

# 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. 51/18

**Date to Members: 21/12/2018**

**Member's Deadline: 03/01/2019 (5.00pm)**

The reports listed over the page form the 'Circulated Schedule' a procedure agreed by Council in July 2018. Under the arrangement certain reports are circulated on a weekly basis. The reports assess the application, considers representations which have been received, and make a recommendation regarding the proposal.

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

Before referring an item to the Committee, it is recommended that Members speak to an officer about the issue, to explore whether any problems can perhaps be resolved without the need for referral to a Committee.

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

## NOTES FOR COUNCILLORS

### – formal arrangements for referral to committee

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

- a) Be made in writing using the attached form by emailing [MemberReferral@southglos.gov.uk](mailto:MemberReferral@southglos.gov.uk) identifying the application reference and site location
- b) Within 5 working days of the date of this schedule e.g. if the schedule is published on a Friday, comments have to be received by end of the following Thursday (see cover page for the date)
- c) The request in writing must be made in writing by at least two or more Members, not being Members of the same ward
- d) In addition, the request in writing must have the written support of at least one of the Development Management Committee Chair and Spokes Members
- e) The referral should include the reasons for the referral why it would not be appropriate to permit the proposal to be determined under the delegated arrangements; the issue the proposal raises in relation to the relevant policy context and the balanced consideration that has been given to the extra costs and delay to the referral
- f) Indicate whether you have discussed the application(s) with the Case Officer and/or Development Manager
- g) Indicate whether you have discussed the application(s) with ward Member(s) if the site is outside of your ward

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

- 1) Any application submitted by, or jointly, or on behalf of the Council.
- 2) Any application submitted by or any matter directly affecting or involving any

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

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

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

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

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

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

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

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

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

c. All applications for non-material amendments

d. All applications to discharge planning conditions

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

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

### **Additional guidance for Members**

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

When emailing your circulated referral request, please ensure you attach the written confirmation from the Supporting Member(s) and Supporting Chair or Spokes

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

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

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

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

A template for referral is set out below:

## Referral from Circulated Schedule to Development Management Committee

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

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

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

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

a) Referring Member:

b) Details of Supporting Member(s) (cannot be same ward as Referring Member)

c) Details of Supporting Chair or Spokes Member of the Development Management Committee

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

**Date:**

To be emailed to [MemberReferral@southglos.gov.uk](mailto:MemberReferral@southglos.gov.uk)

Schedule Number	Officers Deadline reports to support	Date to Members	Members deadline	Decisions issued from
50/18	Wednesday 12 <sup>th</sup> December 5pm	Friday 14 <sup>th</sup> December 9am	Thursday 20 <sup>th</sup> December 5pm	Friday 21 <sup>st</sup> December
51/18	Wednesday 19 <sup>th</sup> December 5pm	Friday 21 <sup>st</sup> December 9am	Thursday 3 <sup>rd</sup> January 5pm	Friday 4 <sup>th</sup> January
No Circulated on Friday 28 <sup>th</sup> December				

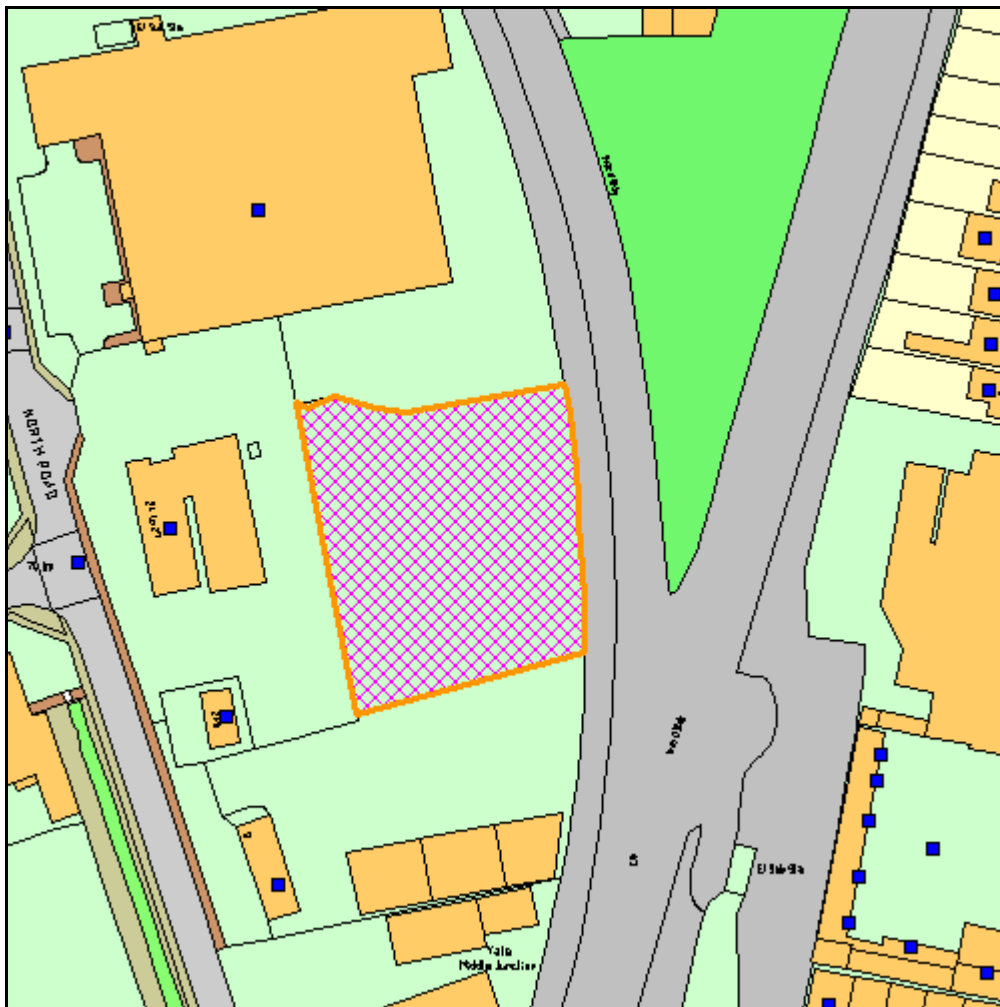
Dates and officer deadlines for Circulated Schedule Christmas Holidays 2018

# CIRCULATED SCHEDULE - 21 December 2018

ITEM NO.	APPLICATION NO.	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK18/3153/F	Approve with Conditions	Land To The South Of 26 North Road Yate South Gloucestershire BS37 7PA	Westerleigh	Westerleigh Parish Council
2	PK18/3986/F	Approve with Conditions	2 - 3 The Gables Wick Lane Upton Cheyney South Gloucestershire BS30 6NN	Bitton	Bitton Parish Council
3	PK18/4577/F	Approve with Conditions	31A Broad Lane Yate South Gloucestershire BS37 7LB	Yate North	Yate Town Council
4	PT18/4738/F	Approve with Conditions	Land To The Rear Of 20 Harcombe Hill Harcombe Hill Winterbourne Down South Gloucestershire BS36 1DE	Winterbourne	Winterbourne Parish Council
5	PT18/5130/F	Approve with Conditions	7 Mackie Avenue Filton South Gloucestershire BS34 7NE	Filton	Filton Town Council

**CIRCULATED SCHEDULE NO. 51/18 – 21 DECEMBER 2018**

<b>App No.:</b>	PK18/3153/F	<b>Applicant:</b>	Mr S Shackelford Yate Disposables Ltd
<b>Site:</b>	Land To The South Of 26 North Road Yate South Gloucestershire BS37 7PA	<b>Date Reg:</b>	23rd July 2018
<b>Proposal:</b>	Erection of building to form warehouse with parking and associated works	<b>Parish:</b>	Westerleigh Parish Council
<b>Map Ref:</b>	370079 182825	<b>Ward:</b>	Westerleigh
<b>Application Category:</b>	Minor	<b>Target Date:</b>	13th September 2018



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 100023410, 2008. **N.T.S.** **PK18/3153/F**

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

### **REASON FOR REPORTING TO THE CIRCULATED SCHEDULE**

This application has been referred to the Circulated Schedule as comments of objection have been received; these are contrary to the officer recommendation for approval.

## **1. THE PROPOSAL**

- 1.1 This application seeks full planning permission to erect a new warehouse to the south of 26 North Road, Yate.
- 1.2 The application site is located within the Stover Road and North Road Industrial Estate safeguarded area for economic development. The development relates to a current storage yard.
- 1.3 During the course of the application, amendments were received to address Officer concerns regarding highway safety.

