

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: 02/21

Date to Members: 15/01/2021

Member's Deadline: 21/01/2021 (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:

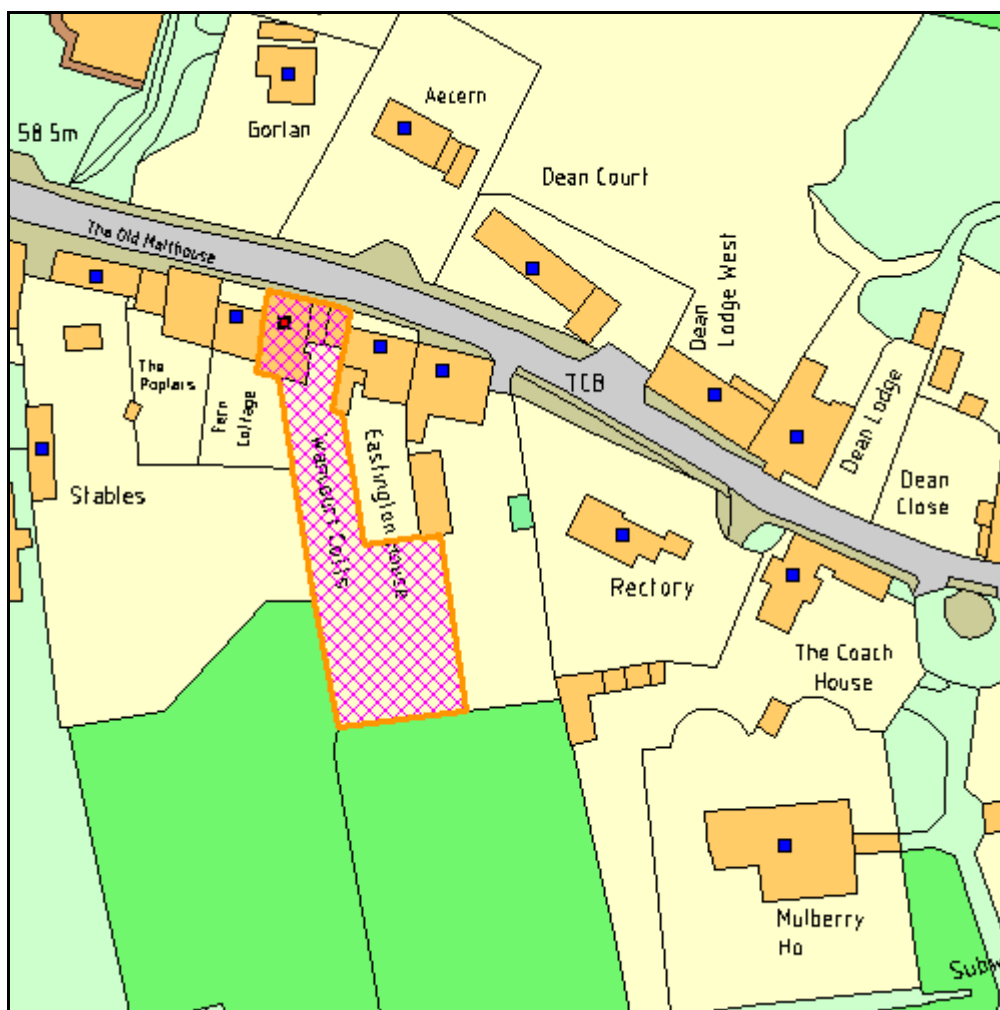
To be emailed to MemberReferral@southglos.gov.uk

CIRCULATED SCHEDULE - 15 January 2021

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	P20/11277/F	Approve with Conditions	Wancourt Cottage High Street Iron Acton South Gloucestershire BS37 9UQ	Frampton Cotterell	Iron Acton Parish Council
2	P20/11280/LB	Approve with Conditions	Wancourt Cottage High Street Iron Acton South Gloucestershire BS37 9UQ	Frampton Cotterell	Iron Acton Parish Council
3	P20/20037/F	Approve with Conditions	Land At 51 Henfield Road Coalpit Heath South Gloucestershire BS36 2TG	Frampton Cotterell	Westerleigh Parish Council
4	P20/22196/F	Approve with Conditions	58 Northville Road Filton South Gloucestershire BS7 0RG	Filton	Filton Town Council
5	P20/22428/RVC	Approve with Conditions	Land At New Road Tytherington South Gloucestershire GL12 8UP	Frampton Cotterell	Tytherington Parish Council
6	P20/23083/F	Approve with Conditions	Fromeforde House Church Road Yate South Gloucestershire BS37 5JB	Yate North	Yate Town Council

CIRCULATED SCHEDULE NO. 02/21 -15th January 2021

App No.:	P20/11277/F	Applicant:	Mr James Boyce
Site:	Wancourt Cottage High Street Iron Acton South Gloucestershire BS37 9UQ	Date Reg:	8th July 2020
Proposal:	Demolition of existing conservatory and erection of two storey rear extension to from additional living accommodation.	Parish:	Iron Acton Parish Council
Map Ref:	367921 183528	Ward:	Frampton Cotterell
Application Category:	Householder	Target Date:	31st August 2020



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N.T.S.

P20/11277/F

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

REASON FOR APPEARING ON CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 Full planning permission is sought for the demolition of the existing conservatory and the erection of two storey rear extension to from additional living accommodation at Wancourt Cottage, Iron Acton.
- 1.2 The application relates to a grade II listed building within Iron Acton conservation area. The site is located within the settlement boundary and is washed over by the Bristol and Bath Green Belt. No other restrictive policies apply.
- 1.3 This application should be read in conjunction with the supporting Listed Building Consent application ref. P20/11280/LB.
- 1.4 Several revised editions have been made during the course of the application, with the main change being the roof profile to the first floor extension.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework
 National Planning Guidance
 Planning (Listed Buildings and Conservation Areas) Act 1990
 Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended)
 Historic England's Good Practice Advice in Planning Note 2 "Managing Significance in Decision-Taking in the Historic Environment"
 Historic England's Good Practice Advice in Planning Note 3 "The Setting of Heritage Assets (2nd Edition)"

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 (inc. Green Belt)
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage

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

PSP1	Local Distinctiveness
PSP7	Development in the Green Belt

PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP38	Development within Existing Residential Curtilages, including Extensions and New Dwellings
PSP43	Private Amenity Space Standards

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

3. **RELEVANT PLANNING HISTORY**

- 3.1 Whilst some planning history exists for the site, due to the age of the consents, they are not considered relevant to this proposal.

4. **CONSULTATION RESPONSES**

- Parish/Town Council
 4.1 Iron Acton Parish Council – Objection.
“Design out of keeping with the conservation area, visible from footpaths.”

- Other Consultees
 4.2 Listed Buildings Officer – No objection subject to conditions.
 4.3 Sustainable Transport – No objection.
 4.4 Archaeology – No comments

Other Representations

- 4.3 Local Residents
 One comment was received from a neighbour stating that they did not feel able to make a formal objection as the need to maintain friendly relations was important.

5. **ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development
 Development within existing residential curtilages is generally supported by the Local Planning Authority. Policy PSP38 of the Local Plan allows for the extension or alteration of a property subject to an assessment of design, amenity and transport. However, with regard to the constraints as identified above, the development site is located within the Bristol and Bath Green Belt. The main issue is therefore whether or not the proposed development would be inappropriate development having regard to the NPPF and relevant local plan policies. Additionally, the building is grade II listed, substantial weight is therefore afforded to its protection.

5.2 Green Belt

Paragraphs 145 and 146 of the Framework make clear the forms of development that are not inappropriate within the Green Belt. One such development 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. Policy PSP7 of the Policies, Sites and Places Plan 2017 sets a guide for assessing whether or not an extension is disproportionate. Additions resulting in a volumetric increase of up to 30% are likely to be considered proportionate, those resulting in an increase between 30% and 50% are to be carefully reviewed, and those resulting an increase of over 50% are likely to be considered disproportionate.

