

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: 46/20

Date to Members: 13/11/2020

Member's Deadline: 19/11/2020 (5.00pm)

The reports listed over the page form the 'Circulated Schedule' a procedure agreed by Council in July 2020. 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. You may also wish to refer to the guidance given in the Members' Planning Code of Good Practice in the Council's constitution, which sets out the criteria the Chair of the Committee, in consultation with the Spokes will use to consider any referral requests.

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 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 You may wish to consider the guidance given in the Members' Planning Code of Good Practice in the Council's constitution, which sets out the criteria the Chair of the Committee, in consultation with the Spokes will use to consider any referral requests.

If would be helpful if you could indicate if you:-

- Have discussed the application(s) with the Case Officer and/or Development Manager
- Have discussed the application(s) with ward Member(s) if the site is outside of your ward
- Consider the site would benefit from a visit by the committee, setting out the reasons

Valid referral requests will be considered by the Committee Chair, in consultation with the Spokes, against the criteria given in the Members' Planning Code of Good Practice in the Council's constitution and you will be notified of the Chair's decision. Applications which are not referral, or where the referral request is not agreed by the Chair, will be determined by officers under delegated powers

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.

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?

6. Do you feel a site visit is required or can issues be addressed by other means e.g. further information in the report, additional presentation material, video etc.

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

Date:

To be emailed to MemberReferral@southglos.gov.uk

Schedule Number	Officers Deadline reports to support	Date to Members	Members deadline	Decisions issued from
48/20	Friday 27 th November by 12pm	Friday 27 th November by 5pm	5pm Friday 4 th December	Monday 7 th December

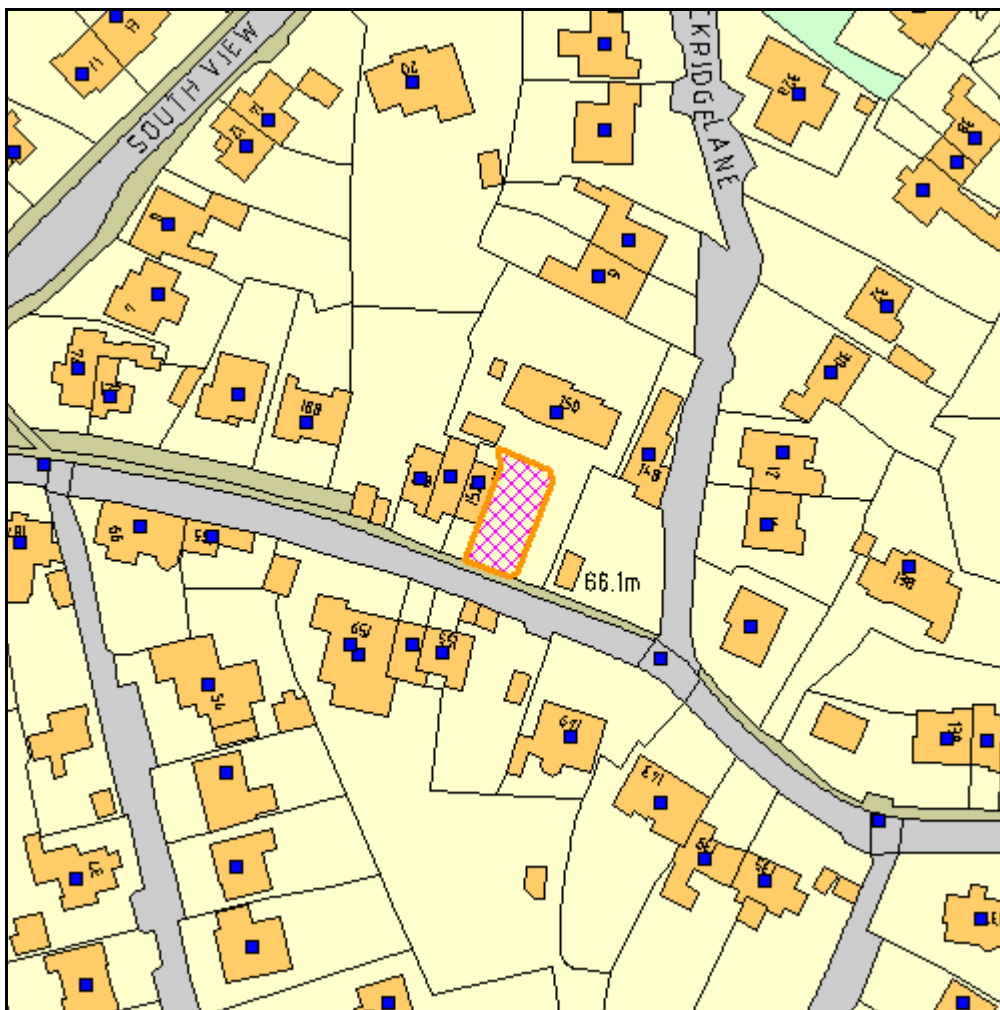
Due to system downtime we are having to change when we send you the circulated schedule to allow officers time to submit their reports.

CIRCULATED SCHEDULE - 13 November 2020

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	P20/06564/F	Approve with Conditions	Land At 150 Woodend Road Frampton Cotterell South Gloucestershire BS36 2JD	Frampton Cotterell	Frampton Cotterell Parish Council
2	P20/06982/LB	Approve with Conditions	14 High Street Thornbury South Gloucestershire BS35 2AQ	Thornbury	Thornbury Town Council
3	P20/06985/F	Approve with Conditions	14 High Street Thornbury South Gloucestershire BS35 2AQ	Thornbury	Thornbury Town Council
4	P20/08363/RM	Approve with Conditions	233 Badminton Road Coalpit Heath South Gloucestershire BS36 2QJ	Frampton Cotterell	Westerleigh Parish Council
5	P20/09163/F	Approve with Conditions	45 Burley Crest Mangotsfield South Gloucestershire BS16 5PS	Staple Hill And Mangotsfield	None
6	P20/14112/F	Approve with Conditions	30 Parkfield Rank Parkfield Road Pucklechurch South Gloucestershire BS16 9NP	Boyd Valley	Pucklechurch Parish Council
7	P20/18144/F	Approve with Conditions	20 Troon Yate South Gloucestershire BS37 4HY	Yate Central	Yate Town Council

CIRCULATED SCHEDULE NO. 46/20 -13th November 2020

App No.:	P20/06564/F	Applicant:	Reed
Site:	Land At 150 Woodend Road Frampton Cotterell South Gloucestershire BS36 2JD	Date Reg:	27th April 2020
Proposal:	Erection of 1 no. detached dwelling with associated works.	Parish:	Frampton Cotterell Parish Council
Map Ref:	367005 181380	Ward:	Frampton Cotterell
Application Category:	Minor	Target Date:	19th June 2020



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P20/06564/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

The application is referred to the Circulated Schedule as representation has been received from 3no local residents which is contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of a 1no. detached dwelling with associated works at land at 150 Woodend Road, Frampton Cotterell.
- 1.2 The application site relates to a two storey, detached property which is set back significantly from Woodend Road. The proposal would be sited on land forward of 150 Woodend Road, adjacent to an existing row of terraced cottages. The application site is located within the defined settlement of Frampton Cotterell.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

CS1 High Quality Design
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
CS34 Rural Areas

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

- 2.3 Supplementary Planning Guidance
 South Gloucestershire Design Checklist (Adopted) 2007
 Residential Parking Standards SPD (Adopted) 2013
 Village Design Statement- Frampton Cottrell and Coalpit Heath.

3. RELEVANT PLANNING HISTORY

- 3.1 PRE19/0570
 Erection of 1no. Dwelling.

4. CONSULTATION RESPONSES

- 4.1 Frampton Cotterell Parish Council
 No objection.

Sustainable Transport

Concerned about the vehicle arrangement for the site in terms of visibility. Wish to see the applicant demonstrate that sufficient visibility is available at this point to enable drivers to safely manoeuvre in and out of the off-street parking space.

Overall, we do not have any significant highway or transportation issues in principle.

Comments following submission of revised plans:

Revised layout materially improves the visibility available when leaving the site and so now broadly accords with the guidance contained in Manual for Streets. Nevertheless, we remain concerned about the need for one of these manoeuvres to be accomplished in reverse, an arrangement which we consider far from ideal. However, as this site is located in a residential area, where such arrangements are common, we do not believe we would be able to sustain an objection on this basis. Hence, we have no further comments.

Highway Structures

No comment.

Lead Local Flood Authority

No objection.

Other Representations

- 4.2 Local Residents
 Objection comments received from 3no local residents, summarised as follows;

- Creation of driveway will impact an already congested road.
- Will restrict access for emergency service vehicles.
- Negatively impact the environment and aesthetics of the road.
- Impact views for local residents.
- Development would cause parking disputes.

- Proposed access not safe for pedestrians on precarious part of the Hill.
- Highway safety- vehicles travel along this roads at dangerous speeds.
- Very tight to swing a vehicle into the proposed parking space.
- Poor visibility.
- Larger vehicles have to mount the pavement, including emergency service vehicles.
- Loss of on-street parking, Limited parking on Woodend Road for residents and visitors. Cars parking directly opposite proposed access.
- Design photos A and B do not reflect the new extension at 156.This changes the overall appearance of the run of cottages.
- Overlooking into gardens.
- Environmental impacts- No mention of renewable energy or electric vehicle charging.
- 150 Woodend Road already has sufficient living accommodation for 5/6 people.
- Vehicle overhang onto the pavement, forcing pedestrians onto the road.
- Reduction in size of stone wall, does against the village design statement.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy CS5 sets out the locational strategy for development in South Gloucestershire. New development is directed towards the existing urban areas and defined rural settlements. The application site is located within the defined rural settlement of Frampton Cotterell.

Therefore, in principle the development is acceptable under the provisions of policy CS5, and it is acknowledged that the provision of one 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. These are discussed below.

5.2 Design, Visual Amenity and Heritage

The application is proposing to erect a two storey, two bedroom detached cottage to the front of no. 150 Woodend Road and adjacent to an existing cottage, no.152 Woodend Road, which forms part of a small terrace of three properties.

5.2 The surrounding area is built-up and residential in nature with a mixture of terraced, semi-detached and detached dwellings; immediately opposite the application site are a row of three locally listed cottages, although the locality is not characterised by any one particular housing style. While the footprint of the proposed dwelling would be slightly larger than the immediately adjacent cottages, it would continue the existing building line and consist of a dual pitched roof with two chimney stacks flanking either end of the roof. Although the eaves and ridge height would be taller than the adjacent cottages, the site road is sloped and a gradual increase in property height is present moving east along Woodend Road. The exterior appearance of the property would consist of thro-colour rendered elevations with reclaimed double Roman clay roof tiles, oak doors double glazed windows with reclaimed stone cills.

