

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: 51/20

Date to Members: 17/12/2020

Member's Deadline: 23/12/2020 (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
51/20	15 th December by 5pm	17 th December by 9am	23 rd December 5pm	24 th December
52/20	22 nd December by 5pm	24 th December by 9am	7 th January 21 5pm	8 th January 21
No Circulated on Friday 1 st January 21				

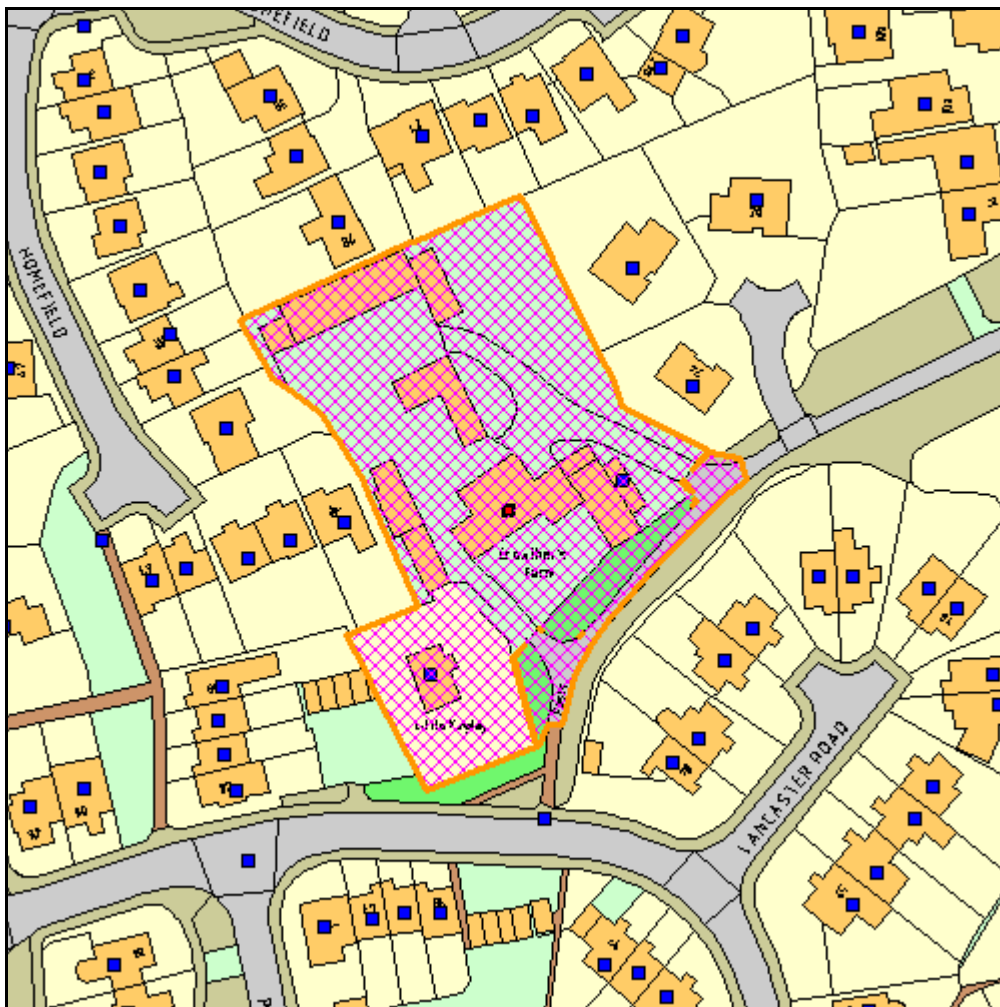
Dates and officer deadlines for Circulated Schedule Christmas Holidays 2020

CIRCULATED SCHEDULE - 17 December 2020

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	P20/04569/F	Approve with Conditions	Crowthers Farm Goose Green Yate South Gloucestershire BS37 5BJ	Yate North	Yate Town Council
2	P20/10080/F	Refusal	Block B Cheswick Village Stoke Gifford South Gloucestershire BS16 1FT	Stoke Park And Cheswick	Stoke Gifford Parish Council
3	P20/11348/F	Approve with Conditions	7 Gayner Road Filton South Gloucestershire BS7 0SP	Filton	Filton Town Council
4	P20/19228/F	Approve with Conditions	31 Avon Way Thornbury South Gloucestershire BS35 2DG	Thornbury	Thornbury Town Council
5	P20/20651/F	Approve with Conditions	Land East Of School House The British Yate South Gloucestershire BS37 7LH	Frampton Cotterell	Iron Acton Parish Council
6	P20/23085/F	Approve with Conditions	13 Queensway Little Stoke South Gloucestershire BS34 6LQ	Stoke Gifford	Stoke Gifford Parish Council

CIRCULATED SCHEDULE NO. 51/20 -17th December 2020

App No.:	P20/04569/F	Applicant:	Tan Homes Ltd
Site:	Crowthers Farm Goose Green Yate South Gloucestershire BS37 5BJ	Date Reg:	19th March 2020
Proposal:	Demolition of existing extensions and barn, erection of replacement extensions and construction of 4no. dwellings with associated access, car parking and amenity space.	Parish:	Yate Town Council
Map Ref:	371285 183389	Ward:	Yate North
Application Category:	Minor	Target Date:	12th May 2020



© South Gloucestershire Council 2007.all rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2008.

N.T.S.

P20/04569/F

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

INTRODUCTION

This application appears on the Circulated Schedule due to consultation responses received, contrary to Officer recommendation.

1. THE PROPOSAL

1.1 The application seeks full planning permission for the demolition of existing extensions and a barn, erection of replacement extensions and construction of 4no. dwellings with associated access, car parking and amenity space.

1.2 The site is generally relatively well enclosed by boundary trees and vegetation. The site borders the bottom of the residential curtilages associated with properties along Cleeve Hill to the north. A tennis club exists to the south east boundary. To the west the site lies on low cliff below which are the rear curtilages associated with properties along Overdale Road. The site is located within the defined settlement boundary.

1.3 The application is accompanied by Arboricultural Surveys and Report, Ecological Assessment, Swept Path Analysis and Drainage and Landscape plans

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 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

PSP19 Bio-diversity
PSP20 Flood Risk, Surface Water and Watercourse Management
PSP37 Internal Space and Accessibility Standards for dwellings
PSP38 Development within Existing Residential Curtilages
PSP43 Private Amenity Space Standards

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) 2007

Residential Parking Standards SPD (Adopted) 2013

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

3. **RELEVANT PLANNING HISTORY**

None relevant

4. **CONSULTATION RESPONSES**

4.1 Yate Town Council

We strongly Object

We object, to the removal of any trees.

1. The scale and massing of the development will adversely affect residential amenity of surrounding residential areas and is out of proportion to the massing of surrounding properties.

2. Whilst the farm yard itself might be seen as redevelopment, this includes the whole of little kingley which is not residential land, and has had a temporary consent for stationing a mobile home ancillary to the farm, to replace this with a large 4 bed house is not acceptable.

3. Plot 3 is to be accessed from a footpath that is not in the applicants ownership and over which there is currently no private vehicular right of way, so cannot be delivered. The applicant needs to demonstrate how lawful vehicular access would be provided.

4. The application involves developing 5 large dwellings, where there is currently one, including 2 additional 5 bed and one additional four and three bed property in addition to the retained farmhouse. They propose accessing it across Goose Green, a registered common. The narrow tarmac path across the common to the farmyard currently serves five dwellings including the farm house. This will double the number of dwelling using it. We insist there is a highway assessment of the required width for the tarmac road for such additional use. As owners of the common, and roadway, Yate Town Council is strongly opposed to intensification of use. The applicants are not legally allowed to widen the tarmac path, so any access, including construction access, will be restricted to the tarmac width for legal reasons.

We make the following additional comments:

The applicants state the tarmac is 3.5m wide. This raises concerns about how the new development will meet the design standards for things like refuse disposal, in that the Manual for Streets recommends a minimum street width of 5m for refuse and recycling vehicles. Whilst in some cases a narrower width can be met, here there is no turning space for refuse vehicles on the lane, so the site would need to show refuse vehicle turning space within the development as otherwise vehicles would be reversing along a public footpath for more than the recommended 12m reversing distance (Manual for Streets).

The alternative would be the provision of a bin collection point nearer the main road, but that would require the owners of Goose Green Common to agree to a bin collection point on the common and would breach the 30m distance from houses required for bin collection points. We can't see the normal refuse vehicle tracking plan in the application bundle. As landowners, Yate Town Council are considering putting bollards along the edges of the tarmac surface from the main road up until just before the farm entrance. This is in light of recent levels of use, and the impact upon the condition of the adjoining common land from vehicles and mud, we are considering action to ensure vehicles stick to the tarmac.

The area from Church Road to just before the farm entrance is common land, which has a narrow tarmac path along it. The Town Council own that land and the verges either side and have a statutory duty to protect them as common land. As such we are not able to allow widening of the road, or the provision of e.g. refuse collection points on the common. The tarmac, as you will see from the applicants photos, is in a poor condition. There is no obligation on the Town Council as landowners to maintain this and we have no resources to do so, and any increase in use from this development will only result in further serious deterioration. Given the width of the lane is below 3.5m we are assuming that in line with the Manual for Streets the Fire Safety Officer will be consulted.

We regret the fact the applicant, although advised to talk to the Town Council as adjoining landowner prior to submitting the application has not done so.

Upon review of revised plans:

Objection

The proposal cuts into the mature wildlife corridor to add tarmac and is designed to mean that large vehicles have to carry out 3 point turns on a very well used footpath which is part of the strategic green infrastructure corridor of the area.

There has been a failure to reconsult the Town Council as adjoining landowners or other neighbouring properties, particularly the owners of the properties where the proposed tarmac area is within a couple of feet of their back garden.

4.2 Other Consultees

Highway Structures

No comment.

Transport

The proposed development consists of the demolition of the existing extension and barn at Crowthers Farm and the construction of a new extension plus 2 x 5 bed dwellings, 1 x 4 bed dwelling and 1 x 3 bed dwelling.

The development would be accessed from a single lane width section of Goose Green which is a class 5 highway currently providing access for Crowther's Farm, nos. 14, 20, 22, 24, 47a, 49 and 51. The last three being accessed near the junction with the main Goose Green. The access lane is also an Active Travel Route (ATR) and as such is safeguarded by Council Policy PSP10. It is between 3m and 3.2m wide between the main Goose Green junction and the access to no 24 and between 2.6m and 2.7m between the access to no 24 and the access to proposed plots 1, 2, 4 and 5. The access to plot 3 is some 35m further down Goose Green, the width of this last section is between 2.2m and 2.3m and as such is currently only suitable for pedestrian and cycle use. A Transport Statement (TS) has been submitted in support of the Application. This contains details of the predicted vehicle trip rate derived from the national TRICS database. It states that the development would generate around 3 vehicles out and 1 in during the busiest am peak hour between 08:00 and 09:00 and 40 vehicle trips per day including arrivals and departures. This is a higher trip rate than the national average for private dwellings, however given the size of the houses I consider it to be representative of the development.

The TS does not include an assessment of the impact of the additional traffic on the narrow access road Goose Green and its current use including that of an Active Travel Route for non-motorised users. This assessment needs to be carried out to demonstrate whether or not the proposal accords with Policies PSP10 and PSP11 of the Councils Policies, Sites and Places Plan. This should include a survey of the existing use of the Goose Green access road and footpath by vehicles and all non-motorised users from 07:00 to 19:00hrs during a neutral weekday when the schools are open. The survey results should then be assessed to establish the impact on the users of the access road and its status as an Active Travel Route and the potential for conflict between all road users. Details of mitigation measures should be provided. It is proposed to widen the path leading to plot 3 from 2.2m to 3.5m so that it can be used as a vehicular access. This is achievable within the highway boundary, however I recommend that a topographical survey is carried out to establish the impact on the adjacent vegetation and drainage features.

Servicing.

It should be demonstrated how waste and recycling can be collected from the site using the standard 11.3m long 3 axle waste collection vehicle. This should be carried out in accordance with the requirements of the Councils waste collection supplementary planning document and the

guidance in Manual for Street. The waste collection vehicle will need to turn around near the site entrance and the maximum carry distance from the collection point to the waste vehicle should not exceed 25m. A swept path track plot will be required to demonstrate that this is achievable. This is likely to require some widening of the access and the provision of a larger turning area.

Parking.

Double garages plus two external spaces are proposed for plots 1-4. Plot 5 is proposed to have two outside spaces. Space is also available for visitors at each property. The only comment I have on the layout is that I recommend the parking area for plot 5 is widened to 5.6m to provide space to get in and of a car. Electric Vehicle Charging points should be provided at each dwelling, either on the external wall or within the garage. The double garages will also count as providing cycle parking. Please clarify the cycle parking for plot 5. Two covered and secure spaces are required.

Further information relating to the requirements, above, of the Highways Officer was subsequently received. This is discussed in more detail in the Highways section, below.

PROW

Clarification required regarding the impact of vehicular traffic generated by the new houses upon other users and any mitigation measures. Also recommends informatives advising of the restrictions associated with the proposed development, both during and after development, upon the local public right of way network.

This is also discussed in the Highways response above and the subsequent sections of the report, below.

Conservation Officer

The proposal in relation to the locally listed farmhouse is positive as it sees the building retained, repaired and the modern low quality modern extensions removed. The proposal in relation to the replacement barn and the new developments however gave rise to more concern, as submitted.

because of their traditional appearance, they have architectural and historic merit that has justified them being designed as locally listed buildings although they are of insufficient merit to be included on the Statutory List of Buildings of Special Architectural or Historic Interest.

Ecology

Based upon the initial submissions it was felt that further bat surveys and a full preliminary ecological appraisal was required.

Further information in these respects was subsequently received:

The additional information is considered acceptable and there are no objections, subject to conditions to secure ecological mitigation.

Archaeology Officer

Condition for a programme of archaeological work recommended.

Highways Structures

No comment

Avon Fire Service

Additional infrastructure in the form of suitable mains and fire hydrants is required.