5.3 The proposed extensions would result in a volumetric increase of 19.1% when compared to the original property. As such, this is not seen as disproportionate. In terms of openness (defined as *a lack of built form*), the application site is located within a built-up residential area within a settlement boundary. Whilst the proposed development would increase the amount of built form, the area itself does not benefit from a degree of openness. Given the sitting, size and scale of the development within the settlement boundary, openness would only be affected locally to the host site to a negligible degree, subsequently, no harm would arise.

5.4 Design and Heritage Asset

Local Plan Policies CS9 and PSP17 seek to conserve and enhance heritage assets, this is supported by Policy PSP38 which relays advice relating to the standard of design for residential extensions. When designing extensions to historic buildings it is important that the character and setting of the building is not harmed, and that the extension relates appropriately in scale and massing. Extensions should be subservient to the building in height and massing and they should not compromise or obscure elements of the heritage asset which are of historic or architectural interest. Extensions can be of an historic style to match the building, or adopt a contemporary approach. If an historic approach is adopted, it is important that historic accuracy is employed with regard to detailing, materials, colour and scale. If a contemporary approach is considered appropriate, a high quality of design, detail and use of materials is essential, and the scale of the extension should respect the historic building.

5.5 Wancourt Cottage is a circa mid-late seventeenth century house now 3 cottages. The raised roof to the subject building is also noted in a listing citation. Firstly, to facilitate the proposed extension, an existing conservatory is to be demolished. The existing conservatory is not considered to be of any historic or architectural interest and so its removal is acceptable as the significance of this designated heritage asset would be sustained.

5.6 The rear elevation of this building and what reads as an adjoining terraced on either side forms part of what can be considered to be an interesting composition where the various additions and alterations have been undertaken organically. The result of this is that along with the angled building/boundary lines, the character of the rear with all its various elements can be considered an interesting patchwork of historic and informal evolutionary character.

- 5.7 The revised design submitted now takes a more traditional form with a dual-pitched roof with its eaves set below the eaves of the host being it would be attached roof. The striking corner window is however being retained as a feature to add interest and contrast.
- 5.8 The proposal would now sit far more comfortably within its surroundings, as rather than provide for a degree of competition to the architectural and visual primacy of its host, the proposed first floor extension can be considered to assimilate to a much greater degree. The corner window proposed for the first floor would now just add a layer of interest to the resultant composition of the rear elevation, rather than detracting from the simple and modest scale and historic character which the original scheme submitted was considered to do.
- 5.9 Overall, the development proposals would ensure that the significance of this Grade II Listed building is preserved. As set out previously above and for the avoidance of doubt, there are no concerns regarding the impact on the Iron Acton Conservation Area.
- 5.13 There is a duty placed on the Council under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 when planning permission for any works to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Under Section 72 of the same Act, it is the Council's duty to pay special attention to the preservation or enhancement of the character of the surrounding conservation area. It is considered that full consideration has been given to these duties and the proposal is considered acceptable in this regard.
- 5.14 Residential Amenity
Policy PSP38 of the Policies, Sites and Places Plan explains that development will be permitted provided that it would not detrimentally impact the residential amenities of nearby occupiers and would not prejudice the retention of adequate private amenity space. Policy PSP8 outlines the types of issues that could result in an unacceptable impact. The proposal has been carefully assessed and has found to be in compliance with these policies.
- 5.15 Transport
Policy PSP16 of the Policies, Sites and Places Plan sets out the Council's parking standards. The proposal has been carefully assessed and has found to be in compliance with this policy.
- 5.16 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.

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 It is recommended that planning permission is GRANTED.

CONDITIONS

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

Reason

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

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

Received by the council on 24 November 2020: Proposed Plans Combined 1 (Rev A); Proposed Plans Combined 2 (Rev A). Received By The Council On 6 July 2020: Typical Eaves Detail Proposed; Typical Oriel Window Joinery Proposed; Typical Oriel Window Joinery Proposed; Typical Sliding Door Elevation Proposed; Typical Corner Window Elevation Proposed; Typical Corner Window Joinery Details. Received By The Council On 29 June 2020: First Floor Plan Existing; Site Location Plan; Block Plan Existing; Ground Floor Plan Existing; Rear Elevation Existing; Section A-A Existing; Section B-B Existing; Section C-C Existing.

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

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

- a. Rooflights
- b. All new vents and flues
- c. Eaves (including rainwater goods), verges and ridges

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

Reason:

In order that the works serve to preserve the architectural and historic interest of the listed building in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with National Planning Policy Framework (2018) and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and PSP17 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Development Plan Document (adopted November 2017).

4. Prior to the commencement of relevant works, details or representative samples of the following materials shall be submitted to and approved in writing by the local planning authority. The development shall be completed strictly in accordance with the agreed samples.
 - a. timber cladding
 - b. tile

Reason:

In order that the works serve to preserve the architectural and historic interest of the listed building in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with National Planning Policy Framework (2018) and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and PSP17 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Development Plan Document (adopted November 2017).

5. Prior to the commencement of relevant works, a representative sample panel of facing render, of at least one metre square, showing the texture and finish, shall be erected on site and approved in writing by the local planning authority. The development shall be completed strictly in accordance with the approved panel, which shall be retained on site until completion of development, for consistency.

Reason:

In order that the works serve to preserve the architectural and historic interest of the listed building in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with National Planning Policy Framework (2018) and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and PSP17 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Development Plan Document (adopted November 2017).

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

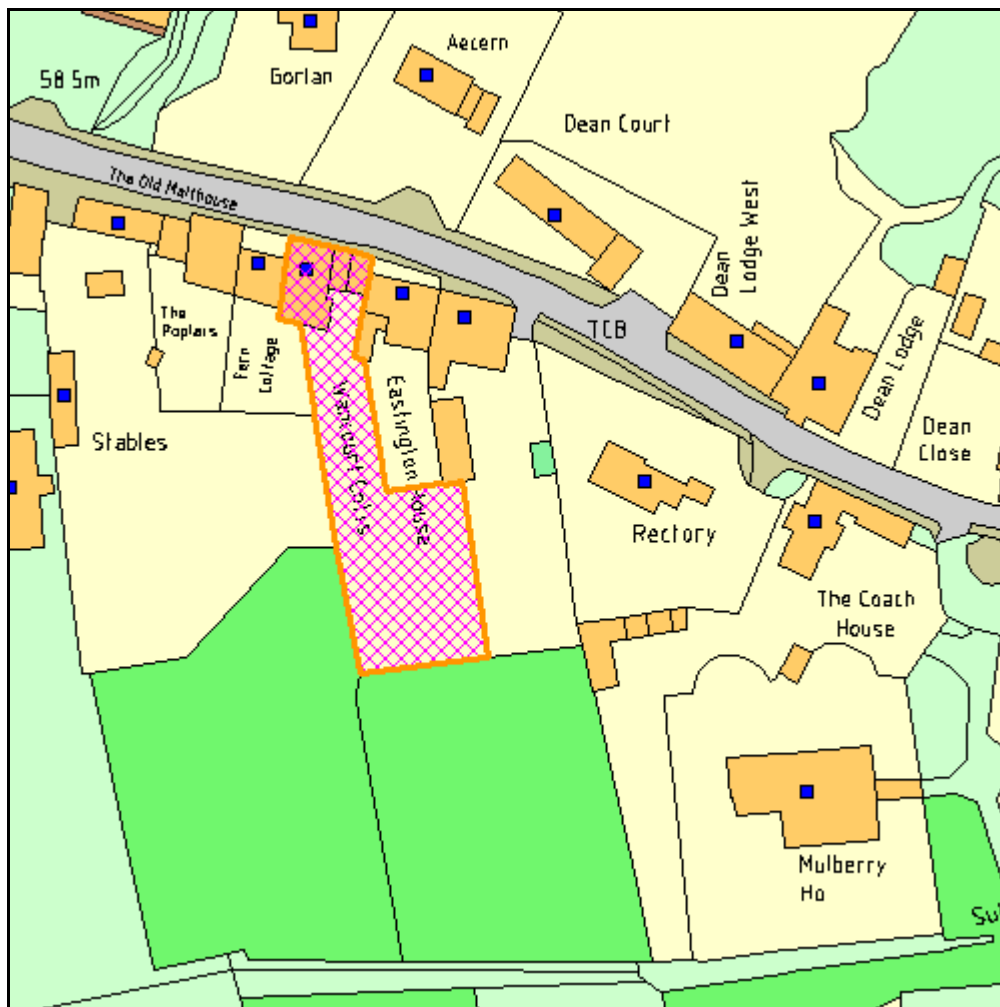
POSITIVE AND PROACTIVE STATEMENT:

