

# 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. 10/20

**Date to Members: 06/03/2020**

**Member's Deadline: 12/03/2020 (5.00pm)**

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

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

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

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

## NOTES FOR COUNCILLORS

### – formal arrangements for referral to committee

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

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

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

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

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

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

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

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

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

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

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

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

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

c. All applications for non-material amendments

d. All applications to discharge planning conditions

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

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

### **Additional guidance for Members**

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

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

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

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

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

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

**A template for referral is set out below:**

## **Referral from Circulated Schedule to Development Management Committee**

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

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

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

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

a) Referring Member:

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

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

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

**Date:**

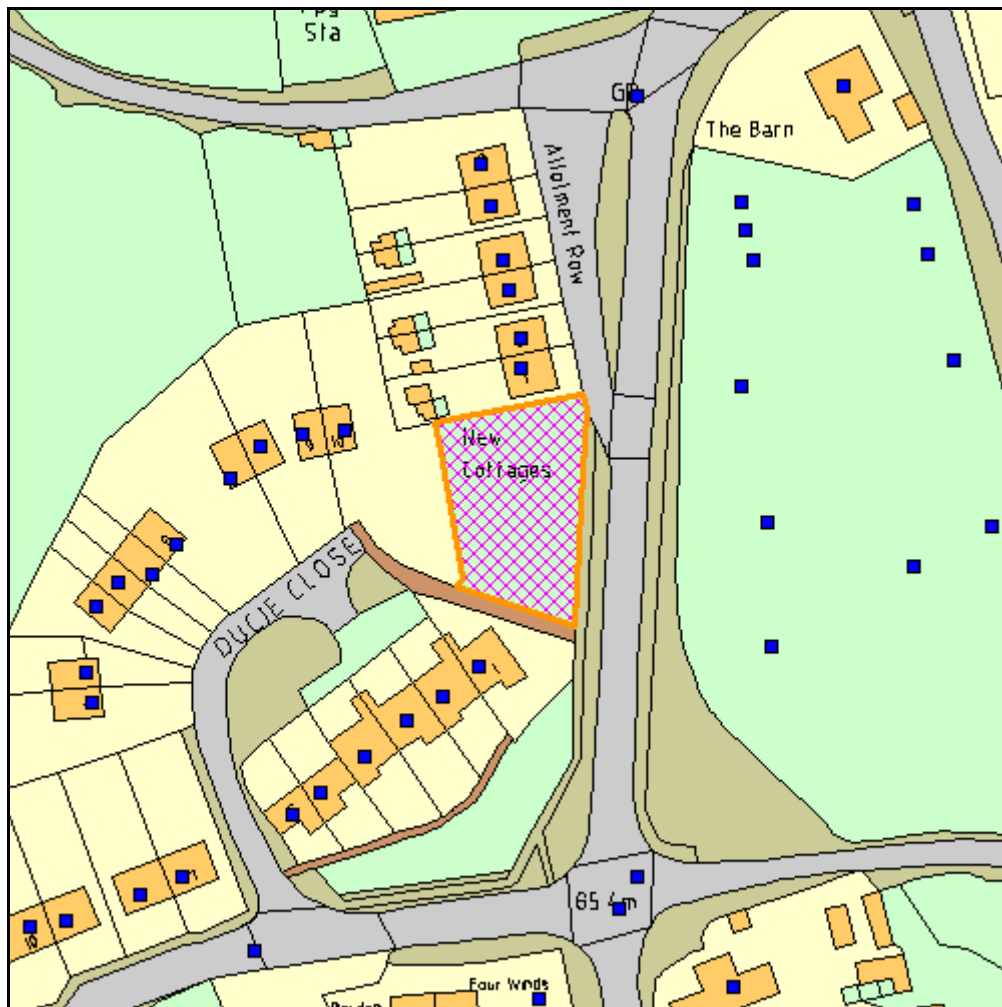
To be emailed to [MemberReferral@southglos.gov.uk](mailto:MemberReferral@southglos.gov.uk)

# CIRCULATED SCHEDULE - 06 March 2020

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	P19/09056/F	Approve with Conditions	Land Adjacent To New Cottages Cromhall South Gloucestershire	Charfield	Cromhall Parish Council
2	P19/15654/F	Approve with Conditions	Asda Stores Craven Way Barrs Court South Gloucestershire BS30 7DY	Longwell Green	Oldland Parish Council
3	P19/17984/O	Approve with Conditions	Land At 35 Gloucester Road Almondsbury South Gloucestershire BS32 4HH	Severn Vale	Almondsbury Parish Council
4	P19/19068/F	Refusal	Elm Grove Ableton Lane Severn Beach South Gloucestershire BS35 4PP	Pilning And Severn Beach	Pilning And Severn Beach Parish Council
5	P19/7456/F	Approve with Conditions	Barn A Court Farm Church Lane Rangeworthy South Gloucestershire BS37 7ND	Ladden Brook	Rangeworthy Parish Council
6	P20/00342/F	Approve with Conditions	79 Woodmancote Yate South Gloucestershire BS37 4LJ	Yate Central	Yate Town Council
7	P20/00561/F	Approve with Conditions	Beech Cottage 37 Goose Green Yate South Gloucestershire BS37 5BL	Yate North	Yate Town Council
8	P20/01446/TCA	No Objection	The Malt House Beach Lane Bitton South Gloucestershire BS30 6NP	Bitton And Oldland	Bitton Parish Council
9	P20/02346/F	Approve with Conditions	122 Amberley Road Patchway South Gloucestershire BS34 6BY	Stoke Gifford	Stoke Gifford Parish Council

## CIRCULATED SCHEDULE NO. 10/20 – 6 MARCH 2020

<b>App No.:</b>	P19/09056/F	<b>Applicant:</b>	Mr Edward Tipper
<b>Site:</b>	Land Adjacent To New Cottages Cromhall South Gloucestershire	<b>Date Reg:</b>	19th July 2019
<b>Proposal:</b>	Erection of 2no. dwellings with access parking and associated works.	<b>Parish:</b>	Cromhall Parish Council
<b>Map Ref:</b>	369559 190589	<b>Ward:</b>	Charfield
<b>Application Category:</b>	Minor	<b>Target Date:</b>	12th September 2019



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 100023410, 2008. **N.T.S.** **P19/09056/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 APPEARING ON CIRCULATED SCHEDULE**

This application appears on the Council's Circulated Schedule procedure following an objection from the Parish Council which is contrary to the officer recommendation detailed within this report.

### **1. THE PROPOSAL**

- 1.1 This application seeks planning permission for the erection of 2 no. dwellings with access, parking and associated works at New Cottages, Cromhall.
- 1.2 The site is within the settlement boundary of Cromhall and has extant planning permission for a semi-detached pair of dwellings. A row of dwellings to the north of the site known as Allotment Row are locally listed buildings. 1-6 Church Lane are also locally listed.
- 1.3 The application as originally submitted was for 3 no. dwellings, however following negotiations this has been reduced to two with revisions being received on 19<sup>th</sup> November 2019.
- 1.4 Previously 3 no. dwellings at the site were refused under application reference PT11/1802/F and that decision upheld at appeal (appeal reference APP/P0119/A/11/2166269). Subsequently planning permission has been granted for a pair of semi-detached dwellings on the site (PT13/3453/F). That development has been commenced and remains extant.

### **2. POLICY CONTEXT**

#### 2.1 National Guidance

National Planning Policy Framework Feb 2019  
National Planning Policy Guidance

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

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

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

PSP1 Local Distinctiveness  
PSP5 Undesignated Open Areas within Settlements  
PSP8 Residential Amenity  
PSP16 Parking Standards

PSP17 Historic Environment  
PSP19 Wider Biodiversity  
PSP20 Flood Risk  
PSP38 Development in Existing Residential Curtilages  
PSP43 Private Amenity Standards

Supplementary Planning Guidance

South Gloucestershire Design Checklist SPD (Adopted) 2007

South Gloucestershire Residential Parking Standard SPD (Adopted) 2013

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

- 3.1 PT16/6339/CLE Approve 04/01/2017  
Application for a Certificate of Lawfulness to confirm drainage works which commenced on site on 31st October (in line with condition 3 of application ref. PT16/4003/RVC) constitute development and therefore a material start on site.
- 3.2 PT16/4003/RVC Approve with conditions 18/08/2016  
Variation of Conditions 5, 6 and 7 attached to planning permission PT13/3454/F to remove the wording No development shall commence until and substitute with the wording Prior to commencement of the relevant part of the works
- 3.3 DOC16/0067 Condition Discharged 27/05/2016  
Discharge of condition 3 (drainage) attached to planning permission PT13/3454/F. Erection of 1no pair of semi-detached dwellings. Construction of new vehicular access and parking area with associated works.
- 3.4 PT13/3454/F Approve with conditions 25/11/2013  
Erection of 1no pair of semi-detached dwellings. Construction of new vehicular access and parking area with associated works.
- 3.5 PT11/1802/F Refusal 03/08/2011  
Appeal Dismissed 17/09/2012  
Erection of 3no. dwellings with access and associated works.
- 3.6 P92/2670/A Advert Approved 22/03/1993  
Display of non-illuminated "v" board (each sign measuring 1200MM x 950MM mounted on 1850MM posts (in accordance with amended plans received on 26 February 1993

### **4. CONSULTATION RESPONSES**

- 4.1 Cromhall Parish Council  
This site is in an extremely prominent position within the settlement boundary and is adjacent to Allotment Row cottages which are locally listed due to their traditional architectural detailing and vernacular, which SGC Conservation Officer noted 'are characteristic of estate cottages with steep roof pitches, modest scale, spacing strong solid-void ration and the delicate nature of the design elements.' The position of the site means the proposal has the potential



to impact both these heritage assets and the character and distinctiveness of this part of the village (Policy CS9).

Whilst in principle the council is not opposed to 'a contemporary rather than pastiche design' allowing a clear distinction between the adjacent Allotment cottages, it has concerns over the appropriateness of the design, density and layout of this proposal and its impact on the residential amenity of both Allotment Row and Ducie Close and the wider village context (Policy CS1). Demographic trends show the population is ageing, increasing the demand for smaller size (accessible) housing Policy CS17:10.23 plus demand for affordable housing (Policy CS18) yet this proposal is for 3 x 3 bed dwellings and is unlikely to be reflecting local need.

#### 4.2 Other Consultees

##### Drainage

No objection to revised information.

##### Highway Structures

No comment.

##### Archaeology

No objection to submitted watching brief.

##### Transport

No objection subject to garages measuring 3m by 6m internally.

##### Listed Building and Conservation

No objection to reduced scheme (Two dwellings).

#### **Other Representations**

#### 4.3 Local Residents

Five letters of objection received from four local residents have been received, making the following points:

##### *Design*

- Overdevelopment of the site and not in keeping with locally listed cottages, this is one of the most important locations within the village
- Materials not suitable, doesn't appear to use natural stone and use of glass is excessive
- Previous application for two cottages was more in keeping with historic cottages
- Cromhall materials are sandstone, often rendered, and red clay tiles, not slate. The new development has a lot of slate and this is totally inappropriate – this will deteriorate further
- Strange suburban style

##### *Amenity*

- Excessive use of glazing is intrusive to the new build opposite and Ducie Close

### *Parking and Highway Safety*

- No visitors parking
- Access is absurd and would result in a fatal accident
- Pedestrians will be more vulnerable – will the safety barrier be replaced?

## **5. ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

The application site lies within the settlement boundary of the village of Cromhall. Under policy CS5 which establishes the locational strategy for development, the site is considered to be a suitable site for development subject to site specific considerations and would therefore be supported in principle. Policy CS17 and PSP38 would also allow for development within existing residential gardens and curtilages subject to an assessment on the impact of the development on the character of the area, transportation, and residential amenity.

5.2 Furthermore, planning permission PT13/3454/F (and subsequent revisions under PT16/4003/RVC) is implemented and remains extant. Therefore, the principle of the development of two dwellings on this site is established.

### 5.3 Design and Heritage

The application site lies between the locally listed terrace of 1-6 Church Lane and the run of 3no. pairs of semi-detached houses that comprise of "Allotment Row". Currently the site is open and laid to grass.

5.4 The design of the proposed units are for contemporary, detached dwellings. They are of a high quality and it is considered that they would add interest to the street scene. The application was initially submitted for three detached dwellings, which in isolation were considered to be good design, however the scale and massing of their combined built form is considered to be inappropriate in this location from a visual perspective. It is also considered that this is a factor that would undermine the character of nearby heritage assets. It is considered that the proposal now under consideration represents an improvement over the extant planning consent.

5.5 To overcome these concerns, the development has been reduced to two dwellings of the same contemporary design. This reduced scheme provides a greater visual buffer to the side of each dwelling reducing the impact of the contrast between scales and styles. It also allows space for landscaping to the front of the dwellings, rather than the frontage being dominated by parking.

5.6 Notwithstanding the submitted details, appropriate boundary treatments can be agreed by condition should this application be approved. Similarly a scheme of landscaping can be secured by way of condition.

5.7 Comments have been received stating that the materials used must be natural stone and red clay tiles, because that is the material palette historically used in Cromhall. As these are contemporary dwellings they do not have to be built in a pastiche style, provided they protect the setting of the locally listed buildings.

Conditions ensuring samples of the materials are submitted for approval to ensure they are of a high quality and do not detract from the setting of the locally listed buildings will be attached to the decision notice. Subject to this, the development is acceptable in terms of policies PSP1, PSP17, CS1 and CS9.

#### 5.8 Archaeology

During the course of the application, an archaeological watching brief was submitted following comments from the Archaeology officer. The watching brief took place in 2016 in preparation to implement PT13/3454/F. This application is still extant following the granting of a Certificate of Lawfulness in 2017 (PT16/6339/CLE) to confirm that development had commenced as the drainage had been put in. This watching brief from 2016 did not find any features or deposits of archaeological interest during the excavation of drainage trenches and no artefactual material was recovered. Notwithstanding this, this proposal will develop a different footprint within the site and so a revised watching brief is required. A condition will ensure that a revised watching brief will be submitted prior to commencement of development.

#### 5.9 Residential Amenity

The reduction in the scheme from three dwellings to two has allowed for adequate private amenity space to be provided for each dwelling. The land to the rear of the site faces towards the side and front of properties on Ducie Close, however due to the distance this will not cause overlooking to the detriment of their amenities. Principal windows also face east towards the new development, however these are a sufficient distance on the other side of the road. The development is set back from the northern and southern boundaries with single storey garages being the closest element of the proposal to the surrounding residential units, and so it is not considered that overshadowing caused by the development would be harmful to their residential amenity. A boundary treatment between the proposed rear garden of plot B and the nearest property on Allotment Row hasn't been specified, however due to the change in topography a boundary is required to protect privacy. The retention of the close boarded fencing currently surrounding the entire site is not acceptable from a design perspective, however an alternative boundary will be agreed by condition. Subject to this, the development accords with policy PSP8 and PSP38 of the Development Plan.

#### 5.10 Transport

Following the submission of a revised plan showing visibility, the Transport officer is satisfied that the site can be safely accessed. Objections from local residents stating that the development would result in an increase in accidents are noted, however as the road is straight at this point and has a 30mph speed restriction, and adequate visibility splays have been demonstrated from both accesses, it is not considered the development would be harmful in terms of highway safety and it accords with policy PSP11.

5.11 Turning to parking, two parking spaces are provided for each plot which accords with the parking standards within policy PSP16. Future occupiers can turn within the site and egress the site in a forward gear, and there is adequate

space for refuse and cycle storage. The development is acceptable in transportation terms.

5.12 Drainage

Initially the drainage strategy for the proposal will utilise the drainage scheme previously agreed under PT13/3454/F (as varied) and as such is acceptable.

5.13 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.

5.14 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 conditions on the decision notice.

**Contact Officer: Trudy Gallagher**

**Tel. No. 01454 864735**

**CONDITIONS**

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

Reason

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

2. Prior to the first occupation of the development hereby approved, a scheme of landscaping, which shall include proposed planting (and times of planting); boundary treatments and areas of hardsurfacing shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed details prior to first occupation of the development hereby approved and maintained thereafter.