- 5.3 Giving consideration to the above, the proposed development is thought to broadly respect the character and appearance of the surrounding area and would not cause any material harm contrary to policy CS1 of the Core Strategy.
- 5.4 In terms of layout, the proposed dwelling would have adequate private amenity space at the rear with parking for one vehicle to the frontage of the site. This layout is consistent with the existing pattern of development within the locality and is not thought to appear overly cramped or contrived. Concerns have been raised in terms of the loss of the stone boundary wall to accommodate the proposed parking access. It is acknowledged that a section of the existing wall is to be removed, however a large proportion of the stone wall will remain along the eastern boundary and bordering the access along the front. Though retaining the entirety of the wall would have been most desirable, the section of wall that is to be removed was deemed necessary to enable adequate visibility for vehicles entering and exiting the site. Furthermore, the loss of this wall is not considered to have such a detrimental impact to the character of the area as to warrant a refusal reason.
- 5.5 The application site sits opposite a row of locally listed cottages, separated by the highway. Paragraph 197 of the NPPF states the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. Furthermore, Policy PSP17 of the PSP Plan states development affecting locally important heritage assets should ensure they are preserved or enhanced, having regard for their significance.
- 5.6 Considering the siting and appearance of the proposed dwelling as discussed above, it is not considered by the officer that the proposal would result in significant harm to the locally listed heritage assets and as such would not undermine paragraph 197 of the NPPF or Policy PSP17 of the PSP Plan.
- 5.7 Residential Amenity
Policies PSP8 and PSP38 of the PSP Plan set out that development within existing residential curtilages should not prejudice residential amenity through noise or disturbance; odours, fumes or vibration; overbearing; overshadowing; loss of light; loss of outlook; and loss of privacy.
- 5.8 The separation distance between the proposed dwelling and the host dwelling (no.150) is approximately 11 metres, however the proposal has been designed so that no windows are present on the first floor north elevation and therefore would not result in any significant overlooking or overbearing impacts between two properties. There is a side dormer window present on the neighbouring property to the west which would overlook the application site. However, it has been indicated within the submitted information that the window in question serves a bathroom and is obscure glazed, it is therefore not thought to result in any substantially detrimental loss of privacy to either the neighbouring occupiers nor the future occupiers of the proposed dwelling. Furthermore, given the siting and scale of the proposed dwelling it is not thought to result in any

material overbearing or loss of light impacts that would be so harmful as to warrant a refusal reason.

- 5.9 The Council has an adopted minimum residential amenity space standard policy (PSP43) which is based on the number of bedrooms at a property. The proposed site plan for the development indicates that the amenity space for the proposed dwelling would be 52 square metres which is compliant with the requirements for a two bedroom property. It is also considered to be adequately private and functional for the future occupiers. The host dwelling would retain a sufficient amount of private amenity space to the rear.

5.10 Sustainable Transport and Parking

To comply with PSP16 properties consisting of 2 bedrooms are required to provide one off-street parking space. The proposal includes the creation of an access and driveway to the front of the property which is able to accommodate one vehicle with no overhang onto the highway. During the course of the application the access has been amended to ensure sufficient visibility when entering and exiting the site; the sustainable transport officer is satisfied in this regard. Although there is no room for manoeuvrability to enable vehicles to enter and exit the site in forward gear, this arrangement is prevalent within the immediate and wider residential area, and is therefore not considered to be a sound reason to refuse the application.

- 5.11 Concern has been raised by residents that the proposed access would lead to a loss of on-street parking on an already congested road. It is acknowledged by officers that the area opposite the site is currently used for on-street parking for a small number of vehicles, however should the proposed access be implemented the vehicles currently using this area to park would be required to find alternative on-street parking, of which there is considered to be ample within the surrounding area. Furthermore, this section of road is already relatively narrow in width and the removal of on-street parking in this location is considered to benefit the issues raised regarding restricted access for emergency service vehicles and improve general visibility for all vehicles. Woodend Road is within a residential area where vehicles speeds are restricted, the road is relatively narrow which is thought to reduce speeds further, it is therefore thought unlikely that a severe highway safety issue would arise from the proposed access.

5.12 Equalities

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

- 5.13 With regards to the above this planning application is considered to have a neutral impact on equality.
- 5.14 Other Matters
The addition of one, two bedroom property is not thought to result in any significant harm to the environment which would outweigh the benefits of the scheme.
- 5.15 It is acknowledged that the extension to no.156 Woodend Road has not been included on the submitted drawings, however this is not considered to materially change the assessment of the proposal.
- 5.16 The application is for a separate planning unit, not additional accommodation for no.150 Woodend Road. Therefore, whether no.150 already has sufficient living accommodation is not a material consideration in determining this application.

6. CONCLUSION

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

7. RECOMMENDATION

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

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 off-street parking facilities (for all vehicles, including cycles) shown on the plan hereby approved (A05 Site Location and Proposed Site Plan, received by the council on 23rd September 2020) shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policy CS8 of the South

Gloucestershire Local Plan; Core Strategy (Adopted) December 2013; and the South Gloucestershire Residential Parking Standards SPD (Adopted) December 2013.

3. This decision relates only to the plans identified below:

Received by the council on 13th April 2020;
Existing Site Plan

Received by the council on 17th August 2020;
Elevations and Site Section
Floor Plans and Elevations

Received by the council on 23rd September 2020;
Site Location Plan and Proposed Site Plan

Reason:
For the avoidance of doubt

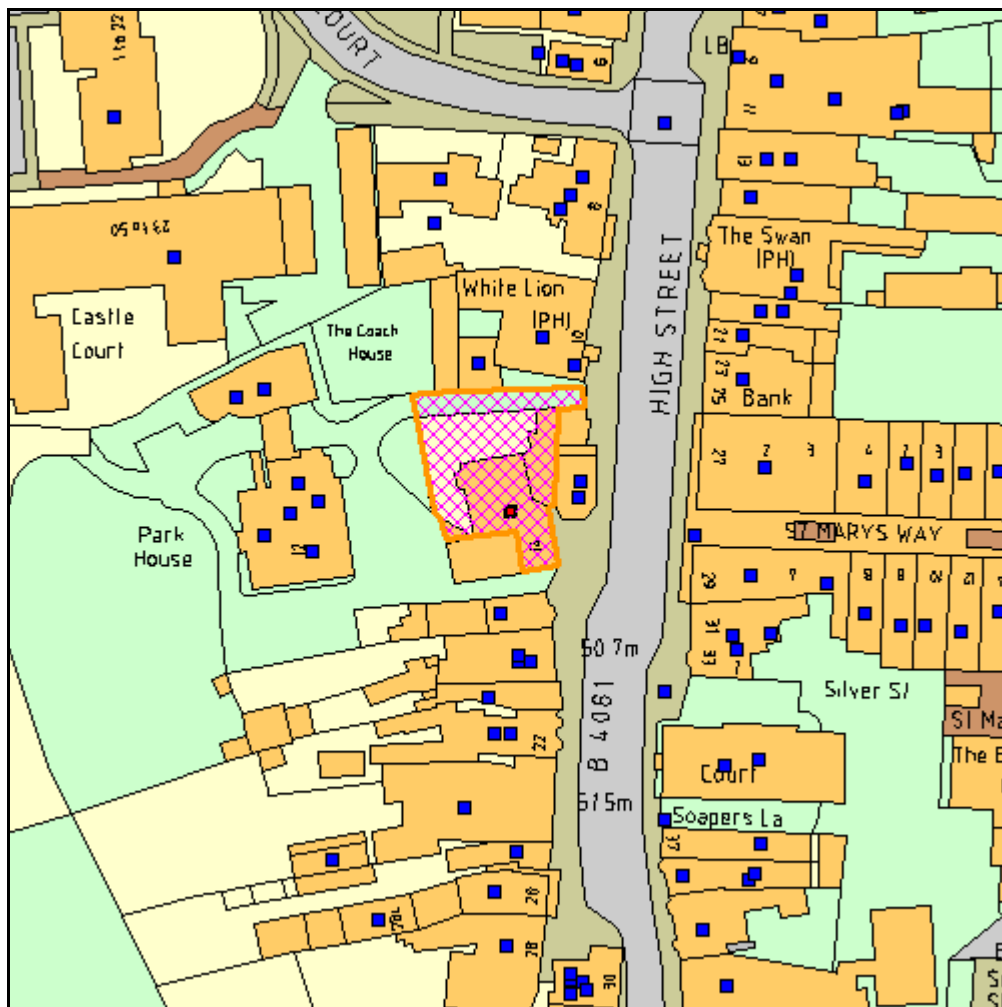
**IN ACCORDANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY PLANNING
(DEVELOPMENT MANAGEMENT PROCEDURE) ORDER 2015.
POSITIVE AND PROACTIVE STATEMENT:**

In dealing with this planning application the Local Planning Authority have worked with the applicant in a positive and proactive manner on seeking solutions to problems arising in the following ways: amended plans were accepted and considered by the officer during the course of the application.

Case Officer: James Reynolds
Authorising Officer: David Stockdale

CIRCULATED SCHEDULE NO. 46/20 -13th November 2020

App No.:	P20/06982/LB	Applicant:	Mr Peter James Wildings Ltd
Site:	14 High Street Thornbury South Gloucestershire BS35 2AQ	Date Reg:	24th April 2020
Proposal:	Internal and external alterations to convert first and second floor ancillary office and associated storage space into 3no. self contained apartments with associated access stairs at ground floor.	Parish:	Thornbury Town Council
Map Ref:	363646 190046	Ward:	Thornbury
Application Category:	Minor	Target Date:	15th June 2020



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N.T.S.

P20/06982/LB

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 appears on the circulated schedule due to representations received contrary to the Officer's recommendation on the associated full application ref. P20/06985/F, for completeness this application has also been referred.

1. THE PROPOSAL

- 1.1 This application seeks listed building consent for the Internal and external alterations to convert first and second floor ancillary office and associated storage space into 3no. self-contained apartments with associated access stairs at ground floor. at No. 14 High Street Thornbury. During the course of the application, a revised floor plans was submitted. It is noted that the proposed staircase lobby set back further into the building and so away from the bay windows by approximately 500mm. The host building is Grade II listed and as such, this application is accompanied by a Full Planning application which is also pending determination (ref. P20/06985/F).
- 1.2 It is noted that Listed Building Consent PT17/5202/LB has been granted was granted for the change of use from first/ second floor ancillary office and storage to 3no. self contained apartments with associated internal and external works. The consent has not been implemented.
- 1.3 The development relates to an existing retail unit and restaurant in part of the Thornbury Conservation Area. The building itself is formed of three storeys, it is rendered with a slate/double roman roof, it has bay windows at first floor and 4-panel sash windows elsewhere. It is linked at ground floor to the former Market Hall which is a highly prominent building along the High Street, and which is also Grade II listed.

