

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. 27/19

Date to Members: 05/07/2019

Member's Deadline: 11/07/2019 (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:

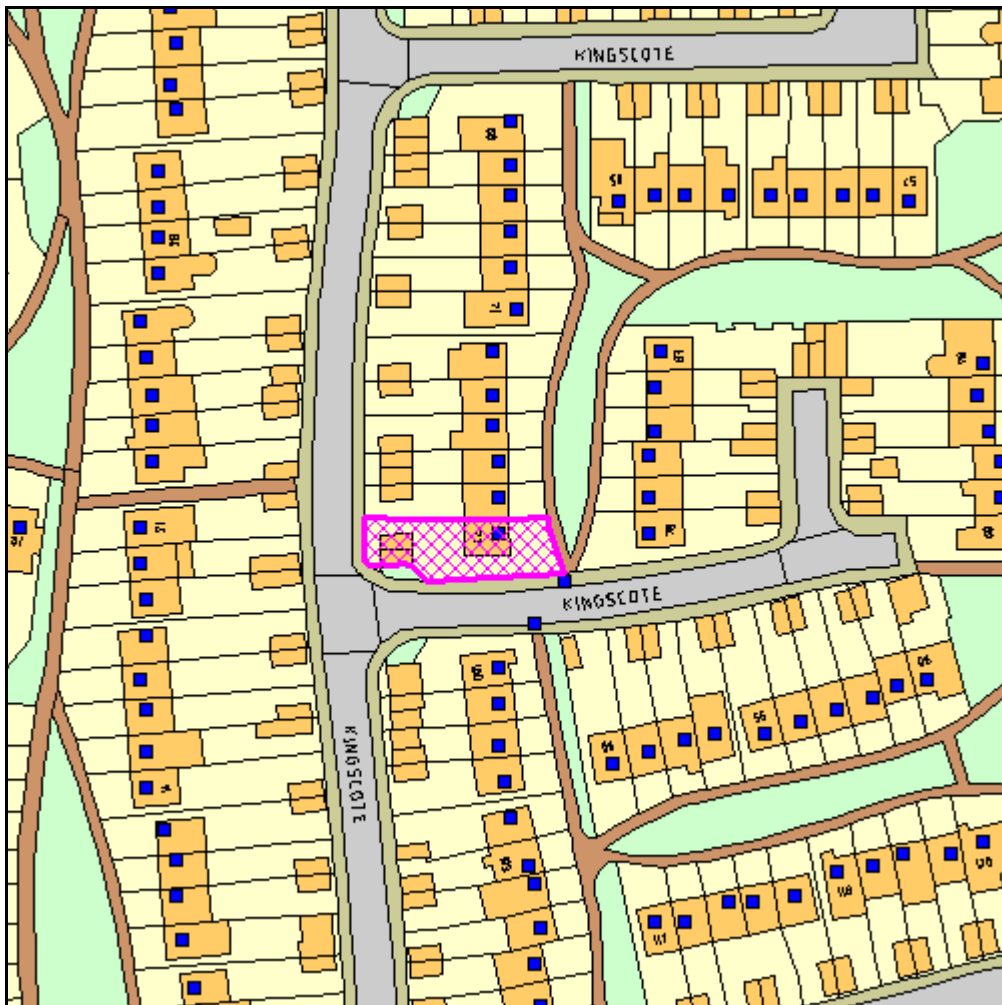
To be emailed to MemberReferral@southglos.gov.uk

CIRCULATED SCHEDULE - 05 July 2019

ITEM NO.	APPLICATION NO.	RECOMMENDATION	LOCATION	WARD	PARISH
1	P19/1162/F	Approve with Conditions	77 Kingscote Yate South Gloucestershire BS37 8YE	Dodington	Dodington Parish Council
2	P19/2770/RVC	Approve with Conditions	Plot 3 Meadow View Shortwood Road Pucklechurch South Gloucestershire BS16 9PG	Boyd Valley	Pucklechurch Parish Council
3	P19/3957/F	Approve with Conditions	26 Quedgeley Yate South Gloucestershire BS37 4JH	Yate Central	Yate Town Council
4	P19/4790/F	Approve with Conditions	7 Nicholottes North Common South Gloucestershire BS30 8YF	Bitton And Oldland	Bitton Parish Council
5	P19/5102/TRE	Approve with Conditions	4 High Street Wickwar Wotton Under Edge South Gloucestershire GL12 8NE	Ladden Brook	Wickwar Parish Council

CIRCULATED SCHEDULE NO. 27/19 – 5 JULY 2019

App No.:	P19/1162/F	Applicant:	Mr B Alvis
Site:	77 Kingscote Yate Bristol South Gloucestershire BS37 8YE	Date Reg:	13th February 2019
Proposal:	Erection of 1 No. attached dwelling and associated works (retrospective).	Parish:	Dodington Parish Council
Map Ref:	370727 180708	Ward:	Dodington
Application	Minor	Target	9th April 2019
Category:		Date:	



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N.T.S.

P19/1162/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 to appear on Circulated Schedule due to the receipt of an objection from the Parish Council and eight objection representations from five local residents, which are contrary to the Planning Officer's recommendation.

1. THE PROPOSAL

- 1.1 This application seeks retrospective planning permission for the erection of a single dwelling attached to 77 Kingscote.
- 1.2 Kingscote is a residential cul-de-sac laid out in the 'Radburn' style, located in the town of Yate.
- 1.3 Planning permission was previously granted under reference PK18/1427/F for a two storey side extension to 77 Kingscote to form a residential annexe. This scheme under consideration in this application is largely the same in terms of built form, with minor changes to windows and doors, boundary treatments and parking provisions necessitated by its intended use as a separate dwelling.
- 1.4 A number of revisions to the scheme have been made during the consideration of this application. An area of land formerly comprising a raised flowerbed has been omitted from the application site as it was outside of the applicant's ownership. The layout has also been amended to provide parking spaces where the two garages currently stand. Finally the elevations were amended to include the window in the side elevation.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework 2019

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS5 Location of Development
CS8 Improving accessibility

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

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

3. **RELEVANT PLANNING HISTORY**

- 3.1 PK18/1427/F - Erection of two storey side extension to form annexe ancillary to the main dwelling. APPROVED.

4. **CONSULTATION RESPONSES**

4.1 **Dodington Parish Council**

Objection – developer has ignored the condition restricting the previously approved extension to remain ancillary, and extra parking means cars blocking the footpath on the corner.

4.2 **Other Consultees**

Highway Structure – no comment

Lead Local Flood Authority – no objection with advisory comments on sewers.

Environmental Protection – no objection, with advisory comments on the garage containing a heating oil tank (*it has subsequently been confirmed that the tank has been removed*).

Transportation DC – no objection though sought clarification on the provision of adequate parking spaces.

Other Representations

4.3 **Local Residents**

1 anonymous general comment querying how the building can already be up if planning permission has not yet been given.

3 objections initial raised the following issues:

- Will have an adverse effect on parking within the immediate area due to a lack of off-street parking
- Proposed parking will overhang and obstruct the pedestrian walkway
- There is a window in the side elevation which is not on the plans
- Development includes land that is council owned and was until recently a flower bed
- One of the garages is not owned by the developer.
- The development does not comply with the outdoor amenity space standard policy
- The existing house is a 3 bed and not a two bed as stated on the plans
- Not built in accordance with previous planning permission
- Planning conditions on earlier permission have been ignored
- Recycling and bin collections missed due to no access for the lorry
- Granting permission will set a precedent

After the revised plans were submitted, 5 further objections were received raising the following issues:

- Not built to the approved planning application, and should be enforced
- Removing the garages to provide for parking is not in keeping with the rest of the street
- Others have applied to remove garages but permission has been refused

- Huge impact on road already congested with parking and rubbish collection issues
- Taking land not belonging to the property
- Land taken that does not belong to the developer (including garage) is theft and should be restored
- House looks terrible in the street
- Really tall wall looks terribly out of place
- Noise level will go up

5. **ANALYSIS OF PROPOSAL**

5.1 Preliminary Matters

There are a number of matters raised through the consultation process which should be clarified before moving on to consider the planning merits of the application.

5.2 *Status of the previous planning permission and planning context*

Because the development built is materially different from it, the previously granted planning permission for a two storey extension has not in law been implemented. This means that the conditions attached to it are not engaged or 'live'. The Planning Act expressly allows for retrospective planning applications, and this current application must be considered on its own merits as a new proposed development, and not as a deviation from the previously approved scheme. Because planning permission for a particular development has been granted does not mean that no other alternative development can be acceptable, and a landowner is quite entitled to apply for permission for more than one scheme on the same site. The applicant's motives and intentions are not a material planning consideration in the determination of this application.

5.3 *Council owned flower bed*

This has now been removed from the application site boundary, and is no longer a part of the planning application. It should consequently form no part in the consideration of this application. The matter has been referred to the council's Property Services Department, who can require its reinstatement.

5.4 *Ownership of garages and the former fuel oil tank*

The council has been provided with the relevant Land Registry titles to show that the garages are within the applicant's ownership, and that the fuel oil tank has been removed.

5.5 Principle of Development

Policy PSP38 (Development within Existing Residential Curtilages, including Extensions and New Dwellings) states that new dwellings will be acceptable provided that they are well designed, would not prejudice the amenities of neighbours, would not prejudice highway safety or the provision of an acceptable level of parking provision and would not prejudice the provision of adequate private amenity space. Consequently, subject to the detailed consideration of those issues below, the development is considered to be acceptable in principle.

