

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. 28/20

Date to Members: 10/07/2020

Member's Deadline: 16/07/2020 (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:

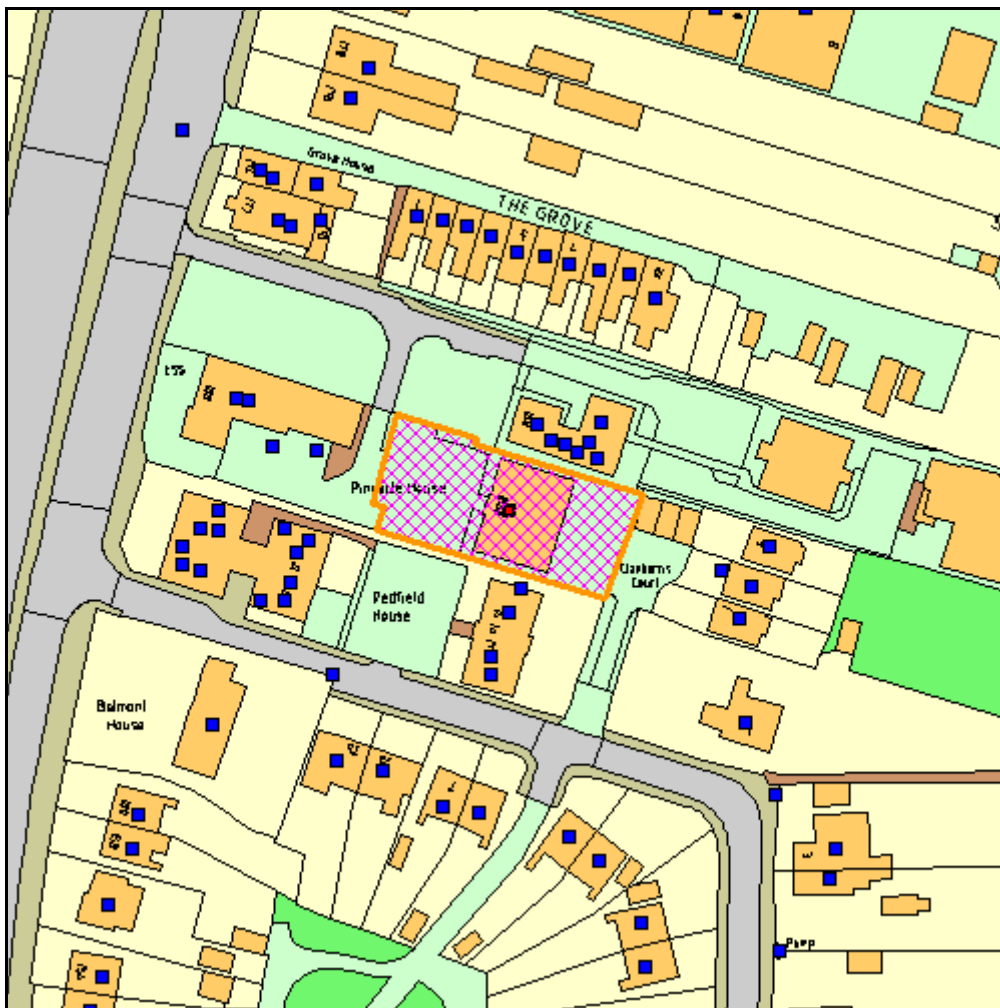
To be emailed to MemberReferral@southglos.gov.uk

CIRCULATED SCHEDULE - 10 July 2020

ITEM NO.	APPLICATION NO.	RECOMMENDATION	LOCATION	WARD	PARISH
1	P20/00310/F	Approve with Conditions	Pinnacle House 166A Gloucester Road Patchway South Gloucestershire BS34 5BG	Charlton And Cribbs	Patchway Town Council
2	P20/05642/F	Approve with Conditions	Tyndale Cottage Sandpits Lane Hawkesbury Upton South Gloucestershire GL9 1BD	Chipping Sodbury And Cotswold Edge	Hawkesbury Parish Council
3	P20/05645/LB	Approve with Conditions	Tyndale Cottage Sandpits Lane Hawkesbury Upton South Gloucestershire GL9 1BD	Chipping Sodbury And Cotswold Edge	Hawkesbury Parish Council
4	P20/07895/F	Approve with Conditions	2 Riverside Park Severn Beach South Gloucestershire BS35 4PN	Pilning And Severn Beach	Pilning And Severn Beach Parish Council
5	P20/09773/F	Approve with Conditions	6 And 7 Jenner Close Chipping Sodbury South Gloucestershire BS37 6NL	Chipping Sodbury And Cotswold Edge	Sodbury Town Council

CIRCULATED SCHEDULE NO. 28/20 - 10th July 2020

App No.:	P20/00310/F	Applicant:	Banana Moon Nursery
Site:	Pinnacle House 166A Gloucester Road Patchway Bristol South Gloucestershire BS34 5BG	Date Reg:	7th January 2020
Proposal:	Alterations to roof to facilitate use of the second floor to provide additional nursery accommodation and erection of front porch.	Parish:	Patchway Town Council
Map Ref:	360647 181411	Ward:	Charlton And Cribbs
Application Category:	Minor	Target Date:	28th February 2020



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

INTRODUCTION

This application has been referred to the Circulated Schedule due to the concerns raised by the Parish Council and local residents.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the alterations to the existing roof incorporating dormers and rooflights and an erection of front porch at an existing nursery facilities, Pinnacle House, 166A Gloucester Road Patchway. During the course of the application, the design and scale of the proposal were changed – The original proposed additional storey has been removed from the scheme. The revised proposal is to raise the existing ridgeline and change the existing roof form incorporating dormers and rooflights to provide additional floor space. The existing ridge height would be raised by approximately 0.5 metres. The description of the proposal was therefore amended to reflect the changes.
- 1.2 Planning permission was granted for the existing use in 2012 for accommodating up to 76 children. The building is set back from Gloucester Road and is surrounded by a group of two-storey or three-storey buildings. The applicant stated that the number of staff employed would remain unchanged.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS23	Community Infrastructure and Cultural Activity
CS25	Communities of North Fringe of Bristol Urban Area

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards

PSP20 Flood Risk, Surface Water and Watercourse Management
PSP21 Environmental Pollution and Impacts

2.3 Supplementary Planning Guidance
Design Checklist

3. RELEVANT PLANNING HISTORY

- 3.1 PT02/1379/F Erection of new office building (B1 use). Approved 06.08.2002
- 3.2 PT03/0907/F Erection of office block (Class B1 as defined in the Town & Country Planning (Use Classes) Order 1987. Approved 12.05.2003
- 3.3 PT11/3486/F Change of use from Offices (Class B1(a)) to Children's Day Nursery (Class D1) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). Approved 10.04.2012

4. CONSULTATION RESPONSES

- 4.1 Parish/Town Council – the Town Council are concerned about the parking that it is possibly over development in a small area and an adverse effect on other residents. Ideally, there should be onsite parking for staff.

