

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. 21/19

Date to Members: 23/05/2019

Member's Deadline: 30/05/2019 (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

Important Interim Arrangements for this weeks Circulated Schedule Only

In the absence of elected Development Management Committee Chair or Spokes, it is not necessary for members to undertake step d). If all other steps are correctly undertaken, the Planning Manager will take the request for a referral to the Director. Following discussion with the Director, the Planning Manager will then liaise with the two members responsible for the request.

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 list 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

| Schedule Number | Officers Deadline reports to support | Date to Members | Members deadline | Decisions issued from |
|-----------------|--------------------------------------|------------------------|------------------------|-----------------------|
| 18/19 | NO CIRCULTED DUE TO ELECTIONS | | | |
| 19/19 | Normal | | | |
| 20/19 | Normal | | | |
| 21/19 | Wednesday 22 May 12pm | 9am Thursday 23 May | 5pm Thursday 30 May | Friday 31 May |

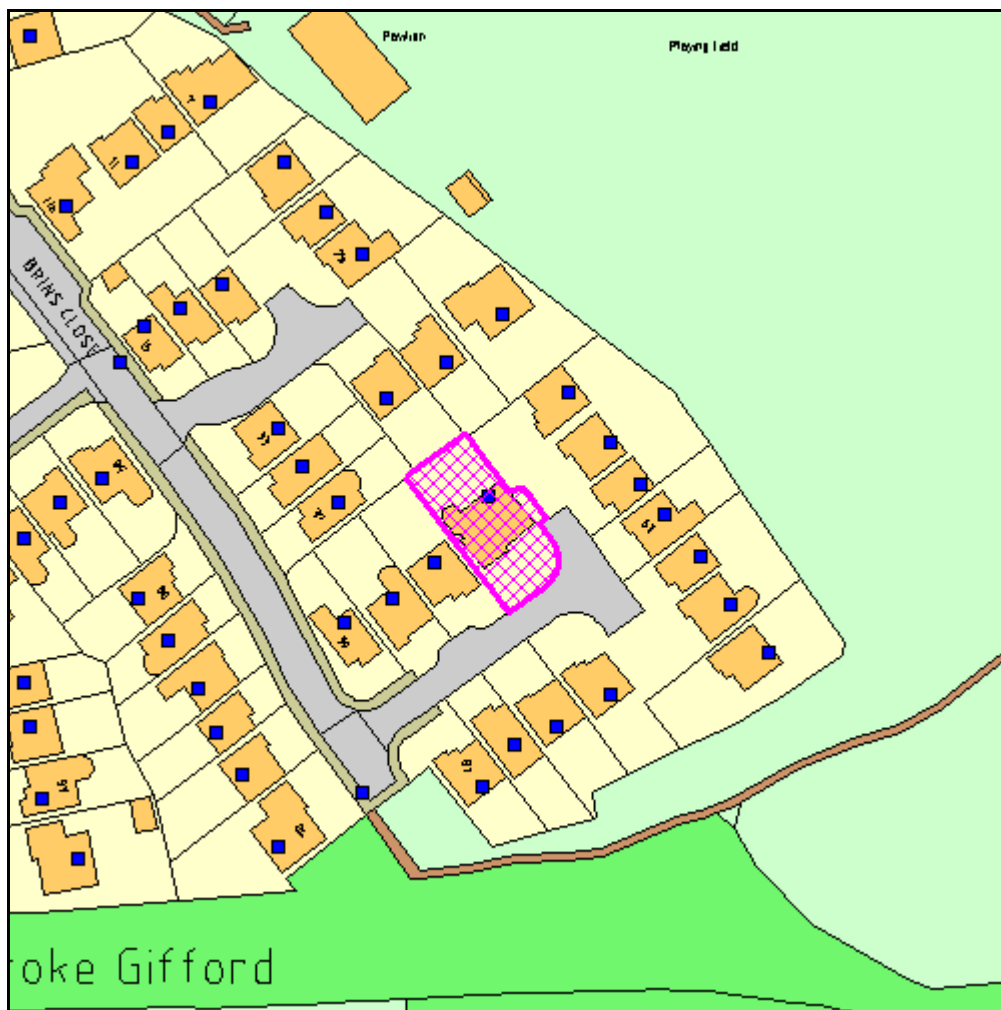
Dates and officer deadlines for Circulated Schedule May Bank Holidays 2019

