utilitarian characteristic/appearance that would contrast in a positive way with the glazing on the extension. The different material would also allow the extension to be clearly read as a modern 'of its time' addition, however the scale and siting of the extension are such that this change in materials would not overpower or detract from the primacy or significance of the listed host building.
- 5.14 Further to the above, the proposed development can be considered acceptable in design and heritage terms, and the obligation of section 66 of the above act can be considered to be fulfilled. A condition will be required to secure details of the roofing material, however this will be addressed in the listed building consent report and need not be applied to this application, so as to avoid the need to discharge the condition twice.
- 5.15 Residential Amenity
PSP8 permits development where it does not prejudice the residential amenity of both occupiers of the development and of neighbouring dwellings through the creation of unacceptable impacts. Such unacceptable impacts include loss of privacy, overlooking, loss of light, loss of outlook and overbearing/dominant impacts.
- 5.16 The addition is small in scale and would be single storey. The closest dwelling is The Barn to the North of the site, which was formed when Church Farm was previously sub-divided. Whilst the extension would bring built form closer to the Southern boundary of The Barn's curtilage, this would not, by reason of scale, siting and form, present any material overbearing or overshadowing issues. For the same reasons, the case officer is satisfied that there would be no unacceptable impacts on the outlook enjoyed by The Barn, nor would there be any material overlooking issues created, should permission be granted.
- 5.17 Concern is raised with regards to the re-location of the electricity pole in the garden of the application property, as it is stated that this pole was first sited in its current location to give consideration to the views from both properties and the new location is suggested to have a negative impact on the view from the neighbouring property. Notwithstanding the fact impacts on a private view are not a material planning consideration, the location of the electricity pole falls outside the consideration of this application and would be a matter between the applicant and the relevant undertaker (understood to be Western Power Distribution in this instance).
- 5.18 Parking and Transportation
PSP16 requires developments to provide levels of parking based upon the number of bedrooms at a dwelling. Where an increase is proposed, proposals should demonstrate that adequate off-street parking can be provided to accommodate increase in demand.

5.19 The proposed development would not add any additional parking requirements as there would be no increase in the number of bedrooms. The proposed development would not have any unacceptable impacts on the level of parking available at the property, which would remain in excess of space for 3no. vehicles.

5.20 Private Amenity Space

The proposed extension would not have any material unacceptable impacts on the level of private amenity space available.

5.21 Ecology

Due to the potential for impacts on roosting bats, a preliminary roost assessment has been submitted during the course of the application's consideration to assess the suitability of the building. This is on the basis that the extension would result in some disturbance to the roofline of the existing building. If bats are present, the works could disturb or destroy a roost. Bats and their roosts are protected in law and the Council is required to consider potential impacts when discharging its planning functions.

The roost assessment (Abricon, November 2021) has determined that the building affected by this proposal holds negligible potential for roosting bats. In accordance with established guidance, no further surveys are required. Having reviewed the submitted assessment, the Council's ecologist does not raise any objection. Conditions are required, should permission be granted, to ensure compliance with the submitted mitigation measures, secure details of lighting and details of the locations/specifications of ecological enhancements.

Impact on Equalities

5.22 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.

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

5.24 Other Matters

Comments are noted regarding the deeds of partition created when the site was previously subdivided insofar as they prevent, for example, a structure being within 3 metres from the boundary. Whilst this may be the case, this is a civil matter between the applicant and the relevant party.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to **grant** permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

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

CONDITIONS

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

Reason

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

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

20/0306/002 A - Existing floor plan
20/0306/003 C - Existing elevations
20/0306/100 E - Proposed floor and roof plans
20/0306/102 F - Proposed elevations
20/0306/001 A - Site location plan and existing block plan
20/0306/106 A - Proposed block plan
As received 25th June 2021

20/0306/107 - Proposed large scale details
As received 5th July 2021

Reason

For the avoidance of doubt and to define the exact terms of the permission.

3. The development shall proceed in strict accordance with the Mitigation Measures provided in the Building Inspection report (Abricon, November 2021).

Reason

To ensure that the proposal does not harm protected species and other biodiversity and to comply with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (adopted) December 2013; PSP19 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (adopted) November 2017 and the provisions of the National Planning Policy Framework.

4. Prior to installation, any proposed external lighting to be installed as part of the works is to be submitted to the local authority for approval and is to include location and specification of lighting to ensure habitats used by wildlife are not disturbed. Lighting shall be installed in accordance with the approved details.

Reason

To ensure that any new external lighting does not have an adverse impact in relation to protected species or other biodiversity and to accord with policy PSP19 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (adopted) November 2017; CS9 of the South Gloucestershire Local Plan: Core Strategy (adopted) December 2013 and; the provisions of the National Planning Policy Framework.

5. Prior to substantial completion of works, a plan detailing the location and specifications of the ecological enhancements detailed within the submitted building Inspection report (Abricon, November 2021) is to be submitted to the local authority for approval. This includes, but not limited to bat and bird boxes. Enhancements are to be installed in accordance with the agreed details.

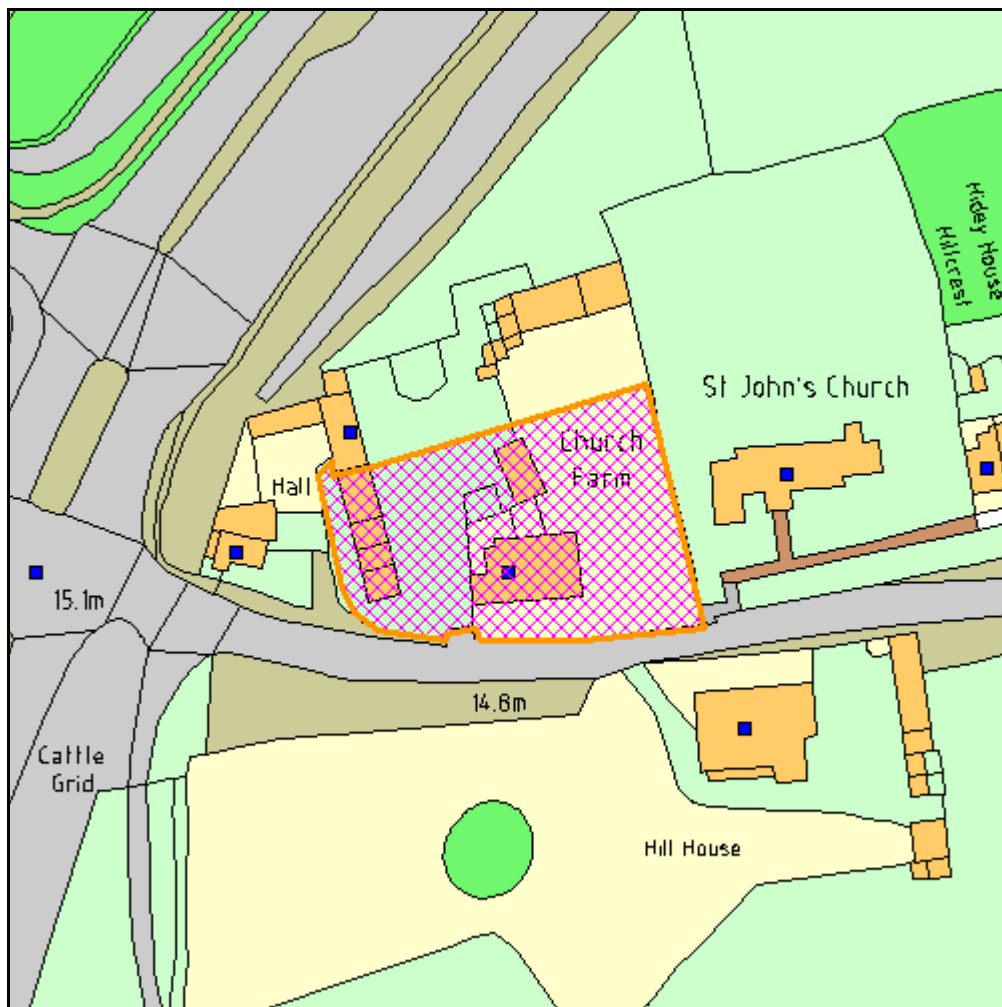
Reason

To ensure that suitable ecological enhancements are made post implementation and to accord with policy PSP19 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (adopted) November 2017; CS9 of the South Gloucestershire Local Plan: Core Strategy (adopted) December 2013; the provisions of the National Planning Policy Framework and; the 'Habitats Regulations' 2010.

Case Officer: Alex Hemming
Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 02/22 - 14th January 2022

App No.:	P21/04625/LB	Applicant:	W Thomas
Site:	Church Farm Main Road Aust South Gloucestershire BS35 4AZ	Date Reg:	6th July 2021
Proposal:	Erection of extension to link attached incidental outbuildinga and installation of new door opening.	Parish:	Aust Parish Council
Map Ref:	357195 189063	Ward:	Severn Vale
Application Category:	Minor	Target Date:	27th August 2021



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008. **N.T.S.** **P21/04625/LB**

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

REASON FOR REFERRING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule because a representation has been received from the Parish Council which could be construed as an objection.

1. THE PROPOSAL

- 1.1 Listed building consent is sought for the erection of an extension to a link attached incidental outbuilding and the formation of a new door opening.
- 1.2 The application site is a detached grade II listed dwelling located within the Western end of the Aust designated settlement boundary. The site is within the Bristol/Bath greenbelt.
- 1.3 The application has been subject to pre-application advice provided by the conservation team, and should be read alongside associated full planning application P21/04623/F.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework July 2021
National Planning Practice Guidance
Planning (Listed Buildings and Conservation Areas) Act 1990

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS9 Managing the Environment and Heritage

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

PSP17 Heritage Assets and the Historic Environment

3. RELEVANT PLANNING HISTORY

- 3.1 P21/04623/F (pending consideration):
Erection of extension to link attached incidental outbuilding.
- 3.2 P19/09924/F (withdrawn 19/12/2019):
Installation of solar panels on the roof valley of Church Farmhouse and on the west facing roof of an existing outbuilding.
- 3.3 P19/09926/LB (withdrawn 19/12/2019):
Installation of solar panels on the roof valley of Church Farmhouse and on the west facing roof of an existing outbuilding.

- 3.4 PT10/2621/LB (approved 19/11/2010):
Internal and external alterations to include recovering and insulation of roof, rebuilding of chimneys, works to existing external render and redecoration, replacement of rainwater goods, fascia replacement, installation of injected dpc, refurbishment and replacement of windows, repair front canopy (in accordance with amended plans/details received on 4 November 2010).
- 3.5 PT13/2266/LB (refused 19/08/2013):
Internal alterations (fireplace, dining room wall and door).
- 3.6 PT13/4278/LB (approved 20/01/2014):
Internal works including 2 no. new internal openings and restoration of fire surround pillars and installation of reclaimed cast iron insert.
- 3.7 P86/1300 (refused 02/12/1986):
Alterations and extensions to existing disused barn to facilitate change of use to single dwelling (in accordance with the amended plans received by the council on 25TH march 1986).
- 3.8 PT13/1200/LB (approved 13/06/2013):
Replacement rooflights.

4. CONSULTATION RESPONSES

- 4.1 Aust Parish Council
No objection to the principle of development but concerned by the proposed roofing material and believe that a roman tiled roof would be more in keeping.
- 4.2 Listed Building and Conservation Officer
The proposal has been subject to pre-app negotiations. Comments from the Parish Council are noted regarding the roof materials, but it was felt that corrugated roof materials (subject to the right product and profile) would give a utilitarian characteristic that would contrast in a positive way with the glazing. The proposals would ensure that the special historic and architectural significance of the building would be preserved. Conditions would be needed.
- 4.3 National Amenity Societies
No comments have been received.
- 4.4 Local Residents
1no. letter of objection has been received, summarised as follows:
- Concern regarding the siting of the electricity pole which was sited as it is to give consideration of the view from both properties.
 - The proposed electricity pole location will have a negative effect of the view from adjacent property.
 - Clarification sought on the need to re-locate the pole
 - Deeds of partition were designed to protect the interest of both parties and both properties. The maximum height of any fence or hedge must not exceed 1.83 metres.
 - Understand that any other structure must be in excess of 3 metres from the boundary. Is an amendment to the deeds of partition being proposed?

- Request the exact height of the sunroom.

Whilst noted, these matters have been addressed in the associated full planning application report, as they relate to matters outside the scope of consideration within a listed building consent application.

5. **ANALYSIS OF PROPOSAL**

- 5.1 The proposal seeks to erect an extension to an existing link attached incidental outbuilding and form a new door opening.
- 5.2 **Principle Of Development**
Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether or not to grant listed building consent for any works, the LPA shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest in which it possesses. The NPPF also attaches great weight to the conservation of heritage assets and ensuring their significance is maintained or enhanced.
- 5.3 **Impact on the Listed Building**
The host building is a large, detached farmhouse set within a large curtilage. This list entry for the building describes it as a c.19th century re-fronting of an earlier building with later alterations. It is noted as being of rubble construction with rendered elevations, stone dressings, double roman tiled 2-span roof with coped verges and brick gable stacks. Fenestration on the façade is 16 pane box sash windows. To the rear is a linked outbuilding, with stone elevations and double roman tiled roof.
- 5.4 The proposed development would see a 'sunroom' added to the Northern end of the linked outbuilding which would partially wrap around the North and West elevations of the building, projecting by c.4 metres to the West. The depth of the extension would be c.3.7 metres, and the ridge would be c.3.2 metres high, with a saltbox/cottage style roof. The structure would be clad to the North, whilst the South and West elevations would be glazed, and the roof would be clad with aluminium sheeting. An opening would be created in the North elevation of the existing outbuilding to facilitate access to the extension.
- 5.5 It is noted that pre-application engagement has taken place between the Conservation Officer and the applicant, and this application comes in following that engagement.
- 5.6 The proposed extension, by reason of its design, scale, materials and positioning can be considered to ensure that the special historic and architectural significance of the grade II listed building would be preserved. There would be some loss of fabric as a result of the proposed doorway but this would be a small localised area and no more than necessary to facilitate access to the extension. This would not result in any loss of interest or character. Large scale details have been submitted for key elements, which the Conservation Officer advises are acceptable.

