

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. 23/19

Date to Members: 07/06/2019

Member's Deadline: 13/06/2019 (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 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 (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:

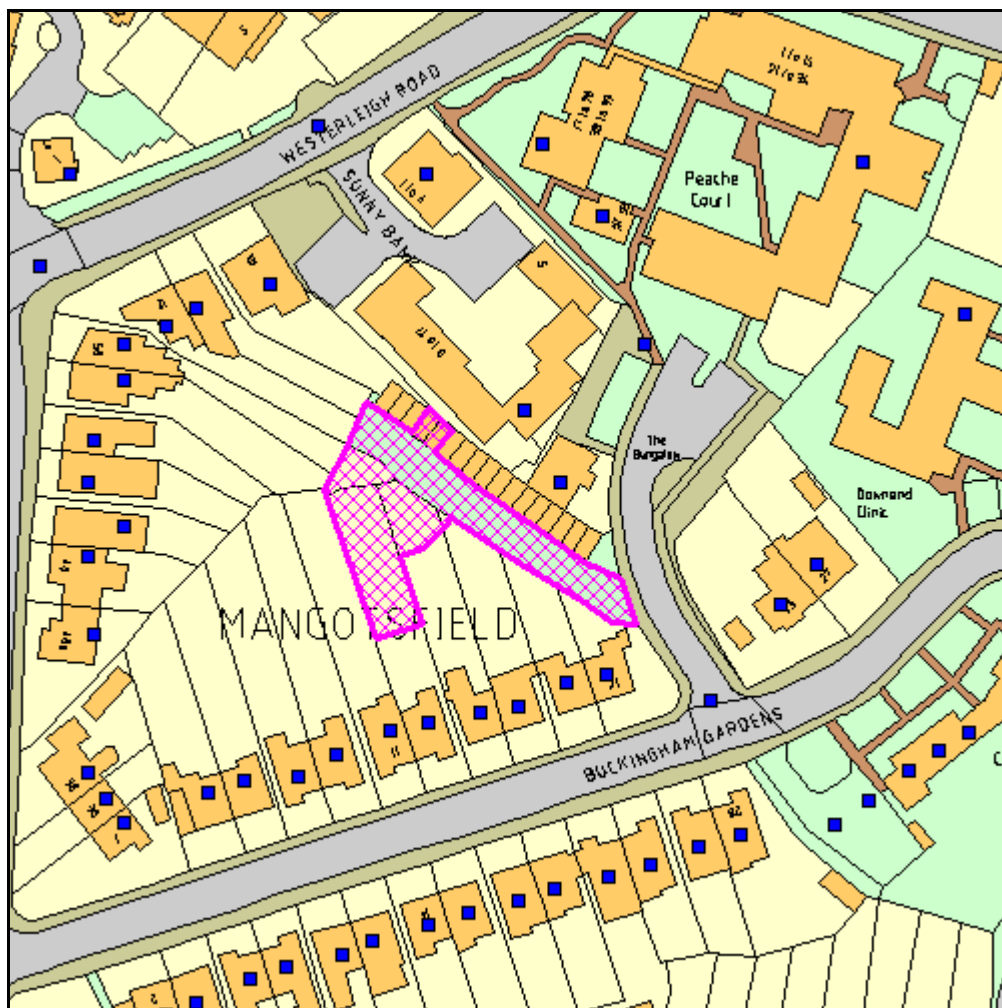
To be emailed to MemberReferral@southglos.gov.uk

CIRCULATED SCHEDULE - 07 June 2019

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	P19/0346/F	Approve with Conditions	13 Buckingham Gardens Downend South Gloucestershire BS16 5TW	Frenchay And Downend	Downend And Bromley Heath Parish Council
2	P19/3055/F	Approve with Conditions	35 Over Lane Almondsbury South Gloucestershire BS32 4BL	Severn Vale	Almondsbury Parish Council
3	P19/3592/F	Approve with Conditions	54 Hollyguest Road Hanham South Gloucestershire BS15 9NW	Hanham	Hanham Parish Council
4	P19/3942/F	Approve with Conditions	Hawkfield Haw Lane Olveston South Gloucestershire BS35 4EQ	Severn Vale	Olveston Parish Council
5	P19/4505/RVC	Approve with Conditions	Orchard Farm Pomphrey Hill Mangotsfield South Gloucestershire BS16 9NF	Emersons Green	Emersons Green Town Council
6	PK18/2610/F	Approved Subject to Section 106	Land Adjacent Goose Green Way Broad Lane Yate BS37 7LA	Yate North	Yate Town Council
7	PT18/5569/F	Approve with Conditions	Snaefell The Drive Charfield Wotton Under Edge South Gloucestershire GL12 8HX	Charfield	Charfield Parish Council

CIRCULATED SCHEDULE NO. 23/19 – 7 JUNE 2019

App No.:	P19/0346/F	Applicant:	T Smith
Site:	13 Buckingham Gardens Downend Bristol South Gloucestershire BS16 5TW	Date Reg:	22nd February 2019
Proposal:	Erection of 2no. attached bungalows with parking and associated works (Resubmission of PK18/3152/F)	Parish:	Downend And Bromley Heath Parish Council
Map Ref:	365322 176674	Ward:	Frenchay And Downend
Application Category:	Minor	Target Date:	19th April 2019



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N.T.S.

P19/0346/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 is referred to the circulated schedule for determination to take into account comments received during the public consultation which are contrary to the officer's recommendation for approval.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of two semi-detached bungalows on land to the north of 13 Buckingham Gardens in Downend. Both would be single-storey, containing 2-bedrooms. Access would be gained from a lane off Buckingham Gardens.
- 1.2 The site is within the East Bristol Fringe. No further land use designations cover this site.
- 1.3 This application is a resubmission of a previously refused scheme, PK18/3152/F. The reasons for refusal are listed in section 3 of this report. Amendments have been made to the proposal in an attempt to overcome past objections.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework February 2019

- 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
CS29	Communities of the East Fringe of Bristol Urban Areas

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
PSP20	Flood Risk
PSP38	Development within Existing Residential Curtilages

- 2.3 PSP43 Private Amenity Space
Supplementary Planning Guidance
 Design Checklist SPD (Adopted) 2007
 Residential Parking Standards SPD (Adopted) 2013
 CIL and S106 SPD (Adopted) 2015
 Waste Collection SPD (Adopted) Updated 2017

3. **RELEVANT PLANNING HISTORY**

- 3.1 PK18/3152/F
 Erection of 2 No. dwellings and associated works (resubmission of PK18/1706/F).
 Refusal
 11.09.2018

Reasons:

1. The proposal would result in a cramped form of development and fails to comply with the highest standards of design expected in national guidance and local adopted planning policy, which could not be outweighed by the modest contribution two new dwellings would make to the housing shortage. The resulting design, scale and layout would be at odds with the established linear pattern of development in the immediate locality and harmful to the prevailing character of the area. The proposal is therefore considered to be contrary to Policies CS1, CS16 and CS17 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013; PSP1 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (Adopted) November 2017; and the revised National Planning Policy Framework.
2. The proposed development would prejudice the amenity of immediate neighbours and fail to provide adequate living conditions for future occupiers. Unit 1 by virtue of its position, proximity and massing, neighbours would have an overbearing effect on the occupants of 11 Buckingham Gardens to the detriment of their residential amenity. Furthermore, by virtue of its cramped nature, future occupiers of both units would suffer significant overlooking and in the case of Unit 1, poor outlooks as well. These resulting negative amenity impacts would not be outweighed by the modest contribution two new dwellings would make to the housing shortage. The scheme fails to accord with Policies CS1, CS16 and CS17 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013; Policies PSP8 and PSP43 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (Adopted) November 2017; and the revised National Planning Policy Framework.

- 3.2 PK18/1706/F
 New development to form 2 no. bungalows.
 Withdrawn
 18.06.2018

- 3.3 PK03/2376/F
 Conversion and single storey extension of residential garage/workshop to dwelling. Resubmission of PK02/3169/F
 Approval
 18.03.2004

4. **CONSULTATION RESPONSES**

4.1 Downend and Bromley Heath Parish Council

Objection

- narrow access lane would prevent access by emergency vehicles & service vehicles.
- insufficient parking provision plan relies on use of 2 small garages each of which has an internal size below minimum 3mx6m.
- known drainage problems with water run-off would be exacerbated by lack of soakaways.
- backland development (with 1.8m high fencing) is out of keeping with the local area.

4.2 Other Consultees

Highway Structures

No objection

Lead Local Flood Authority

No objection

Sustainable Transport

No objection

- any relevant conditions recommended before should be carried over to this application

Other Representations

4.3 Local Residents

5 local residents have objected to the scheme. Their comments are summarised as follows –

- previous refusal reasons (PK18/3152/F) relating to design and amenity still valid
- heavily overlooked by neighbours
- overlooking flats to north and properties along Buckingham Place to west
- loss of outlook for neighbours
- inaccessible to dustcarts, vans and emergency vehicles
- increased street parking
- insufficient parking provision as the garages cannot be counted because they do not meet the Council's internal standard sizes
- lane prone to surface water flooding
- decrease property value
- disturbance and noise from construction
- plot 2 bin storage area poorly located

5. **ANALYSIS OF PROPOSAL**

- 5.1 This application seeks planning permission for the erection of two dwellings within the existing urban area of Downend.
- 5.2 Principle of Development
Officers have had due regard of the site's recent planning history, in particular the latest refusal (PK18/3152/F) in September 2018. The local planning authority's objections did not relate to the principle of the development but to design and residential amenity matters. As such the principle is not in dispute but in order for this application to proceed, the development must demonstrate the previous refusal reasons have been overcome. This can be either through a fully policy compliant proposal or by reducing the resulting harm from the development so that it does not outweigh its own benefit. The application is therefore determined against the analysis below.
- 5.3 Character and Appearance
The first refusal reason on application PK18/3152/F related to the poor design of the scheme and its unacceptable impact on the character and appearance of the area. In response, amendments have been made to the scheme and it is considered that these overcome its previous deficiencies.
- 5.4 The proposed bungalows would sit towards the rear of 13 and 15 Buckingham Gardens. The form of the building consists of a general rectangular shape with projecting flat-roofed extensions on the rear elevations to allow extra lounge accommodation. Externally the properties will be finished with rendered walls and redland 50 roof tiles. Woodgrain styled UPVC windows will be installed. Boundaries will be defined by 1.8m fencing.
- 5.5 The site layout is considered to be acceptable. Although the bungalows are set to the rear of the neighbours and therefore would be surrounded by higher development, this is similar arrangement with 'The Bungalow' to the northeast. The amenity space is considered oddly-shaped but still useable.
- 5.6 Overall, the new design is considered sufficient to overcome previous concerns and now meets the necessary standards.
- 5.7 Residential Amenity
The second reason for refusal of application PK18/3152/F related to the overbearing impact of the proposal when viewed from adjacent gardens and the fact that future occupiers would have to put up with poor outlooks and loss of privacy. However, due to the changes in design and layout, it is now considered that these problems have been overcome.
- 5.8 Windows now all present acceptable outlooks and are appropriately sited to protect privacy. Some properties along Buckingham Gardens though face the proposed rear gardens and are in close proximity too. The first floor rear windows, of neighbours 11, 13 and 15 particularly, would offer some views into these rear gardens. However, these would be mainly of the far ends and are not uncommon in urban areas, thus would not result in an overall loss of privacy to future occupiers. Furthermore, as two-bedroom dwellings, the

amount of space proposed for each unit would meet the minimum standard of 50 square metres.

- 5.9 Officers have noted the comments of two local residents whose properties face the site regarding their claims of loss of privacy, together with outlook. However, there would be sufficient separation to ensure that there would not be intrusive levels of overlooking, or otherwise harm to outlooks.
- 5.10 Accordingly, residential amenity is no longer an overriding objection and it is now the case that the development would provide sufficient living conditions alongside not prejudicing the neighbours either.
- 5.11 Transport and Parking
Previously the local highway authority did not object to the proposal subject to two conditions (resurfacing of the access land and the works being undertaken in accordance with the approved plans). Therefore, despite a significant rearrangement of the site layout, it is considered the proposal remains broadly the same as before and provided the conditions above are attached here, there is no transportation objection raised.
- 5.12 Drainage
The LLFA expressed early concerns regarding the paucity of drainage details provided in support of the application, especially given the claims of an existing surface water flooding issue. As such, there was a requirement for these details to be provided which the applicant has complied with.
- 5.13 A revised site plan shows the applicant intends to connect and discharge surface water runoff into an existing Public Surface Water Sewer. The principle of this is acceptable to the Authority.
- 5.14 The proposed connection into this system needs to be discussed and agreed with Wessex Water. In addition, the applicant will need to agree a discharge rate with Wessex water, which may require the applicant to attenuate surface water flows on site in order to meet any set runoff rate restrictions. This may not be the case but will be made clear to the applicant when conducting formal discussions with Wessex Water.
- 5.15 It must be noted that the Authority's approval in principle of the surface water drainage strategy for the site does not provide the applicant with an agreement to go and connect into the Public Surface Water System. It is again stressed that they need to discuss their proposals with Wessex Water in order to obtain the required agreement.
- 5.16 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 With regards to the above this planning application it is considered to have a neutral impact on equality.