CIRCULATED SCHEDULE - 23 May 2019

| ITEM NO. | APPLICATION NO. | RECOMMENDATION | LOCATION | WARD | PARISH |
|----------|-----------------|-------------------------|---|-------------------------|---------------------------------|
| 1 | P19/3608/F | Approve with Conditions | 45 Brins Close Stoke Gifford South Gloucestershire BS34 8XU | Stoke Gifford | Stoke Gifford Parish Council |
| 2 | P19/3933/F | Approve with Conditions | 16 Harcombe Hill Winterbourne Down South Gloucestershire BS36 1DE | Winterbourne | Winterbourne Parish Council |
| 3 | PK18/5822/F | Approve with Conditions | 97 Parkwall Road Cadbury Heath South Gloucestershire BS30 8HB | Parkwall And Warmley | Oldland Parish Council |

CIRCULATED SCHEDULE NO. 21/19 – 23 MAY 2019

| | | | |
|------------------------------|--|---------------------|---------------------------------|
| App No.: | P19/3608/F | Applicant: | Mr & Mrs Johnson |
| Site: | 45 Brins Close Stoke Gifford Bristol South Gloucestershire BS34 8XU | Date Reg: | 9th April 2019 |
| Proposal: | Single storey side extension to provide additional living accommodation. | Parish: | Stoke Gifford Parish Council |
| Map Ref: | 362639 179730 | Ward: | Stoke Gifford |
| Application Category: | Householder | Target Date: | 3rd June 2019 |



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

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application has been submitted to the Council's circulated schedule procedure as the Parish has objected to the proposal.

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the erection of a single storey side extension to provide additional living accommodation at 45 Brins Close, Stoke Gifford.
- 1.2 The application site relates to a large, detached dwelling in an area of similarly designed dwellings of various design. It is located in the built up, residential area of Stoke Gifford.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework February 2019
National Planning Policy Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

| | |
|------|--|
| CS1 | High Quality Design |
| CS4a | Presumption in Favour of Sustainable Development |
| CS5 | Location of Development |
| CS8 | Improving Accessibility |

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

| | |
|-------|--|
| PSP1 | Local Distinctiveness |
| PSP8 | Residential Amenity |
| PSP11 | Transport |
| PSP16 | Parking Standards |
| PSP38 | Development within Existing Residential Curtilages |
| PSP43 | Private Amenity Standards |

2.3 Supplementary Planning Guidance

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

3. RELEVANT PLANNING HISTORY

- 3.1 PT03/3178/F
Erection of side and rear conservatory.
Approved: 07.11.2003

4. CONSULTATION RESPONSES

4.1 Stoke Gifford Parish Council

The Parish council objected to the proposal on the grounds that they would consider it over development and out of keeping with the existing street scene.

4.2 Other Consultees

The Sustainable transport team were consulted and they had no objections.

Other Representations

4.3 Local Residents

We have received one objection comment from local residents which outlines the following:

- The distance between the neighbouring properties and the proposed extension is smaller than any equivalent separation distance on Brins Close.
- The height of the proposed extension would create a feeling on overcrowding.
- There is insufficient distance between the proposal and neighbouring driveways to manoeuvre safely. Removal of the existing hedge allows for less margin of error.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

5.2 Design and Visual Amenity

The proposed development consists of the erection of a single storey side extension to increase the size of the living area at 45 Brins Close. The side extension would introduce a new window to the principle elevation and the roof pitch would match that of the existing dwelling. All materials used in the external finish would match the existing property.

- 5.3 An objection comment was received regarding the proposed extension as overdevelopment and out of keeping with the existing street scene. Brins close is a large road that consists of a multitude of different sized dwellings that while are of similar design (with some exceptions) appear visually different from the street. It is considered that the extension is not excessive in size and therefore would not contribute to a significant change in the street nor overdevelopment.

- 5.4 The case officer considers the proposed extension to be a modest addition which would not be excessive or detrimental to the host dwelling and the surrounding area. On balance it is considered that an acceptable standard of design has been achieved, and the proposal therefore accords with policy CS1 of the Core Strategy and PSP1 of the Policies, Sites and Places Plan.
- 5.5 Residential Amenity
Policy PSP38 of the Policies, Sites and Places Plan explains that development will be permitted provided that it would not detrimentally impact the residential amenities of nearby occupiers and would not prejudice the retention of adequate private amenity space. Policy PSP8 specifically relates to impacts on residential amenity, and outlines that unacceptable impacts could result from (but are not restricted to); loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and odours, fumes or vibration.
- 5.6 An objection comment was received regarding the distance between the proposed extension and the neighbouring occupier at no. 49. The boundary line is measured as 9.5m from the front elevation of no. 49 and the extension would not be built to the boundary line, it would fall 0.15m short. Whilst it would be closer to no. 49 than the existing side elevation the proposal would be situated wholly within the boundary and would occupy less space than the current hedge the extends over this boundary slightly.
- 5.7 Considering the single storey nature of the proposed side extension it would not appear to have an overbearing or overlooking impact. It is subservient to the existing house and would therefore not contribute to any impact of the existing levels of light afforded to the neighbouring occupiers. Furthermore it is considered that sufficient private amenity space would remain for the occupiers of the hose dwelling following development.
- 5.8 An objection comment was received regarding the height of the proposed extension suggesting that it would create an overbearing feeling. It is not often considered that single storey side structures contribute towards an overbearing feeling, especially when subservient to the overall height of the original dwelling. It is also worth noting that permitted development allows for side extensions to be built up to a height of 4m and therefore it is considered that the height would not be an issue.
- 5.9 An objection comment was also received regarding the parking and manoeuvring of vehicles being more difficult if the existing hedge be replaced with a solid structure. The case officer has noted these comments however the proposed side extension would occupy less space than the existing hedge as it would leave a distance of 0.15m to the boundary line whereas the hedge has grown beyond the boundary line. It is therefore not considered that there will be any change to the existing parking issue with the erection of a side extension.
- 5.10 Overall, the development is not considered to be detrimental to residential amenity and is deemed to comply with policy PSP8 of the Policies, Sites and Places plan (Adopted November 2017).

