



**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. 16/18

Date to Members: 20/04/2018

Member's Deadline: 26/04/2018 (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.

Schedule Number	Officers Deadline reports to support	Date to Members	Members deadline	Decisions issued from
18/18	Tuesday 1 st May	09:00am Thursday 3 rd May	5pm Thursday 10 th May	Friday 11 th May
21/18	Tuesday 22 nd May	09:00am Thursday 24 th May	5pm Thursday 31 st May	Friday 1 st June

Dates and officer deadlines for Circulated Schedule May Bank Holidays 2018

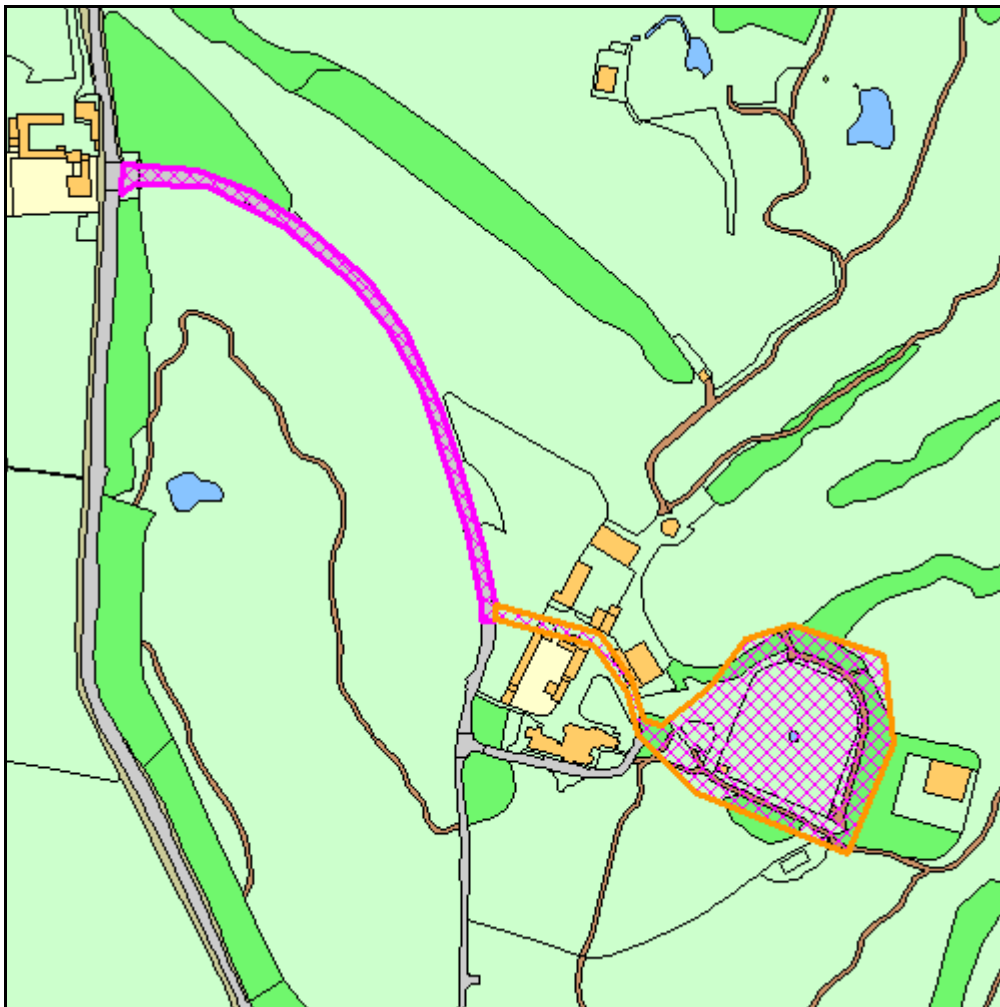
CIRCULATED SCHEDULE 20 April 2018

-

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK17/2390/F	Approve with Conditions	Park Hotel And Resort Bath Road Wick South Gloucestershire BS30 5RN	Boyd Valley	Doynton Parish Council
2	PK17/5389/RM	Approve with Conditions	Land North Of Brimsham Park PL14D And PL22 North Yate New Neighbourhood South Gloucestershire BS37 7JT	Yate North	Yate Town
3	PK17/5532/F	Approve with Conditions	Dragons Lair Old Parish Lane Dodington South Gloucestershire BS37 6SE	Westerleigh	Dodington Parish Council
4	PK18/0963/F	Refusal	30 Siston Park Siston South Gloucestershire BS15 4PE	Siston	Siston Parish Council
5	PK18/1014/F	Approve with Conditions	76 Johnson Road Emersons Green South Gloucestershire BS16 7JG	Emersons	Emersons Green Town Council
6	PK18/1054/CLP	Approve with Conditions	234 Station Road Kingswood South Gloucestershire BS15 4XR	Rodway	None
7	PK18/1087/F	Approve with Conditions	29 Horsecroft Gardens Barrs Court South Gloucestershire BS30 8HU	Parkwall	Oldland Parish Council
8	PT17/5503/F	Approve with Conditions	Winstone House Beacon Lane Winterbourne South Gloucestershire BS36 1JU	Winterbourne	Winterbourne Parish Council
9	PT18/0814/F	Approve with Conditions	12 Staverton Close Patchway South Gloucestershire BS34 6AH	Bradley Stoke Central And Stoke Lodge	Stoke Lodge And The Common
10	PT18/0816/F	Approve with Conditions	23 The Avenue Patchway South Gloucestershire BS34 6BD	Bradley Stoke Central And Stoke Lodge	Stoke Lodge And The Common

CIRCULATED SCHEDULE NO. 16/18 – 20 APRIL 2018

App No.:	PK17/2390/F	Applicant:	Tracy Park Limited
Site:	Park Hotel And Resort Bath Road Wick Bristol South Gloucestershire BS30 5RN	Date Reg:	7th August 2017
Proposal:	Erection of temporary wedding marquee to exist on site for a period of 5no. years with associated parking.	Parish:	Doynton Parish Council
Map Ref:	371337 171865	Ward:	Boyd Valley
Application Category:	Minor	Target Date:	12th September 2017



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008. N.T.S. PK17/2390/F

CIRCULATED SCHEDULE

This report appears on the Circulated Schedule because it represents a departure from relevant Green Belt Policy within the Adopted Development Plan.

In this case any resolution to grant planning permission for this development does not need to be referred to the Secretary of the State for Communities and Local Government as the development is not of a large enough scale and it would not have a significant impact on the openness of the Green Belt (referral criteria is set out in the Departure Direction 2009).

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of a temporary wedding marquee to exist on site for a period of 5 years with associated parking. The application site relates to Tracy Park, Hotel and Golf Club, Bath Road, Wick, a grade II listed building. The site is located outside an established settlement boundary, therefore in the open countryside, in the Bristol/Bath Green Belt and in the Cotswolds Area of Outstanding Natural Beauty.
- 1.2 The proposed marquee is to be located within the former walled garden, also a listed structure. During the course of the application the agent has worked with the LPA to ensure the proposed scheme is on balance acceptable and the negative impact on the listed building or its setting is suitably mitigated.
- 1.3 The Design and Access supporting statement indicates that the hotel is under continuing financial strain and it is considered that the existence of a stand alone facility to house weddings would go some way towards providing a continuous revenue stream to the hotel in the form of wedding bookings and to providing an alternative venue to the function rooms in the main hotel which are no longer appropriate, being too small and in a very poor state of repair. The marquee will be a self-contained structure and of a size to host up to 150 guests. The use of this facility would result in a significant monetary contribution to the upkeep of the hotel.
- 1.4 During the course of the application additional ecological information was requested and received by the LPA.

2. POLICY CONTEXT

- 2.1 National Guidance
Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended)
National Planning Policy Framework
National Planning Practice Guidance – Conserving and Enhancing the Historic Environment;
Managing Significance in Decision-Taking in the Historic Environment (GPA 2)
The Setting of Heritage Assets (GPA 3)

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
CS6	Infrastructure and Developer Contributions
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS13	Non-Safeguarded Economic Development Sites
CS14	Town Centres and Retailing
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
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP20	Flood Risk, Surface Water, and Watercourse Management
PSP21	Environmental Pollution and Impacts
PSP28	Rural Economy
PSP31	Town Centre Uses
PSP40	Residential Development in the Countryside
PSP44	Open Space, Sport and Recreation

2.3 Supplementary Planning Guidance Design Checklist (adopted) 2007

3. **RELEVANT PLANNING HISTORY**

The site has benefitted from a long planning history. The most recent applications are listed below.

3.1	PK17/3055/LB Approved	Erection of conservatory 23.3.18
3.2	PK17/3053/F Approved	Erection of conservatory 23.3.18
3.3	PK17/4295/NMA No objection	Non Material Amendment to planning application PK15/4989/F Relocation of driving range bays. 31.10.17

- | | | |
|-----|---------------|--|
| 3.4 | PK15/4989/F | Re-location of driving range with landscaping and associated works.
Approved 1.4.16 |
| 3.5 | PK14/2301/NMA | Non-material amendment to PK10/2736/EXT to add rain canopy, roof lights and flue.
Objection 3.9.14 |
| 3.6 | PK14/2269/LB | Internal and external alterations including installation Of mezzanine floor to facilitate the conversion of existing barn to form entrance foyer to hotel and golf complex (Amendment to previously approved scheme (PK10/2745/EXT)).
Approved 5.8.14 |
| 3.7 | PK13/2464/RVC | Removal of condition 2 attached to planning Permission PK07/0242/LB
Approved 24.10.13 |
| 3.8 | PK13/2200/CLE | Certificate of lawfulness for the existing use of building and surrounding hard standing for storage of If course related materials, plant and machinery and connected water tanks used in irrigating golf course.
Approved 7.10.13 |
| 3.9 | PK13/2419/RVC | Removal of Condition 2 attached to planning Application PK06/3092/F
Approved 24.10.13 |

4. CONSULTATION RESPONSES

- 4.1 Doynton Parish Council
No objection

Internal Consultees

- 4.2 Public Rights of Way
No objection
- 4.3 Highway Structures
No objection
- 4.4 Landscape
No objection subject to a condition
- 4.5 Drainage
No objection
- 4.6 Transport

No objection following receipt of additional information

4.7 Ecology

Initial concerns expressed that the details provided did not include sufficient information to assess the impacts of the marquee and associated events on the foraging/commuting habitat of bats and a population assessment of Great Crested Newts within the walled garden is required so a mitigation strategy can be adequately informed.

Updated comments:

The development will require a method statement suitable for approval by Natural England to grant a mitigation licence for great crested newt.

No objection subject to conditions.

4.8 Conservation

Following discussions, no objection subject to a condition and an informative

4.9 Tree Officer

No objection subject to a condition

4.10 Local Residents

None received

5. ANALYSIS OF PROPOSAL

5.1 The proposal is for the erection of a temporary wedding marquee to be located within the walled garden of Tracy Park, for a temporary period of 5 years. Associated parking is also proposed.

5.2 Principle of Development

The application stands to be assessed against the above listed policies and all material considerations. Of particular relevance is the location of the application site within the Green Belt where development is restricted to certain categories and the listed status of the main house. The proposal is to support the existing hotel and golf club business being run at the Tracy Park complex and it must therefore be noted that this would be a town centre use in an out of town location, the potential economic benefits this development would bring to the application site and wider area is a factor in the assessment of the scheme.. Additional parking to accommodate the increase in visitors using the marquee and wedding function element of the business must also be considered.

5.3 Paragraph 132 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. The courts have determined that considerable importance and weight should be given to harm found to the significance of listed buildings.

5.4 Core Strategy Policies CS1 and CS9 and Policy PSP17 of the Policies, Sites and Places Plan all expect new development to respect and complement the characteristics of the site and its surroundings, and the historic form and context of the setting. Policy PSP17 goes further, seeking amongst other things, that new development preserves and enhances the special architectural or historic interest of listed buildings, the special character and appearance of conservation areas, non-designated archaeology, and all their settings. Policy CS34 seeks to protect, conserve and enhance the distinctive character of rural areas in general and along with Policy PSP7 to protect the designated Green Belt from inappropriate development. Outside urban areas Policy CS13 supports mix used schemes for economic development and Policy PSP28 supports new development which promote a strong rural economy.

5.5 Background to the planning application

Tracy Park is a grade II listed building which is currently operating as a hotel, golf and country club. It is stated in supporting documentation that Tracy Park continues to be a popular choice for weddings but the quality of the main building fabric is deteriorating, especially the bedrooms. To assist its longevity as a successful business considerable upgrading is required. To retain and expand the wedding venue part of the business a temporary wedding location is proposed in the form of a marquee within the walled garden.

5.6 The accompanying information confirms the primary function of the marquee would be to enhance the functionality of the hotel and to address the immediate need for an additional dedicated wedding function area in a location which capitalises on the setting of the hotel.

5.7 Green Belt

Inappropriate development in the Green Belt is harmful by definition. Only development that falls within the categories listed in the NPPF are considered appropriate. The erection of a new building is not listed and as such the introduction of a temporary marquee within the walled garden would be inappropriate development. Inappropriate development is given substantial weight against it and should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. In this instance the very special circumstances given to support the scheme would be the temporary nature of the proposed marquee for a period of 5 years and the restoration / repair of the listed walls. Its purpose would be to allow the continuation of the wedding venue business while plans for the upgrade and possible expansion are explored and to assist in overall longevity of the business at Tracy Park Resort. As further justification it is stated this proposal will revitalise the currently rundown area within the walled garden, will see the walls and central fountain repaired and the pond restored and the scheme will reflect the historic use of this unused area. With regards to harm to the openness of the Green Belt, this will be restricted due to the position of the proposed marquee being within the walled garden. A small degree of the marquee would project above the walls but for the most part the structure would be screened by the walls and therefore its impact on openness would be limited and consequently acceptable in Green Belt policy terms.

- 5.8 The limited time period could be conditioned and therefore enforced and this along with the business reason to improve the existing business is considered sufficient to amount to very special circumstances. The proposal will therefore be recommended for approval but has had to be advertised as a departure from adopted policy.
- 5.9 Design and Visual Amenity
The walled garden is a grade II listed structure and the proposed marquee and parking would be within this area. It would however, not touch the walls so listed building consent is not required for the erection of the marquee. The walled garden is to the south-east of the main house and extends for around 0.4 ha. The wall is grade II listed and it is acknowledged to be in poor condition. The applicant has provided detailed and extensive assessments of the existing situation and how the marquee would fit in context.
- 5.10 The marquee is to be free-standing and would be sited in the northern part of the walled garden, facing south-west. It has been designed to allow separate, independent usage away from the main building. It will provide room for 150 guests along with a dance floor, kitchen and bar area. The structure will have a footprint of around 40 m x 15 m with a ridge height of 6m. Two side extensions will measure around 4.7m x 7.2 m with a ridge height of about 4.2m. Proposed materials for the marquee will be white or cream canvas or plastic material typical of such temporary structures. These will be conditioned to ensure the appearance of the marquee is sensitive to its setting. The main walls to the garden are around 3.5 metres high and will provide some screening to the main part of the marquee while existing mature trees will provide an added filter to some views.
- 5.11 It is acknowledged that to function as a standalone wedding function venue, quite a substantial structure is required. The justification of the overall size including its internal components and the reason for the proposed parking within the walled garden is accepted. On this basis the marquee will be screened by being located within the walled garden there is no objection to the design subject to a condition relating to the proposed external material.
- 5.12 Conservation and Heritage Assessment
Tracy Park is a grade II listed building, located within a locally registered park and garden. There are a number of individually listed assets within the grounds, including barns, stable block, entrance gates and walled garden. The proposals should therefore be assessed in accordance with the policies and guidance which seek to protect the significance of designated and non-designated heritage assets and their settings.
- 5.13 The original house on the site of Tracy Park was medieval however the present building retains the seventeenth century build to the north, refaced to the south between 1798 and 1808, with later additions in 1850 and 1920 for the Davy family. The main house is grade II listed and there are a number of additional designations within the parkland including the entrance gates, outbuildings, walls and the walled garden.

- 5.14 The proposed marquee will be visible in some views within the park. It will appear as a non-traditional building and will result in a low level of harm to the significance of Tracy Park and the walled garden by virtue of a change within this setting. If considered in complete isolation the marquee is considered to cause less than substantial harm to the setting of the listed building and parkland, but nonetheless harm is identified. As argued in the supporting heritage statement, the marquee proposal should be read in combination with the repair and restoration of the perimeter wall to the walled garden, the central pond and the bothy building. These to be completed prior to the first occupation of the marquee, thereby ensuring the mitigation is secured. The repair will be based on a sound understanding of the state of the wall, as required by the planning condition, which asks for a survey of the condition of the wall. When considered in conjunction with these enhancements the harm could be offset as this would introduce a significant enhancement to the setting of the listed building and parkland. Restoration of the original screening belts around the walled garden would also help to soften views of the marquee.
- 5.15 In addition to the above, the submitted details state that there will be a public benefit as a direct result of this proposal due to the provision of a wedding venue in what is currently an unused part of the site.
- 5.16 Given the above and subject to a condition requiring appropriate repairs to the walled garden, bothy and fountain, within an agreed timeframe, (and this work is approved within a listed building consent) on balance, it is considered that the heritage and other benefits would outweigh the limited harm to significance and setting and there is no objection to the temporary marquee.
- 5.17 Landscape
It is stated that the landscaping proposal have been designed to respond to the heritage of the site and will include the repair of the central existing fountain, the restoration of the pond and the proposed planting of fruit trees and ornamental flowers to provide an attractive setting for weddings and events.
- 5.18 The landscape around Tracy Park is agricultural, predominantly pasture and equestrian, located within the Bristol/Bath Green Belt and the Cotswolds Area of Outstanding Natural Beauty and identified as being in the Golden Valley Landscape Character area.
- 5.19 Landscape proposals for the scheme include supplementary planting around the outside of the walled garden with mixed deciduous and evergreen tree and shrubs to restore the historic woodland character and help provide additional screening for the marquee. It is noted that root barriers will be placed around the base of the wall to protect it from further damage. A number of trees will need to be removed to be replaced by new tree planting.
- 5.20 The comprehensive LVIA (landscape visual impact assessment) considered 16 viewpoints from within the park and from the wider landscape. The report concluded that the development would give rise to moderate adverse landscape effects on the landscape character of the site and the immediate parkland setting but that these effects would not be significant. The temporary nature of the development was taken into consideration, but that a period of 5

years may not be considered temporary. Overall, the development proposals would have a beneficial landscape effect arising from the restoration and improved maintenance of the listed walled garden and the supplementary planning that will restore the historic wooded character of the parkland. Given the above there are no landscape objections subject to a condition that details of the landscape scheme be submitted for approval.

5.21 Residential Amenity

The development will take place within the existing walled garden of Tracy Park and will not have an impact on residential amenity as the site is not visible from the public highway and closest neighbours are situated some distance away.

5.22 Transport

Access to the walled garden area of the site is from Bath Road to the west. This will remain as existing and the existing pedestrian access to the walled garden will be retained. Parking for the proposed marquee will be to the south-east of the wall, screened from the rest of the walled garden by a formal hedge.

5.23 Initial comments queried the impact the additional traffic generated by the proposed scheme due to 30 no. additional car parking spaces would have on the road network and further details regarding trip generation were also requested. Details provided confirmed Tracy Park as an established wedding venue with events taking place within the existing main building. However, due to the existing manor rooms and buildings needing significant upgrading and refurbishment, a temporary facility is required during required works. The information stated that the proposed temporary marquee would not result in an increase in weddings at Tracy Park, nor will they result in two weddings occurring at the same time. In this respect the proposal would not result in a material difference to vehicular movements compared to the existing situation.

5.24 With regards to the parking on site, the existing provision is 160 spaces used for all functions – golf course, weddings and hotel. During weddings this area can become congested and the proposed 30no. parking spaces next to the marquee will be for the main wedding party and their guests. The additional car parking is accepted as ensuring the existing car park can be used as efficiently as possible and it will not result in an increase in vehicular movements to and from the site.

5.25 The additional information has addressed the initial queries raised by the Transport Officer and on the basis that the marquee is a temporary arrangement to be in place during the refurbishment of the main building and removed once completed then the scheme is acceptable.

