

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: 48/20

Date to Members: 27/11/2020

Member's Deadline: 04/12/2020 (5.00pm)

The reports listed over the page form the 'Circulated Schedule' a procedure agreed by Council in July 2020. Under the arrangement certain reports are circulated on a weekly basis. The reports assess the application, considers representations which have been received, and make a recommendation regarding the proposal.

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

Before referring an item to the Committee, it is recommended that Members speak to an officer about the issue, to explore whether any problems can perhaps be resolved without the need for referral to a Committee. You may also wish to refer to the guidance given in the Members' Planning Code of Good Practice in the Council's constitution, which sets out the criteria the Chair of the Committee, in consultation with the Spokes will use to consider any referral requests.

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

NOTES FOR COUNCILLORS

– formal arrangements for referral to committee

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

- a) Be made in writing using the attached form by emailing MemberReferral@southglos.gov.uk identifying the application reference and site location
- b) Within 5 working days of the date of this schedule e.g. if the schedule is published on a Friday, comments have to be received by end of the following Thursday (see cover page for the date)
- c) The referral should include the reasons for the referral why it would not be appropriate to permit the proposal to be determined under the delegated arrangements; the issue the proposal raises in relation to the relevant policy context and the balanced consideration that has been given to the extra costs and delay to the referral You may wish to consider the guidance given in the Members' Planning Code of Good Practice in the Council's constitution, which sets out the criteria the Chair of the Committee, in consultation with the Spokes will use to consider any referral requests.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

c. All applications for non-material amendments

d. All applications to discharge planning conditions

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

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

Additional guidance for Members

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

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

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

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

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

A template for referral is set out below:

Referral from Circulated Schedule to Development Management Committee

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

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

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

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

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

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

Date:

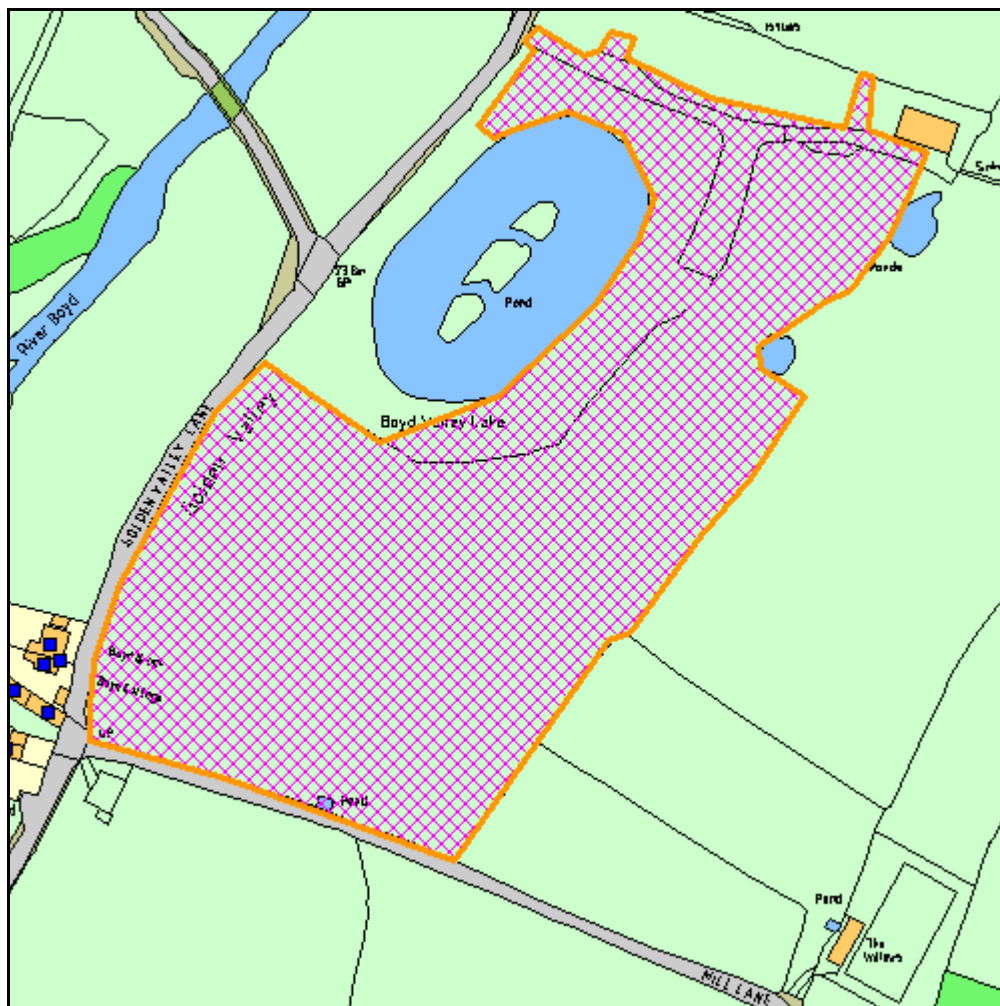
To be emailed to MemberReferral@southglos.gov.uk

CIRCULATED SCHEDULE - 27 November 2020

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	P20/10110/F	Approve with Conditions	Boyd Valley Lake Golden Valley Lane Bitton South Gloucestershire BS30 6NY	Bitton And Oldland	Bitton Parish Council
2	P20/11798/F	Approve with Conditions	Land To Rear Of 39 Lower Hanham Road Hanham South Gloucestershire BS15 8SA	Hanham	Hanham Parish Council
3	P20/12817/F	Approve with Conditions	49 The Glen Yate South Gloucestershire BS37 5PJ	Yate Central	Yate Town Council
4	P20/18724/F	Approve with Conditions	2 The Allotments France Lane Hawkesbury Upton South Gloucestershire GL9 1AR	Chipping Sodbury And Cotswold Edge	Hawkesbury Parish Council
5	P20/18787/F	Approve with Conditions	Holly Hill Farm Holly Hill Iron Acton South Gloucestershire BS37 9XZ	Frampton Cotterell	Iron Acton Parish Council
6	P20/20656/F	Approve with Conditions	25 Bakersfield Longwell Green South Gloucestershire BS30 9YW	Longwell Green	Oldland Parish Council

CIRCULATED SCHEDULE NO. 48/20 -27th November 2020

App No.:	P20/10110/F	Applicant:	Mr P Roberts Vision Planning
Site:	Boyd Valley Lake Golden Valley Lane Bitton South Gloucestershire BS30 6NY	Date Reg:	20th June 2020
Proposal:	Change of use from agriculture to caravan and camping site (sui generis), creation of 1 no. fishing pond with associated works.	Parish:	Bitton Parish Council
Map Ref:	368556 170471	Ward:	Bitton And Oldland Common
Application Category:	Major	Target Date:	17th September 2020



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N.T.S.

P20/10110/F

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

REASONS FOR REPORTING TO THE CIRCULATED SCHEDULE

The application is reported to the Circulated Schedule, due to the number of objections received and the objection from Bitton Parish Council, which is contrary to the Officer recommendation.

1. THE PROPOSAL

- 1.1 Boyd Valley Lake is a camping and caravanning site with a fishing lake, sited within the green belt. There are a number of open fields surrounding the site. Some of the land within the blue line, which forms part of the wider facility is located within the Cotswold Area of Outstanding Natural Beauty (AONB) and the Upton Cheyney Conservation Area.
- 1.2 This is a full application for the change of use of the land from agricultural to a caravan/camping site (Use Class Sui Generis), the provision of additional parking and the creation of a fishing pond with other associated works. The application has been amended since submission to remove the extension to the amenity block and the new sewage treatment plant.

2. POLICY CONTEXT

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

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

- CS1 High Quality Design
- CS4A Presumption in Favour of Sustainable Development
- CS5 Location of Development
- CS7 Strategic Transport Infrastructure
- CS8 Improving Accessibility
- CS9 Managing the Environment and Heritage
- CS23 Community Infrastructure and cultural activity
- CS24 Green Infrastructure, Sport and Recreation Standards
- CS34 Rural Areas

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

- PSP1 Local Distinctiveness
- PSP2 Landscape
- PSP3 Trees and Woodland
- PSP7 Development in the Green Belt
- PSP8 Residential Amenity

PSP11 Transport Impact Management
 PSP16 Parking Standards
 PSP19 Wider Biodiversity
 PSP20 Flood Risk, Surface Water and Watercourse Management
 PSP21 Environmental Pollution and Impacts
 PSP22 Unstable Land
 PSP28 Rural Economy
 PSP44 Open Space, Sport and Recreation

2.3 Supplementary Planning Guidance

South Gloucestershire SDP: Design (Adopted) 2006
 South Gloucestershire SPD: Development in Green Belt (Adopted) 2007
 South Gloucestershire Landscape Character Assessment SPD (Revised and Proposed for Adoption Nov. 2014) – LA11 : Golden Valley.
 Cotswold AONB Management Plan 2018 - 2023

3. RELEVANT PLANNING HISTORY

- 3.1 PK18/4753/F - Change of use of land to a touring caravan and camping site (sui generis) to including the erection of an amenity building. As defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). (Retrospective).
 Approved 1st Feb. 2019
- 3.2 PK02/3624/F - Change of Use of land from agriculture to coarse fishery and creation of lake. Creation of access and car park. Erection of barn. Landscaping of site.
 Approved 1st Sept. 2003

4. CONSULTATION RESPONSES

- 4.1 Bitton Parish Council
 Object to the proposed development, raising the following points;
- Site is within the green belt and in an area of natural beauty (*Officer note: The site itself is not located within the AONB*)
 - Huge local opposition to this proposal
 - Reports of anti-social behaviour and this could add to it
 - Area used by many walkers, cyclists and horseriders
 - Entrance and exit roads are narrow and unsuitable for towing caravans
- 4.2 Other External Consultees
Wessex Water – No comments
Coal Authority – No objection to the revised proposal
Avon and Somerset Police – No objection
- 4.3 Internal Consultees
Sustainable Transport – No objection, following the submission of additional information.
Lead Local Flood Authority – No objection, subject to condition
Landscape – No objection, following the submission of the revised Landscape and Visual Impact Assessment (LVIA).

Conservation – Proposals would result in less than substantial harm to the very lower end of the spectrum to the significance of the Grade II listed Bitton Hill House.

Ecology – No objection, subject to conditions

Public Art – No comments

Contaminated Land – No objection, subject to condition

Highway Structures – No comment

Archaeology – No objection, subject to conditions

Environmental Protection – No objection, subject to conditions

Other Representations

4.3 Local Residents

99no. letters/emails of objection have been received. The concerns raised are summarised as follows:

- Inappropriate development in the Green Belt
- Loss of visual amenity and landscape character.
- Increased noise pollution.
- Increased traffic movements on narrow lanes (motorhomes & caravans).
- Increased traffic pollution.
- Danger to users of the lanes which include pedestrians, cyclists, runners and horse riders.
- Adverse impact on property values.
- Insufficient parking provision.
- Adverse impact on residential amenity from increased noise - detrimental to health.
- Over development.
- No benefit to the local community.
- Golden Valley Lane is a designated “quiet lane”.
- Increased speed of traffic on the lane.
- Golden Valley Lane is a short cut to the A420 & Lansdown.
- The access is on a bend.
- There is a lot of wildlife in the lanes.
- Increased anti-social behaviour.
- There is nobody living on the site to enforce the 11.00pm cut off time for loud music.
- Will cause inter-visibility with neighbouring property.
- Increased litter.
- Extra traffic will deteriorate the physical state of the lanes.
- There are no passing spaces on the lane.
- Flooding occurs outside the site.
- Increased light pollution.
- Would lead to future housing on the site.
- Overlooking of Boyd Farm.
- Already several camp sites in the area – Briarlands, The Stables, Knights Folly and Manor Farm.
- Lies close to the edge of the Cotswolds AONB & Upton Cheyney Conservation Area.

