

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: 49/21

Date to Members: 10/12/2021

Member's Deadline: 16/12/2021 (5.00pm)

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

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

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

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

NOTES FOR COUNCILLORS

– formal arrangements for referral to committee

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

c. All applications for non-material amendments

d. All applications to discharge planning conditions

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

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

Additional guidance for Members

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

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

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

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

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

A template for referral is set out below:

Referral from Circulated Schedule to Development Management Committee

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

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

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

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

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

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

Date:

To be emailed to MemberReferral@southglos.gov.uk

Schedule Number	Officers Deadline reports to support	Date to Members	Members deadline	Decisions issued from
50/21	15 th December by 5pm	17 th December by 9am	23 rd December 5pm	24 th December
51/21	21 st December by 5pm	23 rd December by 9am	5 th January 22 5pm	6 th January 22
No Circulated on Friday 31 st December 2021				

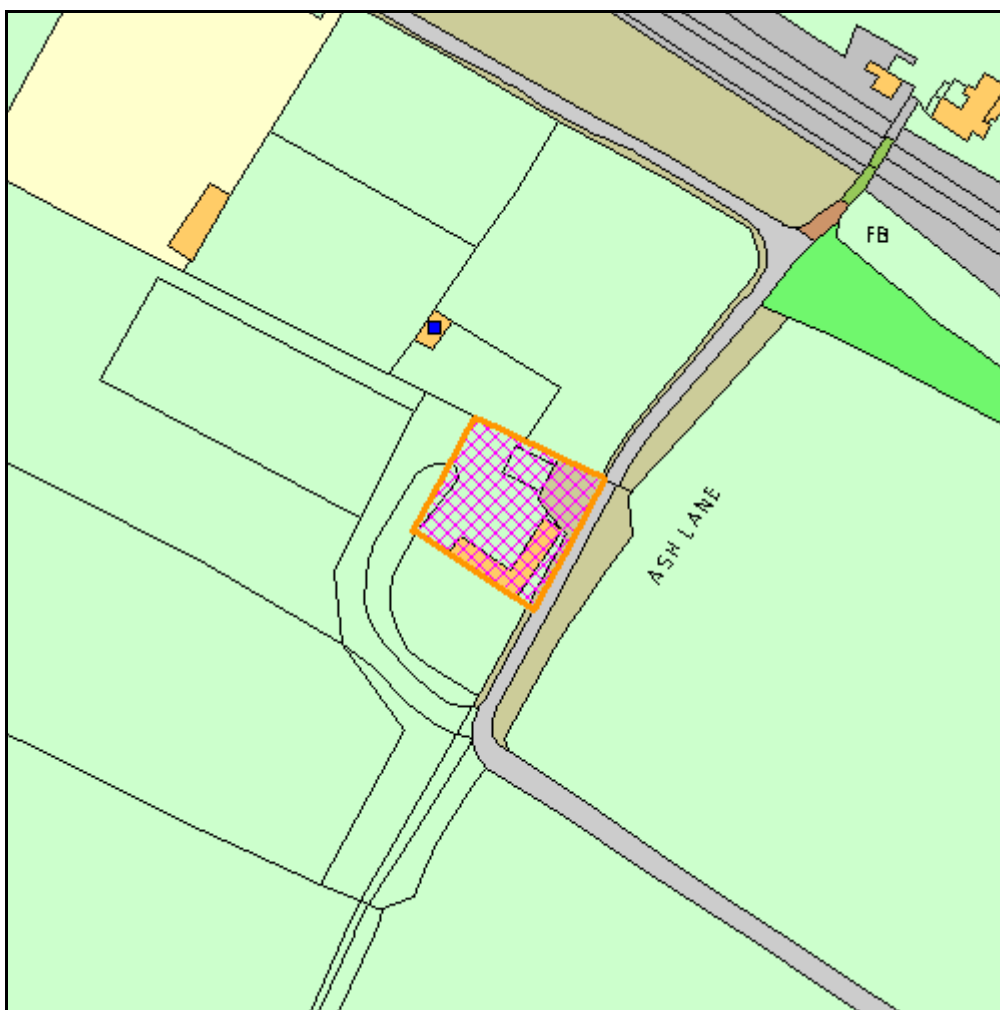
Dates and officer deadlines for Circulated Schedule Christmas Holidays 2021

CIRCULATED SCHEDULE - 10 December 2021

ITEM NO.	APPLICATION NO.	RECOMMENDATION	LOCATION	WARD	PARISH
1	P20/17533/F	Approve with Conditions	Cattybrook Stables Ash Lane Almondsbury South Gloucestershire BS32 4BY	Pilning And Severn Beach	Almondsbury Parish Council
2	P21/04407/F	Approve with Conditions	1 Badgeworth Yate South Gloucestershire BS37 8YQ	Dodington	Dodington Parish Council
3	P21/05061/F	Refusal	The Stables Tanhouse Lane Yate South Gloucestershire BS37 7LP	Frampton Cotterell	Iron Acton Parish Council
4	P21/05564/F	Approve with Conditions	Millcroft House Main Road Easter Compton South Gloucestershire BS35 5RA	Pilning And Severn Beach	Almondsbury Parish Council
5	P21/06773/F	Approve with Conditions	27 High Street Winterbourne South Gloucestershire BS36 1JG	Winterbourne	Winterbourne Parish Council
6	P21/07154/F	Approve with Conditions	15 Braemar Crescent Filton South Gloucestershire BS7 0TD	Filton	Filton Town Council

CIRCULATED SCHEDULE NO. 49/21 - 10th December 2021

App No.:	P20/17533/F	Applicant:	Helen Watson
Site:	Cattybrook Stables Ash Lane Almondsbury South Gloucestershire BS32 4BY	Date Reg:	24th September 2020
Proposal:	Conversion of existing stables and barn to 1no. dwelling with associated works.	Parish:	Almondsbury Parish Council
Map Ref:	358725 183124	Ward:	Pilning And Severn Beach
Application Category:	Minor	Target Date:	12th November 2020



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

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

Contrary view of Almondsbury Parish Council to the planning officer recommendation.

1. THE PROPOSAL

- 1.1 Planning permission is sought for the demolition of existing barn and conversion of existing stables to 1no. dwelling with associated works at Cattybrook Stables, Ash Lane, Almondsbury. The application site lies outside the settlement boundary of Almondsbury, in the open countryside and in the Bristol and Bath Green Belt. A public footpath runs along the eastern boundary of the site. The site is not subject to any high risk of flooding.
- 1.2 During the course of the application, a revised proposal was submitted and the revised plans show the existing stables being retained and converted into 1no. dwelling rather than being demolished and replaced with 1no. dwelling.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework July 2021
National Planning Practice Guidance

2.2 Development Plan

South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS15	Distribution of Housing
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
PSP40	Residential Development in the Countryside
PSP43	Private Amenity Space Standards

- 2.3 Supplementary Planning Guidance
Design Checklist SPD (Adopted) August 2007
Development in the Green Belt (Adopted) June 2007
Residential Parking Standard SPD (Adopted) December 2013
Assessing Residential Amenity TAN (Endorsed) 2016

3. RELEVANT PLANNING HISTORY

- 3.1 P19/15928/F
Demolition of existing stables and barn, and erection of 1no dwelling with associated works.
Refusal (19/02/2020)

Refusal Reason 1

Policy CS5 (6) of the South Gloucestershire Local Plan: Core Strategy adopted December 2013 state that Elsewhere in the Green Belt: (a) Small scale infill development may be permitted within the settlement boundaries of villages shown on the Policies Map. The application site is outside of any defined settlement and therefore in the open countryside. Defined settlements establish locations which the local planning authority consider suitable for sustainable development. The proposal, given its location, would conflict with the spatial and locational strategy, which is to create sustainable communities in South Gloucestershire. Also, the application site is surrounded by open fields and the proposal does not have a direct relationship with the settlement boundary, therefore, the proposal would not be read as a natural extension to it. In addition, the proposal does not contain any of the limited forms of residential development acceptable in the open countryside. The proposal therefore does not represent a sustainable form of development and conflicts with policy CS5 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP40 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the provisions of the National Planning Policy Framework February 2019.

Refusal Reason 2

The site is located within the Bristol/Bath Green Belt. Whilst the proposed dwelling and the associated works would be located on the existing footprint of the existing stables and the area of the hard standing, the proposal, by virtue of its site layout and design of the proposed dwelling, would result in a strong sense of enclosure, as such, the proposal would result in considerable adverse impact upon the openness of the Green Belt. Furthermore, the proposal, given its domestic nature, would introduce domestic clutter and other paraphernalia, which would undermine the fundamental aim of Green Belt policy to prevent urban sprawl by keeping land permanently open and the essential characteristics of Green Belts are their openness and their permanence. As such, the proposal would fail to meet one of the limited categories of development normally considered appropriate within the Green Belt. In addition, the applicant has not demonstrated that very special circumstances apply, such that the normal presumption against development in the Green Belt should be overridden. The proposal is therefore contrary to the provisions of Policy CS5 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, Policy PSP7 of the Policies Sites and Places Plan

(Adopted) November 2017, Development in the Green Belt Supplementary Planning Document SPD June 2007 and the National Planning Policy Framework (February 2019).

3.2 PT05/1573/F

Use of land for keeping of horses, erection of stables and construction of nursery paddock, arena and associated works.

Approve with Conditions (15/08/2005)

4. CONSULTATION RESPONSES

4.1 Almondsbury Parish Council

Objection – The development is in the Green Belt and for that reason it was refused before. The development has simply moved the dwelling onto the footprint occupied by the stables.

[This objection comment was received prior to revised plans being submitted, no further responses were received]

4.2 Archaeology Officer

The site is located within a field in which medieval ridge and furrow survives and within the vicinity of a known Roman settlement and Iron Age fort to the north east. The proposal represents a new building on a previously mostly undeveloped site and as such a condition for a programme of archaeological work in the form of a watching brief on all ground works should be applied to any consent granted.

[This comment was received prior to revised plans being submitted, no further responses were received]

4.3 Ecology Officer

No objection subject to the inclusion of conditions and informatives.

4.4 Flood and Water Management Team

No objection

4.5 Highway Structures

No comment

4.6 Landscape Officer

No objection.

4.7 Public Rights of Way Officer

No objection subject to the inclusion of an informative.

4.8 Sustainable Transport

No objection subject to the inclusion of a condition.

4.9 Local Residents

1 objection comment received - Notwithstanding changes made since the 2019 application was refused, nothing in the current application counters nor

undermines the damning conclusions set out particularly in paras 5.1, 5.2, 5.7, 5.10, 5.13 and 5.27 of the Officer-delegated report on the 2019 application, and accordingly this application should be refused.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy CS5 and CS34 of the Core Strategy set out the general locational approach towards housing provision in the rural areas; these policies establish the retention of settlement boundaries; generally not supporting residential development outside of settlement boundaries or urban areas. Policy PSP40 of the Policies, Sites and Places Plan allows specific forms of residential development in the open countryside. One of these forms of development is:

‘The conversion and re-use of existing buildings for residential purposes where:

- I. The building is of permanent and substantial construction; and*
- II. It would not adversely affect the operation of a rural business(es) or working farm(s); and*
- III. Any extension as part of the conversion or subsequently is not disproportionate to the original building; and*
- IV. If the building is redundant or disused; the proposal would also need to lead to an enhancement of its immediate setting.*

In all of these circumstances, development proposals including any alterations, extensions or creation of a residential unit, will be acceptable where they do not have a harmful effect on the character of the countryside, or the amenities of the surrounding area.’

