

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. 06/20

Date to Members: 07/02/2020

Member's Deadline: 13/02/2020 (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 identifying the application reference and site location
- b) Within 5 working days of the date of this schedule e.g. if the schedule is published on a Friday, comments have to be received by end of the following Thursday (see cover page for the date)
- c) The request in writing must be made in writing by at least two or more Members, not being Members of the same ward
- d) In addition, the request in writing must have the written support of at least one of the Development Management Committee Chair and Spokes Members
- e) The referral should include the reasons for the referral why it would not be appropriate to permit the proposal to be determined under the delegated arrangements; the issue the proposal raises in relation to the relevant policy context and the balanced consideration that has been given to the extra costs and delay to the referral
- f) Indicate whether you have discussed the application(s) with the Case Officer and/or Development Manager
- g) Indicate whether you have discussed the application(s) with ward Member(s) if the site is outside of your ward

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

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

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

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

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

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

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

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

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

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

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

c. All applications for non-material amendments

d. All applications to discharge planning conditions

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

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

Additional guidance for Members

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

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

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

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

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

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

A template for referral is set out below:

Referral from Circulated Schedule to Development Management Committee

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

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

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

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

a) Referring Member:

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

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

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

Date:

To be emailed to MemberReferral@southglos.gov.uk

CIRCULATED SCHEDULE - 07 February 2020

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	P19/11956/F	Approve with Conditions	36 Brook Road Mangotsfield South Gloucestershire BS16 9DY	Staple Hill And Mangotsfield	None
2	P19/12634/F	Approve with Conditions	Land At Bath Road Bitton South Gloucestershire BS30 6HT	Bitton And Oldland	Bitton Parish Council
3	P19/16146/F	Approve with Conditions	Land Between 101 And 107 Bristol Road Frampton Cotterell South Gloucestershire BS36 2AU	Frampton Cotterell	Frampton Cotterell Parish Council
4	P19/17383/RVC	Approve with Conditions	Winterbourne Court Farm Barn Church Lane Winterbourne South Gloucestershire BS36 1SE	Winterbourne	Winterbourne Parish Council
5	P19/17985/F	Approve with Conditions	21 Mount Hill Road Hanham South Gloucestershire BS15 8QU	Hanham	Hanham Parish Council
6	P19/5548/O	Approve with Conditions	Land At Station Road Yate South Gloucestershire BS37 5HT	Yate North	Yate Town Council
7	P20/00558/F	Approve with Conditions	73 Long Croft Yate South Gloucestershire BS37 7YN	Yate North	Yate Town Council

CIRCULATED SCHEDULE NO. 06/20 – 7 FEBRUARY 2020

App No.:	P19/11956/F	Applicant:	S G Builders
Site:	36 Brook Road Mangotsfield Bristol South Gloucestershire BS16 9DY	Date Reg:	24th September 2019
Proposal:	Demolition of existing garage. Erection of 1no. dwelling and associated works. Erection of garden store. (Amendment to previously approved scheme PK18/1724/F) (retrospective)	Parish:	None
Map Ref:	365919 177022	Ward:	Staple Hill And Mangotsfield
Application Category:	Minor	Target Date:	15th November 2019



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 100023410, 2008. **N.T.S.** **P19/11956/F**

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

REASONS FOR REFERRING TO THE CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule at the request of Councillor Michael Bell and following the receipt of objections from more than 3no. local residents.

1. THE PROPOSAL

- 1.1 The application site is part of the former curtilage of no. 36 Brook Road, Mangotsfield. The triangular shaped plot is situated on a steep gradient that slopes up and away from the north-western side of no.36. The site is bounded to the north by residential properties and to the south-east by a public footpath linking Brook Road to Westerleigh Road/Stockwell Close. The site is generally enclosed by high fences to the north and a high wall that bounds the public footpath to the south.
- 1.2 The site is located within the built up area of Mangotsfield within an area occupied predominantly by mid-20th Century dwellings. Vehicular access into the site is via a driveway off Brook Road that previously served no. 36 and lead to a garage within the application site.
- 1.3 Planning permission PK18/1724/F was approved in Sept. 2018 for the *“Demolition of existing garage. Erection of 1no. dwelling and associated works. Erection of garden store”*. Following the grant of this permission the plot was sold to the current applicant and building works commenced. The house is now at an advanced stage of completion.
- 1.4 It was however subsequently brought to the Council’s attention that the house as built, was not as shown on the approved plans and was most notably not in the correct position. The approved dwelling was to be located parallel with the wall bounding the public footpath to the south, but had in fact been built as if rotated anti-clockwise, some 15 degrees from the wall. The elevations, window details and form of the house were also not as approved. A dwarf retaining wall and patio area, had also been created to the rear.
- 1.5 Having investigated the situation, the Council’s Enforcement Officer concluded that the works that have been carried out, represent a clear breach of planning control. The developer was duly advised to cease further works pending the outcome of this current application P19/11956/F, which seeks to regularise the breach of planning control and in this regard is therefore a retrospective application.
- 1.6 Unfortunately, upon receipt and subsequent registration of the application, it came to light that the submitted plans were in fact an inaccurate representation of what has to date been built on the site. Protracted negotiations subsequently followed, the upshot of which is that the Council have now received an accurate suite of plans; these have been the subject of a further round of consultations.

1.7 The floor plans now show the following:

Ground Floor – Master bedroom with en-suite and dressing room; guest bedroom with en-suite; 2 further bedrooms; family bathroom.

First Floor – Kitchen/Dining Room, study/TV room; utility room; landing with void over entrance; living room with bi-folding doors to the rear.

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 Sustainable Development

CS5 Location of Development

CS8 Improving Accessibility

CS15 Distribution of Housing

CS16 Housing Density

CS17 Housing Diversity

CS29 Communities of the East Fringe of the Bristol Urban Area

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

PSP1 Local Distinctiveness

PSP2 Landscape

PSP8 Residential Amenity

PSP11 Transport Impact Management

PSP16 Parking Standards

PSP20 Flood Risk, Surface Water and Watercourse Management

PSP21 Environmental Pollution and Impacts

PSP38 Development within Existing Residential Curtilages, including extensions and new dwellings

PSP43 Private Amenity Space Standards

2.3 South Gloucestershire Supplementary Planning Documents

Residential Parking Standards SPD (Adopted) December 2013

Design Checklist SPD (Adopted) 2007

Waste Collection: Guidance for New Development SPD (Adopted) January 2015

3. RELEVANT PLANNING HISTORY

- 3.1 PK18/1724/F - Demolition of existing garage. Erection of 1no. dwelling and associated works. Erection of garden store.
Approved 07 Sept. 2018

3.2 PK17/3220/F - Demolition of existing garage. Erection of 1no. new dwelling with replacement garage and associated works.
Refused 03 Nov. 2017 for the following reason:
The site is unsuitable for further residential development by virtue of the enclosed and narrow access. As a result the proposal would have a significant negative impact on the residential amenity of the host dwelling due to its proximity to the side elevation of the property and likely vehicular movements. Furthermore the proposal would potentially cause conflict between occupiers of the host dwelling and the proposed dwelling due to the narrowness of the access and the movement of vehicles to the front of the host dwelling which would be an undesirable situation. Consequently the proposal has been found to fail Policy CS1 of the Core Strategy (2013), Saved Policy H4 of the Local Plan (2006) and the provisions of the NPPF (2012).

3.3 PK01/3058/F - Erection of single-storey rear extension.
Approved 05 March 2002

This permission relates to no. 36 only and has been implemented.

4. CONSULTATION RESPONSES

The following are the responses made in relation to the original submission i.e. to the plans initially submitted, which proved to be inaccurate.

4.1 Downend and Bromley Heath Parish Council
No response

Councillor Michael Bell

Refer to Circulated Schedule, the dwelling has not been built in accordance with the approved plans.

4.2 Other Consultees

Lead Local Flood Authority

No objection

Transportation D.M

There is no to-scale site plan so I am unable to ascertain whether the vehicular parking for the new dwelling remains as previously approved. A revised to-scale site plan which clearly shows the measurements of the proposed parking needs to be provided. Subject to this, there is no transportation objection raised to the proposed amendments.

Highway Structures

No comment

Other Representations

4.3 Local Residents

Objections were received from 5no. local residents. The concerns raised are summarised as follows:

- What has been built is not in accordance with the previously approved plans.
- The submitted plans do not reflect what has been built.
- Loss of privacy due to overlooking of houses in Stockwell Close.
- The appearance is not in character.
- The scale is excessive – the height exceeds that of no.36.
- Loss of house values.
- Four windows have been added to the rear that overlook no.21.
- The works have resulted in a crack forming in the patio of no.21 Stockwell Close.
- The building is too close to no.21.
- Loss of privacy due to overlooking of gardens in Stockwell Close from the raised patio.
- A window in the side elevation now overlooks no.19 Stockwell Close.
- The property will be used as 2 dwellings not one.
- The 2 dwellings will result in increased traffic congestion and on-street parking in Brook Road.
- Extra overlooking from 2 households.

1no. local resident supports the scheme and considers the following:

- It is still an attractive house and appears no bigger than the house in the adjacent corner plot, which is a similar style and when built overlooked no.36 Brook Road.
- Trees that grew on the northern boundary of the plot were previously removed.
- No.36 is already overlooked from first floor windows of houses in Stockwell Close.
- The house is not much bigger than that previously approved.
- The house is preferable to the empty land as it was before.

The following are the responses made in relation to the revised plans.

4.4 Downend and Bromley Heath Parish Council

No response

Councillor Michael Bell

As in my previous comments there has been a great deal of confusion in this application in regard to the Plans that have been submitted to South Glos. Council. They have either been changed, delayed, and ignored/dis-regarded over a period as far back as the summer of 2019. As local Councillor I have found it extremely difficult to have followed the progress of this application, and the progress of the actual building work, and its compliance to the plans, and affected local residents feel the same.

4.5 Other Consultees

Lead Local Flood Authority

No objection

Transportation D.M

Revised plans have been submitted which show that the vehicular parking will be as previously approved as part of PK18/1724/F. On that basis, there is no transportation objection raised.

Highway Structures

No comment

Other Representations

4.6 Local Residents

Objections were received from 5no. local residents; 1no. Local resident supported the scheme. The concerns raised by the objectors are summarised as follows:

- Loss of privacy due to overlooking of houses in Stockwell Close.
- The original permission should be built out.
- Overlooking from decking area of no.19 Stockwell Close (kitchen and lounge window).
- Extra bedroom adding to parking concerns.
- House is in wrong position.
- 5no. extra windows – 4 of which overlook no.21.
- How high is the replacement fence?
- Raised balcony overlooks no.21.
- Works have caused a crack in the patio of no.21.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The development plan supports residential development within the established settlement boundaries. Policy CS5 of the Core Strategy encourages new residential development within settlement boundaries and urban areas, and Policy CS29 of the Core Strategy encourages new provision of housing in the East Fringe of the Bristol Urban area. Similarly, Policy PSP38 of the Policies, Sites & Places Plan 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; would not prejudice the amenities of neighbours; would not prejudice highway safety or provisions of an acceptable level of parking provision for any new and existing buildings; would not prejudice the provision of adequate private amenity space, and would not lead to the loss of gardens that form part of a settlement pattern that contributes to local character.

5.2 The acceptance in principle of a new dwelling on this site was previously established in Sept. 2018 with the grant of planning permission PK18/1724/F. The scheme has not however been built in accordance with the approved plans; the current proposal seeks to regularise matters. Whilst it is material that a dwelling has been previously approved on this site, the dwelling as proposed in this current application P19/11956/F must still be assessed on its individual

merits. Detailed matters relevant to this current application are therefore assessed below.

5.3 Design and Visual Amenity

Core Strategy Policy CS1 reflects the NPPF in seeking to secure the highest possible standards of design and site planning; development proposals are required to demonstrate *inter alia* that siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the site and its context. Furthermore, Policy PSP1 of the South Gloucestershire Local Plan : Policies, Sites and Places Plan, seeks to ensure that development demonstrates an overall understanding of, and responds constructively to, the buildings and characteristics that make a particularly positive contribution to the distinctiveness of the locality.

5.4 The immediate area is characterised by a mix of house styles, predominantly mid-20thC in age, that do not display any particular special character or distinctiveness. The general character of the area is post war housing but there is a proportion of more modern, as well as some earlier examples of housing. These all tend to utilise rendered materials for external surfaces but there are brick facades along Brook Road. The more recent properties on Brook Road are semi-detached with the earlier inter-war properties being terraced. There are also a significant number of detached properties on Westerleigh Road. The location is considered to be fairly typical of the suburban areas of East Bristol.

5.5 The proposed house would be detached (as was previously approved), however given its discreet location, away from the street-scene and the fact that there are nearby detached dwellings, the proposal is not considered to result in harm to the general character of the area. Furthermore, whilst the proposal would be detached, it could be considered to have been informed by the scale and form of the nearby terraced inter-war housing. The dwelling measures some 8m to the roof ridge and 5m to the eaves, which is similar to the previously approved dwelling; this is however to some extent off-set by the house being recessed into the slope. In terms of scale, the building is not considered to be excessive. Furthermore, the design and materials used in construction i.e. tiled roof and rendered walls, would not appear incongruous within the locality; the final materials to be used can be secured by condition. On this basis the proposal is not considered to have a harmful impact on the area and is seen to have an acceptable standard of design.

5.6 Given the variety of styles and ages of architecture within the immediate and wider location, there is no one design vernacular that needs to be replicated here; officers therefore consider that, on balance, the scale and design of the scheme is acceptable.

Residential Amenity

5.7 In line with Policy PSP8, development proposals will only be acceptable where they do not create unacceptable living conditions or have an unacceptable impact on the residential amenity of occupiers of the development or of nearby properties. Matters to consider are:

- a) Loss of privacy and overlooking;
 - b) Overbearing and dominant impact;
 - c) Loss of light (daylight/sunlight)
 - d) Noise or disturbance; and
 - e) Odours, fumes or vibration.
- 5.8 Officers have not underestimated the strength of feeling of local residents regarding the impact of the scheme on their amenities. All of the objections have come from occupiers of houses in Stockwell Close to the north of the site.
- 5.9 It is regrettable that due to lack of communication with his client, the applicant's agent initially submitted inaccurate plans, which understandably resulted in some of the objections from local residents. The matter has however been resolved and local residents have now had the opportunity to comment on the revised plans.
- 5.10 Firstly, officers must dispel any notion that the proposal is for 2no. dwellings; it is not and in the event that the building were used in the future as such, this would require planning permission in its own right.
- 5.11 The proposed building is not significantly different in scale to that previously approved. Whilst the building is slightly nearer to no.21 Stockwell Close, it is not of a scale that would be overbearing on this property; no.21 being located in an elevated position in relation to the proposed dwelling; and neither would the proposed dwelling result in a significant loss of light to neighbouring property. Having rotated 15 degrees anti-clockwise, the dwelling as now built is further away from no.36 Brook Road; officers did not consider the originally approved dwelling to be overbearing on neighbouring property. The dwelling would still be set back from the fenceline to the north.
- 5.12 The application site is within a densely populated, built up residential area, and as such, some overlooking of neighbouring gardens is only to be expected, especially if the most efficient use of land within the Urban Area is to be achieved, as required by the NPPF. Officers noted during their site visit that no.21 has two outdoor patio areas and a balcony, all of which offer the opportunity for extensive overlooking of the rear gardens of properties along both Brook Road and Stockwell Close. Whilst the current occupiers of no.21 claim not to use these areas for sitting out, there are no planning controls to prevent them or future occupiers, from doing so.
- 5.13 The proposed dwelling differs from that approved in that a dwarf retaining wall has been created to the rear, which negates the need for significant waterproofing to the lower part of the dwelling. This now allows windows to be inserted in the rear ground floor and the plans correctly show the 4no. windows that have been inserted. Two of these windows serve bathrooms and a third serves the stairwell; the fourth serves the guest bedroom which is located at the southern end of the dwelling. All of these windows may face north-west towards no.21 Stockwell Close but they are relatively small and located so low down that they only overlook the terrace area below the retaining wall. Given the elevated position of no.21, the angle and distance from the 4 windows and the presence of a 2m high fence on the boundary; there would be no significant

issues of overlooking or inter-visibility for this property. Similarly, views of neighbouring property from the rear patio/terrace area would also be screened by the boundary fence. The patio/terrace is in fact at a lower level than the garden would have been in the previously permitted scheme.