- 4.2 Other Consultees
Ofsted – noted the information provided.

The Drainage Engineer – a submission of a drainage layout plan and query the proposed method of foul sewage disposal.

The Highway Structures team has no comment.

Sustainable Transport – No objection subject to conditions seeking an updated Travel Plan, securing the maximum no. of children to not exceed 76, and the on-site parking spaces only be used for dropping off and picking up.

Other Representations

- 4.3 Local Residents
3 no. letters of objection were received, and the comments are summarised as follows: (Full comments are available in the Council's website).

- Reduce the amount of daylight we received in the morning
- Block our view of Stoke Lodge and the nearby trees
- The proposed height of the building in an already over developed area
- No sufficient parking for any additional employees
- We already have enough parking problems in Redfield Road
- Staff at the nursely can be working until 7pm, residents of the road are unable to park due to nursery staff cars still occupying spaces
- An additional storey will obviously mean additional staff, which in turn equates to more vehicles needing to find parking spaces.

- A bus stop outside the nursery does not necessarily equate to staff using the bus. If they have a car, they will use the car.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy CS23 of the adopted Core Strategy supports development providing additional, extended or enhanced community infrastructure, such as Young, Children's and Childcare facilities. Given the nature of the proposal, there is no objection from planning policy perspective.

5.2 Highway Safety

Residents' concerns are noted. The existing nursery has a planning condition restricting the maximum number of children up to 76 and no staff parking allowed on-site. The site is in a sustainable location close to residential and commercial areas and there are frequent bus services along Gloucester Road where a bus stop is located within 100m of the proposed site. While the proposal would increase the gross internal floor space, the submitted Planning Statement states that the children placement numbers would not exceed the approved cohort. Access to the site is via a one way circuit from Gloucester Road and the access is only wider enough for one vehicle. There is a small section of the access road where there is no footway, however, vehicle speeds are restricted here because of the alignment and width of the road. Officers therefore consider that provided that the conditions listed above and an additional planning condition seeking an updated Travel Plan are attached to this application, there would be no detriment to the site access, on-site parking and the parking situation on the surrounding roads above what currently or could currently occur with the maximum number of 76 children attending. Hence, there is no highway objection.

5.3 Design/ Visual Amenity

The revised proposal is to alter the existing ridgeline and roof form and to erect a front porch. Given that the hipped roof and dormers are not uncommon architectural features in the area, it is considered that the proposal would not be out of keeping with the character of the area. The design of the proposed gable feature and the porch on the front elevation are also acceptable. As the host building is set back from the main road and would be largely screened by the neighbouring buildings. It is not considered that the proposed alterations would have any harm to the character and appearance of the area, thus there are no objection to the proposal on this basis.

5.4 Residential Amenity

The building is set back from the road but surrounded by a group of two-storey and three-storey residential development. The total number of children are being looked after and the size of the garden remain unchanged. Provided that the same conditions are imposed for restricting the number of children, the amenity of residents, in terms of noise and disturbance, would be safeguarded.

5.5 While the proposal would change the roof form of the host building, the existing ridge height would only be raised by approximately 0.5 metres to incorporate dormers and rooflights, it is considered that the proposed alterations to the roof

would not cause material impact upon the amenity of the neighbouring properties, in terms of overbearing impact.

5.6 Clanberris Court comprises a number of two-storey residential properties locating to the east of the Nursery. There is a reasonable distance of over 20 metres between the rear elevation of the Nursery and the front elevation of these residential properties. Whilst the proposal may cause a degree of overlooking because of the proposed dormers, given the use of the property and the separation from the nearby dwellings, the potential impact would not be so significant to be detrimental to the amenity of the nearby residents.

5.7 The Chescombe Trust (Residential Home) is located to the north of the application site. As the change to the existing ridge height would not be significant and only rooflights are proposed on the side elevation, it is considered that the proposal would not cause significant overlooking impact upon the nearby occupiers.

5.8 There is a two-storey and single-storey office building to the front of the site. In this regard, given the nature and scale of the proposal, there is no adverse impact upon the neighbouring occupiers.

5.9 Drainage Issues

The Council's Drainage Engineer originally sought a submission of a drainage layout plan and queried the proposed method of foul sewage disposal. Given that it is an existing facilities and the Council's Drainage Engineer confirmed that surface water and foul drainage in place. Therefore, it would not be necessary to impose a condition to seek those details.

5.10 Consideration of likely impact on Equalities

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

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That planning permission be granted subject to the following conditions:

Contact Officer: Olivia Tresise
Tel. No. 01454 863761

CONDITIONS

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

Reason

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

2. The roof material to be used in the development hereby permitted shall match those of the existing building in colour, texture and profile.

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.

3. The use hereby permitted shall not be open to customers outside the following times: 07.30hrs to 18.30hrs Monday to Friday with no opening on Saturday, Sunday or Bank Holidays.

Reason

In the interests of residential amenity and to safeguard highway safety, and to accord with Policy CS8 and CS23 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and Policy PSP8 and PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

4. The number of children attending the nursery hereby approved at any one time shall be restricted to no more than 76.

Reason

In the interests of residential amenity and to safeguard highway safety, and to accord with Policy CS8 and CS23 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and Policy PSP8 and PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

5. The off-street parking facilities shown on the plan hereby approved (including the parking spaces, the turning area and access/ exit road) shall be retained for that purpose and the parking spaces within the application site shall be used solely for

customers for the dropping off and picking up of children only and shall not be used for staff parking.

Reason

To safeguard highway safety in accordance with in accordance with the requirements of Policy CS8 and CS23 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and Policy PSP8 and PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

6. The proposed development shall not be occupied until the existing Travel Plan has been updated and submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, the Updated Travel Plan shall include but not necessarily be limited to the following information:
- Base travel mode surveys for staff and customers.
 - Targets for shift to sustainable modes
 - Measures and incentives for travelling sustainably, such as cycle parking, cycle purchase schemes and shower facilities
 - Managing, monitoring and reporting arrangements
 - Remedial measures should targets not be achieved.