- 5.7 Comments are noted from the Parish Council regarding the roof material in that it would not be in keeping with adjacent buildings and the local vernacular. Whilst the roofing material would be different to the surrounding materials, it is considered that, subject to the right product and profile, a corrugated roof would give a utilitarian characteristic/appearance that would contrast in a positive way with the glazing on the extension. The different material would also allow the extension to be clearly read as a modern 'of its time' addition, however the scale and siting of the extension are such that this change in materials would not overpower or detract from the primacy or significance of the listed host building.
- 5.8 Further to the above, the proposed development can be considered acceptable in listed building terms as the proposal would ensure that the architectural and historic interest of the building is preserved. Accordingly, the obligation of section 16 of the above act can be considered to be fulfilled. Should consent be granted, a condition to capture samples of the roof covering should be applied, to ensure that the extension serves to preserve the significance of the grade II listed building.

Impact on Equalities

- 5.9 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.
- 5.10 With regards to the above this planning application is considered to have a neutral impact on equality.

6. CONCLUSION

- 6.1 The decision to **grant** listed building consent has been taken having regard to section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and advice contained in the National Planning Policy Framework and accompanying Historic England Planning Practice Guidance. It is considered that the Council's statutory duties have been fulfilled.

7. RECOMMENDATION

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

CONDITIONS

1. The works hereby permitted shall be begun before the expiration of three years from the date of the consent.

Reason

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

2. Prior to the commencement of the relevant works, details and a representative sample of the proposed roofing material are to be submitted to the local planning authority for approval in writing. Works shall proceed in strict accordance with the agreed details/sample.

Reason

To safeguard the special architectural and historic character of the building, and to accord with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

3. Works shall proceed in strict accordance with the following plans and documents:

20/0306/107 – Proposed large scale details
20/0306/002 A – Existing floor plan
20/0306/003 C – Existing elevations
20/0306/100 E – Proposed floor and roof plans
20/0306/102 F – Proposed elevations
20/0306/001 A – Site location plan and existing block plan
20/0306/106 A – Proposed block plan
As received 5th July 2021

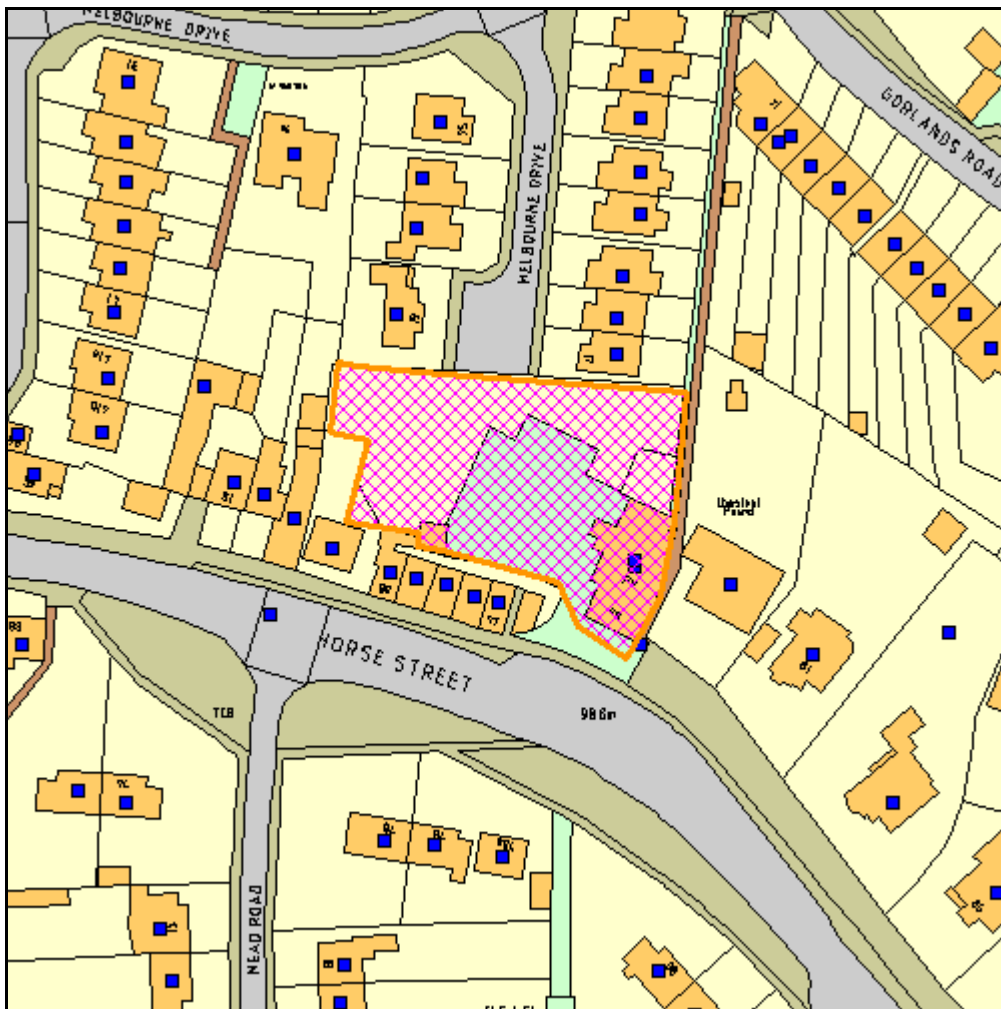
Reason

To safeguard the special architectural and historic character of the building, and to accord with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Case Officer: Alex Hemming
Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 02/22 - 14th January 2022

App No.:	P21/05454/F	Applicant:	Hawthorn Pub Company
Site:	The Boot Inn 79 Horse Street Chipping Sodbury South Gloucestershire BS37 6DE	Date Reg:	17th August 2021
Proposal:	Erection of 1 no. canopy to form covered external drinking area.	Parish:	Sodbury Town Council
Map Ref:	373175 182100	Ward:	Chipping Sodbury And Cotswold Edge
Application Category:	Minor	Target Date:	8th October 2021



© South Gloucestershire Council 2007. all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008. **N.T.S.** **P21/05454/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 has been referred to the Circulated Schedule due to the receipt of objection from the local residents and the Parish Council.

1. THE PROPOSAL

- 1.1 The applicant seeks planning permission for the erection of 1 no. canopy to form a covered external drinking area at the Boot Inn, 79 Horse Street, Chipping Sodbury. The application site relates to an existing Public House and its associated curtilage. It is situated within the well-established residential area of Chipping Sodbury, but outside Conservation Areas. There is no significant or mature tree growing within / near the area for the proposed canopy.
- 1.2 The proposed canopy would be approximately 15.4 metres by 8.4 metre and 4 metres in height (maximum) and would be installed to the north of the existing building over the compound, which is currently screened by timber fence. Officers noted that the submitted photos for the proposed canopy are indicative only, and a site visit has been carried out during the course of the application.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework July 2021
National Planning Practice Guidance

2.2 Development Plans

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

CS1	High Quality Design
CS4a	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS23	Community Infrastructure and Cultural Activity

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

PSP1	Local Distinctiveness
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP34	Public Houses
PSP35	Food and Drink Uses

- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted 2007)
Planning and Noise Specific Guidance Note 1 (March 2015)

3. RELEVANT PLANNING HISTORY

- 3.1 P85/1328 Erection of single storey extension to provide additional bar and toilet facilities at ground floor level, re-arrangement of domestic accommodation at first floor level. Approved 24.04.1985

4. CONSULTATION RESPONSES

- 4.1 Sodbury Town Council – objection to the application due to adverse impact on the amenity of neighbouring properties, i.e. increased noise generation. It was supportive of the principle of outdoor space to support the business.

4.2 Sustainable Transportation - no objection.

4.3 Environmental Protection – no objection

4.4 Highway Structures - no comments

4.5 Local Residents – 16 no. letters of objection and the residents' concerns are summarised as follow:

- Increase noise, nuisance, increase cigarette smoke pollution
- Antisocial / inappropriate behaviours – loud music, foul language, urination against the garden fence, littering, violent crimes and criminal damage, vandalism, boorish, drunken behaviour
- Smell of the odour of cannabis from the pub garden, likely increase the frequency of this nuisance
- It will necessarily become an area constantly frequented by smokers and vapers with the potential for smoke fumes to further pollute my outside spaces and my house if I leave any windows open.
- suggest to ask the applicant to reduce the size of the canopy and install a high fence between the site and Melbourne Drive and also controls on noise, music and licensing hours for this area of the property
- The position of the canopy being extremely close to the adjacent property.
- no noise or disturbance mitigation measures proposed to prevent such issues
- an alternative area, away from the borders of any neighbouring property together with the installation of noise reducing measures would be a safer and more community friendly solution
- No restrictions on the timing of the use of the outdoor area
- Little willingness on the part of management to supervise the current situation
- Detrimental impact on health, mental health, and well-being of nearby residents, children education, due to noise and nuisance
- Mental Health impact - Stress and anxiety for local residence
- Loss of Privacy
- Overbearing

- The roof is visible from the south elevation, it would be seen by the public footpath and a few houses
- Affecting the car parking situation
- It hard to see how the heating and lighting of such a large outdoor area can be reconciled with the climate change action plan of South Gloucestershire
- Mature trees and their habitats were recently destroyed
- The submitted photos are inaccurate and do not represent the current seating arrangements or layout. The existing photos provided are of a different public house - a pub called the Drum and Monkey.
- reduce the value of her home
- Not directly in-line with the Local Plan and not aligned with the preservation and enhancement values
- Detrimental impact on the reputation of the village
- This does not preserve the character or appearance of the village/conservation area canopy style structure is not in-keeping with current buildings, features and recreational spaces currently present in the Conservation Area.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policy CS23 of the Core Strategy generally supports the existing community and cultural activities. Policy PSP35 of the PSPP states that development proposal for food and drink uses will be acceptable provided that, individually or cumulatively, any impact would not harm the character of the area, residential amenity and/or public safety. As the proposal is to erect a canopy to provide a covered external drinking area at the existing public house, the development is therefore acceptable in principle but will be determined subject to the following detailed assessment.

5.2 Design and Visual Amenity

Policy CS1 states that development proposals will only be permitted where the highest possible standards of design and site planning are achieved. It states that proposals are required to demonstrate that they: enhance and respect the character, distinctiveness and amenity of both the site and its context; and, have an appropriate density with an overall layout that is well integrated with existing development.

5.3 The canopy is an open structure and would be made of stretchy materials. Although the proposed canopy has an unusual shape, it would be light-weight contemporary structure which would be relatively sympathetic to the character of the host building. A public footpath runs along the eastern elevation of the host building. Give its height, the canopy would be visible from public domain including public footpath. Nonetheless, part of the proposed structure would be partially screened by the existing boundary time. As such, it is considered that the potential impact would not be so significant to be harmful to the character of the host building or the locality. Therefore there is no objection from design and visual perspective.

5.4 Transportation

Policy PSP11 states development proposals should not: contribute to serve congestion; impact on the amenities of communities surrounding access routes; have an unacceptable effect on highway and road safety; and, should not harm environmentally sensitive areas.

5.5 The proposal is to install a canopy in order to create covered external drinking area to an established public house. Given the scale, nature and location of the canopy, it is not considered that the proposal would generate excessive travel demand to and from the site. Furthermore, the proposal would not affect the vehicular access to the site. Therefore, there is no highway objection to the proposal.

5.6 Residential Amenity

Boot Inn is situated within a residential area of Chipping Sodbury, and the nearest dwellings to proposed canopy would be No. 17 Melbourne Drive approximately 7 metres to the north, and Chestnut Pound, which approximately 3 metres to the east. Local residents raised their concerns about the potential noise and nuisance caused by the scheme, particularly given the current situation.

5.7 Policy PSP8 explains that development proposal will be permitted provided they do not create unacceptable living conditions or result in unacceptable impacts on residential amenities. These are outlined as follows (but are 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 In terms of its structure, given the height and scale of the proposed canopy, it is not considered that it would have significant adverse impact upon the amenity of the nearby residents in terms of the overlooking or overbearing.

5.9 In terms of noise and nuisance, it is noted that a number of residential properties are situated to the proximity to the site and there is already an existing outside drinking and seating serving the establishment. The Council's Environmental Protection Team confirmed that they have received complaints regarding noise at this premises and the outdoor area is not subject to any restrictions to hours of use, in terms of licensing. As the proposed canopy is an open structure, it would not offer any significant noise attenuation. As such, the proposal could adversely impact the amenity of local residents.

5.10 In order to reduce the likelihood of unacceptable impact, officers consider that it would be reasonable to impose a planning condition to restrict the proposal shall only be open to customers between noon and 10pm and no amplified or other music playing outside the premises after 10pm. Subject to compliance with the above condition, it is considered that the scheme would comply with policy PSP8 of the adopted PSPP.

5.11 Environmental impact

Concerns are raised regarding the light pollution. As the proposal is to canopy to provide a covered area, any lighting would likely to be installed under the

proposed canopy and planning permission would not be required for the installation of internal lighting.

5.12 Other matters

It is of importance to note that concerns regarding the individuals' behaviours is essentially a management issue for the brewery itself with control exercised from the Local Authority through the Environmental Protection should a noise nuisance ever occur. Also, the concerns relating to the devaluation of individual property would not be material planning consideration.

5.13 Consideration of likely impact on Equalities

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

5.14 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. 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 canopy hereby permitted shall be only open to customers between 12.00pm and 22.00pm Monday to Sunday.

Reason

To protect the amenities of local residents and accord with Policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Place Plans (Adopted November 2017).

3. No amplified or other music shall be played outside the existing public house building or within the covered external drinking area hereby approved at all time.

Reason

To protect the amenities of local residents and accord with Policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Place Plans (Adopted November 2017).