- 5.14 Moving to the end elevations of the proposed dwelling; a small, secondary, high level window has been inserted to serve the guest bedroom at the southern end, but this faces the wall bounding the public footpath. At the northern end, a similar high level window serves the master bedroom but again, this is mostly obscured by the boundary fence and offers little opportunity to directly overlook the garden of no. 17 Stockwell Close.
- 5.15 Whilst it may be possible to see the windows in the front (east) elevation of the dwelling from no.17, this would be from such an acute angle as to not afford the opportunity to overlook this property.
- 5.16 Regarding the front elevation, there are in fact only 7no. windows proposed compared to the 8no. and glazed atrium previously approved. Officers previously noted (PK18/1724/F) that *'there are dwellings situated to the east of the proposal, however these are largely screened by existing extensions to No.36 Brook Road and the host dwelling (no.36) itself'*. In addition a garden store has recently been built to the rear of no.36 along the boundary with the application site, which prevents direct overlooking of the private amenity space of no.36. Given the location of the proposal in relation to no36 and surrounding dwellings, it is considered to be situated a sufficient distance window to window and would not have an unacceptable impact on the amenity of nearby properties as a result of loss of privacy. However, having regard to the concerns of local residents, officers consider it both necessary and reasonable to impose a condition to prevent any further insertion of windows, rooflights or dormers in the proposed property, which could potentially result in loss of privacy..
- 5.17 A significant difference between the building now proposed and that previously approved, is the insertion of a first floor decking area to the rear elevation. This has been designed to facilitate access to the rear garden patio/terrace from the utility room and the living room. The decking area is not suitable for sitting out on as it is only just wide enough to walk along. Any views into neighbouring gardens from the decking area are likely to be fleeting only and unlikely to result in any significant loss of privacy.
- 5.18 As regards increased noise and disturbance during the development phase, this would be short term only and the hours of working on the site can be controlled by condition. Increased noise or anti-social behaviour from future residents is not a planning issue and falls to be controlled by the appropriate enforcement agencies.
- 5.19 Disturbance from traffic moving to the side of no.36 was grounds for a refusal reason in an earlier application PK17/3220/F. As was the case in the previous approval PK18/1724/F, this matter is no longer an issue, as the driveway terminates adjacent to the Brook Road highway and does not enter the rear garden area. A shared pathway, to the west of no.36, provides access to the garden store at the rear of no.36 and to that proposed at the new dwelling (see

Drawing No. 15 – Site Plan as Proposed). Given the size of the proposed Garden Store now proposed (i.e. larger than in the previous consent) and previous reason for refusal, officers consider it justified to impose a condition to restrict the use of the garden store to domestic storage and cycle parking only, with no garaging of motor vehicles.

5.20 Moving to the issue of amenity space provision; Policy PSP43 requires all new residential units to have access to private amenity space. The space should *inter alia* be easily accessible from living areas and of a sufficient size and functional shape to meet the needs of the likely number of occupiers. The Policy sets minimum space standards; the requirement for a 4 bedroom house is 70sq.m. - the proposal comfortably meets this standard.

5.21 The site is not subject to excessive levels of odour, fumes or vibration.

5.22 Having regard to the above, officers conclude that on balance, the scheme accords with the criteria listed under PSP8 and is acceptable in terms of residential amenity.

Highway Safety

5.23 Para. 109 of the NPPF states that “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Furthermore, the Council have minimum parking standards which are set out in Policy PSP16. The standards require two parking spaces for a 4 bedroom dwelling.

5.24 The parking and access arrangements would be the same as previously approved in PK18/1724/F. Two parking spaces are proposed on the retained driveway to the front and accessed directly off Brook Road. This arrangement is acceptable to the Council’s Transportation Officer. Cycle parking is provided in the proposed garden store. The location is a sustainable one and subject to a condition to secure the access and parking areas, prior to first occupation, there are no objections on transportation grounds.

5.25 Landscape

There is no vegetation of note within the site. The rear garden would be enclosed by a 2.0m high, close boarded boundary fence to the north and a wall of similar height to the south; both step up the slope to terminate at the western end of the site. All other hard and soft landscaping shown on the plans is acceptable.

Environmental Issues

5.26 The site is not within a Coal Referral Area and neighbouring property would not be subjected to excessive noise levels. Neither would future occupants be subjected to excessive levels of noise, dust or smell. The Council’s drainage engineer raises no objections to the scheme which would utilise the existing mains sewer. The site is not prone to flood.

Sustainability Issues

5.27 The site lies in a highly sustainable urban location. The proposed building would be subject to building regulation control. There is ample room on site for refuse and re-cycling facilities to be provided.

5.28 Consideration of likely impact on Equalities

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

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

CIL

5.30 The South Gloucestershire Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide SPD was adopted March 2015. CIL charging commenced on 1st August 2015 and this development would be subject to CIL.

5.31 Other Matters

Concerns were also raised by local residents about the loss of house values and a crack in the patio of no.21 Stockwell Close. At present the impact of development on house values is not a material consideration in the determination of planning applications. The occupier of no.21 Stockwell Close suggests that the works that have been carried out have resulted in a crack in their patio. This may be coincidental but in any event, this is a civil matter to be resolved between the respective parties rather than through planning control.

Planning Balance

5.32 NPPF para. 11c states that development proposals that accord with an up-to-date development plan should be approved without delay. It has recently been established that the Council can demonstrate a 5-year housing land supply and as such the development plan is up to date. The proposal has been assessed, on its individual merits, against the relevant policies within the development plan. The principle of the proposed residential development is acceptable in this urban location in the Bristol East Fringe. The acceptance of a dwelling of similar scale and position has previously been established with the grant of application PK18/1724/F.

5.33 The scheme would make efficient use of the site and would provide additional open market housing in a highly sustainable location; this weighs in favour of the scheme. There are no severe adverse highway implications and

notwithstanding the differences between this and the previously approved scheme, and subject to the conditions outlined above, the impact on residential amenity is considered to be acceptable.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 That planning permission be **GRANTED** subject to the conditions listed on the Decision Notice.

Contact Officer: Roger Hemming
Tel. No. 01454 863537

CONDITIONS

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

Reason

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

2. The hours of working on site during the period of construction shall be restricted to 07.30hrs to 18.00hrs Mon to Fri; and 08.00hrs to 13.00hrs Sat, and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

To protect the residential amenity of the neighbouring occupiers and to accord with Policies PSP8 and PSP21 of The Policies Sites and Places Plan (Adopted) 8th Nov. 2017 and the requirements of the NPPF.

3. The development shall not be brought into use until the access, car parking and cycle parking facilities have been completed in accordance with the approved Site Plan as Proposed Drawing No. 36Brook/15/ and retained thereafter for that purpose.

Reason

To ensure the satisfactory provision of access, car and cycle parking facilities, in the interest of highway safety and the amenity of the area, and to accord with Policies PSP11 and PSP16 of the South Gloucestershire Local Plan Policies Sites and Places Plan (Adopted) 8th Nov. 2017 and Policy CS8 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec.2013.

4. The boundary treatments hereby approved shall be completed before the building is first occupied and retained as such thereafter.

Reason

To protect the residential amenity of the neighbouring occupiers and to accord with Policies PSP8 and PSP21 of The Policies Sites and Places Plan (Adopted) 8th Nov. 2017 and the requirements of the NPPF.

5. Prior to the commencement of any further development [details/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

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

6. The garden store hereby approved shall be used solely for the storage of domestic items and cycle parking only. The store shall at no time be used for the storage/garaging of motor vehicles or for commercial uses.

Reason

To protect the residential amenity of the neighbouring occupiers and to accord with Policies PSP8 and PSP21 of The Policies Sites and Places Plan (Adopted) 8th Nov. 2017 and the requirements of the NPPF.

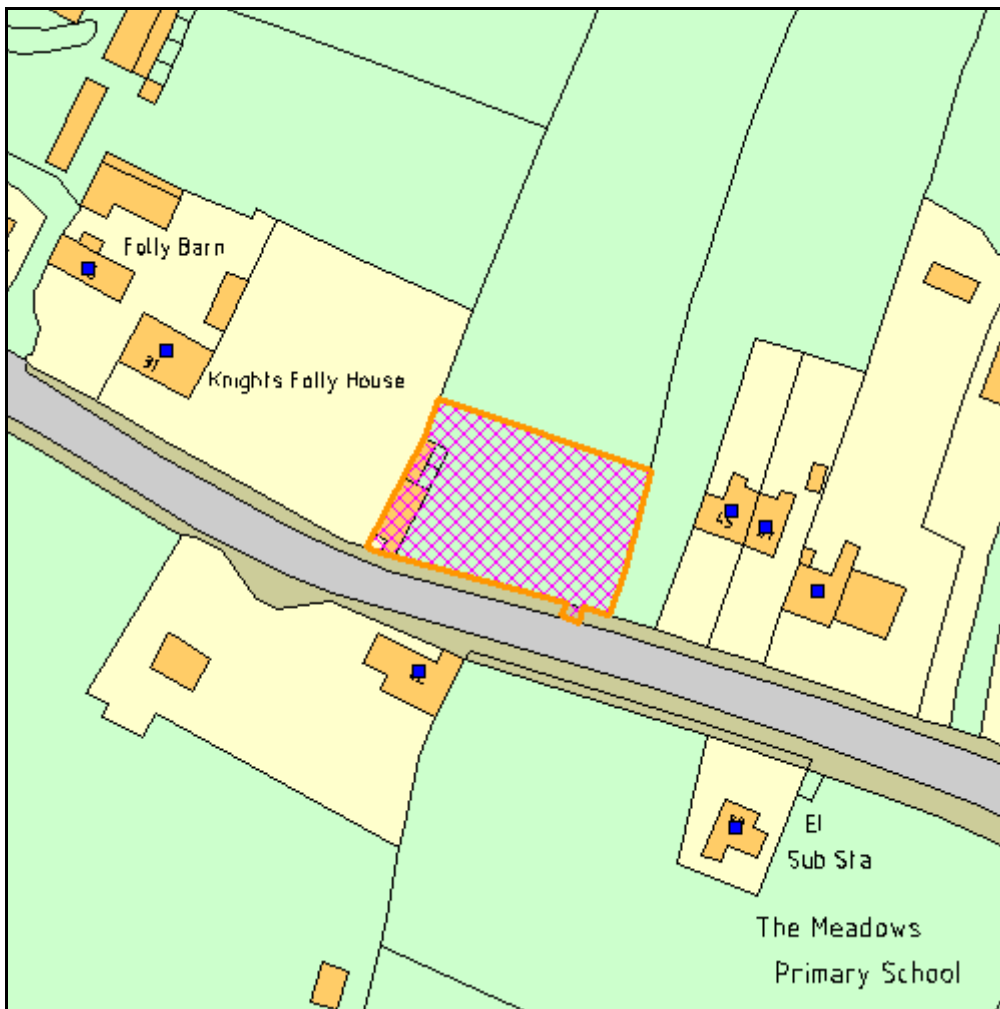
7. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no windows/dormer windows or rooflights [other than those expressly authorised by this permission] shall be constructed.

Reason

To protect the residential amenity of the neighbouring occupiers and to accord with Policies PSP8 and PSP21 of The Policies Sites and Places Plan (Adopted) 8th Nov. 2017 and the requirements of the NPPF.

CIRCULATED SCHEDULE NO. 06/20 – 7 FEBRUARY 2020

App No.:	P19/12634/F	Applicant:	Mr Tony Francis
Site:	Land At Bath Road Bitton Bristol South Gloucestershire BS30 6HT	Date Reg:	13th September 2019
Proposal:	Change of use of barn to form 1 no. dwelling, creation of access and associated works	Parish:	Bitton Parish Council
Map Ref:	367657 169922	Ward:	Bitton And Oldland Common
Application Category:	Minor	Target Date:	7th November 2019



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 100023410, 2008. **N.T.S.** **P19/12634/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.

The application appears on the Circulated Schedule as there is an objection received from Bitton Parish Council which is made contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The application seeks full planning consent for the conversion of an existing agricultural building to provide a residential dwellings. The subject building is a single storey building constructed in stone with brick detailing on its windows and doorway reveals. The building benefits from a recent roof repair which has been installed on the same basis as the original building.
- 1.2 The conversion would provide a single, one bedroom dwelling. It is also proposed to provide two parking spaces and an area of residential curtilage associated with the proposed dwelling.
- 1.3 The site is located in the Green Belt and open countryside. It is approximately 45 metres due West of the Bitton Village Settlement Boundary and associated Conservation Area. The existing access to the site is off the A431 (Bath Road) immediately adjacent to the subject building. This would be closed up as part of the proposal and a new access, on site turning and parking arrangements is proposed to be positioned approximately 25 metres East of the subject building.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework (March 2012)

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

CS5 Location of Development

CS8 Improving Accessibility

CS9 Environmental Resources and Built Heritage

CS15 Distribution of Housing

CS16 Housing Density

CS17 Housing Diversity

CS34 Rural Areas

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

PSP1 Local Distinctiveness

PSP2	Landscape
PSP3	Trees and Woodland
PSP7	Green Belt
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 Watercourses Management
PSP21	Environmental Pollution and Impacts
PSP28	Rural Economy
PSP40	Residential Development in the Countryside
PSP43	Private Amenity Space Standards

- 2.4 Supplementary Planning Guidance
 South Gloucestershire Design Checklist (Adopted)
 Residential Parking Standard SPD (Adopted)

3. **RELEVANT PLANNING HISTORY**

- 3.1 PK13/2295/O Conversion and extension of existing barn to form 1no. dwelling (Outline) with scale and access to be determined. All other matters reserved.