Lead Local Flood Authority

No objection in principle, recommends surface water drainage condition

Other Representations

4.3 Local Residents

Objections from 5 local residents have been received, raising the following issues:

- Increased noise and light pollution.
- Adverse impact on wildlife – birds, bats, badgers, newts, fox and deer.
- Loss of TPO'd Trees.
- Adverse impact on sewage and drainage infrastructure.
- The houses in Overndale Road will be impacted by drainage and potential overflow by water from the pond.
- There should be no soakaways.
- Properties are too close to the Overndale boundaries and works may destabilise the cliff causing subsidence and landslides to gardens of houses below
- Light pollution
- Car headlights at this higher level may shine across the properties
- Overlooking and loss of privacy to properties in Overndale Road.
- Overbearing impact and loss of light for properties in Overndale Road.
- The tree cover on the boundary would not be sufficient screening in winter months.
- Impact on badger setts.
- Loss of sunlight

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy CS5 sets out the locational strategy for development in the district. New development is directed towards existing urban areas and defined settlements. As the site is located within the settlement boundary, development is supported in this location. As such, based solely on the location of the site, the principle of the development is acceptable. Of further note and material consideration is the previous planning permission for a larger number of dwellings over a larger site.

This application covers a smaller part of that approved site. The number of dwellings on this smaller northern section of the larger plot is also reduced from 8, inclusive of a row of 4 terraced dwellings, to 5 detached dwellings.

5.2 Whilst the principle of the proposed development is acceptable under the provisions of policy CS5, the impacts of the revised development require further assessment to identify any potential harm. The further main areas of assessment are design and visual amenity, particularly in relations to the farmhouses local listing, residential amenity, transportation and ecology.

5.3 Conservation Considerations, Design and Visual Amenity and
Because of their traditional appearance, the buildings have architectural and historic merit that has justified them being designed as locally listed buildings although they are of insufficient merit to be included on the Statutory List of Buildings of Special Architectural or Historic Interest.

The proposal in relation to the locally listed farmhouse is positive as it sees the building retained, repaired and the modern low quality modern extensions removed. The proposal in relation to the replacement barn and the new developments however gave rise to more concern, as submitted.

Subsequent revised plans have been submitted, these

Any assessment must be viewed in context with the nature of its designation ...commensurate to . As well as the site and surroundings. The farmhouse is locally listed, but will be retained. The site is also within and amongst a relatively heavily developed residential area, with a relatively wide range of designs, materials and layouts.

The site is in a 'backlands' area, behind existing properties fronting the main road. The site is generally relatively well enclosed by boundary trees and vegetation and other properties. Of note planning permission for residential development has been granted for the site over a wider area and for more dwellings.

5.4 The buildings in terms of their design, scale and orientation are considered to be similar to the previous scheme, and acceptable. Materials would consist of Redland double clay roman tiles, brick, render and tile hanging walls with brick and reconstituted stone detailing. Overall therefore the proposals are again considered acceptable in design and layout terms.

5.5 The gardens proposed in each case are considered to be of sufficient size and useable space to serve each property, in accordance with Policy PSP43. Hard and soft landscape plans have been submitted with the proposals. Given this, and the location and nature of the existing site, it is considered that the proposals would be acceptable in visual amenity terms.

5.6 Residential Amenity
Policies PSP8 and PSP38 of the adopted PSP Plan sets out that development within existing residential curtilages should not prejudice residential amenity through overbearing; overlooking; poor amenity space; loss of light; and loss of

privacy of neighbouring occupiers.

5.7 The comments above are noted The nearest residential properties are located on to the north

5.8 To the north east. No habitable windows are proposed on this elevation at first floor level.

5.9 To the west,

Given the distances involved, this would not be considered to give rise to a material amenity impact such as to warrant objection or sustain a refusal of the application on this basis. In addition a level of boundary cover in the form of mature trees and hedgerows further reduces the impact. No side facing windows are proposed in the facing side wall of the nearest dwelling.

5.10 The bin stores have been relocated further away from the nearest dwellings

5.11 The principle of the proposals for residential development is acceptable at this location. Further to this, given the location of the development within the urban area, relative distances, relationship and orientation to the nearest properties and the design and scale of the development it is considered that the proposals are acceptable. It is not considered therefore that these proposals give rise to materially significant additional issues or materially increase any local amenity issues such as to warrant objection or refusal planning permission on this basis.

5.12 Highways/Public Rights of Way

The site is located in a sustainable location, within the defined settlement area. The principle of housing at this location is acceptable.

The comments above are noted. In reference to the additional and revised details requested and received posted, which include an Addendum to the Transport Statement (ATS) dated July 2020, - the ATS has addressed earlier concerns regarding the suitability of the access to serve the proposed development. Those concerns related to the width of Goose Green and the lack of a turning area for waste collection vehicles and the impact this would have on the existing and new users of Goose Green including pedestrians and cyclists many of which are children using it as a route to the local primary school. Deliberation and dialogue between the Council's Highways Officer and the applicants is recorded and addressed in the ATS which also includes the revised drawings 24243/100 Rev B and AT1 Rev B showing the road widening and a swept path analysis for the Council's standard waste collection vehicle turning at the proposed site access.

The improvements shown are all within the existing adopted highway boundary and outside of the area designated as a Village Green. Sufficient space would also be provided for cars and vans to pass one another along the widened section. The improvements also enable vehicles to safely pass pedestrian and cyclists. Although the improvements don't include the existing section of Goose Green across the Village Green there are accesses along this section and an open grass verge

where pedestrians can wait for vehicles to pass as currently happens. The provision of a waste collection vehicle turning head is an improvement over the existing situation where no suitable turning area exist for waste vehicles.

The proposed parking arrangement are as previously assessed and consistent with the Council's standard including provision for visitors. On this basis there are no transport objections to the proposals. Conditions are recommended.

5.14 Ecology

The application is accompanied by an Ecological Assessment and relevant surveys. These are considered acceptable

5.15 The reports also recommend various ecological mitigation. There are no ecological objections to the proposals based upon the findings of the information submitted subject to conditions securing compliance with mitigation measures and lighting details. Informatives are recommended advising of the requirements of any development in relation to protected species.

5.20 Drainage

The application is accompanied by drainage plans and details. There are no objections in principle to the proposals on drainage grounds. The use of soakaways and their location to each property and the private access road are acceptable in planning terms. Some further clarification on the capacity and management of drainage provision is required and a condition is recommended in this respect.

5.21 Archaeology

The proposed development lies in an area of archaeological significance, being one of the original settlements within the current town and with buildings on the site mapped from the 1830s onwards. It is not considered that the impact of modern usage of the site will have negated the archaeological potential, as such any development on the site is likely to programme of archaeological work to be undertake and a condition is recommended on any permission granted for the site.

5.21 Infrasctucture – Fire hydrants

Fire hydrants

Avon Fire Service has calculated that the development will result in an increase in demand for their services, thereby further stretching their resources. It is stated that the additional residential development will require additional hydrants to be installed and appropriately sized mains to be provided for firefighting purposes. The additional infrastructure is required as a direct result of the development, and therefore, the costs will need to be borne by the developer, either by them fitting suitable mains and fire hydrants themselves or through contributions. It is considered that the provision of the above equipment by means of a financial contribution would not meet the test for planning obligations. However, as the entire development must accord with the appropriate fire regulations contained within Building Regulations Officers are satisfied that discussions to take place between the Fire Service and the

applicant will adequately address this situation.

5.21 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 1) That authority be delegated to the Director of Environment, and Community Services to grant planning permission, subject to the conditions set out below and the applicant first voluntarily entering into a further legal agreement under Section 106 of the Town and Country Planning act 1990 (as amended), to secure the following:

i) A sum of £2,500 payable to the Council for contribution to highway safety works.

ii) Should the Legal Agreement not be completed within 6 months from the date of this decision, then a further recommendation, on the basis of the requirements of the Legal Agreement not having being met, be made.

CONDITIONS

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

Reason

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

2. The development/works hereby permitted shall only be implemented in accordance with the plans as set out in the plans list below:

Reason:

To define the terms and extent of the permission.

3. A site specific Construction Environmental Management Plan (CEMP), shall be agreed in writing with the Local Planning Authority prior to commencement of work. The CEMP as approved by the Council shall be fully complied with at all times.

The CEMP shall address the following matters:

- (i) Measures to control the tracking of mud off-site from vehicles.
- (ii) Measures to control dust from the demolition and construction works approved.
- (iii) Adequate provision of fuel oil storage, landing, delivery and use, and how any spillage can be dealt with and contained.
- (iv) Adequate provision for the delivery and storage of materials, including the provision of a banksman for any reversing manoeuvre.
- (v) Adequate provision for contractor parking.
- (vi) A lorry routing schedule.
- (vii) A photographic condition survey of the Goose Green access road and adjacent verges prior to commencement of the development and after completion, to include a record of any damage to the highway caused by development traffic and details of necessary repairs required under the Highways Act.
- (viii) Contact details for the Construction Site Manager.
- (ix) Details of membership of Considerate Contractor Scheme or similar

Reason:

In the interests highway safety and to accord with Policies PSP11 of the adopted South Gloucestershire Policies Local Plan: Policies, Sites and Places Plan.

4. The development shall not be occupied until the access and highway improvement works to Goose Green have been completed in accordance with drawing 24243/100 Rev B.

Reason:

In the interests highway safety and to accord with Policies PSP11 of the adopted South Gloucestershire Policies Local Plan: Policies, Sites and Places Plan.

5. The development shall not be occupied until the car and cycle parking arrangements have been completed in accordance with the submitted details.

Reason:

In the interests highway safety and to accord with Policies PSP11 of the adopted South Gloucestershire Policies Local Plan: Policies, Sites and Places Plan.

6. The development shall not be occupied until 7Kw 32 Amp electric vehicle charging points with sockets have been provided for each dwelling in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason:

In the interests highway safety and to accord with Policies PSP11 of the adopted South Gloucestershire Policies Local Plan: Policies, Sites and Places Plan.

Reason: To promote sustainable travel and to accord with SGC Policy CS8 and SGC Residential Car Parking SPD.

7. No development shall commence until surface water and foul sewage drainage details including SUDS (Sustainable Drainage Systems e.g. soakaways if ground conditions are satisfactory), for flood prevention; pollution control and environmental protection have been submitted and approved by the Local Planning Authority and thereafter implemented.

Reason:

To comply with South Gloucestershire Local Plan: Policies, Sites and Plans Plan (Adopted) November 2017 Policy PSP20; South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 Policy CS1 and Policy CS9; and National Planning Policy Framework 2018.

8. Prior to the commencement of any groundworks, including any exempt infrastructure, geotechnical or remediation works, a programme of archaeological investigation (evaluation) and subsequent detailed mitigation, outreach and publication strategy, including a timetable for the mitigation strategy (or where the results of the evaluation are negative, a final evaluation report), must be submitted to and approved by the local planning authority. Thereafter the approved programme of mitigated measures and method of outreach and publication shall be implemented in all respects.

Reason

9. The development shall proceed in strict accordance with the Mitigation Measures provided in the preliminary roost assessment (Elite Ecology, February 2020), Bat Emergence Survey Report (IES Consulting, June 2020) and Preliminary Ecological Appraisal (IES Consulting, September 2020), specific attention should be brought to the protection of hedgehogs on site;

Reason:

In the interests of the ecology of the site and in accordance with PSP19 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (Adopted) November 2017.

10. Prior to occupation, a "lighting design strategy for biodiversity" for the boundary features and any native planting shall be submitted to and approved in writing by the local planning authority. The strategy shall:
 - Identify those areas/features on site that are particularly sensitive for bats and hedgehog and that are likely to cause disturbance in or around their breeding sites and

resting places or along important routes used to access key areas of their territory, for example, for foraging; and

- Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority

Reason:

In the interests of the ecology of the site and in accordance with PSP19 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (Adopted) November 2017.

11. Prior to first occupation, evidence of the installation of the ecological enhancement features recommended in the preliminary roost assessment (Elite Ecology, February 2020), Bat Emergence Survey Report (IES Consulting, June 2020) and Preliminary Ecological Appraisal (IES Consulting, September 2020) shall be submitted to the local planning authority for approval in writing. This shall include, but is not limited to, bird boxes, bat boxes and permeable fencing

Reason:

In the interests of the ecology of the site and in accordance with PSP19 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (Adopted) November 2017.

12. Design details and materials (such as windows, doors, eaves, boundary treatment

Reason:

In the interests of the locally listed building and visual amenity, and in accordance with

13. Prior to commencement of relevant phase of works large scale details of the new windows, doors, eaves and boundary treatments shall be submitted to the Local Planning Authority for written approval, and thereafter implemented and retained as such.

Reason:

In the interests of the heritage and visual amenity of the site, and in accordance with Policies CS1 and 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 Adopted November 2017.