5.2 Planning permission is sought for the demolition of existing barn and conversion of existing stables to 1no. dwelling with associated works at a site in the open countryside. The proposal is considered to constitute the specific forms of residential development allowed by PSP40 in the open countryside, subject to detailed consideration of the Policy criteria, which is set out below.

5.3 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 Green Belt; impacts on visual amenity; impacts on residential amenity; and impacts on the surrounding transport network.

5.4 Green Belt

The application site is located in part of the Bristol and Bath Green Belt, where development is restricted. Paragraph 149 of the NPPF sets out that local planning authorities should regard the construction of new buildings as inappropriate development in the Green Belt. An exception to this is; ‘the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building’.

5.5 PSP7 reflects this, and sets out that as a general guide, an addition resulting in a volume increase up to 30% of the original building would likely be proportionate, additions that exceed 30% volume increase will need to be carefully assessed in terms of whether it would appear out of scale and

- proportion to the existing building. The larger a building becomes in excess of 30% over and above its original size, the less likely it is that the new extension(s) will be considered proportionate. Additions resulting in a volume increase of 50% or more of the original building would most likely be considered a disproportionate addition and be refused as inappropriate development.
- 5.6 The proposed development included the demolition of existing barn and extension of the existing stable building. The existing barn on site to be demolished has a volume of approximately 108 metres cubed. The proposed extension to the original stable building would have a volume of approximately 120 metres cubed. This would leave an increase in volume on site of approximately 12 metres cubed. The original stable block has a volume of approximately 342 metres cubed so the proposed development would represent an addition in volume of approximately 3.5%.
- 5.7 Therefore, the proposed extension to the existing stables falls within the exception categories of the NPPF and is not inappropriate development.
- 5.8 Paragraph 150 of the NPPF sets out that other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. One of these forms of development is; 'the re-use of buildings provided that the buildings are of permanent and substantial construction'.
- 5.9 The proposed development includes the conversion of existing stables to 1 no. dwelling with associated works. The existing stable building is considered to be of permanent and substantial construction and its re-use, including the creation of a modest residential curtilage, is considered to preserve the openness of the Green Belt and not conflict with the purpose of including land within it.
- 5.10 Therefore, the proposal is not considered inappropriate development in the Green Belt.
- 5.11 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 openness and permanence of the Green Belt.
- 5.12 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.
- 5.13 The proposed extension to the existing stables would respect the simplistic architecture of the existing building and would integrate well with the existing form and roof slope. The proposed change in external materials from render to cedar clad timber boarding would be acceptable.

- 5.14 The proposed conversion of the existing stables to 1no.dwelling, including the creation of a modest residential curtilage, would be unlikely to have a significant detrimental impact on the visual amenity of the site or its context.
- 5.15 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.
- 5.16 Residential Amenity
Policy PSP8 of the Policies, Sites and Places Plan outlines that development proposals will be acceptable provided that they do not create unacceptable living conditions or have an unacceptable impact on the residential amenity of the occupiers of the development or of nearby properties. Unacceptable impacts could result from (but are not restricted to): loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and odours, fumes or vibration.
- 5.17 The proposal has been carefully assessed and has found to be in compliance with these policies.
- 5.18 Policy PSP43 of the Policies, Sites and Places Plan outlines the Councils 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.
- 5.19 The proposed development would include the creation of a modest residential curtilage. This would include a functional private amenity space that meets the minimum size requirements for a 3no. bedroom dwelling.
- 5.20 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.
- 5.21 Highway Safety and Transport
The application site is located in a relatively rural area so it fails to accord with the requirements of Policy PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan in terms of location and access by all travel modes. Nevertheless, it is considered that the proposal would not create a significant amount of new traffic, nor would it produce any highways or transportation issues which could be considered to be severe.
- 5.22 The proposed development would use the sites existing access arrangement which would not be altered in any significant way. The surface that forms the driveway is currently little more than a track and is made of loose material. To make this suitable for residential use it, together with the area of hardstanding adjoining the proposed dwelling, would need to be surfaced in a bound

material. This will be secured via condition. Subject to this condition, there is no objection from the Council's Sustainable Transport officer.

5.23 The proposed dwelling would have 3no. bedrooms so under Policy PSP16 of the Policies, Sites and Places Plan 2no. on-site parking spaces are required. A large area of hardstanding remains available for parking and turning vehicles so that they can leave the site in forward gear. It is considered that the proposal meets the requirements of PSP16.

5.24 Archaeology

The Council's Archaeology Officer has advised that the site is located within a field in which medieval ridge and furrow survives and within the vicinity of a known Roman settlement and Iron Age fort to the north east. The (originally proposed) development represented a new building on a previously mostly undeveloped site and as such a condition for a programme of archaeological work in the form of a watching brief on all ground works would have been necessary.

5.25 This comment was received prior to revised plans being submitted, and no further responses have been received. During the course of the application, a revised proposal was submitted and the revised plans show the existing stables being retained and converted into 1no. dwelling rather than being demolished and a new building being erected. It is therefore considered that the proposed condition is no longer necessary.

5.26 Ecology

A bat assessment and bat survey was undertaken and found the building to be of low suitability for roosting bats, this was followed by an emergence survey which found no bats roosting within the building. An updated survey was undertaken and returned similar results. No further surveys required and appropriate mitigation has been recommended. During the 2020 survey swallows were found to be nesting in the building, appropriate mitigation has been recommended. Appropriate mitigation will be secured via condition.

5.27 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.

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

5.29 Other Matters

Each application is assessed on its own merits and, whilst the previous applications are noted and previous Officer Reports are read, this report has assessed the plans submitted with this application only.

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:

P001 A - Site Location Plan (Received 17/09/2020)

P002 B - Existing Site Plan (Received 23/08/2021)

P003 B - Proposed Site Plan (Received 23/08/2021)

P005 C - Proposed Plans and Elevations (Received 07/12/2021)

P006 - Existing Plans and Elevations (Received 17/09/2020)

Design Statement (Received 23/08/2021)

Structural Appraisal (Received 23/08/2021)

Supplementary Ecological Statement (Received 27/09/2021)

Reason

To define the terms and extent of the permission.

3. The off-street parking facilities (for all vehicles, including cycles) shown on the plan hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose. For the avoidance of doubt, the driveway and proposed area of hardstanding will be surfaced in a bound material.

Reason

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

4. The development shall proceed in strict accordance with the Mitigation Measures provided in Bat Survey (Crossman Associates, September 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.

5. 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:
 - o 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
 - o 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.

6. Prior to first occupation, details of ecological enhancement features recommended in the Bat Survey (Crossman Associates, September 2020) shall be submitted to the local planning authority for approval in writing. This shall include, but is not limited to bird boxes. All such details as approved shall be implemented prior to first occupation.

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

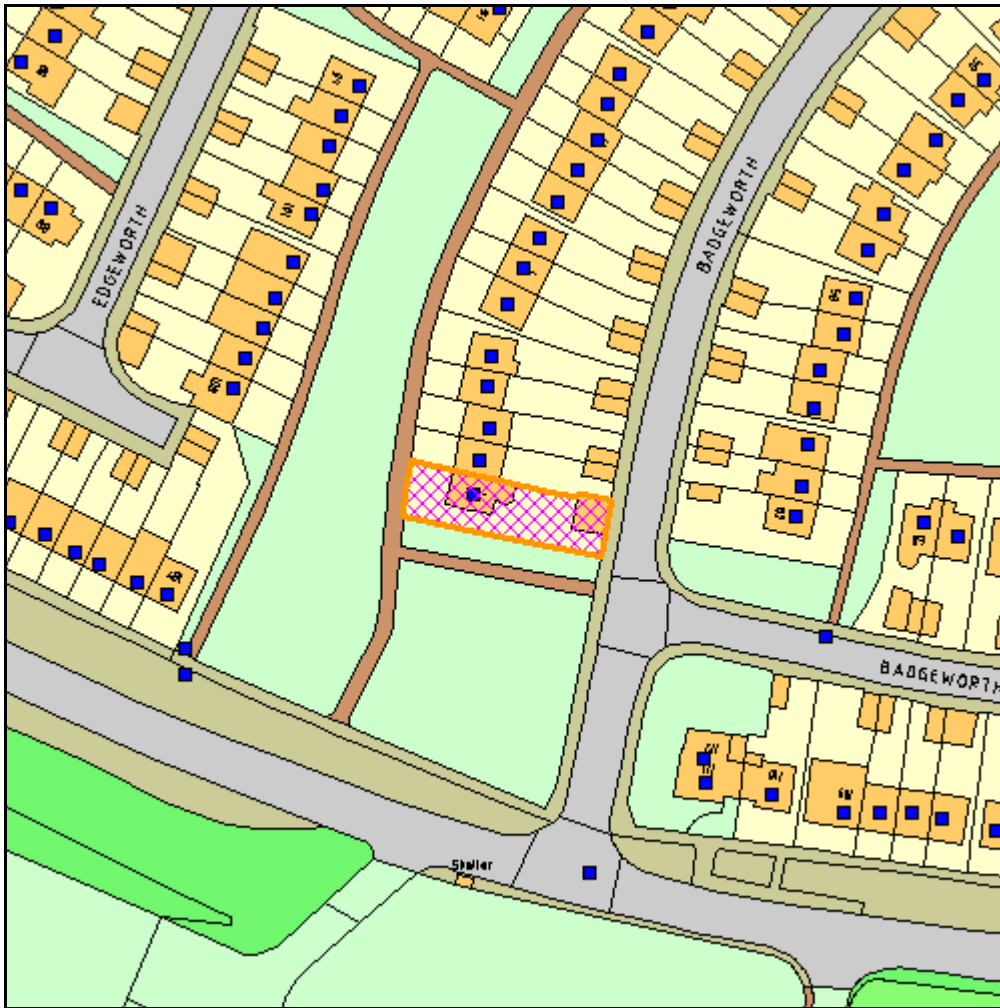
of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted)
November 2017; and the National Planning Policy Framework.

Case Officer: Oliver Phippen

Authorising Officer: Helen Ainsley

CIRCULATED SCHEDULE NO. 49/21 - 10th December 2021

App No.:	P21/04407/F	Applicant:	Mr Simon Green
Site:	1 Badgeworth Yate South Gloucestershire BS37 8YQ	Date Reg:	22nd June 2021
Proposal:	Erection of a single storey rear extension and two storey side extension to form additional living accommodation.	Parish:	Dodington Parish Council
Map Ref:	370486 180635	Ward:	Dodington
Application Category:	Householder	Target Date:	11th August 2021



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

This application has been referred to the Circulated Schedule following the receipt of a representation from Dodington Parish Council objecting the proposal, contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 Full planning permission is sought for the erection of a single storey rear extension and two storey side extension to form additional living accommodation.
- 1.2 The application site is a 3no. bedroom end of terrace dwelling, located at 1 Badgeworth, and set within the area of Yate.
- 1.3 The property briefly comprises front and rear gardens, garage parking and is located within the Yate settlement boundary and is part of a radburn style estate.
- 1.4 During the application process, amended plans have been submitted to the Local Authority which seek to address concerns raised regarding the potential sub-division of the property and parking. The case officer is therefore proceeding on the basis of the amended plans received.