5.26 Ecology

Details submitted with the application included an Ecological appraisal; Bat Surveys; Reptile surveys and Great Crested Newt Habitat Suitability assessments and mitigation strategy.

5.27 It is noted there has been a lack of management within the walled garden compared to the neighbouring golf course resulting in poor grassland but the site provides suitable foraging and commuting habitat for bats. A mitigation

- strategy provided information on directional lighting/noise disturbance, the loss of potential roosting opportunities and proposed new planting and the introduction of bat boxes to compensate. These mitigation proposals are considered acceptable and will be secured by condition.
- 5.28 A pond is present within the walled garden and an adult great crested newt was recorded during a reptile survey visit, but none were recorded during the population assessments. There are, however, several waterbodies within the wider area of the application site some of which had great crested newts and as the development will result in the destruction of habitat within 50m of a pond predicted to hold a small population of great crested newt, a European Protected Species Licence will be required for the works to be undertaken lawfully. Therefore it was considered a small population was recorded within the pond.
- 5.29 Great crested newts are a protected species and judicial reviews have directed that surveys for European Protected Species cannot be left to planning Conditions. Where great crested newts are present, planning authorities should be apply same 'tests' to which licence applications are subject to under Regulation 53/56 of the Habitat Regulations 2010.
- 5.30 Officers have assessed the scheme and conclude that it would satisfy the three tests: in the public interest; there being no satisfactory alternative and; a new, more natural pond will be designed and installed within the walled garden.
- 5.31 Concerning reptiles, the walled garden exhibits important ecological features for reptiles including rubble piles and variable vegetation heights and structures. The proposed mitigation measures are suitable and will be subject to condition.
- 5.32 With regards to birds, badgers, hedgehog and dormouse presence, the vegetation within the walled garden and nearby woodland provide suitable nesting habitat for birds; No signs of badger were recorded during the survey, although the habitat is suitable for foraging and presumably sett construction; the site is suitable for hedgehog and there is potential for dormouse in the wider area, but not within the walled garden.
- 5.33 Given the above, there is no ecological objection to this scheme, but it will require a method statement suitable for approval by Natural England to grant a mitigation licence for great crested newts. Appropriate conditions will be attached to the decision notice.
- 5.34 Trees
The steps highlighted in the Arboricultural report are appropriate and investigate the possibility of retaining the Limes adjacent to the wall. There is no objection to the proposed scheme subject to a condition attached to the decision notice requiring a detailed Arboricultural Method Statement (AMS) for all works within the root protection area. The AMS should include and emphasise the requirement for an arboricultural watching brief where appropriate.

5.35 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.

5.36 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.

5.37 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.

5.38 Planning Balance

The proposal has been identified as not falling within the criteria listed as appropriate development in the Green Belt. It is therefore harmful by definition and also results in harm to the openness of the Green Belt. However, the very special circumstances put forward to support the erection of the marquee by reason of it having a beneficial economic effect on the business and on the wider area, have been accepted as being sufficient to clearly outweigh the harm.

It is furthermore, concluded that the harm caused to the significance of the main listed building, the walled garden hall and setting is outweighed by the benefits associated with the scheme. These benefits which vary in weight, include, the repair works to the walled garden, the bothy and pond, the potential effects on the existing business and the wider economy, and benefits to the landscape through enhanced planting. Accordingly, subject to compliance with the conditions imposed, Officers are satisfied that the scheme is acceptable and 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: 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. The application was advertised as a departure and this period of notification ended on 23rd March 2018.

7. **RECOMMENDATION**

- 7.1 It is recommended that the application be **APPROVED** subject to the conditions written on the decision notice.

Contact Officer: Anne Joseph
Tel. No. 01454 863788

CONDITIONS

1. 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 marquee hereby permitted shall be removed and the land restored to its former condition on or before 5 years from the date of the approval which can be found on the decision notice.

Reason

The marquee is permitted for a limited period only because of the special circumstances of the case and to accord with Policies PSP7, PSP28 of the South Gloucestershire Policies Sites and Places Plan (Adopted) 2017; Policies CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013 and the NPPF 2012.

3. Prior to the commencement of the development hereby approved, a detailed condition survey and schedule and specification of repairs to the walled garden, bothy and fountain shall be submitted to the Council for approval. The schedule and specification of repairs shall include full details for the repair of the garden wall including reinstatement of collapsed sections where appropriate and stabilisation and repair of the remainder. No works shall be commenced until the Council has given written approval for the submitted details, and the repairs shall be completed prior to the first use of the development hereby approved.

Reason

This is a prior to commencement of development to avoid any unnecessary remedial action in future and to maintain and enhance the character and setting of the listed building, and to accord with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990; Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013 and Policy PSP17 of the South Gloucestershire Policies Sites and Places Plan (Adopted) 2017.

4. The main area of the marquee shall have a footprint of no larger than 40metres x 15metres and a ridge height no higher than 6metres. Each of the proposed side extensions to this main marquee area shall have footprints no larger than 5 metres x 7.5 metres with a ridge height of no higher than 4.5 metres.

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 and to maintain and enhance the character and setting of the listed building, and to accord with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990; Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013 and Policy PSP17 of the South Gloucestershire Policies Sites and Places Plan (Adopted) 2017.

5. Prior to the commencement of development full details of the proposed materials for the marquee shall be submitted for written approved by the LPA. Development shall proceed in accordance with the approved details.

Reason

This is a prior to commencement of development to avoid any unnecessary remedial action in future and 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 and to maintain and enhance the character and setting of the listed building, and to accord with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990; Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013 and Policy PSP17 of the South Gloucestershire Policies Sites and Places Plan (Adopted) 2017.

6. The development shall proceed in strict accordance with the Great Crested Newt Mitigation Strategy (David Archer Associates, June 2017) and the Great Crested Newt Mitigation Plan (David Archer Associates, March 2018). These plans shall be maintained thereafter.

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.

7. Prior to commencement of development, Mitigation Strategies for bats and reptiles, to include their protection during construction and operational phases from disturbance such as light and noise, and the enhancement measures to improve the walled garden for these species are to be submitted to the local planning authority for approval in writing. The agreed mitigation and enhancements are to be maintained thereafter.

Reason:

This is a prior to commencement condition to avoid any unnecessary remedial action and 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.

8. Prior to the commencement of development, and within 3 months from the date of the decision, a scheme of soft and hard landscape to be submitted for approval that shall include details of all existing trees and hedgerows on the land showing those to be removed and those to be retained, including measures for their protection during the course of the development. The drawing to show proposed planting including plant density and times of planting, boundary treatments and areas of hard-standing. Also specification notes covering topsoil depths, cultivation, planting, irrigation, root barrier protection and landscape maintenance covering a 5 year establishment period to help ensure the planting thrives.

Reason

This is a prior to commencement of development condition to avoid any unnecessary remedial action in the future and 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.

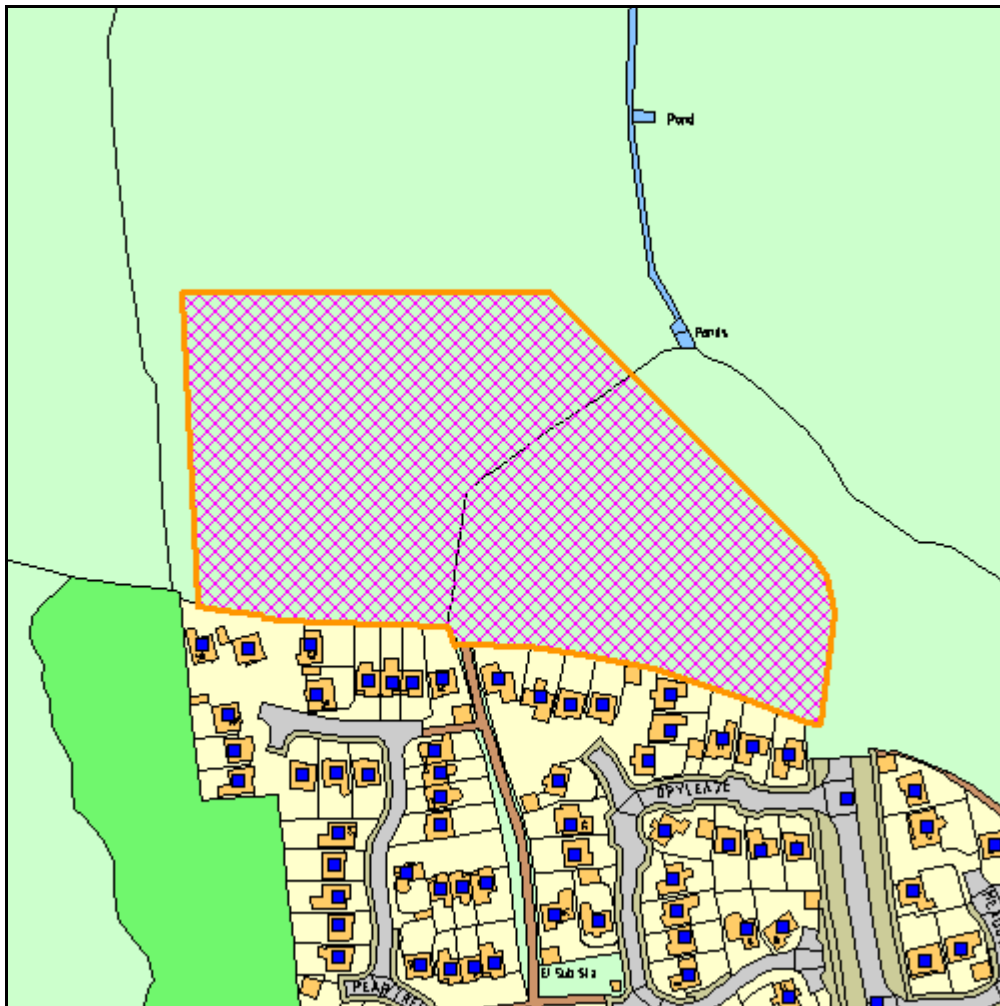
9. Prior to the commencement of development a detailed Arboricultural Method Statement (AMS) for all works within the root protection area shall be submitted to the LPA for written approval. The AMS should include and emphasise the requirement for an arboricultural watching brief where appropriate. The development shall proceed in accordance with the approved details.

Reason

This is a prior to commencement condition to avoid any unnecessary remedial action in the future and to ensure the works are carried out in an appropriate manner and in the interests of the health, longevity and visual amenity of the tree, and to accord with Policy CS1 of the South Gloucestershire Local Plan : Core Strategy (Adopted) 2013 and Policies PSP1 PSP2 and PSP3 of the South Gloucestershire Policy Sites and Places Plan (Adopted) 2017.

CIRCULATED SCHEDULE NO. 16/18 – 20 APRIL 2018

App No.:	PK17/5389/RM	Applicant:	BDW Trading LTD (Barratt Bristol Division)
Site:	Land North Of Brimsham Park PL14D And PL22 North Yate New Neighbourhood Bristol South Gloucestershire BS37 7JT	Date Reg:	7th December 2017
Proposal:	Erection of 86 dwellings , associated roads, drainage, landscaping, garages and parking to include reserved matters of appearance, layout, scale and landscaping (Reserved Matters application to be read in conjunction with Planning permission PK17/4826/RVC)	Parish:	Yate Town Council
Map Ref:	371157 184343	Ward:	Yate North
Application Category:	Major	Target Date:	20th February 2018



© South Gloucestershire Council 2007.all rights reserved.
This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or

INTRODUCTION

This application appears on the circulated schedule because objections have been received from Yate Town Council and neighbouring occupiers which are contrary to the officer's recommendation.

1. THE PROPOSAL

- 1.1 This application seeks reserved matters consent for the erection of 86 dwellings, associated roads, drainage, landscaping, garages and parking. The reserved matters, which comprises appearance, layout, scale and landscaping should be read in conjunction with outline planning permission PK17/4826/RVC. This outline consent included details of access into the site off Randolph Avenue and Leechpool Way, with provision for access from Peg Hill. The scheme benefits from an approved design code (North Yate New Neighbourhood Design Code Rev D-March 2017) and masterplan (Condition 39 Detailed Masterplan 4739-LDA-00-XX-DR-L-0013), as well as a number of framework plans approved at outline stage.
- 1.2 The application is for parcels PL14D and PL22 as shown on the approved phasing plan, which are in the initial phases of development at North Yate. Comprising an area of some 2.2ha the parcels are located on the southern edge of the NYNN site and abuts the rear garden boundaries of existing properties on Dryleaze and Pear Tree Hey. The order that parcels will be developed reflects Barratt's and DWH buildout strategy influenced by timings involved in the grounding of high voltage electricity cables. The strategy is to build from south to north with initial construction access off Leechpool Way for 6 months to assist in the buildout of the initial phase. Once the main spine road between Leechpool Way and Randolph Avenue has been constructed, construction traffic will only use the access off Randolph Avenue. This reflects the approved Construction Management Plan.
- 1.3 Access to the parcel will be via a primary street off Leechpool Road. The primary street was part of the infrastructure application for North Yate and is therefore, not part of the proposal. The 86 residential units in parcels PL14D and PL22 would include a mix of houses and flats of 1, 2, 3 and 4 bedrooms, ranging in 2 -2.5 storeys in height. A statement of compliance has been submitted in support of this application.
- 1.4 Through the application process improvements have been secured in terms of the appearance of the units to provide more contemporary and distinctive elevations more in keeping with the vision of the design code, and improvements to the setting of the green space corridors.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012

National Planning Practice Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS2 Green Infrastructure
CS4a Presumption in Favour of Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS16 Housing Density
CS17 Housing Diversity
CS18 Affordable Housing
CS30 Yate and Chipping Sodbury
CS31 North Yate New Neighbourhood

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

PSP1 Local Distinctiveness
PSP2 Landscape
PSP3 Trees and Woodland
PSP6 Onsite Renewable and Low Carbon Energy (principle accepted and condition 40 doesn't require 20% reduction)
PSP8 Residential Amenity
PSP10 Active Travel Routes
PSP11 Transport Impact Management
PSP16 Parking Standards
PSP17 Heritage Assets and the Historic Environment
PSP19 Wider Biodiversity
PSP20 Flood Risk, Surface Water and Watercourse Management
PSP21 Environmental Pollution and Impacts
PSP37 Internal Space and Accessibility Standards for Affordable Dwellings
PSP43 Private Amenity Space Standards
PSP47 Site Allocations and Safeguarding

2.3 Supplementary Planning Guidance

The South Gloucestershire Design Checklist SPD (adopted)
The South Gloucestershire Residential Parking Standards SPD (adopted)
Waste Collection: Guidance for New Developers SPD (adopted)
Extra Care and Affordable Housing SPD (adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 PK10/042/SCO, Scoping Opinion for a proposed mixed-use site approximately 104ha in North Yate.
- 3.2 PK12/1913/O, Mixed use development across 100.76 hectares of land comprising up to 2,450 new dwellings (Use Class C3), extra care housing (Use Class C2), 4.63 hectares of employment land (Use Class B1,B2) provision of a local centre, two primary schools, together with the supporting infrastructure

- and facilities including: new vehicular and pedestrian accesses, public open space and landscaping and proposal to underground the electricity powerlines. Outline application including access with all other matters reserved. Approved on 17th July 2015.
- 3.3 PK15/5230/RVC, Variation of condition 41 of Planning Permission PK12/1913/O to change the proposed wording which related to the need for an Energy Statement and energy targets. Approved on 6th May 2016.
 - 3.4 PK16/2449/RVC, Variation of condition 12 attached to planning permission PK12/1913/O to allow for a programme for archaeological investigations across the site. Approved on 15th August 2016.
 - 3.5 PK17/0039/NMA, Non-material amendment to Condition 19 of PK16/2449/RVC (Outline planning permission for the North Yate New Neighbourhood) to reflect the updated phasing plan submitted pursuant to Condition 4. Approved on 23rd February 2017.
 - 3.6 PK17/4826/RVC, Variation of conditions 12, 19 and 41 attached to outline planning permission PK12/1913/O to rationalise and validate amendments to conditions previously granted under application reference numbers PK15/5230/RVC, PK16/2449/RVC, and PK17/0039/NMA. Approved on 27th November 2017.
 - 3.7 PK17/4260/RM, Laying out of landscape and infrastructure (Phase 0) including primary and secondary streets, utilities, services, foul and surface water drainage, hard and soft landscaping. (Approval of reserved matters including appearance, landscaping, layout and scale to be read in conjunction with Outline Planning Permission PK12/1913/O superseded by PK16/2449/RVC). Still under consideration.
 - 3.8 Parcels 23a and 23d. PK17/5388/RM, Erection of 77 dwellings , associated roads, drainage, landscaping, garages and parking to include reserved matters of appearance, layout, scale and landscaping (Reserved Matters application to be read in conjunction with Planning permission PK17/4826/RVC). Still under consideration.
 - 3.9 Parcels PL23B, PL23D and PL23E. PK18/0527/RM, Erection of 71 no. residential dwellings and their associated roads, drainage, landscaping, garaging and parking. Approval of the reserved matters appearance, layout, scale and landscaping associated with application PK12/1913/O superseded by application PK17/4826/RVC. Still under consideration.
 - 3.9 PK18/0529/RM, Reserved matters for appearance, layout, scale and landscaping attached to outline planning permission PK12/1913/O Installation of local play area and associated works. Still under consideration.

4. CONSULTATION RESPONSES

4.1 Yate Town Council

Objection. The following is a summary of the reasons that Yate Town Council is objecting:

- The name Ladden Garden Village is misleading and confusing;
- Construction traffic issues;
- The proposals will affect the residential amenity of existing residents;
- There should be a hedgerow to the south side of parcel to help screen the development from existing occupiers;
- Concern regarding the lack of pavements;
- Lack of pedestrian crossings on main roads;
- A safe route to schools plan is required;
- Concerns regarding the design of parking for proposed dwellings;
- Lack of visitor parking;
- Insufficient parking allocated for proposed dwellings;
- Road widths are insufficient in width to allow for adequate manoeuvring;
- Lack of play space for residents and also the arrangement of play spaces;
- Oppose the use of weatherboarding or render as they are not part of the local vernacular (which is stone and brick);
- Boundaries should be brick with pillars nor single skin runs or wood;
- Wheelchair compliant parking space is required for the wheelchair unit;
- The whole development requires a Tree Preservation Order and hedge protection;
- Tree protection fencing must extend to the canopy edge rather than the RPZ;

4.2 Listed Building Officer

No comment

Bristol and Avon River Trust

Would like to see much more consideration of the environmental impacts on the Ladden Brook, which is an important tributary. BART can confirm it is an important wildlife corridor with otter, woodcock and snipe found along its course. Ladden Brook is important as a habitat for fish and invertebrates and needs to be protected and developed as a community asset. BART do not oppose plans but would support South Glos CC efforts to include environmental protections wherever they can. It is important for the cumulative effects of development to be considered in the decisions as each individual compromise will undermine the possible benefits of future green infrastructure plans.

Natural England

Natural England has no comments to make on this application.

Archaeological Officer

No objection

Drainage Officer

No objection in principle. They have provided a response to my queries and the surface water drainage layout within the Parcel 14D and Parcel 22 agrees with H560-125 Main Drainage 7 of 9.

Historic England

In our view you do not need to notify us of this application under the relevant statutory provisions.

Affordable Housing

All previous issues have been dealt with. No objection.

Sports England

This development does not fall within either our statutory remit or non-statutory remit.

Highway Structures

Standard advice provided.

Ecological Officer

Details relating to the design of subterranean road crossings for great crested newts are required in line with the Outline Great Crested Newt Mitigation Strategy (BSG Ecology, June 2015). It is recommended that additional vegetative cover in the form of scrub/hedgerow is planted towards the southern extent of this corridor to provide shelter for species crossing under/over the road.

The increase in housing density decreases the available habitat for hedgehogs and reptiles within gardens, unlike the design present within the Illustrative Masterplan. However, the link between the western wildlife corridor and Plot 13 does create a minor link to the rear gardens of Plots 1 to 16.

POS Officer

Areas of POS on the Strategic Masterplan Framework are missing;
Root barriers should extend beyond the canopy of trees within linear tree pits;
The tree pit details show the rootball buried under topsoil – topsoil should not be placed above the rootflare; The main greenspine corridor is not sufficient in terms of width and shared surfaces are not provided either side. The pos is proposed to be gated at both ends and has inadequate space for pedestrians or maintenance. It is likely to encourage fly tipping.