## **2. POLICY CONTEXT**

- 2.1 National Guidance  
National Planning Policy Framework July 2018

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS5	Location of Development
CS8	Improving Accessibility
CS12	Safeguarded Areas for Economic Development
CS30	Yate and Chipping Sodbury

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

PSP1	Local Distinctiveness
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP17	Heritage Assets and the Historic Environment
PSP21	Environmental Pollution and Impacts
PSP27	B8 Storage and Distribution Uses

- 2.3 Supplementary Planning Guidance  
Design Checklist SPD (Adopted) 2007



### 3. RELEVANT PLANNING HISTORY

- 3.1 *Adjacent*  
PK18/3151/F  
Extension of existing warehouse.  
Approval  
15.10.2018
- 3.2 *Host*  
PT06/2208/F  
Erection of workshop with offices for road-marking business and associated parking.  
Approval  
06.09.2006
- 3.3 PT04/4119/F  
Change of use from offices/general industrial/residential (Classes B1/B2/C3) to builders merchant and sales (Class A1) (as defined in the Town & Country Planning (Use Classes) Order 1987).  
Withdrawn  
19.04.2005
- 3.4 PT03/0141/F  
Change of use from general industry and warehouse distribution (B2/B8) to bus depot and office (B1(a)) as defined in the Town and Country Planning (Use Classes) Order 1987). Siting of portacabin, installation of fuel tank and vehicle washing facilities, and associated fencing and gates.  
Refusal  
29.10.2003
- Reason:
1. The proposed development with associated vehicular movements will result in a level of noise that will have an adverse impact upon nearby dwellings during the night and early morning to the detriment of residential amenities. As such the proposal would be contrary to policy LP9 of the adopted Yate and Chipping Sodbury Local Plan and policy E2 of the South Gloucestershire Local Plan (Revised Deposit Draft) and would conflict with advice contained in PPG24 - Planning and Noise.
- 3.5 PT02/0075/F  
Change of use of land from B2 (General Industrial) to B2 and B8 (general industry and warehouse and distribution).(Additional land omitted from previous approval ref PT01/2283/F)  
Approval  
26.02.2002
- 3.6 PT02/0013/ADV  
Display of two signs (one internally illuminated) on south elevation of building.  
Approval  
11.02.2002

- 3.7 PT01/2283/F  
Change of Use from class B2 (general industry) to B2/B8 (warehouse distribution).  
Approval  
02.11.2001
- 3.8 P97/1458  
Erection of 2,4 metre high palisade security fence  
Approval  
08.05.1997
- 3.9 P96/2459  
Erection of vehicle damage assessment building  
Approval  
11.02.1997
- 3.10 P96/1083  
Erection of workshop building measuring 13.3 metres by 25.0 metres.  
(Outline) Change of use of former factory offices as offices and car showroom.  
Use of land for display of cars sale  
Approval  
20.03.1996
- 3.11 P87/0152/8  
Erection of storage building of 251 sq. Metres (2,700 sq ft.)  
Approval  
09.12.1987
- 3.12 N5167/1  
Installation of a 12 ton calor gas tank.  
Approval  
06.03.1980

#### **4. CONSULTATION RESPONSES**

- 4.1 Yate Town Council  
Objection
- landscaping to the rear needs consideration to screen the outlook from the Yate Station side
- 4.2 Other Consultees
- Iron Acton Parish Council  
No comment
- Archaeology Officer  
No objection
- Policy Community Safety  
No comment

### Highway Structures

No objection

- standard informative recommended

### Lead Local Flood Authority

No objection

### Sustainable Transport

No objection

- condition development to be built in accordance with approved drawings and subsequently maintained thereafter

### Westerleigh Parish Council

No comment

### Environmental Protection

No objection

- investigative/remedial land contamination pre-commencement condition recommended

## **Other Representations**

### 4.3 Local Residents

None received

## **5. ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

National guidance seeks to support sustainable economic development in a globally competitive market. 'Stover Road and North Road Industrial Estate' is identified as a safeguarded area for economic development in Policy CS12. As such, the principle of B class uses (historically known as employment uses) are acceptable in this location and opportunities to redevelop or intensify existing employment sites is encouraged.

5.2 The development involves the erection of a large warehouse behind 24-27 North Road.

5.3 It is considered that a new B8 unit would be appropriate in this location given it is on previously developed land and in a safeguarded employment area. As such, the principle of development is acceptable. Detailed matters are discussed below.

### 5.4 Design and Visual Amenity

The development involves the erection of a 22 x 51m building to the east of 24-27 North Road. There would be vehicular accesses in the north and west elevations and fire exits in the east side.

- 5.5 In terms of design, the building will have a squat appearance, typical of industrial and commercial buildings. Although the substantial structure will be visible in views from the east and west, it is clearly set within a developed and established industrial area and as such will be read as part of it. Screening of the site through additional landscaping is therefore not considered necessary. Overall, the proposal would not be harmful to the overall understanding of the area surrounding the site, nor would it be harmfully out of place.
- 5.6 Highway Safety  
In terms of parking, Officers are satisfied there is adequate off-street parking (including space for parking for commercial vehicles) on site to meet the parking demand from the new development
- 5.7 There is also acceptable turning and manoeuvring space on site to ensure that all vehicles including large service and delivery wagons can turn around on site to ensure that they can access and egress the site in forward gear.
- 5.8 In respect of access, the existing vehicular entrance to the site will remain unchanged and Officers consider it to be acceptable for its current and future use by additional development on site.
- 5.9 In view of the aforementioned, no highway objection is raised to this application subject to one condition.
- 5.10 Residential Amenity  
As mentioned above, the application site is located within a safeguarded area for economic development and is surrounded by other industrial and employment uses and as such it is not considered there would be any adverse impacts on residential amenity.
- 5.11 Potentially Contaminated Land  
The historic use of the site as a road haulage depot may have caused contamination which could give rise to unacceptable risks to the proposed development. Pre-commencement conditions will therefore need to be imposed to ensure that the appropriate investigations and, if necessary, remediation risks undertaken to satisfactorily deal with any contamination risks on the site.
- 5.12 Under the Town & Country Planning (Pre-commencement conditions) Regulations 2018, notice was served on the applicant/agent that on the grant of planning permission, the aforementioned pre-commencement conditions would be imposed.
- 5.13 No substantive response was received before the deadline, therefore, the condition will be attached as per the wording in the notice.
- 5.14 Impact on 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.

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

## **6. CONCLUSION**

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

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

## **7. RECOMMENDATION**

7.1 It is recommended that planning permission is GRANTED subject to the conditions listed below:

**Contact Officer: Helen Braine**  
**Tel. No. 01454 863133**

## **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. A) Desk Study - Previous historic uses of the site may have given rise to contamination. No development shall commence until an assessment of the risks posed by any contamination shall have been carried out and submitted to and approved in writing by the local planning authority. This assessment must be undertaken by a suitably qualified contaminated land practitioner, in accordance with British Standard BS 10175 Investigation of potentially contaminated sites and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced), and shall assess any contamination on the site, whether or not it originates on the site.

- B) Intrusive Investigation/Remediation Strategy - Where following the risk assessment referred to in (A), land affected by contamination is found which could pose unacceptable risks, no development shall take place until detailed site investigations of the areas affected have been carried out. The investigation shall include surveys/sampling and/or monitoring, to identify the extent, scale and nature of contamination. A report shall be submitted for the written approval of the local planning authority and include a conceptual model of the potential risks to human health; property/buildings and service pipes; adjoining land; ground waters and surface waters; and ecological systems.

Where unacceptable risks are identified, the report submitted shall include an appraisal of available remediation options; the proposed remediation objectives or criteria and identification of the preferred remediation option(s). The programme of the works to be undertaken should be described in detail and the methodology that will be applied to verify the works have been satisfactorily completed.

The approved remediation scheme shall be carried out before the development (or relevant phase of development) is occupied.

- C) Verification Strategy - Prior to first occupation, where works have been required to mitigate contaminants (under condition B) a report providing details of the verification demonstrating that all necessary remediation works have been completed satisfactorily shall be submitted to and agreed in writing by the Local Planning Authority.
- D) Any contamination found during the course of construction of the development that was not previously identified shall be reported immediately to the local planning authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found additional remediation and verification schemes shall be submitted to and approved in writing by the local planning authority. These approved schemes shall be carried out before the development (or relevant phase of development) is resumed or continued.

#### Reason

To ensure that adequate measures have been taken to mitigate against contaminated land to accord with Policy PSP21 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 revised the National Planning Policy Framework. This is required prior to commencement of development as there is the potential for contamination from the historic use of the site as a road haulage depot.

3. Within 3 months of the new warehouse hereby approved being substantially completed the off-street parking and manoeuvring area shown on the approved plans shall have been completed, and thereafter, these areas shall be satisfactorily maintained and kept free of obstruction and available for these uses.

Reason

To ensure that there is adequate parking and turning facilities within the site in the interests of highway safety, and to accord with Policy PSP11 and PSP16 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (Adopted) November 2017; Policy CS8 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013; and the revised National Planning Policy Framework.