5.18 Other Matters

The Parish Council and local residents have both raised concerns regarding the suitability of the access road and whether the car parking at the site is adequate. However, above, the proposal has been found to accord with policies PSP11 and PSP16 and as such do not considered there are material deficiencies in either the lane (particularly once resurfaced) or parking provision that would have a harmful effect on highway safety.

- 5.19 Officers are also unable to give any weight to the views expressed in relation to property value since this is not a land use planning matter.

- 5.20 A condition restricting working hours during the construction should ensure that there is adequate protection of living conditions in respect of noise and disturbance for occupiers of dwellings adjacent.

- 5.21 Whilst queries have also been raised regarding the locations of the proposed bin stores, both are considered acceptably sited given they are conveniently located for future occupiers and a considerable distance from the living accommodation of neighbours.

5.22 Conclusion

Neither these nor any other matters raised deflect from Officers overall conclusion that, subject to the imposition of appropriate conditions, the proposal overcomes all the previous refusal reasons and is compliant with relevant development plan policies. The NPPF indicates that at its heart is a presumption in favour of sustainable development and in this regard proposals which accord with the development plan should be approved without delay. Therefore, 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 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. The hours of working on site during the period of construction shall be restricted to 07:30 to 18:00 Monday to Friday, 08:00 to 13:00 Saturday and no working shall take place on Sundays or Public Holidays. The term working shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

To protect the residential amenity of neighbouring occupiers, and to accord with Policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the revised National Planning Policy Framework.

3. No building hereby permitted shall be occupied until the areas for car/vehicular parking and manoeuvring have been completed, and thereafter, shall be 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 Policies 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. No building hereby permitted shall be occupied until the access lane has been resurfaced with a bound surface material together with appropriate drainage facilities. Thereafter, it shall be retained for access purposes only.

Reason

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

ITEM 1

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

Received 11.01.2019:
Proposed Floor Plans & Elevations (2047-3)

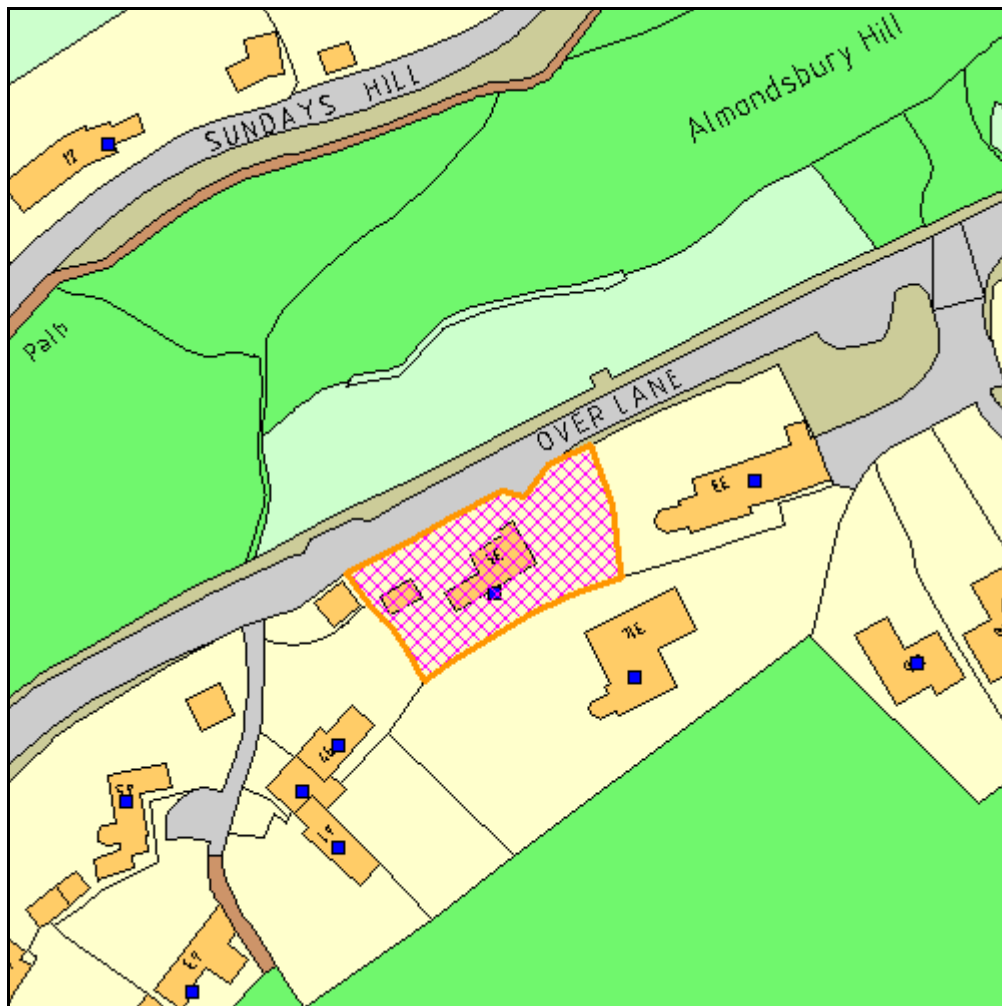
Received 22.02.2019:
Site Location Plan (2047-1)
Block Plan

Received 28.05.2019:
Proposed Site Plan (2047-2 Rev B)

Reason
For the avoidance of doubt.

CIRCULATED SCHEDULE NO. 23/19 – 7 JUNE 2019

App No.:	P19/3055/F	Applicant:	Mr Broughton
Site:	35 Over Lane Almondsbury Bristol South Gloucestershire BS32 4BL	Date Reg:	22nd March 2019
Proposal:	Erection of single storey and two storey side extensions to form additional living accommodation. Demolition of existing garage and erection of a replacement detached single garage. Alterations to front elevation to form roof terrace with glass balustrade.	Parish:	Almondsbury Parish Council
Map Ref:	360272 183753	Ward:	Severn Vale
Application Category:	Householder	Target Date:	14th May 2019



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REASON FOR REFERRING TO THE CIRCULATED SCHEDULE

The application is referred to the Circulated Schedule as Almondsbury Parish Council have raised objection to the proposal, whilst the officer recommendation is to approve.

1. THE PROPOSAL

- 1.1 The site is located in Upper Almondsbury and is located within the Village Development Boundary. Almondsbury is washed over by the Green Belt. The subject dwelling consists of a 3 bedroom modern detached dwelling dating from the mid 20th Century. The property is accessed via a private road from Over Lane and includes a driveway and off street parking. There are a number of incidental buildings located within the curtilage.
- 1.2 The proposed development consists of the construction of a two storey extension to the West elevation of the dwelling, a single storey extension to the East elevation and some remodelling of the front (South elevation) to provide a balcony. It is also proposed to construct a new single garage to the West of the main dwelling. The existing access to the site and driveway/parking would be retained as part of the development.
- 1.3 Revised plans were submitted by the applicant on 22nd May 2019 to address officer concerns relating to the design of the proposed two storey extension. Given the extent of the detailed changes, officers do not consider that it is necessary for a further round of public consultation.

2. POLICY CONTEXT

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

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

- PSP1 Local Distinctiveness
- PSP7 Development in the Green Belt
- PSP8 Residential Amenity
- PSP38 Development within Existing Residential Curtilages

2.3 Supplementary Planning Guidance

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

Development in the Green Belt SPD (Adopted) May 2007

3. **RELEVANT PLANNING HISTORY**

3.1 none

4. **CONSULTATION RESPONSES**

4.1 Almondsbury Parish Council

Objection on the following ground - design should ensure that extensions do not harm the balance and proportions of the original building and street scene, this application does not take this into consideration.

4.2 Highway Authority

No objection

4.3 Commons Stewardship Officer

No objection in principle. The Stewardship Officer advises that there should be no;

- i) storing of any materials or equipment (including skips) on the Common for any length of time before, during or after the development goes ahead.
- ii) parking of any vehicles associated with this development on the Common for any length of time before, during or after the development is completed.
- iii) no disposal or storage of building waste/materials to be dumped or stored on the Common for any length of time before, during or after the development goes ahead

Other Representations

4.4 Local Residents

No comments have been received

5. **ANALYSIS OF PROPOSAL**

5.1 The proposed development consists of a domestic extension. The site is within the Village Development Boundary associated with Almondsbury. The site is washed over by the Green Belt.

5.2 Principle of Development

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

5.3 Green Belt

ITEM 2

- The site is located within the Village Settlement Boundary associated with Almondsbury which is washed over by the Green Belt.
- 5.4 Paragraph 89 of the National Planning Policy Framework sets out the limited categories of development that is appropriate within the Green Belt. In particular, the NPPF sets out that the extension or alteration of an existing building is appropriate development provided that it does not result in a disproportionate addition, over and above the size of the original building.
- 5.5 In respect of extensions to existing buildings Policy PSP7 of the South Gloucestershire Policies, Sites and Places Plan (adopted) November 2017 carries this principle forward, and it is relevant to proposals for domestic extensions It goes further and sets out that, as a general guide that additions of up to 30% of the volume of the original building would likely be considered appropriate. Where an extension would exceed this up to 50% the proposal would be carefully assessed and in particular paying attention to the scale and proportion of the extension. Where proposed extensions exceed 50%, the policy indicates that this would likely be considered disproportionate and therefore inappropriate.
- 5.6 In this instance, the proposed development would result in approximately 40% additional volume over and above the original dwelling (including the replacement garage). It is important to note that, although the site is within the Green Belt, the dwelling is located within the Village Settlement Boundary and set within a built up area of the village. This factor has the benefit of considerably reducing the overall impact of the development upon the openness of the Green Belt.
- 5.7 On this basis, officers are satisfied that the proposed development is acceptable in Green Belt terms.
- 5.8 Design
The existing building dates from the mid 20th Century (1950's) and is set amongst a group of individually detached dwellings dating from a similar period. Traditional cottages are located to the East and West associated with Over Lane. The general character of the village in this location is dominated by mid 20th Century buildings and are of a wide range of styles, scale and size.
- 5.9 The proposed development would provide a two storey side extension (to the West side) and a single storey side extension (to the East side). It is also proposed to remodel the existing dwelling to provide a flat roof and balcony to the front of the dwelling. This would be provided in place of an lean-to roof over an existing single storey element of the building. The existing garage would also be replaced.
- 5.10 The proposed development is modern in design, utilising flat roof linked extensions to distinguish between the new and the original hipped roof house. Similarly, the proposed replacement garage utilises a flat roof design.
- 5.11 The comments made by Almondsbury Parish Council are noted. The objection relates to the design of the development and its relationship with the character

of the existing building and the street scene. South Gloucestershire Planning Policy seeks to ensure that high standards of design. Notwithstanding this, the consideration of the visual impact of development is subjective. It is not necessarily the case that domestic extensions should be of a traditional form because the host building is itself traditional in form. The use of flat roof development is not necessarily inappropriate. The design of proposals should be assessed on their individual merit having regard to the impact upon the character of the building and the surrounding area. In this instance, the existing building is not listed. It is of limited architectural value and is not considered to be of a heritage asset. The surrounding locality is characterised by a wide range of buildings in use as dwellings. The majority of the surrounding dwellings date from the mid 20th Century and are generally modern in character and individually designed. Other, older and more traditional cottages are also present in the context of the application site. Within this context, it is possible to introduce modern forms of development without resulting in material harm to the character of the area.

- 5.12 During the course of the assessment of the application, officers sought to alter the design of the two storey element of the proposal. The revised drawings show a 'link' between the original building and the extension which acts to separate and distinguish from the traditional form original building and the modern form of the extension. Previously, the proposal did not include this separation and officers were concerned that this would result in a clumsy visual relationship. However, the revisions have adequately addressed those concerns. Officers are satisfied that the proposed development (as revised) does represent a high standard of design that would not result in a detrimental impact on the visual character of the site and the locality.
- 5.13 Residential Amenity
The existing dwelling sits in a generous plot, as do the existing dwellings which surround the application site. Officers note that the development would introduce a balcony to the front elevation of the dwelling. However, given the relative positions and separation of dwellings immediately surrounding the site, it is not considered that the development would give rise to any material impact in residential amenity terms. On this basis, the proposed development is acceptable in that regard.
- 5.14 Arboricultural Considerations
There are a number of trees within the site. The submitted arboricultural survey and method statement show that the trees within the site are mostly made up of category 'C' trees (of low quality) with some category 'B' trees (at the Northeast site boundary).
- 5.15 There is a Category 'A' tree located just outside the site, to the Southeast of the site and a category 'C' hedgerow just outside the Northern Boundary of the site.
- 5.16 It is not proposed to remove any of the trees as part of the development and there would be appropriate tree protection installed for the duration of the development. The tree protection measures include tree protection fencing that would protect the Category 'A' tree. An appropriately worded condition can be

applied to any consent so as to ensure that the tree protection measures identified within the Arboricultural Method Statement are implemented as part of the development.

