



**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. 07/18

Date to Members: 16/02/2018

Member's Deadline: 22/02/2018 (5.00pm)

The reports listed over the page form the 'Circulated Schedule' a procedure agreed by the Planning and Transportation Committee on 21 November 1996. The procedure is designed to increase the effectiveness and efficiency of the Development Control Service. Under the arrangement reports are circulated on a weekly basis.

The reports assess the application, consider representations which have been received, and make a recommendation regarding the proposal. The procedure is designed to ensure that Members are aware of any concern expressed by interested parties in their ward and indicate a recommendation.

Having considered the reports, those applications that Councillors feel should be referred to an appropriate Area Development Control Committee must be notified to the Development Control section **by email within five working days of the publication of the schedule (by 5pm)**. If there has been no 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, Members may wish to speak to an officer about the issue, in order that any problems can perhaps be resolved without the need for referral to a Committee**

PLEASE NOTE: THE CIRCULATED SCHEDULE PROCESS IS ONLY OPEN TO THE ELECTED MEMBERS OF SOUTH GLOUCESTERSHIRE COUNCIL.

NOTES FOR COUNCILLORS - FORMAL ARRANGEMENTS

If any Member requires any of the proposals listed in the Schedule to be considered by the appropriate Development Control Committee, please let the Director of Environment of Community Services know 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 the end of Thursday) (see cover page for the date).

To refer an application(s) members are asked to email MemberReferral@southglos.gov.uk providing details of

- Application reference and site location
- Indicate whether you have discussed the application(s) with the case officer and/or area planning manager
- Indicate whether you have discussed the application(s) with ward member(s) if the site is outside of your ward
- The reason(s) for the referral

The following types of applications may be determined by this Circulated Schedule procedure:

All applications and related submissions not determined either by the Development Control Committees or under delegated powers including:

- a) Any application submitted by or on behalf of the Council.
- b) Any application requiring either new or a modification to an existing planning agreement, provided that the application is not required to be determined by Committee.
- c) Any footpath diversion required to implement an approved scheme.
- d) Applications, except those where approval is deemed to be granted upon the expiry of a defined period, where a representation contrary to the Officers recommendation are received.
- e) Applications for Certificates of Appropriate Alternative Development where a representation contrary to the Officer's recommendation is received.
- f) Applications for Certificates of Lawful Use of Development

GUIDANCE FOR 'REFERRING' APPLICATIONS

Members are entitled to refer any application for consideration by the relevant DC Committee or Sites Inspection Committee, before a decision has been made. However as call-ins will delay the decision on an application and in the interests of improving the effectiveness and efficiency of the Development Control service, this option should only be exercised after careful consideration. Members are therefore asked to take account of the following advice:

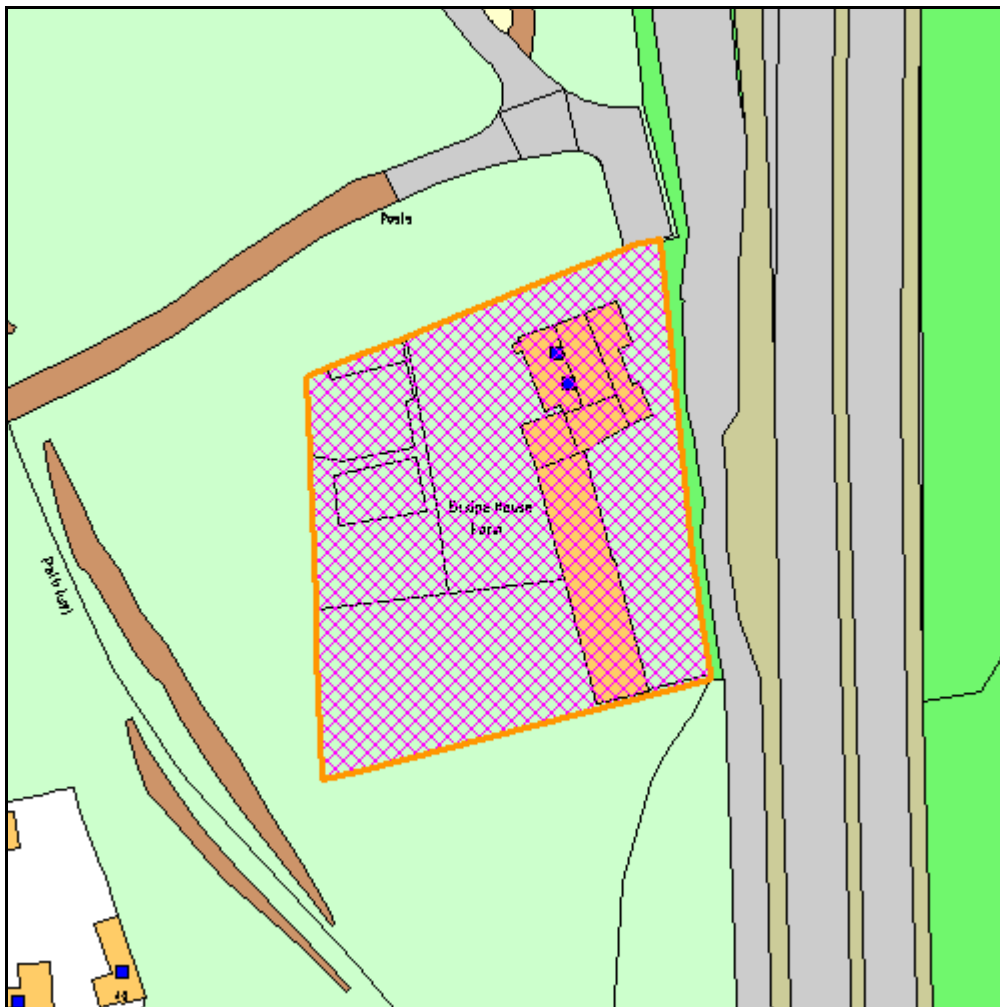
- Before referring an application always speak to the case officer or Area Planning Manager first to see if your concerns can be addressed without the application being referred.
- If you are considering referring in an application outside the ward you represent, as a courtesy, speak to the ward member(s) 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**
- Always make your referral request by e-mail to MemberReferral@southglos.gov.uk, where referrals can be picked up quickly by the Development Management Technical Support Team. Please note a copy of your referral e mail will appear on the website. **If in exceptional circumstances, you are unable to e-mail you request, please contact 01454 863519, well in advance of the deadline, to discuss alternative arrangements to ensure your response can be received.**
- When you refer an application, make clear what the planning reasons are for doing so. This will help the case officer and other members give attention to the specific issues you have raised.
- It may also allow officers to seek to negotiate with the applicant to overcome the Member's concerns and therefore removing the need for a Committee determination.

CIRCULATED SCHEDULE - 16 February 2018

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK17/2778/O	Approve with Conditions	Bridge House Farm Siston Common Siston South Gloucestershire BS30 5LS	Siston	Siston Parish Council
2	PK17/5759/F	Approve with Conditions	80 Blaisdon Yate South Gloucestershire BS37 8TL	Dodington	Dodington Parish Council
3	PK17/5834/CLP	Approve with Conditions	56 Howes Close Barrs Court South Gloucestershire	Parkwall	Oldland Parish Council
4	PT17/3490/O	Refusal	5 Over Lane Almondsbury South Gloucestershire BS32 4BL	Almondsbury	Almondsbury Parish Council
5	PT17/5478/F	Approve with Conditions	77 Northville Road Filton South Gloucestershire BS7 0RJ	Filton	Filton Town Council
6	PT17/5780/F	Approve with Conditions	806 Filton Avenue Filton South Gloucestershire BS34 7HA	Filton	Filton Town Council
7	PT17/5973/F	Approve with Conditions	23 Beaufort Crescent Stoke Gifford South Gloucestershire BS34 8QX	Stoke Gifford	Stoke Gifford Parish Council

CIRCULATED SCHEDULE NO. 07/18 -16 FEBRUARY 2018

App No.:	PK17/2778/O	Applicant:	Mr D Turner R C Turner & Partners
Site:	Bridge House Farm Siston Common Siston Bristol South Gloucestershire BS30 5LS	Date Reg:	23rd June 2017
Proposal:	Demolition of existing dwelling and outbuildings and erection of 8. no dwellings with access and layout to be determined and all other matters reserved (Outline).	Parish:	Siston Parish Council
Map Ref:	366533 174402	Ward:	Siston
Application Category:	Minor	Target Date:	11th August 2017



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100023410, 2008.

N.T.S.

PK17/2778/O

CIRCULATED SCHEDULE

This application appears on the circulated schedule following an objection from a local resident and from the Parish Council.

1. THE PROPOSAL

- 1.1 The applicant seeks outline planning permission for the demolition of an existing dwelling and outbuildings and the erection of 8. no dwellings (Outline) with access and layout to be determined and all other matters of landscape, scale and appearance to be considered as reserved matters.
- 1.2 The application site relates to a former farm, Bridge House Farm situated on Siston Common, above and adjacent to the ring road. The site is within the settlement boundary of Siston Common, within a site of SSNI but lies outside the Green Belt which begins on the other side of the A4174. The site is a former farm now operating as a farm shop with fruit and vegetable distribution. The buildings now require substantial repair to the extent that it is unviable for the business to continue and the owners which to vacate the site and retire.
- 1.3 During the course of the application revised plans were submitted to address the concerns expressed by the highway officer, to confirm the right of access into and out of the site and to take account of initial urban design comments. Other details were received to overcome initial comments made by the Coal Authority.
- 1.4 Details provided by the agent confirm that the applicant has a right of way for all purposes from the site to the highway. An indenture dated 1939 was provided as evidence.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Practice Guidance 2016
Technical Guidance to 'NPPF'

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted December 2013)

CS1	High Quality Design
CS2	Green Infrastructure
CS4a	Sustainable Development
CS5	Location of Development
CS6	Infrastructure and Developer Contributions
CS8	Improving Accessibility
CS9	Environmental Resources and Built Heritage
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS18	Affordable Housing

CS24	Green Infrastructure, Open Space Standards
CS34	Rural Areas

Policies, Sites & Places Development Plan Document (Adopted) 2017

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP8	Residential Amenity
PSP10	Active Travel Routes
PSP11	Development Related Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water and Watercourses
PSP21	Environmental Pollution and Impacts
PSP40	Residential Development in the Countryside
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

Trees on Development Sites SPG (Adopted) Nov. 2005.
 South Gloucestershire Design Checklist (Adopted) 2007)
 South Gloucestershire SPD: Residential Parking Standards (Adopted) 2013
 Affordable Housing SPD (Adopted) Sept.2008.
 Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide
 SPD – (Adopted) March 2015

3. RELEVANT PLANNING HISTORY

- 3.1 P98/4501 Change of use of farm building to farm shop. Creation of new temporary access and parking/service area
Approved 8.9.98
- 3.2 PK00/1882/F Change of use of land from agricultural to use for scaffolding business and storage (Retrospective)
Approved
- 3.3 PK10/0815/PNA Prior notification of the intention to erect a polytunnel
No decision recorded

4. CONSULTATION RESPONSES

4.1 Siston Parish Council

Objection:

Siston Parish Council strongly object to any such over development of this site in a prominent location on Siston Common. Members are also gravely concerned at what will undoubtedly be a dramatic increase in all types of vehicles accessing and exiting this site over what is a narrow and totally unsuitable single track lane.

Other Consultees

4.2 Arts and Development

No comment

4.3 Public Right of Way

Unlikely to affect the nearest recorded public right of way, ref bridleway PSN57 which crosses over the ring road to the north of the site.

4.4 Waste Engineer

If the new road is to be adopted and has sufficient turning space for a refuse lorry then there are no objections. If the road is not to be adopted then the bins and recycling will need to have a collection point within 12 metres of the adopted highway.

4.5 Common Steward

Objection

This proposed development abuts a length of registered common land. The common is G/CL29 Siston Common. The common is owned by South Gloucestershire Council and subject to a scheme of Management and Byelaws managed by South Gloucestershire Council. Any development in this area should take care not to encroach upon and damage the common for any length of time.

4.6 Community Infrastructure

No objection

4.7 Drainage Team

No objection subject to a condition

4.8 Housing Enabling

No objection:

The number of houses proposed falls below the threshold for affordable housing contributions.

The agent has confirmed that the footprint of the houses would be around 966 square metres, therefore under the 1000 square metres which would trigger an affordable housing requirement.

4.9 The Coal Authority

Objection: Coal mining features in the area which need to be considered in the determination of this application. A Coal Mining Risk Assessment Report is required

Updated comments: adequate assessment has been undertaken and subject to conditions attached to the decision notice, Objection withdrawn

4.10 Ecology

Objection:

Overall, there is little ecological interest present on the site and mitigation measures are appropriate and suitable.