Landscape Officer

The green corridor along the hedge line and public right of way is a key element of the landscape framework of the site overall and is important for both ecology and local character. The design code requires the footpath connections to continue along both sides of the hedge. This connection has not been provided despite being raised with the applicant at the pre app stage. Gates block the corridor.

Transportation Officer

Surface Material on shared surface areas should be block paving. The exact nature and location of the traffic calming features are all to be agreed with the Council's Implementation Team.

The level of parking for each dwelling accords with the Council's Parking Standards. Garages can be counted as a parking space if they have minimum internal dimension of 3mx6m. A total of 17 visitors spaces are required to be provided and these should be evenly distributed and parallel to the highway. The autotrack detail shows a conflict between refuse vehicle and parked vehicle opposite plot 1.

PROW Officer

PROW should be protected to run through landscaped areas and the use of estate roads should be avoided. For this reason I object until plans showing suitable east west links are provided across this parcel. In any case an application for a division order will need to be made and confirmed prior to the route being obstructed by buildings. A path order under the TCPA may be made providing that it is necessary to enable development to be carried out and provided that the works are not substantially complete.

Wessex Water

We can confirm that Wessex Water have been in discussions with the developer regarding drainage for the wider New North Yate Neighbourhood site and have agreed a foul and surface water disposal strategy. The point of connection to the public sewers is by agreement with Wessex Water, who will adopt sewers through a formal S104 agreement subject to satisfactory engineering proposals constructed to current adoptable standards. The developer should contact the local development engineer and submit details to Wessex Water for technical review prior to construction.

Crime Prevention Design Advisor

No objection subject to the following:

Plots 2, 5, 37 and 40 have parking areas in front of garages which are likely to be in the dark and these areas may be vulnerable to crime. It would be advantageous to either provide additional light in the area and/or ensure buildings have habitable rooms overlooking this area.

Lack of natural surveillance to the central green spine would leave adjacent plots vulnerable to burglary. These boundaries should be 2 metres in height and be robust to prevent crime.

Other Representations

4.3 Local Residents

18no. letters of objection have been received from 12 residents. The following is a summary of the reasons given for objecting:

Wildlife corridors are narrower than proposed;
Location of a NEAP and Lap;
Loss of privacy;

Traffic calming is required along Randolph Avenue;
Wheel washing of vehicles leaving the site will not be adequate due to the nature of the soil;
Hours of working should be reduced on Saturday 10am to 5pm to give residents some respite to construction works;
Concerns regarding the proximity of plot 86 proposed to 35 Dryleaze. The gable end of the new building will be across the entire width of the neighbouring property which will be oppressive and constitutes a loss of outlook and impact on a tree;
The layout proposed is out of keeping with the proposed estate as none of the existing drives front onto Leechpool Way;
There is insufficient car parking for future occupiers and visitors. Garages should not count;
The rear kitchen window of my existing property will be affected by the location of plot 71 and will cause loss of natural light;
Additional housing not required in Yate;
Yate infrastructure cannot cope;
Removal of drainage ditch to the rear of existing properties and not sure how rainfall is to be dealt with;
The plan says that vegetation to the rear of existing properties will be cut back – what does this mean in terms of its height and width;
A path will be created for rear access to plot 27 – I can see there is a fence to rear of plot 26 but can you clarify if there is a fence between the path and the hedgerow;
Vegetation to the rear of properties on Pear Tree Hey should remain;
Increase in traffic on local road and may result in more cars using country lanes;
Loss of green space;
No provision for cycling routes on or off road;
Lack of pavements could cause highway safety issues;
Lack of pedestrian crossings on main roads;
Concerns regarding noise and disruption from the development;
Could there be restrictions when development takes place – there should be no development on weekends;
Work traffic should be restricted to a single route which should be continually cleaned;
There should be time restrictions on delivery lorries to avoid school times
The proposed compound is too close to existing properties;
Insufficient consultation time;
The phasing plan show the area as phase 2;
Parking for builders should be controlled;
Light controlled crossings to Randolph Avenue is required;
There should be provision assurances were made for horse riders to access Tan House Lane from Brimsham.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

North Yate New Neighbourhood is a major development site allocated by policy CS31 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013 for a major mixed use development of up to 3000 dwellings.

Outline consent was subsequently granted on 17th July 2015 for a mixed use development across 100.76 hectares of land comprising up to 2450 new dwellings, including 4.63 hectares of employment land, a local centre, two primary schools and supporting infrastructure. This approval covers a substantial area of the NYNN allocation. A masterplan and design code for the North Yate New Neighbourhood were subsequently approved by the Local Planning Authority on 20th January 2017 and 12th May 2017 respectively. The principle of the development is therefore, acceptable.

5.2 Urban Design

The approved design code envisages a new neighbourhood made up of different areas with their own particular qualities. Three separate character areas – Yate Gallops, Yate Woods, and Yate Meadows are proposed in order to achieve this. The idea, according to the design code, is that the character areas facilitate design that works with the existing site and its surrounding context, whilst enabling a range of development types to come forward to broaden the market choice on offer and to help deliver a commercially sustainable scheme.

- 5.3 The site lies within the Yate Meadows character area. This area has the strongest visual and physical relationship to the wider countryside. It is characterised by contiguous green space, and contains extensive ponds, swales and recessed flood attenuation areas. The eastern edge of Yate Meadows is characterised by individual buildings at a generally lower scale, which is part of the sensitive design response to the wider countryside setting.

5.4 Parameter Plans

The approved parameter plans show parcels PL14D and PL22 are required to provide entirely residential development, with a density between 25-40DPH, with a maximum of 2 storeys on the southern edge and 2-2.5 storeys elsewhere. The proposal is entirely residential and has a density of approximately 39DPH and is a maximum of 2 storeys on the southern edge and 2.5 stores elsewhere.

5.5 Green Infrastructure

Amendments made to green corridor width and to retain north/south wildlife link are such that the proposal is now considered to be acceptable.

5.6 Access and Movement

A primary street extends along the northern and eastern boundaries of the parcel, which is outside the boundary of the application site. The only streets within the application parcels are tertiary. Tertiary streets are shown indicatively on the Access and Movement Framework Plan and the code sets out that there is flexibility in respect of their actual positions, although proposals must incorporate the number of connections shown as a minimum. The Access and Movement Framework Plan demonstrates a single tertiary street providing two entrances into the parcel to the north and east edges; provision for a connection from an existing public right of way to the south; and footways/shared surface streets adjacent to the stream corridor and to the west of the parcels. The tertiary street connections and public right of way link proposed are considered to accord with the framework plan. The number of

paths either side of the stream corridor have been reduced from two to one, in order to reduce conflicts between the public and wildlife and to make the green corridor more effective. Accordingly, there are no objections in respect of the proposal compared to the access and movement framework plan.

5.7 Waste Collection and Storage

The site wide principles in the NYNN Design Code for waste collection and storage set out that bins should be stored to the side or rear of households to adequately screen containers from view in the interests of visual amenity. If that is not possible, they should be integrated into the façade or boundary treatment and be screened by a wall or hedge. The majority of the dwellings proposed have bin stores within rear gardens with collection from the highway to the front, which will ensure there is ample room for the storage of the various receptacles. This design will also ensure that they will be well screened from public views, and it will be practical for householders. Mid terrace properties have front bin storage areas to provide more convenient storage and collection of refuse and recyclables, which will be screened by a 1.2 metre high brick wall. Bin muster points are proposed in several locations where there is no direct access to the highway for dwellings. Comments made by the Council's Refuse Officer in respect of the refuse tracking plans have been addressed through revised plans.

5.8 Layout and Appearance

The original plans submitted showed a very weak architectural language with too many disparate materials used within individual house types and unnecessary embellishment of openings that made little compositional sense and did not reflect the crisp, contemporary approach that the design code envisages. The disposition of the main elevational and roofing materials originally demonstrated no clear strategy in creating sub-character areas that relate together and group buildings as coherent streetscapes and/or clusters of development sharing a common character. It is considered that the revised proposals demonstrate a more refined and measured approach and represent a considerable improvement.

5.9 The order and hierarchy now proposed for the use of materials was originally not extended to the eaves types. However, the developer has acceded to officer's requests and now proposes dark grey fascia boards to match the window colour and clipped eaves to provide a more distinctive appearance. According to the developer, clipped eaves will be used on the Barratt's parcels and boxed eaves will be used on the David Wilson Homes parcels in order to provide a variation in eaves typology.

5.10 The materials proposed are render (chalk and silver pearl colours); Forticrete shearstone mid grey cottage finish; Ibstock weathered red, wilton yellow and Staffordshire blue brick; Hardieplank weatherboarding (soft green, light mist, cobblestone and boothbay blue colours); and Forticrete pan8 brown and SL8 grey roof tiles. The colours of the materials proposed are acceptable in principle, and accord with the design code guidance for the Meadows character area. Samples of materials are required to be agreed with the Local Planning Authority to ensure an adequate standard of appearance. A condition is attached on this basis.

- 5.11 Although the revised proposals for appearance are generally supported, the units comprising buff brick were not considered as successful as the other materials treatments and lacked visual interest. In response, the developer has reviewed the relevant sub character area and has introduced additional elements of detailed brick. Brick panels have been introduced to offer more interest and will be in a blue/grey contrast brick. In addition, a second door colour has been introduced for the area to enhance the colour palette of the streets.
- 5.12 When used as an embellishment detail, it is considered important that the weatherboarding is recessed to the same level as the brickwork. A detail showing the method of fixing of weatherboarding has been submitted demonstrating that it will be recessed almost flush with the brickwork. A scale largescale detail will be secured to ensure an adequate standard of appearance.
- 5.13 In terms of the detailed design, the main difference from the design code is that 2.5 storey semi-detached dwellings are located to the north/northeast edge of the parcel whereas the code requires 2 storey semi-detached properties. However, as the dwellings front the main spine road there is no objection to the increase in height in this location, and makes good urban design sense. These dwellings will provide a consistent frontage to the edge of the main spine roads which accords with the aims of the design code. Key junctions and locations are accented through a change of materials, as well as by a larger apartment block to address key views.
- 5.14 Other amendments demonstrated on the revised plans are increased level of fenestration on side elevations, which will be prominent within the public realm; relocating small steps in the building line of terrace/semi-detached properties in the rear elevations rather than the front in order to provide a more satisfactory standard of appearance; the introduction of larger windows within elevations to maximise solar gain; the use of solid brick walls where visible from the public realm rather than fence panels within brick piers; and the re-design of plot 79 to better stop the view from the main street and address the view from the north.
- 5.15 The apartment block has been improved through the use of private balconies to the front elevation to give more interest and depth to the appearance of the block, as well as through the provision of a rear communal seating area for residents. The internal arrangement of the apartment block has also be reconfigured to allow natural light and ventilation to be gained from the southern side, which will improve the amenity for occupiers, and also provide additional surveillance over the parking court. In addition, the living space has been made larger by handing the internal arrangement. Larger window sizes are provided to the living areas, and additional windows are proposed on the eastern elevation to maximise solar gain.
- 5.16 PROW
The existing public right LYA52 which extends from the south and through the parcel is accommodated within the scheme on a path adjacent to public open space and stream corridor. The link, which connects to a primary road, will be

partly on a shared surface, and a change in surface material will emphasise the route for pedestrians. The route, adjacent to public open space and the stream corridor, will provide an acceptable level of amenity to users. The Council's Public Rights of Way Officer has raised an objection regarding the loss of the east/west footpath LYA50. East/west links will be provided within the residential parcel and the infrastructure road network to provide the connections between the main strategic pedestrian/cycle corridors and Yate Rocks via Coopers Lake. Although the east/west link in the residential parcel and infrastructure roads will be via estate roads as opposed to dedicated footpaths within public open space, as requested by the POS Officer, significant weight must be given to the fact that this has already been approved in principle by virtue of the approved masterplan. The masterplan envisages the east/west link being provided on residential streets rather than a green corridor. Accordingly, there is no objection on this basis.

5.17 Shared Street Design

The internal streets within the parcel are to be shared between cyclists/pedestrians and vehicles, as there is no defined footway or carriageway. This is in accordance with the design code which seeks to create a series of clear, predominately shared surface streets. The proposed streets will be seen as subordinate compared to the more formal primary and secondary streets and therefore, will discourage rat running. The design code requires shared surface streets to be 8 metre plot to plot minimum in width and designed to an adoptable standard. On street parking, as well as trees within buildouts are required to contribute to traffic calming. The proposed layout demonstrates on street vehicular parking, changes of material, and buildouts of green space to form localised narrowing at the access points to calm traffic. The design code envisages a flush shared surface to provide a truly democratic shared surface environment. Although this is shown on the plans submitted, the detailed design of the streets will need to be approved via the S38 process. It will be necessary for the Planning Officers to work closely with the Highway Adoption Engineers to ensure that a flush shared surface design is carried forward to the implementation stage.

5.18 Security

The Crime Prevention Officer raised concerns regarding the lack of natural surveillance over the central green spine area. The plans originally submitted demonstrated that this area would not be accessible to the public being enclosed by fencing forming the rear and side boundaries of surrounding properties. Revised plans submitted have significantly amended the layout and nature of this area by providing public access through the corridor, and by rotating certain dwellings so that they front onto and provide natural surveillance to this area. As such, and with a robust 1.8 metre screen wall to the flank boundary of 51 and 53, it is considered that the proposal will provide a sufficiently secure design.

5.19

The revised plans have addressed the comments regarding the parking areas between plots 1+2, 5+6, 36+37 and 40 being dark and vulnerable to crime by including a lounge window to the side elevations of these properties to provide natural surveillance over the car parking spaces.

5.20 Landscaping

The main landscaping issue has been the treatment of a public open space area containing the Ladden Brook which forms a green corridor through the parcel. The design code specifies a range of aims for this green space area including pedestrian/cycle movement, the enhancement of biodiversity through new wetland meadow planting and connectivity to the green infrastructure network off site; to retain existing hedgerows and trees to provide a naturalistic setting for development. In the original plans submitted, the POS was enclosed by the boundaries of private gardens such that there was no public access route. In addition, part of the pos east of plot 27 was proposed as private garden such that the green link to off-site GI to the south would have been severed. Revised plans received have included a pedestrian route to the southern side of the POS to accommodate the public right of way; however, the design proposed the use of retaining walls up to 1 metre in height along the edge of the pos to address the change in levels between the road and the Ladden Brook. In addition, the existing line of the Ladden Brook was proposed to be diverted with the loss of the existing streamside hedge. Accordingly, concerns were raised that the proposal would be detrimental to the character of the stream corridor and would not provide a sufficiently natural setting for the development. The plans have been revised in accordance with guidance from the Council's Landscape and POS Officers. The land to the east of plot 27 is proposed as public open space in accordance with the approved framework plans with meadow grassland, native hedgerow mix, and two rowan trees to ensure an ecological link to off-site GI and a pleasant setting to the public right of way. In addition, through altering the layout of the development, the revised plans have retained the existing line of the Ladden Brook and the existing stream hedge and have omitted the proposed retaining walls with the land instead being re-graded to address the change in levels. The width of the POS has been increased to 15 metres in width at the widest point and 9 metres at the narrowest point, which accords with the approved framework plans. A mix of general purpose meadow mixture and meadow grass mixture for wetlands, as well as field maple, silver birch, wild cherry and rowan trees are proposed to be planted to enhance the amenity and wildlife value of the green corridor. Although a pedestrian link is only provided to the southern side of the POS, this is considered to be a more appropriate balance of GI objectives between the protection/enhancement of wildlife and provision of public access.

5.21 Although the proposed layout plan submitted demonstrates that development will be outside of the RPZ of existing trees to the west of the parcel, the Landscape Officer raised concerns regarding the fact that some re-grading of the levels would occur with the RPZ given the proximity of the road and path on the western edge of the parcel to trees. However, the Arboricultural Method Statement submitted states that raising ground levels within the proposed proximity to the trees will have minimum impact on the trees due to the fact that annual deep ploughing of the fields has taken place and will have severed roots to a depth of up to 450mm encouraging root growth parallel to the hedge. In addition, the revised plans have changed land to the west of plot 17 originally proposed as private garden to public open space, which will give better protection to the tree roots. Where fencing and paths on the southern edge of the parcel extends within the RPZ of trees, the Arboricultural Method Statement

- proposes no dig construction techniques, as well as the use of a permeable, loose aggregate pathway to ensure air and water percolation.
- 5.22 Tree protection fencing has been approved and is required to be installed around retained trees and hedgerows under application PK17/4260/RM for infrastructure.
- 5.23 Accordingly, there are no objections to the proposal.
- 5.24 Residential Amenity
Objections have been received from neighbouring occupiers regarding the impact of the proposed dwellings on their residential amenity. The layout has been amended in a number of areas in order to lessen the effect on neighbouring occupiers. For example, a proposed dwelling previously extended adjacent to the northern flank boundary of 30 Dryleaze and would have resulted in a two storey gable extending beyond the rear boundary of the neighbouring dwelling at a distance of 3 metres. The revised layout plan has addressed this issue and has increased the level of separation to the neighbouring property. It is noted that concerns have been raised by occupiers of the existing property no. 35 Dryleaze regarding the proximity of plot 86 to their rear boundary and property and the effect on their tree. The planning officer requested that the developer increase the level of separation between 35 Dryleaze and plot 86, and whilst the developer has not acceded to this request they have reduced the impact by handing plot 86 to move the projecting gable further away from the neighbouring property. Plot 86 would be approximately 13.5 metres from the principal rear elevation of the neighbouring property at the closest point; however, it is at an oblique angle to the boundary and neighbouring property being 15 metres at the furthest point. The location directly north of the neighbouring property is such that there would not be an adverse effect on neighbouring occupiers in respect of loss of natural light. After giving the matter careful consideration it is not considered that there would be a sufficiently harmful effect in respect of overbearing/loss of outlook to warrant an objection on this basis. There is a gap to the boundary with a hedge proposed on the boundary to soften views of the proposed dwelling. No first floor windows are proposed in the southern elevation of plot 86; therefore, it is not considered that the privacy of the neighbouring occupiers will be adversely affected. With regards to the impact on the neighbour's tree, the Council's Tree Officer has advised that although a developer would be within their legal rights to cut through any roots that grow onto their land from private properties, the majority of the roots of the tree would be protected from damage by an existing boundary fence. Accordingly, it is not considered that the proposal issue would result in significant harm to the tree.
- 5.25 On the boundary shared with existing neighbouring properties to the rear of plots 70-86 there is existing 1.8 metre high close board timber fencing. However, on the boundary to the rear of 17-27 there is no boundary fencing. All vegetation with the exception of trees is proposed to be removed and a replacement hedge is proposed to be planted. The proposed hedge and post and wire fence is unlikely to provide an adequate level of privacy for occupiers to begin with; therefore, a condition is attached for a more substantial boundary treatment to be provided whilst the hedge establishes and grows out.

5.26 It is considered that the proposed layout will provide an adequate standard of residential amenity for future occupiers. Back to back distances are around 20 metres which will ensure an adequate level of privacy for future occupiers. Where the back to back separation is less, the oblique relationship of the dwellings will ensure that there will be no adverse privacy issues. Garden sizes proposed overall are considered to be acceptable to ensure an adequate standard of amenity for future occupiers. Originally no balconies or communal amenity space was provided for flat block A. Amended plans received have provided balconies to the front of the flat block, as well as communal green space and seating area to the rear of the flat block. Overall, this is considered to provide an acceptable level of amenity for future occupiers.

5.27 Transportation

The Council's Transportation Officer has confirmed that the internal road layout within the development is designed subject to a 20mph speed limit and includes provision of traffic calming features, including changes of surface material. The Transportation Officer is satisfied that vehicular speeds within the development would be low and all new junctions would have an adequate level of visibility. The Transportation Officer has consequently raised no objections to the proposal and considers the access and internal road layout to be acceptable and in accordance with the Council's adoptable design standards and would be adequate for pedestrian/cycle/vehicular use. In response to the Town Council's concerns regarding the provision of safe route to school, the approved approach set out in the design code is that all primary and secondary streets will be designed with safe route to school principles.