5.17 Other Matters

The Commons Stewardship Officer has commented in respect of Almondsbury Common situation opposite the application site. The comments advise in respect of the potential storage/disposal of materials and parking within the Common. This would be a civil matter should this occur. However, an informative would be added to any decision to approve highlighting these matters.

5.18 Transportation and Highway Safety

The proposed development would utilise the existing access arrangements onto the private road and in turn onto Over Lane. The development would also provide adequate off street parking and is compliant with the South Gloucestershire parking standards. On this basis, officers are satisfied that the proposed development would not result in a material impact in highway safety and transportation terms.

5.19 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.

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

6. CONCLUSION

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

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

7. RECOMMENDATION

- 7.1 That planning permission is granted subject to the conditions set out in the decision notice.

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).

2. The development hereby approved shall be implemented strictly in accordance with the Tree Protection and Arboricultural Method Statement (prepared by Silverback Arboricultural Consultancy Ltd) and received by the Local Planning Authority on 19th March 2019.

Reason

In order to protect the existing trees on the site and adjacent to the site and in the interest of the character and visual amenity of the site and surrounding locality; and to accord with Policy CS1 of the South Gloucestershire Local Plan, Core Strategy (adopted) January 2013 and Policy PSP1, PSP2 and PSP3 of the South Gloucestershire Local Plan, Policies Sites and Places Plan (adopted) November 2017

3. The development hereby approved shall be implemented strictly in accordance with the following plans;

EXISTING PG1
EXISTING PG2

as received by the Local Planning Authority on 19th March 2019

PROPOSAL DEVELOPED PG1
PROPOSAL DEVELOPED PG2
PROPOSAL DEVELOPED PG3
PROPOSAL DEVELOPED PG4
PROPOSAL DEVELOPED PG5

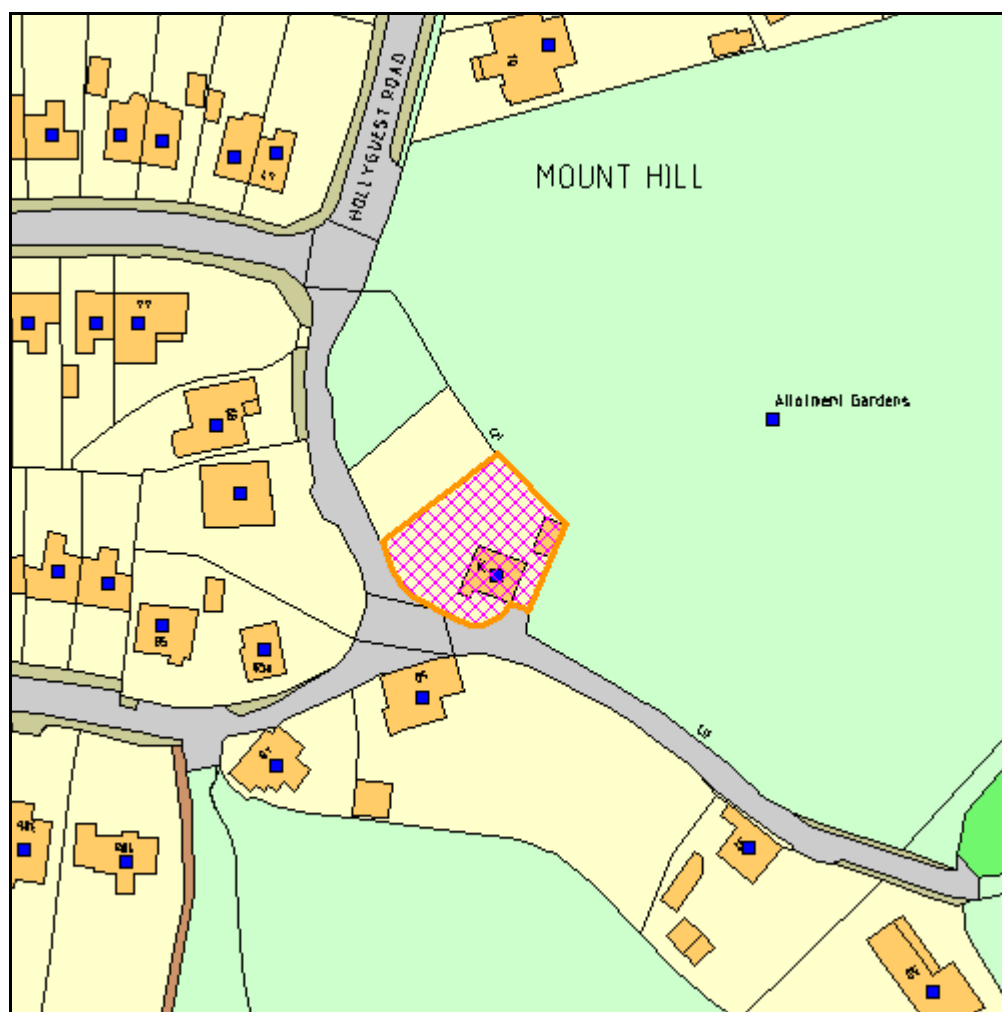
as received by the Local Planning Authority on 22nd May 2019

Reason

For the avoidance of doubt.

CIRCULATED SCHEDULE NO. 23/19 – 7 JUNE 2019

App No.:	P19/3592/F	Applicant:	Mr Fiaz Ahmed
Site:	54 Hollyquest Road Hanham Bristol South Gloucestershire BS15 9NW	Date Reg:	9th April 2019
Proposal:	Erection of a two storey side extension to form additional living accommodation.	Parish:	Hanham Parish Council
Map Ref:	365275 172563	Ward:	Hanham
Application Category:	Householder	Target Date:	3rd June 2019



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P19/3592/F

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

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the erection of a two storey side extension to form additional living accommodation at 54 Hollyguest Road, Hanham.
- 1.2 The property is detached and two storey with rendered elevations, a tiled roof and UPVC windows. It is set within a relatively large plot adjacent to Hollyguest Road allotments. The property benefits from a detached single storey garage and parking on hardstanding to the front.
- 1.3 It is within the built up area of Hanham and part of the East Fringe of Bristol Urban Area.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework Feb 2019
National Planning Policy Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS29	Communities of the East Fringe of Bristol Urban Area

South Gloucestershire 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
PSP38	Development in 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 No relevant planning history

4. **CONSULTATION RESPONSES**

4.1 **Oldland Parish Council**

Objection. The site is located near the allotment site with access under an easement. There is currently an issue with poor maintenance and leakage from a cesspit. This will put additional burden on it, and an objection is raised.

4.2 **Sustainable Transport**

The existing site has a detached garage and driveway to the side of the building which will be removed as part of the development. The plans submitted fail to demonstrate that adequate vehicular parking for the size of the proposed dwelling can be provided within the site boundary. South Gloucestershire Council's residential parking standards states that a dwelling with up to four bedrooms requires a minimum of two parking spaces to be provided. Each space needs to measure a minimum of 2.4m wide by 4.8m deep. In light of the above, as currently submitted, a transportation objection is raised.

Other Representations

4.3 **Local Residents**

No comments received

5. **ANALYSIS OF PROPOSAL**

5.1 **Principle of Development**

The development proposes extensions to form additional living accommodation within an existing residential curtilage, which is within an established residential area. This type of development is acceptable in principle as set out in PSP38. This is subject to considerations of visual amenity, residential amenity and highway safety. These detailed matters will be discussed below.

5.2 **Design and Visual Amenity**

Policy CS1 only permits new development where the "highest standards" of site planning and design are achieved. This policy requires that siting, overall layout, density, form, scale, height, massing, detailing, colour and materials, are informed by, respect and enhance the character, distinctiveness and amenity of both the site and the locality.

- 5.3 The host is a detached property which is two storey it is within a small group of buildings which are adjacent to allotments and off the main Hollyguest Road. The property currently has a detached single garage which is accessed from hardstanding to the side/front. This application proposes to erect a two storey side extension which would run along the entire elevation and would match the height/pitch of the roof. This would introduce an additional living area, bedroom and bathroom.

- 5.4 It would have matching materials and would introduce a window/door to front and rear elevations. It is noted that the extension would not be designed to be subservient to the main dwelling. However, the property is detached and it is not considered that it would be harmful to visual amenity. It is recommended that conditions are imposed in relation to materials.
- 5.5 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.
- 5.6 The extension would be directly adjacent to an allotment and would not impact any nearby occupiers. It is also noted that there would be sufficient private amenity space remaining to comply with PSP43.
- 5.7 Parking and Highway Safety
The Highways Authority have reviewed the scheme and are concerned about the loss of parking. It is noted that there would be some loss of car parking and access to the single storey garage. Following the development there would be an increase from 3 to 4 bedrooms. PSP16 sets out that at least 2no off-street parking spaces should be provided. It is noted that plans do not show details of proposed parking provision, nevertheless, at a site visit officers noted that at least 2no. parking spaces would be provided following the development, and no objection is raised.
- 5.8 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.
- 5.9 With regards to the above this planning application is considered to have a neutral impact on equality.

6. CONCLUSION

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

- 6.2 The recommendation to **GRANT** permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 set out above, and to all the relevant material considerations set out in the report.

7. **RECOMMENDATION**

- 7.1 That the application be **APPROVED SUBJECT TO CONDITIONS.**

Contact Officer: Lucy Paffett
Tel. No. 01454 863436

CONDITIONS

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

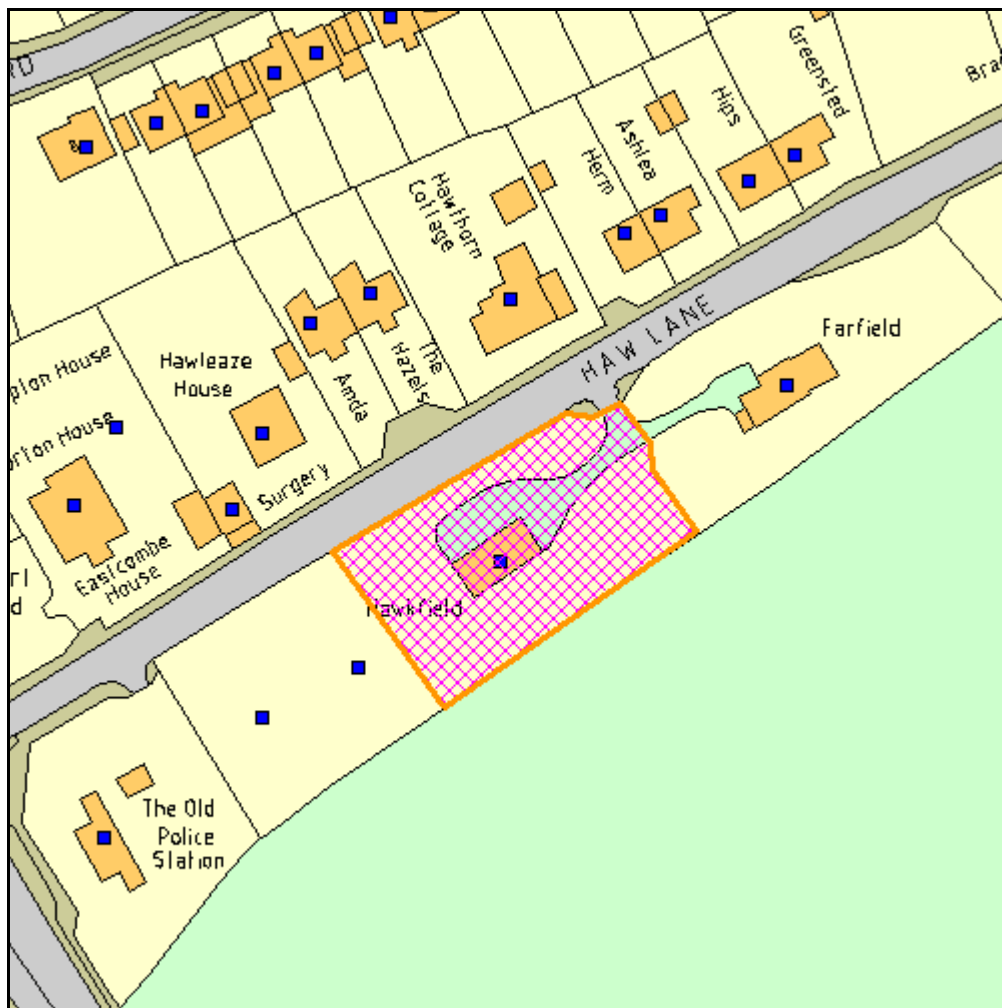
Reason

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. 23/19 – 7 JUNE 2019**App No.:** P19/3942/F**Applicant:** Mr Bell**Site:** Hawkfield Haw Lane Olveston Bristol
South Gloucestershire BS35 4EQ**Date Reg:** 15th April 2019**Proposal:** Erection of carport with associated
works.**Parish:** Olveston Parish
Council**Map Ref:** 360261 186893**Ward:** Severn Vale**Application** Householder**Target** 10th June 2019**Category:****Date:**

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P19/3942/F

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

1. **THE PROPOSAL**

- 1.1 The application seeks full planning permission for the erection of a car port and associated works at Hawkfield, Haw Lane, Olveston.
- 1.2 The application site relates to a detached property which is located within a large plot, in Olveston. The proposal site is within the Olveston Conservation Area and is washed over by the Green Belt.