Further information is required regarding the impact assessment on birds, reptiles and hedgehog in relation to increased numbers of household pets; and the assurance of the protection and retention of the stone wall currently providing the boundary to the site.

Updated comments:

Following additional information, there are no objections subject to conditions that the scheme must proceed in accordance with the Precautionary Method Statement; a sensitive lighting scheme for bats and the introduction of two bat boxes and two bird boxes to be submitted for approval.

4.11 Tree Officer

No objection subject to a condition regarding a tree protection plan.

4.12 Sustainable Transport

No highway objection.

Updated comments:

The revised plan layout is acceptable from a highway point of view but the final approval would be subject to the final detail design and subject to a safety audit report.

Conditions and an informative to be attached to the decision notice.

4.13 Environmental Protection

No objection subject to conditions regarding potentially contaminated land.

4.14 Urban Design

Site will be visible from wider area. Tree planting around the perimeter of the site will eventually soften the built form.

4.15 Local Residents

One letter of objection has been received from a local resident as follows:

Overdevelopment of most sensitive site.

All development on this site should be restricted in number and size.

Property should be in local style / finish Grey Stone

5. ANALYSIS OF PROPOSAL

5.1 This is an outline planning application for the Demolition of an existing dwelling and outbuildings and the erection of 8no. dwellings with access and layout to be determined and all other matters such as siting, landscape and appearance to be reserved matters. Accordingly the scope of this application is limited primarily to matters of the principle, layout and access. Whilst design matters are considered in a broad sense, this assessment cannot

consider detailed design matters as these would be reserved for the later stage.

5.2 Principle of Development

The application site is situated within the established settlement boundary of Siston Common. It comprises in part an existing residential property and outbuildings associated with its use as a farm. In terms of the redevelopment of the residential curtilage the principle of development within a settlement boundary is supported by both local and national planning policy and therefore considered sustainable development. Indeed the more efficient use of this brownfield site weighs in favour of the proposal. Further weight is given in favour when one considers the current inability of the Council to demonstrate a five year housing land supply. This proposal for 8no. new houses (7 net) would contribute positively, if modestly to that.

5.3 National planning policy states that sustainable development should be supported unless it can be found that there would be harm. It is acknowledged that South Gloucestershire Council does not have a five year land supply of housing and when this situation arises, the NPPF states that decision takers should approve development proposals that accord with the development plan without delay; where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or
- specific policies in the Framework indicate development should be restricted.

5.4 Layout

The proposed development would be for 8no. dwellings. During the course of the application the layout of the scheme has been altered to reflect comments from the Urban Design Officer. The properties would roughly radiate off a central driveway. The development would comprise one set of semi-detached properties and 6 individual detached properties. Each house would have some garden to the front facing the access road and good sized rear gardens. Apart from one, all properties would abut the edge of the application site, i.e. next to the Common and have views over it. The constraints of the site which have included the shape of the plot, the isolated location of the site, the importance of Siston Common and the comparable density of nearby development has guided the layout and amount of built form on the site. Overall, the scheme as proposed is considered acceptable.

5.5 Access

The existing access would be used for this proposed development. The site is located off the end of a cul-de-sac, Siston Common, a public highway. The main issues to consider here are the traffic; the access road and its suitability for increased traffic and; road safety.

- 5.6 With regards to traffic it is acknowledged that the existing site/use (described on the application form as mixed residential and farm shop) has the potential to generate some traffic on its own merit, but it is likely the introduction of 8no. new dwellings would result in a greater number of traffic movements. Although no traffic data has been provided by the applicant with regards to the existing trips generated, Officers have estimated that the existing daily traffic movements are likely to be around 12no. with some two vehicular movements in the peak hours. By comparison, the new development would create around 48 two-way movements with some 6/7 during each AM and PM peak times. Overall whilst there will be an increase in the traffic, this alone cannot be a reason for refusing the application.
- 5.7 The site has existing access directly off the Siston Common public highway which currently provides vehicular access to this and a small number of other residential dwellings. The road varies in width and narrows in places but is generally wide enough to allow two cars to pass one another. As such the road is considered adequate to accommodate additional traffic resulting from the proposed development. There is no footway abutting the road, however, there are footpaths and cycle routes in the area and these connect the application site to the wider highway and provides suitable and safe routes for people on foot and cycling.
- 5.8 With regards to road safety, vehicular speeds on Siston Common tend to be low. There is an advisory 20mph sign just past the Horseshoe Public House and vehicles travelling at this location have to drive over a cattle grid which also slows down vehicles. Officers have checked the accident data and it is confirmed that there have been no recorded person injury accidents on Siston Common within the last 5 years.
- 5.9 Plans submitted with the application indicate that adequate off-street parking for each house can be achieved. A turning area is also shown on the plan however this needs to be auto-tracked to prove its suitability for service vehicles. Assessment of the internal layout, parking and turning area will be carried out at later stage subject to planning permission being approved.
- 5.10 Scale and affordable housing trigger
The application site is 1.08 acres and 8no. houses are proposed on this site. Plans indicate that the houses would be two-storey with attached garages.
- 5.11 The scale of the development is important as this has affordable housing implications. Any development over 1000 square metres would trigger an affordable housing element. Plans indicate that the proposed development would in total amount to around 966 square metres which would fall below this trigger. Therefore given the number of houses proposed, it is expected that the scale of the dwellings would remain as indicated, but to be clear due to its location houses with higher ridge lines would not be acceptable here.
- 5.12 It is considered that houses of the scale indicated within the submitted details would be appropriate in this location.
- 5.13 Design and Visual Amenity

The site is in an isolated location and the grouping of 8 houses would be visible from some distance across the common. It is therefore important that the appearance of the dwellings must be of the highest quality design with materials to blend in with and respect their surroundings. This would be dealt with under reserved matters.

- 5.14 Residential Amenity
The 8no. dwellings would comprise 2 x 3 bed houses and 6 x 4 bed houses. The properties would have sufficient amenity space to accord with adopted planning policy which requires a 3bed house to have 60 sq metres and a 4bed house to have 70 square metres of private usable amenity space. Given the orientation of the houses, there would be no adverse issues of overlooking or inter-visibility.
- 5.15 Ecology
An Ecological Impact Assessment was submitted in support of the proposed application by Burrows Ecological (July, 2017). This indicated that Siston Common is a SNCI (site of nature conservation interest) and surrounds the site on three sides. It is designated for its acid and neutral grassland.
- 5.16 The site showed signs of recent use and human modifications and does not contain uncommon or notable habitats. Those habitats present are typical of disturbance including improved grassland and tall ruderals. Scrub has grown up in neglected areas along the southern and eastern boundaries.
- 5.17 The site has a complex of buildings constructed from a mix of materials including metal frames agricultural buildings and other more traditional tiled roofed buildings are also noted. These buildings were classified as offering moderate bat roost potential. Siston Common offers excellent bat foraging habitat with a mix of grazed and un-grazed grassland, scrub and trees. The site itself offers little habitat value to foraging bats, although they may use the scrub around the southern and eastern boundaries and woodland banking the A4174. However, two survey visits did not identify any bats using any of the buildings as a roost. Very low levels of bat activity of common species (noctule and common pipistrelle) were identified and suitable low level lighting for the development as potential mitigation would be submitted to the LPA for written approval.
- 5.18 Bird species that are common within garden habitats may use the scrub habitat within the site for nesting, including some species of conservation concern such as bullfinch, linnet and song thrush. The development will result in the loss of all suitable nesting habitat, although, due to the limited size of the scrub patch on site relative to the surrounding area its importance is limited to those species present on site.
- 5.19 The report assesses that the loss of nesting habitat will not significantly impact the local bird population and proposes mitigation such as vegetation clearance to prevent any offences being committed under the Wildlife Conservation Act. A condition will be attached to the decision notice for bird and for bat boxes to mitigate against the development.

- 5.20 The survey identified potentially suitable reptile habitat for slow-worm. Additionally, Siston Common SNCI is designated for its reptile interest (slow-worm and common lizard). As well as a mix of bare ground, short ephemerals, ruderals and scrub, there is also a stone wall that could provide suitable foraging and sheltering opportunities. A reptile survey was completed but no evidence of reptiles was recorded. The site has been used for livestock, including chickens that may have dissuaded reptiles from using the land in the past. The report assesses that reptiles are highly unlikely to be present and proposes pre-emptive mitigation such as vegetation clearance.
- 5.21 The findings of the report are noted but there was initially no assessment of the impact of household pets on birds (particularly ground nesting species) or on reptiles that are present within the common. Also the potential for the stone boundary wall as an important feature for reptiles associated with the SNCI needed further investigation. Supplementary information was therefore submitted for consideration. This acknowledged that the base of stone walls can be important habitat for reptiles where gaps between the stones exist such as in dry stone walls or where they are partly collapsed. Much of the walling on site has been identified as being in good condition and mortared, so not suitable for use by reptiles. Additionally the reptile survey did not find any evidence of reptiles within the development footprint. The stone wall does represent an important barrier to the encroachment of the construction activities and a condition is to be attached to the decision notice to assess the condition of the wall prior to commencement of works.
- 5.22 With regards to the potential for household pets to impact on the wildlife on the common. It is considered unlikely that dogs would be allowed to roam uncontrolled over the common and are more usually kept on leads. The bigger risk would be from cats, although the stone wall may hinder some cats leaving the gardens, it seems unlikely that it would act as a complete barrier. However, research indicates 26% of households own a cat, giving a mean average of 1.66 cats per household. This would result in a potential approximate 4 cats at the Bridge House Farm site. It is acknowledged that these cats may predate on nesting birds and reptiles. But it is noted that there are already a number of residential properties on the Common and the large residential area of Warmly is around 340 metres to the west. It is therefore not unlikely that the existing reptile and bird populations are already under significant threat from predation by cats within these households. A suggestion has been made by the report that a covenant is attached to sale details stating that cats cannot be kept by future residents to protect the interest of Siston Common SNCI, however, this is not something that can be stipulated under a planning condition.
- 5.23 Mammal paths are present but no specific evidence of badger were identified. No formal survey of hedgehogs was completed but no evidence was identified. Siston Common SNCI holds records for several notable invertebrate species, some of which could be present on the site due to the presence of certain food plants. However, these food plants are common and widespread and other factors limit the potential of notable invertebrates.
- 5.24 The report indicated that during the construction phase all materials would be contained within the site boundary; this will be covered under a CEMP condition

which stipulates practices and expectations during the construction phase. It also mentioned that risks of fly-tipping from new residents would be countered by the production of a leaflet and signage. This would be for the applicant/developer to provide and not something that can be conditioned by planning legislation.

- 5.25 The submitted ecological details are acceptable subject to conditions being attached to the decision notice to ensure that the development proceeds in accordance with the Precautionary Method Statement; a bat sensitive lighting scheme shall be submitted for approval in writing and two bat and two bird boxes are to be installed, again approval in writing to be first obtained by the LPA.
- 5.26 Siston Common Stewardship
Comments have been received from the Steward querying the location of the services for the existing and the proposed houses. It is stated that any work needed on the Common will require a wayleave permission first. An informative will be attached to the decision notice. Furthermore, with regards to vegetation clearance up against the boundary wall, any works on the Common itself will require the permission of the Commons Stewardship Officer.
- 5.27 In addition to the above, the Steward states it is not clear if the development will continue to maintain a gated entrance. The significance is that there are rights of grazing associated with the Common and it is the responsibility of properties adjoining the Common to fence up their land to prevent livestock straying onto their property. It is therefore suggested that the entrance remain as gates or provision should be made for a cattle grid. This is something that can be covered under the landscape details to be submitted with a reserved matters application.
- 5.28 Furthermore, no materials or equipment are to be stored on and no vehicles associated with the development are to be parked on the Common for any length of time before, during or after the development goes ahead. Informatives will be attached to the decision notice to this effect.
- 5.29 The developer must not allow any building waste/materials to be dumped or stored on the Common for any length of time before, during or after the development goes ahead and the developer must make it clear to new residents that they cannot mow the Common immediately adjacent to the development without prior permission from the Commons Stewardship Officer. Appropriate informatives will be attached to the decision notice.
- 5.30 Coal Authority
The site was identified as being within an area of coal mining features and hazards. The likelihood that unrecorded underground coal mining had taken place at shallow depth and further investigations into the zone of influence from a recorded mine entry (adit) that extends into the south western corner of the site were required.
- 5.31 A Phase One Desk Study Report concurs that the proposed development is likely to be affected by the probable unrecorded shallow working and the

presence of the mine adit. It makes recommendations that site investigations will need to be taken in the form of three rotary boreholes to a nominal depth of 30m below ground level and that trial trenches within the south western corner to determine the exact location of the mine entry. Once the exact location has been established confirmation of the alignment and exact treatment details can then be appropriately designed in order for this mining feature and any constraints to inform the proposed layout. The Coal Authority's written consent will be needed prior to the commencement of these works.