Refused for the following reasons;

- i) The site is located within the Bristol/Bath Green Belt and the proposal does not fall within the limited categories of development considered appropriate within the Green Belt. The proposed extension is disproportionate in size to the original building and results in a harmful and inappropriate development. In addition, the case of very special circumstances submitted by the applicant has not been found to outweigh the harm caused by inappropriate development such that the normal presumption against development in the Green Belt should be overridden. The proposal is therefore contrary to the provisions of the National Planning Policy Framework, Policy GB1 of the South Gloucestershire Local Plan (Adopted) January 2006, and the Development in the Green Belt SPD (Adopted) June 2007.
- ii) The site is located outside of any settlement boundary as defined on the Proposals Map and is therefore considered to be in the open countryside. The proposal does not fall within the limited categories of residential development considered appropriate within the open countryside and if permitted would create an isolated new home in the countryside. The proposal is therefore contrary to the provisions of the National Planning Policy Framework and Policy H3 of the South Gloucestershire Local Plan (Adopted) January 2006.
- iii) The applicant submitted a letter from an estate agency regarding the viability for business uses of the building. However it is considered that there is insufficient evidence and information to demonstrate that all

reasonable attempts have been made to secure a suitable business re-use or the conversion is part of a scheme for business re-use. The proposal therefore fails to comply with Policy H10A of the South Gloucestershire Local Plan (Adopted) January 2006.

- iv) The extent of operational development required to facilitate the conversion and extension of the building to a residential dwelling signifies that the building is not capable of conversion without major or complete reconstruction. The proposal is therefore contrary to Policy H10B and GB1 of the South Gloucestershire Local Plan (Adopted) January 2006, and the Development in the Green Belt SPD (Adopted) June 2007.
- v) It is considered that the proposed extension to the existing rural building, and the resulting converted building, by reason of its scale, location and proportions, would be out of keeping with the traditional character of the existing building and, if allowed, would have a detrimental impact on the visual amenity of the locality and the Bristol and Bath Green Belt. The proposal is therefore contrary to the National Planning Policy Framework and Policies D1, L1, GB1 and H10 of the South Gloucestershire Local Plan (Adopted) January 2006 and the Development in the Green Belt SPD (Adopted) June 2007.
- vi) Insufficient information was submitted with this application to demonstrate that the proposed development would not cause unacceptable impact upon the habitat for the wildlife and protected species. The proposal is therefore contrary to Policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006.
- vii) The proposed access arrangement are deemed insufficient with regards to it's geometric profile, thus resulting in substandard visibility splays, in accordance with recognised adopted national guidance (Manual for Streets), which may be considered likely to result in vehicle to vehicle and vehicle to pedestrian conflicts that would add to an already material accident record for the local highway network. The proposal is therefore contrary to Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006 and the adopted national guidance (Manual for Streets).
- viii) The application site lies immediately to the west of the conservation area of Bitton, an area of architectural and historic interest, the character or appearance of which it is desirable to preserve or enhance. The proposed development would fail to have proper regard to the distinctive character and appearance of the Bitton Conservation Area and its setting, contrary to Planning Policies L12 and D1 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist (Adopted) Supplementary Planning Document.

4. **CONSULTATION RESPONSES**

- 4.1 Bitton Parish Council
Object for the following reason;

This site is located within the Bristol/Bath Green Belt and the proposal does not fall within the limited categories of development considered appropriate within the Green Belt.

- 4.2 Conservation Officer

The Conservation Officer considers that the development would result in a harmful impact upon the character of the area which contributes to the setting and significance of the Bitton Conservation Area. This is as a result of the removal of the existing hedgerow to form the proposed access.

Concern is raised as to the extent of the proposed residential curtilage and potential for further development in the future; and, concern is raised as to the nature of the works involved in the rebuilding of the subject building. However, the officer has confirmed that, with the introduction of the stone wall and new hedging the development would not demonstrably harm the significance of Bitton Conservation Area.

- 4.3 Ecology Officer

Confirms that there is no ecological constraints affecting the proposed development. Conditions are suggested so as to secure the control of external lighting and the provision of suitable bat box; with informatives relating to the construction phase.

- 4.5 Highway Structures Team
Wish to make no comment

- 4.6 Highway Authority

The Highway Authority is satisfied that the proposed new access is acceptable and have no objection to the proposed development.

Pre-occupation conditions are suggested to secure the implementation of the access, off street parking and reinstatement of the existing access and associated footway.

Other Representations

- 4.7 Local Residents

Two sets of comments have been received objecting to the proposed development. The comments are summarised as follows;

The site is located in the Green Belt and should not be developed

The hedgerow on the frontage of the site has been removed and left in a poor state.

Bitton has already had its fair share of new development.

Piecemeal encroachment will result in the negative impact on the character of the village.

The development would fill a highly sensitive area between the edge of Bristol City and Bitton.

The size of the building is such that there will be the desire to extend the building in the future

There is no need for further residential development in Bitton following the development of Bitton Mill. There is too much pressure on local services and infrastructure.

5. ANALYSIS OF PROPOSAL

5.1 The proposed development consists of the conversion of an existing rural building for use as a residential dwelling. The site is located outside and due West of the Bitton Village Development Boundary; and, is within the Green Belt.

5.2 Principle of Development

Green Belt – The site is located within the Green Belt. The principle aim of the Green Belt is to retain openness. Paragraph 146 of the National Planning Policy Framework sets out that certain forms of development are not inappropriate in the Green Belt provided that it would preserve openness and does not conflict with the purpose of including the land within it.

5.3 These categories of development include;

- i) the reuse of buildings provided that the buildings are of permanent and substantial construction, and;
- ii) material changes in the use of land.

5.4 The planning application details the conversion of an existing agricultural building for residential use and the associated change of use of agricultural land for the residential curtilage. The development would also include the construction of a new boundary wall (with planting behind) and access gate aligned just off the site boundary.

5.5 It is noted that the building subject to this application has been repaired recently. However, photographic evidence submitted by the applicant shows that the amount of repair is not tantamount to the reconstruction of the building. Officers are satisfied that the building is of permanent and substantial construction.

5.6 The proposed development would effectively change the use of part of the paddock associated with the building to a residential curtilage. Officers acknowledge that this area of land is relatively large when compared to the subject building. Associated works to the frontage include the removal of the

existing hedge and construction of a new stone wall and repositioned access gate. These works would result in the change of the character of the site from a paddock to a more domestic character. However, it is important to note that the removal of the hedge, construction of the wall and gated access would not itself be development requiring planning permission. The only element requiring planning consent would be the use of the new access onto the A431 (Bath Road) as a classified highway. These physical changes to the frontage of the site would retain a rural feel. They would not necessarily result in development that would materially alter the open feel of the site and as such would not undermine the objectives of local and national Green Belt planning policy

- 5.7 Nonetheless, in order to protect the site from further and uncontrolled domestic development, it is considered appropriate to remove permitted development rights as part of any approval of this application.
- 5.8 Subject to this condition, officers are satisfied that the development is acceptable in Green Belt policy terms.
- 5.9 *Location* - Policy CS5 of the Core Strategy sets out the Council's locational strategy for development, and directs development (including residential) to urban areas and defined settlement boundaries. The application site is located outside of any settlement boundary, as defined on the Proposals Map and within the Green Belt. Under policy CS5, any land outside of urban areas or defined settlement boundaries can be considered as open countryside. CS5 sets out that that development in the open countryside will be strictly limited. Policy CS34 of the Core Strategy is also relevant. This policy sets the vision for the rural areas within South Gloucestershire and aims to protect, conserve and enhance rural areas.
- 5.10 Policy PSP40 of the Policies, Sites and Places Plan does allow for certain types of residential development in the countryside. This is consistent with the provisions of paragraph 79 of the National Planning Policy Framework. The policy outlines that the conversion and re-use of existing buildings for residential purposes will be acceptable where:
- i) the building is of permanent and substantial construction; and
 - ii) it would not adversely affect the operation of a the rural business(es) or working farm(s); and
 - iii) any extension as part of the conversion or subsequently is not disproportionate to the original building; and
 - iv) if the building is redundant or disused; the proposal would also need to lead to an enhancement of its immediate setting.

- 5.11 PSP40 also sets out that in all of the above circumstances, development proposals including any alterations, extensions or creation of a residential unit, will be acceptable where they do not have a harmful effect on the character of the countryside, or the amenities of the surrounding area.
- 5.12 In terms of clause (i), following a site visit, officers are satisfied that the building is of a sound and permanent construction. Officers note that the roof of the building has been repaired and windows and doors repaired/replaced. However, this level of work is not considered to be of such a degree that it would be tantamount to a significant reconstruction of the building. In terms of clause (ii), the outbuilding is not in a commercial use, and as such would not adversely affect the operation of a rural business or working farm.
- 5.13 With regards to clause (iii), there are no material alterations to the building proposed. In terms of clause (vi), the building does not appear to have a specific use. Recent repairs have acted to improve the appearance of in its setting. Whilst it is noted that the hedgerow has now been removed, officers are satisfied that the provision of a new stone wall and replacement planting would act to enhance the appearance of the site.
- 5.15 As such, the development is compliant with the four main criteria of PSP40. Provided that the proposal would not have a harmful effect on the character of the countryside or the amenities of the surrounding area, the principle of converting the outbuilding to form 1no. new residential unit consistent with Policy PSP40. Detailed matters are considered below.
- 5.16 Design, Visual Amenity and Landscape Character
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.
- 5.17 The subject building is constructed in stone (with brick window and door reveals) and has mono-pitched roof finished in a traditional pantiles. It is of a functional appearance and of no particular architectural merit. The proposed building conversion would simply reinstate existing external features and replace a double door with a glazed bi-fold unit.
- 5.18 It is also proposed to replace the boundary hedgerow (now removed) with a stone wall (800mm in height) and new native hedging planted immediately behind. The new boundary treatment would also contain a new access onto Bath Road (to accommodate required visibility splays) whilst the existing access would be blocked up and form part of the replacement boundary treatment.
- 5.19 The proposed development would not significantly alter the character of the existing building. Whilst the boundary treatments would change, the proposal would be consistent with the general surrounding locality which is characterised by stone walls and native hedgerow. The area is interspersed with domestic

- dwellings and associated accesses onto Bath Road. Officers are satisfied that, whilst the site would take on a more domestic character, the use of appropriate planning conditions to remove permitted development rights will prevent the uncontrolled introduction of domestic paraphernalia onto the site. In doing so, the character of the site and the surrounding landscape would be preserved.
- 5.20 On the basis of the analysis set out above, it is concluded that the proposals would have no significant adverse impact on visual amenity and the character of the surrounding countryside. An acceptable standard of design has been achieved and the proposal is therefore compliant with policy CS1 of the Core Strategy.
- 5.21 Landscape Impact
Policy PSP2 of the Policies, Sites and Places Plan outlines that development proposals should seek to conserve and where appropriate enhance the quality, amenity, distinctiveness and special character of the landscape.
- 5.22 Whilst the area is within the open countryside, it is closely associated with Bitton and the A431 (Bath Road). The general character of the area is rural in nature and contains large dwellings in substantial plots. The boundary treatments along the A431 consists of a mixture of stone walls and hedging. Whilst officers acknowledge that the proposed replacement native hedging would take some time to mature, it is considered that the proposed development would be consistent with the general character of the locality and as such is acceptable in landscape terms. In the event that this application is approved, appropriately worded conditions can be used to secure appropriate standards of planting and walling materials.
- 5.23 Heritage Considerations
The site is located due west of Bitton Conservation Area, such that it does form part of its setting and therefore the significance of it. A Conservation Area is a designated heritage asset for the purposes of Paragraph 193 of the National Planning Policy Framework. The Conservation Officer has raised some concern about the impact of the development upon the setting of the Bitton Conservation Area. The officer notes that the development would result in the loss of the existing hedgerow and that there is the potential for the domestic curtilage to impact on the setting ultimately. However, for the reasons set out below, officers are satisfied that the development would not result in a demonstrable harm to the significance of the Conservation Area.
- 5.24 Paragraph 193 of the National Planning Policy Framework sets out that when considering the impact of development upon the Local Planning Authority should consider the effect of development upon the significance of a designated heritage asset. Great weight should be given to the conservation of the asset.
- 5.25 It is considered that the existing site makes a modest contribution to the setting of the conservation area and as such the site does not make a significant contribution to the setting of the Conservation Area. As set out earlier in this report, the construction of the proposed boundary wall is such that it would benefit from being permitted development under the provisions of the General

- Permitted Development Order. Notwithstanding this, the proposed wall would be consistent with the locality and in particular, with existing stone walls on apparent in the approach towards the Conservation Area. The addition of a native hedgerow as part of the development is considered to be of benefit and would effectively replace the hedgerow previously associated with the site.
- 5.26 The conversion of the subject building would not significantly alter its appearance. Minimal external works are proposed with visual changes being to the double doors, and there are no extensions to the building proposed. The external materials would be consistent with the existing building and as such it would remain modest in appearance. The development would introduce a new access point (with the existing access being closed up) and create a new parking and turning area within the site. This would have the effect of altering the character of the site from an agricultural paddock to a domestic curtilage. However, the majority of the site would remain open with the impact of the parking and turning area being minimal in the street scene. As set out earlier in this report, a condition removing the 'permitted development' rights can be applied to ensure that the impact of further development within the site can be fully assessed by the Local Planning Authority.
- 5.27 Officers are satisfied that, although there would be visual differences, officers are satisfied that the impact of the development would be neutral. In the context of Bitton conservation Area. Conditions can secure appropriate mitigation. Subject to the use of such conditions, the proposed development is acceptable in Heritage terms.
- 5.28 Residential Amenity
The existing building is positioned so that there would be no material impact in terms of the privacy of the occupants of the nearest dwellings to the West and East. It is noted that there is a dwelling located on the South side of Bath Road. However, the modest form of development is such that no material impact would result in respect of the amenity of that dwelling.
- 5.29 The resulting dwelling is small, containing one bedroom and associated living area. However, the accommodation is in proportion and similar to a one bed flat in terms of its overall floor space. Whilst this does contrast with the surrounding area (which contains large dwellings) it is not considered that the proposed dwelling itself is unacceptable and is fit for purpose. The associated amenity space is generous and would provide appropriate standards of privacy. Accordingly, officers are satisfied that the development is acceptable in that regard.
- 5.30 Highway Safety
The site is located off the A431 (Bath Road) in Bitton. The alignment of the road in this location is such that adequate visibility can be provided by closing the existing access and forming a new access to the East. The Highway Authority is satisfied that the proposed access and alignment of the proposed boundary wall does provide adequate visibility and as such is acceptable in highway safety terms. The development would provide sufficient parking facilities for private cars. Officers are satisfied that the development is acceptable in that regard.

5.31 Notwithstanding the above, any consent should be conditioned so as to secure the implementation and retention of the proposed access and the stopping up on the existing access.

5.32 Ecology

The Ecology Officer has confirmed that there is no ecological constraint to the redevelopment of this site. However the area does have the potential to provide habitat for foraging bats, badgers, hedgehogs and nesting birds and as such conditions are suggested in order to control the provision of external lighting within the site and provide bat boxes. Informatives are also suggested to guide the developer in respect of measures for the protection/consideration of wildlife during the construction phase of the development.

5.33 Other Considerations

Comments received from local residents in respect of the potential for further development at the application are noted. As set out earlier in this report, permitted development rights can be removed by condition and this would bring any future proposals for extensions to the LPA for consideration. New development such as further dwellings would be subject to further planning applications and as such cannot be considered here.