4. Development hereby approved shall be carried out in accordance with the following drawings:

Site location plan, drawing no. 2030-01, and
Existing and Proposed block plan, drawing no. 2030-02, received by the Council on 10 August 2021
Existing elevations and floor plan, drawing no. 2030-03, and
Proposed elevations and floor plan, drawing no. 2030-04, all received by the Council on 16 August 2021.

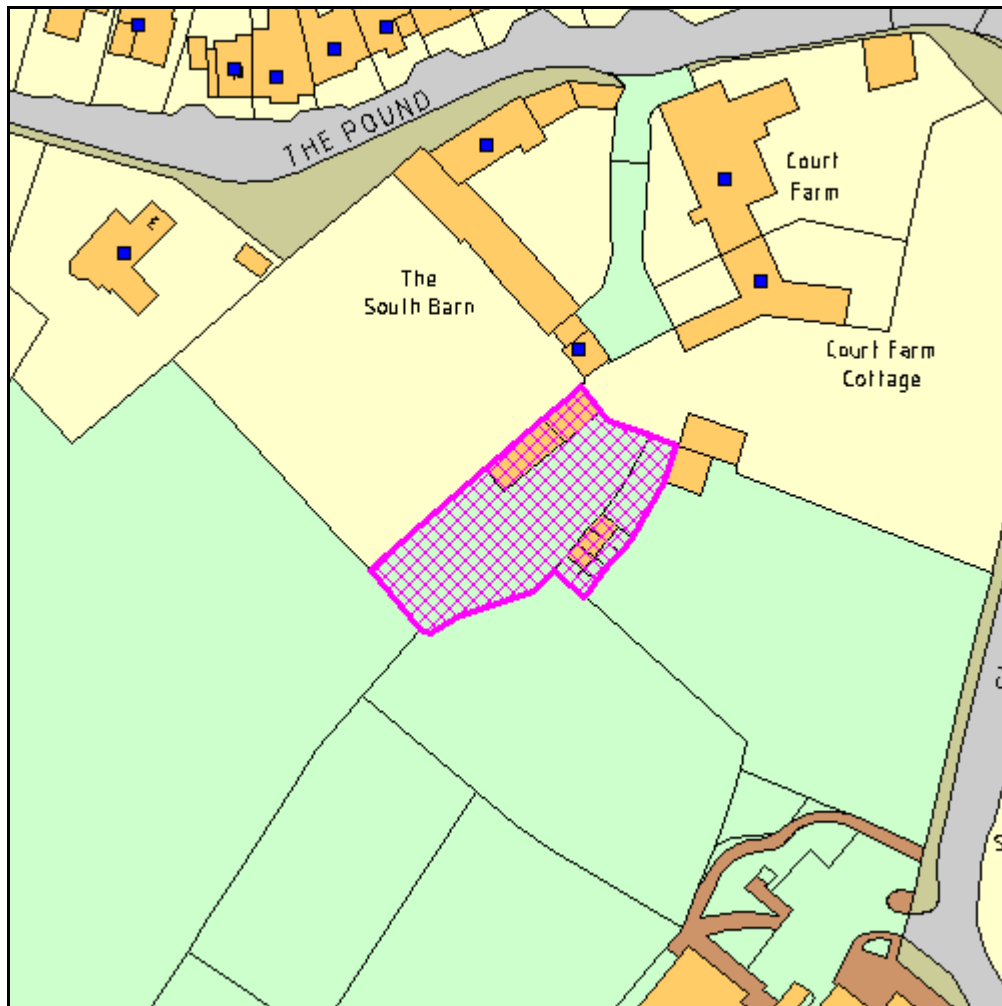
Reason

To define the terms and extent of the permission.

Case Officer: Olivia Tresise
Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 02/22 - 14th January 2022

App No.:	P21/05811/F	Applicant:	Crabb Properties Ltd
Site:	Building At Court Farm The Pound Almondsbury South Gloucestershire BS32 4EF	Date Reg:	2nd September 2021
Proposal:	Partial demolition of lean to, erection of single storey side extension to existing stable and store to form 1 no. dwelling (Class C3) with associated parking and works (Resubmission of P21/03882/F).	Parish:	Almondsbury Parish Council
Map Ref:	360206 184066	Ward:	Severn Vale
Application Category:	Minor	Target Date:	26th October 2021



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008. **N.T.S.** **P21/05811/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 is referred to the circulated schedule due to objections received from 3no local residents which are contrary to the Officers recommendation.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the partial demolition of a lean to, erection of single storey side extension to existing stable and store to form 1 no. dwelling (Class C3) with associated parking and works.
- 1.2 The application includes the conversion of 3 existing buildings, referred to within the report as;
 - Store (Building A)
 - Barn (Building B)
 - Stable (Building C)
- 1.3 The application is a resubmission and follows 2 previously refused applications for conversion at the site. The most recent application was reference: P21/03882/F and was refused for the following reasons;

1. Green Belt

The site is located within the Bristol and Bath Green Belt and the proposal does not fall within the limited categories of development normally considered appropriate within the Green Belt as the proposed extensions are considered to be disproportionate to the original buildings. In addition, the applicant has not demonstrated that very special circumstances apply, such that the normal presumption against development in the Green Belt should be overridden. The proposal is therefore contrary to the provisions of Policy PSP7 of the Policies, Sites and Places Plan (Adopted) November 2017; the advice set out in the adopted Development in the Green Belt SPD (2007); and the National Planning Policy Framework.

2. Design and Heritage

By reason of size, scale, massing and siting the proposed extensions would result in a disproportionate addition to the existing buildings, which are considered harmful impact to the setting and in turn the significance of the Grade II listed Court Farmhouse and South and East Barns. Furthermore, the resultant visually intrusive and discordant building would neither preserve nor enhance the character or appearance of Lower Almondsbury Conservation Area. The proposed development is therefore considered contrary to policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted)

December 2013; policies PSP1 and PSP17 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework.

- 1.4 The application site relates to Court Farm, The Pound, Almondsbury. The site is located outside of the defined settlement boundary and is washed over by the Bristol and Bath Green Belt. Court Farm is Grade II listed, as is the former Tithe Barn which is now referred to as South Barn and East Barn. The structures subject of this application are considered to be curtilage listed. The application site also lies within Lower Almondsbury Conservation Area.
- 1.5 This application should be read in conjunction with the accompanying listed building consent, reference P21/05816/LB.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework
National Planning Policy Guidance
Planning (Listed Buildings and Conservation Areas) Act 1990
Planning (Listed Building and Conservation Areas) Regulations 1990 (As Amended)

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

CS1 High Quality Design
CS4a Presumption in Favour of Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS15 Distribution of Housing
CS16 Housing Density
CS17 Housing Diversity
CS34 Rural Areas

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

PSP1 Local Distinctiveness
PSP2 Landscape
PSP3 Trees and Woodland
PSP7 Development in the Green Belt
PSP8 Residential Amenity
PSP11 Transport Impact Management
PSP16 Parking Standards
PSP17 Heritage Assets and the Historic Environment
PSP20 Flood Risk, Surface Water and Watercourse Management.
PSP40 Residential Development in the Countryside
PSP43 Private Amenity Standards

- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) 2007
Residential Parking Standards SPD (Adopted) 2013
Traditional Rural Buildings: Guidance on barn conversions SPD (Adopted) 2021

3. **RELEVANT PLANNING HISTORY**

- 3.1 P21/03882/F
Partial demolition of lean to, erection of single storey side extension to existing stable and store to form 1 no. dwelling (Class C3) with associated parking and works (Resubmission of P20/16829/F).

Refused: 30/07/2021

- 3.2 P21/03880/LB
Internal and external works to include the partial demolition of lean to and erection of single storey side extension to existing stable and store (resubmission of P20/17254/LB).

Refused: 30/07/2021

- 3.3 P20/16829/F
Partial demolition of lean to, erection of single storey side extension to existing stable and store to form 1 no. dwelling (Class C3) with associated parking and works.

Refused: 14/12/2020

- 3.4 P20/17254/LB
Internal and external works to include the partial demolition of lean to and erection of single storey side extension to existing stable and store.

Refused: 14/12/2020

4. **CONSULTATION RESPONSES**

- 4.1 Almondsbury Parish Council
Approve, previous conditions seem to have been satisfied.

Conservation Officer

All issues can be considered to be addressed and so I would advise that subject to suggested conditions, the setting and significance of the adjacent heritage assets would be preserved, as would the character and appearance of the Lower Almondsbury Conservation Area.

Landscape Officer

Comprehensive landscape strategy covering the whole site required. Conditions suggested.

Sustainable Transport

No objection, subject to condition.

Lead Local Flood Authority

No objection in principle. Subject to advice regarding package sewage treatment plant.

Ecology Officer

Site visit required to assess any material changes. If material changes are recorded it would be expected to be supported by appropriate surveys and mitigation.

Bat licence required, may require further surveys prior to work commencing.

Tree Officer

No objection in principle, arboricultural report required.

Other Representations

4.2 Local Residents

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

- Proposed development would be visible from the road and church.
- Size, scale massing and siting would have a harmful impact on the setting of the listed buildings.
- Disruption and distress to neighbours given access would be via their private driveway.
- Legal issues relating to use of private driveway for access.
- Devalue the existing properties.
- Long term implications for allowing this development in a visible location from the road, in the most historic part of the village.
- Design is not coherent- prefer one residence with no additional outbuildings.
- Could set a precedent for further development in the area.
- Kitchen extension is incongruent, angled in a position that is strangely awkward.
- Planners should be vigilant in checking parking provision is adequate.
- Any vehicles associated with the property are contained within the development site and not on our property.
- Legal and land issues implicated by this plan.
- Not inclined to permit services to the site to be laid through our land.
- Request for Construction Management Plan.
- Concern this could result in direct legal costs, damages and repairs.
- Any damage caused to the access way should be addressed on completion.
- A proportionate amount of maintenance fees should be provided for wear and tear incurred by traffic over the access.
- Request for works and deliveries are limited to working hours during the week and excluded during the weekend.
- External lights should be minimised to avoid impact on bats and birds.
- Bat roosts should be indicated on the plans.
- Stonework and tiling should be in keeping with the other properties.
- Building were never arranged in a U or L shape at this site.

- Design/materials does not compliment the small complex of listed medieval stone buildings.

Comments were received from a further 2no local residents which did not explicitly object to the proposal, however did raise the following additional concerns;

- Unhappy with number of rooflights should be reduced to help any noise or light pollution.
- No idea of access arrangement during construction or how long disruption would last.
- Zinc metal roof does not fit in with the surrounding listed properties.
- No obstructions- Access from The Pound should be kept clear of any construction vehicles.
- Considerable issues with surface water drainage during winter months- could be aggravated by a soak away.
- Zinc roof not in keeping.
- Concern over safety of children during construction.
- Concern over obstruction to access during and after construction.
- Construction should be limited to working hours during the week, excluded on weekends to protect quality of life.
- Any damage to communal drive should be addressed on completion.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy CS5 of the South Gloucestershire Core Strategy outlines the locations at which development is considered to be appropriate; new development is directed towards the existing urban areas and defined rural settlements. The application site is located within the open countryside, outside of any defined settlement boundary. Policy PSP40 of the Policies, Sites and Places plan is therefore engaged, this allows only for specific forms of residential development in the open countryside. Most relevant to this proposal is the following:

- 5.2 The conversion and re-use of existing buildings for residential purposes where:
- (i) The building is of permanent and substantial construction; and
 - (ii) It would not adversely affect the operation of a rural business(es) or working farm(s); and
 - (iii) Any extension as part of the conversion or subsequently is not disproportionate to the original building; and
 - (iv) If the building is redundant or disused; the proposal would also need to lead to an enhancement of its immediate setting.
- 5.3 The application is proposing to convert former store and barn buildings (buildings A and B, as referenced in the Building Survey Report) which are of part stone and part timber construction. Giving consideration to the submitted Building Survey Report, it is accepted that these buildings are of permanent and substantial construction. An existing single storey lean-to projecting from Building B would also be demolished as part of the proposal; this is in a poor

state of repair and its removal is not considered to cause any significant harm. There was some initial concerns over the suitability of conversion of building C (former stable/store building) into a proposed home office detached from the main dwelling, however following receipt of a further structural report from the applicant, and a site visit carried out by the case officer, it is now accepted that the building is of an acceptable level of permanence and substantial construction to meet criteria (i) above.

5.4 The proposal is not considered to adversely affect the operation of a rural business or working farm.

5.5 The proposal would include a single storey extension to building B. The proposed extensions of the previously refused schemes were considered a key reason for their unacceptability. Where the previous scheme proposed an incoherent U shaped arrangement, connecting the Buildings A and B with Building C, the new proposal has reduced the scale of extension significantly by removing the link between the buildings and proposing a more simplistic L shaped development. Furthermore, the footprint of the proposed extension would be approximately a third of the retained stable and store; and the roof ridge would be stepped down from the main barn from which it would be attached. As such, the proposed extension is considered to be appropriately subservient to the existing buildings and could be visually read as a later addition. Therefore, the extension is not thought by officers to be disproportionate to the original buildings and has therefore overcome previous concerns in this regard.

5.6 The resulting home office from the proposed conversion of building C would not be materially larger than the existing building. It therefore follows that the proposed development falls within the allowable forms of development stated within policy PSP40.

5.7 Green Belt Assessment

National Green Belt policy under the NPPF has five aims which help to prevent urban sprawl as set out in paragraph 138:

- To check the unrestricted view sprawl of large built up areas
- To prevent neighbouring towns merging into one another
- To assist in safeguarding the countryside from encroachment
- To preserve the setting and special character of historic towns
- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

5.8 As stated by the NPPF, inappropriate development is by definition harmful to the Green Belt and should not be approved unless very special circumstances can be demonstrated. Paragraph 137 outlines that the fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open. However, paragraph 149 of the NPPF outlines types of development which are considered appropriate within the Green Belt. One such form is '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'. Paragraph 146 goes on to state that other forms of development are also not

inappropriate within the Green Belt, most relevant to this proposal is 'the re-use of buildings provided that the buildings are of permanent and substantial construction'.