- 5.32 Once the exact ground conditions have been established an appropriate mitigation strategy such as grouting and stabilisation works, specific foundation design and / or gas protection measure, if deemed necessary, to ensure the safety and stability of the proposed development can be designed. The applicant should also be aware that should remedial measures be required an alternative to grouting stabilisation works, wherever possible, is to remove the remnant shallow coal present beneath a site. This will enable the land to be stabilised and treated by a more sustainable method; rather than by the grout fill of any voids and consequently unnecessarily sterilising the nation's asset.
- 5.32 It is furthermore noted that mine gases can find routes to the surface through mine openings and other points of weakness in the overlying strata. How and where gases move is difficult to predict and can extend for some distance from the origin, therefore, the Coal Authority expects gas monitoring installations to also be carried alongside the site investigation works.
- 5.33 The Coal Authority considers that an adequate assessment of the coal mining risks associated with this site has been carried out but in order to ensure that sufficient information is provided to demonstrate that the site can be made safe and stable for the development proposed conditions regarding a scheme of intrusive site investigations and a report of findings needs to be submitted with the reserved matters application and prior to the commencement development a condition regarding the implementation of the remedial works.
- 5.34 Impact on Equalities
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society. As a result of that Act the public sector Equality Duty came into force. Among other things, the Equality Duty requires that public bodies to have due regard to the need to: eliminate discrimination; advance equality of opportunity; and, foster good relations between different groups when carrying out their activities.
- 5.35 Under the Equality Duty, public organisations must consider how they could positively contribute to the advancement of equality and good relations. This should be reflected in the policies of that organisation and the services it delivers.
- 5.36 The local planning authority is statutorily required to apply the Equality Duty to its decision taking. With regards to the Duty, the development contained within this planning application is considered to have neutral impact

5.37 Planning Balance

The proposal is to re-develop this brownfield site located with the settlement boundary. The scheme would add 8no. properties (net 7) to the housing supply and this is given weight in its favour. The scale of the scheme has been respectful of its isolated location, within Siston Common SNCI and this has dictated the layout of the site and appearance will be dealt with in a subsequent reserved matters application. The existing access will be used which is acceptable but full details of the internal road arrangements will be required as part of the reserved matters. Appropriate measures to mitigate against any negative ecological impact have been identified and it is considered that full details of the landscape scheme can be covered under reserved matters. Given the above the scheme can be recommended for approval.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to **grant** permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 That the application be **APPROVED** subject to the conditions attached to the decision notice.

Contact Officer: Anne Joseph
Tel. No. 01454 863788

CONDITIONS

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

Reason

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

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

Reason

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

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

Reason

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

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

Reason

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

5. Prior to the commencement of development, engineering details of the proposed new access road and provision of a new footway as shown in principal on the submitted plan (i.e. drawing no 70569/01/001 Rev H) shall be submitted to and agreed in writing by the local planning authority. Prior to the first occupation of any dwelling hereby approved, the highway works to be completed in full and in accordance with the Council's adoptable standards of construction so agreed.

Reason

This is a pre-commencement condition to avoid any unnecessary remedial action in the future and in the interests of residential amenity and highway safety, and to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; PSP8 of the South Gloucestershire : Policies Sites and Places (adopted) 2017: and the National Planning Policy Framework.

6. The dwellings shall not be occupied until the access (including the footway buildout) and car and cycle parking arrangements have been completed in accordance with submitted and approved plan 70569/01/001 Rev H.

Reason

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

7. A site specific 'Construction Environmental Management Plan' (CEMP), shall be agreed in writing with the Local Planning Authority prior to commencement of work. The CEMP as approved by the Council shall be fully complied with at all times. The CEMP shall address the following matters:

- (i) Measures to control dust from the demolition and construction works approved.
- (ii) Adequate provision for the delivery and storage of materials and provision of suitable contractor's parking on site.
- (iii) Measures to control the safe movement of construction traffic on Siston Common leading into the site.
- (iv) Deliveries shall only take place Monday to Friday between the hours of 09:30 to 15:00 (school term time) and 09:00 to 16:00 (outside of school term time) and 09:00 to 12:00 Saturday. No deliveries on a Sunday.
- (v) Details of how construction work is to be managed to ensure that the access road is not obstructed.
- (vi) Details of how residents of the access road and adjacent properties will be kept informed about the programme of works including the timing of large vehicle deliveries.
- (vii) Contact details for the Site Manager.

Reason

In the interests of highway safety, and to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 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 and approved by the Local Planning Authority.

Reason:

This is a pre-commencement condition to avoid any unnecessary remedial action in the future and to comply with Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and National Planning Policy Framework 2012.

9. Developments on potentially contaminated land

The historic use of the site as a farm/outbuildings may have caused contamination which could give rise to unacceptable risks to the proposed development. The following conditions should therefore be included in any approval.

A) Desk Study - Previous historic uses(s) of the site may have given rise to contamination. Prior to commencement, an investigation (commensurate with the nature and scale of the proposed development) shall be carried out by a suitably competent person into the previous uses and contaminants likely to affect the development. A report shall be submitted for the written approval of the Local Planning Authority prior to the commencement of development.

B) Intrusive Investigation - Where potential contaminants are identified under (A), prior to the commencement of development excepting necessary demolition works, an investigation shall be carried out by a suitably competent person to ascertain the extent, nature and risks the contamination may pose to the development in terms of human health, ground water and plant growth. A report shall be submitted prior to commencement of the development for the written approval of the Local Planning

Authority setting out the findings (presented in terms of a conceptual model) and identify what mitigation measures are proposed to address unacceptable risks (Remediation Strategy). The resulting Remediation Strategy shall include a schedule of how the works will be verified (Verification Strategy). Thereafter the development shall proceed in accordance with any agreed mitigation measures. (Note (A) and (B) may be combined if appropriate).

C) Verification Strategy - Prior to occupation, where works have been required to mitigate contaminants (under section B) a report verifying that all necessary works have been completed satisfactorily shall be submitted to and agreed in writing by the Local Planning Authority.

D) If unexpected contamination is found after the development is begun, development shall immediately cease upon the part of the site affected. The Local Planning Authority must be informed immediately in writing. A further investigation and risk assessment should be undertaken and where necessary an additional remediation scheme prepared. The findings and report should be submitted to and agreed in writing with the Local Planning Authority prior to works recommencing. Thereafter the works shall be implemented in accordance with any further mitigation measures so agreed.

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

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

For further advice on contaminated land investigations, the applicant can contact Environmental Services on (01454-868001).

Reason:

This is a pre-commencement condition to avoid any unnecessary remedial action in the future and to ensure that adequate measures have been taken to mitigate against contaminated land to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

10. In order to protect the hedgerows a Tree Protection Plan is to be submitted with any reserved matters application. This is to be approved in writing by the LPA.

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 and the National Planning Policy Framework.

11. As part of the submission of reserved matters: a scheme of intrusive site investigations, designed by a competent person and adequate to properly assess the ground conditions on the site and establish the risks posed to the development by past coal mining activity shall be undertaken. The report of findings from the intrusive site investigations and any remedial measures necessary, including the submission of a layout plan which illustrates the location and alignment of the mine entry (adit) in relation to the development must be submitted to the LPA and approved in writing. Development shall proceed in accordance with the approved details.

Reason

To ensure that adequate measures have been taken to mitigate against contaminated land to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

12. The development must proceed in strict accordance with the Precautionary Method Statement (Section 5 of Ecological Impact Assessment). Any deviation from agreed method statement must be agreed with the local planning authority for approval in writing.

Reason

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

13. Prior to first occupation, a sensitive lighting scheme for bats shall be submitted to the local planning authority for approval in writing. The scheme must avoid lighting boundary features and provide luminaires with hoods or cowl and low wattage bulbs

Reason

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

14. Prior to first occupation, the location and type of two bat boxes and two bird boxes shall be submitted to the local planning authority for approval in writing.

Reason

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

CIRCULATED SCHEDULE NO. 07/18 – 16 FEBRUARY 2018

App No.:	PK17/5759/F	Applicant:	Mr Stuart Days
Site:	80 Blaisdon Yate Bristol South Gloucestershire BS37 8TL	Date Reg:	18th December 2017
Proposal:	Erection of two storey rear extension to form additional living accommodation and erection of front porch (Part- Retrospective)	Parish:	Dodington Parish Council
Map Ref:	371093 181101	Ward:	Dodington
Application Category:	Householder	Target Date:	8th February 2018



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PK17/5759/F

REASONS FOR REPORTING TO CIRCULATED SCHEDULE

The application has been subject to representations contrary to the findings of this report. Under the current scheme of delegation it is required to be taken forward under the Circulated Schedule procedure as a result.

1. THE PROPOSAL

- 1.1 Planning permission is sought for the erection of a two storey rear extension and front porch to form additional living accommodation at no. 80 Blaisdon, Yate.
- 1.2 The application site consists of an end of terrace property, constructed in a Radburn style and set within a moderately sized plot. The application site is located within the established residential area of Yate.
- 1.3 Planning permission was previously granted in 2007 (under application ref. PK06/3424/F) for the erection of a more or less identical two storey extension and front porch. However the development was not implemented within 3 years of the approval decision, and as such the permission expired. The front porch has subsequently been erected, and as such this element of the proposal is retrospective in nature.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Policy Guidance (2014)

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

PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP38	Development within Existing Residential Curtilages, Including Extensions and New Dwellings

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) 2007
Residential Parking Standards SPD (Adopted) 2013

3. RELEVANT PLANNING HISTORY

3.1 PK06/3424/F

Erection of two storey rear extension to provide additional living accommodation. Erection of front porch.

Approved: 02.01.2007

4. CONSULTATION RESPONSES

4.1 Dodington Parish Council

No objection - however feel the extension proposed is very large considering the situation of house / size of plot, etc.

4.2 Other Consultees

Sustainable Transport

No comment

Archaeology

No comment

Other Representations

4.3 Local Residents

One comment, raising an objection to the proposed development, has been submitted by a local resident. The main concerns raised are summarised below:

- Very concerned at the effect of our natural light being restricted by two storey rear extension.
- Highly likely that sunlight to neighbouring rear garden will be reduced significantly.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application seeks permission for the erection of a two storey rear extension and front porch. Policy PSP38 of the Policies, Sites and Places Plan permits extensions and alterations to existing dwellings within established residential curtilages subject to an assessment of design, amenity, transport and loss of trees and vegetation. The development is acceptable in principle but will be determined against the analysis set out below.

5.2 Design and Visual Amenity

Policy CS1 of the Core Strategy and policy PSP38 of the Policies, Sites and Places Plan seek to ensure that development proposals are of the highest

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

Two storey rear

- 5.3 Despite being located to the rear of the property, the proposed two storey rear extension would be visible from the public areas offered along Blaisdon. The extension would form a rear gable, with the ridge of the gable set down from that of the host dwelling. The gable would project from the rear of the host by 3 metres. The configuration of windows would be largely consistent with the existing arrangement at the rear elevation. The proposed extension would be finished in brickwork to match the external finish of the host dwelling.
- 5.4 On balance, the extension is considered to be of an appropriate design, and it is considered that the extension would integrate successfully in to the host dwelling. The step-down in ridge height is considered to create a sufficient degree of subservience between the extension and the host, reducing its visual prominence. It is also noted that very similar extensions are present at properties in the immediate vicinity. Overall, it is not considered that the proposal would have any adverse impacts on the immediate streetscene or the character and distinctiveness of the immediate locality. It is also considered that the extension is of an appropriate scale, and would not appear cramped within the plot.
- 5.5 Moreover, in terms of its scale and form, the proposed rear extension is identical to that approved under application ref. PK06/3424/F. Following assessment, the previously approved proposal was considered to accord with design policies. Although there has been a shift in policy since the previous approval, current design policies relating to householder extensions are largely consistent with previous policies. The previous approval decision is therefore considered to carry a significant degree of weight in the assessment of current application.
- 5.6 Whilst the proposed porch would be fairly large for a porch, it is not considered that it would significantly detract from the appearance of the host, or have any wider impacts on the character or distinctiveness of the immediate surrounding area. Weight has also been applied to the fact that an identical porch was previously approved under application ref. PK06/3424/F.
- 5.7 For the reasons outlined above, the proposed two storey rear extension and front porch are considered to be of an acceptable design. The proposal is considered to comply with policy CS1 of the Core Strategy and PSP38 of the Policies, Sites and Places Plan.
- 5.8 Residential Amenity
Policy PSP38 of the Policies, Sites and Places Plan explains that development will be permitted provided that it would not detrimentally impact the residential amenities of nearby occupiers and would not prejudice the retention of adequate private amenity space. Policy PSP8 specifically relates to impacts on residential amenity, and outlines that 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.

