

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. 21/20

Date to Members: 22/05/2020

Member's Deadline: 29/05/2020 (5.00pm)

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

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

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

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

NOTES FOR COUNCILLORS

– formal arrangements for referral to committee

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

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

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

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

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

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

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

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

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

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

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

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

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

c. All applications for non-material amendments

d. All applications to discharge planning conditions

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

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

Additional guidance for Members

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

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

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

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

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

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

A template for referral is set out below:

Referral from Circulated Schedule to Development Management Committee

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

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

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

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

a) Referring Member:

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

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

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

Date:

To be emailed to MemberReferral@southglos.gov.uk

Schedule Number	Officers Deadline reports to support	Date to Members	Members deadline	Decisions issued from
19/20	12 O'Clock Wednesday 6 th May	9am Thursday 7th May	5pm Thursday 14 th May	Friday 15 th May
21/20	5pm Wednesday 20 th May	9am Friday 22 nd May	5pm Friday 29 th May	Monday 1 st June

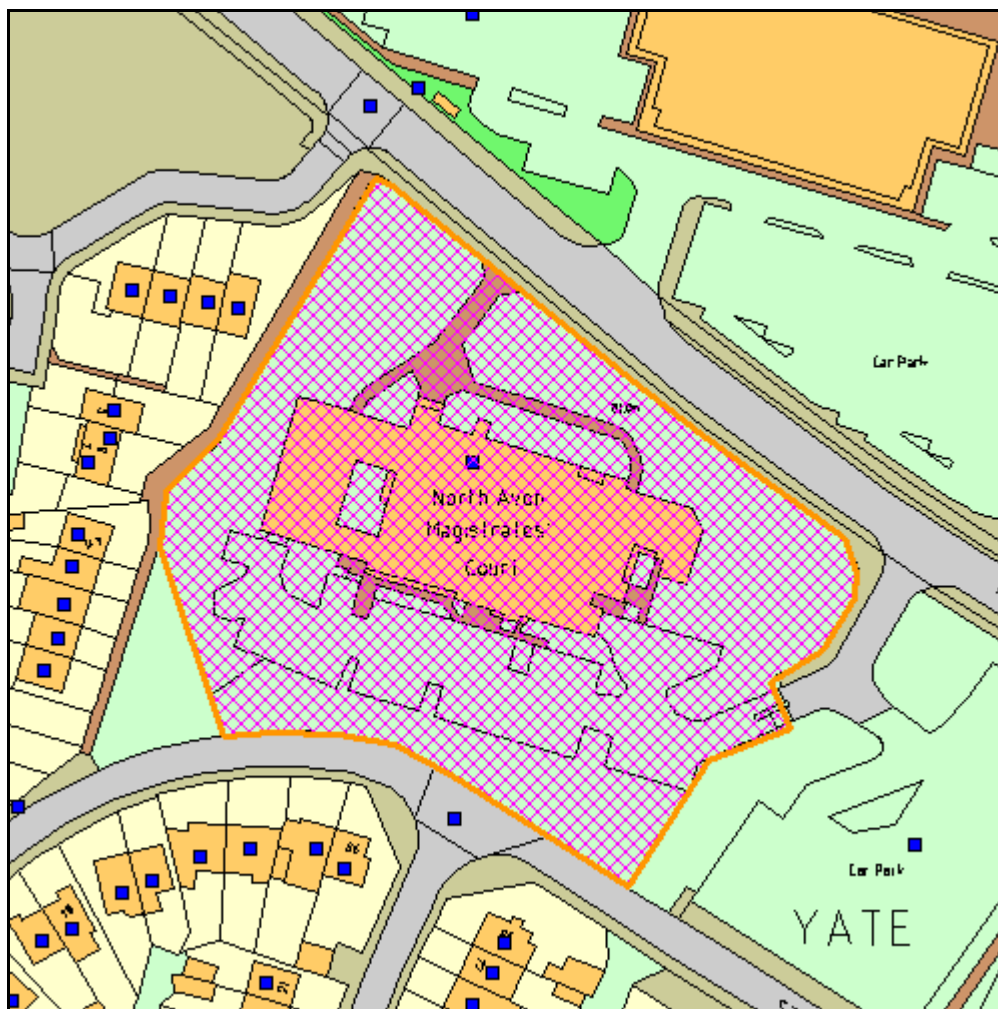
Dates and officer deadlines for Circulated Schedule May Bank Holidays 2020

CIRCULATED SCHEDULE - 22 May 2020

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	P19/15929/RM	Approve with Conditions	North Avon Magistrates Court Kennedy Way Yate Bristol South Gloucestershire BS37 4PY	Yate Central	Yate Town Council
2	P20/00965/O	Approve with Conditions	Jorrocks House Westerleigh Road Westerleigh Bristol South Gloucestershire BS37 8QH	Boyd Valley	Westerleigh Parish Council
3	P20/02962/F	Approve with Conditions	22 Sandpits Lane Hawkesbury Upton South Gloucestershire GL9 1BD	Chipping Sodbury And Cotswold Edge	Hawkesbury Parish Council
4	P20/04910/F	Approve with Conditions	23 Colston Close Winterbourne Down South Gloucestershire BS36 1EW	Winterbourne	Winterbourne Parish Council

CIRCULATED SCHEDULE NO. 21/20 - 22nd May 2020

App No.:	P19/15929/RM	Applicant:	Soveriegn Housing Association
Site:	North Avon Magistrates Court Kennedy Way Yate Bristol South Gloucestershire BS37 4PY	Date Reg:	6th November 2019
Proposal:	Erection of 45 no. dwellings to include details of appearance (approval of reserved matters to be read in conjunction with outline planning permission PK18/0799/O as amended by P19/14286/RVC).	Parish:	Yate Town Council
Map Ref:	371187 182396	Ward:	Yate Central
Application Category:	Major	Target Date:	4th February 2020



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100023410, 2008.

N.T.S.

P19/15929/RM

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

CIRCULATED SCHEDULE

This report appears on the circulated schedule following comments from the Town Council and local residents.

1. THE PROPOSAL

- 1.1 The application site benefits from outline planning permission PK18/0799/O as amended by P19/14286/RVC for the Erection of 45 no. dwellings. Permission PK18/0799/O was subject to a S106 agreement signed 22nd July 2019. This is a 100% affordable housing scheme and as such there will be no requirement to deliver 35% affordable housing without public subsidy. This is on the proviso that all 45 dwellings are delivered as affordable housing as defined by the NPPF and agreed affordability outputs.
- 1.2 This reserved matters application is to consider the appearance and landscaping associated with the proposal.
- 1.3 The site relates to the former Magistrate's Court, Kennedy Way, Yate.
- 1.4 During the course of the application revised plans were submitted to clarify the amount of public open space on the site. These plans did not alter the scope of the proposal and have therefore not been put out for re-consultation.

2. POLICY CONTEXT

National Guidance

National Planning Policy Framework 2019
National Planning Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS2	Green Infrastructure
CS3	Renewable and Low Carbon Energy Generation
CS4	Renewable or Low Carbon District Heat Networks
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS6	Infrastructure and Developer Contributions
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS13	Non-Safeguarded Economic Development Sites
CS14	Town Centres and Retailing
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity

CS18	Affordable Housing
CS23	Community Infrastructure and Cultural Activity
CS30	Yate and Chipping Sodbury

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP4	Designated Local Green Spaces
PSP5	Undesignated Open Spaces
PSP6	Onsite Renewable and Low Carbon Energy
PSP8	Residential Amenity
PSP10	Active Travel Routes
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP18	Statutory Wildlife Protection
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water, and Watercourse Management
PSP31	Town Centre Uses
PSP32	Local Centres
PSP37	Internal Space Standards
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Space Standards
PSP44	Open Space, Sport and Recreation

2.3 Supplementary Planning Guidance

Trees on Development Sites SPG (Adopted) Nov. 2005.
 South Gloucestershire Design Checklist (Adopted) 2007)
 South Gloucestershire SPD: Residential Parking Standards (Adopted) 2013
 Affordable Housing and Extra Care SPD (Adopted) 2014
 Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide
 SPD – (Adopted) March 2015

3. RELEVANT PLANNING HISTORY

- 3.1 P19/14286/RVC Variation of conditions 2 (to amend the reserved matters to appearance and landscaping only), 4 (to change the conditioned plans), 5 (to amend the arboricultural requirements), 10 (To reduce the no. of Electrical vehicle charging points), 13 (to revise the wording to prior to occupation) and 15 (to substitute the conditioned plan) and amendments to condition 9 (access) attached to permission PK18/0799/O. Erection of 45 no. dwellings (Outline) with access, layout and scale to be determined. All other matters reserved.
 Approved 6.3.20
- 3.2 PK18/0799/O Erection of 45no. dwellings (outline) with access, layout and scale to be determined – all other matters reserved
 Approved 23.7.19

4. CONSULTATION RESPONSES

4.1 Yate Town Council

The substation is still shown as being located on Stanshawes frontage, with removal of a tree. This must be located to the Kennedy Way side away from existing dwellings so that the trees along the Stanshawes Crescent are retained.

We object to the proposals to remove more trees, in particular 44/43/G9 - and 28/30/31 which were to be kept. Also, the tree that you are removing for a substation, could be sited elsewhere, should not be removed and the hedge needs to be kept. A scheme was agreed which involved the loss of some trees. Now each revision proposes the loss of more. We need to stick to the original scheme, in terms of tree loss.