- 5.9 It has already been established above that the store (Building A), Barn (Building B) and Stable (Building C) are considered to be of permanent and substantial construction and their re-use as a residential property is therefore compliant with Green Belt policy.
- 5.10 Policy PSP7 of the PSP Plan states that, as a general guide, additions to buildings resulting in a volume increase up to 30% of the original building would likely be proportionate. The applicant is putting forward a case that the proposed extension would represent a 22% volume increase. However, the impact on the openness of the Green Belt should not be limited to volumetric calculations.
- 5.11 The proposed extension would protrude from the south east elevation, perpendicular to the original barn, but has been reduced in scale with a roof ridge lower than the existing buildings. The glazed link proposed in the previous submission connecting barns B and C has now been removed from the scheme, resulting in an L shaped development suitable for a rural setting such as this. For an extension to be considered proportionate to an original building, it should be visually subordinate. Although the proposed extension would be visible in views from the south, it is considered that significant reductions in scale and massing have been proposed from the previously unacceptable applications which has successfully achieved the desired visual subordination lacking from previous schemes. It is therefore considered that the proposed extension would be a proportionate addition to the original buildings and it therefore follows that, in this instance, the impact on the openness of the Green Belt is in compliance with the NPPF and policy PSP7 of the PSP plan.
- 5.12 Design and Heritage
Court Farm is a Grade II listed building as are South Barn and East Barn. By way of its date, and historic functional and associative connection with Court Farmhouse, the structures are considered to be curtilage listed. The site also falls within the Lower Almondsbury Conservation Area.
- 5.13 As discussed earlier within the report the size, scale, massing and positioning of the proposed extension is considered to result in a proportionate addition to the existing buildings which follows some general principles of what can be considered good design. Due to the considerable reduction in scale of the proposal it is no longer considered to be so visually dominating within the setting as to warrant a refusal reason. The alterations to the overall layout of the proposed scheme is considered to be far more sympathetic to the existing structures and the contributions they make to the wider building group. The resultant L shaped dwelling would be more reflective of a traditional rural building and the scale and character of the proposal is now considered to be more visually recessive in order to adequately retain the building hierarchy throughout the site.

- 5.14 In terms of appearance, the proposed materials include pantile roof tiles on building A to match the existing and surrounding properties, retaining the rubble stone elevations. Building B and the proposed extension would consist of vertical timber cladding and insulated corrugated panel roofing. The proposed roofing material was amended during the course of the application after comments from the Council's conservation officer suggested a corrugated roof profile would be more successful in projecting the functional character of the building. The proposed materials are therefore considered to respect the character of the existing buildings and setting and, subject to conditions, are deemed to be acceptable.
- 5.15 The conversion of building C into an outbuilding associated with the main dwelling, and marked on the submitted plans as a 'home office', has been reduced in scale from the previous submission to be more in keeping with the existing scale and character of the existing building. It is now considered to be of a size expected of an outbuilding associated with a dwelling of this size. Given the visual relationship the building would have with the more historically significant neighbouring properties, it is considered that it would not result in a change in setting that would cause harm to the overall architectural and historic interest of the heritage assets.
- 5.16 The simplification of the amended design is considered to result in a building which sits more comfortably within the surroundings and will appear in medium and longer views as a conversion of a former rural building rather than an incongruent and visually dominant addition to the sensitive location. A landscape scheme, discussed below, will help to appropriately screen views of the site further. The removal of Permitted Development rights is also thought necessary to restrict potential later additions within the site that could harm the heritage assets and openness of the Green belt. As such, the character and appearance of the Lower Almondsbury Conservation Area is considered to have been preserved.
- 5.17 Overall, giving consideration to all of the above the concerns raised in previous submissions are thought to have been suitably addressed to successfully overcome refusal reason 2. Subject to conditions, the setting and significance of the adjacent Grade II listed Court Farmhouse and Barns would be preserved, as would the character and appearance of the Conservation Area.
- 5.18 Landscape
The revised proposed site plan, gives an indication of the proposed hard and soft landscaping without providing any significant detail. No arboricultural report has been provided, however the plans indicate only one tree is to be removed, located to the rear of the Building C; there are no other trees on site that are thought to be within such close proximity to construction work as to be impacted. As such, an arboricultural report is not deemed necessary in this instance. Furthermore, the loss of the tree would be mitigated by proposed planting along the south-east and south-west boundaries which will be secured by an appropriately worded condition. The stone boundary wall to the north east of building C would be relocated along the new extended eastern boundary, this would be accompanied by a 1.5m post and rail fence and is deemed acceptable provided a stone sample is provided on site and approved

by the council in order to ensure a high quality appearance. As such, subject to conditions, no landscape objections are raised.

5.19 Residential Amenity

Policy PSP8 of the PSP Plan (November 2017) sets out 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; loss of privacy, and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and odours, fumes or vibration.

5.20 Given the siting of the proposed dwelling, combined with the height and angle of the proposed rooflights, it would not appear to be result in any material overbearing or overlooking impact, nor is it is thought to substantially alter the existing levels of light afforded to the neighbouring properties. Some concern has been raised in regards to the rooflights on the north-west elevation, however these would mainly serve a hallway with one serving the kitchen and another serving bedroom 1, though given their proposed height and angle are not considered to substantially harm the privacy currently afforded to the neighbouring occupiers.

5.21 Measuring the proposed private amenity space for the proposed property shows it would provide over 70 square metres. This is considered to be in excess of the requirements for a 3 bedroom property, therefore the proposal is considered to comply with policy PSP43 of the PSP Plan.

5.22 Ecology

Evidence of nesting birds in each building has been identified. Due to the length of time passed from the submitted ecology report, the council's ecology officer requested a walkover site visit be carried out to determine whether any material changes had occurred. Subsequently an ecology update was provided by the applicant which confirmed no such changes had arisen. Therefore, sufficient survey effort has been undertaken and appropriate mitigation has been recommended to support the application. As such, no objections have been raised in terms of ecology subject to appropriate conditions.

5.23 Archaeology

The site lies close to Court Farm, a medieval moated manor and has remained largely undisturbed in modern times. The development also extends beyond the footprint of the existing buildings on the site. As such, the council's archaeology officer has recommended that should any permission be granted a condition for a programme of archaeological work for all ground works is imposed.

5.24 Drainage

The proposal is located within Flood Zone 1 where flooding is least likely to occur. Some concern has been raised by local residents in regard to drainage, however the Lead Local Flood Authority has raised no objection in principle subject to a query in regards to the proposed foul sewage disposal. The application is proposing a connection to the Wessex Water foul sewer, however

if this is not possible the LLFA's preferred method of foul sewer disposal is via a package treatment plant. Subject to appropriately worded conditions to secure surface water drainage methods and foul sewage disposal, no objections are raised.

5.25 Sustainable Transport

The proposed dwelling is a three bedroom property which would require two off-street parking spaces to comply with Policy PSP16 of the PSP plan. The submitted plans show that the proposal would provide a large area of hardstanding to the front of the property to enable the required amount of parking along with a sufficient turning areas to allow vehicles to exit the site in forward gear. An existing access will be utilised. In order to promote further sustainable forms of develop bike storage would be provided, and a condition will be included for an Electric Vehicle charging point to be provided. As such, the proposal is deemed acceptable in terms of transport.

5.26 Equalities

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

5.27 Other Matters

It is the responsibility of the applicant to ensure any necessary access agreements are put in place. Any subsequent planning permissions shall not be construed as granting rights to carry out works on, or over, land not within the ownership, or control, of the applicant. Any necessary surface repair is the responsibility of the owners of the land in question.

5.28 It is accepted that there would be a degree of disruption to local residents during any construction period, however this is not a material planning consideration and would be for a limited amount of time. Parking disputes therefore cannot form a reason for refusal. That said, it is hoped that the applicant and contractor would be considerate to local residents living conditions and safety during any construction period and beyond. Any potential damage to private property is considered a civil matter and is therefore not a material planning consideration.

5.29 Each planning application is judged on its own merits, an approval of this application is not deemed to set a precedent for further development in the area.

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 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. Prior to the commencement of the relevant works, details of the roofing and all other external facing material proposed to be used shall be submitted and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason

To ensure a satisfactory standard of external appearance to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and to ensure the works serve to preserve the architectural and historic interest of the adjacent listed building and its setting, in accordance with policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP17 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and national guidance set out at the NPPF.

3. Prior to the any occupation of the building hereby approved, the proposals to relocate and reconstruct the stone wall to the south-eastern boundary (as shown on "Proposed Site Plan" dwg no.284/P02) shall be completed in its entirety.

Reason

To maintain and enhance the character and setting of the adjacent listed building and the preserve the character and appearance of the Lower Almondsbury Conservation Area, all in accordance with sections 66(1) & 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the national guidance set out at the NPPF and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and PSP17 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Development Plan Document (adopted November 2017).

4. 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, C, D, E and F), or any minor operations as specified in Part 2 (Class A), other than such development or operations indicated on the plans hereby approved, shall be carried out on the dwelling hereby approved without the prior written consent of the Local Planning Authority.

Reason

To maintain and enhance the character and setting of the adjacent listed building, preserve the character and appearance of the Lower Almondsbury Conservation Area and preserve the openness of the Green Belt, all in accordance with sections 66(1) & 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the national guidance set out at the NPPF and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013); PSP7 and PSP17 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Development Plan Document (adopted November 2017).

5. Prior to first occupation of the development hereby approved, full details of both hard and soft landscaping works shall be submitted and approved in writing by the Council and these works shall be carried out as approved. These details shall include a detailed planting plan specifying the location, species, stock size, planting centres and quantities of all proposed tree and structure planting; including tree pit detail. Hard landscape work shall include details of all proposed boundary and hard landscape surface treatments, including proposed levels and any soil retention/retaining walls that may be required, together with supporting schedule of proposed manufacturer hard landscape materials. The approved details are to be implemented in the first season following completion of construction works.

Reason

To ensure a satisfactory standard of external appearance and to protect the setting of the adjacent listed building, preserve the character and appearance of the Lower Almondsbury Conservation Area and surrounding rural landscape context, in accordance with and Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; PSP1, PSP2 and PSP17 of the Policies, Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework.

6. The development shall proceed in strict accordance with the Mitigation Measures provided in the Bat Survey- Emergence and Activity Surveys (Quantock Ecology, August 2020).

Reason

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

7. Prior to the first occupation of the development hereby approved evidence of the installation of the ecological enhancement features recommended in the Bat Survey-Emergence and Activity Surveys (Quantock Ecology, August 2020) are to be submitted to the local authority, these include but not limited to bat and bird boxes.

Reason

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

8. No development shall commence until surface water drainage details including SUDS (Sustainable Drainage Systems e.g. soakaways if ground conditions are satisfactory), for flood prevention; pollution control and environmental protection have been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the submitted scheme should include the following information:
 - o A clearly labelled drainage layout plan showing the exact location of any soakaways.
 - o Evidence is required to confirm that the ground is suitable for soakaways. Percolation / Soakage test results in accordance with BRE Digest 365 and as described in Building Regs H - Drainage and Waste Disposal
 - o Evidence that the soakaway is appropriately sized in accordance with BRE Digest 365 Soakaway Design.
 - o Sp. Note; - Soakaways must be located 5 Metres from any structure including the Public Highway
 - o Sp. Note: - No surface water discharge will be permitted to an existing foul sewer without the expressed approval of the sewage undertaker.

Reason

To comply with South Gloucestershire Local Plan: Policies, Sites and Plans Plan (Adopted) November 2017 Policy PSP20; South Gloucestershire Local Plan: South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 Policy CS1 and Policy CS9; and National Planning Policy Framework. This is required to be agreed prior to commencement of development to avoid any unnecessary remedial action in the future.

9. Prior to the commencement of the development hereby approved, written confirmation from Wessex Water of an agreed connection to the foul sewer shall be submitted to the local planning authority. Should this not be possible details of a Package Treatment Plan/Septic Tank, including its location, the method of irrigation for the effluent overflow, evidence to confirm the suitability of ground conditions and sufficient site area for a drainage field, and a copy of an 'Environmental Permit' or Discharge Consent obtained from the Environment Agency, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason

To comply with South Gloucestershire Local Plan: Policies, Sites and Plans Plan (Adopted) November 2017 Policy PSP20; South Gloucestershire Local Plan: South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 Policy CS1 and Policy CS9; and National Planning Policy Framework. This is required to be agreed prior to commencement of development to avoid any unnecessary remedial action in the future.

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

Reason

In the interest of archaeological investigation or recording, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework. This is required prior to commencement to avoid any potential damage to archaeological remains.