5.11 Transport

There are no alterations to the existing parking layout nor are there any additional bedrooms being proposed. Therefore there are no objections on transport grounds.

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

Contact Officer: Jake Horwood
Tel. No. 01454 868400

CONDITIONS

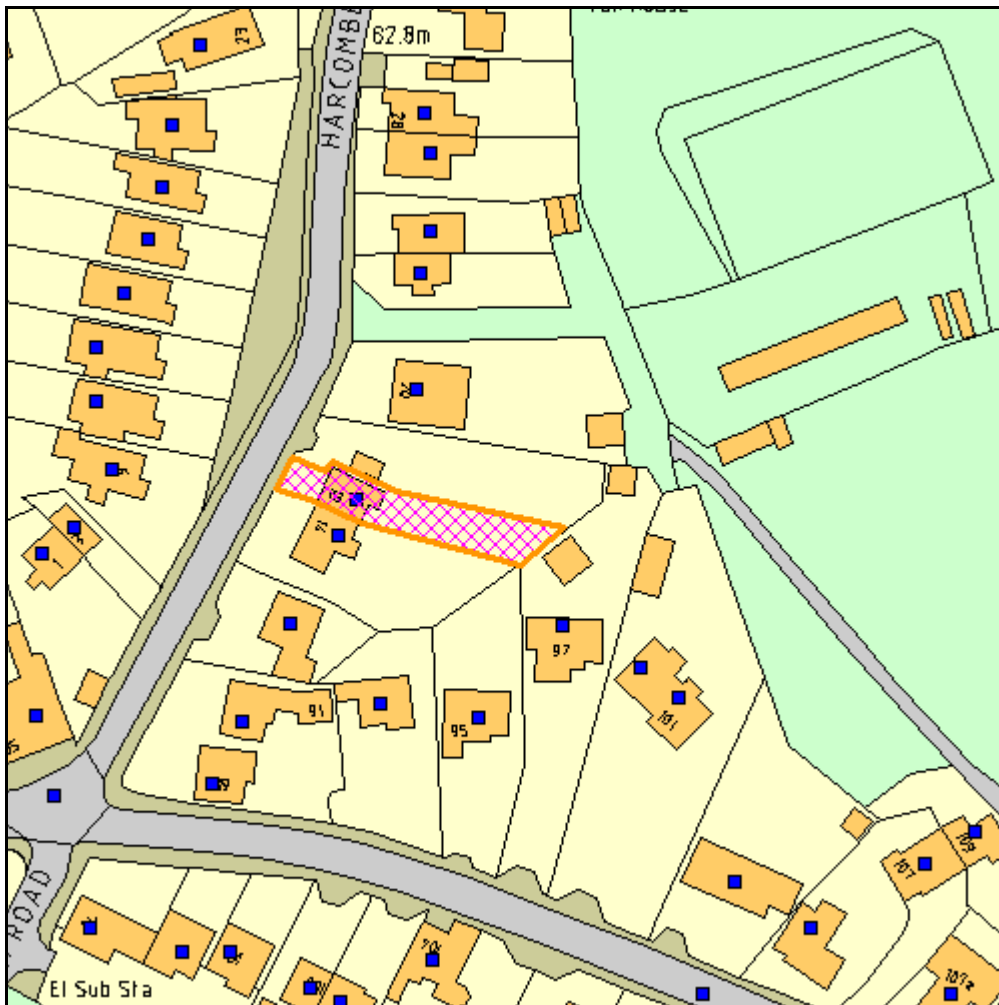
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 21/19 – 23 MAY 2019

| | | | |
|------------------------------|---|---------------------|--------------------------------|
| App No.: | P19/3933/F | Applicant: | Ms C Stuart |
| Site: | 16 Harcombe Hill Winterbourne Down Bristol South Gloucestershire BS36 1DE | Date Reg: | 12th April 2019 |
| Proposal: | Reconfiguration of vehicular access | Parish: | Winterbourne Parish Council |
| Map Ref: | 365453 179691 | Ward: | Winterbourne |
| Application Category: | Householder | Target Date: | 4th June 2019 |