The barrier between the parking areas in the southwest corner and Stanshawes Crescent needs to be continuous with a hedge and a fence on the new development side. Otherwise, we are concerned that residents will cut across the grass to the parking lots, which will create hazards and undermine the principle of no parking / access from Stanshawes Crescent.

We object to the fencing along the Stanshawes Crescent side it should have hedging with secure fencing behind and we object to the path.

Internal Consultees

4.2 Housing enabling

Permission PK18/0799/O was subject to a S106 agreement signed 22nd July 2019. The application is for 45 homes in Yate, and affordable housing is sought in line with National Planning Policy Guidance and other requirements under Policy CS18 of the Council's adopted Core Strategy Development Plan Document.

The applicant has advised that this is a 100% affordable housing scheme and as such there will be no requirement to deliver 35% affordable housing without public subsidy. This is on the proviso that all 45 dwellings are delivered as affordable housing as defined by the NPPF and agreed affordability outputs

- The provision of 35% Affordable Housing in accordance with comments above.
- Confirmation that the Wheelchair standard unit will meet Part M4(3)(2a) with regard to external arrangements
- The size of the car space allocated for flat 29 being amended to a suitable size for a wheelchair unit
- Noise insulation between the wheelchair flat and the bin store.
- There needs to be a shower and not a bath in the wheelchair unit
- Suitable fire escape / rear access and private garden space for the wheelchair unit.

Updated comments:

Following discussions and the submission of additional information to cover the above points, there are no objections to the proposal.

- 4.3 Landscape
Better planting needed

Updated comments:

No objections following submission of revised plans.

- 4.4 Tree Officer
No objection subject to condition

- 4.5 Public Art
Public art strategy requested

Updated comments:

No objection – subject to compliance condition

- 4.6 Public open space
Better plan required.

Updated comments:

No objection to the proposal

- 4.7 Highway Structures
No objection

- 4.8 Waste management
Bin areas adequate. Ensure collection vehicle can access and collect with ease.

Tracking plan now provided showing appropriate layout.

- 4.9 Sustainability officer
A revised Energy Statement should be provided which demonstrates how the development has responded to the Climate Emergency.

- 4.10 Avon Fire and Rescue
The additional residential and commercial developments will require additional hydrants to be installed and appropriately-sized water mains to be provided for fire-fighting purposes. This additional infrastructure is required as a direct result of the developments and so the costs will need to be borne by developer.

Avon Fire & Rescue Service has calculated the cost of installation and five years maintenance of a Fire Hydrant to be £1,500 + vat per hydrant. Importantly, these fire-fighting water supplies must be installed at the same time as each phase of the developments is built so that they are immediately available should an incident occur and the Fire & Rescue Service be called.

Statutory / External Consultees

- 4.11 Transport
No objection subject to condition
- 4.12 Drainage
No objection. Compliance condition to be used.

Other Representations

- 4.13 Local Residents
11 letters of objection have been received from local residents. The points raised are summarised as:
- Location of sub-station- eye sore; should be closer to Kennedy Way; put it within the site; potential noise
 - Side road leading to the site is a private road
 - Path remains. Access to sub-station should be from within the site
 - Potential for anti-social behaviour
 - Ownership of access road remains unclear
 - Staff working on site should park within the boundary
 - Ensure site is enclosed with no access to Stanshawe Crescent
 - Continual removal of trees
 - Kitchens will be next to bedrooms which will lead to noise and confrontation between neighbours – walls are thin in new builds
 - Parking area should be made semi permeable so that surface water can drain away
 - Fencing between Thorns Farm and the site should be reduced in height and replaced by mature hedging
 - Insufficient parking
 - Who will maintain the grounds
 - Changing a 1 bed to a 2 bed won't be big enough

5. ANALYSIS OF PROPOSAL

- 5.1 This is a reserved matters application for the consideration of matters of appearance and landscape.
- 5.2 Principle of Development
The principle of development on this site has already been established under previous recent planning applications.
- 5.3 Design and appearance:
The scheme is for two blocks of flats and 8 houses. Block 1 has a total of 17 flats and block 2 a total of 20 flats. One ground floor flat in Block 2 meets the internal layout arrangements for a wheelchair user adaptable dwelling. It is confirmed that all other units including the 8 houses would meet Part M4 (2) of the building regulations for internal layout arrangements and also the national space standards for internal measurements.

- 5.4 Details included with the application indicate that the proposed two-storey houses, arranged in two terrace rows would be of a simple form to complement the character of the surrounding streets. They would also have large full height window features and flat porch canopies for added interest. Materials to be used include brick and render, also a feature of the immediate area.
- 5.5 The 2.5 storey apartment blocks have been designed to have a contemporary feel featuring large full height glazed elements with brick and render as the external finishes. Although originally the proposed render was a creamy colour this has been changed to pale grey for the purposes of future maintenance ease.
- 5.6 Given the above the proposed design and appearance of the new development is considered appropriate for its location and is therefore acceptable.
- 5.7 Landscape:
During the course of the application, revised plans were submitted to indicate the location of the public open space and the proposed landscape scheme. Revised plans have addressed initial comments requesting additional details. One comment submitted to the LPA has raised the question of maintenance. The site will be managed by Sovereign Housing Association and therefore, the grounds and maintenance will be their responsibility.
- 5.8 Given the above, including the planting and soft landscaping, the proposal is acceptable in landscape terms.
- 5.9 Trees
Comments have been received from the Town Council and local residents criticising the removal of further trees. Whilst officers are sympathetic to the concerns raised, it must be noted that most of the trees on the site are to be retained and those that are to be lost are of poor quality or to be replaced. In addition the loss of a small number of trees must be weighed against the benefit of the development as a whole.
- 5.10 Officers have examined the proposal which includes an Arboricultural Impact Assessment (AIA) and Arboricultural Method Statement (AMS). Together these are considered to adequately safeguard the trees that are to be retained through the proposed development.
- 5.11 T16 (Oak) is the most important tree on this site and the methodology around the protection of this tree must be particularly closely adhered to. Section 3 of the AMS covers this matter and it must be highlighted that an Arboriculturist should be on site throughout the works near trees.
- 5.12 Given the above there are no objections to the scheme.
- 5.13 Residential amenity:
It is noted that local residents have expressed concerns regarding the proposed sub-station associated with the application site. Concerns include its position and the potential for noise.

A sub-station of the size proposed would not have an adverse intrusive visual impact and its location would allow easy access for maintenance or servicing. Sub-stations of this sort are not unusual in residential settings. It is therefore unlikely that a sub-station, particularly of the scale proposed, would cause a noise nuisance or disturbance to neighbours. On this basis its position is acceptable.

5.14 Each of the new 8 houses would have private and enclosed garden space. Amenity space for the flats would be both within the grounds and the nearby facilities of Yate town centre including the leisure centre. Given the proximity to the town, the level of amenity space proposed is considered acceptable.

5.15 Affordable Housing:

The scheme is being provided as 100% affordable housing scheme and justification has been provided that shared ownership units cannot be delivered. All 45 units are proposed to be delivered as Social Rent which the Enabling Team have accepted based on this being the highest demand as identified by the Wider Bristol Strategic housing Market Assessment (SHMA).

5.16 The applicant proposes the mix of S106 units as follows:

- 5 x 1bed 2 person apartments @ 50m²
- 8 x 2bed 4 person apartments @ 70 m²
- 1 x 2bed 3 person apartment @ 76m²
- 1 x 2bed 4 person house @ 79 m²
- 1 x 3bed 5 person house @93m²

5.17 It is noted that the proposed scheme does not include any 4 bed houses and that it is predominantly a flatted scheme. As the proposed mix reflects the evidence provided by the Wider Bristol SHMA the Enabling Team is happy to accept the proposal. A Deed of Variation to the original S106 agreement will reflect these changes.

5.18 With regards to design, Affordable Homes are to be built to the same high quality design standards and visually indistinguishable from the market units and in addition, include Lifetime Homes standard or *Part M of the Building Regulations accessibility standards M4(2)*, Part 2 of Secured by Design, and compliance with the RP Design Brief;

- I. All rear gardens to be turfed and generally to have 1.8m high close boarded fencing to boundaries and privacy panels;
- II. All properties to have vinyl/tiles on floor in all ground floor rooms;
- III. Ceiling height tiling to 3 sides of bathroom to be provided;
- IV. Provide wall mounted shower (either electric or valve and kit);
- V. Provide gas and electric points to cooker space (where gas is available);
- VI. Painted softwood curtain battens to each window (where construction is traditional as opposed to timber frame).