2. POLICY CONTEXT

- 2.1 National Guidance
 Planning (Listed Buildings and Conservation Areas) Act 1990
 NPPF National Planning Policy Framework March 2012
 PPG National Planning Proactive Guidance

- 2.2 Adopted Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design

CS9 Managing the Environment and Heritage

CS34 Rural Areas

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

PSP1 Local Distinctiveness

PSP17 Heritage Assets and the Historic Environment

- 2.3 Supplementary Planning Guidance
Design Checklist SPD (Adopted) 2007

3. RELEVANT PLANNING HISTORY

- 3.1 PT16/1582/LB Approve with Conditions 14.10.2016
Internal and external alterations to facilitate subdivision of building and conversion of one unit from retail to one restaurant unit and one retail unit.
- 3.2 PT17/5202/LB Approved with Conditions 7.11.2017
Change of use from first/ second floor ancillary office and storage to 3no. self-contained apartments (Class C3) with associated internal and external works, as defined in Town and Country (Use Classes) Order 1987 (as amended)

4. CONSULTATION RESPONSES

- 4.1 Thornbury Town Council
No objection, but Council would not want any development allowed that would adversely affect the adjoining business.
- 4.2 Conservation and Listed Building Officer
No objection subject to conditions

Other Representations

- 4.3 Local Residents
4 no. letters were received and the residents' concerns were summarised within the associated full planning application report P20/06985/F).

5. ANALYSIS OF PROPOSAL

- 1.1 Principle of Development
This is an application for listed building consent. This application stands to be assessed against National Planning Policy Framework March 2012 and Planning (Listed Buildings and Conservation Areas) Act 1990. As such, the only consideration is the impact of the proposed development on the special historic or architectural features of the property.
- 1.2 Assessment of Impact on Heritage Asset
The host building is Grade II listed and is also within part of the Thornbury Conservation Area and it is currently vacant. The development proposals seeks both internal and external alterations to facilitate the change of use. In the first instance, a listed building consent has been granted for the change of use of the upper floors from ancillary office and storage space to 3 no. residential units. Therefore there is no objection to this part of the proposal. The main differences are the provision a new staircase and refuse and bike

storage on the ground floor. During the course of the application, it is noted a revised ground floor plan was submitted to set back the proposed staircase lobby further into the building, away from the bay windows by approximately 500mm.

- 1.3 Officers have reviewed the proposal and it is considered that the proposal would still impact on plan form and the appearance and character of the building when experienced externally. However, it is considered that the magnitude of harm has moved towards the lower end of the spectrum of 'less than substantial harm'. As discussed in the paragraph 5.8 of the officer report of associated planning application P20/06985/F, officers identified the economic, social and environmental benefits of the proposal, and found that the public benefits would outweighed the heritage harm. As such, there are no objection to this proposal in regards to the listed building subject to condition seeking detailed design, finishes, repair works to window and paving materials.

2. CONCLUSION

- 2.1 The recommendation to **grant** Listed Building Consent has been taken having regard to the section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Government advice contained in the National Planning Policy Framework.

3. RECOMMENDATION

- 3.1 That the application be **APPROVED** subject to the following conditions:

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. Large Scale Details

Prior to the commencement of development, the detailed design of the following items shall be submitted and approved in writing by the local planning authority.

- a. All new windows and fixed glazing (including cill, head, reveal and glass details)
- b. Rooflight
- c. All new doors (including frames and furniture)
- d. All new vents and flues
- e. Window safety guard details
- f. External Staircase and railings
- a. All new partitions to be inserted (including details of any cills, heads, base plinths, reveals and glass details)
- b. All doors (both internal and external)

The details shall be submitted via elevation and section drawings at a scale of 1:10, and the development shall be completed strictly in accordance with the agreed details.

Reason:

In light of the above details not being submitted at determination stage for consideration and approval, a pre-commencement condition is necessary in order to ensure that the works serve to preserve the architectural and historic interest of the listed building, in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out at the NPPF and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and PSP17 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Development Plan Document (adopted November 2017).

3. Finishes

Prior to commencement of the relevant works, full details of the proposed floors, wall and ceiling finishes shall be submitted and agreed in writing by the local planning authority. The development shall thereafter be carried out strictly in accordance with the agreed details.

Reason:

In light of the above details not being submitted at determination stage for consideration and approval, a pre-commencement condition is necessary in order to ensure that the works serve to preserve the architectural and historic interest of the listed building, in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out at the NPPF and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and PSP17 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Development Plan Document (adopted November 2017).

4. Repairs to Windows

Prior to the commencement of the relevant works, a detailed specification for the repairs to all existing windows shall be submitted to the Local Planning Authority for approval. The specification shall also include details of the extent of proposed replacement of historic fabric. The development shall thereafter be carried out strictly in accordance with the agreed details.

Reason:

In light of the above details not being submitted at determination stage for consideration and approval, a pre-commencement condition is necessary in order to ensure that the works serve to preserve the architectural and historic interest of the listed building, in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out at the NPPF and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and PSP17 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Development Plan Document (adopted November 2017).

5. Paving Material

Prior to the commencement of development, details or samples of the paving material proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

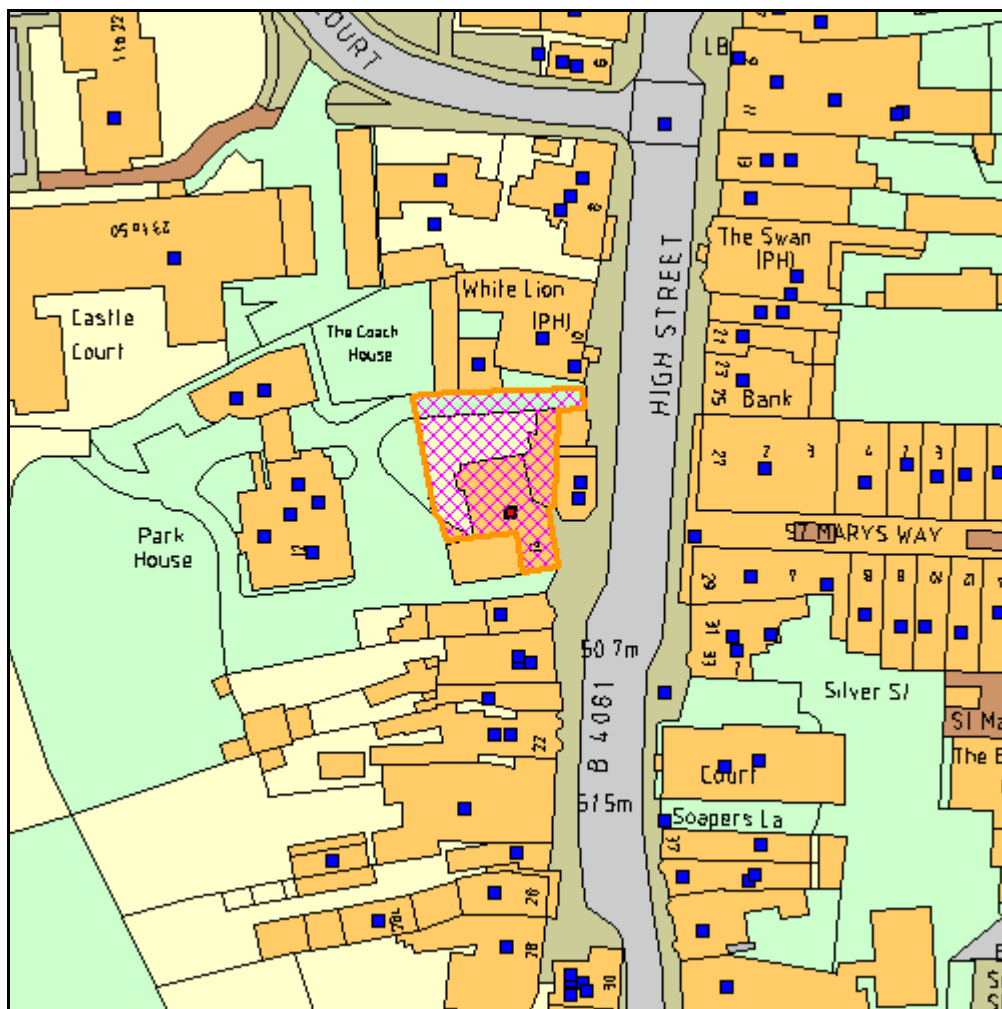
In light of the above details not being submitted at determination stage for consideration and approval, a pre-commencement condition is necessary in order to ensure that the works serve to preserve the architectural and historic interest of the listed building, in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out at the NPPF and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and PSP17 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Development Plan Document (adopted November 2017).

Case Officer: Olivia Tresise

Authorising Officer: David Stockdale

CIRCULATED SCHEDULE NO. 46/20 -13th November 2020

App No.:	P20/06985/F	Applicant:	Mr Peter James Wildings Ltd
Site:	14 High Street Thornbury South Gloucestershire BS35 2AQ	Date Reg:	24th April 2020
Proposal:	Conversion of first and second floor ancillary office and storage space to form 3no. self contained apartments (class C3) with associated access stairs at ground floor level.	Parish:	Thornbury Town Council
Map Ref:	363646 190046	Ward:	Thornbury
Application Category:	Minor	Target Date:	15th June 2020



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 100023410, 2008. **N.T.S.** **P20/06985/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 appears on the circulated schedule due to representations received contrary to the Officer's recommendation.

1. PROPOSAL AND SITE DESCRIPTION

- 1.1 This application seeks planning permission for the conversion of first and second floor ancillary office and storage space to form 2 no. self-contained apartments (Class C3) with associated access stairs at ground floor level at No. 14 High Street Thornbury. During the course of the application, a revised floor plans was submitted and it shows that the proposed staircase lobby set back further into the building and so away from the bay windows by approximately 500mm.
- 1.2 The host building is Grade II listed and as such, this application is accompanied by a Listed Building Consent application which is also pending determination (ref. P20/06982/LB). The building itself is formed of three storeys, it is rendered with a slate/double roman roof, it has bay windows at first floor and 4-panel sash windows elsewhere. It is linked at ground floor to the former Market Hall which is a highly prominent building along the High Street, and which is also Grade II listed.
- 1.3 The development relates to an existing retail unit and restaurant along Thornbury High Street and in part of the Thornbury Town Centre and Primary Shopping Frontage as well as Thornbury Conservation Area. The retail unit was previously much larger, however, as part of ref. PT16/1580/F it was subdivided to form 1no. retail unit and 1no. restaurant unit. Given the reduced scale of the retail unit, it is understood that the office/storage space at first and second floors in no longer needed to such an extent.
- 1.4 It should be noted that planning permission, PT17/5201/F, was granted for the change of the first floor and second floor to 3 no. self-contained residential units. Such permission has not been implemented. The main difference of this application is that the proposal seeks to provide a second stair access and entrance point on the ground floor to serve these approved units.
- 1.5 The applicant also clarified the following issues:
 - Whilst the replacement stair may be required to be restrained by the perimeter wall, it will be supported at the top and bottom of the strings. This has not changed in principle form the previous approval or indeed from the current condition on site.
 - No development is proposed to the external rear stone wall other than repair works to the boundary wall

- It is the applicant's intention to utilise the front access wherever possible to bring building materials in and out of the building for the construction and for the contractor general use.
- Condition 2 of the previous planning permission has been discharged.
- The previously approved pedestrian entrance remain unchanged in this proposal. However, as the front entrance is now provided, it would be more practical that the rear doors would be limited to day to day as a means of escape from the rear of the property. This door currently provides such function for the existing premises.