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

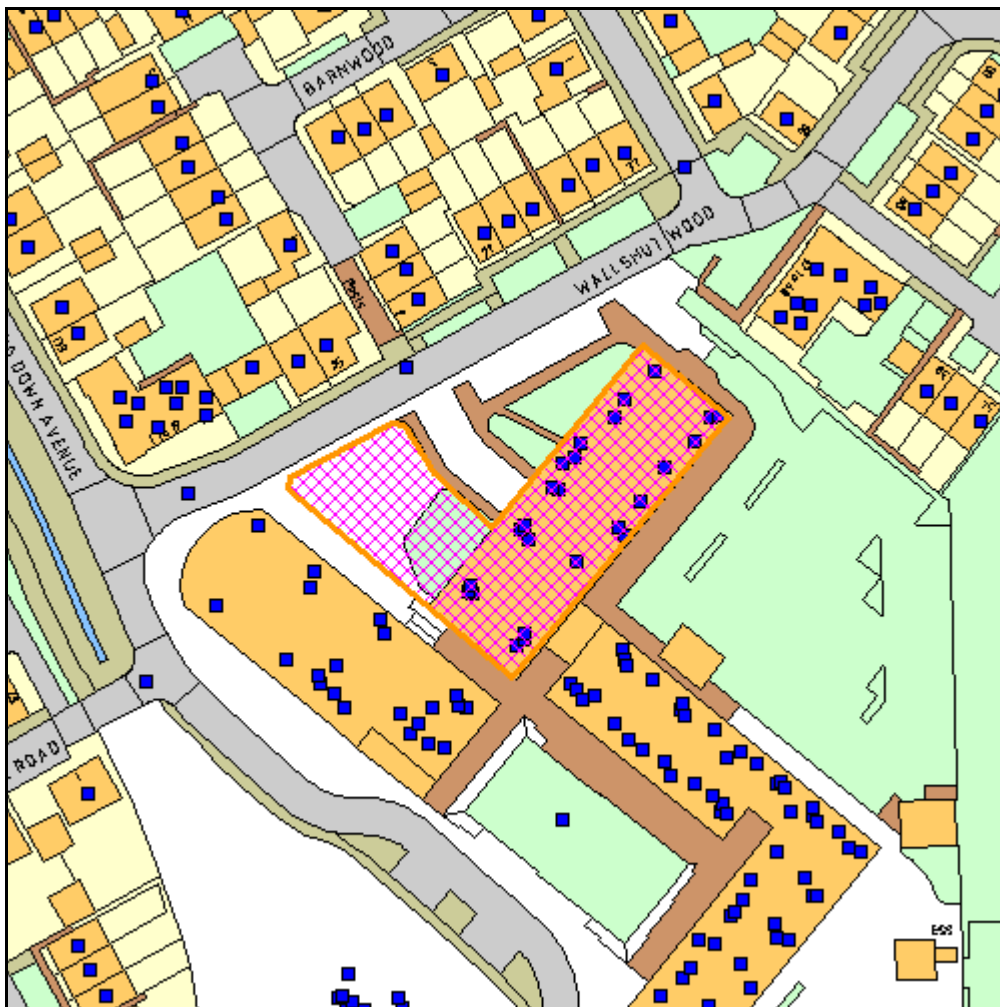
In dealing with this planning application the Local Planning Authority have worked with the applicant in a positive and proactive manner in seeking a satisfactory resolution to the application, in accordance with the relevant policies.

Case Officer: Simon Ford

Authorising Officer: Simon Ford

CIRCULATED SCHEDULE NO. 51/20 -17th December 2020

App No.:	P20/10080/F	Applicant:	Christian Grant Properties Ltd
Site:	Block B Cheswick Village Stoke Gifford South Gloucestershire BS16 1FT	Date Reg:	30th June 2020
Proposal:	Conversion of vacant commercial accommodation to create 36 Studio Student Flats (36 bedrooms), 1 four bedroom Cluster Flat (4 bedrooms) and 2 five bedroom Cluster Flats (10 bedrooms) (Sui Generis).	Parish:	Stoke Gifford Parish Council
Map Ref:	361232 178079	Ward:	Stoke Park And Cheswick
Application Category:	Major	Target Date:	21st September 2020



© South Gloucestershire Council 2007.all rights reserved.
This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
100023410, 2008.

N.T.S.

P20/10080/F

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

REASONS FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 Planning permission is sought for the conversion of vacant commercial accommodation to create 36 studio student flats (36 bedrooms), 1 four bedroom cluster flat (4 bedrooms) and 2 five bedroom cluster flats (10 bedrooms) (Sui Generis). The proposal also involves the insertion of an additional floor within the existing accommodation. The application relates to Block B, The Square, Cheswick Village.
- 1.2 The Square forms part of the new local centre in Cheswick Village; on the upper floors is residential while the lower floors are designated as a mix of retail and community uses under reserved matters application PT12/0684/RM. The building is set around a continental public courtyard with parking predominantly to the rear with some undercroft parking to the west.
- 1.3 The proposed student accommodation would be formed through the change of use of three existing units on the upper ground floor: Unit 1 (374m² consented for D1), Unit 2 (378m² consented for D2), and Unit 3 (174m² consented for A1-A5). An additional floor would also be inserted, and as such the accommodation would be spread across two floors.
- 1.4 A total of 20 studio flats would be provided at ground floor level, with 16 provided at first floor level. Submitted plans indicate that each studio flat would contain a single bed, a seating area, an en-suite bathroom and a kitchenette. As such, each flat could be occupied as self-contained living accommodation. In terms of shared facilities, a study area and communal kitchen would be provided at first floor level, with a study area also provided at ground floor level. Other shared facilities include a first floor laundry room and an external refuse storage area to the west of the building. In terms of cluster flats, 1 flat would be located at ground floor level, with 2 located on the first floor. The cluster flats would each contain 4-5 bedrooms, together with 2 bathrooms and a living/kitchen area.
- 1.5 Revised plans were received during the course of the application process. Through these plans, relatively minor amendments were made to internal living arrangements and parking arrangements, as well as to the elevational treatment of the building.

2. POLICY CONTEXT

2.1 National Guidance

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

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS6	Developer Contributions
CS8	Improving Accessibility
CS11	Distribution of Economic Development Land
CS13	Non-safeguarded Economic Development Sites
CS14	Town Centres and Retail
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS23	Community Infrastructure and Cultural Activity
CS24	Green Infrastructure, Sport and Recreation Standards
CS25	Communities of the North Fringe of Bristol Urban Area

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP5	Undesignated Open Spaces
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP31	Town Centre Uses
PSP32	Local Centres
PSP38	Development within Existing Residential Curtilages
PSP39	Residential Conversions, Subdivision, and HMOs
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) August 2007
Residential Parking Standard SPD (Adopted) December 2013
Affordable Housing and ExtraCare SPD (Adopted) May 2014
CIL and S106 SPD (Adopted) March 2015
Waste Collection SPD (Adopted) January 2015 (updated March 2017)

3. RELEVANT PLANNING HISTORY

Application Site

3.1 **PT12/0684/RM**

Provision of local neighbourhood centre to comprise of 2,425 square metres of retail floorspace (Class A1/A2/A3/A4/A5), 633 square metres of D1 floorspace (including 262 sq metres nursery); 363 square metre gymnasium (Class D2); 137 residential units (C3); with car parking, landscaping and infrastructure works. (Approval of reserved matters to be read in conjunction with planning permission PT04/0684/O).

Approved: 31.08.2012

3.2 **PT04/0684/O**

Residential development at a density of 50 units per hectare overall across the site together with supporting infrastructure and ancillary facilities.

Approved: 04.11.2005

Other Relevant Applications

3.3 **P19/4457/F – Unit 8, The Square, Cheswick Village**

Change of Use from retail unit (Use Class A1) to a gym (Use Class D2) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).

Approved: 18.06.2019

3.4 **P19/0102/F – Unit 5, Block A, The Square, Cheswick Village**

Change of Use from restaurant/cafe (Class A3) to a Drinking Establishment and Barber Shop (Sui Generis) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).

Approved: 22.03.2019

3.5 **PT15/0222/F – Unit 9, The Square, Cheswick Village**

Change of use from Class A1-A5 to Class D1 (non-residential institutions) as defined in the Town and country Planning (Use Classes) Order 1987 (as amended).

Approved: 09.04.2015

4. **CONSULTATION RESPONSES**

4.1 **Stoke Gifford Parish Council**

Objection - on grounds of development changing character of area by essentially extending UWE Campus into a normal residential setting. Will also affect residential amenity for residents who acquired their properties not expecting them to become part of an extended UWE Campus. Members also concerned about parking spaces and refuse facilities, and the student access route to the proposed refuse store for student flats.

4.2 Internal Consultees

Arts and Development

No objection subject to a condition for a public art programme.

Building Control Surveyor

No comment

Children and Young People

No objection

Community Infrastructure

Following submission of further information, no comment.

Ecology Officer

No objection

Economic Development

No comment

Environment and Climate Change Team

No comment

Environmental Protection

General view is that the living conditions within the development would not be negatively impacted by any existing noise issues.

Highway Structures

No objection

Housing Enabling

As proposed use is classed as 'Sui Generis', there is no requirement for Affordable Housing on this site under Policy CS18 of the Council's adopted Core Strategy Development Plan Document.

Landscape Officer

No comment

Lead Local Flood Authority

No objection subject to informative

Lighting Engineer

Do not consider that proposed external lights will negatively impact surrounding residents, and as such no objection.

Planning Policy

- Building originally designated under application PT12/0684/RM to provide D1 and A1 – A5 floorspace. In order to comply with policies CS14, CS23 and PSP32, the move away from designated uses would

need to be justified through evidence of marketing; demonstrating that there is no demand for the uses. As originally submitted, marketing information was insufficient and failed to demonstrate this.

- However further marketing provided, which indicates and clarifies that the site has been marketed, to some extent, for at least 5 years. This includes a schedule of interest and indicates that enquires were coming in – which in turn, indicates that the site was marketed. Therefore fairly satisfied that the site has been marketed.
- Comments received by the public to this application indicate that the cost of rental was high- hence it prohibited people taking up the tenancies. That being said, there are independent operators using the other units (such as the day-care facility, take away and café units), – which would imply that the rental values were competitive, but appropriate. Furthermore, there is no mechanism by which this can be suitably monitored or checked.
- That being said, the uses were originally approved and planned to create sustainable communities in this area, balancing new homes with services and facilities. The unit (along with other non-resi units already let) provide services and facilities for the relatively recent development of Cheswick Village and surrounding community. While the units have been marketed, it is not considered to outweigh the need to provide opportunity for further services and facilities to come forward in the local centre. Covid-19 experiences have demonstrated the importance of having accessible and local services and facilities within easy access. Therefore there remains grounds for objection under PSP32.

Public Open Space

No on-site provision is proposed. The Design & Access Statement Addendum and letter from UWE regarding community Infrastructure and POS have been taken into account. However an audit of existing Public Open Space provision has demonstrated a shortfall of outdoor sports facilities accessible from the proposed development. The audit uses Census 2011 data (which includes student households/communal establishments) and includes the outdoor facilities at UWE Centre for Sport and Hillside Gardens. Therefore we consider that an off-site contribution for outdoor sports facilities is applicable. This would amount to £58,932.80 to cover contributions towards off-site provision and/or enhancement and future maintenance.

Public Health

No comment

Public Health and Wellbeing

No comment

Self-Build Officer

No comment

Sustainable Transport

- Transport officers have previously reviewed the transportation information supporting this application to the change the use of Block B at Cheswick Village from commercial uses to student accommodation and as additional information is now to-hand, so we would wish to add the following comments to our response.
- Applicants had not previously undertaken a Transport Assessment for their development as they claimed that as no parking would be provided, no vehicular trips would be generated. They indicated that this regime would be enforced by legal agreements with the building's tenants. We have now received legal advice which indicates that in planning terms, the use of a condition or Section 106 agreement to prevent residents from parking in the adjoining area is not a viable option. Hence, we must consider that this site is provided with very little off-street car parking, far below that required by the Council's residential parking standards, a situation which we consider unacceptable and so we would wish to object to this application.
- Note suggestion that similar accommodation is present in Bristol city centre with limited parking provision. However, we consider this to be a very different proposition, as in the central Bristol there is very little uncontrolled on-street parking available and so a similar proposal would not be the same impact on surrounding streets. Consequently, as we believe that these two situations are incomparable, the residential streets adjoining this development could be affected by up to 50 additional cars belonging to the residents of Block B. We consider such a situation to be equally unacceptable.

Tree Officer

No comment

Urban Design Officer

Number of issues raised from urban design perspective and view is that application should be refused permission. Whilst changes to appearance are not considered so harmful as to warrant objection, several issues identified relating to:

- Living conditions for future occupants – No external private amenity space provided for residents; this could be provided through balconies. Proposal therefore conflicts with PSP43. Internal living arrangements are cramped and enclosed with low ceiling heights, narrow corridors and a lack of natural light in areas. Also communal areas may be undersized for demand.
- Amenity of neighbours – Building not designed for this type and level of accommodation. Impact of retail/community use as originally permitted would have been considered as part of original design. Therefore noise generated by occupants could be an issue. Given that there will be 36 individual occupants of studio flats and 3 'cluster flats', overall levels of

activity would increase and heightens possibility of impacts on general amenity. Not focussed on occupation by students, but rather the quantum and arrangement of accommodation proposed.

- Parking and Waste – building not designed for this type and level of occupation, and proposed parking arrangements appear insufficient. Also unclear how waste management will function.

Waste Engineer

Further details regarding bin store and refuse vehicle access required.

4.3 External Consultees

Avon Fire and Rescue

No comment

Crime Prevention

No objection however advise that to ensure the security of personal items for students in the Studio Flats a wall safe should be provided.

NHS

No comment

Wessex Water

No comment

Western Power Distribution

No comment

4.4 Other Representations

Local Residents

A total of 84 representations were received during the course of the application process. This comprised 80 letters of objection, and 4 letters of support. A summary of the main concerns raised within the objection letters is set out below. Full copies of all objection letters are available on the Council website:

- Potential noise issues. Have been issues in past.
- Residents of Cheswick experience anti-social behaviour. Feel existing HMO's contribute to this.
- The Square already suffers from anti-social behaviour; proposals will exacerbate this.
- Accommodation may be treated like halls of residence. More disturbance.
- Communities should be protected from over-concentration of student accommodation.
- Unclear whether soundproofing between accommodation and flats above will be sufficient. Already issues with some commercial units.
- Council previously permitted gym which has caused noise issues.
- Conversion will cause disruption during construction.