5.19 One unit is to be wheelchair accommodation and again during the course of the application and through discussions it is has been confirmed in writing that the

- affordable homes will be built to meet Part M of the Building Regulations accessibility standards M4(2) and the wheelchair unit will meet M4(3)(2a) for internal layout arrangements.
- 5.20 In summary, Affordable Housing is sought in line with National Planning Policy Guidance: Planning Obligations and other requirements under Policy CS18 of the Council's adopted Core Strategy Development Plan Document. This application generates an Affordable Housing requirement of 16 Affordable Homes to be provided on site at nil public subsidy and in line with the comments set out above, the scheme is considered acceptable.
- 5.21 Sustainability officer:
South Gloucestershire Council declared a Climate Emergency in July 2019, which includes the target of making South Gloucestershire as a whole carbon neutral by 2030. It is therefore important that all new development is designed and built to the highest sustainable building standards in order to demonstrate that the developments will be carbon neutral in 2030.
- 5.22 The application includes an Energy Strategy indicating a reduction in regulated emissions from energy efficiency measures. It proposes a 0.19% reduction in regulated emissions from energy efficiency measures. However, a 10% reduction in emissions is regarded as an indication of good design.
- 5.23 The Energy Statement refers to current Building Regulations (Part L) as 'a very demanding standard' however, given the need to completely decarbonise heat and in the light of proposed amendments to Part L in 2020, and the Future Homes Standard due to be introduced in 2025, future standards/requirements are likely to rise. This application however can only be determined in accordance with current policy and cannot enforce likely future policy requirements.
- 5.24 It is possible that under the proposed energy strategy the dwellings will require retrofitting and the installation of some form of renewable heating to achieve zero carbon heat. This will be at considerably greater cost and will be more disruptive than designing the dwellings now with some form of renewable heat. This however is a decision for the applicant and there is no policy reason to require a greater degree of energy saving at this stage.
- 5.25 The LPA encourages a reduction in emissions and promotes all sustainability goals to achieve carbon neutral targets. It is acknowledged that the proposed scheme falls short of some of the expected measures, however, in this case a balanced approach is required. This must be read in the context of the scheme offering 100% affordable housing. Overall the benefit of the scheme is considered to more than outweigh the identified harm.
- 5.26 Transport
Site location and Access
The site lies directly to the south of the main town, shopping and commercial centre of Yate which is situated to the north of Kennedy Way. An existing access to the site is via a junction off Kennedy Way. The access into the site is to remain from the same location – these details were agreed as part of the

outline stage. There is no objection to the access. One comment received by the LPA has mentioned a potential ownership issue of this access, but this is a civil matter between the relevant parties and not to be considered under this planning application.

5.27 *Parking*

The total number of parking spaces proposed for the new development is 69 for the development of 45no. residential units comprising of 15no. 1-bed, 27no. 2-bed and 3no. 3-bed. When assessed against the Council's parking standards the level of parking is satisfactory for the mix of development proposed. In addition, the site is located in a highly sustainable location, within walking distance of a number of key services and facilities, as well as public transport facilities. As a consequence, future occupants are far less likely to be entirely dependent on private vehicles.

5.28 Public open space (POS):

The S106 signed on 22.7.19 set out the general parameters for the provision of public open space within the site. This reserved matters application has now finalised the position and amount of POS.

5.29 The outline permission indicated that to comply with the test of a planning obligation the contributions will be made as close to the site as is feasible so as to serve the future residents of the site. In this case the provision will be in the following locations:

- Informal recreational open space – Thorns Farm and/or Tobias Gardens and/or open space next to the Armadillo Youth Café & Venue
- Natural and Semi-natural open space – Yate Common and/or Frome Walkway
- Outdoor Sports Facilities – Sunnyside playing fields
- Provision for Children and young people – Blakeney Mills play area
- Allotments – Robin Way

5.30 Specifically the contributions would be as follows:

Off-site contributions (payable upon occupation of the first dwelling)

Informal Recreational Open Space = £19,243.47

Natural and Semi-natural Open Space = £41,658.96

Outdoor Sports Facilities = £78,128.55

Provision for Children and Young People = £64,419.13

Allotments = £3,127.76

Total = £206,577.87

Uplift due to indexation from Sept 2018 to latest published figure = 3.26%

Total figure if payment was due now = £213,312.31

On-site POS inspection fee (payable prior to carrying out any POS Landscape Works)

Inspection Fee = £803.16

Inspection fee if due now i.e. with indexation = £829.34

- 5.31 These figures are subject to indexation using the Updating Percentages published by the Building Cost Information Service (BCIS) for the Schedule of Rates for Grounds Maintenance 1987.
- 5.32 Planning obligations:
The outline planning permission PK18/0799/O is subject to planning obligations securing the affordable housing and financial contributions towards the local provision and maintenance of Public Open Space (POS). When comparing the approved outline to this proposal there are slight differences in the mix of the flats and in the public open space. The changes do not alter the scope of the development and the number of units remains the same as previously approved. As such these alterations are being considered under a Deed of Variation to the original S 106 agreement.
- 5.33 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.
- 5.34 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.
- 5.35 The local planning authority is statutorily required to apply the Equality Duty to its decision taking. With regards to the Duty, the development contained within this planning application is considered to have neutral impact.
- 5.36 Other Matters
Matters relating to any anti-social behaviour should be referred to the correct authority which would be the Police Authority.

A best practice working condition for construction workers will be placed on the decision notice.

6. CONCLUSION

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

Sites and Places Plan (Adopted) November 2017 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

7.1 That authority be delegated to the Director Environment and Community Services to grant planning permission, subject to the conditions set out below and the applicant first voluntarily entering into an Agreement under a Deed of Variation to the Section 106 as signed on 22.7.19 to secure the following:

i) **Affordable Housing**

This is a 100% affordable housing scheme and as such there will be no requirement to deliver 35% affordable housing without public subsidy. To meet identified housing need (Wider Bristol SHMA) the S106 states that the following tenures shall be provided:

- 73% Social Rent i.e. 12 Social Rent homes
- 27% Shared Ownership i.e. 4 Shared Ownership homes

Reason

In order to secure the appropriate level of affordable housing and to comply with Policy CS18 of the South Gloucestershire Local Plan, Core Strategy (Adopted) December 2013.

ii) **Public Open Space Enhancement:**

A financial contribution of £ 213,312.31 (uplift due to indexation from Sept 2018 to latest published figure = 3.26%) towards the provision and/or enhancement of public open-space; and £829.34 (figure includes indexation) towards the inspection of that provision.

- Informal recreational open space – Thorns Farm and/or Tobias Gardens and/or open space next to the Armadillo Youth Café & Venue
- Natural and Semi-natural open space – Yate Common and/or Frome Walkway
- Outdoor Sports Facilities – Sunnyside playing fields
- Provision for Children and young people – Blakeney Mills play area
- Allotments – Robin Way

Reason

To offset the impact of the development upon public open-space provision in the locality and to comply with saved Policy CS24 of the South Gloucestershire Core Strategy, Local Plan (adopted) January 2013.

7.2 That the Head of Legal and Democratic Services be authorised to check and agree the wording of the agreement.

- 7.3 Should the agreement not be completed within 6 months of the date of the committee resolution that delegated authority be given to the Director of Environment and Community Services to refuse the application.

Contact Officer: Anne Joseph
Tel. No. 01454 863788

CONDITIONS

1. Plans:
Development shall proceed in accordance with the following plans:

As received by the LPA on 1.11.19:

Site location plan - 6083-P-001

Existing site plan - 6083-P-110

House type floor plans - 6083-P-210

3B5P House Elevations Plots 1-3 (ref. 6083/P/710)

2B4P House Elevations Plots 4-8 (ref. 6083/P/711)

As received by the LPA on 17.3.20:

Flat Block 1 Plans (ref. 6083/P/211)

Flat Block 2 Plans (ref. 6083/P/212B)

Flat block 1 - elevations 6083-p-712 A

Flat block 2 - elevations 6083-P-713 B

Proposed site layout - 6083-P-111 A

Fencing boundaries and hard landscaping - 6083-P-112 A

Parking plan - 6083-P-113A

Proposed landscape plan - 6083-P-114A

Public open space - 6083-P-117B

Reason

To ensure a satisfactory standard of external appearance, to protect the character of the area and to accord with Policy CS1 and CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP1, PSP2, PSP3, PSP16 and PSP43 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework.

2. The development hereby permitted shall be begun either before the expiration of three years from the date of the original outline permission (23.7.19), or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason

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

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

Reason

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

4. The development must be carried out in accordance with the Arboricultural Method Statement and the Arboricultural Impact Assessment and Tree Protection Plan ref. Bosky Trees both dated 16.01.20.

Attention is drawn to the requirement for Arboricultural Supervision for the key tasks.

Reason

For the avoidance of doubt and to ensure the works are carried out in an appropriate manner and in the interests of the health and visual amenity of the tree, and to accord with The Town and Country Planning (Tree Preservation) (England) Regulations 2012.

5. Landscape:
Development is to be carried out in accordance with submitted details as per Proposed Landscaping Plan (ref. 6083/P/114A), the Planting Schedule (ref. 6083/P/3500A) and Landscaping Maintenance and Management Plan (ref. 6083/P/3501).

Reason

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

6. Parking:
Development is to proceed with the details as per the Parking Strategy Plan (ref. 6083/P/113A) and Surface Finishes and Kerb Types (ref. DR-C-0300-P02).

Reason

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

7. Noise assessment:
Development shall proceed in accordance with details submitted under the Noise Impact Assessment report ref 7904/JA/BL rev 2 dated 16.10.19.

Reason

For the avoidance of doubt and to ensure that adequate measures have been taken to mitigate against noise to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

8. Pedestrian access:

In accordance with the plan Proposed Site Layout, 6083/P/111 A, the scheme shall include pedestrian access connecting to the existing footpath, adjacent to the vehicular scheme access.

Reason

For the avoidance of doubt and in the interests of highway safety, and to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

9. CEMP:

Development shall be in accordance with the CEMP details as per the Carter Site Welfare Facilities and Storage - Construction report including Road Transport Method Statement received by the LPA on 5.11.19.

Reason

For the avoidance of doubt and to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

10. Drainage:

Development shall proceed in accordance with the following details received on 17.3.20:

- Proposed Drainage (ref. DR-C-0200-P03)
- Drainage - Impermeable Areas (ref. DR-C-0201-P02)
- Drainage - Storm Tanks (ref. DR-C-0202-P01)
- Drainage Statement (ref. 3338-YATE-ICS-XX-RP-C-07.001_REV - _DRAINAGE STATEMENT.DOCX

Reason:

For the avoidance of doubt and 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 2012.