5.6 Design

The development has the same built form and materials as the previously approved extension (save for the porch, which has been omitted), and in this regard must therefore also be considered acceptable. There are slight changes to the windows, the addition of a side window, and the provision of front and rear doors, but these are in keeping and are considered acceptable in design terms. The boundary treatment to the side is a brick wall, and in the event that permission is granted a condition would be attached to require the rear boundary to match this to ensure an appropriate and uniform external appearance.

- 5.7 The proposal seeks to demolish the two garages in order to provide for the necessary parking provision. Several objectors have raised concerns that this would not be in keeping with the street. However, policy PSP1 on Local Distinctiveness seeks to protect those characteristic “that make a particularly positive contribution” to the distinctiveness of the locality. While it is acknowledged that the loss of the garages would alter the streetscene in the immediate locality, officers do not consider that the garages make a particularly positive contribution to the distinctiveness of the locality, and therefore there is no conflict with this policy objective. Furthermore, irrespective of this planning application, the garages could be demolished by the applicant under Permitted Development rights at any time. In the event that permission is granted, a condition would be attached to ensure that the rear boundary is constructed in brick to minimise the visual impact.

- 5.8 The development is therefore considered to be acceptable in design terms, and to accord with policies CS1, PSP1 and PSP38 in that regard.

5.9 Residential Amenity (Neighbours)

Policy PSP8 on Residential Amenity serves to protect neighbouring occupier from unacceptable impacts on their residential amenity through loss of light, overbearing impact, noise disturbance or loss of privacy. In considering this development, given the proposal has the same built form as the previously approved extension, the impacts in terms of loss of light and overbearing would be the same as for that development, and therefore must also be considered acceptable.

- 5.10 Turning to consider privacy, again the differences to the approved extension are minimal, with just the addition of a side window allowing views to the south. However this elevation looks over the highway (a spur of Kingscote) and then on to the side elevation of the dwelling on the other side, which has no windows and is visible from the highway. Although it would have some views into that dwelling’s rear garden, this is already only semi private as it will be overlooked by the adjacent dwellings in the terrace.
- 5.11 Although additional noise has been raised as a concern by an objector, there is no reason to believe that an independent dwelling would give rise to more noise than the residential annexe already approved, and additional noise disturbance from a single new dwelling in an existing densely built up residential area is likely to be very limited.

- 5.12 It is therefore considered that the development will not have an unacceptable impact on the residential amenity of neighbouring occupiers and accords with policies PSP8 and PSP38 in that regard.
- 5.13 Highway Safety and Parking provision
No objection has been made by the councils Transportation DC officer on highway safety grounds, and given the location in a residential cul-de-sac and the absence of any alterations to the highway it is not considered that the development would harmfully impact highway safety.
- 5.14 The proposal would lead to the creation of a two bedroom dwelling in addition to the existing 3 bedroom dwelling of 77 Kingscote (regardless of whether the third bedroom at no.77 meets current size standards, it remains a bedroom for planning purposes). In accordance with the standards set out in Policy PSP16 two parking spaces should be provided for the existing dwelling and one for the new dwelling. Following comments seeking clarification of the parking arrangement from the Transportation DC Officer and officer investigation of the size of the garages (which are too small to meet current parking standards) the applicant submitted the revised proposal to demolish the garages to provide two additional parking spaces to the one that already exists to the side of the garages. Officers have carried out a site inspection to measure the site and confirmed that there would be sufficient space to provide three spaces meeting the policy standards. If permission were to be granted then a condition would be attached to require the provision of those spaces in accordance with the revised layout plan.
- 5.15 As the existing garages are significantly below current minimum size standards for parking (and are consequently unlikely to be used for that purpose), the proposal represents a betterment in parking terms, effectively providing an additional parking space for the existing dwelling compared to the present. It is therefore considered that the development will not have an unacceptable impact on highway safety and accords with policies PSP8 and PSP38 in that regard.
- 5.16 Private Amenity Space
Private Amenity Space Standards policy PSP43 sets out the recommended provision of outdoor amenity space that should be provided for new dwellings. For a two bedroom house the guide amount is 50m². According to the revised Block Plan the rear garden will provide 55m², with a further 35m² in the front garden. The development therefore comfortably exceeds the minimum standard and also retains a proportionately greater amount of amenity space for 77 Kingscote. The development therefore accords with policies PSP38 and PSP43 in this regard.
- 5.17 Planning Balance
When assessed against the Development Plan policies, the proposal is considered to be supported in principle. In design terms the dwelling is similar to the approved extension and the minor changes required to form an independent dwelling are considered to be acceptable. While the loss of the garages will alter the streetscene in the immediate locality, the garages do not make a particularly positive contribution to the character and appearance of the

locality. The proposal provides adequate outdoor amenity space and will not harm the amenity of neighbouring occupiers. There are no adverse highway impacts and the proposal will lead to the provision of policy compliant parking provision for both the existing and proposed dwellings, which is a betterment over the existing position. On balance it is considered that the development is in accordance with policy and the development will lead to improved parking provision, and it is recommended that planning permission is granted.

5.18 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 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 following conditions.

Contact Officer: Neil Howat
Tel. No. 01454 863548

CONDITIONS

- 1. Excluding any pedestrian access gates, the rear boundary treatment (between the parking area/council-owned land and the rear gardens) shall be constructed in materials to match the existing (southern) side boundary walls of the site, and to match the height of the existing rear garden (southern) side boundary wall.

Reason

To ensure a satisfactory standard of design and to preserve the character and appearance of the area, in accordance with policy CS1 of the South Gloucestershire Council Local Plan Core Strategy 2013 (Adopted)

2. Within 2 months of the date of this decision the two garages will be demolished and the three off-street parking places provided in accordance with the Proposed Site Block Plan Ref. 3921/P2

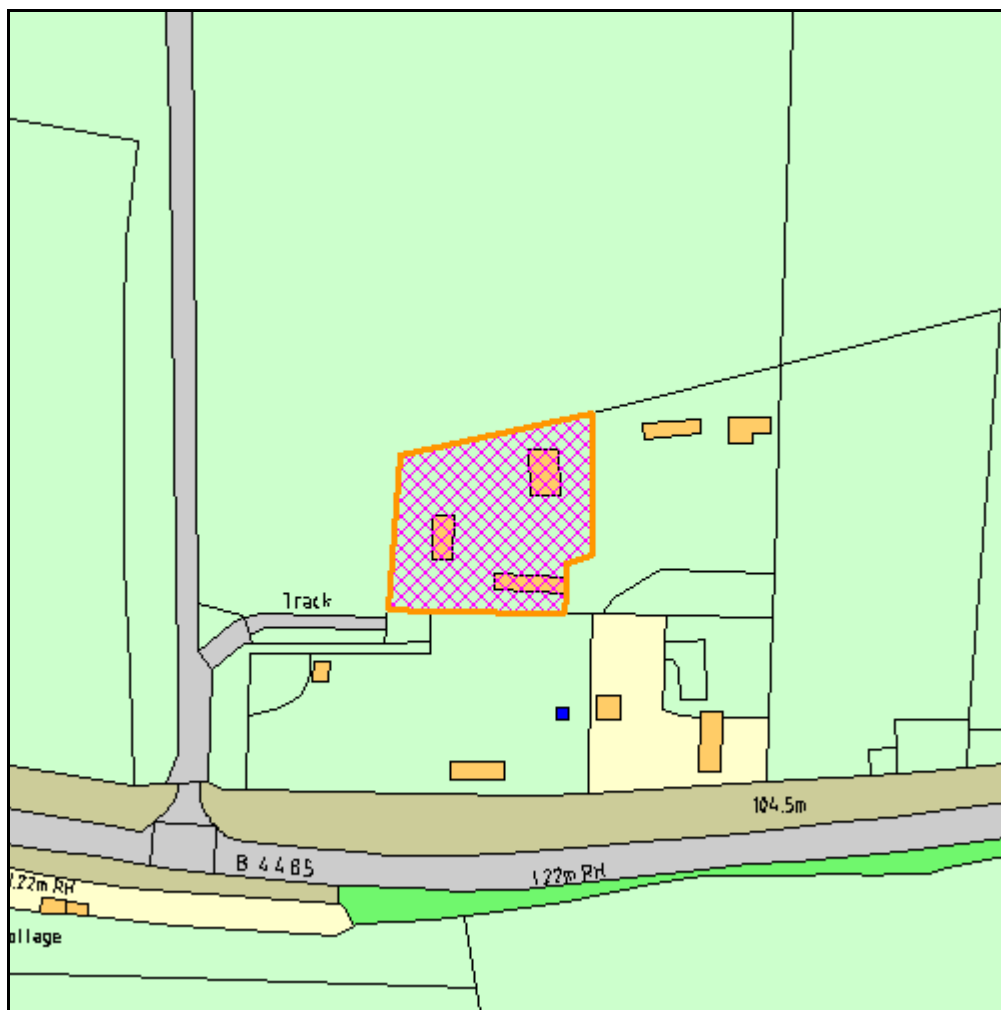
The three parking places shall thereafter be retained solely for the purpose of vehicular parking.