- Concerns regarding fire escape proposals.
- Concerns regarding wheelchair access to part of accommodation.
- Loss of privacy for existing residents.
- Proposals will particularly affect occupants of nearby retirement home.
- Development out of character with locality. Density also inappropriate – conflict with design policies.
- Disproportionate increase in number of flats in Block B.
- Proposal would change character of building – not what was sold to existing residents living above.
- Planning policies welcome ‘purpose built’ student developments – this is the opposite.
- Removal of GF glazing will move away from original design concept.
- Plans appear over-crowded. Concerns regarding student welfare.
- Ceiling heights do not meet national standards.
- Unclear how additional floor with appropriate lighting and plumbing can be provided.
- Density of kitchens to rooms is too low to be practical.
- No outside space for students. May gather in less appropriate locations.
- Concerns that student wellbeing not as well-considered at off-site accommodation. Can lead to anti-social issues.
- Not always possible to implement same penalties and policies for breaches of conduct at off-site accommodation.
- Living conditions at UWE and lack of facilities.
- Untenable to mix student accommodation in same building as private homes. Would be similar to selling floors in student accommodation to private home buyers.
- Parking issues. Insufficient space proposed. Already parking issues in area.
- Management companies do not act and covenants are not enforced.
- Not possible to stop students from owning cars.
- May increase traffic and create rat run. This could affect safety of primary school children.
- Increased traffic will lead to increased levels of pollution.
- Insufficient space for bins for 50 residents. Already issues at The Square. Provision falls well below SGC standards.
- Potential increase in litter. Already issues.
- Unclear how existing infrastructure will support additional residents.
- Current lack of community – change of use will add to this. Transient nature of student population diminishes sense of community spirit.
- Little effort put in to renting commercial units – rent too high.
- Aware that interest has been shown in units, however rent too high and responses to enquires not provided.
- Residents in need of additional facilities. Units originally proposed as being doctor’s surgery. Nearest GP practice recently closed.
- Recently occupied commercial units have had positive impact.
- Businesses have moved in to The Square in last 12 months indicating there is still growing demand for commercial units.
- Unclear how accommodation will be managed/maintained.
- Unclear which students accommodation will be aimed at.

- Issues during moving in/out times at present. Proposals will make matters worse.
- Concerns regarding increased service charge for existing residents. Already very high.
- Proposal may affect value of existing properties.
- Applicant indicates most commercial units uninhabited – this is untrue. Many more occupied than indicated.
- Inaccuracies in application form and DAS.
- UWE has substantial land – should provide additional student accommodation here away from existing community.
- Aware of proposals for significant additional student accommodation on UWE campus. Unclear why this accommodation needed.
- Not the time to invest in student accommodation – Universities moving to more virtual teaching following the pandemic.
- Units would be better suited to provide affordable housing or small family homes.
- Would not object to change to other forms of residential.

A summary of the main points raised within the support letters is set out below. Full copies of all support letters are available on the Council website:

- Premises not in use so not benefitting anyone.
- Proposal will increase business for retail units.
- Student scheme will bring vibrancy and economic benefit to area.
- Student accommodation difficult to find.
- Increased provision could lower rent.
- Majority of students cause no issue to community – only minority.
- More accommodation will reduce need for students to live in houses in Cheswick Village.
- Accommodation likely to be occupied by 2nd and 3rd year students.
- Parking should not be issue as most students do not own vehicles.
- UWE do not allow students to park.
- Good bus connections and cycle storage.
- Proximity to UWE encourages active travel.
- Some comments made in objections are derogatory and unacceptable. These comments should be reviewed and removed where required.

5. **ANALYSIS OF PROPOSAL**

Principle of Development

- 5.1 The application seeks permission for the conversion of vacant accommodation situated within The Square, Cheswick Village, to form 36 studio student flats (36 bedrooms), 1 four bedroom cluster flat (4 bedrooms) and 2 five bedroom cluster flats (10 bedrooms).
- 5.2 Policy CS5 of the Core Strategy outlines the locations at which development is considered appropriate. CS5 dictates that most new development in South Gloucestershire will take place within the communities of the north and east fringes of the Bristol urban area, and within the defined boundaries of

settlements. The application site is located within the area defined as the north fringe of the Bristol urban area; and as such this represents a location where development is broadly supported. Policy CS25 of the Core Strategy is also broadly supportive of the provision of new purpose built accommodation for housing students in the north fringe area.

- 5.3 In terms of more specific Development Plan policies, policy PSP39 of the Policies, Sites and Places relates to residential conversions, sub-divisions and houses in multiple occupation (HMOs). The proposal comprises 3no. cluster flats, which can effectively be considered as HMOs. Whilst the remaining 36no. studio flats do each contain all the facilities to be occupied as self-contained living accommodation, a number of facilities would be shared amongst residents. As such it is reasonable to consider that in terms of impacts, those arising from the development would be akin to those arising from HMO development. PSP39 is therefore considered to be of relevance.
- 5.4 PSP39 sets out that changes of use to HMOs will be acceptable provided that they would not impact the character and amenities of the areas within which they are located, would not prejudice the amenity of neighbours, would provide adequate amenity space, would provide refuse storage and servicing, and would provide parking in accordance with the Council's parking standards. As such, the matters listed above represent the main areas of assessment for the application.
- 5.5 On the basis of the above, it is considered that purely in locational terms, this part of Cheswick Village would comprise an appropriate area for the provision of student accommodation. The site is located within walking distance of the University of the West of England (UWE) campus, and a signed letter from UWE submitted by the applicant indicates the University's general support for the provision of additional off-campus accommodation at this location. As such, the benefits of the application in that it would provide additional accommodation for university students in close proximity to the campus, is acknowledged. The benefit of the development in this regard, together with the benefits of drawing additional residents to the area, will be factored in to the overall planning balance.
- 5.6 However as per policy PSP39 and other policies within the Development Plan when considered as a whole, the impacts of the development proposal must be further assessed against relevant policy in order to identify any potential harm. Any harm arising from the development will then be weighed against any identified benefits in the overall planning balance. A more detailed assessment of relevant factors is set out below.

Loss of Consented D1, D2 and A1-A5 Units

- 5.7 Under the original reserved matters application, which granted permission for the construction of the building, the ground floor area of Block B was designated to be occupied by a mixture of D1, D2 and A1-A5 uses. The proposal seeks permission to change the designated use of the building to student accommodation; and thus a move away from the consented uses.

- 5.8 In terms of the loss of retail and community facilities within Cheswick village, the community area was planned in order to provide new residents with a wide range of facilities and services, in order to create a sustainable community. The site is therefore considered as a local centre for the residents.
- 5.9 Retail Facilities
Policy PSP32 of the Policies, Sites and Places Plan outlines that 'local centres, parades and individual shops and facilities provide essential opportunities for residents to sustainably access shops and other services'. The policy also states that 'offices and residential use on the ground floor within local centres and parades will not generally be considered to provide an active use or frontage that would contribute to the longer term viability, vitality and function of the centre or parade to meet the day to day needs of the community.'
- 5.10 In addition to this, policy CS14 of the Core Strategy requires applications to safeguard the retail character and function of centres by resisting developments that detract from their vitality and viability and protecting against the loss of retail units'. The loss of retail uses, without significant justification, is resisted.
- 5.11 Marketing information justifying the loss of the previously agreed retail uses was originally submitted in support of the application. This was reviewed by officers in the planning policy team, and was found to be insufficient. However further information was submitted during the course of the application. Following review, it was concluded that the further information indicates and clarifies that the site was marketed, to some extent, for at least 5 years. The further marketing information also included a schedule of interest and indicates that enquires were coming in – which in turn, indicates that the site was marketed. Therefore, whilst the policy aspirations of PSP32 and CS14 are acknowledged, the fact the site has been marketed for a period of 5 years with no suitable tenants identified is considered to provide some justification for the change of use away from the originally designated uses. Under normal circumstances, this would not be accepted.
- 5.12 Community Facilities
With regards to the loss of community facilities, policy CS23 states that 'existing community infrastructure will be retained, unless it can be demonstrated that:
- the use has ceased and there is no longer demand; or
- the facility is no longer fit for purpose; and
- suitable alternative provision is available within easy walking distance to the required standard.'
- 5.13 Marketing information was also submitted in order to justify the move away from the previously consented community uses. As with the information submitted to support the move away from retail uses, concerns were originally raised, however it has now been accepted that on the balance of probability, the premises has been marketed for a significant period with no suitable tenants coming forwards. As such, in respect of CS23, given that the unit has at no point been occupied, the use can be considered to have ceased with there no longer being an identified demand.

5.14 Summary

On the basis of the assessment set out above, it would appear that the site has been marketed. Whilst concerns have been raised regarding the cost of rental and whether this has prohibited tenancies, the LPA are not in a position to monitor this. Furthermore, there are independent operators using other units in The Square (such as the day-care facility, take away and café units), – which would imply that the rental values were competitive, but appropriate. Given that the site has lain vacant since its construction, there is considered to be some justification for a change away from the previously consented uses.

- 5.15 That said, the proposals would represent a significant deviation from the originally permitted uses; which were agreed on the basis that they would provide the residents of Cheswick Village with a vibrant and mixed local centre; and contribute to a more sustainable community. Whilst as a result of the marketing information provided a direct conflict with policies CS14, CS23 and PSP32 cannot be sustained; and thus the issue is not considered to substantiate a reason for refusal in its own right, there is still considered to be a need to provide opportunity for further services and facilities to come forward in the local centre. Covid-19 experiences have demonstrated the importance of having accessible and local services and facilities within easy access.
- 5.16 As such, the loss of the originally designated retail and community facilities are considered to weigh against the application when considered as a whole. This is on the basis that it would eliminate the opportunity for such facilities to come forwards in the future; albeit the overall level of harm can only be considered moderate given that the premises has been marketed for a considerable amount of time with no suitable tenants coming forwards.

Design and Landscaping

5.17 Design

Policy CS1 of the Core Strategy is the Council's principal design policy. This policy requires development to meet the 'highest possible' standards of site planning and design. Development proposals are required to demonstrate that they respect and enhance the character, distinctiveness, and amenity of the site and its context and that the density and overall layout is well integrated into the existing adjacent developments.

- 5.18 Policy PSP1 of the Policies, Sites and Places Plan requires development proposals to demonstrate an understanding of the character of an area. Development proposals should make a positive contribution to the distinctiveness of a locality and innovative architectural responses to design issues are encouraged.
- 5.19 In reaching the highest possible standards of design, consideration must be given to other relevant factors such as residential amenity (PSP8; PSP43) and parking (PSP16). Only where all factors are adequately provided for can the highest standards of design be reached.

- 5.20 In terms of changes to the exterior of the building, this matter has been considered by the Council's urban design officer. The main external appearance is acknowledged to be the introduction of numerous new windows. This is necessitated by the insertion of an additional floor, and thus the need to provide rooms on both levels with access to natural light. Overall it is considered that the new windows would create a cluttered appearance, in what is currently a clean and refined series of facades. That said, the change in appearance is not considered to significant as to be deemed harmful. Some more minor issues relating to choice of external materials were raised, however it is considered that this matter could be adequately dealt with by way of a planning condition.
- 5.21 As such, in terms of any exterior changes to the building, these are not considered to be so significant as to cause noteworthy harm to the character and appearance of the building or surrounding area. As such, with respect to external appearance, the proposals are considered to be broadly compliant with policies CS1 and PSP1. That said, factors such as internal layout, impacts on residential amenity and parking are considered to contribute to the overall standard of design. These matters will be considered in greater detail in the respective sections of this report.
- 5.22 Landscaping
Policy PSP2 of the Policies, Sites and Places Plan outlines that development proposals should seek to conserve and where appropriate enhance the quality, amenity, distinctiveness and special character of the landscape.
- 5.23 In terms of the context of the site, Block B is set within predominantly urban surroundings. As such, the building does not form part of a distinctive or protected wider landscape. The impact of the conversion in terms of the wider landscape would therefore be limited.
- 5.24 With regard to the specific landscaping present at the site, this was agreed under the original reserved matters application. The proposal does not seek to alter the areas of external landscaping, which are generally located to the west of the southern end of the building. It should be noted that a larger area of landscaping to the west is not situated within the application site boundary. Overall, it is not considered that the development would have any significant impact from a landscape perspective. As such, the impact of the development in this respect is neutral. There is however some concern regarding general external arrangements with regard to amenity space, however this matter is covered in greater detail in the residential amenity section of this report.

Residential Amenity

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

- 5.26 Further to this, policy PSP43 of the Policies, Sites and Places Plan outlines that residential units should be provided with appropriately sized areas of functional, accessible and safe amenity space. As a guide, PSP43 outlines that 1 bedroom flats should be provided with a minimum of 5m² of private amenity space, and that 2+ bedrooms flats should be provided with 5m² together with private shared communal space.
- 5.27 When considering the impact of the development on residential amenity, the overall effects of the development can be split in to two main categories; the impact of the development on the amenity of existing surrounding residents, and the level of amenity to be afforded to any future occupants of the development. The impacts on each group will be considered in turn below.
- 5.28 Impacts on Existing Residents
It is acknowledged that a number of concerns have been raised regarding the number of HMOs already present in the Cheswick Village area, and how the occupation of properties in this manner detrimentally affects the amenity of existing residents through issues such as anti-social behaviour. Local concerns in terms of amenity therefore focus on how the provision of additional accommodation as proposed may have further negative impacts.
- 5.29 In terms of this assessment, it should be made clear that there is no definitive evidence to suggest that the occupation of the accommodation by university students would have any greater impacts than if it were occupied by any other group. This assessment will instead focus on how the development will potentially impact the amenity of existing residents on the basis of the quantum, density, layout and type of accommodation proposed.
- 5.30 In terms of general issues regarding overbearing and overshadowing, the proposals do not seek to extend the existing envelope of the building. As such, it is not considered that the development result in any significant issues in this regard. In terms of overlooking, it is not considered that the proposed change of use and introduction of additional windows would significantly diminish the levels of privacy enjoyed by neighbouring residents.
- 5.31 The potential impacts on the amenity of existing residents arising from the change of use have however been reviewed by the urban design officer. Concerns have been raised regarding the levels of noise which could be generated by the development. This is on the grounds that the development will comprise 39no. individual residential units. Thus the levels of activity within the accommodation, with independent occupiers coming and going, is likely to increase. Given that living accommodation is presently situated directly above the premises, with an additional floor to be inserted to provide a further level of accommodation below, there are concerns that residents living directly above the premises would be negatively affected by increased noise and disturbance; given that the building was designed with the intention of being occupied by community/retail uses at ground floor level.
- 5.32 It is acknowledged that environmental health officers have also assessed the proposals, and have noted no major noise source/dominant traffic noise, and

that given the build quality, internal noise levels should be compliant. However this assessment considers whether any existing noise generators present in and around the site would significantly affect future occupants of the development, to a point that there would be a statutory noise nuisance. It does not consider in detail the potential of the development, with respect to its layout, type and quantum, on existing residents above and surrounding the premises.