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 Adopted 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
CS9	Managing the Environment and Heritage
CS15	Distribution of Housing
CS16	Housing Density
CS32	Thornbury

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

PSP1	Local Distinctiveness
PSP8	Residential Amenity
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP21	Environmental Pollution and Impacts
PSP31	Town Centre Uses
PSP33	Shopping Frontages
PSP38	Development within Existing Residential Curtilages
PSP39	Residential Conversions, Sub-Divisions and Houses in Multiple Occupation
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) August 2007
 Residential Parking Standard SPD (Adopted) December 2013
 South Gloucestershire SPD: Thornbury Conservation Area
 South Gloucestershire Waste Collection: guidance for new development SPD (Adopted) January 2015

3. **RELEVANT PLANNING HISTORY**

- 3.1 PT16/1580/F Approve with Conditions 04.10.2016
Subdivision of building and change of use of one unit from Retail (Class A1) to one Restaurant unit (Class A3) and one retail unit (Class A1) as defined in Town and Country Planning (Use Classes) Order 1987 (as amended). Installation of plant/machinery on flat roof and external flue to rear elevation.
- 3.2 PT17/5201/F Approved with conditions 20.07.2018
Change of use from first/ second floor ancillary office and storage to 3no. flats (Class C3) with associated works, as defined in Town and Country Planning (Use Classes) Order 1987 (as amended)
- 3.3 DOC19/8687 Discharged 23.09.2019
Discharge of condition 2 (pedestrian access) attached to planning permission PT17/5201/F. Change of use from first/ second floor ancillary office and storage to 3no. flats (Class C3) with associated works, as defined in Town and Country Planning (Use Classes) Order 1987 (as amended).

4. **CONSULTATION RESPONSES**

- 4.1 Thornbury Town Council – no objection, but the Council would not want any development allowed that would adversely affect the adjoining business
- 4.2 Highway Structures - No comment
- 4.3 Lead Local Flood Authority - No objection.
- 4.4 Sustainable Transport – query the off-street parking facilities
- 4.5 Conservation Officer – Considered the revised scheme and suggested a number of planning conditions to be imposed.
- 4.6 Archaeology – no comment.

Other Representations

- 4.7 Local Residents
3 no. letters (from two residents) were received and the residents a number of concerns, which are summarised as follows:
- The only access to the proposed flats is through a side entrance used for bins by Prezzo and as an emergency fire escape
 - No parking and right to even turn cars round
 - Wildings gave Prezzo the only access at the front of the building to the officers as currently designated and are now trying to use a totally unsuitable one.
 - Dispute ownership and legal rights regarding Back Lane and the Door
 - Can the design not be changed to be lower so that it does not look as if people walking on the top of the walkway do not appear to be walking on the top of the wall.

- Clarification on whether the new walkway / staircase is attached to the grade II wall
- The newly created entrance should only be used for delivering materials and as a contractors entrance.
- Asking no vehicles use Back Lane to deliver goods or parking their vans
- Object to any development which relies on a means of access or egress from the door situated in the wall which forms the northern boundary between 14 High Street and Back Lane ("the Door").
- Back Lane is narrow, and only one car can pass along it at one time Therefore, any additional use of Back Lane by occupiers of 14 High Street would over-intensify its use and adversely affect the amenity of residents of the Coach House and Park House.
- Any vehicular use of Back Lane by 14 High Street would involve (a) the obstruction of access to the Coach House and Park House, and (b) vehicles reversing out of Back Lane, over the pedestrian pavement, into the High Street.
- This would be a hazard to pedestrians and other road users, and in my submission this factor has not been properly presented to or considered by either the Highway Authority, or the Police.
- Back Lane is completely unsuitable as a means of access for any construction traffic associated with the proposed development.
- I do not want contractors or their vehicles working/parking on my property.
- I'm currently renovating Park House and for both safety and insurance purposes I will not allow other parties on to my land.
- I would ask that the back staircase and therefore by definition the back door in Back Lane be used only as a means of escape from the building and not as a secondary entrance to the building.
- I note on the plan that the walkway is higher than my wall which separates the two buildings. I would ask that these stairs are lowered so that residents in my building are not overlooked as people walk across the walkway.
- I'm also confused as to whether the new stairs/walkway are attached to my wall. As it is Grade II can't some other construction could be made.

5. **ANALYSIS OF PROPOSAL**

5.1 **Principle of Development**

The application stands to be assessed against the above listed policies and all material considerations. Of particular importance is the perceived loss of ancillary office/storage space and the impacts on the listed building, character of the area amenity and the highway. It is noted that planning permission has been granted for a residential use at the first floor and second floor of the building, therefore there is no objection to the residential use at these floors. Hence, the main issue would be related to the provision of the second stair access and lobby to the front of the shop to serve the apartment by reducing the overall size of the shop unit.

5.2 **Loss of ancillary office/storage space**

Comments from Thornbury Town Council are noted. It is also noted that the application site is located within the Town Centre of Thornbury and in part of its Primary Shopping Frontage. CS13 sets out that states such proposals must

clearly demonstrate that all reasonable attempts to secure a suitable economic development re-use have failed. Priority is given to mixed use schemes, and only then residential. PSP33 only seeks protection of an active ground floor use. Further to this, Para. 23 of the NPPF sets out the residential development can play an important role in ensuring the vitality of centres. To address this particular issue, the applicant provided a marketing letter from ejhaes Chartered Surveyors regarding the property. The Surveyors confirmed that the property has been marketed in September 2018 and they have only had a few tentative enquires and have not received any formal offers for the property. The marketing research also shows there is currently no active occupational demand for retail shops of this size in Thornbury, therefore, it is their opinion that a small premises to approximately 1,000 sq ft is more likely to result in a higher level of interest because the ongoing overheads of such a shop would be considerably lower and therefore more affordable to various uses. In this instance, given the scale of the proposal, it is not considered that this would be detrimental to the economic context of the surrounding area. In addition, weight is given to advice set out within the NPPF, and that following the development 14 High Street would comprise mixed uses, therefore there is no objection in this regard.

5.3 Design, Visual Amenity, Heritage consideration

Number 12 and 14 High Street are Grade II listed buildings located within the Thornbury Conservation Area. The proposals should therefore be assessed in accordance with the above policies and guidance which seek to protect the significance of designated heritage assets and their settings. During the course of the application, the Conservation Officer raised concerns to the original scheme, which showed the internal partition directly to the rear of one of the bay windows, as it would detract in the external appearance of the building or how it is experienced. To address the concerns, a revised floor plan was submitted. The proposed staircase lobby now set back further into the building and so away from the bay windows by approximately 500mm. As such, this would increase the display space within and beyond the bay. Whilst the solidity of the partition would still have an impact on its character, the impact has been reduced. It would also mean that the partition is now set off the line of the original façade at ground floor before the bays were installed. Overall, whilst the proposals would still result in a degree of harm, the impact upon the character of the conservation area would be negligible. In regards to listed building consideration, officers consider that the magnitude of harm has moved towards the lower end of the spectrum of “less than substantial harm”. Given the harm caused to the significance of the conservation area has been identified, the harm needs to be weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use in accordance with paragraph 196 of the NPPF. The weighing exercise is therefore discussed later in this report Paragraph 5.7 and 5.8. In the event that this application is considered, a planning condition is suggested to ensure that the design and appearance of all other partitions proposed are appropriate – i.e. lightweight framed glazed panels.

5.4 Access and Parking

Residents concerns regarding parking issues are noted. The site is located within the Thornbury urban area, therefore the proposal would fully comply with

the requirements of Policy PSP11 in terms of juxtaposition to necessary facilities and access by all travel modes, therefore, there is no objection in principle to the proposed change of use. The Highway Officer queried if off-street parking would be provided by the future residents and whether this can be accomplished without affecting the servicing of the ground floor or other adjoining retail uses.

- 5.5 In this instance, it is noted planning permission PT17/5201/F has been granted for the change of use of the first floor and upper floor to 3 no. self-contained flats. The current proposal does not change this elements of the approved scheme and it was previously noted that the approved development would not have any vehicular or cycle parking, it would gain pedestrian access off High Street down a private road through to a side access on the buildings north elevation. The differences of the current proposal are the approved residential units can be accessed via the internal staircase and the refuse and bike store would be also provided within the building. In addition, the proposal would not increase the number of bedrooms within each approved units. As such, it is considered that the proposal would not cause material adverse impact upon the highway safety. Subject to conditions securing the provision of waste and bike storage prior to occupation of the flats, there is no objection in this regard.
- 5.6 Residential Amenity and Environmental Concerns
The original acoustic report was submitted. Given the document has been reviewed and considered in the previous application, there is no objection subject to a condition to ensure that noise mitigation measures set out in the report are adhered to. Furthermore, the proposal is not to change the number of approved units within the building. Although the scheme would not provide private outdoor amenity space, it is not unusual for flats to have no private amenity space, particularly in town centres. Also, it is noted that there are playing fields nearby. Accordingly, the lack of private amenity space is therefore balanced against these nearby facilities.
- 5.7 Paragraph 196 of NPPF - Weighing-up exercise
As discussed above, Officers have identified the magnitude of harm caused by this proposal and it is considered that the harm which would be caused to the significance of the conservation area should be less than substantial, with NPPF paragraph 196 explaining that in such circumstances the harm needs to be weighed against the public benefits of the proposal, including, however appropriate, securing its optimum viable use.
- 5.8 The NPPP clearly set out three overarching objectives of sustainable development, economic, social and environmental. The Officers note that the proposed development would give rise to some economic benefits during the construction phases and these benefits would be relatively modest. In terms of social and environmental benefits, the proposal would provide 3 no. additional residential properties within sustainable location while the heritage assets would be adequately safeguarded and re-use. In this instance, the officers would give these benefits considerable weight. Drawing all the above points together, with regards to the less than substantial harm to the significance to the Conservation Area, Officers have found some in the way of clear public

benefits which would arise from this proposal. Accordingly, it is considered that this heritage harm would be outweighed by public benefits.