5.28 The Council's Transportation Officer has recommended that the surface material of shared surface roads be concrete block paving. Tarmac is proposed to the shared surface areas with areas of block paving acting as a traffic calming measure, as well as denoting visitor parking, and the PROW route. The design code seeks tertiary and shared spaces to be designed to respond to the relevant character area description with shared spaces and dedicated parking bays finished in materials that support the character area objectives. The design code also seeks a single surface finish laid flush with no features other than parking that define a carriageway for vehicles. The plans demonstrate the use of a single surface material laid flush with no other features defining a carriageway, which will provide a truly democratic shared surface environment. It will be necessary for the Planning Officers to work closely with the Highway Adoption Engineers to ensure that an adequate shared surface design is carried forward to the implementation stage.

5.29 The Council's Transportation Officer has confirmed that the general level of on plot parking as proposed for each property complies with the Council's adopted parking standards. Garages that have minimum internal dimensions of 3m x 6m may count as a parking space. All garages proposed will meet this minimum size requirement. The Council's Transportation Officer has confirmed that 17 visitor parking spaces are required to be provided for a development of the scale proposed and the proposal provides 16 visitor spaces. The proposal falls one visitor parking space short of the South Gloucestershire Residential Parking Standards SPD due to the reconfiguration of the layout around the

green corridor, which resulted in the loss of some visitor parking spaces. However, greater weight is given to the fact that the changes have significantly increased the quality and amenity of the public open space. Tracking issues adjacent to plot 1 have been addressed through the revised plans such that it has been satisfactorily demonstrated that the internal layout will provide adequate manoeuvring space for large vehicles. Accordingly, there are no objections to the proposal in respect of transportation.

5.30 Matters relating to the design of primary and secondary roads are outside the scope of this application. These matters are considered in the infrastructure application PK17/4260/RM.

5.31 Listed Building Impacts

The closest heritage asset is the grade II listed Goosegreen Farmhouse and barn which is approximately 277 metres to the south of the parcels. Given the separation distance and the intervening development, it is not considered that there would be a significant effect on the setting and significance of the listed building. Weight is also given to the fact that the masterplan showing residential development in this location has also been approved.

5.32 Affordable Housing

The affordable housing quantum has been provided in accordance with the S106 agreement. The proposal for 86 dwellings includes 30 affordable homes (35%). The proposed tenure split of 80% social rent and 20% intermediate housing, with 24 units proposed for social rent, and 6 units for shared ownership is in accordance with the approved S106. The mix and size of the proposed affordables are also in accordance with the S106 agreement. It has been confirmed by the developer that the affordable homes will be built to the same standard of design as the market units, as well as the other standards required. The application proposes 5% of the social rented homes consisting of 1 x 2 bed house (plot 17) to be provided as wheelchair accommodation, which accords with the S106 agreement. The developer has confirmed that the unit and parking will be to the Council's Wheelchair Specification. The floor plans have been updated to include door widths and openings, as well as other internal measurements such that the Council's Enabling Officer is satisfied that the design meets the wheelchair specification. The internals have also been rearranged to better suit a wheelchair user in terms of the location of the lift. Accordingly, there are no objections in respect of affordable housing.

5.33 Drainage

The plans demonstrate that the existing ditch to the rear of existing properties on Pear Tree Hey is to be culverted, primarily to allow a street crossing but to the north it will run as existing as an open stream. The Council's Drainage Officer originally raised concerns that the surface water drainage design for the parcel was a departure from the approved Surface Water Drainage Strategy (December 2016). On the basis of the revised details submitted, including MicroDrainage calculations submitted the Council's Drainage Officer now has no objections in principle to the development subject to an informative note being included to notify the developer that Land Drainage Consent is required as the application involves work to an ordinary watercourse/ditch. An informative note will be attached accordingly. The proposed line of culvert ten

extending in a northerly direction from the site although acceptable from a landscape and drainage perspective, as it would have less of an impact on existing vegetation, is different to the infrastructure plans. Therefore, the infrastructure plans for this part of the site would need to be updated by way of a S.73 or Non-material Amendment application. An informative note is attached to bring this to the attention of the developer.

5.34 Ecology

The Council's Ecological Officer has raised concern regarding the increase in density compared to the masterplan and the effect on habitat for hedgehogs and reptiles. However, the density proposed has already been approved in principle by virtue of the approved density framework plan; therefore, there is no objection on this basis. Provision of hedgehog holes, to ensure that hedgehog's can access suitable foraging habitats within the site, will be provided within the fences/walls of the gardens where appropriate. The gap will be a minimum of 13cm by 13cm, which will allow hedgehog access but will be too small for most pets. Gaps are to be provided on the outer perimeter fences/walls of gardens especially where they back on to semi-natural habitats or landscaped areas, and between gardens. The provision of hedgehog holes has been secured through the approval of the wildlife mitigation strategies and LEMP (conditions 34 and 35 of the outline consent). Therefore, an informative note is considered to be appropriate to notify the developer of their requirement to comply with the various approved wildlife strategies, and in particular in this instance the provision of hedgehog holes. A strategy for the protection enhancement of habitat for reptiles has already been agreed by virtue of the discharge of conditions 34 and 35. This includes the provision of wildflower grassland areas, log and brash piles to provide areas of shelter and to enhance prey availability, as well as the creation of wildlife corridors through the site. An informative note is attached to notify the developer of the requirement to accord with the relevant wildlife strategies.

- 5.35 The Ecology Officer has also raised concerns regarding the division of a wildlife corridor to the south of the parcel. On the original plans submitted an area to the east of plot 27, shown as POS on the masterplan, was proposed as private amenity space. This severed a north/south wildlife connection and was contrary to the approved masterplan and LEMP. The revised plans submitted have changed the layout of plot 27 so that the area to the east is retained as POS with meadow grassland, native hedgerow mix, and two large rowan trees proposed to be planted, which will retain the north/south wildlife connection. Accordingly, there is no objections in relation to ecology.

5.36 Further matters

The NEAP and LAP are located outside the application site and are beyond the scope of this application.

Matters relating to construction traffic, hours of working and traffic calming have already been agreed under the outline application and conditions.

The impact on infrastructure in Yate, including local roads, has already been considered under the outline application and is beyond the scope of matters to be considered under this application.

Consultation has been carried out in accordance with statutory requirements, as well as the Council's Statement of Community Involvement SPD.

The framework plans approved indicate that no bridleway is affected by the application parcel.

Provision of play space is set out in the approved framework plans. The proposal is considered to comply with the framework plans in this respect.

5.37 Consideration of likely impact on Equalities

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society. As a result of that Act the public sector Equality Duty came into force. Among other things, the Equality Duty requires 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. 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. 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 a neutral impact as equality matters have duly been considered in planning policy.

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 Reserved matters consent is GRANTED subject to the following conditions.

Contact Officer: Jonathan Ryan
Tel. No. 01454 863538

CONDITIONS

1. Prior to the development hereby approved being brought into operational use, details of street lighting shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details before the development is brought into operational use.

Reason

To ensure that the lighting scheme does not adversely impact on the landscaping scheme, and to ensure the health and appearance of vegetation in the interest of the character and appearance of the area and to accord with policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013; and policy PSP2 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017

2. All hard and soft landscape works shall be carried out in accordance with the details hereby approved. The works shall be carried out in the first planting season prior to occupation of the final dwelling approved under this reserved matters application or in accordance with the programme agreed in writing with the Local Planning Authority.

Reason

In the interests of the character and appearance of the area, and to accord with policy PSP2 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017; and policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013

3. Any trees or plants shown on the landscaping scheme hereby approved, which die, are removed, are damaged or become diseased within 5 years of the completion of the approved landscaping scheme shall be replaced by the end of the next planting season. Replacement trees and plants shall be of the same size, location and species as those lost.

Reason

In the interests of the character and appearance of the area, to accord with policy PSP2 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017 and policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

4. Prior to the construction of development above Damp Proof Course (DPC) level, samples of all external facing materials shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

Reason

To ensure an adequate standard of external appearance and to accord with policy CS1 of the South Gloucestershire Core Strategy (adopted) December 2013.

5. Prior to the construction of development above Damp Proof Course (DPC) level, sample panels of stonework, demonstrating the colour, texture and pointing are to be erected on site and approved in writing by the Local Planning Authority. The approved sample panel shall be kept on site for reference until the stonework is complete. Development shall be carried out in accordance with the agreed sample.

Reason

To ensure an adequate standard of external appearance and to accord with policy CS1 of the South Gloucestershire Core Strategy (adopted) December 2013.

6. Prior to the construction of development above Damp Proof Course (DPC) level, sample panels of brickwork, demonstrating the colour, texture, facebond and pointing are to be erected on site and approved in writing by the Local Planning Authority. The approved sample panel shall be kept on site for reference until the brickwork is complete. Development shall be carried out in accordance with the agreed sample.

Reason

To ensure an adequate standard of external appearance and to accord with policy CS1 of the South Gloucestershire Core Strategy (adopted) December 2013.

7. Prior to the construction of development above Damp Proof Course (DPC) level, the design and details including materials and finishes of the following items on all dwellings shall be submitted to and approved in writing by the local planning authority:
 1. Eaves, verges and ridges
 2. All windows (including cill, reveal and lintels)
 3. All external door hoods, architraves, canopies and porches
 4. Extracts, vents, flues & meter boxes
 5. Dormers
 6. Hardieplank cladding relative to masonry external leaf/window frames

The design details shall be accompanied by elevations and section drawings to a minimum scale of 1:5 together with cross section profiles. The scheme shall be implemented strictly in accordance with the approved details.

Reason

To ensure an adequate standard of external appearance and to accord with policy CS1 of the South Gloucestershire Core Strategy (adopted) December 2013.

8. Prior to the construction of development above Damp Proof Course (DPC) level, a sample panel of the render indicating colours and texture, shall be erected on site and approved in writing by the Local Planning Authority. The approved sample panel shall be kept on site for reference until the development is complete. Development shall be carried out in accordance with the agreed sample.

Reason

To ensure an adequate standard of external appearance and to accord with policy CS1 of the South Gloucestershire Core Strategy (adopted) December 2013.

9. The bin storage shown on the drawings hereby approved shall be provided before the corresponding dwellings are first occupied, and thereafter retained for that purpose.

Reason

In the interest of the amenities of the site and to accord with policy CS1 of the South Gloucestershire Core Strategy (adopted) December 2013.

10. The off-street parking facilities (for all vehicles, including cycles) shown on the plan hereby approved shall be provided for the plot to which it relates before the corresponding building is first occupied, and thereafter retained for that purpose.

Reason

In the interest of the amenities of the site and to accord with policy CS1 of the South Gloucestershire Core Strategy (adopted) December 2013.

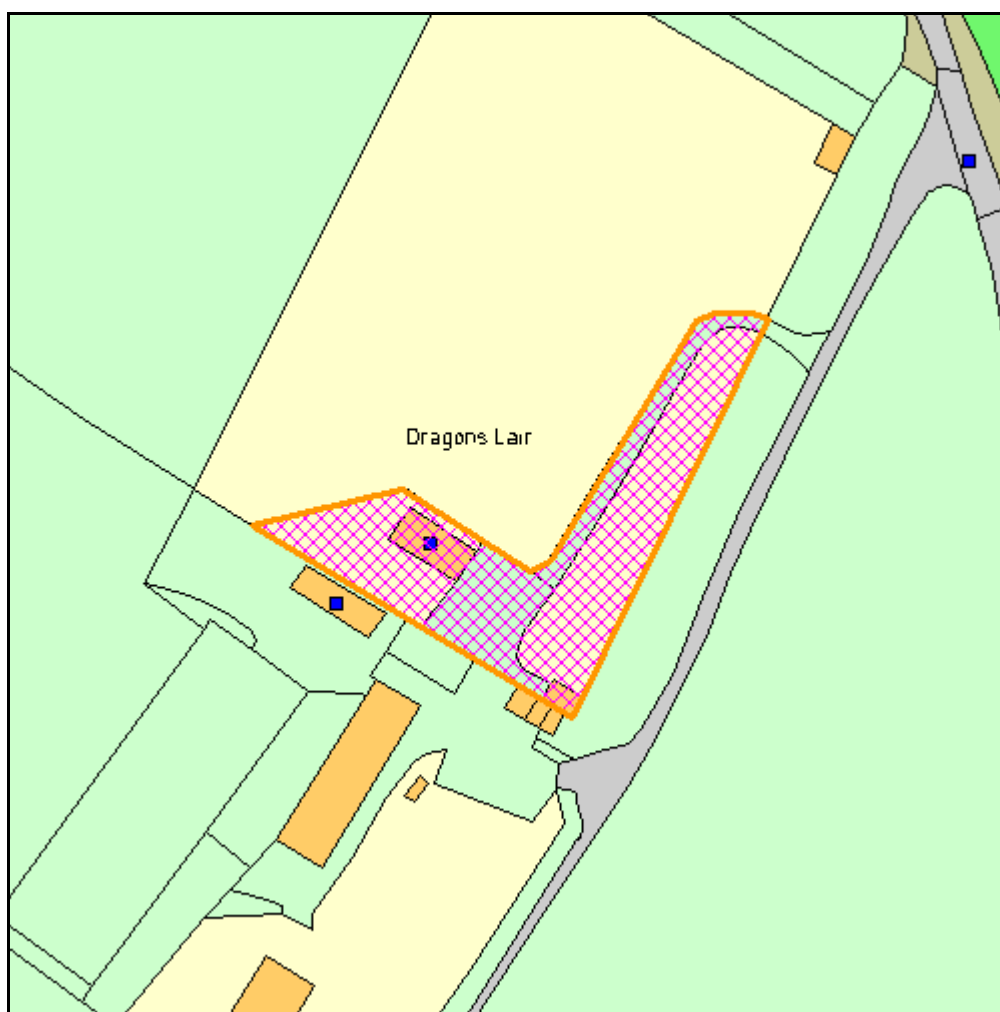
11. Prior to the first occupation of plots 17-27, a temporary 1.8 metre close board fence shall be provided on the rear boundary of these properties. The fence shall remain in situ until the hedge grows out and reaches an equivalent height of the fence.

Reason

To ensure an adequate standard of privacy for existing and future occupiers and to accord with policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

CIRCULATED SCHEDULE NO. 16/18 – 20 APRIL 2018

App No.:	PK17/5532/F	Applicant:	Mr & Mrs C Bellord
Site:	Dragons Lair Old Parish Lane Dodington South Gloucestershire BS37 6SE	Date Reg:	13th December 2017
Proposal:	Erection of 1 no. dwelling and associated works.	Parish:	Dodington Parish Council
Map Ref:	374840 179350	Ward:	Westerleigh
Application Category:	Minor	Target Date:	1st February 2018



© South Gloucestershire Council 2007.all rights reserved.

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

100023410, 2008.

N.T.S.

PK17/5532/F

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application has been referred to the circulated schedule as comments of objection have been received. These comments are contrary to the officer recommendation for approval. Additionally, the proposed development represents a departure from green belt policy and therefore the recommendation requires ratification by Members through the circulated schedule although it does not require referral to the Secretary of State.

1. THE PROPOSAL

- 1.1 This application seeks permission for the erection of a replacement dwelling at Dragon's Lair, Dodington. It is proposed to replace an existing lawful mobile home and various outbuildings with a single-storey linear dwelling which hugs the eastern boundary of the site.
- 1.2 During the course of the application, revised plans have been received which significantly reduce the scale of the development. It is upon these plans that a recommendation is made.
- 1.3 The application site is situated outside of any defined settlement and is therefore in the open countryside. This area of the district falls into the Bristol and Bath Green Belt. The site is close to, but not within, the Cotswolds Area of Outstanding Natural Beauty – the boundary of which runs along Catchpot Lane to the immediate east. Surrounding the site is a boundary wall which is locally listed; this wall enclosed the land as a sheep fold associated with the Codrington estate and Dodington House. A public right of way runs along the lane to the front of the property.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework 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 the Environment and Heritage
CS15	Distribution of Housing
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
PSP10	Active Travel Routes
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP19	Wider Biodiversity
PSP38	Development within Existing Residential Curtilages
PSP40	Residential Development in the Countryside
PSP42	Custom Build Dwellings
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

Development in the Green Belt SPD (Adopted) June 2007
 Design Checklist SPD (Adopted) August 2007
 Residential Parking Standard SPD (Adopted) December 2013
 Landscape Character Assessment SPD (Adopted) November 2014
 CIL and S106 SPD (Adopted) March 2015
 Waste Collection SPD (Adopted) January 2015 (updated March 2017)

3. **RELEVANT PLANNING HISTORY**

- | | | | |
|-----|---|-----------|------------|
| 3.1 | PK14/0447/CLE | Approved | 07/04/2014 |
| | Application for a Certificate of lawfulness for the use of a mobile home as a permanent residence (Resubmission of PK13/4489/CLE) | | |
| 3.2 | PK13/4489/CLE | Withdrawn | 15/01/2014 |
| | Application for a Certificate of Lawfulness for the use of a mobile home as a permanent residence. | | |
| 3.3 | P98/1159 | Approved | 27/03/1998 |
| | Use of land for stationing of a mobile home. (Renewal of temporary consent P96/2815 dated 17.2.1997). | | |
| 3.4 | P96/2815 | Approved | 17/02/1997 |
| | Use of land for the stationing of a mobile home. | | |
| 3.5 | P95/1883 | Approved | 01/08/1995 |
| | Use of land for the stationing of a mobile home. | | |
| 3.6 | P94/1898 | Approved | 09/08/1994 |
| | Use of land for the stationing of a mobile home (renewal of temporary consent) | | |
| 3.7 | P94/1096 | Approved | 27/04/1994 |
| | Erection of stables isolation boxes stone building 2 bedroom single storey dwelling, 4 bedroom two storey dwellinghouse with attached garage. Construction of all weather riding surface, driveways and parking areas | | |
| 3.8 | P93/1787 | Approved | 11/08/1993 |
| | Use of land for the stationing of a mobile home (renewal of temporary consent) | | |

- 3.9 P92/1630 Approved 17/06/1992
Use of land for the stationing of a mobile home (renewal of temporary consent)
- 3.10 P91/1687 Approved 19/06/1991
Use of land for the stationing of a mobile home.

4. CONSULTATION RESPONSES

- 4.1 Dodington Parish Council
Objection: site is within the green belt; replacement building is not in the same location as existing barns and caravan; no provision of parking.

Internal Consultees

- 4.2 Conservation Officer
No objection; development would not affect locally listed sheep fold walls.
- 4.3 Ecology Officer
No objection subject to informatives.
- 4.4 Highway Structures
No comment
- 4.5 Landscape Officer
No objection; site is well screened although there are views of the site, existing mobile home is conspicuous in these views. Landscaping scheme should be secured by condition.
- 4.6 Lead Local Flood Authority
No objection; package treatment plant is specified but location not shown.
- 4.7 Sustainable Transport
No objection; conditions should secure access and parking arrangements and provision of off-street parking.
- 4.8 Tree Officer
No objection; proposal would result in the loss of several mature trees, other trees would be protected. Protection should be secured by condition as should details of cellular confinement system.

Other Representations

- 4.9 Local Residents
None received

5. ANALYSIS OF PROPOSAL

- 5.1 This application seeks planning permission for a replacement dwelling at a site in Dodington, outside of any defined settlement, in the green belt.

Principle of Development

- 5.2 There are two main issues relevant to this application: 1, is the proposal inappropriate development in the green belt? and 2, is the proposal in a location suitable for residential development?

Development in the Green Belt

- 5.3 Development in the green belt is strictly controlled with the aim of keeping the land permanently open in nature. Policy CS5 allows only small scale infill development within defined settlements, development set out in community plans, and development that complies with national guidance in the green belt. Policy CS34 seeks to protect the green belt from inappropriate development.
- 5.4 There is a general presumption against development in the green belt. Inappropriate development is, by definition, harmful to the green belt. New buildings should be considered inappropriate development unless they fall into the exception categories defined in paragraph 89 of the NPPF. This paragraph allows for the construction of certain buildings in the green belt in the circumstances stipulated. One of the exception categories is *'the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces'* and another is *'[...] the partial or complete redevelopment of previously developed sites [...] (excluding temporary buildings), which would not have a greater impact on the openness of the green belt and the purposes of including land within it than the existing development.'*
- 5.5 The site is currently occupied by a number of buildings and structures. The most prominent is a mobile home. Under the Caravan Sites and Control of Development Act 1960 a caravan is defined as *'any structure designed or adapted for human habitation which is capable of being moved from one place to another (whether by being towed, or by being transported on a motor vehicle or trailer) and any motor vehicle so designed or adapted [...]'*. As a caravan, it should not be considered a building for planning purposes.
- 5.6 As the caravan cannot be considered a building, its replacement cannot be considered as an exception to the presumption against development in the green belt. Additionally, as a caravan itself is temporary (even if it benefits from a permanent permission for the siting of a caravan) it cannot be considered the partial or complete redevelopment of the site. It therefore follows that the proposal is inappropriate development in the green belt and should not be approved unless there are very special circumstances. Very special circumstances would need to outweigh the harm by inappropriateness and any other harm to overcome the general presumption against development in the green belt.