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	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
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 Standards SPD (Adopted) December 2013
Householder Design Guide SPD (Adopted) March 2021

3. RELEVANT PLANNING HISTORY

3.1 P20/19716/F (Refused – 15/12/2020)

Erection of two storey side and single storey rear extensions to facilitate division of dwelling house into 2 no. dwellings with associated works.

3.2 PK06/2635/F (Approved – 26/10/2006)

Conversion of existing carport to form double garage.

3.3 PK05/0844/F (Approved – 04/05/2005)

Erection of rear conservatory.

4. CONSULTATION RESPONSES

4.1 Dodington Parish Council

Members of Dodington Parish Council objected to the previous application in 2020 as they felt it was over development of the site and had concerns about parking / extra cars at that busy point of Badgeworth. Their concerns are the same with this application too. PLUS As the application stands - it would appear that the applicant is still planning to subdivide property? Site location and Block Plan - is exactly the one they used in previous application and with the red lines drawn as they are indicate a separate dwelling. Proposed Plans and Elevations - well apart from the fact that they have these labelled incorrectly....(have them labelled as Existing Plans)....there is a separate staircase in the extension to the upstairs rooms.... You can't get from the original part of downstairs to the extended part - unless there is an arch - but this isn't showing on the plans - it is showing walls. So if you want to get from the kitchen to the utility - you walk out of kitchen into lounge into hallway up the stairs to original landing then onto new landing and down the new stairs and into hallway and then utility.... Dodington Parish Council strongly object to this and would urge SGC to refuse planning

4.2 Sustainable Transport

The level of parking shown on the plans is insufficient, to comply with South Gloucestershire Council's residential parking standards a minimum of three parking spaces needs to be provided within the site boundary. Revised details are requested.

4.3 Environmental Protection

No objection subject to consideration of Informatives.

4.4 Residents

No comments have been received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

PSP38 of the South Gloucestershire Council Policies, Sites and Places Plan (adopted November 2017) permits development within existing residential curtilages (including extensions) in principle where they do not unduly harm the design, visual amenity and residential amenity of the locality or prejudice

highway safety or the provision of adequate private amenity space. PSP38 is achieved through CS1 of the South Gloucestershire Council Core Strategy (adopted December 2013), which requires development to demonstrate the highest standards of design and site planning by demonstrating that siting, form, scale, height, massing, detailing colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the site and its context. Additional guidance on achieving good design for householder developments is set out in the Household Design Guide supplementary planning document (SPD), which was formally adopted in March 2021. The development is acceptable in principle, subject to the following detailed consideration.

5.2 The proposal seeks planning permission for the erection of a single storey rear extension and two storey side extension to form additional living accommodation, essentially forming an 'L' shape extension around the right side and rear of the property. The case officer has broken down each element of the proposal to describe in better detail.

5.3 Two storey side extension

It is proposed to construct a two storey extension to the side of the host property. The plans show that the two storey extension would project 3.2m from the side elevation and would measure 7.7m in depth down the side of the property to what is currently the rear elevation. The side extension would also be finished with a gable roof which would match the height of the roof of the host property at both the eaves and the ridge line.

5.4 Single storey and two storey rear extension

The plans show that the proposal would also include an extension to the rear of the application property which would present a single storey and two storey addition to the property. It is proposed that the rear extension would measure 8.8m in width, including across the rear of the proposed side extension, and would project 3m from the rear elevation. The plans show that the single storey rear extension would be finished with a flat roof measuring 2.9m in height. Additionally, the two storey element to the rear would also be finished with a gable roof but the ridge line would be set down, measuring 5m at the height of the eaves and 6.8m at ridge height from ground floor level.

5.5 Overall, the plans show that the two extensions to the property would include new windows and doors, 3no. roof lights to the flat roof and would see the demolition of the existing conservatory to facilitate the development. It is also made clear that the structure would be constructed and finished in materials which are sympathetic to the host property and its context.

5.6 Design & Visual Amenity

Policy CS1 of the Core Strategy states that development proposals will only be permitted where the highest possible standards of design and site planning are achieved. Furthermore, policy PSP38 of the Policies, Sites and Places Plan expresses that development within existing residential curtilages, including extensions and new dwellings, will be acceptable where they respect the character and appearance of the host dwelling and existing street scene by taking into account building line, form, scale, proportions, architectural style,

landscaping and use of materials. The policy also underlines the importance of development within residential curtilages and the impact that this has on residential amenity, and that development should not prejudice the private amenity space or the amenity of neighbours.

- 5.7 Additionally, the Householder Design Guide SPD sets out general design guidance principles in which extensions and alterations should aim to; be of overall high-quality design, achieve successful integration by responding to the characteristics of the host dwelling and prevailing street scene and be subservient in scale and character.
- 5.8 In terms of design, the proposal would present a significant alteration to the overall character and appearance of the property, particularly given its prominent location as an end of terrace on a corner plot. That being said, the case officer is of the view that the proposal would present as a subservient addition to the host dwelling, by virtue of its scale, form and design.
- 5.9 The use of materials to match and overall coherence with the general design principles within the SGC Householder Design Guide and policy PSP38 promotes high quality design and assimilation with the host property and its surroundings.
- 5.10 Amendments have been made to the proposal throughout the application process to address concerns raised by the Parish regarding the potential subdivision of the plot for use as a separate dwelling and over-development of the site. The plans now present a much better free flowing internal layout between the host property and its extension allowing for greater interconnectivity throughout the dwelling.
- 5.11 On that basis, the proposal is deemed to be compliant with policies CS1 and PSP38 of the development plan and the supplementary guidance within the SGC Householder Design Guide.
- 5.12 Residential Amenity
PSP8 permits development where it does not prejudice the residential amenity of both occupiers of the development and of neighbouring dwellings through the creation of unacceptable impacts. Such unacceptable impacts include loss of privacy, overlooking, loss of light, loss of outlook and overbearing/dominant impacts. Similarly, policy PSP43 reinstates the requirement for the provision of sufficient private amenity space standards and that private and communal external amenity space should be; functional, safe, accessible, of sufficient size and should take into account the context of the development and, including the character of the surrounding area.
- 5.13 Similarly, Technical Advice Note: Assessing Residential Amenity provides supporting guidance on residential amenity considerations and how the above policies are applied in the determination of applications.
- 5.14 The property itself is an end of terrace dwelling and is attached to its neighbour at No. 2 Badgeworth. The case officer finds that the side extension element to the proposal is unlikely to impact this neighbour.

- 5.15 With respect to the single storey rear extension, the case officer is of the view that this any impact of the proposal on residential amenity is likely to be minimal. The overall size and scale of the proposed rear extension would present a structure which would not appear dominating nor overbearing in terms of its physical presence within its setting.
- 5.16 The proposal is therefore found to comply with policies PSP8 and PSP43 of the development plan which seek to protect and safeguard the residential amenity of the neighbouring properties and current and future occupiers of the property.
- 5.17 Parking Standards
PSP16 requires developments to provide levels of parking based upon the number of bedrooms at a dwelling. Where an increase is proposed, proposals should demonstrate that adequate off-street parking can be provided to accommodate increase in demand.
- 5.18 The proposal would seek to alter the number of bedrooms at the property as well as the existing parking arrangements. It is proposed to create an additional 2no. bedrooms at the property which would require a total of 3no. parking spaces in order to comply with the requirements of PSP16.
- 5.19 Through the course of the application process, amended plans have been submitted to present an additional space to the rear of the property by means of hardstanding parking. As a result, the property would therefore benefit from 2no. garages and 1no. hardstanding parking space.
- 5.20 Taking this amendment to the parking provision into account, the proposal can now be found compliant with the requirement of PSP16 of the development plan and the Residential Parking Standards SPD.
- 5.21 Consideration of likely impact on Equalities
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services. With regards to the above this planning application is considered to have a neutral impact on equality.

6. CONCLUSION

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

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

7. RECOMMENDATION

- 7.1 It is recommended that permission is **APPROVED**.

CONDITIONS

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

Reason

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

2. The development/works hereby permitted shall only be implemented in accordance with the following plans:

Received by the Local Authority on 17 June 2021:

Site Location and Block Plan (Drawing No. 001) (Superseded)

Existing Plans and Elevations (Drawing No. 002)

Proposed Plans and Elevations (Drawing No. 003) (Superseded)

Existing and Proposed Parking Plans (Drawing No. 004) (Superseded)

Design and Access Statement

Received by the Local Authority on 27 July 2021:

Existing and Proposed Parking Plans (Drawing No. 004 - Revision A)

Received by the Local Authority on 10 August 2021:

Site Location and Block Plan (Drawing No. 001)

Proposed Plans and Elevations (Drawing No. 003 - Revision A)

Reason

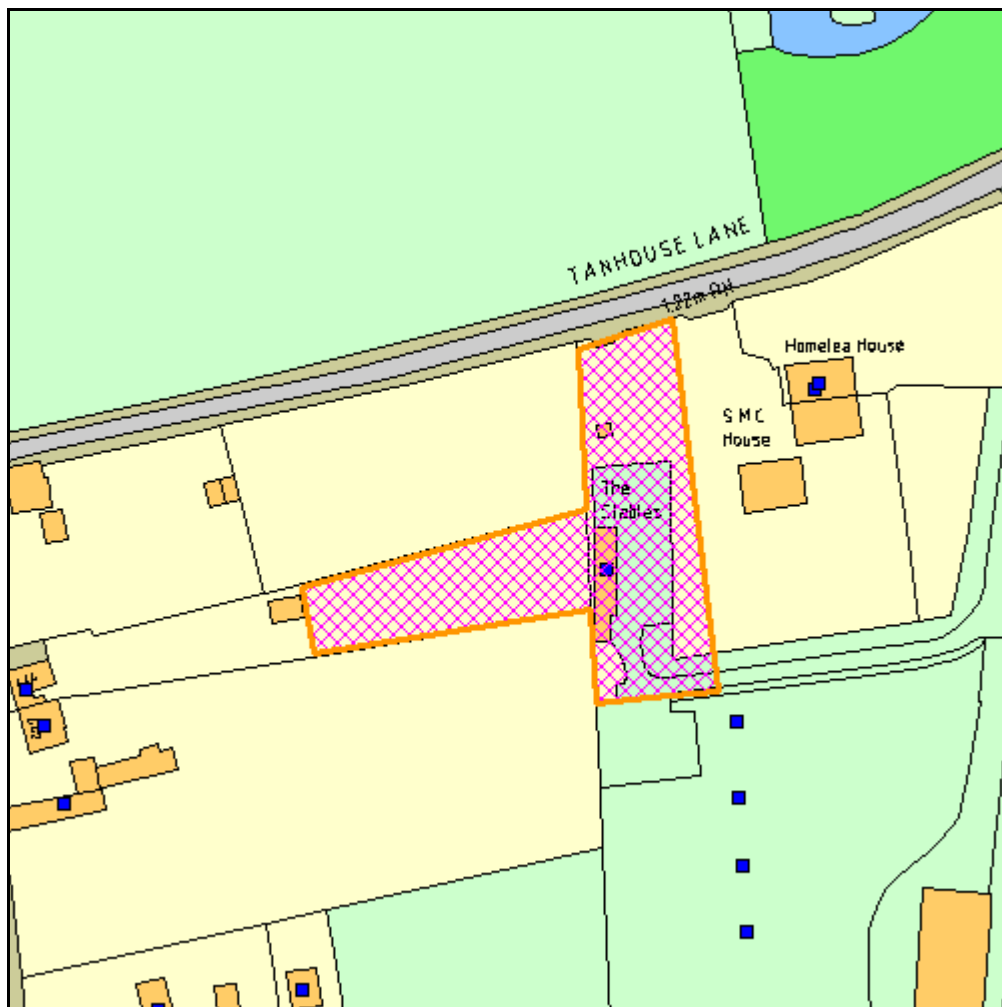
To define the terms and extent of the permission.