Reason

To promote sustainable travel and to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and Policy PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

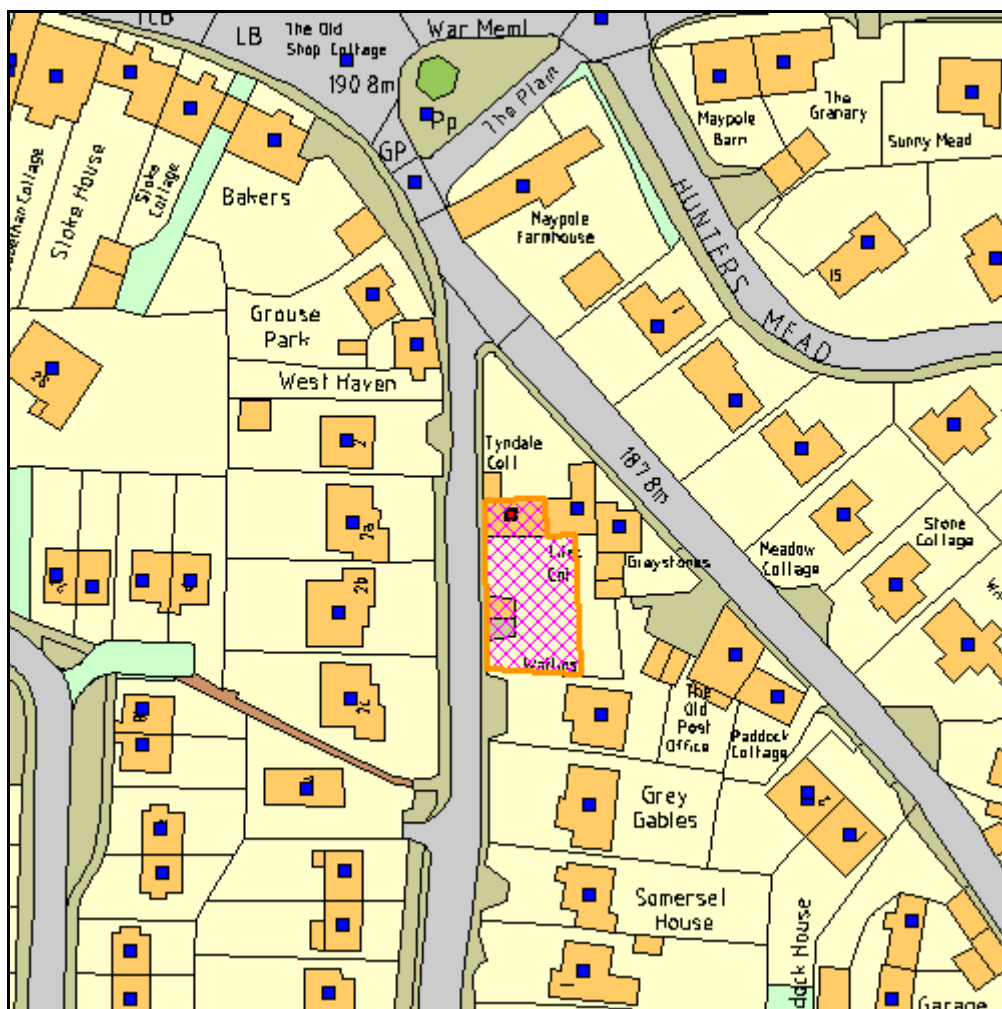
7. The number of children outside within the rear garden area shall not exceed 15 at any time.

Reason

In the interests of residential amenity and to accord with Policy CS23 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and Policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

CIRCULATED SCHEDULE NO. 28/20 - 10th July 2020

App No.:	P20/05642/F	Applicant:	Mr And Mrs J Barnfield
Site:	Tyndale Cottage Sandpits Lane Hawkesbury Upton South Gloucestershire GL9 1BD	Date Reg:	3rd April 2020
Proposal:	Demolition of existing porch and extension. Erection of single storey front extension to form additional living accommodation.	Parish:	Hawkesbury Parish Council
Map Ref:	378008 186866	Ward:	Chipping Sodbury And Cotswold Edge
Application Category:	Householder	Target Date:	28th May 2020



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

Reason for referring to Circulated Schedule

This application has been referred to the Circulated Schedule because a representation has been made by the Parish Council which is contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission to demolish an existing single storey front extension and erect a replacement single storey front extension.
- 1.2 The application site is a semi-detached grade 2 listed cottage of 18th century origin which is situated within Hawkesbury Upton. In terms of constraints (aside from being statutory listed), the application site is within the Hawkesbury Conservation Area and the Cotswolds AONB.
- 1.3 This application has been subject to protracted discussions between the applicant's agent and the Council as the original scheme was considered to be unacceptable in design and conservation terms. The result of these discussions is a scheme which is acceptable in the opinion of both the case officer and the conservation officer. The final set of amended plans for which the application has been assessed on were subject to a full 21 day re-consultation.
- 1.4 This full application should be read in conjunction with listed building consent application P20/05645/LB.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP8	Residential Amenity
PSP16	Parking Standards

PSP17	Heritage Assets and the Historic Environment
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Space Standards

- 2.3 Supplementary Planning Guidance
 Design Checklist SPD (Adopted) August 2007
 Residential Parking Standard SPD (Adopted) December 2013
 Hawkesbury Conservation Area SPD (Adopted) December 1999

3. RELEVANT PLANNING HISTORY

- 3.1 P20/05645/LB – Pending Consideration:
 Demolition of existing porch and extension, erection of single storey front extension.
- 3.2 PK07/0424/LB – Approved with conditions 23/03/2007:
 Refurbishment of existing outbuilding, including internal and external alterations, new doors, windows, roof and works.
- 3.3 PK05/3417/LB – Approved with conditions 19/01/2006:
 Installation of replacement windows and formation of doorway to front conservatory. Removal of timber fence panelling and replacement with natural dry stone walling to match existing and re-roofing of existing shed with minor repair works.
- 3.4 PK05/3414/F – Approved with conditions 19/01/2006:
 Removal of timber fence panelling and replacement with natural dry stone walling to match existing.
- 3.5 PK01/008/LB – Approved with conditions 21/02/2001:
 Erection of front porch and front conservatory. Erection of 2no. dormer extensions and insertion of rooflight, and internal alterations. (resubmission of PK00/1216/LB)
- 3.6 PK01/0005/F – Approved with conditions 23/02/2001:
 Erection of front porch and front conservatory and erection of 2no. dormer extensions (resubmission of PK00/1219/F).
- 3.7 PK00/1216/LB and PK00/1219/F both refused 17/07/2000:
 Single storey front extension, dormer extensions (and internal alterations (LBC)).

4. CONSULTATION RESPONSES

4.1 Hawkesbury Parish Council

First consultation: No comment received

Re-consultation on amended scheme: Objection due to overdevelopment.

4.2 Listed Building and Conservation Officer

First consultation: The proposal would have a harmful impact on the significance of the grade 2 listed building and conservation area. This harm would be 'less than substantial' but towards the upper end of that spectrum (listed building). Harm to the conservation area would be 'less than substantial' but between the middle and lower end of the spectrum. Application fails p.193 of the NPPF, CS9, PSP17 and the relevant SPD. Policies PSP1 and CS1 also relevant.