- Danger to wildlife habitat – badgers, toads, bats, birds
- The sewage treatment plant would discharge into a stream not in the ownership of the applicant.
- The lane has a 30m.p.h. speed limit, extra traffic will exceed this.
- The access is restricted.
- The site is poorly maintained.
- There is a spring in the adjacent field that could become contaminated by sewage.
- There is poor visibility at the junction of Golden Valley Lane and the A431 in Bitton.
- PSP28 – proposals for touring caravans unlikely to be acceptable in areas such as this.
- KF162 – Traffic Priority List.
- Substantial new facilities block.
- Freedom Camping granted certificate for 30 tents April 2020 – did they consult S.Glos. Council and local residents – were any conditions attached?
- Accidents have occurred on the lanes.
- Former colliery works lie close-by.
- The 30 camping units granted certificate by Freedom Camping are shown in the wrong place on the plans.
- The parking spaces stated are more than were originally approved.
- Inadequate drainage culvert.
- Under provision in utility block.

91no. letters/emails have been received in support of the proposal. The comments made are summarised as follows:

- This is a beautiful spot for camping and caravanning.
- There is ample room to expand the space for tents and caravans.
- Will bring in money for local businesses e.g. shop and pub in Bitton.
- The increase in traffic movements would be minimal.
- Will cause little disruption.
- The clientele are nature lovers.
- The additional lake will be of benefit to wildlife.
- The existing campsite is peaceful.
- A good facility for recreation and relaxation.
- The lake is well managed.
- Camping on-site allows for fishing holidays.
- The site is well concealed.
- The lake is well policed.
- The number of fishing rod licences sold has doubled since Covid-19 so there is a need.
- Fishing is good for mental health.
- Will encourage children to take up fishing.
- Will attract tourism to the area.
- Good to have a fishing lake with toilet facilities nearby.
- Owl boxes have been placed around the lake.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The site is located within the Green Belt and strict controls exist to guard against inappropriate development, which is harmful to the Green Belt by definition. Inappropriate should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and all other harm resulting from the proposal, is clearly outweighed by other considerations. Paragraphs 145 and 146 of the NPPF set out the forms of development that are not considered to represent inappropriate development. Policies CS5 and PSP7 reflect the guidance within the NPPF in terms of development in the green belt.

5.2 When considering development within the green belt, the first consideration is whether the proposed development would represent inappropriate development. Consideration must then be given to the impact of the development on the openness of the green belt. Paragraph 144 of the NPPF states that local planning authorities should give substantial weight to any harm within the Green Belt.

5.3 This application contains several independent elements and each of these will be considered in turn below in terms of whether or not they represent inappropriate development in the Green Belt.

5.4 *Change of use of the land to caravan and camping site*

The application proposes the change of use of two elements of change of use. There is the proposal to site 2 lodges and 3 glamping pods adjacent to the existing lake and a second area to the north east of the site. This second area would have some hardstanding and 8 electrical hook up points.

5.5 The first test for the lodges is whether they are caravans in law. The word "caravan" when appearing in a planning application or permission is to be construed in accordance with the statutory definition in s29(1) of the 1990 Act and not in accordance with its ordinary and natural meaning (*Wyre Forest District Council v Secretary of State for the Environment* [1990], House of Lords). In the absence of a contrary or more refined meaning of caravan, the test in this case as to whether the structures may be interpreted to be a caravan is found in section 13(1)(b) of the Caravan Sites Act 1968, which states;

(1) A structure designed or adapted for human habitation which;
(a) is composed of not more than two sections separately constructed and designed to be assembled on a site by means of bolts, clamps or other devices; and

(b) is, when assembled, physically capable of being moved by road from one place to another (whether by being towed, or by being transported on a motor vehicle or trailer), shall not be treated as not being (or as not having been) a caravan within the meaning of Part I of the Caravan Sites and Control of Development Act 1960 by reason only that it cannot lawfully be so moved on a highway when assembled.

(2) For the purposes of Part I of the Caravan Sites and Control of Development Act 1960, the expression "caravan" shall not include a structure designed or adapted for human habitation which falls within paragraphs (a) and (b) of the foregoing subsection if its dimensions when assembled exceed any of the following limits, namely;
(a) length (exclusive of any drawbar): 60 [65.616] feet (18.288 [20] metres);
(b) width: 20 [22.309] feet (6.096 [6.8] metres);
(c) overall height of living accommodation (measured internally from the floor at the lowest level to the ceiling at the highest level): 10 [10.006] feet (3.048 [3.05] metres)

5.6 In terms of a single-unit caravan under section 30(1) of the Caravan Sites and Control of Development Act 1960 'caravan' means any structure designed or adapted for human habitation, which is capable of being moved from one place to another, whether by being towed or by being transported on a motor vehicle or trailer, and any motor vehicle so designed or adapted, but does not include any railway rolling stock for the time being on rails forming part of a railway system, or any tent. Certain twin-unit caravans are excluded from this definition and part of the Caravan Sites Act 1968.

5.7 In terms of applying the test;

- Construction section 13(1)(a) - For the holiday lodges to be a caravan they must be of not more than two sections separately constructed and designed to be assembled on a site by means of bolts, clamps or other devices. The words 'when assembled' require mobility to be tested by reference to the circumstances of where and how the structure has been assembled and do not simply mean 'in its assembled state' (Byrne v SSE and Arun DC [1997]). The whole caravan must be constructed by a method of first having two parts.

- Mobility section 13(1)(b) - To fall within the definition the structure must be capable of being moved (by road if a two unit caravan) from one place to another in its assembled state. The caravan must have the structural integrity for it to be lifted or pulled. In Bury MBC v SoS & Entwistle [2011] the mobility test under section 13(1)(b) of the 1968 Act required that, to constitute a caravan, the unit had to be capable of being moved lawfully on a highway when assembled.

- Size section 13(2) - A proposed holiday lodge either falls within the dimensional limits or it does not.

5.8 Following discussions with the applicant, they have confirmed that the lodges and pods pass both the construction and mobility tests. The submitted drawings indicate that they would pass the size tests. In view of this, the units fit within the legal definitions of caravans. The appropriate criterion for the consideration in terms of Green Belt development is paragraph 146 (e) "*material changes of use of land (such as changes of use for outdoor sport or recreation).*" It is considered that camping and caravanning sites falls within the ambit of outdoor recreation.

- 5.9 For a development to fall within this criteria, it is only considered not to be inappropriate development if it maintained the openness of the Green Belt and does not conflict with the purposes of including land within it. This caveat gives the decision maker the opportunity to consider the impact on the openness of the Green Belt from the development, which is distinct from the tests set out in paragraph 145, when the considerations regarding openness are a secondary consideration once the test of inappropriateness have been satisfied.
- 5.10 The proposed lodges and pods would be sited on the lowest part of the site and amongst significant landscape screening. They would be finished with a natural finish, which would harmonise with the surrounding countryside. Conditions could be used to ensure that the exact finish is acceptable to minimise their appearance in the landscape.
- 5.11 The second area that it is proposed to site caravans would be used by touring caravans. The only physical change to the site would be the creation of an area of hardstanding and the associated electrical hook up points. Given that this would be low level and not highly visible in the wider landscape, it would not have an adverse impact on the openness of the Green Belt
- 5.12 Paragraph 134 of the NPPF sets out the five purposes of Green Belt. These are set out below;
- a) to check the unrestricted sprawl of large built-up areas;*
 - b) to prevent neighbouring towns merging into one another;*
 - c) to assist in safeguarding the countryside from encroachment*
 - d) to preserve the setting and special character of historic towns; and*
 - e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*
- 5.13 The proposed change of use would not result in either unrestricted sprawl or neighbouring towns merging into one another. The site forms part of a wider caravanning and fishing complex and would not result in additional encroachment into the countryside. This specific site does not form part of the setting of a historic town, though it is noted it is within the setting of a listed building. This is a different consideration, which will be assessed later in the report. Furthermore, the proposed change would not conflict with urban regeneration by its nature.
- 5.14 In view of this, it is not considered that the proposed use would have an adverse impact on the openness of the Green Belt nor would it conflict with the purposes of including land within the Green Belt.
- 5.15 *Proposed fishing lake*
The proposed fishing lake would fall within paragraph 145 criterion (b) *the provision of appropriate facilities (in connection with the existing land use or a change of use) for outdoor sport, outdoor recreation...; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including and within it.* A fishing lake is clearly for outdoor sport and recreation. The proposed lake would be sited on land that slopes down towards the existing road (from east to west). It would be set below the existing

ground level of the site. In view of this, it is not considered that the proposed fishing lake would be harmful to the openness of the Green Belt.

- 5.16 The proposed fishing lake would not conflict with the five purposes of Green Belt. It is considered that the reasoning set out in paragraph 5.13 is equally as application in the consideration of the fishing lake in the context of the purposes of Green Belt.
- 5.17 *Proposed extension to the parking area*
The proposed parking area would be used in association with fishing and camping/caravanning site. This falls within paragraph 145 criterion (b) *the provision of appropriate facilities (in connection with the existing land use or a change of use) for outdoor sport, outdoor recreation...; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including and within it.* The proposed parking area would be adjacent to the existing parking area. It is proposed to surface the land to a suitable surface for parking. This would not be harmful to the openness of the Green Belt nor would it conflict with the purposes of including land within in.
- 5.18 *Conclusions on the impact on the Green Belt*
Based on the above assessment, it is not considered that the proposed development would constitute inappropriate development within the Green Belt nor would it be harmful to its openness. The proposed development is therefore considered to be in accordance with the guidance within the NPPF and Policies CS5 and PSP7.
- 5.19 Impact on the landscape
The site is located near to the AONB, with some of the wider site (within the blue line) actually sited within the AONB. PSP2 sets out the Council's requirements when considering the landscape impact of development proposals. As there are views to and from the AONB, and the site is located within the countryside, a Landscape and Visual Impact Assessment (LVIA) has been submitted.
- 5.20 The Council's Landscape Architect has stated that she is in broad agreement with the conclusions of the LVIA. It is considered that there would not be public views of the application site from the AONB in the winter, due to existing screening from tall, native hedgerows.
- 5.21 The site would be viewed in the context of the existing facilities. It is considered that conditions would be appropriate to mitigate any potential impact from the proposed development on the wider countryside and nearby AONB. These include additional landscaping information to ensure that adequate screening and mitigation is provided and maintained. This would include details of the boundary treatments and finishes to areas of hardstanding to ensure that the proposed developments would not adversely impact the landscape character of the area.
- 5.22 The Cotswold AONB Management Plan makes reference to dark skies being important within the AONB and its surroundings. It is considered appropriate to impose a condition requiring the submission of a lighting plan to ensure that

any new light sources are appropriately sited and would not adversely impact on this objective.