Reason 1

In the interests of visual amenity and to enhance the setting of the locally listed buildings on Allotment Row and Church Lane, in accordance with policies PSP1, PSP2 and PSP17 of the Policies Sites and Places Plan (Adopted) Nov 2017, policies CS1 and CS9 of the Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

Reason 2

In order to ensure that a suitable boundary treatment is erected around the rear garden of plot B, in order to protect the privacy of the adjacent property on Allotment Row, in accordance with policies PSP8 and PSP38 of the Policies Sites and Places Plan (Adopted) Nov 2017, policies CS1 of the Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

3. Prior to the commencement of development, a programme of archaeological investigation and recording (watching brief on all ground disturbance) for the site shall be submitted to and approved by the Local Planning Authority. Thereafter, development must proceed in strict accordance with the agreed details.

Reason

In order to protect an archaeology on site, in accordance with policy PSP17 of the Policies Sites and Places Plan (Adopted) Nov 2017, policy CS9 of the Core Strategy (Adopted) December 2013 and the NPPF. This information is required prior to commencement as archaeology may be destroyed during the construction period.

4. Prior to the commencement of the relevant part of the development, samples of the roofing and external facing materials proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

In order to ensure the materials are of a high quality in order to accord with policy CS1 of the Core Strategy (Adopted) December 2013, and the National Planning Policy Framework.

5. The off-street parking and turning facilities shown on the plan hereby approved, as well as the visibility splays, shall be implemented before the development is first occupied, and thereafter maintained as such.

Reason

In the interests of highway safety and satisfactory parking provision, in accordance with policy PSP11 and PSP16 of the Policies Sites and Places Plan (Adopted) Nov 2017 and the National Planning Policy Framework.

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

ES002A P(0)001  
ES002A P(0)002  
ES002A P(0)003  
ES002A P(0)004  
ES002A P(0)005  
ES002A P(0)006  
ES002A P(0)007  
ES002A P(0)008

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

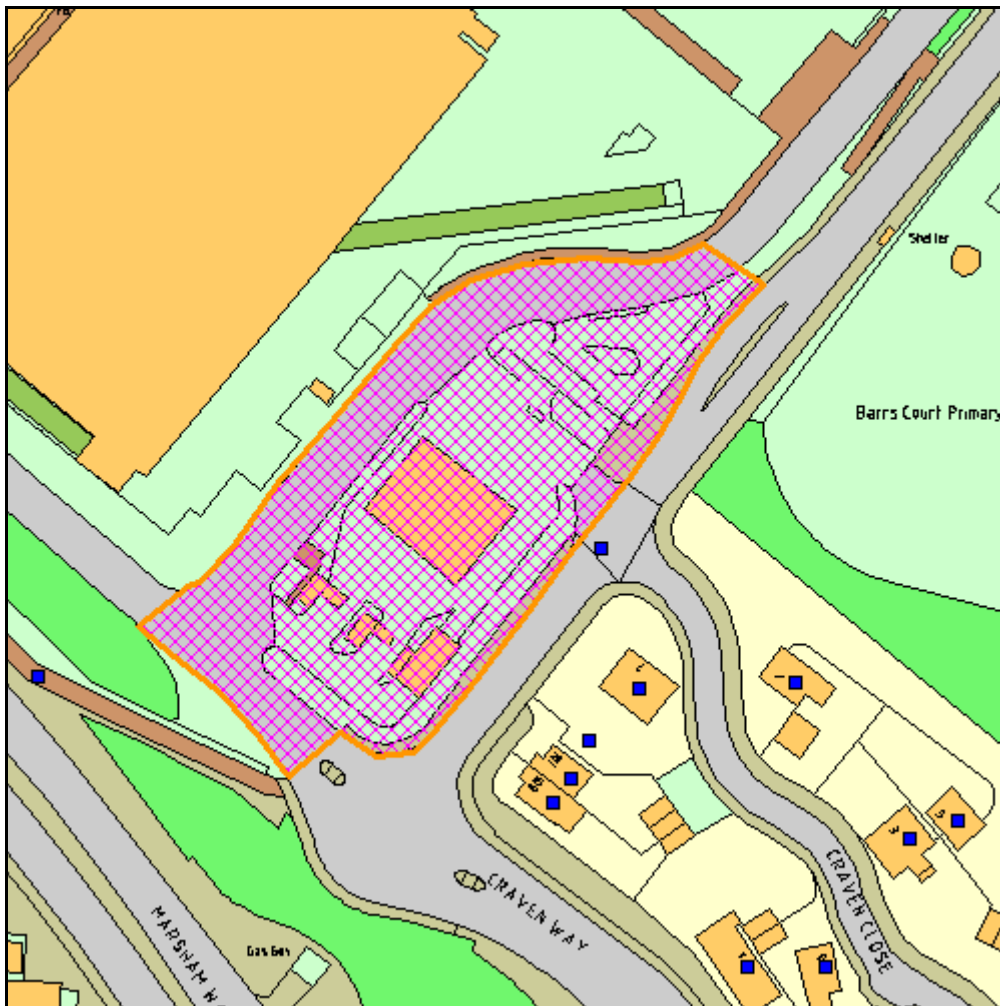
ES002 E(0)001  
ES002 SL(0)001

as received by the Local Planning Authority on 15th July 2019

Reason  
For the avoidance of doubt.

**CIRCULATED SCHEDULE NO. 10/20 – 06 MARCH 2020**

<b>App No.:</b>	P19/15654/F	<b>Applicant:</b>	ASDA Stores Ltd 30th October 2019
<b>Site:</b>	Asda Stores Craven Way Barrs Court Bristol South Gloucestershire BS30 7DY	<b>Date Reg:</b>	Oldland Parish Council
<b>Proposal:</b>	Erection of new eight pump (sixteen filling positions) petrol filling station, car and jet wash and associated works following demolition of the existing petrol filling station.	<b>Parish:</b>	Longwell Green 24th January 2020
<b>Map Ref:</b>	365553 172241	<b>Ward:</b>	
<b>Application Category:</b>	Major	<b>Target Date:</b>	



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100023410, 2008. **N.T.S.** **P19/15654/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.

## **INTRODUCTION**

This application has been referred to the Circulated Schedule due to the receipt of letters of objection.

### **1. THE PROPOSAL**

- 1.1 This application seeks planning permission to demolish the existing petrol filling station and to erect an eight pump (sixteen filling positions) petrol filling station, car and jet wash and associated works at Asda Longwell Green. During the course of the application, further details were submitted regarding the installation of electric charging points at this particular location. A revised Design and Access Statement has also been submitted.
- 1.2 The application site relates to an established Asda superstore, located within an established residential and commercial area of Longwell Green. The site is not part of a Town Centre or Primary Shopping Area and should be treated as out-of-town for the application of planning policy.

### **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
CS4A	Presumption in Favour of Sustainable Development
CS14	Town centres and retail
CS29	Communities of the East Fringe

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

PSP1	Local Distinctiveness
PSP11	Transport
PSP31	Town Centres Uses

#### 2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist SPD (Adopted) August 2007

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

The application site has an extensive planning history, and the following planning applications are the most relevant to the determination of this application.



- 3.1 K1124/46AP Proposed superstore, covered mall etc.  
Approved 1982
- 3.2 PK04/2458/F Installation of additional water chiller unit.  
Approved 2004
- 3.3 PK09/1053/F Two storey front extension to form customer café and retail  
and erection of decked car park.  
Approved 2009
- 3.4 PK12/0673/F Erection of single storey side extension to form home  
shopping unit. Erection of 3m high palisade fencing and gates.  
Approved 2012
- 3.5 PK18/0456/F Erection of 1no. pod (Class A1 use) with associated works.  
Approved 2018

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

##### 4.1 Oldland Parish Council

The Parish Council objects to this application on grounds that certain issues require clarification:

1. The developer refers to a site in Rotherham and causes concern that some of the statements made may not refer to the Asda site at Craven Way.
2. Opening times are not clearly specified and it is felt that they should be limited in respect of the residential amenity of neighbouring properties.
3. The illumination of internally illuminated signage should be limited to hours of business in respect of the residential amenity of neighbouring properties.
4. There is no provision for electric charging points.
5. There are concerns that a more open layout may increase incidents of ASB already occurring in the main car park.

##### 4.2 Other Consultees

The Coal Authority – no objection subject to pre-commencement condition seeking the undertaking of intrusive site investigation.

Sustainable Transport – the Highway Officer is not wholly satisfied with the submitted information, however, the issues arising from the traffic associated with this development will remain wholly within the Asda site and not affect the public highway. Therefore no further comments are made.

Environmental Protection Team (Contamination) – no objection subject to condition seeking remediation and verification scheme in the event that any

contamination is found during the course of the construction of the development.

Environmental Protection Team (Acoustic) – no objection subject to a condition to secure the construction of a wall between the development and the nearest residential receptor and a condition to restrict the operational hours of the car wash, jet wash facilities.

The Landscape Officer – advised that the proposed hedge planting be extended around the corner of Craven Way and also sought a landscape scheme.

The Ecology Officer – no objection.

Lead Local Flood Authority – no objection.

Street Light Engineer – no objection.

The Petroleum Officer – objection. The Petroleum Enforcement Authority would not want to see any customer refuelling taking place when the road fuel tanker is off-loading fuel. It is the PEA's consideration that the site should be fully closed for customer refuelling when a road fuel tanker is making a fuel delivery.

The Archaeology Officer – no comments.

Arts and Development – no comment.

The Highway Structure – no comments.

### **Other Representations**

#### 4.3 Local Residents

Four letters of objection or concerns have been received and the concerns are summarised as follows:

- Object to All the pumps bring automated, as many pay by case and not by card
- Automated filling stations do not accept electron cards
- Causing more pollution in the customer car journey to alternative petrol filling station.
- The submitted Design and Access Statement refer to Asda Rotherham superstore, not Asda Longwell Green.
- No reference to the opening times of the new PFS, I would suggest that the opening times should be limited e.g. closing by 22:00.
- When the signs are illuminated should be limited.
- No reference to charging points for electric vehicles, Asda should be considering electric car charging points.
- A residents who lives close to the automated Asda PFS in Bridgwater and it was suggested that Asda makes a 0.95p credit card/ debit card charge for using the PFS in Bridgwater

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

This application stands to be assessed against the policies listed above, in the light of all material considerations. The proposal is to erect a replacement petrol station at an established supermarket. The policy with the greatest relevance is Policy CS14 in the adopted Core Strategy and Policy PSP31 of the adopted Policies, Sites and Places Plan.

5.2 From the design perspective, Policy CS1 'High Quality Design' of the South Gloucestershire Core Strategy (adopted December 2013) states development proposals will only be permitted if the highest possible standards of site planning and design are achieved.

### 5.3 Retail Development

Policy CS14 of the adopted Core Strategy states that Longwell Green Retail Parks will be treated as out-of-centre and development proposals will need to satisfy the sequential test. As the proposal is to replace the existing petrol filling station within an established retail park and no additional retail units are proposed, therefore, the proposal would not cause any material impact on the vitality and viability of the local centre of Longwell Green or nearby Kingswood Town Centre. Also, given the floor area of the proposal, it would not be required to carry out a retail impact assessment on this scheme.

### 5.4 Coal Mining Issues

The applicant submitted documents relating the coal mining history of the site. The Coal Authority has reviewed the submitted documents and raised no objection subject to a planning condition seeking the undertaking of intrusive site investigation.

### 5.5 Visual Amenity

The proposal is to replace the existing petrol filling station with automated petrol filling station. It is also proposed to replace the existing car wash facilities, jet wash area, etc. The design of the proposed structures is simple and functional. It is noted that a solid wall is proposed to attach to the proposed canopy. Although the new wall would be taller than the existing single storey car-wash building and it would have a material impact upon the street scene, it is considered that such impact would not so significant provided that an appropriate colour would be used and landscaping scheme would be in place. Other proposed structures associated with the petrol filling station would set back from the hedges along the main road, therefore the impact would not be significant. In conclusion, it is considered that the proposal, subject to planning conditions, would comply with the adopted Core Strategy and the Places, Sites and Places Plan.

### 5.6 Residential amenity

The nearest residential properties to the proposed petrol filling station would be No. 101, 103 Caven Way and No. 2 Craven Close and they are located approximately 20 metres from the proposal. Whilst the location of the filling station would remain unchanged, the proposal would comprise of the construction of a solid wall as part of the structure of the new canopy. This wall

is approximately 13 metres wide by 5.2 metres high. Given that there would be a reasonable separation between the front elevation of the neighbouring properties and the wall structure, it is not considered that the proposal would cause significant overbearing impact to be detrimental to the amenity of the nearby residents.

5.7 Regarding external lighting, the agent advised that no external lighting will be installed on this wall and the Council's Lighting Engineer also considered that the submitted lighting assessment is acceptable. Subject to a condition restricting external lighting, the amenity of the neighbouring residents would be adequately safeguarded.

5.8 Regarding the acoustic issue, the applicant submitted an acoustic report with the proposal. The report indicates that the equipment, such as jet wash, water, air machines, will require a condition restricting its operation hours. However, the overall noise from the service station is assessed to be acceptable, therefore it would not be necessary to impose condition to restrict the overall hours of the operation. In addition, the proposed wall structure would form an acoustic barrier to reduce the acoustic impact upon the nearby residents and the Council's Environmental Protection Team. Therefore, subject to condition restricting the operating hours of the car wash and similar activities and ensuring the wall will be constructed, there is no objection from this perspective.

5.9 Transportation

The Highway Officer has reviewed the proposal. The site is located within an urban area, hence the proposal fully complies with the requirements of Policy PSP11 of the adopted South Gloucestershire Local Plan: Polices, Sites and Places document. The application also submitted additional explanation regarding the demolition of the kiosks, the dwelling tines, the staff parking and the tanker tack plot. Although there are some concerns about the details of the Transport Statement and the revised calculations of the on-site vehicle stacking capacity, the Highway Officer is satisfied that sufficient information is available for the Highway Authority to reach conclusion that vehicles will not stack back onto the public highway and that any congestion occurring will remain within the boundary of the Asda Store. Therefore, there is no highway objection to the proposal.

5.9 Safety

The Petroleum Enforcement Authority 'PEA' has been consulted with the application, the Petroleum Officer is satisfied with the submitted details. The Officers advised that the site should be fully closed for customer refuelling when a road fuel tanker is making a fuel delivery. Therefore the applicant is advised to contact the PEA to discuss the matter to ensure that appropriate operational procedure will be in place.

5.10 Other matters

Concerns are noted regarding the possible installation of Electric Vehicles Charging Points. The applicant submitted further information regarding this matter. The agent has indicated that there are safety reasons to discard the site for the installation of electric vehicles charging points. In addition, the

petrol filling station is quite far away from the store entrance to provide access for customers want to charge their vehicles while they are shopping. Given the location of the existing petrol filling station, officers are satisfied that there are sufficient information to demonstrate that the applicant has considered the alternatives to tackle climate changes. Therefore officers have no objection to the proposed scheme.

5.11 Regarding the operational matters with the proposed petrol filling station, it would be the applicant's commercial and operational decision and it would be unreasonable to refuse this application because of its automation.

5.11 Consideration of likely impact on Equalities

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

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

## 6. CONCLUSION

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

6.2 The recommendation to grant 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 be granted subject to the following conditions:

**Contact Officer: Olivia Tresise**  
**Tel. No. 01454 863761**

## **CONDITIONS**

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

### Reason

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

2. Prior to the commencement of development, the following elements need to be carried out:

- \* The undertaking of an appropriate scheme of intrusive site investigations;
- \* The submission of a report of findings arising from the intrusive site investigations;
- \* The submission of a scheme of remedial works for approval; and
- \* Implementation of those remedial works.

The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 178 and 179 of the National Planning Policy Framework, Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and Policy PSP22 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017)

3. Prior to the installation of the proposed solid wall along the southeast elevation, the sample including the finish of the colour to be painted on the wall shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

### Reason

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

4. Notwithstanding the submitted hard and soft surfacing plan, Drawing No. 2004LG 210 05 A, within three months following the completion of the proposed development hereby approved, a detailed soft landscape works including planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme], shall be submitted to and approved in writing by the Local Planning Authority. The soft landscape works shall be implemented in full in accordance with the approved details.