Unless material considerations can outweigh the statutory presumption against approval can be identified, refusal is recommended.

Re-consultation on amended scheme: No objection, but conditions recommended to secure details and to require matching render.

The requested details have been duly provided prior-to determination. Following correspondence with the Conservation Officer, it is no longer necessary to apply a condition requesting details. The large scale drawing for the requested details will now be included in the plans condition.

4.3 Local Residents

First consultation: 1no. Representation in support received stating that the character is sympathetic to the building and its environs.

Re-consultation: None received.

5. ANALYSIS OF PROPOSAL

5.1 Principle Of Development

PSP 38 of the South Gloucestershire Council Policies, Sites and Places Plan (adopted November 2017) permits development within residential curtilages in principle where they do not unduly harm the design, visual amenity and residential amenity of the locality or prejudice highway safety or the provision of adequate private amenity space. PSP38 is achieved through CS1 of the South Gloucestershire Council Core Strategy (adopted December 2013), which requires development to demonstrate the highest standard of design and site planning by demonstrating 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. The principle of development is acceptable subject to the following consideration.

5.2 Policy PSP17 is also of key relevance due to the site being within a conservation area and the host dwelling being statutory listed. Developments which affect listed buildings should preserve and where appropriate, enhance those elements which contribute to their special architectural or historic interest. Development within conservation areas should also preserve, or where appropriate, enhance those elements which contribute to their special character or appearance.

5.3 Design and Visual Amenity

The host dwelling is a historic cottage of modest proportions, benefiting from mullioned casement windows, roughcast render and double roman tiles to the roof, with front dormers added under previous consent alongside the front porch and front conservatory, with the latter said to be in an unsatisfactory condition now. Originally, a full width front extension was proposed which would have had a lean to roof with window wells that wrapped around the first floor windows. This was deemed to be unacceptable in terms of how it would impact the heritage asset, conservation area and the building more generally in terms of design and visual amenity due to its dominating and incongruous appearance on the primary façade. After multiple revised plans being submitted and looked over, a situation was reached where a scheme of similar footprint to the existing extension(s) was received and agreed upon.

5.4 The scheme proposed will see the current front conservatory demolished along with the current link to the front porch. This will be replaced with a front extension of the same depth (c.3.9 metres). The width will increase from c.2.8 to 3.9 metres so as to bring the side up to the side of the porch which will remove the need for the link between the two and still provide access to the new extension and existing kitchen. The depth of the porch will increase by c.400mm and the roof pitches altered slightly. The front extension will be of a more lightweight appearance for the most part, giving the appearance of a garden room or orangery. This is opposed to the original plans which would have been of a much more solid and dominating appearance. The design of the current proposal is close to being 'like for like', though officers acknowledge that it is not entirely the same.

5.5 The front extension proposed will in effect replace the existing conservatory and link to the front porch, with a continuous depth of no more than existing, but a small increase in width. Overall, officers consider the proposed extension to be an acceptable addition which meets the requirements of PSP1, CS1 and PSP38 and is acceptable in design terms. More crucially, it does not exacerbate the existing harm caused by the current set up which has been previously established.

5.6 Noting the Parish objection, officers would contend that (as above) the proposal is almost the same as the current extension, with a couple of acceptable material changes. No objection from the parish was raised to the previous (much larger) scheme, but in this case it is considered that the proposal will not lead to overdevelopment of the application site and host dwelling. The site is also suitably sized to accommodate such development.

5.7 Impact on the Heritage Asset and Conservation Area

As per p.193 of the NPPF, great weight should be given to the conservation of heritage assets. This is irrespective of whether any potential harm amounts to substantial harm, total loss, or less than substantial harm to its significance. For the avoidance of doubt, the Conservation Area is also a heritage asset in its own right. The host dwelling is considered to make a positive contribution to the conservation area, particularly in that it signals the start of the historic core of the village. In terms of the listed building, it is noted by the Conservation Officer that there is already a degree of established harm due to past additions and

- alterations (such as front dormers, cementitious render and the current front conservatory).
- 5.8 The originally proposed full width front extension was assessed and it was concluded that it would present less than substantial harm to both the listed building and the conservation area. This was due to unacceptable losses of historic fabric and the addition of a front extension which would dominate and materially alter the character and appearance of the listed cottage. The addition would therefore harm the significance of the grade II listed building and the character and appearance of the Conservation Area. Consequently, p.196 of the NPPF would be engaged requiring the (less than substantial) harm to be weighed against any public benefits. As the benefit to such a proposal is predominantly private, it follows that there would be a statutory presumption against granting permission.
- 5.9 However, an amended set of plans were put forward to address the heritage concerns. This led to a more lightweight structure which is similar in character to the current front extension. The key test in this case is whether or not the proposal would result in greater harm than what has been previously established. The current proposal is much closer to being a 'like for like' replacement which retains much of the current form and scale of the existing extension. Thus, whilst the existing situation can be regarded as harmful, the revised submission will result in no further harm or loss of character to the façade of the listed cottage. Therefore, the significance can be sustained. The impact on the character and appearance of the conservation area is also considered neutral.
- 5.10 Following the above, the proposal is considered to be compliant with the provisions of the NPPF. Namely, the proposal would not result in any harm being caused to the heritage assets. Consequently, the revised proposal also meets the requirements of PSP17 in that the development will preserve the special architectural and historic interest of the listed building and will preserve the character and appearance of the conservation area. Following the above consideration, the proposal is considered to be acceptable in heritage and conservation terms.
- 5.11 Landscape
P.172 of the NPPF attaches great weight to conserving and enhancing the landscape and scenic beauty within AONBs, with development required to be limited in both scale and extent. PSP2 prescribes great weight to conserving the natural and scenic beauty of the AONB. The proposal is for a modest residential extension that will be set within an existing residential curtilage within a designated settlement boundary. Furthermore, the proposal will be of limited visibility from the public realm. Therefore, officers consider the proposal to have no impact on the AONB and its natural/scenic beauty. As such, there is no objection raised in landscape terms.
- 5.12 Residential Amenity
PSP8 permits development where it does not prejudice the residential amenity of both occupiers of the development and of neighbouring dwellings through

the creation of unacceptable impacts. Such unacceptable impacts include loss of privacy, overlooking, loss of light, loss of outlook and overbearing/dominant impacts.