5.23 Impact on highway safety

PSP11 requires that new developments would not generate traffic that would have an unacceptable impact on highway safety, create or contribute to severe congestion, severely impact the local road network or have an unacceptable impact on environmentally sensitive areas. The transport information submitted alongside the application has been updated through the application process.

5.24 It is considered that the proposed development would not generate enough traffic to have a significant impact on the local highway network. Based on the information submitted as part of this application and considered in the context of previously approved uses, it is considered that vehicles can safely enter and exit the site. It is therefore not considered that the proposed development would have a severe impact on the local highway network or highway safety.

5.25 The Highways Officer has raised concerns regarding the access to the site, which is currently constructed of loose, unbounded material. This could result in dust and dirt being dragged onto the highway. A condition has been suggested to require the first 5m of the access is constructed in a bound surface that would be first approved by the Local Planning Authority. This would prevent the issue of dust and other debris on the public highway and it considered to be an appropriate condition.

5.26 Policy PSP16 sets out the Council's adopted standards in terms of required parking provision, though the uses that are the subject of this application are not specified in the policy. The Highways Officer has not raised an objection to the proposed level of parking. The application proposes an extension to the existing parking area, which would service the lodges, pods and fishing lake, with the new caravan field having parking adjacent to the caravans. The proposed level of parking is therefore considered to be sufficient for the development.

5.27 The representations have raised concerns that additional traffic would exceed the speed limit of 30mph on Golden Valley Lane. There is no evidence that additional traffic would result in speeding and any speeding traffic would be a matter for the police, falling outside the remit of the Local Planning Authority in the determination of this application. In view of the above, it is not considered that the proposed development would have a detrimental impact on highway safety and is therefore considered in accordance with Policies PSP11 and PSP16.

5.28 Impact on the historic environment

There is a duty placed on the Council under s66 of the Planning (Listed Buildings and Conservation Areas) Act to pay special regard to the preservation of the building or its setting. Furthermore, it has a duty under s72 of the Act to pay special attention to the preservation or enhancement of the character of the surrounding conservation area.

- 5.29 The proposed development is considered to have the potential to affect the setting of Boyd Farm, Rock House, Little Court, and Bitton Hill House, which are all Grade II listed. There is also the potential for an impact on the setting of the Bitton and Upton Cheyney Conservation Areas. The application is accompanied by a Heritage Statement. The potential impact on each of these assets will be looked at in turn.
- 5.30 *Little Court*
There are significant levels of parking along the northern boundary of the caravan park. When this is considered in conjunction with the existing topography of the land, it is not considered that there would be any discernible inter-visibility or co-visibility between Little Court and the proposed development. It is therefore considered that the proposed development would not have an impact on the setting of Little Court, thus would not have a harmful impact on its setting or significance.
- 5.31 *Rock House*
The site rises from east to west, which result in limited views of the house from within the site, though these are limited to the upper roof and chimneys. There may be some views from the upper floors of Rock House into the site, though these would be heavily filtered by the existing vegetation and would be oblique views. The proposed development would not therefore result in a change to the setting of Rock House and would not harm its architectural and historic interest.
- 5.32 *Boyd Farmhouse*
Due to the relationship between the farmhouse and the site, it is not considered that there is a visual relationship between the listed building and the site. There is a curtilage listed former coach house that would be affected by the proposals in terms of the existing views and setting. The upper floors of the roadside gable, to the south west, has 2 casement windows and there are 2 large rooflights to the north west facing roof plan.
- 5.33 The existing vegetation would largely screen the proposed caravan plots, which would not result in them appear in the prominent views. The proposed fishing lake would be visible from the first floor/roof windows. It is not considered that the nature of the proposed fishing lake, coupled with the limited views of it that would be available, would result in such a change to the landscape that it could be considered to cause demonstrable harm to the setting and significance of this curtilage listed building.
- 5.34 Even if the views were to be more prominent, it is not considered that the contribution to the setting makes to the significance of the curtilage listed building that an objection could be justified, as the ability to read the group of historic buildings with the farmhouse at its heart would remain unaffected. It is therefore considered that the significance and the contribution to the setting makes to the significance of the curtilage listed structure would be unaffected.
- 5.35 *Bitton Hill House*
The impact on Bitton Hill House was outside the original scope of the Heritage Statement though it became apparent following a site visit that, due to its

- elevated and prominent position, there would be clear albeit limited views to and from the listed building from the site. The south west of the site would be visible from the formal grounds and the house itself. This area is already screened by the existing planting, though the density of this screening will vary depending on the time of year, so there could be potential for the presence of caravans to be detected.
- 5.36 The setting of Bitton Hill House could be considered to be expansive across the valley, which would include the application site. As the valley is recognised for its natural beauty, the setting is sensitive to any changes in the landscape, which has been demonstrated through some previous insensitive development in the valley. These intrusions catch the eye, which exacerbate its harmful impact.
- 5.37 In view of this, it may be that more intensive planting and the proposed additional use would be seen in the greater context of Golden Valley, thus be visible in the setting of Bitton Hill House. Whilst this would increase the degree to which the site stands out in the views from Bitton Hill House, it is not considered that this would be harmful or visually intrusive to the point that it would be harmful. There would be glimpses of the proposed fishing lake, which could change over time as planting becomes more established, as well as providing glimpses of the proposed caravans. There would be a degree of harm caused to the views from Bitton Hill House, which would lessen over time, and is considered to be at the very lower end of less than substantial harm.
- 5.38 *Bitton and Upton Cheyney Conservation Areas*
There are limited views of site from the Bitton Conservation Area and the change would be limited to the intensification of the wooded area. It is not considered that there would be any change to the setting of the Bitton Conservation Area.
- 5.40 The only view of the site from the Upton Cheyney Conservation Area is from the public right of way along the northern boundary. The existing planting largely screens the site and its main functions. There would be a limited glimpse of the proposed fishing lake. It is not considered that this would result in a change to the setting of the Upton Cheyney Conservation Area.
- 5.41 *Conclusions on the heritage impacts*
Based on the above assessment, it is considered that there would be less than substantial harm to the setting of Bitton Hill House and this harm would be at the very lower end of the spectrum. Paragraph 196 of the NPPF allows for the public benefits of the proposed to be weighed against this harm when considering the application. The level of proposed harm being very low and that it is proposed to condition a landscaping scheme, in which careful consideration can be given to the species and amounts of vegetation that is required on site. The proposed development would have an economic benefit to the local economy through the provision of outdoor sport and recreation facilities. It would also have a benefit to the public through the provision of the additional recreation facilities. There would also be biodiversity net gain (this will be discussed later in the report). In view of this, it is considered that the

- level of benefits outweigh the very limited harm to setting of Bitton Hill House. No other heritage assets would be harmed as a result of this development.
- 5.42 There is a duty placed on the Council under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 when planning permission for any works to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Under Section 72 of the same Act, it is the Council's duty to pay special attention to the preservation or enhancement of the character of the surrounding conservation area. It is considered that full consideration has been given to these duties and the proposal is considered acceptable in this regard.
- 5.43 The application proposes a large amount of excavation to create the new fishing pond. This has the potential to negatively impact on buried archaeological deposits. A condition would be imposed to require a watching brief to ensure the proposed development would not have an adverse impact on any archaeological deposits.
- 5.44 Impact on residential amenity
Concerns have been raised in the representations regarding the potential impact on residential amenity from increased noise and light pollution, as well as pollution from traffic fumes. Under the parameters of PSP8, new development will only be acceptable if it does not have an unacceptable impact on the residential amenity of nearby properties. As discussed in highway safety section (paragraph 5.23 to 5.27), it is not considered that the trip generation from the proposed development would result in a significant increase in traffic movements to and from the site. It is therefore not considered that the impact on residential amenity from traffic pollution would be sufficient to warrant a reason for refusal.
- 5.45 In terms of potential light pollution, it has already be noted that the Cotswold AONB has a dark skies approach and that a condition would be appropriate to ensure that any new lighting source would not have an adverse impact on the natural beauty of the AONB (paragraph 5.22). It is considered that this condition would also limit the potential impact on nearby residents from any new lighting erected.
- 5.46 Turning to the potential impact from additional noise, it is acknowledged that the proposed development would result in the potential for increased noise and disturbance to nearby residential occupiers. There has been no objection from the Council's Environmental Health team in terms of the impact of noise. The nearest residential properties to the site are at sited at least 90m away from the nearest part of the new development. There is also vegetation in the site and along boundaries that would provide some screening from any additional noise. It is therefore not considered that the level of noise created by the proposed development would have an unacceptable adverse impact on the residential amenity of nearby occupiers.
- 5.47 In view of the above, whilst it is acknowledged that there could be some impact on nearby residential occupiers from the proposed development, it is not considered that this would result in an unacceptable impact on their amenity

and the proposed development is in accordance with the requirements of PSP8.

5.48 Drainage and Flood Risk

The site is located within Flood Zone 1 and the Council's Strategic Flood Risk Assessment (SFRA) has no recorded history of flooding on the site. The application is accompanied by a Flood Risk Assessment (FRA), which has been updated through the application process. This has been assessed by the Lead Local Flood Authority, who have raised no objection to the proposal.

5.49 In order to ensure there would be no adverse impact on the locality from surface water run-off or foul water drainage, a condition would be used to require full details of the drainage details to be submitted and approved prior to the commencement of development.

5.50 Concern has been raised in the representations that the proposed development could result in sewage contaminating a spring in the adjacent field. The proposed condition set out above would safeguard the stream in terms of run-off and foul water. Any works to a watercourse requires a separate consent from the Lead Local Flood Authority, which is required to be approved in principle prior to the discharge of any drainage condition. This process sits outside the planning process.

5.51 It is therefore considered that there would not be any adverse impacts as a result of drainage or flood risk as a result of this proposal.

5.52 Ecology

The application is accompanied by an Ecological Assessment and there would be no statutory or non-statutory sites for nature conservation that would be affected by this proposal. In terms of protected species, the existing habitats could be used for commuting and foraging by both bats and Great Crested Newts. There is also evidence that nesting birds and reptiles have value for nesting, foraging and dispersing wildlife.

5.53 Following the submission of the Ecological Assessment, new evidence came to light that the lakes were important for the local toad population and their associated migration routes. It is considered to impose appropriate conditions to ensure that appropriate ecological mitigation and protection are provided for protected species.

5.54 Contaminated Land

The site is located within 250m of a former colliery/filled ground. Whilst there is limited building works being undertaken, there is a risk from gases through the installation of underground services. Conditions will be used to ensure that there will be no risk from ground gases.

5.55 Other matters

The representations raise concerns that the proposed development could result in an adverse impact on property values. This is not a material consideration within the planning process. Concern has been raised that the existing site is

poorly maintained. This is not a material consideration for this consideration of this application.

5.56 Concern has been raised that this application could lead to future housing development on the site. The application is for change of use of the land for holiday caravans and creation of a fishing lake and has been assessed against the relevant policies on this basis. If a proposal for housing was to be forthcoming, that would be considered on its own merits using the policy context at the time of the application.

5.57 Various representations make reference to the facilities block. This was proposed as part of the initial submission and has been removed from the proposal following discussions with the agent. If the applicant wishes to erect a facilities block, this would require express planning permission and an application would need to be submitted.