Reason

To protect the character and appearance of the area to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, Policy PSP1 and PSP2 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017), and LCA14 of the South Gloucestershire Landscape Character Assessment (Adopted November 2014) and the National Planning Policy Framework.

5. Any contamination found during the course of construction of the development that was not previously identified shall be reported immediately to the local planning authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found additional remediation and verification schemes shall be submitted to and approved in writing by the local planning authority. These approved schemes shall be carried out before the development (or relevant phase of development) is resumed or continued.

Reason

To ensure that adequate measures have been taken to mitigate against contaminated land to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, Policy PSP21 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017) and the National Planning Policy Framework.

6. No car wash, jet wash, water and air machines or similar activities shall be operated on this site between 20.00 and 06.00 the following day. In addition, the solid wall attaching to the proposed canopy along the south east elevation of the site shall be constructed prior to the operation of the proposed development hereby approved.

Reason

To protect the amenity enjoyed by those living in the locality to accord with Policy CS29 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and Policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017) and the provisions of the National Planning Policy Framework.

7. No external illuminations shall be installed on the proposed solid wall along the south east elevation of the site.

Reason

To protect the amenity enjoyed by those living in the locality to accord with Policy CS29 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and Policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017) and the provisions of the National Planning Policy Framework.

8. The hours of working on site during the period of construction shall be restricted to  
Monday - Friday.....7:30am - 6:00pm  
Saturday.....8:00am - 1:00pm  
No working shall take place on Sundays or Public Holidays.

The term working shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site

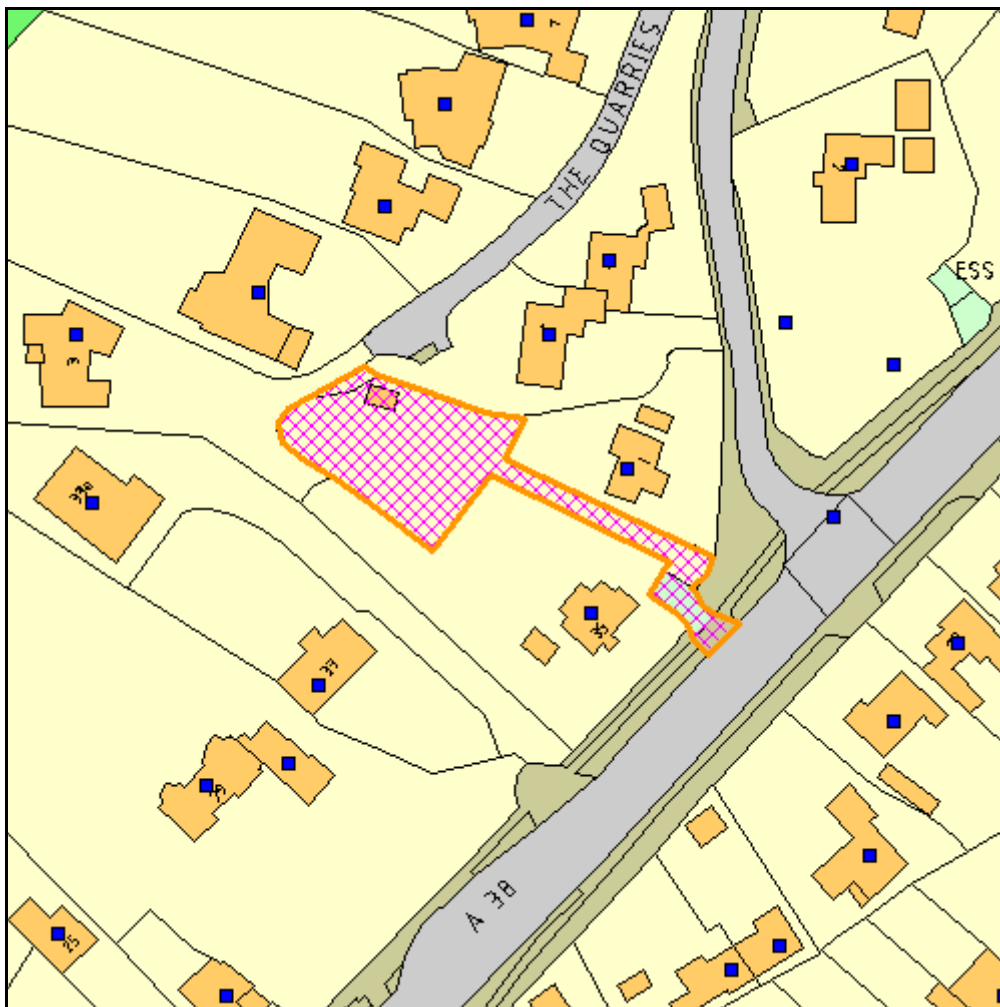
#### Reason

To protect the amenity enjoyed by those living in the locality to accord with Policy CS29 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and Policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017) and the provisions of the National Planning Policy Framework.



CIRCULATED SCHEDULE NO. 10/20 – 6 MARCH 2020

<b>App No.:</b>	P19/17984/O	<b>Applicant:</b>	Mr Antonczyk
<b>Site:</b>	Land At 35 Gloucester Road Almondsbury South Gloucestershire BS32 4HH	<b>Date Reg:</b>	3 <sup>rd</sup> December 2019
<b>Proposal:</b>	Erection of 1 no. detached dwelling and garage (Outline) with access, layout and scale to be determined, all other matters reserved.	<b>Parish:</b>	Almondsbury Parish Council
<b>Map Ref:</b>	361008 184459	<b>Ward:</b>	Severn Vale
<b>Application Category:</b>	Minor	<b>Target Date:</b>	17th February 2020



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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.

## **INTRODUCTION**

This application is referred to the Circulated Schedule in accordance with procedure as more than 3 objections have been received contrary to the recommendation

### **1. THE PROPOSAL**

- 1.1 The applicant seeks outline planning permission for the erection of 1no. detached dwelling with a garage. Access, layout and scale are to be determined at this stage (with detailed appearance and landscaping reserved). The Design and Access states that the dwelling will be two storey in height (364m<sup>2</sup> floor space over both floor including the garage).
- 1.2 The application site relates to a piece of land site to the rear of No.35 Gloucester Road and No.1 Old Aust Road. The site is predominantly level but land drops away to the rear of the site. Access to the dwelling would be via a driveway situated between the above properties. The site is in Flood Zone 1. There are some trees on the boundary (the site is covered by a blanket TPO).
- 1.3 The application site is situated within the settlement boundary of Almondsbury which is washed over by the Green Belt.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

National Planning Policy Framework Feb 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
CS9	Managing the Environment and Heritage
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS18	Affordable Housing

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water and Watercourse Management

- 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 PT05/1358/O Outline Planning Permission for the erection of one dwelling (Approved with all matters reserved)

### 4. **CONSULTATION RESPONSES**

- 4.1 Almondsbury Parish Council  
No comment

- 4.2 Other Consultees

Lead Local Flood Authority

No objection subject to SUDS drainage condition.

Sustainable Transport

No objection subject to a condition to secure an Electric Vehicle Charging Point and a condition to ensure that parking provision is put in place prior to first use.

Archaeologist

No objection/comment

Tree Officer

The site has mature trees growing within the boundary and also adjacent to the site which will require protection in accordance with BS:5837:2012.

The applicant will be required to submit an Arboricultural report prepared by an Arboricultural consultant in accordance with BS:5837:2012 for all trees within the site and also those that have root protection areas that conflict with the site.

In principal there are no objections to development of the site however it will not be possible to fully assess the proposal without an Arboricultural report where the site constraints will be demonstrated. It is possible that the footprint of the proposal may need to be altered to accommodate the mature trees. The trees are of high amenity and are worthy of protection under a tree preservation order. Following the submission of the requested information, the tree officer raises no objection subject to the development proceeding in accordance with the details set out in the report.

Environmental Protection

Initial Comments (Summary) – An acoustic report will be needed to allow an assessment of the impact upon the future occupiers from the existing noise source (A38).

Following the submission of the additional information, the Environmental Protection Officer has broadly accepted the findings and has indicated that a condition can be attached to the decision notice that the development shall proceed in accordance with the finding and recommendations of the report

## **Other Representations**

### 4.3 Local Residents

There have been 6 letters of objection (two from one person) received. The grounds of objection can be summarised as follows:

- There are potentials for landslips in the area to the detriment of neighbouring occupiers to the site
- The property will overlook neighbouring properties resulting in loss of privacy
- There will be an increased risk of flooding
- There are mature trees on the site
- The land is not owned by the applicant, the building will have to be moved

## 5. **ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

The site is in the Green Belt but within a washed over village boundary where policy CS5 and PSP7 in accord with the National Planning Policy Framework (NPPF) allow for small scale infill development. The proposal is considered to be small scale infill which by reason of its location between existing development would not be harmful to the green belt, provided that the scale and appearance of the building (both are reserved matters) are not excessive. As such the principle of a house at this location is appropriate in the Bristol/Bath Green Belt.

Subject to considerations of the material considerations set out in the report below the proposed development is considered acceptable in principle.

### 5.2 Drainage Flood Risk

The application site lies in Flood Zone 1, the area with the lowest probability of flooding. Some concern has been raised regarding the possibility of water run-off. The Lead Local Flood Authority consider that it is possible to apply sustainable urban drainage principles to the site (ie that the surface water drainage can be absorbed within the site without any impact beyond the boundary of the site). A condition will therefore be applied to the decision notice to secure a Sustainable Urban Drainage Scheme.

### 5.3 Transportation

Policy CS8 and PSP11 seek to ensure that development is acceptable in transportation terms with the paramount objection of ensuring highway safety. In association with this PSP16 seeks to ensure that development provides sufficient off-site parking provision.

It is noted by officers that the dog leg access is a little awkward however with careful negotiation it is a usable access. Fire appliances could access the site from a point to the front of No.35 (within the 45m limit). The site is capable of providing sufficient parking spaces for a two storey dwelling (bedroom number is not known at this stage).

Subject to conditions to ensure that the development provides an electric vehicle point and a condition to ensure that the parking provision is provided prior to the first use of the dwelling, the proposal is considered acceptable in these terms.

#### 5.4 Visual Amenity

The site is quite compact however it is considered large enough to accommodate the proposed dwelling, amenity space and parking.

The context of the site is quite unusual in so far as there is so much variety in the built form. This has resulted from the fact that there is so much infill development rather than comprehensive development. This has resulted in a variety of sized properties with many different finishes, heights and footprints and locations within plots.

Subject to consideration of the impact upon the landscape/trees the proposed development (see 5.5 below) the layout of the proposal is considered acceptable.

Careful consideration of the detailed appearance of the building will be made at the reserved matters stage to accord with Policy CS1 and PSP1.

It is considered appropriate to remove relevant permitted rights and also to restrict the scale parameters of the building to an appropriate height for a two storey property that being 9 metres for reasons of visual and residential amenity.

#### 5.5 Landscaping/Trees

Detailed landscaping proposals are reserved for future consideration. It is necessary however at the outline stage to consider the impact of the proposal upon the existing landscape. There are trees along the boundary and these have been the subject of a Tree Preservation Order, during the course of dealing with the application.

The Tree Officer considered it likely that the original footprint could be accommodated without an impact upon the trees, however for complete reassurance on this matter a Tree Report was requested. The report identifies

the location of the trees and their condition and also set out recommendations as to how these will be protected during the construction.

Following the submission of the requested information, the tree officer has indicated that there is no objection subject to a condition to ensure that works take place in accord with the reports.

## 5.6 Residential Amenity

The application site is considered sufficient large to accommodate sufficient amenity space for future occupiers.

Concerns are noted that the building because of its elevation would have the ability to overlook adjoining properties in particular those at a lower level and while overlooking of outdoor areas would to a degree occur, it is not considered that this would be unusual with a semi-urban location. Distances to windows would be approx. 20 to 25m. It is considered appropriate.

The positioning of windows on the new building would be considered through the assessment of the appearance at the reserved matters stage. Notwithstanding this it is considered appropriate to remove relevant permitted development rights at the outline stage and to restrict the scale parameters of the building that comes forward to two storey and 9 metres in height (an appropriate height for a two storey building).

It is also considered appropriate given the close proximity of neighbouring properties to place a condition on the decision notice to restrict the construction hours.

Subject to these conditions the development is considered appropriate in terms of both the residential amenity of the future occupiers of the site and neighbouring occupiers.

## 5.7 Other Issues

Concern has been raised regarding ground stability. Historic maps (as well as road name) indicate historic quarrying in the area. The Case Officer has consulted the Environmental Protection Team who raise no objection on these grounds. The Case Officer has also consulted the Building Regulations Team who confirm that consideration of this matter in the construction of the building would be considered through the building regulations.

The Environmental Protection Team noted the location which is close to the A38, a noise source. Following a request a Noise Impact Assessment has been submitted. The report concludes that the building subject to design considerations can be built such as the future impact upon occupiers is acceptable both internally and externally. The report includes sound reduction requirement/recommendations.

The Environmental Protection Team accept the finding of the report and conclude that a condition should be attached to the decision notice to require all works to be carried out in accordance with the report.

Concern has been raised regarding the ownership of the land shown on the submitted details. The applicant subsequently amended the layout plan and also submitted Certificate B to show that part of the red line site was indeed in a different ownership. Notwithstanding this correspondence has been received questioning this. Ultimately it is important to note that a planning permission does not override ownership rights, this is a civil matter that would have to be resolved, if indeed it is necessary, between the parties.

#### 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.

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 outline planning is granted subject to the conditions set out below.

**Contact Officer: David Stockdale**  
**Tel. No. 01454 866622**

## CONDITIONS

1. Approval of the details of the appearance of the building and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason

This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

2. Plans and particulars of the reserved matters referred to in the condition above, relating to the appearance of the building to be erected and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

Reason

This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

3. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason

This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

4. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason

This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

5. Parking Provision

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

Reason

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

6. Electric Vehicle Charging

Prior to the first occupation of the development hereby approved, details of an Electric Vehicle Charging Point (type and location) shall be submitted to and approved in



writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason

To promote the reduction in the use of Carbon based fuels and to accord with Policy PSP 6 and PSP11 of the South Gloucestershire Local Plan Policies Sites and Places Plan 2017

7. Permitted Development Rights

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

Reason

To allow an assessment to be made of the impact of the development upon the amenity of neighbouring occupiers to accord with Policy PSP8 of the South Gloucestershire Local Plan Policies Sites and Places Plan (Adopted) 2017.

8. Noise Impact

The development shall be carried out in accordance with the submitted Noise Impact Assessment (parker jones dated 21st February 2020).

Reason

To protect future occupiers from noise pollution and in accordance with Policy CS9 of the South Gloucestershire Local Plan Core Strategy.

9. Protection of Trees

All works shall take place in accordance with the Arboricultural Impact Assessment (All Arboriculture 22nd January 2020) and the Tree Protection Plan (All Arboriculture 17th January 2020)

Reason

In order to protect the health of the trees in the interests of the visual amenity and character of the area, to accord with Policy CS1, CS2 and CS9 of the South Gloucestershire Local Plan Core Strategy 2013.

10. Scale Parameters

Application for the approval of the reserved matters shall be in accordance with the parameters described in the design and access statement hereby approved (David James and Partners received 18th February). For the avoidance of doubt the development hereby approved shall not exceed two storeys or 9 metres in height.

Reason

This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

11. Construction Hours

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

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

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

No working shall take place on Sundays or Public Holidays.