5.9 Other matters

Residents raised concerns regarding the right of ways over Back Lane and the Doors. It is noted that a condition (No.2) was attached to the previous planning permission PT17/5201/F regarding the secure of pedestrian entrance, and such condition was discharged. Nevertheless, the dispute over the land ownership and the right of way is a civil matter, and not strictly a planning condition. Given that this proposal would provide additional staircase to the approved residential units, it is considered that such condition would be unnecessary and unreasonable.

5.10 It is also noted that residents request the existing rear access should be fire escape access only given that the current scheme would provide additional access to the approved residential units. Officers noted that the submitted proposed ground floor plan also shows that the existing ground floor access would be retained as a fire escape. A planning condition is therefore imposed to ensure that this is the case.

5.11 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.

5.11 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 (Adopted) January 2006 and the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 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:

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. Access

The existing ground floor access at the rear of the building as shown on the Ground Floor Plan As Proposed Drawing No. 2565 P101, received 20 April 2020, shall only be used as a fire-escape.

Reason

To ensure provision and availability of a suitable access, in accordance with Policy PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017), Policy CS8 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013; and the provisions of the National Planning Policy Framework.

3. Waste Storage

The waste storage facilities shown on the Proposed Floor Plans (dwg no. 2565 P101 received 18th June 2020) hereby approved shall be provided before the dwelling is first occupied, and thereafter retained for that purpose.

Reason

To maintain and enhance the character and appearance of the conservation area, and to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; PSP1 and PSP17 of the Policies, Sites and Places Plan (Adopted) November 2017 and the National Planning Policy Framework.

4. Acoustic

The development hereby permitted shall proceed in accordance with the mitigation measures as set out in the submitted Acoustic Report (Acoustic Consultants Ltd, dated April 2018).

Reason

To protect the residential amenities of future occupiers and to ensure the development does not have an unacceptable environmental effect and to accord with policy CS1, and CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013; PSP21 of the South Gloucestershire Policies, Sites and Places Plan (Adopted) November 2017; and the provisions of the National Planning Policy Framework.

5. Prior to the relevant stage of development a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the construction period. The plan shall provide for:

- a) parking of vehicles for operatives and visitors
- b) hours of operation
- c) pedestrian and cyclist protection
- d) delivery management, specifically hours and types of vehicles.

Reason

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 and PSP21 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

6. The development hereby permitted shall be carried out as an alternative to the permission granted on 20th July 2018 for Change of use from first / second floor ancillary office and storage to 3 no. flats (Class C3) with associated works, as defined in Town and Country Planning (Use Classes) Order 1987 (amended) at First and Second Floor 14 High Street Thornbury South Gloucestershire (Reference PT17/5201/F), but not in addition to it, to the intent that the applicant may carry out one of the developments permitted but not both, nor parts of both developments.

Reason

To safeguard the amenity of the neighbouring occupiers and to ensure provision and availability of a suitable access, in accordance with Policy PSP8, PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017), Policy CS8 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013; and the provisions of the National Planning Policy Framework.

**IN ACCORDANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) ORDER 2015.
POSITIVE AND PROACTIVE STATEMENT:**

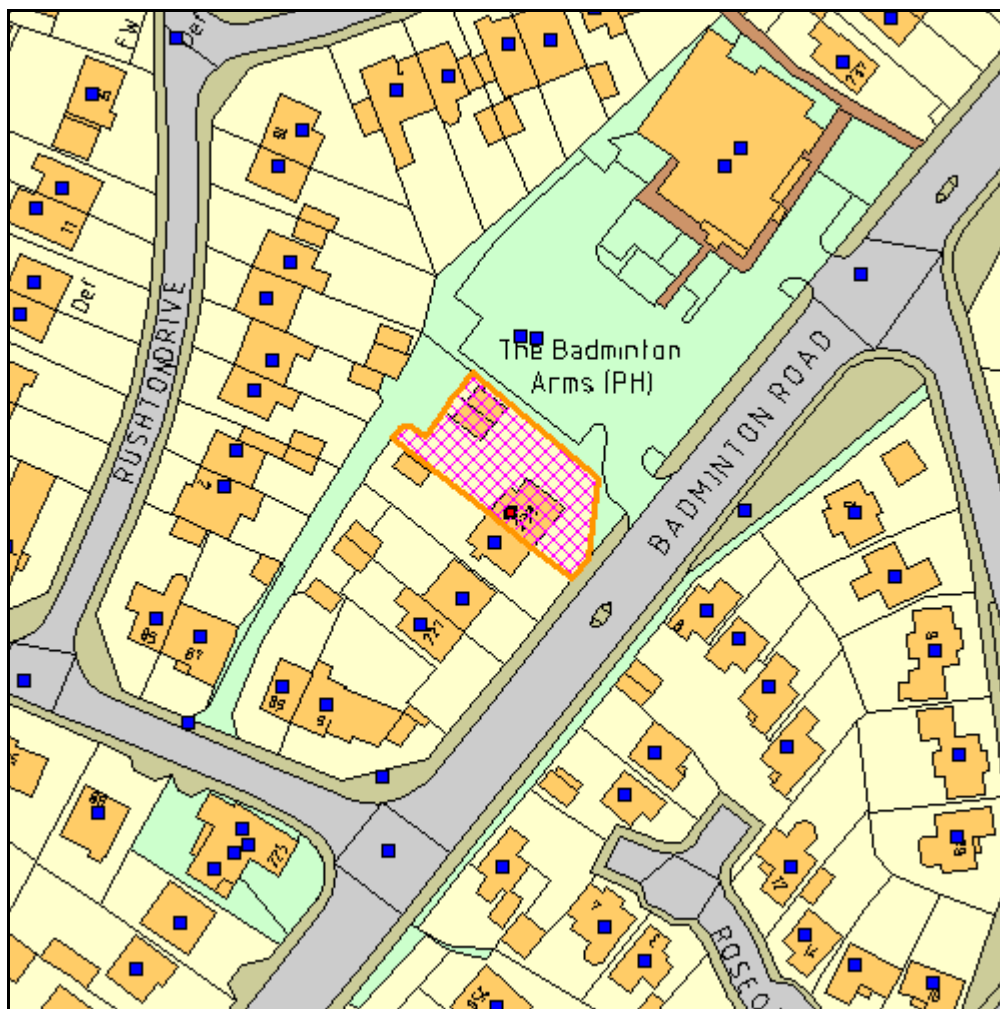
In dealing with this planning application the Local Planning Authority have worked with the applicant in a positive and proactive manner on seeking solutions to problems arising in the following ways: The application has been determined in a positive manner.

Case Officer: Olivia Tresise

Authorising Officer: David Stockdale

CIRCULATED SCHEDULE NO. 46/20 -13th November 2020

App No.:	P20/08363/RM	Applicant:	Mrs Annie Wilcox
Site:	233 Badminton Road Coalpit Heath South Gloucestershire BS36 2QJ	Date Reg:	3rd August 2020
Proposal:	Demolition of existing sun room and erection of an attached building to form 2 no. flats with access, scale, layout, appearance and landscaping to be determined (Approval of Reserved Matters to be read in conjunction with outline permission P19/09748/O).	Parish:	Westerleigh Parish Council
Map Ref:	367780 181232	Ward:	Frampton Cotterell
Application Category:	Minor	Target Date:	24th September 2020



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N.T.S.

P20/08363/RM

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

The application is referred to the Circulated Schedule as representation has been received from 3no local residents which is contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 The application seeks approval for the reserved matters connected to outline planning permission P19/09748/O. The outline planning permission granted consent for the demolition of an existing sun room and erection of an attached building to form 2no flats and associated works (Outline) all matters reserved
- 1.2 The application site relates to 233 Badminton Road, Coalpit Heath. The site consists of a two storey semi-detached property set within a relatively large plot which is located within the defined settlement boundary of Coalpit Heath.

2. POLICY CONTEXT

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

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

CS1 High Quality Design
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
PSP2 Landscape
PSP8 Residential Amenity
PSP11 Transport Impact Management
PSP16 Parking Standards
PSP17 Heritage Assets and the Historic Environment
PSP20 Flood Risk, Surface Water and Watercourse Management
PSP38 Development within Existing Residential Curtilages
PSP43 Private Amenity Standards

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

3. **RELEVANT PLANNING HISTORY**

- 3.1 P19/09748/O
Demolition of existing sun room and erection of an attached building to form 2no flats and associated works (Outline) all matters reserved.
Approve with conditions: 25/10/2019

4. **CONSULTATION RESPONSES**

- 4.1 Westerleigh Parish Council
No comment received.

Frampton Cotterell Parish Council
No comment received.

Sustainable Transport
No objection to parking arrangements.
Requirement for EV charging points prior to first occupation.
Cycle storage required.
Clarity on refuse collection for existing dwelling required.

The Coal Authority
No objection.

Lead Local Flood Authority
No objection.

Highway Structures
No comment.

Archaeology
No comment.

Environmental Protection
No comments received.

Other Representations

- 4.2 Local Residents
Objection comments received from 3 no. local residents, summarised as follows;

- Decrease value of surrounding properties.
- Concern construction vehicles will damage drains and surface of the lane.
- No agreed access to the proposed property via the lane.
- Issue adding new properties to the existing drainage.

- End of lane used as turning area - previous issues with builders blocking access to driveways/garages.
- Inadequate parking available for construction vehicles.
- Inadequate parking provision for existing dwelling and proposed flats.
- Highway safety issue with increased vehicles entering/exiting the lane.
- Who is liable for repair costs for a privately maintained passageway
- Loss of privacy to rear garden, living room and kitchen.
- Consideration of Human Rights Act, Protocol 1, Article 1 and Article 8, should be considered by the council.
- Proposed development would have a dominating impact.
- Noise disturbance from construction.
- Reduced working hours requested.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The proposed development is acceptable in principle as outline planning permission for the proposed development has been granted under application P19/09748/O. This application seeks to approve the 'reserved matters'. In this instance the reserved matters are: scale, appearance, layout, access and landscaping.

5.2 Design: Scale, Layout and Landscaping

The proposed elevation plans indicate that the development would continue the building line of the existing semi-detached pair with an eaves a ridge height to match. The scale of development is therefore considered to conform with condition 6 attached to the outline permission; that the maximum height of any new dwelling constructed at the site shall not exceed the maximum height of the existing dwelling.