2. **POLICY CONTEXT**

National Guidance

National Planning Policy Framework February 2019

National Planning Policy Guidance

South Gloucestershire Local Plan: Core Strategy Adopted December 2013

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

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

PSP1	Local Distinctiveness
PSP7	Development in the Green Belt
PSP8	Residential Amenity
PSP16	Parking Standards
PSP17	Heritage Assets and Historic Environment
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Standards

Supplementary Planning Guidance

Design Checklist SPD (Adopted) 2007

Development in the Green Belt (Adopted) 2007

Residential Parking Standards SPD (Adopted) 2013

3. **RELEVANT PLANNING HISTORY**

- 3.1 PT14/1185/F
Construction of widened vehicular access from Haw Lane. Erection of 1.2m maximum high timber gates.
Approved with conditions: 15/05/2014

4. CONSULTATION RESPONSES

4.1 Olveston Parish Council

The Parish Council has objected to the application on the following grounds:

- Inappropriate development which is out of character with the surrounding area

4.2 Listed Buildings and Conservation Officer

The Conservation and Listed Buildings Officer objected to the originally submitted application. As a result of this, the case officer sought revisions to the proposal. The Conservation Officer had the following comments regarding the revised drawings:

- In a previous note I raised concern about the proposed scale and siting of the carport and its potential impact on views across the application site towards the open countryside which helped reinforce the rural character of Haw Lane. The importance of these views is also reflected in the Olveston Conservation Area SPD where for “Character Area 5” (which includes the application site) it states *“It is important that the rural setting and tranquil character of Haw Lane is protected and views to Eastcombe Hill are maintained and therefore proposals for further development on the south side of the lane will be resisted where this not achieve this aim. The regular development “grain” and building line, and the spacious and green garden plots to the northern side should also be maintained”*. Moreover, the “Preservation and Enhancement Strategy” for this character area also repeats the need to protect these views and the green character of the lane with particular reference to the need to resist development of the south of Haw Lane where it would be “contrary to the traditional development pattern or grain”. The “Preservation and Enhancement Strategy Map” also identifies the need *“to protect views to open landscape and rural setting to the conservation area”*. The originally submitted proposal was considered to be contrary to guidance.
- The revised garage has been reduced in scale and has been moved closer to the existing dwelling, following a more appropriate orientation in line with the host building
- The change in siting and orientation has addressed the previous concerns about how the garage reflects the grain of development
- The views from the public realm will be less prominent
- The relationship with the host dwelling is more successful
- Whilst it will impact the views towards the countryside, the amendments have reduce the level on the character and appearance of Haw Lane#
- The revised proposal would not be sufficient as to cause harm to what can be considered the significance or character of this part of the Olveston Conservation Area.

4.3 The Archaeology Officer

No comments received.

Other Representations

4.4 Local Residents

One comment of objection has been received from a local resident and is summarised as follows:

- The proposed plans have a number of inaccuracies
- Suggest the 2012 Olveston Preservation and Enhancement Plan be used to assess the application
- Law dictates that local planning authorities make available copies of all planning applications and documents. The application was removed from the South Gloucestershire website within a few days of receiving the notification card
- Cannot see the planning detail and only through word of mouth have we been made aware that the application has changed. This creates difficulty in responding
- Following material considerations are unavailable to us: size, location, function and its relationship with the surroundings
- Concerned the proposal is for a very substantial garage
- Dimensions of the garage are likely to harm trees and infill green space
- Outlook towards the property will be harmed
- Proposed materials are out of character
- Symmetry between the proposal site and adjacent property will be lost
- Create a dangerous precedent for commercial use of the property, including the conversion of the loft space

4.5 A further comment has been received that neither raises objection or support for the proposal. The comments acknowledges the revised proposals and asks that any approval notes the following;

- it is not a carport but will be a garage with doors (latest design)
- the location relative to the main house should remain as per the site plan submitted and should not be allowed to "drift" towards the East of the site.
- the 3.9 metre roof height (from existing drive level) should not increase; nor should the 6 metre width

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy PSP38 of the Policies, Sites and Places Plan is generally supportive of extensions and alterations within the curtilage of existing dwellinghouses, subject to an assessment of design, amenity and transport. However, key issues to consider include the location of the subject site in the Green Belt, where only limited categories of development will be permitted. In addition, the property is located within a Conservation Area and as such, policies CS9 and

PSP17 are applicable. The proposal is acceptable in principle, subject to the consideration of the issues set out below.

5.2 Green Belt

Paragraph 145 of the NPPF sets out the limited categories of development which are appropriate within the Green Belt. In particular, the NPPF explains that the extension or alteration of an existing building is appropriate development provided that it does not result in a disproportionate addition, over and above the size of the original building.

- 5.3 Revised plans submitted on 7th May 2019 have reduced the size of the proposed carport. It now has a proposed width of 6 metres and a depth of 5.5 metres, with a sloping roof towards the rear elevation. The reduced size is considered to be more in keeping with the size of a traditional double detached garage, when compared to the large and disproportionate originally submitted scheme. It is located within a ribbon development and closer to the host dwelling than the original scheme. As such, the harm on the openness of the Green Belt is considered to be limited and the scale of the proposal is considered appropriate.

5.4 Design, Visual Amenity and Heritage

The host dwelling is located within the Olveston Conservation Area and as such proposal should be design in such a way as to enhance or preserve the character and distinctiveness of the heritage assets and natural environment. Policies CS1, CS9 and PSP17 are of relevance when considering the design of the proposal.

- 5.5 Local residents and the Parish Council have raised that the proposed garage is out of character with the locality, in terms of the scale and materials. It has also been raised that the plans provided as part of the application are misleading and do not truly reflect the layout of the site. Revised plans were submitted on 7th May which provided an accurate depiction of the site and as such, this concern is addressed. The proposed garage/carport will be constructed from oak timber, brick and slate for the roof. The garage will have an open frontage, with a roof which is hipped at both ends when viewed from the front. When viewed from the side, the roof will slope towards the rear boundary of the property, to a height of just over 1 metre. The maximum height will be 3.918 metres. Whilst officers acknowledge that the proposed carport is different to any other structures within the vicinity, the revised siting of the structure closer to the main dwellinghouse results in a building which is read alongside the host dwelling. It is less visible from the street scene than the original proposal. The structure is set back from the street scene and due to the reduction in scale, it is not considered to have an unacceptable impact on the visual amenity of the area. The wood proposed to be used will be high quality and this will weather overtime, lessening its impact. The roof shape gives the building a distinct character which is not considered to detract from the host dwelling, or the surrounding buildings.

- 5.6 The Olveston Preservation and Enhancement Strategy is also a relevant material consideration. This states that the rural setting and tranquil character of Haw Lane is protected and views to Eastcombe Hill are maintained. There is concern from local residents that the view from the road, and the property Farfield will be negatively impacted by the proposal. This is a key consideration, due to this being a significant view within the conservation area. The proposed carport has been amended in scale and the originally proposed “wings” removed. The orientation has been revised so this it appears in line within the host dwelling and respects the grain of development. The Conservation Officer has highlighted that it will be less prominent from the public realm and is far more visually recessive than originally proposed. There will still be some impact to the views from the road and from the adjacent property. However, the sloping roof to the rear will aid in retaining the views as much as possible when viewed from the side. The impact on the character and appearance on the Conservation Area and Haw Lane is therefore considered to be limited. The impact would not be sufficient as to cause harm to the significance and character of the area and a refusal reason on this basis would be unjustified.
- 5.7 Residential Amenity
Policy PSP38 of the Policies, Sites and Places Plan explains that development will be permitted provided that it would not detrimentally impact the residential amenities of nearby occupiers and would not prejudice the retention of adequate private amenity space. Policy PSP8 specifically relates to impacts on residential amenity, and outlines that unacceptable impacts could result from (but are not restricted to); loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and odours, fumes or vibration.
- 5.8 Concerns have been raised by local residents regarding an impact to their outlook as a result of the garage, in terms of the view enjoyed from their property towards the fields behind. Whilst it is noted that the proposed garage will be visible from Farfield, there is a significant degree of separation between the two properties. The reduction in size, along with the roof which slopes to a height of just over a metre at its lowest point help to ensure than the view is maintained as much as possible. Although the maximum height of the garage is 3.198 metres, the roof shape reduces its impact to the neighbouring property. It is not considered that the limited loss of view would create an unacceptable impact on the residential amenity of the occupiers of this property and this would not warrant a refusal reason.
- 5.9 The proposal will occupy additional floor space. However, the large plot means that sufficient private amenity space will remain after the development.
- 5.10 Although there may be some impact to the residential amenity of the neighbouring occupiers, in terms of an impact to the view enjoyed from their property, it is not considered that this will be unacceptable to a level which would warrant a refusal.
- 5.11 Transport

The proposed garage is wide enough to accommodate two cars and there is sufficient parking on the driveway. As such, there is no transportation objection.

5.12 Other Matters

A local resident has raised concerns regarding the loss of green space and trees and a result of the proposal. There is also concern regarding the roots of a silver birch on the Farfield property which may be impacted by the proposal.

The trees on the site are not subject to a Tree Preservation Order. However, the revised plans show that the tree on the site which is close to the garage is to be retained and this has formed part of the rationale for the proposal being positioned as proposed. Whilst there will be some loss of green space inside the residential curtilage, the construction of outbuildings and extension is acceptable and it is considered that sufficient space will remain after the proposal. The neighbouring tree is considered to be a sufficient distance from the proposal, now that it has been reduced in size. However, should an issue arise as a result of the proposal, this would be a civil matter.

5.13 A local resident has raised that the planning application and associated documents were removed from the website shortly after the consultation period and they were not notified of the revised plans, which were heard about through word of mouth. Having reviewed the website, all documents associated with the application are available for public viewing, including superseded drawings. Consultees and neighbours were re-consulted on 10th May regarding the revised plan.

5.14 Comments from a local resident suggest that the revised proposal shows a garage with doors. However this is not the case. For the avoidance of doubt, (and as set out earlier in this report) the structure has an open frontage and the application has been assessed on that basis.

5.15 In respect of comments made regarding subsequent changes to the position and height of the building during construction, a condition is recommended that secures the plans. In the event that this application is approved, the development must be strictly in compliance with them. Failure to develop in accordance with them would be a matter for planning enforcement regulations and as such is adequately addressed.

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 With regards to the above this planning application it 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 set out below.