- 5.13 Due to the single storey nature of the proposal and given the current situation, officers do not consider there to be any issues in terms of residential amenity with the proposal development. Therefore, it is considered that the proposal is acceptable under the provisions of PSP8 and PSP38.
- 5.14 For the avoidance of doubt, the proposal will not be able to result in any increase in overlooking above what is already possible. Nor will there be a resultant loss of outlook or light, or overbearing/dominance. This is for the most part due to the single story character of the proposal which replaces something that has already been deemed acceptable.
- 5.15 Parking Standards
PSP16 requires developments to provide levels of parking based upon the number of bedrooms at a dwelling. Where an increase is proposed, proposals should demonstrate that adequate off street parking can be provided to accommodate increase in demand.
- 5.16 The proposal will not result in a material increase in demand for parking, nor will it reduce the current level of provision. Therefore, there is no objection raised regarding parking or transportation matters.
- 5.17 Private Amenity Space
Officers consider the proposal to be acceptable in terms of its impact on private amenity space and raise no objection in this regard.

Impact on Equalities

- 5.18 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.
- 5.19 With regards to the above this planning application is considered to have a neutral impact on equality.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in

accordance with the policies of the Development Plan, unless material considerations indicate otherwise.

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

7. RECOMMENDATION

- 7.1 It is recommended that permission is **GRANTED** subject to conditions detailed on the decision notice.

Contact Officer: Alex Hemming
Tel. No. 01454 866456

CONDITIONS

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

Reason

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

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

2466/1/2020 (revision K) - Combined existing and proposed plans and elevations
2466/5/2020 (revision D) - Site location and block plan
Received by the Council 04/06/2020

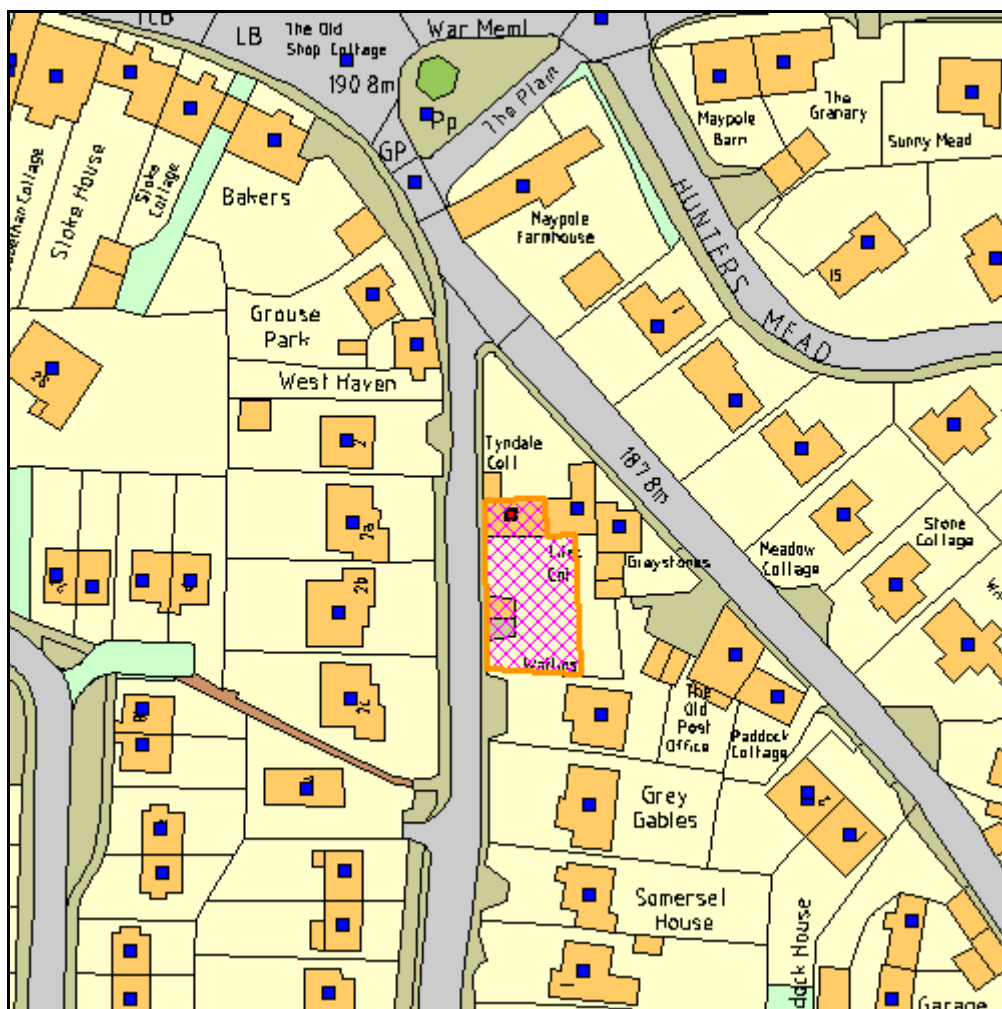
2466/7/2020 - Window and door details
Received by the Council 19/06/2020

Reason

For the avoidance of doubt.

CIRCULATED SCHEDULE NO. 28/20 - 10th July 2020

App No.:	P20/05645/LB	Applicant:	Mr And Mrs J Barnfield
Site:	Tyndale Cottage Sandpits Lane Hawkesbury Upton South Gloucestershire GL9 1BD	Date Reg:	3rd April 2020
Proposal:	Demolition of existing porch and extension. Erection of single storey front extension to form additional living accommodation.	Parish:	Hawkesbury Parish Council
Map Ref:	378008 186866	Ward:	Chipping Sodbury And Cotswold Edge
Application Category:	Minor	Target Date:	28th May 2020



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

Reason for referring to Circulated Schedule

This application has been referred to the Circulated Schedule because a representation has been made by the Parish Council which is contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 The application seeks listed building consent for the demolition of an existing front extension and the erection of a new front single storey extension.
- 1.2 The application site is a semi-detached cottage (c.18th century origin) which is grade 2 listed, is situated within the Hawkesbury Conservation Area and is within the Cotswold AONB.
- 1.3 The application has been subject to protracted discussions between the applicant's agent and the Council, the outcome of which is a scheme that is considered to be acceptable by the Case Officer and more crucially, the Conservation Officer. Following receipt of amended plans, a full 21 day re-consultation was carried out.
- 1.4 This application for listed building consent should be read in conjunction with full application P20/05642/F

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework February 2019
National Planning Practice Guidance
Planning (Listed Buildings and Conservation Areas) Act 1990

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS9 Managing the Environment and Heritage

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

PSP17 Heritage Assets and the Historic Environment

3. RELEVANT PLANNING HISTORY

- 3.1 P20/05642/F – Pending Consideration:
Demolition of existing porch and extension, erection of single storey front extension.