11. Public art:

Development shall proceed in accordance with the details set out in the Strategy for Public Art received on 1.5.20.

Reason

For the avoidance of doubt and in the interests of visual amenity and cultural activities for new residents and to accord with Policy CS1 and CS23 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

12. Energy statement:
Development shall proceed in accordance with the J S Lewis Ltd Energy Strategy Revision A dated October 2019.

Reason:

For the avoidance of doubt and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013 and PSP6 of the Policies Sites and Places Plan (Adopted) 2017 and the NPPF.

13. 35% Affordable Dwellings shall be constructed to meet Part M of the Building Regulations accessibility standard M4(2) with the exception of any self-contained accommodation built above ground floor level and 8% affordable homes required to meet Part M of the Building Regulations accessibility standard M4(3)(2)(a).

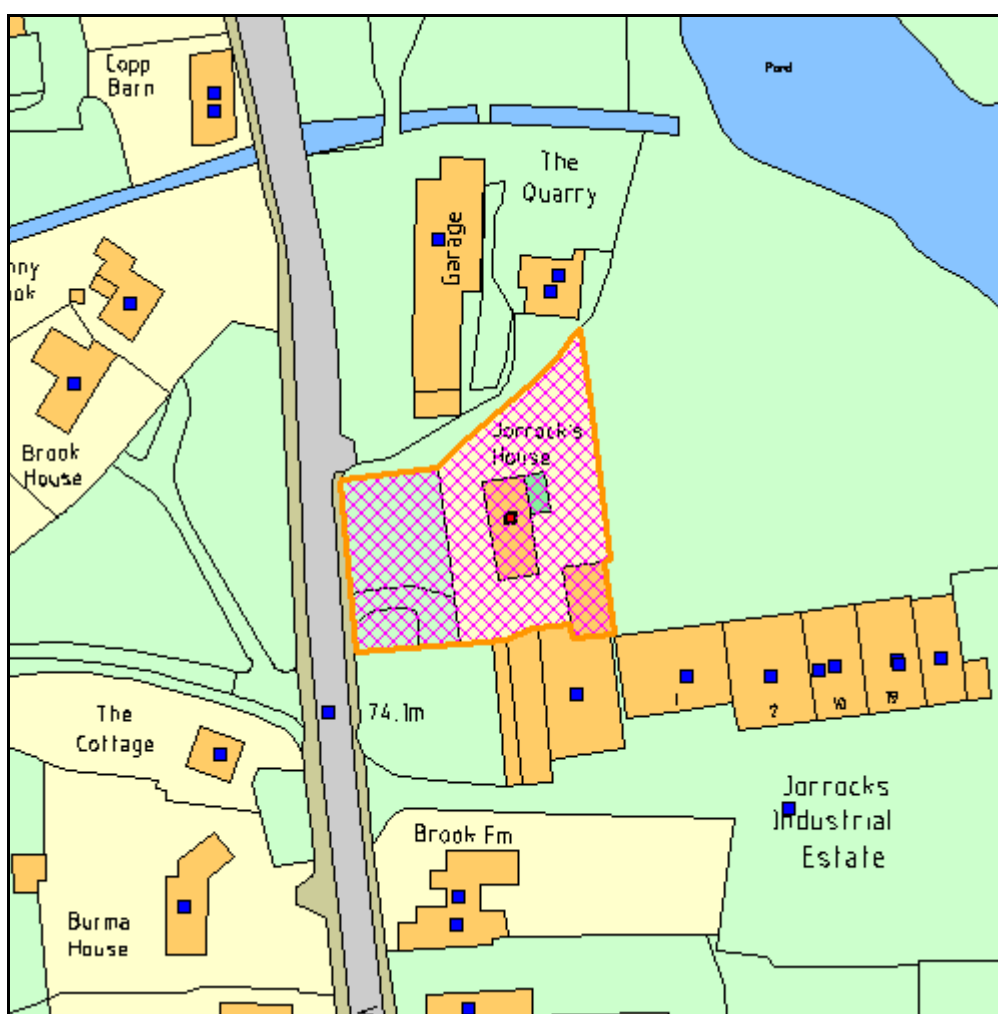
8% Affordable Dwellings (social rented) shall be constructed to meet Part M of the Building Regulations accessibility standard M4(3)(2)(a).

Reason

To ensure inclusive design access for all in accordance with Policy PSP37 of the adopted South Gloucestershire Local Plan: Policies, Sites and Places Plan.

CIRCULATED SCHEDULE NO. 21/20 - 22nd May 2020

App No.:	P20/00965/O	Applicant:	Mr Newman
Site:	Jorrocks House Westerleigh Road Westerleigh Bristol South Gloucestershire BS37 8QH	Date Reg:	17th January 2020
Proposal:	Demolition of existing bungalow and erection of 3no dwellings (Outline) with access, layout and scale to be determined, all other matters reserved.	Parish:	Westerleigh Parish Council
Map Ref:	369990 179974	Ward:	Boyd Valley
Application Category:	Minor	Target Date:	12th March 2020



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N.T.S.

P20/00965/O

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

Reason for Referring to the Circulated Schedule

This application has been referred to the Circulated Schedule following the receipt of an objection from Westerleigh Parish Council; the concerns raised being contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 Jorrocks House is a single-storey residential dwelling located to the east of Westerleigh Road, within the Established Settlement Boundary of Westerleigh Village. The village is washed over as Green Belt. Vehicular access is from Westerleigh Road which is a Major Recreational Route. A garage business lies to the north and an Industrial Estate to the South; open countryside lies to the east; Brook Farmhouse to the south is a Grade II listed Building.
- 1.2 The proposal is to demolish Jorrocks House to facilitate the erection of 3no.; two-storey (with living accommodation in the roof space) 4-bedroom detached dwellings, each with an attached single garage. The existing vehicular access from Westerleigh Road would be utilised and improved.
- 1.3 The application is in Outline form with only access, layout and scale to be determined at this stage; the appearance of the buildings and landscaping of the site would be the subject of a reserved matters application, should outline consent be granted.
- 1.4 An application PK16/6478/O for an almost identical scheme was previously approved but has recently expired; hence this current application which is, in effect, a re-submission of that previously approved. The only difference between the current scheme and that previously approved is the garage sizes, which have been slightly enlarged to meet current standards.

2. POLICY CONTEXT

2.1 National

The National Planning Policy Framework (Adopted) Feb. 2019

The National Planning Practice Guidance Feb. 2014

Development Plan

2.2 The South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

CS1 High Quality Design

CS4a Sustainable Development

CS5 Location of Development

CS6 Infrastructure and Developer Contributions

CS8 Improving Accessibility

CS9 Managing the Environment & Heritage

CS15 Distribution of Housing

CS16 Housing Density
CS17 Housing Diversity
CS18 Affordable Housing
CS34 Rural Areas

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

PSP1 Local Distinctiveness
PSP2 Landscape
PSP6 On Site Renewable and Low Carbon Energy
PSP7 Development in the Green Belt
PSP8 Residential Amenity
PSP10 Active Travel Routes
PSP11 Transport Impact Management
PSP16 Parking Standards
PSP17 Heritage Assets and the Historic Environment
PSP19 Wider Biodiversity
PSP20 Flood Risk, Surface Water and Watercourse Management
PSP21 Environmental Pollution and Impacts
PSP37 Internal Space Standards
PSP40 Residential Development in the Countryside
PSP43 Private Amenity Space Standards

- 2.3 South Gloucestershire Supplementary Planning Documents
Residential Parking Standards SPD (Adopted) December 2013
Design Checklist SPD (Adopted) 2007
Development in the Green Belt SPD Adopted June 2007
Trees on Development Sites SPG (Adopted) Nov. 2005.
Affordable Housing SPD (Adopted) May 2014 (amended Dec. 2017)
Landscape Character Assessment SPD (Adopted) November 2014 –
Landscape Character Area 12 : Westerleigh Vale and Oldland Ridge
Waste Collection SPD (Adopted) January 2015 (amended March 2017)
CIL and S106 SPD (Adopted) March 2015

3. RELEVANT PLANNING HISTORY

- 3.1 PK16/6478/O - Demolition of existing bungalow and erection of 3no. dwellings (outline) with access, layout and scale to be determined. All other matters reserved.
Approved 29th March 2017 at D.C. East Committee

4. CONSULTATION RESPONSES

- 4.1 Westerleigh Parish Council
Objection – Westerleigh Parish Council reiterates the comments made when a previous, almost identical, application was made for this development PK16/6478/O:

Over-development for the size of site which is an elevated, sloping and dominant position in the village centre. The area is heavily congested and this proposal is detrimental to the surroundings. In addition the practicalities of

multiple vehicular movements on the proposed site for three dwellings could cause neighbour tension issues for the residents buying the new properties, again exacerbated and space being limited by the gradient of the plot.

4.2 Other Consultees

Lead Local Flood Authority

No objection subject to a condition to secure a SUDS drainage scheme.

Transportation D.C

No objection subject to conditions to secure parking, access and electricity charging points.

Environmental Protection

No objection subject to a condition to ascertain if there is any contamination of the site and mitigation measures should contamination be found; and to ensure implementation of mitigation measures outlined in the noise impact report.

Archaeology Officer

No objections

Other Representations

4.3 Local Residents

1no letter/e.mail was received from a local resident objecting to the proposal. The concerns raised are summarised as follows:

- Out of character.
- Will dominate the skyline opposite the Green.
- The access to the site is too narrow and very steep to allow a vehicle to enter the site as another one leaves. Access within the site is very narrow.
- The additional traffic will be a highway hazard.
- There are no shops within walking distance.