Case Officer: Lucie Rozsos

Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 49/21 - 10th December 2021

App No.:	P21/05061/F	Applicant:	M Rushent Tanhouse Lane Developments Ltd
Site:	The Stables Tanhouse Lane Yate South Gloucestershire BS37 7LP	Date Reg:	28th July 2021
Proposal:	Demolition of existing buildings. Erection of 3 no. detached dwellings with associated works (Resubmission of P20/23932/F).	Parish:	Iron Acton Parish Council
Map Ref:	369898 184962	Ward:	Frampton Cotterell
Application Category:	Minor	Target Date:	21st September 2021



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100023410, 2008. **N.T.S.** **P21/05061/F**

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

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the demolition of existing buildings and the erection of 3 no. detached dwellings with associated works.
- 1.2 The application is a resubmission of a recently refused application, reference P20/23932/F.

Refusal Reasons:

1. The site is situated outside the existing urban area and it is not within a defined rural settlement; it is therefore in a location where development should be strictly controlled. The proposed development would conflict with the spatial strategy of the District: the amount of development cannot be considered limited. The proposed development is therefore contrary to policy CS4A, CS5, and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; policy PSP40 of the South Gloucestershire Local plan: Policies, Sites and Places Plan (Adopted) November 2017; and the provisions of the National Planning Policy Framework February 2019.
2. The proposed development in plot 2, by reason of its siting and scale; if allowed would be detrimentally overbearing on the outlook and living conditions of the dwellinghouse subject of extant permission P19/09678/F, and would result in an unacceptable overshadowing impact. The proposal is therefore considered to result in significant harm to residential amenity, contrary to Policies PSP8 and PSP38 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 and the National Planning Policy Framework.
3. Insufficient information regarding ecological matters, particularly with reference to bats and Great Crested Newts is contrary to Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.
4. It has not been demonstrated that adequate visibility could be achieved for vehicles entering and exiting the site onto Tanhouse Lane. Insufficient evidence has been provided to ensure a satisfactory

conclusion can be reached as to whether the residual cumulative effects of the development on transport and highway safety are severe or not. Accordingly the proposal conflicts 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 provisions of the National Planning Policy Framework 2019.

- 1.3 The application site relates to The Stables, Tanhouse Lane, Yate. The site is located outside of any defined settlement boundary, in the open countryside and sits opposite the Bristol and Bath Green Belt.
- 1.4 The Stables consists of a detached bungalow, large garage/storage building, and small storage building and shed. These buildings are to be demolished to facilitate the erection of the proposed dwellings.
- 1.5 In an attempt to overcome the previous refusal reasons, the application has reduced the number of proposed dwellings from 4 to 3 and altered the layout accordingly. Transport and ecology reports have also been provided.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

CS1 High Quality Design
CS4a Presumption in Favour of Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS15 Distribution of Housing
CS16 Housing Density
CS17 Housing Diversity
CS34 Rural Areas

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

PSP1 Local Distinctiveness
PSP2 Landscape
PSP3 Trees and Woodland
PSP8 Residential Amenity
PSP11 Transport Impact Management
PSP16 Parking Standards
PSP19 Wider Biodiversity
PSP20 Flood Risk, Surface Water and Watercourse Management
PSP38 Development within Existing Residential Curtilages

PSP40 Residential Development in the Countryside
PSP43 Private Amenity Standards

- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) 2007
Residential Parking Standards SPD (Adopted) 2013
Technical Advice Note: Assessing Residential Amenity (Adopted) 2006

3. RELEVANT PLANNING HISTORY

- 3.1 P20/23932/F
Demolition of existing buildings. Erection of 4 no. detached dwellings and associated works.

Refusal: 05/03/2021
- 3.2 PK15/4345/F
Erection of single storey front extension to provide additional living accommodation. Erection of a detached double garage.

Approved with conditions: 03/12/2015
- 3.3 PK10/2833/F
Erection of 2 no detached dwellings to include double garages, bin stores and associated works

Withdrawn: 07/12/2010
- 3.4 PK13/3806/PNC
Prior Notification of Change of use from Office (Class B1) to residential (Class C3) as defined in the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013

No Objection: 05/12/2013
- 3.5 PK09/0548/F
Construction of new vehicular access from Tanhouse Lane.

Approved with conditions: 12/05/2009
- 3.6 PK09/1272/RVC
Variation of condition 3 attached to previously approved planning permission PK09/0548/F dated 12 May 2009 to allow the installation of 1.8 metre high close boarded timber gates rather than a five bar wooden gate.

Approved with conditions: 24/08/2009

4. CONSULTATION RESPONSES

- 4.1 Iron Acton Parish Council
Objection- outside of the development boundary.

Insufficient space for a refuse lorry to turn around on site, presumably the vehicle will have to either reverse onto or out of the site. This will be a safety concern.

The placement of the refuse container shelter should either be adjacent to Tanhouse Lane or a turning circle provided on site.

The same document claims North Road "Village" has a post office, which is currently untrue.

Sustainable Transport

Concern raised over boundary hedge restricting visibility. Cutting back required to achieve visibility splays. Hedge is outside of applicant's ownership.

Conditions suggested if minded to approve.

Highway Structures

No comment received.

Lead Local Flood Authority

No objection in principle, subject to conditions.

Ecology

No objection, subject to conditions.

Environmental Protection

No objection in principle, potential for land contamination. Conditions suggested.

Tree Officer

No objection, subject to adherence with the arb report.

Other Representations

4.2 Local Residents

Objection comments received from 8no local residents, summarised as follows;

Drainage

- Extremely limited surface water drainage from this site.
- Increased likelihood of sewerage discharge to the local waterways, no official foul drainage.
- Concerns of flooding- ditched already overflowing.

Highways

- Suggestion passing cars can use private driveways and grass verges is preposterous.
- Tanhouse Lane is very narrow on this stretch, vehicles have become stuck in ditches.
- Proposed access at narrowest point in the lane- does not permit movement of vehicles for more than one house.

- No turning space for visitors and deliveries.
- Visibility poor. Improved visibility spays needed.
- Highway safety concerns for pedestrians, horse riders and cyclists- part of Avon Cycle Way link.
- 11 new properties have already affected the number of cars using Tanhouse Lane, traffic increased rapidly.
- No pedestrian footpath.

Location/Design

- Outside development boundary.
- Need to stop building on greenfield sites.
- No local shops or amenities, very car dependant.
- Proposed houses are large and not in keeping with existing houses.
- Overdevelopment in a rural area.
- 11 dwellings recently built, completely changing the character of the area.
- The proposed dormer has no side cheeks indicated which would increase the size and height.

Residential Amenity

- Loss of privacy
- Negative impact on the quality and usability of our outdoor space.
- 1 of the proposed houses would run alongside the driveway of the neighbouring house to be built and house currently occupied.
- Loss of light and overshadowing to permitted dwelling on neighbouring land- to be built.
- Noise pollution and disturbance once properties are occupied.

Other

- Road splay encroaching on private land.
- The 2 approved developments (PK18/0504/F and PK18/3104/F) have resulted in continual building works for 2 years, disturbance to residents.
- No details of bat roost building submitted.
- Impact on biodiversity of the area.
- No mention of the refused application in planning history.

Support comments received from 3 local residents, summarised as follows;

- One plot has been remove making it more neighbour friendly.
- Houses blend in quite well with the new homes at the end of the site.
- Small development utilising an old garage.
- Site would otherwise be left in state of disrepair.
- There will be room for vehicles to run on site.
- There is a need for more beautiful countryside homes.
- Will enhance the plot and area.
- Increase in traffic not a cause for concern, entrance is only 100 yds from North Road.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy CS5 of the South Gloucestershire Core Strategy outlines the locations at which development is considered to be appropriate; new development is directed towards the existing urban areas and defined rural settlements. The application site is located within the open countryside, outside of any defined settlement boundary, where new development is strictly limited. Policy PSP40 of the Policies, Sites and Places plan allows only for the following specific forms of residential development in the open countryside.

- *Rural housing exception initiatives*
- *Rural workers dwellings*
- *The replacement of a single existing dwelling, where it is of similar size and scale to the existing dwelling, within the same curtilage, and of design in keeping with the locality, and minimises visual intrusion in the countryside*
- *The conversion and re-use of existing buildings for residential purposes.*

Although the proposal has reduced the number of dwelling from 4 to 3, refusal reason 1 of the previous application (P20/23932/F) is not considered to have been overcome. None of the above policies would permit the demolition of an existing bungalow and replacement with 3, two-storey detached dwellings in this location. It is acknowledged that historically development has been approved on sites along Tanhouse Lane, however this was at a time when the council could not demonstrate a 5 year housing land supply; that is no longer the case and therefore adopted locational policy is considered up-to-date and should be given full weight in any decision. Furthermore, the recently approved development of 89 dwelling at Engine Common is not considered to be comparable to the development subject of this application and each application is determined on its own merits. It therefore follows that there is an in principle objection to the proposed development as it does not accord with the requirements of policies CS5 of the Core Strategy or PSP40 of the Policies, Sites and Places Plan.

Location of Development- Relationship with nearest defined settlement

Whilst the majority of applications for new residential development outside of the settlement boundaries should be resisted in accordance with the Council's spatial strategy, the Local Planning Authority do consider that it may be suitable, in a few circumstances, to recommend approval of dwellings outside of the settlement boundary.

This will only apply where the site lies close to the edge of the defined settlement boundary and has a direct relationship with it. Essentially, it should read as a natural extension to the settlement boundary. This should only apply to small developments of 1-2 dwellings

In this instance, the application is proposing 3no new dwellings. The site is linked to the defined settlement by a single width lane approximately 460m from its nearest point of Yate to the east. There is considered to be a clear separation with both Engine Common and Yate and the site does not benefit from good pedestrian links. Therefore, the development is not considered to be

a natural extension to either settlement and as such, the development should be resisted.