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P19/3933/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 SUBMISSION TO THE CIRCULATED SCHEDULE

This application has been submitted to the Council's Circulated Schedule procedure as comments received from the local Parish Council have been received contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the reconfiguration of vehicular access at 16 Harcombe Hill, Winterbourne Down.
- 1.2 The application site relates to a semi-detached dwelling, located in a residential area of Winterbourne. The proposal site is adjacent to a site for which an approved new dwelling is being constructed. The application seeks permission to alter the access approved as part of this application.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework February 2019
National Planning Policy Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

| | |
|------|--|
| CS1 | High Quality Design |
| CS4a | Presumption in Favour of Sustainable Development |
| CS5 | Location of Development |
| CS8 | Improving Accessibility |

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

| | |
|-------|--|
| PSP1 | Local Distinctiveness |
| PSP8 | Residential Amenity |
| PSP11 | Transport |
| PSP16 | Parking Standards |
| PSP38 | Development within Existing Residential Curtilages |
| PSP43 | Private Amenity Standards |

2.3 Supplementary Planning Guidance

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

3. RELEVANT PLANNING HISTORY

- 3.1 PT18/2919/F

Erection of 1no dwelling with parking and associated works. Resubmission of PT18/0277/F.

Approved with conditions: 29/08/2019

4. CONSULTATION RESPONSES

4.1 Winterbourne Parish Council

The Parish Council object to this application as they have concerns that cars will need to reverse onto the highway due to the no turning provision.

4.2 Transport

Sustainable Transport have objected to the application on the following grounds:

- Intensification of the site was only allowed because of the usable turning head for both properties (where one previously did not exist)
- Removal of this for residents will increase hazards to the travelling public and be contrary to policy PSP11.

Other Representations

4.3 Local Residents

No comments have been received from local residents.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy PSP38 of the PSP Plan (Adopted November 2017) allows the principle of development within residential curtilages, subject to considerations of visual amenity, residential amenity and highway safety. Policy CS1 seeks that the proposal is informed by, respects and enhances the character, distinctiveness and amenity of both the application site and its context. Furthermore, Policy CS8 of the Core Strategy seeks that car parking and vehicular access should be well integrated and situated so it supports the street scene and does not compromise walking, cycling, public transport infrastructure and highway safety. The proposal accords with the principle of development subject to the consideration below.

5.2 Design and Visual Amenity

The application seeks to re-configure the existing site access at 16 Harcombe Hill. The access previously approved under PT18/2919/F (application for 1no. dwelling on the land adjacent to no.16) included the provision of a turning head which was to be used by both properties. This will still be provided, however it will not be used by no.16. The wall to the frontage of no.16 has been removed and it is proposed that this will not be re-instated after the development under PT18/2919/F is complete, giving an open double driveway. Visually, this is not considered to be detrimental to the street scene; this type of development is appropriate in residential areas. As such, it is considered to comply with policies PSP38 of the Policies Sites and Places Plan, and policy CS1 of the Core Strategy.

5.3 Residential Amenity

Policy PSP8 of the PSP Plan (November 2017) sets out that development within existing residential curtilages should not prejudice residential amenity through overbearing; loss of light; and loss of privacy of neighbouring occupiers.

- 5.4 Due to the nature of the proposal, it is not considered that the proposal will have a material impact on the residential amenity of the neighbouring or surrounding occupiers and it therefore complies with policy PSP8 of the Policies Sites and Places Plan.

5.5 Transport

Both the Transport Officer and the Parish Council have objected to the application on the grounds that the removal of the turning circle for no.16 would mean that vehicles could not enter and exit the site in forward gear which will cause a highway hazard and be contrary to policy PSP11.

- 5.6 Whilst the case officer acknowledges that the approved scheme (PT18/2919/F), which provided a turning head which was to be used by both properties, did have the benefit of improving the access for no.16, historically this was not provided. Vehicles entered and existed a single track driveway. The proposed scheme involves the removal of the wall to the frontage of the property (it is noted that this has already been undertaken) and the widening of the access, so that two cars can be parked on the driveway, perpendicular to the highway. Due to the removal of the turning circle for this property, vehicles will be unable to enter and exit the site in forward gear, which could prevent a hazard to the highway. However, the case officer does not consider that this will be an unacceptable impact, as before the new dwelling at the adjacent site was approved vehicles had no turning space. Whilst the proposed new dwelling will represent an intensification of the site and increase the vehicular movements on this section of the highway, it will still benefit from the use of the turning circle.