5.33 Living Conditions for Future Occupants

In terms of living conditions for future occupants, this can be broken down in to two key areas. Internal living arrangements, and the provision of dedicated external amenity space for use by residents.

5.34 Starting with internal arrangements, in terms of the cluster flats, whilst the bedrooms would be relatively small, the overall layout is considered to be suitable. Through the provision of an appropriately sized living/kitchen area, it is considered that adequate levels of amenity would be afforded to future occupants.

5.35 However there is concern regarding the size and layout of a proportion of the proposed studio flats. It is acknowledged that the Council do not have a Development Plan policy relating to internal space standards. That said, the Nationally Described Space Standards are a useful tool for assessing whether the overall size and layout of accommodation would provide a good standard of living for future occupants. Given that the studio flats would contain all the required facilities to be occupied as self-contained accommodation, it is reasonable to assess them as individual dwellings. The standards stipulate that 1-bed flats providing a single bed space should have a minimum floor area of 37m². In terms of floor area, the proposed studio flats range from 18m² to 40m². However it should be noted that a high proportion of flats (most notably those to be located on the western side of the building), would have a floor area ranging from 20m² to 23m².

5.36 Officers acknowledge that there are some notable differences between the transient nature by which student accommodation is occupied, and the more permanent way in which general housing is occupied. Given that occupants would only typically reside in student accommodation for a temporary period, the impacts on living conditions resulting from the size of accommodation are reduced. Notwithstanding this, accommodation should be designed as to allow for occupants to enjoy a reasonable standard of living; particularly when accommodation is largely self-contained.

5.37 In terms of this proposal, there are significant concerns that a number of the proposed bedrooms are extremely narrow. This coupled with the low ceiling height of 2.1m resulting from the insertion of an additional floor would result in a cramped and oppressive living environment. To add to this, the window arrangement as shown on submitted plans is unclear. On the basis of the plans, it would appear that a number of bedrooms would only be served by a small portion of a window; thus limiting the levels of outlook and natural light entering rooms. Furthermore, due to the proximity of Block B to neighbouring buildings, bedrooms situated towards the southern end of the building would

- have poor outlook, which would be dominated by the neighbouring building to the south. This would add to the issue identified above.
- 5.38 Further issues regarding the main internal corridor have been identified by the urban design officer. Due to its narrow width (approximately 1.2m), the corridors would, in many areas, be too narrow to allow two people to pass one another without turning to the side and moving over. This is a particular concern for this type of development which will involve far more movement and circulation between spaces than non-student apartment uses. The central access corridors will also not benefit from any natural light, and combined with the low ceiling height, would end up feeling very hemmed in and restricted.
- 5.39 It is acknowledged that a communal kitchen and two study areas would be provided to serve the 36no. studio flats. However officers remain unconvinced that these would provide a pleasant environment for interaction, given that the study areas would not benefit from natural light, and the communal kitchen would, for large parts, only extend to roughly 2.7m in width.
- 5.40 On the basis of the above, officers do not consider that the development would provide a pleasant living environment for future occupants. Overall, the issues identified indicate that quantum and density of accommodation is too great for the building in question, which was originally designed for an entirely different purpose.
- 5.41 In terms of external amenity space, no areas of external space are proposed as part of the development. The applicant has not sought to introduce balconies or any other form of dedicated external amenity space, and as such the development is substandard in terms of the requirements of PSP43. Whilst on-campus student accommodation would not necessarily always provide dedicated external space for each bedroom, communal external space provided on-campus would off-set the need for this. In this case, lower portions of the building are not served by any external usable space, with the provision of public open space in the immediate locality also limited. This issue is considered to further diminish the levels of residential amenity and overall standard of living that would be afforded to future occupants; and further indicates that the building is not capable of accommodating the quantum and type of development proposed.
- 5.42 Summary
A number of issues relating to the potential impacts of the development on the amenity of existing residents, as well as the living conditions to be afforded to future occupants, have been identified. On this basis, the development is considered to be contrary to policies PSP8 and PSP43, as well as the provisions of PSP39. The level of harm identified in this respect attracts significant weight, and is considered to substantiate a reason for refusal.

Transportation

- 5.43 In terms of a general policy position, policies CS8 of the Core Strategy and PSP11 of the Policies, Sites and Places Plan outline that development proposals which generate a demand for travel will be acceptable where safe

and appropriate access is provided for the development, and the development would not generate traffic that would severely impact the amenities of surrounding communities or have an unacceptable effect on highway and road safety.

- 5.44 In terms of parking, policy PSP16 of the Policies, Sites and Places Plan sets out the Council's minimum parking standards for residential development. Whilst there is no specific standard for off-campus student accommodation such as the proposal, given the similarities, it is reasonable to consider the proposals against the parking standards for HMOs. In this respect, PSP16 sets out that HMOs should be provided with a minimum of 0.5 parking spaces per bedroom.
- 5.45 In terms of vehicular access to the site, the existing access to undercroft parking would be retained. The vehicular access to the parking area serving other apartment blocks situated to the east of the site is located outside of the site boundary; however this would remain unaffected by the development. Given that the proposal does not seek to utilise the undercroft area to provide significant levels of vehicular parking (with only accessible parking spaces to be provided), it is not considered that the proposal would lead to significant highway safety issues in terms of access.
- 5.46 In terms of parking, in accordance with the minimum provision stipulated by policy the 50 bedrooms proposed as part of the conversion would generate a minimum parking provision of 25 parking spaces. In terms of the provision put forward as part of the application, the original submission outlined that a total of 7 parking spaces would be provided at basement level. However the scheme was subsequently amended, with the only parking now proposed being 4 accessible spaces. The applicant's intention is that the vast majority of occupants would sign a tenancy agreement preventing them from parking a vehicle within a 5 mile radius of the site. Given that no general on-site parking would be provided on-site, this would result in a 'car-free' development.
- 5.47 This proposal has been articulated within a Travel Plan, which has been reviewed by transport officers. Transport officers have concluded that in the event that a car-free scheme can be secured in planning terms, the impact of the development in terms of vehicular parking would be limited; given that residents would be prevented from parking in the vicinity of the site.
- 5.48 A legal opinion has therefore been sought on whether, either by way of planning condition or legal agreement, a car-free scheme as proposed by the applicant can be secured in planning terms. The advice provided is set out below:

With regard to trying to control the parking by way of condition, this cannot be done. There have been a few cases where this was the issue and it has been held that such conditions do not meet the 6 tests in the NPPF. This is because conditions should run with the land and control the land, not an individual. Requiring an occupant not to park within 5 miles of the site is not controlling the use of the site, but rather forcing an occupant to park in a certain location.

There is a similar problem when trying to control parking by way of S106 Agreement. The Courts have held that a developer's promise that future occupiers would not apply for a residential parking permit was not capable of being a planning obligation, as it restricted the use of the highway, rather than the developer's land. The same would apply here.

As ensuring the development is 'car free' cannot be controlled by condition or S106 Agreement, you will have to consider the consequences for this (i.e. occupants parking elsewhere within the vicinity of the site because the development has no parking). Generally, there would be a real problem with enforcing this type of restriction anyway. It also imposes additional parking into areas outside of the restricted area.

- 5.49 On the basis of the above advice, officers are not sufficiently satisfied that a car-free development as put forward by the applicant can be secured in planning terms. As such, officers are required to assess the application on the basis that this cannot be ensured, and that residents may own a vehicle, but are unable to park it on-site due to lack of designated provision.
- 5.50 The transport officer has subsequently reviewed the application once more on the basis of this advice, and has raised an objection on the grounds that the proposed parking provision falls substantially below the minimum requirement set out in PSP16. In terms of the knock-on implications, this would lead to additional parking by the occupants of the 50-bed development on surrounding streets; thus increasing competition for on-street parking in an area where competition has been observed to be high. This would have harmful impacts in terms of both highway safety in the immediate area, as well as on the amenity of existing surrounding residents.
- 5.51 It is acknowledged that in other areas, 'car-free' developments may be found to be more acceptable. However in many areas where student accommodation is proposed, very little uncontrolled on-street parking is available in the first instance, and therefore a similar proposal would not have the same impact on surrounding streets. In this case, uncontrolled parking is available on surrounding streets, and therefore the wider residual impacts born out of the lack of on-site parking provision would be significantly greater.
- 5.52 It is acknowledged that the site is in close proximity to the UWE campus, and has good access to public transport facilities. That said, the possibility that a high proportion of occupants will own private vehicles cannot be excluded. Given the substantial undersupply of on-site parking spaces, and the fact that competition for on-street parking in the locality is high, with regard to paragraph 109 of the NPPF it is concluded that the development would have an unacceptable impact on highway safety, and the residual cumulative impacts on the road network would be severe. The proposal is contrary to transport-related policies CS8, PSP11 and PSP16, as well as the provisions of PSP39. The harm identified in this respect is considered to carry significant weight, and the overall impact of the development in transportation terms of considered to sustain a reason for refusal.

Environmental Impacts

5.53 Ecology

Given the modern nature of the building, it is not considered to represent a suitable habitat for nesting birds or bats. Furthermore, no significant vegetation which could also pose a habitat for protected species would be affected by the proposals; with the site situated in a predominantly urban setting. As such, it is not considered that the proposed conversion would have any significant effects from an ecological perspective, with the overall impact in this regard considered to be neutral.

5.54 Drainage

Drainage officers have reviewed the proposals, and given that there will be no change in the footprint of the building and no increase in impermeable area, raise no objection. More detailed matters relating to the drainage system of the building could be adequately dealt with at building regulations stage, and as such the overall impact is neutral.

5.55 Heritage

The application site is not located in close proximity to any designated or non-designated heritage assets. In any case, the proposed conversion would be unlikely to have any significant impact in this regard. Given that it is not proposed to significantly alter the structure or dig additional foundations, it is also not considered that the development would have any significant impact in archaeological terms. The impact of the development in this respect is therefore neutral.

Developer Contributions

5.56 Affordable Housing

The application has been reviewed by officers in the housing enabling team. In this instance, officers are satisfied that the future use would be classed as Sui Generis, and that the occupation of the accommodation by students only could be controlled by condition. On this basis, there is no requirement for Affordable Housing on this site under Policy CS18 of the Core Strategy. The impact of the development in this regard is therefore neutral.

5.57 Community Infrastructure and Public Open Space

The application has also been reviewed by community infrastructure officers. In terms of general community infrastructure, it has not been found that the provision of additional student-based accommodation as proposed would generate the need for additional community infrastructure in the locality.

5.58 Notwithstanding this, an audit of existing public open space provision has demonstrated a shortfall of outdoor sports facilities accessible from the proposed development. The audit uses Census 2011 data (which includes student households/communal establishments) and includes the outdoor facilities at UWE Centre for Sport and Hillside Gardens. Therefore, community infrastructure officers consider that an off-site contribution for outdoor sports facilities is applicable.

- 5.59 Policy CS24 of the Core Strategy requires provision to be delivered on-site, unless it is demonstrated that partial or full off-site provision or enhancement creates a more acceptable proposal. In this case, the applicant has not demonstrated that any on-site facilities will be provided to off-set the impact of introducing additional residential accommodation for 50 new residents to the area; and given the size and layout of the site, this is not considered a viable option. As such, an off-site contribution is required under CS24. This would generally be secured by way of a S106 legal agreement. However given that the application has been found to be unacceptable for other reasons, the application has not progressed to a point legal agreements being secured.
- 5.60 As such, it remains that the development fails to provide sufficient levels of on-site public open space in order to mitigate for the projected population increase of 50 residents. As such, the proposal is contrary to policy CS24 of the Core Strategy, and the level of harm identified is considered to attract moderate weight in the assessment of the application as a whole. Given that there is a direct policy conflict, the insufficient provision of public open space is considered to sustain a reason for refusal.

Impact on Equalities

- 5.61 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.
- 5.62 With regards to the above this planning application is considered to have a neutral impact on equality.

Other Matters

- 5.63 A number of matters raised within consultation responses have not been addressed in the main body of this report. These are discussed below:
- 5.64 It is acknowledged that a number of concerns have been raised by local residents regarding the proposed waste storage facilities; with the proposed facilities considered to be insufficient. Further details regarding bin storage and refuse vehicle access have also been requested by the Council waste engineer. However it is considered that this issue could be adequately dealt with through a suitably worded planning condition in the event of an approval; and is not considered fundamental to the determination of the application. Concerns regarding fire safety and wheelchair access have also been raised. However this has not been raised as an issue by the transport officer, and it would appear that wheelchair access has been accommodated for in plans. In any

case the building regulations regime would ensure that adequate fire safety measures and access for wheelchair users is provided.

- 5.65 The concerns raised regarding disruption during the construction period are noted. However construction hours can be controlled by way of a planning condition in the event of an approval, thus managing any impact on amenity.
- 5.66 Concerns raised regarding the future management of the premises through management companies are noted. However the future management of the site falls outside of the scope of the planning process. Concerns regarding the impact of the development on property values are also noted, however this is not a material planning consideration.
- 5.67 The points raised regarding inaccuracies in the submission are noted and have been taken in to consideration. However any decision made would be based on the submitted plans, and officers consider the plans to be sufficiently accurate as to base a decision upon. The concerns raised regarding the submission of derogatory comments during the application process are noted, and all comments have been checked thoroughly to ensure that they comply with the Council's standards.