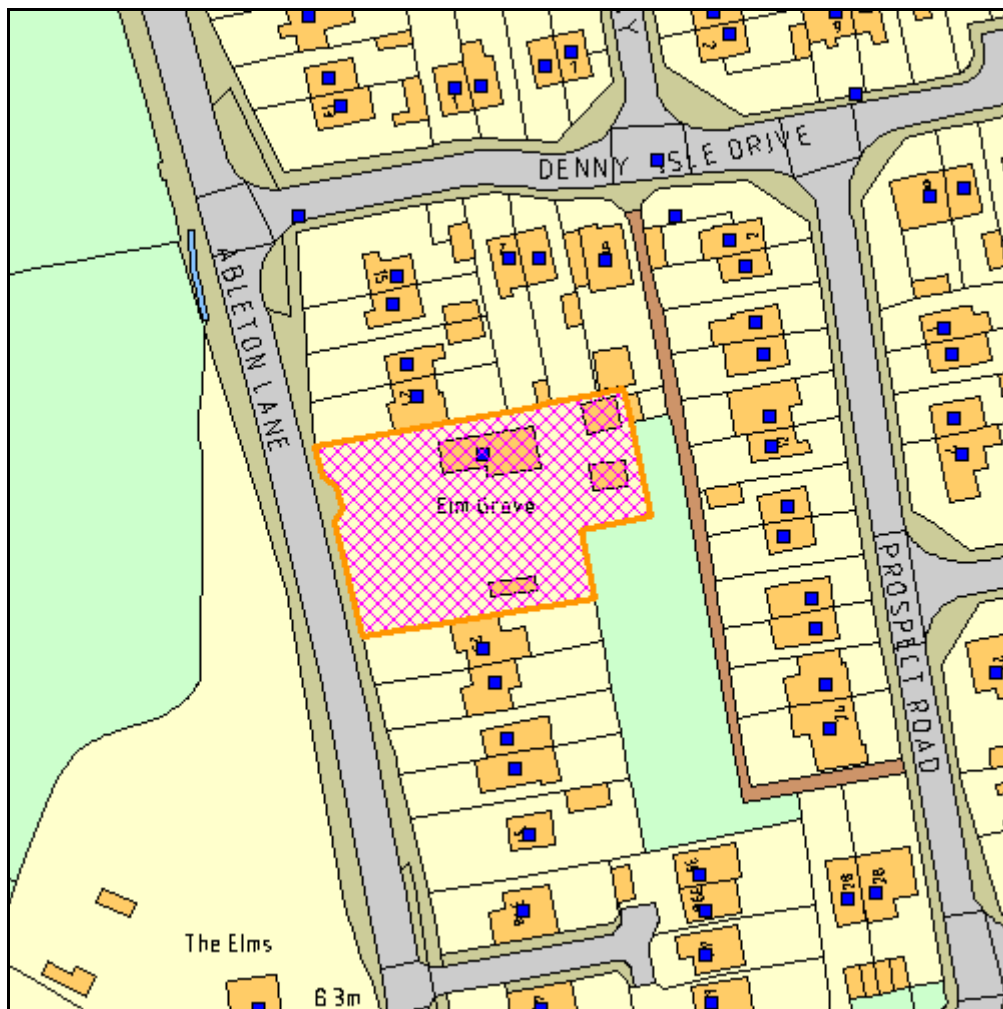
The term working shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy 2013 and the provisions of the National Planning Policy Framework.

**CIRCULATED SCHEDULE NO. 10/20 – 06 MARCH 2020**

<b>App No.:</b>	P19/19068/F	<b>Applicant:</b>	Dr. Alison Hayman
<b>Site:</b>	Elm Grove Ableton Lane Severn Beach Bristol South Gloucestershire BS35 4PP	<b>Date Reg:</b>	2nd January 2020
<b>Proposal:</b>	Demolition of existing dwelling and erection of 4 no. dwellings with new access, parking and associated works.	<b>Parish:</b>	Pilning And Severn Beach Parish Council
<b>Map Ref:</b>	354309 184469	<b>Ward:</b>	Pilning And Severn Beach
<b>Application Category:</b>	Minor	<b>Target Date:</b>	17th February 2020



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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.

## **REASONS FOR REPORTING TO CIRCULATED SCHEDULE**

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

### **1. THE PROPOSAL**

- 1.1 Planning permission is sought for the demolition of an existing dwelling and the erection of 4 no. dwellings with new access, parking and associated works. The application relates to Elm Grove, Ableton Road, Severn Beach.
- 1.2 The application site comprises a detached dwellinghouse set within a relatively large plot extending to 0.15 hectares. The site is situated within the defined settlement boundary of Severn Beach, and within the EA Flood Zone 3.

### **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) 2013

CS1	High Quality Design
CS4a	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS18	Affordable Housing
CS34	Rural Areas

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment

PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP21	Environmental Pollution and Impacts
PSP43	Private Amenity Space Standards

Supplementary Planning Guidance

Design Checklist SPD (Adopted) 2007

Residential Parking Standards SPD (Adopted) 2013

Waste Collection: guidance for new developments SPD (Adopted) 2015

CIL Charging Schedule and the CIL and S106 SPD (Adopted) 2015

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

#### **3.1 P98/2519**

Erection of single storey side/rear extension.

Approved: 01.12.1998

#### **3.2 P89/2521**

Erection of detached dwelling and garage; construction of new vehicular access (outline).

Approved: 13.09.1989

#### **3.3 N2131/2**

Extension of two storey extension to form dining room with bedroom over.

Approved: 02.07.1981

#### **3.4 N2131/1**

Erection of one detached dwelling with garage. Construction of new vehicular and pedestrian access (in accordance with the revised site plan received by the Council on 28th October, 1976). (Outline).

Approved: 25.11.1976

#### **3.5 N2131**

Erection of domestic garage.

Approved: 11.12.1975

*Pre-application advice*

#### **3.6 PRE19/0533**

Demolition of the existing detached, two-storey dwelling house and construction of 4 no. semi-detached, two storey houses with off-street car parking.

Response Provided: 29.08.2019

#### Conclusions

This proposal would not gain officer support and refusal would be recommended should an application be made on the basis of this enquiry. This is on the basis that the site is located within EA Flood Zone 3. It has not been demonstrated that the development passes either the Sequential Test or the Exception Test. In any case, even if a justification were to be provided at full application stage, it is considered highly unlikely that the development proposal would be considered to pass either test. On this basis, it is not recommended that the scheme is progressed to full application stage.

## **4. CONSULTATION RESPONSES**

### 4.1 Pilning and Severn Beach Parish Council

No objection

### 4.2 Internal Consultees

#### Ecology Officer

Additional information needed regarding the potential of the property to support bats (negligible, low, moderate and high) along with the justification of this specifically, if it is deemed negligible and there are ingress points.

As there are ingress points within the property, advise that an ecologist is present during the demolition of the property. Would also advise that this is done with the assistance of an endoscope to make sure crevice dwelling bats are mitigated.

#### Highway Structures

No objection

#### Lead Local Flood Authority

No objection subject to conditions

#### Sustainable Transport

Parking is appropriate. Condition should be used to secure appropriate vehicle crossover at access point.

#### Tree Officer

No comment

### 4.3 External Consultees

#### Environment Agency

Objection – Development would intensify residential use in Flood Zone 3 and is in close proximity to the Severn Estuary Tidal Defences.

Health and Safety Executive

Do not advise against granting permission on health and safety grounds.

Wales and West Utilities

No objection subject to advice.

## **Other Representations**

### 4.3 Local Residents

A total of 7 representations were received during the course of the application process. These comprised 4 letters of support, 2 letters of objection and one neutral comment.

The main points raised within the support comments are summarised below:

- Houses are well-designed
- Clear applicants have addressed flooding risk through raising ground floor levels.
- Severn Beach has not flooded in 50 years.
- Already sea defences and these will be strengthened.
- Less at risk of flooding than most existing houses in village.
- Severn Beach needs more houses.
- Support from Severn Beach Primary School.
- Provision of off-street parking will mean that there is no increase in congestion outside of primary school.
- Have space within primary school to accommodate children that may occupy properties.

The main concerns raised within the objection comments are summarised below:

- Concerned with height of houses. 9.15m high compared to 7.5m neighbours. Will look out of character and not appear as natural infill.
- Proposed terraces will lead to overlooking.
- Additional height will lead to overshadowing issues.
- Privacy wall is insufficient.
- Height of boundary wall shown on plans is incorrect.
- Concerns regarding flood risk.
- Severn Beach does not need new housing and infrastructure cannot sustain it.

The points raised within the neutral comment are set out below:

- No objection to houses but object to removal of trees at back of site.

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development – Locational Strategy

The application site is located within the defined settlement boundary of Severn Beach. Policy CS5 of the Core Strategy outlines the locations at which development is considered appropriate. In terms of the location of new development in relation to existing settlements, 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 enquiry site is situated within the defined settlement boundary of Severn Beach. As such, purely in terms of its location within a settlement boundary, residential development at this location is supported by the Council's spatial strategy as set out in CS5.

### 5.2 Principle of Development - Flood Risk

The enquiry site is however situated within EA Flood Zone 3. Residential units are proposed, which the National Planning Practice Guidance (NPPG) identifies as 'more vulnerable' to flooding than many other use classes. As identified in the National Planning Policy Framework (NPPF), inappropriate development at risk of flooding should be avoided. Therefore, where a proposal for new dwellings in Flood Zone 3 is proposed, it is necessary to first satisfy the requirements of the 'Sequential Test'; the aim of which is to steer new development to areas with the lowest probability of flooding. Paragraph 158 of the NPPF states 'development shall not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding'.

5.3 Should the sequential test be passed, the development would then be subject to the 'Exception Test'. Paragraph 159 of the NPPF outlines that 'if it is not possible for development to be located in zones with a lower risk of flooding (taking in to account wider sustainable development objectives) the exception test may have to be applied. The need for the exception test will depend on the potential vulnerability of the site and of the development proposed. For the exception test to be passed, it should be demonstrated that:

- The development would provide wider sustainability benefits to the community that outweigh the flood risk; and
- The development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

5.4 With regards to the Development Plan, the application of both the sequential test and the exception test are required by policies CS5 and CS34 of the Core Strategy and policy PSP20 of the Policies, Sites and Places Plan.



- 5.5 The applicant has submitted a supporting statement which contends that there are no reasonably available alternative suitable locations for the proposed development, and that there are exceptional reasons for allowing the development in the location proposed. The applicant has concluded that the relevant tests are passed. For the reasons set out below, officers do not concur with this view.
- 5.6 The statement firstly suggests that the geographical search area when applying the sequential test should relate only to Severn Beach, and not to South Gloucestershire as a whole. However given that there are large parts of South Gloucestershire located within Floodzone 1 and which are also not subject to other restrictive policies such as Green Belt policy (including the defined settlement boundaries of Yate, Thornbury, and the communities of the northern and eastern fringes of Bristol) officers consider that the whole district is a more appropriate geographical area for the sequential test. The test could only reasonably be applied to a village such as Severn Beach where the remainder of the land within the authority boundary is subject to significant development constraints.
- 5.7 Notwithstanding the above, the applicant has still moved on to undertake a search of available land across the district as a whole, with searches undertaken in September and December 2019 respectively. A search was undertaken on the Rightmove property search website, and as such only sites that were listed as 'for sale' on the Rightmove website were considered.
- 5.8 In total, 27 sites were identified. However these were all discounted for a number of reasons, including: being located outside of settlement boundaries; being too small to accommodate the development; already benefiting from a permission; being located on agricultural land or; being constrained for other reasons such as location within the Green Belt.
- 5.9 Firstly, simply because a site is not advertised on a particular property website as being 'for sale' does not necessarily mean it is not 'reasonably available' and 'appropriate for the proposed development'. Areas of undeveloped land located within Floodzone 1 remain within the defined urban areas and within the settlement boundaries of towns and villages. Irrespective of being listed as for sale, it should be demonstrated that all appropriate sites within suitable locations outside of Floodzones 2 and 3 have been exhausted.
- 5.10 In terms of whether the granting of planning permission would render a site 'unavailable' for the purposes of the sequential test, an Inspector concluded in a 2019 appeal decision (ref. APP/F1610/W/19/3222393), that the physical commencement of works is a reasonable certain basis to discount the availability of the site when applying the sequential test. As such, whilst sites such as Knightwood Farm (identified within the submitted sequential test), may benefit from a permission for four units, as the development does not appear to have commenced given that pre-commencement conditions have not been discharged, the site remains available for development.

- 5.11 As such, whilst the applicant's argument is acknowledged, there are considered to be appropriate sites located within Flood Zone 1 across the district which could reasonably accommodate the development. The proposal therefore fails the sequential test. On this basis it is not necessary to apply the exception test.
- 5.12 With the applicant's statement, reference is made to applications PT17/0821/F and P19/7847/F. In the case of PT17/0821/F, Members resolved to grant permission for the erection of 5no. dwellings within Severn Beach and EA Floodzone 3. In applying the sequential test, Severn Beach was considered to be an appropriate geographical search area. A similar assessment was made by Members as part of the assessment of P19/7847/F, in which permission was granted for 1no. dwelling in Severn Beach.
- 5.13 Whilst the previous decisions referred to by the applicant are noted, these only represent two decisions made within the authority, and do not comprise case law, or change planning policy in respect of flood risk. The development is to be assessed on its own merits, and is contrary to the Development Plan. A previous decision relating to another site does not set a precedent for the future development of the application site.
- 5.14 In terms of the planning history of the site, it is noted that outline planning permission has been granted in the past for the erection of a new dwelling at the site. However the most recent decision was made in 1989, and under a different planning regime. As such, any historic permission relating to the site would also not set a precedent for any future development.
- 5.15 Further to the above, it is acknowledged that the residential units have been designed in such a way as to allow for the ground floor of each unit to be raised approximately 1.15m above ground level. Whilst this may protect the ground floor area of each unit to a degree in the event of a flood, it would not mitigate the cumulative residual impact of a flooding event. It would not prevent occupants from requiring rescue, and as such there would still be a risk to life. Furthermore and as discussed in a later stage of this report, the raising of each unit is considered a contrived design approach, which in itself would lead to issues relating to visual and residential amenity.
- 5.16 On the basis of the assessment set out above, the application is not considered to pass the sequential test. The proposal is therefore contrary to policies CS5, CS34 and PSP20 as well as the provisions of the NPPF. The site is not considered a suitable location for additional residential development, and the harm identified in respect of flood risk is considered to attract substantial weight in the assessment of the application.
- 5.17 Design and Visual Amenity  
Policy CS1 of the Core Strategy seeks to ensure that development proposals are of the highest possible standards and design. This means that developments should have appropriate: siting, form, scale, height, massing,

detailing, colour and materials which are informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context. Policy CS1 is fully compliant with design guidance in the NPPF.

- 5.18 The application seeks to erect two sets of semi-detached pairs. The units would face on to the highway, and would follow the general building line created by existing properties along Ableton Road.
- 5.19 In terms for the appearance of the site in its current form, it is noted that the residential unit appears to have been unmaintained for some time. Furthermore the unit is of no architectural merit, and as such there are no concerns regarding its demolition. The remainder of the site does also not appear to have been routinely maintained; however is not so overgrown as to cause detriment to the streetscene. It is also noted that the site is largely screened from public view by a boundary fence and hedgerow, and does therefore not form a prominent feature within the streetscene.
- 5.20 Turning to the proposed development, there are no in principle objections to the provision of two semi-detached pairs at the site in design terms. The existing streetscene comprises semi-detached pairs, and the proposed units would in-fill a natural gap between the existing pairs. Furthermore, the site is sufficiently large as to accommodate the proposed units, together with associated garden and parking areas, without the units appearing cramped.
- 5.21 However the overall scale and form of the dwellings is not considered to be appropriate. On the basis of the site being located in an area at the highest risk of flooding, the proposed units have been raised off the ground, in order to protect the ground floor level. Submitted plans indicate that the proposed units would be raised 1.15m above ground level.
- 5.22 As a result, the two sets of semi-detached pairs would stand to be significantly taller than existing adjacent units. Having measured off submitted plans, it appears that the proposed units would extend to a maximum height of approximately 9.15m; compared to the approximate 7.5m height of the adjacent semi-detached units. As such, the proposed dwellings would be approximately 1.65m taller than adjacent units; which includes the 1.15m high base. The opening up of the western boundary of the site and the introduction of additional built form would result in a far more prominent development than the current arrangement.
- 5.23 Given the increased height, it is concluded that when viewed alongside the existing adjacent properties and within the streetscene as a whole, the proposed semi-detached units would appear as overly prominent and uncharacteristic features. The raised front terrace area, with steps leading up to each unit, is also not a characteristic feature of the streetscene, and further reduces the extent to which the proposed units would visually integrate in to the site. Overall, the intention to raise the units above ground level is considered to result in a contrived design.
- 5.24 Overall, the scale and form of the development is not considered to be sufficiently informed by its immediate context. The proposal does not represent

a high standard of design and site planning, and if allowed would result in acute harm to the visual amenity of the streetscene. The proposal is therefore contrary to policy CS1. The harm identified in this respect is considered to carry significant weight in the assessment of the application as a whole.