Contact Officer: Isabel Daone
Tel. No. 01454 863787

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 implemented strictly in accordance with the following plans:

Location Plan and Site plan. 868/02/REV A

Proposed Plan and key Elevations. 868/01/REV A

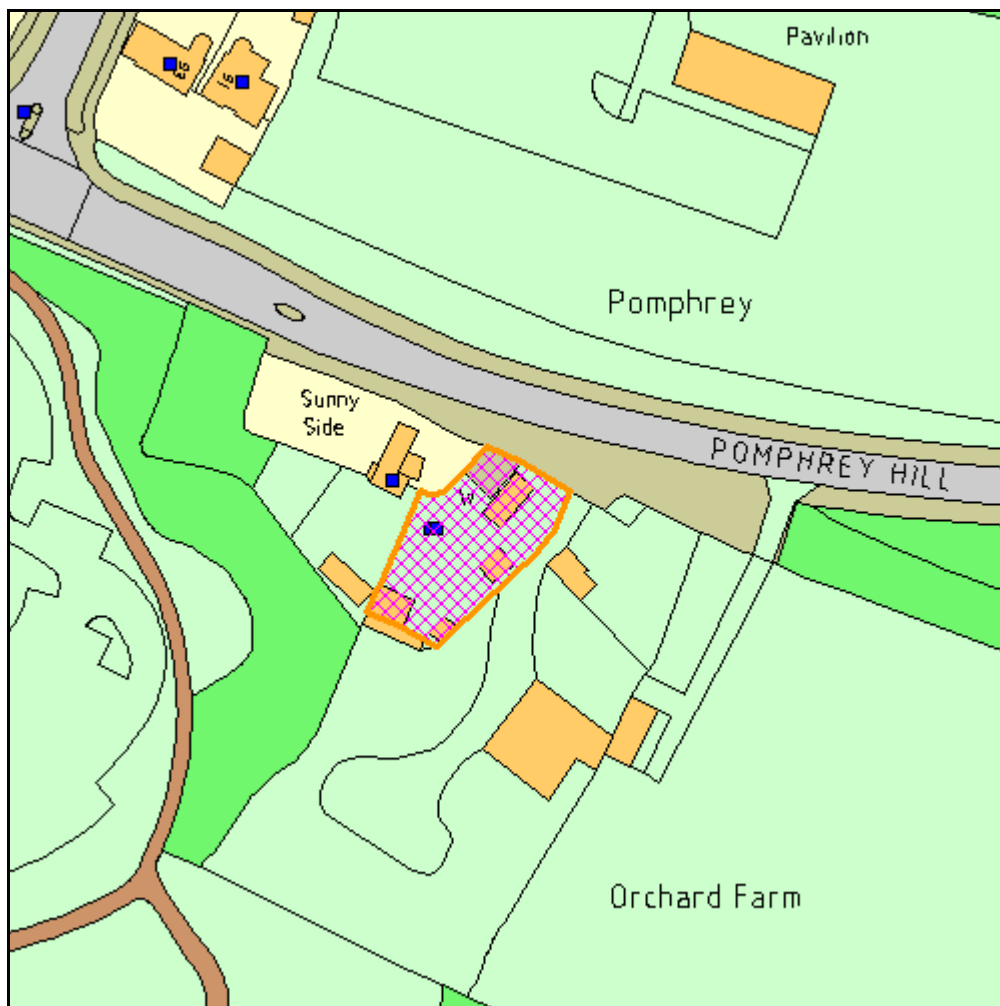
Both received by the Local Planning Authority 7th May 2019.

Reason

For the avoidance of doubt

CIRCULATED SCHEDULE NO. 23/19 – 7 JUNE 2019

App No.:	P19/4505/RVC	Applicant:	Mr H Jones
Site:	Orchard Farm Pomphrey Hill Mangotsfield Bristol South Gloucestershire BS16 9NF	Date Reg:	26th April 2019
Proposal:	Variation of condition 3 attached to P99/4287 to read 'site shall not be occupied by any persons other than gypsies and travellers as defined in Annex 1 Planning Policy for Travellers Sites'	Parish:	Emersons Green Town Council
Map Ref:	367045 175971	Ward:	Emersons Green
Application Category:	Minor	Target Date:	18th June 2019



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P19/4505/RVC

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 CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule following the receipt of an objection from Emersons Green Town Council to the contrary of the officer recommendation detailed below.

1. THE PROPOSAL

- 1.1 This application seeks to vary condition 3 attached to permission P99/4287 which granted planning permission for permanent use of the land for the stationing of 4 no. gypsy caravans and the erection of a toilet block at Orchard Farm, Pomphrey Hill, Mangotsfield.

Condition 3 reads as follows:

The permission shall be personal to Mr H Jones and members of his immediate family and shall not ensure for the benefit of the land.

Reason

In granting this permission the Council has had regard to the special circumstances of the case and wishes to have the opportunity of exercising control over any subsequent use in the event of Mr H Jones or members of his immediate family vacating the premises, in the light of the development plan, and any other material considerations.

- 1.2 It is proposed to vary the condition so that it reads:

The site shall not be occupied by any persons other than gypsies and travellers as defined in Annex 1 Planning Policy for Travellers Sites.

- 1.3 The site is located in the open countryside and within the Bristol/Bath Green Belt.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework Feb. 2019
National Planning Practice Guidance 2014

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec. 2013
CS1 - High Quality Design
CS4A - Presumption in favour of Sustainable Development
CS5 - Location of Development

CS9 - Managing the Environment & Heritage
CS21 – Gypsy and Traveller Sites
CS34 - Rural Areas

The South Gloucestershire Local Plan: Policies, Sites & Places Plan (Adopted)
Nov. 2017

PSP1 - Local Distinctiveness
PSP2 – Landscape
PSP7 – Development in the Green Belt
PSP8 - Residential Amenity
PSP11 - Transport Impact Management
PSP16 - Parking Standards
PSP17 - Heritage Assets and the Historic Environment
PSP19 - Wider Bio-Diversity

2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist SPD (Adopted)

3. RELEVANT PLANNING HISTORY

3.1 P99/4287 Approved with conditions 11/01/2001
Permanent use of land for the stationing of 4no. gypsy caravans and the
erection of a toilet block.

4. CONSULTATION RESPONSES

4.1 Emersons Green Town Council
Objection, Members feel that this variation to Condition 3 will lead to an
increase of traffic movement onto and off of the site on an already busy road
which is very close to the brow of a hill.

Other Representations

4.2 Local Residents
None received.

5. ANALYSIS OF PROPOSAL

Principle of Development
5.1 The scope of a variation/removal of condition application (section 73
application) is more limited than a full planning application. The Local Planning
Authority may only consider the question of the condition(s), and cannot revisit
or fundamentally change the original permission. It may be decided that the
permission should be subject to the same conditions as were on the original
permission; or that it should be subject to different conditions; or that
permission may be granted unconditionally. There is a right of appeal in the
usual way against any conditions imposed.
5.2 In assessing this application it is necessary to consider whether or not the
relevant conditions or any variations satisfy the requirements of planning

conditions as set out in the National Planning Policy Framework (NPPF). The NPPF requires all planning conditions to pass three tests, these being that conditions should be: –

- i. Necessary to make the development acceptable
- ii. Directly related to the development
- iii. Fairly and reasonably related in scale and kind

5.3 Whilst being mindful of the reason for attaching condition 3 in the first instance, when assessing this current application officers must consider whether the variation of the condition would undermine the objectives of Policies within the Development Plan and NPPF to take account of the impact on the environment and amenity of the locality.

5.4 In assessing this application, officers will give significant weight as to why the conditions were imposed in the first place and whether or not there is clear justification now for the removal or variation of the conditions. In doing so, officers will consider the applicant's submitted justification for removing the conditions and whether or not there have been changes in policy since the conditions were imposed or whether there have been any relevant changes on the ground.

Assessment

5.5 In progressing the new South Gloucestershire Policies Sites and Places Plan which was adopted in November 2017, the Council published its refreshed Gypsy and Traveller Accommodation Assessment (GTAA) 2017, together with an explanatory note in February 2017 (as part of the Regulation 18 Local Plan Consultation) which sets out its approach to meeting the needs of its travelling communities up to 2032. Based on the GTAA 2017, there is a need for 75 additional plots for Gypsy/Travellers and 31 additional plots for Travelling Showpeople in South Gloucestershire by 2032. Orchard Farm is listed as an authorised permanent site providing 4 pitches/plots, and is safeguarded under CS21 of the Core Strategy. The variation of condition 3 to enable use by any persons of Gypsy/Traveller status safeguards this site for future use, whilst if the condition were to remain and the Jones family moved away from the area or no longer used the site, then the site would have to be cleared and the need identified in the GTAA 2017 would increase.

5.6 As the site is already a permanent Gypsy/Traveller site with four pitches, the variation of the condition would not have a greater impact on the openness of the Green Belt, on the visual amenity of the area, or residential amenity. Emersons Green Town Council have objected to the scheme stating that it would increase traffic movements onto and off of a busy road close to the brow of the hill. This comment has been given limited weight as 4 no. pitches serving the Jones family and 4 no. pitches serving other members of the Gypsy/Traveller community would generate the same amount of vehicular movements.

5.7 The applicant has provided no justification or reason for varying the condition to allow the site to be used by persons outside of the Jones family, however given

the need for gypsy/traveller sites identified in the GTAA 2017 and the fact the site is safeguarded by policy CS21 as a permanent site with four pitches, there is no objection to varying the condition as proposed.

5.8 Conditions

Condition 1 required the development to begin before 11/01/2025, five years after the permission. As the site has been in use for a number of years, this condition is no longer necessary and will be removed.

5.9 Condition 2 required the parking and turning area to be maintained free of obstruction to allow vehicles to enter and leave the highway in a forward gear, in the interest of highway safety. This condition is still relevant and compliant with policy PSP11, particularly considering the concerns raised by the Town Council regarding traffic. This condition will be re-applied to the decision notice.

5.10 Condition 4 requests that no commercial activity including storage shall be undertaken from the site in the interest of the rural and visual amenities of the area. Given the Green Belt location, any outside storage would be harmful to openness and contrary to policies PSP2, PSP7, CS5 and CS34 and therefore this condition will be re-applied to the decision notice.

5.10 Condition 5 requires no further structures, sheds or outbuildings shall be erected without the prior written approval of the Local Planning Authority. Once again, due to the Green Belt location and likely impact on the rural landscape, as well as the need to keep the parking and turning areas clear, this condition is necessary in the context of current planning policy and is therefore re-applied to the decision notice.

5.11 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 it 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 planning permission has been taken having regard to the policies and proposals in the development plan set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 That planning permission P99/4287 be re-issued as P19/4505/RVC with Condition 3 replaced with the following condition:

The site shall not be occupied by any persons other than Gypsies and Travellers as defined in Annex 1 of the Planning Policy for Traveller Sites (August 2015).

Reason:

In order to continue to meet the need for gypsy/traveller sites identified within the South Gloucestershire Gypsy and Traveller Accommodation Assessment (GTAA) 2017 Explanatory Note (Feb 2018) and to safeguard the site in accordance with policy CS21 of the South Gloucestershire Core Strategy (Adopted) December 2013.

Contact Officer: Trudy Gallagher
Tel. No. 01454 864735

CONDITIONS

1. The site shall not be occupied by any persons other than Gypsies and Travellers as defined in Annex 1 of the Planning Policy for Traveller Sites (August 2015).

Reason:

In order to continue to meet the need for gypsy/traveller sites identified within the South Gloucestershire Gypsy and Traveller Accommodation Assessment (GTAA) 2017 Explanatory Note (Feb 2018) and to safeguard the site in accordance with policy CS21 of the South Gloucestershire Core Strategy (Adopted) December 2013.

2. The turning and parking area shall be maintained free of obstruction to allow vehicles to enter and leave the highway in a forward gear.

Reason

In the interests of highway safety and to accord with policy PSP11 and PSP16 of the Policies Sites and Places (Adopted) November 2017 and the National Planning Policy Framework.

3. No commercial activity including storage shall be undertaken at or from the site.

Reason

In the interests of the rural character and visual amenities of the area, and to protect the openness of the Green Belt, in accordance with policies PSP1, PSP2, PSP7 of the

ITEM 5

Policies Sites and Places Plan (Adopted) November 2017, policies CS1, CS5, CS34 of the Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

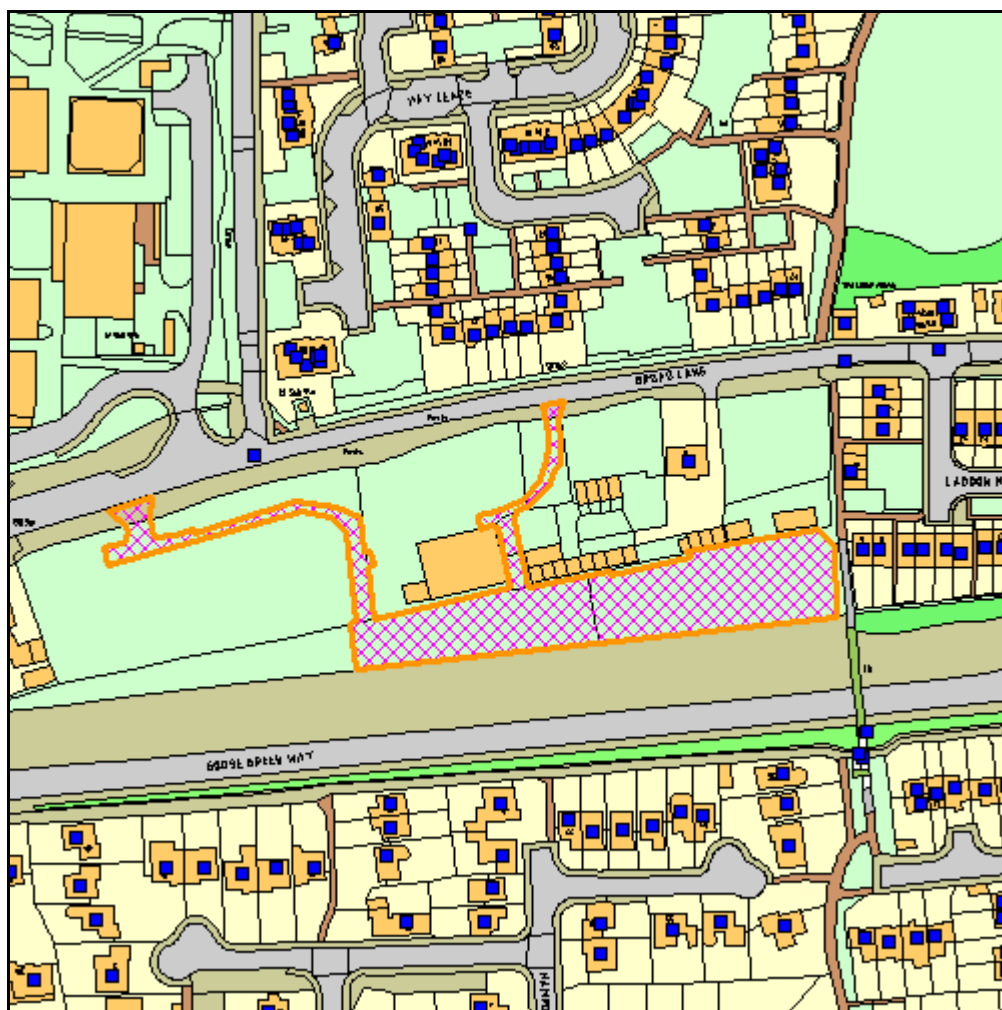
4. No further structures, sheds or outbuildings shall be erected on the site without prior written approval of the Local Planning Authority.