Overall Planning Balance

- 5.68 On the basis of the assessment set out above, it is concluded that the development would result in significant harm in terms of both residential amenity and transportation. It is also concluded that the development would result in moderate harm, through an increase in population in an area where there is a deficit in public open space (namely outdoor sports facilities). Whilst submitted marketing information has been given due consideration, it is also considered that an element of harm would arise from the loss of any future opportunity for the provision of retail and community facilities at the site; as was the original vision for the local centre. When considering all issues cumulatively, the overall harm arising from the development is considered to be substantial.
- 5.69 In terms of benefits, it is acknowledged that the development would provide additional accommodation options for university students. That said, whilst UWE representatives have provided a letter of support, limited evidence has been submitted indicating that there is a genuine need for this type of accommodation at this location. In terms of other potential benefits, it is also acknowledged that the population increase generated by the development may generate additional custom for existing business surrounding the site, with the proposals also bringing a currently vacant unit in to use. Overall, it is concluded that a moderate benefit would result from the proposed change of use.
- 5.70 However any benefits arising from the development are considered to be outweighed by the substantial harm identified above. The application has therefore failed to demonstrate that the proposals represents a sustainable form of development, and it follows that permission should be refused.

6. **CONCLUSION**

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

7. **RECOMMENDATION**

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

1. If allowed, the development would provide substandard living conditions for future occupants due to a cramped layout and lack of private amenity space provision. The proposal to insert 50no. bedrooms beneath existing residential units would also increase levels of noise and disturbance, to the detriment of the amenity of residents living above. The proposal is therefore contrary to policies PSP8, PSP39 and PSP43 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.
2. An insufficient on-site provision of vehicular parking spaces would be made for the 50no. bed development, which falls significantly below the Council's minimum residential parking standards. The increase in population generated by the development, combined with a substandard on-site parking provision, would lead to additional on-street parking by occupants in an area where competition for on-street parking is high; to the detriment of highway safety and the amenity of surrounding residents. The proposal is therefore contrary to Policy CS8 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013; Policies PSP11, PSP16 and PSP39 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; the South Gloucestershire Residential Parking Standards SPD (Adopted) December 2013; and the provisions of the NPPF (2019).
3. The development fails to provide sufficient levels of on-site public open space as to mitigate for the projected population increase of 50 residents, with no off-site contribution being agreed. The proposal is therefore contrary to Policy CS24 of the South Gloucestershire Local Plan; Core Strategy (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

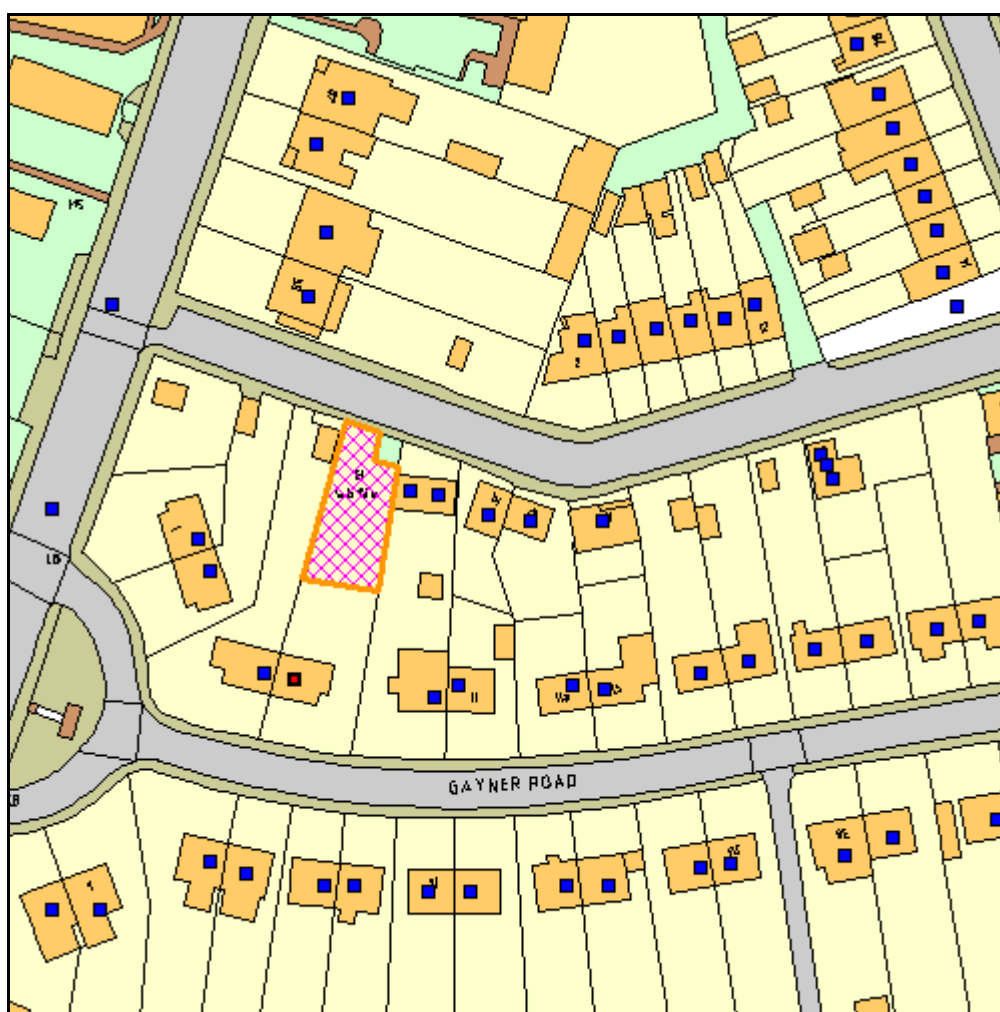
following ways: revised plans and additional information have been accepted by the LPA during the course of the application.

Case Officer: Patrick Jackson

Authorising Officer: David Stockdale

CIRCULATED SCHEDULE NO. 51/20 -17th December 2020

App No.:	P20/11348/F	Applicant:	Mr DalyMylad Properties Limited
Site:	7 Gayner Road Filton South Gloucestershire BS7 0SP	Date Reg:	2nd July 2020
Proposal:	Erection of 2no. semi-detached dwellings with new access, parking and associated works	Parish:	Filton Town Council
Map Ref:	360043 178511	Ward:	Filton
Application Category:	Minor	Target Date:	25th August 2020



© South Gloucestershire Council 2007.all rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2008.

N.T.S.

P20/11348/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 REFERRAL TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule due to the receipt of letters of objection from neighbouring dwellings contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a pair of semi-detached properties on land to the rear of 7 Gayner road. The dwellings will have their frontage facing Elm Park. The dwellings will be two storeys in height and will each contain two bedrooms.
- 1.2 The site lies within the established urban area of Filton. Two new properties have been constructed on the neighbouring site in recent years.
- 1.3 During the course of the application amended plans have been received to pull the proposed dwellings slightly further away from the electricity sub-station that sits to the front of the site. Amended plans also clarify the parking situation for the dwellings.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework Feb 2019
National Planning Policy Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS29	Communities of the East Fringe of Bristol Urban area

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

PSP1	Local Distinctiveness
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP20	Flood Risk, Surface Water & Watercourse Management
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Space Standards

- 2.3 Supplementary Planning Guidance
Design Checklist SPD (Adopted) 2007
Residential Parking Standards SPD (Adopted) 2013
CIL and S106 SPD (Adopted) 2015
Waste Collection SPD (Adopted) 2015 (updated 2017)

3. **RELEVANT PLANNING HISTORY**

- 3.1 None directly relevant. Your officer is aware of the as yet undetermined application at 1 Gayner Road.

4. **CONSULTATION RESPONSES**

- 4.1 Filton Town Council
No response received

4.2 Other Consultees

Highway officer

Advises that the application should provide off street parking in accordance with PSP16. Overall, the highway team comment that it is unlikely that the proposal will create any significant highway or transportation issue but question the size of the spaces

Highway Structures

Wish to make no comment

Drainage and Flood Risk Management Team

Raise no objection

Other Representations

4.3 Local Residents

Five letters of objection has been received (some from the same individuals) making the following key points:

- Concerns about the amount of other development that has already been constructed in the area
- Will result in a loss of light to neighbouring dwellings
- Neighbours will only have windows and brick walls to admire from their garden
- Loss of wildlife
- Leave neighbours without a view of the trees, sky and wildlife
- Disruption during construction phase
- Overbearing and overshadowing effect on neighbours due to proximity, scale and height
- Concerns about insufficient parking
- The electricity substation will have a detrimental impact on the proposed kitchen window
- Concerns about the location of the bin store

One letter of support has been received making the following key points:

- We support the plan and wish our neighbour success

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application stands to be assessed against the above listed policies and all material considerations. Policy PSP38 finds development within existing residential curtilages, including new houses, which respect the site and surrounding area, would not prejudice the amenities of neighbours, would not prejudice highway safety or provision of parking and would not prejudice the provision of private amenity space or trees acceptable in highly built up areas. The criteria considered in the policy are considered below.

5.2 Design and Visual Amenity

The application site consists of the bottom of the garden of property 7 Gayner Road. A substantial green sub-station sits at the front of the site adjacent to Elm Park.

5.3 The application is for the erection of a pair of semi-detached dwellings with a hipped roof. The street scene shows the ridge of the roof to be very slightly higher than the ridge of the adjacent property. Gayner Road has a very varied built form consisting of a mix of 2 storey dwellings, dormer bungalows and more modern detached buildings. The proposed finish materials are annotated on the plan as Red tiled roof, rendered walls with facebrick detailing. Given the varied street scene, there is no objection to the design of the proposed dwellings.

5.4 It is noted that the proposed dwellings would be located behind an existing sub-station. This would look somewhat unusual. However, this is not of sufficient concern to warrant refusal of the application in the highly sustainable location.

5.5 Residential Amenity

Each dwelling house will be moderately sized and accommodate 2 bedrooms. Each dwelling will be provided with 49m² of garden space which is just 1m² short of the standards required through PSP43. No objection is raised to this very minimal shortfall.

5.6 It is noted that neighbours have expressed concern about the impact on the amenity of their dwellings. The separation distance between the rear of the proposed dwellings and properties 5 and 7 Gayner Road is just over 20m. This is considered to be entirely suitable given the urban setting. Due to the oblique angle, officer are satisfied that the impact on the amenity of No's 1 and 3 Gayner Road is also appropriate.

5.7 Windows and doors are proposed on the side elevation of the dwellings – a window and an entrance door at ground floor and two landing windows on the top floor. The plans are annotated to show that the first floor landing windows will be top hung opening only which will limit the opportunity for further residents to 'lean out'. Landing windows in the side elevation of sub-urban

properties is very common. Subject to a condition to ensure that these windows should be opaque, it is not considered to be a reason to object to the application.

5.8 It is true that the kitchen window of one of the dwellings will face out to the sub-station. However, there is good separation distance between the window and the sub-station and planting is proposed. The impact on residential amenity is therefore considered to be acceptable.

5.9 Transport

In accordance with Policy PSP16, each two bedroomed dwelling should be provided with 1.5 parking spaces. The scheme includes the provision of one parking space for each unit. The scheme will not impact upon the parking provision for the existing dwelling. The parking spaces will have a minimum depth of 5m and a separate pedestrian access is provided. Whilst the depth of 5m is shallow, this depth of parking space works for the neighbouring dwelling and thus is not of concern to your planning officer.

5.10 Overall this proposal will not create any significant highway or transportation issues. An informative is however recommended to be attached to the decision notice to remind the applicant of the need for any works on the public highway, including installation of dropped kerbs, to be fully approved by this Council before, during and after construction

5.9 Impact on Equalities

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

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

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

6. CONCLUSION

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

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

7. **RECOMMENDATION**

7.1 It is recommended that the application be **APPROVED** subject to the conditions set out below.

CONDITIONS

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

Reason

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

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

Received by the Council on 9th December 2020

RevC - Proposed Block Plan

RevH - Proposed Site Layout

Received by the Council on 28th July 2020

RevD - Location Plan

Received by the Council on 1st July 2020

Rev B - Proposed Plans and Elevations

Received by the Council on 29th June 2020

Street Scene

Reason

For the avoidance of doubt and to define the permission.

3. The off-street parking facilities (for all vehicles, including cycles) shown on the plan hereby approved shall be provided either dwelling 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 PSP16 of the Policies Sites and Places Plan (Adopted); and the South Gloucestershire Residential Parking Standards SPD (Adopted) December 2013.

4. Prior to the use or occupation of the dwellings hereby permitted, and at all times thereafter, the proposed first floor windows on the side elevations shall be glazed with obscure glass to level 3 standard or above with and be top hung opening only.