Very Special Circumstances – Introduction

- 5.7 To consider very special circumstances, the impact on the openness as well as the purposes of the green belt should be considered. As evidenced in the planning history listed in section 3 of this report, the site has a lawful use as residential (Class C3) and for the stationing of a mobile home. Therefore, while a mobile home does not fulfil the definition of a building, it nonetheless has an

- impact on openness and visual amenity of the green belt; which are planning concerns. Given that the existing mobile home is lawful, it can be safely assumed that there would be a structure of some description on the site permanently. It would not, therefore, be unreasonable to consider the mass of structures and its impact upon the green belt as the baseline for further assessment.
- 5.8 It is clear that a replacement of the mobile home has strong potential to have a damaging impact on the green belt. The two exception categories listed are relevant to this application. The site currently contains a mobile home, greenhouse and outbuildings in the site corners. Combined, these buildings and structures have a volume of 260 cubic metres. Under the first of the exception categories listed, a replacement building (although noting that 'building' does not apply in this instance) may be permissible in the green belt provided that it is in the same use and not materially larger. The proposed building would undoubtedly remain in a residential use. However, what can be defined as materially larger?
- 5.9 Another exception category in the NPPF is the '*extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building*'. It is clear that the enlargement of a building may not be inappropriate in the green belt provided it remains proportionate in nature to the original building. In this case the mobile home is not an original building but the concept remains valid.
- 5.10 It is not being advanced that 'materially larger' and 'disproportionate addition' are interchangeable and equivalent. It is reasonable when making a green belt assessment to consider the likely potential built form, whether proposed at this time or that which could be achieved at a later date. Using the guidance related to extensions contained within policy PSP7 indicates that an increase in the volume of a building of less than 30% would be unlikely to be disproportionate but that an increase in volume of 50% or more above the original building would be highly likely to be disproportionate. It would not, therefore, be unreasonable to consider an increase in volume as part of a replacement building – provided it did not result in a disproportionate addition – particularly when any further increase can be made subject to the express consent of the local planning authority.

Very Special Circumstances – Assessment

- 5.11 The proposed development would rationalise the buildings on the site as the existing buildings would be removed and replaced with one building. In addition to this, the proposal would result in the removal of the unsightly mobile home. The design of the building hugs the boundary wall of the site and appears like a potting shed or other horticultural building. In terms of the visual amenity of the green belt, the proposal is a significant improvement as it removes the dominant and jarring mobile home and replaces it with a less dominant, more appropriate, and better placed building. In terms of volume, the proposed building would have a volume of 380 cubic metres. This equates to a 46% increase in the volume of buildings on the site. While this is definitely verging towards the upper end of what may be considered appropriate (when

assessing an extension to an existing building), the amalgamation of the built form and mobile home into one building is an important aspect of protecting the openness of the green belt. Where there are multiple buildings, there is a greater impact on the openness of the green belt. The construction of a single building along the site boundary (rather than being more conspicuous within the central area of the site and include a mobile home which is clearly out of character with the rural appearance of the area) would be an improvement to openness and the increase in volume is unlikely to be considerably notable.

- 5.12 The purposes of the green belt are to: check the unrestricted sprawl of large built-up areas; prevent neighbouring towns from merging into one another; safeguard the countryside from encroachment; preserve the setting and special character of historic towns; and, assist in urban regeneration by encouraging the redevelopment of urban land.
- 5.13 Under this application there would be no additional use of land and therefore the proposal would not conflict with the purposes of preventing sprawl, avoiding encroachment, coalescence, or redevelopment of urban land. The site is not in an area where the green belt particularly strongly acts to preserve the setting and special character of historic towns. The development does not therefore conflict with the purposes of the green belt and is not considered harmful in this regard.
- 5.14 Permitted development rights should be restricted to prevent any further increase in the built form on this site without due consideration. Otherwise, taking a balanced view considering the potential of the site for redevelopment, the potential built form, and the benefits of a replacement structure, the proposal is considered to present a very special case. While there is a residual definitional harm through inappropriateness, in terms of visual amenity and openness of the green belt, the proposal represents an improvement over the current situation. Subject to the considerations set out below, and on the proviso that no other harm is found, officers are satisfied that a case of very special circumstances applies to this proposal.

Residential Development in the Countryside

- 5.15 Under the provisions of the spatial strategy set by policy CS5, new development is directed in the first instance to the existing urban areas and defined settlements. However, policy PSP40 allows for certain forms of development in the countryside. One of the exceptions to the hierarchical approach of the spatial strategy permitted by PSP40 is the '*replacement of a single existing dwelling, where it is of a similar size and scale to the existing dwelling, within the same curtilage, and of a design in keeping with the locality, and minimises visual intrusion in the countryside*'.
- 5.16 The discussion regarding caravans and buildings set out above remains relevant here. The terminology used in PSP40 refers to a 'dwelling'. A dwelling is generally accepted to mean a 'place of residence', be it a house, a flat, or otherwise. The residential use of the site is well established and therefore it should be considered a dwelling for the application of this policy. Indeed, this policy explicitly allows for the replacement of a mobile home with a

permanent building when the mobile home benefits from a permanent residential permission and is not used for gypsy or traveller accommodation. Under this application, the proposal would result in the replacement of a single dwelling (formed by the existing mobile home) with a single dwelling contained within the new building within the same curtilage. The design has been discussed briefly above and the relocation of the structures to the edge of the site would be an improvement to openness; it therefore follows that the proposed building could not be considered to intrude visually into the countryside. This is acknowledged by the landscape officer in their consultation response.

- 5.17 Where the proposal has a slight misalignment with this policy is relating to 'similar size and scale'. That said, this matter is significantly debated above in relation to green belt. It was concluded that although there would be an increase in the built form, it would not be harmful. This applies equally in the consideration of the proposal against PSP40 and the development has been concluded by officers to be appropriate.

Summary of Principle of Development

- 5.18 Through the discussion set out above, it has been concluded that very special circumstances are required as there is an in principle objection to the development on green belt grounds. It has been found to comprise an inappropriate form of development in the green belt, however the harm resulting from this is definitional only. The proposed development complies with the relevant policies on residential development in the countryside. The proposal is therefore acceptable subject to site specific considerations which will be set out in the remaining sections of this report.
- 5.19 However, before progressing further, a point of clarity should be raised. The proposed development has been found to comply with the council's policies in relation to residential development. Therefore, although the council cannot at this time demonstrate a 5-year supply in deliverable housing land, that has no influence on this recommendation; the relevant policies have not been found to be restrictive and therefore cannot be considered out-of-date in this instance.

Design

- 5.20 Policy CS1 requires all development in the district to meet the highest possible standards of site planning and design. Furthermore, policy PSP1 requires development proposals to respond to locally distinctive forms of architecture and design.
- 5.21 The character of the site is highly informed by its context. As a former sheep fold, it is generally enclosed in nature with stone boundary walls along those boundaries most visible in the public realm. When inside the boundary, the site has some open outlook while also having the feel of a kitchen garden or other structure related to a great house/estate.
- 5.22 In designing this building, the context has been appreciated well and reflected. The proposed building is small in scale; it has a shallow lean-to roof and significant amounts of glazing sheltered by overhanging eaves. The building

appears as a contemporary interpretation of a potting shed or other such building.

- 5.23 It is considered that the development is of a high standard of design which reflects its context and location. Subject to conditions to control its final appearance, there is no design objection to the development. Indeed, the development is considered a commendable example of how a sensitive and constrained development site should be advanced.

Residential Amenity

- 5.24 Development should not be permitted that has an adverse impact on residential amenity. This application relates to a large site with few neighbours. The proposal presents a single-storey building for consideration. As a result, it is not considered that there would be a notable impact on residential amenity and future occupiers would have more than satisfactory living conditions.
- 5.25 No objection is raised to this application on the basis of its impact on residential amenity.

Transport

- 5.26 The application site is located in the open countryside. However, as it proposes the replacement of an existing dwelling, it would not lead to an increase in the rural population to the detriment of sustainability (it is recognised that the most sustainable form of new development is locating it close to existing services and facilities).
- 5.27 A condition should be used to secure parking facilities for both vehicles and cycles. Subject to this, there would be no objection to the proposal on the basis of transportation.

Trees, Ecology, and Landscape

- 5.28 Despite its proximity to the AONB, the proposed development would not have an adverse impact on the scenic and natural beauty of the area. From the AONB, the site is screened by the existing boundary walls.
- 5.29 A number of trees are located either on the site or adjacent. While some of these trees would be lost, a number of trees are proposed to be retained. An arboricultural report has been submitted and subject to securing the tree protection measures outlined, the development would not have a significant adverse impact on trees or their contribution to the landscape.
- 5.30 While the site includes a pond, it is a duck pond and therefore unsuitable for use by any protected species. There is some potential for nesting birds and therefore any permission should be subject to an informative note to this regard.

Green Belt

- 5.31 In conclusion, the analysis set out above has not identified any other harm to that established in relation to inappropriateness. The benefits of the proposal

are considered to outweigh the harm to the green belt through inappropriateness. In this instance it is concluded that very special circumstances apply which outweigh the general presumption against development in the green belt. Planning permission should therefore be granted.

- 5.32 However, as there is a conflict with green belt policy, the proposed development represents a departure from the development plan. As a result, it must be advertised as a departure. The period for comments associated with the advertisement will expire on 18 May 2018. A decision on this application cannot be issued prior to this date. This should be reflected in the recommendation and subsequent resolution.

Impact on Equalities

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

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

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 In this instance the proposal does not accord with the Development Plan. However material considerations indicate permission should not be restricted. This proposal is therefore a departure and should be advertised accordingly.
- 6.3 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 It is recommended that planning permission is GRANTED subject to (1) the expiration of the departure advertisement on 18 May 2018 and that any responses received to this advert raise no new material planning considerations, and (2) the conditions listed below.

Contact Officer: Griff Bunce
Tel. No. 01454 863438

CONDITIONS

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

Reason

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

2. The development shall proceed in strict accordance with the submitted Arboricultural Report. Prior to the commencement of development, the tree protection measures shall be installed and thereafter shall be retained during the course of development. Prior to any works to the access or driveway, details of the cellular confinement system shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason

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

3. Within one month of the first occupation of the dwelling hereby approved, the existing buildings on the site, and within the land edged in blue, and the existing mobile home shall be permanently removed and the ground on which they stood made good.

Reason

In the interests of protecting the openness of the green belt and the visual amenity of the locality and to accord with policy CS1, CS9 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, policy PSP1, PSP7, and PSP40 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017, and the provisions of the National Planning Policy Framework March 2012.

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

Reason

In the interests of protecting the openness of the green belt and the visual amenity of the locality and to accord with policy CS1, CS9 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, policy PSP1, PSP7, and PSP40 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017, and the provisions of the National Planning Policy Framework March 2012.

5. Prior to the application of any external finish, details of the roofing and external facing materials proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

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

6. Prior to the first occupation of the dwelling hereby approved, a scheme of landscaping, which shall include details of: all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection during the course of the development; proposed planting (and times of planting) of all plants, including the proposed Oak trees; boundary treatments; and areas of hardsurfacing shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed details in the first planting season following the approval of said scheme.

Reason

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

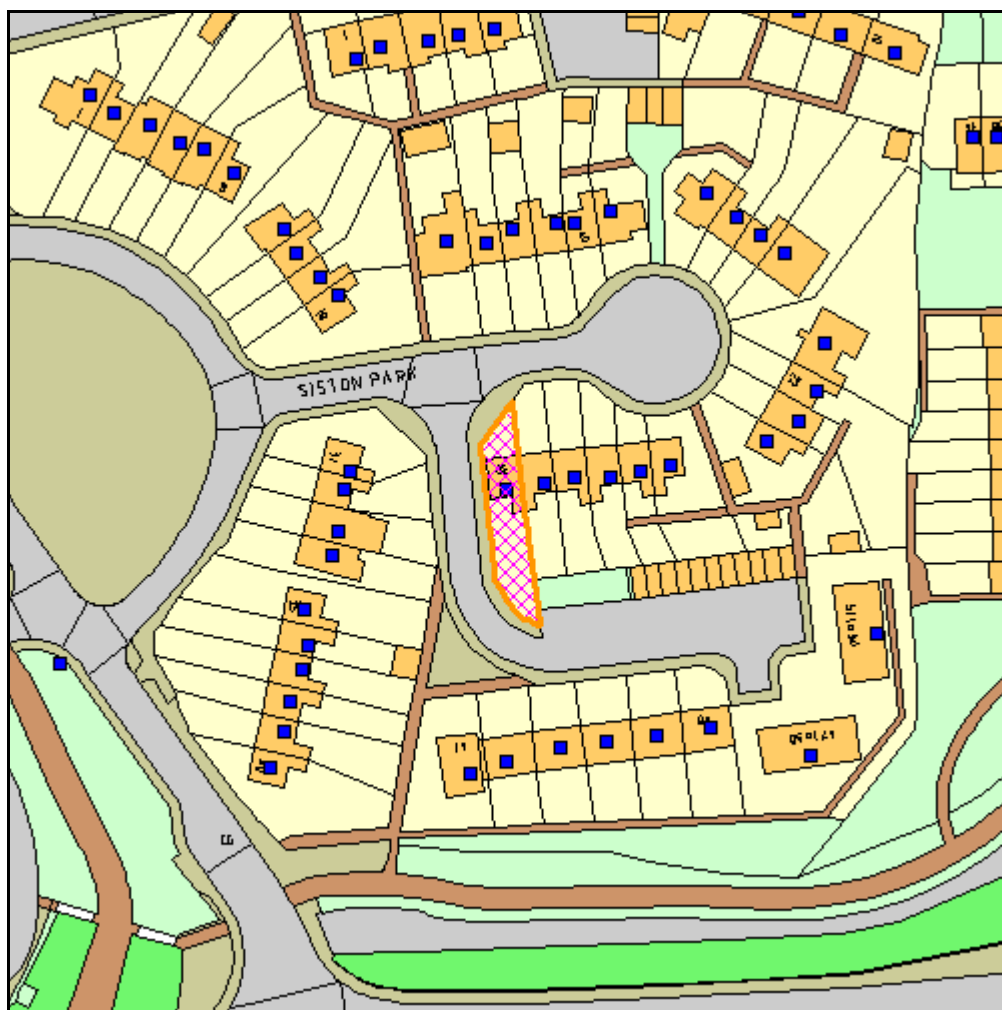
7. The off-street parking facilities (for all vehicles, including cycles) shown on plan 3978/5B shall be provided before the building is first occupied, and thereafter retained for that purpose.

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.

CIRCULATED SCHEDULE NO. 16/18 – 20 APRIL 2018

App No.:	PK18/0963/F	Applicant:	Mr E Parsons
Site:	30 Siston Park Siston Bristol South Gloucestershire BS15 4PE	Date Reg:	28th February 2018
Proposal:	Erection of two storey rear extension to form additional living accommodation.	Parish:	Siston Parish Council
Map Ref:	366398 174847	Ward:	Siston
Application Category:	Householder	Target Date:	24th April 2018



© South Gloucestershire Council 2007. all rights reserved.

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

100023410, 2008.

N.T.S.

PK18/0963/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application is referred to the Circulated Schedule as representation has been received which is contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 The application seeks planning permission for the erection of a two storey rear extension to form additional living accommodation at 30 Siston Park, Siston.
- 1.2 The application site relates to a two storey, end terrace property located within the built up residential area of Siston.

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 No relevant planning history.

4. CONSULTATION RESPONSES

- 4.1 Siston Parish Council
No adverse comments

4.2 Sustainable Transport

No detail on existing or proposed vehicular access and parking have been submitted.

Due to the location of the extension right up to the boundary line, I need to ensure that this extension does not cause any obstruction to visibility from the vehicular access onto the public highway.

Other Representations

4.2 Local Residents

Objection comments received from 6no local residents, summarised as follows;

- Loss of sunlight to back garden.
- Loss of light to first floor bedroom window and kitchen window.
- Proposal appears excessively large and overbearing and would give a sense of being 'hemmed in'.
- Views from rear gardens and windows would be blocked.
- Anyone using the proposed steps would be able to overlook surrounding gardens.
- The bedroom windows and patio windows at the rear would result in a loss of privacy.
- The extension would not be in keeping with surrounding properties due to size and height.
- The extension would block a common access lane at the rear of the properties.
- Access and parking at the rear would be severely impacted during construction.

Support comment received by 1no local resident, summarised as follows;

- No side elevation windows on west elevation, so no issue of overlooking.
- We benefit from a single storey rear extension, highly recommended.

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 site consists of an end terrace property in Siston, situated on a corner plot with the public highway on the north, west and south sides of the

- application site. The application seeks planning permission for the erection of a two storey rear extension to provide an additional bedroom on the first floor and an open plan kitchen/dining area on the ground floor.
- 5.3 The proposed two storey extension would measure approximately 6.2 metres in width and 4 metres in depth. The proposal would extend beyond the building line of the existing side elevation by approximately 0.9 metres, it would consist of a gable to gable roof with an eaves height of approximately 4.7 metres and a ridge height of approximately 5.6 metres. It would be built up to the boundary line on both the western and eastern sides of the site.
- 5.4 The existing property consists of rendered elevations, white uPVC windows and interlocking roof tiles. The materials proposed for the external finish of the proposed extension would all match those of the original dwelling.
- 5.5 The Officer has a number of concerns regarding the proposed size and design of the extension. The proposed rear extension would extend in excess of the width of the host dwelling, at a two storey level. This would appear to be overbearing and would unbalance the massing, scale and proportions of the host dwelling. It would also introduce two gable ends which are considered to be out of keeping with the existing hipped roof and would further increase the unbalanced appearance of the host dwelling. Furthermore, due to its prominent siting on the corner plot, it is considered the proposal would have a detrimental impact on views from the south and west of Siston Park as it does not demonstrate that it enhances and respects the character, distinctiveness and amenity of both the site and its context.
- 5.6 Overall, from the above assessment, it is clear that the proposed development fails to respect the scale, massing and proportions of the host dwelling and its context, nor does it respect the character and appearance of the existing built form. If permitted, it is considered the development would overwhelm the host dwelling and the site; and would be harmful to the visual amenity of the surrounding area. As such, the proposal would not comply with policy CS1 of the Core Strategy, policy PSP38 of the PSP Plan and the provisions of the NPPF.
- 5.7 Residential Amenity
Policy PSP8 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.
- 5.8 As the application site is an end terrace property and located on a corner plot, the main property to consider when assessing the impact on residential amenity is the adjoining neighbour at no. 29 Siston Park. The proposed rear extension would extend from the south elevation by approximately 4 metres and would be set on the eastern boundary shared with no.29.
- 5.9 The proposal is likely to have an overbearing impact on the adjoining property to the east. No.29 would be directly affected by the proposal, particularly as

their first floor rear bedroom window would be directly next to the extension. The properties are south facing so receive a significant amount of light throughout the day, given the depth of the proposed extension the light currently afforded to the neighbouring occupier would be detrimentally impacted. Ordinarily, an acceptable proposal would allow a 45 degree unobstructed zone of daylight, the first floor bedroom window of no.29 would only be afforded approximately 15 degrees of unobstructed daylight and is therefore unacceptable. There is considered to be sufficient distance between all other properties, excluding no.29, not to lead to a negative impact in terms of loss of natural light.