11. Prior to first occupation of the dwellings hereby approved, the dwelling hereby approved shall be provided with a 7Kw 32 Amp electric vehicle charging point, in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason

To promote sustainable travel and to accord with Policies PSP11 and PSP16 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017

12. The development hereby permitted shall take place in accordance with the following plans:

Received by the Council on 26th August 2021;
SITE AND LOCATION PLANS (184/P01)
EXISTING ELEVATIONS
EXISTING GROUND FLOOR PLAN
TOPOGRAPHICAL SURVEY
OUTBUILDING 'C' AS EXISTING (00C)
PROPOSED GROUND FLOOR PLAN (284/P03 Rev A)

Received by the Council on 2nd November 2021;
PROPOSED SITE PLAN (282/P02 Rev B)
PROPOSED ELEVATIONS (282/P04 Rev C)

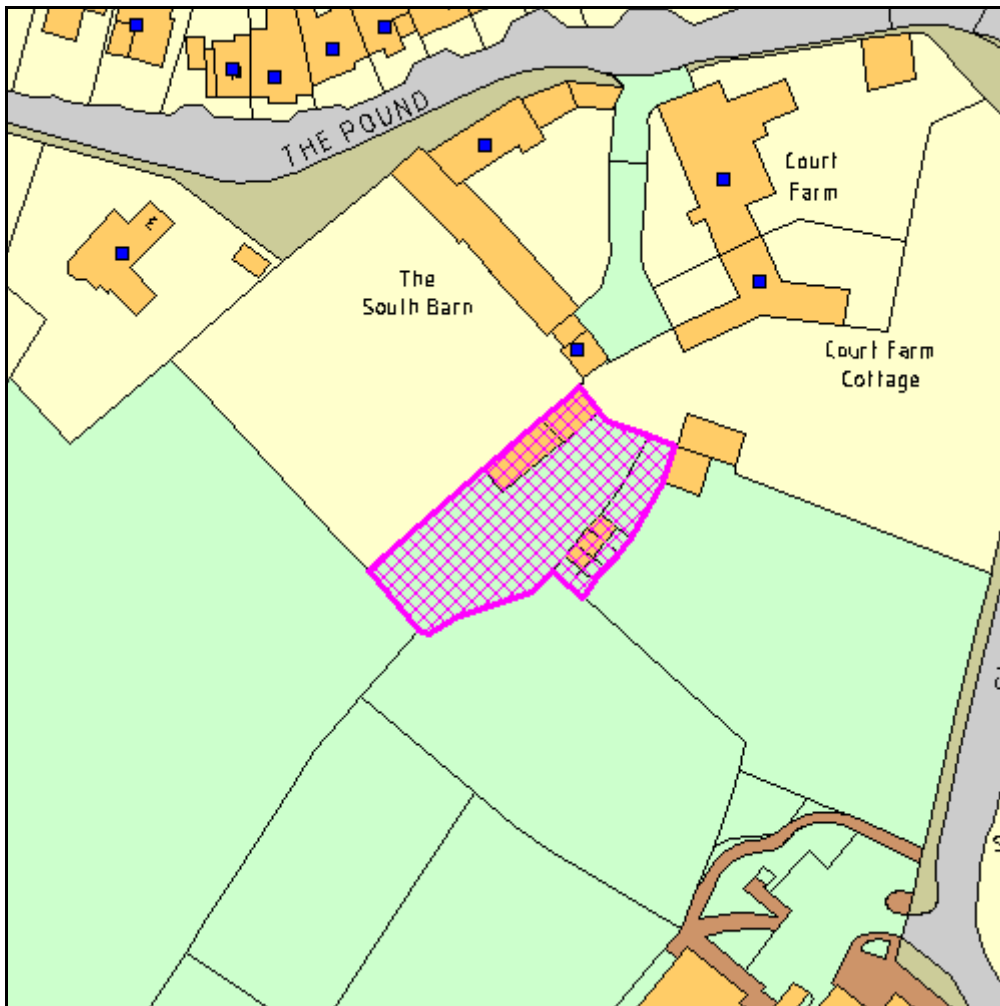
Reason

To define the terms and extent of the permission.

Case Officer: James Reynolds
Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 02/22 - 14th January 2022

App No.:	P21/05816/LB	Applicant:	Crabb Properties Ltd
Site:	Building At Court Farm The Pound Almondsbury South Gloucestershire BS32 4EF	Date Reg:	2nd September 2021
Proposal:	Internal and external works to include the partial demolition of lean to and erection of single storey side extension to existing stable and store (resubmission of P21/03880/LB).	Parish:	Almondsbury Parish Council
Map Ref:	360206 184066	Ward:	Severn Vale
Application Category:	Minor	Target Date:	26th October 2021



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008. **N.T.S.** **P21/05816/LB**

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

REASON FOR REFERRING TO CIRCULATED SCHEDULE

This application is referred to the circulated schedule due to objections received from local residents which are contrary to the Officers recommendation. The listed building consent accompanies full application P21/05811/F

1. THE PROPOSAL

- 1.1 The application seeks listed building consent for internal and external works to include the partial demolition of lean to and erection of single storey side extension to existing stable and store.
- 1.2 The application is a resubmission of a previously refused application, reference P21/03880/LB:

Refusal Reason:

Court Farmhouse is a Grade II listed building, as is South and East Barns, the special architectural and historic interest and setting of which it is desirable to preserve. The proposed development, by virtue of its scale, form and siting would harm the special architectural and historic interest and significance of the listed buildings. The proposal is therefore contrary to Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990; the provisions of the National Planning Policy Framework; Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and Policy PSP17 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

- 1.3 The application site relates to buildings at Court Farm, The Pound, Almondsbury. Court Farmhouse is Grade II listed, as is the former Tithe Barn which is now referred to as South Barn and East Barn. The structures subject of this application are considered to be curtilage listed.
- 1.4 This application should be read in conjunction with the accompanying full planning application, P21/05811/F.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework July 2021
National Planning Policy Guidance
Planning (Listed Building and Conservation Areas) Act 1990
Planning (Listed building and Conservation Areas) Regulations 1990

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013
CS1 High Quality Design

- 2.3 Supplementary Planning Guidance
Lower Almondsbury Conservation Area Appraisal

3. RELEVANT PLANNING HISTORY

- 3.1 P21/03882/F
Partial demolition of lean to, erection of single storey side extension to existing stable and store to form 1 no. dwelling (Class C3) with associated parking and works (Resubmission of P20/16829/F).

Refused: 30/07/2021

- 3.2 P21/03880/LB
Internal and external works to include the partial demolition of lean to and erection of single storey side extension to existing stable and store (resubmission of P20/17254/LB).

Refused: 30/07/2021

- 3.3 P20/16829/F
Partial demolition of lean to, erection of single storey side extension to existing stable and store to form 1 no. dwelling (Class C3) with associated parking and works.

Refused: 14/12/2020

- 3.4 P20/17254/LB
Internal and external works to include the partial demolition of lean to and erection of single storey side extension to existing stable and store.

Refused: 14/12/2020

4. CONSULTATION RESPONSES

- 4.1 Almondsbury Parish Council
Approve, previous conditions seem to have been satisfied.

Conservation Officer

All issues can be considered to be addressed and so I would advise that subject to suggested conditions, the setting and significance of the adjacent heritage assets would be preserved, as would the character and appearance of the Lower Almondsbury Conservation Area.

Other Representations

4.2 Local Residents

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

- Proposed development would be visible from the road and church.
- Size, scale massing and siting would have a harmful impact on the setting of the listed buildings.
- Disruption and distress to neighbours given access would be via their private driveway.
- Legal issues relating to use of private driveway for access.
- Devalue the existing properties.
- Long term implications for allowing this development in a visible location from the road, in the most historic part of the village.
- Design is not coherent- prefer one residence with no additional outbuildings.
- Could set a precedent for further development in the area.
- Kitchen extension is incongruent, angled in a position that is strangely awkward.
- Planners should be vigilant in checking parking provision is adequate.
- Any vehicles associated with the property are contained within the development site and not on our property.
- Legal and land issues implicated by this plan.
- Not inclined to permit services to the site to be laid through our land.
- Request for Construction Management Plan.
- Concern this could result in direct legal costs, damages and repairs.
- Any damage caused to the access way should be addressed on completion.
- A proportionate amount of maintenance fees should be provided for wear and tear incurred by traffic over the access.
- Request for works and deliveries are limited to working hours during the week and excluded during the weekend.
- External lights should be minimised to avoid impact on bats and birds.
- Bat roosts should be indicated on the plans.
- Stonework and tiling should be in keeping with the other properties.
- Building were never arranged in a U or L shape at this site.
- Design/materials does not compliment the small complex of listed medieval stone buildings.

Comments were received from a further 2no local residents which did not explicitly object to the proposal, however did raise the following additional concerns;

- Unhappy with number of rooflights should be reduced to help any noise or light pollution.
- No idea of access arrangement during construction or how long disruption would last.
- Zinc metal roof does not fit in with the surrounding listed properties.
- No obstructions- Access from The Pound should be kept clear of any construction vehicles.
- Considerable issues with surface water drainage during winter months- could be aggravated by a soak away.

- Zinc roof not in keeping.
- Concern over safety of children during construction.
- Concern over obstruction to access during and after construction.
- Construction should be limited to working hours during the week, excluded on weekends to protect quality of life.
- Any damage to communal drive should be addressed on completion.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

This is an application for listed building consent. As such, the only consideration is what impact the proposed development would have on the special historic or architectural features of the property and will therefore be assessed against National Planning Policy Framework February 2019 and Planning (Listed Buildings and Conservation Areas) Act 1990.

5.2 Impact on Heritage Assets

The existing structures to be retained comprises of 3no. elements – a stone built barn to the east, an attached timber barn to the west (Buildings A and B) and a timber stable (Building C). Due to its set back location, views from The Pound itself appears to be limited but, as identified by the Council's conservation officer, there are clear views of the site from Over Lane to the south.

5.3 There is an important and clear building hierarchy present at the site which transitions in scale and character as you move through the farmstead, with the listed former farmhouse and Tithe Barn to the north and north-east then smaller incidental buildings to the south. This arrangement and collective character of the wider building group can in turn be considered to contribute to the setting and ultimately the significance of the Grade II listed assets.

5.4 The quality of the scheme is much improved from the previously refused submission. The overall design and layout of the proposal has been simplified and the extension has been significantly reduced in scale. The new proposal is now considered to be more recessive than previous submissions, The resultant L shaped dwelling would be more reflective of a traditional rural building and the scale and character of the proposal is now considered to adequately retain the building hierarchy throughout the site. Furthermore, the resultant conversion of building C is now considered to be of a size expected of an outbuilding associated with a dwelling of this size. Given the visual relationship the building would have with the more historically significant neighbouring properties, it is considered that it would not result in a change in setting that would cause harm to the overall architectural and historic interest of the heritage assets.

5.5 The proposed materials are deemed acceptable as not to cause harm the identified heritage assets, subject to large scale details being agreed in writing by the Council. A sample panel will also be requested for the proposed relocation of the stone boundary wall in order to ensure a high quality finish.

5.6 Overall, given the amendments to the scale and form of the proposed dwelling, the proposed development is considered to appropriately preserve or enhance the setting of the Grade II listed buildings and is therefore considered to have overcome the previous reason for refusal.

6. CONCLUSION

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

7. RECOMMENDATION

7.1 That Listed Building Consent be **APPROVED** subject to the conditions included on the decision notice.

CONDITIONS

1. The works hereby permitted shall be begun before the expiration of three years from the date of the consent.

Reason

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

2. Prior to the commencement of the relevant works, the detailed design of the following items shall be submitted and approved in writing by the local planning authority.

- a. All new windows and fixed glazing (including cill, head, reveal and glass details)
- b. Rooflights
- c. All new external doors (including frames and furniture)
- d. All new vents and flues
- e. Eaves (including rainwater goods), verges and ridges

The details shall be submitted via elevation and section drawings at a scale of 1:10, and the development shall be completed strictly in accordance with the agreed details

Reason

To maintain and enhance the character and setting of the adjacent listed building and the preserve the character and appearance of the Lower Almondsbury Conservation Area, all in accordance with sections 66(1) & 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the national guidance set out at the NPPF and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and PSP17 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Development Plan Document (adopted November 2017)

3. Prior to the commencement of the relevant works, a representative sample panel of natural stone for the new boundary walls, of at least one metre square, showing the stone, coursing, mortar (colour and texture), pointing and coping details, shall be erected on site and approved in writing by the local planning authority.

The development shall be completed strictly in accordance with the approved panel, which shall be retained on site until completion of development, for consistency.

Reason

To maintain and enhance the character and setting of the adjacent listed building and the preserve the character and appearance of the Lower Almondsbury Conservation Area, all in accordance with sections 66(1) & 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the national guidance set out at the NPPF and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and PSP17 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Development Plan Document (adopted November 2017)

4. The development hereby permitted shall take place in accordance with the following plans:

Received by the Council on 26th August 2021;
SITE AND LOCATION PLANS (184/P01)
EXISTING ELEVATIONS
EXISTING GROUND FLOOR PLAN
TOPOGRAPHICAL SURVEY
OUTBUILDING 'C' AS EXISTING (00C)
PROPOSED GROUND FLOOR PLAN (284/P03 Rev A)

Received by the Council on 2nd November 2021;
PROPOSED SITE PLAN (282/P02 Rev B)
PROPOSED ELEVATIONS (282/P04 Rev C)

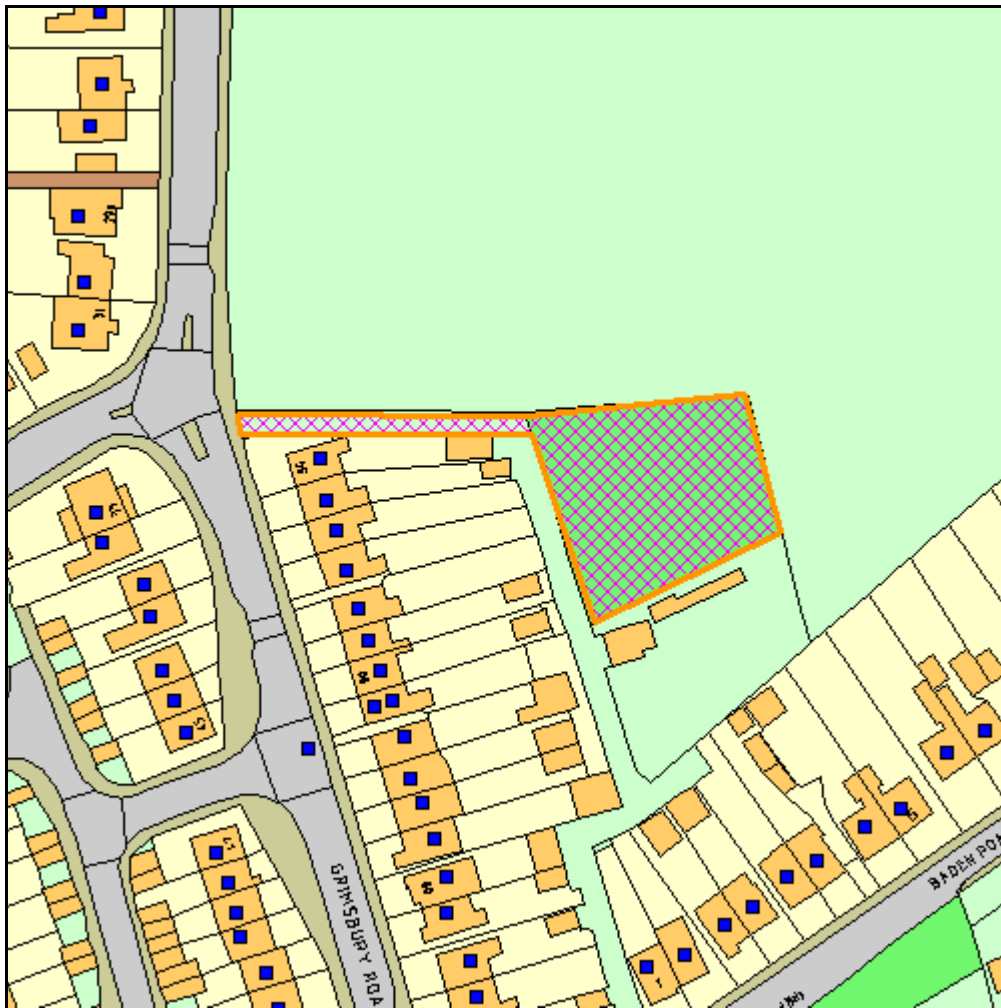
Reason

To define the terms and extent of the permission.