5.3 In terms of layout, as stated above the proposed building will continue the front and rear building line of the neighbouring property, this allows for the property to be set back from the highway and include a decent sized shared garden to the rear. Parking would also be located at the rear, utilising an existing access road off of The Causeway. This arrangement is considered to be in keeping with the existing pattern of development and the proposal is thought to sit comfortably within the site; the layout is therefore deemed to be acceptable in terms of design.

5.4 In terms of landscaping, the submitted plan indicates the majority of existing boundary treatments will be retained; with an additional 1.8m high boarded fence separating the proposed flats and the existing property at the rear. A new concrete path will be laid to enable pedestrian access to the proposal from the Badminton Road which will match the existing pathway to no.233. The existing property will retain a large grassed area, while to proposed flats would benefit from a patio and gravelled area to the rear. Although it is acknowledged that this is not considered to be ideal and somewhat lacking in soft landscaping detail, it is thought to be sufficient within the context the site.

5.5 Design: Appearance

The character of the surrounding area is made up of a mixture of housing styles, both attached and detached with varying roof designs. The proposed building would be attached to an existing semi-detached pair and would sit adjacent to a Sainsbury's local store to the north. It is acknowledged that the proposal would result in the host property having a slightly larger width than the other two properties, however the use of matching materials; good placement and size of the principal elevation windows; and the continuation of the existing eaves and ridge height are considered to broadly reflect the appearance of the existing dwellings. Given the lack of distinct character within the surrounding area, the proposed development is not considered to result in any material harm to the appearance of the streetscene or surrounding context.

5.6 Residential Amenity

Policy PSP38 of the PSP Plan (November 2017) sets out that development within existing residential curtilages should not prejudice residential amenity through overbearing; loss of light; and loss of privacy of neighbouring occupiers.

5.7 The impact of the proposal on the residential amenity currently enjoyed by the occupiers of neighbouring properties has been considered. Due to the size, scale and siting of the proposed building, it is not considered that its erection would result in a material overbearing or loss of light impact at any of the adjoining properties. Concern has been raised regarding overlooking into neighbouring gardens and primary living spaces, however it is considered by officers that the windows are appropriately placed, and there are significant separation distances involved; a degree of overlooking into rear gardens is expected in a built up residential setting such as this. The proposal is therefore not thought to result in an unacceptable loss of privacy.

5.8 Policy PSP43 states that every new home should have access to suitable private and/or communal amenity space through, for example, one or more of the following: private gardens, communal gardens, courtyards, patios, balconies and roof terraces. The first floor flat would benefit from a Juliet balcony and both flats within the building would have access to a shared communal garden to the rear of the property, approximately 61 square metres in size. It is acknowledged that the occupants would not have individual amenity space, however the communal garden is generous in size and it is therefore considered that a sufficient level of amenity can be provided. The existing property would retain a functional, private garden to the rear which is in excess of the area requirements of policy PSP43.

5.9 Sustainable Transport

A number of concerns have been raised in regards to the highway safety impact and parking arrangements of the development. The proposal includes the addition of 2, 1-bed flats; Policy PSP16 of her PSP Plan requires each 1 bedroom flats to provide 1 off-street parking space and a 4 bedroom property to provide 2 spaces. The application is providing off-street parking in compliance with these requirements which would utilise an existing access shared with the neighbouring properties; no objections have been raised in this regard by the sustainable transport officer. It is considered that an adequate turning area would remain to allow vehicles to enter and exit the access lane in forward

gear, and the addition of 2, 1-bedroom flats would not be considered to increase the use of the lane to such a degree as to result in any severe highway safety issues. Furthermore, it has been indicated on the proposed block plan that Electric Vehicle charging points will be provided for each of the future occupiers and a cycle store would be located within the rear garden. This is considered to sufficiently promote sustainable forms of transport at the site.

5.10 Drainage

The proposed block plan indicates that a soakaway will be located to the rear of the property to enable surface water drainage and the foul sewage disposal will be connected to the public sewer. The council's drainage engineer has raised no concerns with this arrangement.

5.11 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.

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

5.13 Other Matters

It is accepted that there would be a degree of disruption to local residents during the construction period, however this is not a material planning consideration and would be for a limited amount of time, it therefore cannot form a reason for refusal. That said, it is hoped that the applicant and contractor would be considerate to local residents during that period.

5.14 It is the responsibility of the applicant to ensure any necessary access agreements are put in place. This permission shall not be construed as granting rights to carry out works on, or permit access to, land not within the ownership, or control, of the applicant. Any necessary repair work to the highway is the responsibility of the owners of highway in question.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

CONDITIONS

1. All hard and soft landscape works shall be carried out in accordance with the details submitted in the Proposed Landscaping Plan (70943/02/110) . The works shall be carried out in the first planting season following the occupation of any part of the development hereby approved.

Reason

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

2. The off-street parking facilities (for all vehicles, including cycles)and Electric Vehicle Charging points shown on the proposed block plan hereby approved (drawing no. 70943/02/101 REV D) shall be provided before the first dwelling is occupied, and thereafter retained for that purpose.

Reason

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

IN ACCORDANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) ORDER 2015. POSITIVE AND PROACTIVE STATEMENT:

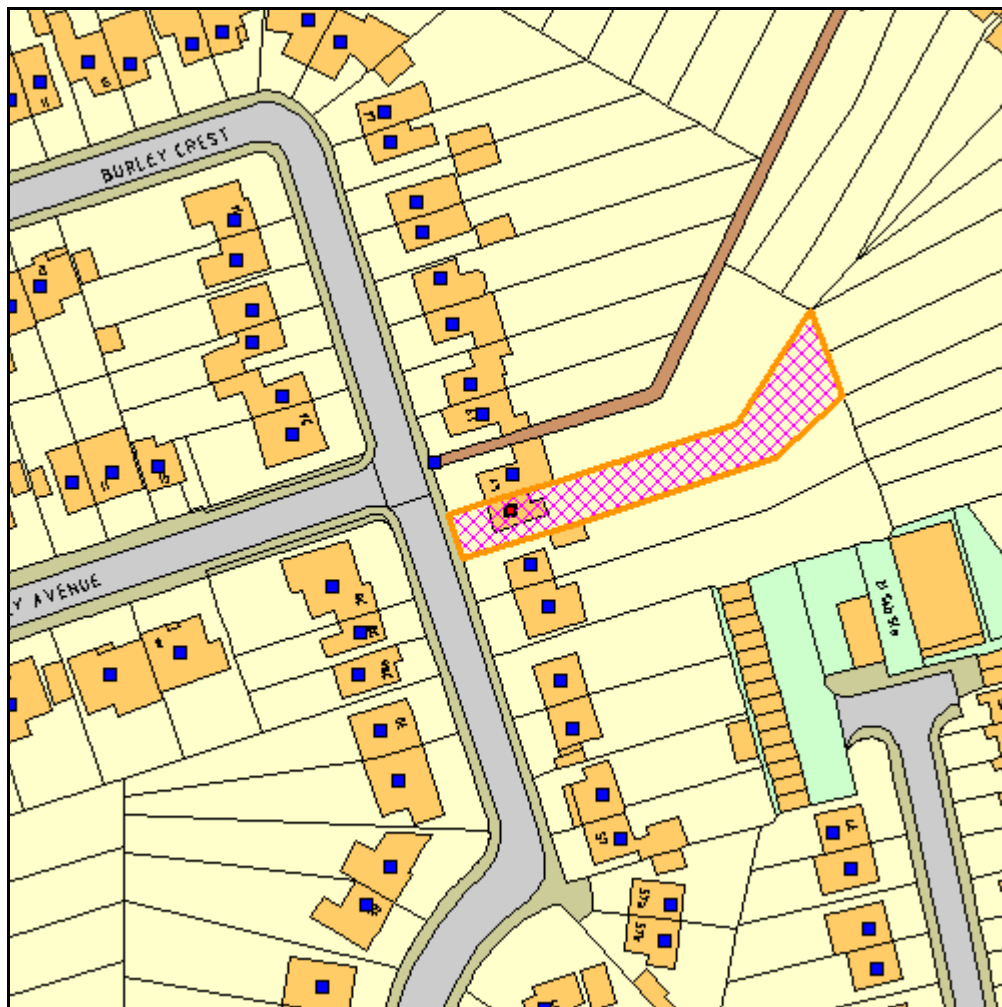
In dealing with this planning application the Local Planning Authority have worked with the applicant in a positive and proactive manner on seeking solutions to problems arising in the following ways: amended plans were accepted and considered by the officer during the course of the application.

Case Officer: James Reynolds

Authorising Officer: Suzanne D'Arcy

CIRCULATED SCHEDULE NO. 46/20 -13th November 2020

App No.:	P20/09163/F	Applicant:	Mr Christopher Joy
Site:	45 Burley Crest Mangotsfield South Gloucestershire BS16 5PS	Date Reg:	4th June 2020
Proposal:	Erection of two storey side and rear extension to include a Juliet balcony to form additional living accommodation with access and associated works.	Parish:	None
Map Ref:	365708 176489	Ward:	Staple Hill And Mangotsfield
Application Category:	Householder	Target Date:	27th July 2020



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P20/09163/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 are 3no. or more objections raised by members of the public where the officer recommendation is one of approval.

1. THE PROPOSAL

- 1.1 The proposal seeks full planning permission for erection of a two-storey side/rear extension to form additional living accommodation.
- 1.2 The original property is a two-storey, semi-detached house, located at 45 Burley Crest, Mangotsfield.
- 1.3 Throughout the course of the application it was discovered that the proposed plans did not correctly reflect the measurements intended by the applicant, and so a set of revised plans was submitted.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework
National Planning Practice Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4a	Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP8	Residential Amenity
PSP16	Parking Standards
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist

3. RELEVANT PLANNING HISTORY

- 3.1 PK18/2602/F
Erection of two storey side and rear extension to form additional living accommodation.

Refused: 25 September 2018.

4. CONSULTATION RESPONSES

- 4.1 Parish/Town Council
N/A

- 4.2 Other Consultees

Sustainable Transport

A revised plan with 2no. off-street parking spaces requested.

Other Representations

- 4.3 Local Residents

The Local Planning Authority received 5no. objection comments (from 3no. people). Key points summarised below:

- The extension would cause a significant loss of light and overshadowing to the rear windows of our property.
- The presence of the first floor rear window/Juliet balcony would overlook our decking area and remove our existing privacy.
- We are concerned that the roof area of the ground floor only section of the extension could be used as an ad-hoc balcony in the future.
- The extension would overshadow my property resulting in a loss of light coming into my house and my drive.
- Extension out of character.
- Sewerage system, would there be an impact?
- There is no description to show how close the extension wall will be to the boundary line to my property.
- My property is positioned on a lower level than number 45.
- I have concerns regarding the need for the foundations of the extensions.
- If it is a party wall, the Party Wall Act requires neighbours permission if the foundations come close to the boundaries. I would not consent to this permission.
- The planned rear extension and first floor Juliet balcony would overlook my decking and patio area.
- The single storey extension has two windows on the side wall, facing my property.
- My property is currently a rented property and therefore any impact on the property would create consequential loss of earnings, should access to the property be needed.
- There already exists a liveable dwelling at the rear of the garden, this is not shown on the plans but maybe because it doesn't require planning permission.
- No off-street parking is included in the plans.