- 5.10 The proposed extension would provide an additional bedroom on the first floor with two first floor rear elevation windows, however the property currently benefits from two existing first floor rear elevation windows which result in a degree of overlooking. It is therefore considered the proposal would not significantly alter existing levels of privacy afforded to neighbouring occupiers.
- 5.11 The proposal would occupy additional floor space, however sufficient private amenity space would remain following development and there is no objection with regard to this.
- 5.12 Overall, it is considered that the proposal would have a materially significant and negative impact on the residential amenity of the occupiers of no.29, due to overbearing and loss of light as a result of the size, depth and siting of the proposed two storey extension. As such, the proposed development would not comply with policies PSP8 and PSP38 of the PSP Plan.
- 5.13 Conditions have been considered by the Officer when assessing the proposal but are not deemed appropriate in this instance. Furthermore, it is considered the scale of amendments required for the proposal to become acceptable are too great. It therefore follows that planning permission should be refused.
- 5.14 Sustainable Transport and Parking Provision
The application would increase the bedroom numbers from two to three; South Gloucestershire Council Residential Parking Standards state a three bedroom property must provide a minimum of two off-street parking spaces. No detail of existing or proposed parking has been submitted with the application, which was requested by the Sustainable Transport Officer. This was not pursued as reasons for refusal, outlined above, had already become apparent.
- 5.15 Equalities
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It

requires equality considerations to be reflected into the design of policies and the delivery of services.

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

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 That the application be **REFUSED**.

Contact Officer: James Reynolds
Tel. No. 01454 864712

1. The proposal, by reason of its size, scale, siting and design fails to respect the scale, massing and proportions of the host dwelling or its context and, if allowed, would detract from the visual amenities of the site and its surroundings. The proposal is contrary to Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013, Policy PSP38 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (Adopted) November 2017, and the National Planning Policy Framework.
2. **The proposed extension, by reason of its size, scale and massing would have a detrimental impact on the residential amenity of the attached neighbouring occupier No. 29. The proximity of the proposed extension to the neighbouring property's rear elevation and windows would materially harm the residential amenity of the occupiers of No.29 Siston Park in terms of an overbearing impact and loss of light. The proposal is therefore considered contrary to Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policies PSP8 and PSP38 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (Adopted) November 2017, and the provisions of the National Planning Policy Framework.**

CIRCULATED SCHEDULE NO. 16/18 – 20 APRIL 2018

App No.:	PK18/1014/F	Applicant:	L Munton
Site:	76 Johnson Road Emersons Green Bristol South Gloucestershire BS16 7JG	Date Reg:	5th March 2018
Proposal:	Erection of two storey front extension and two storey rear extensions to form additional living accommodation.	Parish:	Emersons Green Town Council
Map Ref:	367106 176427	Ward:	Emersons Green
Application Category:	Householder	Target Date:	27th April 2018



© South Gloucestershire Council 2007. all rights reserved.

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

100023410, 2008.

N.T.S.

PK18/1014/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application is referred to the Circulated Schedule as representation has been received which is contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of a two storey front extension and two storey rear extension to form additional living accommodation at 76 Johnson Road, Emersons Green.
- 1.2 The application site relates to a two storey, semi-detached property which is located within a modern housing estate in the built up residential area of Emersons Green.

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 No relevant planning history.

4. CONSULTATION RESPONSES

- 4.1 Emersons Green Town Council
No objection
- 4.2 Sustainable Transport

No objection.

Other Representations

4.3 Local Residents

Objection comment received from 1 no neighbour, summarised as follows;

- Design is not subservient and would erode the character and appearance of a key location in the modern development.
- The property is visible from long distances along Johnson Road and the current balance offered by the two pairs of semi-detached houses that mark the square will be eradicated.
- Does not respect the building line, form, scale, proportions, window and door shapes or alignment of openings, architectural style/detailing and boundary treatments of the street and surrounding area.
- Does not respect or enhance the character and distinctiveness of the site and its context.

The concerns raised will be addressed within the subsequent sections of the report.

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 proposed development consists of a two storey front and rear extension. During the course of the application amendments were sought to reduce the size of the proposed front gable and remove the relocation of the garden wall to alleviate concerns with design and land use. These were received from the agent on 04/04/18.

5.3 *Two storey front extension*

The semi-detached pair are set at a right angle with the principal elevation of the subject property adjacent to the side elevation of the neighbouring property at no. 78 Johnson Road. The existing principal elevation is set back from the side elevation of the neighbouring property by approximately 1 metre and the proposal would extend the principal elevation by 1 metre to meet the building line of no.78. It consists of a gable end which would be approximately 5.1 metres in width, leaving a gap either side of the proposed extension of approximately 1 metre. It is considered by the Officer that this would result in an attractive fa ade which would match the size of the side elevation gable of no.78, therefore keeping appropriate proportions and balance within the context

- of the two properties. The ridge height would also be lower than the existing dwelling and would therefore identify as subservient.
- 5.4 *Two storey rear extension*
The two storey rear extension would be relatively modest in size. It would extend from the rear of the host dwelling by approximately 2 metres and would have a width of approximately 5.1 metres. Similar to the front extension, the rear extension would not extend beyond the side elevation of the neighbouring property and would consist of a gable end to match the size of the side gable of the neighbouring property, keeping acceptable balance and proportion between the semi-detached pair.
- 5.5 *Materials*
The materials proposed in the external finish of the proposal would all match those of the existing dwelling and are therefore deemed acceptable.
- 5.6 *Cumulative impact*
Overall, it is not considered the proposed development would have a significantly detrimental impact on the character of the host dwelling or the surrounding area and is of an appropriate scale for the host dwelling and its context. Therefore, the proposal is deemed to be of an acceptable standard of design and as such would comply with policy CS1 of the Core Strategy.
- 5.7 Residential Amenity
Policy PSP8 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.
- 5.8 Considering the siting of the proposal within the context of the site, it would not appear to have a material overbearing or overlooking impact, nor is it considered to significantly impact on existing levels of light afforded to the neighbouring occupiers. Furthermore, it is considered that sufficient private amenity space for the occupiers of the host dwelling would remain should the proposed extensions be constructed.
- 5.9 Overall, the proposal is not considered to have a detrimental impact on the residential amenity of surrounding properties or the host dwelling and is therefore deemed to comply with policy PSP8 of the PSP Plan.
- 5.10 Sustainable Transport and Parking Provision
The proposal will not increase the current number of bedrooms within the property, nor will it impact the existing parking provision. As such, no objections are raised in terms of transportation.
- 5.11 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: James Reynolds

Tel. No. 01454 864712

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).

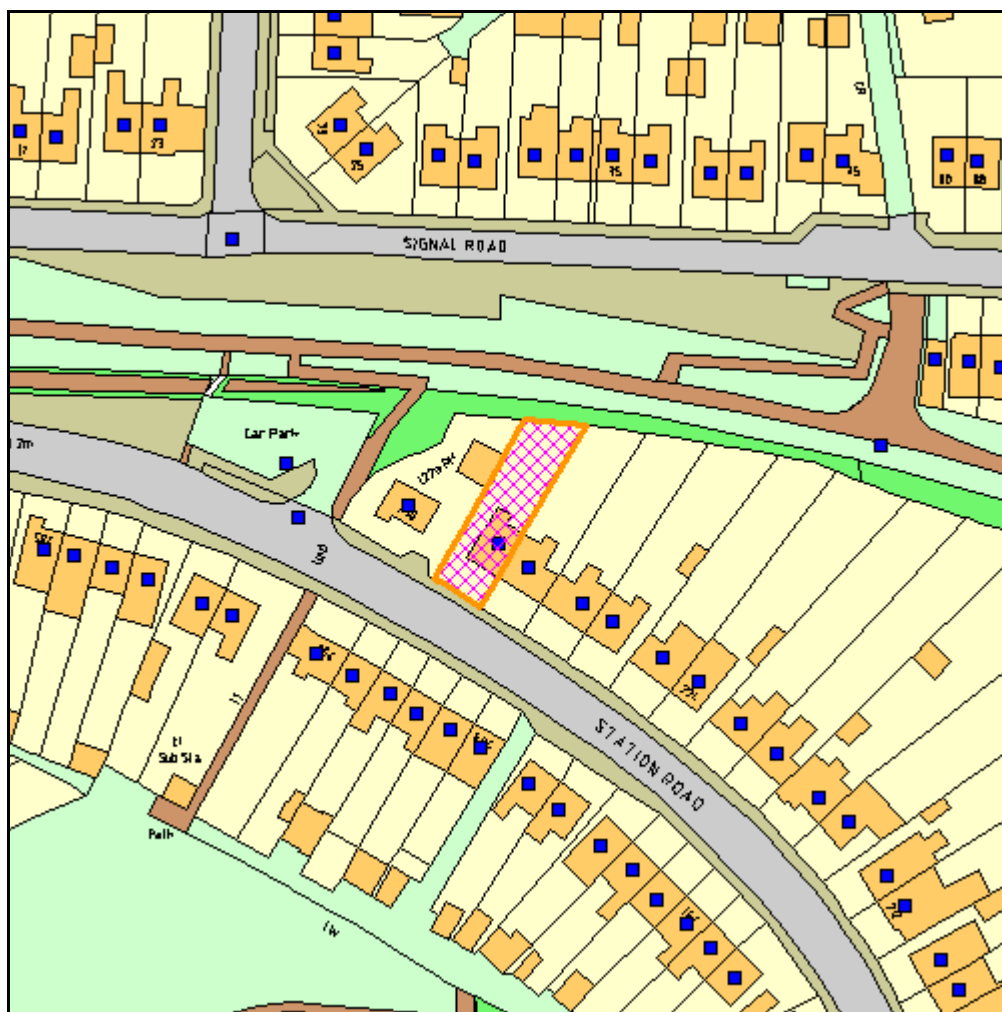
2. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

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. 16/18 – 20 APRIL 2018

App No.:	PK18/1054/CLP	Applicant:	Ms Claire Paines
Site:	234 Station Road Kingswood Bristol South Gloucestershire BS15 4XR	Date Reg:	8th March 2018
Proposal:	Installation of 1no. rear dormer and 1no. side dormer to form additional living accommodation.	Parish:	None
Map Ref:	365586 175628	Ward:	Rodway
Application Category:	Certificate of Lawfulness	Target Date:	30th April 2018



© South Gloucestershire Council 2007.all rights reserved.

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

100023410, 2008.

N.T.S.

PK18/1054/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 1no. rear dormer and 1no. side dormer to form additional living accommodation to 234 Station Road, Kingswood, 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 No relevant planning history

4. CONSULTATION RESPONSES

- 4.1 Local Councillor
No Objections

Other Representations

- 4.2 Local Residents
No Objections

5. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

- 5.1 Existing and Proposed Elevations
Site Location Plan

(Received by Local Authority 05th March 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 1no. rear dormer and 1no. side dormer to form additional living accommodation. 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 side and 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 semi-detached house and the proposal would result in an additional volume of no more than approximately 43 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 and side dormers would be approximately 0.3 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 that side windows are to be obscure glazed and non opening.

- 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

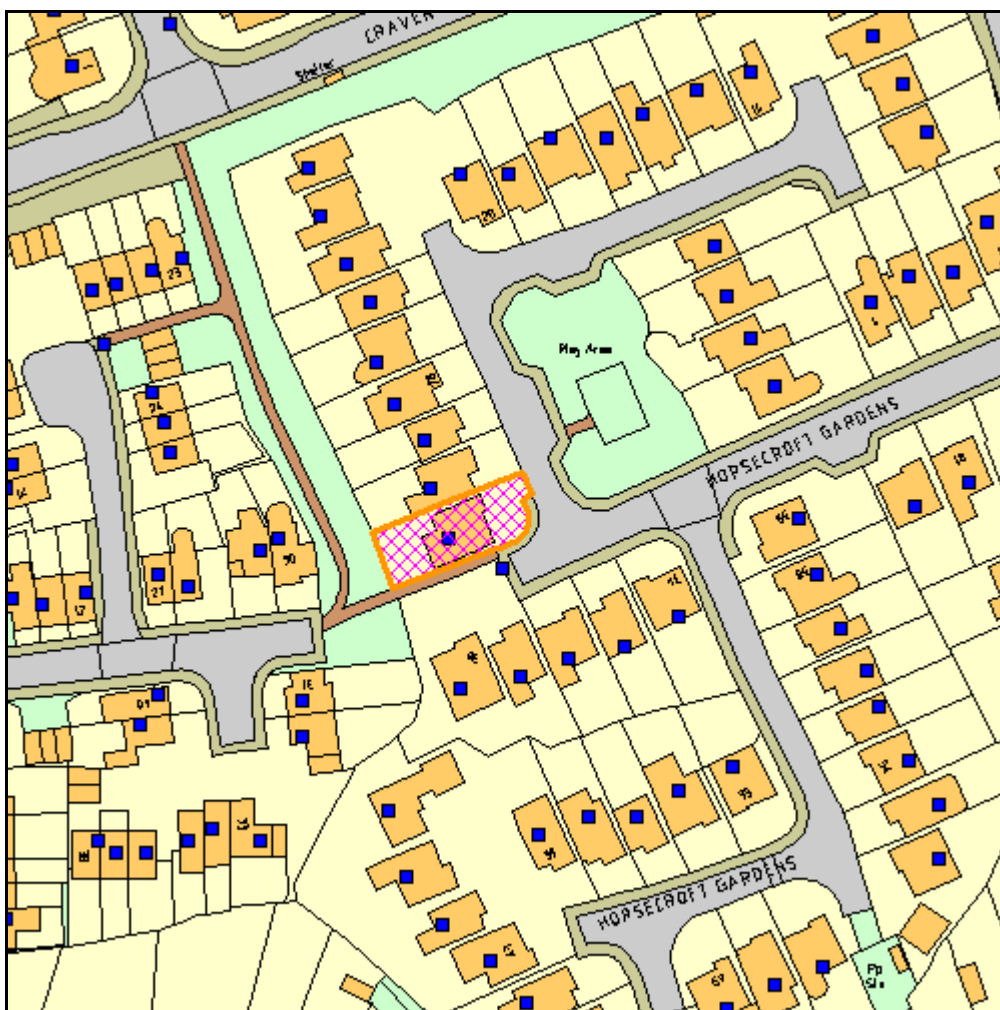
7.1 That a certificate of Lawfulness for Proposed Development is **granted** for the reasons listed below:

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

Contact Officer: Westley Little
Tel. No. 01454 867866

CIRCULATED SCHEDULE NO. 16/18 – 20 APRIL 2018

App No.:	PK18/1087/F	Applicant:	Mr Nicholas Dee
Site:	29 Horsecroft Gardens Barrs Court Bristol South Gloucestershire BS30 8HU	Date Reg:	8th March 2018
Proposal:	Erection of a single storey front extension to integral garage to form additional living accommodation.	Parish:	Oldland Parish Council
Map Ref:	366218 172534	Ward:	Parkwall
Application Category:	Householder	Target Date:	26th April 2018



© South Gloucestershire Council 2007.all rights reserved.

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

100023410, 2008.

N.T.S.

PK18/1087/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application is referred to the Circulated Schedule as representation has been received which is contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of a single storey front extension to integral garage to form additional living accommodation at 29 Horsecroft Gardens, Barrs Court.
- 1.2 The application site relates to a two storey, detached property with integrated garage located within a modern housing estate in the built up residential area of Barrs Court.

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 PK17/2511/F
Erection of single storey rear extension to provide additional living accommodation.
Approved: 23rd August 2017
- 3.2 PK05/2105/F
Erection of rear conservatory.

4. CONSULTATION RESPONSES

4.1 Oldland Parish Council

Objection- Inadequate provision for off street parking.

4.2 Sustainable Transport

The proposals would increase the number of bedrooms within the dwelling from 4 to 5. Only 2 of the 3 off street parking spaces detailed on the submitted plans are in a position to be used. However, SGC parking standards state that parking may be catered for on-street when appropriate. It is considered that there is adequate on street parking within Horsecroft Gardens to be utilised by the occupiers of number 29 when necessary. As such 2 off street parking spaces within the site boundary are adequate in this instance. There are no transportation objections.

4.3 Archaeology

No comment

Other Representations

4.4 Local Residents

Objection comment received from 1no. local resident, summarised as follows;

- Significantly reduce natural sunlight, casting an unacceptable shadow across the front of our property and in particular our lounge window.
- Would box in our main window, reducing light and view.
- We consider the proposal would detrimentally affect our right to light, will be overbearing and may also result in a loss of privacy.
- Reduce the effect of the detached nature of the property as the gap between the properties is relatively small.
- The increase in overall impact of the enlarged property on the estate, given that it is a corner property occupying a visible plot will be detrimental.
- The increase in parking facilities may also lead to further impact on the estate.

The concerns raised above will be addressed within the subsequent sections of the report.

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 proposed development consists of a modest front extension to facilitate the conversion of the existing garage into an additional bedroom. Amendments were sought to alter the roof design during the application process.

5.3 The proposed extension would be approximately 3.2 metres in width and would extend beyond the principal elevation of the existing dwelling by approximately 2 metres. The proposal would include a gable end roof with an eaves height of approximately 2 metres and an overall height of approximately 3.1 metres. The original design comprised of a hipped roof which was deemed to be out of keeping with the character of the host dwelling and surrounding area, this was amended to a gable end roof. The existing property already consists of a gable end on the principal elevation and examples can also be found in the surrounding area, it is therefore no longer considered to unbalance the design of host dwelling and is considered to enhance the character of the area. Concern was raised by the neighbouring occupier that the proposal would reduce the effect of the detached nature of the property, however the proposal would not extend beyond the existing side elevation and therefore the existing space separating the two properties would not be altered.

5.4 The materials to be used in the external finish of the proposal include brickwork elevations, concrete roof tiles and white UPVC windows. All materials would match that of existing dwelling and as such are considered acceptable.

5.5 Overall, it is considered that the proposed extension would not be detrimental to the character of the host dwelling or the surrounding area and is of an acceptable standard of design. As such, the proposal is deemed to comply with policy CS1 of the Core Strategy.

5.6 Residential Amenity

Policy PSP8 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.

5.7 Concerns have been raised by the neighbouring occupier at no. 28 Horsecroft Gardens relating to loss of light, overbearing impact and loss of privacy, in particular the impact it would have on their lounge window. The proposed extension would extend beyond the principal elevation by approximately 2 metres, this is considered by the Officer to be a of a modest size which would not significantly impact the existing levels of light afforded to the neighbouring occupier to such a degree as to warrant refusal. Furthermore, no windows are proposed in the side elevation and considering the single storey nature of the proposal, it would not appear to have a material overlooking or overbearing impact.

5.8 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.

5.9 Overall, the subject property is located within a built up residential area and given the scale and location of the proposed development, it is not considered to result in an unacceptable impact on the residential amenity of its neighbouring occupiers or the host dwelling. Therefore, the proposal is deemed to comply with Policy PSP8 of the PSP Plan.

5.10 Sustainable Transport and Parking Provision

The proposal will remove an existing garage and increase the number of bedrooms from four to five; South Gloucestershire Residential Parking Standards state a five bedroom property must provide a minimum of three off street parking spaces. The proposal includes three off street parking spaces at the front of the property. The sustainable Transport Officer commented that only two spaces would be useable, however the plans state the existing dropped kerb would be extended and the hedge removed. Therefore, it is considered by the Officer that all three spaces could be utilised and as such no objection is raised in terms of transportation.

5.11 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: James Reynolds
Tel. No. 01454 864712

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).