Case Officer: James Reynolds
Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 02/22 - 14th January 2022

App No.:	P21/07540/PIP	Applicant:	Horizon Construction Bristol Ltd
Site:	Land Off Grimsbury Road Kingswood South Gloucestershire BS15 9SD	Date Reg:	23rd November 2021
Proposal:	Permission in principle for the erection of a maximum of 5 no. dwellings.	Parish:	
Map Ref:	366252 173345	Ward:	Woodstock
Application Category:	Minor	Target Date:	25th December 2021



© South Gloucestershire Council 2007. all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008. **N.T.S.** **P21/07540/PIP**

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 Oldbury Parish Council, Cllr Evans and more than 3no. local residents, which are contrary to the officer recommendation within the report.

1. THE PROPOSAL

- 1.1 This is a Permission in Principle application for Land off Grimsbury Road, Kingswood. The site lies within an established settlement boundary and is part of an established residential area. The application relates to a site located at the rear of houses on Grimsbury Road and Baden Road. The site is located to the east of Grimsbury Road, and access would be via a lane along the north elevation of No. 56 Grimsbury Road.
- 1.2 It is understood that a portion of land originally associated with the adjacent rugby club originally owned by South Gloucestershire Council, has been purchased by the applicant.
- 1.3 The proposal is for the consideration of the erection of a maximum of 5no. dwellings.
- 1.4 The permission of planning in principle consent route is an alternative way of obtaining planning permission for housing-led development which separates the consideration of matters of principle for proposed development from the technical detail of development.
- 1.5 The permission in principle consent route therefore has two stages:
 - The first stage (or permission in principle stage) establishes whether a site is suitable in-principle, and
 - The second stage ('technical details consent') is when the detailed development proposals are assessed.
- 1.6 If the grant of permission in principle is acceptable, the site must receive a grant of technical details consent before development can proceed. It is the granting of technical details that has the effect of granting planning permission. Other statutory requirements may apply at this stage such as those relating to protected species or listed buildings. An application for technical details must be in accordance with the permission in principle that is specific to the applicant.
- 1.7 In the first instance a decision must be made in accordance with relevant policies in the development plan unless there are material considerations such as those in the NPPF and national guidance which indicate otherwise.
- 1.8 The scope of a Planning in Principle application is limited to:
 - location,

- land use and
- amount of development.

Issues relevant to these 'in principle' matters should be considered at the permission in principle stage.

- 1.9 Planning history records show that pre-application planning advice was not sought prior to the submission of this Planning in Principle application but the site has planning history which is set out below.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework
National Planning Guidance

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

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

PSP1	Local Distinctiveness
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP43	Private Amenity Space Standards

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

3. RELEVANT PLANNING HISTORY

- 3.1 P21/06488/PIP - Permission in principle for the erection of a maximum of 9 no. flats. – Refused - 08.11.2021
- 3.2 PK18/2229/F - Erection of 6 no. semi-detached dwellings with associated works. – Refused - 09.07.2018

- 3.3 PK16/4380/F - Erection of 3 no detached dwellings with access and associated works. – Permit - 06.11.2017
- 3.4 PK11/3176/EXT - Erection of 1no. detached dwelling and garage with means of access and associated works (Consent to extend time limit implementation for PK08/1791/F) – Approved - 10.02.12
- 3.5 PK08/1791/F - Erection of 1no. detached dwelling and garage with means of access and associated works (resubmission of PK08/0926/F). - Approved - 19.01.09
- 3.6 PK08/0926/F - Erection of 1no. detached dwelling and garage with means of access and associated works. – Withdrawn - 28.05.08
- 3.7 PK05/3622/F - Erection of 1no. detached dormer bungalow with means of access and associated works. Refused on 02.02.09; appeal dismissed on 21.04.93
- 3.8 P92/4342 - Erection of 1no. bungalow (outline). Refused 07.08.92; appeal dismissed on 21.04.93
- 3.9 P81/4301 - Erection of 2no. bungalows. - Refused - 20.07.81

4. **CONSULTATION RESPONSES**

- 4.1 Parish/Town Council – Oldland Parish Council (adjacent Parish) – “*Objections. The Parish Council objects to this application on grounds of excessive intensification of the development with a cramped layout which will put undue pressure on the site.*

Furthermore the access road is inadequate for the likely level of traffic movements so close to the mini-roundabout, including existing pedestrians, dog walkers etc.”

- 4.2 Tree Officer – No objections in principle
- 4.3 Transportation DC – No objection in principle
- 4.4 Archaeology – No objection in principle
- 4.5 Ecology – No objection in principle
- 4.6 Drainage – Details required
- 4.7 Environmental Protection – No objection
- 4.8 Coal Authority – No objection in principle

Councillor Representation

- 4.9 Cllr Alison Evans – *“Over the years, this area of land has had multiple planning applications which have been refused due to overdevelopment, including a recent PIP. I feel this PIP for a maximum of 5no. dwellings will still be an overdevelopment of a small site with limited access and is not representative of the highest standards of site planning that we would wish for South Gloucestershire.*

Although planning for three detached dwellings was approved in 2017, I do not feel that permission in principle for a maximum of 5 dwellings should be approved. In fact, the delegated report refusing PIP/06488/PIP in October 2021 stated 'It is noted that the approval of 3 houses was given at a time when the LPA was unable to demonstrate a 5-year land supply of housing. This situation has changed and is not currently the case.'

In 2018, a plan for six dwellings was refused. One of the reasons was that the increase from three to six dwellings could lead to additional conflict between vehicles and pedestrians using the access lane. This was deemed to be "contrary to policy CS8 of the Core Strategy and policy PSP16 of the Policies Sites and Places Development Plan Document. The impact on highway safety is considered to be severe in accordance with paragraph 32 of the NPPF." I believe the increase from three to five dwellings would still increase conflict and lead to future tensions.

As the ward councillor for this area, I feel that this development would be detrimental to the residents of Grimsbury Road and does not meet the standard of high-quality design set out in policy CS1. I believe that the density of 5 dwellings would not be well integrated with existing adjacent development, would have adverse knock-on implications for amenity and access, and would therefore ask you to refuse this application.”

Other Representations

4.10 Local Residents

20 objection comments have been received, summarised as:

- Scheme ignores interests of closest residents
- Access from roundabout will cause congestion
- Danger to pedestrians
- Property will be accessed from lane
- Disruption from construction
- Lane is too narrow
- Visibility difficult
- Insufficient parking
- Lane used by around 15 dwellings
- 5 dwellings would result in an eyesore
- Not in keeping
- Access to garages
- Land clearance has made unpassable and unsafe
- Loss of wildlife
- No consultation about land sale

- No permission from residents to use access lane
- Increased risk of break ins
- Access to playing field now blocked off
- Current works have been inconsiderate
- Only part of the lane to be resurfaced
- Position of houses could be changed
- Not enough drainage
- Views of playing fields will be blocked
- Land should be used as a nature reserve
- Significant amount of earth removed without permission
- Green field site should not be developed
- Overlooking of existing properties
- Lorries clearing site struggle to manoeuvre
- Pavements blocked
- Disruption to utilities
- Coal shafts in area
- Overflow from bin storage
- Previous applications have been refused
- Site too small
- Limited knowledge of development
- Fence has been erected
- Grimsbury Road is used as a rat run
- Developer owns other nearby land
- Any permission will open doors for future development
- Dwellings only suitable for couples with no children
- Inadequate living space
- Lane is privately owned
- Public right of way has been obstructed

1 support comment has been received, summarised as:

- Great use of a brownfield site

5. **ANALYSIS OF PROPOSAL**

Principle of Development

- 5.1 The application is to consider the location, the type of development and the amount of development but must be determined in accordance with the relevant policies listed above unless there are material considerations such as those in the NPPF which indicate otherwise.
- 5.2 The development plan supports residential development within the established settlement boundaries. CS5 of the Core Strategy specifies new development should be within sustainable locations. Furthermore, new development should be informed by the character of the local area and contribute to the high quality design set out in Policy CS1 which among other things stipulates development will be required to demonstrate such issues as siting, form, scale, height, massing and detailing are informed by, respect and enhance the character, distinctiveness and amenity of both the site and its context and density and overall layout is well integrated with existing adjacent development. PSP43 sets

out specific private amenity space standards for all new residential units. Policies CS8 and PSP16 deal with on-site parking, off site impact on highway safety and associated cycle parking standards.

- 5.3 Any new development must accord with all the relevant policy tests and these include design, appearance, impact on the character of the area, impact on amenity space and on highway safety.
- 5.4 Notwithstanding the site is within the urban area where the principle of development is supported under adopted spatial planning policies, there remain issues of concern. The acceptability of such development depends on whether the proposal meets the tests of all other relevant policies. These are discussed below under the set headings.

LOCATION

- 5.5 The site lies within the settlement boundary of Kingswood. Under policy CS5 which establishes the locational strategy for development, the site is considered to be a suitable site for development subject to site specific considerations and therefore is supported in principle.
- 5.6 The site has been subject to a number of planning applications in recent years. A 2017 approval allowed 3 houses on the site and it is noted that the pre-commencement conditions remain undischarged. As the proposal cannot have lawfully commenced, this approval has now lapsed. It is noted that the approval of 3 houses was given at time when the LPA was unable to demonstrate a 5 year land supply of housing. This situation has changed and is not the currently the case. Therefore the entire development plan is considered up to date and the application is to be considered afresh
- 5.7 The application site lies behind a group of two-storey family-size dwellings along Grimsbury Road and Baden Road and these terraced dwellings exhibit a uniform architectural appearance. It is accessed via a narrow lane leading around to the rear of these properties.
- 5.8 Design in all its forms and meaning, is currently very much at the forefront of planning. It is clear that substandard design or poor site planning should not be supported. It is acknowledged that development should make the best use of land as a limited resource but that should not be to the detriment of function and appearance. It is noted that the character of the area is, mixed residential, typically two-storey dwellings.
- 5.9 The proposed scheme is for up to 5 dwellings, up to 2.5 storeys in height. No elevational drawings have been provided due to the nature of the application. Indicative drawings have been submitted showing a proposed semi-detached pair and a terrace, although other layouts are possible. Other than knowing the proposed general height, it is not possible for Officers to comment specifically on the appropriateness of other details such as roof shape, window proportions, architectural detailing etc.

- 5.10 Noting that the layout is indicative, but given that the site is back land development, it is considered that the height and alignment would not appear out of context with surrounding properties. The location is therefore appropriate for this type of development.

Coal Authority

- 5.11 The site is in an area of likely historic unrecorded coal workings at shallow depth, which poses a potential risk to surface stability and public safety. If shallow coal workings are present then they may pose a potential risk to surface stability and public safety.
- 5.12 It is a requirement of the National Planning Policy Framework, paragraphs 183-184 that the applicant demonstrates to the satisfaction of the LPA that the application site is safe, stable and suitable for development. The potential risks posed to surface stability by past coal mining activity must be properly considered and any necessary remedial works carried out in order to ensure the safety and stability of the development proposed. On this basis, the Coal Authority must be consulted on any future Technical Details Consent, should Planning in Principle be granted.
- 5.13 Any application for approval of technical details consent needs to be supported by a Coal Mining Risk Assessment, or equivalent report, which should make an assessment of the coal mining legacy risks present on the site in order to inform the remedial works necessary to address any identified land instability issues. Should remedial works be necessary to ensure the safety and stability of the development these works should be carried out prior to commencement of the development.
- 5.14 It should be noted that where SUDs are proposed as part of the development scheme consideration will need to be given to the implications of this in relation to the stability and public safety risks posed by coal mining legacy. The developer should seek their own advice from a technically competent person to ensure that a proper assessment has been made of the potential interaction between hydrology, the proposed drainage system and ground stability, including the implications this may have for any mine workings which may be present beneath the site.
- 5.15 It should be noted that wherever coal resources or coal mine features exist at shallow depth or at the surface, there is the potential for mine gases to exist.

Drainage

- 5.16 Insufficient information has been submitted to comment at this stage. Details of soil sewage and surface water disposal will need to be submitted for any Technical Details Consent submitted.

LAND USE

- 5.17 The application site is paddock land situated to the rear of Grimsby Road /

Baden Road and adjacent to an area of open space which belongs to South Gloucestershire Council and in use as a playing field for a local rugby club.