5.58 Consideration of likely impact on Equalities

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

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 Planning permission should be **GRANTED** in accordance with the conditions set out below.

CONDITIONS

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

Reason: As required by Section 91 of the Town and Country Planning Act 1990 (as amended) and to avoid the accumulation of unimplemented planning permissions

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

Reason: To comply with South Gloucestershire Local Plan: Policies, Sites and Plans Plan (Adopted) November 2017 Policy PSP20; South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 Policy CS1 and Policy CS9; and National Planning Policy Framework 2018. This is a condition precedent because it is necessary to understand whether proposed works are appropriate prior to any initial construction works which may prejudice the surface water drainage strategy.

3. A) Desk Study - No development shall commence until an assessment of the risks posed from ground gases has been carried out and submitted to and approved in writing by the local planning authority. This assessment must be undertaken by a suitably qualified contaminated land practitioner, in accordance with current best practice and guidance.

B) Intrusive Investigation/Remediation Strategy - Where following the risk assessment referred to in (A), a potential risk from ground gases is identified, no development shall take place until a ground gas survey has been carried out. 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. 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 is first used.

C) Verification Strategy - Prior to first use, where works have been required to mitigate potential ground gases (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

Reason: To prevent pollution and to protect the residential amenity of future occupants, and in accordance with and Policy CS9 of the adopted South Gloucestershire Local Plan: Core Strategy. This is a condition precedent because the

works comprising the development have the potential to uncover harmful contamination. Therefore these details need to be agreed before work commences.

4. No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority based on recommendations made in Section 9 of the Ecological Assessment by Ethos Environmental Planning (July, 2019). The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To safeguard protected species, in accordance with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (adopted December 2013) and Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Place Plan (adopted November 2017). This is a condition precedent as any development could adversely impact on protected species.

5. Prior to development commencing, a Landscape & Ecological Enhancement (biodiversity gain) and Management Plan will be drawn up and agreed in writing with the Council to concord with the recommendations contained in Section 9 Ecological Assessment by Ethos Environmental Planning (July, 2019) and forming part of the application.

Reason: To safeguard protected species, in accordance with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (adopted December 2013) and Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Place Plan (adopted November 2017). This is a condition precedent as any development could adversely impact on protected species.

6. Prior to the commencement of development, a toad mitigation strategy for the site shall be submitted to and approved in writing by the Local Planning Authority. The recommendations from the approved statement shall feed into the CEMP (condition 4) and LEMP (condition 5). The development shall thereafter be carried out in accordance with the details so approved.

Reason: To safeguard protected species, in accordance with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (adopted December 2013) and Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Place Plan (adopted November 2017). This is a condition precedent as any development could adversely impact on protected species.

7. Prior to the commencement of development a programme of archaeological investigation and recording (watching brief) for the site shall be submitted to and approved by the Local Planning Authority. Thereafter, the approved programme shall be implemented in all respects.

Reason: The proposed development has the potential to negatively impact on archaeological remains, in accordance with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (adopted December 2013). This is a condition precedent because archaeological remains and features may be damaged by the initial development works.

8. Prior to the commencement of development, a tree and vegetation survey, accompanied by an Arboricultural Impact Assessment, that identifies all the vegetation to be removed and retained shall be submitted to and approved in writing by the Local Planning Authority. The information shall include tree protection measures as required by BS5837:2012. The tree protection measures shall be retained for the life of the construction.

Reason: To ensure that trees to be retained are not adversely affected by the development proposals in accordance with Policy PSP4 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted November 2017). This is a condition precedent because the works comprising the development have the potential to harm retained trees. Therefore these details need to be agreed before work commences.

9. Prior to its installation, any new lighting sources shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall thereafter be carried out in accordance with the details so approved.

Reason: To safeguard the natural beauty of the AONB and open countryside, as well as safeguard protected species, in accordance with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (adopted December 2013) and Policies PSP2 and PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted November 2017)

10. Notwithstanding the submitted information and prior to the occupation of the development hereby approved, hard and soft landscape scheme has been submitted to and approved in writing by the Local Planning Authority showing details of all trees, hedgerows and other planting to be retained; a planting specification to include numbers, size, species and positions of all new trees and shrubs, proposed hierarchy of grassland areas, details of existing and proposed walls, fences, other boundary treatment and surface treatment of the open parts of the site, including proposed and existing ground levels, and a programme of implementation.

Reason: To ensure an appropriate landscape setting for the development, in accordance with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (adopted December 2013) and Policy PSP2 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted November 2017)

11. All hard and/or soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme (phasing) agreed in writing with the Local Planning Authority. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of the development being completed, die, are removed or become seriously damaged or diseased shall be replaced during the next planting season with other trees or plants of a species and size to be first approved in writing by the Local Planning Authority. All hard landscape works shall be permanently retained in accordance with the approved details.

Reason: To ensure an appropriate landscape setting for the development, in accordance with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy

(adopted December 2013) and Policy PSP2 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted November 2017)

12. There shall be no public vehicular access to the track around the lake hereby approved. The only vehicular access shall be for maintenance vehicles.

Reason: To safeguard the natural beauty of the AONB and open countryside, in accordance with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (adopted December 2013) and Policy PSP2 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted November 2017)

13. Prior to the development hereby approved being brought into use, the first 5m of the access shall be surfaced in a bound and compacted surface.

Reason: To prevent loose material, dust and debris being dragged onto the public highway, in the interests of public safety, in accordance with Policy PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted November 2017)

14. The development shall be carried out in accordance with the following drawings

T1-VP007-001 Rev B - Location Plan
T1-VP007-002 Rev B - Existing Site Plan
T1-VP007-003 Rev C - Block Plan
T1-VP007-004 Rev C - Drainage Plan
T1-VP007-005 Rev C - Services Plan
T1-VP007-006 Rev C - Landscape Plan
T1-VP007-009 Rev A - Lodge
T1-VP007-010 Rev A - Pod
T1-VP007-011 Rev B - Pond Sections
T1-VP007-012 Rev B - Cross Sections
Received by the Council on 6th August 2020

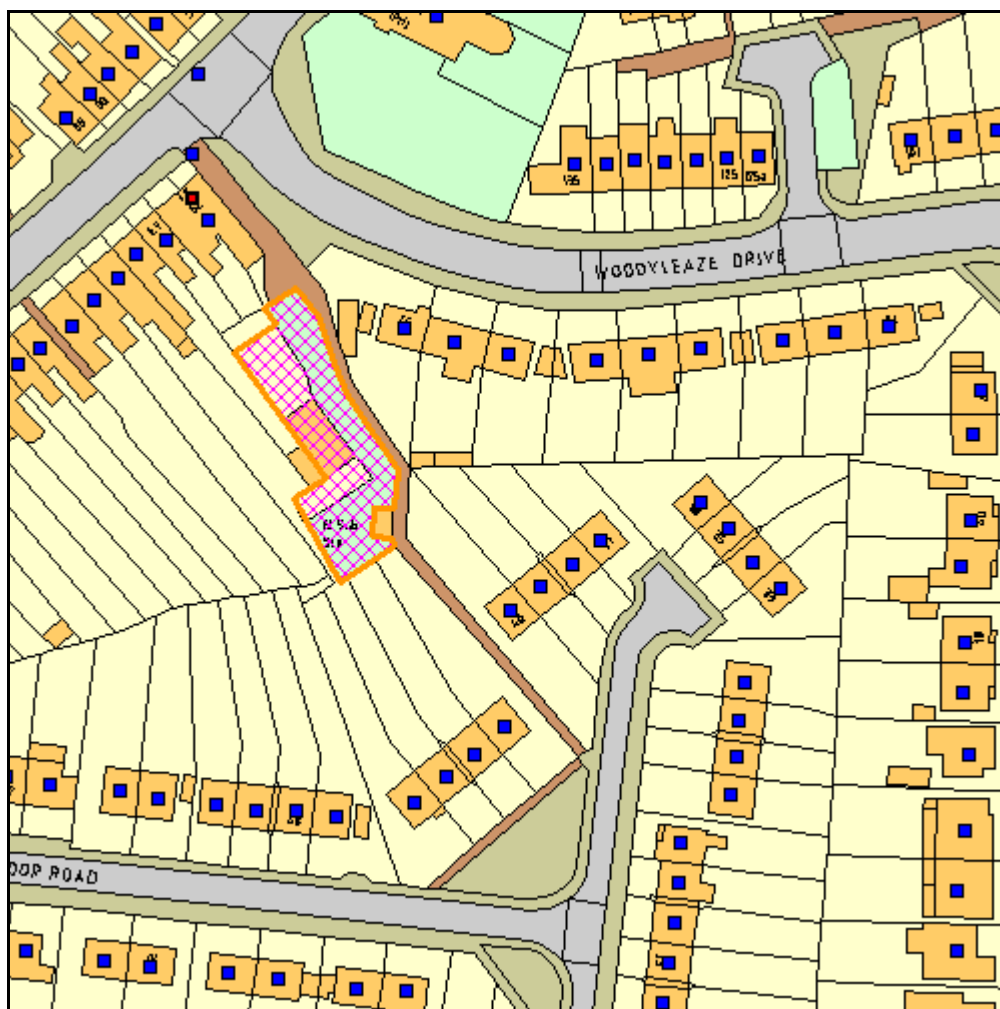
7551-SPA-202 - Swept Path Analysis
Received by the Council on 13th October 2020

Reason: To define the terms and extent of the permission.

Case Officer: Suzanne D'Arcy
Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 48/20 -27th November 2020

App No.:	P20/11798/F	Applicant:	B HALE
Site:	Land To Rear Of 39 Lower Hanham Road Hanham South Gloucestershire BS15 8SA	Date Reg:	16th July 2020
Proposal:	Erection of single storey extensions to form 1no dwelling with parking and associated works.	Parish:	Hanham Parish Council
Map Ref:	364342 172561	Ward:	Hanham
Application Category:	Minor	Target Date:	9th September 2020



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100023410, 2008.

N.T.S.

P20/11798/F

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

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

More than 3 comments from Local Residents contrary to Officers recommendation.

1. THE PROPOSAL

- 1.1 Planning permission is sought for the erection of single storey extensions to an existing garage building and conversion to form 1no. dwelling on land to the rear of 39 Lower Hanham Road, Hanham.
- 1.2 The application site comprises a single storey detached building that is currently being used as two double garages. The building is on land to the rear of 39 Lower Hanham Road but does not form part of the residential curtilage of no.39. The application site is located within the defined Bristol eastern fringe settlement boundary.
- 1.3 The proposed single storey extensions to the existing garage include: a 2.3 metres extension to the north-west elevation; a 3.5 metre extension to the north-east elevation and a 2.8 metre extension to the south-east elevation. The proposal also included a raised ridge height but no loft conversion or roof lights/dormers are proposed.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework February 2019
National Planning Practice Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development

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

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

2.3 Supplementary Planning Guidance

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

Assessing Residential Amenity TAN (Endorsed) 2016

3. RELEVANT PLANNING HISTORY

- 3.1 K7198/2
Retention of domestic garage.
Approval (20/04/1995)
- 3.2 K7198/1
Alterations to no.39 and no.41. Erection of garages in rear garden and form parking area.
Approve Full Planning (20/12/1993)
- 3.3 K6004
Erection of two bed bungalow with garage (outline).
Refusal of Outline (24/10/1988)

4. CONSULTATION RESPONSES

- 4.1 Hanham Parish Council
No objection
- 4.2 Ecology Officer
No objection subject to conditions being imposed to enhance the site for wildlife and informative.
- 4.3 Flood and Water Management
No objection
- 4.4 Highway Structures
No comment
- 4.5 Public Rights of Way
No objection subject to informative.
- 4.6 Sustainable Transport
No objection subject to conditions being imposed.
- 4.7 The Coal Authority
No objection subject to conditions being imposed and informative.
- 4.8 Local Residents
5 objection comments from local residents have been submitted, making the following points:
- Design and Visual Amenity*
- Overdevelopment of the site and area.
- Residential Amenity*
- Concern over loss of privacy due to overlooking.
 - Provision for future loft conversion would increase overlooking.