- 5.7 Paragraph 109 of the NPPF states that “development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”. Whilst the case officer acknowledges that there will be an impact on the highway, due to the fact that historically, no turning circle was available at no.16 and the occupiers of the new dwelling will still have use of the turning circle, it would be unreasonable to refuse the application. The impact is not considered to be unacceptable to the point which would warrant a refusal on this basis alone, nor will it create a severe cumulative impact on the road network. The case officer therefore does not consider a refusal on transportation grounds is warranted in this case.

5.8 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.

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

6. CONCLUSION

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

7. RECOMMENDATION

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

Contact Officer: Isabel Daone
Tel. No. 01454 863787

CONDITIONS

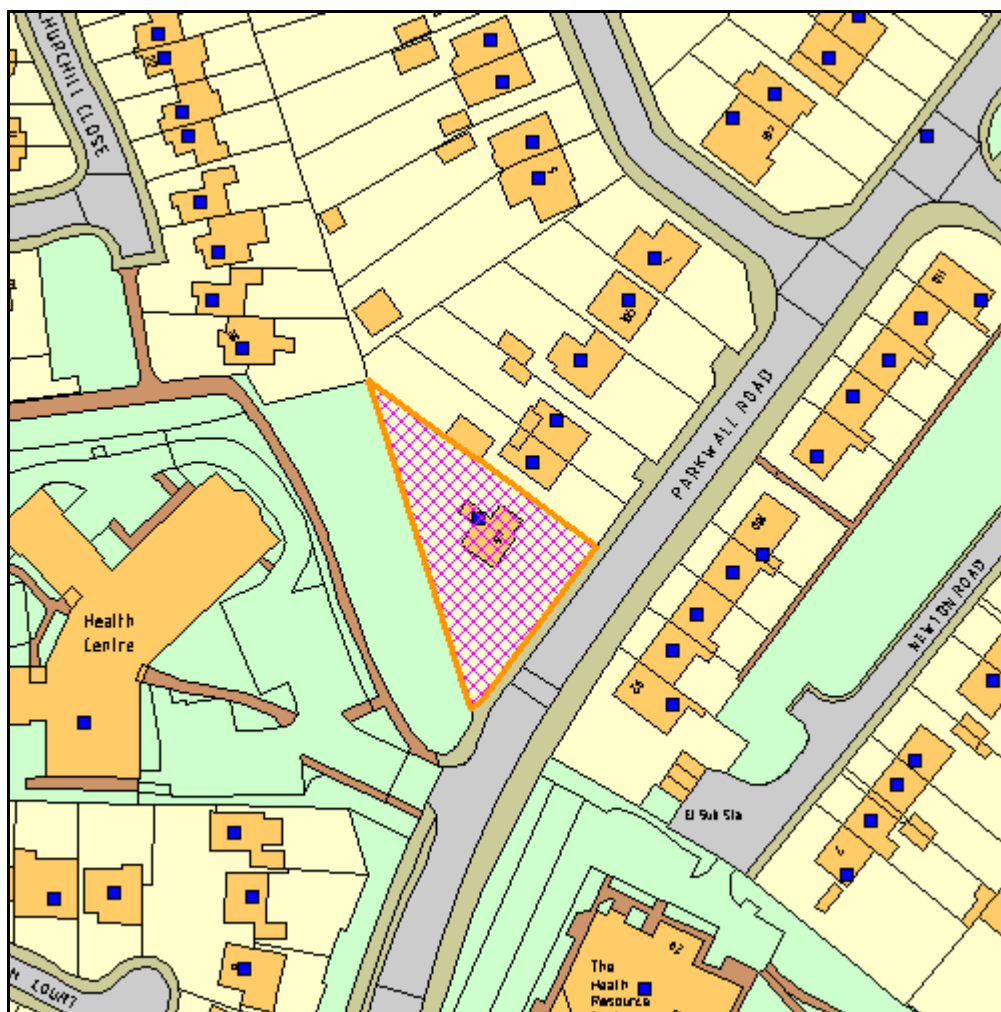
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 21/19 – 23 MAY 2019

| | | | |
|------------------------------|---|---------------------|------------------------|
| App No.: | PK18/5822/F | Applicant: | Mrs Pamela Coleman |
| Site: | 97 Parkwall Road Cadbury Heath Bristol South Gloucestershire BS30 8HB | Date Reg: | 7th December 2018 |
| Proposal: | Erection of 1 no. dwelling with new access, parking and associated works. | Parish: | Oldland Parish Council |
| Map Ref: | 366195 172168 | Ward: | Parkwall And Warmley |
| Application Category: | Minor | Target Date: | 1st February 2019 |



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PK18/5822/F

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

REASONS FOR REPORTING TO CIRCULATED SCHEDULE

A representation has been made by the parish council, which is contrary to the findings of this report. Under the current scheme of delegation it is therefore required to be taken forward under the Circulated Schedule procedure.