Reason

In the interests of highway safety and to provide adequate parking, to accord with policies PSP11 and PSP16 of the South Gloucestershire Council Local Plan: Policies, Sites and Places Plan (adopted November 2017).

CIRCULATED SCHEDULE NO. 27/19 – 5 JULY 2019

App No.:	P19/2770/RVC	Applicant:	Mr Michael Cash
Site:	Plot 3 Meadow View Shortwood Road Pucklechurch South Gloucestershire BS16 9PG	Date Reg:	14th March 2019
Proposal:	Variations of conditions 2 and 3 attached to PK12/2288/F to allow the building to be used by anyone and remain permanent.	Parish:	Pucklechurch Parish Council
Map Ref:	368819 175800	Ward:	Boyd Valley
Application Category:	Minor	Target Date:	6th May 2019



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N.T.S.

P19/2770/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.

REASONS FOR REFERRING TO THE CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule following the receipt of an objection from Pucklechurch Parish Council; the concerns raised being contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 This application relates to the north-western pitch i.e. Plot 3 of the existing 4no. permanent gypsy/traveller plots at Meadow View, located to the north of Shortwood Road, Pucklechurch. The site lies outside any defined settlement boundary within the open countryside and Bristol & Bath Green Belt. Access to the site is from Shortwood Road.
- 1.2 This 4no. pitch gypsy/traveller site is authorised under previous consents (Ref. PK05/1054/F on appeal and Ref. PK08/2020/F – see paras. 3.1 and 3.2 below). Under PK08/2020/F plot 3 has consent for the stationing of 1no. residential gypsy mobile home and 1no. associated touring caravan. The application was granted as a ‘departure’ from the Local Plan as ‘very special circumstances’ were demonstrated, in that at the time there was a need for Gypsy and Traveller pitches within the South Gloucestershire area. Planning consent PK08/2020/F did allow for a day/utility room building to be built; however this was to serve pitch 4 only and not pitch 3. More recently, temporary consent PK14/2889/F for two further pitches to the west was allowed on appeal. The temporary consents were subsequently made personal under application PK17/4232/RVC.
- 1.3 Subsequent to PK08/2020/F planning permission PK12/2288/F was granted for the erection of a utility/day room to serve plot 3 only. Conditions 2 and 3 attached to the consent read as follows:

Condition 2

The utility/day room building hereby permitted shall only be occupied by Michael and Mary Cash and their dependent children and grandchildren while they are dependent. The building shall only be used for purposes ancillary to the use of the plot as a residential caravan site and shall at no time be used as overnight sleeping accommodation.

For the avoidance of doubt this covers visitors to plot 3 whilst occupied by Michael and Mary Cash.

Reason

To accord with the ‘Very Special Circumstances’ demonstrated and to accord with Policy GB1 of the South Gloucestershire Local Plan (Adopted).

Condition 3

When the land ceases to be occupied by those named in Condition no.2, the building hereby permitted shall be removed. Within 3 months of that time the land shall be restored in accordance with a scheme previously submitted to and approved in writing by the local planning authority.

Reason

To accord with the 'Very Special Circumstances' demonstrated and to accord with Policy GB1 of the South Gloucestershire Local Plan (Adopted).

- 1.4 This current Section 73 application seeks to remove Condition 3 and vary the wording of Condition 2 to read as follows:

"The utility/day room building hereby permitted shall only be used for purposes ancillary to the use of Plot 3 as a residential caravan site and shall at no time be used as overnight sleeping accommodation".

In effect, this would render the day/utility room permanent but only in as much as its use would be ancillary to the gypsy and traveller pitch on Plot 3.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework Feb 2019
NPPF accompanying document Planning Policy for Traveller Sites March 2012
Ministerial Statement by the Rt. Hon. Brandon Lewis MP 2 July 2013.
National Planning Practice Guidance 2014

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

Policy CS1 High Quality Design
Policy CS5 Location of Development
Policy CS9 Managing the Environment and Heritage
Policy CS21 Gypsy and Traveller Accommodation
Policy CS34 Rural Areas

South Gloucestershire Local Plan: Policies, Sites and 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
PSP19 Wider Biodiversity
PSP20 Flood Risk, Surface Water and Watercourse Management
PSP21 Environmental Pollution and Impacts
PSP40 Residential Development in the Countryside
PSP43 Private Amenity Space Standards

2.3 Supplementary Planning Guidance

The South Gloucestershire Design Check List SPD Adopted August 2007
Development in the Green Belt SPD Adopted June 2007
South Gloucestershire Landscape Character Assessment
South Gloucestershire Council Residential Parking Standards Approved

3. **RELEVANT PLANNING HISTORY**

- 3.1 PK05/1054/F - Change of use of grazing land for the stationing of 3no. residential gypsy caravans.
Allowed on Appeal 16 Aug. 2007 – Appeal Reference APP/P0119/C/07/2037529

This application was initially refused on the grounds that the proposal represented Inappropriate Development within the Bristol/Bath Green Belt, where Very Special Circumstances had not been demonstrated that would allow a departure from Policy. In addition inadequate drainage measures had been demonstrated.

As indicated above the Inspector allowed the Appeal (and quashed an Enforcement Notice Ref CAE/06/0572). The Inspector reached the following conclusions:

- ‘The development did represent inappropriate development in the Green Belt and together with a loss of openness this contributes significant weight against the development, but existing screening, the small size of the site and impact from the development would result in limited harm.
- The overall case of need, including lack of any identifiable alternative sites, is very strong and although the emphasis of provision should be outside the Green Belt, it is possible that some sites will be needed within it. This overwhelming need and the difficulty in meeting it wholly outside the Green Belt therefore represents the “very special circumstances that clearly outweigh the harm”
- Drainage issues can be dealt with by Condition.
- No personal or temporary consent restrictions were imposed.

- 3.2 PK08/2020/F - Change of use of grazing land (sui generis) for the stationing of 2no. residential gypsy mobile homes, 2no. associated touring caravans and associated pitches. Erection of day room and associated hardstanding.
Approved with conditions 16th Sept. 2008.

Planning consent for pitch 3 PK08/2020/F has a condition to restrict the number of caravans to one mobile unit, one touring caravan and one commercial vehicle. There is no specific allowance made for visitors to the site in that consent. The permission is neither temporary nor personal but does only allow occupation as a residential Gypsy site.

- 3.3 PK12/2288/F - Erection of utility/day room and associated works.
Approved 1st March 2013

This permission related to Plot 3 only.

- 3.4 PK14/2889/F - Change of use of land to gypsy/travellers site including 2 no. mobile homes and 2 no. touring caravans with the formation of additional hard standing and 2 no. ancillary utility/day rooms.
Allowed on appeal 10th Feb 2016 – appeal ref: APP/P0119/W/15/3065767.

This application was initially refused on the grounds that 1) the proposal represented Inappropriate Development within the Bristol/Bath Green Belt, where Very Special Circumstances had not been demonstrated that would allow a departure from Policy. 2) Detrimental impact on landscape character due to increased encroachment into the open countryside.

The Inspector concluded that : “The proposal is inappropriate development in the Green Belt and the considerations put forward in favour of permanent use do not clearly outweigh the harm. However, having regard to the policy position, the site supply situation and the circumstances of these families, the lesser harm through a three-year temporary use is clearly outweighed, at the end of which time there should be more clarity over the need, the way in which the Council intend to address it, and those personal circumstances. The latter involves the best interest of children and carries significant weight. Whether or not that leads to land being removed from the Green Belt, and whether or not the appeal site is included in any such land is a matter for the Plan-making process. For the reasons given above it is concluded that the appeal should be allowed and temporary permission granted.

- 3.5 PK17/4232/RVC - Variation of conditions 1 and 2 attached to PK14/2889/F allowed on appeal APP/P0119/W/15/3065767 condition no. 1 to now read ‘The use hereby permitted shall be carried on only by the following and their resident dependants: James McDonagh and Helen Monagan (Plot 1) and Jason McDonagh and Theresa McDonagh (Plot 2).’ Condition no. 2 to now read, ‘When the land ceases to be occupied by those named in Condition 1) above, the use hereby permitted shall cease and all caravans, buildings, structures, materials and equipment brought onto the land, or works undertaken to it in connection with the use shall be removed and the land restored within a further three months to its condition before the development took place.’
Approved with conditions 15th December 2017

This in effect removed the temporary 3 year nature of the permission but instead provided personal permissions to the occupants having regard to the ongoing delay in Gypsy Site allocation in the area.

4. CONSULTATION RESPONSES

- 4.1 Pucklechurch Parish Council
Objection. As absolutely no information whatsoever has been offered as to why either of these two conditions should be removed that PPC objects to the changes. The conditions as they currently stand say:

2. The utility/day room building hereby permitted shall only be occupied by Michael and Mary Cash and their dependent children and grandchildren while they are dependent. The building shall only be used for purposes ancillary to the use of the plot as a residential caravan site and shall at no time be used as overnight sleeping accommodation.

For the avoidance of doubt this covers visitors to plot 3 whilst occupied by Michael and Mary Cash.

Reason

To accord with the "Very Special Circumstances" demonstrated and to accord with Policy GB1 of the South Gloucestershire Local Plan (Adopted).

3. When the land ceases to be occupied by those named in Condition No 2, the building hereby permitted shall be removed. Within 3 months of that time the land shall be restored in accordance with a scheme previously submitted to and approved in writing by the local planning authority.