5. ANALYSIS OF PROPOSAL

The application is in outline form and therefore merely seeks to establish the acceptance in principle of the residential development of the site for 3no. dwellings using the access, layout and scale proposed. The acceptance in principle of an almost identical scheme on this site, has in fact been previously established with the grant of outline consent PK16/6478/O (now expired).

5.1 Principle of Development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

5.2 The South Gloucestershire Local Plan: Core Strategy was adopted by the Council on 11th December 2013. By virtue of Section 38(6) of the Planning and Compulsory Purchase Act, the starting point for determining any planning decision will now be the Core Strategy, as it forms part of the adopted

- Development Plan and is generally compliant with the National Planning Policy Framework 2019 (NPPF). The Policies, Sites & Places Plan (PSP) is adopted and also forms part of the Development Plan.
- 5.3 The site lies wholly within the Established Settlement Boundary of Westerleigh. The development plan supports residential development within the established settlement boundaries. Policy CS5 of the Core Strategy establishes the spatial strategy for development in the district. Under this policy, new development is directed to the existing urban areas, market towns, and defined rural settlements.
 - 5.4 The revised NPPF (para. 11) reiterates that; at the heart of the Framework is the presumption in favour of sustainable development and for decision taking (11c), this means approving development proposals that accord with an up-to-date development plan without delay. Since the Council's latest Annual Monitoring Review (Dec. 2019) reveals that the Council can demonstrate a 5-year Housing Land Supply (5.36 years), this application should be determined in accordance with the Development Plan.
 - 5.5 Furthermore, The South Gloucestershire Local Plan Core Strategy adopted (Dec 2013) Policy CS4 replicates the NPPF in enforcing the presumption in favour of sustainable development. In accordance with the NPPF para. 38, Core Strategy Policy CS4A states that; when considering proposals for sustainable development, the Council will take a positive approach and will work pro-actively with applicants to find solutions so that sustainable development can be approved wherever possible.
 - 5.6 Para. 109 of the NPPF states that development should only be prevented on transport grounds where the residual cumulative impacts of development are 'severe'.
 - 5.7 The NPPF sets out the importance of delivering a wide range of residential accommodation. This policy stance is replicated in Policy CS17 of the Core Strategy which makes specific reference to the importance of planning for mixed communities including a variety of housing type and size to accommodate a range of different households, including families, single persons, older persons and low income households, as evidenced by local needs assessments and strategic housing market assessments.
 - 5.8 Core Strategy Policy CS16 seeks efficient use of land for housing. It states that: *Housing development is required to make efficient use of land, to conserve resources and maximise the amount of housing supplied, particularly in and around town centres and other locations where there is good pedestrian access to frequent public transport services.* This proposal is considered to make the most efficient use of the site, which weighs in favour of the scheme.
 - 5.9 Core Strategy Policy CS5 6(C) requires proposals for development in the Green Belt to comply with the provisions of the NPPF. Policy CS8 (1) does not support proposals which are car dependant or promote unsustainable travel behaviour.

- 5.10 Westerleigh village has a reasonable level of services and facilities, including 2 pubs, a church, a school and a café at Wot Not; furthermore it lies within a short distance of Yate, which is a higher order settlement providing a wide range of services, facilities and employment opportunities. A bus service (the Y5) links the village to Bristol and Yate/Chipping Sodbury, and Westerleigh Road is an active travel route. The application site is therefore a sustainable one, which also weighs in favour of the proposal.
- 5.11 Impact on the Openness of the Green Belt
Paragraph 133 of the NPPF states that the government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
- 5.12 Inappropriate development is by definition harmful to the openness of the Green Belt and should not be approved except in very special circumstances (para. 143).
- 5.13 The five purposes of including land within the Green Belt are listed at para. 134 of the NPPF and are as follows:
- To check the unrestricted sprawl of large built up areas;
 - To prevent neighbouring towns merging into one another;
 - To assist in safeguarding the countryside from encroachment;
 - To preserve the setting and special character of historic towns; and
 - To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 5.14 Para. 145 of the NPPF states that planning authorities should regard the construction of new buildings as inappropriate in the Green Belt but lists exceptions amongst which are the following:
- The replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
 - Limited infilling in villages;
 - Limited infilling or the partial or complete redevelopment of previously developed land (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.
- 5.15 Although the scheme involves the demolition of the existing dwelling the scheme is not considered to be a replacement of this building as three new dwellings would be erected and the overall built form would be larger than the existing building and as such, the proposal would not meet the criterion listed at the first bullet point above.

- 5.16 Taking the third bullet point, it is proposed in part, to erect the dwellings on what is currently the private residential garden area serving the existing dwelling, but the NPPF excludes such land from its definition of 'previously developed land' (see NPPF Annex 2 Glossary of terms).
- 5.17 Furthermore the proposed houses would cumulatively represent a considerably larger amount of built development than the existing bungalow. This together with the proposed residential curtilages and associated hard-standings, turning areas and domestic paraphernalia, would clearly have a significantly greater impact on the openness of the Green Belt than the existing development, so this criterion is not met either.
- 5.18 Moving to the second bullet point, officers consider that the issue of 'limited infilling', is key to the determination of this application in Green Belt terms. There is predominantly linear development along Westerleigh Road, interspersed with some commercial development extending further into the countryside e.g. the industrial estate to the south of the application site.
- 5.19 In the Core Strategy, Policy CS5 confirms at para. 6 (a) that, in the Green Belt, small scale infill development may be permitted within the settlement boundaries of villages shown on the policies map; this includes Westerleigh. The Core Strategy Glossary of Terms defines 'infill development' as:

"The development of a relatively small gap between existing buildings, normally within a built up area."

- 5.20 Also of some relevance is the Councils adopted SPD note "Development in the Green Belt" June 2007. Under the heading 'Infill Development' on pg5 the SPD states that:

"Infill development is development that is small in scale and which fits into an existing built up area in a defined settlement boundary, normally in-between existing buildings, in a linear formation."

The proposal is considered to be infill development because it would lie within the gap, created in part by the demolition of Jorrocks House, within the linear development along this part of 'Westerleigh Road'.

- 5.21 On this basis and for the reasons explained above, the proposal meets the criteria listed at bullet point two above (para.5.14) and is therefore appropriate development within the Green Belt for the purposes of the National Planning Policy Framework. This conclusion was accepted by the D.C. (East) Committee in granting consent for PK16/6478/O and is a material consideration of significant weight in determining this current application.

5.22 Design and Conservation Issues

Core Strategy Policy CS1 only permits new development where good standards of site planning and design are achieved. The Policy requires that siting, overall layout, density, form, scale, height, massing, detailing, colour and materials, are informed by, respect and enhance the character, distinctiveness and amenity of both the site and the locality.

- 5.23 Core Strategy Policy CS9 expects new development to ensure that heritage assets are conserved, respected and enhanced in a manner appropriate to their significance. Policy L13 seeks to preserve the settings of Listed Buildings.
- 5.24 The northern part of Westerleigh comprises a mix of properties that are predominantly residential but interspersed with an unusually high degree of commercial properties, given this village location. The houses along Westerleigh Road are individual in character and range from older 19th C Pennant Sandstone houses and cottages to mid 20th C bungalows and detached two-storey houses. They are each of their time and there is no uniform vernacular that characterises the village or that needs in this case to be strictly adhered to.
- 5.25 'Jorrocks House' is a modest bungalow that has no statutory protection from listing and neither is it locally listed; neither does it lie within a Conservation Area. The property has an unkempt appearance and is not in any way considered to be a heritage asset; its loss is not therefore resisted.
- 5.26 Some concerns have been raised about the scale and appearance of the proposed dwellings, especially in relation to the character of the location and the proximity of the site to the Grade II Listed Brook Farmhouse and the green located directly opposite the application site.
- 5.27 It must in the first instance be stressed that the appearance of the dwellings as shown on the submitted plans is only indicative at this outline stage. It is acknowledged that the form of the proposed dwellings may differ somewhat from other dwellings along Westerleigh Road but given the mixed character of the existing dwellings, the proposed houses would not necessarily look out of place. They are not excessive in scale for 4 bed dwellings and there are larger buildings nearby e.g. Brook Farmhouse. Being built on a site that is elevated in relation to Westerleigh Road, the dwellings would be prominent in the street scene, but they would be set well back from the road frontage and with careful design and use of appropriate materials, there is no reason why the dwellings should look unsightly. Indeed, given the proximity of the neighbouring garage and industrial estate, together with the cluttered and run down appearance of the application site, the proposal has the potential to significantly enhance the appearance of this part of Westerleigh.
- 5.28 At present the site frontage is entirely open but with appropriate boundary treatments and landscaping, which could soften views of the dwellings from the public realm, there is in officer opinion, no reason why the proposed dwellings should not be visually acceptable. The Grade II Listed Brook Farmhouse also lies in an elevated position and is a prominent and dominant feature of the street scene. The proposed dwellings would not be located particularly close to this property, being separated from it by the westernmost part of the industrial estate and the 'Wot Not' parking areas to the front. On balance, the setting of the Listed Building would not be compromised by the scheme.
- 5.29 In terms of site layout, the dwellings would be logically located in a line, to continue the generally linear pattern of development along Westerleigh Road.

There is sufficient space on the site to accommodate the dwellings, whilst at the same time making the most efficient use of the site within the Settlement Boundary; which is a requirement of the Core Strategy and NPPF.