- 5.9 When considering the impacts of the proposal on the residential amenity currently enjoyed by the occupiers of neighbouring properties, the main properties under consideration are the adjacent properties to the west and east at no's. 79 and 81 Blaisdon respectively.

Two storey rear

- 5.10 No. 79 Blaisdon, located to the east of the site, is detached from the subject property, and forms part of a separate terrace. Due to the staggering of the terraces, no. 79 is set forward of the host dwelling. It is considered that the staggered arrangement of the two properties reduces any potential overbearing or overshadowing effects that the rear extension may have on the neighbour. Furthermore, as no side-facing windows are proposed, it is not considered that the erection of the extension would give rise to any overlooking issues.

- 5.11 No. 81 Blaisdon, situated to the west, is attached to the subject property, and follows the same building line. It is acknowledged that due to the two properties following the same building line, the erection of the extension would have some overbearing and overshadowing effects on the neighbour. However, given the fairly modest projection, it is not considered that any increased sense of overbearing would be of such severity as to substantiate a reason for refusing the application. Furthermore, sun movement calculations indicate that the proposed extension would only block the path of sunlight on the neighbouring property to the west during a very small portion of the morning. On balance, it is not considered that the potential overbearing or overshadowing effects would equate to an unacceptable impact on overall residential amenity. Furthermore, it is not considered that the erection of the two storey extension would give rise to any significant overlooking issues.

- 5.12 In terms of disturbance, it is not considered that the residential use of the extension would give rise to any unacceptable levels of disturbance. However it is recognised that, given the proximity of the proposed rear extension to the boundaries shared with neighbours, a degree of disturbance would be caused during the construction period. Whilst this is not considered to sustain a reason for refusing the application, a condition will be attached to any decision, restricting the permitted working hours throughout the construction period.

Front porch

- 5.13 Given its modest scale, it is not considered that the erection of the proposed front porch would have any significant impacts on the residential amenity of neighbouring residents.

Outdoor private amenity space

- 5.14 It is noted that the erection of the proposed extension and porch would reduce the levels of outdoor private amenity space provided at the site. However it is considered that a sufficient level of space would be retained following the implementation of the development, and that the proposal would not detrimentally affect the residential amenity of any future occupiers.

- 5.15 Furthermore, no unacceptable impacts regarding residential amenity were identified as part of the assessment of application ref. PK06/3424/F. Current policies relating to residential amenity are largely consistent with previous policies. As such, the previous approval decision is considered to carry significant weight.
- 5.16 Subject to the aforementioned condition, it is not considered that the development proposal would have any unacceptable impacts on residential amenity. As such, the proposal is considered to accord with policies PSP8 and PSP38 of the Policies, Sites and Places Plan.
- 5.17 Transport
The number of parking spaces that should be provided as part of any residential development is based on the number of bedrooms contained within a residential unit. In this case, whilst the proposal would increase the footprint of the building, it would not result in an increase in bedroom number. As such, the minimum required parking provision would remain unaffected.
- 5.18 Furthermore, it is not considered that the proposal would have any significant impacts on general highway safety.
- 5.19 Trees and Vegetation
The proposal would not result in the loss of any trees or vegetation that contribute significantly to the character of the locality.
- 5.20 Equalities
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.
- 5.21 With regards to the above this planning application is considered to have a neutral impact on equality.

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.

Contact Officer: Patrick Jackson
Tel. No. 01454 863034

CONDITIONS

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

Reason

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

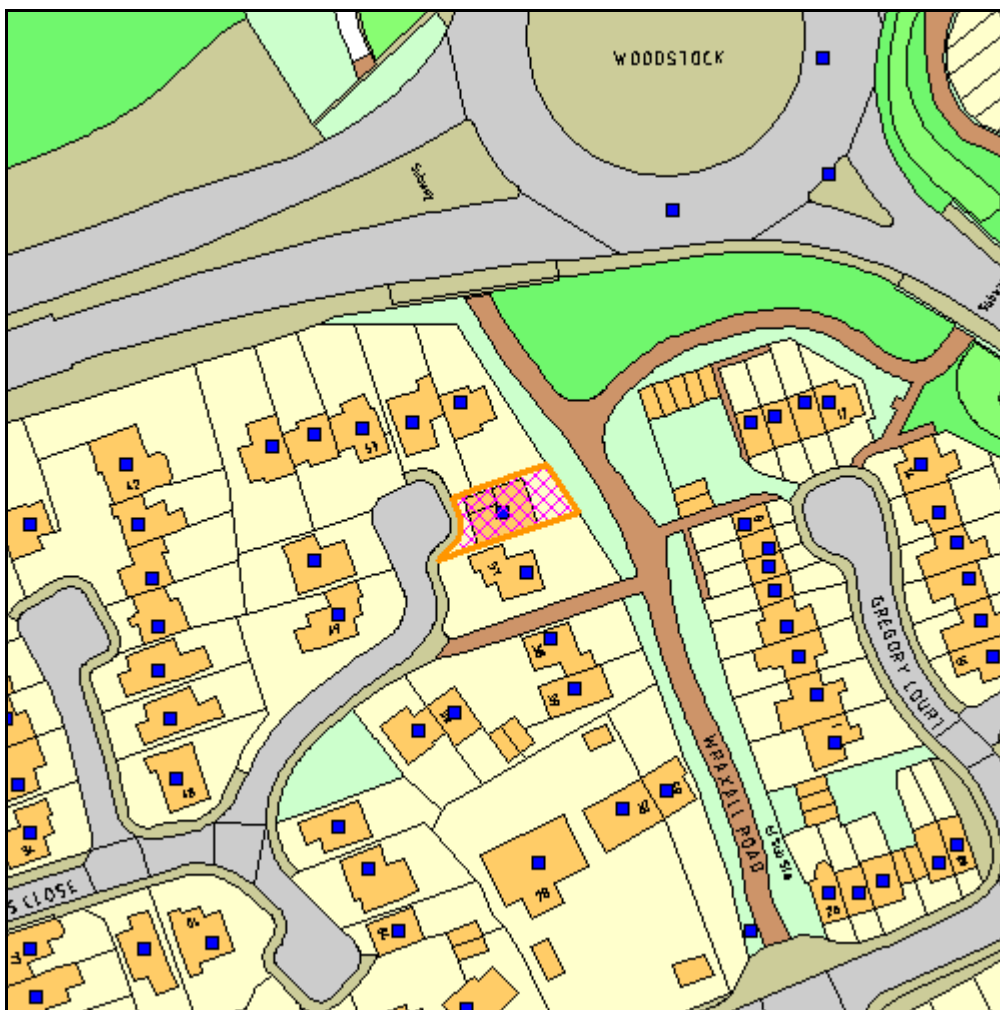
2. The hours of working on site during the period of construction shall be restricted to 0730 - 1800 on Mondays to Fridays and 0800 - 1300 on Saturdays; and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policies PSP8 and PSP38 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

CIRCULATED SCHEDULE NO. 07/18 – 16 FEBRUARY 2018

App No.:	PK17/5834/CLP	Applicant:	Mr And Mrs Hackett
Site:	56 Howes Close Barrs Court Bristol South Gloucestershire BS30 8SB	Date Reg:	9th January 2018
Proposal:	Application for a certificate of lawfulness for the proposed installation of 2no front rooflights and 1no rear dormer.	Parish:	Oldland Parish Council
Map Ref:	366249 172736	Ward:	Parkwall
Application Category:		Target Date:	1st March 2018



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PK17/5834/CLP

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application is for a Certificate of Lawfulness, and as such, according to the current scheme of delegation, is required to be taken forward under the Circulated Schedule procedure.

1. THE PROPOSAL

- 1.1 The applicant is seeking a formal decision as to whether the proposed installation of 2no front rooflights and 1no rear dormer to 56 Howes Close, Barrs Court would be lawful.
- 1.2 The application is a formal way of establishing whether the proposal requires planning permission or not. Accordingly there is no consideration of planning merit, the decision is based solely on the facts presented.

2. POLICY CONTEXT

2.1 National Guidance

Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 1, Class A.

The submission is not a planning application thus the Development Plan is not of relevance to the determination of this application; the decision rests upon the evidence that has been submitted. If the evidence submitted demonstrates that the proposed use is lawful on the balance of probabilities, the Local Planning Authority must grant a Certificate confirming that the proposed development is lawful.

3. RELEVANT PLANNING HISTORY

- 3.1 PK05/2915/F – Approved - 03.11.2005
Erection of single storey rear extension to form additional living accommodation.

P96/4750 - Erection of two storey side extension - 04.03.1997
Erection of two storey side extension

K1124/35AP21 – Approved - 23.02.1987
Construction of 9 dwellings, associated garages, road works and site works (Previous ID: K1124/35AP21)

K1124/35AP17 – Approved - 25.10.1985
Erection of 95 dwellinghouses with associated garages and parking spaces on approximately 8.7 acres (3.5 ha) of land. Formation of roads, footpaths, cycle/walkways, earth noise mound, open space and children's play area (in accordance with drawing 9239/2P received by the District Planning Authority on 19 July 1985. (Previous ID: K1124/35AP17)

K1124/35 – Approved - 27.04.1981

Comprehensive development of approx. 318 acres of land for residential and educational purposes, public open space and local centre (outline) (previous id: k1124/35)

4. CONSULTATION RESPONSES

4.1 Local Councillor
No comment received

Oldland Parish Council
No objection

Other Representations

4.2 Local Residents
No comments received

5. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

5.1 Existing Plans
(Received by Local Authority 14th December 2017)

Combined Plan
(Received by Local Authority 08th January 2018)

6. ANALYSIS OF PROPOSAL

6.1 Principle of Development
The application for a Certificate of Lawfulness is purely an evidential test and is a formal way of establishing whether or not the proposed development can be implemented lawfully without the need for planning permission. Accordingly there is no consideration of planning merit, the application is based on the facts presented. The submission is not an application for planning permission and as such the development plan is not of relevance to the determination of this application; the decision rests upon the evidence that has been submitted. If the evidence submitted demonstrates that the proposed use is lawful, on the balance of probabilities, the Local Planning Authority must grant a certificate confirming that the proposed development is lawful.

6.2 The key issue is to determine whether the proposal falls within the permitted development rights afforded to householders under Schedule 2, Part 1 of the GPDO 2015. It should be noted that there is no restriction on permitted development rights at the subject property. As such permitted development rights are intact and exercisable.

6.3 The proposed development consists of the installation of a 2no front rooflights and 1no rear dormer. This development would fall within Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development)

(England) Order 2015, which permits the enlargement of a dwellinghouse consisting of an addition or alteration to its roof. This allows dormer additions and roof alterations subject to the following:

B.1 Development is not permitted by Class B if –

- (a) Permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use)**

The dwellinghouse was not granted under Classes M, N, P or Q of Part 3.

- (b) Any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof;**

The height of the proposed dormer windows would not exceed the highest part of the roof, and therefore the proposed development meets this criterion.

- (c) Any part of the dwellinghouse would, as a result of the works, extend beyond the plane of any existing roof slope which forms a principal elevation of the dwellinghouse and fronts a highway;**

The proposed dormer window would be located to the rear of the property, and as such would not extend beyond any existing roof slope which forms a principal elevation of the dwellinghouse and fronts a highway. As such the proposal meets this criterion.

- (d) The cubic content of the resulting roof space would, as a result of the works, exceed the cubic content of the original roof space by more than –**

- (i) 40 cubic metres in the case of a terrace house, or**
(ii) 50 cubic metres in any other case

The property is a detached house and the proposal would result in an additional volume of no more than 50 cubic metres.

- (e) It would consist of or include –**

- (i) the construction or provision of a verandah, balcony or raised platform, or**
(ii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe; or

The proposal would include none of the above.

- (f) The dwellinghouse is on article 2(3) land**

The host dwelling is not on article 2(3) land.

B.2 Development is permitted by Class B subject to the following conditions—

- (a) the materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;**

Submitted plans confirm materials of similar appearance.

- (b) the enlargement must be constructed so that –**
- (i) other than in the case of a hip-to-gable enlargement or an enlargement which joins the original roof to the roof of a rear or side extension –**
- (aa) the eaves of the original roof are maintained or reinstated; and**
- (bb) the edge of the enlargement closest to the eaves of the original roof is, so far as practicable, not less than 0.2 metres from the eaves, measured along the roof slope from the outside edge or the eaves; and**
- (ii) other than in the case of an enlargement which joins the original roof to the roof of a rear or side extension, no part of the enlargement extends beyond the outside face of any external wall of the original dwellinghouse; and**

The rear dormers would be approximately 0.6 metres from the outside edge of the eaves of the original roof respectively. Additionally, the proposal does not protrude beyond the outside face of any external wall of the original dwellinghouse.

- (c) any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse must be –**
- (i) obscure-glazed, and**
- (ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.**

Plans show no proposed side windows.