Reason

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

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

POSITIVE AND PROACTIVE STATEMENT:

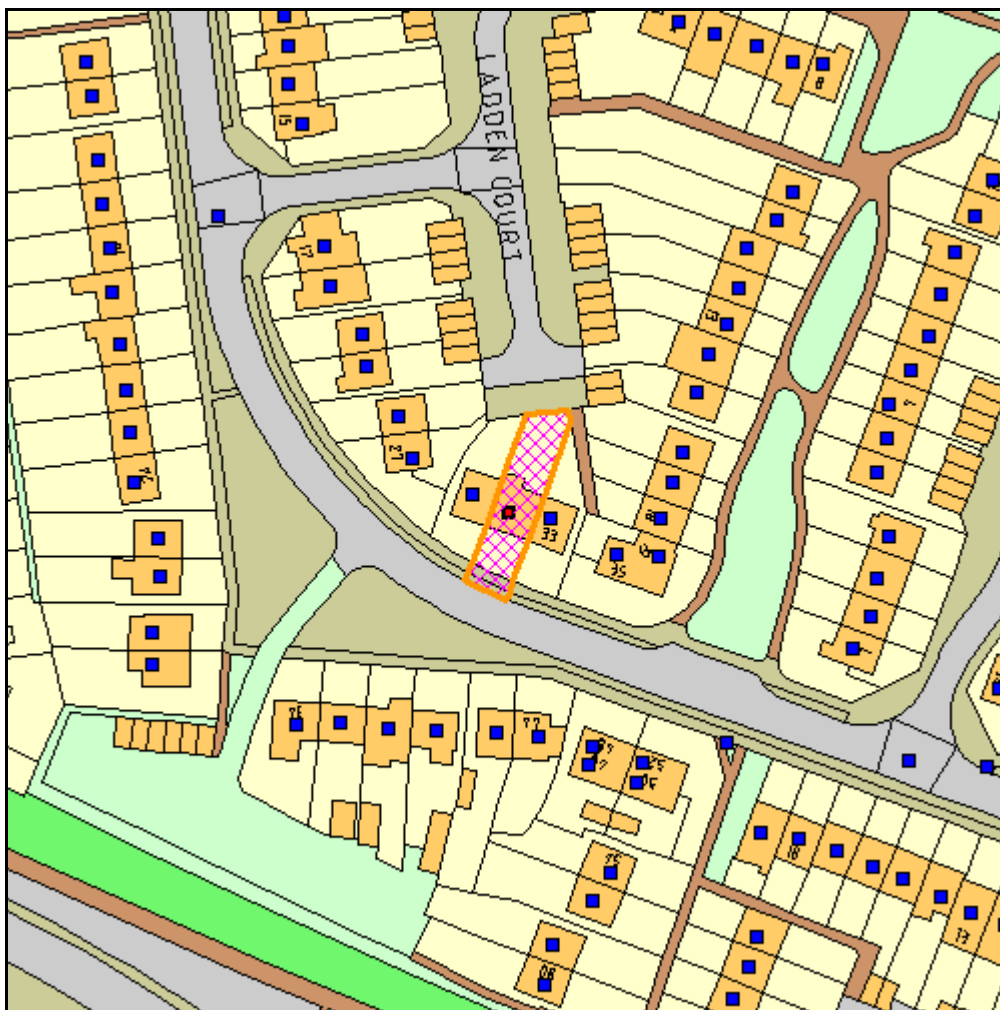
In dealing with this planning application the Local Planning Authority have worked with the applicant in a positive and proactive manner on seeking solutions to problems arising in the following ways: by inviting the submission of amended plans and then making a positive recommendation.

Case Officer: Marie Bath

Authorising Officer: David Stockdale

CIRCULATED SCHEDULE NO. 51/20 -17th December 2020

App No.:	P20/19228/F	Applicant:	Mr K Pullen
Site:	31 Avon Way Thornbury South Gloucestershire BS35 2DG	Date Reg:	4th November 2020
Proposal:	Creation of vehicular access and installation of hardstanding to create 1 no. off street parking space.	Parish:	Thornbury Town Council
Map Ref:	364257 189559	Ward:	Thornbury
Application Category:	Householder	Target Date:	29th December 2020



© South Gloucestershire Council 2007.all rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
100023410, 2008.

N.T.S.

P20/19228/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 REFERRING TO CIRCULATED SCHEDULE

The application has been referred to the circulated schedule because a representation has been received from the Town Council, of which is contrary to the findings of this report and officer's recommendation.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the creation of a new vehicular access and the creation of 1no. Off street parking space.
- 1.2 The application site is a mid-terrace property within the Thornbury designated settlement boundary.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework February 2019
National Planning Practice Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS32	Thornbury

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

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

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) August 2007
Residential Parking Standard SPD (Adopted) December 2013

3. RELEVANT PLANNING HISTORY

- 3.1 PT07/0774/F (approved 18/04/2007):
Front porch

- 3.2 P92/2363 (approved 22/11/1992):
Single storey rear extension

4. **CONSULTATION RESPONSES**

4.1 Thornbury Town Council

Object – would change the character of the area and is not in keeping. If permission granted the Council request conditions to ensure minimal disruption to the green landscape and possibly consider the requirement to place greenery elsewhere.

4.2 Sustainable Transport

Initial comments queried the dimensions of the parking space but raised no objection to the access itself.

Upon receipt of further information, *no objection* but reminds the applicant that all works on or adjacent to the highway must be approved by The Council.

4.3 Local Residents

No comments have been received

5. **ANALYSIS OF PROPOSAL**

- 5.1 The proposal seeks to create a vehicular access and 1no. off street parking space.

5.2 Principle Of Development

PSP38 of the South Gloucestershire Council Policies, Sites and Places Plan (adopted November 2017) permits development within existing residential curtilages (including extensions) in principle where they do not unduly harm the design, visual amenity and residential amenity of the locality or prejudice highway safety or the provision of adequate private amenity space. PSP38 is achieved through CS1 of the South Gloucestershire Council Core Strategy (adopted December 2013), which requires development to demonstrate the highest standards of design and site planning by demonstrating that siting, form, scale, height, massing, detailing colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the site and its context. The development is acceptable in principle, subject to the following detailed consideration.

- 5.3 As the proposal concerns a vehicular access, PSP11 is also relevant. PSP11 permits such development where it is appropriate, safe and convenient and will not have an unacceptable impact on highway and road safety.

5.4 Transportation

The key issues to consider are the provision of parking in accordance with PSP16 and the access itself in terms of safety. Taking the latter first, the road is unclassified and subject to a 30MPH limit, with a good level of visibility in both directions. Therefore, officers are of the view that there would be no material highway safety concerns should permission be granted. The Council's

- highways officers have reviewed the proposal and do not raise any objection either to the access as proposed.
- 5.5 In terms of parking, 1no. Off street parking space would be provided. Whilst this would be under the PSP16 requirements for a 3 (or 4) bed dwelling which require 2no. spaces, it would be one more parking space than is available at present, as the property benefits from no off street parking. As such, officers consider the level of parking to be acceptable as it would have a material increase in off street parking provision. The highways officers also do not raise any objection to this aspect of the proposal.
- 5.6 Residential Amenity
PSP8 permits development where it does not prejudice the residential amenity of both occupiers of the development and of neighbouring dwellings through the creation of unacceptable impacts. Such unacceptable impacts include loss of privacy, overlooking, loss of light, loss of outlook and overbearing/dominant impacts.
- 5.7 By reason of the type of development, officers do not consider there to be any material residential amenity concerns, should permission be granted.
- 5.8 Design and Visual Amenity
It is noted that the Town Council object on the basis of impacts on the character of the area. The creation of a hardstand to the front garden would not require planning permission as this would fall under permitted development, subject to the use of a porous material or provision being made to direct run off to a permeable or porous area within the curtilage.
- 5.9 Ultimately, the main issue would be the loss of a small section of highway verge (approx. 10 square metres). Whilst any loss of green space is regrettable, officers would not consider it to warrant a refusal given the small amount to be lost. The development in which the property is located has something of a radburn layout, but the property in question (along with others fronting Avon Way and Streamleaze does not front on to the open greenspace, unlike those properties of Ladden and Windrush Court due East. Instead, it fronts on to Avon Way which has a more traditional appearance and character in terms of street layout, and so officers would not consider the access to present any significant harm to character that would warrant refusal. Accordingly, officers do not consider the proposed development to be contrary to PSP38, PSP1 or CS1.
- 5.10 In noting the response to the request for conditions to minimise disruption to the green landscape and requirement to place greenery elsewhere; the works would have take place within the red line plan and as noted, the works on the frontage of the property would not require planning permission as these are covered by permitted development. Given the scale of the development and greenery to be lost, the requirement to mitigate the loss of greenery by providing greenery elsewhere would not be considered reasonable or necessary, in this instance.

Impact on Equalities

5.11 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.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 It is recommended that permission is **GRANTED** subject to 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. The development shall be carried out in accordance with the following plans:

Existing block plan

Site location plan

Received 06/10/2020

Proposed block plan

Received 15/10/2020

Reason

For the avoidance of doubt and to define the exact terms of the permission.

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

POSITIVE AND PROACTIVE STATEMENT:

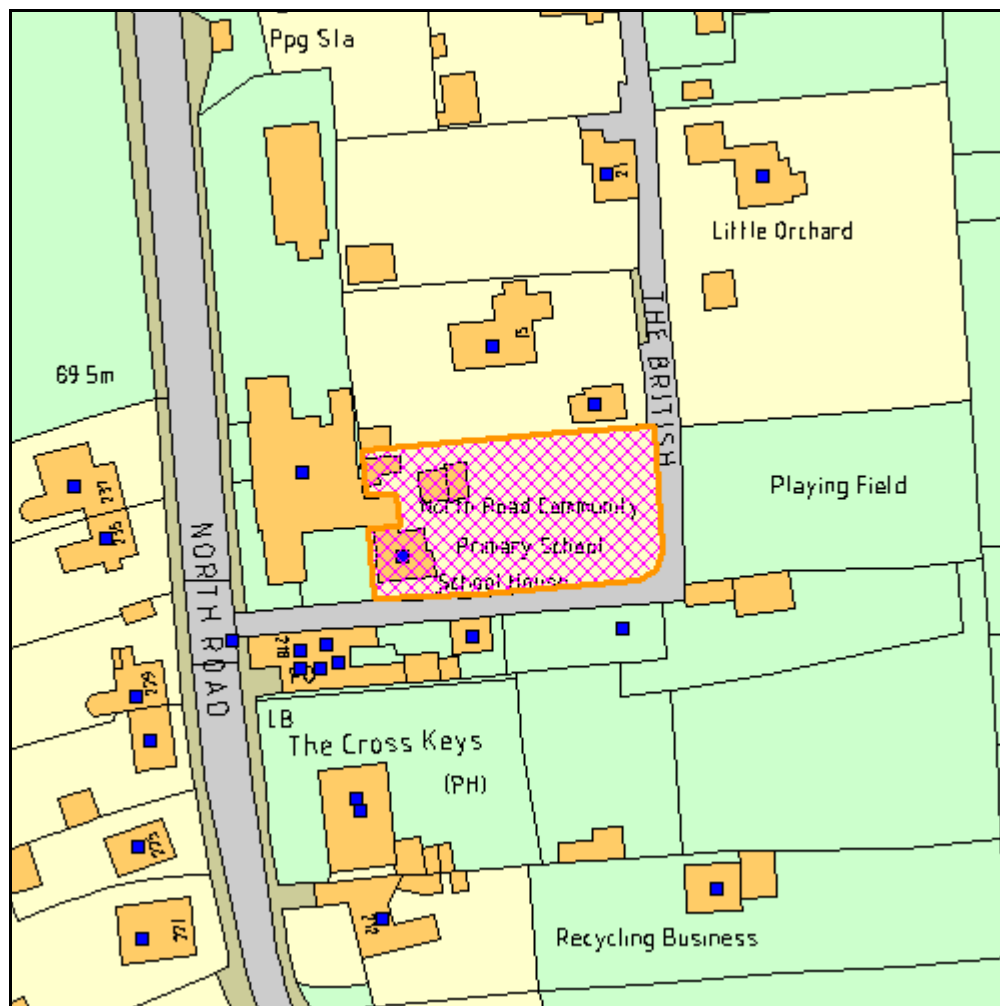
In dealing with this planning application the Local Planning Authority have worked with the applicant in a positive and proactive manner on seeking solutions to problems arising in the following ways: Additional information has been sought where required and the application determined in a timely manner.

Case Officer: Alex Hemming

Authorising Officer: David Stockdale

CIRCULATED SCHEDULE NO. 51/20 -17th December 2020

App No.:	P20/20651/F	Applicant:	Mrs Louise Williams
Site:	Land East Of School House The British Yate South Gloucestershire BS37 7LH	Date Reg:	28th October 2020
Proposal:	Demolition of existing outbuildings. Erection of 1 no. dwelling with access, parking and associated works (amendment to previously approved scheme PK16/1490/F).	Parish:	Iron Acton Parish Council
Map Ref:	369935 183756	Ward:	Frampton Cotterell
Application Category:	Minor	Target Date:	22nd December 2020



© South Gloucestershire Council 2007.all rights reserved.
This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
100023410, 2008.

N.T.S.

P20/20651/F

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

INTRODUCTION

This application is referred to the Circulated Schedule in accordance with the Council Scheme of Delegation as the applicant is an Officer of the Council, and due to consultation comments received, from the Parish Council, contrary to Officer recommendation.

1. THE PROPOSAL

- 1.1 The application is for the demolition of existing outbuildings, erection of 1 no. dwelling with access, parking and associated works. The proposals represent an amendment to the design of a previously approved scheme, under planning reference PK16/1490/F. The development site is within the grounds of School House, The British, Engine Common. The proposed bungalow would be located to the eastern side of the plot, adjacent to the sharp turn in The British.
- 1.2 The application site is within the defined settlement boundary for Engine Common. The site is also covered by an area wide tree preservation order.

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 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
- PSP16 Parking Standards
- PSP19 Wider Biodiversity
- PSP20 Flood Risk, Surface Water and Watercourse Management
- PSP38 Development within Existing Residential Curtilages

PSP43 Private Amenity Space Standards

- 2.3 Supplementary Planning Guidance
 South Gloucestershire Design Checklist (Adopted) August 2007
 Residential Parking Standard SPD (Adopted) December 2013
 Waste Collection SPD (Adopted) January 2015

3. RELEVANT PLANNING HISTORY

- 3.1 P20/11417/CLP - Erection of 2 no. polytunnels. Approved 28.08.2020
- 3.2 P20/10847/F - Demolition of existing conservatory, single storey side/front extension and rear lean-to extension. Erection of single storey side/front extension and two storey side and rear extension to provide additional living accommodation. Installation of first floor dormer window to front elevation, 4 no. solar roof panel blocks and 2 no. sections of 2 metre high fencing. Approved 31.07.2020
- 3.3 P19/17631/TRE - Works to trees as per proposed schedule of works received by the Council on 26th November 2019, covered by Tree Preservation Order SGTPO 10/09 dated 9th September 2009. Approved 31.01.2020.
- 3.4 PK16/1490/F - Erection of 1no. detached dwelling with access and associated works. Approved 25.11.2016

4. CONSULTATION RESPONSES

- 4.1 Iron Acton Parish Council
 Concerns over increased height size.

Ecological Officer

A bat assessment has been provided. No objection. Conditions recommended.

Tree Officer

No objection

Sustainable Transportation

No objections, conditions recommended.