- 5.30 Given that appearance is not to be determined at this outline stage and having regard to the above considerations, officers consider that on balance, the scheme is acceptable in design terms and would not cause harm to any heritage assets.

Landscape Issues

- 5.31 Policy PSP2 of the South Gloucestershire Local Plan : Policies Sites and Places Plan seeks to conserve and enhance those attributes of the landscape, which make a significant contribution to the character of the landscape.
- 5.32 The South Gloucestershire Landscape Character Assessment describes the village as follows; “Westerleigh is located below the Pucklechurch Ridge and comprises a linear settlement with large Pennant stone houses and farms, brick terraces, and more recent reconstituted stone and rendered infill properties, built on the convergence of three roads, with the church and village green at its centre. The majority of the village is located on gently sloping ground, nestled below the Pucklechurch Ridge, with a more recent housing spur ascending the ridge, along Shorthill Road. The village is surrounded by agricultural fields, with a playing field to the south.”
- 5.33 The existing bungalow ‘Jorrocks House’ is currently set toward the back of the plot which, is approximately 3.5m higher than the Westerleigh Road. It is proposed to locate the new dwellings at the same elevated location set back from the road. There are single-storey buildings occupied by an MOT centre to the north and within the industrial estate to the south. On the opposite side of the road there is an open space, which has the appearance of a village green. A public right of way, designated as a restricted byway, approaches Westerleigh from the west and passes along the southern boundary of the open space almost directly opposite and with clear views of the application site. The restricted by way is used by the Yate to Bristol and Bath cycle route.
- 5.34 At present there is no vegetation of note within the application site and the front of the site is completely open, which currently makes it very prominent in views from the road and vantage points opposite. Concerns have been raised about the compatibility of the scheme with the existing character of the location but officers note that the ‘green’ is located on the opposite side of Westerleigh Road and has its own distinctive character, which is nothing like the more industrialised and elevated areas opposite. As previously stated, there is plenty of scope to introduce planting of shrubs and trees to the front of the proposed dwellings and with the careful design of appropriate boundary treatments and use of appropriate materials to construct the houses, there is no reason why the scheme should not integrate adequately within the existing street scene and wider landscape. Given that the landscaping of the site would be determined at the reserved matters stage, there are therefore no objections in purely landscape terms at this outline stage. The individual boundary treatments can be appropriately secured by condition. Given that landscaping

details would be submitted at the reserved matters stage, there is no justification in this case for imposing a landscape condition on any outline consent.

5.35 Impact Upon Residential Amenity

The application site is flanked by commercial properties but there is a dormer bungalow to the north, located behind the garage/MOT centre. This property would however be situated a sufficient distance away as to not be affected by the scheme, as also would the properties around the 'Green' on the opposite side of Westerleigh Road. Although located next to commercial properties, these are relatively low key uses, which should not have any adverse impacts for future occupiers of the proposed dwellings (see para. 5.43 below), especially given that 'Jorrocks House' and the bungalow to the north, as well as Brook Farmhouse, have survived so long in harmony with these uses.

5.36 Adequate areas of private amenity space would be provided to serve the family sized dwellings in the proposed rear gardens. There would be no issues of overbearing impact or loss of privacy. The proposal is acceptable in terms of impact on residential amenity.

5.37 Transportation Issues

Sufficient numbers of parking spaces (2no. per house) would be provided within the site to satisfy the minimum Residential Parking Standards SPD. The size of the parking spaces and internal dimensions of the respective garages also satisfy the current standards. The parking spaces are accessible and sufficient turning area would be provided to allow the cars to enter/exit the site in forward gear. There would be adequate space for secure cycle parking (within the garages) and bin storage.

5.38 The existing single track access would be widened to provide a private shared access road; the first 5m would be hard surfaced. The access as shown on the plans is too steep over the first 8.5m and the gradient should be no more than 1 in 12, this can be secured by condition. Whilst the proposal would increase traffic generation to the site, this would not be to a significant level. Westerleigh Road has a 30mph speed limit and the visibility splays at the proposed access would be above the minimum required for vehicles travelling at 30mph. There is some traffic calming on the road further south (Shorthill Road) and being heavily trafficked at peak periods, traffic speeds on Westerleigh Road are relatively low at those times.

5.39 There is a footpath on the western side of Westerleigh Road opposite the site and two bus stops within easy walking distance with regular services to Yate, Old Sodbury, Bath and Bristol. Whilst the only shop within the village appears to have closed, the village is well served by a Church, two pubs, a café and garages. There are employment opportunities within the industrial estate. Despite the application site's rural location, the main shopping area of Yate is relatively accessible and on balance the location is sufficiently sustainable.

5.40 In terms of waste collection, an area for refuse and re-cycling storage would be located next to the driveway, only 8.5m from the access onto Westerleigh

- Road. This would facilitate road side collection and this, as well as the gradient of the driveway (1 in 12), accords with the guidelines within the Waste Collection SPD. If needs be, a bin lorry could reverse up the drive to collect waste.
- 5.41 Having regard to all of the above, there are no transportation objections to the scheme.
- 5.42 Environmental and Drainage Issues
- Any excessive increase in noise levels or anti-social behaviour, would be the subject of normal environmental health controls. Whilst there would inevitably be some disturbance for neighbours during the development phase, this could be adequately mitigated by imposing a condition to restrict the hours of working. There is no existing public surface water sewer so the Council's Drainage Engineer has suggested a condition to secure details of SUDS. The site lies in Flood Zone 1 and is not at high risk of flooding. The site does not lie within a Coal Referral Area.
- 5.43 In terms of future residents' a Noise Assessment Report has been submitted. Subject to a condition to secure the noise mitigation measures advised in the report, the Council's EHO has no objection.
- 5.44 Ecology
The site is not covered by any statutory or non-statutory nature conservation designations. There are no objections on ecology grounds
- 5.45 Affordable Housing
- The proposal is for 3no. new dwellings only, which is below the Council's threshold for affordable housing provision.
- 5.46 Community Services
The proposal is for 3no. new dwellings only, which is below the Council's threshold for contributions to Community Services.
- CIL Matters
- 5.47 The South Gloucestershire Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide SPD was adopted March 2015. CIL charging commenced on 1st August 2015 and this development, if approved, is likely to be liable to CIL charging.
- 5.48 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.

Balancing Exercise

5.50 In determining whether the proposal would be a sustainable form of development, there are three dimensions to consider. The social dimension would be fulfilled by the provision of 3 (net gain 2) dwellings that would suit the needs of a variety of potential occupiers. The site lies in a reasonably sustainable location and the proposal would make efficient use of land, part of which is previously developed, in the Established Settlement Boundary. However, a net increase of 2 dwellings would make only a modest contribution to the 5-year housing land supply.

5.51 There would be economic benefits arising from the construction and occupation of the dwellings to which modest weight can also be attached. The residual cumulative transportation impacts of the development, which are not considered to be 'severe' can only be afforded neutral weight in the final balance as this is expected of all developments, although in this case there would be some enhancements to the access to result from the scheme. In terms of the environment, the scheme would result in some enhancements in terms of improving visual amenity and enhancing the landscaping of the site. On balance, the scheme is considered to be sustainable development that should be approved.

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 There are no adverse impacts of the scheme that would significantly and demonstrably outweigh the benefits; the proposal is therefore sustainable development.

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

7. RECOMMENDATION

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

Contact Officer: Roger Hemming
Tel. No. 01454 863537

CONDITIONS

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

Reason

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

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

Reason

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

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

Reason

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

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

Reason

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

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

Reason

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

6. The details of external appearance to be submitted at Reserved Matters stage shall demonstrate how the proposal would provide sufficient renewable and/or low carbon

energy generation on or near the site, to reduce total annual electricity and gas use in the buildings in line with the provisions required by policy PSP6 of the adopted South Gloucestershire Core Strategy: Policies, Sites and Places DPD (adopted) November 2017.

Reason

In the interests of sustainability and to accord with Policy PSP6 of the The Policies Sites and Places Plan (Adopted) 8th Nov. 2017.

7. The car parking and cycle parking facilities, as shown on the approved plans, shall be provided prior to the first occupation of any of the dwellings hereby approved and maintained as such thereafter.

Reason

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

8. Notwithstanding the details shown on the submitted plans, no above ground construction shall take place until details of the access have been submitted to and approved in writing by the Local Planning Authority. The details shall include a maximum gradient of 1 in 12 for the first 8m, consolidated material (not loose stone or gravel) for the first 5m and surface water drainage to prevent water spilling across the public highway. The approved details shall be completed prior to the first occupation of the development.

Reason

In the interest of highway safety and the amenity of the area, and to accord with Policy PSP11 of the South Gloucestershire Local Plan : The Policies Sites and Places Plan (Adopted) 8th Nov. 2017 and Policy CS8 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec.2013.

9. The dwellings shall not be occupied until 7Kw / 32Amp Electric Vehicle Charging Points have been provided for each respective dwelling.

Reason

To promote sustainable travel choices and to accord with Policy PSP16 of the South Gloucestershire Local Plan : Policies, Sites and Places Plan (Adopted) 8th Nov. 2017, the South Gloucestershire Council's Supplementary Planning Document for Residential Car Parking Standards and the requirements of the NPPF.

10. No development shall commence until surface water 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 to and approved in writing by the Local Planning Authority. For the avoidance of doubt the submitted scheme should include the following information:
 - A clearly labelled drainage layout plan showing the exact location of any soakaways.