5.34 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.

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That Planning Permission is granted, subject to the following conditions;

Contact Officer: Simon Penketh
Tel. No. 01454 863433

CONDITIONS

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

Reason

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

2. Remove PD 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, D, E, F, G and H), 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 1

The site forms part of the setting of the Bitton Conservation Area where it is necessary to preserve the significance of the Conservation area as a designated heritage asset. It is therefore appropriate to remove permitted development rights afforded under the above Order to allow the Local Planning Authority to properly consider the impact of further development upon the setting of the Conservation Area and to accord with Policy CS1 and CS9 of the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013 and Policy PSP1 of the South Gloucestershire Local Plan, Policies Sites and Places Plan (adopted) November 2017.

Reason 2

The site is located within the Green Belt where further development within the site should be strictly controlled in order to protect the openness of the Green Belt and the purpose of including the land within it. It is therefore appropriate to remove permitted development rights afforded under the above Order to allow the Local Planning Authority to properly consider the impact of further development; and to accord with Policy CS5, and CS34 of the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013 and Policy PSP1 and PSP17 of the South Gloucestershire Local Plan, Policies Sites and Places Plan (adopted) November 2017.

3. Access and Parking Arrangements

The dwelling hereby permitted shall not be occupied until the existing access has been permanently stopped up and the proposed access and parking arrangements have been completed, and made available, in accordance with the drawing number 2642/S.P/02 (as received by the Local Planning Authority on 9th September 2019). Thereafter the development shall be retained as such.

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. Materials

Prior to relevant works of the development hereby permitted, details and samples of the walling materials proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and thereafter retained as such.

Reason

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

5. No External Lighting

No external lighting shall be installed at the site until details of such lighting has been submitted to and agreed in writing by the Local Planning Authority. Any lighting to be installed shall be strictly in accordance with the agreed details and thereafter retained as such.

Reason

In order to achieve net gain in biodiversity and the objectives of Policy CS9 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013 and Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017.

6. Install Bat Boxes

The dwelling hereby permitted shall not be occupied until full details and location of one bat box to be installed on the Southern Elevation of the dwelling hereby permitted has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the bat box shall be installed in accordance with the agreed details and retained as such.

Reason

In order to achieve net gain in biodiversity and the objectives of Policy CS9 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013 and Policy

PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan
Adopted November 2017.

7. Plans List

The development shall be implemented strictly in accordance with the following plans;

The site location plan,
2642/S/.P/01,
2642/S.P/02,
2642/S/01,
2642/S/02,
2642/P/01,
2642/P/02

as received by the Local Planning Authority 9th September 2019.

Reason

For the avoidance of doubt.

CIRCULATED SCHEDULE NO. 06/20 – 7 FEBRUARY 2020

App No.:	P19/16146/F	Applicant:	Mr Jackway
Site:	Land Between 101 And 107 Bristol Road Frampton Cotterell Bristol South Gloucestershire BS36 2AU	Date Reg:	6th November 2019
Proposal:	Erection of 1 No. detached dwelling with associated works.	Parish:	Frampton Cotterell Parish Council
Map Ref:	365657 181928	Ward:	Frampton Cotterell
Application Category:	Minor	Target Date:	31st December 2019



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 100023410, 2008. **N.T.S.** **P19/16146/F**

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

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is referred to the Circulated Schedule due comments received from the Parish Council which are contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for a detached 3-bedroomed bungalow on land between Nos. 101-107 Bristol Road, Frampton Cotterell.
- 1.2 Although the area has a mixed character, the design of the proposal demonstrates informed understanding of the immediate surroundings, utilising a form, style, features and materials of adjoining neighbours.
- 1.3 The application site is currently vacant, unused private allotment land fronting Bristol Road and bounded by residential properties, or industrial facilities, on its remaining three sides.
- 1.4 The site is located within the open countryside because falls just outside the settlement boundary of Frampton Cotterell. It also lies within the Bristol & Bath Green Belt and an area of archaeological interest.

2. POLICY CONTEXT

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

- 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	Density of Housing
CS17	Housing Diversity
CS34	Rural Areas

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

PSP1	Local Distinctiveness
PSP3	Trees and Woodland
PSP7	Development in the Green Belt

PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets
PSP18	Statutory Wildlife Sites
PSP19	Wider Biodiversity
PSP40	Residential Development in the Countryside
PSP43	Private Amenity Standards

- 2.3 Supplementary Planning Guidance
 Design Checklist SPD
 Residential Parking Standards SPD
 Development in the Green Belt SPD

3. **RELEVANT PLANNING HISTORY**

- 3.1 P97/1900
 Erection of doctor's surgery. Construction of car park. (Outline)
 Refusal 18.9.1997
- 3.2 P92/1774
 Erection of detached dwelling associated with use of land for equestrian purposes.
 Refusal 15.7.1992
- 3.3 P91/1430
 Erection of detached dwelling (outline)
 Refusal 29.5.1991

 Appeal dismissed 31.1.1992
- 3.4 N1169/4
 Use of land for the stationing of a residential caravan; construction of vehicular access.
 Refusal 4.11.1976
- 3.5 N1169/2
 Erection of Woolaway bungalow. Improvement to vehicular access.
 Refusal 17.6.1976
- 3.6 N1169/1
 Erection of a bungalow (Woolaway). Alterations to vehicular access.
 Refusal 9.10.1975
- 3.7 N1169
 Outline application for the erection of detached bungalow and alterations to existing vehicular access.
 Refusal 13.5.1975

4. CONSULTATION RESPONSES

4.1 Frampton Cotterell Parish Council
Objection due to site being within the Green Belt and outside the settlement boundary. There is also concern over safety of access.

4.2 Other Consultees

Ecology Officer

No objection subject to an Ecological Enhancement plan and fencing with hedgehog holes.

Highway Structures

No objection

Lead Local Flood Authority

Informative recommended regarding highway drain.

Sustainable Transport

Condition compliance with plans and an electric vehicle charging point.

Archaeology Officer

No objection

Landscape Officer

No objection subject to a landscaping plan

Winterbourne Parish Council

No objection

Other Representations

4.3 Local Residents

2 local residents have objected to the scheme. Their comments are as follows

–

- Proposed garage will block light to side windows of Nos. 97-101 Bristol Road
- Inappropriate development in the Green Belt

5. ANALYSIS OF PROPOSAL

5.1 The application seeks planning permission for the erection of a new dwelling on a vacant plot adjacent Frampton Cotterell. The site is located outside the defined settlement boundary and within the Green Belt.

5.2 Principle of Development

Policy CS5 of the Core Strategy establishes the spatial strategy for development in the district. Under this policy, new development is direct to the existing urban areas, market towns, and defined rural settlements. Residential development outside of these locations is strictly controlled. Furthermore, policy CS34 of the Core Strategy seeks to protect the character of the rural areas,

with residential development outside of a defined settlement resisted. Policy PSP40 of the Policies, Sites and Places Plan allows only for specific forms of residential development in the open countryside. Likewise, the NPPF establishes new buildings within the Green Belt are inappropriate unless one of the exception categories listed is fulfilled. In this case, the proposal may qualify for the “limited infill in villages” exception set out in paragraph 145(e) of the NPPF, as explained below.

- 5.3 In addition, following the publication in December 2019 of an extract from the Authority Monitoring Report, South Gloucestershire Council can demonstrate a 5 year housing land supply. Policies that restrict the supply of housing are therefore not considered to be out of date and are afforded full weight in decision taking. The tilted balance – on the basis of housing supply policies – is not engaged.
- 5.4 Considering the above, an “in-principle objection” would normally be raised to a development of this nature because it does not accord with the spatial strategy as expressed by the Development Plan. However, in a few circumstances, the LPA consider it may be suitable to recommend approval of dwellings outside of the settlement boundary.
- 5.5 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. However in the interests of the Council’s overall spatial strategy for new housing, this should only apply to very small development proposals of 1-2 dwellings.
- 5.6 Location of Development – Relationship with Nearest Defined Settlement
The Core Strategy defines *infill* as the filling of a relatively small gap between existing buildings, normally within a built up area. The application site is amongst a clearly identifiable frontage of buildings because Nos. 97-101 are sited to the southwest and No. 107 to the northeast. Officers therefore consider that the site falls within the definition of infill as contained within the Core Strategy. Furthermore, although it is accepted that the site is outside of the settlement area, it is only on the other side of Bristol Road, less than 24m away and both facilities, services and bus stops are within a reasonable walking distance.
- 5.7 Officers are therefore of the view that the application site forms part of the settlement and is one of the few cases where this type of development is permissible. However, in order to prevent a marked reduction in openness and visual amenity of the Green Belt over time, the permitted development rights of the new property will be removed.
- 5.8 Design
Development must meet high standards of planning and design that respect the character and appearance of the area. Bristol Road is a straight residential street of mixed type housing but seen in the context of the adjoining dwellings, the proposal would not look out of character, cramped, bulky or incongruous,

despite being prominently located at the junction with Court Road. Both the building design and its siting are therefore acceptable but a suitable landscaping plan could aid long-term integration and screening.

5.9 Amenity

Development should not prejudice residential amenity. The proposal would afford future occupiers acceptable living conditions and external space (over 60m²).

5.10 Neighbours have raised concerns regarding the impact of the garage element on side windows in Nos. 97-101. However, the building would lie 4m away to the northeast and as such would not overbear the outlook from these windows. Overall though, it is not considered any neighbour amenity would be harmed.

5.11 Transport and Parking

In this instance, the assessment of transportation impacts relates solely to the provision of safe/suitable access and adequate off-street parking to meet the needs arising from the development.

5.12 Following initial Officer comments, a revised plan no. 3161/5 was supplied. The revised details have addressed an earlier concern about the lack of footpath access, width of the industrial access and viability at the site access.

5.13 A double garage is proposed but this is below the 6m width necessary to count as 2x parking spaces. However, there are two outside spaces which comply with the Council's standard. Furthermore, with only one car parked in the garage, it will count as providing the required 2x cycle parking spaces.

5.14 An electric vehicle charging point or other ultra-low facility should be provided at the garage; this shall be conditioned.

5.15 On this basis, there is no transportation objection to the proposed development.

5.16 Ecology

The site had been cleared two weeks prior to the ecological survey, which was undertaken in September 2019. Consequently, the original habitats and therefore any protected species issues could not be assessed by the Ecologist. It is unlikely though that an offence relating to nesting birds has been committed because the site was cleared at the end of the nesting bird season. The site comprised bare earth at the time of the ecology survey. However, the ecology report mentions that the owner reported that the site formerly comprised an allotment for 30 years and contained a mobile home.

5.17 A review of the site from Google Map (image capture date June 2018) reveals it comprised an area of tall herb with scattered scrub. As such the site could have provided habitat for small mammals, reptiles and amphibians as well as nesting birds.

5.18 Clearly the site had some ecological value as an area of semi-natural habitat in an otherwise residential area. Therefore, it is recommended that an Ecological Enhancement plan for the proposed development shall be submitted to, and be

approved in writing by, the LPA prior to first occupation and operation of the development. In addition, as the site appeared to originally have been suitable for hedgehogs, a Priority Species under the NERC Act, it is recommended that any fencing contain hedgehog holes at the base (approx. 13cm in height and width) to avoid fragmentation of their habitat. The plan shall also need to include areas of native and/or wildlife friendly planting (e.g. native hedgerows and trees), log pile(s), installation of bird nesting boxes and bat roosting boxes as deemed appropriate and proportional by a suitably experienced Ecologist following liaison with the development design/landscape team or similar.

5.19 Consideration of likely impact on Equalities

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

5.20 With regards to the above this planning application 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.

Contact Officer: Helen Braine
Tel. No. 01454 863133

CONDITIONS

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

Reason

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

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

Reason

In the interest of protecting the openness of the green belt, and to accord with policy CS1, CS9 and CS34 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013; policy PSP1, PSP7 and PSP40 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework 2019.

3. Prior to the commencement of the relevant works a scheme of landscaping, which shall include details of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection during the course of the development; 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.

Reason

To protect the character and appearance of the area to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework 2019.

4. The access and off-street parking facilities (for all vehicles, including cycles) shown on the plan (no. 3161/5 Rev A) 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; Policy PSP11 and PSP16 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework 2019.

5. The dwelling hereby approved shall not be occupied until details of an electric vehicle charging point, adjacent to the proposed parking spaces, have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason

In the interests of promoting low carbon energy and to accord with Policy PSP6 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (Adopted)

November 2017; Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013; and the National Planning Policy Framework 2019.

6. The hours of working on site during the period of construction shall be restricted to 7:30 to 18:00 Monday to Friday and 8:00 to 13:00 on Saturdays; and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

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

7. Prior to comment of the relevant works an Ecological Enhancement Plan shall be submitted to the Council for approval. The Plan shall include details of the proposed fencing with hedgehog holes, areas of native and/or wildlife friendly planting (e.g. native hedgerow and trees), log pile(s), installation of bird nesting boxes and bat roosting boxes. The works shall be completed strictly in accordance with the agreed details.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of local biodiversity, and to accord with Policy PSP3, PSP18 and PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; Policy CS2 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework 2019.

8. The development shall be implemented strictly in accordance with the following plans:

Received 4.11.2019:

Existing Site Plan (3161/1)

Proposed Plans and Elevations: Plot 1 (3161/3)

Site Location Plan (3161/6)

Received 6.11.2019:

Proposed Garage Plans and Elevations (3161/4)

Received 23.1.2020:

Proposed Site Plan: Drainage (3161/2 A)

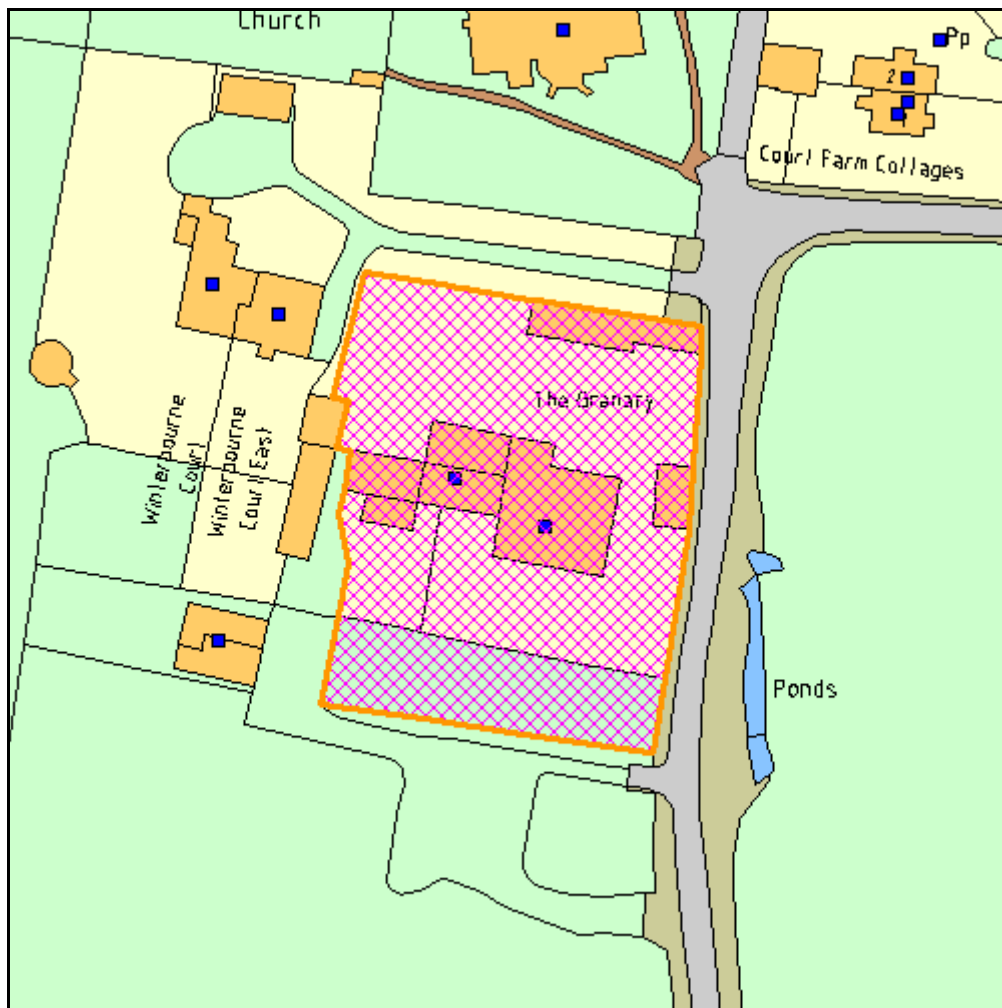
Proposed Site Plan (3161/5 A)

Reason

For the avoidance of doubt.