- 3.2 PK07/0424/LB – Approved with conditions 23/03/2007:
Refurbishment of existing outbuilding, including internal and external alterations, new doors, windows, roof and works.
- 3.3 PK05/3417/LB – Approved with conditions 19/01/2006:
Installation of replacement windows and formation of doorway to front conservatory. Removal of timber fence panelling and replacement with natural dry stone walling to match existing and re-roofing of existing shed with minor repair works.
- 3.4 PK05/3414/F – Approved with conditions 19/01/2006:
Removal of timber fence panelling and replacement with natural dry stone walling to match existing.
- 3.5 PK01/008/LB – Approved with conditions 21/02/2001:
Erection of front porch and front conservatory. Erection of 2no. dormer extensions and insertion of rooflight, and internal alterations. (resubmission of PK00/1216/LB)
- 3.6 PK01/0005/F – Approved with conditions 23/02/2001:
Erection of front porch and front conservatory and erection of 2no. dormer extensions (resubmission of PK00/1219/F).
- 3.7 PK00/1216/LB and PK00/1219/F both refused 17/07/2000:
Single storey front extension, dormer extensions (and internal alterations (LBC)).

4. CONSULTATION RESPONSES

4.1 Hawkesbury Parish Council

First consultation on original plans: No comment received

Re-consultation on amended plans: Object due to over development

4.2 National Amenities Societies

First consultation on original plans: (Georgian Group):

- No objection with demolishing the existing extension
- Harm has been caused to significance already due to a number of alterations (cementitious render, roof tiles, front dormers)
- Important that no further cumulative harm is instilled – character of the building could not sustain further degradation.
- The proposal would result in loss of plan form and an unacceptable loss of historic fabric.
- Extension to the front would introduce a dominant addition that would alter the character and appearance of the listed cottage
- The works would cause harm contrary to p.195/196 of the NPPF.
- Consent should not be given

No updated response on the amended plans has been received at the time of writing this report.

4.3 Listed Building and Conservation Officer

First consultation on original plans: The proposal would have a harmful impact on the significance of the grade 2 listed building and conservation area. This harm would be 'less than substantial' but towards the upper end of that spectrum (listed building). Harm to the conservation area would be 'less than substantial' but between the middle and lower end of the spectrum. Application fails p.193 of the NPPF, CS9, PSP17 and the relevant SPD. Policies PSP1 and CS1 also relevant.

Unless material considerations can outweigh the statutory presumption against approval can be identified, refusal is recommended.

Re-consultation on amended plans: No objection, but conditions recommended.

The requested details (doors and windows) have been duly provided prior-to determination. Following correspondence with the Conservation Officer, it is no longer necessary to apply a condition requesting details. The large scale drawing for the requested details will now be included in the plans condition.

4.4 Archaeology Officer

First consultation on original plans: No comments

Re-consultation on amended plans: No further comments

4.5 Local Residents

None received during either consultation.

5. ANALYSIS OF PROPOSAL

5.1 The proposal seeks to demolish an existing extension and erect a single storey front extension.

5.2 Principle Of Development

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether or not to grant listed building consent for any works, the LPA shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest in which it possesses. The NPPF also attaches great weight to the conservation of heritage assets and ensuring their significance is maintained or enhanced.

5.3 Impact on the Listed Building

The accompanying full planning application covers the erection of the front extension in terms of its planning merits beyond the necessary heritage consideration. This application for listed building consent covers the demolition aspect of the proposal but also covers the consent required to

extend or alter the listed building, as per section 8 (a) and (b) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

5.4 *Demolition*

The structure to be demolished is a modern addition to the listed building which possesses no historic or architectural interest. Consequently, its demolition will not result in any loss of significance or harm to the heritage asset. It must then follow that the demolition of the existing front extension is acceptable and no objection is raised in this regard. This is noted by the Conservation Officer.

5.5 *Proposed Extension*

The original plans for which consent was sought were considered to be unacceptable both in planning and listed building consent terms. This was due to the front extension being overly dominating in form and scale against the modest proportions of the listed cottage. It would have thus materially changed the appearance of the heritage asset's primary facade, resulting in harm. Additionally, the proposal would result in an entirely avoidable loss of historic fabric due to the 'opening up' of the living space resulting from the removal of a large section of the external wall to the front in order to access the extension. The originally proposed front extension would have resulted in *less than substantial harm* to the listed building and would therefore require robust justification under p.196 of the NPPF, which requires such proposals to demonstrate that the harm identified would be outweighed by the public benefits. The extension and alteration of a singular residential dwelling is an acutely private benefit and as such, the originally proposed scheme would fail the test set out in p.196 of the NPPF and would be refused consent.

5.6 The revised scheme for which the application is to be assessed on aims to overcome the less than substantial harm previously identified. The design and scale of the proposed extension has been revised so that instead of a full width front extension, the proposal is more of a 'like for like' replacement of the current front extension. The key change proposed beyond the current situation is an increase in width to remove the need for the current link between the porch and front extension. The porch will also increase in depth by a modest c.400mm.

5.7 It is noted that the current porch and front extension (neither original) have resulted in a degree of harm being caused and established prior. This has been identified by both the Conservation Officer and the consultation response from the Georgian Group (one of the National Amenities Societies). Any proposal now must not further harm the significance of the heritage asset. In other words, the impact must be neutral, at least.

5.8 The revised proposal is considered to present an addition that is of the same character and presents the same aesthetic impact as the existing extension to be demolished and replaced, with the loss of historic fabric also largely avoided due to the removal of the need to 'knock through' the historic façade. Therefore, it is considered that the proposal will not result in *any further harm or loss of character* to the façade of the historic cottage. As such, the contribution that the façade makes to the significance of the grade II listed cottage can be considered to be sustained and the impact will be neutral. The matter of

overdevelopment is addressed more thoroughly in the accompanying full application, but for the avoidance of doubt, officers do not consider the proposal to present overdevelopment.

- 5.9 Consequently, the proposal is considered to be acceptable and listed building consent should be granted. That said, it would be reasonable and necessary to apply conditions requiring render to match and a standard 'plans' condition, to ensure the works are carried out in accordance with the agreed details.

Impact on Equalities

5.10 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.

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

6. CONCLUSION

6.1 The decision to **grant** listed building consent has been taken having regard to section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and advice contained in the National Planning Policy Framework and accompanying Historic England Planning Practice Guidance.

7. RECOMMENDATION

7.1 It is recommended that listed building consent is **GRANTED**, subject to the conditions detailed on the decision notice.

Contact Officer: Alex Hemming
Tel. No. 01454 866456

CONDITIONS

1. The works hereby permitted shall be begun before the expiration of three years from the date of the consent.

Reason

As required by Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) to avoid the accumulation of Listed Building Consents.

2. The development for which listed building consent is hereby granted shall be carried out in strict accordance with the following plans:

2466/1/2020 (revision K) - Combined existing and proposed plans and elevations

2466/5/2020 (Revision D) - Site location and block plans

Received by the Council 04/06/2020

2466/7/2020 - Window and door details

Received by the Council 19/06/2020

Reason

For the avoidance of doubt and to safeguard the special architectural and historic character of the building, and to accord with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990

3. The colour, type and texture of the rendered finish to the external walls of the proposed extension shall match that of the existing building.