- 6.4 The proposed roof lights on the existing dwelling would fall within the category of development permitted by Schedule 2, Part 1, Class C of the GPDO, which allows for any other alterations to the roof of a dwelling house provided it meets the criteria as detailed below:

C.1. Development is not permitted by Class C if –

Permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P, PA or Q of Part 3 of this Schedule (changes of use);

The use of the building as a dwellinghouse was not granted by virtue of Class M, N, P, PA or Q of Part 3 of this Schedule.

The alteration would protrude more than 0.15 metres beyond the plane of the roof slope of the original roof when measured from the perpendicular with the external surface of the original roof;

The roof lights would not protrude more than 0.15 metres beyond the plane of the roof slope of the original roof.

It would result in the highest part of the alteration being higher than the highest part of the original roof, or;

The proposed roof lights would not be higher than the highest part of the original roof.

It would consist of or include –

(i) The installation, alteration or replacement of a chimney, flue or soil and vent pipe, or

Not applicable

(ii) The installation, alteration or replacement of solar photovoltaics or solar thermal equipment.

Not applicable

Conditions

C.2 Development is permitted by Class C subject to the condition that any window located on a roof slope forming a side elevation of the dwellinghouse must be-

(a) Obscure glazed; and

(b) Non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

The proposed roof lights would be on the principal elevation.

7. RECOMMENDATION

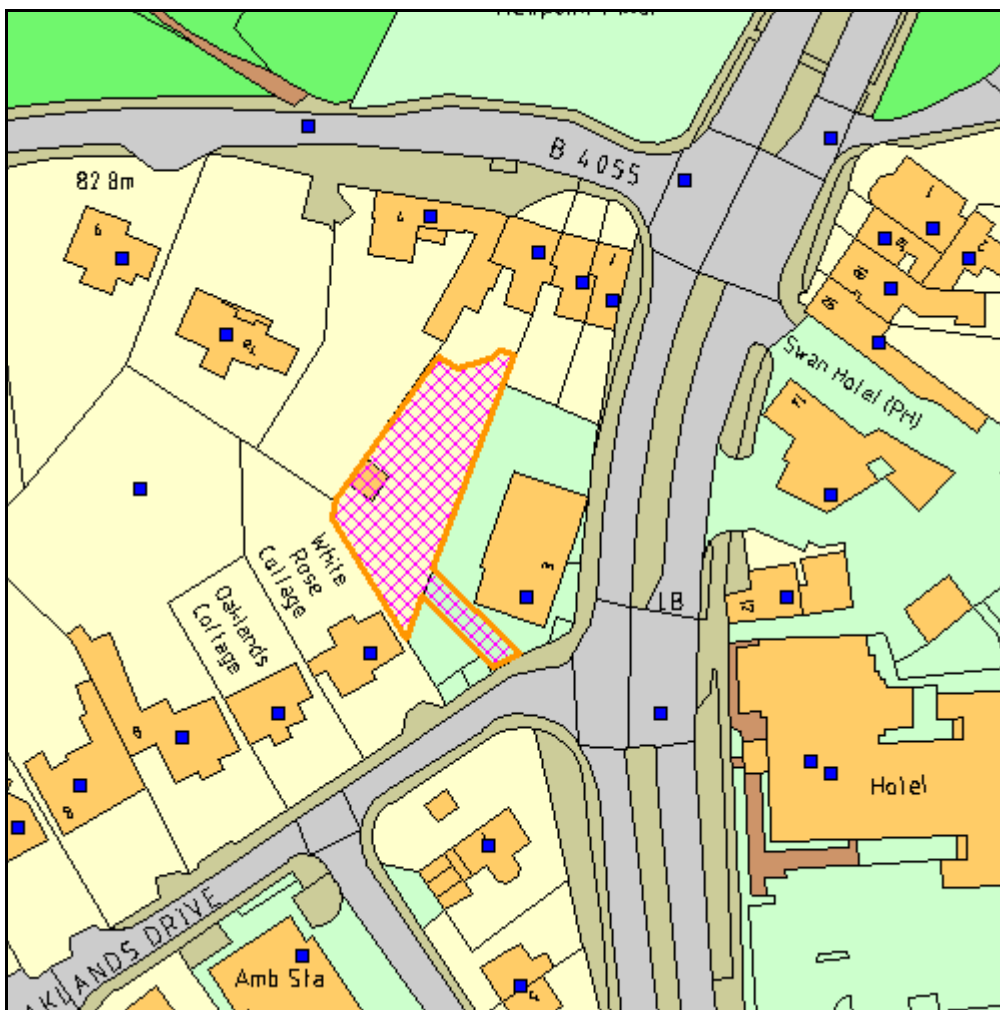
7.1 That a certificate of Lawfulness for Proposed Development is **granted** for the reasons listed below:

Contact Officer: Westley Little
Tel. No. 01454 867866

Evidence has been provided to demonstrate, on the balance of probabilities, that the proposed extension would fall within the permitted rights afforded to householders under Schedule 2; Part 1, Class B of the Town and Country Planning General Permitted Development Order 2015.

CIRCULATED SCHEDULE NO. 07/18 – 16 FEBRUARY 2018

App No.:	PT17/3490/O	Applicant:	Mrs S O'Neill
Site:	5 Over Lane Almondsbury Bristol South Gloucestershire BS32 4BL	Date Reg:	2nd August 2017
Proposal:	Erection of 1no. detached dwelling (outline) with access and layout to be determined: all other matters reserved.	Parish:	Almondsbury Parish Council
Map Ref:	360548 183837	Ward:	Almondsbury
Application Category:	Minor	Target Date:	21st September 2017



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PT17/3490/O

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application is referred to the circulated schedule as an appeal against non-determination has been received. The local planning authority is no longer in a position to determine the application; this now lies with the Secretary of State. In order that the local planning authority can defend this appeal, Members need to ratify the position taken by officers' this will be achieved through the circulated schedule process. Officers propose to defend the appeal on the basis that, had the local planning authority issued a decision, it would have refused planning permission for the reasons listed at the end of this report.

1. THE PROPOSAL

- 1.1 This application seeks planning permission, in outline, for the erection of 1 dwelling on land to the rear of 5 Over Lane in Almondsbury. Access and layout are to be determined with all other matters reserved. The application site is accessed from Oaklands Drive between Voodoo Designworks and White Rose Cottage.
- 1.2 In terms of constraints, the site is located within the village's settlement boundary on land designated as part of the Bristol and Bath Green Belt. No other planning designations cover the site.
- 1.3 This application has been submitted for determination to address the previous reasons for refusal. In order to do this, the number of units proposed has been reduced.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework (NPPF) March 2012
National Planning Practice Guidance

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

- CS1 High Quality Design
- CS4A Presumption in Favour of Sustainable Development
- CS5 Location of Development
- CS8 Improving Accessibility
- CS9 Managing 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
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) 2007

Development in the Green Belt SPD (Adopted) 2007

Residential Parking Standards SPD (Adopted) 2013

Revised Landscape Character Assessment SPD (Adopted) 2014

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

3. RELEVANT PLANNING HISTORY

3.1 PT16/4538/O

Erection of 2no. dwellings (Outline) with access and layout to be determined.
All other matters reserved.

Refused

13.10.2016

Reasons

1. The proposed development would by reason by unit number, size and layout would result in a cramped form of development, unreflective of the character of the immediate surrounding area and overdevelopment of the site. Vegetation on the site currently contributes to the leafy character of the area, helping soften the impact of the office block to the southeast, but the development would result in the loss of most of this and the cramped layout and poor design would leave little space for replacement planting. Insufficient amenity space for the 2 units would be provided to the detriment of the living conditions of future occupants. Due to the location of surrounding development, the scheme would fail to provide a satisfactory internal living environment for future occupiers and would have a negative impact on adjacent properties to the detriment of the amenities of these neighbouring occupiers. The proposed development, therefore, would fail to secure a high quality standard of design, a good standard of amenity for future occupants and neighbours or protect the landscape character of the site contrary to saved Policies H4 and L1 of the South Gloucestershire Local Plan (Adopted) 2006; Policies CS1, CS16 and CS17 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013 and the NPPF (2012). It is considered that this amounts to a significant and demonstrable harm that outweighs the modest contribution made to the overall supply of housing.
2. The development access via the existing commercial car park and servicing area does not provide adequate, safe, convenient and attractive access for pedestrians, cyclists and people with disabilities and would have an unacceptable effect on road, pedestrian and cycle safety on the adjacent highway contrary to saved policy T12 of the South Gloucestershire Local Plan (Adopted) 2006; Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted 2013 and the NPPF (2012). It is considered that this amounts to a significant and demonstrable harm that outweighs the modest contribution made to the overall supply of housing.

3.5 PT02/1706/O
Erection of one dwelling (Outline).
Refused
11.12.2002

Reasons

1. The proposed development would have an undesirable relationship with the adjacent dwelling, 'White Rose Cottage'. In particular, the proposal would have an overbearing affect on this dwelling and would also adversely affect privacy. This would be contrary to Policy RP1 of the adopted Northavon Rural Areas Local Plan, and Policies H2 & H4 of the South Gloucestershire Local Plan (Revised Deposit Draft).
2. The requirement for on-site turning areas for vehicles on both the existing site and the proposed site would result in an undesirable and unattractive development which would be out of character with the surrounding area. This would be contrary to Policies RP1 & RP6 of the adopted Northavon Rural Areas Local Plan, and Policies H2 & H4 of the South Gloucestershire Local Plan (Revised Deposit Draft).

Appeal status: Appeal dismissed
Appeal reference: APP/P0119/A/03/11137143
Decision date: 24 July 2003

3.6 N3056
Erection of a detached bungalow; alterations to vehicular access (outline). –
refused
25.11.1976

4. **CONSULTATION RESPONSES**

4.1 Almondsbury Parish Council
No comment

4.2 Other Consultees

Lead Local Flood Authority

Condition submission of surface water drainage details

Sustainable Transport

Objection:

- highway safety issues raised previously are still relevant but access widening and provision of a pedestrian walkway could be dealt with by condition
- condition parking and turning areas to be completed in accordance with agreed drawings and provision of cycle parking facilities and an electric vehicle charging point

Archaeology Officer

No objection

Landscape Officer

Landscape scheme condition recommended

Environmental Protection

Investigative/remedial land contamination condition recommended

Tree Officer

Objection:

- trees subject to a tree preservation order grow adjacent to the site
- presence of these trees with root protection areas extending into the site requires the submission of an arboricultural report

Other Representations

4.3 Local Residents

Five letters of objection have been received from local residents. The points raised are as follows:

- the proposal would be harmful to the openness of the green belt and visual amenity
- insufficient information to determine the unit's scale or appearance
- constitutes an inappropriate form of backland development
- would amount to overdevelopment
- development may affect a number of protected trees near boundary and an existing evergreen boundary hedge
- would overlook neighbouring rear gardens
- the size and siting of the proposed property combined with the considerable change in levels means that the new dwelling would be very prominent, overbearing and overshadowing, resulting in a negative effect on the occupiers of 7 Over Lane
- will result in an unsatisfactory living environment for future occupants with poor/no outlook from rear rooms and due to onsite intervisibility of habitable rooms and garden and a perception of being overlooked
- harmful effects on neighbouring properties in terms of noise, disturbance and loss of outlook
- can the south elevation be subject to a condition restricting any new windows?
- will exacerbate pressure for parking in the surrounding streets
- highway safety issues due to increased use of access near junction and shared user conflict
- Submitted Transport Statement does not acknowledge nor take into account all the properties which currently use the access
- unclear if applicant has right of access for the proposal and therefore whether the proposed development can be accessed
- Gainwell Limited own 3 Gloucester Road which is let to Voodoo DesignWorks Limited; Gainwell Limited refuse to give permission to widen the access as it will expose the bin stores and parking spaces at the front entrance, thereby harming the character and appearance of the building
- note public sewer runs across site

5. ANALYSIS OF PROPOSAL

5.1 This application seeks outline planning permission for the erection of 1 dwelling on land to the rear of 5 Over Lane, Almondsbury. Access and layout are to be determined. All other matters are reserved.

5.2 Principle of Development

The application site is within the settlement of Almondsbury where residential development is directed by policy CS5 and CS34. As such, development at this location would therefore be supported; however, this is not the end of the matter: planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF, published by the Government in March 2012, is one such material consideration.

5.3 The Council acknowledges that it cannot currently demonstrate a five-year supply of deliverable housing sites. Therefore, in accordance with government guidance, policies in the development plan which act to restrict the supply of housing should not be considered up-to-date and applications for planning permission should be determined against the presumption in favour of sustainable development.

5.4 This means approving development proposals that accord with the development plan without delay; and, where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole; or specific policies in the NPPF indicate development should be restricted.