Reason

To accord with the "Very Special Circumstances" demonstrated and to accord with Policy GB1 of the South Gloucestershire Local Plan (Adopted).

The site is an authorised safeguarded Gypsy and Traveller site - the utility/dayroom was adjudged to have been reasonably required by the family and that the very special circumstances put forward by them outweighed the harm by reason of inappropriateness of the development within the Green Belt. However, no information has been provided that supports the retention of this structure as what would then amount to being a permanent structure within the Green Belt. Condition 3 was designed to mitigate against permanent harm that would be done to the openness of the Green Belt by requiring for it to be removed at a future point in time.

The Parish Council also resolved to note and raise with Enforcement that the native tree and shrub planting on the grass verge to the immediate south of the site that was required to help screen and soften the impact of the development has recently been removed. Similarly, the area where visiting caravans would be stationed appears to be regularly being used for the parking of vehicles and machinery associated with a business. We have also received complaints regarding the detrimental visual impact on the local area since the hedgerow has been removed.

Subsequent to this comment, the applicant's justification for the proposal was made public and a second round of consultations conducted, to which the Parish Council gave no further response.

Siston Parish Council

No response

4.2 Other Consultees

Transportation D.C.

Proposed variation of conditions 2 and 3 as attached to application Pk12/2288/F would not necessarily alter traffic movements to and from this site. As such, we, Transportation Development Control team have no objection to this application.

Landscape Officer

No comment

Children and Young People Officer

No response

Housing Enabling

No response

Corporate Travellers Unit

No response

Other Representations

4.3 Local Residents

No response

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The acceptance in principle of the use of the land as a gypsy and traveller site has already been established with the grant of PK08/2020/F; the permission is neither temporary nor personal but does only allow occupation as a residential Gypsy site.

- 5.2 Officers wish to stress that the scope of a removal/variation 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.

- 5.3 In assessing this current application it is necessary to consider whether or not the relevant conditions nos. 2 & 3 or any variations thereto, 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

- 5.4 Policy CS4 of The South Gloucestershire Local Plan Core Strategy accords with para. 38 of the NPPF, in enforcing the presumption in favour of sustainable development. Core Strategy Policy CS4A states that:- ‘when considering proposals for sustainable development, the Council will take a positive approach and will work pro-actively with applicants to find solutions so that sustainable development can be approved wherever possible’.
- 5.5 In assessing this application, officers must consider the reason why Conditions 2 & 3 were originally imposed and whether or not anything has changed in the interim or new evidence submitted that would now justify any removal or variation in the wording.

Applicant's Justification for the Variation of Condition 2 and Removal of Condition 3

- 5.6 The applicant has submitted the following in justification for the variation in the wording of Condition 2 and removal of Condition 3:
- 5.7 Meadow View is an existing gypsy caravan site permitted under planning application no. PK08/2020/F. Planning permission was granted for 2 pitches, each containing a mobile home and touring caravan. Permission was also granted for the erection of one dayroom on plot 4. Occupation of the site is limited, under condition 2, to occupation by gypsies and travellers as defined in paragraph 15 of Circular 1/2006.
- 5.8 Planning permission PK12/2288/F granted permission for the erection of a dayroom on Plot 3, subject to 6 conditions. Condition 2 limits occupation of the dayroom to Michael and Mary Cash and their dependent children and grandchildren.
- 5.9 For conditions to be imposed, they must be necessary; relevant to planning; and to the development permitted; precise; enforceable; and, reasonable in all other respects (see NPPF para. 55). In these latter regards: if a condition is wider in scope than is necessary to achieve the desired objective it will fail the test of necessity; and, conditions which place unjustifiable and disproportionate burdens on an applicant will fail the test of reasonableness.
- 5.10 Cancellation of the Government's Good Practice Guide entitled "*Designing Gypsy and Traveller Sites*" does not invalidate its advice that it is essential for amenity buildings to be provided on traveller sites. The Good Practice Guide made clear that an amenity building should be provided on each pitch and, should contain, as a minimum, toilet/shower facilities; a utility room for the accommodation of washing machines/dryers; a kitchen; and dining area. Ideally, they should also contain a sitting room where the whole family can gather together and socialise.
- 5.11 Most static caravans only contain limited kitchen, dining and bathroom facilities. Generally, they make no allowance for the need to accommodate freezers, washing machines and dryers. Gypsies and Travellers also tend to have a cultural aversion to using toilets located within their caravans. The amenity building permitted on plot 3 is of adequate size to accommodate kitchen, dining

and sitting room facilities, together with bathrooms, utility room and, play room: in fact, all of the facilities recommended by the government.

- 5.12 Clearly, it is not unreasonable for a gypsy caravan site to accommodate a dayroom/amenity building for use by residents. Significant weight should be given to the Government's former design guidance and, substantial weight should be given to the health and hygiene benefits of providing cooking, dining, clothes washing and bathroom facilities in a suitable permanent structure. The council has approved many similar structures on other traveller sites within the Green Belt, including Plot 4 and, the factors set out above have clearly been regarded as outweighing harm to the Green Belt and any other harm so as to constitute the very special circumstances necessary to justify approval.
- 5.13 It is clearly the case that planning permission would not have to have been refused if condition 2 had not been imposed. Condition 2 attached to planning permission PK08/2020/F limits occupation of the caravan site to gypsies and travellers and, the second part of Condition 2 attached to planning permission PK12/2288/F limits use of the utility/day room building to purposes ancillary to use of the site as a residential caravan site. By limiting occupation of the building to the applicant and his family, it was wider in its scope than was necessary to achieve the desired objective and, for this reason, fails the test of necessity.
- 5.14 Use of the land as a gypsy caravan site is not subject to a time-limited, or personal occupancy, condition. The need for an ancillary utility/day room building will exist long after the applicant and his dependents cease to occupy the caravan site. In my opinion, it was unreasonable for a personal condition to be imposed on a building of permanent construction, serving a permanent caravan site. It places an unjustifiable and disproportionate burden on the applicant (building a permanent building which he will have to demolish if he ever wishes to move) and, in my opinion, fails the test of reasonableness.

Analysis

- 5.15 The original planning permission to which this application relates i.e. PK12/2288/F was granted on the 1st March 2013. Prior to that the site, along with Plot 4 was established as a permanent gypsy site under PK08/2020/F. It was also considered acceptable under PK08/2020/F to erect a day/utility room on Plot 4 but without conditions restricting occupation to specific individuals other than gypsies or travellers (Cond. 2) or any requirement to demolish the day room despite the site being within the Green Belt; this is clearly inconsistent with the conditions (2 & 3) imposed on the day room granted consent on Plot 3.
- 5.16 It is evident that the reasons for imposing conditions 2 & 3 (the subject of this current application) relate to the 'Very Special Circumstances' that were put forward at the time of application PK12/2288/F to overcome the harm to the Green Belt by reason of inappropriateness and any other harm; these being as follows:

- The present chalet (caravan) has only three bedrooms, a small living room, a small kitchen and one bathroom. The utility/day room is for a large extended family that at present consists of 6 adults and 9 children. Up to 9 adults and 17 children at present will require use of the utility/day room.
- The proposed utility/day room will provide a large kitchen/family room, large bathroom and tutor room for children on Elective Home Education, which is part of Gypsy/Traveller culture.
- The proposed development will provide the necessary living accommodation for the family and visitors and is preferable to having a scattering of caravans, which would need to be randomly parked to provide minimal facilities.

5.17 At the time of application PK12/2288/F the Council's Gypsy Liaison Officer commented as follows:

"The extended family group arrangement is somewhat complex. These numbers are based on information from the Welfare Liaison officer for the Ethnic Minority and Traveller Achievement service within the Council.

o Mr and Mrs Cash (the applicants) live with their children and grandchildren at this site. This includes their adult son and his wife, and their child (aged 5); their daughter and her husband and the 2 children (aged 5 and 7); and their own son aged 8. They also care for 4 grandchildren aged 10, 6, 5 and 2 every weekend and all school holidays. Accordingly there are regularly 6 adults and 8 children at the site.

In addition there are regular family visitors. These have 1 adult with 5 children; and 1 adult with 4 children respectively. The welfare officer has not indicated how often both sets of visitors might make simultaneous visits – but the applicant has asked that the cumulative total be considered as part of the very special circumstances submission. This makes for a total of 17 children that could be on the site at a given time. The number of people staying on the site at any one given time is significant, hence the need for a sizeable day room to accommodate this need."

5.18 Mr Cash is the applicant for this current application and there is no evidence to suggest that the above situation regarding the extended family group has significantly altered since PK12/2288/F was approved other than more of the children will now be of secondary school age. It is acknowledged that the family's gypsy status is not in question here.

5.19 Since application PK12/2288/F was approved (1st March 2013) there have been some significant changes to the policy regime.

- Circular 01/2006 was withdrawn 7 March 2014.
- The government document 'Designing Gypsy and Traveller Sites – Good Practice Guide' 2008 was withdrawn 1st Sept. 2015.
- The South Gloucestershire Local Plan Core Strategy (CS) was formally adopted December 2013.

- The government document ‘Planning Policy for Traveller Sites’ March 2012 (PPTS) was updated on 31st august 2015.