Highway Safety

- The proposal would lead bigger problems for parking in the local area which is already an issue. The pavement to the side of the property is already parked on illegally.
- Concern that the pavement included in the moved red line is going to become a private drive for the proposed development.
- Lane gets busy during school times and there is a blind spot with the entrance to the property.

Other Issues

- Loss of value for surrounding properties.
- No demand for more housing in the area.
- Building work at all hours would impact residents and noise pollution during construction.
- Previous permission states that the garage shall be used for parking and no other purpose.
- Concern as to how the building of the outside wall would be completed when it is so close to neighbouring property.
- Concern over loss of ecology and potential invasive ground work.
- Right of way assigned to neighbouring properties that is not being honoured.

-

5. ANALYSIS OF PROPOSAL**5.1 Principle of Development**

Planning permission is sought for the erection of single storey extensions to an existing garage to form 1 dwelling at a site in Hanham. Policy CS5 of the Core Strategy outlines the locations at which development is considered appropriate. CS5 dictates that most new development in South Gloucestershire will take place within the communities of the north and east fringes of the Bristol urban area, and within defined settlement boundaries. The application site is situated within the area defined as the east fringe of the Bristol urban area. As such, based solely on the location of the site, the principle of the development is acceptable.

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

5.3 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 have appropriate: siting, form, scale, height, massing, detailing, colour and materials

- which are informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context.
- 5.4 The proposed single storey extensions to the existing garage to form a new dwelling would be visible from Lower Hanham Road and Woodyleaze Drive. The proposed extensions would increase the footprint of the building and alterations to its roof would increase its height. As the proposed extensions are all of a single storey and the increase in the buildings height would be approximately 1 metre, it is considered that the proposed development would not constitute overdevelopment of the site, would not detrimentally impact the appearance of the building and would not look out of place in the surrounding area.
- 5.5 The proposed conversion of the existing garage to a new dwelling would be considered 'backland' development. Whilst there are no obvious examples of this form of development in the immediate area, proposals for such development are fairly common within the Bristol eastern fringe urban area. The presence of the existing garage building along with its access means that the site already appears developed. The buildings conversion to a dwelling would therefore not be against the grain of development in the Bristol eastern fringe and would be unlikely to have a detrimental impact on the character of the wider area.
- 5.6 On the basis of the assessment set out above, it is not considered that the proposed development would detract from the appearance of the building or negatively impact the visual amenity of the streetscene or character of the area.
- 5.7 Residential Amenity
Policy PSP8 and PSP38 of the Policies, Sites and Places Plan outlines that development proposals will be acceptable provided that they do not create unacceptable living conditions or have an unacceptable impact on the residential amenity of the occupiers of the development or of nearby properties. Unacceptable impacts could result from (but are not restricted to): loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and odours, fumes or vibration.
- 5.8 The eaves height of the proposed dwelling would remain unchanged from the existing garage. The proposed dwelling would extend further along the shared boundary with no.45 Lower Hanham Road but this would only be by 2 metres and would still be approximately 18 metres from the rear elevation of the neighbouring property. The proposed dwelling would extend closer to the shared boundary with no.92 Woodyleaze Drive but a gap of approximately 1 metre would be left and the eaves height would match the existing garage at approximately 3.1 metres. It is considered that the proposed development would not cause any further significant overshadowing of neighbouring properties or have an overbearing or dominant impact on the occupiers of neighbouring properties. Further extensions to the building would change this assessment so a condition would be imposed on any approval removing the related permitted development rights for the new dwelling.

- 5.9 All the proposed extensions to the existing garage building are of a single storey and the proposed dwelling would be a bungalow. No loft conversion is shown on the plans and no roof lights/dormer windows are proposed. As there are no first floor/roof windows proposed it is considered that the proposed development would not cause any significant detrimental overlooking of neighbouring properties or loss of privacy. A loft conversion or installation of roof lights/dormer windows would change this assessment so a condition would be imposed on any approval removing the related permitted development rights for the new dwelling.
- 5.10 Policy PSP43 of the Policies, Sites and Places Plan outlines the Council's minimum standards for private amenity space for new residential units. PSP43 states that private amenity space should be: functional and safe; easily accessible from living areas; orientated to maximise sunlight; of a sufficient size and functional shape to meet the needs of the likely number of occupiers; and designed to take account of the context of the development, including the character of the surrounding area.
- 5.11 The proposed dwelling would benefit from a private amenity space that meets the size requirements set out in Policy PSP43. Further extensions to the building would change this assessment so a condition would be imposed on any approval removing the related permitted development rights for the new dwelling.
- 5.12 On the basis of the assessment set out above, it is not considered that the development proposal would result in any unacceptable impacts on the amenity of neighbours.
- 5.13 Transport
Vehicular access to the proposed dwelling would be provided from Woodylease Drive, using the same dropped kerb that serves the existing garages. This would be over the public right of way that runs along the side of the site but this is the same as the access used for the existing garages. As this access is already in use it is deemed acceptable.
- 5.14 In terms of parking, it has been indicated that 2 parking spaces would be provided on-site for the proposed dwelling and 2 spaces retained for no.39 Lower Hanham Road. This provision would be sufficient to serve both the existing 3/4 bedroom and proposed 3 bedroom dwellings, in accordance with Policy PSP16 of the Policies, Sites and Places Plan.
- 5.15 On the basis that sufficient on-site parking is provided, it is not considered that the development would directly lead to additional vehicles parking on the highway. However for the avoidance of doubt, a condition will be attached to any consent, requiring the 4 parking spaces to be provided prior to the first occupation of the new dwelling, and thereafter retained as such. A condition would also be imposed requiring the provision of a 7Kw 32 Amp electric vehicle charging point to promote sustainable travel and to accord with Policy CS8 of the Core Strategy and the Residential Parking SPD.
- 5.16 Coal Mining

The application site falls within the defined Development High Risk Area. The site lies in an area where historic unrecorded underground coal mining is likely to have taken place at shallow depth. Further investigations would be required, along with possible remedial measures, in order to ensure the safety and stability of the proposed development. As such, should planning permission be granted for the proposed development, conditions requiring further investigation would be included on the decision notice.

5.17 Ecology

An Ecological Survey has been submitted for the application which identified the minimal nature conservation value of the site. It concluded that there are no potential impacts on the habitats of value in the surrounding area and that no potential impact on protective species have been identified and in particular there are no potential impacts on bats.

- 5.18 The survey did however find that there is a potential that birds might nest in the small patches of bramble on the site. To mitigate against this, any removal of these should take place between 1st September and 28th February. To enhance the site for wildlife, the installation of a house sparrow terrace or a starling nest box to the building will be conditioned. The submission of a 'lighting design strategy for biodiversity' will also be conditioned.

5.19 Equalities

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

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

5.21 Other Matters

A number of matters raised from the consultation responses have not been addressed in the main body of this report. These will be considered below:

- 5.22 The loss of value for surrounding properties, and the lack of demand for additional housing in the area are not planning considerations.
- 5.23 The concern as to how the building of the outside wall would be completed when it is so close to the neighbouring property, and whether the right of way assigned to neighbouring properties is being honoured or not are civil matters.

5.24 The concern over building work at all hours and how it would impact residents is noted and to protect the amenities of neighbouring residents a condition would be attached to any consent limiting the hours of working.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

CONDITIONS

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

Reason

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

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

001 A - Site Location Plan (Received 08/09/2020)

100 A - Existing Block Plan (Received 08/09/2020)

110 - Existing Combined Plan (Received 06/07/2020)

200 B - Proposed Block Plan (Received 08/09/2020)

210 A - Proposed Floor Plan (Received 08/09/2020)

220 - Proposed Elevations Plan (Received 06/07/2020)

230 - Proposed Roof Plan (Received 08/09/2020)

Reason

To define the terms and extent of the permission.

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

Reason

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

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

Reason

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to protect the residential amenity of the neighbouring occupiers and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP1, PSP8, PSP38 and PSP43 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework.

5. The off-street parking facilities (for all vehicles, including cycles) shown on the plans hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason

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

6. The dwelling shall not be occupied until a 7Kw 32 Amp electric vehicle charging point has been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason

To promote sustainable travel and to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the South Gloucestershire Residential Parking Standards SPD (Adopted) December 2013.

7. No development shall commence until intrusive investigations have been carried out on site to establish the exact situation in respect of coal mining legacy features. The findings of the intrusive site investigations shall be submitted to the Local Planning Authority for consideration and approval in writing. The intrusive site investigations shall be carried out in accordance with authoritative UK guidance.

Reason

The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 178 and 179 of the National Planning Policy Framework.

8. Where the findings of the intrusive site investigations (required by the condition 7 above) identify that coal mining legacy on the site poses a risk to surface stability, no development shall commence until a detailed remediation scheme to protect the development from the effects of such land instability has been submitted to the Local Planning Authority for consideration and approval in writing. Following approval, the remedial works shall be implemented on site in complete accordance with the approved details.

Reason

The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 178 and 179 of the National Planning Policy Framework.

9. The development shall proceed in strict accordance with the Mitigation Measures provided in the Ecological Survey (WEC, October 2020).

Reason

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

10. Prior to occupation, a "lighting design strategy for biodiversity" for the boundary features and any native planting shall be submitted to and approved in writing by the local planning authority. The strategy shall:
- Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

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

Reason

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

11. Prior to first occupation, evidence of the installation of the ecological enhancement features recommended are to be submitted to the local authority prior to occupation. These include but are not limited to bird boxes.