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

Case Officer: Thomas Smith
Authorising Officer: David Stockdale

CIRCULATED SCHEDULE NO. 02/21 -15th January 2021

App No.:	P20/11280/LB	Applicant:	Mr James Boyce
Site:	Wancourt Cottage High Street Iron Acton South Gloucestershire BS37 9UQ	Date Reg:	8th July 2020
Proposal:	Internal and external alterations to include the demolition of existing conservatory and erection of two storey rear extension, with the removal of rear first floor window and creation of opening between dwelling and extension.	Parish:	Iron Acton Parish Council
Map Ref:	367921 183528	Ward:	Frampton Cotterell
Application Category:	Minor	Target Date:	28th August 2020



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N.T.S.

P20/11280/LB

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

REASON FOR APPEARING ON CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 Listed Building Consent is sought for the internal and external alterations to include the demolition of existing conservatory and the erection of a two storey rear extension, with the removal of rear first floor window and creation of opening between dwelling and extension at Wancourt Cottage, Iron Acton.
- 1.2 The application relates to a grade II listed building within Iron Acton conservation area. The site is located within the settlement boundary and is washed over by the Bristol and Bath Green Belt. No other restrictive policies apply.
- 1.3 This application should be read in conjunction with the supporting planning application ref. P20/11277/F.
- 1.4 Several revised editions have been made during the course of the application, with the main change being the roof profile to the first floor extension.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework
 National Planning Guidance
 Planning (Listed Buildings and Conservation Areas) Act 1990
 Planning (Listed Buildings and Conservation Areas) Regulations 1990
 (as amended)
 Historic England's Good Practice Advice in Planning Note 2 "Managing Significance in Decision-Taking in the Historic Environment"
 Historic England's Good Practice Advice in Planning Note 3 "The Setting of Heritage Assets (2nd Edition)"

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
 CS9 Managing the Environment and Heritage

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

PSP17 Heritage Assets and the Historic Environment

3. **RELEVANT PLANNING HISTORY**

- 3.1 Whilst some planning history exists for the site, due to the age of the consents, they are not considered relevant to this proposal.

4. **CONSULTATION RESPONSES**

Parish/Town Council

- 4.1 Iron Acton Parish Council – Objection.
“Design out of keeping with the conservation area, visible from footpaths.”

Other Consultees

- 4.2 Listed Buildings Officer – No objection subject to conditions.
- 4.3 Sustainable Transport – No objection.
- 4.4 Archaeology – No comments

Other Representations

4.3 Local Residents

One comment was received from a neighbour stating that they did not feel able to make a formal objection as the need to maintain friendly relations was important.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

This application stands to be assessed against National Planning Policy Framework and Planning (Listed Buildings and Conservation Areas) Act 1990.

5.2 Impact on Listed Building

Local Plan Policies CS9 and PSP17 seek to conserve and enhance heritage assets, this is supported by Policy PSP38 which relays advice relating to the standard of design for residential extensions. When designing extensions to historic buildings it is important that the character and setting of the building is not harmed, and that the extension relates appropriately in scale and massing. Extensions should be subservient to the building in height and massing and they should not compromise or obscure elements of the heritage asset which are of historic or architectural interest. Extensions can be of an historic style to match the building, or adopt a contemporary approach. If an historic approach is adopted, it is important that historic accuracy is employed with regard to detailing, materials, colour and scale. If a contemporary approach is considered appropriate, a high quality of design, detail and use of materials is essential, and the scale of the extension should respect the historic building.

- 5.3 Wancourt Cottage is a circa mid-late seventeenth century house now 3 cottages. The raised roof to the subject building is also noted in a listing citation. Firstly, to facilitate the proposed extension, an existing conservatory is

to be demolished. The existing conservatory is not considered to be of any historic or architectural interest and so its removal is acceptable as the significance of this designated heritage asset would be sustained.

- 5.4 The rear elevation of this building and what reads as an adjoining terraced on either side forms part of what can be considered to be an interesting composition where the various additions and alterations have been undertaken organically. The result of this is that along with the angled building/boundary lines, the character of the rear with all its various elements can be considered an interesting patchwork of historic and informal evolutionary character.
- 5.5 The revised design submitted now takes a more traditional form with a dual-pitched roof with its eaves set below the eaves of the host being it would be attached roof. The striking corner window is however being retained as a feature to add interest and contrast.
- 5.6 The proposal would now sit far more comfortably within its surroundings, as rather than provide for a degree of competition to the architectural and visual primacy of its host, the proposed first floor extension can be considered to assimilate to a much greater degree. The corner window proposed for the first floor would now just add a layer of interest to the resultant composition of the rear elevation, rather than detracting from the simple and modest scale and historic character which the original scheme submitted was considered to do.
- 5.7 Overall, the development proposals would ensure that the significance of this Grade II Listed building is preserved. As set out previously above and for the avoidance of doubt, there are no concerns regarding the impact on the Iron Acton Conservation Area.
- 5.8 There is a duty placed on the Council under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 when planning permission for any works to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Under Section 72 of the same Act, it is the Council's duty to pay special attention to the preservation or enhancement of the character of the surrounding conservation area. It is considered that full consideration has been given to these duties and the proposal is considered acceptable in this regard.
- 5.16 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.

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

6. **CONCLUSION**

6.1 The decision to **grant listed building consent** has been taken having regard to section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and government advice contained in the National Planning Policy Framework and accompanying Historic Environment Planning Practice Guide.

7. **RECOMMENDATION**

7.1 Grant Listed Building Consent.

CONDITIONS

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

Reason:

As required by Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) to avoid the accumulation of Listed Building Consents.

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

Received by the council on 24 November 2020: Proposed Plans Combined 1 (Rev A); Proposed Plans Combined 2 (Rev A). Received By The Council On 6 July 2020: Typical Eaves Detail Proposed; Typical Oriel Window Joinery Proposed; Typical Oriel Window Joinery Proposed; Typical Sliding Door Elevation Proposed; Typical Corner Window Elevation Proposed; Typical Corner Window Joinery Details. Received By The Council On 29 June 2020: First Floor Plan Existing; Site Location Plan; Block Plan Existing; Ground Floor Plan Existing; Rear Elevation Existing; Section A-A Existing; Section B-B Existing; Section C-C Existing.

Reason:

To ensure that the development is carried out in accordance with the approved plans in order to comply with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013).