5.5 It is therefore found that the proposed development would accord with the settlement strategy for the area. As such, if the proposed development accords with the local plan as a whole it should be approved, but if there is any conflict then it should be refused unless other material considerations indicate otherwise. However, the provision of 1 house towards the Council's housing shortfall, albeit small, still carries considerable weight in the planning process.

5.6 This application will therefore be determined below against relevant policy contained within the NPPF and the development plan, with a balancing exercise at the end weighing the benefits of the proposed development against the harm.

5.7 Green Belt

The government attaches great importance to green belts with the fundamental aim of keeping the land permanently open in nature. In order to achieve this, there is a general presumption against development in the green belt and development is considered inappropriate. However, it is recognised that certain forms of development may not be inappropriate. Exception categories to the presumption against development are listed in paragraph 89 of the NPPF. In this case, the most relevant is *limited infilling within villages*. Whilst there is no national definition of infill development, in the glossary to the Core Strategy, it is defined as *'the development of a relatively small gap between existing*

buildings, normally within a built up area. A further definition is provided in the Development in the Green Belt SPD. While the age of this document (and its reference to PPG2) means the document is dated and the weight that can be applied to it is lessened, the definition remains relevant and can be applied. The definition here is not markedly different to that in the Core Strategy and states that infill development is *'development that is small in scale and which fits into an existing built up area'*

- 5.8 Previously, the development was found to be limited infill and it is considered that the proposal would again fall within this definition - thereby being appropriate development within the green belt and in accordance with government guidance in the NPPF. Consequently, this matter attracts weight in favour of the proposal. A suggestion has however been made by local residents that the proposed development would be harmful to the openness or purposes of the Green Belt, but limited infilling does not require an assessment of such an impact, it is either limited infill or not.
- 5.9 Layout and Design
Whilst Officers can understand local resident concerns relating to the lack of information submitted at the outline planning application stage, the details submitted give consideration to how an acceptable scheme may arise from the development proposed and set out broad parameters with which to guide its ultimate form. Furthermore, as this application is in outline form, in terms of design considerations, only the layout of the proposal can be considered. Policy CS1 requires development to reach the highest possible standards of site planning and design and integrate into the existing built form.
- 5.10 The village of Almondsbury is located in the green belt, just northwest of the M4/M5 interchange. The A38 runs through the settlement, providing access into the north of Bristol. Along Over Lane, which the host fronts, modest cottages benefit from a prominent position, overlooking Almondsbury Hill common and countryside beyond. However, along Oaklands Drive, where the proposal is situated, development is linear but has a much more mixed suburban character. For the purposes of this application, the character of Over Lane is the primary identifier in relation to local distinctiveness.
- 5.11 Concern has been raised about the effect of the proposed dwelling on the character and appearance of the surrounding area because of its backland position. Along Over Lane, the majority of dwellings have front garden areas but are accessed from the rear, whereas development along Oaklands Drive typically have their garden space to the rear and a small area to the front along with their parking. The pattern of development in the immediate vicinity is therefore predominately linear frontage, however there is a property, 6a Oaklands Drive, to the west of the application site, which is located behind the row of dwellings fronting onto the highway. There is therefore an example of backland development close to the proposed development. As such, the potential for some development to be set behind road frontage development would not be unduly out of character with the prevailing pattern of development.
- 5.12 Reference has also been made to the fact that the amount of built form proposed would appear as overdevelopment of the site. The proposal would

result in a similar footprint to other nearby properties, but this would not constitute a reason for refusal in its own right. However, if the scheme results in any symptoms of overdevelopment below regarding residential amenity, provision of green space or parking and transportation then this will be revisited in the balancing exercise at the end.

- 5.13 The scheme would entail the loss of a proportion of the garden and no details are provided as to the effect the construction of the proposal would have on adjacent protected trees in the garden of 7 Over Lane. The submitted representations demonstrate that those spaces and their vegetation are valued by the local community for their visual contribution to the area's character. However, the existing evergreen hedge on the eastern boundary, mentioned in the supporting information, would be retained. Although the development would introduce new built form and hard surface areas for access and parking into undeveloped garden space that, at present, positively contributes to neighbours' spacious feel of the area, the site is well screened in the main from public view but additional landscaping could do much to mitigate the prominence of additional elements; this matter could be addressed by way of condition. However, in the circumstances, and given that the proposal would involve excavation within the root protection areas, it is considered that without fuller details at this stage the impacts of the proposal cannot be properly assessed. In the absence of compelling information to suggest otherwise it is concluded that the proposal would be harmful to the character and appearance of the surrounding area. This weighs against the granting of permission.
- 5.14 Residential Amenity
Development will not be permitted that has a prejudicial impact on residential amenity of nearby occupiers or on the application site itself. New dwellings would also need to demonstrate that they would be subject to a satisfactory level of residential amenity in their own right.
- 5.15 The proposed dwelling would be located close to the existing west and south site boundaries and the residential gardens of 7 Over Lane and White Rose Cottage. A change of ground level occurs between the application site and its former neighbour. Concern has been raised that such close proximity could result in overlooking, overbearance and overshadowing to nearby occupiers.
- 5.16 Although the proposal is for outline planning permission with all matters reserved except for access and layout, additional material has been submitted in support of the planning application which offers a guide as to how the site could be developed.
- 5.17 The layout is unlikely to give rise to any serious amenity concerns and although the new dwelling would impact upon the occupiers of 7 Over Lane to an extent, the harm attributed to this would be low given the size of their garden and the main property is 15m+ away. Furthermore, although the relationship between the new dwelling and White Rose Cottage would be similar to that found unacceptable on a previous appeal at the site for 1 detached house in 2002, that development was laid out differently, two-storey and located further south. In this instance, increased proximity to the northern boundary of the site would result in a greater separation distance from the rear of White Rose Cottage and

the most important part of its garden. However, maintenance of the current level of amenity enjoyed by neighbours is at the expense of the living standards for future occupiers. Rear rooms are unlikely to have an outlook and although an adequate amount of space is to be provided (even for a 4-bed+), future occupiers would still experience lines of windows at first and second floor, plus a balcony, facing their property from the adjacent offices and, more particularly, their garden which would create a perception of being overlooked. Therefore, such conditions would not be acceptable.

5.18 Whilst concerns about noise and disturbance are acknowledged, given the proposal is for a residential use in a residential area, sound generated from the plot would unlikely be detrimental.

5.19 The application has failed to demonstrate that future occupiers would be offered an acceptable standard of living. Consequently, this factor attracts negative weight.

5.20 Transport and Highways

Amongst other things, NPPF paragraph 32 indicates that *“Development should only be prevented on transport grounds where the residual cumulative impacts of the development are severe.”* Thus, the test is whether the cumulative effects of the development would be severe. It is acknowledged that a reduction in the amount of development from two dwellings to one would reduce the frequency for potential conflict, however, the application as it stands now does not show a safe and suitable access for all people. The cumulative impact of traffic and pedestrian movements along the shared access from the existing use of the offices, the existing vehicle access to 1, 3 and 5 Over Lane plus the proposed dwelling would have a harmful impact, which the Council’s Highway Officer considers to be severe. The nearby ambulance station however would not have any impact on the access arrangements.

5.21 However, the Council’s highway officer is of the view that if the access was widened to at 5.5m and a marked pedestrian walkway was provided from Oaklands Drive to the entrance of the dwelling at the back of the office car park then a satisfactory route to the site could be achieved. It is noted that there is an existing right of access through the car park to nos. 1, 3 and 5 Over Lane, but these three dwellings all have pedestrian access directly from Over Lane which the new dwelling would not have, resulting in all pedestrian movements routing through the office car park loading/unloading area. Widening the access to 5.5m would also provide space for two vehicles to pass plus space for a pedestrian. There would be better intervisibility between drivers and pedestrians and the walkway would highlight to drivers that there is a pedestrian route across the car park/loading and unloading area.

5.22 Amongst other things, the Highway Officer considers this matter could be dealt with by condition, however Officers disagree because the company which owns the land, and which let the offices, has confirmed that it will not allow its alteration in any way. Therefore the applicant has no control over the access and a condition could not be placed upon any grant of planning permission to achieve a safe and satisfactory means of access to and from the main road.

- 5.23 In light of the above, it is concluded that the residual cumulative impacts of the development on the highway network would be severe. This weighs negatively against the development.
- 5.24 It is noted that a previous application for a similar proposal comprising 1 dwelling was dismissed at appeal on 24 July 2003 but the access arrangements at the time included an access to the new dwelling and a parking area for 5 Over Lane which was separate to the adjacent offices.
- 5.25 In addition to the concerns regarding highway safety, regard has been had to the other matter raised by local residents relating to the likelihood of increased on-street parking pressure. However, whilst the strength of local feeling is noted, the Council's highway officer has not objected to the proposal on these grounds.
- 5.26 Drainage
Although no details of surface water drainage have been submitted with this proposal and local residents have pointed out that a public sewer crosses the site, the Council's drainage engineer is satisfied that these matters can be left to be dealt with by the imposition of a condition. Thus, limited weight is afforded to this matter.
- 5.27 Environmental Protection
Historic use of land within 250m of the site as filled ground and a lead mine may have caused contamination which could give rise to unacceptable risks to the proposed development. However, the Council's environmental health officer is satisfied that in this case, the imposition of conditions would ensure that the appropriate investigations and, if necessary, remediation would be taken to satisfactorily deal with any contamination risks on the site. As such, little weight is afforded to this matter.
- 5.28 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.
- 5.29 With regards to the above this planning application is considered to have a neutral impact on equality.
- 5.30 Overall Planning Balance
The proposal would contribute towards the Council's housing supply in a sustainable location, along with a modest contribution to the local economy, which would weigh in favour of the scheme. But in the Officers judgement, it is

considered that the harm identified to the character and appearance of the area, occupier residential amenity and highway safety would outweigh the benefits, when assessed against the policies in the development plan taken as a whole. Officers are also firmly of the view that these resulting adverse impacts would be significant and demonstrable.

- 5.31 It is therefore concluded that the planning balance here falls against the proposal and it would not achieve sustainable development so the presumption in favour of it does not apply. It thereby follows that should the local planning authority have been in a position to determine the application, the proposal would have been refused.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 It is recommended that, should the local planning authority have determined this application, it would have refused permission for the reasons listed below.

Contact Officer: Helen Braine
Tel. No. 01454 863133

REASONS FOR REFUSAL

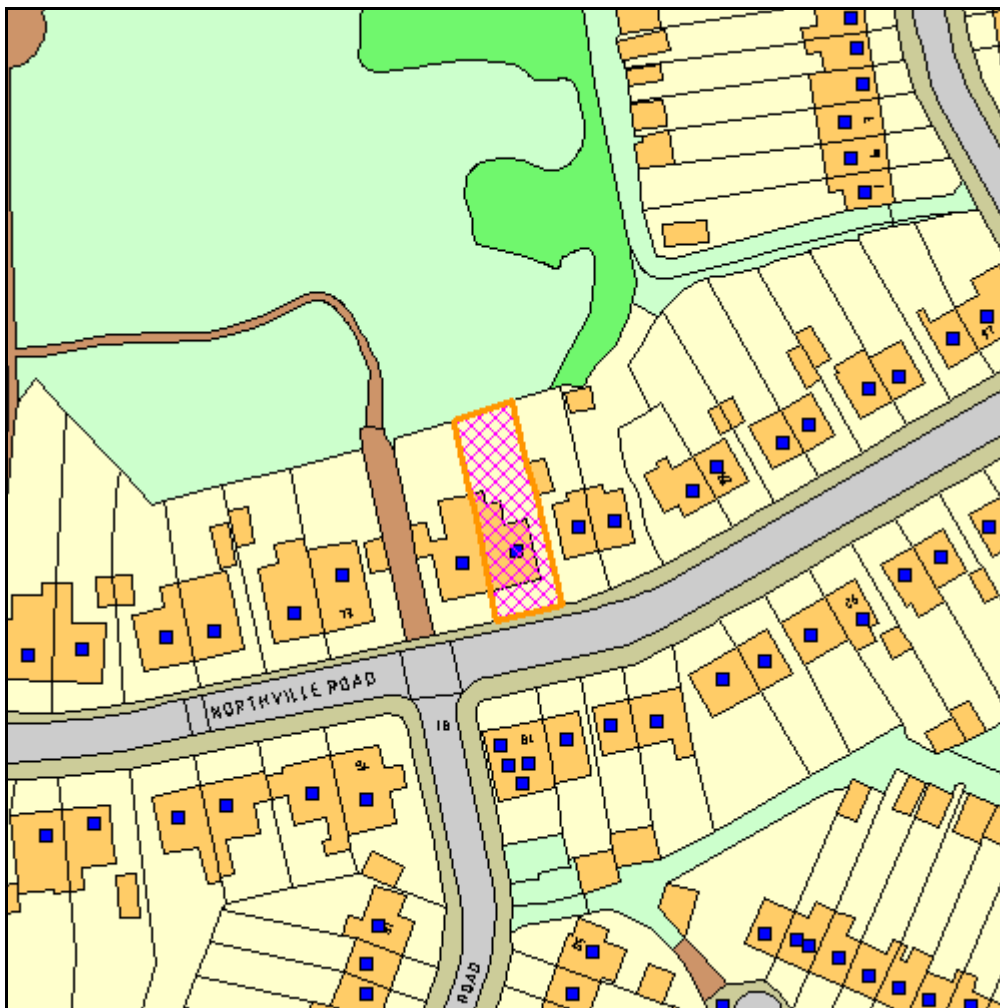
1. The proposed development has the potential to impact on adjacent trees covered by Tree Preservation Orders. However, no information has been provided to enable a reasoned judgement to be made in respect of the effect of the proposed development on these important landscape features. The harm identified to the character and appearance of the area is not outweighed by the benefit of the proposal and does not accord with Policies PSP2 and PSP3 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and, the provisions of the National Planning Policy Framework, March 2012.
2. **The proposed development would fail to provide a good standard of residential amenity to future occupiers of the proposed development. This is due to the cramped nature of the unit itself and the overlooked outdoor private amenity space that the property would be provided with. The harm identified to**

residential amenity is not outweighed by the benefit of the proposal and fails to accord with Policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and, the provisions of the National Planning Policy Framework, March 2012.