5.2 Design and Visual Amenity

The proposed development would introduce a cul-de-sac style layout comprising of three relatively large detached properties. Despite later development, Engine Common has retained a rural character and appearance with dwellings that generally have a good visual relationship with the highway and which are afforded large rear gardens. The proposed layout would result 2 of the 3 proposed dwellings being significantly set back from the highway and somewhat screened by the proposed dwelling in plot 1, as such these properties are considered to display little to no relationship with the streetscene. However, it is acknowledged that the existing 'backland' development to the immediate south of the site has gone some way to eroding the previously linear pattern of development.

5.3 The dwellings in plots 1 and 2 would be of the same appearance, consisting of a gable to gable 'L' shaped design with integrated double garage. Plot 3 would be of a similar style but configured so that the integrated garage forms part of the front gable. All properties would consist of a material pate of Bekstone dressed stone elevations with timber cladding and grey UPVC windows. The use of stone is welcome, however timber cladding and grey windows cannot be found on any other properties in the immediately surrounding area. That said, it is acknowledged material finishes could be controlled by condition. In addition, on the front facing elevations there appears to be a distinct lack of windows at ground floor level, or at best inappropriate sizing and placement, (especially serving the kitchen) which leads to an unsatisfactory external appearance. This could be easily addressed through negotiation, however was not pursued by officers due to the identified in-principle objection above.

5.4 Residential Amenity

Policy PSP8 of the PSP Plan (November 2017) sets out that development should not prejudice residential amenity through overbearing; loss of light; and loss of privacy of neighbouring occupiers.

5.5 It is noted that there is an extant planning permission for a new dwelling which has been approved at the adjacent site to the east, Homelea (reference: P19/09678/F). This is now marked on the proposed layout plan, and must be given due consideration by officers in the residential amenity assessment. The neighbouring dwelling would sit between the proposed dwellings in plots 1 & 2; it is acknowledged that the proposed dwellings have been moved away from the eastern boundary in an attempt to overcome refusal reason 2. The dwelling in plot 1 would be adjacent to the proposed driveway of the neighbouring property and is considered a sufficient distance and angle to avoid any unacceptably overbearing or loss of privacy issues. Plot 2 would be sited approximately 11 m from the eastern boundary with only windows serving bathrooms (assumed to be obscure glazed) at first floor level facing eastwards, this is also considered to adequately mitigate any potentially harmful loss of light, overlooking or overbearing impacts. Given the separation distances involved to all other neighbouring properties, there are no concerns raised in

regards to residential amenity of neighbouring occupiers. Refusal reason 2 is therefore considered to have been sufficiently overcome.

5.6 Sustainable Transport

The proposal would provide adequate levels of off-street parking for each dwelling in accordance with Policy PSP16 of the PSP Plan and there is considered to be adequate turning areas to allow vehicles to enter and exit the site in forward gear.

5.7 In reaction to refusal reason 4 of the previous application, a Transport Report has been submitted which includes visibility splay details. The Council's highways officer has stated that achieving such visibility splays requires setting back or cutting back some of the existing boundary hedge on both sides of the access. It is however noted that the hedge in question is outside of the ownership of the applicant.

5.8 Within the Transport Statement it is suggested that the Highway Authority has the powers to maintain the hedgerow should it become overgrown and cause a highway safety issue, implying the council should improve the visibility in this location. However, the planning process is not considered to be the correct means in which to take such action as it may involve works to third party land. Should the applicant wish for the Council to address overhanging vegetation on the highway, a complaint should be made to the Highway Authority to allow for appropriate investigation.

5.9 That said, the suggested visibility splays would be considered acceptable, provided they are implemented as proposed. Therefore, subject to a suitable condition to ensure the visibility splays are implemented prior to commencement of proposed dwellings, refusal reason 4 can be considered to have been addressed.

5.10 Drainage

The neighbour objections in regards to drainage are noted, however a proposed drainage layout was submitted in support of the application to which the Lead Local Flood Authority raised no objections, subject to a condition.

5.11 Ecology

To address refusal reason 3 a Preliminary Ecological Assessment (Wessex Ecological Consultancy, October 2020) and Protected Species and Ecological Surveys report (Wessex Ecological Consultancy, 2021) have been submitted. It is considered by the Council's ecology officer that sufficient surveys have been undertaken and appropriate mitigation and enhancements suggested within the reports. As such, subject to conditions, refusal reason 3 is considered to have been suitably overcome.

5.12 Environmental Protection

The submission includes an Interpretative Ground Investigation Report (Ground Investigation Limited, January 2021) which presents the findings of a combined desk study and intrusive investigation. The desk study did not identify any significant sources of contamination, but did note the possible presence of made ground from former construction, and local coal deposits. Soil sampling

was undertaken to target proposed garden areas and any point sources of contamination. All parameters were found to be below relevant assessment criteria, however some asbestos fibres were identified. The report therefore recommended that a clean soil cover is provided in soft landscaped areas. The report suggests that further testing would better delineate the extent of impacted soils, reducing the requirement for site wide remediation. Therefore, should the application have been found acceptable, an Intrusive Investigation/Remediation Strategy would have been required by condition.

5.13 Trees and Landscape

Any proposed landscaping scheme and tree protection could be adequately addressed by condition.

5.14 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.

5.15 Planning Balance

The proposed development, if permitted, would result in an additional 3 dwellings towards the overall housing supply, the benefit of which is acknowledged. However, South Gloucestershire Council can demonstrate a 5-yr housing land supply and therefore the adopted local plan policies are given full weight in any decision, it is therefore assumed that sufficient units can be secured through site allocations and moreover the addition of 3 houses is thought to have a modest impact. It is therefore given moderate weight in the balance.

5.16 Although matters of residential amenity, highway safety and ecology can be considered to have been overcome from the previous refusal, the site remains unsuitable for development as it would conflict with the spatial strategy for the District. This is given substantial weight in the decision and is not considered to be clearly outweighed by the provision of 3 new dwellings, despite the demand suggested by the applicant. On that basis, the harm outweighs the benefits and therefore it is recommended that the application is refused.

6. CONCLUSION

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

6.2 The recommendation to **refuse** permission has been taken having regard to the policies and proposals in the 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 **REFUSED**.

REFUSAL REASONS

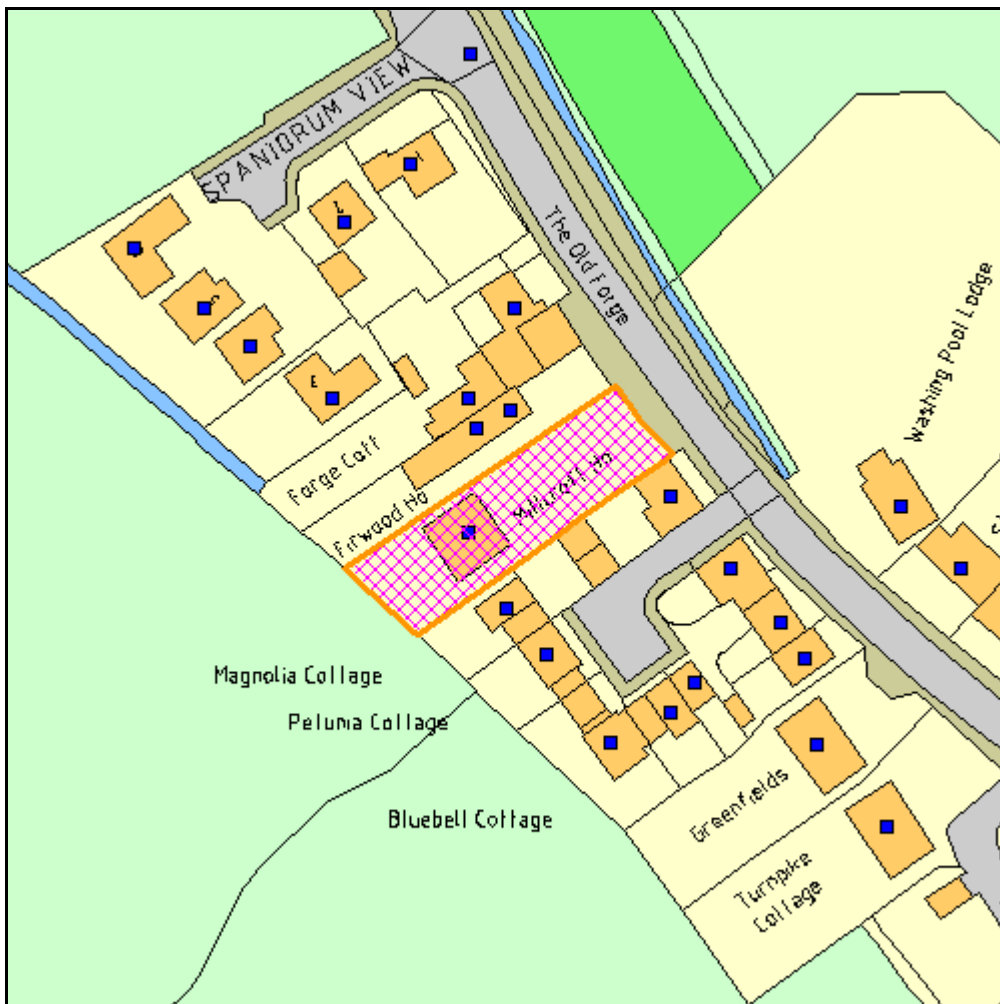
1. The site is situated outside the existing urban area and it is not within a defined rural settlement; it is therefore in a location where development should be strictly controlled. The proposed development would conflict with the spatial strategy of the District and would not represent any of the specific forms of development allowed within the open countryside by policy PSP40. The proposed development is therefore contrary to policy CS4A, CS5, and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; policy PSP40 of the South Gloucestershire Local plan: Policies, Sites and Places Plan (Adopted) November 2017; and the provisions of the National Planning Policy Framework.

Case Officer: James Reynolds

Authorising Officer: David Stockdale

CIRCULATED SCHEDULE NO. 49/21 - 10th December 2021

App No.:	P21/05564/F	Applicant:	Mr Munashe Musarurwa
Site:	Millcroft House Main Road Easter Compton South Gloucestershire BS35 5RA	Date Reg:	19th August 2021
Proposal:	Erection of front porch and single storey rear extension to form additional living accommodation with rear roof terrace and installation of photovoltaic cells on roof.	Parish:	Almondsbury Parish Council
Map Ref:	356818 182757	Ward:	Pilning And Severn Beach
Application Category:	Householder	Target Date:	12th October 2021



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 100023410, 2008. **N.T.S.** **P21/05564/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 APPEARANCE ON CIRCULATED SCHEDULE

This application appears on the Council's Circulated Schedule procedure following the receipt of 3 objection comments from local residents, contrary to the officer recommendation detailed below.

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the erection of front porch and single storey rear extension to form additional living accommodation with rear roof terrace and installation of photovoltaic cells on roof at Millcroft House, Easter Compton, BS35 5RA.
- 1.2 The applicant site comprises a large plot with the property itself forming a two-storey detached property. The dwellinghouse benefits from off street parking and a rear garden, providing the residents with ample amenity space. Likewise, it is recognised on-site development is not limited by any local development plan policies but is situated within Flood Zone 3.
- 1.3 *Procedural Matters* – amended plans have been received from the applicant's agent. This has not altered the scope of development but does affect the description of development which has been subsequently changed by the Local Planning Authority. Due to this, further public consultation has been conducted.