- Evidence is required to confirm that the ground is suitable for soakaways. Percolation / Soakage test results in accordance with BRE Digest 365 and as described in Building Regs H - Drainage and Waste Disposal
- Evidence that the soakaway is appropriately sized in accordance with BRE Digest 365 Soakaway Design.
- Sp. Note; - Soakaways must be located 5 Metres from any structure including the Public Highway
- Sp. Note: - No surface water discharge will be permitted to an existing foul sewer without the expressed approval of the sewage undertaker.

Reason

In the interests of flood risk to accord with Policies CS1 and CS9 of The South Gloucestershire Local Plan Core Strategy (Adopted), Policy PSP20 of The South Gloucestershire Local Plan : Policies Sites and Places Plan (Adopted) 8th Nov. 2017 and the requirements of the NPPF. This is a pre commencement condition to ensure that the site can be adequately drained.

11. The landscaping details submitted as a reserved matter shall include details of the following:

- Planting specification and plant schedule
- All planting should be native species and look to enhance the current landscape, increase and link the wider biodiversity of the site and the wider landscape, and the nearby Site of Nature Conservation and water courses.
- All existing hedgerows and hedgerow trees to be retained, as they provide a substantial screening to the wider landscape.
- At least a net contribution to the tree cover and hedgerows, and further enhancement of the biodiversity to the site, with the use of native species, that will mitigate for the increased development of the site.
- Fruit trees to be planted in the rear gardens.
- Enhanced screening to the listed building site Brook Farm.
- All planting should increase the biodiversity of the existing site, with consideration to Bees.
- Also specification notes covering topsoil depths, cultivation, planting, irrigation, and landscape maintenance covering a 5 year establishment period to help ensure the planting thrives.

Reason

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

12. The development hereby approved shall be constructed in accordance with the recommended noise mitigation measures detailed at paragraphs 5.3, 5.4 and 5.5 of the submitted Noise Impact Assessment by Matrix Ref: M2009/R01 3rd April 2020.

Reason

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

13. A) Desk Study - Previous historic uses(s) of the site and land within 250m of the site may have given rise to contamination. No development shall commence until an assessment of the risks posed by any contamination shall have been carried out and submitted to and approved in writing by the local planning authority. This assessment must be undertaken by a suitably qualified contaminated land practitioner, in accordance with British Standard BS 10175 Investigation of potentially contaminated sites and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced), and shall assess any contamination on the site, whether or not it originates on the site.

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

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

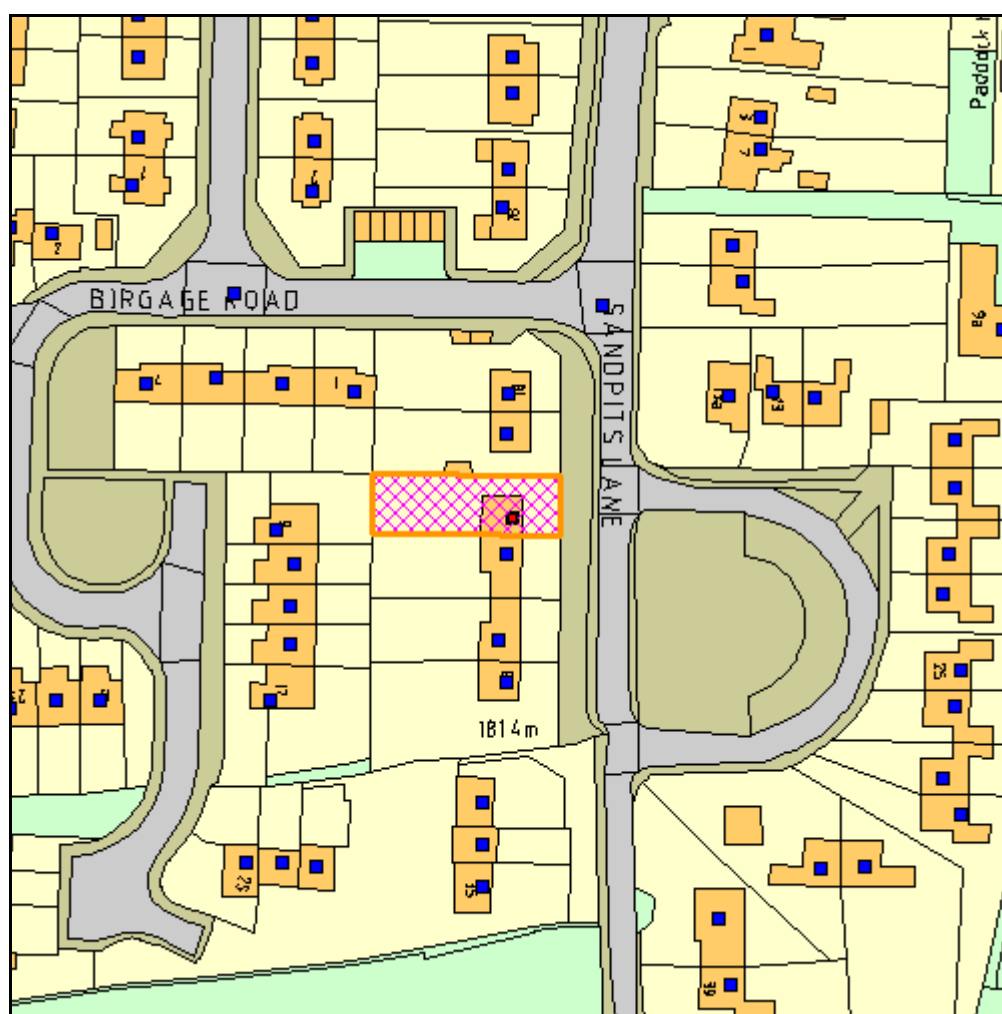
The approved remediation scheme shall be carried out before the development (or relevant phase of development) is occupied.

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

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

CIRCULATED SCHEDULE NO. 21/20 - 22nd May 2020

App No.:	P20/02962/F	Applicant:	Mr Philip Baldwin
Site:	22 Sandpits Lane Hawkesbury Upton South Gloucestershire GL9 1BD	Date Reg:	20th February 2020
Proposal:	Erection of two storey side and single storey front extensions to provide additional living accommodation.	Parish:	Hawkesbury Parish Council
Map Ref:	377978 186711	Ward:	Chipping Sodbury And Cotswold Edge
Application Category:	Householder	Target Date:	15th April 2020



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

The application appears on the Circulated Schedule as there is an objection raised by Hawkesbury Upton Parish Council where the officer recommendation is one of approval.

1. **THE PROPOSAL**

- 1.1 The proposal seeks full planning permission for erection of two-storey side and single storey front extensions to provide additional living accommodation. Also, creation of vehicular access proposed to facilitate provision of 2no. off-street parking spaces.
- 1.2 The original property is a two-storey end-of-terrace house located at 22 Sandpits Lane, Hawkesbury Upton, which is within the Cotswolds Area of Outstanding Natural Beauty.
- 1.3 During the determination phase of this planning application the case officer received revised proposed plans from the agent.

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

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

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

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist

3. RELEVANT PLANNING HISTORY

3.1 No relevant planning history.

4. CONSULTATION RESPONSES

4.1 Hawkesbury Upton Parish Council

Objection to the proposed front extension. Visually intrusive and in front of the existing building line.

4.2 Other Consultees

Sustainable Transport

Revised location plan requested that would show the proposed vehicular access and off-street parking spaces.

Other Representations

4.3 Local Residents

The Local Planning Authority is in receipt of 1no. neutral comment for this planning application.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

5.2 Design and Visual Amenity

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

- 5.3 The proposed two-storey side extension will have a width of 3.25m, which would allow for 0.2m gap between the new extension and the neighbouring house. The proposed depth is 6.35m. The extension will be set approx. 0.15m from the original building line. The proposed height is 6.8m, which is approx. 0.3m below the existing roof's ridge. There will be 1no. window installed to the front elevation, as well as 1no. door and 1no. window to the rear. According to the submitted plans the proposed materials for external works will match those of the existing dwellinghouse.
- 5.4 The proposed single storey part of the extension will project to the front of the original house by 1.2m and have a width of 3.45m, which results in the area of approx. 4.1 sq.m. It is smaller than originally proposed by the applicant. It is noted that this front extension will extend beyond the original building line. However, the proposed depth is not considered to be significant enough to create substantial visual harm to the surrounding area. The reduced width appears to minimise the level of visual intrusion.
- 5.5 The creation of vehicular access would involve partial demolition of existing stone wall to the front of the property. It is a distinctive feature that is present to the front of several other houses in close proximity. The revised block plan indicates that approximately 5.2m of the existing stone wall will be retained. From the point of view of visual amenity it is considered acceptable.
- 5.6 In the view of the assessment set out above it is considered that the proposed alterations would not harm the character or appearance of the area and as such are considered acceptable in terms of visual amenity. Therefore, it is judged that the proposal has an acceptable standard of design and are considered to accord with policies CS1 of the South Gloucestershire Local Plan Core Strategy and PSP38 of the Policies, Sites and Places Plan.

5.7 Residential Amenity

It is considered that the design and scale of the proposed development will not prejudice the residential amenities of neighbouring occupiers nor will it create any detrimental impact on their private amenities.

It is also considered that ample levels of external amenity space would be retained at the site post-development. On the basis of the assessment set out above, it is concluded that the proposal would have no unacceptable impacts on residential amenity, and the proposed development therefore accords with policies PSP8, PSP38 and PSP43.

5.8 Access and Parking

The proposal would result in No. 22 Sandpits Lane having 4no. bedrooms following post-development. According to policy PSP16 houses with four bedrooms must have enough off-street parking space to accommodate 2no. cars. Based on the submitted revised block plan it is evident that there would be sufficient off-street parking to accommodate 2no. cars. Thus it is considered that the proposed development complies with policy PSP16.