4. The development shall be implemented strictly in accordance with the following documents:

Received 09.07.2018:

Block Plan (YS/26NR/03 Rev C)

Proposed Floor Plan & Site Plan (YS/26NR/01 Rev B)

Proposed Elevation and Sections (YS/26NR/05)

Topographical Survey (YS/26NR/07)

Received 10.07.2018:

HSE Advice Letter

Received 13.09.2018:

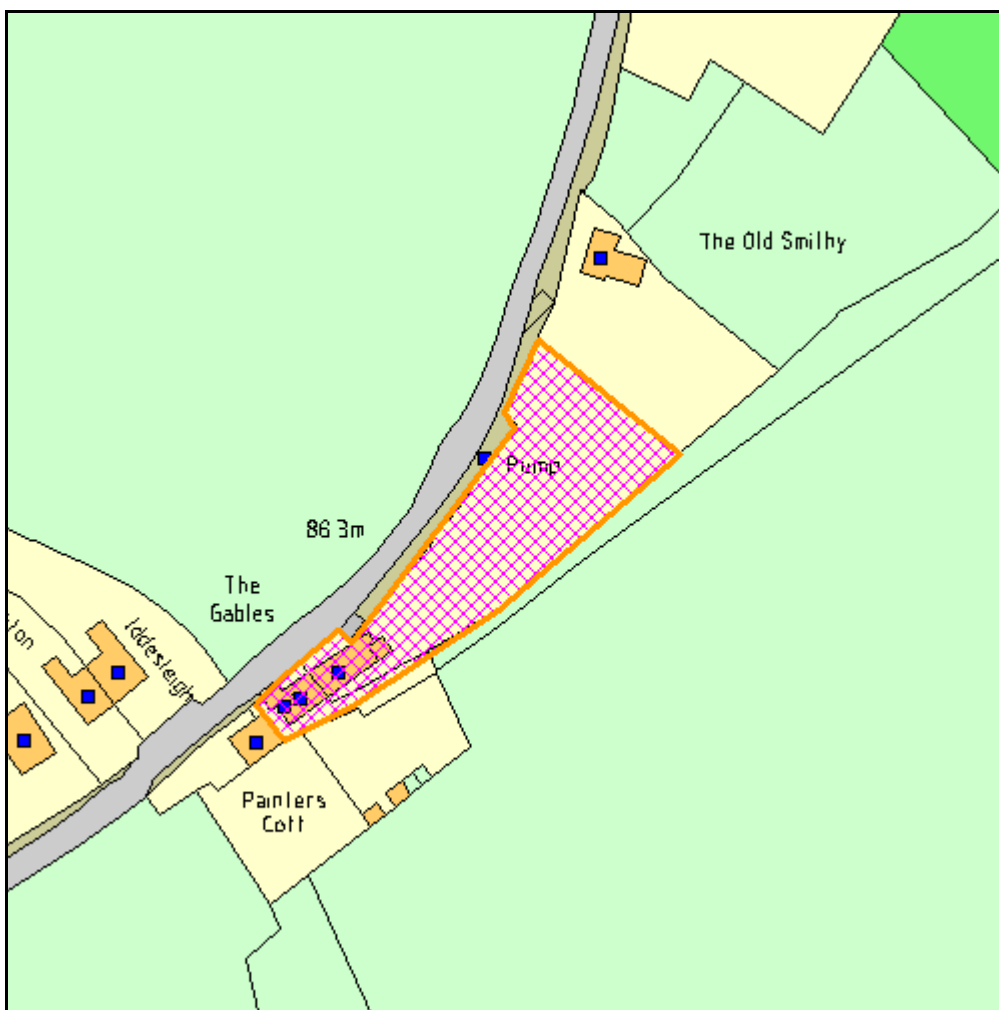
Proposed Vehicle Tracking (YS/26NR/09)

Reason

For the avoidance of doubt.

**CIRCULATED SCHEDULE NO. 51/18 – 21 DECEMBER 2018**

<b>App No.:</b>	PK18/3986/F	<b>Applicant:</b>	Mr And Mrs Butcher
<b>Site:</b>	2 - 3 The Gables Wick Lane Upton Cheyney Bristol South Gloucestershire BS30 6NN	<b>Date Reg:</b>	21st September 2018
<b>Proposal:</b>	Erection of single storey side extension to facilitate sub-division of existing dwelling into 2 no. dwellings with associated works.	<b>Parish:</b>	Bitton Parish Council
<b>Map Ref:</b>	369386 170150	<b>Ward:</b>	Bitton
<b>Application Category:</b>	Minor	<b>Target Date:</b>	15th November 2018



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 100023410, 2008. **N.T.S.** **PK18/3986/F**



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

### **REASON FOR REPORTING TO THE CIRCULATED SCHEDULE**

This application has been referred to the Circulated Schedule as comments of objection have been received; these are contrary to the officer recommendation for approval.

## **1. THE PROPOSAL**

- 1.1 The application seeks permission for the erection of a side extension to facilitate subdivision of an existing dwelling into 2no. dwellings.
- 1.2 The application relates to an existing semi-detached stone cottage located along Wick Lane, Upton Cheyney. The building is locally listed and is situated in the Upton Cheyney Conservation Area, the Cotswolds Area of Outstanding Natural Beauty (AONB) and the Bristol/Bath Green Belt. Public footpath PBN/46/10 also runs behind 1 Gable Cottage via a gap between it and neighbouring Painters Cott.
- 1.3 Amendments were received during the course of the application.

## **2. POLICY CONTEXT**

- 2.1 National Guidance  
National Planning Policy Framework July 2018

- 2.2 Development Plans

### South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS34	Rural Areas

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

PSP1	Local Distinctiveness
PSP2	Landscape
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
PSP38	Development within Existing Residential Curtilages
PSP39	Residential Conversions, Subdivisions & HMOs
PSP40	Residential Development in the Countryside
PSP43	Private Amenity Space

- 2.3 Supplementary Planning Guidance  
 Design Checklist SPD (Adopted) 2007  
 Development in the Green Bel (Adopted) 2007  
 Local List SPD (Adopted) 2008  
 Residential Parking Standards SPD (Adopted) 2013  
 CIL and S106 SPD (Adopted) 2015  
 Waste Collection SPD (Adopted) Updated 2017

### 3. RELEVANT PLANNING HISTORY

- 3.1 PRE17/1130  
 Revised proposal for the erection of an Oak Framed Garden Room  
 06.07.2018
- 3.2 PK06/0444/F  
 Erection of detached double garage. Amendment to previously approved scheme (PK02/2851/F) to include office in loft space.  
 Refusal  
 24.03.2006

Reasons:

1. The site is located within the Bristol/Bath Green Belt and the Cotswolds Area of Outstanding Natural Beauty. The proposal is considered by reason of its mass, height and bulk to have an adverse impact on the openness and visual amenity of the Green Belt and the natural beauty of the Area of Outstanding Natural Beauty. The proposal is therefore contrary to the provisions of PPG2, Policy GB1 of the South Gloucestershire Local Plan and Policy L2 of the South Gloucestershire Local Plan.
  2. The site is immediately adjacent to the Upton Cheyney Conservation Area and it is considered that the proposed development, if allowed, would detract from the special architectural and historic character of the designated area. The proposal is therefore contrary to Policy L12 of the South Gloucestershire Local Plan.
- 3.3 PK02/2851/F  
 Erection of detached double garage.  
 Approval  
 11.12.2002
- 3.4 PK02/0631/F  
 Erection of two storey side extension to provide kitchen/dining room with bedroom above and front porch.

## 4. **CONSULTATION RESPONSES**

### 4.1 Bitton Parish Council

Objection

- no objection in principle to subdivision or an extension
- inappropriate extension design

### 4.2 Other Consultees

#### Conservation Officer

No objection

- boundary treatment details required
- poor parking arrangement

#### Public Rights of Way

No objection

- standard informative recommended

#### Highway Structures

No objection

- standard informative recommended

#### Lead Local Flood Authority

No objection

#### Sustainable Transport

No objection

- condition parking to be created in accordance with approved drawings and satisfactorily maintained thereafter

#### Landscape Officer

No comment

### **Other Representations**

### 4.3 Local Residents

None received

## 5. **ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

Policy PSP39 of the Local Plan supports the subdivision of existing residential properties into smaller units subject to an assessment of design, amenity and transport.

5.2 However, the building itself is locally listed, there is an adjacent public right of way, and the site is located within the green belt, the Cotswold AONB and the Upton Cheyney Conservation Area, all of which may be constraints on development if the requirements of the relevant policies are not met.

### 5.3 Green Belt

There has already been an increase of 102% above the size of the original building. However, the retained residential use of the property and extension subject of the present application would result in a relatively modest increase (24%) in floor space over and above what has already been permitted, and the proposed addition would have only a minimal spatial and visual impact on this part of the Green Belt. Accordingly, Officers consider that the proposal would not be a disproportionate addition to the original building and the development would not be inappropriate development. However, it is considered that future development within the new curtilages should be controlled by removal of permitted development rights.

### 5.4 Design

The subject building is located within the Upton Cheyney Conservation Area. By reason of the scale, siting and design of the proposed extension, its historic character and heritage significance should be preserved subject to an in-keeping boundary treatment condition.