Access into the site

- 5.18 A number of local residents have stated that the access lane is in private ownership, jointly owned by local residents. A search of the Land Registry does not confirm this – it appears the lane is unregistered land and there is no current pending registration on it. This would imply that the assertion that the lane belongs to others is not correct. Although it is acknowledged that there could be covenants on the land that neither the LPA nor the applicant is aware of, this would be a civil matter to be investigated by affected parties.
- 5.19 As this application is a PIP (Planning in Principle) the applicant is not required to complete an ownership certificate which is the usual method of identifying whether or not land is under that person's control or whether they have in fact notified the owner of their intention. Any Technical Details Consent will require the correct Certificate of Ownership to be completed, as well as the appropriate notice to be served.
- 5.20 The submitted red edge plan shows the proposed access lane stretching in a straight line from Grimsby Road to the east. Officers confirm that a small strip of land has been sold by South Gloucestershire Council to the developer in order to facilitate the widening of the access. Transport Officers are therefore satisfied that an access of a suitable width could be achieved and that by use of conditions the access can be made safe for the development. Concerns that the sale of the land was not advertised correctly are noted, however this is not a matter for the planning process and should be dealt with via Property Services.

AMOUNT OF DEVELOPMENT

- 5.21 Up to 5no. dwellings is proposed on the paddock land. It is acknowledged that planning policies encourage the best use of land. However, this does not mean development should attain as many units as possible regardless of the impact of the character or the area, to future or existing amenity or to the detriment of parking and highway safety. Plans show 5no, 3bed. dwellings.
- 5.22 Planning policy PSP43 sets out the minimum amount of residential amenity space required for new development. A 3no. bed dwelling must provide 60m² private amenity space.
- 5.23 Initial indicative plans showed very small amenity areas, some measuring only 20m². A further indicative has been submitting showing each dwelling with at least 60m² of amenity space. Officers are satisfied that the site is of a size that could accommodate sufficient amenity space for the amount of dwellings proposed.
- 5.24 Given the limited details and only indicative site arrangements submitted with PIP planning applications it is not possible to fully assess the impact of the development on the residential amenity of nearby dwellings or that of future

occupiers. Plans indicate that the dwellings would not directly face those on Grimsby Road and there would not therefore be direct inter-visibility between properties. Properties on Baden road, which would have rear-to-rear facing, would have over 50m separation distance at a slight angle.

- 5.25 The indicative plans submitted with the application suggest that the site can be developed for 5no. dwellings without significant harm caused to residential amenity, however further assessment would be required under a Technical Details Consent.

Parking provision

- 5.26 Car and cycle parking will be required in line with the standards set out in Policy PSP16. Each dwelling should have a 7Kw 32 Amp Electric Vehicle Charging Point. Arrangements for waste/ recycling storage and collection should be provided in accordance with the Council's SPD on Waste collection. Indicative plans show that this could be provided.

Other matters

- 5.27 Conditions cannot be attached to a PIP, however it is good practice to draw the applicant's attention to any additional information that may be required at Technical Details Consent Stage.
- 5.28 A Tree Protection Plan will be required.
- 5.29 A Preliminary Ecological Appraisal (PEA) is to be submitted to support the technical details stage. This is to detail any impacts to protected species supported by appropriate mitigation where impacts cannot be avoided. The PEA is to include a Preliminary Bat Roost Assessment (PRA) of any impacted trees. If potential is recorded emergence/re-entry surveys are to be completed in line with the Bat Conservation Trust (BCT) guidelines. If a bat roost is recorded it is expected that a total minimum of three emergence/re-entry surveys are undertaken to characterise the roost and inform mitigation for a Natural England European Protected Species (EPS) license. Habitat assessments are to be completed on ponds within 500m of the site where they are not separated by a significant dispersal barrier. The PEA is to be supported by a desk study and all surveys are to be completed and submitted for review prior to determination The PEA should aim to achieve biodiversity net gain.
- 5.30 A Construction Management Plan will also be likely to be required prior to the commencement of development due to the proximity of other residential dwellings and requirement for access.
- 5.31 It is noted that there are concerns that works have commenced on site. An initial investigation has taken place and the works appear to be site clearance rather than development. Whilst the disruption this may have caused residents is regrettable, it is a civil matter and not something that can be controlled under the planning process.

Consideration of likely impact on Equalities

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

Conclusion

- 5.33 It is therefore considered that the proposal complies with the relevant planning policies as outline above and the proposal is recommended for approval. No conditions are recommended because conditions cannot be attached to Permission in Principle Decisions as per the guidance set out in the National Framework. An informative will be added to any permission reminding the applicant that a Technical Details Consent application must be made within 3 years of the date of any permission.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 It is recommended that the application is GRANTED.

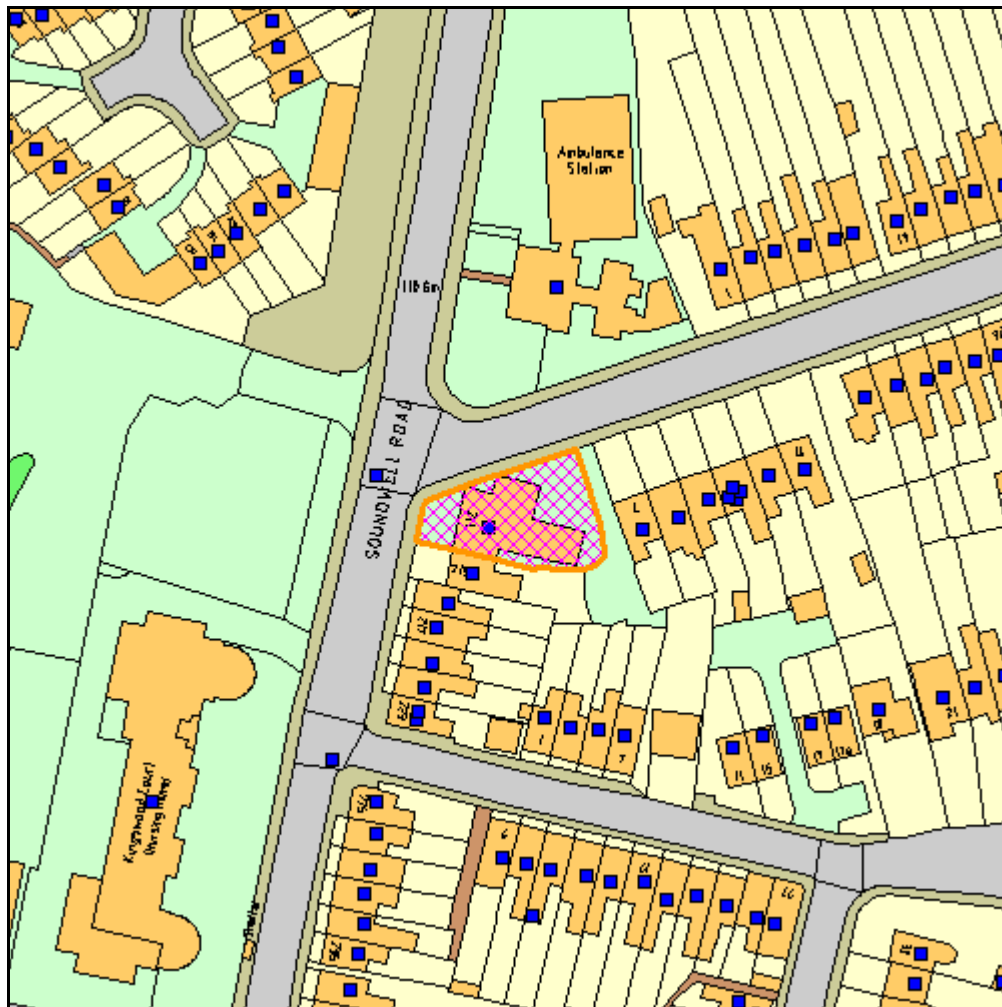
Case Officer: Rae Mepham
Authorising Officer: David Stockdale

CIRCULATED SCHEDULE NO. 02/22 - 14th January 2022

App No.: P21/07608/F Applicant: Mr Evrim Tekin

Site: 211 Soundwell Road Soundwell Date Reg: 1st December 2021
South Gloucestershire BS15 1PT

Proposal: Installation of replacement shop front. Parish: Kingswood
Map Ref: 364688 174719 Ward: Kingswood
Application Minor Target 25th January 2022
Category: Date:



© South Gloucestershire Council 2007.all rights reserved.
This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
100023410, 2008. N.T.S. P21/07608/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 has been referred to the Circulated Schedule due to the receipt of letters of objection, which would be contrary to officers' recommendation.

1. THE PROPOSAL

- 1.1 Planning permission is sought for the installation of a replacement shopfront at No. 211 Soundwell Road, Soundwell, which is a retail unit selling school / team uniform and workwear. The site is situated within an urban area, and is not subject to any sensitive land-use designation. The building itself is not a statutory listed.
- 1.2 The submitted plans have indicated that the premises will be changed to a restaurant / café. It, however, should be noted that the Use Classes legislation was updated on 1 September 2020. Class A1 shops and Class A3 Restaurants and cafés have been revoked, and it has been replaced with E(a) and E(b) respectively. Given that the existing retail use and the resulting restaurant / café would now fall within the same Use Class, therefore it would not need planning permission for the proposed change of use. In addition, the display of advertisement is subject to a separate consent process, which is set out in the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, therefore the signage does not form of this application.

2. POLICY CONTEXT

- 2.1 National Guidance
- i. National Planning Policy Framework 2021
 - ii. National Planning Practice Guidance

2.2 Development Plans

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

CS1	High Quality Design
CS4a	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS14	Town Centres and Retailing
CS29	Communities of the East Fringe of Bristol Urban Area

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

PSP1	Local Distinctiveness
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards

PSP21	Environmental Pollution and Impacts
PSP31	Town Centre Uses
PSP32	Local Centres, Parades and Facilities
PSP33	Shopping Frontages
PSP35	Food and Drink Uses

2.3 Supplementary Planning Guidance

- i. Design Checklist SPD (Adopted 2007)
- ii. Technical Advice Note: Assessing Residential Amenity 2016
- iii. Shopfronts and Advertisements SPD (Adopted) 2012

3. **RELEVANT PLANNING HISTORY**

- 3.1 K2654 Change of use of premises from shop with living accommodation to private house. Approved 02.05.79
- 3.2 K2654/1 Erection of single storey side extension to provide additional retail area, additional residential accommodation, car parking area. Approved 18.10.82

4. **CONSULTATION RESPONSES**

- 4.1 Transportation Development Control – no objection
- 4.2 Lead Local Flood Authority – no objection
- 4.3 Neighbouring Residents: 5 letters of objection and 2 letters of support were received and the residents' comment are summarised as follows:

Residents' objecting comments:

- No / Lack of parking
- Already have thief, car vandalism, drunken antics, and young adults causing fracas, unsafe area, fighting and drunken behaviour in the area
- Would cause more anxiety, stress and worry
- The sign will throw light in the houses
- Waste management is already unacceptable
- Will be a huge issue from vehicles movement, the noise that is generated is already very loud and unsociable, extraction of the fumes
- The existing extension on the back that has no permission
- An illuminated sign being added to the front of the building would likely have much later opening and therefore cause additional light pollution for adjacent properties.
- These signs would also potentially add wind noise if not securely fastened.
- Many food outlets now relying on takeaway/ delivery systems for business, this sort of traffic would potentially cause highway and pavement blockages
- noise pollution
- The mounds of waste outside are unsightly and at risk of contaminating the waterways as well as attracting unwanted vermin.
- I have not seen any plans published for change of use. The building was originally a retail outlet and the proposed shop front alteration plans indicate that it will be a cafe and a restaurant.

- Concerns the impact of parking within the immediate area and the intended opening hours of the establishment

Residents' supporting comments:

- We don't have a local cafe or restaurant. It'd be a nice change to our community
- It's currently an eye sore with its shut grey blinds and weed growing, not being maintained in over 2 years.
- Having a cafe would lighten this place up and help out workers like myself and the neighbouring companies as we don't have anything like this on this stretch.
- A new additional to this part of town for a restaurant is highly recommended.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The application site is situated within a predominately residential area, and a petrol station, Tesco Express and a primary school are located within a walking distance. The proposal is to install a new shopfront to facilitate the new use as a restaurant / café. As discussed above, planning permission would not be required for the new use as both existing and new classes would fall within the same use class (E) due to the recent changes to the Town and Country Planning (Use Classes) Order 1987 (As amended). The shopfront alterations are a form of development that is supported by PSP43 subject to considerations of design, character and the impact upon the vitality and viability of the town centre. As such, the proposal raises no issues in principle subject to the various material considerations addressed below.

5.2 Shopfront Design

Whilst the premises is a retail unit, the site is not within any primary or secondary shopping frontage. Policy CS1 of the Core Strategy and policy PSP1 of the Policies, Sites, and Places Plan seek to ensure that development proposals are of the highest possible standards of design. This means that the shopping frontage should be informed by, respect, and enhance the character, distinctiveness and amenity of the site and its context, even the site does not located within a town centre location.

5.3 The scope of this assessment relates only to the proposed physical changes to the shopfront, for which the only change is the replacement of the existing windows with 2 windows with centrally located glazed single door. Whilst the new door would not be recessed from the frontage to accord with the best practice principles for shopfronts detailed in the Shopfronts and Advertisements SPD, the new shopfront would still create a balanced proportion, officers are therefore satisfied with the design approach. In addition, the nature of this proposal would retain an active ground floor use, which would continue to contribute positively to the locality. Therefore, no objection is raised in this regard.

5.4 Environmental & Amenity Impacts

Given that the proposal is related to the replacement of the shopfront to an existing business premises, therefore, there are no significant issues in terms

of overlooking or overbearing impact. Residents' concerns regarding the new use of the premises are noted. However, the change of use is not part of this application, therefore there is no substantiate reason to warrant a refusal of this application in this regard. Regarding the new signs, it would be subject to a separate planning process.

5.5 Sustainable Transport & Parking Provision

The application site does provide dedicated off-street parking at the rear, but this application is only related to the shopfront. As the proposed works would not adversely affect the existing parking and access arrangement, therefore, there is no highway objection to the proposal. Regarding the residents' concerns in terms of parking, as discussed previously it would be permitted development, there is no substantiate reason to refuse the application on highway grounds.