5.25 Residential Amenity

Policy PSP8 of the Policies, Sites and Places Plan outlines that development proposals will be acceptable provided that they do not create unacceptable living conditions or have an unacceptable impact on the residential amenity of the occupiers of the development or of nearby properties. Unacceptable impacts could result from (but are not restricted to); loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and odours, fumes or vibration.

5.26 When considering the impact of the development on residential amenity, the main consideration relates to the impact on the occupants of adjacent properties to the north and south; at no's. 21 and 29 Ableton Road respectively.

5.27 In terms of no. 21 to the north, whilst the height of the proposed residential units is noted, given that they largely follow the existing building line it is not considered that the proposed dwellings would have a significantly greater overbearing or overshadowing impact on the neighbouring property than the existing building at the site.

5.28 However there are concerns that the development as proposed would lead to undue overlooking from the new properties on to existing neighbouring properties. As discussed within the design section of this report, the proposed units would be raised above ground level by approximately 1.15m, with both front and rear terraces provided.

5.29 In terms of the raised area to the front, this would only provide views on to neighbouring frontages. As these areas can already be viewed from the road, it is not considered that the development would impact upon amenity through additional overlooking.

5.30 Due to its location immediately to the rear of the unit, the rear terrace area would provide the most accessible area of amenity space to available to prospective occupants, and would therefore likely be the most routinely used external area by occupants. Given the height that this external area would sit above ground level, it is considered that even with boundary treatments extending to 1.8m in height, views on to the neighbouring garden area would be achievable. Given that the existing rear garden is not currently overlooked, it is considered that the provision of the rear terrace area would directly impact upon the levels of privacy enjoyed by neighbouring residents. In this respect, it is considered that development would have an adverse impact upon the residential amenity of the adjacent neighbour.

5.31 In terms of no. 29 to the south, a similar assessment has been made. Whilst the provision of the semi-detached units would result in some overbearing and overshadowing impact over and above the current arrangement, as the

buildings would largely follow the existing building line it is not considered that this would translate to a severe impact on residential amenity.

5.32 However, similarly to the impact of the development on no. 21 to the north, it is considered that the provision of a raised terrace area immediately to the rear of unit 4 would provide views on to a neighbouring garden area which is not currently overlooked. It is considered that this arrangement would reduce the levels of privacy enjoyed at the neighbouring property, and would translate to an adverse impact on residential amenity.

5.33 It is also considered that neighbours would be subject to a degree of disturbance during the construction period. However the effects of the development in this regard could be adequately mitigated through the application of a working hours condition.

5.34 In terms of the living conditions of the future occupants of the development, it is concluded that sufficient internal living space and external amenity space would be provided as to allow for an adequate standard of living.

5.35 Notwithstanding this, it is concluded that the development would unacceptably impact upon the residential amenity of neighbouring residents through an increased sense of overlooking. The development is therefore contrary to policy PSP8, and moderate weight has been attributed to the harm identified in this respect.

5.36 Transport

At present, the dwellinghouse is served by a single access point on to Ableton Road, with parking provided within the site. The proposal seeks provide each of the four residential units with their own dedicated access point from the highway. Whilst insufficient on-site manoeuvring space would be provided as to allow for vehicles to enter and exit each parking area in a forward gear, given the levels of visibility and the nature of the adjacent highway, the transport officer has not raised any fundamental highway safety concerns.

5.37 In terms of parking provision, it is proposed to provide each of the four residential units with 2no. parking spaces. This complies with the minimum parking standards for a 3-bed unit, as specified in policy PSP16 of the Policies Sites and Places Plan. Overall the parking arrangements are considered acceptable, and had the application been recommended for approval, a condition securing the parking provision would have been applied to any consent. An informative note would also have been applied, reminding the applicant of the need to gain consent from Council's Streetcare department before dropping kerbs or undertaking any works to the highway.

5.38 Ecology

Policy PSP19 of the Policies Sites and Places Plan outlines that development proposals which would result in the loss of habitats should be refused unless the need for, and the benefits of the development in that location clearly outweigh the loss.

- 5.39 A preliminary ecological appraisal has been submitted in support of the application. This has been reviewed by the ecology officer, who has outlined that additional information regarding the potential of the property to support bats (negligible, low, moderate and high) is required. On the basis of the information submitted, the ecology officer is unable to confirm that the development would cause no unacceptable harm to protected species.
- 5.40 On the basis that the application has been found to be unacceptable as a matter of principle, no further ecological information has been requested at this stage. As such it has not been satisfactorily demonstrated that the proposal would not cause harm to protected species through the loss of nesting habitats for bats, and the proposal is therefore contrary to PSP19. The harm identified in this respect attracts moderate weight in the assessment of the application as a whole.
- 5.41 Trees  
An arboricultural report and impact assessment have been submitted in support of the application. The tree officer has raised no objection to these documents, and subject to a condition requiring the works to be carried out in accordance with the recommendations of the report, it is not considered that the development would cause unacceptable harm to on-site arboriculture. Had the application been recommended for approval, a condition to this effect would have been attached to any decision.
- 5.42 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.
- 5.43 With regards to the above this planning application is considered to have a neutral impact on equality.
- 5.44 Overall Planning Balance  
The moderate socio-economic benefits of the development in respect of the net increase of 3no. units at a site located within a settlement boundary are acknowledged. However this is not considered to outweigh the identified harm in respect of flood risk, visual amenity, residential amenity and ecology, which when considered cumulatively is considered to attract substantial weight.
- 5.45 In this instance, the moderate benefit resulting from the development would not outweigh the substantial harm identified. The proposal is therefore not a sustainable form of development and the application fails. It therefore follows that planning permission should be refused.

## 6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to **refuse** permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 set out above, and to all the relevant material considerations set out in the report.

## 7. RECOMMENDATION

- 7.1 That the application be **REFUSED** for the reasons outlined above.

**Contact Officer: Patrick Jackson**

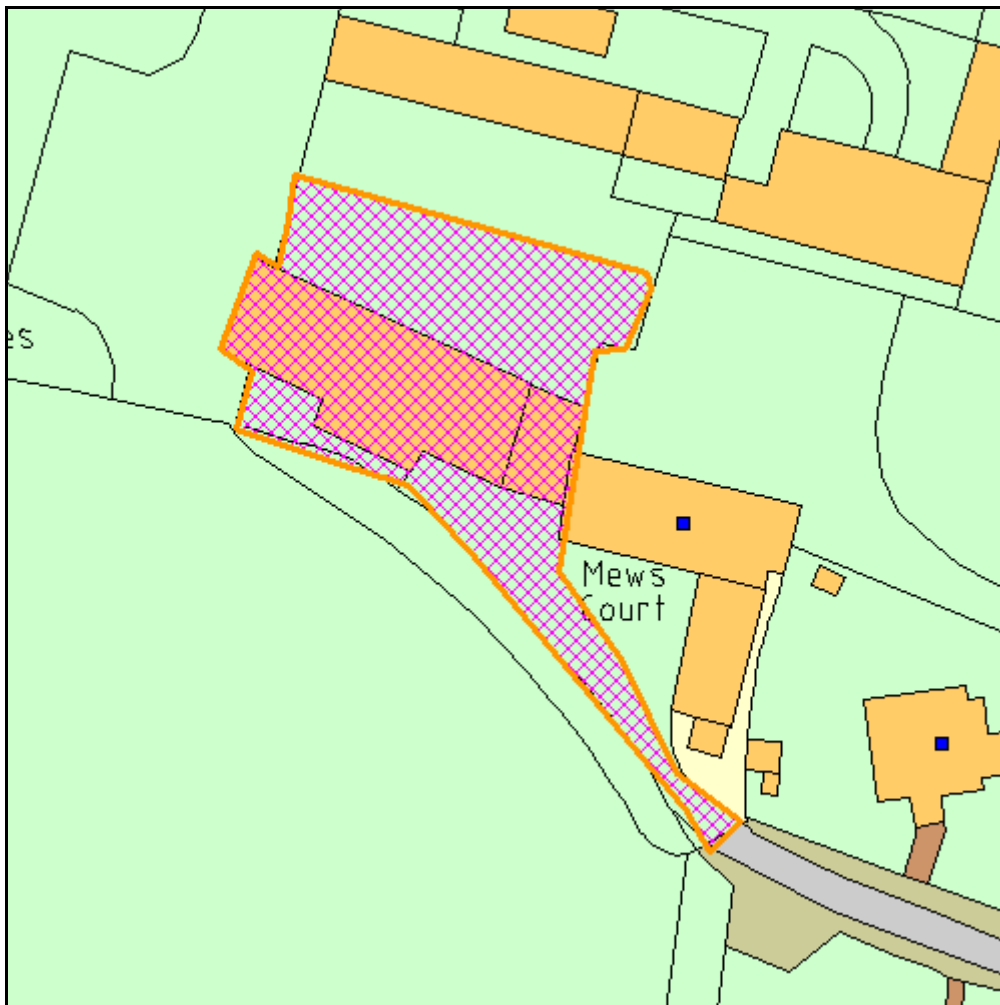
**Tel. No. 01454 863034**

1. The site is located within EA Flood Zone 3 and would introduce a more vulnerable form of development into this area which is identified as being at high flood risk. It is not considered that the applicant has demonstrated that the proposal passes the sequential test. In view of the sequentially preferable sites that are available, the application is therefore contrary to the provisions of the National Planning Policy Framework (2019); Policies CS5 and CS34 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013; and Policy PSP20 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.
2. The design of the proposed residential units is contrived, and fails to respect the scale, character and overall appearance of adjacent built form. The proposed units would appear as overly prominent and uncharacteristic additions to the streetscene, and if permitted would adversely affect the visual amenity of the locality. The proposal is therefore contrary to policies CS1, CS16 and CS17 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, and the provisions of the National Planning Policy Framework (2019).
3. The relationship between the proposed dwellings and existing adjacent dwellings would lead to overlooking on to the private rear garden areas serving neighbouring units. If permitted the development would result in harm to residential amenity, and the proposal is therefore contrary to policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.
4. Insufficient information has been submitted to demonstrate that the development would have no unacceptable impacts on the habitats of protected species. The development is therefore contrary to Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 and the National Planning Policy Framework (2019).

**CIRCULATED SCHEDULE NO. 10/20 – 6 MARCH 2020**

<b>App No.:</b>	P19/7456/F	<b>Applicant:</b>	Mr And Mrs S Howes
<b>Site:</b>	Barn A Court Farm Church Lane Rangeworthy Bristol South Gloucestershire	<b>Date Reg:</b>	3rd July 2019
<b>Proposal:</b>	Conversion of Barn to form 2 no. dwellings with associated works.	<b>Parish:</b>	Rangeworthy Parish Council
<b>Map Ref:</b>	368763 186265	<b>Ward:</b>	Ladden Brook
<b>Application Category:</b>	Minor	<b>Target Date:</b>	22nd August 2019

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 100023410, 2008. N.T.S. P19/7456/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.

## **CIRCULATED SCHEDULE**

This application appears on the Circulated Schedule due to comments received from the Parish Council

### **1. THE PROPOSAL**

- 1.1 The applicant seeks full planning permission for the Conversion of an existing barn into 2no. dwellings with associated works.
- 1.2 The application site relates to Court Farm, Church Lane, Rangeworthy. The site is outside the settlement boundary. The buildings are not listed nor curtilage listed, but do contribute to the setting of the nearby Grade II\* Rangeworthy Court and the Grade II\* 11<sup>th</sup> century Holy Trinity Church.
- 1.3 During the course of the application revised plans were submitted to the LPA to address concerns raised regarding amenity space and additional information confirmed the applicant has discussed drainage issues with Wessex Water.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

National Planning Policy Framework February 2019

National Planning Guidance

Planning (Listed Buildings and Conservation Areas) Act 1990

Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended)

National Planning Practice Guidance – Conserving and Enhancing the Historic Environment;

Historic England's Good Practice Advice in Planning Note 2 "Managing Significance in Decision-Taking in the Historic Environment".

Historic England's Good Practice Advice in Planning Note 3 "The Setting of Heritage Assets (2<sup>nd</sup> Edition)".

#### **2.2 Development Plans**

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

CS1 High Quality Design

CS2 Green Infrastructure

CS4A Presumption in Favour of Sustainable Development

CS5 Location of Development

CS8 Improving Accessibility

CS9 Managing the Environment and Heritage

CS15 Distribution of Housing

CS16 Housing Density

CS17 Housing Diversity

CS18 Affordable Housing

CS34 Rural Areas

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP7	Development in the Green Belt
PSP8	Residential Amenity
PSP9	Health Impact Assessments
PSP10	Active Travel Routes
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP18	Statutory Wildlife Protection
PSP19	Wider Biodiversity
PSP21	Environmental Pollution and Impacts
PSP28	Rural Economy
PSP40	Residential Development in the Countryside
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007)

South Gloucestershire SPD: Residential Parking Standards (Adopted) 2013

Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide

SPD – (Adopted) March 2015

SPD: Development in the Green Belt (Adopted) 2007

South Gloucestershire Council Waste Collection: guidance for new developments SPD (Adopted) Jan 2015

**3. RELEVANT PLANNING HISTORY**

There is a long planning history attached to the Court Farm site. The most recent are listed below

- |     |                |   |          |          |
|-----|----------------|---|----------|----------|
| 3.1 | PT18/4838/F    | Alterations and extensions to 3no existing agricultural buildings to facilitate conversion to 3no dwellings with landscaping and associated works   | Approved | 23.5.19  |
| 3.2 | PT18/4380/PNGR | Prior notification of a change of use from Agricultural Building to 2 no. residential dwellings (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). | Refused  | 21.11.18 |
| 3.2 | PT14/1356/F    | Erection of Agricultural building for livestock   | Approved | 25.6.14  |
| 3.4 | PT14/1362/F    | Erection of Agricultural building for livestock.  | Approved | 25.6.14  |
| 3.5 | PT14/4962/F    | Conversion of 4no. agricultural buildings to 4no.   |          |          |

- dwellings with landscaping and associated works  
(Resubmission of withdrawn PT14/2191/F)
- Refused 26.2.15  
Appeal dismissed.
- 3.6 PT13/4060/PNA Prior notification of the intention to erect an extension to an existing agricultural building for the storage of machinery and fodder.  
No objection 27.11.13

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

##### 4.1 Rangeworthy Parish Council

###### Objection:

- Attention drawn to other applications on this site
- This is a full planning application, whereas PT18/4830/PNGR was for permitted development and was refused partly due to it not meeting Class Q requirements regarding space, which do not apply to full planning.
- The design/elevations have been changed considerably and strike the Parish Council as more appropriate for a barn conversion than the original.
- Access is via Church Lane. Based on SGCs figure of seven vehicle movements per day per dwelling, two properties would generate fourteen movements past the church, cemetery and school.
- SGC Highways is familiar with the issues of parking around the school and had to introduce double yellow lines, but this means parents and children now approach the school by foot on a road with no pavement, so are even more vulnerable.
- Because the top of Church Lane has only provided access to the farm up to now, the number of pedestrians and amount of parking around the church for weddings, funerals, school functions etc has not been an issue before, but would be should this application be approved.
- People attending a wedding or funeral at the church or a function at the School have no alternative but to park along the Lane. This application will only exacerbate traffic conflict along the Lane.
- The approval of PT18/4838/F for the conversion of barns into three properties on the same site already jeopardises the peaceful surroundings of the church and cemetery, but access to those dwellings is separate and will not impinge in the same way as this one would.
- The Parish Council consider this to be overdevelopment of the site a rural farm in the historic heart of the village would become a mini-development.
- The development is outside of the settlement boundary.
- The SGC Conservation Officer made a very good case for the refusal of development on this site stating the close proximity to important, listed buildings. However, this was ignored.
- The Parish Council would question whether the redundancy of the building for farming activities has been created to facilitate more speculative development? Who knows what farming requirements will be needed in the decades ahead, which may need the construction of new farm buildings?
- This application does meet the Parish Council's aspiration for smaller properties and did not object previously. However, given that the other barns have been approved and the access issues, Rangeworthy Parish

Council would urge South Gloucestershire Council to REFUSE this application.