Very Special Circumstances

- 5.20 A study of the Committee report for PK12/2288/F reveals that despite the day room being quite large (approx. 90 sq.m.) the officer considered that the overall harm to the openness of the Green Belt was “*limited*”. This was due to the limited height (4.5 sq.m.) of the building and its location in the far north west corner of the plot, where there is “*..established screening to the boundaries of the site.*”
- 5.21 The officer considered that the day room was proportionate in size for use by the number in the family group, which in this case is significant. The officer also acknowledged the need for a larger day room to be used by the children for home education purposes, the number of children being above average. It is noted that children of secondary school age are often tutored at home within the Gypsy community and given the passage of time since PK12/2288/F there is now an even greater requirement for home tutor facilities. The officer attached considerable weight to the specific circumstances and requirements of the cash family as part of the ‘very special circumstances case’ and for this reason imposed conditions 2 and 3.
- 5.22 Having regard to Policy H of PPTS the officer also gave weight to the proposal on the grounds that it would promote opportunities for healthy lifestyles.
- 5.23 The officer concluded that “*The above considerations are accepted as ‘very Special Circumstances’ in this instance as they provide facilities considered reasonably necessary for the use of the site and the requirements of the family living at Pitch 3 Meadow View.*”

Commentary

- 5.24 Policy H of the PPTS confirms that planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. Applications should be assessed and determined in accordance with the presumption in favour of sustainable development and the application of specific policies in the NPPF and PPTS. It is also a long standing convention in planning, that each application should be determined on its individual merits having regard to current government guidelines, local plan policy and all other material considerations. Furthermore, the NPPF at para.10 states a presumption in favour of sustainable development and at para.11 that for decision taking this means (c) approving development proposals that accord with an up-to-date development plan without delay.
- 5.25 At para. 24, the PPTS states that local planning authorities should consider *inter alia* the following issues amongst other relevant matters when considering planning applications for traveller sites:
- a) The existing level of local provision and need for sites
 - b) The availability (or lack) of alternative accommodation for the applicants
 - c) Other personal circumstances of the applicant

- 5.26 However, the updated version of PPTS at para.16 makes clear that, **subject to the best interests of the child** (*my emphasis*), personal circumstances and unmet need are unlikely to clearly outweigh harm to the Green Belt and any other harm so as to establish very special circumstances.
- 5.27 As the Council can now demonstrate a 5 year housing land supply, the policies within the Development Plan are considered up to date (that said a 5 year supply of Gypsy Sites cannot yet be demonstrated). The starting point for determination is therefore the adopted Core Strategy. Policy CS21 relates to Gypsy and Traveller Accommodation and given that the Core Strategy is now fully adopted, can be given full weight (which was not the case under PK12/2288/F).
- 5.28 Policy CS21 states that:
- “Provision will be made for Gypsy and Traveller accommodation through the Policies, Sites and Places DPD or a replacement local plan (whichever is the sooner) following a review of the need for further pitches up to 2027. Additional provision will be addressed through the **intensification of existing sites** in the first instance while not excluding sites in the new neighbourhoods.”
- Whilst the PSP has been adopted the provision of Gypsy and Traveller accommodation is to be addressed under the new Local Plan which is still some way off adoption.
- 5.29 It is Council policy that existing, authorised Gypsy and Traveller sites are safeguarded until such time that it can be proven there is no longer an outstanding need for such sites (Policy CS21, Core Strategy). The Council's position is to retain its existing supply of sites capable of use by Gypsies and Travellers. To give up existing sites will only compound the existing shortfall and make the challenge of finding new sites more difficult. The application site (Plot 3) at the Meadows is safeguarded under Policy CS21 (no.27).
- 5.30 In February 2018 the Council published a Local Plan Consultation Document – the second (Regulation 18) stage of public consultation on the new SGLP. The consultation document included the Council's proposed approach to providing accommodation for Gypsies/ Travellers and, as part of this, set out the Council's intention to continue with the approach of retaining its existing supply of sites capable of use by Gypsies and Travellers.
- 5.31 The change to national policy led to a need to refresh the Council's evidence base i.e. the GTAA 2013, which set the overall level of need for sites for Gypsy/Travellers and Travelling Showpeople which the Council will need to provide for through its planning policy framework.
- 5.32 In progressing the new South Gloucestershire Local Plan, the Council published its refresh 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. This can be viewed via the consultation website.

- 5.33 Based on the GTAA 2017, there is a need for **61 additional pitches** for Gypsy/Travellers in South Gloucestershire by 2032.

Conclusion

- 5.34 Meadow View is an established, authorised Gypsy & Traveller site that is now safeguarded as such under Policy CS21. Use of the land as a gypsy caravan site is not subject to a time-limited, or personal occupancy, condition. Officers concur with the applicant's view that notwithstanding the withdrawal of the document 'Designing Gypsy and Traveller Sites – Good Practice Guide May 2008' much of the guidance therein still holds good to-day. Day rooms are both a desirable and necessary feature of modern gypsy pitches even for sites within the open countryside and Green Belt.
- 5.35 There is an acknowledged need for the day room to serve the needs of the site and its occupants and given the best interests of the child, this need is even greater to-day than in 2013 when the day room was first approved.
- 5.36 There is an identified ongoing need for Gypsy Sites within the County. The personal circumstances of the applicant's extended family also carry significant weight. This combined with the best interests of the child clearly outweigh any harm to the Green Belt, which the officer for the original application PK12/2288/F identified as being only '*limited*'.
- 5.37 Since PK12/2288/F was granted for the Day Room on Plot 3, application PK14/2889/F for two further pitches to the west of Plot 3 was approved on appeal. The appeal decision letter established at para. 16 that the site is in a sustainable location.
- 5.38 As things stand, should the applicant, Mr Cash and his family, leave the site, the Day Room would have to be demolished, leaving this authorised, permanent and safeguarded pitch without an essential facility. This is not considered desirable and has the potential to adversely affect the viability of the site as a Gypsy & Traveller site, at a time when there is a distinct and long-standing shortfall in suitable Gypsy & Traveller accommodation within the County. Furthermore Policy CS21 (now adopted) states that additional provision should be addressed through the **intensification** of existing sites in the first instance.
- 5.39 It was accepted under the original application that very special circumstances had been demonstrated to overcome the harm to the Green Belt by reason of inappropriateness and any other harm. Officers consider that the case for very special circumstances is even greater now. A day room was allowed on Plot 4, albeit a smaller one than on Plot 3, without conditions relating to personal use or removal upon the vacation of the site by the current occupants.
- 5.40 Condition 2 attached to PK12/2288/F rather pre-supposes that if the applicant left the site, that a smaller family would occupy the site and hence not require a Day Room of the size provided. Gypsy families however tend to be large and gypsies often live in extended family groups. Any condition to restrict the numbers of children occupying the site would most likely be a breach of the Human Rights Act. The site is a permanent Gypsy site and given the shortfall in

gypsy accommodation within the County it seems inconceivable that the site would not be occupied as a Gypsy Site for the perceptible long term future.

5.41 Officers conclude that, in light of the limited harm to Green Belt now being significantly outweighed by the very special circumstances, as outlined above, and the controls on the occupation of the site imposed by the conditions attached to PK08/2020/F i.e. 2 – occupation by gypsies & travellers only; 3 – nos. of mobile homes, touring caravans and commercial vehicles on each pitch; and within condition 2 to be revised i.e. use of the day room to be ancillary to the respective pitch; combined with the revised policy regime; the personal clause in condition 2 is no longer necessary as the proposal could be approved without it.

5.42 As regards the proposed removal of condition 3, for similar reasons, there is no longer a requirement to demolish the day room. The site is a permanent safeguarded site, likely to be occupied in the future by an extended gypsy family. The day room is a permanent construction of rendered blockwork and concrete roof tiles. Officers concur with the applicant that condition 3 now places an unjustifiable and disproportionate burden on the applicant which fails the test of reasonableness.

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

5.44 With regards to the above this planning application is considered to have a neutral impact on equality. Equalities have been given due consideration in the application of planning policy as discussed in this report.

Other Conditions

5.45 Of the other conditions imposed on the original permission PK12/2288/F for the Day/Utility Room; only those still relevant would be carried forward. The Parish Council have raised concerns about the removal of native tree and shrub planting from the grass verge to the south of the site. This appears to have been secured via a landscape scheme secured under a separate and later application PK17/4232/RVC and is a matter for the enforcement officer. Furthermore, the verge does not appear to be in the applicant's control and is not part of the application site, so it would be unreasonable to impose any conditions through this current scheme to replace the planting.

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 PK12/2288/F be re-issued with condition 3 deleted and condition 2 (now condition 1) revised to read as follows:

The utility/day room building hereby permitted shall only be used for purposes ancillary to the use of Plot 3 as a residential caravan site and shall at no time be used as overnight sleeping accommodation.

For the avoidance of doubt this covers visitors to Plot 3.

Reason

To accord with the ‘Very Special Circumstances’ demonstrated having regard to the location of the site within the Bristol and Bath Green Belt and to accord with Policy PSP7 of the South Gloucestershire Local Plan : Policies, Sites and Places Plan (Adopted) November 2017 and the provisions of the NPPF section 13.

Contact Officer: Roger Hemming
Tel. No. 01454 863537

CONDITIONS

1. The utility/day room building hereby permitted shall only be used for purposes ancillary to the use of Plot 3 as a residential caravan site and shall at no time be used as overnight sleeping accommodation.