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

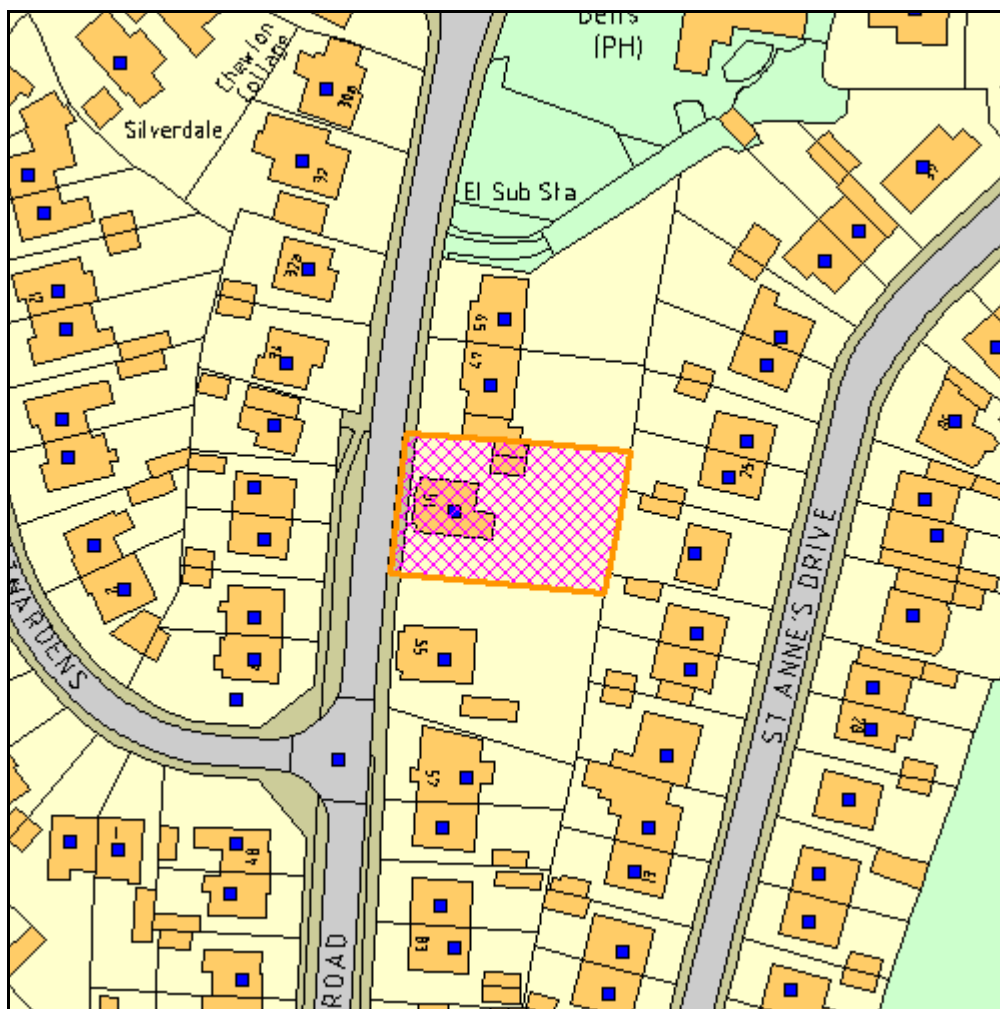
POSITIVE AND PROACTIVE STATEMENT:

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

Case Officer: Thomas Smith
Authorising Officer: David Stockdale

CIRCULATED SCHEDULE NO. 02/21 -15th January 2021

App No.:	P20/20037/F	Applicant:	3 D Construction.
Site:	Land At 51 Henfield Road Coalpit Heath South Gloucestershire BS36 2TG	Date Reg:	19th October 2020
Proposal:	Demolition of existing bungalow and erection of 4no. dwellings with vehicular access, parking, bin/bike stores, landscaping and associated works. (amendment to previously approved scheme P20/05841/F) (Revised Application)	Parish:	Westerleigh Parish Council
Map Ref:	367437 180456	Ward:	Frampton Cotterell
Application Category:	Minor	Target Date:	8th December 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.

CIRCULATED SCHEDULE

This report appears on the Circulated Schedule following an objection from the Parish Council contrary to Officer recommendation.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the Demolition of existing bungalow and erection of 4no. dwellings with vehicular access, parking, bin/bike stores, landscaping and associated works. The applicant states this is an amendment to previously approved scheme P20/05841/F. This is discussed in more detail below.
- 1.2 The application site relates to 51 Henfield Road, Coalpit Heath. The site is occupied by a single storey dwelling. Planning history shows that application P20/05841/F approved the demolition of this bungalow and its replacement with a terrace of 4 dwellings.
- 1.3 The main difference between this application and the recently approved scheme includes:
- Proposal is for two separate pairs of semi-detached rather than a terrace / linked pair of semis
 - The central link would be removed and thus the resulting area of 'flying freehold' would also be removed
 - Resulting reduction in the overall massing across the site
- Similarities of the two schemes:
- The overall appearance of the dwellings would remain as previously negotiated and approved
 - Parking would be to the front and would include electric charging points
- 1.4 The applicant asks that the conditions attached to the original permission be reviewed.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework February 2019
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

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
PSP21	Environmental Pollution and Impacts
PSP22	Unstable Land
PSP32	Local Centres
PSP33	Shopping Frontages
PSP34	Public Houses
PSP35	Food and Drink Uses
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007)

South Gloucestershire SPD: Residential Parking Standards (Adopted) 2013

Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide SPD – (Adopted) March 2015

South Gloucestershire Council Waste Collection: guidance for new developments SPD (Adopted) Jan 2015

3. RELEVANT PLANNING HISTORY

- | | | |
|-----|-------------|--|
| 3.1 | P20/05841/F | Demolition of existing 1 no. bungalow. Erection of 4 no. terraced dwellings with new vehicular accesses, parking, bin/bike stores, landscaping and associated works.
Approved 24.9.20 |
| 3.2 | N5192/2 | Erection of extension to kitchen.
Approved 26.3.81 |
| 3.3 | N5192/1 | Erection of garden/storage shed.
Approved 26.4.79 |
| 3.4 | N5192 | Erection of a car port.
Approved 4.1.79 |

4. CONSULTATION RESPONSES

- 4.1 Westerleigh Parish Council
Previous comments stand – objection.

For the sake of completeness the previous comments related to the previous (now approved) application and were in summary:

- *Provision of four dwellings represents over development*
- *The development is out of keeping with the bungalows on the street*
- *Concern about access between dwellings*
- *Revised plans out of keeping with the street scene*
- *Limited access to the rear of each property, limited bin storage and parking of vehicles (occupants and visitors).*

The principle of the introduction of 4 house on this site has been approved by Committee. For this reason, although comments from the Parish are noted, this report will not be included on the Circulated Schedule.

Internal Consultees

4.2 Highway Structures

No comment

4.3 Ecology

No objection

4.4 Tree Officer:

No objection subject to a condition regarding protective fencing.

4.5 Archaeology

No comment

Statutory / External Consultees

4.6 Flood and Risk Management Team

No objection subject to conditions.

4.7 Sustainable Transport

No objection subject to the re-introduction of conditions as per the approved scheme.

4.8 Coal Authority

Previous comments to be re-used:

No objection in principle subject to a condition requiring ground investigations.

Other Representations

4.9 Local Residents

None received

5. ANALYSIS OF PROPOSAL

- 5.1 Demolition of existing bungalow and erection of 4no. dwellings with vehicular access, parking, bin/bike stores, landscaping and associated works. This is an amendment to previously approved scheme P20/05841/F.

5.2 Principle of Development

The principle of development on this site has already been established under the approved application P20/05841/F which granted permission for the erection of a terrace of 4 dwellings at this location. Under this application it is noted that the overall appearance would remain similar to that as negotiated under the recently approved scheme which was deemed acceptable.

5.3 Design, Character and Visual Amenity:

The previously approved scheme was for a pair of semi-detached properties linked by a central access alley to the rear, essentially appearing as a terrace of 4 dwellings. This application proposes the removal of the central link thereby creating two separate pairs of semi-detached properties. Given the similarities in the schemes, the proposal is considered acceptable and can be supported.

5.4 Residential amenity:

Plans indicate the gardens for the 4 dwellings would accord with policy requirements.

5.5 Given the proposed dwellings would occupy the same position within the plot as previously assessed there would be no adverse impact on immediate neighbours.

5.6 The proposal is considered to be acceptable and can be supported.

5.7 Sustainable Transport

Parking provision would accord with adopted policy and as such there can be no objection. Appropriate conditions regarding on-site parking, cycle storage and electric charging points are to be attached to the decision notice.

5.8 Conditions:

Planning application P20/05841/F was approved subject to 11 conditions:

1. Timeframe
2. Materials
3. No new windows in south elevation
4. Provide parking and bicycle storage areas
5. Provide drainage details
6. Ecology 1
7. Ecology 2
8. CEMP
9. Coal Board details
10. Drawings
11. Electric Vehicle Charging points

Conditions 1, 3, 4, 5, 6, 7, 9 and 10 will stand.