5.5 In respect of the impact on the locally listed building itself, there are no objections.

### 5.6 AONB

The proposed extension would be seen in the context of the original building and should would no more interrupt the natural beauty of the landscape than does the existing cottage.

### 5.7 Amenity

It is not considered that the proposal would result in any significant harmful impact to residential amenity and the provision of outdoor space is acceptable.

### 5.8 Transport

The revised site plan drwg no. 1651/SK04 shows the proposed parking arrangement for nos. 2 and 3 The Gables. This plan shows one parking space for no. 2 which is understood to be a 1-bed. The plan also shows a double garage as well as hardstanding for a 'casual parking space' for no. 3 The Gables which is also understood to be a 1-bed. The level of parking provided is in compliance with the Council's parking standard.

5.9 Subject to the parking being provided as shown on plan, there is no highway objection to the application.

### 5.10 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.

5.11 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.

5.12 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.

## **6. CONCLUSION**

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

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

## **7. RECOMMENDATION**

7.1 It is recommended that planning permission is GRANTED subject to the conditions listed below:

**Contact Officer: Helen Braine**  
**Tel. No. 01454 863133**

## **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. 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 PSP39 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the revised National Planning Policy Framework.

3. Prior to the commencement of the relevant part of the development, a plan indicating the positions, design, materials and type of boundary treatments to be erected shall be submitted to the Local Planning Authority for approval. The boundary treatment shall be completed before the buildings both buildings are occupied. Development shall be carried out in accordance with the approved details.

Reason

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to protect the residential amenity of the neighbouring occupiers and to accord with Policy CS1, CS9 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP1, PSP8, PSP17 and PSP39 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the revised National Planning Policy Framework.

4. The dwelling hereby permitted shall not be occupied until the car/vehicle parking areas shown on the approved plans have been completed, and thereafter the areas shall be satisfactorily maintained, kept free of obstruction and available for the parking of vehicles associated with the development.

Reason

To ensure that there are adequate parking facilities to serve the development 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 revised National Planning Policy Framework.

5. The development shall be implemented strictly in accordance with the following documents:

Received 13.09.2018:

Design & Heritage Statement

Site Location Plan (1651/000.A)

Proposed Block Plan (1651/SK03.A)

Existing Elevations and Floor Plans (1651/001.A)

Received 27.11.2018:

Site Plan (1651/SK04)

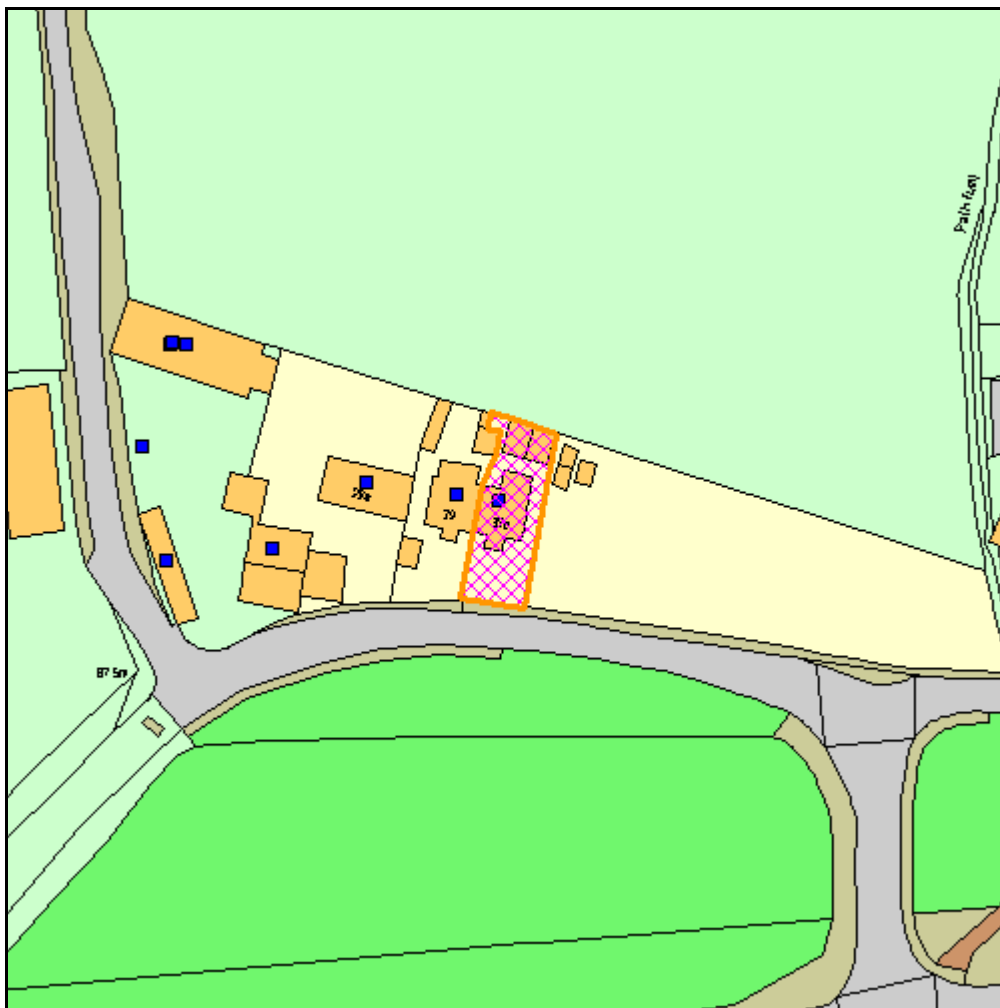
Proposed Floor Plans and Elevations (1651/SK02.B)

Reason

For the avoidance of doubt.

**CIRCULATED SCHEDULE NO. 51/18 – 21 DECEMBER 2018**

<b>App No.:</b>	PK18/4577/F	<b>Applicant:</b>	Mr C Ross Ro Ho Ltd
<b>Site:</b>	31A Broad Lane Yate Bristol South Gloucestershire BS37 7LB	<b>Date Reg:</b>	10th October 2018
<b>Proposal:</b>	Conversion of existing dwelling to form 2 no. attached dwellings with alterations to access and parking.	<b>Parish:</b>	Yate Town Council
<b>Map Ref:</b>	370496 183739	<b>Ward:</b>	Yate North
<b>Application Category:</b>	Minor	<b>Target Date:</b>	4th December 2018



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

### **REASON FOR APPEARING ON CIRCULATED SCHEDULE**

This application appears on the Council's Circulated Schedule procedure, following objections from Yate Town Council.

## **1. THE PROPOSAL**

- 1.1 This application seeks full planning permission for the subdivision of the existing dwelling at 31A Broad Lane, Yate, into 2 no. dwellings. No 31A is semi-detached, so this would create a terrace of three.
- 1.2 Amended plans have been received to address highway safety and amenity issues.
- 1.3 The site is situated within the settlement boundary of Yate, and is within an area known for coal mining in the past.

## **2. POLICY CONTEXT**

### 2.1 National Guidance

National Planning Policy Framework July 2018  
National Planning Policy Guidance

### 2.2 Development Plans

#### South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

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

PSP1 Local Distinctiveness  
PSP5 Undesignated Open Spaces within Urban Areas and Settlements  
PSP8 Residential Amenity  
PSP16 Parking Standards  
PSP38 Development within Residential Curtilages  
PSP43 Private Amenity Standards

### 2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist SPD (Adopted) 2007  
South Gloucestershire Residential Parking Standard SPD (Adopted) 2013



### 3. **RELEVANT PLANNING HISTORY**

- 3.1 *Relates to adjacent land to the east*  
PK18/3888/F Pending consideration  
Erection of 7 no. dwellings with access and associated works.

### 4. **CONSULTATION RESPONSES**

- 4.1 Yate Town Council  
Objection:

Deeply concerned about drainage from the site, and the impact of this development on sites down hill from it, including the adjoining old properties and the school fields. We compare the drainage plans here, with those being required from the major development to the north in terms of levels and dater flows.

Object on highways grounds. These properties are providing tandem parking which will result in all vehicles reversing onto the street on a busy junction, which is very well used by school children and vehicles accessing the school and YOSC, and will cause significant additional highway risks on the corner. A safer approach would be to incorporate a layby to reduce the need for reversing directly onto the road and would also provide visitor parking.

No proposed highways works are shown. The junction is effectively a mini roundabout and this plan proposes reversing out onto this busy bend, it does not comply with parking standards either.

Object to destruction of mining archaeology without full archaeological excavation and documentation, as this was an important site, with the pub next door. We are surprised the report has not revealed direct immediate evidence, and consider it essential further advice is sought.

- 4.2 Other Consultees

Highway Structures  
No comment.