Highway Structures

Details of excavations and the temporary support that is to be provided during construction of Tarmac access are to be submitted to satisfy the highway authority that support to the highway is provided at all times. The application includes a boundary fence alongside the public highway, the responsibility for maintenance for this structure will fall to the property owner

Drainage

We query the method of Sustainable Drainage Systems (SuDS) to be utilised for surface water disposal and therefore request clarity and/or confirmation before we comment further

The comments above are noted. For development of this nature and scale site drainage will be adequately addressed through the Building Regulations applicable to the site.

Other Representations

- 4.3 Local Residents
No comments received

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
The site is within part of the defined settlement boundary of Engine Common. Policy CS5 directs development to established urban areas and defined settlement boundaries. As such, based solely on the location of the site, the principle of the development is acceptable.
- 5.2 The development would involve the erection of 1no. dwelling within an existing residential curtilage. PSP38 states that new dwellings and extensions within existing residential curtilages are acceptable in principle but should respect the overall design and character of the street and surrounding area, would not prejudice the amenities of neighbours, would not prejudice highway safety or provisions of an acceptable level of parking provision for any new and existing buildings, would not prejudice the provision of adequate private amenity space, and would not lead to the loss of gardens that form part of a settlement pattern that contributes to local character.
- 5.3 Of material consideration to this application is the granting of previous permission ref. PK16/1490/F (see above), for the erection of one dwelling. Whilst that permission appears to have expired relatively recently, it is considered it can be given considerable weight. The footprint of the proposed building is slightly smaller than that previously approved and is in a similar location. The main difference with this application is the proposed ridge height to incorporate a first floor. The previous approval had a ridge height of 5.4 metres, the proposed dwelling under this application, has a ridge height of 6.9 metres, this would allow two pitched front dormers to be incorporated within the roof slope. The issues for consideration in this respect therefore are whether the proposals, in particular the 1.5 metre increase in ridge height, would have any additional adverse impact on the amenities of nearby occupiers and whether the design of the proposal is sufficiently remains in keeping with the site and surroundings.
- 5.4 Design/Layout
As stated approval has been previously granted for the site. The proposal is in a similar position with a similar orientation. The main differences are highlighted above. This relatively modest increase in height would not be considered to give rise to any material or significant design issues and the proposals remain acceptable. The proposals are considered to be of an acceptable standard in design and would be an acceptable addition, taking into account the site and surrounding area. Materials, consisting of

a mix textured render and reconstituted stone block finishes and of would be acceptable.

5.5 Residential Amenity

As stated above approval has been previously granted for the site. The proposal is in a similar position with a similar orientation. The main differences are highlighted above. This relatively modest increase in height facilitating the two dormers would not be considered to give rise to any material or significant additional amenity issues and the proposals remain acceptable. The length, size, location and orientation of the proposals and the relationship with other properties in the area, are not considered to give rise to any additional significant or material overbearing or overlooking impacts on adjacent properties in this instance. Sufficient private amenity space is available for both properties, in accordance with the Councils requirements.

5.6 Highways

It is of note that consent for a new house on this same site has been granted. The current application is seeking amendments to the previously approved scheme. Vehicular access from The British remains broadly from the same location as the previously approved scheme and as such it is considered acceptable. Plans submitted with this application show three parking spaces on site and this meets the councils parking standards. Conditions are recommended in respect of the parking provision.

5.7 Ecology

A bat assessment was required for the structures that are to be demolished, this included potential to support nesting birds and surrounding habitats that could be impacted by the development. The buildings were subsequently assessed as having negligible potential for roosting bats. No further surveys required. A precautionary approach and enhancements have been recommended in the assessment. Conditions are recommended in this respect

5.8 Drainage

The comments above are noted. For development of this nature and scale site drainage will be adequately addressed through the Building Regulations process applicable to the site.

5.9 Consideration of likely impact on Equalities

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

requires equality considerations to be reflected into the design of policies and the delivery of services.

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That planning permission is granted, subject to the conditions recommended.

CONDITIONS

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

Reason

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

2. The development/works hereby permitted shall only be implemented in accordance with the plans as set out in the plans list below:
Location Plan, Existing Elevations, Proposed Elevations, Proposed Ground Floor Plan, Proposed Loft Floor Plan, Proposed Section, Proposed Site Block Plan and Roof Layout and Topographical Surveys, received by the Council on the 22nd October 2020.

Reason:

To define the terms and extent of the permission.

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

Reason

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

4. The car parking area shall be surfaced with permeable bound surface material and shall be maintained as such thereafter.

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; and the South Gloucestershire Residential Parking Standards SPD (Adopted) December 2013.

5. The development shall proceed in strict accordance with the Mitigation Measures provided in the preliminary bat roost assessment (Smart Ecology, November 2020)

Reason:

In the interests of ecology and in accordance with PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017

6. Prior to first occupation, evidence of the installation of the ecological enhancement features recommended in the preliminary bat roost assessment (Smart Ecology, November 2020) shall be submitted to the local planning authority for approval in writing. This shall include, but is not limited to bird boxes and bat boxes.

Reason:

In the interests of ecology and in accordance with PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017

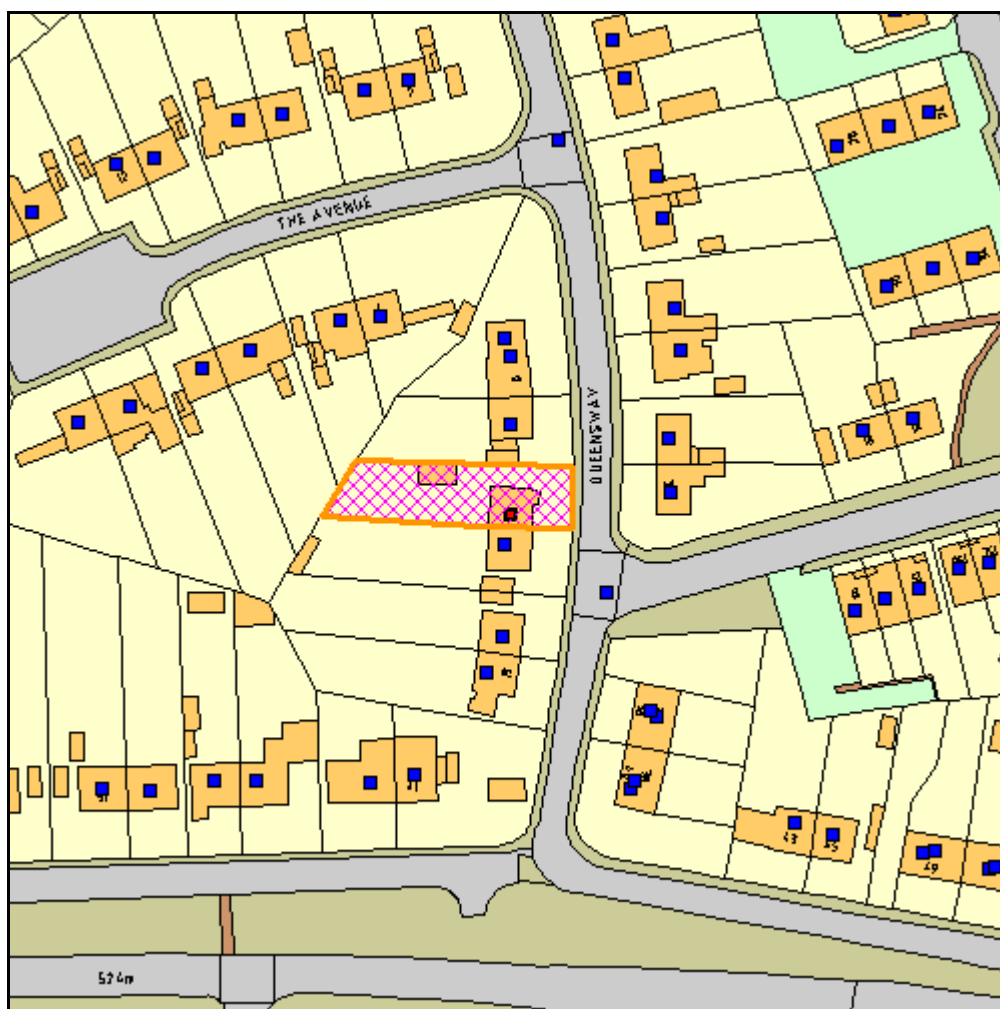
**IN ACCORDANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) ORDER 2015.
POSITIVE AND PROACTIVE STATEMENT:**

In dealing with this planning application the Local Planning Authority have worked in a positive and proactive manner in seeking a timely resolution to the application, in accordance with the relevant policies.

Case Officer: Simon Ford
Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 51/20 -17th December 2020

App No.:	P20/23085/F	Applicant:	Mr C Douglas
Site:	13 Queensway Little Stoke South Gloucestershire BS34 6LQ	Date Reg:	23rd November 2020
Proposal:	Erection of single storey front extension.	Parish:	Stoke Gifford Parish Council
Map Ref:	361493 180642	Ward:	Stoke Gifford
Application Category:	Householder	Target Date:	12th January 2021



© South Gloucestershire Council 2007.all rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2008.

N.T.S.

P20/23085/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.

This planning application will be referred to the Circulated Schedule because the proposal has received 1No objection from Stoke Gifford Parish Council, which is contrary to the officer's recommendation.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of single storey front extension, as detailed on the application form and illustrated on the accompanying drawings.
- 1.2 The application site can be found at 13 Queensway, set within a moderately sized plot, is a two storey semi-detached property. It is located within the established built up residential area of Little Stoke.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework February 2019
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 Impact Management
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

3. RELEVANT PLANNING HISTORY

- 3.1 None relevant.

4. CONSULTATION RESPONSES

4.1 Stoke Gifford Parish Council

1No letter of Objection received; due to it not being in keeping with the street scene; by extending the full width of the front elevation; pushing out to a new

building line and projecting in front of the adjoining dwelling. Also thereby affecting the amenity and visuals of & from the adjoining dwelling.

Other Representations

- 4.2 Local Residents
No Comments received.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Policy PSP38 of the PSP Plan (November 2017) allows the principle of development within residential curtilages, subject to considerations of visual amenity, residential amenity and highway safety. It states that new dwellings and extensions within existing residential curtilages are acceptable in principle but should respect the overall design and character of the street and surrounding area. They should not prejudice the amenities of neighbours, or that of highway safety and the parking provision should be of an acceptable level for any new and existing buildings. The adequate provision of private amenity space should also not be sacrificed for any new development that forms part of a settlement pattern that also contributes to local character.
- 5.2 Policy CS1 of the Core Strategy seeks that the siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the application site and its context. The proposal accords with the principle of development subject to the considerations below.
- 5.3 The proposal is for planning permission for the erection of a single storey front extension. Consequently the main issues to deliberate are the impact on the character of the area and the principle dwelling; the impact development may have on the amenities of neighbouring occupiers and the resultant dwelling; and the proposals impact on highway safety/parking provision.
- 5.4 Design and Visual Amenity
Policy CS1 of the Core Strategy and policy PSP38 of the Policies, Sites and Places Plan seek to ensure that development proposals are of the highest possible standards of design. This means that developments should be informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context.
- 5.5 The proposed single storey front extension will incorporate materials to reflect that of the existing dwelling and will feature a lean to pitched roof. The single storey front extension will introduce a new white PVCU door, maintaining the existing side approach, and the windows to the front, increasing the natural light as much as possible. The proposed porch will have an overall width of 10.13 meters and be to a depth of 1.2 meters, extending 2.4 meters to the eaves.
- 5.6 The extension has been proposed through its design to complement the existing dwelling in the choice of materials and components, ensuring that the

aesthetical appearance of the dwelling continues to compliment neighbouring properties, matching materials and components to the existing dwelling, and therefore the scale and form of the proposed extensions will respect the proportions and character of the existing dwelling.

5.7 Residential Amenity

Policy PSP38 of the Policies, Sites and Places Plan explains that development will be permitted provided that it would not detrimentally impact the residential amenities of nearby occupiers and would not prejudice the retention of adequate private amenity space. Policy PSP8 specifically relates to impacts on residential amenity and outlines that unacceptable impacts could result from (but are not restricted to); loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance.

5.8 The impact on residential amenity has been assessed in terms of the surrounding neighbouring properties. Although it will slightly extend beyond the front elevation of the neighbouring property, there will be very little loss of light as the proposed extension will be east facing. The impact of the proposed development has therefore been considered in terms of its dominance and its potential impact on the neighbouring properties. Despite, its small projection from the front elevation, the small front extension is unlikely to introduce any impact on the residential amenity of the neighbouring properties.

5.9 As the site is located in a dense residential area and given the scale and location of the proposal, the front extension should not result in an unacceptable impact on the residential amenity of the neighbouring properties. Due to the existing layout of the development and the form that the individual properties represent, it is not deemed that the proposed extension would impact upon the residential amenity enjoyed by neighbouring properties.

5.10 Transport

Policy PSP16 of the Policies, Sites and Places Plan sets out the Councils parking standards. The proposal does not include any additional bedrooms, therefore there are no transport concerns.

5.11 Private Amenity Space

Moving on to private amenity space, PSP43 sets out standards which are based on the number of bedrooms at a property. The proposal does not include any additional bedrooms, and there are no transport concerns.

5.12 Consideration of likely impact on Equalities

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

requires equality considerations to be reflected into the design of policies and the delivery of services.

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

6. **CONCLUSION**

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

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

7. **RECOMMENDATION**

7.1 That the application be **APPROVED**.

CONDITIONS

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

Reason

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

2. The development/works hereby permitted shall only be implemented in accordance with the plans as set out in the plans list below:

Existing and Proposed Block Plans (Date all received 18/11/20)

Existing Elevations

Existing Ground Floor and Site Plan

Proposed Elevations

Proposed Ground Floor Plan

Sections and Details

Reason

To define the terms and extent of the permission

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:

By issuing a timely decision.

Case Officer: Helen Turner
Authorising Officer: David Stockdale