CIRCULATED SCHEDULE NO. 06/20 – 7 FEBRUARY 2020

App No.:	P19/17383/RVC	Applicant:	Winterbourne Medieval Barn Trust
Site:	Winterbourne Court Farm Barn Church Lane Winterbourne Bristol South Gloucestershire, BS36 1SE	Date Reg:	26th November 2019
Proposal:	Variation of condition 5 (to amend the permitted hours of operation) attached to planning permission PT05/0023/F. Change of use of agricultural barn to community heritage centre.	Parish:	Winterbourne Parish Council
Map Ref:	364121 180932	Ward:	Winterbourne
Application Category:	Minor	Target Date:	17th January 2020



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 100023410, 2008. **N.T.S.** **P19/17383/RVC**

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

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been referred to the circulated schedule due to the receipt of a number of letters of objection from local residents, contrary to Officer recommendation.

1. THE PROPOSAL

1.1 This application seeks planning permission for the Variation of condition 5 (to amend the permitted hours of operation) attached to planning permission PT05/0023/F – (Change of use of agricultural barn to community heritage centre).

1.2 PT05/0023/F was for the Change of use of agricultural barn to community heritage centre.

Condition 5 of PT05/0023/F read as follows:

'The use hereby permitted shall not operate other than between the hours of 0930 and 2200.'

'Reason 1. In the interests of highway safety, and to accord with Policy RP1 of the adopted Northavon Rural Areas Local Plan; and Policy T12 of the South Gloucestershire Local Plan Revised Deposit Draft (Incorporating Proposed Modifications) March 2005..'

Reason 2:

'To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy RP1 of the adopted Northavon Rural Areas Local Plan, (and Policy LC4 of the South Gloucestershire Local Plan Revised Deposit Draft (Incorporating Proposed Modifications) March 2005).'

1.3 This application therefore seeks to amend that condition and permission is sought to vary the hours to 08.00 – 22.30 Sundays to Thursdays and 08.00 - 23.00 Fridays and Saturdays.

1.4 The application site consists of Winterbourne Court Farm Barn, a grade II listed building. The existing host building and outbuildings are currently used as a heritage and educational centre. This proposal does not seek a change of use. The application site is situated within the Green Belt, outside of any settlement boundary, and within the Winterbourne Conservation Area. There is a small group of residential properties within the vicinity, the nearest properties are located immediately to the west and to the north/north east of the site.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework
National Planning Policy Guidance

2.2 Development Plans

South Gloucestershire Core Strategy Adopted December 2013

CS1 High Quality Design
CS4a Presumption in Favour of Sustainable Development
CS5 Location of Development
CS9 Managing the Environment and Heritage
CS23 Community Infrastructure and Cultural Activity

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
PSP11 Transport Impact Management
PSP16 Parking Standards
PSP17 Heritage Assets and the Historic Environment
PSP21 Environmental Pollution and Impacts

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007
Winterbourne Conservation Area SPD
South Gloucestershire Green Belt SPD

3. RELEVANT PLANNING HISTORY

3.1 There have been a number of applications associated with the wider site, the most relevant of these are as follows:

PT05//0023/F - Change of use of agricultural barn to community heritage centre. Approved 27.06.2005.

PT16/2421/LB - External and internal alterations to convert cart shed into educational workshop. Approved 09.09.2016

PT16/2673/F - Restoration and repairs to shed interior and alterations to exterior. Approved 09.09.2016

PT17/5419/F - Demolition of redundant derelict modern structures. Restoration and refurbishment works at Winterbourne Court Farm Barns, including, extension works to Cow Byres, refurbishment of West Barn, construction of Southern Link structure alterations to parking and external works. Approved 09.03.2018

PT17/5811/LB - Demolition of redundant derelict modern structures. Restoration and refurbishment works at Winterbourne Court Farm Barns, including, extension works to Cow Byres, refurbishment of West Barn, construction of Southern Link structure, alterations to access, parking and external works.

4. CONSULTATION RESPONSES

4.1 Winterbourne Parish Council No objection

Sustainable Transportation Officer

No objection to the start and finish times being amended as per the proposed variation subject to the implementation of an Events Car Park Management Plan (ECPMP) the same as secured by condition 9 for PT17/5419/F and discharged on DOC19/0043

Economic Development Officer

Strategic Economic Development supports the proposed extension of opening hours at Winterbourne Barn. We understand that this will allow the Trust to deliver their Business Model, and will in turn enable the site to become economically viable, at the benefit of the local community, and local artisan businesses.

Other Representations

4.2 Local Residents

Three letters of objection have been received from local residents raising the following concerns:

- No issues with activities carried out during normal working day, as long as parking is managed, as parking is an ongoing problem along Church Lane
- However there are concerns over evening and weekend use for private functions
- Events have an impact upon surrounding residential area and increase hours will impact this
- The noise can be considerable, with cars leaving and floodlights intrusive, and there could be increases in noise from people leaving
- There could be 3 events on weekends and I would like to see the venue closed on Sunday evenings
- The Lane attracts a significant amount of traffic already as a cut through from Beacon Lane to the High Street
- Parking is an issue and larger numbers of larger events will lead to more parking and potentially blocking the lane for residential properties and emergency vehicles

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application site consists Winterbourne Barn and associated site and outbuildings. Permission exists for use of the barns for community heritage centre, with existing conditioned hours. The principles of the use of the site are therefore established. No additional change of use is proposed and the application is solely to vary the hours of use from 08.00 in the mornings to an extra half hour and hour respectively on weekdays and weekends. The matter for consideration is that of the impact of the variation of condition proposed upon the amenity of the nearest residential properties.

5.2 By way of background to the site and proposals, the site is currently being refurbished in conjunction with South Gloucestershire Council and the National Lottery Heritage Fund with the aim of the site becoming a rural craft and heritage centre. The approved refurbishment is supported by a detailed business plan which demonstrates the potential for the site to become economically self-sufficient with an expanded range of activities available for the local community. The extended operating hours are aimed at helping achieve this. The site includes 4 craft workshops which are let out. The slightly earlier varied start is necessitated by the general requirement that access is required to them by the tenants prior to the existing 9.30 restriction. The current evening finish restriction is considered a restraint on the evening activities that the site offers pursuant to its business plan, meaning cessation well in advance of 22.00 to allow for clearance of the site and people. The requirement for a slightly later finish of 22.30 on weekdays would allow for activities to operate more effectively. The proposed weekend restriction of 23.00 would support the venues hire for functions, the hire arrangements and the Trust manage and provide appropriate supervision. The refurbishment also means that more activity is likely to be enclosed.

5.3 Residential Amenity

Permission exists for use of the barns for community heritage centre, with existing conditioned hours. The principles of the use of the site are therefore established. The application proposes a 30 minute evening extension Sunday to Thursday and a 1 hour evening extension on Fridays and Saturdays. The application does not proposed any change in the potential use of the site. The use of the site would not result in expectations that the site is used for all its permissible maximum hours all through the year or all and every weekend but provide opportunity to utilise the site to a more beneficial extent for its events. For example wedding and function hire during winter months is less likely as the medieval barn does not lend itself as well through heating etc for this. The business plan has provision for up to 12 weddings per annum, to ensure it is self-sufficient. In this respect, one wedding would typically take up one weekend of hire as setting up can take place on Friday and clear up on Sunday. Under the refurbishments access to and from the Barn from the car park would be from the Beacon Lane side, the opposite end to the majority of neighbours. Many of the vehicles are also likely to leave via the Beacon Road end. It is not considered therefore that the revised hours proposed would by their nature automatically give rise to additional noise concerns. The refurbished site would also help noise reduction. There are not flood lights as such, and the

refurbishment of the listed building now incorporates lighting appropriate and sympathetic to its surroundings.

5.4 The proposals are associated with an existing community based centre. Taking into account the limited revised timescales proposed it is not considered that the proposed amendments to the existing condition, would result in a significant or material additional harm to the residential amenities of the neighbouring properties from the existing site such as to sustain an objection and warrant refusal of the application on these grounds.

5.5 Impact on parking and Highway safety

The use of the site is established. It is considered that additional traffic generation or parking associated with the modest variation in hours would be minimal in transportation terms. There is an existing and recently approved Event Car Parking Management Plan for the site. This will remain in force and should be should be complied with and on this basis there are no objections to the proposals from Highways Officers. A condition is recommended securing compliance with the scheme.

5.6 Consideration of likely impact on Equalities

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

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That the application be approved subject to the following conditions;

Contact Officer: Simon Ford
Tel. No. 01454 863714

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 use hereby permitted shall not operate other than between the hours of 08.00 - 22.30 Sundays to Thursdays and 08.00 - 23.00 Fridays and Saturdays, and at no other times.

Reason

In the interests of highway safety, to protect the amenity of nearby residential properties and to accord with PSP8 and PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017.

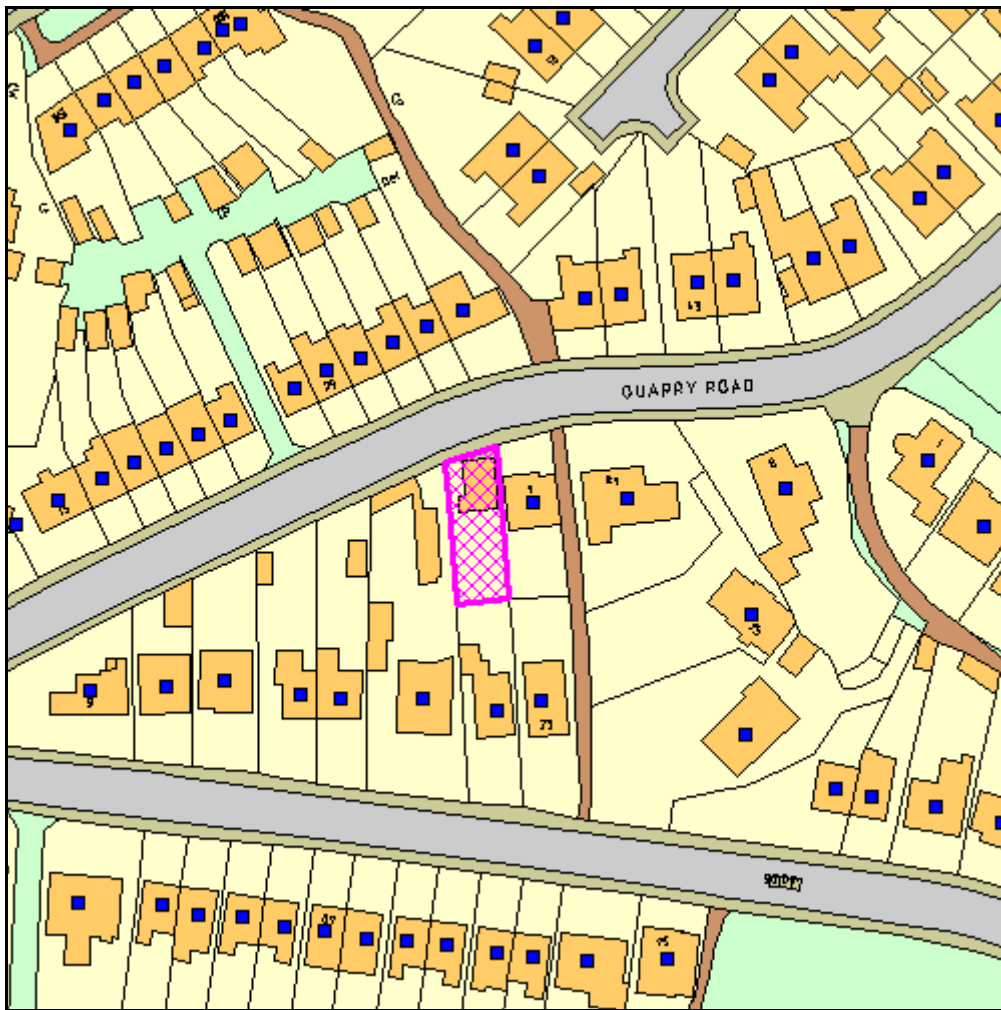
3. The operation of the site shall be implemented at all times, in accordance with the Events Car Park Management Plan (ECPMP) (Rev A 11/03/19) approved through condition 9 of planning application reference PT17/5419/F and discharged under reference DOC19/0043 on the 21st March 2019.

Reason

In the interests of highway safety, to protect the amenity of nearby residential properties and to accord with PSP8 and PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017.

CIRCULATED SCHEDULE NO. 06/20 – 7 FEBRUARY 2020

App No.:	P19/17985/F	Applicant:	Mr Ryan Gardner
Site:	21 Mount Hill Road Hanham Bristol South Gloucestershire BS15 8QU	Date Reg:	12th December 2019
Proposal:	Demolition of existing garage. Erection of 1 no. detached dwelling with associated works.	Parish:	Hanham Parish Council
Map Ref:	364597 172668	Ward:	Hanham
Application Category:	Minor	Target Date:	6th 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 garage and the erection of 1no. detached dwelling with associated works. The application relates to no. 21 Mount Hill Road, Hanham.
- 1.2 The application site comprises a detached residential property set within a long, narrow plot. The site is situated within the urban fringe area of Hanham.
- 1.3 Planning permission was previously granted for the erection of a detached bungalow at the site. The current proposal seeks permission for the erection of a detached, two-storey dwelling to be constructed in place of the bungalow.
- 1.4 A revised block plan showing parking spaces to be retained for the existing dwelling at the site was received and accepted by the Local Planning Authority on 27th January 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
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
PSP8	Residential Amenity

PSP11	Transport Impact Management
PSP16	Parking Standards
PSP38	Development within Existing Residential Curtilages, Including Extensions and New Dwellings
PSP43	Private Amenity Space Standards

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

3. **RELEVANT PLANNING HISTORY**

3.1 **PK17/4790/F**

Demolition of garage and erection of 1no. bungalow and associated works.
 Construction of access to the front of existing dwelling.