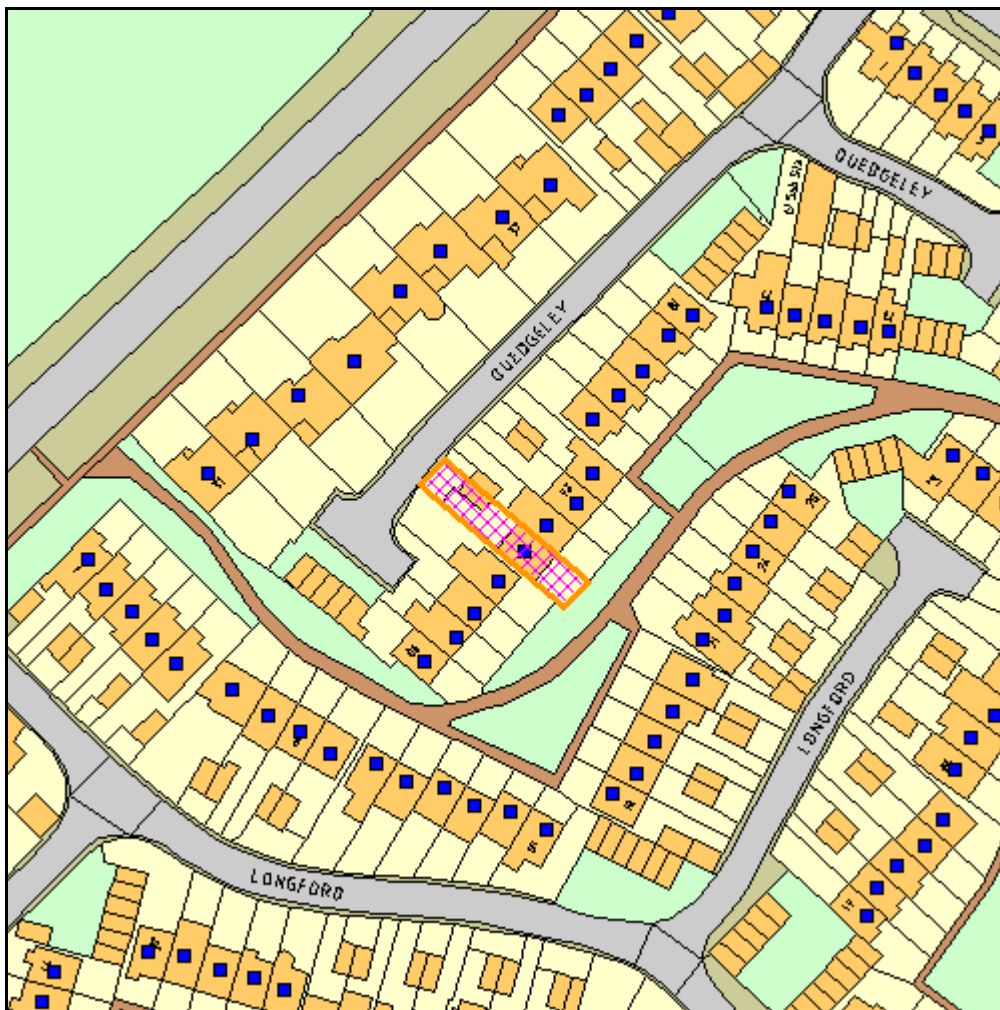
For the avoidance of doubt this covers visitors to plot 3.

Reason

To accord with the 'Very Special Circumstances' demonstrated having regard to the location of the site within the Bristol and Bath Green Belt and to accord with Policy PSP7 of the South Gloucestershire Local Plan : Policies, Sites and Places Plan (Adopted) November 2017 and the provisions of the NPPF section 13.

CIRCULATED SCHEDULE NO. 27/19 – 5 JULY 2019

App No.:	P19/3957/F	Applicant:	Mr Aaron Smith
Site:	26 Quedgeley Yate Bristol South Gloucestershire BS37 4JH	Date Reg:	26th April 2019
Proposal:	Erection of a single storey front extension and single storey rear extension to form additional living accommodation.	Parish:	Yate Town Council
Map Ref:	370466 181693	Ward:	Yate Central
Application Category:	Householder	Target Date:	19th June 2019



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N.T.S.

P19/3957/F

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

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule as an objection has been received from the Town Council.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a single-storey rear extension and a single-storey front extension at a terraced property on Quedgeley, in the Stanshawes area of Yate.
- 1.2 Stanshawes is a Radburn estate and the front of the application site faces onto a greenway between Quedgeley and Longford. There is little development in the greenway and the land retains its open nature.
- 1.3 During the course of the application, revised plans were submitted to reduce the size of the front extension (which faces onto the greenway). This element of the proposal is now a large porch rather than a room in its own right.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework February 2019
National Planning Practice Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS2	Green Infrastructure
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS30	Yate and Chipping Sodbury

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP5	Undesignated Open Spaces
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP38	Development within Existing Residential Curtilages

- 2.3 Supplementary Planning Guidance
Design Checklist SPD (Adopted) August 2007
Residential Parking Standard SPD (Adopted) December 2013
Landscape Character Assessment SPD (Adopted) November 2014
CIL and S106 SPD (Adopted) March 2015
Waste Collection SPD (Adopted) January 2015 (updated March 2017)

3. RELEVANT PLANNING HISTORY

- 3.1 There is no planning history for this site

4. CONSULTATION RESPONSES

- 4.1 Yate Town Council
Concern about front extensions; no objection to rear extension

Other Representations

- 4.2 Local Residents
1 comment has been received which objects to the front extension but does not object to the rear extension.

5. ANALYSIS OF PROPOSAL

- 5.1 This application seeks planning permission for the erection of a number of extensions at a house in Yate.

Principle of Development

- 5.2 Extensions and alterations to existing dwellings are permitted by policy PSP38 subject to an analysis of design, amenity, and transport. The proposed development is therefore acceptable in principle but should be determined against the analysis set out below.

Design

- 5.3 Two separate extensions are proposed. The most controversial is the front extension. This element of the scheme has been amended and significantly reduced in size. It now appears as a modest porch; it is not out of scale with the house itself nor does it appear overly prominent. The revised front extension is of an acceptable design. As a result of the development, the open character of the greenway to the front of the property would be preserved and the development would not have a wider impact on the character and appearance of the locality.
- 5.4 The other element of the proposal is the rear extension. This element has not been revised as is to be determined as submitted. Again, the extension is modest in scale. It is a small extension projecting from part of the rear elevation. The materials are acceptable and the extension respects the existing property.

Amenity

- 5.5 Development should not prejudice the amenities of nearby occupiers or fail to provide adequate living conditions for occupiers of the application site itself.
- 5.6 As two single-storey extensions are proposed which are both relatively small, it is concluded that the proposals would not have an adverse impact on the amenities of any nearby occupier through loss of privacy/ outlook/ light or any overbearing impact. The amenities of the application site would also be retained.

Parking

- 5.7 This development does not generate additional parking demand as it does not increase the number of bedrooms in the property. Furthermore, the proposals does not affect the existing parking arrangements. It therefore has a neutral impact on parking and is acceptable.

Impact on Equalities

- 5.8 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 It is recommended that planning permission is GRANTED.

Contact Officer: Griff Bunce
Tel. No. 01454 863438

CONDITIONS

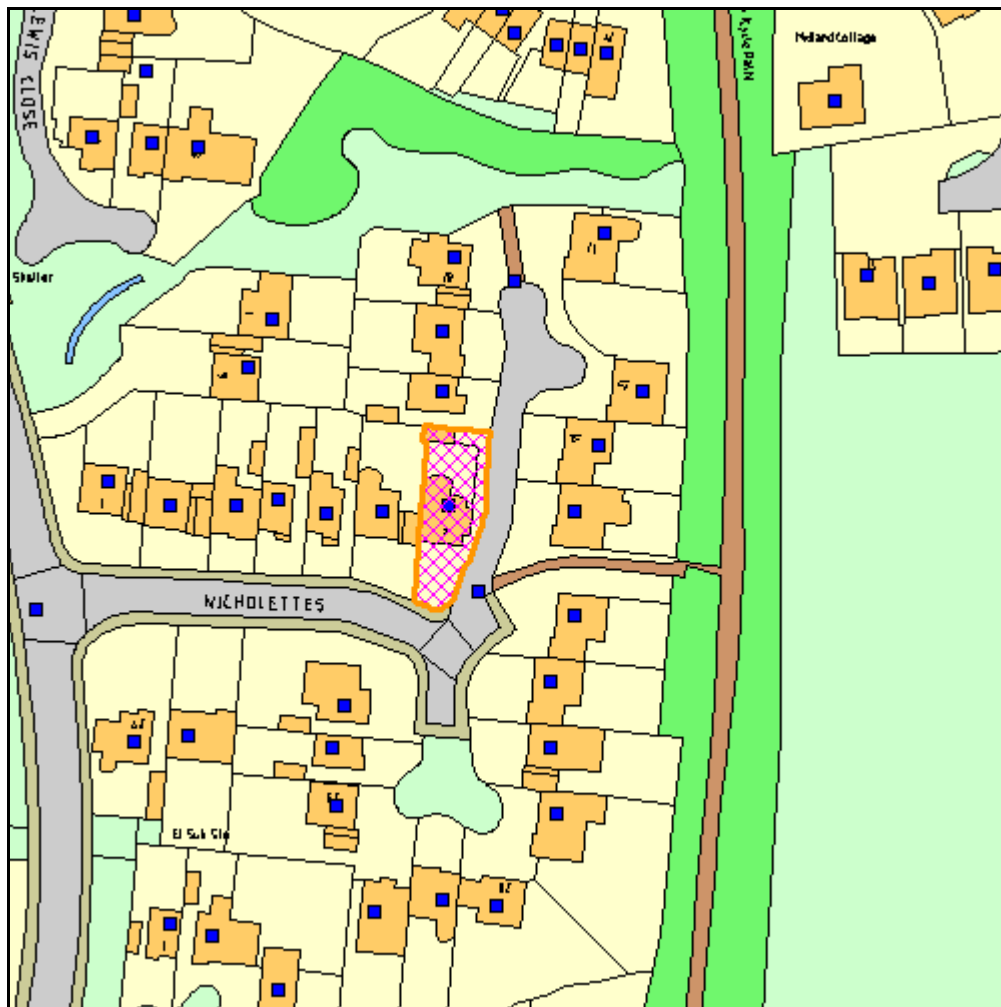
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 27/19 – 5 JULY 2019