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
CS34	Rural Areas

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

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

- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (*Adopted 2007*)
Residential Parking Standards SPS (*Adopted 2013*)
SGC Householder Design Guide (*Adopted March 2021*)

3. **RELEVANT PLANNING HISTORY**

- 3.1 No relevant planning history.

4. **CONSULTATION RESPONSES**

- 4.1 Almondsbury Parish Council
[1st Consultation]
 - No comments received.[2nd Consultation]
 - No comments received.

- 4.2 Flood and Water Management Officer
[1st Consultation]
 - No objections.[2nd Consultation]
 - No objections.

- 4.3 Lower Severn Drainage Board
[1st Consultation]
 - No comments received.[2nd Consultation]
 - No comments received.

- 4.4 Local Residents
[1st Consultation]
Three letters of objection have been received from neighbours. Key themes are summarised as follows:
 - The proposed balcony would severely impact upon the garden privacy of adjoining properties, thus restricting privacy and use of outdoor amenity space.
 - Development could increase flood risk due to surface water increase.[2nd Consultation]
Two letters of objection have been received from neighbours. Key themes are summarised as follows:
 - Despite revised plans, proposed balcony would still impact upon the garden privacy of adjoining properties.

5. **ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development
Policy PSP38 permits extensions and alterations to existing dwellings 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
Policies CS1, PSP38 and the SGC Householder Design Guide seek to ensure that development proposals are of the highest possible standards of design in which they respond to the context of their environment. This means that developments should demonstrate a clear understanding of both the site and local history to ensure the character, distinctiveness and amenity is well assessed and incorporated into design. The proposal has been carefully evaluated and is found to be in compliance with policy CS1 and PSP38.
- 5.3 Residential Amenity
Policy PSP8 explains that development proposal will be permitted provided they do not create unacceptable living conditions or result in unacceptable impacts on residential amenities. These are outlined as follows (but are not restricted to): loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and, odours, fumes or vibrations.
- 5.4 As indicated above, revised plans have been received from the applicant's agent in which the proposed balcony would now feature 2no. sets of privacy screens located on the Northwest and Southeast side, respectively. Due to this, initial concerns relating to the potential for overlooking and consequent loss of privacy to the adjoining neighbours garden has now been addressed, with it considered appropriate to set a condition to ensure the privacy screens are installed as such to mitigate the potential for overlooking.
- 5.5 Further to this, the case officer notes the Northwest elevation would also see the installation of 1no. door, which could give rise to intervisibility issues with the immediate neighbour. However, it is noted this door serves a utility room with it unlikely the occupants would spend prolonged periods of time in this space. So, whilst there would be a relationship of intervisibility, it would be of a restricted nature with it not considered that an unacceptable impact would be created through the proposed development.
- 5.6 Therefore, given the siting, scale and design of the proposed works and in consideration to the neighbouring properties, the proposal is judged to comply with policy PSP8 subject to conditions.
- 5.7 Private Amenity Space
Policy PSP43 states that residential units, including those that are subject to development, are expected to have access to private amenity space that is: functional and safe; of a sufficient size in relation to occupants; and, be easily accessible. As the proposal does not reduce access to the rear garden, the officer is satisfied private amenity space for the host property would remain intact and is found to comply with PSP43.
- 5.8 Transport (Access and Parking)
Policy PSP16 sets out the Council's criteria for parking specifications. It states that parking space provision per dwellinghouse is proportionate to bedroom number. As the proposed works do not seek to increase bedroom number, the requirement for on-site parking remains effectively unchanged and therefore,

the proposal would have no impact on existing vehicular access and complies with policy PSP16.

5.9 Flood Risk

The applicant site is situated within flood zone 3 with residential dwellings in this zone generally regard as 'more' vulnerable types of development. Notwithstanding this, the application has been reviewed by the Flood Risk and Water Management Team who raised no objections. Due to this, it is considered the development proposal would comply with the council's flood risk policies and corresponding provisions of the NPPF.

5.10 Consideration of likely impact on Equalities

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

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

6. CONCLUSION

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

6.2 The recommendation to **grant** permission has been taken having regard to the policies and proposals in the 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 conditions.

CONDITIONS

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

Reason

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

2. The privacy screens as shown on the plan (Proposed Elevations: PL04/A) hereby approved shall erected on both sides of the balcony and be 1.8m high as shown and be glazed with obscure glass to level 3 standard or above and must be erected prior to the first use of the balcony and thereafter retained at all times.

Reason

To protect the amenities of neighbouring residents and accord with policy PSP8 of the South Gloucestershire Local Development Plan: policies, sites and places plan (adopted) November 2017.

3. The works hereby permitted shall only be implemented in accordance with the following items:

Site Location Plan (PL05)
Existing Site Plan (PL06)
Proposed Site Plan (PL07/A)
Existing Elevations (PL03)
Proposed Elevations (PL04/A)
Existing Floor Plans (PL01)
Proposed Floor Plans (PL02/A)

Reason

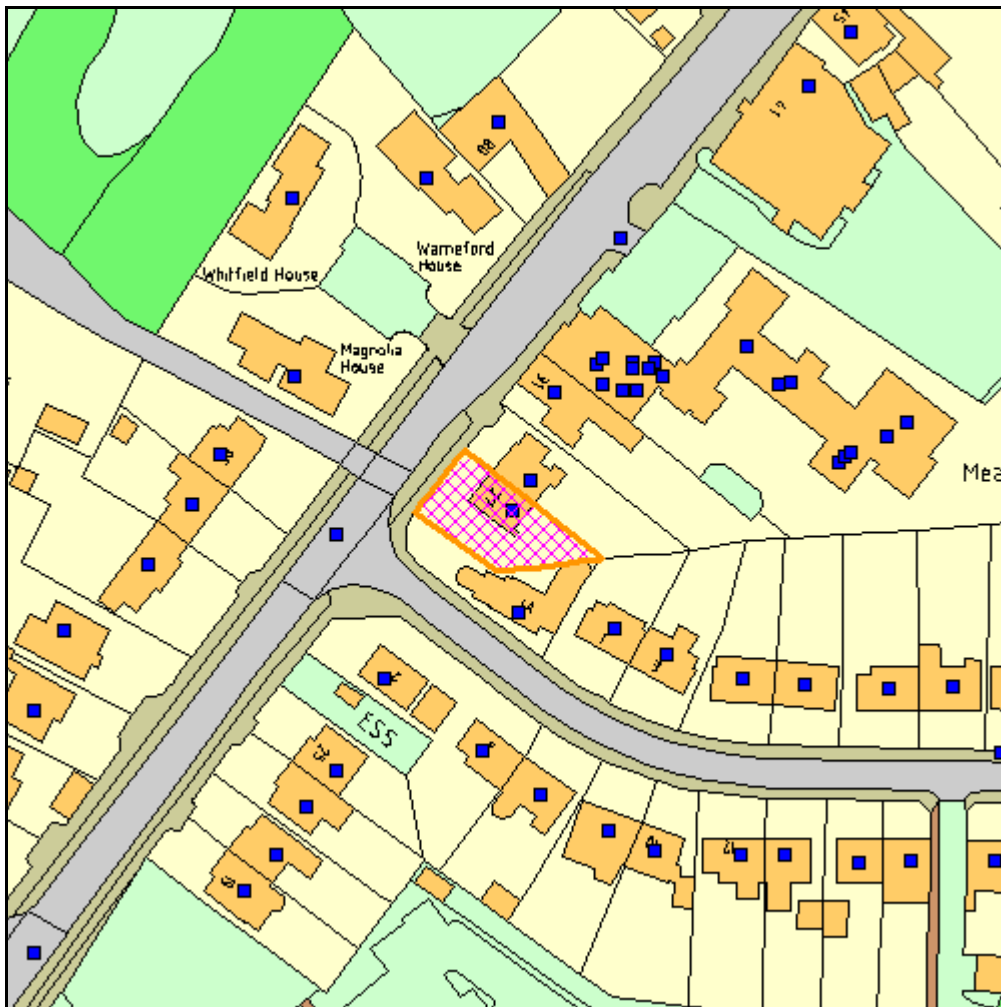
To define the extent and terms of the permission.

Case Officer: Ben France

Authorising Officer: Helen Ainsley

CIRCULATED SCHEDULE NO. 49/21 - 10th December 2021

App No.:	P21/06773/F	Applicant:	Peter Allen
Site:	27 High Street Winterbourne South Gloucestershire BS36 1JG	Date Reg:	25th October 2021
Proposal:	Erection of a two storey side extension to form additional living accommodation.	Parish:	Winterbourne Parish Council
Map Ref:	364970 180879	Ward:	Winterbourne
Application Category:	Householder	Target Date:	15th December 2021



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 100023410, 2008. **N.T.S.** **P21/06773/F**

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

REASON FOR REFERRING TO CIRCULATED SCHEDULE

This application appears on the Council's Circulated Schedule procedure following an objection from the Parish Council and 1no. comment of objection from a local resident, contrary to the findings of this report and the officer recommendation.

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the erection of a two storey side extension to form additional living accommodation, as detailed on the application form and illustrated on the accompanying drawings.
- 1.2 The application site is set within the wider settlement boundary of Winterbourne and comprises a moderate size plot. The dominant feature within the site is a two-storey semi-detached dwellinghouse. The property benefits from off-street parking, along with a front and rear garden, providing adequate amenity space.
- 1.3 Here, it is to be noted that since the application was initially submitted and consultations were received, revised plans for the application have been received. The amendments include the following:
 - Reduction in the overall width of the side extension
 - Stepped the proposal back from the hosts principle elevation
 - Insertion of ground floor window to the SW elevation

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

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
South Gloucestershire Design Checklist (Adopted August 2007)
Residential Parking Standards (Adopted December 2013)
Householder Design Guide (Adopted March 2021)

3. **RELEVANT PLANNING HISTORY**

- 3.1 No relevant planning history.

4. **CONSULTATION RESPONSES**

- 4.1 Winterbourne Parish/Town Council
Objection. This application proposes turning a 3 bed semi into a 6 bed semi without altering the boundary treatments. Pic 7140531 appears to identify this is nigh impossible, even without the increased number of parking spaces required by South Gloucestershire Council parking standards

- 4.2 Sustainable Transport – Transportation DC
The plans submitted show that there is parking proposed to the frontage of the site which complies with South Gloucestershire Council's residential parking standards. On this basis, there is no transportation objection raised.

As this will involve alterations to the existing vehicular access onto High Street, the applicant is advised to gain the permission from the Development Implementations Team prior to commencement of any works on the public highway.

- 4.3 Local Residents
1no. comment received from local resident objecting to the proposed development. The following concerns were raised:
1. The close proximity to the boundary will create an overbearing effect.
2. There will be a negative impact on outlook from our conservatory, garden and other ground floor living accommodation.

5. **ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development
The application site is situated within an established area of residential development within Winterbourne and is currently utilised as a C3 dwellinghouse. The proposed development would extend the area of living accommodation within the property, including 2no. bedrooms and 1no. bathroom, at the expense of section of driveway and rear garden.