- However, should SGC be mindful to grant permission, the Parish Council would request that in addition to the usual planning conditions, that the additional conditions be placed on the permission bearing in mind the site is within a place of contemplation and tranquillity and out of respect for the close proximity of the church, cemetery and school that there should be no playing of loud radio music, nor swearing by the construction workers; management of dust and mud at all times; that bat boxes are erected on the completed properties; that working hours be strictly adhered to; that all construction vehicles be contained within the development site.

### **Internal Consultees**

#### 4.2 Public Right of Way:

The application may affect public footpath ORA/1, which is also the promoted path the Jubilee Way, which runs close to the west side of the building to be converted. There is no objection in principle to the application improvements are sought with regard to the land to the west of the barn. This is currently very rough underfoot with a large muck heap and cattle feeding area, through which the footpath has to pass. Officers have discussed some stone for this area but are keen to see its amenity improved which will be of benefit to both the occupiers of the building and path users.

*It is understood that the applicant has been working with the Public Rights of Way officers regarding the footpath.*

#### 4.3 Conservation

No objection

#### 4.4 Environmental Protection

No objection subject to an informative.

### **Statutory / External Consultees**

#### 4.5 Parochial Church Council

Objection summarised as:

- Access and parking
- The turning area at end of lane is church owned and controlled
- On occasions church services could mean lane is blocked and access by delivery vans to the new houses would be restricted
- Impact on adjoining dwelling Mews Court

#### 4.6 Drainage

*No public foul sewers are readily available. A Package Treatment plant is specified but its location must be shown. The method of irrigation for the effluent overflow must be indicated. A percolation test for discharge to a soakaway is necessary. The applicant must consult the Environment Agency for the need to obtain an 'Environmental Permit' and produce a copy if required. Building Regulation approval must also be obtained.*

Note: Package Treatment Plants must be located 10 metres away from any watercourse and structures including the public highway.

*Updated comments:*

*Now the applicant has confirmed that the foul sewage is proposed to connect into the existing Wessex water public foul sewer this is acceptable to us and no further information is required. Therefore our updated comments are that we have no objection and no condition is required.*

4.7 Transport:

Under previous applications, a pedestrian access from Church Lane was provided via the current site. It now appears that the alignment for this route is being blocked by the parking spaces associated with the current application. As this route was considered to be the safest means of pedestrian access to the former site, we believe that this outcome is unsatisfactory. Hence, we would wish to see this problem rectified.

*Updated comments:*

*Revised plans have shown the pedestrian access through the site from the previously converted barns would be available for use and this is considered acceptable.*

## **Other Representations**

4.8 Local Residents  
None received

## **5. ANALYSIS OF PROPOSAL**

5.1 The application is for the conversion of an existing barn into 2 new dwellings.

5.2 Principle of Development

The application stands to be assessed against the above listed policies and all material considerations. The recently approved scheme for the conversion of 3 other barns within this courtyard formation holds significant weight, nevertheless it is important to undertake a similar assessment for this separate application.

5.3 Any new development must therefore accord with all the relevant policy tests and these include design, appearance, impact on the character of the area, impact on amenity space and on highway safety. PSP40 lists the type of development that is acceptable in the countryside and Policy CS5 establishes the spatial strategy for development in the district. Under this policy, new development is directed to the existing urban areas, market towns, and defined rural settlements. Residential development outside of these locations is strictly controlled. Similarly, Policy PSP2 and CS34 aim to protect the countryside from inappropriate development which can adversely affects its natural beauty.

5.4 The ethos of Policies PSP28 and CS34 is to support existing rural businesses and farm diversification. Other pertinent matters include the impact on

- transport and on residential amenity and on the setting of the nearby listed buildings.
- 5.5 Under the spatial strategy set out above, development of this nature should therefore be permitted only in the urban areas or defined settlements. The site is not within a defined settlement and nor does the built form in this location represent a village.
- 5.6 It therefore follows that there is an in principle objection to the proposed development as it does not accord with the spatial strategy as expressed in the Development Plan.
- 5.7 Notwithstanding this, and whilst the majority of applications for new residential development outside of settlement boundaries should be resisted in accordance with the Council's spatial strategy, the Local Planning Authority do consider that it may be suitable, in a few circumstances, to recommend approval of dwellings outside of the settlement boundary.
- 5.8 This will only apply when the site lies close to the edge of the defined settlement boundary and has a direct relationship with it (for example, may be linked to the settlement boundary by other buildings, or have good footpath links to the settlement boundary). Essentially, it should read as a natural extension to the settlement boundary. In this particular case the conversion of the other former barns which made up the former courtyard is a material consideration and weight is given in favour of the scheme for this reason.
- 5.9 Rural economy:  
PSP28 and the NPPF are supportive of a strong rural economy and it is recognised that farm diversification can assist farmers stay in business. However, to protect the countryside for its own sake only certain development that meets specific criteria can be supported. Policy PSP28 states in the case of conversion or re-use of existing buildings their re-development can be appropriate where:
- a. The building is of permanent construction; and
  - b. The buildings are in-keeping with their surroundings in terms of character, form, build and overall design; and
  - c. The proposal is of a scale which is consistent with its function, use and rural location
- 5.10 It is understood that the application site is part of a complex of former barns and traditional buildings that no longer meets the needs of the modern farming enterprise at Court Farm. Being surplus to the requirements of the business 3 of these barns have already been granted permission for conversion into residential accommodation. The two barns subject of this application would therefore be no longer connected to the larger and modern barns and farmyard but would back onto residential gardens. It is accepted that the building is capable of conversions and the proposed development would be in-keeping with the changed character of this location.
- 5.11 The proposal is considered to accord with policy PSP28.

5.12 Residential development in the countryside:

In a similar vein to PSP28 residential development in outside established settlement boundaries must accord with a set of criteria to protect the countryside from inappropriate development. The conversion and re-use of existing buildings for residential purposes is acceptable where: the building is of permanent and substantial construction; and would not adversely affect the operation of the rural business or working farms; and any extension as part of the conversion or subsequently is not disproportionate to the original building; and if the building is redundant or disused, the proposal would lead to an enhancement of its immediate surroundings.

5.13 Conclusion of principle of development:

The proposal is considered to be acceptable in principle subject to other matters including impact on heritage assets, overall design, residential amenity, transport and ecological matters.

5.14 Heritage assets

Historic cartographic evidence conforms that the complex of what is Court Farm once formed part of the Rangeworthy Court estate. The Rangeworthy Court is now in use as a hotel and it appears that the house and farm buildings were subdivided sometime in the 1950s. The farm buildings are not curtilage listed.

5.15 The barns subject of this application are of modern construction and of no architectural and historic interest. It is noted that the grouping of former farm buildings contrast in scale, construction and character and help form a hierarchy of building uses, forms and functions. They form part of an attractive and historic group that contributes positively to the overall architectural and historic interest of the site and the intimate setting of both the Court and the Holy Trinity Church.

5.16 Again the conversion of this barn into two new dwellings needs to demonstrate through design, layout and detailing that the existing character of the immediate area will not be harmed, which in turn, will help preserve the setting of the Grade II\* Court and Holy Trinity Church. It is considered that the submitted plans are acceptable on these counts.

5.17 The NPPF declares that when determining applications the LPA should take into account the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal. The LPA is required to take into account:

- a. The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation
- b. The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c. The desirability of new development making a positive contribution to local character and distinctiveness

5.18 Where development will lead to less than substantial harm to the significance of a designated heritage asset this harm should be weighed against the public benefit including, where appropriate, securing its optimum viable use.

- 5.19 In this instance, it is concluded that, subject to appropriate conditions, the proposed scheme would help preserve the setting of the Grade II Rangeworthy Court and the Grade II\* Church and would furthermore, provide an additional 2 new homes to the housing supply. There are therefore no objections in heritage terms.
- 5.20 Residential amenity  
The proposed site plan indicates that each of the converted barns would have amenity space. This amenity space would back onto the gardens of the barn conversions approved under PT18/4838/F.
- 5.21 Adopted planning policy PSP43 states the required amenity space for new development according to the number of bedrooms. Amenity space should be private and functional. The amount of garden area allocated to each property is considered to accord with adopted policy. The proposed parking and turning area would be to the rear gardens of the previously permitted barn conversions opposite. Given the countryside location of this new property and its limited number of neighbours, the style of amenity space is considered appropriate and acceptable. .
- 5.22 Moving on to the issue of inter-visibility and overlooking, the previously granted barn conversions would be around 20 metres from the rear elevations and therefore this is considered an acceptable distance. It is further noted that the barns are not directly opposite each other but are angle away slightly and this too would assist in not resulting in inter-visibility.
- 5.23 The proposal is considered to accord with residential policy requirements.
- 5.24 Transport  
Comments have been received expressing concerns regarding the potential adverse impact on parking and highway safety along Church Lane. These are noted but it is considered that the introduction of an additional two properties in this location would not result in a severe impact on the highway or generate an unacceptable level of additional traffic using this lane. Sufficient on-site parking in accordance with the adopted standards will be provided.
- 5.25 Ecology  
Details submitted with application PT18/4838/F for the conversion of the 3 barns opposite this current application site, also included a survey of this barn. The result found no signs of bats within this structure. There is therefore no requirement for any ecological conditions but it is expected that the conditions set out in the approved scheme would contribute to mitigation for any impact on ecology and it would be up to the applicant if they wish to add any further bats or bird boxes on this barn conversion.
- 5.26 Public Rights of Way  
The public right of way lies just outside the application site but is on land within ownership of the applicant. It is therefore understood that the land owner has been in discussion with the Public Rights of Way Team to improve the access along this part of the footpath due to its condition. This falls outside the remit of this planning application but will continue to be perused by other Officers.



#### 5.27 Other matters

The Parish has requested that should the application be approved, then conditions and or informatives be placed on the permission regarding the behaviour of construction workers, management of dust and mud at all times; that bat boxes are erected on the completed properties; that working hours be strictly adhered to; that all construction vehicles be contained within the development site. Given the location of the site in close proximity to the church, cemetery and school some appropriate conditions and informatives are considered reasonable. However, given the scale and nature of development which is a barn conversion situated within an existing farm yard, it is expected that the construction period will not be extensive and will not create unacceptable levels of dust and mud to warrant the inclusion of a condition.

#### 5.28 Impact on Equalities

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society. As a result of that Act the public sector Equality Duty came into force. Among other things, the Equality Duty requires that public bodies to have due regard to the need to: eliminate discrimination; advance equality of opportunity; and, foster good relations between different groups when carrying out their activities.

5.29 Under the Equality Duty, public organisations must consider how they could positively contribute to the advancement of equality and good relations. This should be reflected in the policies of that organisation and the services it delivers.

5.30 The local planning authority is statutorily required to apply the Equality Duty to its decision taking. With regards to the Duty, the development contained within this planning application is considered to have neutral impact.

#### 5.31 Planning Balance

The proposal is for the conversion of an existing farm building into two residential dwellings. The above assessment has shown that in this instance the conversion of the building would be appropriate to the location, adjacent to 3 barns recently granted residential conversion. Comments received have been addressed within the report and appropriate conditions attached to the decision notice. Transport matters have also been discussed and the use of the lane by a further two dwellings has been found acceptable.

The proposal is therefore recommended for approval.

## 6. CONCLUSION

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

6.2 The recommendation to **grant** permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan: Core Strategy

(Adopted) December 2013 and the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 set out above, and to all the relevant material considerations set out in the report.

## **7. RECOMMENDATION**

- 7.1 It is recommended that the application is **APPROVED** subject to the conditions set out in the decision notice.

**Contact Officer: Anne Joseph**  
**Tel. No. 01454 863788**

### **CONDITIONS**

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

Reason

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

2. Development shall proceed in accordance with the following approved plans:  
As received by the LPA on 20.6.19:  
Existing floor plans - 0807/12/03  
Existing elevations - 0807/12/04A  
Proposed floor plan - 03 A

As received by the LPA on 13.2.20:

Location plan - 01 B  
Site plan - 02 B  
Proposed elevations - 04 C  
Proposed elevations - 05 C  
Proposed site plan - 06 C  
Landscape and amenity plan - 07 A

Reason

To ensure a satisfactory standard of external appearance and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP1 of the Policies Sites and Places Plan (Adopted) 2017 and the National Planning Policy Framework.

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

Reason

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

4. Details relating to the storage provision for refuse bins and recycling boxes and the provision of covered and secure cycle sheds shall be submitted to and agreed in writing by the Local Planning Authority. The residential units hereby approved shall not be occupied until the storage areas have been provided in accordance with the agreed details.

Reason

To provide appropriate refuse collection areas and to encourage means of transportation other than the private car, to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and PSP16 of the Policies Sites and Places Plan (Adopted) 2017.

5. The hours of working on site during the period of construction shall be restricted to  
Monday - Friday.....7:30am - 6:00pm  
Saturday.....8:00am - 1:00pm  
No working shall take place on Sundays or Public Holidays.  
The term working shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

To minimise disturbance to the church, cemetery and school and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) January 2013 and the provisions of the National Planning Policy Framework.

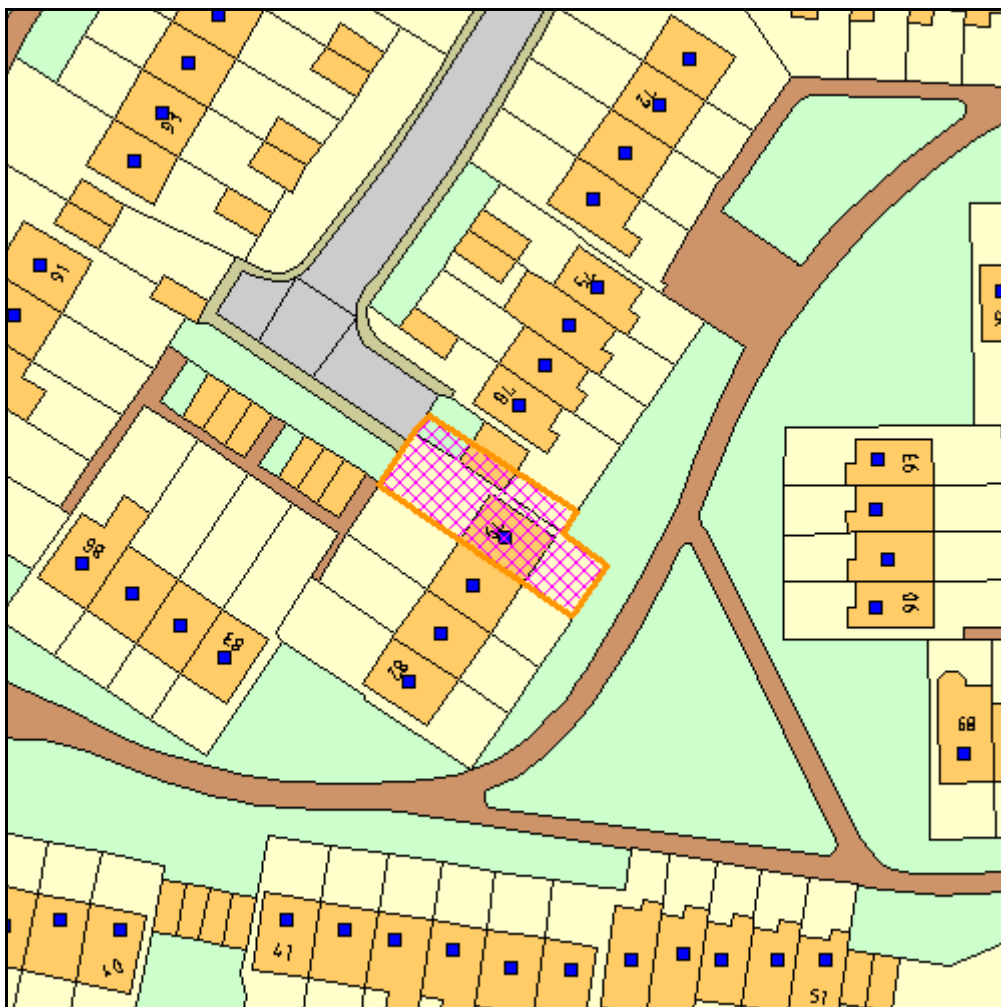
6. During the construction period, construction and delivery vehicles are to be contained within the development site.