App No.:	P19/4790/F	Applicant:	Mr A Tucker
Site:	7 Nicholettes North Common Bristol South Gloucestershire BS30 8YF	Date Reg:	
Proposal:	Erection of single storey rear link extension to facilitate garage conversion and form additional living accommodation and annexe.	Parish:	Bitton Parish Council
Map Ref:	367711 172190	Ward:	Bitton And Oldland Common
Application Category:	Householder	Target Date:	27th June 2019



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N.T.S.

P19/4790/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

The application appears on the Circulated Schedule as there is an objection received from Bitton Parish Council whilst the officer recommendation is one of approval.

1. THE PROPOSAL

- 1.1 The site consists of a modern detached dwelling and garage constructed in the mid to late 20th Century. The property stands on a corner plot. Its front curtilage area is 'open plan' and provides a hard standing and access for private motor vehicles. The rear garden is enclosed with a high brick wall (approximately 2 metres in height) along its length with the adjoining highway, returning to a brick/timber fence boundary (approximately 2 metres in height).
- 1.2 A single garage and short drive way of located at the back of the rear curtilage area. This is adjacent to the boundary of the site with number 8, Nicholettes (to the North). The garage is located approximately 8 metres from the rear elevation of the host dwelling. A small conservatory is attached to the rear of the host dwelling which would be removed as part of the proposed development.
- 1.2 The planning application details the construction of a single storey extension to the rear of the dwelling. This would join the rear elevation of the host dwelling to the garage building within the same curtilage. It is also proposed to convert the garage to living accommodation as part of the development. The development would provide additional living accommodation comprising a 'garden room' off which would be a living area, bedroom and wet room.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2019

- 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

PSP16 Parking Standards

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

3. **RELEVANT PLANNING HISTORY**

- 3.1 None

4. **CONSULTATION RESPONSES**

- 4.1 Bitton Parish Council
Object on the grounds that the development would be an over-intensification of the site and that the development would be out of keeping with the street-scene.
- 4.2 Highway Authority
Adequate vehicular parking is available within the site boundary. No objection raised subject to the inclusion of a condition to ensure that the annex is not sub-let or sub-divided from the main dwelling.

Other Representations

- 4.3 Local Residents
Two sets of comments have been received raising objection and support respectively. The comments are summarised as follows;

Objection

Referring to the South Gloucestershire Development Plan and the National Planning Policy Framework, the objector argues that the proposed development is not consistent with the planning policy.

The proposed development would dominate the rear garden of the property and would fail to conform with the pattern of development in the surrounding area.

The proposed development would be visible from the public realm and other vantage points.

The size scale and design of the development would result in an incongruous feature that would have a detrimental impact upon the character and appearance of the dwelling and the street-scene.

The development would result in inadequate amenity space for the occupants of the dwelling

The proposed development would result in a detrimental and adverse impact upon the amenity of the neighbouring properties at number 6 and number 8 Nicolettes as a result of the length and position of the development and the

perceived loss of privacy and overbearing impact as a result of the 'roof lantern widow' into the existing garage. The width of the extension would result in the loss of light to neighbouring property at number 8.

Concern is raised as to the future use of the development and that the development could result in the intensification of residential development at the property.

The submission does not demonstrate how the development would provide adequate parking and turning space for vehicles within the property resulting in severe harm on Highway Safety. Attention is drawn to the loss of the parking space currently contained within the garage.

Concern is raised that the proposed development will encroach over the neighbouring property and that the applicant has not correctly notified the neighbour in accordance with the planning application process (referring to certificate **a** and **b** of the application form).

The objector has confirmed that no consent would be granted for works on land under their ownership and will not allow access onto their land to carry out the development.

Support

The proposed development would enhance the aspect of the neighbouring property (reference is made to number 6 situated to the West of the application site).

5. ANALYSIS OF PROPOSAL

- 5.1 The proposed development consists of a domestic extension to an existing residential dwelling located within the Bristol East Fringe Urban Area, associated with North Common.
- 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 Design and Local Character
The existing dwelling is a modern detached dwelling with a single garage. It is situated on a corner plot with an open plan frontage. The rear garden is enclosed on its East elevation by a high brick wall along its frontage onto the highway (Nicolettes) whilst the garage forms the rear (North) boundary of the site with the adjoining property to the North.
- 5.4 The proposed development would remove the existing uPVC conservatory and introduce a single storey extension that would join the rear elevation of the existing dwelling to the existing garage building. The extension would be approximately 4½ metres wide. This covers over half of the width of the rear

elevation of the existing dwelling which is 7 metres wide. The length of the extension is approximately 8 ½ metres. The garage building is approximately 2 ½ metres wide. The development would result in a new structure covering the entire length of the rear garden of the property, and which would take up half the width of the existing rear garden area. The development would form the boundary with the adjacent property to the West.

- 5.5 A shallow pitched, and hipped roof structure would be provided over the proposed extension, whilst the flat roof (with a raised roof window) would be retained over the garage. The overall ridge height of the structure would be less than 4 metres in height with the eaves being less than 3 metres in height.
- 5.6 The comments made by the objector are noted. In respect of the characteristics of the development, concern is raised that its scale, size and position would dominate the rear garden of the property and would result in an incongruous feature at odds with the character of the area. Officers acknowledge that the building would take up a large proportion of the garden area. However, the garden area is entirely enclosed along its road side (East elevation) by a high wall and fence and the existing garage encloses the North elevation.
- 5.7 The proposed development is set back against the West elevation of the garden area. Its overall height and position in relation to the boundaries of the subject property is such that it would not be easily visible from the public realm with the roof structure generally visible. Views back towards the site from the North on Nicolettes would be of the existing garage (albeit converted into living accommodation) with the roof of the new structure visible beyond. Officers do not consider that the development would be highly visible from the public realm with relatively passive views along Nicolettes from the North. The proposed development would not result in an incongruous feature and would not have a significant impact upon the visual amenity of the locality. Whilst it is acknowledged that the development would be visible from the first floor side window of the adjoining dwelling to the North, this would not be in a primary view. The view from the side/front curtilage of that dwelling and its ground floor door and window would not significantly change (being of the existing garage retained as part of the proposed development).
- 5.8 Accordingly, officers are satisfied that the proposed development is acceptable in design terms and that there would not be a detrimental impact upon the character and visual amenity of the locality. The development is consistent with the requirements of the South Gloucestershire Development Plan and the National Planning Policy Framework.
- 5.9 Residential Amenity
Comments received from the local community have raised concern regarding the impact of the proposed development upon the amenity of the occupants of adjoining residential properties; as well as the occupants of the subject dwelling. The impact of the development and the concerns raised are considered in respect of each affected property below.

- 5.10 *Number 8, Nicolettes* – this property is located immediately to the North of the application site. The boundary of the property with the application site is made up of the existing single garage (located within the application site) and a short length of open boundary between the driveways of each property. This relationship would not materially change as a result of the proposed development. The roof of the structure would remain flat and its alignment would not change. Comments received suggest that the roof light window to be inserted into the flat roof of the garage would result in an overbearing impact. However, the position of the roof-light window, centrally on the flat roof, would not result in the increase in the general height of the structure and it would not be easily visible at ground level from the adjacent dwelling. It is not of a scale that would generate any material over-shadowing of the adjacent dwelling. Accordingly, officers are satisfied that the impact of the works to the garage would not result in an unacceptable impact upon the residential amenity of the adjoining dwelling to the North.
- 5.11 Officers note that the proposed development would introduce a window in to the front elevation of the existing garage (replacing the existing garage door). This would potentially allow a view across the front garden area of the adjacent dwelling to the North. However, the front garden area is open to the public realm and is currently visible from the garage building. Accordingly, the proposed development would not materially alter the current situation and as such is acceptable. Nonetheless, the impact of this window in respect of the occupants of the new development should be considered and this is addressed later in this report.
- 5.12 The new structure is set well back from the property to the North and is of relatively low height. It is also separated from the adjacent property by the existing garage structure, which would not material change. The new structure would be visible from first floor of the adjacent dwelling to the North, and it would introduce development to the South. However, given the overall height and relationship with the adjacent dwelling, and the orientation of that dwelling officers are satisfied that the development would not overshadow or otherwise result in an overbearing impact. The proposed development is therefore acceptable in that regard.
- 5.13 *Number 6 Nicolettes* - comments made in respect of the impact on the occupants of the dwellings adjoining the application site to the West. The current boundary treatment is made up of a standard timber fence (1.8 metres in height) and a typical arrangement in sub-urban areas such as this. At the time of the officer site visit, the application site also contained a substantial hedge planted along this boundary.
- 5.14 The proposed development would clearly alter this relationship. It would effectively introduce a 2 ½ metre high brick wall along the boundary of the property to the West. However, the position and design of the roof of the proposed structure is such that it would not compound this impact. Given the relative height and orientation of the proposed extension, officers are satisfied that the development would not be significantly different to the existing situation and would not result in a detrimental impact upon the amenity of the dwelling to the West. The proposed development is therefore acceptable in that regard.