Drainage  
No objection subject to the following informative:

Environment Agency Risk of Surface Water Flooding map show ground profiles in this development area as being subject to overland flow or flood routing in the event of high intensity rainfall (i.e. non-watercourse and non-sewer surcharging). The development area is shown as category 1 in 1000yr surface water flooding. In line with Flood Risk Standing Advice the developer must consider whether he has appropriately considered surface water drainage and flood risks to and from the development site which could occur as a result of

the development. NOTE: This is separate from the watercourse Flood Zone maps and does not require submission of a Flood Risk Assessment.

### Sustainable Transport

We note that this site is located fairly close to the Yate urban area, therefore, we believe that this development fully complies with the requirements of Policy PSP11 of the adopted South Gloucestershire Local Plan: Policies, Sites and Places document in terms of juxtaposition to necessary facilities and access by all travel modes. Moreover, would we suggest that as a single property is unlikely to generate more than 7 vehicular trips per day, overall this development will not have a severe impact on the adjoining highway. Consequently, we would not wish to make a highways or transportation objection on this basis.

In addition, our examination suggests that each property will have 2 bedrooms. Thus, to conform to the Councils adopted Residential Car Parking Standards, the applicants will be required provide a single car parking space for each property. We understand that in this case each dwelling is provided with two spaces. However, we note that these spaces have been provided in a tandem layout which is not considered ideal and will result in a significant number of reversing manoeuvres at this sensitive location. Nevertheless, this development also appears adequate in this respect.

Finally, we note this section of Broad Lane is characterised by narrow and intermittent footways, stone walls and large hedges. It is nevertheless, a safe route to school for the adjacent Brimsham School. Hence, it is crucial that the accesses to this site are provided with full visibility conforming to the highest appropriate standards. We are unable to determine whether this is the case from the information currently provided, hence we would wish to see this matter clarified by the applicant before we can reach a final conclusion about this development.

#### *Revised comment:*

Moved access point affects tactile crossing points, these will need to be relocated with a condition or legal agreement.

## **Other Representations**

### 4.3 Local Residents

Two local residents have objected to the development:

- Will turn no. 29 into an end terrace property, reducing the value.
- Adjacent development proposes 8 no. new dwellings, cumulative impact on parking and highway safety issues on this blind bend
- Driveways not wide enough
- Parking on road will cause hazards for parents with prams, children on bikes, horse riders, runners etc. and this is a safe route to Brimsham School
- Character is semi-rural, quiet and isolated. This is overdevelopment and will spoil this for existing residents
- Noise and pollution increase
- Main foul drainage does not exist on Broad Lane, will put pressure on mains sewerage

- Should be refurbished and sold as one dwelling, not two. Not large enough to convert
- New dwelling will stop the refuse trucks on a blind bend whilst carrying out collections
- Garden has been dramatically reduced in size, and will be further reduced if tank gas required for power

## 5. **ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

The application site lies within the existing settlement boundary of Yate. Under policy CS5 which establishes the locational strategy for development, the site is considered to be a suitable site for development subject to site specific considerations and would therefore be supported in principle.

5.2 Policy CS17 would also allow for development within existing residential gardens and curtilages subject to an assessment on the impact of the development on the character of the area, transportation, and residential amenity.

5.3 Having established the principle is acceptable, the impact of the proposed development should also be carefully assessed and this is set out in the remainder of this report. The overall design and impact on the character of the area is an important element of the assessment (Policy CS1); the impact on the existing residential amenity of the area (policy PSP8); and the transport implications (policy CS8 and PSP11/PSP16).

5.4 The proposal is for the erection a new dwelling within an established residential area within the town of Yate. Both national and local planning policy are supportive of such development and weight can therefore be given to it being an acceptable form of development, subject to a detailed assessment below.

### 5.5 Design and Visual Amenity

The existing property comprises a two-storey semi-detached house with an existing two-storey side extension, with rendered elevations and pitched tiled gable rooflines. There is a stone wall bordering Broad Lane to the front. To the rear there is a single storey extension and an outbuilding, both of which are proposed for removal to facilitate the conversion. The lean-to porch is also proposed for removal. With the exception of the demolition proposed, very minimal external alterations are shown on the plans, including a new window and French doors on the rear elevation, a new door and canopy on the side elevation to provide a private access to the second house and the replacement of the porch to the front with a door and canopy.

5.6 Officers consider that the alterations proposed improve the design of the dwelling, as they remove the ad-hoc extensions and provide simple, contemporary front doors in their place. Only one door appears on the front elevation, meaning that the subdivision of the property is not immediately obvious within the street scene, apart from the 0.9 metre picket fence dividing the parking areas. Amendments were sought to reduce the amount of 1.8 metre fencing proposed within the site, including the low picket fence, and the

- provision of a 0.6m stone wall to retain some of the existing boundary treatments.
- 5.7 In terms of layout, each property has access to a rear garden, a bike bunker, bin storage area and driveway. Comments have been received stating that the site is overdeveloped, with the subdivided layout not reflecting the surrounding built form. This point has been considered, however given that there is only 3 no. dwellings on this stretch of Broad Lane with differing plot sizes and layout arrangements, it is not considered that there is a particular pattern that must be adhered to. The development accords with policy CS1 of the Core Strategy.
- 5.8 Residential Amenity  
No 31A Broad Lane benefits from a large corner plot, and so the subdivision of the site leaves behind an adequate garden for each property consisting of 55 square metres and 70 square metres. For a two-bedroom property, 50 square metres is the minimum as stated in policy PSP43. Amendments have been received showing the removal of the rear extension so that this could be achieved.
- 5.9 Turning to the impact on neighbouring properties, no new windows are proposed on the eastern elevation. This means that should the proposed 7 no. dwellings adjacent to the site be approved (PK18/3888/F) there would be no overlooking issues. All other proposed openings have the same vantage points as the extant situation, although the orientation of the garden fence means that the easternmost dwelling will slightly overlook the end of the garden of the westernmost dwelling. Officers consider that this direct view is long distance and is common in residential areas in towns such as Yate. Similarly, the rear windows of the westernmost dwelling will overlook the end of the garden of no. 29, however this situation is existing.
- 5.10 No extensions are proposed to facilitate the conversion, so no additional overlooking or overshadowing issues will occur. The development is in accordance with policy PSP8.
- 5.11 Transport  
Two parking spaces have been provided for each dwelling, and this is in accordance with the residential parking standards. Comments have been received criticising the use of tandem parking as it often leads to parking on the highway, however officers consider tandem parking to be an acceptable form of parking provided that adequate visibility can be achieved, and amendments to the location of the driveways and the boundary treatments proposed have secured this. Furthermore, only 3 no. parking spaces are required as policy PSP16 requires 1.5 spaces per two-bedroom dwelling, so the development is in excess of this requirement. It is also important to note that the new dwelling will only generate around 7 additional vehicular movements per day, so any vehicles reversing out onto the highway are likely to be infrequent. Cycle parking and bin storage areas have also been provided.

- 5.12 As the route is used by a variety of road users, including children on their way to Brimsham School, it is important that safety is maintained. The visibility splays include visibility of pedestrians and the tactile paving providing a crossing point to the front of the site is proposed to be relocated, so that a crossing point that does not conflict with the new driveways is maintained. The new location does not conflict with the proposed driveways at the adjacent site either, in case PK18/3888/F is approved. A Grampian condition will ensure the tactile paving is re-sited prior to occupation of the dwellings.
- 5.13 Coal Mining Legacy  
The site has been utilised for coal mining in the past, and the Town Council have objected due to the lack of information regarding the mining archaeology at the site. Officers do not consider this information is necessary considering that no extensions are proposed to the footprint and the site is already operational as a house.
- 5.14 Environment  
Objections regarding the lack of foul water sewage at the site and the condition of the existing cesspit have been received. Given the scale of development, this will be adequately dealt with during the Building Regulations application. Concerns regarding the noise and pollution increase that the subdivision and the adjacent 7 no. dwellings proposed would cause, however minor residential development does not cause significant noise issues or pollution once complete. Any noise issues during construction are temporary and are not a reason for refusing the development.
- 5.15 Other Issues  
Comments regarding the reduction in house values have been received. This is not a planning issue and so very limited weight has been afforded to this issue.
- 5.16 Consideration of likely impact on Equalities  
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.
- 5.17 The proposal is considered to have a neutral impact on equalities.

## 6. CONCLUSION

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

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

## **7. RECOMMENDATION**

7.1 That planning permission is **GRANTED** subject to the conditions on the decision notice.

**Contact Officer: Trudy Gallagher**  
**Tel. No. 01454 864735**

## **CONDITIONS**

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

Reason

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

2. Development shall take place in strict accordance with the following plans:  
Proposed Site Plan 2 Rev D (received 11th December 2018)  
Proposed Plans and Elevations 4 Rev B (received 4th December 2018)  
The Location Plan (received 9th October 2018)

Reason

In the interests of clarity and proper planning.

3. No development shall take place until the tactile paving on both sides of the highway to the front of the site has been relocated in accordance with the new location shown on the Proposed Site Plan 2 Rev D (received 11/12/2018).