1. THE PROPOSAL

- 1.1 Planning permission is sought for the erection of 1no. attached dwelling with new access, parking and associated works. The application relates to no. 97 Parkwall Road, Cadbury Heath.
- 1.2 The application site comprises a detached, two storey property set within a relatively large, triangular shaped plot. A hedgerow runs along the eastern boundary of the site. The site is situated within the urban fringe area of Cadbury Heath. The site is located in an area of historic coal mining activity, and therefore within a Development High Risk Area.
- 1.3 Revised Plans were received on 9th April 2019. The plans show a proposed parking area with vehicle tracking, and also include relatively minor alterations to the appearance of the proposed dwelling. However the level of change was considered to trigger a further round of consultation, which was carried out from 12th April 2019 to 28th April 2019.

2. POLICY CONTEXT

2.1 National Guidance

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

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

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

| | |
|------|-----------------------|
| PSP1 | Local Distinctiveness |
| PSP3 | Trees and Woodland |

| | |
|-------|--|
| PSP8 | Residential Amenity |
| PSP11 | Transport Impact Management |
| PSP16 | Parking Standards |
| PSP22 | Unstable Land |
| PSP38 | Development within Existing Residential Curtilages, Including Extensions and New Dwellings |
| PSP43 | Private Amenity Space Standards |

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

3. **RELEVANT PLANNING HISTORY**

3.1 **PK17/5120/F**

Erection of 1 no. detached dwelling with new access and associated works.

Withdrawn: 09.02.2018

Withdrawn following identification of following issues:

- 1) *Design - Not considered that the more contemporary appearance of the proposed dwelling sufficiently reflects the appearance of surrounding properties, and that the new dwelling would appear as an incongruous addition within the streetscene. Proposal contrary to policy CS1 of Core Strategy (2013).*
- 2) *Residential Amenity - Insufficient provision of usable, private amenity space. Proposal there contrary to policy PSP43 of Policies, Sites and Places Plan (2017).*
- 3) *Coal Authority objection – site located in Development High Risk Area and no Coal Mining Risk Assessment Report submitted as part of application.*

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

4.1 Oldland Parish Council

Objection on grounds of dangerous access to site. Site is a known accident blackspot.

4.2 Other Consultees

Sustainable Transport

Insufficient information to allow determination of application from highway safety point of view. Applicant required to submit visibility splays and plan showing that suitable off-street turning area can be provided.

Lead Local Flood Authority

No objection in principle - The application indicates that surface water runoff will discharge into the mains system. In the first instance our preference is for surface water to be managed using infiltration methods (i.e. soakaways).

Tree Officer

No comment

Archaeology Officer

No comment

Coal Authority

Objection – No Coal Mining Risk Assessment submitted.

Other Representations

4.3 Local Residents

No comments received

5. CONSULTATION RESPONSES (SECOND ROUND OF CONSULTATION)

5.1 Oldland Parish Council

Continued objection on grounds of inadequate provision of safe access.

5.2 Other Consultees

Sustainable Transport

Submitted plans are not what was requested. Notwithstanding this, prepared to recommend approval subject to conditions requiring parking to be provided, hedgerow to be removed and no boundary treatment to be erected in future.

Lead Local Flood Authority

Comments as per previous

Tree Officer

No comment

Archaeology Officer

No comment

Coal Authority

Concurs with the recommendations of the Coal Mining Risk Assessment Report. No objection subject to conditions relating to ground investigations.

Other Representations

5.3 Local Residents

No comments received

6. **ANALYSIS OF PROPOSAL**

6.1 Principle of Development

Planning permission is sought for the erection of a new attached dwelling at a site in Cadbury Heath. Policy CS5 of the Core Strategy outlines the locations at which development is considered appropriate. CS5 dictates that most new development in South Gloucestershire will take place within the communities of the north and east fringes of the Bristol urban area, and within defined settlement boundaries. The application site is situated within the area defined as the east fringe of the Bristol urban area. As such, based solely on the location of the site, the principle of the development is acceptable.

- 6.2 The development is acceptable in principle under the provisions of policy CS5, and it is acknowledged that the provision of a new dwelling towards housing supply would have a modest socio-economic benefit. However the impacts of the development proposal must be further assessed against relevant policy in order to identify any potential harm. For this type of development at this location, the further areas of assessment are; impacts on visual amenity, impacts on residential amenity, and impacts on the surrounding transport network.