Reason

In the interests of the rural character and visual amenities of the area, and to protect the openness of the Green Belt, in accordance with policies PSP1, PSP2, PSP7 of the Policies Sites and Places Plan (Adopted) November 2017, policies CS1, CS5, CS34 of the Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 23/19 – 7 JUNE 2019

App No.:	PK18/2610/F	Applicant:	Mr Tom Sheppard Newland Homes Ltd
Site:	Land Adjacent Goose Green Way Broad Lane Yate BS37 7LA	Date Reg:	19th June 2018
Proposal:	Erection of 5 no. dwellings with garages and associated works	Parish:	Yate Town Council
Map Ref:	371107 183776	Ward:	Yate North
Application Category:	Minor	Target Date:	14th August 2018



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100023410, 2008.

N.T.S.

PK18/2610/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 CIRCULATED SCHEDULE

The application is referred to the Circulated Schedule as there is an objection from Yate Town Council, contrary to the officer recommendation to approve the development.

The approval of the application would also be subject to a s106 legal agreement.

1. THE PROPOSAL

- 1.1 The application site is located between Broad Lane (to the north) and Goose Green Way (B4059) (to the south). The site is currently made up of open land which currently being used as a temporary storage yard relating to the development of 26 no. dwellings currently under construction to the north on land which is under the same ownership.
- 1.2 The planning application details the development of a further 5 no. dwellings with garages and associated works. The proposed access would be an extension of the two separate vehicular access points at the west and at the east parts of the application site which serve the development currently under construction.
- 1.3 The site is situated within the settlement boundary of the established town of Yate, and is considered to be an urban area. Public Right of Way LYA66 and the Avon Cycle Way follow the route of Broad Lane immediately to the North of the application site, and the PROW continues across the pedestrian footbridge to the east of the site. Goose Green Way to the south is a major classified highway from which the proposed development has no access.
- 1.4 During the course of the application, a number of amendments were received to address urban design, residential amenity and landscaping concerns raised by officers. A period of public re-consultation was undertaken due to the change in layout.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework 2019
National Planning Policy Guidance

- 2.2 Development Plans

The South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013

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

- | | |
|------|--|
| CS6 | Infrastructure and Developer Contributions |
| CS9 | Managing the Environment and Heritage |
| CS15 | Distribution of Housing |
| CS17 | Housing Diversity |
| CS18 | Affordable Housing |
| CS23 | Community Infrastructure and Cultural Activity |
| CS24 | Green Infrastructure, Sport and Recreation Standards |
| CS30 | Yate and Chipping Sodbury |
- 2.3 South Gloucestershire Local Plan: Proposed Submission: Policies, Sites and Places Plan (adopted) November 2017
- | | |
|-------|---|
| PSP1 | Local Distinctiveness |
| PSP2 | Landscape |
| PSP3 | Trees and Woodland |
| PSP5 | Undesignated Open Spaces within Urban Areas and Settlements |
| PSP8 | Residential Amenity |
| PSP10 | Active Travel Routes |
| 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 |
| PSP43 | Private Amenity Space |
- 2.4 Supplementary Planning Guidance
 Trees on Development Sites SPG (Adopted)
 The South Gloucestershire Design Check List (SPD) Adopted Aug 2007.
 Affordable Housing SPD Adopted Sept.2008.
 South Gloucestershire Council Residential Parking Standards (SPD) Adopted (2013)

3. RELEVANT PLANNING HISTORY

- 3.1 None in relation to the application site.
- 3.2 Adjacent Site to North
- i) PK17/2020/F Demolition of existing agricultural buildings. Erection of 26 no new dwellings with garages, parking and associated works.
- Approved Subject to S106 29th January 2018
- 3.3 Adjacent Site at Amberley Lodge
- i) PK16/5622/O Demolition of existing dwelling and outbuildings and erection of 5no. dwellings with associated works (Outline) with access to be determined. All other matters reserved.
- Approved 31st March 2017.

- ii) PK17/2712/RM Approval of the appearance, landscaping, layout and scale in relation to the erection of 5no. dwellings with associated works. (Approval of Reserved Matters to be read in conjunction with Outline Planning Permission PK16/5622/O).

Approved 27th October 2017.

4. **CONSULTATION RESPONSES**

4.1 Yate Town Council

We have two objections to this proposal to add a slice of additional development between the current hedge and the north Yate PDR, Goose Green Way.

1. We entirely support the concerns voiced by the landscaping officer. The current authorised site has a mature hedge forming a boundary to the land on the Goose Green Way side. This proposal goes beyond the hedge, and will produce bungalows on land which is not separated from the NPDR by anything more than a small fence, with no landscaping or noise attenuation. We are deeply concerned at this site becoming residential development so close to the PDR without any landscaping and strong urge that it is refused as whilst landscaping can be added, it will take many years to mature, so will represent a major change in the landscaping protection along the PDR.
2. Secondly, we are very concerned about noise problems for the proposed bungalows. We are very aware of the noise issues that houses elsewhere along the PDR have encountered, where there has not been strong mature landscaping supplemented by high fencing. Even with those precautions they still suffer considerable noise and atmospheric pollution. Those properties who are high up on raised land have not suffered as badly, but those who are at ground level, have suffered badly. We therefore feel extremely concerned about noise pollution and consider it essential a condition is imposed setting site boundary noise conditions for each dwelling.

4.2 *Other Consultees*

Landscape

21/06/2018: Given the consented development to the north there are no significant landscape concerns. A lot will depend on getting a good robust landscape buffer along the external southern boundary adjacent to Goose Green Way.

Expect a timber post and rail fence backed by mixed native hedge (hawthorn predominant species). Also native hedge row trees. Concern regarding plot 1 hammer head turning pushing up too closely to the boundary leaving little room for the requisite landscape buffer - needs to be pulled back. Not clear if existing trees are adversely affected. Suggest tree and vegetation survey needed to include existing hedgerows.

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In the event of consent being felt to be acceptable a landscape scheme would be expected to comply with the landscape strategy for the Yate Vale landscape character area [LCA 8 of the South Gloucestershire Landscape Character Assessment (adopted Nov 2014)] and the relevant SGC planning policies related to landscape.

18/04/2019: Previous strategic landscape drawings depicted a complete hedge line on the southern boundary that now appears to be broken leaving plot 1, plot 2 and plot 5 exposed.

It would help if the northern hedge extended to along northern boundary of plot 4 back garden to link up with vegetation at the end of the garden (east side).

Tree Officer

14/08/2018: The applicant will need to submit an Arboricultural report with tree constraints plan, tree protection plan and arboricultural method statement in accordance with BS:5837:2012.

05/10/2018: The submitted Arboricultural documents clearly demonstrate how the trees will be protected prior to and during the proposed development. There are no trees to be removed.

Provided that the proposed development is in accordance with the submitted Tree maintenance Arboricultural documents then there are no objections to this application.

Housing Enabling

05/09/2018: 35% of 5 dwellings generates a requirement of 1 (rounded down) Affordable Home without public subsidy to be provided on-site.

The following Affordable Homes to meet housing need, based upon the SHMA house types shown below.

Social Rent: 3 bed 5 person house @ 93m2

Public Open Space

01/08/2018: Contributions towards public open space required as follows:

Category of open space	Minimum spatial requirement to comply with policy CS24 (sq.m.)	Spatial amount provided on site (sq.m.)	Shortfall in provision (sq.m.)	Contributions towards off-site provision and/or enhancement	Maintenance contribution
Informal Recreational Open Space	Adequate existing supply of informal recreational open space accessible from the proposed development				
Natural and Semi-	180	0	180	£2,632.45	£4,366.94

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natural Open Space					
Outdoor Sports Facilities	192	0	192	£10,076.93	£3,049.94
Provision for Children and Young People	30	0	30	£5,275.85	£5,547.60
Allotments	24	0	24	£230.99	£294.53

Environmental Protection

20/07/2018: Prior to commenting, I would recommend that the applicant provides an acoustic report detailing impact of road traffic noise on the proposed development. Construction sites informative recommended.

27/07/2018: It is by no means an ideal site.

However the report indicates that with the mitigation measures detailed in the acoustic report to control internal and external noise levels meet WHO and the guidance in BS8233.

It should be noted that with mitigation the outdoor living area noise levels are at the higher level as detailed in BS8233 and is applicable when making efficient use of land resources to ensure development needs are met.

Transport

06/07/2018: Having assessed the information as submitted with this application, I have some issues about the proposed layout, which does not integrate well with the original scheme, which was approved as part of the application no. PK17/2020/F. Main transport issues are as follow,

- 1) Proposed turning area at the end of the new private drive (serving plots no. 2 to 5) is too small for refuse vehicle.
 - a. Auto-track diagram as submitted shows incorrect size refuse vehicle.
 - i. SG Council generally uses 11.3m long refuse vehicle and not vehicle size 9.86m as submitted – more information of this can be found on the following link <http://www.southglos.gov.uk/documents/Waste-SPD-Feb-2015.pdf>
 - ii. If the bin area (collecting area) adjoining to parking space no. 17 is aimed for use by the new houses then, the walking distance to this is far greater than those recommended in 'Manual for Streets guidance'. Please clarify this bin strategy for the new development.

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- 2) Whilst there is acceptable level of parking for each new property proposed, I am mindful that there is no visitors' parking for the new build.
- 3) It is generally accepted that vehicle require 6m in order to turn. It is noted that reversing distance for parking spaces associated with plot no. 2 is about 4.8m. If the width of the private drive is to remain as proposed then, I suggest that both these parking spaces for plot no. 2 is widened to 3.5m rather than 2.4m.

Revised Comment 22/05/2019:

Not an ideal site due to residents walking up to 30m to drop refuse and refuse collector walking 25m to collect from bin collection store, however would not be a severe impact in terms of highway safety. Auto-track information received is acceptable.

Drainage

09/07/2018: No objection in principle. It is indicated that private (individual) property owners will have responsibility for the ownership and maintenance of the private unadoptable access road ('private driveway') within the entire development site, but we do not appear to have any information which indicates how individual property owners are to be made aware of this arrangement and their responsibilities in perpetuity.

Public Rights of Way

04/07/2018: The proposed extra 5 houses on this site are within a narrow strip of land to the rear of the recently approved sites that lead off Broad Lane. Broad Lane is a well-used multi user way that for part of its length is safeguarded from vehicular traffic. The extra traffic generated will mostly have to emerge to the eastern end of this section of Broad Lane that will merge on to Randolph Avenue. Randolph is one of the key routes leading into and out of the New Yate North neighbourhood. For this reason the safe crossing point for vulnerable users on Randolph and the exit from this site onto Broad Lane should be assessed for safety given its current heavy usage by active travel users and school children and the extra traffic that will be generated. LYA 66 runs along Broad Lane as well as over the overbridge over Goose Green Way that is to the immediate east of the site. This will mean that people using the footbridge will overlook the back gardens of two of the houses on this site. There are no public rights of way within the site and no link from the site to the local network other than the vehicular link via the newly approved site onto Broad Lane. Policies Sites and Places PSP 10 safeguards active travel routes of which public footpaths LYA 66 along Broad Lane and over the bridge are.

Highway Structures

No comment.

Open Spaces Society

No comment.

Commons Stewardship Officer

No comment.

Environment Agency
No comment.