Policy PSP38 of the South Gloucestershire Policies, Sites and Places Plan (adopted) November 2017 is relevant to this application. The policy indicates that residential extensions are acceptable in principle subject to considerations of visual amenity, residential amenity and highway safety. The proposal therefore accords with the principle of development subject to the following considerations.

5.2 Design and Visual Amenity

Policy CS1 of the Core Strategy and policy PSP38 of Policies, Sites and Places Plans seeks 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 application site and its context.

5.3 The proposed two-storey extension will project from the side elevation (south-west) of the existing property by (approx.) 4 metres, have a maximum depth of 8.4 metres and be set back from the front elevation by 0.5 metres. Furthermore, the extension will feature a hipped roof that is set down from the host dwellings ridge line by 0.3 metres and follow a similar pitch to that of the existing property.

5.4 The proposal will incorporate 2no. bay windows to the principle elevation, mimicking the design of the main dwelling and creating an element of symmetry to the front façade. The extension will introduce 1no. window located at first floor, along with 1no. set of bi-fold doors at ground floor to the rear elevation, permitting access to the garden. Additionally, 2no. windows will be positioned to the side (south-west) elevation.

5.5 The proposed development will facilitate with the properties internal remodelling and refurbishment. At ground floor, the proposals will open up the rear of the property, creating a large open plan kitchen/diner/living space, along with introducing a downstairs study and relocating the WC, benefitting for modern living. Whilst, 2no. additional bedrooms and 1no. bathroom will be located at first floor.

5.6 The proposed scheme appears subservient to the property. This is achieved through setting back and setting down the proposed development from the host dwelling. As such, maintaining the properties architectural integrity, balance of the pair and character of the area. Furthermore, the proposals have been designed to respect the existing property through its proportions and choice of materials, ensuring that the aesthetical appearance of the dwelling is harmonious and continues to complement neighbouring properties. All-inclusive, it is judged that the proposal has an acceptable standard of design, therefore, in full compliance with PSP38.

5.7 Residential Amenity

Policy PSP8 of the Policies, Sites and Places Plan relates specifically to residential amenity in which it states development proposals are acceptable, provided that they do not create unacceptable living conditions or result in unacceptable impacts on the residential amenities of occupiers of the development or of neighbouring properties. These are outlined as follows (but not restricted to): loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and, odours, fumes or vibrations.

5.8 Due to the location of the extension, the only potentially affected neighbour of this development would be adjacent property No.1a Parkside Avenue. However, whilst the extension is to project (approx.) 4 metres from the side elevation. Given the generous width of the plot, a distance of (approx.) 2.7

metres will continue to sit between the new addition and south-western boundary line, serving to substantially mitigate concerns regarding overbearing effect arising from such a proposal.

- 5.9 Additionally, although 2no. windows are proposed to the side (south-west) elevation. The adjoining boundary line comprises a timber fence (approx.) 1.8 metres tall. The presence of a high boundary treatment will largely screen the new opening located at ground floor facing No.1a, serving to ameliorate the potential for overlooking. Furthermore, the window at first-floor will be positioned within a bathroom, as a result will be obscure glazed, causing no concern of loss of privacy to neighbouring property No.1a Overall, the planning officer does not consider the proposed scheme to result in any unreasonable harm to residential amenity, satisfying policy PSP8.
- 5.10 Supplementary to this, policy PSP43 sets out that residential units, are expected to have access to private external amenity space that is: functional and safe; of a sufficient size in relation to number of occupants; and be easily accessible. Although the proposed development increases the occupancy within the dwelling, as well as builds on existing rear garden. The remaining private external amenity space would continue to be in excess of the Council's design standards, complying with policy PSP43.
- 5.11 Transport (Access and Parking)
Policy PSP16 sets out the Council's criteria for parking specifications. It states that parking space provision per dwellinghouse is proportionate to bedroom number with a property of the proposed size (5-bedrooms) expected to provide a minimum of 3no. off street parking spaces. The plans submitted indicate that the properties front curtilage holds the capacity to accommodate the required number of vehicles. As such, satisfying policy PSP16.
- 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 conditions.

CONDITIONS

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

Reason

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

2. The development/works hereby permitted shall only be implemented in accordance with the plans as set out in the plans list below (received 20th October - 08th December):

The Location Plan (1322/P/01)

Existing Plans and Elevations (1322/P/03)

Block Plan (Revised)

Proposed Plans and Front Elevation (Revised)

Proposed Rear and Side Elevations (Revised)

Reason

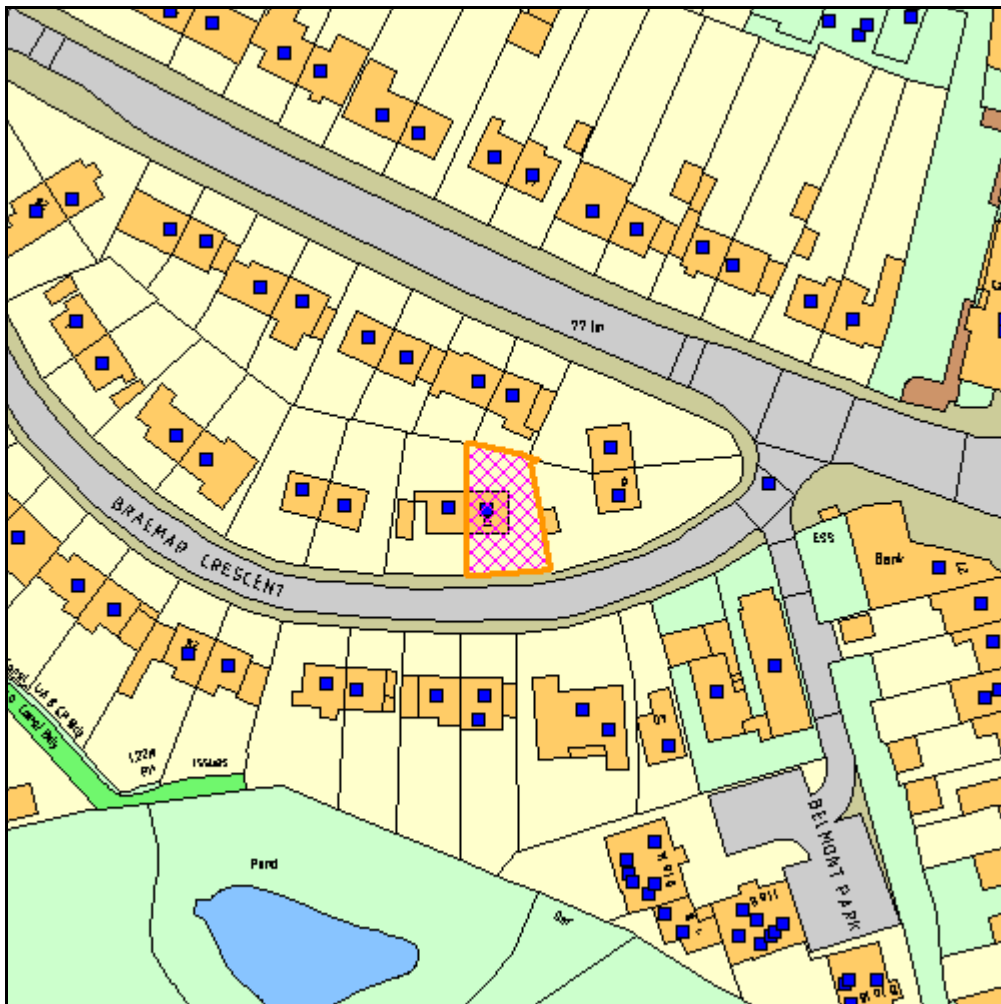
To define the terms and extent of the permission.

Case Officer: Chloe Summerill

Authorising Officer: David Stockdale

CIRCULATED SCHEDULE NO. 49/21 - 10th December 2021

App No.:	P21/07154/F	Applicant:	Kasa Real Estate Ltd
Site:	15 Braemar Crescent Filton South Gloucestershire BS7 0TD	Date Reg:	10th November 2021
Proposal:	Change of use from residential dwelling (C3) to an eight-bedroom large house in multiple occupation (Sui Generis) for up to eight people (including erection of side/rear extension and loft conversion/dormer - for which approval has already been granted) with parking, bin and cycle storage.	Parish:	Filton Town Council
Map Ref:	359778 178233	Ward:	Filton
Application Category:	Minor	Target Date:	3rd January 2022



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

CIRCULATED SCHEDULE

This application is referred to the Circulated Schedule following objection comments from local residents, a local Member and the Parish contrary to Officer recommendation.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning for the Change of use from residential dwelling (C3) to an eight-bedroom large house in multiple occupation (Sui Generis) for up to eight people (including erection of side/rear extension and loft conversion/dormer - for which approval has already been granted) with parking, bin and cycle storage.
- 1.2 The application site, 15 Braemar Crescent, and lies within the settlement boundary of Filton.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework 2021
National Planning Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4a	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS25	Communities of the North Fringe of Bristol Urban Area

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

PSP1	Local Distinctiveness
PSP8	Residential Development
PSP11	Transport
PSP16	Parking Standards
PSP38	Development within Existing Residential Curtilages
PSP39	Residential Conversions, Subdivision, and HMOs
PSP43	Private Amenity Standards

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

3. **RELEVANT PLANNING HISTORY**

- 3.1 P21/06004/F Erection of a two storey side and single storey rear extension to form additional living accommodation.
Approved 27.10.21
- 3.2 P21/05939/CLP Installation of hip to gable extension and associated works.
Approved 28.9.21

4. **CONSULTATION RESPONSES**

- 4.1 Filton Town Council
The proposal for a HMO (house in multiple occupation) of 8 beds has been found to be contrary to the recently adopted supplementary planning document which states that in localities where known HMO properties already represent more than 10% of households the introduction of additional HMOs will be unacceptable. This area of Filton has a 11.2% concentration of HMOs and as such the change of use into a large HMO fails to meet adopted Policy CS17 of the South Gloucestershire Local Plan: Cores Strategy (Adopted) 2013 and PSP39 of the Policy Sites and Places Plan (Adopted) 2017 and the adopted SPD Houses in Multiple Occupation (Adopted) 2021.
Lack of parking
Not in keeping with street
pressure on drainage/sewage system
Over development

Internal Statutory / External Consultees

- 4.2 Sustainable Transport
No objection subject to conditions

Other Representations

- 4.3 Local Residents
- Objection letters received from 39 local residents. Points raised are summarised as:
- Parking – insufficient; cause problems for the street; parking spaces may be too small; loss of vegetation to create these spaces; potential to increase traffic and impact safety; challenge for emergency vehicles to access
- Bin storage and litter
- Noise and disturbance to existing residents
- Change to character of residential street

Greed of developers

Applicant has misled SGC by submitting separate application for huge extension to dwelling first before the change of use

More housing lost to local people

Filton under the control of developers not the local authority

Conflict with adopted planning policies, the wishes of local people and their democratically elected councillors

Negative impact on house prices

Neighbouring property will have unrestricted views into the extended part of this property

Many smaller HMOs already in the area

Increase demand on sewers

4.4 Local Councillor:
Objection from Cllr Wood

Over 40% of South Gloucestershire's HMOs are located in Filton and the impact on parking problems has increased dramatically as a result, the application is a clear breach of the Residential Parking Standards SPD, which outlines that HMO "developments can, if inappropriately located and/or by becoming concentrated in a locality, increase local on-street parking problems" and states that HMO applications will be permitted only if they "would identify acceptable off-street parking". The key term here is acceptable. No acceptable off-street parking has been identified. The application provides just 4 car parking spaces for an 8 bedroom HMO, on an already congested road, without a bus link, where vehicles often park dangerously on the pavement due to a lack of on-street parking. For these 4 parking spaces to be achieved 2 existing off street parking spaces have to be removed, garden walls knocked down and existing gardens concreted over.