3. The development access via the existing commercial car park and servicing area does not provide adequate, safe, convenient and attractive access for pedestrians, cyclists and people with disabilities and would have an unacceptable effect on road, pedestrian and cycle safety on the adjacent highway. The severe harm identified to highway safety is not outweighed by the benefit of the proposal and is contrary to Policy PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and, the provisions of the National Planning Policy Framework, March 2012.

CIRCULATED SCHEDULE NO. 07/18 – 16 FEBRUARY 2018

App No.:	PT17/5478/F	Applicant:	Mr Rodrigues
Site:	77 Northville Road Filton Bristol South Gloucestershire BS7 0RJ	Date Reg:	19th December 2017
Proposal:	Installation of 1no rear dormer and removal of chimney to facilitate loft conversion.	Parish:	Filton Town Council
Map Ref:	360320 178192	Ward:	Filton
Application Category:	Householder	Target Date:	12th February 2018



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100023410, 2008.

N.T.S.

PT17/5478/F

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application has received an objection comment that is contrary to the Officer recommendation. As such, according to the current scheme of delegation must be placed on the Councils Circulated Schedule for Members.

1. THE PROPOSAL

- 1.1 This applicant seeks planning permission for the installation of 1no rear dormer and the removal of a chimney to facilitate a loft conversion at 77 Northville Road Filton.
- 1.2 The host dwelling is a two-storey, semi-detached bungalow located within the defined settlement boundary of Filton.

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

PSP8 Residential Amenity

PSP16 Parking Standards

PSP38 Development within Existing Residential Curtilages

PSP43 Private Amenity Standards

- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) 2007

3. RELEVANT PLANNING HISTORY

- 3.1. None.

4. CONSULTATION RESPONSES

- 4.1 Filton Parish Council
None received.

Sustainable Transport

“The proposed development will increase the bedrooms within the dwelling from two to four. The Council's residential parking standards state that a dwelling with four bedrooms must provide a minimum of two parking spaces within its site boundary. No detail on existing or proposed vehicular access and parking has been submitted.

Before final comment can be made a revised plan addressing the above needs to be submitted.”

Other Representations

4.2 Local Residents

One objection comment received.

“I have two concerns about the proposed works:

The new first floor rooms will inevitably overlook my garden to some extent, but I think this will be minor.

Of much more concern is that the existing chimney stack is shared between No. 77 and No. 75, so work to demolish No. 77's part will require me to carry out otherwise unnecessary work to the remaining chimney structure and attachments.”

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy PSP38 of the PSP Plan allows the principle of development within residential curtilages, subject to considerations of visual amenity, residential amenity and highway safety. Furthermore, Policy CS1, which is echoed by PSP38 seeks that the siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the application site and its context. The proposal accords with the principle of development subject to the consideration below.

5.2 Design and Visual Amenity

Policy CS1 of the Core Strategy and PSP38 of the PSP Plan seek to ensure that development proposals are of the highest possible standards and design. Developments should have appropriate siting, form, scale, height, massing, detailing, colour and materials which are informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context.

5.3 The application site is a semi-detached bungalow located on a residential street in Filton. Its elevations are pebble dash render with white UPVC windows and doors with a front gable feature and a large rear extension type development that may be original as it seems to mirror the adjoining bungalow. The roof is hipped and tiled with skylights which suggests an existing loft conversion. The property benefits from a small parking area to the front of the property and a garden to the rear accessed via the drive at the side of the property.

5.4 *Rear Dormer*

The rear dormer would be set below the existing ridge line and set back from the edges of the roof. Despite its large scale in comparison to the host dwelling, the siting and location of the dormer ensures that it remains subservient to the host dwelling. Moreover, there are examples of similar dormers in the area. It is proposed to construct the dormer from materials that would match the host dwelling.

5.5 *Chimney removal*

It is acknowledged that chimneys are a strong feature in the area. However, as a smaller chimney would remain post development, it is not thought that the removal of the applicants half of the chimney would be detrimental to the host or surrounding dwellings. It is considered a nominal alteration to the property.

5.6 Concerns have been raised by the neighbour in the adjoining semi-detached bungalow regarding works to his side of the chimney as a result of the proposed chimney removal at No.77. Chimney stacks are covered by the Party Wall Act and Building Regulations. Firstly, any works to the chimney must be agreed in writing by all parties that share the chimney stack. Secondly, any works to one side of the chimney require that the remaining chimney stack is made safe and secure. The onus is on the applicant to ensure that the development has permission from the neighbour; and that it meets the strict building regulations that cover alteration to chimneys.

5.7 When considering the design, siting and scale of the proposals in relation to the host dwelling and its surroundings, the proposals are considered to accord with policy CS1 of the Core Strategy and PSP38 of the PSP Plan.

5.8 Residential Amenity

Policies PSP8 and PSP38 of the PSP Plan sets out that development within existing residential curtilages should not prejudice residential amenity through overbearing; loss of light; and loss of privacy of neighbouring occupiers.

5.9 As acknowledged by the neighbour there will be a small amount of overlooking as a result of the proposal. However, this impact is not severe enough to warrant a reason for refusal. As such, when considering the existing boundary, combined with the siting and scale of the proposals. The proposals would not appear overbearing or such that it would prejudice existing levels of outlook or light afforded to neighbouring occupiers. Therefore, the development is deemed to comply with policies PSP8 and PSP38 of the PSP Plan.

5.10 Following the development, over 70m² of private outside amenity space would remain. This exceeds the requirements of policy PSP43.

5.11 Transportation

The Transport Officer requested additional information in regards to parking provision and access at the property post development, stating that two off-street parking spaces are required. The Case Officer visited the property and noted that there was parking for one car at the front of the property and a large drive to the side that had the potential to park more cars. However, the plans

provided show this driveway to be just 2.1m wide. As such is not capable of meeting South Gloucestershire parking standards.

5.12 As no contact details are included in the application the Case Officer was unable to contact the applicant to discuss the parking provision at the property. Nonetheless, the inability to meet the minimum standard should not automatically result in a refusal through the slavish adherence to such standards, the likely resultant harm should be an important consideration. It is therefore important to consider whether the likely resultant shortfall of one parking space would be likely to lead to a highway safety or congestion harm in this specific instance. This area of Filton is a sustainable urban location close to schools and shops and access to public transport. Moreover, Northville Road contains no parking restrictions and reasonable access to on-street parking. Therefore it is not considered that the resultant impact would amount to a “severe” impact to highway safety – which is the threshold suggested by paragraph 32 of the NPPF.

5.13 Equalities

The Equality Act 2010 protects people from discrimination in the workplace and in wider society. 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 **GRANTED** subject to the condition(s) on the decision notice.

Contact Officer: David Ditchett
Tel. No.

CONDITIONS

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

Reason

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

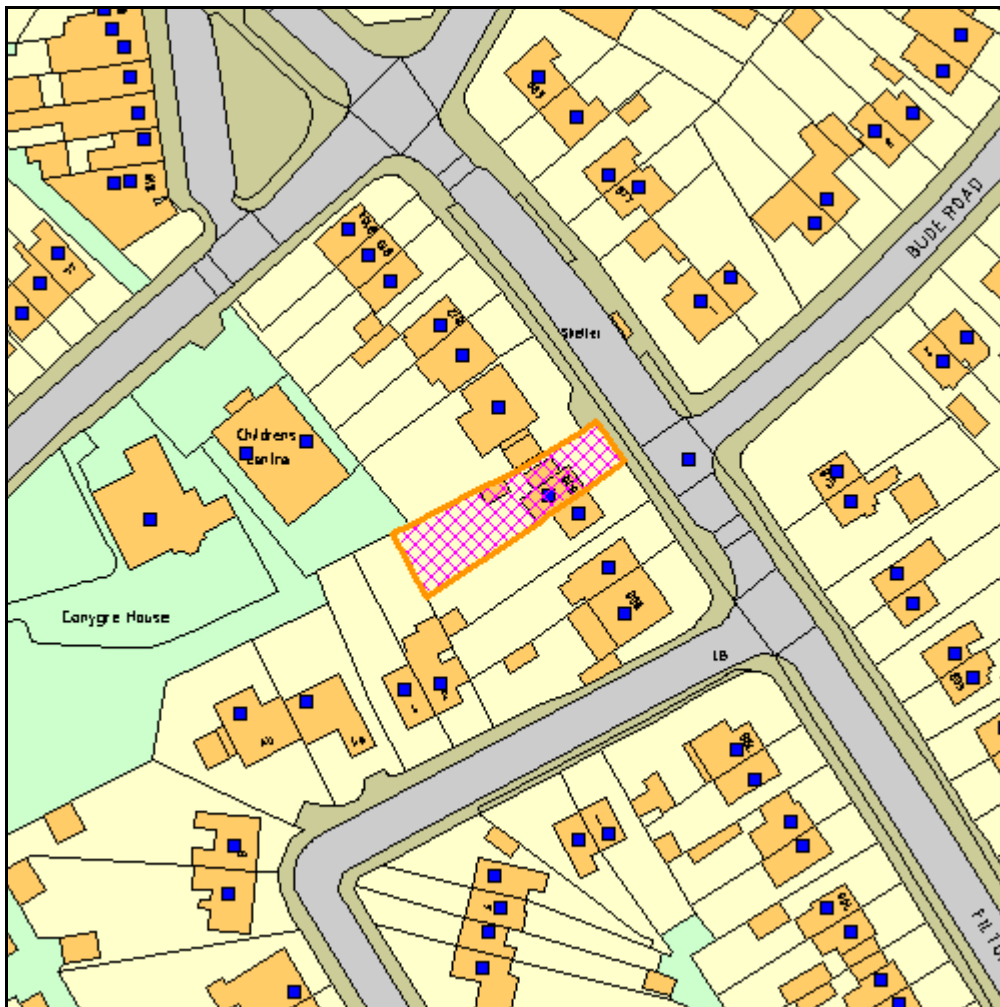
2. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason

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

CIRCULATED SCHEDULE NO. 07/18 – 16 FEBRUARY 2018

App No.:	PT17/5780/F	Applicant:	Mr K. Suckley
Site:	806 Filton Avenue Filton Bristol South Gloucestershire BS34 7HA	Date Reg:	28th December 2017
Proposal:	Erection of two storey side extension and single storey rear extension to form additional living accommodation with installation of new front door to front of property (retrospective).	Parish:	Filton Town Council
Map Ref:	360820 179411	Ward:	Filton
Application Category:	Householder	Target Date:	13th February 2018



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1. THE PROPOSAL

- 1.1 This applicant seeks planning permission for the erection of a two storey side extension; and a single storey rear extension at 806 Filton Avenue.
- 1.2 The host dwelling is a two-storey, semi-detached dwelling located within the defined settlement boundary of Filton.

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
PSP8 Residential Amenity
PSP16 Parking Standards
PSP38 Development within Existing Residential Curtilages
PSP43 Private Amenity Standards

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007

3. RELEVANT PLANNING HISTORY

- 3.1. None

4. CONSULTATION RESPONSES

4.1 Filton Parish Council

“Query usage HMO? No parking, in fact decreasing parking. Building over intensive (over development of site). Request Building Inspectors Report / Query Building Regs. Request site visit.”

Sustainable Transport

“Insufficient information has been submitted to enable me to fully assess the transportation impact of this development. No detail of proposed parking for the development has been provided.”