Reason

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

12. The hours of working on site during the period of construction shall be restricted to
Monday - Friday.....7:30am - 6:00pm
Saturday.....8:00am - 1:00pm
No working shall take place on Sundays or Public Holidays.
The term working shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site

Reason

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

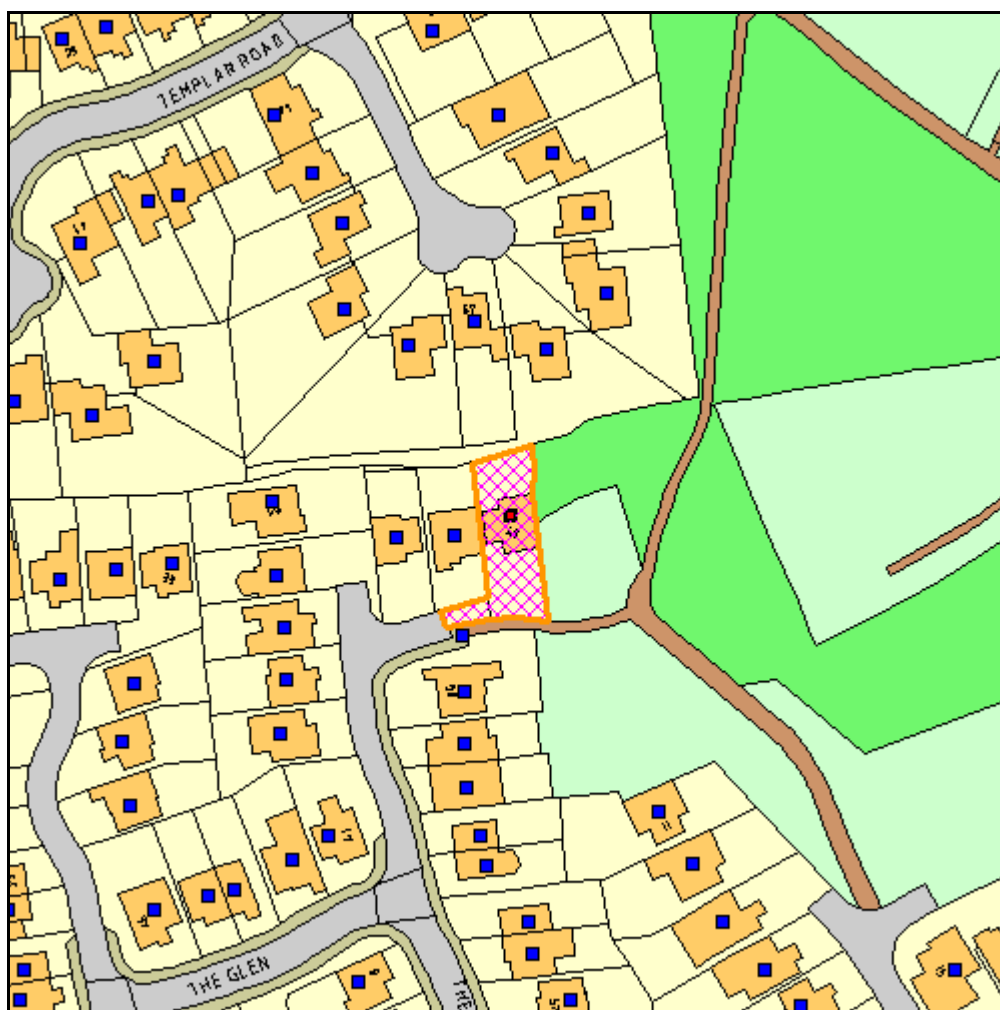
**IN ACCORDANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) ORDER 2015.
POSITIVE AND PROACTIVE STATEMENT:**

In dealing with this planning application the Local Planning Authority have worked with the applicant in a positive and proactive manner by seeking amended plans.

**Case Officer: Oliver Phippen
Authorising Officer: Marie Bath**

CIRCULATED SCHEDULE NO. 48/20 - 27th November 2020

App No.:	P20/12817/F	Applicant:	Mr and Mrs Gregory
Site:	49 The Glen Yate South Gloucestershire BS37 5PJ	Date Reg:	28th July 2020
Proposal:	Demolition of garage. Erection of two storey side extension to form additional living accommodation.	Parish:	Yate Town Council
Map Ref:	371233 182844	Ward:	Yate Central
Application Category:	Householder	Target Date:	16th September 2020



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P20/12817/F

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

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

1. **THE PROPOSAL**

- 1.1 The proposal seeks full planning permission for erection of a two-storey side extension to form additional living accommodation.
- 1.2 The original property is a two-storey, detached house, located at 49 The Glen, Yate.
- 1.3 During the course of the application a set of revised plans was submitted; the description of the proposal was altered to omit 'loft area', as it was removed from the revised proposed plans.

2. **POLICY CONTEXT**

2.1 National Guidance

National Planning Policy Framework
National Planning Practice Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

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

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

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist

3. **RELEVANT PLANNING HISTORY**

- 3.1 No relevant planning history.

4. CONSULTATION RESPONSES

4.1 Yate Town Council

Objection. The scale for the 2 story extension which extends well beyond the current garage footprint will have a damaging impact on the amenity of neighbours. The property lies immediately to the east of the neighbouring property and building a 2 storey extension will remove all sunlight from much of the neighbouring garden. This will also result in overlooking from the landing window of the new second story.

We agree with the neighbours suggestion of a compromise which consists of an extension that is 2 storeys but only on the footprint of the current garage. This seems a good compromise, as whilst it would have an impact on light into the neighbours garden, it would have a lesser impact.

4.2 Other Consultees

Sustainable Transport

No objection.

Other Representations

4.3 Local Residents

The Local Planning Authority received 1no. objection comment, with key points summarised below:

- Loss of light; overshadowed garden.
- The proposed extension is closer than 2 metres from our boundary and will exceed 3 metres in height at the eaves thus contravening planning rules.

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 would measure 2.8m wide and 8.2m deep. The proposed overall height would be 7.45m (4.8m to the eaves). The revised plans indicate that the proposed extension is now set back from the original front building line by 1m. Also, the overall proposed height was reduced by 0.3m. It is considered that the proposed extension now appears more subservient to the main dwelling.
- 5.4 There would be 2no. windows installed on the ground floor of the proposed extension (1no. to the front elevation, and 1no. to the side). Also, 1no. door would be installed to the rear elevation. On the first floor, 1no. window would be installed to the front elevation, and 1no. to the rear. Based on the application form, the proposed materials would match those of the existing dwellinghouse.
- 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 is considered to accord with policies CS1 of the South Gloucestershire Local Plan Core Strategy and PSP38 of the Policies, Sites and Places Plan.
- 5.6 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 The residential amenity assessment is inclusive of the aforementioned concerns raised by the Town Council and a local resident. It is considered that the two-storey nature of the proposal would limit some light reaching the neighbouring property and the garden. However, it is not considered that it would be to such an extent as to render the living conditions of neighbouring occupiers unacceptable.
- 5.8 The outside amenity space post-development would be 70 sqm, which is the required minimum for a 5-bedroom house, as per PSP43.
- 5.9 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

It is considered that the existing off-street parking provision is adequate to accommodate 3no. cars. As such, there are no concerns with the proposal from transportation perspective.

5.11 Other Matters

Regarding '*The proposed extension is closer than 2 metres from our boundary and will exceed 3 metres in height at the eaves thus contravening planning rules*'. This is not relevant to the current proposal, as the aforementioned rules relate to the permitted development rights.

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.

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

Reason

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

3. The development hereby approved shall be carried out in accordance with the below listed plans:

Existing Ground Plan and Site Plan (Drawing No PL01)
Received by the Local Planning Authority on 22 July 2020.

Existing First Floor Plan, Elevations and Location Plan (Drawing No PL03A)
Proposed First Floor Plan and Elevations (Drawing No PL04A)
Proposed Ground Plan and Site Plan (Drawing No PL02A)
Received by the Local Planning Authority on 18 November 2020.

Reason

For the avoidance of doubt.

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

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

Case Officer: Mykola Druziakin

Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 48/20 -27th November 2020

App No.:	P20/18724/F	Applicant:	Mr & Mrs J Shepley
Site:	2 The Allotments France Lane Hawkesbury Upton South Gloucestershire GL9 1AR	Date Reg:	2nd October 2020
Proposal:	Erection of single storey rear extension to form additional living accommodation. Erection of front porch. (amendment to P19/18884/F).	Parish:	Hawkesbury Parish Council
Map Ref:	378143 186715	Ward:	Chipping Sodbury And Cotswold Edge
Application Category:	Householder	Target Date:	25th November 2020



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P20/18724/F

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

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

The Parish Council have a Contrary view to the Officers recommendation.

1. THE PROPOSAL

- 1.1 Planning permission is sought for the erection of a single storey rear extension to form additional living accommodation and front porch at 2 The Allotments, France Lane, Hawkesbury Upton.
- 1.2 The application site comprises a two storey terraced dwelling that has previously been granted planning permission for a two storey and single storey rear extension and front porch (ref. P19/18884/F). The application site is located within the defined Hawkesbury Upton settlement boundary and the Cotswolds AONB.
- 1.3 The proposed single storey rear extension would have a depth of 3.8 metres, an approximate eaves height of 2.9 metres and an approximate maximum height of 3.9 metres. The proposed front porch would have the same dimensions as the previously approved front porch.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework February 2019
National Planning Practice Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) August 2007

Residential Parking Standard SPD (Adopted) December 2013
 Revised Landscape Character Assessment SPD (Adopted) Nov 2014
 Cotswolds AONB Management Plan
 Assessing Residential Amenity TAN (Endorsed) 2016

3. **RELEVANT PLANNING HISTORY**

- 3.1 P19/18884/F
 Erection of two storey and single storey rear extension and front porch.
 Approve with Conditions (13/02/2020)
- 3.2 PK06/1574/F
 Erection of two storey rear extension.
 Approve with Conditions (13/10/2006)

4. **CONSULTATION RESPONSES**

- 4.1 Hawkesbury Upton Parish Council
 No objection as long as the porch does not exceed the building line/existing porches in the rank of houses.
- 4.2 Local Residents
 No responses

5. **ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development
 The application seeks permission for a single storey rear extension and front porch at an existing residential property. Policy PSP38 of the Policies, Sites and Places Plan permits development within established residential curtilages subject to an assessment of design, amenity and transport. The development is acceptable in principle but will be determined against the analysis set out below.
- 5.2 Design and Visual Amenity
 Policy CS1 of the Core Strategy and Policy PSP1 and PSP38 of the Policies, Sites and Places Plan seek to ensure that development proposals are of the highest possible standards of design. This means that developments should have appropriate: siting, form, scale, height, massing, detailing, colour and materials which are informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context.
- 5.3 The proposed single storey rear extension would be modest in scale and would not be substantially visible from the street scene. The proposal would be finished in materials to match the finish of the existing dwelling. The proposed front porch has already received approval under application ref. P19/18884/F.
- 5.4 Policy PSP2 of the Policies, Sites and Places Plan seeks to ensure that within the Cotswold Area of Outstanding Natural Beauty (AONB) great weight is given to the conservation and enhancement of the natural and scenic beauty of the landscape whilst taking account of the biodiversity interest and the historic and

cultural heritage. Where development is proposed in a location which would affect the setting of the AONB, it must be demonstrated that it would not adversely impact upon the natural beauty of the AONB.

- 5.5 The proposed single storey rear extension and front porch are modest in scale and would be finished in materials to match the finish of the existing dwelling. The host dwelling contributes little to the special character of the AONB and the surrounding area arrears urban in character. It is therefore deemed that the proposed extensions would not have an adverse impact upon the natural beauty or historic character of the AONB.
- 5.6 On the basis of the assessment set out above, it is not considered that the proposed development would detract from the appearance of the building or negatively impact the visual amenity of the street scene or character of the area.
- 5.7 Residential Amenity
Policy PSP8 and 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.
- 5.8 The proposed single storey rear extension would be modest in scale, with a depth of 3.8 metres and an approximate eaves height of 2.9 metres, and would be unlikely to have a significant detrimental impact on the amenities of the neighbouring properties. The proposed front porch has already received approval under application ref. P19/18884/F.
- 5.9 On the basis of the assessment set out above, it is not considered that the development proposal would result in any unacceptable impacts on the amenity of neighbours.
- 5.10 Transport
Policy PSP16 of the Policies, Sites and Places Plan sets out the Councils parking standards. The proposed development would not increase the number of bedrooms in the property and would not remove any on-site parking spaces.
- 5.11 Equalities
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. This planning application is considered to have a neutral impact on equality.