Approved: 26.01.2018

3.2 **PK17/1312/F (19 Mount Hill Road)**

Erection of 2 no. semi detached dwellings with new access and associated works.

Approved: 09.06.2017

4. **CONSULTATION RESPONSES**

4.1 Hanham Parish Council No objection

4.2 Other Consultees

Coal Authority
 No objection subject to conditions

Highway Structures
 No comment

Lead Local Flood Authority
 No objection

Sustainable Transport
 No objection to new dwelling but sufficient parking should be provided for existing dwelling.

Other Representations

- 4.3 Local Residents
 3 letters of objection were received during the statutory consultation period.
 The main concerns raised are summarised below:

- Construction of other new houses on street has caused disturbance to neighbours. Restrictions should be placed on building works.
- Proposal would result in overshadowing and loss of views.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application seeks permission for the erection of a detached, two-storey property at a site in Hanham.

5.2 Policy CS5 of the Core Strategy outlines the locations at which development is considered appropriate. CS5 dictates that most new development in South Gloucestershire will take place within the communities of the north and east fringes of the Bristol urban area, and within the defined boundaries of settlements. The application site is located within the area defined as the east fringe of the Bristol urban area. As such, based solely on the location of the site, the development is acceptable in principle.

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

5.4 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.

5.5 The proposed dwellinghouse would comprise a detached, two-storey unit incorporating a pitched roof. Due to its location at the northern end of the plot, the proposed unit would front on to Quarry Road and would therefore form part of the Quarry Road streetscene.

5.6 In terms of the existing Quarry Road streetscene, the site immediately to the east comprises a detached two-storey property, constructed in what was historically part of the garden serving no. 17 Mount Hill Road. The immediate site to the west forms part of the garden of no. 23 Mount Hill Road; however planning permission was granted in 2017 for the erection of a semi-detached pair within this plot. As such, the southern side of Quarry Road is characterised by piecemeal development on former garden areas associated with properties along Mount Hill Road. The northern side of Quarry Road is more uniformed in character.

- 5.7 On the basis that the proposed dwelling would sit between two small development sites and not within a uniformed housing estate, it is not considered that a single new dwellinghouse would appear as an out of character addition to the streetscene. The overall form and scale of the building is considered to sufficiently reflect that of other properties in the vicinity. In terms of its height, the building respects the natural slope of the road, with the ridge height set down from that of the property to the east, but above that of the proposed semi-detached units to the west; which are to be constructed on lower ground.
- 5.8 In terms of the more detailed elements of the design, a pitched front dormer and ground floor bay window are proposed. These elements are considered to add an extra degree of visual interest, and are reflective of similar features present at other properties within the streetscene. In terms of proposed exterior finish, it has been outlined that the dwelling will be finished in block and render with a tiled roof. Whilst this is acceptable in principle, a condition will be attached to any decision requiring the detailed specification of materials to be agreed, to ensure a satisfactory standard of external finish.
- 5.9 To add to the above, it is acknowledged that permission was previously granted for the erection of a detached bungalow at the site. Having reviewed submitted plans, it is considered that the two-storey dwelling as proposed would integrate more effectively in to the streetscene than the previously approved bungalow. As such, the proposal represents an improvement in visual terms.
- 5.10 Subject to the aforementioned condition, it is concluded that an acceptable standard of design has been achieved. The application is therefore compliant with policy CS1.
- 5.11 Residential Amenity
Policy PSP8 of the Policies, Sites and Places Plan outlines that development proposals will be acceptable provided that they do not create unacceptable living conditions or have an unacceptable impact on the residential amenity of the occupiers of the development or of nearby properties. Unacceptable impacts could result from (but are not restricted to); loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and odours, fumes or vibration.
- 5.12 When considering the impacts of the development on the residential amenity of surrounding residents, the main neighbouring properties under consideration are the adjacent property to the east, the approved dwelling to the west, and the existing dwelling to the south at no. 21 Mount Hill Road,
- 5.13 In terms of the adjacent property to the east, the concerns raised regarding a potential overbearing impact are acknowledged. In this respect, it is acknowledged that the rear plane of the proposed dwelling would project beyond the rear of the neighbouring property. Given the proximity of the proposed dwelling to the boundary, it is considered that the proposed structure would be noticeable from the rear-facing windows of the neighbouring property, and the rear garden serving the adjacent property.

- 5.14 However it is considered that the overall impact in this respect would be reduced, on the basis that the proposed dwelling is set on lower ground than the adjacent property, and would have a reduced eaves height. Furthermore, the rear of the neighbouring property is south-facing. As such, whilst the proposed unit may block out sunlight for a portion of the day, the rear elevation and garden of the adjacent unit would still receive natural sunlight for large portions of the day. As such, whilst the impact of the development in this respect is noted, it is not considered that it would translate to a severe adverse impact on residential amenity. In terms of overlooking, it is noted that a side-facing window is proposed at first floor level. However this would serve a bathroom, and a condition will therefore be applied ensuring that the window is obscurely glazed.
- 5.15 In terms of the approved units to the west, the proposed dwelling would not project beyond the rear of these units. As such, it is not considered that the proposed dwelling would have any overbearing or overshadowing impact. On the basis that no first floor windows are proposed at the west-facing elevation, it is also not considered that there would be any overlooking issues.
- 5.16 With respect to the existing property at no. 21, there is considered to be a sufficient degree of separation as to avoid any overbearing or overshadowing impact. In terms of overlooking, window to window distances are considered to be acceptable. Whilst there would likely be a degree of overlooking on to rear gardens, it is not considered that this would be severe, and adequate levels of privacy would be retained.
- 5.17 In terms of properties on the northern side of Quarry Road, given the degree of separation and the fact the properties are separated by the highway, it is not considered that the construction of the proposed dwelling would lead to any undue sense of overbearing, overshadowing or overlooking impact on properties to the north.
- 5.18 On the basis of the above, it is not considered that the presence of the proposed building would have any significant adverse impact on the amenity of neighbours. It is however acknowledged that local residents would likely experience a degree of disturbance during the construction phase, and the concerns raised in this respect are noted. In the interests of protecting amenity, a condition will be attached to any decision restricting the permitted hours of operation during the construction period.
- 5.19 In terms of the amenity of future occupants, submitted plans indicate that a rear garden area extending to 71m² will be provided. This is considered a sufficient provision as to serve the occupants of the proposed 3-bed unit.
- 5.20 Subject to a condition restricting working hours, it is not considered that the development would have any unacceptable impacts on residential amenity. The proposal therefore meets the requirements of policy PSP8.

5.21 Transport

The proposed new dwelling would face on to Quarry Road, with a new access directly off the highway created. Overall it is considered that adequate visibility can be achieved and there are no concerns with the proposed access arrangements. In terms of parking, submitted plans indicate that the proposed dwelling will be served by 2no. parking spaces to the front. This meets the Council's minimum standards for a 3-bed dwelling as set out in policy PSP16 of the Policies, Sites and Places Plan.

5.22 It is however noted that the construction of the new dwelling would remove the rear parking area associated with the existing property at no. 21 Mount Hill Road. However an amended block plan was submitted during the course of the application demonstrating that two parking spaces will instead be provided to the front of the existing dwelling. This is considered to be an acceptable arrangement, and subject to a condition securing the parking spaces for both dwellings, there are no concerns with the development proposal from a transportation perspective.

5.23 Historic Coal Mining

The site is situated in an area of historic coal mining, and as such falls within the defined Development High Risk Area. It has therefore been identified that there are coal mining features and hazards in the area. A Coal Mining Risk Assessment was submitted in support of the application. This was accepted by the Coal Authority, who raise no objection to the proposal subject to conditions requiring further ground stability investigations to be carried out. Conditions to this effect will be attached to any decision.

5.24 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.

5.25 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).

2. Prior to the application of any external materials, details of the roofing and external facing materials proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and thereafter retained as such.

Reason

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

3. Prior to the first occupation of the dwelling hereby permitted, and at all times thereafter, the proposed first floor windows on the east-facing side elevation shall be glazed with obscure glass to level 3 standard or above with any opening part of the window being a minimum of 1.7m above the floor of the room in which it is installed.

Reason

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policies PSP8 and PSP38 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

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

Reason

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

5. Prior to the first occupation of the dwelling hereby approved, the off-street parking facilities for both the approved dwelling and no. 21 Mount Hill Road as shown on the plan (A03 Rev A - Received 27th Jan 2020) hereby approved shall be implemented in full, and thereafter retained for that purpose.

Reason

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

6. Prior to the commencement of development (excluding demolition), a scheme for intrusive site investigations, designed by a competent person and adequate to properly assess the ground conditions on the site and establish the risks posed to the development by past coal mining activity, shall be undertaken at the site.

Reason

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 Policy PSP22 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; Policy CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013; and Paragraphs 178 and 179 of the National Planning Policy Framework.

For clarity, the investigations are required to be undertaken prior to the commencement of development as it is first necessary to establish whether historic coal mining has affected the stability and safety of the land, prior to any development commencing on site.

7. Prior to the commencement of development (excluding demolition), a report of findings arising from the intrusive site investigations required by condition 6, and any remedial works and/or mitigation measures considered necessary, including the approved layout plan illustrating the calculated zone of influence of the off-site mine entry, based on the worst case scenario that the mine entry is located just outside the planning site boundary, shall be submitted to the Local Planning Authority for approval.

Reason

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 Policy PSP22 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; Policy CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013; and Paragraphs 178 and 179 of the National Planning Policy Framework.

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

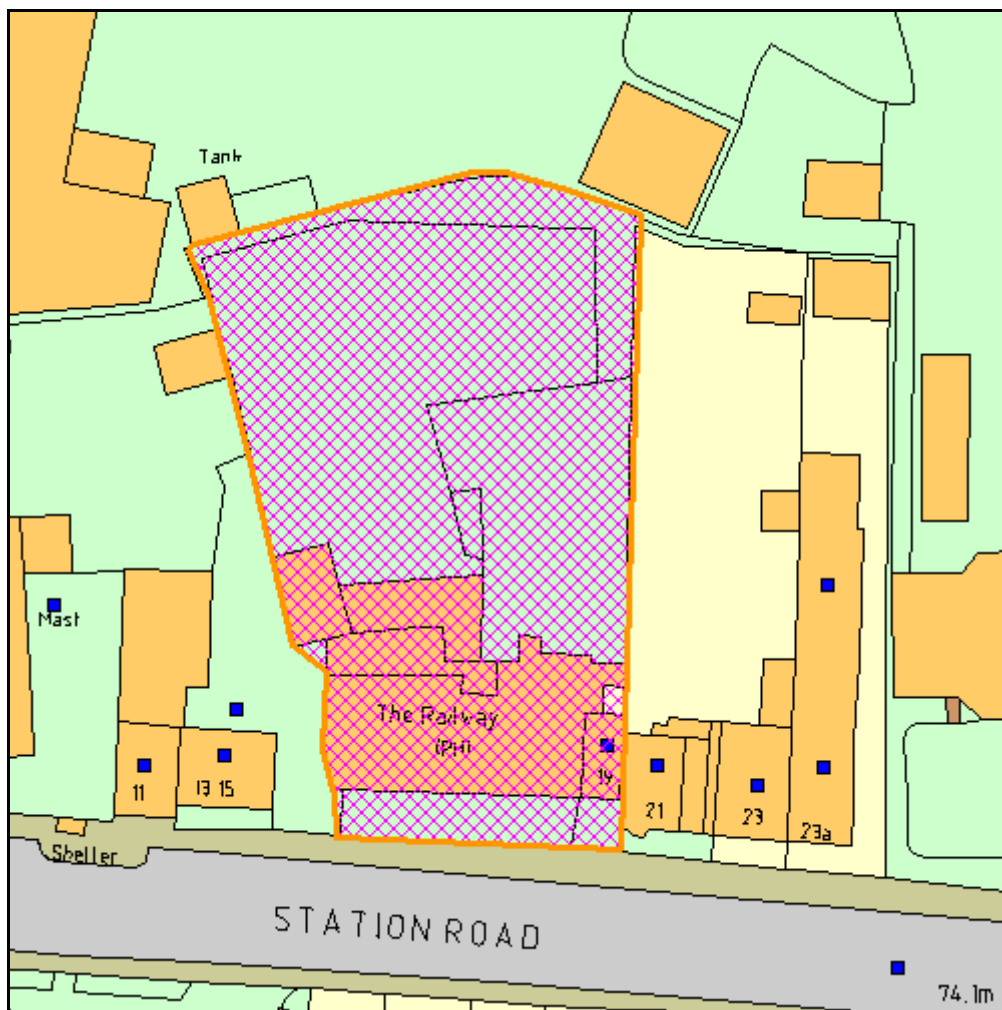
8. Any remedial works and/or mitigation measures as set out in the report required under condition 7 shall then be implemented in accordance with the agreed details.

Reason

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 Policy PSP22 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; Policy CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013; and Paragraphs 178 and 179 of the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 06/20 – 7TH FEBRUARY 2020

App No.:	P19/5548/O	Applicant:	The Railway Building Company
Site:	Land At Station Road Yate South Gloucestershire BS37 5HT	Date Reg:	10th July 2019
Proposal:	Erection of 56 no. bed care home (Class C2) and 12 no. flats (Class C2) with associated works (in Outline) with access, layout and scale to be determined, all other matters reserved.	Parish:	Yate Town Council
Map Ref:	370304 182541	Ward:	Yate North
Application Category:	Major	Target Date:	7th October 2019



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 100023410, 2008. N.T.S. P19/5548/O

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

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application is referred to the circulated schedule for determination as: an objection has been received from the town council; and, three comments of objection have been received from local residents.

1. THE PROPOSAL

- 1.1 This application seeks outline planning permission for the erection of a 56 bed care home (Class C2) and 12 'extra care' flats. Access, layout, and scale are to be determined with appearance and landscaping retained as reserved matters.
- 1.2 The site was formerly occupied by the Railway Inn, a locally listed building. The Railway Inn, as the name suggests, has connections with the railway and first appears on the 1844-1888 1st edition Ordnance Survey map of the area. Along with being a building of local historic interest, it was also one of a few buildings in the immediate vicinity that was considered to be architecturally distinctive and be of aesthetic merit. However, following an application to the local planning authority for its prior approval, the building has since been demolished to facilitate the redevelopment of the site. As a result the site currently stands empty behind temporary hoardings. There have been a number of attempts to redevelop this site which is set out in section 3.
- 1.3 Other designations remain relevant. The site is within the settlement of Yate. Furthermore, the site is within the defined Town Centre and sits on a secondary shopping frontage. Approximately 555 metres from the site to the east is the primary shopping area of the town centre. The site is also within an area safeguarded for economic purposes under policy CS12(53). Access to the site is provided from the A432 Station Road. This is one of the principal access routes to the town and connects Yate to the A4174 Avon Ring Road (including associated road connections) and beyond to Bristol City Centre. A number of bus routes run along the A432 and the site is located within 50 metres of an eastbound bus stop and 70 metres of a westbound bus stop. Yate Railway Station is approximately 190 metres to the west of the site providing to regional and commuter rail services as well as connections to cross country and mainline rail services.
- 1.4 Although this is an outline application where appearance is a reserved matter, negotiations have been entered into so the authority can be satisfied that a high quality design will come forward in due course.