Reason

To ensure a satisfactory standard of external appearance and to safeguard the special architectural and historic character of the building, and to accord with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990

CIRCULATED SCHEDULE NO. 28/20 - 10th July 2020

App No.:	P20/07895/F	Applicant:	Mr Brad Alder
Site:	2 Riverside Park Severn Beach South Gloucestershire BS35 4PN	Date Reg:	18th May 2020
Proposal:	Installation of 1 no. rear dormer and 3 front sky lights to facilitate loft conversion.	Parish:	Pilning And Severn Beach Parish Council
Map Ref:	353923 184714	Ward:	Pilning And Severn Beach
Application Category:	Householder	Target Date:	9th July 2020



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

REASON FOR APPEARING ON CIRCULATED SCHEDULE

This application appears on the Council's Circulated Schedule procedure following an objection by the Parish Council, contrary of the officer recommendation detailed below.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the installation of 1 no. rear dormer and 3 front sky lights to facilitate loft conversion at 2 Riverside Park, Severn Beach.
- 1.2 The application site sits within the development boundary and is not covered by any restrictive policies which would impact upon the development. Amended plans have been received during the course of the application which have omitted the front dormer in exchange for sky lights and reduced the size of the rear dormer.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework
National Planning Policy Guidance
- 2.2 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 Development
PSP11 Transport
PSP16 Parking Standards
PSP38 Development within Existing Residential Curtilages
PSP43 Private Amenity Standards
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) 2007
Residential Parking Standards SPS (Adopted) 2013
Residential Amenity TAN (Endorsed) 2016

3. CONSULTATION RESPONSES

- 3.1 Town/Parish Council
Pilning and Severn Beach Parish Council - Objection

“Pilning and Severn Beach Parish Council object to this application on the following points. 1) the proposed dormer will add to the overbearing impact of the property on house number 1, and whilst there is already an overbearing impact, as well as an overlooking of number 1 from existing windows, that is no justification for making matters worse. 2) making this property from a 3-bed to a 4-bed, that will inevitably increase the demand for vehicle parking space, which is already at a premium for this small cul-de-sac. Unless the proposal can demonstrate how additional carparking space can be created and maintained.”

- 3.2 Internal Consultees
No comments received contrary to officer opinion.
- 3.3 Neighbours
One comment received in support of the proposal.

4. ANALYSIS OF PROPOSAL

- 4.1 Design and Visual Amenity
Policy CS1 of the Core Strategy and policy PSP1 and 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.
- 4.2 The proposed rear dormer has been reduced in size and scale since initially submitted, with the proposal now being set in from both sides, lowered below the ridgeline and raised from the eaves. As such, these changes have resulted in a structure which is much more subservient within the roof space. Its location to the rear of the property, results in the rear roof space only being visible from restrictive views/ glimpses from the surrounding area of Riverside Park. The initially proposed front dormer was not acceptable and has since been removed from the proposal. No objections are raised in relation to the front skylights. As such, officers consider the proposal represents a development that is expected within a residential area, and that it would not result in unreasonable harm to the character and appearance of the site and its context. The proposed development would therefore comply with policies CS1, PSP1, and PSP38.
- 4.3 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 outlines the types of issues that could result in an unacceptable impact.
- 4.4 The proposed rear dormer would sit within the existing roof space and be set back from the rear and side elevations, as such it is not considered to result in an overbearing impact. In terms of overlooks and loss of privacy, the impact from the widows of the proposed rear dormer would not result in a level or harm which is above and beyond the existing windows on the floor below.
- 4.5 Transport

Policy PSP16 of the Policies, Sites and Places Plan sets out the Councils parking standards. The proposed development would result in one additional bedroom, creating a four bed property. As the minimum residential parking standard is the same for a four bed as a three bed property, there is no requirement for additional off-street parking. The proposed development would therefore comply with the councils minimum residential parking standards.

4.6 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. This planning application it is considered to have a neutral impact on equality.

5. **CONCLUSION**

- 5.1 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. 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.

6. **RECOMMENDATION**

- 6.1 It is recommended that planning permission is GRANTED.

Contact Officer: Thomas Smith
Tel. No. 01454 865785

CONDITIONS

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

Reason

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

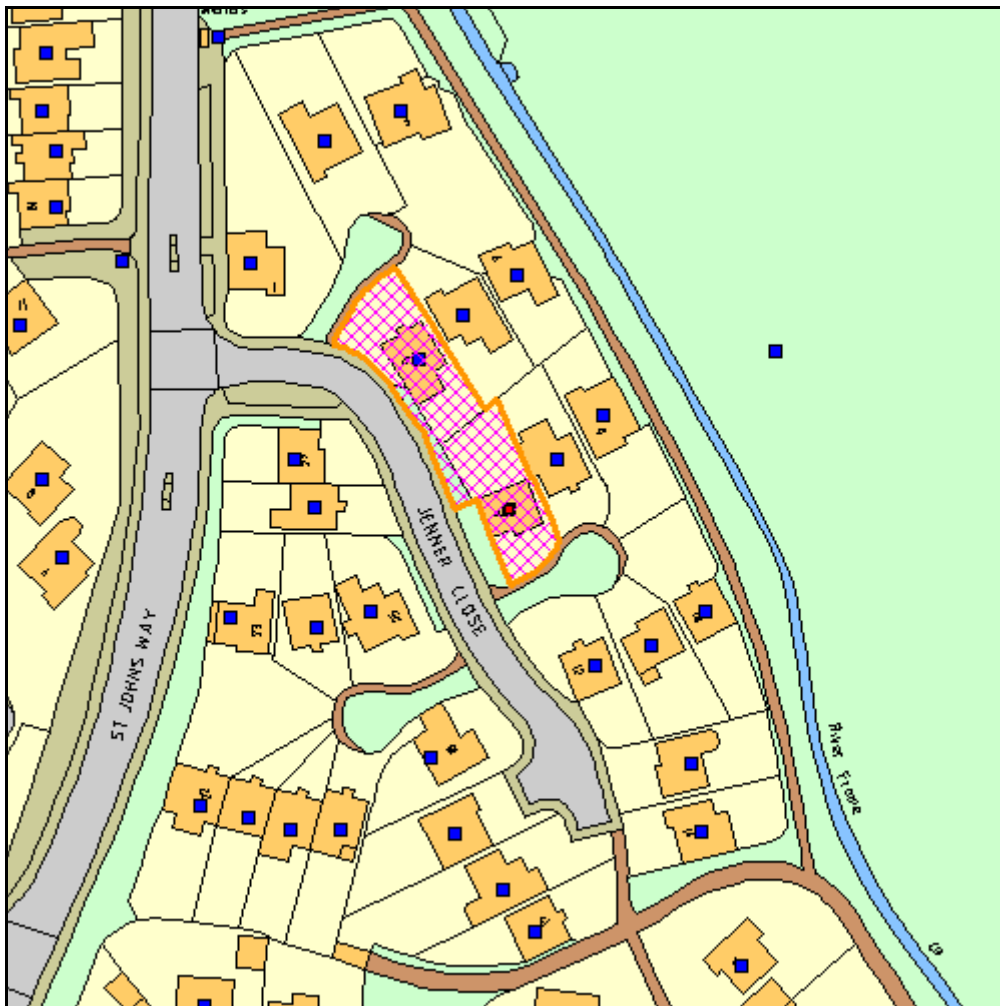
2. The tiles to be used in the development hereby permitted shall match those of the existing building in colour, texture and profile.