Reason

In the interests of highway safety and to prevent conflicts between vehicles and pedestrians, in accordance with policy CS8 of the South Gloucestershire Core Strategy (Adopted) December 2013, policy PSP11 and PSP16 of the Policies Sites and Places Plan (Adopted) November 2017 and the National Planning Policy Framework. This information is required prior to commencement of development as the highway works are outside of the applicant's ownership.

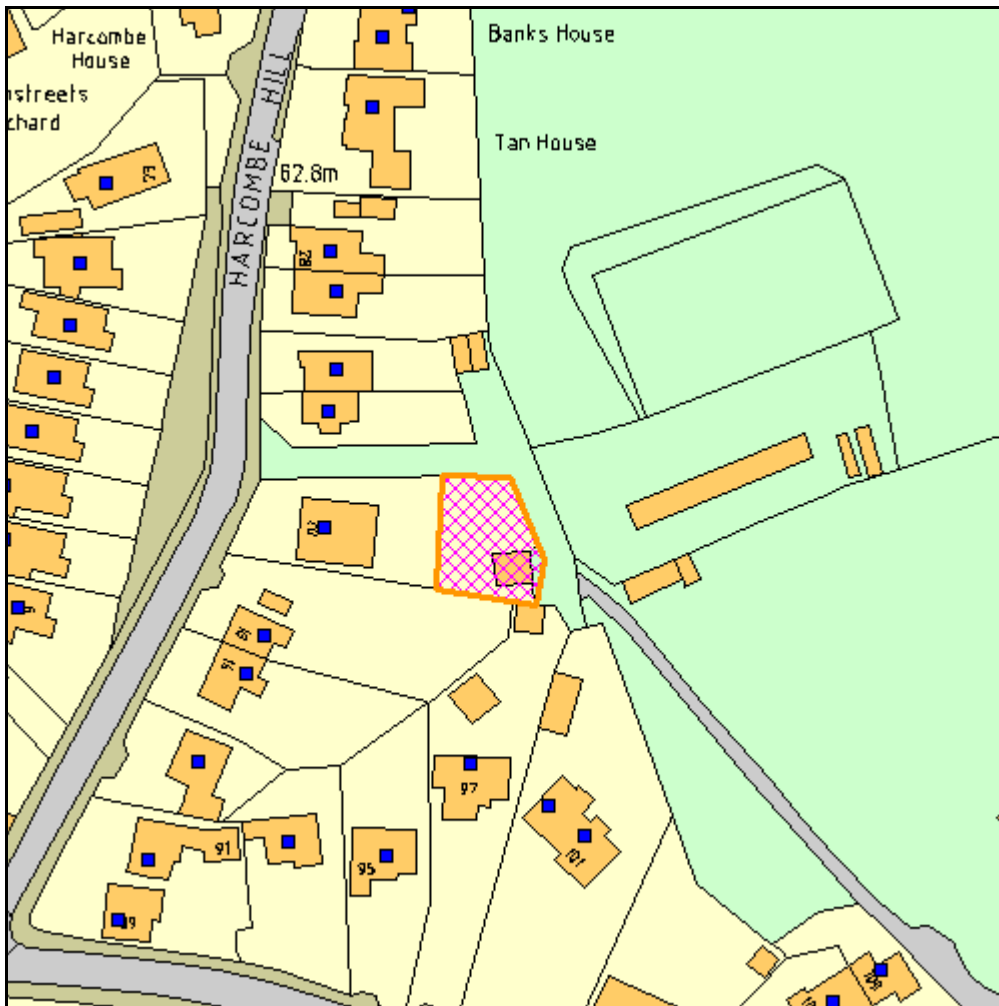
4. The development shall not be occupied until the bin store, bike bunker, parking areas and visibility splays are implemented in accordance with the approved plans, and shall be satisfactorily maintained as such thereafter.

Reason

In the interests of highway safety and to prevent conflicts between vehicles and pedestrians, in accordance with policy CS8 of the South Gloucestershire Core Strategy (Adopted) December 2013, policy PSP11 and PSP16 of the Policies Sites and Places Plan (Adopted) November 2017 and the National Planning Policy Framework.

**CIRCULATED SCHEDULE NO. 51/18 – 21 DECEMBER 2018**

<b>App No.:</b>	PT18/4738/F	<b>Applicant:</b>	Mr D Drew
<b>Site:</b>	Land To The Rear Of 20 Harcombe Hill Harcombe Hill Winterbourne Down South Gloucestershire BS36 1DE	<b>Date Reg:</b>	24th October 2018
<b>Proposal:</b>	Demolition of existing garage and erection of 1no dwelling with associated works (resubmission of previously approved scheme PT17/4130/F).	<b>Parish:</b>	Winterbourne Parish Council
<b>Map Ref:</b>	365471 179778	<b>Ward:</b>	Winterbourne
<b>Application Category:</b>	Minor	<b>Target Date:</b>	18th December 2018



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 100023410, 2008. **N.T.S.** **PT18/4738/F**

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

### **REASON FOR REFERRING TO THE CIRCULATED SCHEDULE**

This application is referred to the circulated schedule due to objections received from the Parish Council and three local residents, contrary to the Officer's recommendation.

## **1. THE PROPOSAL**

- 1.1 The applicant seeks full planning permission for the erection of 1no. detached dwelling and associated works within the residential curtilage of 20 Harcombe Hill Winterbourne.
- 1.2 The application site currently consists of a detached dwelling on the eastern side of Harcombe Hill. The site is located within the defined settlement boundary of Winterbourne.
- 1.3 This application is a resubmission of a previously approved scheme. The previous application contained one bedroom on the ground floor. The current application seeks to relocate the ground floor bedroom to the first floor; and add an additional bedroom, also to the first floor. Thereby increasing the previously approved one bed bungalow to a two bedroom chalet style bungalow.

## **2. POLICY CONTEXT**

- 2.1 National Guidance  
National Planning Policy Framework (2018)  
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
CS9	Managing the Environment and Heritage
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS34	Rural Areas

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

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



PSP16	Parking Standards
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP37	Internal Space and Accessibility Standards for dwellings
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  
 Waste Collection: Guidance for New Development SPD (Adopted) January 2015

### 3. **RELEVANT PLANNING HISTORY**

- 3.1. PT18/2919/F  
 Approve with Conditions (29.08.2018)  
 Erection of 1no dwelling with parking and associated works. Resubmission of PT18/0277/F.
- 3.2. PT18/0277/F  
 Withdrawn (13.04.2018)  
 Demolition of existing garage and erection of 1 no. dwelling with associated works.
- 3.3. PT18/0135/F  
 Approve with Conditions (13.03.2018)  
 Demolition of existing dwelling and erection of 2no dwellings with access parking and associated works.
- 3.4. PT17/4130/F  
 Approve with Conditions (28.11.2017)  
 Demolition of existing garage and erection of 1no dwelling with associated works.
- 3.5. N6350  
 Approve with Conditions (06.03.1980)  
 Erection of two storey rear extension to form lounge, kitchen and W.C. with two bedrooms and bathroom over. Erection of front porch. Erection of a double domestic garage and construction of new vehicular access.

### 4. **CONSULTATION RESPONSES**

- 4.1 Winterbourne Parish Council  
 The comments of the Parish Council are Objection. The Parish Council feel this is an over development of an extremely small site and are extremely concerned regarding access to the property in relation to any building vehicles. As owners of the allotments to the South of the building, we have spent considerable money installing a water supply and are concerned with the effect of heavy vehicles on the water pipes. We note that this has changed from 1 bedroom to 2 bedroom.

## 4.2 Other Consultees

### Highway Structures

"If the application includes a structure that will support the highway or support the land above a highway. No construction is to be carried out without first providing the Highway Structures team with documents in accordance with BD2/12 of the Design Manual for Roads and Bridges that will allow formal Technical Approval of the proposals to be carried out. The applicant will be required to pay the fees associated with the review of the submission whether they are accepted or rejected.

Or

If the application includes a boundary wall alongside the public highway or open space land then the responsibility for maintenance for this structure will fall to the property owner."

### Lead Local Flood Authority

No objection.

### Transport

Planning permission has previously been granted to erect a two-bed dwelling on this land (see PT17/4130/F). There is no proposed increase to the number of bedrooms within the dwelling nor does it change the approved vehicular access and parking. On that basis there is no transportation objection raised.

### Safety Officer

Recommended the applicant is informed of the close proximity to a weak bridge.

### Tree Officer

No comments.

## **Other Representations**

### 4.3 Local Residents

Four objection comments were received by three local residents. These related to traffic speed and volume in the area; overdevelopment; damage to and intensification of the access lane; access; an error by the Councils Transport Officer; that the decision should be made by the Councils Planning Committee; and upheaval during the construction process.