6.3 Design and Visual Amenity

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

- 6.4 At present, the application site comprises a detached dwellinghouse set within a spacious plot. The dwelling is constructed in style typical of the inter-war period, and incorporates a hipped roof, with a front bay and dormer window. The immediate streetscene is fairly mixed, with a row of bungalows situated on the opposite side of Parkwall Road. However the adjacent properties immediately to the north-east of the site comprise a semi-detached pair.

- 6.5 The proposal seeks to attach a new dwelling to the south-west elevation of the host dwelling; thus creating a semi-detached pair. The proposed dwelling would incorporate a similar form to the existing property, with a hipped roof and bay window proposed. Having reviewed the proposed appearance within the context of the streetscene, it is considered that the resultant semi-detached pair would appear sufficiently similar to the adjacent properties. As such, it is concluded that the resultant pair would integrate effectively in to the streetscene, and would not appear as incongruent features, to the detriment of visual amenity.

- 6.6 The more detailed elements of the design are also considered appropriate. The external finish of the proposed dwelling would match the existing property, which is considered the most appropriate approach in this case. Overall, it is considered that an acceptable standard of design has been achieved, and the proposal therefore accords with policy CS1.

6.7 Residential Amenity

- Policy PSP8 of the Policies, Sites and Places Plan outlines that development proposals will be acceptable provided that they do not create unacceptable living conditions or have an unacceptable impact on the residential amenity of the occupiers of the development or of nearby properties. Unacceptable impacts could result from (but are not restricted to); loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and odours, fumes or vibration.
- 6.8 The proposed dwellinghouse would be set to the south-west of the existing dwelling. The south-western boundary of the site borders a public footpath, with The Oaks Medical Practice situated beyond. Subsequently, there are no residential properties situated immediately to the side of the proposed dwelling. Furthermore, the rear garden area serving the site is of a substantial length. Given the degree of separation between the proposed dwelling and any surrounding residential units, it is not considered that the proposal would have any significant impact on the residential amenity of neighbouring residents.
- 6.9 The main impact in this respect would be experienced by the occupants of the existing property at the site. The proposed dwelling would largely follow the same building line as the existing, and as such, any sense of overbearing or overshadowing would be minimal in this regard. A rear gable is proposed, and it is acknowledged that this would have a greater impact. However the gable would only be of a relatively modest depth, and as such it is not considered that outlook from windows would be severely impaired. The fact that a large garden would still be retained at the host dwelling would also reduce any sense of overbearing.
- 6.10 In terms of overlooking, windows have been arranged as to avoid significant inter-visibility between the two properties. Overall, it is considered that the two properties would have an acceptable relationship with one another.
- 6.11 In terms of amenity space, it is proposed to sub-divide the existing rear garden area in to two. A total of 137m² of space would be provided to the rear of the proposed dwelling, with 138m² of space retained for the existing. Large front garden areas would also be provided for each dwelling.
- 6.12 In terms of area, the proposed provision for the 3-bed properties far exceeds the minimum requirement of 60m², as set out in policy PSP43 of the Policies, Sites and Places Plan. However PSP43 outlines that any amenity space should be sufficiently private, functional and accessible.
- 6.13 Due to the triangular nature of the plot, the overall arrangement would be somewhat awkward. The rear garden area serving the proposed dwelling would be fairly narrow, and would be angled away from the property. As a result, the area would also be partially overlooked by the existing property. However the significant size of the garden is acknowledged. The areas immediately to the rear of the garden would offer an area of relatively private, usable outdoor space for future occupants. Whilst not as accessible, the far end of the garden would provide a more private space for prospective occupants. Overall, whilst the arrangement is not ideal, it is considered that an acceptable standard of

living would be afforded to future occupants. The rear garden arrangement for the existing dwelling is also considered acceptable.

- 6.14 Subject to a condition restricting the permitted hours of operation during the construction period, it is not considered that the proposal would have any unacceptable impacts on residential amenity. The proposal therefore accords with policy PSP8 of the Policies, Sites and Places Plan.

6.15 Transport

The concerns raised by the parish council regarding the suitability of the vehicular access have been taken in to consideration. However following the submission of additional information, the transport officer is satisfied that adequate visibility can be achieved if the existing hedgerow at the eastern boundary of the site is removed, with any replacement treatment not exceeding 0.6m in height. Conditions will be attached to any decision securing the removal of the hedgerow and restricting the height of any replacement boundary treatment. Provided that this occurs, it is considered that adequate visibility would be achievable. The fact that the proposal only relates to the erection of one additional dwellinghouse also limits the overall impact in this respect.

- 6.16 In terms of on-site parking and manoeuvring, under policy PSP16 of the Policies, Sites and Places Plan, a minimum of 2 parking spaces should be provided for the new 3-bed property. An amended site plan indicates that two parking spaces will be provided to the frontage of the new dwelling.