Other Representations

- 4.15 Local Residents
No comments received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The National Planning Policy Framework (NPPF) makes a strong presumption in favour of Sustainable Development. In respect of decision making, paragraph 14 of the NPPF sets out that Local Planning Authorities should approve development proposals without delay where they accord with the local development plan, unless other material planning considerations indicate otherwise.

- 5.2 The South Gloucestershire Local Plan, Core Strategy (adopted) December 2013 together with the South Gloucestershire Policies, Sites and Places Plan (adopted) November 2017 form the adopted local development plan. Policy CS5 of the South Gloucestershire Local Plan; Core Strategy (adopted) December 2013 encourage new residential development into the Urban Areas, whilst policy CS30 of the South Gloucestershire Local Plan; Core Strategy (adopted) December 2013 encourages the provision of new housing in the Yate and Chipping Sodbury Urban Area in line with Housing policy CS15 of the South Gloucestershire Local Plan; Core Strategy (adopted) December 2013.

- 5.3 The planning application details the provision of new dwellings within the Yate and Chipping Sodbury Urban Area. Accordingly, the proposed development is consistent with the scope of the above planning policies and the development is acceptable in principle; subject to the detailed consideration set out below.

5.4 Artificial Subdivision of the Site

The red edge land subject of this current planning application did not form part of Newland Home's earlier application PK17/2020/F (26 no. dwellings to the north of the site) however it is within the Newland Homes ownership according to certificate A and is being used for the storage of compound equipment in association with PK17/2020/F. As the site was under the same ownership as the wider site at the time of application PK17/2020/F, it is considered that, for the purposes of assessing financial obligations, they should be considered to be one site. This is consistent with policy CS18 of the Core Strategy which states the following:

Similarly, where it is proposed to phase development, sub divide sites or where recent subdivision has taken place, or where there is a reasonable prospect of adjoining land being developed for residential purposes in tandem, the Council will take the whole site for the purpose of determining whether the schemes falls above or below the site thresholds for the provision of affordable housing.

- 5.5 Therefore, contributions towards Public Open Space and Affordable Housing are required.

5.6 Affordable Housing

The proposed development triggers the threshold for affordable housing to be delivered as part of the development. Although it is only for 5 no. new dwellings, the site forms part of a wider landholding within the applicant's ownership, and on which 26 no. dwellings (including 7 affordable units) is currently under construction. It should be noted that the affordable units already approved amount to less than 35% affordable housing provision, and this is due to the application of a vacant building credit under PK17/2020/F. The site under consideration here has no vacant building credit and therefore the full affordable housing contribution is sought.

- 5.7 The requirement for affordable housing for this application is for one three-bedroom/five person dwelling of at least 93sqm to be made available for social rent, and this represents 35% of the development (when rounded down). The only three bedroom properties proposed on site are the 3 no. bungalows, and so the applicant has stated a preference for the additional affordable unit to be secured on the wider site. House type TE3 has been identified, and this has been identified as plot 17 of previously approved application PK17/2020/F.

- 5.8 Officers are therefore satisfied that the proposed development is consistent with the requirements of policy CS18 of the South Gloucestershire Local Plan; Core Strategy. This can be secured by way of condition and the appropriate legal agreement.

5.9 Public Open Space and Community Infrastructure

As with the affordable housing calculations, for the purposes of public open space contributions the application site has been considered part of the wider site approved under PK17/2020/F. Based upon the projected population of the proposed development, it would generate the requirement to provide the following in respect of public open space to offset the impact of the development in that regard, and in addition to the Public Open Space sought for PK17/2020/F:

i)	Natural and semi natural open space	180.00 sqm
ii)	Outdoor sports facilities	192.00 sqm
iii)	Provision for children and young people	30.00 sqm

- 5.10 As with the wider site (PK17/2020/F) a figure for informal recreational open space has not been requested, as the audit show a sufficient amount of this type of open space in the area. On the other hand, a contribution towards 24 sqm of allotments would also be triggered, however as with application reference PK17/2020/F, no contribution has been sought due to the lack of nearby facilities. The combined contributions from across the two sites would also not be sufficient to start a new allotment site in the local area.

- 5.11 There is not sufficient space within the development to provide the required level of open space as set out above. Accordingly, a financial contribution is requested in order to provide off-site provision of and/or improvements to existing open space in the locality; along with a proportionate amount for the maintenance of that provision. This is as follows;

i)	Off-site POS provision/ enhancement contribution	£17,985.23
ii)	Off-site POS maintenance contribution	£12,964.48
	Total contribution	£30,949.71

- 5.12 The funds would be directed to improvements at the following sites;

- i) Goose Green Fields Nature Reserve and/or management of River Frome (Natural and Semi-natural Open Space)
- ii) Brimsham Green School/YOSC (Outdoor Sports Facilities)
- iii) Millside Play Zone (Provision for Children and Young people)

- 5.13 The developer has agreed to meet this obligation in full. On this basis, officers are satisfied that sufficient mitigation is provided in order to offset the impact of it in respect of the provision of public open space; and as such the development is consistent with Policy CS24 of the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013. This can be secured by way of appropriate legal agreement.

5.14 Design and Layout

The proposed development would provide 5 no. additional dwellings which would form part of the development currently nearing completion immediately to the north for 26 no. dwellings (PK17/2020/F). Initially concerns were raised by officers about the disjointed relationship the proposed development had with the wider site, with the proposed bungalow house type appearing as part of street scenes characterised by two storey dwellings. The development as originally proposed did not continue the pattern of development already under construction, with different house types seemingly placed at random. There were also concerns that the house type most visible from the south would be the side elevation of the dormer bungalows, which would not be in keeping with the scale of dwellings on either side of Goose Green Way.

- 5.15 Amendments were submitted to show the bungalows clustered together to the west of the site, and the two-storey properties positioned in a way so that they appear to continue the pattern of development in the existing street scene. Plot 1 is the same house type as plot 8 of PK17/2020/F to which it is directly adjacent, and plot 2 hereby proposed will provide a detached book end for semi-detached properties immediately to the north. Positioning the bungalows together allows the western side of the site to develop its own uniform character, and the layout of the site is considered to be acceptable.

- 5.16 One of the dormer bungalows will be finished in a brick with an imitation grey slate roof, whilst the other two will be finished in reconstituted stone in the colour 'Yate Grey' which is a grey and red blend and a Pennine tile in 'Burnt Orange'. The 2 no. two storey properties proposed are mostly to be finished in brick with the grey slate roof, with the exception of plot 2 which will have a render front elevation and a reconstituted stone garage. Overall the materials are considered to be acceptable and the mix of materials used are consistent with the rest of the development to the north and will blend well. A condition on the decision notice will ensure that the development proceeds in accordance with the agreed External Materials Schedule.
- 5.17 In terms of hard landscaping, the wider shared surface from the westernmost access suddenly becomes a narrow access lane to provide access to plots 2 to 5, and this mirrors the reduction in density for the proposed plots compared to the semi-detached and terraced houses also served by this access. External finishes for roads, pavements driveways etc are the same as PK17/2020/F. Overall, the design, scale and layout of the development is acceptable in terms of policies PSP1 and CS1.
- 5.18 Landscape and Vegetation
The site is currently used as a construction compound relating to the development approved to the north under PK17/2020/F, and prior to this was an undeveloped paddock. The proposed development brings the built form closer to Goose Green Way, however a significant buffer of amenity land will still remain following development. A landscaping plan was submitted with the application however this showed gaps in the hedgerows surrounding the site, and this has now been rectified with a revised landscaping scheme showing a continuous hedgerow along the southern boundary, as well as the retention of all trees on site and the planting of a number of a new trees. Provided that conditions are added to the decision notice to ensure that the development takes place in accordance with the Arboricultural Method Statement and Landscaping Scheme submitted, the development is in accordance with policy PSP2 and PSP3 of the Policies Sites and Places Plan, as well as policy CS1 of the Core Strategy.
- 5.19 Residential Amenity
The site is flanked on its eastern boundary by existing dwellings and the northern boundary by dwellings under construction following the approval of PK17/2020/F and PK17/2712/RM. Plots 4 and 5 are stepped in from the eastern boundary and will not cause overshadowing of the existing units at Laddon Mead, and the 1 & ½ storey height proposed for plots 3, 4 and 5 means that overshadowing to the two sites to the north will be minimal and will only affect the end of their gardens. Plots 1 and 2 are full two-storey dwellings, however they are orientated in the same direction as the adjacent properties to the north, which means that they will only overlook surrounding gardens indirectly, which is common in high density residential areas. Plots 1 and 2 are also stepped back from their northern boundaries, limiting the amount of overshadowing that is possible. Residential development to the south is separated from the site by Goose Green Way which includes a substantial verge.

- 5.20 Turning to the amenities of the application site, it is noted that the rear gardens of plots 4 and 5 are visible from the public right of way crossing the pedestrian footbridge to the east. The size of the gardens means that these views will be long distance and brief whilst pedestrians are passing, and a number of existing trees surrounding plot 5 are being retained to screen views from the taller parts of the bridge. New vegetation is proposed within the rear garden of plot 4 to provide additional screening.
- 5.21 The development as a whole would provide sufficient private amenity space for individual dwellings consistent with the requirements of policy PSP8 and PSP34 of the South Gloucestershire Policies Sites and Places Plan (adopted) November 2017.
- 5.22 The site is located adjacent to Goose Green Way. This is a relatively busy route into and out of Yate Town Centre and as such would generate higher levels of traffic noise especially during the peak hours. An acoustic report has been submitted which indicates that with the mitigation measures proposed to control internal and external noise levels meet the recommendations of the World Health Organisation and the guidance within BS:8233.
- 5.23 Having regards to the above, it is considered that the development is acceptable in residential amenity terms.
- 5.24 Ecological Considerations
The site is currently cleared and is being used as a construction compound for development to the north. No trees surrounding the site are proposed for removal and additional hedging will be planted as part of the landscaping scheme. There is no ecological objection.
- 5.25 Highway Safety and Parking
Access to the site is from two separate access points onto Broad Lane through the development to the north and this accounts for the fact that Broad Lane has been closed to through traffic forming a small pedestrianised zone. This has the effect of splitting the site into two parts in access terms with one of the plots (plot 1) being served from Broad Lane 'West' and the remaining plots (plots 2-5) being served from Broad Lane 'East'. Broad Lane forms part of the Avon Cycle Way and follows the line of an existing Public Right of Way.
- 5.26 As part of PK17/2020/F for 26 dwellings, officers secured a comprehensive suite of highway improvements. These included the provision of an extension to the existing pedestrianised area via a revised Traffic Regulation Order (TRO). The works also provide a new 3 metre wide footway/cycle way that connects to the wider pedestrian/cycle network; and into the nearby residential development via a raised table at the Eastern end of Broad Lane. This application proposes an additional 5 no. dwellings utilising the same two accesses, and officers consider the highway improvements already sought are significant enough to serve this development also.

- 5.27 Officers acknowledge that there is concern raised by the Public Rights of Way team about the impact of the proposed development on the use of the Public Right of Way. Officers also acknowledge that this part of Broad Lane is on the pedestrian Route to Brimsham School. The proposed development would result in a slight increase in the movement of vehicles accessing the site along Broad Lane. However, given the extent of the highway improvements proposed in the surrounding locality and the small scale of the proposed development, officers are satisfied that this impact would not be severe.
- 5.28 The Transport Officer originally raised concerns about how a refuse vehicle would access plots 2-5. Amendments have been received showing that a bin collection area has been provided halfway between the nearest point within PK17/2020/F (accessible by a refuse truck) and the furthest dwellings (plot 4 and 5). This requires some residents to walk 25 or 30 metres with their bins, slightly in excess of the maximum recommendations within the Waste SPD (Adopted) and also requires the refuse collectors to walk around the same distance to collect from the bin collection area. This is not an ideal situation however it is not a reason for refusal on its own. There is also adequate off street parking space proposed as part of the development including detached garages for plots 1 and 2, and as such the proposal is consistent with Policy PSP11 and PSP16 of the South Gloucestershire Policies Sites and Places Plan (adopted) November 2017.
- 5.29 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.
- 5.30 With regards to the above this planning application is considered to have a beneficial impact on equality. The proposed development would be required to comply with relevant building regulations and Affordable Housing standards and would provide accessible housing within the development.

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 authority be delegated to the Director Environment and Community Services to grant planning permission, subject to the conditions set out below and the applicant first voluntarily entering into an Agreement under Section 106 of the Town & Country Planning Act 1990 (as amended) to secure the following;

- i) Affordable Housing

Social Rent

1 x 3 bed house 5 person house @ 93m2

Reason

In order to secure the appropriate level of affordable housing and to comply with Policy CS18 of the South Gloucestershire Local Plan, Core Strategy (Adopted) December 2013.