2. POLICY CONTEXT

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

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS2	Green Infrastructure
CS3	Renewable and Low Carbon Energy Generation
CS4	Renewable or Low Carbon District Heat Networks
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS6	Infrastructure and Developer Contributions
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS12	Safeguarded Areas for Economic Development
CS13	Non-Safeguarded Economic Development Sites
CS20	Extra Care Housing
CS23	Community Infrastructure and Cultural Activity
CS30	Yate and Chipping Sodbury

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

PSP1	Local Distinctiveness
PSP5	Undesignated Open Spaces
PSP6	Onsite Renewable and Low Carbon Energy
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
PSP37	Internal Space Standards
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) August 2007

Local List SPD (Adopted) March 2008

Residential Parking Standard SPD (Adopted) December 2013

Affordable Housing and ExtraCare SPD (Adopted) May 2014

Renewables SPD (Adopted) November 2014

CIL and S106 SPD (Adopted) March 2015

Waste Collection SPD (Adopted) January 2015 (updated March 2017)

3. RELEVANT PLANNING HISTORY

- 3.1 PK18/3578/O Refused 01/05/2019
Erection of 10 no. dwellings (Outline) with access, appearance, scale and layout to be determined. All other matters reserved. (Re submission of PK17/2676/O)

Refusal reasons

1. In the absence of an appropriate planning obligation to secure a contribution towards affordable housing the proposal fails to make adequate provision towards affordable housing in the district. The proposed development is therefore contrary to policy CS6 and CS18 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, the Affordable Housing and ExtraCare SPD (Adopted) May 2014, and the provisions of the National Planning Policy Framework, February 2019.
2. In the absence of an appropriate planning obligation to secure a contribution towards the provision, enhancement, and maintenance thereof, public open space the proposal fails to mitigate its own impact to the detriment of the locality. The proposed development is therefore contrary to policy CS6 and CS24 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, and the provisions of the National Planning Policy Framework, February 2019.

3.2 PK18/1660/O Refused 27/06/2018
Erection of 43no apartments (Outline) with appearance, layout and scale to be determined. All other matters reserved.

Refusal reasons

1. The proposed development is cramped and fails to integrate into the density and overall layout of the locality. The development represents the overdevelopment of the site as it fails to provide adequately to meet the needs arising from it. If permitted, the development would harm the visual amenity of the locality. The proposed development is therefore contrary to policy CS1, CS16, and CS17 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, and the provisions of the National Planning Policy Framework March 2012.
2. The proposed development fails to respect and enhance the context and distinctiveness of Station Road. The form and fenestration of Block 1 does not make a positive contribution to the streetscene as it is neither a successful interpretation of the surrounding architecture or an innovative modern architectural response to it. The appearance of Block 1 is overtly linear, mundane, and suburban, in an area where the form, scale and appearance of development is not. The proposed development is therefore contrary to policy CS1, CS16, and CS30 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, policy PSP1 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017, and the provisions of the National Planning Policy Framework March 2012.
3. The proposed development fails to provide any private outdoor amenity space to the detriment of the living conditions of future occupiers. The proposed development is therefore contrary to policy CS16 and CS17 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, policy PSP43 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 and the provisions of the National Planning Policy Framework March 2012.

4. The proposed development is situated adjacent to existing industrial activity; as residential development is proposed, it would be sensitive to pollution (including fumes, dust, noise, vibration, odour, light and other forms) and where there is inadequate mitigation such pollution would have a detrimental impact on the living conditions of occupiers. It has not been demonstrated that the impact of and potential pollution from the adjacent land uses have been considered and that any environmental effects can be satisfactorily mitigated. In the absence of such information the local planning authority is not satisfied that future occupiers of the development would benefit from acceptable living conditions. Therefore the proposed development is contrary to 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 provisions of the National Planning Policy Framework March 2012.
5. The proposed development would result in the overlooking of hitherto private areas to the detriment of residential amenity. The cramped nature of the site results in poor outlook from ground floor units where they are located close to the site boundary. The proposed development fails to provide adequate living conditions for future residents and would prejudice the amenities of nearby occupiers. The proposed development is therefore contrary to policy CS1 and CS16 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, 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 March 2012.
6. The proposed development fails to provide safe and suitable access for all modes of travel. It has not been demonstrated that the site layout provides access for and manoeuvrability of service vehicles such as refuse trucks or would enable the sorting, storage and collection of waste. It has not been demonstrated that a safe access could be gained along the existing access track to include the provision of a dedicated footway. It has not been demonstrated that adequate visibility could be achieved at the intersection of the access track and Station Road. The deficiencies in site access would result in a severe impact to highway safety and the operation of the local highway network. The proposed development is therefore contrary to policy CS1 and CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, policy PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017, the Waste Collection SPD (Adopted) January 2015 (updated March 2017), and the provisions of the National Planning Policy Framework March 2012.
7. The proposed development fails to provide adequate off-street vehicular parking and secure and undercover cycle parking to meet the needs arising from it. No evidence has been submitted which indicates that the parking standards should not be applied in full in this location. The under provision of vehicular parking would result in additional demand for on-street parking in a location where such parking is restricted and limited in nature. The proposed development would result in a severe impact on the safe operation of the local highway network. The proposed development is therefore contrary to policy CS8 of the South Gloucestershire Local Plan:

Core Strategy (Adopted) December 2013, policy PSP16 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017, the Residential Parking Standards SPD (Adopted) December 2013, and the provisions of the National Planning Policy Framework March 2012.

8. The proposed development fails to make adequate provision for affordable housing both physically and through the lack of appropriate planning obligation. The units proposed would not accord with the minimum size standard for affordable homes. The proposed development would fail to contribute towards mixed and balance communities. The proposed development is therefore contrary to policy CS6 and CS18 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, policy PSP37 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017, the Affordable Housing and ExtraCare SPD (Adopted) May 2014, and the provisions of the National Planning Policy Framework March 2012.
9. In the absence of an appropriate planning obligation to secure a contribution towards the provision, enhancement, and maintenance thereof, public open space the proposal fails to mitigate its own impact to the detriment of the locality. The proposed development is therefore contrary to policy CS6 and CS24 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the provisions of the National Planning Policy Framework March 2012.

- | | | | |
|-----|--|-------------------|------------|
| 3.3 | PK17/2676/O | Non-determination | 13/12/2017 |
| | Demolition of existing building. Erection of 10 no. dwellings (Outline) with access and layout to be determined. All other matters reserved. | | |
| 3.4 | APP/P0119/W/17/3191394 | | |
| | Appeal against non-determination of PK17/2676/O | | |
| | Dismissed | 09/04/2018 | |
| 3.5 | PK17/0888/PND | No objection | 27/03/2017 |
| | Prior approval of demolition of Public House and associated outbuildings. | | |

4. CONSULTATION RESPONSES

Town/ Parish/ District Councils

- 4.2 Yate Town Council
Objection: overdevelopment; amenity issues from neighbouring land uses; access; design is not in keeping with local vernacular.

Internal Consultees

- 4.3 Archaeology
No comment
- 4.4 Arts and Development
Public art scheme should be secured by condition

- 4.5 Conservation
No comment
- 4.6 Ecology
No objection subject to condition
- 4.7 Environmental Protection
Noise: Acoustic report required; working hours condition should be applied
Contamination: Land may be subject to contamination, site investigation required
- 4.8 Extracare
Flats should be considered as dwellings (Class C3) unless evidence indicated otherwise
- 4.9 Housing Enabling
On the assumption that the flats are dwellings (Class C3), an affordable housing contribution of 4 affordable homes should be secured
- 4.10 Landscape
Landscape advice provided; tree planting should be secured
- 4.11 Lead Local Flood Authority
Query use of SUDS
- 4.12 Public Open Space
Care home would not generate POS provision; 12 extracare flats – if assess as dwellings – would generate the following need:

Category of open space	Minimum spatial requirement CS24 (sq.m.)	Spatial amount provided on site (sq.m.)	Shortfall in provision (sq.m.)	Provision contribution	Maintenance contribution
Informal Recreational Open Space	168	0	168	£4,626.82	£8,155.58
Outdoor Sports Facilities	192	0	192	£10,515.86	£3,182.80

- 4.13 Sustainable Transport
Tracking for waste vehicles should be provided; parking levels are acceptable; staff cycle parking should be repositioned; electric vehicle charging should be provided.
- 4.14 Waste Engineer
Vehicle tracking of site for waste vehicles should be provided

Statutory/ External Consultees

- 4.15 Avon and Somerset Police
No objection; secure by design advice provided
- 4.16 Avon Fire and Rescue
Request for fire hydrant to be provided
- 4.17 Health and Safety Executive
Do not advise against
- 4.18 Wales and West Utilities
General advice provided
- 4.19 Wessex Water
There are no recorded public assets within the site boundary; there is limited capacity within the foul network to accommodate additional flows.

Other Representations

- 4.20 Local Residents
3 comments of objection have been received which raise the following:
- Unsuitable site for care home
 - Profit focused
 - Parking
 - Smaller number of starter homes with adequate parking would be more appropriate
 - Impact on evening views
 - Impact on local business

5. ANALYSIS OF PROPOSAL

- 5.1 This application seeks planning permission for a care home and extra care flats at the site of the former Railway Inn in Yate.

Principle of Development

- 5.2 The site is within the defined urban area of Yate, where under policy CS5 and CS30, development is directed. The site is also within a safeguarded employment area, Badminton Court/Dairy Crest, as defined by policy CS12.
- 5.3 Policy CS12 seeks to retain employment uses falling into the 'B' classes of the Use Classes Order. As the last use was as a public house, it would have had a 'D' use. Redevelopment of this site would not therefore lead to any significant loss of employment land (although the jobs connected with the pub are noted). However, there are some aspects of CS12 which are relevant as they consider overall sustainability. Under this policy, non-'B' class uses would only be permitted the proposal would contribute to a more sustainable pattern of development in the local area; this will be discussed as the report progresses.

- 5.4 A care home falls within the C class of the Use Classes Order and therefore is residential in nature. Located within the urban area, the site may be suitable for residential development. Policy CS5 directs new development, of all kinds – except those where a rural location is essential – to the existing urban areas and defined settlements. Therefore, as the policy considerations set out above have been passed the site is, in principle, appropriate for residential development subject to the detailed analysis set out below

Extracare Flats

- 5.5 Before progressing, the proposed extra care flats need to be discussed. The physical attributes of the flats – separate from the care home, each with defensible private space beyond the ‘front’ door, and containing all the necessary elements of living accommodation – means that each could be used as a dwelling in its own right falling within Class C3 of the Use Classes Order.
- 5.6 Generally, the authority would therefore deem these units as dwellings and apply its policies regarding the provision of new housing. As such, given that there are over 10 units proposed, contributions towards affordable housing provision and public open space would be sought.
- 5.7 While the use of the flats as unfettered residential units is possible, given the characteristics of the site, it would be more preferable for them to be occupied by persons with an extra care need.
- 5.8 Extra care is defined in the *Affordable Housing and Extra Care SPD* as: ‘self-contained accommodation which provides flexible care and support arrangements to meet the increasing needs of people whilst enabling them to stay in their homes as they get older.’
- 5.9 Extra care housing is generally accepted to have lower demands for associated infrastructure, such as private gardens and parking. Positioning extra care housing adjacent to a care providing institution is logical as it would enable the provision of shared services and increase economies of scale.
- 5.10 Therefore, it is appropriate to consider the flats as extra care units. Legal advice was sought on whether it is appropriate to apply some control over the use of the flats to ensure that they provide extra care accommodation. Control over the flats would be necessary to prevent their use as general housing. On the question of whether this should be through a planning condition or legal agreement, a planning condition is advised. Any permission granted should be subject to a condition restricting the use of the flats as outlined.

Design: layout and scale

- 5.11 Although in outline there are certain elements of the proposal which are to be considered at this time. This includes layout and scale.

Layout

- 5.12 The layout includes two blocks. At the front of the site facing Station Road is the block to contain the extra care flats. This block has been positioned to

continue the existing building line and form a terraced frontage. Behind that is a communal car park area and at the rear of the site is a larger building to provide the care home itself. A small garden area sounds the rear of the care home.

- 5.13 Different versions of the layout have been examined. Officers initially raised concern about the proximity of the rear most building to the site boundaries; revised plans have created a more spacious placing of the building but it is still tight to the boundary on the eastern side.
- 5.14 The proposed layout is acceptable. It is a difficult site to redevelopment given its narrower frontage. The care home and the flats would work within the existing built form and although a little 'back land' when compared to the nearby industrial buildings are appropriate.

Scale

- 5.15 Scale refers to the physical dimensions of the proposed buildings. Indicative elevations are provided but these can be used to assess the scale of the proposal.
- 5.16 The block along Station Road has been designed to reflect the scale of the Victorian properties along the road. It would be of two storey with a steep and prominent roof slope. It mirrors the proportions of the existing terrace to the west with a ridge height of 8.6 metres (parapet wall detailing is shown which would be slightly higher but the elevations themselves are indicative).
- 5.17 Block 2 to the rear is much greater in scale. Design negotiations have considered the height of this building. The site is within the town centre, in close proximity to the railway station, and somewhere where more urban centred living would be appropriate. For urban living to be successful, density needs to be increased and some taller buildings may not be inappropriate. The proposed building would be 4 storeys. A building of four storeys in height is considered acceptable in this location. Appearance is yet to be determined (and the indicative plans currently display an odd roof appearance). As shown on the plans, the building would have a height of 13.5 metres but this includes the roof form, the appearance of which is to be determined; this would be noticeably taller than many of the buildings in the vicinity. It is likely that considerable design work will be required on the appearance of the building and this will need to include the roof formation. It is hoped that a better roof structure could come forwards which would be more appropriate when the detailed design is proposed.
- 5.18 The context of the rear of the site is much more industrial in scale than the front. Towards the rear are large factory buildings and other industrial and trade counter units.
- 5.19 A condition will be applied to control the scale of this building. The condition will control this through the number of storeys; this will enable further design negotiations on roof structure and form when the appearance comes forward for consideration.

Access

- 5.20 The existing access to the west would be utilised and improved. From here, the route into the car park provides access for all vehicles. A dedicated pedestrian path is also provided.
- 5.21 Revised plans and vehicle tracking have been provided. It is concluded that the proposal would not adversely affect traffic on the A432 and the access is safe.
- 5.22 Given that the proposed accommodation is for people in need of care or extra care housing, the number of parking spaces has been assessed and been found to be adequate.
- 5.23 There is no objection to the proposal on the grounds of access. A scheme of electric vehicle charging should be sought by condition.