- 6.17 However the arrangement of parking spaces as shown on the site plan would conflict with the proposed on-site turning area. The transport officer has raised this as an issue. However given the size of the front garden area, it is considered that 2no. parking spaces can be achieved to the frontage of the proposed dwelling, without conflicting with any turning area. As such, and notwithstanding the site plan that has been submitted, a condition will be attached to any decision requiring two parking spaces and an independent turning area to be provided on-site prior to the first occupation of the dwelling.

- 6.18 In terms of the access and parking arrangements for the existing dwelling, these would remain largely unaltered as part of the development. The only material difference would be the removal of the existing hedgerow, which would represent an enhancement in terms of overall highway safety.

- 6.19 Subject to the conditions set out above, it is not considered that the proposal would have any unacceptable impact on highway safety, and that an adequate parking provision could be made for the development. The proposal therefore accords with policies PSP11 and PSP16 of the Policies, Sites and Places Plan.

6.20 Removal of Hedgerow

The transport officer has outlined that in order for adequate visibility to be achieved at the site access, the existing hedgerow along the eastern boundary of the site should be removed. Whilst the loss of the hedge is regrettable, the hedgerow is not considered to be overly distinctive, or contribute significantly to the character of the wider area. Overall, any harm from a visual perspective is

considered to be outweighed by the improvements to the access for both the existing and proposed dwellings.

6.21 Coal Mining

A Coal Mining Risk Assessment was submitted during the course of the application. The Coal Authority concur with its findings and recommendations, and subject to the application of conditions requiring ground investigations to be carried out, raise no objection to the proposal. Conditions to this effect will be appended to any decision.

6.22 Drainage

It is acknowledged that the drainage officer has commented on the proposed method of surface water disposal, and that infiltration systems should be considered instead of a connection to a mains sewer. Whilst these comments should be taken in to account by the applicant, given the modest scale of the development, it is concluded that this matter can be satisfactorily addressed at buildings regulations stage.

6.23 Equalities

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

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

6.25 Planning Balance

Having considered the detailed impacts of the development proposal, no significant harm has been identified which outweighs the benefits of providing a new dwelling at a sustainable, urban location. The proposal therefore succeeds and planning permission should be granted.

7. CONCLUSION

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

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

8. **RECOMMENDATION**

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

Contact Officer: Patrick Jackson
Tel. No. 01454 863034

CONDITIONS

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

Reason

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

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

Reason

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

3. Prior to the first occupation of the dwelling hereby approved and notwithstanding the details shown on the submitted site plan (Drawing no. 02), a minimum of two off-street parking spaces plus an independent off-street turning area shall be provided for the new dwelling within the site boundary, and shall thereafter be retained for these purposes.

Reason

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policy CS8 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013; Policy PSP16 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the South Gloucestershire Residential Parking Standards SPD (Adopted) December 2013.

4. Prior to the first occupation of the dwelling hereby approved, the existing hedgerow along the eastern site boundary shall be removed in order to provide sufficient visibility splays from the site access on to the public highway.

Reason

To ensure that adequate visibility can be achieved at the site access, in the interests of highway safety and to accord with Policy CS8 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013 and Policy PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

5. Any boundary treatment erected at the eastern boundary of the site shall not exceed 0.6m in height.

Reason

To ensure that adequate visibility can be achieved at the site access, in the interests of highway safety and to accord with Policy CS8 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013 and Policy PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

6. Prior to the commencement of development, a scheme for intrusive site investigation into the coal mining legacy issues on the site shall be submitted to and approved in writing by the Local Planning Authority.

Reason

To establish if remedial works to treat areas of shallow mine workings are required and to ensure the safety and stability of the proposed development to accord with Policy PSP22 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and Policy CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013.

This information is required prior to the commencement of development as it is first necessary to establish whether historic coal mining has affected the stability and safety of the land, prior to any development commencing on site.

7. Prior to the commencement of development, the intrusive site investigations as required by condition 6 shall be undertaken in accordance with the approved scheme. This shall be followed by the submission of a report to the Local Planning Authority, setting out the findings of the intrusive site investigations.

Reason

To establish if remedial works to treat areas of shallow mine workings are required and to ensure the safety and stability of the proposed development to accord with Policy PSP22 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and Policy CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013.

This information is required prior to the commencement of development as it is first necessary to establish whether historic coal mining has affected the stability and safety of the land, prior to any development commencing on site.

8. Should intrusive site investigations carried out in accordance with conditions 6 and 7 require remedial works, details shall be submitted to the Local Planning Authority for written approval and development should be carried out in accordance with the approved details.

Reason

To ensure the safety and stability of the proposed development and to ensure any necessary remedial works are carried out prior to the commencement of development. To accord with Policy PSP22 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and Policy CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013.