Condition 2 – a list of proposed materials has been submitted and this will be conditioned.

Condition 8 – details have been submitted and a compliance condition will be attached to the decision notice.

Condition 11 has been included within new plans and is shown on Proposed site plan.

5.9 Impact on Equalities

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

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

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

6. CONCLUSION

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

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

The development hereby permitted shall be constructed/finished in accordance with the following listed materials and as specified in the supporting correspondence dated 13th October 2020 submitted with the planning application, unless otherwise approved in writing by the Local Planning Authority;

1. External walls (except porches): Dressed pennant stone with feature stone coins on all external corners, using Bradstone's rough dressed walling stone, colour Keinton (90%) and Brecon (10%).
2. Front porches: Natural reclaimed/recycled pennant stone.
3. Window heads/sills: Old style red brick, Hampton Rural Blend, with pennant stone central keystones on window heads.
4. Band course (below DPC): Old style red brick, Hampton Rural Blend.
5. Main roof tiles: Clay interlocking double pan tiles, Olympus range from Sandtoft, colour red/brown (Tuscan).
6. Porch tiles: Sandtoft (Broseley style) 20/20 clay flat tiles in red/brown (to match main roof).
7. Fascia's and soffits: black (faux wood) in UPVC.
8. Rainwater goods: black (faux cast iron) deep flow UPVC.
9. Front doors and windows: Platinum grey vertically panelled, part glazed front doors with platinum grey traditional sash windows in aluminium clad timber from Zyle Fenster.
10. Parking areas: Forticrete's permeable pavers in red/grey.
11. Paths and patios: Grey Indian sandstone.

Reason

To protect the character and appearance of the area to accord with Policies CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and Policy PSP1 South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted) November 2017

3. No new windows south elevation

No windows other than those shown on the plans hereby approved shall be inserted at any time in the South elevation of the building hereby approved.

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted) November 2017.

4. Provide parking and bicycle storage

The off-street parking facilities and bicycle storage facilities as shown on Drawing no. 3202 and 3001 D (as received by the Local Planning Authority on 13.10.2020) shall be provided before the development is first occupied for residential purposes and thereafter shall be retained for that purpose.

Reason

To ensure the satisfactory provision of parking and bicycle storage 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 Policy PSP16 South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted) November 2017.

5. Provide Drainage Details

Prior to the commencement of development drainage detail proposals incorporating Sustainable Drainage Systems SUDS and confirmation of hydrological conditions e.g. soil permeability, watercourses, mining culverts) within the development shall be submitted for approval in writing to the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and Policy PSP20 South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted) November 2017.

This is a pre-commencement condition in order to avoid the need for remediation works following development.

6. Ecology 1

The development hereby approved shall proceed strictly in accordance with the Ecological Mitigation Measures detailed within the Protected Species Survey and Appraisal (provided by AD Ecology) as received by the Local Planning Authority on 23rd April 2020 and thereafter retained as such.

Reason

In order to provide positive ecological enhancement in the interests of the ecology and the biodiversity of the site and the wider locality and to accord with Policy CS1 and CS9 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013; and Policy PSP19 South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted) November 2017.

7. Ecology 2

The development hereby approved shall not be occupied until evidence that the ecological enhancement features, as detailed within the Protected Species Survey and Appraisal (provided by AD Ecology) as received by the Local Planning Authority on 23rd April 2020, has been provided and agreed in writing by the Local Planning Authority. Thereafter the development shall proceed in accordance with the agreed details.

For the avoidance of doubt the ecological enhancement features to be installed at the development shall include (but not limited to) bird boxes, permeable fencing and a hedgehog shelters

Reason

In order to provide positive ecological enhancement in the interests of the ecology and the biodiversity of the site and the wider locality and to accord with Policy CS1 and

CS9 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013; and Policy PSP19 South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted) November 2017.

8. CEMP

Development shall proceed in accordance with the details as per the Construction Environmental Management Plan (CEMP) Issue 2 dated 1.10.20.

Reason

To ensure all works on site do not result in harm to residential amenity and to accord with CS8 and CS9 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013 and Policy PSP11 of the adopted South Gloucestershire Local Plan Policies, Sites and Places Plan November 2017.

9. Coal Board

Post demolition of the existing dwelling and prior to the construction of the dwellings hereby approved, the following information shall be submitted to and approved in writing by the Local Planning Authority:

- (a) The submission of a scheme of intrusive site investigations for approval;
- (b) The undertaking of that scheme of intrusive site investigations;
- (c) The submission of a report of findings arising from the intrusive site investigations;
- (d) The submission of a scheme of remedial works for approval; and
- (e) The implementation of those remedial works.

Thereafter the development shall be implemented strictly in accordance with the agreed details and retained as such.

Reason

To accord with policy CS9 of the South Gloucestershire Local Plan: Core Strategy (adopted) December 2013 and Policy PSP22 South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted) November 2017.

10. Drawings

Development shall proceed in accordance with the following drawings as received by the LPA on 13.10.20:

- Existing ground floor plan - 1214 - 20 / 1001 A
- Existing front elevation - 1214 - 20 / 1200
- Existing side elevation (north) 1214 - 20 1201
- Existing rear elevation - 1214 - 20 / 1202 A
- Existing side elevation (south) - 1214 - 20 1203
- Existing garage plans and elevations - 1214 - 20 / 1210
- Existing shed plans and elevations - 1214 - 20 / 1211
- Existing shelter plan and elevations - 1214 - 20 / 1212

Proposed site plan - 1214-20 / 3000 E

Proposed site/ground floor plan - 1214-20 / 3001 D

Proposed block plan - 1214 - 20 / 3002 D
Proposed ground floor plans - 1214 - 20 / 3100 D
Proposed first floor plan - 1214 - 20 / 3101 D
Proposed front elevations 1214 - 20 / 3200 D
Proposed elevations - 1214 - 20 / 3201 D north and south
Proposed bike store - 1214 - 20 / 3202
Proposed bin store - 1214 - 20 / 3203
Proposed streetscene - 1214-20 / 3240 D
Location plan - 1214-20 LP.A

Reason

For reason of doubt and to protect the character and appearance of the area to accord with Policies CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and Policy PSP1 South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted) November 2017.

11. Trees and protective fencing

Development shall proceed in accordance with the submitted plan and BS:5837:2012 which shows protective fencing around trees.