Residential Amenity

- 5.24 Development should not be permitted that has a prejudicial impact on residential amenity or which fails to provide adequate living conditions to future occupiers. A small garden is provided for the care home; this is appropriate. It provides an area of outdoor space for the future residents commensurate with the likely use of the site. No amenity space is provided for the extra care flats. It would be desirable for these flats to have some amenity space, such as balconies. The application must be assessed as if none were provided; if then when the appearance is determined balconies are provided it would be beneficial. That said, there would be little scope for a well-designed high quality balcony given the position of the building against Station Road.
- 5.25 Concern has been raised that the development would be subject to high levels of noise given its proximity to nearby industrial uses. Block 1 along Station Road is no different to existing residential accommodation and therefore should not be subject to a noise assessment. It is considered likely, from the site visit, that it would be possible to mitigate any unacceptable noise impacts on the care home contained within Block 2. Details of this can therefore be required by condition.
- 5.26 Within a short walk of the site is Westerleigh Common which provides good public open space for a variety of uses, including general recreation, sport, and nature conservation. While the amenity needs of an extra care unit are less than general housing, the proximity of the common allows residents some green and open space to use. With this in mind the provision of amenity space is acceptable.
- 5.27 The development would have most impact on the amenities of the adjacent properties on Station Road. The separation distances (of 25-30 metres) reduces any perceived privacy impacts. It is concluded that the proposal would not have an adverse impact on amenity.

- 5.28 A condition should be applied to protect the amenities of nearby residents during the construction phase of the development.

Reserved Matters: appearance and landscape

- 5.29 Broadly, the front block has been designed to complement the Victorian style of building along Station Road and the rear block has been designed as a tall warehouse/ industrial building. Should these principles come forward in the reserved matters, an acceptable standard of design would have been reached.
- 5.30 The reserved matters should contain details on landscaping and drainage proposals. A request has been made for a public art scheme. The site would not be 'public' in the same way general housing would be but nonetheless provides an opportunity for public art to be provided for the benefit of residents and the greater public interest. A condition should be applied to secure this.

Remaining Planning Considerations

- 5.31 Other elements are relevant which do not fall within the matters of an outline application.

Contamination

- 5.32 Previous uses of the site may have led to contamination. A condition should be applied to address potential land contamination.

Provision of Fire Hydrant

- 5.33 A request has been made for the developer to provide a fire hydrant. The built form would be two buildings both of which would be subject to fire controls and prevention measures under the Building Regulations. The scale of development does not justify the provision of a hydrant.

Contributions and Obligations

- 5.34 No contributions are being sought on the basis the development provides care accommodation and not general housing. This relates to both public open space and affordable housing provision.

Ecology and Heritage

- 5.35 As the former Railway Inn has been demolished and the site cleared, ecology and heritage are no longer relevant considerations.

Impact on Equalities

- 5.36 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.

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

Other Matters

- 5.38 A number of matters raised from the consultation responses have not been addressed in the main body of this report. These will be considered below.
- 5.39 Market-led development requires a profit; the planning system ensures that development is undertaken which is in the public interest. Profits of individual developers are not a consideration on this occasion and no viability issues have been raised.
- 5.40 The planning authority can only consider the development before it and not alternative development proposals.
- 5.41 There is no right to a view within the planning system and the proposal has been concluded to not have a prejudicial impact on outlook.
- 5.42 It is noted that the development is in close proximity to existing businesses but the development should mitigate its own impact.

Planning Balance

- 5.43 The proposed development would provide additional care home provision within the district. With an aging population, adult social care is one of society's key challenges of the day. When the authority is unable to place persons in need of care within the district, there is added cost to the authority itself and an impact on the person in need of care. Extra care housing is a middle ground between living independently and requiring care; it is a good model to provide care commensurate with the level of need and retain independence.
- 5.44 Substantial weight is attached to the public benefit of the provision of care accommodation. This weighs heavily in favour of the grant of planning permission.
- 5.45 Significant weight is attached to the redevelopment of an existing underused site within the defined urban area. It is a sustainable site to develop with good public transport connections. It would bring in a greater mix of uses to this end of the town centre and assist in promoting more urban styles of living with higher densities and taller buildings. This weighs in favour of the grant of planning permission.
- 5.46 The development would mitigate its own impacts in terms of highways. A number of conditions are applied to mitigate the other impacts.

5.47 Overall, the planning balance clearly weighs towards approving planning permission.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Contact Officer: Griff Bunce
Tel. No. 01454 863438

CONDITIONS

1. Approval of the details of the appearance of the building(s), 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 any buildings 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

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

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

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

5. The details of the appearance of the buildings, as required by condition 2, shall limited the height of Block 1 (facing Station Road) to 9 metres and Block 2 (at the rear of the site) to a maximum of 4 storeys.

Reason

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

6. The details of the appearance of the building, as required by condition 2, shall – in relation to Block 2 – indicate measures taken to ensure the amenities and living conditions future occupiers are not adversely affected by noise.

Reason

In the interest of residential amenity and to accord with 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. The details of the landscaping of the site, as required by condition 2, shall include a scheme for the provision of electric vehicle charging facilities.

Reason

To encourage means of sustainable, low (and zero) carbon, transportation, and to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

8. The details of the landscaping of the site, as required by condition 2, shall include a scheme for the drainage of the site. For the avoidance of doubt, the site should be drained through sustainable drainage systems.

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

9. The details of the landscaping of the site, as required by condition 2, shall include a scheme for the provision of public art.

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.

10. No development shall commence until an assessment of the risks posed by any contamination has been carried out and submitted to and approved in writing by the local planning authority. This assessment must be undertaken by a suitably qualified contaminated land practitioner, in accordance with British Standard BS 10175 and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced), and shall assess any contamination on the site, whether or not it originates on the site.

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 and the National Planning Policy Framework.

11. Where, following the assessment referred to in condition 10, land affected by contamination is found which could pose unacceptable risks, no development shall take place until detailed site investigations of the areas affected have been carried out. The investigation shall include surveys/sampling and/or monitoring, to identify the extent, scale and nature of contamination. A report shall be submitted for the written approval of the local planning authority and include a conceptual model of the potential risks to human health; property/buildings and service pipes; adjoining land; ground waters and surface waters; and ecological systems.

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

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

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 and the National Planning Policy Framework.

12. Prior to first occupation, where works have been required to mitigate contaminants (under condition 11) a report providing details of the verification demonstrating that all necessary remediation works have been completed satisfactorily shall be submitted to and agreed in writing by the Local Planning Authority.

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 and the National Planning Policy Framework.

13. 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 and the National Planning Policy Framework.

14. 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 residential amenity of the neighbouring occupiers and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

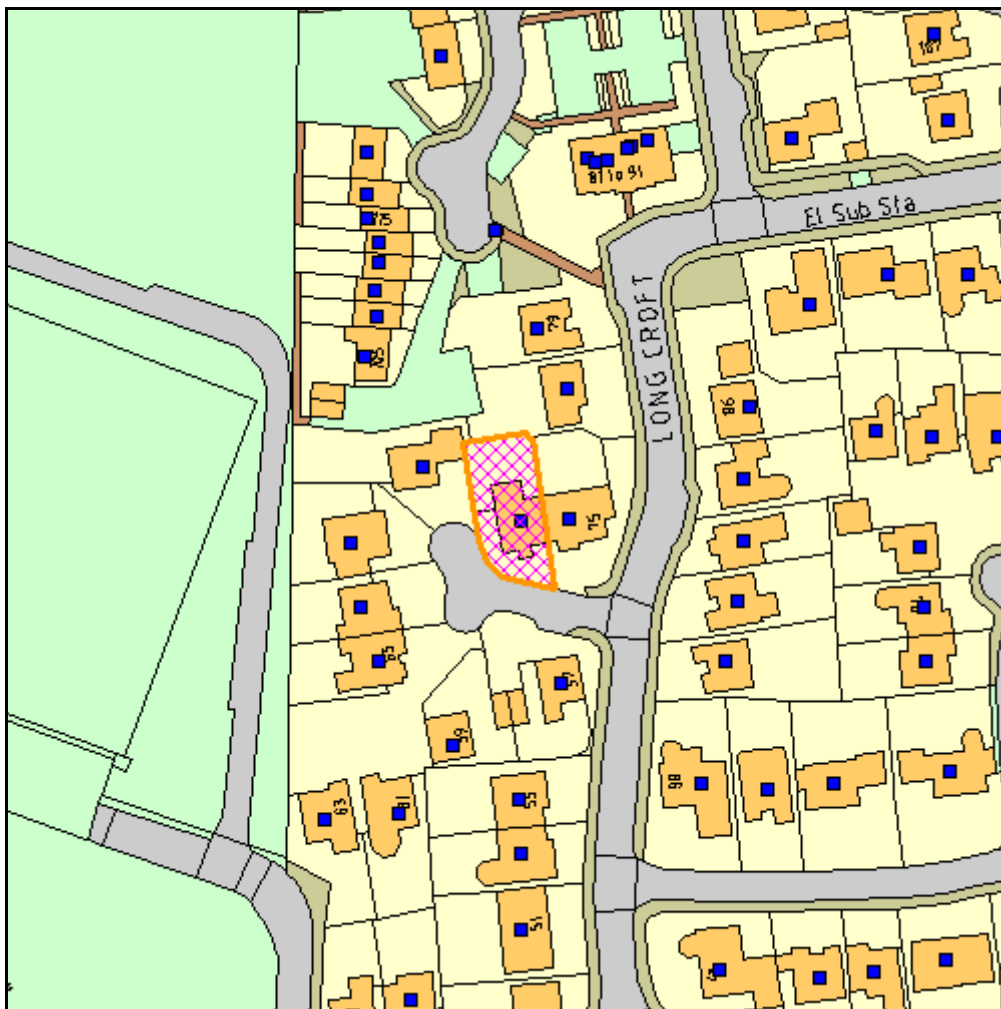
15. The flats contained within Block 1 on the plans hereby approved shall be used solely to provide Extra Care accommodation. The occupiers of these units must require personal care commensurate with Extra Care accommodation. The units of Extra Care accommodation shall not be separated at any point from the care home and the whole site (as identified by the red edge of this planning application) shall function as a single planning unit (Class C2).

Reason

The development has been permitted on the particular circumstances of the case and the use of the flats in Block 1 as wholly independent units of Class C3 accommodation would be unsuitable because of the provision of private amenity space and vehicular parking, and the use of these units as independent residential dwellings would trigger a contribution towards public open space and affordable housing, in accordance with policies CS1, CS6, CS8, CS18, and CS20 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, policies PSP16 and PSP43 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. 06/20 – 7 FEBRUARY 2020

App No.:	P20/00558/F	Applicant:	Mr Evans
Site:	73 Long Croft Yate Bristol South Gloucestershire BS37 7YN	Date Reg:	13th January 2020
Proposal:	Demolition of existing conservatory. Erection of first floor side extension and single storey rear extension to form additional living accommodation.	Parish:	Yate Town Council
Map Ref:	370791 184072	Ward:	Yate North
Application Category:	Householder	Target Date:	6th March 2020



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 100023410, 2008. **N.T.S.** **P20/00558/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 added to the Circulated Schedule because the proposal has received 1no. objection from Yate Town Council.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of a First Floor Side and Single Storey Rear Extensions as detailed on the application form and illustrated on the accompanying drawings.
- 1.2 The application site can be found at 73 Long Croft, is set within a moderately sized plot, and is an existing two storey detached property. It is located within the established built up residential area of Yate. The immediate area is strongly characterised by mainly two storey detached, with some semi-detached and terraced 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
PSP8	Residential Amenity
PSP11	Transport
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 PK06/0535/F. Erection of Rear Conservatory. Approved 29.03.2006.

4. CONSULTATION RESPONSES

- 4.1 Yate Town Council
Objection – Overbearing impact and loss of light on neighbouring properties by the proposed side extension.
No objection to the single storey rear extension.
- 4.2 Other Consultees
Sustainable Transport – Transportation DC
No Objection.

Other Representations

- 4.3 Local Residents
None 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 first floor side and single storey rear extensions. 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, utility, WC, study and garage to the ground floor with 3No bedrooms and bathroom to the first floor, and therefore the extra floor area proposed will permit an improved space, developing the dwelling into a modern unit. The proposed extension will create an open plan kitchen and dining area, with a large utility and garage to the ground floor, with a further bedroom with en-suite created on the first floor.

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 first floor storey side extension, will have an overall width of 2.8 metres (as existing footprint), and be to a depth of just under 7.7 metres with a single window to the front and rear elevation. It will have a gable end roof, and will be set down from the existing ridge by 0.15 metres, and extend to 4.9 metres in height to the eaves.

5.7 The single storey rear extension will have an overall width of 7.9 metres, (partially encompassing the footprint of the conservatory) and be to an overall depth of 3.5 metres with bi-fold doors into the garden. It will have a flat roof with 3No velux rooflights, and be set down from the existing ridge by 4.9 metres, and extend to 2.8 metres in height to the eaves.

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 single storey rear extensions should not impact on the neighbouring property, therefore causing very little loss of light, overshadowing or overbearing impacts.

5.11 However, in relation to the first floor side extension, there could be some impact on the adjacent neighbour in terms of loss of light to the existing window on the side elevation of the property. The first floor extension is proposed over the footprint of the existing (i.e. garage, study and utility), will maintain the same distance between the properties, therefore minimising the effect as much as possible. Also, to potentially further ease any concerns, and subject to any approval, a condition could be attached to ensure that no new windows are added in the future to the first floor extension, other than those shown on the plan (drwg ref GE-010_04 Proposed Floor Plans).

- 5.12 In terms of overlooking, the only additional windows will be to the new bedroom 4 and associated en-suite. The new bi-fold doors and the 3No new velux windows will be added to the proposed ground floor rear extension, which should not prejudice the residential amenity of the neighbours.
- 5.13 The site is located in a built up residential area and given the scale and location of the proposed development, the proposals should not result in an unacceptable impact on the residential amenity of neighbouring occupiers.
- 5.14 Transport
Policy PSP16 of the Policies, Sites and Places Plan sets out the Council's parking standards. The proposal does increase the dwelling from 3No to 4No bedrooms but this will not require any further parking spaces in order to comply with current policy.
- 5.15 The applicant is also proposing to drop the kerb to the front of the dwelling (drawing ref: GE-010_01 Site Plans). In order to facilitate this, the applicant is advised to contact South Gloucestershire Council's Streetcare team in order to obtain the specifications to extend and drop this existing kerb.
- 5.16 Furthermore, the applicant is also requested by Sustainable Transport to gain the permission of the Development Implementations Team for the alterations to the vehicular access onto Long Croft and should note that all parking areas are to have a permeable bound surface.
- 5.17 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 4No bedrooms and as such, should have at least 70m² of private amenity space. The existing dwelling has 3No bedrooms, and as such should have at least 60m² of private amenity space.
- 5.18 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.
- 5.19 Consideration of likely impact on Equalities
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.

5.20 With regards to the above this planning application 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).

2. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no windows shall be constructed, other than those shown on Plan GE-010-04 Proposed Floor Plans and GE-010-06 Proposed Elevations.

Reason

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

3. Prior to the first occupation of the extension hereby permitted, details of the proposed vehicle access shall be submitted for approval, with the development proceeding in accordance with the approved details.

Reason

In the interests of highway safety.