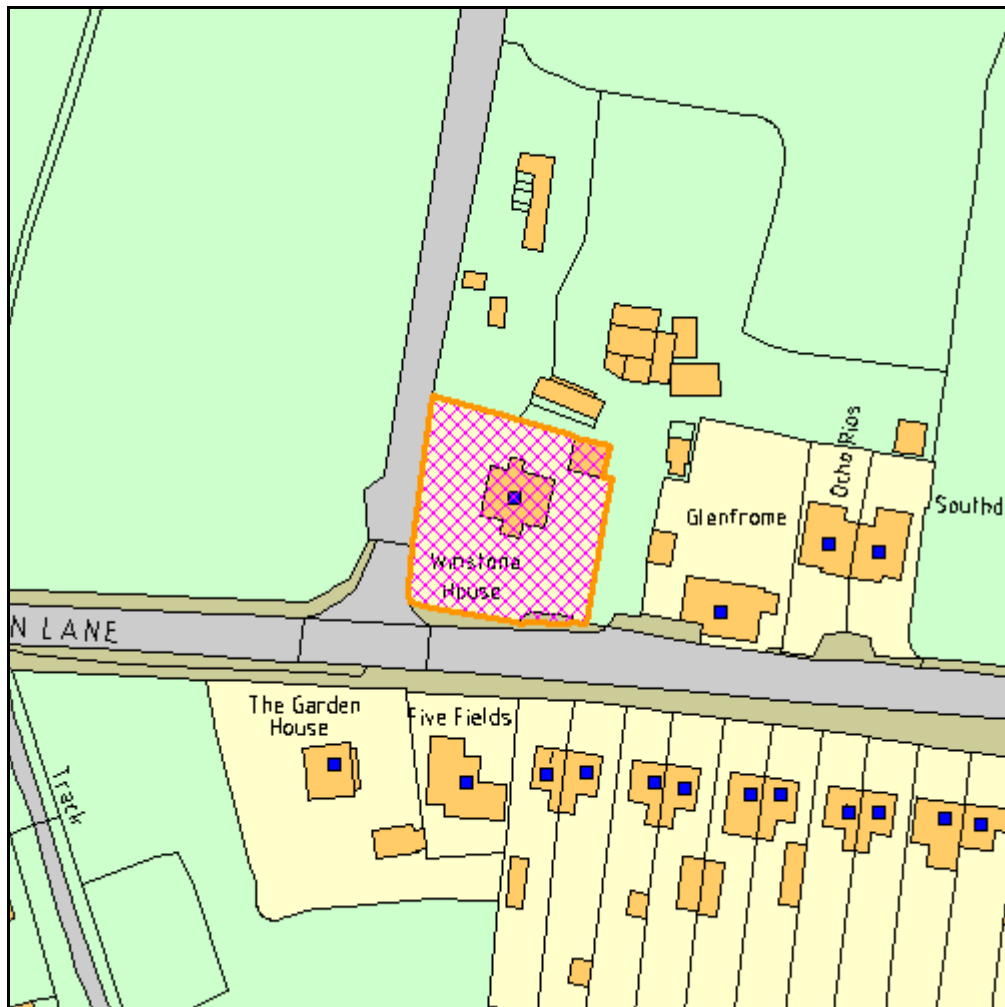
2. The off-street parking facilities shown on the plan hereby approved shall be provided within 1 month of the extension hereby approved being substantially complete, and thereafter retained for that purpose.

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.

CIRCULATED SCHEDULE NO. 16/18 – 20 APRIL 2018

App No.:	PT17/5503/F	Applicant:	Lyons
Site:	Winstone House Beacon Lane Winterbourne Bristol South Gloucestershire BS36 1JU	Date Reg:	15th December 2017
Proposal:	Demolition of existing building and erection of 5no attached dwellings with access, parking and associated works.	Parish:	Winterbourne Parish Council
Map Ref:	364530 180599	Ward:	Winterbourne
Application Category:	Minor	Target Date:	23rd January 2018



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008.

N.T.S.

PT17/5503/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 demolition of an existing dwelling and the erection of 5no. dwellings with access, parking and associated works. The application relates to Winstone House, Beacon Lane, Winterbourne.
- 1.2 The application site consists of a detached dwelling set centrally within a large plot. The site is located along Beacon Lane; one of the main routes in to Winterbourne. The site is located within the defined settlement boundary of Winterbourne, and outside of the Bristol and Bath Green Belt. However the Green Belt boundary runs along the western and northern extremities of the site, with the areas immediately to the west and north of the site opening out in to open countryside. It should be noted that planning permission was recently granted (under application ref. PT16/5209/F) for the erection of a terrace row of 4 properties at an adjacent site.
- 1.3 Revised plans were received by the Local Planning Authority on 18th January 2018, with further plans requested and received on 9th March 2018. The revisions involve the re-location of a proposed traffic island and alterations to the design of the proposed dwellings.

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
CS9	Managing the Environment and Heritage
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS18	Affordable Housing

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

PSP1	Local Distinctiveness
------	-----------------------

PSP2	Landscape
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP20	Flood Risk, Surface Water and Watercourses
PSP38	Development within Existing Residential Curtilages, Including Extensions and New Dwellings
PSP43	Private Amenity Space Standards

- 2.3 Supplementary Planning Guidance
 Design Checklist SPD (Adopted) 2007
 Residential Parking Standards SPD (Adopted) 2013
 Waste Collection Guidance for new Developments SPD (Adopted) 2015

3. RELEVANT PLANNING HISTORY

3.1 **N3811/2**

Construction of vehicular access.

Approved: 26.04.1979

3.2 **N3811/1**

Erection of double garage, rear single storey lobby and kitchen extension and front porch.

Approved: 16.03.1978

3.3 **N3811**

Erection of two storey extension at rear to provide dining room with bedroom over; alterations to roofline and erection of front entrance porch.

Approved: 15.09.1977

3.4 **PT17/1715/F – Land to north of application site**

Demolition of existing outbuildings and erection of 2no. detached dwellings with access, parking, landscaping and associated works.

Refused: 29.06.2017

Appeal Dismissed: 21.02.2018

3.5 **PT16/5209/F – Glenfrome (east of application site)**

Demolition of existing building. Erection of 4 no. dwellings with new access, parking and associated works.

Approved: 07.02.2017

4. **CONSULTATION RESPONSES**

4.1 Winterbourne Parish Council

Objection: The Parish Council has a particular concern given local knowledge that the access and egress onto Beacon Lane will cause a problem.

4.2 Other Consultees

Housing Enabling

As the proposal is in an urban location with a site size of .016ha, is for 5 units and has a gross internal area of under 1,000 sqm, this scheme does not reach any of the thresholds for affordable housing under Policy CS18 of the adopted Core Strategy.

Community Infrastructure Officer

As the application is for a net gain of 4 dwellings it will fall below the threshold for requiring S106 contributions towards open space, therefore we have no comments

Sustainable Transport

No objection subject to conditions and informatives.

Landscape Officer

- No overall landscape objection.
- The current house appears to be in an elevated position above Beacon Lane and it is not currently clear how the levels are going to work out in relation to the parking area and the house. The street view drawing seems to imply that the proposed houses are raised above the parking area but it is not clear if there is to be an embankment or a retaining wall separating them. A cross section would help to understand the levels. Parked cars should be well screened.
- The LCA 10 landscape strategy advises the protection and enhancement of vernacular stone walls and it is hoped that the existing stone wall could be retained or rebuilt in a similar location.
- It appears that vegetation along the western boundary currently provides a soft landscape buffer to the open countryside and the nearby Conservation Area. The current proposal to replace this with a close board fence would cause unnecessary suburbanisation and will have an unacceptable negative impact on the landscape character of the area and contrary to the LCA's landscape strategy and SGC policy related to landscape. A vegetation survey would help to understand what is being lost and to check

which side of the boundary line it lies. It is suggested that the development be pulled back from the Settlement Boundary to allow a more generous and robust landscape buffer to the open countryside.

- Some tree planting is shown at the front of the development and there is also scope for tree planting in back gardens.

Lead Local Flood Authority

Sufficient clarity has been provided in terms of surface water drainage provisions for the time being. In order to get some of the finer details as in location of soakaways and design standard then I would recommend that a SUDS condition be applied to any consent.

Archaeology

This site lies in an area of archaeological potential. Whilst no pre-determination work is required a HC11 condition for a programme of archaeological work should be applied to any consent.

Highway Structures

No comment

Other Representations

4.3 Local Residents

Three comments raising objections to the proposed development have been submitted by local residents. The main concerns raised are outlined below:

- Proposal would lead to increase in danger to road users on Beacon Lane.
- Very severe road traffic accident recently occurred outside the proposed site.
- No visitor parking provided
- Road is very difficult to cross due to the speed and volume of cars.
- Proposed traffic island conflicts with the driveways of opposite properties.
- Neither the increase in traffic caused by the opening of the Stoke Gifford bypass or the access to the electricity sub-station being used by many as a turning point are not considered in the transport plan.
- Would support regeneration of site including two linked applications, however applications should be considered together and it would be better to have one access for entire development.

One comment supporting the proposed development was received. The main points raised are outlined below:

- This development offers affordable family housing which is desperately needed in the Beacon Lane area of Winterbourne, it also offers far greater use of the land.
- The traffic calming measures would benefit the lane in this position as suggested by the traffic survey document.

- A modern terrace of affordable family housing would have a far more attractive visual impact in this position.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Planning permission is sought for the demolition of an existing dwelling and the erection of 5no. dwellings. Policy CS5 of the Core Strategy outlines the locations at which development is considered appropriate. CS5 dictates that most new development in South Gloucestershire will take place within the communities of the north and east fringes of the Bristol urban area, and within defined settlement boundaries. The application site within the defined settlement boundary of Winterbourne. As such, based solely on the location of the site, the principle of the development is acceptable.

- 5.2 The principle of development is acceptable under the provisions of policy CS5, and it is acknowledged that the provision of four additional dwellings towards housing supply would have a moderate socio-economic benefit. However the impacts of the development require further assessment to identify any potential issues. The material considerations (issues) relevant to this application are outlined below.

5.3 Design and Visual Amenity

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

- 5.4 Furthermore, Policy PSP1 of the Policies, Sites and Places Plan outlines that development proposal should demonstrate an understanding of, and respond constructively to the buildings and characteristics that make a particularly positive contribution to the distinctiveness of the area /locality.

- 5.5 The location is characterised by a mix of housing types and ages that are each of their time. There is no one particular local distinctiveness that needs to be complied with. The existing property at Winstone House has a simple form, and is set slightly back within the plot. Given its form and siting, the existing dwelling is not considered to contribute significantly to the immediate streetscene or the character of the immediate surrounding area. Therefore its loss is not resisted.

- 5.6 The proposed dwellings would be appropriately set back into the plot, so that the front elevation of the dwelling would be on much the same building line as the recently approved terrace to the west. This also allows for the introduction of parking areas and small garden areas to the front of the dwellings, as well as allowing private garden areas to the rear, all without any encroachment into the adjacent open countryside or Green Belt land to the north and west. The overall

density of the proposed dwellings is considered to be appropriate given the size of the site, and it is not considered that the proposed dwellings would appear unduly cramped.

Detailed Design - Original Plans

- 5.7 However some concerns regarding the more detailed design of the proposed dwellings were identified during the application process. The proposal as originally submitted involved the erection of an uninterrupted terrace row of 5 properties. Whilst a terrace row of 4 properties has been approved at the adjacent site under application ref. PT16/5209/F, the terrace row of 5 as originally proposed was considered to appear somewhat bulky within the context of the site. It was also considered that the relationship between the eaves and first floor windows, and the fairly shallow pitch of each roof resulted in a less traditional appearance.

Detailed Design - Revised Plans

- 5.8 The proposal was subsequently revised. The terrace of 5no. dwellings has now been split in to a semi-detached pair (east of site) and a smaller terrace row of 3 units (west of site). It is considered that the splitting of the terrace results in a less visually intrusive appearance, and breaks up the overall mass of the residential units. The gap between the top of the first floor windows and the eaves line has been removed, and the roof pitch subsequently increased slightly. It is considered that this allows the dwellings to take on the appearance of more traditional cottages, which is considered to be more appropriate given the fairly rural nature of the adjacent landscape. In addition to this, the porches have been relocated and chimney stacks added, which is considered to improve the overall aesthetic of the residential units.
- 5.9 It is noted that the proposed development would change the character of the site, reducing its open nature. However the more traditional design of the proposed dwellings is now considered to be more appropriate, and reflects the character of the area to a greater extent. It is considered that the overall scale and massing of the dwellings reflect that of adjacent development.
- 5.10 Officers consider that an acceptable standard of design has now been achieved and that the proposed development would complement the existing streetscene. As such, the proposal is considered to comply with policy CS1 of the Core Strategy and PSP1 of the Policies, Sites and Places Plan.
- 5.11 Landscape Impacts
The comments of the landscape officer have been taken in to account and it is acknowledged that the site is situated at the border of the built-up area of Winterbourne and the open countryside to the north and west.
- 5.12 As part of the revisions to the original proposal, a stone wall is now proposed at the western boundary of the site, as opposed to a close boarded fence. This is considered to be a more appropriate approach, and reduces the levels of intrusion in to the countryside. Landscaping features are proposed to the front and rear of the proposed dwellings, and it is considered that landscaping should be used to screen the parking area from the street to some extent.

However it is considered that these factors can be agreed post-determination through the submission of a landscaping plan.

- 5.13 It is recognised that due to the splitting up of the terrace, the row of properties has shifted up to the western boundary of the site. This therefore removes the possibility of creating a buffer between the dwellings and the open countryside at this boundary through planting. Whilst the lack of screening is regrettable and would make the new structures more prominent when approaching the site from the west, it is not considered that the overall harm to the character and setting of the surrounding landscape would be severe. Furthermore, a planning condition requiring the submission of a detailed landscaping plan following determination will ensure that the appropriate treatment subject to this development is acceptable in landscape terms.
- 5.14 Residential Amenity
Policy PSP8 of the Policies, Sites and Places Plan outlines that development proposals will be acceptable provided that they do not create unacceptable living conditions or have an unacceptable impact on the residential amenity of the occupiers of the development or of nearby properties. Unacceptable impacts could result from (but are not restricted to); loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and odours, fumes or vibration.
- 5.15 There are currently no adjacent residential properties to the north or west of the application. Furthermore, the proposed dwellings would be separated from any properties to the south by the designated highway. The proposed dwellings would also be separated from the recently approved terrace row to the east by a track providing vehicular access to outbuildings located to the north of the site.
- 5.16 Given the degree of separation between the proposed dwellings and adjacent residential development, it is not considered that the erection of the dwellings would prejudice the residential amenity of neighbouring residents through an increased sense of overbearing, overshadowing or overlooking. Whilst the proposal would introduce a more dense form of residential development to the site, it is considered that arrangement of the dwellings would limit any impacts on residential amenity within the site.
- 5.17 It is acknowledged that the redevelopment of the site would cause a degree of disturbance to nearby residents during the construction period. In order to address this issue and limit the impact, a condition will be attached to any decision, restricting the permitted hours of working during the construction period.
- 5.18 With regards to the provision of outdoor private amenity space, policy PSP43 of the Policies, Sites and Places Plan sets out the Council's minimum standard for residential development. In terms of area, the minimum standard for a 3-bed property is set at 60m². Having measured off submitted plans, the size of the proposed rear garden areas ranges from approximately 52m² to approximately 90m². However PSP43 also outlines that the size standards should be applied as an average across the development as a whole. The combined area of the 5

rear gardens comes to approximately 306m², which would equate to 61.2m² per unit. This would therefore meet the minimum standard for a 3-bed dwelling.

- 5.19 Furthermore the rear garden areas are considered to be sufficiently private and usable. On this basis, the development proposal is considered to accord with policy PSP43 of the Policies, Sites and Places Plan.
- 5.20 Subject to the aforementioned condition regarding working hours, it not considered that the proposal would have any unacceptable impacts on residential amenity. On this basis, the proposal is considered to comply with policy PSP8 of the Policies, Sites and Places Plan.
- 5.21 Highway Safety and Parking Provision
The concerns raised by residents regarding the impacts of the development on highway safety have been taken in to account. However the transport officer has outlined that the access proposal has been through the Road Safety Audit procedure and is considered acceptable subject to compliance with the requirements of the RSA. Subject to this and another condition relating to the submission of a Construction Environmental Management Plan, the transport officer has no fundamental concerns with the proposed access arrangements.
- 5.22 The concerns raised by residents regarding the confliction between the proposed traffic island and adjacent accesses have been taken in to account. The traffic island has subsequently been moved by 1.8m as to avoid any conflict. Details of vehicle tracking have also been submitted to demonstrate that there would be no conflict between the island and neighbouring accesses on the southern side of Beacon Road. Based on the further details, officers are satisfied that the introduction of a traffic island would not give rise to any significant highway safety issues.
- 5.23 With regard to parking provision, policy PSP16 of the Policies, Sites and Places Plan sets out the minimum parking standards for residential development. PSP16 outlines that a minimum of 2 parking spaces should be provided for both 3 and 4 bed dwellings. A total of 10 spaces would be provided to the front of the site, which would equate to 2 spaces per dwelling. The arrangement of the spaces is considered to be acceptable, the development therefore complies with PSP16 in this regard. However for the avoidance of doubt, a condition will be attached to any decision, requiring the parking arrangements as shown on the proposed block plan to be implemented prior to the first occupation of any units.
- 5.24 The concerns raised regarding a lack of visitor parking have been taken in to consideration. Under PSP16, 0.2 parking spaces should be provided per residential unit, with visitor parking spaces required for residential developments consisting of 5 or more units. On this basis, a total of one visitor parking space should be provided as part of the development.
- 5.25 No visitor parking spaces are proposed, and as such, the proposal technically fails against this part of PSP16. However as the requirement is only for one space, the overall impact of the undersupply is limited. Furthermore, whilst no formal visitor spaces have been designated, having reviewed the proposed

block plan, it is considered that there is the potential for informal visitor parking on-site. Given the scale of the development and the likely number of visitors, it is considered that informal parking would be unlikely to interfere with safe parking on-site, and would be unlikely to result in unsafe parking on the highway.

5.26 On balance, whilst the provision of a formal visitor parking space would be preferable, it is not considered that the cumulative residual impact on highway safety caused by the substandard provision would be severe. As such, this issue when taken in isolation would not be considered to substantiate a reason for refusing the application.

5.27 Cycle and Bin Storage

A potential cycle/bin storage area has been identified on the proposed block plan. The store would be located at the entrance to the site. With regards to waste collection, this area is considered to be a suitable location for the storage of bins. Cycle storage areas have also been designated in the rear garden areas of each dwelling. Overall, the cycle and bin storage areas are considered acceptable.

5.28 Flood Risk

No fundamental issues regarding site drainage of flood risk have been identified at this stage. However further details relating to surface water drainage will be requested by condition.

5.29 Affordable housing

As the scheme does not reach any of the thresholds for affordable housing under Policy CS18 of the adopted Core Strategy, there is no requirement for any affordable units.

5.30 Archaeology

As per the recommendation of the archaeology officer, due to the location of the site within an area of archaeological potential, a condition for a programme of archaeological work will be applied to any consent.

5.31 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.

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

5.33 Planning Balance

It is acknowledged that the provision of four additional units towards housing supply in South Gloucestershire would have a moderate socio-economic benefit. Having assessed the application against relevant planning policy, some issues regarding the impacts of the development on the adjacent landscape and the undersupply of visitor parking spaces have been identified. However when considered as a whole, the overall socio-environmental harm is considered to be modest. On balance, it is considered that the benefits of the proposal would outweigh any harm, and that the proposal would be sustainable development. On this basis, it is concluded that the application should be approved.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to **grant** 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. Prior to the commencement of development a plan showing the trees and other vegetation to be protected and the means of protection during construction (in line with BS 5837:2012), as well as details of any proposed landscaping, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved plan.

Reason

To protect the character and appearance of the surrounding landscape, to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policies PSP1 and PSP2 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework.

This is required to be agreed prior to the commencement of development to avoid causing damage to existing trees and vegetation during any ground works.

3. 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.

4. Prior to the commencement of development, construction details of the access and the surrounding pedestrian infrastructure need to be submitted for technical approval, with no occupation of the proposed development until the vehicle and pedestrian access and infrastructure has been completed in accordance with the approved details.

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.

This is required to be agreed prior to the commencement of development to avoid any unnecessary remedial action in the future.

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

For the avoidance of doubt the CEMP shall include but not limited to measures to control the tracking of mud off-site from vehicles, measures to control dust from the demolition construction works approved, Working hours on site, Delivery hours, Contractor parking and storage of materials.

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.

This is required to be agreed prior to the commencement of development as it relates to the construction period.

6. Prior to the first occupation of the dwellings hereby approved, the car parking provision for the proposed dwellings shall be implemented in accordance with the approved Block Plan (Drawing no. 17/1711/003 D) and retained thereafter 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; Policy PSP16 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the South Gloucestershire Residential Parking Standards SPD (Adopted) December 2013.

7. 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

To comply with Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and National Planning Policy Framework 2012.

This is required to be agreed prior to the commencement of development to avoid any unnecessary remedial action in the future.