The application is clearly over development of the property on a road which is substantially made up of family dwellings. The intrusive nature of a large, densely populated, 8 bedroom HMO which increases noise and disturbance resulting from the additional bedrooms and occupancy with windows overlooking neighbouring properties is utterly abhorrent and should be rejected. South Gloucestershire Council is set to introduce Article 4 Directions in Filton, Stoke Park and Cheswick, this Supplementary Planning Document (SPD) was first published back in September.

Due care and attention by officers should be paid to this SPD the contents of which only reinforces my view that this HMO application should be rejected. There is no doubt that there are clear planning guidelines laid out by this council which prohibit the granting of this planning application.

5. ANALYSIS OF PROPOSAL

- 5.1 This application is for the Change of use from residential dwelling (C3) to a eight-bedroom large house in multiple occupation (Sui Generis) for up to eight people (including erection of side/rear extension and loft conversion/dormer - for which approval has already been granted) with parking, bin and cycle storage.
- 5.2 Principle of Development
The application stands to be assessed against the above listed policies and all material considerations. It is noted that applications P21/06004/F and P21/05939/CLP have already dealt with physical changes to the property which remain extant and can proceed independently of this current application.
- 5.3 The determination as to whether the change of use of a dwelling in C3 use to a large HMO use will have an unacceptable impact upon the surrounding area is primarily assessed via the tests outlined within the Houses in Multiple Occupation Supplementary Planning Document (SPD) (Adopted) 2021. The SPD provides a way of using available data (licensed HMOs) to provide tangible and substantiated evidence regarding the concentration of HMOs and overall housing mix within the locality of the proposal.
- 5.4 Policy PSP39 within the adopted Policies, Sites and Places Plan (2017) states that where planning permission for an HMO is required, this will be acceptable, provided that this will not prejudice the amenity of neighbours. Supporting text states that the term “neighbours” should be taken to mean properties adjacent to, and surrounding, the application site which have a reasonable potential to be directly affected by harmful impacts arising from the proposal(s).
- 5.5 In addition, Policy PSP8 maintains that development proposals will only be acceptable provided that they do not ‘have unacceptable impacts on residential amenity of occupiers of the development or of nearby properties’. Unacceptable impacts could result from noise or disturbance, amongst other factors, which could arise from HMOs functioning less like traditional single households on a day-to-day basis.
- 5.6 Prejudicing the amenity of neighbours can arise at a localised level when developments of such HMO uses are inappropriately located, or become concentrated, particularly at an individual street level.
- 5.7 Additional Explanatory Guidance 1 sets out that the following factors should be taken into account when determining if the proposal would prejudice the amenity of adjacent neighbours:
- Whether any dwelling house would be ‘sandwiched’ between two licensed HMOS, or,
 - Result in three or more adjacent licensed HMO properties.
- 5.8 In the case of the current application site, 15 Braemar Crescent the property would not be sandwiched between two licensed HMOs, or result in three or more adjacent licensed HMO properties in this road.

- 5.9 As set out in Policy CS17, providing a wide variety of housing type and sizes to accommodate a range of different households, will be essential to supporting mixed communities in all localities. Sub-division of existing dwellings and non-residential properties to form flats or HMOs can make a valuable contribution suitable for smaller households and single people as part of these mixed communities.
- 5.10 Policy CS17 does not define what is meant by 'mixed communities' in all localities. Instead, it acknowledges that implementation of this policy, and PSP39, will be made on a case basis through the development management process. Therefore, the HMO SPD aims to acknowledge that some intensification, if carried out sensitively, and where it would not adversely affect the character of an area, can contribute to the local mix and affordability of housing, viability of local services, vitality of local areas and contribute to the Council's housing delivery targets.
- 5.11 As there are localities which are already experiencing concentrations of HMOs, the SPD requires consideration of existing localities that are already experiencing levels of HMOs which harm the ability to support mixed communities and preventing impact on character and amenities, and applications which would result in a level of HMOs that could contribute towards harmful impacts.
- 5.12 Additional Explanatory Guidance 2 sets out that the following factors should be taken into account when determining if the proposal would contribute to harmful impacts in respect of a mixed community and the character and amenity of an area:
- An additional HMO in localities where licensed HMO properties already represent more than 10% of households, or,
 - More than 20% of households within a 100m radius of the application property.
- 5.13 For the purposes of this assessment, a 'locality' is defined by a statistical boundary known as a Census Output Area.
- 5.14 In the case of 15 Braemar Crescent, HMO properties currently represent 1.3% of households. Within 100m radius there are 82 domestic properties, 1 of which is an HMO thereby achieving a 1.21% concentration of licensed HMOs within this radius.
- 5.15 The principle of a change of use to an HMO is therefore considered to comply with policies PSP39, PSP8 and CS17 and the SPD.
- 5.16 In regards to the proposed alterations, Policy PSP38 of the PSP Plan allows the principle of development within residential curtilages, subject to considerations of visual amenity, residential amenity and highway safety. Furthermore, Policy CS1 of the Core Strategy seeks that the siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the

character, distinctiveness and amenity of both the application site and its context.

5.17 Design and Visual Amenity

The NPPF and local adopted policy under CS1 places great emphasis on the importance of design. Good quality design respects both the character of existing properties and the character of an area in general. The NPPF suggests good design should respond to and be sensitive to local character, should aim to raise standards of design and enhance the immediate setting. The updated guidance emphasises high quality design, that takes into account local design standards, continues to be important, and poor design that fails to take opportunities to improve the quality of an area or to take this into account, should be resisted.

5.18 The application site is a two-storey semi-detached dwelling. Plans indicate that the proposed alterations to the dwelling are the same as those already previously considered and approved under applications P21/06004/F and P21/05939/CLP. These applications are extant and can be implemented whether or not the change of use is approved. On this basis no objection can be sustained with regards to the design or the comment of overdevelopment on this site. It is however considered that the property has been extended to its full capacity and therefore permitted development rights will be removed.

5.19 Residential amenity:

With regards to the amenity of future occupiers, plans indicate the proposed extended property would have a kitchen/diner plus communal areas on the ground floor along with 2 bedrooms. The first floor would have 4 bedrooms with the final 2 in the loft area. It is the responsibility of the landlord to ensure the rooms accord with internal national space standards for future occupiers.

5.20 Comments from neighbours have expressed concern regarding inter-visibility. These are noted and acknowledged, However, matters of impact on residential amenity were addressed under the extant planning permissions and will not be re-visited here.

5.21 The proposed development would entail the removal of the existing front garden wall to create two off-street parking spaces. This is unfortunate as but other examples can be seen immediately opposite and as such no objections can be raised. A purpose built bin storage area would also be created in the front garden.

5.22 Policy PSP43 sets out minimum standards for private amenity space, however there is no set standard for HMOs. Using this policy as a reference, a 1no. bed flat should have access to a minimum for 5m² amenity space. Using this standard, 8 x 1bed. flats would require 40m² amenity space. The rear garden would achieve 55sq metres of amenity space, sufficient to accord with adopted policy.

5.23 Given the above the scheme is acceptable in terms of having no adverse impact on residential amenity.

- 5.24 Sustainable transport:
This change of use shows both car and cycle parking in accordance with our standards and as such is not objected to in principle. The applicant will however be required to ensure at least two car parking spaces are equipped with electric vehicle charging points and if the other two spaces are not similarly equipped then trunking/cable management is put in place so that they can easily be changed in the future as demand dictates. The electric vehicle charging points should be rated at 7kw/32amp per parking space. This needs to be provided prior to first occupation of the dwelling.
- 5.25 Comments from local residents and from Cllr Wood are noted. However, Officers state that in terms of current policy the proposal is fully compliant from a transportation perspective. There may be a difference from this and emerging policy but applications can only be assessed against current adopted plans. Under these the council currently requires a minimum of 0.5 spaces per bedroom for an HMO. This proposal being an 8 bedroom HMO requires a minimum of 4 spaces, which can be achieved on site. The scheme also provides cycle parking in accordance with our standards.
- 5.26 If an objection were to be raised in terms of highway safety it would be necessary to precisely define what and where the highway safety issue is and then determine if that issue is so bad that it can be considered 'severe'. In this instance the Transport Engineer strongly argues that should the application be refused and appealed the LPA would be unlikely to successfully defend the case and would put the Council at risk of costs against it as the scheme is currently policy compliant.
- 5.27 Given the above there are no transport objections.
- 5.28 Impact on Equalities
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society. As a result of that Act the public sector Equality Duty came into force. Among other things, the Equality Duty requires that public bodies to have due regard to the need to: eliminate discrimination; advance equality of opportunity; and, foster good relations between different groups when carrying out their activities.
- 5.29 Under the Equality Duty, public organisations must consider how they could positively contribute to the advancement of equality and good relations. This should be reflected in the policies of that organisation and the services it delivers.
- 5.30 The local planning authority is statutorily required to apply the Equality Duty to its decision taking. With regards to the Duty, the development contained within this planning application is considered to have neutral impact.
- 5.31 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.

Property value:

This is not a planning matter and therefore falls outside the remit of this planning assessment.

Waste and rubbish on the street and in the rear lane::

If such a situation occurs residents are advised to contact the Council's Street Care Team.

Noise and disturbance:

The property would be a domestic residence. Any inconsiderate behaviour over and above what is normally expected should be reported to the correct authority in this case The Police Authority.

6. **CONCLUSION**

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

7. **RECOMMENDATION**

- 7.1 It is recommended that the application be **APPROVED** subject to conditions attached to 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. Development shall proceed in accordance with the following plans:

As received by the LPA on 8.11.21:

- Site location and block plan - 103
- Existing and proposed site plans - 201
- Proposed parking plan - 202
- Existing floor and roof plan - 301
- Proposed floor plans - 304
- Proposed floor plans - 305
- Existing elevations - 401
- Proposed elevations - 404

Existing sections - 501
Proposed sections - 505
Proposed bin storage - 603
Proposed cycle storage - 604

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.

3. Prior to the first occupation electric vehicle charging points rated at 7kw/32amp per parking space shall be provided for the 4 proposed parking spaces. Written approval of the design and location is required by the LPA and the approved charging points retained for use of the property thereafter.

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 PSP 11 of the Policies Sites and Places Plan (Adopted) 2017.

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, AA, B, D and E,) or any minor operations as specified in Part 2 (Class A), 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 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.

Case Officer: Anne Joseph
Authorising Officer: David Stockdale