6. CONCLUSION

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

7. RECOMMENDATION

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

CONDITIONS

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

Reason

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

2. The development/works hereby permitted shall only be implemented in accordance with the plans as set out in the plans list below:
2476/E5/2020 - Site and Location Plans (Received 30/09/2020)
2476/E1/2020 B - Floor Plans and Elevations (Received 20/11/2020)

Reason

To define the terms and extent of the permission.

3. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason

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

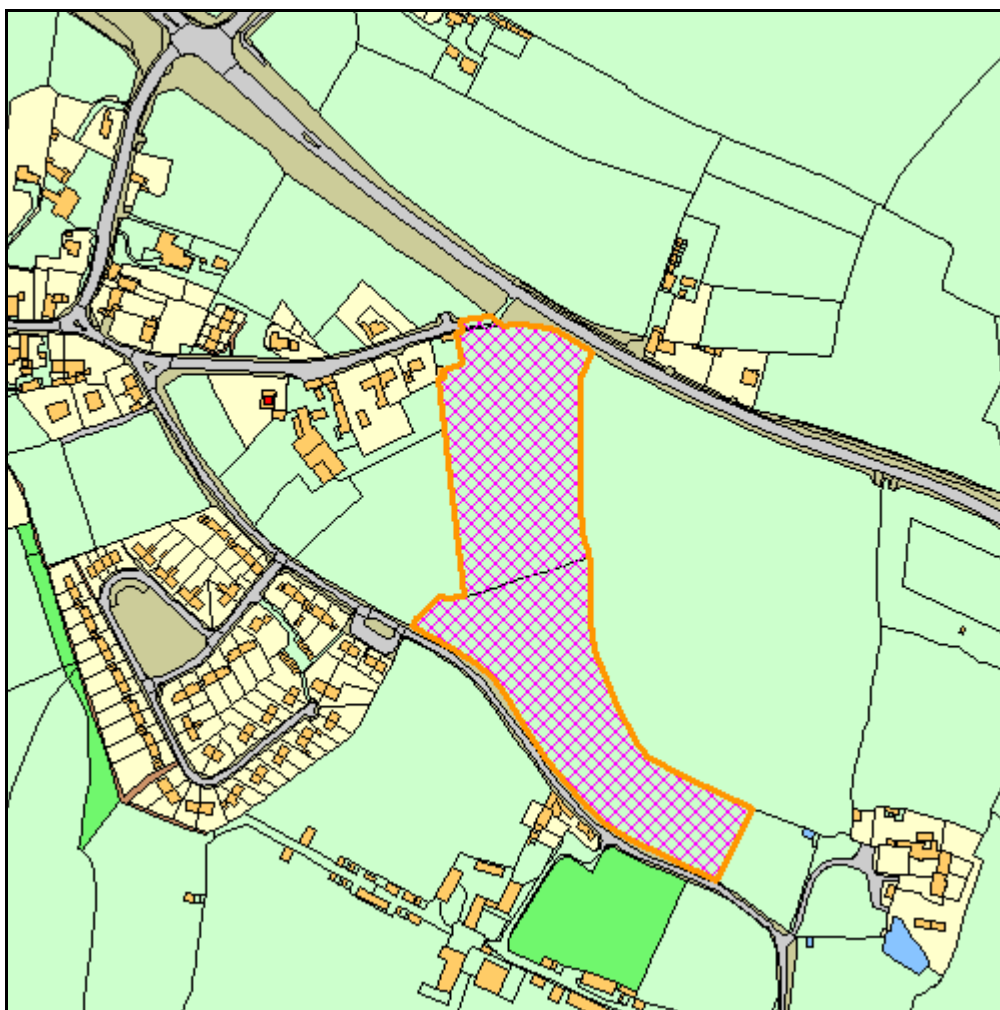
IN ACCORDANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) ORDER 2015. POSITIVE AND PROACTIVE STATEMENT:

In dealing with this planning application the Local Planning Authority have worked with the applicant in a positive and proactive manner by seeking amended plans and determining in a timely manner

Case Officer: Oliver Phippen
Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 48/20 - 27th November 2020

App No.:	P20/18787/F	Applicant:	Mr N Sandy
Site:	Holly Hill Farm Holly Hill Iron Acton South Gloucestershire BS37 9XZ	Date Reg:	8th October 2020
Proposal:	Change of use of land from agricultural to mixed use agricultural and equestrian. Erection of equestrian buildings for livery purposes and associated works.	Parish:	Iron Acton Parish Council
Map Ref:	368267 183430	Ward:	Frampton Cotterell
Application Category:	Minor	Target Date:	26th November 2020



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N.T.S.

P20/18787/F

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

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application is referred to the Circulated Schedule as representation has been received from the Parish Council which is contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the change of use of land from agricultural use to mixed use comprising agriculture, equestrian and livery; and the erection of an L shaped stable block.
- 1.2 The application site relates to Holly Hill Farm, Holly Hill Iron Acton which has an agricultural holding which extends to 15.4 hectares (approximately 38 acres). The site is washed over by the Bristol and Bath Green Belt and sits adjacent to the Iron Acton Conservation Area.
- 1.3 This application follows a previously refused application (reference: PK18/4465/F) which sought *Change of use of land from Agricultural to a mixed use comprising of Agricultural, Equestrian and a Livery Service (sui generis) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). Erection of a stable block (retrospective).*

Refusal Reasons:

1. *The development fails to preserve the openness of the Green Belt and conflicts with the stated purpose of the Green Belt of preserving the setting and special character of historic towns. The development therefore constitutes inappropriate development in the Green Belt. Substantial weight is attached to the harm to the Green Belt. The limited benefits of the development do not clearly outweigh that harm and the other harms identified, and consequently do not amount to the very special circumstances required to justify the development. The development therefore conflicts with policies CS5 and CS34 of the South Gloucestershire Local Plan: Core Strategy (adopted) 2013 and policy PSP7 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (adopted) 2017 and the provisions of the NPPF.*

2. *The development, by reason of the scale and position of the stable buildings and storage container and the proliferation of equestrian paraphernalia, and combined with the degradation of the land resulting from the equestrian use, harms the setting of the Iron Acton Conservation Area. The development therefore conflicts with policies CS9 and CS34 of the South Gloucestershire Local Plan: Core Strategy (adopted) 2013 and policy PSP17 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (adopted) 2017 and the provisions of the NPPF.*

3. *The development harms the landscape and character and appearance of the area through the visual impact of the siting of the storage container, the*

equestrian paraphernalia and the degradation of the land. The proposed screen planting would not adequately mitigate the harm, and would reduce the open views to the Iron Acton Conservation Area, thereby failing to conserve the setting and special character of the conservation area. The development therefore conflicts with policies CS9 and CS34 of the South Gloucestershire Local Plan: Core Strategy (adopted) 2013 and policies PSP1 and PSP2 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (adopted) 2017 and the provisions of the NPPF.

- 1.4 This application has sought to overcome the previous refusal reasons by re-locating the stable block to land south of Holly Hill, increasing the distance from the Conservation Area; improved landscaping and planting; reduced equestrian paraphernalia; and an increased area of land available for equestrian use.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework
National Planning Policy Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

CS1 High Quality Design
CS4a Presumption in Favour of Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS9 Environment and Heritage
CS34 Rural Areas

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

PSP1 Local Distinctiveness
PSP2 Landscape
PSP3 Trees and Woodland
PSP7 Development in the Green Belt
PSP8 Residential Amenity
PSP11 Transport Impact Management
PSP20 Flood Risk, Surface Water and Watercourse Management
PSP28 Rural Economy
PSP30 Horse Related Development
PSP44 Open Space, Sport and Recreation

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007

3. RELEVANT PLANNING HISTORY

3.1 PK18/4465/F

Change of use of land from Agricultural to a mixed use comprising of Agricultural, Equestrian and a Livery Service (sui generis) as defined in the

Town and Country Planning (Use Classes) Order 1987 (as amended). Erection of a stable block (retrospective).
Refusal: 14/02/2020

4. **CONSULTATION RESPONSES**

4.1 Iron Acton Parish Council

Object- Site has a stable block in situ and believe this is without planning permission.

Would cause extra traffic into what is a cul-de-sac with very little turning space. Parking is extremely poor and will only get worse if allowed. Concerned this will be run as a business not personal use.

Sustainable Transport

No objection, subject to condition.

Conservation Officer

No objection but defer to landscape officer in respect of the impact on the wider landscape setting.

Landscape Officer

No objection, subject to condition.

Other Representations

4.2 Local Residents

Support comment received from 1 no local resident, summarised as follows;

- Proposed relocation of the equestrian buildings looks like a logical solution.
- Never had any issues with the stables next to my boundary.
- Current stable occupiers keep the area clean and tidy.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policies CS9 and CS34 of the Core Strategy (Adopted) December 2013 seek to protect the best and most versatile agricultural land, and that soil is utilised in an efficient and sustainable way. Given that the proposal is relatively small in scale, it is considered that the proposed change of use could easily be reverted in the future, were more agricultural land required.

Therefore, in principle, the development considered to be acceptable. However, the impacts of the development must be further assessed to identify any potential harm.

Horse related development policy is also relevant to this proposal and is covered in this report by policies PSP30 and PSP44 of the PSP Plan. The proposal must also satisfy policy CS8 of Core Strategy which seeks to prevent highway safety issues.

5.2 **Green Belt**

The application site is washed over by the Bristol and Bath Green Belt. Policy PSP7 of the PSP Plan (November 2017) and the NPPF state that inappropriate development is harmful to the Green Belt and will not be acceptable unless very special circumstances can be demonstrated that clearly outweigh the harm to the Green Belt; and any other harm.

5.3 Paragraph 145 of the National Planning Policy Framework (NPPF) outlines types of development which are considered appropriate within the Green Belt; One such form of development, which is relevant to this scheme, is 'the provision of appropriate facilities (in connection with existing use of land or change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it'. The previous submission was refused in this regard due to the excessive scale of the proposed stable building being disproportionate to the size of land proposed for equestrian use which led to overgrazing and unacceptable degradation of the land. It was also found that the proposal failed to preserve the setting of the Conservation Area, contrary to paragraph 134 of the NPPF.

5.4 The newly proposed stable block has been re-located to a different parcel of land on the opposite side of Holly Hill which is approximately 2.9 hectares in area; the proposed stable block would be single storey in height and sit adjacent to an existing cluster of buildings. The proposed area of land is now considered to be appropriate for a stable block capable of accommodating 4 horses, in line with the British Horse Society guidelines. Furthermore, the re-location of the proposed building is considered by the conservation officer to have successfully overcome the impact on the adjacent conservation area. As such, the proposed development is considered to be in accordance with the outdoor recreation use outlined in paragraph 145 of the NPPF and is not considered to harm the openness of the Green Belt. Furthermore, it is considered that the change of use of the land would have no materially greater impact upon the openness of the Green Belt than the existing agricultural use.