Reason

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

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

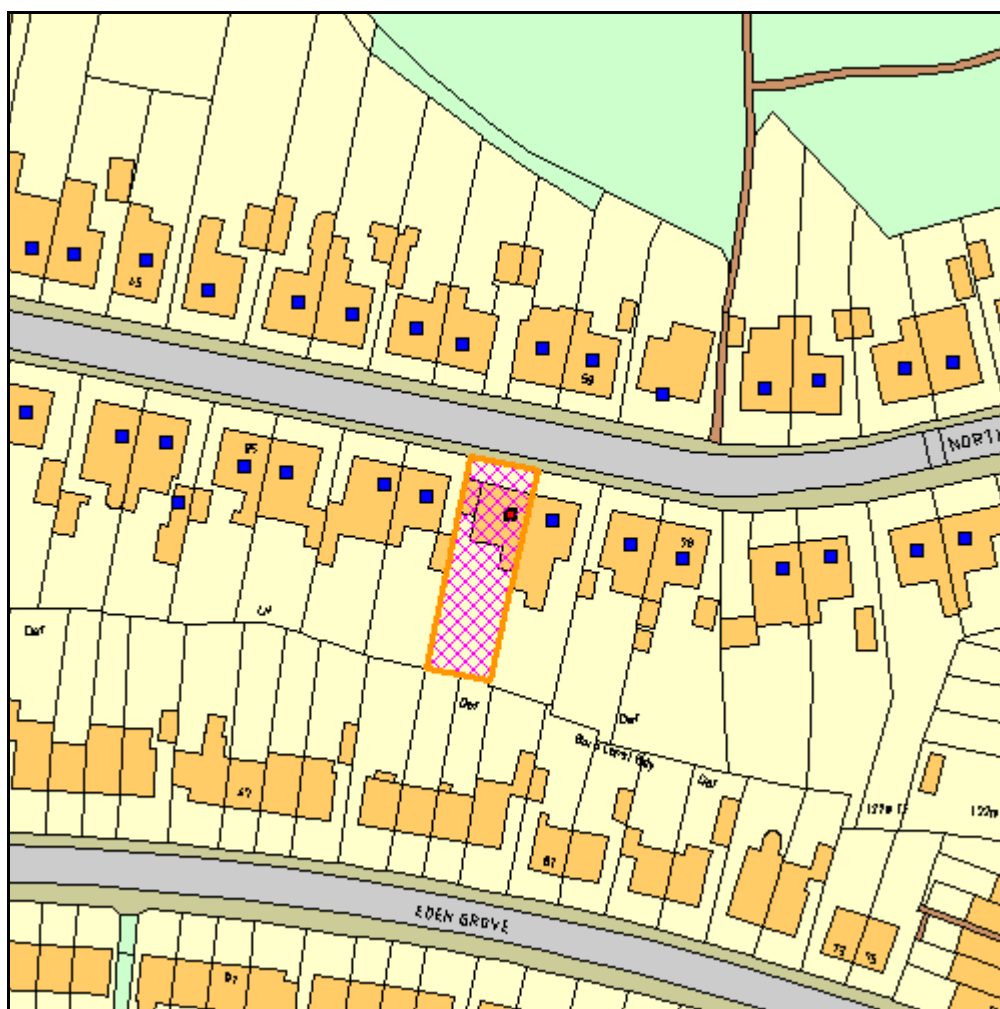
In dealing with this planning application the Local Planning Authority have worked with the applicant in a positive and proactive manner on seeking solutions to problems arising in the following ways:

The proposal is considered to represent an acceptable form of development and the application has been determined within the agreed timeframe.

Case Officer: Anne Joseph
Authorising Officer: David Stockdale

CIRCULATED SCHEDULE NO. 02/21 -15th January 2021

App No.:	P20/22196/F	Applicant:	Sam Andrews Andrews Capital Ltd
Site:	58 Northville Road Filton South Gloucestershire BS7 0RG	Date Reg:	14th November 2020
Proposal:	Erection of a single storey rear extension, installation of 1 no. rear dormer to facilitate change of use from residential dwelling (Class 3) to a large house in multiple occupation for up to 7 people (sui generis).	Parish:	Filton Town Council
Map Ref:	360197 178154	Ward:	Filton
Application Category:	Minor	Target Date:	8th January 2021



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P20/22196/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 is referred to the circulated schedule due to objections received from the Town Council, Cllr Wood, and local residents which are contrary to the Officers recommendation.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of a single storey rear extension and installation of 1no. rear dormer to facilitate a change of use from dwelling (Class C3) to a 7no. bed HMO for 7no. people (Sui Generis) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).
- 1.2 The application relates to 58 Northville Road, Filton, a semi-detached bungalow located within an established urban area.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework
National Planning Policy Guidance

2.2 South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS4a Presumption in Favour of Sustainable Development
CS5 Location of Development
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, Subdivison, and HMOs
PSP43	Private Amenity Standards

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007
Residential Parking Standards SPD (Adopted) 2013

Waste Collection: Guidance for new developments SPD (Adopted) 2015

3. RELEVANT PLANNING HISTORY

3.1 No relevant planning history

4. CONSULTATION RESPONSESConsultation responses:

Filton Town Council - Objection on the grounds of insufficient parking provided, increased traffic generation, reduction in highway safety as a result of increased traffic congestion and additional parking on the public highway, increased noise and disturbance resulting from additional bedrooms and occupancy and unacceptable increase in building density.

Highways - No objection

Archaeology - No comments

Third party representations

18 objections have been received, summarised as:

- Property located on dangerous bend
- On-street parking dangerous and insufficient
- No re-charging provision for electric vehicles
- Insufficient off-street parking
- Number of HMOs within road excessive
- Number of HMOs causes anxiety and impacts on wellbeing and mental health
- Devalue neighbouring properties
- Errors in application
- Balance of HMOs should be controlled
- Proposed extensions are detrimental
- Character of property will be altered
- Students take little care of properties
- Works have already commenced at property
- Proposal does not provide adequate amenity space
- No suitable access to the rear for refuse and bikes
- Harmful to elderly vulnerable residents
- Proposed dormer too large and bulky
- Extensions are not subservient
- Proposed floor space disproportionate to original building
- Positive discrimination caused by reduction in sustainable living accommodation for the elderly
- Additional vehicular movements putting pedestrians/mobility scooters at greater risk of harm
- Increase in air pollution
- Proposal is not located on safe cycle route
- Application is only for monetary gain

Cllr comments

Cllr Christopher Wood – Objection on the following grounds:

- 1) Insufficient parking provided, specifically this application is in contravention of the Residential parking standards Supplementary Planning Document Adopted December 2013.
- 2) Increased traffic generation.
- 3) Reduction in highway safety as a result of increased traffic congestion and additional parking on the public highway.
- 4) Increased noise and disturbance resulting from additional bedrooms and occupancy.
- 5) Unacceptable increase in building density.

5. ANALYSIS OF PROPOSAL

5.1. Principle of development

Policy PSP38 of the PSP Plan (November 2017) allows the principle of development within residential curtilages, subject to considerations of visual amenity, residential amenity and highway safety. 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. Policy PSP39 of the PSP Plan is supportive of Houses in Multiple Occupation provided they would not harm the character of the area; not prejudice the amenity of neighbours; provide adequate amenity space, refuse storage and parking.

The proposal accords with the principle of development subject to the consideration below.

5.2. Impact on the character of the area

The application is proposing a single storey rear extension and the installation of a dormer to facilitate the change of use to a 7no bedroom HMO.

Concerns have been raised regarding the dormer window the rear extension, most notably their size and how this compares to the existing building.

The proposed dormer window is relatively large in size. Similar flat roof dormers are found within the surrounding area, and should the materials be changed to matching hanging tiles the dormer window would sit within the parameters of permitted development. Irrespective of this, the dormer window would be set in from the eaves, ridge and roof edge and would not be overly dominant. The dormer is also situated at the rear of the property away from public viewpoints.

The proposed single storey extension is flat roofed and modest in size, and appears subservient when viewed in context. The proposed materials are considered to respect the host property and its surrounds and as such there is no reasonable justification for refusal in terms of the impact on the character of the area.

The proposal also incorporates a low key bin storage area to the front of the property, due to the narrow access to the rear. Most properties in the area keep their refuse receptacles to the front of the property, and the provision of a bin store would prevent the area from looking unkempt.

Concerns have been raised in terms of a loss of a family home and the impact of an HMO on the area. Although there are HMOs present, the surrounding area is made of mostly semi-detached and detached dwellings under C3 use. Policy CS17 seeks housing diversity and states that the sub-division of existing dwellings to form flats or HMOs can make a valuable contribution suitable for smaller households and single people. These are generally welcome where it is in compliance with policy PSP16 (discussed later in the report).

5.3. Residential amenity

Policy PSP43 sets out minimum standards for private amenity space, however there is no set standards for HMOs. Using this policy as a reference, a 1no. bed flat should have access to a minimum of 5m² amenity space. Using this standard, 7 x 1no. bed flats would require 35m² amenity space. The rear garden is in excess of this requirement, and as such it is considered that sufficient private amenity space would be provided for future occupants.

The proposal is situated within a dense urban area. It is accepted that some overlooking would occur from the proposed dormer window, however this is not outside of what would be expected within a residential area and is not at a level that would cause significant harm to residential amenity.

Concerns have been raised regarding potential noise from future occupants of the HMO. The proposal would continue to be under residential use and it would be unreasonable to assume that any future occupants, whether they are students or otherwise, would create excessive noise over and above what is expected from a residential property. Should residents encounter any unreasonable noise issues they are encouraged to report these to the Council's Environmental Protection Team.