- 5.15 *Number 7 Nicolettes (the application site)* – The proposed development would take up around half of the existing rear garden area that is enclosed with the existing wall/fence. The residual area of garden space would be approximately 32 square metres, however it would remain enclosed and private. Policy PSP43 of the South Gloucestershire Policies, Sites and Places Plan provides a guide for the minimum standards for private amenity space associated with residential dwellings. The policy indicates that a dwelling with more than 4 bedrooms should (as a guide) achieve an area of 70 metres square. For the avoidance of doubt, the development itself is not considered to provide an independent residential dwelling requiring its own private residential curtilage. Whilst it is acknowledged that the amount of space retained is significantly less than the policy sets out, it would remain enclosed and the level of privacy it provides would be retained. It is also noted that the development includes a garden room that opens up to the garden area so acting to form part of the interaction between the dwelling and the garden area related to it. Furthermore, it is possible to integrate further space (shown on the submitted plans as a parking space) by implementing ‘permitted development’ enclosure as garden area without compromising the level of off street parking. Whilst officers acknowledge that there is a significant reduction, the residual garden space remains useable and well related to the existing dwelling. Accordingly officers conclude that, in this instance, that the residual amenity space is sufficient and satisfies the planning policy requirement.
- 5.16 The development would provide a new bedroom that would utilise part of the existing garage. A window relating to this bedroom would be introduced into the front elevation of the existing garage. Views of this window would be available from the public realm. However, this is not an unusual occurrence in the urban area and as such it is not considered that the proposed arrangement would otherwise result in an unacceptable impact on the amenity of the occupants of the proposed development.
- 5.17 Accordingly, officers are satisfied that the development is acceptable in residential amenity terms.
- 5.18 Highway Safety
Comments have been received raising concern that there is not sufficient parking available on the site to accommodate policy compliant off street parking spaces; and that the development would not allow adequate turning resulting in a severe highway safety impact.
- 5.19 The existing dwelling benefits from off street parking. The proposed development would result in the loss of the garage, which could be used as a parking space. However, the development would retain the parking space to the front of the garage building. The property also includes a parking area to the front of the existing dwelling (on the former front garden area) which would provide sufficient parking for at least 3 vehicles. Accordingly, officers are satisfied that there is sufficient off street parking provided and that is consistent with planning policy.

- 5.20 Nicholettes is an unclassified highway and a 'cul-de-sac'. Ambient vehicle speeds are very low and movements reflective of the residential nature of the area. Officers are satisfied that vehicular access to the site is safe and in proportion with the characteristics of the local highway network. It is not necessary for vehicles to access and egress the site in a forward gear. Given the nature and characteristics of the proposed development officers are satisfied that there would be no material impact in respect of highway safety. Notwithstanding the objectors concerns, the development would not result in a severe highway safety impact.
- 5.21 Other Matters
Comments received have raised concern about the requirement for the applicant to notify the neighbouring properties and to confirm access onto third party land would be restricted; and in respect of the future use of the proposed extension. These are addressed in turn below.
- 5.22 *The use of the development* – The proposed development consists of a domestic extension to the existing building. It would provide additional living accommodation. Officers note that the application suggests that the accommodation would be used by an elderly relative and includes a living area, bedroom and associated washing facilities. Concern is raised that the development could ultimately be used as a separate dwelling. However, officers do not concur with this view. The development would not result in a separate residential unit, rather has the same characteristics as a typical domestic extension. It would not be separate from the existing dwelling and would be entirely incidental to it.
- 5.23 *Notifications/access to third party land* – An objector argues that the development would encroach into the neighbouring property as it would involve works to the existing garage which abuts the boundary. On this basis, the objector argues that the applicant should complete certificate 'b' on the planning application form to confirm that the appropriate notice has been given to the owner of the affected property by the applicant. The objector has indicated that the applicant has not carried out the notification.
- 5.24 The application is submitted with Certificate 'a' completed. This declares that the development would take place entirely within the ownership of the applicant. Clearly, the objector disputes this. However, whilst the development would affect the garage on the boundary, it is not necessarily the case that the resulting development would encroach into the neighbouring property. Indeed, there is nothing to suggest that the conversion of the garage to residential accommodation would result in any changes to its north elevation or the eaves of the building on that elevation. Alterations to the roof (to provide the roof light) and the replacement of the garage door with a widow would take place within the ownership of the applicant. Officers are therefore satisfied that the applicant has provided the correct certificate.
- 5.25 In the event that access into the neighbouring property is required to carry out the development, there this is a civil matter, and in this instance covered by 'Party Wall' legislation; and as such is a matter afforded very limited weight in the assessment of this application.

5.26 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.

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

7. RECOMMENDATION

7.1 That Planning Permission is granted subject to the condition set out on 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).

CIRCULATED SCHEDULE NO. 27/19 – 5 JULY 2019

App No.:	P19/5102/TRE	Applicant:	Mr Chris Buckley
Site:	4 High Street Wickwar Wotton Under Edge South Gloucestershire GL12 8NE	Date Reg:	13th May 2019
Proposal:	Installation of water pipe through the root protection zone of 1 no. Ash tree covered by Preservation Order SGTP006/14 dated 01st July 2014.	Parish:	Wickwar Parish Council
Map Ref:	372330 188616	Ward:	Ladden Brook
Application Category:		Target Date:	4th July 2019



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N.T.S.

P19/5102/TRE

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 Installation of water pipe through the root protection zone of 1 no. Ash tree covered by Preservation Order SGTPO06/14 dated 01st July 2014.
- 1.2 The installation is for no.4 High Street, Wickwar, Wotton Under Edge, South Gloucestershire, GL12 8NE.

2. POLICY CONTEXT

- 2.1 National Guidance
 - i. The Town and Country Planning Act 1990
 - ii. The Town and Country Planning (Tree Preservation) (England) Regulations 2012.

3. RELEVANT PLANNING HISTORY

- 3.1 PK18/4855/TCA, Site Address: School House, 4 High Street, Wickwar, Wotton Under Edge, South Gloucestershire, GL12 8NE, Decision: NOB, Date of Decision: 23-NOV-18, Proposal: Works to fell 2 no. Sycamore trees in the Wickwar Conservation Area. Replace with an alternative native tree(s). CIL Liable:

4. CONSULTATION RESPONSES

- 4.1 Wickwar Parish Council objects on the basis that the work is likely to cause damage to the ash tree covered by Preservation Order SGTPO06/14 dated 01st July 2014.

Other Representations

- 4.2 Local Residents

A local resident has also objected on the grounds that they feel the work will cause damage to the root system of the trees in the vicinity.

5. ANALYSIS OF PROPOSAL

- 5.1 Proposed Works

Installation of water pipe through the root protection zone of 1 no. Ash tree.
- 5.2 Principle of Development

The only issues to consider are whether the proposed works would have an adverse impact on the health, appearance, or visual amenity offered by the tree to the locality and whether the works would prejudice the long-term retention of the specimen.

5.3 Consideration of Proposal

Given the physical, topographical constraints of the site, it is considered that the proposed methodology for the installation of the water main is the least destructive possible.

5.4 The planned route is to the north of a protected Ash on the frontage of the property. The majority of tree roots are found in the top 600mm of the ground and it is the intention to mole below this, at a depth of between 750mm to 1200mm, in order to avoid damaging the majority, if not all, of the tree's root system.

5.5 The precautions and methodology of works provided are drawn from British Standard 5837:2012 which provides recommendations for construction related works in the proximity of trees. This is considered to be industry best practice and is the guidelines used to drive tree protection on all development sites.

5.6 Having met the applicant on site, the South Gloucestershire Council Tree Officer is satisfied that all possible steps are proposed to avoid damage to the root system of the protected tree.

5.7 A condition of consent would be that the works are undertaken in accordance with the submitted Method Statement.

6. RECOMMENDATION

6.1 That consent is GRANTED subject to the conditions on the decision notice.

Contact Officer: Lea Bending
Tel. No. 01454 864201

CONDITIONS

1. The works hereby authorised shall be carried out within two years of the date on which consent is granted.

Reason

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

2. The works hereby authorised shall be carried out in line with the submitted Method Statement and in accordance with British Standard 5837:2012 - Trees in relation to design, demolition and construction - Recommendations.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of the health and visual amenity of the tree, and to accord with The Town and Country Planning (Tree Preservation) (England) Regulations 2012.