- ii) Public Open Space Enhancement

A financial contribution of **£17,985.23** towards the provision and/or enhancement of public open-space; and **£12,964.48** towards the maintenance of that provision. The areas of public open-space that benefit from the contribution are;

Reason

To offset the impact of the development upon public open-space provision in the locality and to comply with saved Policy CS24 of the South Gloucestershire Core Strategy, Local Plan (adopted) January 2013

- 7.2 That the Head of Legal and Democratic Services be authorised to check and agree the wording of the agreement.

- 7.3 Should the agreement not be completed within 6 months of the date of the committee resolution that delegated authority be given to the Director of Environment and Community Services to refuse the application.

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 must proceed in strict accordance with the recommendations within the Arboricultural Implications Assessment and Outline Protection Method Statement by Tree Maintenance Limited dated August 2018 and received on 31st August 2018.

Reason

To ensure all the trees to be retained on site are not damaged or removed during the construction phase, in accordance with policies PSP2 and PSP3 of the Policies Sites and Places Plan (Adopted) November 2017 and the National Planning Policy Framework.

3. Development must proceed in strict accordance with the landscaping scheme by Peter Quinn Associates drawing no. 19/495/01 Rev A received on 18th April 2019, with all landscaping to be implemented during the first planting season following the completion of the construction phase, and maintained for five years following its implementation.

Reason

In the interests of visual amenity and to accord with policies PSP2 and PSP3 of the Policies Sites and Places Plan (Adopted) November 2017, policy CS1 of the Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

4. Prior to first occupation of the development, the access road and car parking spaces shall be implemented in accordance with the details submitted on the Planning Layout 214-05 Rev D and the External Works Layout 214-141-2 Rev A both received on 9th April 2019, and retained as such thereafter.

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; policies PSP11 and PSP16 of the Policies Sites and Places Plan (Adopted) November 2017 and the National Planning Policy Framework.

5. Development must proceed in strict accordance with the External Materials Schedule received on 9th April 2019.

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. The Affordable Dwelling secured on plot 17 (TE3) of planning permission PK17/2020/F and edged in red on the Planning Layout/Affordable Housing Plan 05 Rev D received on 3rd June 2019 shall be constructed to meet Part M of the Building Regulations accessibility standard M4(2).

ITEM 6

Reason

In order to ensure the affordable unit is in accordance with the standards within policy CS18 of the South Gloucestershire Core Strategy (Adopted) December 2013.

CIRCULATED SCHEDULE NO. 23/19 – 7 JUNE 2019

App No.:	PT18/5569/F	Applicant:	Mr Darren Hawkins
Site:	Snaefell The Drive Charfield Wotton Under Edge South Gloucestershire GL12 8HX	Date Reg:	4th December 2018
Proposal:	Demolition of existing dwelling and erection of 1 no. detached dwelling with associated works.	Parish:	Charfield Parish Council
Map Ref:	371774 192142	Ward:	Charfield
Application Category:	Minor	Target Date:	28th January 2019



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100023410, 2008.

N.T.S.

PT18/5569/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.

REASONS FOR REPORTING TO CIRCULATED SCHEDULE

The application has been subject to representations contrary to the findings of this report, with the number of contrary representations made exceeding a total of three. Under the current scheme of delegation it is therefore required to be taken forward under the Circulated Schedule procedure.

1. THE PROPOSAL

- 1.1 Planning permission is sought for the demolition of an existing dwelling and the erection of 1no. detached dwelling with associated works. The application relates to Snaefall, The Drive, Charfield.
- 1.2 The application site comprises a detached bungalow set towards the front of a relatively long, narrow plot. The site is located within the defined settlement boundary of Charfield.
- 1.3 Revised plans were received on 2nd April 2019 and 11th April 2019 respectively. The plans involved alterations to the overall form of the proposed building. The level of change was considered to trigger a further round of consultation, which was carried out from 2nd April 2019 – 25th April 2019.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework Feb 2019
National Planning Policy Guidance (2014)

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	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
PSP2	Landscape
PSP3	Trees and Woodland

PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP21	Environmental Pollution and Impacts
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

3. **RELEVANT PLANNING HISTORY**

3.1 **PT07/3606/F**

Erection of 1 no. detached bungalow with associated works.

Approved: 15.02.2008

3.2 **PT07/2787/F**

Erection of 1 no. detached bungalow with associated works.

Withdrawn: 22.10.2007

4. **CONSULTATION RESPONSES (FIRST ROUND OF CONSULTATION)**

- 4.1 Charfield Parish Council
 No comment

4.2 Other Consultees

Sustainable Transport
 No objection

Lead Local Flood Authority
 No objection subject to informative

Archaeology Officer
 No comment

Highway Structures
 No comment

Other Representations

- 4.3 Local Residents

ITEM 7

A total of four letters of objection were received during the first round of consultation. The main concerns raised are summarised below:

- Proposed building, due to height and rooflines, is not in keeping with streetscene.
- All properties on right hand side of the drive are bungalows and have similar appearance. Three storey property is considerably higher.
- Ensure that sufficient space is retained between new property and neighbouring property so that privacy, light and visual amenity not impacted. Ensure that windows do not create overlooking.
- Raising of roof will hinder view from neighbouring properties.
- Issues with trade vehicles due to narrow nature of private drive. Vehicles will block road.

5. **CONSULTATION RESPONSES (SECOND ROUND OF CONSULTATION)**

5.1 Charfield Parish Council
No objection

5.2 Other Consultees

Sustainable Transport

Replacement dwelling will now have five bedrooms which requires minimum of three parking spaces. Plans now show garage, which will block turning and parking within site.

Lead Local Flood Authority
No further comment

Archaeology Officer
No comment

Highway Structures
No further comment

Other Representations

5.3 Local Residents

A total of two letters of objection were received during the second round of consultation. The main concerns raised are summarised below:

- New build will inevitably impact adjacent bungalows.
- No construction management plan to manage traffic during construction period.
- Concerns that 5-bed house will lead to more parking on narrow drive.

6. **ANALYSIS OF PROPOSAL**

6.1 Principle of Development

The application relates to the replacement of an existing dwelling with a new, larger dwelling. Policy CS5 of the Core Strategy outlines the locations at which development is considered appropriate. CS5 dictates that most new development in South Gloucestershire will take place within the communities of the north and east fringes of the Bristol urban area, and within defined settlement boundaries. The application site is situated within the defined settlement boundary of Charfield. As such, based solely on the location of the site, the principle of the development is acceptable.

- 6.2 The development is acceptable in principle under the provisions of policy CS5. However the impacts of the development proposal must be further assessed against relevant policy in order to identify any potential harm. For this type of development at this location, the main areas of assessment are; impacts on visual amenity, impacts on residential amenity, and impacts on the surrounding transport network.

6.3 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.

- 6.4 The immediate streetscene comprises a small cul-de-sac made up of a mixture of properties, with no single defining character. Whilst the eastern side of the road is generally made up of single storey dwellings, a variety of architectural forms are present. The western side of the cul-de-sac is more varied, with examples of two storey properties present.

- 6.5 When assessing the impact of the development on visual amenity, the starting point is considered to be the appearance of the existing bungalow, and the overall impact of this structure on the streetscene. The existing bungalow comprises a hipped roof structure, with the principal elevation facing in a northerly direction. As such, the side elevation of the bungalow faces on to the highway. The existing building is finished in a light render. Whilst it is acknowledged that the overall form and scale is consistent with the adjacent property to the south, the existing bungalow is not considered to be of any distinctive design, or make any significant contribution to the streetscene.

- 6.6 As originally submitted, the proposal sought to erect a new dwelling extending to two storeys at its front elevation, and three storeys at its rear elevation. A relatively contemporary design approach was taken, with front dormer windows to be set in to the eaves line. The proposed dwelling was to be finished in render with areas of timber weatherboard. Overall, it was not considered that a building of the scale, form and detailed design proposed would successfully integrate in to the site.

- 6.7 Revised plans were subsequently submitted, with a more traditional design approach taken. The height of the building was reduced, with hipped roof dormers instead inserted in to the roof slope; thus creating a chalet bungalow style property. At its rear elevation, the height of the building was reduced two storeys, with a box dormer set in to the roof slope.
- 6.8 Overall, it is considered that the revisions to the scheme sufficiently overcome the previous concerns. The more traditional design approach would allow for the dwelling to integrate more effectively in to the streetscene, and would be more consistent with the form of other dwellings in the vicinity. The reduction in height would also reduce the sense of massing, and the overall prominence of the building. In terms of the openings to the front elevation, these are considered acceptable. The palette of materials will be agreed by condition, to ensure that the external finish respects the finish of other dwellings in the immediate area.
- 6.9 In terms of the rear elevation, the appearance is less traditional, with a Juliet balcony and box dormer proposed. However given that this elevation is not visible from public areas, the overall visual impact would be limited.
- 6.10 On balance, it is not considered that the provision of the replacement dwelling would have any greater adverse impact on visual amenity than the current arrangement. In fact, the re-orientation of the dwelling would allow for the replacement dwelling to make a greater contribution to the streetscene. On this basis, it is concluded that an acceptable standard of design has been achieved, and subject to the agreement of materials, the proposal accords with policy CS1.
- 6.11 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.
- 6.12 When considering the impact of the development on the residential amenity of neighbours, the main neighbouring properties under consideration are the adjacent properties immediately to the north (Greenleaze), and south (Quince Corner).
- 6.13 In terms of the property to the north, it is acknowledged that the proposal would increase the height of the building at the application site, which can in some circumstances lead to overbearing and overshadowing issues. However given the increase in ridge height of approximately 1.7m, and the fact that the two properties would be separated by an external area, it is not considered that the increase in height would result in any unacceptable overbearing impact, or any significant increased sense of enclosure. Furthermore, the neighbouring property to the north is served by a large garden area, and as such a high standard of amenity would still be afforded to the adjacent neighbour. In terms

- of overlooking, no north-facing side window is proposed at a first floor level, and as such there would be no direct line of sight on to the neighbouring property.
- 6.14 In terms of the property to the south, concerns were originally raised in relation to the siting of the proposed replacement dwelling. The rear elevation of the proposed dwelling was to project beyond the rear of the neighbouring property. Given that the neighbouring property is only served by a small rear garden, it was concluded that the increase in height, coupled with the rear projection, would result in an unacceptable overbearing impact on the neighbour. The plans were subsequently amended, with the height of the dwelling reduced, and the building re-positioned within the plot as to avoid any rear projection. Following these alterations, it is not considered that the proposed development would have any unacceptable impact on the amenity of the adjacent neighbour.
- 6.15 The concerns raised relating to the impact of the development on views from properties on the western side of The Drive have been taken in to account. Whilst the increase in height may restrict views to some extent, given the degree of separation, it is not considered that this would translate to an acute impact on residential amenity.
- 6.16 It is acknowledged that the replacement of the existing dwelling with a new dwelling is likely to cause a degree of disturbance to nearby residents during the construction period. Whilst this is not considered to sustain a reason for refusing to grant planning permission, in the interests of protecting residential amenity, a condition will be attached to any decision restricting the permitted working hours during the construction period.
- 6.17 In terms of the living conditions of future occupants of the replacement dwelling, it is considered that ample internal and external space would be provided for occupants.
- 6.18 On the basis of the assessment set out above, and subject to the aforementioned condition, it is not considered that the proposal would have any significant adverse impact on the residential amenity. The proposal therefore complies with policy PSP8.
- 6.19 Transport
The proposed replacement dwelling would contain a total of 5 bedrooms. In terms of required parking provision, policy PSP16 of the Policies, Sites and Places Plan outlines that a minimum of 3 parking spaces should be provided for residential units containing 5 or more bedrooms. A large driveway area would be provided to the frontage of the dwelling, which is considered to be sufficiently large as to allow for 3 vehicles to park and turn on-site. The proposed parking arrangements are therefore considered acceptable, and will be secured by condition.
- 6.20 In terms of vehicular access arrangements, these would not be altered as part of the development proposal. The concerns raised regarding access issues

during the construction period have been taken in to consideration. However given the scale of development and the temporary nature of the construction period, it is not considered that the impact on access would be so significant to sustain a reason for refusal, or require the submission of a construction environmental management plan.

6.21 Environmental Impacts

Given the nature of the existing building, the potential for nesting bats and birds is limited. As such, it is not considered that its replacement would have any significant impact from an ecological perspective. In terms of site drainage, given the scale of development, it is concluded that this matter can be satisfactorily addressed at building regulations stage. It is also not considered that the proposal would have any significant impact from a heritage, landscape or arboricultural perspective.

6.22 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.

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

7. CONCLUSION

7.1 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.

7.2 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.

8. RECOMMENDATION

8.1 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 application of any external materials, 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, and thereafter retained as such.

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.

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. The off-street parking facilities shown on the plan (B11950 03 C) hereby approved shall make provision for the parking of a minimum of 3 vehicles (measuring at least 2.4m by 4.8m), and 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; 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.