The development proposes to erect a two storey side extension to provide additional living accommodation. After development the bedrooms within the dwelling will increase from two to five.

Vehicular parking for a dwelling is assessed on the number of bedrooms within a dwelling. A dwelling with five bedrooms requires a minimum of three parking spaces to be provided within the site boundary. The side extension removes access to an existing garage and removes vehicular parking to the side of the dwelling. No detail has been submitted on the proposed vehicular access and parking after development.

As currently submitted a transportation objection is raised as the development removes vehicular parking but fails to demonstrate that adequate alternative parking can be provided within the site boundary. Without this parking the development is likely to lead to additional on street parking causing congestion and hazards for other road users.”

Other Representations

- 4.2 Local Residents
No comments received.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Policy PSP38 of the PSP Plan allows the principle of development within residential curtilages, subject to considerations of visual amenity, residential amenity and highway safety. Furthermore, Policy CS1, which is echoed by PSP38 seeks that the siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the application site and its context. The proposal accords with the principle of development subject to the consideration below.
- 5.2 Design and Visual Amenity
Policy CS1 of the Core Strategy and PSP38 of the PSP Plan seek to ensure that development proposals are of the highest possible standards and design. Developments should have appropriate siting, form, scale, height, massing, detailing, colour and materials which are informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context.
- 5.3 The application site is a two-storey, semi-detached dwelling located on a residential street in Filton. Its elevations are render with white UPVc windows and doors. The roof is hipped and tiled. The property benefits from a garage to the rear and a large parking area to the front and side.
- 5.4 *Two storey side*
The two storey side extension would be constructed on the northern elevation of the property. The hipped roof would be maintained, as would the roofline and eaves. These design elements combined with the scale of the proposal ensures that the extension is informed by and respects the host dwelling. As

part of the alterations the entrance door would be moved from the side elevation to the front. This alteration would create a well-balanced frontage which would be an improvement on the current situation.

5.5 *Single storey rear*

The single storey lean to rear extension would extend the entire width of the extended dwelling. Despite its size, owing to its standard design and rear location, the extension is considered acceptable.

5.6 It is proposed to construct the extensions from render, concrete roof tiles, and white UPVc windows and doors. These materials would match or be similar to the host dwelling. When considering the design, siting and scale of the proposals in relation to the host dwelling and its surroundings, the proposals are considered to accord with policy CS1 of the Core Strategy and PSP38 of the PSP Plan.

5.7 Residential Amenity

Policies PSP8 and PSP38 of the PSP Plan sets out that development within existing residential curtilages should not prejudice residential amenity through overbearing; loss of light; and loss of privacy of neighbouring occupiers.

5.8 The proposals are located on a residential street with new windows to the front, rear and side. The new front and rear windows would result in no more of an impact on residential amenity than the existing. The new windows to the side are ground floor and opaque as such will have a very limited impact on amenity. When considering the existing boundary, combined with the siting and scale of the proposals. The proposals would not appear overbearing or such that it would prejudice existing levels of outlook or light afforded to neighbouring occupiers. Therefore, the development is deemed to comply with policies PSP8 and PSP38 of the PSP Plan.

5.9 Following the development, over 80m² of private outside amenity space would remain. This exceeds the requirements of policy PSP43.

5.10 Transportation

The case Officer visited the site and noted that a large parking area exists to the front and side, to the rear was a garage. As part of the development the parking area to the side would be lost and access to the garage removed. However, the case Officer noted an area to the front of the property (which is shown on the plans) that provides ample parking for three cars. This parking area will be conditioned. Therefore, there are no transport objections.

5.11 Other matters

Filton Parish Council queried the use of the property post development. While the use does form a material consideration, there is no evidence to suggest that the property will become a HMO. Nonetheless, Class C3 of the Town and Country Planning (Use Classes) Order 1987 permits “not more than six residents living together as a single household where no care is provided to residents.” If this situation were to change then a further planning application would likely be required. In regards to the building inspectors report and building regulations, this is not within the remit of this planning application.

5.12 Equalities

The Equality Act 2010 protects people from discrimination in the workplace and in wider society. 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 **GRANTED** subject to the condition(s) on the decision notice.

Contact Officer: David Ditchett
Tel. No.

CONDITIONS

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

Reason
To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 (as amended).
2. The off-street parking facilities (for all vehicles, including cycles) shown on the plan hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason

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

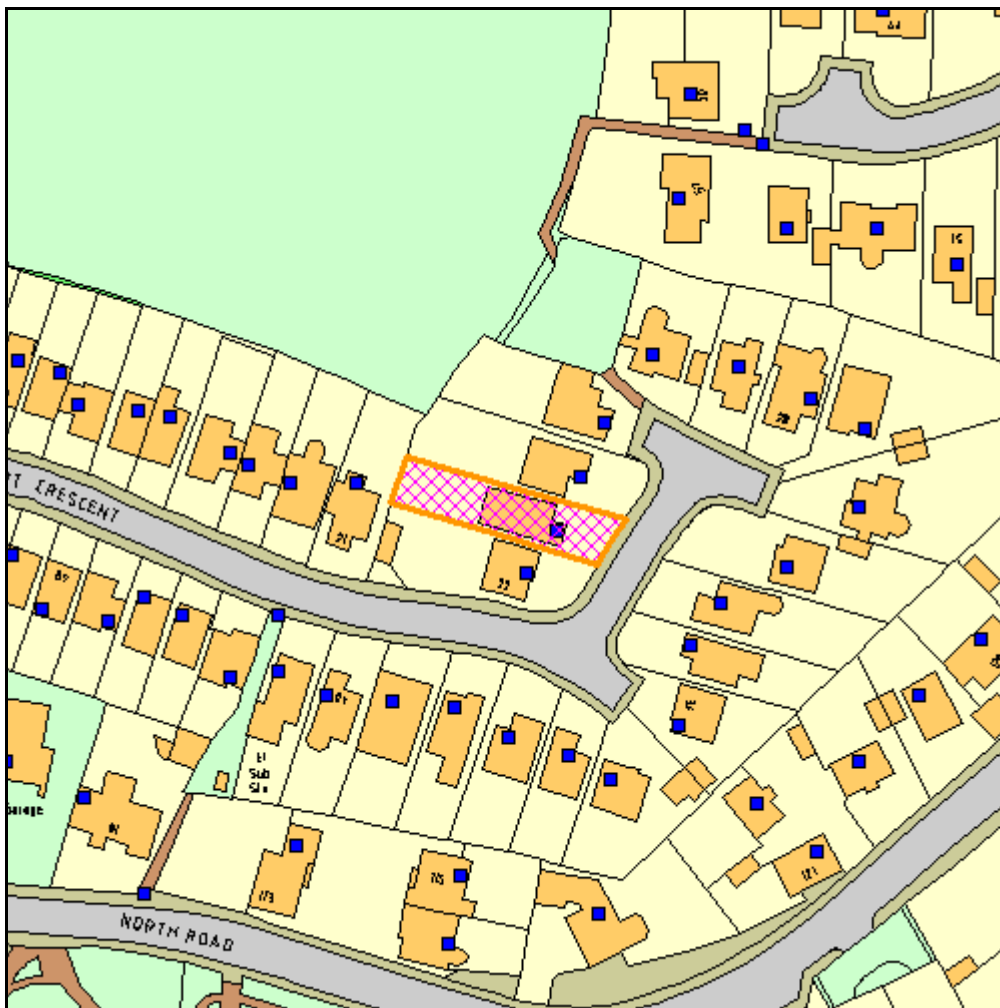
3. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason

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

CIRCULATED SCHEDULE NO. 07/18 – 16 FEBRUARY 2018

App No.:	PT17/5973/F	Applicant:	Mr & Mrs Orchard
Site:	23 Beaufort Crescent Stoke Gifford Bristol South Gloucestershire BS34 8QX	Date Reg:	9th January 2018
Proposal:	Erection of first floor front extension to form additional living accommodation.	Parish:	Stoke Gifford Parish Council
Map Ref:	362417 179875	Ward:	Stoke Gifford
Application Category:	Householder	Target Date:	22nd February 2018



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PT17/5973/F

CIRCULATED SCHEDULE

This application appears on the Circulated Schedule following comments received from the local town council contrary to Officer recommendation.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of first floor front extension to form additional living accommodation at 23 Beaufort Crescent, Stoke Gifford.
- 1.2 The application site relates to a two storey, detached property which is located within a residential area of Stoke Gifford.

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

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

PSP1 Local Distinctiveness

PSP8 Residential Amenity

PSP11 Transport

PSP16 Parking Standards

PSP38 Development within Existing Residential Curtilages

PSP43 Private Amenity Standards

- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) 2007
Residential Parking Standards SPD (Adopted) 2013

3. RELEVANT PLANNING HISTORY

- 3.1 PT11/3605/F – Approved - 20.12.2011
Erection of single storey rear extension to provide additional living accommodation

N1214/4AP – Approved - 24.04.1980

Erection of 36 detached houses, 9 pairs of semi-detached houses and 3 bungalows, with garages and associated estate road and footpaths (details following Outline) (in accordance with revised plans received by the Council on

the 14th April 1980). To be read in conjunction with planning permission Ref. No. N.1214/4.

N1214/4 – Approved - 24.01.1980

Residential development on approximately 5.25 acres of land. Construction of new vehicle and pedestrian access (as amended by letter and plan received by the Council on 10th October, 1979). (Outline).

4. CONSULTATION RESPONSES

4.1 Stoke Gifford Parish Council
No Objection

Sustainable Transport
No Objection

Other Representations

4.2 Local Residents
This application received a total of 2 objections that raised the following points.

1: Proposal would result in a reduction of sunlight and views to neighbouring property

2: Proposal would give the appearance of flats and is not in keeping with neighbouring properties.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development
Policy PSP38 of the PSP Plan (November 2017) allows the principle of development within residential curtilages, subject to considerations of visual amenity, residential amenity and highway safety. Furthermore, Policy CS1 of the Core Strategy seeks that the siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the application site and its context. The proposal accords with the principle of development subject to the consideration below.

5.2 Design and Visual Amenity
The application seeks full planning permission for the erection of first floor front extension to form additional living accommodation

5.3 The proposed first floor front extension will have a width of approximately 3.7 metres, a depth of 2.4 metres and a maximum height of 5.6 metres. The proposal will sit atop the existing single storey element and introduce 1no window to the principal elevation and a low pitched gabled roof design.

- 5.4 The proposal will use materials that match the existing dwelling and it is considered that the design approaches, siting and scale allow for the proposed extension to appear both proportionate to the host dwelling and appear in keeping with the domestic character of the building.
- 5.5 Residential Amenity
Policy PSP38 of the PSP Plan (November 2017) sets out that development within existing residential curtilages should not prejudice residential amenity through overbearing; loss of light; and loss of privacy of neighbouring occupiers.
- 5.6 Whilst the concerns raised regarding the impact of the development on the character of the locality have been taken in to account, it is not considered that the development would cause any significant harm. When considering the materials and design proposed; and the scale and location of the proposal in relation to the host dwelling, the site and surrounding properties. The Case Officer concludes that the proposal would not be detrimental to the character of the property or its context. Additionally, it is of an acceptable standard of design.
- 5.7 An objection was raised concerning loss of sunlight from No.22 Beaufort Road. Having looked at the path of the sun at various times of the year, it is considered the proposal would have some impact, however, it is not deemed that the increased sense of overbearing would have such a significant impact on living conditions as to substantiate a reason for refusing the proposed development.
- 5.8 A further objection was raised concerning loss of view from No.22 Beaufort Road. Whilst the case officer is mindful of the impact on the neighbouring property, it is not considered that the additional 2.4 metres in floor space at first floor level would create a loss of outlook or have an overbearing impact on living conditions as to substantiate a reason for refusing the proposed development
- 5.9 The impact of the proposal on the residential amenity currently enjoyed by the occupiers of neighbouring properties has been considered. Due to the location of the extension, it is not considered that its erection would materially harm the residential amenity at any of the adjoining properties. Due to levels of separation, it is not deemed that the proposed extension would impact upon the residential amenity enjoyed at properties
- 5.10 The proposal will occupy additional floor space, however sufficient private amenity space will remain following development and there is no objection with regard to this.
- 5.11 The subject property is located within a built up residential area and given the scale and location of the proposed development, the proposal will not result in an unacceptable impact on the residential amenity of its neighbouring occupiers. Therefore, the development is not considered to be detrimental to residential amenity and is deemed to comply with Policy PSP38 of the PSP Plan (November 2017).

5.12 Sustainable Transport and Parking Provision

The proposed development does not affect bedroom numbers, access or current parking provision. Therefore, there are no objections on highways grounds.

5.13 Equalities

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

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Contact Officer: Westley Little

Tel. No. 01454 867866

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).