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 is considered to have a neutral impact on equality.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Contact Officer: Mykola Druziakin
Tel. No. 01454 868434

CONDITIONS

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

Reason

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

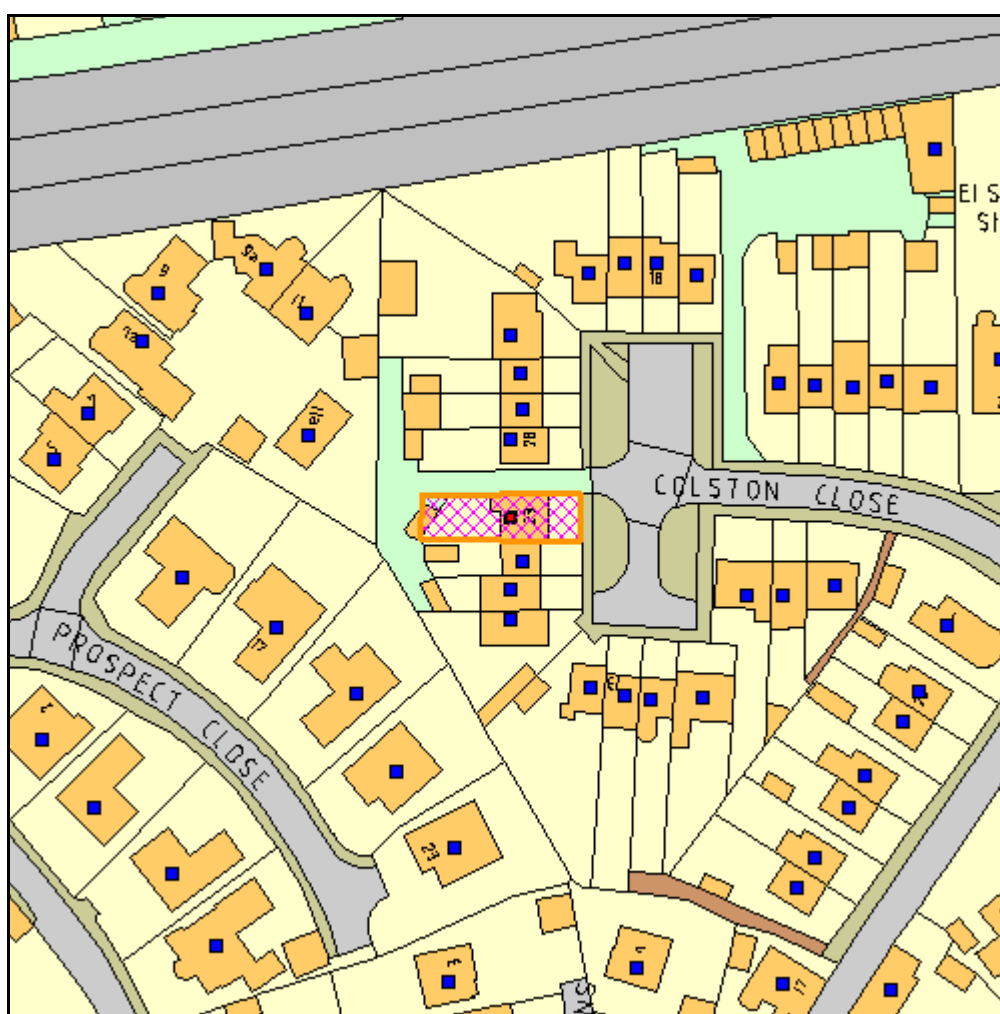
2. The proposed two storey side extension hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 22 Sandpits Lane, Hawkesbury Upton.

Reason

In order to protect the residential and private amenity of neighbouring occupiers.

CIRCULATED SCHEDULE NO. 21/20 - 22nd May 2020

App No.:	P20/04910/F	Applicant:	Mrs A Smith
Site:	23 Colston Close Winterbourne Down South Gloucestershire BS36 1EW	Date Reg:	25th March 2020
Proposal:	Erection of single storey rear extension to form additional living accommodation. Erection of rear dormer and installation of 2no front roof lights to facilitate loft conversion.	Parish:	Winterbourne Parish Council
Map Ref:	365152 179827	Ward:	Winterbourne
Application Category:	Householder	Target Date:	18th May 2020



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

The application appears on the Circulated Schedule as there is an objection raised by Winterbourne Parish Council where the officer recommendation is one of approval.

1. **THE PROPOSAL**

- 1.1 The proposal seeks full planning permission for erection of a single storey rear extension to form additional living accommodation, as well as erection of a rear dormer and installation 2no. roof lights to facilitate loft conversion.
- 1.2 The original property is a two-storey end-of-terrace house located at 23 Colston Close, Winterbourne.

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

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

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

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist

3. **RELEVANT PLANNING HISTORY**

- 3.1 N1592
Erection of single storey extension to side and rear of dwelling.

Approved: 14/08/1975.

4. **CONSULTATION RESPONSES**

4.1 Winterbourne Parish Council

Objection. The application provides an extra bedroom, but without the benefit of an extra parking space.

4.2 Other Consultees

Sustainable Transport

The proposed development will increase the bedrooms within the dwelling to four. When assessed against South Gloucestershire Council's residential parking standards, a minimum of two parking spaces are required to be provided within the site boundary. It is difficult to ascertain from the plans submitted the existing or proposed vehicular access or parking. A revised plan is requested.

Other Representations

4.3 Local Residents

1no. letter of objection was received from a local resident with key points summarised below:

- Dormer windows will allow direct line of sight into the main bedroom of our house; partial line of sight into one of the other bedrooms and 2 bathrooms.
- Light and noise pollution from the extension will be directed at our property.
- In the past party noise caused us problems, which can be repeated now with extra floor added.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

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

5.2 Design and Visual Amenity

Policy CS1 of the Core Strategy and policy PSP38 of the Policies, Sites and Places Plan seek to ensure that development proposals are of the highest possible standards of design. This means that developments should be

- informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context.
- 5.3 The proposed ground floor rear extension will have a depth of 2.1m and a width of 7.6m. The proposed height is 3.1m. The proposed extension will incorporate parts of the existing kitchen and dining areas. There will be 2no. doors installed to the rear elevation. The materials for exterior works will match those of the existing dwellinghouse.
- 5.4 The proposed rear dormer will be installed to facilitate loft conversion. It will measure 5.35m wide and have 2no. windows installed to the rear. It appears that the design and size of the proposed dormer would fall under Permitted Development regulations. Also, 2no. roof lights will be installed to the front elevation of the house.
- 5.5 Overall, it is considered that the proposed alterations would not harm the character or appearance of the area and as such are considered acceptable in terms of visual amenity. Therefore, it is judged that the proposal has an acceptable standard of design and are considered to accord with policies CS1 of the South Gloucestershire Local Plan Core Strategy and PSP38 of the Policies, Sites and Places Plan.
- 5.6 Residential Amenity
- Policy PSP38 of the Policies, Sites and Places Plan explains that development will be permitted provided that it would not detrimentally impact the residential amenities of nearby occupiers and would not prejudice the retention of adequate private amenity space. Policy PSP8 specifically relates to impacts on residential amenity, and outlines that unacceptable impacts could result from (but are not restricted to); loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and odours, fumes or vibration.
- 5.7 It is considered that the position and design of the proposed ground floor extension will not cause any detrimental impact on the residential amenity of neighbouring residents.
- 5.8 In regards to the objection comment that raised concern of direct and indirect overlooking. The proposed dormer will potentially provide opportunity for some level of overlooking of neighbouring properties. However, it is considered that any potential levels of overlooking will not be significant enough to cause any detrimental impact on residential or private amenities of neighbouring occupiers. The property of the local resident who mentioned direct overlooking located approx. 26m away from 23 Colston Close. This distance considered to be significant enough to eliminate the opportunity for direct overlooking between the properties. As such, it is considered that the residential amenity of neighbouring occupiers will be adequately preserved.
- 5.9 It is also considered that sufficient levels of external amenity space would be retained at the site post-development. On the basis of the assessment set out above, it is concluded that the proposal would have no unacceptable impacts

on residential amenity, and the proposed development therefore accords with policies PSP8, PSP38 and PSP43.

5.10 Access and Parking

The proposed development will increase the amount of bedrooms within the dwelling to 4no. As such, the minimum number of off-street parking spaces required is 2no. It has been confirmed by the agent that there is a garage to the rear of the application site which is owned by the applicant and used for parking; and also that there is a parking space next to the garage. It is considered that the proposed development will not create significant increase in traffic movement at this location. Whilst the provision of off-street parking is desirable, it would be unreasonable to refuse this planning application solely for not meeting the required minimum dimensions of existing parking provision.

5.11 Other Matters

In regards to the concern that light and noise pollution from the extension will be directed at the neighbouring property. It is unclear if the local resident was referring to the light and noise pollution during the construction works or after. The case officer considered this proposal from the planning point of view and found no evidence that the proposed development will generate the amount of light and noise which is greater than the average level generated by other dwellings in the area.

In regards to the concern that party noise can potentially cause problems, occurrences of anti-social behaviour are appropriately dealt with under Environmental Health and/or Police enforcement legislation. AS such this is not an issue that can be attributed material weight in the consideration of this application.

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.

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

6. **CONCLUSION**

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

7. **RECOMMENDATION**

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

Contact Officer: Mykola Druziakin
Tel. No. 01454 868434

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).