Reason

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

CIRCULATED SCHEDULE NO. 28/20 - 10th July 2020

App No.:	P20/09773/F	Applicant:	Mr Simon Timbrell
Site:	6 And 7 Jenner Close Chipping Sodbury South Gloucestershire BS37 6NL	Date Reg:	15th June 2020
Proposal:	Change of use of amenity land to residential garden (Class C3). Demolition of existing boundary wall and erection of new boundary wall.	Parish:	Sodbury Town Council
Map Ref:	373587 181961	Ward:	Chipping Sodbury And Cotswold Edge
Application Category:	Householder	Target Date:	6th August 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.

This planning application will be referred to the Circulated Schedule because the proposal has received 3No objections from Members of the Public which are contrary to the officer's recommendation.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for a change of use of amenity land to residential garden (Class C3) and the demolition of an existing boundary wall and the erection of a new boundary wall, as detailed on the application form and illustrated on the accompanying drawings. This application is a resubmission of P20/00305/F which was returned to the applicant due to it being incomplete.
- 1.2 The application site can be found between No's 6 and 7 Jenner Close, and is the land between the existing brick wall boundary and the back edge of the public footpath to Jenner Close. The site is located within the Yate settlement boundary on the edge of the residential area of Chipping Sodbury and is also in close proximity to the River Frome walkway.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework February 2019
National Planning Policy Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

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

PSP1	Local Distinctiveness
PSP8	Residential Development
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP19	Wider Biodiversity
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Standards

2.3 Supplementary Planning Guidance

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

3. RELEVANT PLANNING HISTORY

- 3.1 P20/00305/F. Demolition of existing boundary wall and erection of new boundary wall. Application returned as incomplete.
- 3.2 P19/6054/F. Erection of single storey rear extension and garage conversion to form additional living accommodation. Approved. 21.08.2019
- 3.3 P91/1284. Erection of first floor extension to provide bedroom with en-suite/shower room. Erection of conservatory at rear. Approved. 24.03.1991.
- 3.4 N144/36. Erection of Garden Shed. Approved. 14.08.1980

4. CONSULTATION RESPONSES

- 4.1 Sodbury Town Council
No Objections.
- 4.2 Other Consultees
Sustainable Transport – Transportation DC
No Objections.

The Tree Officer (Natural & Built Environment Team)
No Comments received.

Other Representations

- 4.3 Local Residents
3No letters of Objection – Loss of amenity land;
Impact on visual appearance to cul-de-sac; &
Loss of possible wildlife habitat

1No letter of support.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Policy PSP38 of the PSP Plan (November 2017) allows the principle of development within residential curtilages, subject to considerations of visual amenity, residential amenity and highway safety. Furthermore, Policy CS1 of the Core Strategy seeks that the siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the application site and its context.
- 5.2 The proposed new 1.7 meter high brick boundary wall will enhance the aesthetic qualities of both the host dwelling and its neighbour No 6 Jenner Close. It proposes to improve the current street scene of Jenner Close; provide a secure boundary to both dwellings and therefore create a more definitive edge to the adjacent public footpath, albeit set back 0.5 meters from it.

5.3 Design and Visual Amenity

Policy CS1 of the Core Strategy and policy PSP1 and 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.

5.4 The proposed re-located new boundary screen wall will replace the existing wall and incorporate the existing grassed area strip but it will be set back from the back edge of the public footpath by 0.5 meters. The new boundary wall will also extend by 6 meters from the rear to the front elevation of No 7 Jenner Close, enclosing an existing grassed area. Finally, a new 0.9 meter wide timber gate (same height as proposed boundary wall) is also proposed to be installed besides the front elevation of No 7, providing access to the rear private amenity space.

5.5 The new boundary wall is proposed using brick that will also match the existing material already found within the area. The design of the wall and access gate will not be detrimental to the surrounding area, and is therefore considered to be of an acceptable standard of design. As such, the proposal is deemed to comply with Policy CS1 of the Core Strategy

5.6 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 outlines the types of issues that could result in an unacceptable impact. The proposal has been carefully assessed and has found to be in compliance with these policies.

5.7 Considering the re-positioning of the boundary wall, it would not appear to have an overbearing effect, nor is it considered to significantly impact visually on the surrounding neighbouring properties. Given position and scale of the proposed boundary wall, officers are satisfied that overall the impact will be minimal. Accordingly, officers are satisfied that the proposal would not result in a significant impact on visual amenity to the occupants of the neighbouring properties. Therefore, the proposal is deemed to comply with policy PSP8 of the Policies, Sites and Places Plan (adopted November 2017).

5.8 Transport

Policy PSP16 of the Policies, Sites and Places Plan sets out the Councils parking standards. The proposed new boundary wall is outside of the highway boundary and will not obstruct any visibility splays therefore there are no transport objections raised.

5.9 Other Matters

3No letters have been received from members of the public which object to the proposal and the removal of the amenity land. Concerns have been raised with regards to the loss of the amenity land to the cul-de-sac; the potential impact on the visual appearance following the loss of this amenity land, and the loss of any potential wildlife habitat.

- 5.10 As part of the application, the applicant has also applied for a Change of Use of amenity land to residential garden (Class C3). As part of this application, the applicant has completed Certificate D in terms of the ownership of the amenity land, which declares that all reasonable steps have been undertaken to establish the owner of any part of the land to which the application relates to.
- 5.11 In terms of any possible loss of amenity land and potential wildlife habitat within the cul-de-sac, as discussed in the report above, officers are satisfied that the proposed re-located new boundary wall would not result in a significant impact, particularly on visual amenity, to the occupants of the neighbouring properties. Other objection comments have also been received but have not been disclosed due to individuals reasoning.
- 5.12 Consideration of likely impact on Equalities
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.
- 5.13 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 It is recommended that planning permission is granted and 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).