Comments made after the revised plans were submitted:

- I have concerns regarding the need for the foundations of the extensions coming out wider than the boundary line onto my property to manage the level difference.
- There would be no space left for a functional use for rear access and future maintenance.
- The infilling between the two houses would result in a cramped, terracing effect.
- The proposed rear extension has a flat roof, which does not reflect the same style as the existing building or other extensions in the street.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy CS1 'High Quality Design' of South Gloucestershire Core Strategy (adopted December 2013) states that development proposals will only be permitted where the highest possible standards of design and site planning are achieved. Proposals should demonstrate that they: enhance and respect the character, distinctiveness and amenity of both the site and its context; have an appropriate density and its overall layout is well integrated with the existing development. PSP38 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan is supportive in principle of development within the residential curtilage of existing dwellings. This support is subject to the proposal respecting the existing design of the dwelling and that it does not prejudice the residential and visual amenity; adequate parking provision; and has no negative effects on transportation. The proposal accords with the principle of development subject to the consideration below.

5.2 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.

5.3 The proposal is very similar to the previously refused PK18/2602/F. The refusal reason states:

The proposal would result in a severe loss of light and loss of outlook for the occupiers of No. 43 and No. 45 Burley Crest such that the living conditions of the occupiers of these properties would be severely impacted as a result. The development fails to reach the highest possible design standards expected. The proposal therefore is contrary to Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013; Policies PSP8 and PSP38 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (Adopted) November 2017; and the provisions of the National Planning Policy Framework (July 2018).

This refusal forms a material consideration when determining the current proposal. The appeal was lodged and subsequently dismissed by the Planning Inspectorate. The Inspector have identified a loss of light to and outlook from the original rear windows of 43 Burley Crest as the main issue. In respect to loss of light and outlook for the occupiers of the host property, the Inspector disagreed:

In respect of the impact of the proposal upon the kitchen and second bedroom windows of the host dwelling, I note in respect of the former, that the kitchen area would be open plan with the proposed dining area which would be served by bi-fold doors to two elevations, as well as a high level window on the south east facing elevation. Consequently I consider that there would be adequate outlook from and light received by the kitchen of no 45. In addition, much like for next door, the second bedroom window would be restricted in terms of the outlook therefrom and light received thereto, however the appellant has chosen this design for their property and any future occupiers would be fully aware of this situation prior to purchase. Therefore, on balance, I consider that it would not be a reason to withhold planning permission on this alone.

- 5.4 The current proposal is nearly identical to the previously refused, with the exception of the depth of the proposed first floor extension. It was reduced by 2m, to the overall depth of 3m.
- 5.5 The side element of the proposal would measure 2.3m wide and 12.2m deep, with the overall height of 6.9m (5.1m to the eaves). The front elevation would have 1no. door installed, as well as 1no. window on the first floor. The rear elevation would incorporate a set of bi-fold doors on the ground floor, and a set of windows and 1no. door on the first floor, together with Juliet balcony. The side elevation would incorporate 2no. ground floor windows, each positioned approx. 1.95m above ground level.
- 5.6 The rear part of the proposal would measure 3.25m wide and 5m deep (3m deep at first floor level). On the ground floor level, the rear elevation would incorporate 1no. set of bi-fold doors. The South (side) elevation would incorporate 1no. window, whilst the North (side) elevation would incorporate 1no. set of bi-fold doors. No side openings proposed on the first floor level. The proposed materials for the external works appear to be visually similar to those of the existing dwellinghouse.
- 5.7 This type of development is not uncommon in the area, as there are several similar examples in a relatively close proximity to the application site. Officers do not consider that this development would create a terracing effect, as sufficient separation distance would remain post-development.
- 5.8 Overall, it is considered that the proposed alterations would not harm the character or appearance of the area and as such are considered acceptable in terms of visual amenity. Therefore, it is judged that the proposal has an acceptable standard of design and is considered to accord with policies CS1 of the South Gloucestershire Local Plan Core Strategy and PSP38 of the Policies, Sites and Places Plan.

5.9 Residential Amenity

- Policy PSP8 of the Policies, Sites and Places Plan outlines that development proposals will be acceptable provided that they do not create unacceptable living conditions or have an unacceptable impact on the residential amenity of the occupiers of the development or of nearby properties. Unacceptable impacts could result from (but are not restricted to); loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and odours, fumes or vibration.
- 5.10 Local residents brought up a number of concerns relating to the residential amenity. The below assessment is inclusive of the raised concerns.
- 5.11 In respect to the previous refusal reason, Officers consider that there would be no unacceptable impact on residential amenity of the occupiers of the host dwelling. Given the depth reduction of the proposed first floor extension, any loss of light to the existing first floor bedroom would not be detrimental.
- 5.12 In regards to overbearing/overshadowing effect. Whilst Officers acknowledge that there is a possibility for overbearing and/or overshadowing of No. 47, it is not considered that it would be to such a degree that would render their living conditions unacceptable. Also, the proposed 2no. windows on the side elevation facing No. 47 are not considered to be detrimental to their privacy, as they are position almost 2m above ground level and would limit any direct overlooking.
- 5.13 In regards to residential amenity concerns relating to No. 43. Officers consider that whilst there would remain a possibility of the reduction of light that reaches the property due to the proposed first floor extension, it is considered that the reduction of its depth to 3m minimises these concerns. Given the proposed depth of the first floor extension, as well as its proximity to No 43., it is not considered that any potential effect it would have on their residential amenity would be detrimental. Furthermore, the revised plans include a plan which indicates the compliance of the proposed first floor extension with a 45-degree rule. Whilst it is only a guidance, in this particular case it is evident that it is unlikely that there would be any concerns with the amount of light reaching No. 43 at first floor level.
- 5.14 In regards to Juliet balcony. It is considered that the presence of the Juliet balcony on the first floor level would not provide an opportunity for overlooking more than an open window would. Any potential overlooking that would result would not be direct and unlikely to be detrimental to the residential amenity of neighbouring occupiers. One of the local residents states: *We are concerned that the roof area of the ground floor only section of the extension could be used as an ad-hoc balcony in the future.* This is not part of the current submission. Any potential conversion of the ground floor extension roof into a balcony would be a subject to a different planning application. It is considered appropriate on this occasion to impose a condition to any permission granted, that would restrict the use of the roof of the proposed ground floor extension as a balcony.

5.15 On the basis of the assessment set out above, it is concluded that the proposal would have no unacceptable impacts on residential amenity, and the proposed development therefore accords with policies PSP8, PSP38 and PSP43.

5.16 Transport

Some of the raised concerns were related to the absence of off-street parking. The proposed development would increase the amount of bedrooms within the dwelling to 4no. The proposed parking plan, submitted with the revised plans, indicates the provision of 2no. off-street parking spaces to the front of the property, which is considered to be compliant with PSP16. As such, there are no concerns with the proposal from transportation perspective.

5.17 Other Matters

Sewerage System Impact

Any changes/alterations to the sewerage system would have to be implemented according to all the current relevant regulations.

Party Wall Agreement

Matters related to the Party Wall Agreement do not fall under material planning consideration, as it is a civil issue.

Potential Loss of Earnings from a Rented Property

Such matters do not fall under material planning consideration.

Liveable Dwelling at the Bottom of the Garden

This does not form part of the current application. Any potential planning breach should be reported to the Enforcement department.

5.18 Consideration of likely impact on Equalities

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

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

6. CONCLUSION

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

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

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

7. RECOMMENDATION

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

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 proposed development hereby approved must be implemented in accordance with the following plans:

Existing Block Plan

Site Location Plan

Received by the Local Planning Authority on 23 May 2020.

Existing House Plans

Proposed Block Plan

Received by the Local Planning Authority on 03 June 2020.

Proposed Parking

Received by the Local Planning Authority on 27 July 2020.

Proposed Elevation Plans

Proposed Floor Plans

Received by the Local Planning Authority on 08 October 2020.

Reason

For the avoidance of doubt.

3. Prior to completion of the works, the off-street parking provision for 2no. cars (as per Proposed Parking plan received on 27 July 2020) must be implemented and retained for that purpose thereafter.

Reason

In order to comply with Policy PSP16.

4. The external materials for the proposed extension, hereby approved, shall match the external materials of the existing dwellinghouse.

Reason

For the avoidance of doubt and in order to accord with Policies CS1 and PSP1.

5. The ground floor extension roof shall not be used as a balcony.

Reason

In the interest of residential amenity of neighbouring occupiers and to accord with Policy PSP8.

IN ACCORDANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) ORDER 2015.

POSITIVE AND PROACTIVE STATEMENT:

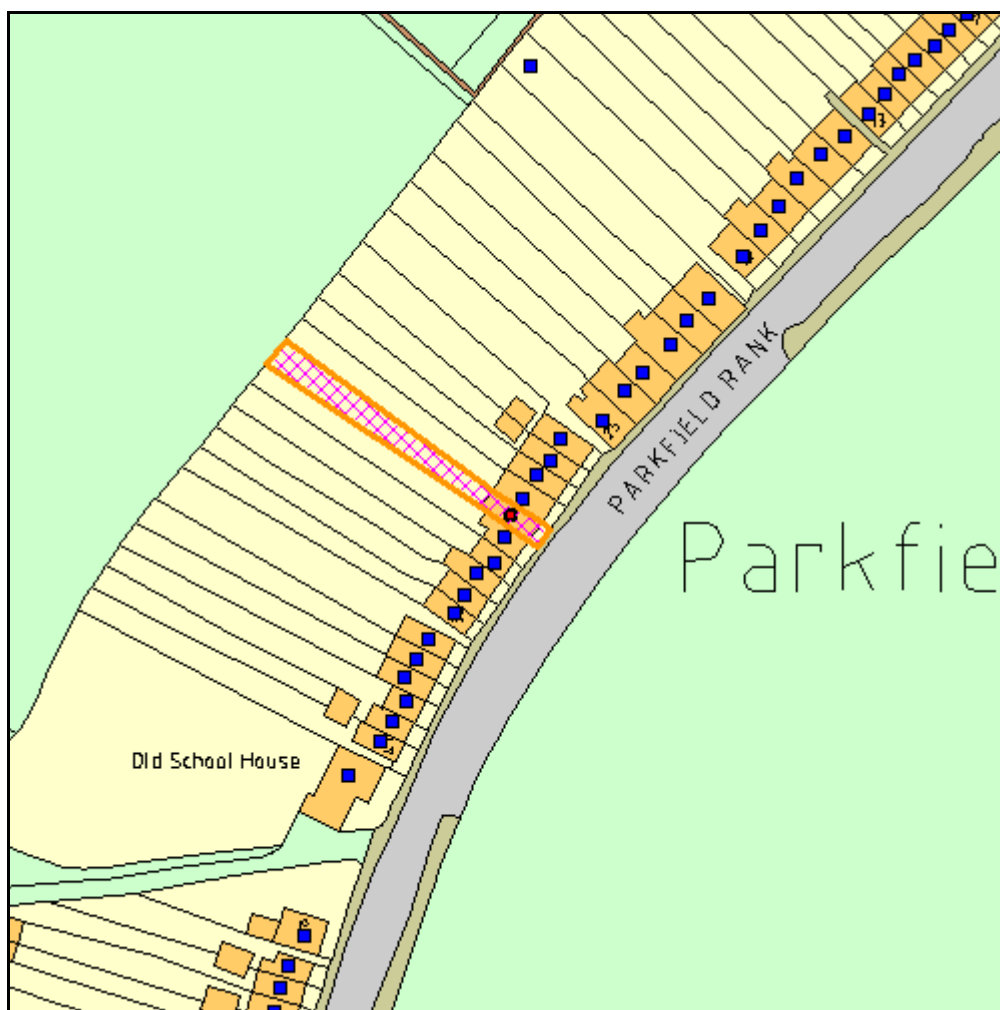
In dealing with this planning application the Local Planning Authority have worked with the applicant in a positive and proactive manner by conducting a thorough assessment.

Case Officer: Mykola Druziakin

Authorising Officer: Suzanne D'Arcy

CIRCULATED SCHEDULE NO. 46/20 -13th November 2020

App No.:	P20/14112/F	Applicant:	Mr And Mrs Leigh-Gilchrist-Nicholls
Site:	30 Parkfield Rank Pucklechurch South Gloucestershire BS16 9NP	Date Reg:	17th August 2020
Proposal:	Erection of single storey rear extension to form additional living accommodation.	Parish:	Pucklechurch Parish Council
Map Ref:	369118 177364	Ward:	Boyd Valley
Application Category:	Householder	Target Date:	8th October 2020



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P20/14112/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 raised by Pucklechurch Parish Council where the officer recommendation is one of approval.

1. THE PROPOSAL

- 1.1 The proposal seeks full planning permission for erection of a single storey rear extension to form additional living accommodation.
- 1.2 The original property is a two-storey, terraced house with attic floor, located at 30 Parkfield Rank, Parkfield Road, Pucklechurch.
- 1.3 The application site is located outside of any defined settlement boundary and is washed over by Bristol and Bath Green Belt.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework
National Planning Practice Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4a	Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP7	Green Belt
PSP8	Residential Amenity
PSP16	Parking Standards
PSP38	Development within Existing Residential Curtilages
PSP40	Residential Development in the Countryside
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist
Development in the Green Belt

3. RELEVANT PLANNING HISTORY

- 3.1 P94/1539
Insertion of dormer window in front elevation (retrospective application).

Approved: 22 June 1994.
- 3.2 N5005/1
Erection of a two storey rear extension to provide kitchen and bedroom.

Approved: 04 January 1979.
- 3.3 N5005
Erection of 2 storey rear extension to provide kitchen and bedroom.

Refused: 04 January 1979.

4. CONSULTATION RESPONSES

- 4.1 Pucklechurch Parish Council
Pucklechurch parish council resolved to **object** to this application as this further extension may constitute disproportional additions over and above that which is normally permitted in the green belt.
- 4.2 Other Consultees
None received.

Other Representations

- 4.3 Local Residents
The Local Planning Authority received 2no. support comments, with key point summarised below:
- Good that it is a single storey extension;
 - Good to provide additional living space in these small houses;
 - Pleasing that people are investing in improving their homes and also bringing them more up to date in terms of energy efficiency;
 - The method of the build should mean that it's quick, clean and with the minimum disruption to the neighbourhood.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy CS1 'High Quality Design' of South Gloucestershire Core Strategy (adopted December 2013) states that development proposals will only be permitted where the highest possible standards of design and site planning are achieved. Proposals should demonstrate that they: enhance and respect the character, distinctiveness and amenity of both the site and its context; have an appropriate density and its overall layout is well integrated with the existing development. PSP38 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan is supportive in principle of development within the residential

curtilage of existing dwellings. This support is subject to the proposal respecting the existing design of the dwelling and that it does not prejudice the residential and visual amenity; adequate parking provision; and has no negative effects on transportation. The proposal accords with the principle of development subject to the consideration below.

5.2 Green Belt

Paragraph 145 of the NPPF sets out the limited categories of development which are appropriate within the Green Belt. In particular, the NPPF explains that the extension or alteration of an existing building is appropriate development provided that it does not result in a disproportionate addition, over and above the size of the original building.

5.3 With regard to extensions to existing buildings, Policy PSP7 of the South Gloucestershire Policies, Sites and Places Plan carries this principle forward; it is relevant to proposals for domestic extensions. It states that, as a general guide, additions of up to 30% of the volume of the original building would likely be considered appropriate. Where an extension would exceed this up to 50% the proposal would be carefully assessed, paying particular attention to the scale and proportion of the proposed extension. Where proposed extensions exceed 50%, the policy indicates that this would likely be considered disproportionate and therefore inappropriate.

5.4 The provided volume calculations indicate that the volume of the original house stood at 190 sq. m. The subsequent additions, including the current proposal, would amount to a total of 286 sq.m. As such, the overall volume increase would be 50% of the original volume. The overall volume of the house as it stands now is relatively small by modern standards. Given the single storey nature of the proposal, officers consider that any potential harm to the openness of Green Belt that it may cause would be outweighed by the increase in the quality of living standards for the occupiers.

5.5 Given the above, the proposal is considered to be acceptable in Green Belt terms. It is worth noting however, that any future development would most likely be considered inappropriate.

5.6 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.

5.7 The proposed ground floor rear extension would be relatively modest in size, measuring 3.9m wide and 5.3m deep. The proposed roof would be 3.55m high (3m to the eaves) and would incorporate 3no. roof lights. The rear elevation of the proposed extension would incorporate 1no. set of double doors. No other openings proposed. Based on the submitted plans, the proposed materials for external works would match those of the original dwellinghouse.

5.8 Overall, it is considered that the proposed alterations would not harm the character or appearance of the area and as such are considered acceptable in terms of visual amenity. Therefore, it is judged that the proposal has an acceptable standard of design and is considered to accord with policies CS1 of the South Gloucestershire Local Plan Core Strategy and PSP38 of the Policies, Sites and Places Plan.

5.9 Residential Amenity

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

5.10 Given the single storey nature of the proposal, as well as its overall scale and design, it is considered that the residential amenity of neighbouring occupiers would be adequately preserved. Also, the remaining private amenity space is considered to be adequate.

5.11 On the basis of the assessment set out above, it is concluded that the proposal would have no unacceptable impacts on residential amenity, and the proposed development therefore accords with policies PSP8, PSP38 and PSP43.

5.12 Transport

The proposed development would not affect the existing parking provision, nor would it require the creation of additional off-street parking. As such, there are no concerns with this proposal from transportation perspective.

5.13 Consideration of likely impact on Equalities

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

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

6. CONCLUSION

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

7. RECOMMENDATION

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

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).

IN ACCORDANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) ORDER 2015.

POSITIVE AND PROACTIVE STATEMENT:

In dealing with this planning application the Local Planning Authority have worked with the applicant in a positive and proactive manner by conducting a thorough assessment.

Case Officer: Mykola Druziakin

Authorising Officer: David Stockdale

CIRCULATED SCHEDULE NO. 46/20 -13th November 2020

App No.:	P20/18144/F	Applicant:	Ms Abell
Site:	20 Troon Yate South Gloucestershire BS37 4HY	Date Reg:	28th September 2020
Proposal:	Erection of a single storey rear extension to form additional living accommodation.	Parish:	Yate Town Council
Map Ref:	371492 181677	Ward:	Yate Central
Application Category:	Householder	Target Date:	18th November 2020



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P20/18144/F

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

REASON FOR APPEARING ON CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of a single storey rear extension to form additional living accommodation at 20 Troon, Yate. The application site sits within a development boundary and is not subject to any restrictive policies.

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 No internal consultee or neighbouring responses have been received contrary to the officer recommendation
- 3.2 Yate Town Council have objected to the proposal, stating the following:

"We do not object to the principle of extending on this footprint, as neighbours have done it, but the neighbouring property did so with a single story extension no higher

than the adjoining garage. This application proposes an extension that is much higher than the garage to the north with a pent roof. As a result it will have a serious impact on light to the garden of the neighbour which lies immediately to the north. If it were only the height of the garage, it would have no impact, but the extra height will create a wall along the entire southern boundary of the garden next door, higher than the actual bungalow next door. We are also concerned that there seems to be windows upstairs in this single story extension, and are concerned whether this suggests it might be used as habitable space.”

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. The proposal extension would form a continuation of the existing rear return. The extension would be matching in both scale and design, and is viewed as the correct architectural response for such a proposal. Whilst it would result in rather a large addition when combined with the existing return, it can be viewed as a replica to the neighbours extension – thus providing weight as a material consideration. As such, the design is acceptable and is policy compliant.

4.2 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 objection from the Town Council has been noted. Whilst it would be higher than the neighbouring garage, it would not result in an unreasonable level of harm to the occupants living conditions. Whilst an additional shadow might be cast over the neighbouring property, much of this would be over the existing garage roof. With regards to the high level window, the plans indicate this would just serve the rear bedroom – no first floor is proposed. Furthermore, it is considered highly unlikely that this space would serve an additional habitable space due to the limited space available as a result of the overall height and restricted space as a result of the pitch. In terms of outside private amenity space, an ample level would be retained in line with guidance under policy PSP43. As such, the level of amenity is compliant with policy.

4.3 Transport

Policy PSP16 of the Policies, Sites and Places Plan sets out the Councils parking standards. The proposal has been carefully assessed and has found to be in compliance with this policy.

4.4 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.

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).

IN ACCORDANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) ORDER 2015.

POSITIVE AND PROACTIVE STATEMENT:

In dealing with this planning application the Local Planning Authority have worked with the applicant in a positive and proactive manner on seeking solutions to problems arising in the following ways: the application has been determined within a timely manner.

Case Officer: Thomas Smith

Authorising Officer: Marie Bath