5.6 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 It is recommended that planning permission is GRANTED subject to the following conditions:

CONDITIONS

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

Reason

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

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

Site location plan, received by the Council on 23 November 2021

Existing and Proposed Ground Floor Plan, Drawing no. 001

Existing and Proposed Front elevation, Drawing no. 002, and

Existing and Proposed Block Plan, Drawing no. 003, received by Council on 1 December 2021.

Reason

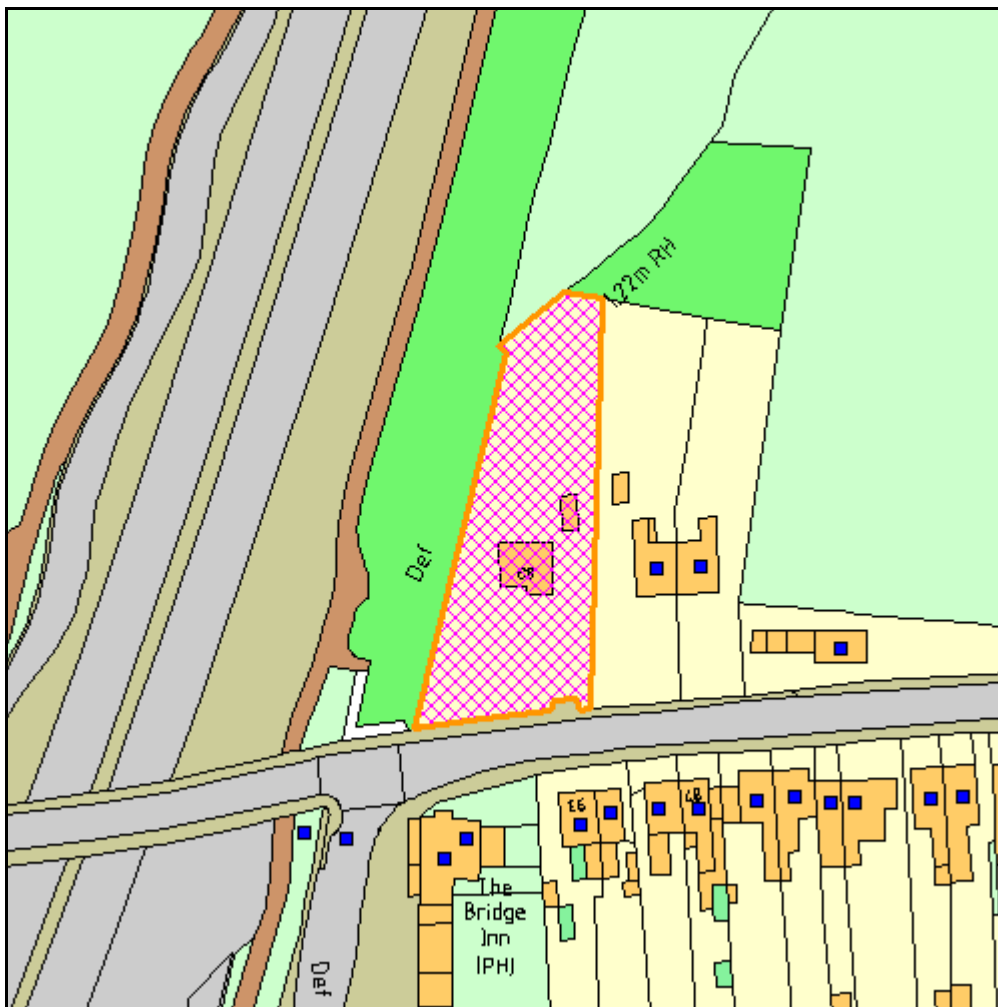
To define the terms and extent of the permission.

Case Officer: Olivia Tresise

Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 02/22 - 14th January 2022

App No.:	P21/07619/F	Applicant:	Mr Tony Francis
Site:	68 Main Road Mangotsfield South Gloucestershire BS16 9NQ	Date Reg:	27th November 2021
Proposal:	Erection of single storey double garage (Re-submission of P21/05632/F)	Parish:	Pucklechurch Parish Council
Map Ref:	367366 176032	Ward:	Boyd Valley
Application Category:	Householder	Target Date:	20th January 2022



© South Gloucestershire Council 2007. all rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2008.

N.T.S.

P21/07619/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 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 single storey double garage (Re-submission of P21/05632/F), as detailed on the application form and illustrated on the accompanying drawings.
- 1.2 The application site is set outside any defined settlement boundary, located east of Mangotsfield and comprises a generous size plot. The dominant feature within site is a detached bungalow with setback detached single garage. The property benefits from off-street parking, along with a substantial garden that wraps around the front, side and rear.
- 1.3 The site is washed over by the Bristol/Bath Green Belt.
- 1.4 Here, it should be noted that a full planning application for the erection of a single storey double garage and home office was previously submitted at this property under application ref. **P21/05632/F**. The application was refused on the basis that it would have been a disproportionate addition in the Green Belt.
- 1.5 Changes to previous refusal include:
 - The proposed garage has been reduced in width with the home office removed.
 - The applicant has made it clear that he proposes to demolish the existing garage and shed situated to the rear of the property.

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
PSP2	Landscape
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

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 **P21/05632/F.** Erection of single storey double garage and home office. **Refusal.** 30/09/2021.
- 3.2 **P20/24085/F.** Retrospective planning permission for a loft conversion to provide additional living accommodation, including the installation of roof lights and a side dormer. **Approve with Conditions.** 01/06/2021.
- 3.3 **DOC20/00175.** Discharge of condition 2 (External Facing Materials) attached to planning permission PK18/1556/F. **Discharge of Conditions Decided.** 19/06/2020.
- 3.4 **PK18/1556/F.** Demolition of existing dwelling and erection of 1no. replacement dwelling. **Approve with Conditions.** 09/10/2018.

4. CONSULTATION RESPONSES

4.1 Pucklechurch Parish Council

The parish council objects to the revised plans as it believes there remains great uncertainty over whether this application remains a disproportionate addition to a property within the Green Belt and is therefore detrimental to its openness.

The lack of clarity around this submission requires the chronology of volume increases in recent planning history to be clarified as the percentage increase by volume is confused. The parish council does not believe that the current information as presented has been adequately reviewed to ensure it accurately reflects the original bungalow and the size of all the subsequent additions and extensions including the dormers.

4.2 Emersons Green Town Council

No comment.

4.3 Sustainable Transport – Transportation DC

The design of the garage building has been altered since the previous planning application (P21/05632/F). The vehicular access will remain as previously submitted (ie there will be no changes to the existing situation). As previously requested the applicant is to provide electric vehicle charging facilities in accordance with the Council's emerging policy, terms of which are to be provided to the Council before use. We would also recommend that the parking area is surfaced in a bound material to prevent it being dragged onto the public highway by vehicle tyres.

Subject to the above, there is no transportation objection raised.

4.4 Local Residents

No comments received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

5.2 Green Belt

The proposal is sited within the Green Belt, where the fundamental aim is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence. As per para 137 of the NPPF, the Green Belt serves five purposes:

- a) to check the unrestricted sprawl of large built-up areas;*
- b) to prevent neighbouring towns merging into one another;*
- c) to assist in safeguarding the countryside from encroachment;*
- d) to preserve the setting and special character of historic towns; and*
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

5.3 Whilst development in the Green Belt is strictly controlled, the NPPF provides a number of exceptions where development in the Green Belt may not be inappropriate. Paragraphs 149 and 150 of the NPPF lists the exceptions. Thus, regard must be given to the section which allows

“(g) limited infilling... which would: not have a greater impact on the openness of the Green Belt than the existing development”.

5.4 Policy PSP7 of the South Gloucestershire Policies, Sites and Places Plan (adopted) November 2017, also has a disproportionate test for additions within this special area. In assessing whether a proposal is proportionate, account will be taken of:

- The increase in volume of the original dwellinghouse;

- The appearance of the proposal (it should not be out of proportion with the scale and character of the original dwelling); and
- Existing extensions and outbuildings within the curtilage.

Additions and alterations to buildings in the Green Belt will be allowed provided they do not result in disproportionate additions over and above the size of the original building. As a general guide, an addition resulting in a volume increase less than 30% of the original building would be likely to be acceptable.

Additions that exceed 30% volume increase will be carefully assessed, with particular regard to whether the proposal 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.

- 5.5 For the sake of clarity, it is worth stating that the term ‘original dwellinghouse’ refers to the volume that a dwelling was when the original planning permission for its construction was given, or for older homes the volume that the dwelling was on July 1st 1948 (when the Town and Country Planning Act was introduced). Any additions that have occurred since the original dwelling date will be considered cumulatively and will count against the overall increase in volume of the dwelling when new additions are being assessed. This is because small reductions in openness, repeated many times, can have a cumulatively detrimental effect on the Green Belt.
- 5.6 Under application ref. **PK18/1556/F**, planning permission was previously granted for the demolition of the original dwelling to facilitate the erection of a replacement dwelling. Under this application and subsequent, an accompanying condition stated that the removal of the properties permitted development rights, referring only to Part 1 (Classes A, B, D and E) was considered reasonable *‘in the interests of the visual amenity of the area and to protect the openness of the Bristol / Bath Green Belt’*. The harm to the openness of the Green Belt was fully recognised and the measure was put in place to ensure that any future development did not affect the Green Belt adversely.
- 5.7 At the time of determining application **PK18/1556/F** (erection of a replacement dwelling), South Gloucestershire Council Officers estimated *“that the volume of the dwelling would increase by approximately 50% over and above the volume of the existing dwelling”*. However, given the siting, scale, design and location of the replacement dwelling, overall the proposals were considered acceptable and in keeping with the surrounding area.
- 5.8 Since this time, under application ref. **P20/24085/F**, planning permission was granted to increase the property further by the addition of a dormer, transforming the 2 bedroomed bungalow into a 5 bedroomed property with upper floor. Upon making a site visit from the public highway, it was evident that

these works have yet to commence. Although, this development has not yet begun, given the granting of permission it is considered by the planning officer that it is the occupier's intention to undertake the work. As such, the side dormer will form part of the Green Belt calculations, counting towards additions to the property.

- 5.9 No details have been provided and no plans have been supplied to the Council with regard to a survey of the host dwelling. Therefore, officers have used the previous plans submitted under the 2018 application to calculate the volume of the replacement dwelling and previous 2021 application to calculate the volume of the side dormer.
- 5.10 The replacement dwelling measures approximately 614.6m³. The proposals and previous additions total approximately 213.8m³. This would result in an overall volume increase of approximately 34.85%. However, with the elements being demolished (existing garage and shed) measuring around 54.8m³, the resultant increase in volume would be around 25.9% over the replacement dwelling.
- 5.11 Given the above, it is considered that the proposal would comply with the criteria of being a limited extension in the Green Belt and is therefore acceptable in Green belt policy terms.
- 5.12 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.
- 5.13 The development is positioned to the front of the residential curtilage of No.68 Main Road to the south-west of the host dwelling. The proposed building has a rectangular footprint and features clipped gable roof. A large area of permeable paving will be set in front of the building, forming a generous drive, providing a turning point and direct route from the properties vehicle access point to the garage.
- 5.14 External finish to the proposed building will be mid-grey shearstone (cottage style), with a grey flat concrete tiled roof to compliment the appearance of the existing adjacent dwellinghouse.
- 5.15 The host dwelling is set back on the application site, along with its neighbouring properties No.64 and No.66 on the northern flank of Main Road. As previously mentioned, the proposed building would sit to the front of the residential curtilage. The proposal is substantial in size and given its location would project a lot closer to the public highway than what currently exists on the site, the planning officer considers this to be out of character within its immediate context. However, it must be noted that there is a lot of intervening vegetation that sits along the front boundary line of the site that would help shield the proposed building. All-inclusive, it is considered that the proposed scheme has acceptable standards of design and complies with policies CS1 and PSP38.

- 5.16 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.
- 5.17 As previously highlighted, the proposed building is situated to the south-west of No.68 Main Road front garden. Although the proposed development is relatively substantial in size and located close to the sites south and west boundaries. The site is a corner/end plot, whereby hedgerow is located. This area of mature vegetation protects the properties south and west elevations, which in turn would result in the proposed development almost hidden out of view from any public highway and opposite neighbouring properties.
- 5.18 Vegetation also exists along the sites eastern boundary, although is less mature. However, given the neighbour to the east (No.66 Main Road) remains a substantial distance from the proposal, it is considered that the residential amenities of the occupiers of the development and the neighbouring properties would be sufficiently preserved and the proposed works would satisfy PSP8.
- 5.19 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. Although the proposed development builds on existing front garden, the remaining private external amenity space would continue to be in excess of the design standards, complying with policy PSP43.
- 5.20 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 number. The proposed works would not increase the provision or bedrooms or otherwise expand the degree of occupancy within the dwelling. However, a property of this size (5no. bedroom) would be expected to provide a minimum of 3no. parking spaces. The development seeks to create a garage which would accommodate 2no. parking spaces. Additionally, as part of the scheme, a driveway finished with permeable paving is being proposed that will offer parking for multiple cars. As such, the parking and transportation provision for the application site will satisfy policy PSP16.
- 5.21 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 25th November 2021):

Planning Statement

Photographs of Existing Garage and Shed (Appendix 3)

Garage Plans & Elevations

Location & Proposed Block Plan

The Location & Block Plan

Reason

To define the terms and extent of the permission.

3. The existing garage and shed at No.68 Main Road must be demolished within 3 months of completion of the proposed new garage.

Reason

In order for the development to comply with PSP7 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017 and the National Planning Policy Framework.

4. Prior to first occupation, details of an electric vehicle charging facility must be submitted to the council for approval. The approved charging facility must then be fully installed and retained thereafter unless otherwise approved by the Local Planning Authority.

Reason

In the interest of ensuring the provision of facilities to promote sustainable travel and to accord with CS8 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) December 2013.

Case Officer: Chloe Summerill

Authorising Officer: David Stockdale