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

Reason

In the interest of archaeological investigation or recording, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

This is required to be agreed prior to the commencement of development to avoid causing damage to any items of archaeological interest.

9. The development shall be carried out in accordance with the following plans:

Site Location Plan (Drawing no. 17/1711/001)

Existing Block Plan (Drawing no. 17/1711/002)

Existing Front and Rear Elevations (Drawing no. 17/1711/110)

Existing Left and Right Elevations (Drawing no. 17/1711/111)
(Received by Local Authority 24th November 2017)

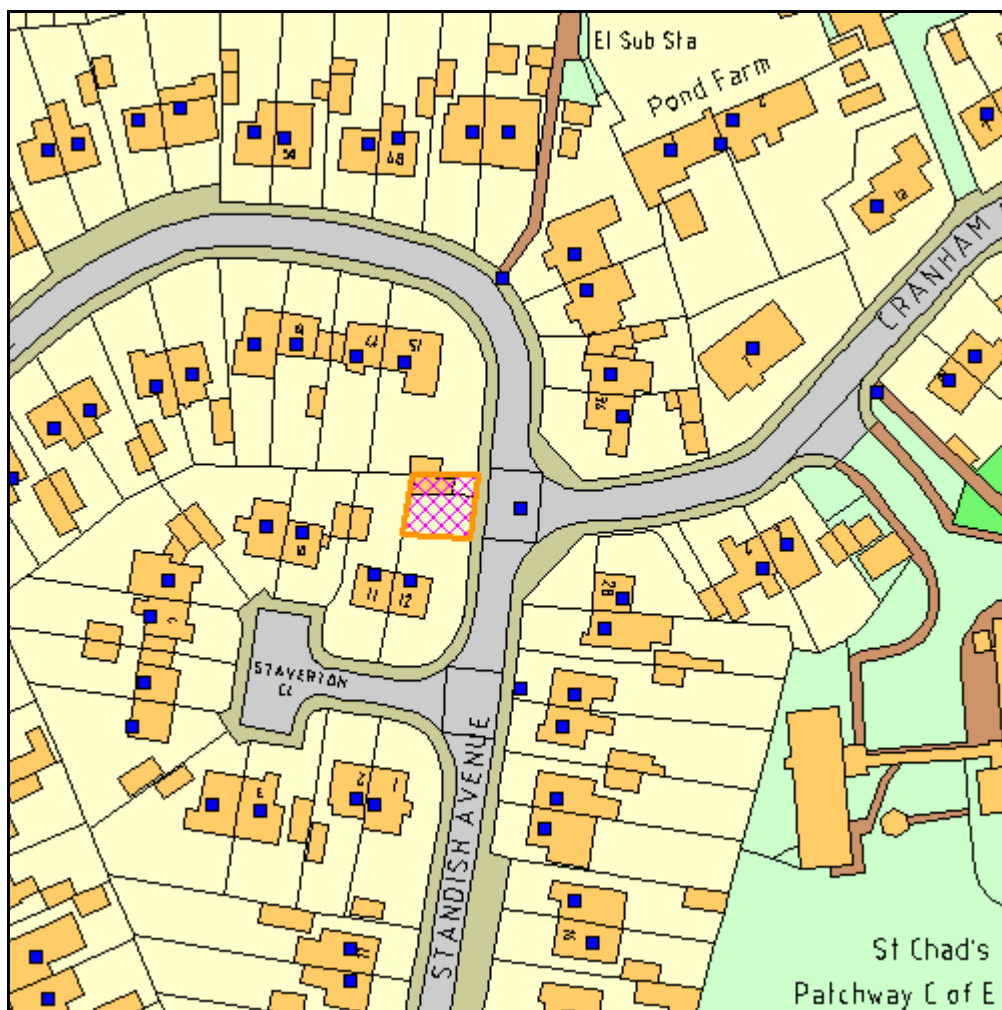
Proposed Block Plan (Drawing no. 17/1711/003 D)
Proposed Floor Plans (Drawing no. 17/1711/100 A)
Proposed Front and Rear Elevations (Drawing no. 17/1711/120 A)
Proposed Left and Right Elevations (Drawing no. 17/1711/121 A)
Proposed Street View (Drawing no. 17/1711/200 A)
(Received by Local Authority 9th March 2018)

Reason

In the interests of proper planning and for the avoidance of doubt.

CIRCULATED SCHEDULE NO. 16/18 – 20 APRIL 2018

App No.:	PT18/0814/F	Applicant:	Ms Edna Hill
Site:	12 Staverton Close Patchway Bristol South Gloucestershire BS34 6AH	Date Reg:	21st February 2018
Proposal:	Erection of 1no. dwelling and associated works. Resubmission of PT17/4791/F	Parish:	Stoke Lodge And The Common
Map Ref:	361011 182285	Ward:	Bradley Stoke Central And Stoke Lodge
Application Category:	Minor	Target Date:	17th April 2018



© South Gloucestershire Council 2007. all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008. **N.T.S.** **PT18/0814/F**

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application has received comments that are contrary to the Officer recommendation. As such this application must be placed on the Circulated Schedule for Members.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of 1no. detached dwelling with associated works within the residential curtilage of 12 Staverton Close Patchway.
- 1.2 The host dwelling is a two storey chalet style bungalow. It is located within the settlement boundary of Patchway.
- 1.3 This application is a resubmission of a previously refused scheme which was refused for a lack of parking, a lack of private amenity space and a loss of privacy for the occupiers of No.12 Staverton Close.
- 1.4 During the application process the Case Officer has requested multiple changes which have been submitted by the Agent. As such it is considered that this application has overcome the previous refusal reasons.

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 Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS15 Distribution of Housing
CS16 Housing Density
CS17 Housing Diversity

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

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

2.3 Supplementary Planning Guidance

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

3. RELEVANT PLANNING HISTORY

- 3.1. PT17/4791/F
Refusal (20.12.2017)
Erection of 1 no. dwelling and associated works

4. CONSULTATION RESPONSES

- 4.1 Stoke Lodge and the Common Parish Council
None received.

4.2 Other Consultees

Highway Structures

“No comment.”

Lead Local Flood Authority

“No objection.”

Sustainable Transport

“Subject to a condition being added to any planning permission to ensure that the height of the boundary is kept to a maximum of 0.9m (for at least the first 2m from the edge of the vehicular access), there is no transportation objection raised.”

The Ecology Officer

“No objection.”

The Archaeology Officer

“No comment.”

Other Representations

4.3 Local Residents

Four letters of objection were received. These related to overhanging neighbour boundaries; drainage; parking; impacts from roof lights on neighbours; highway safety; design not matching nearby properties; loss of value of neighbour properties; and that there is no need for this house when thousands are being built at Filton Airfield.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Paragraph 14 of the NPPF states that proposals that accord with the development plan should be approved without delay. Policy CS5 sets out the locational strategy for development in the district. New development is directed towards existing urban areas and defined settlements. As the site is located within the settlement boundary of a community on the north fringe of Bristol,

- development is supported in this location. As such, based solely on the location of the site, the principle of the development is acceptable.
- 5.2 Notwithstanding this, it is recognised that, at present, the local planning authority is unable to demonstrate a five-year supply of deliverable housing land. Paragraph 49 of the NPPF states that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites. However, as the application site falls within the defined settlement boundary on the north fringe of Bristol, the principle of development is acceptable under the provisions of policy CS5. As policy CS5 is not seeking to restrict the supply of housing, it can be afforded full weight in this case.
- 5.3 Whilst the principle of the proposed development is acceptable under the provisions of policy CS5, the impacts of the development require further assessment to identify any potential harm. The harm identified will then be balanced against the benefits of the proposal. The further areas of assessment are design and visual amenity, residential amenity, and transportation.
- 5.4 Design and Visual Amenity
The host dwelling is a semi-detached chalet style bungalow with front and rear dormers, brick work elevations, white UPVc windows and doors; and a pitched tiled roof. The site is bounded by fencing and contains a parking area to the front.
- 5.5 The proposed dwelling would be constructed to the north of No.12 in the rear garden. Its elevations would be brickwork, with a pitched tiled roof containing multiple roof lights and white UPVc windows and doors. The footprint and number of bedrooms have been reduced from the previous application (however, it should be noted that the design did not form a refusal reason previously and very little has changed from the previous assessment). This proposal will contain two bedrooms, an area of hardstanding and a small garden. The design and scale of the proposal is considered to be well informed by the chalet style bungalows that are directly north, south and west of the site.
- 5.6 The proposal therefore is considered acceptable in design and visual amenity terms and would accord with CS1 of the Core Strategy.
- 5.7 Residential Amenity
Policies PSP8 and PSP38 of the adopted 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 new dwelling will be built in the rear garden of 12 Staverton Close, just 8m from the host dwelling. The previous proposal contained windows to one of the first floor bedrooms that were considered to result in a significant loss of privacy to No.12 due to the proximity and orientation. The first iteration of this application removed all windows on the first floor and some windows on the ground floor. This was considered to result in poor living conditions as despite the addition of multiple roof lights, the lack of outlook and reduced light to the first floor bedrooms was unacceptable. Additional windows to the first floor and

ground floor were requested in locations that would not impact on neighbour amenity. These were submitted and accepted on 17th April.

- 5.9 The proposal is located a sufficient distance away from, and is of a sufficient scale to not result in an overbearing impact, or would result in a loss of light to nearby properties. Additionally, when considering other nearby properties and the lack of first floor windows facing any of these neighbours (there are roof lights but these look above, not directly at nearby properties); the Case Officer considers that the residential amenity of other neighbouring properties are unlikely to be adversely impacted by the proposal. As such the previous refusal reason has been addressed.
- 5.10 The proposed dwelling would contain 2 bedrooms and the host dwelling contains 3 bedrooms; policy PSP43 requires these properties to have a minimum of 50m² and 60m² of private outside amenity space respectively. Post development the host dwelling will benefit from 94m² and the new dwelling will benefit from 55m². As such sufficient space is available for both properties. This also formed a previous refusal reason which has also been addressed.
- 5.11 Transport
PSP16 sets the parking requirements for new development; a three bedroom property requires two off-street parking spaces and a two bedroom property requires 1.5 off-street parking spaces. These spaces should meet South Gloucestershire standards, be within the site boundary and be safe to access.
- 5.12 A driveway is present at No.12 Staverton Close that could accommodate two cars. Also, an area of hardstanding will be constructed to the front of the new dwelling that can also accommodate two cars. As such sufficient parking is available for both properties. While the Councils Transport Officer raised no objection to the proposal, concerns were raised regarding the visibility when accessing the site due to the 2m fencing and suggested reducing the fence in places. This reduction will be conditioned, as such there are no transport objections to the proposal.
- 5.13 Drainage
Additional drainage details were requested by the Lead Local Flood Authority. These details were provided and the Council Drainage Officer raises no objection to the proposal.
- 5.14 Landscape
Neighbours referenced the loss of vegetation and trees at the site. From a site visit the vegetation in this area is unmanaged and overgrown. While the loss of the vegetation/trees is regrettable, it is not considered sufficient to warrant a reason for refusal.
- 5.15 Other matters
An objector referenced the loss in value of their property as a result of the proposal. The planning department does not seek to regulate property prices but to control and mediate the impact on the built and natural environment. On this basis the objection is not considered to be related to planning and are therefore not relevant to the determination of this planning application.

5.16 Several objectors stated that the proposal would overhang neighbouring properties. This permission does not grant permission to access or construct on or over land that is not under the control of the applicant.

5.17 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.

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

5.19 Planning balance

The previous application was refused due to a lack of parking provision; a lack of private amenity space; and the loss of privacy to No.12 Staverton Close. It is considered that this application has overcome the previous issues. Additionally, the Case Officer has found no additional harm with the current proposal. As such the application accords with the Development Plan and should be approved.

6. CONCLUSION

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

6.2 The recommendation to **grant** 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 **GRANTED** subject to the condition(s) set out in the Decision Notice.

Contact Officer: David Ditchett
Tel. No. 01454 863131

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.

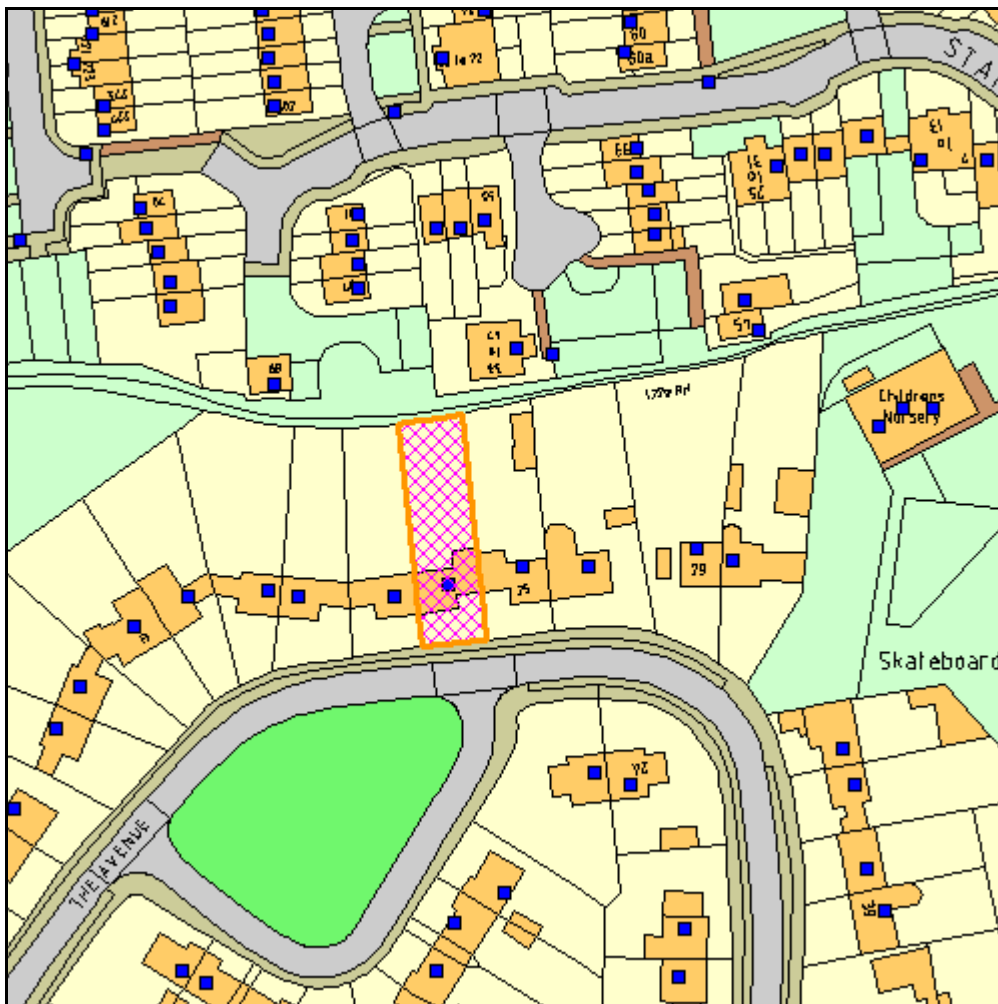
3. The height of the boundary should be kept to a maximum of 0.9m for at least the first 2m from the edges of the vehicular access.

Reason

In the interest of highway safety and the amenity of the area, and to accord with Policy CS8 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013; Policies PSP11, PSP16 and PSP38 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (Adopted) November 2017; and the South Gloucestershire Residential Parking Standards SPD (Adopted) December 2013.

CIRCULATED SCHEDULE NO. 16/18 – 20 APRIL 2018

App No.:	PT18/0816/F	Applicant:	Mr Thomas McGiveron
Site:	23 The Avenue Patchway Bristol South Gloucestershire BS34 6BD	Date Reg:	7th March 2018
Proposal:	Erection of Front Porch and Erection of two storey side and rear extension and single storey rear extension to provide additional living accommodation.	Parish:	Stoke Lodge And The Common
Map Ref:	360979 182588	Ward:	Bradley Stoke Central And Stoke Lodge
Application Category:	Householder	Target Date:	2nd May 2018



© South Gloucestershire Council 2007.all rights reserved.

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

100023410, 2008.

N.T.S.

PT18/0816/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been referred to the circulated schedule as comments of objection have been received. These are contrary to the officer recommendation and according to the current scheme of delegation, is required to be taken forward under the Circulated Schedule procedure.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of a front porch, two storey side and rear extension, and single storey rear extension to provide additional living accommodation at 23, The Avenue, Patchway.
- 1.2 The application site relates to a two storey, semi-detached property which is located in the urban area of Patchway.
- 1.3 During the course of this application revised plans were requested and received to address design concerns.

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 No relevant planning history

4. **CONSULTATION RESPONSES**

4.1 Stoke Lodge and the Common Parish Council No comments received

Sustainable Transport

Although I have received notification that revised plans have been received, the detail I previously requested has not been provided. As the development will increase the bedrooms on the first floor to five, a minimum of three parking spaces are required.

Although this level of parking is shown on the plans submitted, I do not believe that they comply with the Council's minimum requirements of 2.4m wide by 4.8m deep. Again I request a revised plan addressing showing the above

Other Representations

4.2 Local Residents

This application received a total of 1 objector that raised three points, these are summarised below.

- Proposal will be built over sewer waste pipes and cause potential blockage
- Height and proximity of building will block light into no.21
- Oppose work being carried out evenings and weekends

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 a front porch, two storey side and rear extension, and single storey rear extension to provide additional living accommodation. The existing single storey side and rear element will be demolished to facilitate the new proposal.

5.3 *Two storey side*

The two storey side extension will have a maximum height of approximately 7.1 metres, a total width of 3.7 metres and a depth of approximately 6.7metres. The proposal will introduce 1no window on the principal elevation at ground floor level and 1no window at first floor level, the rear elevation will introduce

- 1no window at first floor level. The proposal will incorporate a gabled roof design.
- 5.4 *Single storey rear*
The proposed single storey rear extension will have a maximum height of 3.6metres, extend 3.8 metres from the existing rear and have a width of approximately 10.1 metres. The proposal will feature a lean-to roof and use materials that match the existing dwelling.
- 5.5 *Front Porch*
The proposed front porch will have a depth of 1.1metres and a width of 2.1 metres, with a maximum height of 3metres. The porch will feature a hipped roof with materials to match the existing dwelling.
- 5.6 The stepping-back of the front elevation at both ground and first floor levels is seen to increase the levels of subservience between the proposed extension and the host dwelling. As such it is considered that the proposed extensions would appear as an appropriate addition within the immediate streetscene. Overall, it is considered that the design, scale and finish of the proposed extensions results in an addition that sufficiently respects the character and distinctiveness of the host dwelling and its immediate context
- 5.7 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.
- 5.8 A neighbouring occupier commented on the loss of sunlight which would occur as a result of the proposal. Due to its scale, siting and having looked at the path of the sun, it is not considered that the extension would have a material impact on the amount of sunlight offered to the neighbouring property. Furthermore, the applicant could have a rear extension with a maximum height of 4metres without the need for planning permission or any form of prior approval.
- 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 extensions, 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 extensions 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

As a result of the proposed development, the number of bedrooms within the property would increase from a total of 3 to 5. South Gloucestershire Residential Parking Standards SPD outlines that properties with 5+ bedrooms must make provision for the parking of a minimum of 3 vehicles, with each parking space measuring a minimum of 2.4m x 4.8m.

5.13 The comments of the transport officer have been taken in to account. However in this instance it is considered that the existing driveway is of sufficient size as to provide 3 parking spaces. The submitted plans show the proposed parking arrangements and measurements taken confirm that adequate space can be provided. On this basis, it is considered that the minimum parking provision for a 5-bed property can be provided on-site. However in order to secure this provision, a condition will be attached to any decision requiring a minimum of 3 parking spaces to be provided on-site and thereafter retained for that purpose.

5.14 Other Matters

It is noted that a neighbouring occupier raised concerns about the proposal causing drainage issues. It is noted that this matter is covered by building regulation legislation and that consent is required from the local drainage board. This would not fall within the remit of the planning system.

5.15 Equalities

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

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

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).

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.

3. The off-street parking facilities at the site (for all vehicles, including cycles) shall make provision for the parking of a minimum of 3 vehicles (measuring at least 2.4m by 4.8m) 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; Policy PSP16 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the South Gloucestershire Residential Parking Standards SPD (Adopted) December 2013.