Reason

To minimise disturbance to the church, cemetery and school and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) January 2013 and the provisions of the National Planning Policy Framework.

**CIRCULATED SCHEDULE NO. 10/20 – 06 MARCH 2020**

<b>App No.:</b>	P20/00342/F	<b>Applicant:</b>	Mr And Mrs Roberts
<b>Site:</b>	79 Woodmancote Yate Bristol South Gloucestershire BS37 4LJ	<b>Date Reg:</b>	9th January 2020
<b>Proposal:</b>	Change of use of adjoining amenity land to residential use (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) and to facilitate the erection of a two storey side extension to form additional living accommodation.	<b>Parish:</b>	Yate Town Council
<b>Map Ref:</b>	370772 181462	<b>Ward:</b>	Yate Central
<b>Application Category:</b>	Minor	<b>Target Date:</b>	4th March 2020



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

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

This application appears on the Council's Circulated Schedule procedure following an objection from the Town Council to the contrary of the officer recommendation detailed below.

### **1. PROPOSAL**

- 1.1 The application seeks full planning permission for a change of use of the adjoining amenity land to residential use (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) and to facilitate the erection of a two storey side extension to form additional living accommodation at 79 Woodmancote, Yate.
- 1.2 The application site comprises an end of terrace dwellinghouse on a radburn estate. The property benefits from an existing garage, private amenity space and an area of off-street parking. No restrictive policies cover the site.

### **2. POLICY CONTEXT**

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013  
CS1 High Quality Design

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

PSP1	Local Distinctiveness
PSP3	Trees and Woodland
PSP5	Undesignated Open Spaces within Urban Areas and Settlements
PSP8	Residential Amenity
PSP16	Parking Standards
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Space

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

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

- 3.1 No relevant planning history.

### **4. CONSULTATION RESPONSES**

4.1 Yate Town Council – Objection.

*“We are worried about the impact of this big extension to the front of the property. There will be a loss of a tree and shrubs which are currently on the open space and we have concerns about public open spaces being sold and built upon, removing them from public amenity space. The extension will effectively double the size of the house to form a 5 bed dwelling. This will result in significant overlooking into immediate neighbours properties. It will also block out light to the adjoining property.”*

4.2 Highway Structures – No comment.

4.3 Sustainable Transport – No objection, subject to a revised plan showing three parking spaces.

4.4 Arboricultural Officer – No objection subject to providing a replacement tree.

4.5 Neighbours – One letter of support and one general comment to the proposal has been received. With regards to the general comment, the member of the public stated that for one tree felled should be replaced, in addition to one tree for each additional bedroom created.

## 5. **ANALYSIS OF PROPOSAL**

### 5.1 Land Use

Policy PSP5 of the Policies, Sites, and Places Plan seeks to protect undesignated open spaces within urban areas against development which would harm the quality, character, recreational opportunities, amenity or distinctiveness of the locality.

5.2 The area of land proposed for a change of use sits to the north of the site, consisting of overgrown foliage and a mature Purple Plum Tree. Whilst the Purple Plum Tree contributes positively to the character and amenity of the area and its loss would be regrettable, it would not be unreasonable should a replacement tree be planted close by – this could be reasonably served via condition. As such, the change of use of the land from undesignated amenity land to C3 use would not result in unreasonable harm to the quality, character, recreational opportunities, amenity or distinctiveness of the locality and would therefore comply with Policy PSP5.

### 5.3 Trees

PSP3 seeks to minimise the loss of existing trees and states that development proposals should include replacement trees, of appropriate size and species, where tree loss is allowed for development. As the council has recently declared a climate emergency with a commitment to increase tree cover throughout South Gloucestershire, increased weight should be afforded to this policy. As such, should the application be approved, a replacement tree would form a condition to the decision.

5.4 Design and Visual Amenity

Policy CS1 of the Core Strategy and policy PSP38 of the Policies, Sites, and Places Plan seek to ensure that development proposals are of the highest possible standards of design. This means that developments should be informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context.

5.5 The proposed two storey side extension has been set down below ridge height and set back from the front elevation, as such the extension appears as a subservient addition when viewed in relation to the host building. The roof pitch would follow the angle of the existing, with the architectural style and detailing of the elevations also set to match. As such, the extension would appear respectful to the site and its context. It would therefore comply with policy CS1 of the Core Strategy 2013 and policy PSP38 of the Policies, Sites and Places Plan 2017

5.6 Residential Amenity

Policy PSP38 of the Policies, Sites and Places Plan 2017 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.

5.4 Due to the sitting, form, scale and design, the proposed development would not result in any unreasonable impacts to the residential amenity of the neighbours as described above. An adequate amount of outside private amenity space would remain. The proposal therefore complies with Policies PSP38 and PSP8 of the Policies, Sites and Places Plan 2017.

5.5 Parking

The proposed development would result in a 5 bed property, 3 off-street spaces would therefore need to be provided. The application has been amended to include this provision within the site boundary. The proposal would therefore comply with policy PSP16 of the Policies, Sites and Places Plan 2017 and the council's Residential Parking Standards SPD 2013.

5.5 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.

5.6 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 conditions.

**Contact Officer: Thomas Smith**  
**Tel. No. 01454 865785**

## CONDITIONS

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

Reason

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

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

Reason

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

3. Prior to first occupation, details for a replacement tree, including the species, size and location of which are to be approved in writing by the Local Planning Authority, and shall be planted in the first planting season following the felling hereby authorised.

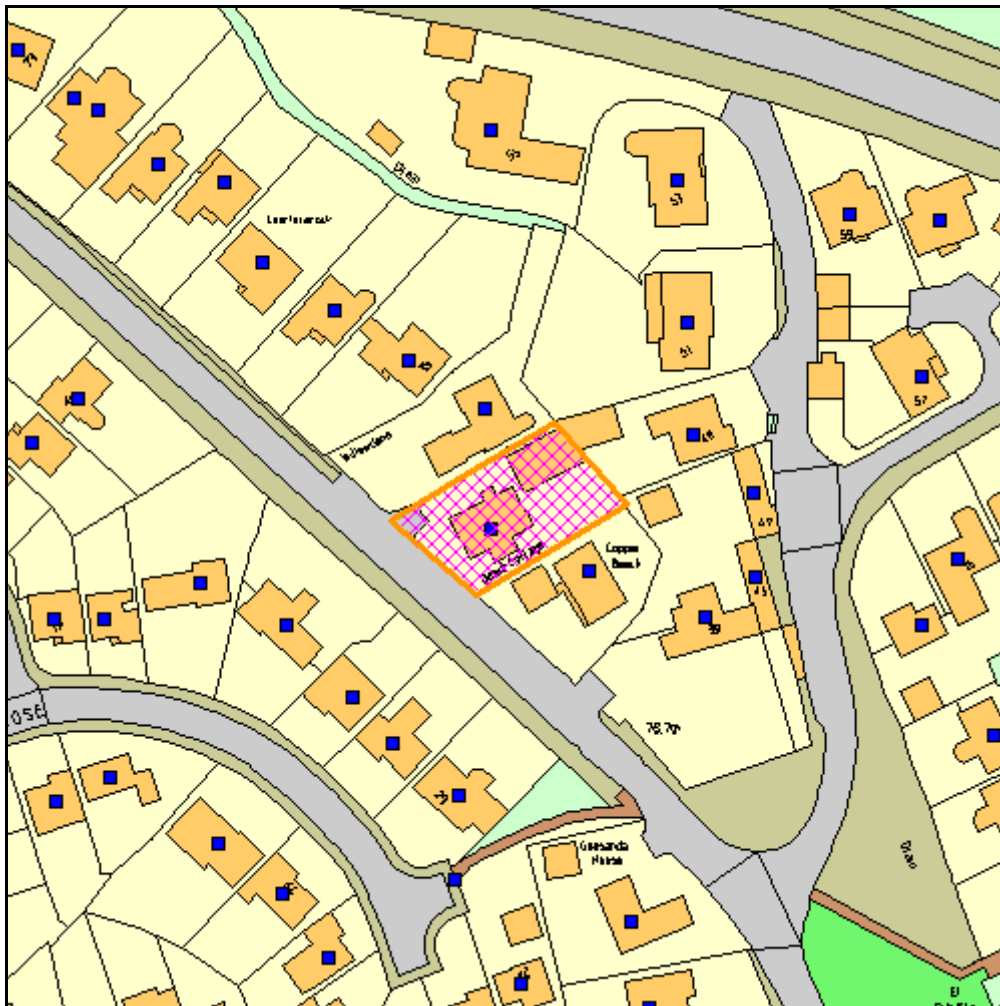
Reason

To mitigate against the harm of the tree felled, avoid remedial action, and to protect the character and appearance of the area to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policies PSP3 and PSP5 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) 2017; and the National Planning Policy Framework.



**CIRCULATED SCHEDULE NO. 10/20 – 6 MARCH 2020**

<b>App No.:</b>	P20/00561/F	<b>Applicant:</b>	Ms L Dent
<b>Site:</b>	Beech Cottage 37 Goose Green Yate Bristol South Gloucestershire BS37 5BL	<b>Date Reg:</b>	13th January 2020
<b>Proposal:</b>	Erection of two storey and single storey rear extensions to form additional living accommodation (amendment to previously approved scheme P19/4049/F).	<b>Parish:</b>	Yate Town Council
<b>Map Ref:</b>	371313 183614	<b>Ward:</b>	Yate North
<b>Application Category:</b>	Householder	<b>Target Date:</b>	5th March 2020



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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.

## **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 a two storey rear extension, single storey rear extension and side porch to form additional living accommodation at Beech Cottage, 37 Goose Green, Yate.
- 1.2 The application site comprises a detached property set within a moderately sized plot. The site is situated within the defined settlement boundary of Yate. The subject building has historic origins, and is considered to date from the 17th century. However the building has been subject to numerous external alterations over time.
- 1.3 Planning permission was previously granted for the erection of a two storey and single storey rear extension under application ref. P19/4049/F. The current application is largely similar, but seeks to alter the roof of the proposed single storey extension, and add a side porch to the property.
- 1.4 Revised plans indicating an additional window were received on 3<sup>rd</sup> March 2020.

### **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

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

PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP38	Development within Existing Residential Curtilages, Including Extensions and New Dwellings

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

**3. RELEVANT PLANNING HISTORY**

**3.1 P19/4049/F**

Erection of two storey and single storey rear extensions to form additional living accommodation.

Approved: 01.11.2019

**3.2 PK03/0067/F**

Erection of porch and two storey side extension to form bathroom and entrance hall with en-suite bathroom and dressing room above.

Approved: 31.01.2003

**3.3 P94/1352**

Change of use from residential dwellinghouse to day nursery (class C3 to class D1 as defined by the town and country planning (use classes) order 1987).

Refused: 18.05.1994

**3.4 P90/2258**

Erection of detached double garage (in accordance with amended plans received by the council on 23RD august 1990).

Approved: 26.09.1990

**4. CONSULTATION RESPONSES**

**4.1 Yate Town Council**

Objection – whilst previous extensions have kept original structure of stone wall property, proposed new interior layout destroys the historical integrity of the cottage. Extensions would also lead to loss of privacy to immediate neighbour.

## 4.2 Other Consultees

### Conservation Officer

No comment – however impact of proposed side porch on character of property should be considered.

## **Other Representations**

### 4.3 Local Residents

No comments received

## **5. ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

The application seeks permission for the erection of two storey and single storey extensions. Policy PSP38 of the Policies, Sites and Places Plan permits extensions and alterations to existing dwellings within established residential curtilages subject to an assessment of design, amenity and transport. Whilst the building is not a designated heritage asset, given its historic nature, the overall impact of the development in heritage terms will also be assessed. The development is acceptable in principle but will be determined against the analysis set out below.

### 5.2 Design, Visual Amenity and Heritage Impacts

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. Moreover, policy CS9 of the Core Strategy and PSP17 of the Policies, Sites and Places Plan seek to preserve and enhance heritage assets.

5.3 The proposal consists of three main elements. The first comprises the demolition of an existing two storey gable due to structural failings, and its replacement with a newly constructed two storey gable. The second comprises the erection of a single storey extension at the south-western corner of the building, with the third comprising a pitched roof porch to be erected at the west-facing side elevation.

5.4 Starting with the two storey gable, the scale and form of the proposed structure would largely replicate that of the existing. As such, the overall appearance would be similar, and it is not considered that the reconstructed gable would have any greater impact in visual terms than the existing. As originally submitted, the proposal did not include any first floor windows at the south-east elevation of the gable. However following negotiations, amended plans were submitted which include first floor windows at this elevation. Following this change, there are no concerns with the proposed two storey element.

- 5.5 In terms of the proposed single storey extension, a similar structure was approved under the previous application; albeit with a flat roof. The extension now proposed would incorporate a pitched roof, which is considered to result in an approved appearance. Overall there are no concerns with this element of the proposal.
- 5.6 In terms of the porch, it is noted that this is to be attached to the highway facing elevation, which has historically served as the side elevation of the host. Given that there is already a porch in situ at the front elevation of the property, it is acknowledged that the provision of an additional porch could result in a confusing appearance, and dilute the historic origins of the property.
- 5.7 However it is accepted that the building has been altered significantly over time, with the immediate surrounding area also having evolved with numerous modern properties constructed. Given its relatively modest size, it is not considered that the proposed side porch would have such a significant impact on the appearance of property or the way in which it interacts with the streetscene, as to warrant a refusal on visual grounds.
- 5.8 Overall, it is concluded that a satisfactory standard of design has been achieved, and the proposal is considered to be broadly consistent with policies CS1 and PSP38. Given the nature of the works and the way in which the building has been altered over time, it is also not considered that the proposal would detract from the significance or setting of a heritage asset. The proposal therefore accords with policies CS9 and PSP17.
- 5.9 Residential Amenity  
Policy PSP8 of the Policies, Sites and Places Plan outlines that development proposals will be acceptable provided that they do not create unacceptable living conditions or have an unacceptable impact on the residential amenity of the occupiers of the development or of nearby properties. Unacceptable impacts could result from (but are not restricted to); loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and odours, fumes or vibration.
- 5.10 No issues regarding the impact of the development on the residential amenity of neighbouring residents were identified as part of the previous application. Given the nature of the proposed changes, it is not considered that the development now proposed would have any greater impact. It is also considered that sufficient levels of amenity space would be retained on-site following the development, and the proposal therefore accords with policy PSP8.
- 5.11 Transport  
The proposal would have no impact on existing vehicular parking or access arrangements. The development would also not lead to any increase in the number of bedrooms contained within the property, and as such there would be no increased requirement for on-site parking spaces. Subsequently, there are no concerns with the proposal from a transportation perspective.