5.5 Design, Visual Amenity and Heritage

The proposed stables would consist of a relatively simple pitched roof design comprising of 3 buildings attached in an L shaped layout. The external finish would consist of horizontal timber boarding with profiled metal sheet roofing and timber stable doors. It is considered that the design, scale and massing of the stable would be appropriate within the context of the site and suitable for its proposed use; the materials are typical of development of this nature. As stated above, the site is adjacent to Iron Acton Conservation Area and the impact of the proposed stable on the setting must therefore be considered. The re-location of the stables has pulled the structures away from the conservation area boundary and would be viewed partly in the context of modern housing to the south of the conservation area. Combined with appropriate planting to further soften the appearance within the landscape, this is thought to adequately reduce any potentially harmful heritage impacts.

The overall appearance is therefore considered acceptable in terms of design and visual amenity, and it is not considered to detract from the rural setting of the conservation area.

5.6 Landscape

It has been stated within the supporting planning statement that new native hedgerow planting is proposed to the north-east boundary which is considered acceptable. The Landscape Officer has also recommended that planting extends along the northern site boundary, up to either side of the entrance; with hedge species planted in a double row; and groups of taller growing trees species planted at intervals along the new hedging to contribute to the character of Holly Hill and to provide some visual screening. Overall no landscape objection has been raised, however additional hedge and planting as outlined above is required within a detailed landscape scheme. As such, a detailed landscape scheme will be conditioned to be agreed in writing prior to the first use of the stables.

5.7 Horse Related Development

Adopted policy PSP30 supports proposals for horse related development outside of the defined urban areas and rural settlement boundaries provided it does not have an unacceptable impact in relation to the environment, residential amenity, highway safety and horse welfare.

5.8 The supporting information states that the applicant wishes to use the proposed stables for livery purposes, accommodating a total of 4 horses. The general guidelines provided by the British Horse Society are that each horse should have between 1-1.5 acres of land; in this instance the associated field is approximately 7.1 acres, which is of a suitable size to accommodate 4 horses. This will be secured by condition, to avoid unacceptable conditions for the horses kept on the land.

5.9 Given the relatively modest size and siting of the stables, it is not considered it would have any substantially detrimental environmental impacts in terms of noise, smells or flooding. The nearest residential property is located to the west of the site and the separation distance is considered sufficient as not to result in any adverse impact on the residential amenity of the neighbouring occupiers.

5.10 Transportation

The proposal would create a new access from Holly Hill to the proposed stable block and parking area. Concern has been raised by the parish council in terms of increased traffic to the site and parking provision. The Transportation Officer has assessed the proposal and raised no concerns in terms of highway safety. It is not thought that the scale of development would generate any significant travel demands. That said, a condition will be attached to any subsequent decision to ensure that the proposed access and parking arrangements are implemented in accordance with the submitted details prior to the first use of the stables.

5.11 Equalities

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is

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

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

6. **CONCLUSION**

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

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

7. **RECOMMENDATION**

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

CONDITIONS

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

Reason

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

2. The number of horses kept on the site edged in red on the plans hereby approved shall not exceed 4 (four).

Reasons:

a. In the interests of the welfare of horses and to accord with the guidance of the British Horse Society to accord with policy PSP30 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (adopted) November 2017.

b. To protect the amenities of the occupiers of the nearby dwellings

c. In the interests of highway safety, and to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013)

3. Prior to the first occupation of the stables hereby approved a scheme of landscaping, which shall include details of the location, species, stock size, planting centres and quantities of all proposed tree and hedgerow planting; annotated with management notes (including min. and max. hedgerow growth heights); together with details of all proposed boundary and hard landscape surface treatments, including proposed levels; shall be submitted to the Local Planning Authority for written approval. Development shall be carried out in accordance with the agreed details.

Reason

To protect the character and appearance of the area and to ensure the works are carried out in an appropriate manner, to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policies PSP2 and PSP3 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan; and the National Planning Policy Framework.

4. Prior to the first occupation of the stables hereby approved, the access and off-street parking facilities shown on the plan hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason

In the interests of highway safety, and to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework.

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

Received by the council on 1st October 2020;

Existing Site Plan

The Location Plan

Proposed Site Plan

Proposed Plans Building 1

Received by the council on 6th October 2020;

Proposed Plans Building 2

Proposed Plans Building 3

Proposed Site Layout

Reason

To define the terms and extent of the permission.

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

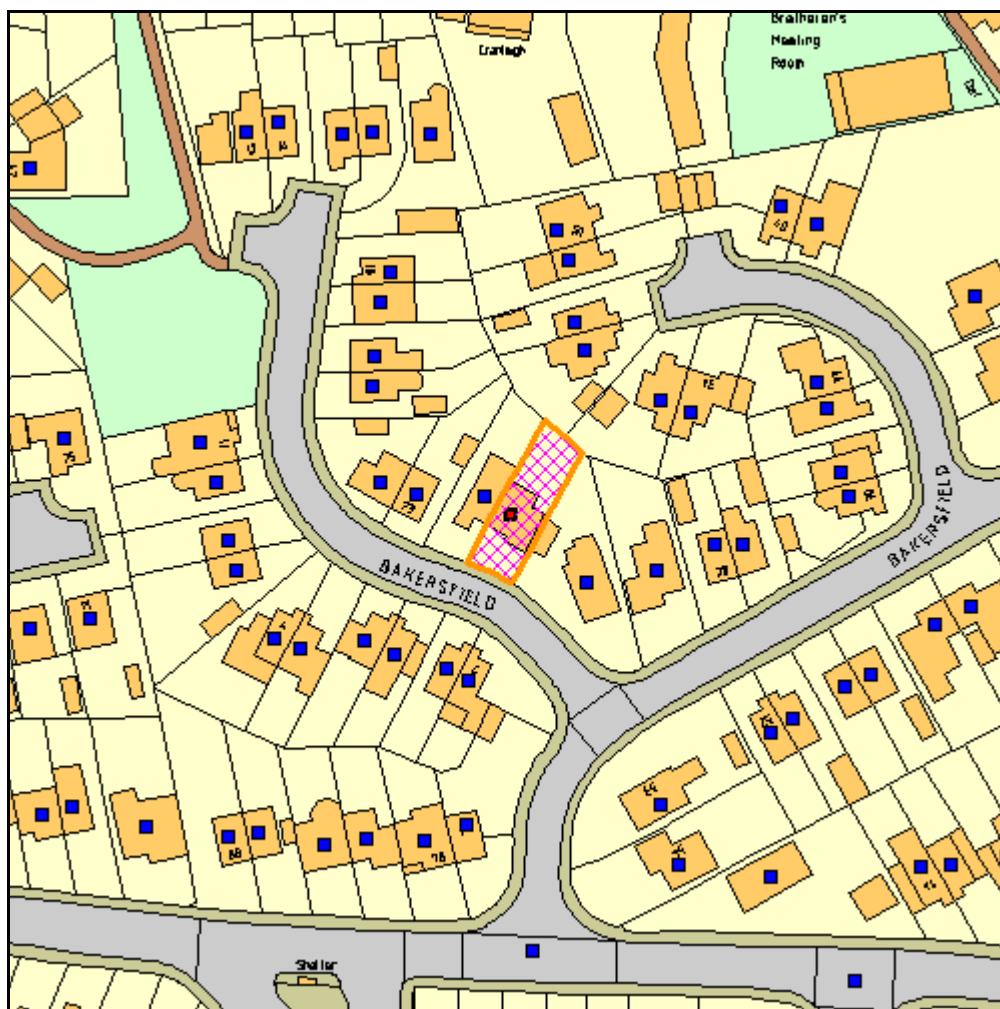
In dealing with this planning application the Local Planning Authority have worked with the applicant in a positive and proactive manner on seeking solutions to problems arising in the following ways: the applicant was kept informed of progress

Case Officer: James Reynolds

Authorising Officer: David Stockdale

CIRCULATED SCHEDULE NO. 48/20 -27th November 2020

App No.:	P20/20656/F	Applicant:	Mr James Blackwell
Site:	25 Bakersfield Longwell Green South Gloucestershire BS30 9YW	Date Reg:	29th October 2020
Proposal:	Erection of single storey and two storey rear extension to form additional living accommodation.	Parish:	Oldland Parish Council
Map Ref:	366461 171351	Ward:	Longwell Green
Application Category:	Householder	Target Date:	23rd December 2020



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100023410, 2008.

N.T.S.

P20/20656/F

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

INTRODUCTION

This application appears on the Circulated Schedule, as a result of a consultation response received, from the Parish Council, contrary to Officer recommendation.

1. THE PROPOSAL

- 1.1 The application is for the erection of a single storey and two storey rear extension to form additional living accommodation.
- 1.2 The property is a semi-detached dwelling, within the residential area of Longwell Green.

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 |
| CS8 | Access/Transport |

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

- | | |
|-------|--|
| PSP1 | Parking Standards |
| PSP8 | Residential Amenity |
| PSP38 | Development within Existing Residential Curtilages |

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

3. RELEVANT PLANNING HISTORY

PK16/6122/F - Extension to existing front porch. Approved 9/12/16

4. CONSULTATION RESPONSES

- 4.1 Oldland Parish Council
The Parish Council objects to this application on grounds of inadequate provision for off-street car parking.

Sustainable Transportation

No objection, recommends clarification on parking situation

Other Representations4.2 Local Residents

No comments received

5. ANALYSIS OF PROPOSAL5.1 Principle of Development

Extensions to dwellings within residential curtilages are acceptable in principle subject to detailed development control considerations in respect of local amenity, design and transportation; as set out in policy PSP38. The issues for consideration in this respect therefore are whether the proposals have an adverse impact on the amenities of nearby occupiers and whether the design of the proposal is sufficiently in keeping with the site and surroundings.

5.2 Design

The proposals are considered to be of an acceptable standard in design and would be an acceptable addition, taking into account the main dwelling house and surrounding area. Materials would be acceptable.

5.3 Residential Amenity

The length, size, location and orientation of the proposals and the relationship with other properties in the area, are not considered to give rise to any additional significant or material overbearing or overlooking impacts on adjacent properties in this instance.

5.4 Transportation.

The comments above are noted. The proposed development will remove vehicular parking from the existing garage to facilitate the erection of the side extension. Although there is no increase to the number of bedrooms within the dwelling, no detail had initially been provided on proposed parking. To comply with South Gloucestershire Council's residential parking standards a minimum of two spaces will be required. There is sufficient scope within the front of the plot to provide adequate parking. Revised plans have subsequently been received illustrating the provision of satisfactory off-street parking. A condition is recommended to secure this. There is no transportation objection raised on this basis.

5.5 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 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

7.1 That planning permission is granted.

CONDITIONS

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

Reason

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

2. The development hereby permitted shall only be implemented in accordance with the plans as set out in the plans list below:
Existing and Proposed Plans and Elevations (Refs A01 and A02), received by the Council on the 22nd October 2020, Location Plan (A03), received by the Council on the 28th October 2020 and Existing and Proposed Parking Plan (A04 Sheet 2), received by the Council on the 16th November 2020.

Reason:

To define the terms and extent of the permission.

3. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason

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

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

Reason

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

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

POSITIVE AND PROACTIVE STATEMENT:

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

Case Officer: Simon Ford

Authorising Officer: David Stockdale