## **5. ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

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, 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 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.
- 5.3 Design and Visual Amenity  
The host dwelling is an ageing detached unoccupied four bed property set within a spacious plot. Its elevations are stonework and render, with white timber windows and doors. Its roof is pitched and tiled with a cat slide element to the rear over an existing extension.
- 5.4 The original application permitted this bungalow based on the existing built form. Since this permission was granted, three further dwellings have been approved, two in place of the existing No. 20 (a large detached property) and one within the residential curtilage of the neighbouring No. 16. While this represents a significant intensification of the area. Each dwelling would benefit from parking provision, external private amenity space, and internal space that meets or exceeds the guidance set out in policy. As such, this intensification is not harmful to the occupiers of these dwellings. Nor (as is described in point 5.5) has it been found that the overall appearance would be harmful to the character of the area, which is residential, with a mix of property sizes, types, and designs.
- 5.5 The proposed dwelling would be constructed in place of a large one and a half storey double garage. This new dwelling is proposed to be one and a half storey, in a T shape, with a pitched tiled roof to the south, and a smaller pitched tiled roof abutting a chimney stack to the north. Its elevations would be K rend buttermilk coloured render with limestone lintons and cills. Owing to the mixed nature of Harcombe Hill, containing both rendered properties immediately to the north of No.20, and traditional stonework properties to the south and west, the design and materials proposed reflect this. Therefore the proposal is deemed to comply with Policy CS1 of the Core Strategy and PSP38 of the PSP Plan.
- 5.6 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; overlooking; poor amenity space; loss of light; and loss of privacy of neighbouring occupiers.
- 5.7 The proposed relationship between the bungalow (as it gained approval first on the site) and two dwellings approved under application PT18/0135/F; and one dwelling approved under PT18/2919/F has been found acceptable within these separate assessments. The material change between these applications is the two bedrooms in the attic space. However, the windows serving these bedrooms are located on the west elevation which overlooks an equestrian area and open fields. As such, the inclusion of two bedrooms in the attic space has no material impact on the previously approved applications. Moreover, the bungalow would be some 28m from the other nearest property outside of the

site. Therefore, the development is deemed to comply with policies PSP8 and PSP38 of the adopted PSP Plan.

5.8 Policy PSP43 requires this property to have a minimum of 50m<sup>2</sup> of private external amenity space and 68m<sup>2</sup> would be provided. Thus, the development exceeds the requirements of PSP43.

5.9 Transport

It is noted that the Councils Transport Officer incorrectly referenced the difference in bedroom numbers between the previous and current applications. Notwithstanding this, Policy PSP16 requires that two bedroom properties benefit from one parking space within its site boundary; and a parking area is proposed that could accommodate two cars. This exceeds the policy requirements for a property of this size.

5.10 Multiple objections were raised in regards to the existing traffic and parking issues on Harcombe Hill; and how the intensification of this would cause further issues. While the existing issues are noted, this property, and indeed all of the approved priorities on this site, benefit from parking and access that meets or exceeds policy guidance. Moreover, as a single property is unlikely to generate more than about 7 vehicular trips per day, even combined with the other dwellings approved on and around the site, the resultant impact on the road network is not thought to amount to a 'severe impact' which is the threshold set by paragraph 109 of the NPPF.

5.11 Concerns were also raised regarding the use and potential damage of the access track that would serve the bungalow. This access track already serves a number of residences, the allotment, and an equestrian business. Indeed it currently serves the large detached garage which the bungalow would replace. The maintenance and access rights to the track would fall to all those who have lawful access to the track; as such is a civil issue to be decided amongst the relevant parties, therefore this impact holds little weight in the determination of this planning application. Nonetheless, a traffic management plan was submitted to support this application, this plan was also submitted to discharge the conditions associated with applications PT18/2919/F and PT18/0135/F and was found acceptable by the Councils Transport Team. The details within this plan will be secured by condition to protect the area during construction. Also, although it is not clear that the access lane is an adopted highway, it has been taken as a "highway" for the purposes of validation and the red line for this planning application.

5.12 Drainage

The application form states the method of surface water disposal would be a Soakaway; and Soakaway Test results have been submitted, along with a drainage plan with the proposed location of the soakaways. It is also proposed to use permeable paving as shown on 1532-02B Site Plan. As such there is no objection raised in drainage terms. Notwithstanding this, Site Plan 1532-02B shows that fruit trees are proposed over the surface water soakaway. While this does not form a reason for the refusal, this planting is inadvisable. The tree roots can damage the surface water soakaway. The trees will also hinder any maintenance works to the surface water soakaway.

5.13 Landscape

A landscape scheme was submitted in support of the application, this scheme is acceptable and will be secured by condition.

5.14 Other matters

A comment was received requesting that this application be decided by the Councils Planning Committee. At present the application will be decided under delegated powers. However, as the Parish Council have objected, as have three separate local residents, the application will be placed on the circulated schedule, where, if Councillors so wish, the application may then be referred to the Committee.

5.15 It is acknowledged that some disruption will occur during the construction phase. However, as this impact will be temporary it does not form a reason for refusal. Nonetheless, working hours will be restricted to minimise the impact on neighbours.

5.16 Equalities

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 **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 development hereby approved shall be constructed in strict accordance with the Traffic Management Plan received by the Council on 18/12/2018.

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.

3. The development hereby approved shall be constructed in strict accordance with the Landscape Plan received by the Council on 18/12/2018.

Reason

To protect the character and appearance of the area to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

4. Hours of Work

The hours of working on site during the period of construction shall be restricted to:

Monday - Friday.....7:30am - 6:00pm

Saturday.....8:00am - 1:00pm

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 Policy 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.

5. The off-street parking facilities (for all vehicles, including cycles) shown on the plan hereby approved shall be provided before the new dwelling is first occupied, and thereafter retained for that purpose.

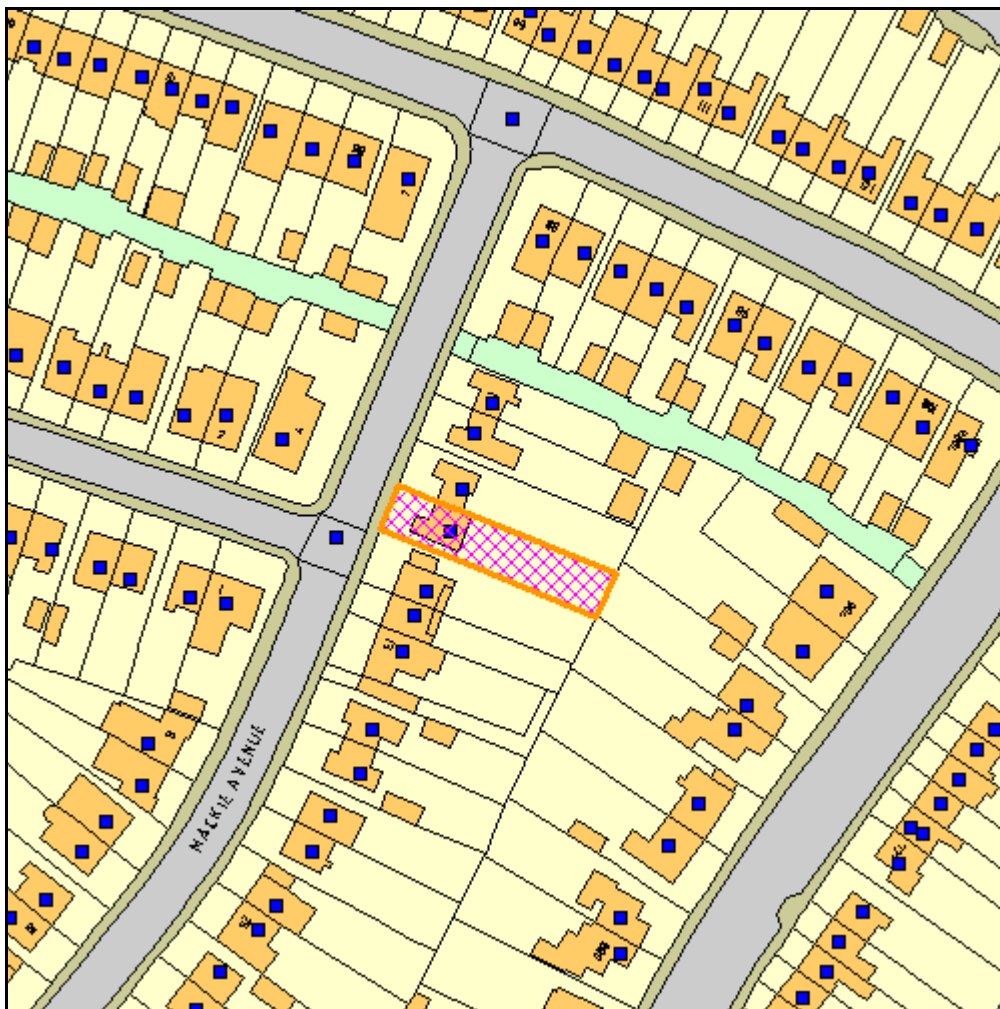
Reason

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. 51/18 – 21 DECEMBER 2018**

<b>App No.:</b>	PT18/5130/F	<b>Applicant:</b>	Mr & Mrs Patzika
<b>Site:</b>	7 Mackie Avenue Filton Bristol South Gloucestershire BS34 7NE	<b>Date Reg:</b>	14th November 2018
<b>Proposal:</b>	Erection of a single storey and two storey rear extension to form additional living accommodation. (Resubmission of PT18/2002/F)	<b>Parish:</b>	Filton Town Council
<b>Map Ref:</b>	360796 178832	<b>Ward:</b>	Filton
<b>Application Category:</b>	Householder	<b>Target Date:</b>	7th January 2019

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**N.T.S.****PT18/5130/F**

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

This report appears on the circulated schedule as there is an objection from Filton Town Council, where the officer recommendation is one of approval.