### 5.12 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.

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

## 6. CONCLUSION

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

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

## 7. RECOMMENDATION

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

**Contact Officer: Patrick Jackson**  
**Tel. No. 01454 863034**

## CONDITIONS

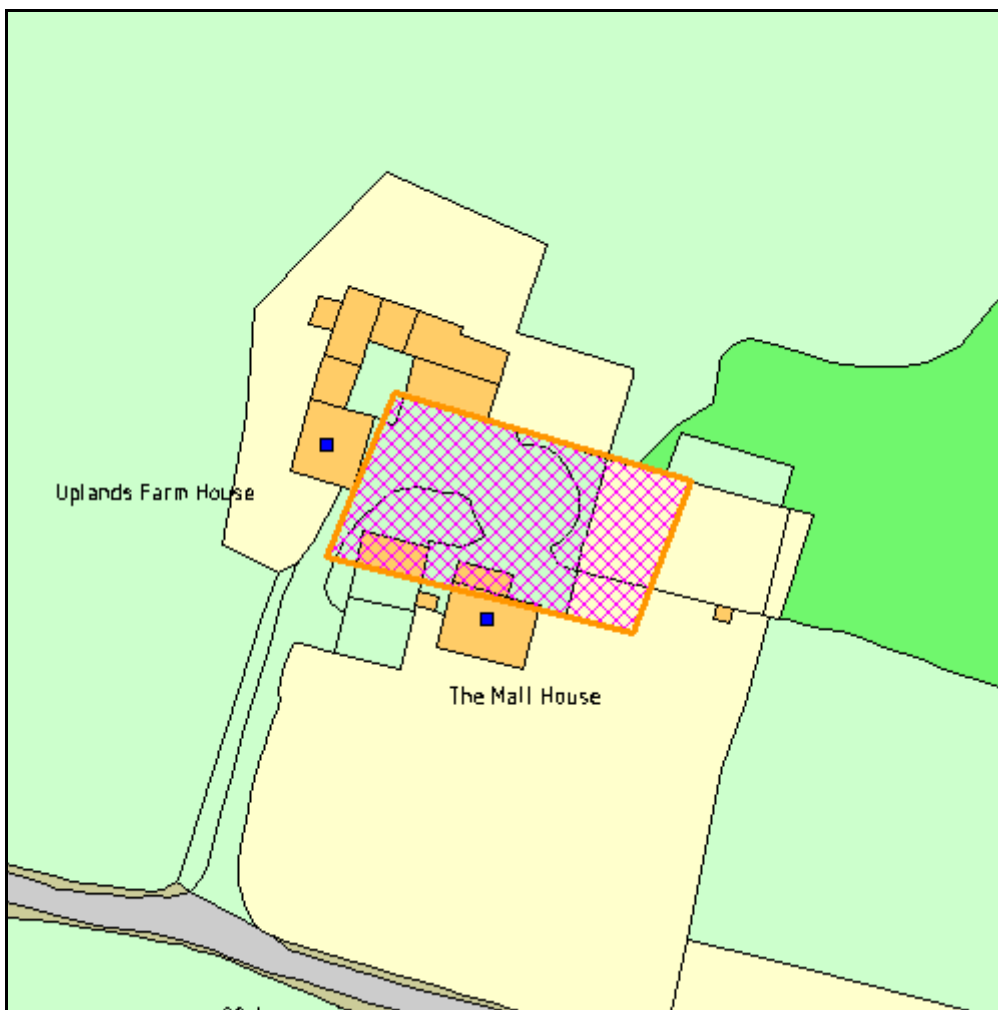
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

**CIRCULATED SCHEDULE NO. 10/20 – 6 MARCH 2020**

<b>App No.:</b>	P20/01446/TCA	<b>Applicant:</b>	Fraser
<b>Site:</b>	The Malt House Beach Lane Bitton Bristol South Gloucestershire BS30 6NP	<b>Date Reg:</b>	27th January 2020
<b>Proposal:</b>	Works to fell 6 no. fruit trees, 4 no. Bay trees and 2 no. spiralled Ionicera trees, all situated in the Bitton Conservation Area.	<b>Parish:</b>	Bitton Parish Council
<b>Map Ref:</b>	370352 170948	<b>Ward:</b>	Bitton And Oldland Common
<b>Application Category:</b>	Works to trees in a Conservation Area	<b>Target Date:</b>	5th March 2020



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 100023410, 2008. **N.T.S.** **P20/01446/TCA**

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

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

This application is referred to the Circulated Schedule as comments have been received during the public consultation period that are contrary to the recommendation.

However, this application is a prior notification of proposed works to trees in a conservation area. The purpose of such an application is to provide an opportunity for the Local Planning Authority (LPA) to serve a Tree Preservation Order (TPO) on the tree, should it fulfil the criteria of designation. A TPO must be served within a period of six weeks. Failure by the LPA to serve a TPO or respond to the notification within this timeframe results in a default position of the works gaining deemed consent. Therefore this application appears on the Circulated Schedule for information purposes only.

### **1. THE PROPOSAL**

- 1.1 Works to fell 6 no. fruit trees, 4 no. Bay trees and 2 no. spiralled Ionicera trees, all situated in the Bitton Conservation Area.
- 1.2 The trees are situated within the grounds of The Malt House, Beach Lane, Bitton, Bristol, South Gloucestershire, BS30 6NP.

### **2. POLICY CONTEXT**

#### 2.1 National Guidance

- i. The Town and Country Planning Act 1990
- ii. The Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990
- iii. The Town and Country Planning (Tree Preservation) (England) Regulations 2012

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

- 3.1 None relevant.

### **4. CONSULTATION RESPONSES**

- 4.1 Bitton Parish Council feel that this is a lot of trees being removed with no reason given in a conservation area and therefore would like to object to this application.

### **Other Representations**

#### 4.2 Local Residents



Comments have been received from a resident objecting to the removal of the trees on the grounds that there are no reasons given for the works.

## **5. ANALYSIS OF PROPOSAL**

5.1 This application provides prior notification of proposed works to trees situated within a conservation area.

### **5.2 Principle of Development**

Under the Planning (Listed Buildings and Conservation Areas) Act 1990, it is recognised that trees can make a special contribution to the character and appearance of a conservation area. Under the above Act, subject to a range of exceptions, prior notification is required for works to a tree in a conservation area. The purpose of this requirement is to provide the Local Planning Authority an opportunity to consider bringing any tree under their general control by making a Tree Preservation Order. When considering whether trees are worthy of protection the visual, historic and amenity contribution of the tree should be taken into account and an assessment made as to whether the tree fulfils the criteria of a Tree Preservation Order.

### **5.3 Consideration of Proposal**

Under the legislation there is no requirement for the provision of reasons for the work to trees within Conservation Areas unless they are covered by a Tree Preservation Order (TPO). None of the trees that are subject of this application are covered by a TPO and are not large-growing species.

5.4 The trees are located within a walled garden set approximately 80 metres to the north of the main road – Beach Lane. The property and this garden are further screened from the road by other larger, mature trees.

5.5 One of the main criteria for inclusion on a TPO is that the tree provides visual public amenity. As these trees are not visible from a public vantage point such as a road or public footpath, they would not meet this important criteria.

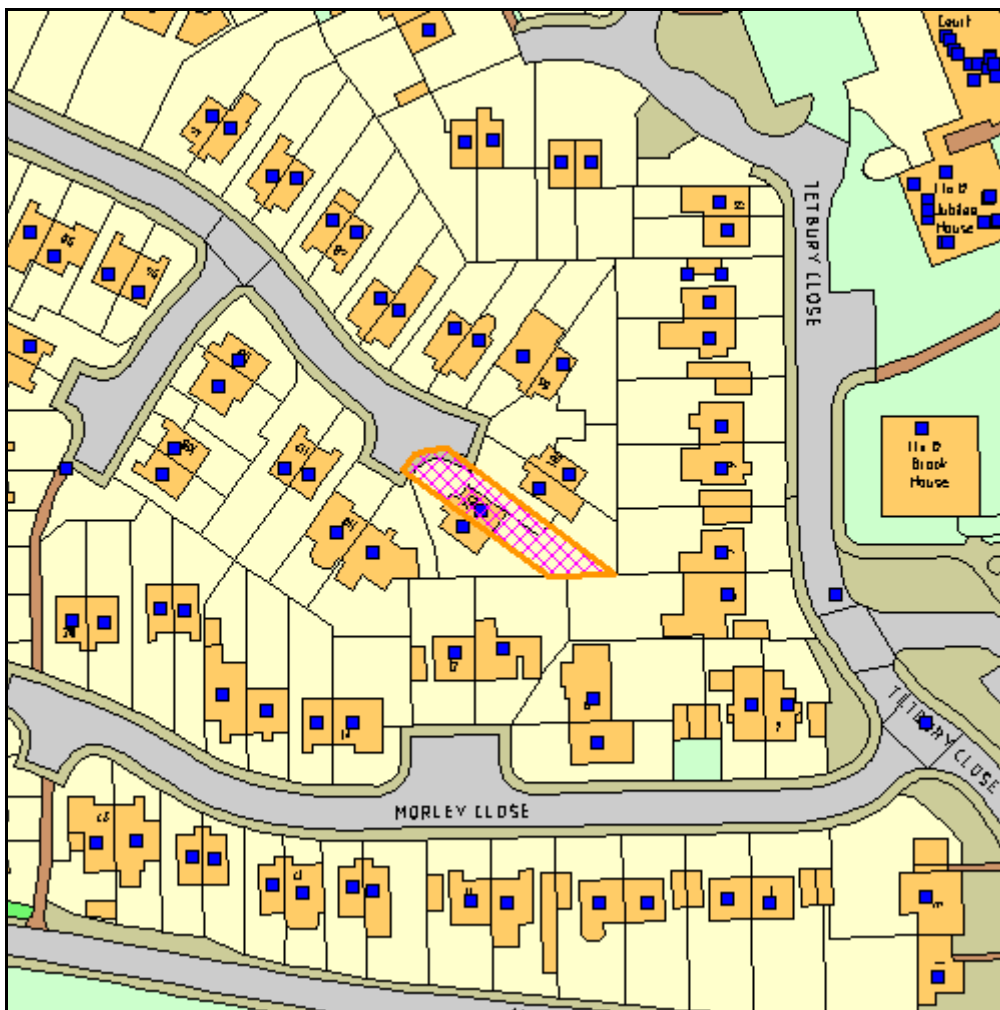
## **6. RECOMMENDATION**

6.1 No objections.

**Contact Officer: Simon Penfold**  
**Tel. No. 01454 868997**

**CIRCULATED SCHEDULE NO. 10/20 – 6 MARCH 2020**

<b>App No.:</b>	P20/02346/F	<b>Applicant:</b>	Mr Andrew Collins
<b>Site:</b>	122 Amberley Road Patchway South Gloucestershire BS34 6BY	<b>Date Reg:</b>	10th February 2020
<b>Proposal:</b>	Erection of two storey rear and side extension to provide additional living accommodation.	<b>Parish:</b>	Stoke Gifford Parish Council
<b>Map Ref:</b>	361078 181496	<b>Ward:</b>	Stoke Gifford
<b>Application Category:</b>	Householder	<b>Target Date:</b>	2nd April 2020



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 100023410, 2008. **N.T.S.** **P20/02346/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 planning application will be referred to the Circulated Schedule because the proposal has received 1No objection from Stoke Gifford Parish Council which is contrary to the officer's recommendation.

### **1. THE PROPOSAL**

- 1.1 The application seeks full planning permission for the erection of a Two Storey Side and Rear extensions as detailed on the application form and illustrated on the accompanying drawings.
- 1.2 The application site can be found at 122 Amberley Road, is set within a moderately sized plot, is an existing two storey semi-detached property, within the established built up residential area of Patchway. The immediate area is strongly characterised by mainly two storey semi-detached dwellings, which are all of similar design.

### **2. POLICY CONTEXT**

#### 2.1 National Guidance

National Planning Policy Framework February 2019

#### 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4a	Presumption in Favour of Sustainable Development
CS5	Location of Development

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
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Space Standards

#### 2.3 Supplementary Planning Guidance

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

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

- 3.1 None.

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

4.1 Stoke Gifford Parish Council  
1No Objection – due to lack of external parking proposed.

4.2 Other Consultees  
Sustainable Transport – Transportation DC  
No Comments.

#### **Other Representations**

4.3 Local Residents  
No Comments received.

#### **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. It states that new dwellings and extensions within existing residential curtilages are acceptable in principle but should respect the overall design and character of the street and surrounding area. They should not prejudice the amenities of neighbours, or that of highway safety and the parking provision should be of an acceptable level for any new and existing buildings. The adequate provision of private amenity space should also not be sacrificed for any new development that forms part of a settlement pattern that also contributes to local character.

5.2 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.

5.3 The proposal is for planning permission to the existing dwelling to erect a two storey rear and side extension. Consequently the main issues to deliberate are the impact on the character of the area and the principle dwelling; the impact development may have on the amenities of neighbouring occupiers and the resultant dwelling; and the proposals impact on highway safety/parking provision.

5.4 The property has an existing living room, kitchen/dining room to the ground floor with 2No bedrooms and bathroom to the first floor. Therefore the extra ground and first floor area proposed will permit an improved living space, developing the dwelling into a modern unit, creating a living room and utility/WC extension to the ground floor, with a 1No bedroom and en-suite to the first floor. Careful placement of the bi-fold doors and windows to the rear, will ensure continued privacy onto the adjoining neighbours.

5.5 Design and Visual Amenity

- Policy CS1 of the Core Strategy and policy PSP38 of the Policies, Sites and Places Plan seek to ensure that development proposals are of the highest possible standards of design. This means that developments should be informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context.
- 5.6 The single storey side element, will have an overall width of 1.6 metres at the narrowest point, widening to 5.4 meters across the rear of the host dwelling, and be to a total depth of 6.9 metres (front of side extension to rear wall of rear extension) with a 2No windows to the front of the side elevation. It will have a pitched gable end roof with 1no velux window, and it will be set down from the existing ridge by 0.6 metres, and extend to 4.9 metres in height to the eaves.
- 5.7 Overall, with the extensions mainly towards the rear of the property, there will not be any significant or detrimental impact on the street scene or character of the area.
- 5.8 Both extensions have been proposed through their design to complement the existing dwelling in the choice of materials, details and components, ensuring that the aesthetical appearance of the dwelling continues to compliment neighbouring properties, matching materials and components to the existing dwelling where possible, and therefore the scale and form of the proposed extensions will respect the proportions and character of the existing dwelling.
- 5.9 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.
- 5.10 The impact on residential amenity has been assessed in terms of the surrounding neighbouring properties. The two storey rear extension will project into the rear garden by 3.5 meters which could create some impact on the immediate neighbouring property at certain times of the day and therefore could potentially cause some loss of light and overshadowing at certain times of the day. As the host dwelling is located in a built up residential area, the proposal should not result in an unacceptable impact on the residential amenity of the neighbouring occupiers.
- 5.11 In terms of overlooking, there are no proposed additional windows in the proposed side, of the side extension, or similarly to the side elevations of the rear extension; windows are only proposed to the front elevation of the side extension, both to the ground and first floor, with the original window to bedroom 2 being re-located to the first floor rear elevation. The ground floor only proposes new bi-fold doors to the rear elevation, replacing the existing single personnel door and window.
- 5.12 Transport

Policy PSP16 of the Policies, Sites and Places Plan sets out the Councils parking standards. The proposal demonstrates that the 2No parking spaces will be provided, fulfilling the South Gloucestershire parking standards. Therefore there are no transport objections.

5.13 Private Amenity Space

The dwelling benefits from a good amount of existing private amenity space to both the front and rear of the property. PSP43 sets out standards which are based on the number of bedrooms at a property. The proposed extensions will create a total of 3No bedrooms and as such, should have at least 60m<sup>2</sup> of private amenity space. The existing dwelling has 2No bedrooms, and as such should have at least 50m<sup>2</sup> of private amenity space. The proposal demonstrates that these standards are to be maintained, and as the dwelling still benefits from an existing large amount of private amenity space to the front and rear, the existing garden should still benefit from private amenity space of sufficient size and shape, to meet the needs of the occupants.

5.14 Trees and Woodland

Policy PSP3 stipulates that development proposals should minimise the loss of existing vegetation on a site that is of importance in terms of ecological, recreational, historical or landscape value. There is an existing Oak tree to the front of host dwelling which will be retained (as shown on the 1:500 Site Plan).

5.15 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.

5.16 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**.

**Contact Officer: Helen Turner**  
**Tel. No. 01454 864148**

**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).