## **1. THE PROPOSAL**

- 1.1 The subject property is a semi-detached early to mid-20th century property with rendered elevations. To the front is a two storey projection with an upper level bay window. The site is located in the built up area of Filton forming part of the Bristol North Fringe Urban Area.
- 1.2 The proposal seeks to erect a two storey and single storey rear extension in order to provide additional living accommodation.

## **2. POLICY CONTEXT**

### 2.1 National Guidance

National Planning Policy Framework July 2018  
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  
CS9 Managing the Environment and Heritage

#### 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

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

## **3. RELEVANT PLANNING HISTORY**

- 3.1 PT18/2002/F                      Erection of a single storey and two storey rear extension to form additional living accommodation. Refused 26<sup>th</sup> June 2018



3.2 The application was refused for the following reason;

*The proposed development by reason of its position, mass and height would have a significant detrimental impact on the amenity of the adjoining dwelling as a result of overbearing and loss of light. Furthermore by virtue of the depth, massing and scale of the proposal relative to the existing property, the proposal would result in a disproportionate addition to the detriment of the visual appearance of the property and its context and would unbalance a pair of semi-detached properties, also contrary to policies CS1, PSP1, PSP8 and PSP38 and the provisions of the NPPF (2012).*

3.3 The applicant appealed that decision. The Planning Inspectorate subsequently dismissed the appeal on the grounds of poor design concluding that whilst the development would not adversely affect the living conditions of the occupiers of the adjoining property (no. 5), the development would result in harm to the character and appearance of the host dwelling.

3.4 The effect of this decision upon the assessment of this application will be discussed in the main body of the report.

#### **4. CONSULTATION RESPONSES**

4.1 Filton Town Council

Objection. The Town Council is concerned about parking and that the development is not in keeping with other properties and is over intensive.

4.2 Highway Authority

The Highway Authority advises that 2 parking spaces should be provided in accordance with the South Gloucestershire Residential Parking Standards.

4.3 Archaeological Officer

No Comment

#### **Other Representations**

4.3 Local Residents

None Received

#### **5. ANALYSIS OF PROPOSAL**

5.1 The proposed development consists of domestic extensions to an existing dwelling. The dwelling is located within the urban area.

5.2 Principle of Development

Policy PSP38 of the Policies Sites and Places Plan indicates development within existing residential curtilages is acceptable in principle subject to the following considerations: where they respect the appearance of the existing building; would not prejudice the residential amenity of neighbours; would not prejudice highway safety or the provision of an acceptable level of parking provision for existing and any new buildings; and would not prejudice the provision of adequate amenity space.

### 5.3 Design

Policy CS1 'High Quality Design' of the South Gloucestershire Core Strategy (adopted December 2013) states development proposals will only be permitted where the highest possible standards of design and site planning are achieved. Proposals should demonstrate that they; enhance and respect the character, distinctiveness and amenity of both the site and its context; have an appropriate density and its overall layout is well integrated with the existing development. Similarly, the objective of Policy PSP38 is to ensure that development is well designed.

5.4 The previously refused application detailed a two storey and single storey rear and side extension in order to provide additional accommodation. The two storey element of that proposal projected by approximately 5.4 metres from the rear elevation of the dwelling, replacing a more modest an existing single storey element. This part of the proposal, also projected beyond the side (southern) elevation of the dwelling.

5.5 In relation to visual design matters, the Planning Inspector notes the 'sheer scale' of the two storey element of the refused proposal. This is set in the context of the overall length and perceived height and the fact that the extension would protrude beyond the side extension by 0.5 metres. The Planning Inspector opined that the combination of these factors and that the extension would be excessive and awkward in nature. The Planning Inspector also opined that the visibility of this element from the public realm was a factor that would compound the impact of poor design.

5.6 The revised proposal submitted under this planning application attempts to respond to the criticisms made by the Planning Inspector at the appeal. Essentially, the two storey element of the extension has been reduced in length by 1.4 metres to 4 metres. The width has also been reduced so that the side elevation is flush with the side elevation of the existing house.

5.7 Whilst the revised proposal is large, it is considered that the changes now proposed (and detailed above) are sufficient to address the previous refusal reason (in visual design terms); and the reasons given for the dismissal of the subsequent appeal. Accordingly, it is considered that the proposed development is acceptable in that regard; and is now consistent with the objectives of policy CS1 of the South Gloucestershire Local Plan Core Strategy and Policies PSP1 and PSP38 of the South Gloucestershire Policies, Sites and Places Plan.

### 5.8 Residential Amenity

Policy PSP8 of the South Gloucestershire Policies Sites and Places Plan and Policy PSP38 sets out the councils objectives for the consideration of domestic extensions in residential amenity terms. In particular, proposed development should not prejudice the residential amenity (through overbearing, loss of light and loss of privacy) of neighbouring occupiers whilst providing adequate private amenity space.

- 5.9 The previously refused application was refused partially on the grounds that the size of the proposed extension and its relationship with the adjoining dwelling at number 5 Mackie Road would result in an overbearing impact and unacceptable loss of light/outlook. However, at the subsequent appeal, the Planning Inspector noted that the proposed single storey element was available under permitted development rights and noted that there was a lack of conclusive evidence that the extension as a whole would result in an unacceptable impact. Essentially, this factor of the previous refusal reason was not upheld by the Planning Inspector.
- 5.10 In considering this proposal, considerable weight is attached to the assessment and decision made by the Planning Inspector. It is also noted that whilst the single storey element of the revised proposal is the same as previously proposed, the two storey element has been reduced in overall length. The reduction in length would improve the impact of the development compared with the previous proposal and as such it is not considered that this proposal would otherwise result in a negative impact.
- 5.11 Furthermore, the orientation of the existing dwellings is such that they face West (front elevation) and East (rear elevation). The neighbouring dwelling (no.5) currently benefits from a conservatory extension to the rear, which is situated to the North of the proposal site. It is noted that the single storey rear extension would be consistent with the parameters of permitted development afforded under the General Permitted Development Order (Larger Extensions) albeit subject to a prior notification application. This is indicative of the fact that such a single storey extension would normally be considered acceptable. The two storey element of the proposal has been reduced in size (when compared to the previous application) and it is of note that the Planning Inspector considered that the previously proposal was acceptable. The revised proposal would result in some impact given the orientation of the site. However, having regards to the existing situation and given the position and its relationship of the proposed development with the neighbouring dwelling, officers are satisfied that the development would not result in an unacceptable impact in residential amenity terms. Accordingly, it is concluded that the proposed development is consistent with policies PSP8 and PSP38 of the South Gloucestershire Policies, Sites and Places Plan.

5.12 Transportation

According to the South Gloucestershire Residential Parking Standards SPD (adopted) December 2013 and PSP16 of the Policies Sites and Places Plan proposals for domestic extensions must provide parking in accordance with the following table:

Type	Spaces
1 Bed dwelling	1
2 Bed dwelling	1.5 <sup>15</sup>
3 Bed dwelling	2
4 Bed dwelling	2
5+Bed dwelling	3

- 5.13 The site is currently served by a single parking space to the front. The Highway Authority has highlighted the requirements of the South Gloucestershire Residential Parking Standards and advises that the proposed development would generate a requirement to retain two off-street parking spaces on the site.
- 5.14 In this instance, the existing dwelling provides three bedrooms and has a single parking space to the front of the dwelling. The parking standards would normally require 2 spaces the existing situation is sub-standard in that regard. It is proposed to retain the single parking space and garden rather than provide an additional parking space as part of the proposed development.
- 5.15 Nonetheless, it is noted that the requirements for a 3 or 4 bedroom property are the same (i.e. two spaces) and as such the current status-quo and as such would not result in a material impact over the existing situation. Furthermore, it is possible to park on the highway in close proximity to the site; and that the site is in a sustainable location within walking distance of public transport and other services. It is also entirely possible to provide an additional parking space on site in the future should the occupants of the dwelling wish to do so. On this basis, officers are satisfied that the provision of substandard onsite parking provision would result in a severe highway safety and amenity impact and as such is acceptable in transportation terms.
- 5.16 Consideration of likely impact on Equalities  
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services. With regards to the above this planning application is considered to have a neutral impact on equality.

## 6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to **approve** 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 is approved subject to the following conditions.

**Contact Officer: Simon Penketh**  
**Tel. No. 01454 863433**

**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).