The physical alterations to the property are small-scale, and are not considered to cause any significant overbearing impact or loss of light.

5.4. Highways

Concerns have been raised in regards to parking provision. Although the existing dwelling has an access and garage, these do not meet current space standards. The proposal includes the demolition of the garage, which would enable the provision of 2no. off street spaces.

HMOs require 0.5 spaces per bedroom to be considered acceptable. In this instance the 2no. spaces are tandem, and as such are unlikely to both be used as it would mean blocking someone in. The application has therefore been assessed on the basis of 1no. off street parking space.

The applicant has provided a car parking survey of adjacent streets which is relevant to this application. The survey indicates that in the evening and weekend mornings there is in the region of 50no. car parking spaces within 200m of the site. This is considered acceptable, and confirms that this proposal won't have an unacceptable impact on parking/congestion in the vicinity.

5.5 Other matters

The business reasons for an application are not material planning consideration in this case.

There is no reason to assume that any hostile response would occur from reporting noise or anti-social behaviour, and any such response would be a police matter.

Article 4 Directions are a means to restrict permitted development rights. There are currently no Article 4 Directions relating to HMOs in place within South Gloucestershire.

Given the application is remaining under residential use, there is no reason to conclude the mental wellbeing of neighbouring residents would be detrimentally impacted.

It is noted that some works have commenced on site. Following a visit from the enforcement team, the works carried out are internal only and the matter has now been closed.

5.6 Equalities

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. This planning application it is considered to have a neutral impact on equality.

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. 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 planning permission is GRANTED.

CONDITIONS

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

Reason

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

2. The off-street parking provisions, cycle storage provisions and refuse storage provisions, as shown on the Existing and Proposed Block Plans (drawing no. 3865.PL.02 Rev B) received by the council on 7th January 2021, shall be provided prior to the first use as a 7 person HMO and retained for those purposes thereafter.

Reason:

To ensure the satisfactory provision of parking facilities, cycle storage facilities and appropriate waste facilities and in the interest of highway safety, to promote sustainable transport and to accord with Policies PSP16 and PSP39 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

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

09 Nov 2020	3865.PL.01	SITE LOCATION PLAN
09 Nov 2020	3865.PL.03	COMBINED EXISTING PLANS
09 Nov 2020	3865.PL.04	COMBINED PROPOSED PLANS
07 Jan 2021	3865.PL.02 B	EXISTING AND PROPOSED BLOCK PLANS

Reason:

To define the terms and extent of the permission.

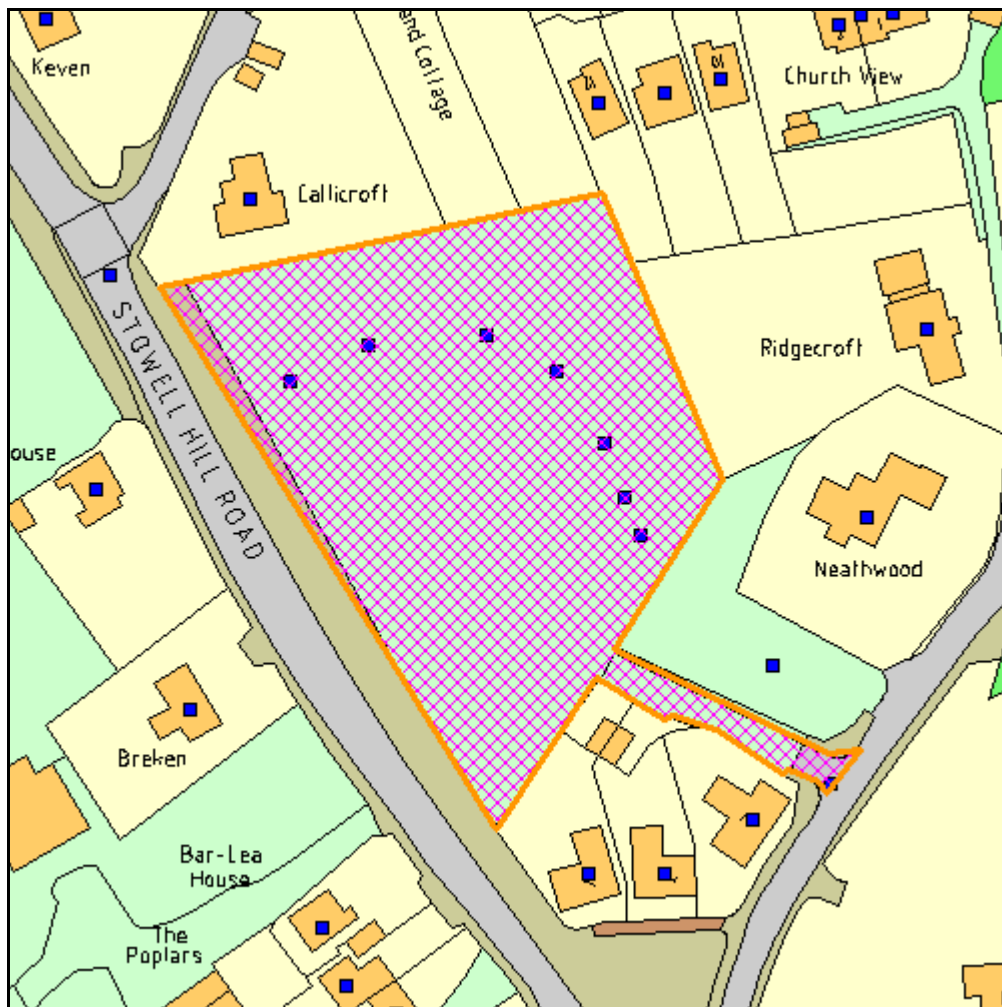
IN ACCORDANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) ORDER 2015. POSITIVE AND PROACTIVE STATEMENT:

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

Case Officer: Rae Mepham
Authorising Officer: David Stockdale

CIRCULATED SCHEDULE NO. 02/21 -15th January 2021

App No.:	P20/22428/RVC	Applicant:	Meghan Rossiter DLP Planning Ltd.
Site:	Land At New Road Tytherington South Gloucestershire GL12 8UP	Date Reg:	19th November 2020
Proposal:	Variation of condition 11 (approved plans) attached to planning permission PT18/5155/F to replace a plan (184- PL-005C for plan 184-PL-005 Rev D) and add a development phasing plan (20/0296/003).	Parish:	Tytherington Parish Council
Map Ref:	366778 188456	Ward:	Frampton Cotterell
Application Category:	Minor	Target Date:	12th January 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.

REASON FOR REPORTING TO COMMITTEE

The application has received an objection from the Parish Council contrary to the Officers Recommendation.

1. THE PROPOSAL

- 1.1 The application seeks a variation of condition 11 (plans list) of application PT18/5155/F. Application PT18/5155/F was for erection of 7 no. dwellings, creation of new access and associated works.
- 1.2 The variations applied for are for the replacement of drawing 184-PL-005C for plan 184-PL-005 Rev D, and for the implementation of a phasing plan.
- 1.3 The application site is an open paddock located east of Stowell Hill Road, and between Woodlands Road and New Road. The site is located within Tytherington Village Settlement Boundary and is within the Tytherington Conservation Area. For the avoidance of doubt, the site is not within the Green Belt.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework
National Planning Policy Guidance
- 2.2 South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design
CS2 Green infrastructure
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
CS18 Affordable Housing
CS34 Rural Areas

South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017
PSP1 Local Distinctiveness
PSP2 Landscape
PSP7 Development in the Green Belt
PSP8 Residential Amenity
PSP11 Transport Impact Management

PSP16 Parking Standards
PSP17 Heritage Assets and Historic Environment
PSP19 Wider Biodiversity
PSP20 Flood Risk, Surface Water and Watercourse Management
PSP36 Telecommunications Infrastructure
PSP37 Internal Space and Accessibility Standards for Dwellings
PSP40 Residential Development in the Countryside
PSP43 Private Amenity Space Standards
PSP44 Open Space, Sport and Recreation.

- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) 2007
Residential Parking Standards SPS (Adopted) 2013
Affordable Housing and Extra Care (May 2014)

3. RELEVANT PLANNING HISTORY

- 3.1 PT18/5155/F, Decision: COND, Date of Decision: 12-APR-19, Proposal: Erection of 7 no. dwellings, creation of new access and associated works.

4. CONSULTATION RESPONSES

- 4.1 Tytherington Parish Council: Object as there is no definitive time line.
- 4.2 Open space: No comments
- 4.3 Transportation DC: No objection
- 4.4 Flood and water management: No objection
- 4.5 Housing enabling: No objection
- 4.6 Conservation: No objection
- 4.7 Ecology: No objection
- 4.8 Tree officer: No objection
- 4.9 Natural England: No comment
- 4.10 Archaeology: No comment
- 4.11 Highway Structures: No comment
- 4.12 Public representations: Two objection comments have been received, with concerns summarised as:
- No indication of timeframe for phased build
 - Some site work has commenced with workers and dogs trespassing on private property
 - Access lane covered in mud

- Disregard for affected neighbours
- No indication on plans of underground cable

5. ANALYSIS OF PROPOSAL

5.1 Principle of development

This application is a variation of condition 11 (plans list) for application PT18/5155/F. The variations applied for are to rectify a typo on the original plans list for a revised house type, and for the implementation of a phasing plan. The variations applied for do not significantly alter the overall scheme, and the policy position has not changed since the original permission was granted. As such the principle of development is accepted and this application will only consider those proposed variations.

5.2 Replacement plan

One element of the variation application is to replace plan 184-PL-005C with plan 184-PL-005 Rev D. These plans relate to the floor and elevation plans for plot D. Plan 005 Rev D was submitted under application PT18/5155/F, and was accepted by the case officer, however was not included within the final plans list due to a typographical error. For clarity, the plans removed gable ends to the front and rear of the property, removed 1no. bed and 1no. en suite from the first floor and removed the family room from the ground floor, as well as some reconfiguration of the internal layout. The development will not result in an unacceptable impact upon or cause harm to nearby heritage assets (Tytherington Conservation Area and nearby Listed Buildings), and would achieve a high standard of design.

5.3 Proposed phasing plan

The variation also includes the introduction of a phasing plan. This was not included within the original application, and has now been proposed in order to stagger CIL payments. It is noted that there have been objections raised in regards to this as the timing has been proposed, however the phasing plan will not change the amount of time the development takes to construct, and the phasing plan will not result in a slower, or quicker build time. There is no objection to the introduction of the phasing plan.

5.4 Other matters

As a granted variation application effectively supersedes the original planning application any applicable conditions must be carried over. At this stage no conditions have been discharged, so all conditions from PT18/5155/F must be carried over, with the exception of the time limit condition which starts from the date of the original permission. Further relevant conditions can also now be added, such as a condition controlling the phasing plan.

5.5 Consideration of likely impact on Equalities

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

unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. This planning application it is considered to have a neutral impact on equality.

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. 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 planning permission is GRANTED.

CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of the granting of PT18/5155/F (12th April 2019).

Reason

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

2. Facing Materials (Conservation Area)
Prior to the commencement of the development above foundation level, representative samples of all external facing materials for the houses and garage hereby approved shall be submitted to and approved in writing by the local planning authority. For the avoidance of doubt, sample panels of at least 1 metre square shall be erected on site showing the following;

Render - showing the colour, texture and finish

Stone Work and Brick Quoins - showing the stone, coursing, joints, quoins, coping (where applicable) and pointing mortar

The development shall be carried out in accordance with the approved details and thereafter retained as such.

Reason:

In the interests of the visual amenity and local distinctiveness of the site and the surrounding locality and the setting of Tytherington Conservation Area and nearby listed buildings; and, to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and Policy PSP1 and PSP17 of the South Gloucestershire Policies, Sites and Places Plan (adopted) November 2017.

3. Provide Access Arrangements

The access and off street parking arrangements as detailed upon drawing numbered 184-PL-001 Rev G (as received by the Local Planning Authority on 15th March 2019) shall be fully implemented prior to the first occupation of the development hereby approved. Thereafter the development shall be retained as such.

Reason:

In the interests of highway safety and amenity and to accord with Policy CS8 of the South Gloucestershire Local Plan, Core Strategy (Adopted) December 2013; and policy PSP11 and PSP16 of the South Gloucestershire Policies, Sites and Places Plan (adopted) November 2017.

4. Provide Ecological Mitigation

The development hereby approved shall be implemented strictly in accordance with the Mitigation Measures identified within Chapter 7 of the Update Site Walkover (Acorn Ecology, dated March 2019 and received by the Local Planning Authority on 15th March 2019). Thereafter the development shall be retained as such.

For the avoidance of doubt, prior to the first occupation of the development hereby approved, evidence to demonstrate that ALL identified mitigation measures shall be submitted to and agreed in writing by the Local Planning Authority.

Reason:

In the interests of the ecological value of the Site and to accord with Policy CS9 of the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013 and Policy PSP19 of the South Gloucestershire Policies, Sites and Places Plan (adopted) November 2017.

5. Ecology - Reptile Translocation Method Statement

No development, demolition, ground works or site clearance shall commence until a method statement for the translocation of reptiles on the site has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the development, demolition, ground works and site clearance shall proceed strictly in accordance with the agreed details. For the avoidance of doubt the method statement shall include an identified receptor site(s) for the reptiles to be translocated.

Reason:

In the interests of the ecological value of the site and to accord with Policy CS9 of the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013, and Policy PSP19 of the South Gloucestershire Policies, Sites and Places Plan (adopted) November 2017.

This information is required prior to the commencement of the development in order to avoid any unnecessary remediation in the future.

6. Ecology - Lighting Scheme

No street lighting or other external lighting shall be installed within the site until a Lighting Design Strategy for Biodiversity (LDSB) for the boundary features and any native planting shall be submitted to and approved in writing by the local planning authority.

For the avoidance of doubt the strategy shall;

Identify those areas/features on site that are particularly sensitive for bats, badgers and hedgehog and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and shall,

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.

Thereafter all external lighting installed within the site shall be installed strictly in accordance with the agreed LDSB and retained as such.

Reason:

In the interests of the ecological value of the Site and to accord with Policy CS9 of the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013 and Policy PSP19 of the South Gloucestershire Policies, Sites and Places Plan (adopted) November 2017.

7. Landscaping Details

Prior to the first occupation of the development hereby approved, a Landscaping Scheme shall be submitted to and agreed by the Local Planning Authority. For the avoidance of doubt the Landscaping Plan shall include details of all existing trees and hedgerows on the land and details of any to be retained; all proposed planting (and times of planting); boundary treatments and areas of hard surfacing. Thereafter the development shall be implement in accordance with the agreed details.

Reason:

In the interests of the visual amenity and local distinctiveness of the site and the surrounding locality and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and Policy PSP1 of the South Gloucestershire Policies, Sites and Places Plan (adopted) November 2017.

8. Tree Protection

Development shall proceed strictly in accordance with the Arboricultural Report (Prepared by Silverback Arboricultural Consultancy) (as received by the Local Planning Authority on 13th November 2018; and the Arboricultural Impact Assessment and Tree Protection Plan (as received by the Local Planning Authority on 13th November 2018).

For the avoidance of doubt, prior to the commencement of the development hereby approved written confirmation shall be provided to the Local Planning Authority that the appropriate tree protection is secured, fit for purpose and correctly located; and complies with BS:5837:2012.

Reason:

In order to protect valuable trees within and adjacent to the development site and to protect the landscape value of the site and the surrounding area, and to accord with

Policy CS9 of the South Gloucestershire Core Strategy (adopted) December 2013 and Policy PSP1 and PSP2 of the South Gloucestershire Policies, Sites and Places Plan (adopted) November 2017.

9. Archaeology

Prior to the commencement of development, including any groundworks, exempt infrastructure works or remediation works, the results of a programme of archaeological investigation and recording and a scheme for post-excavation assessment, analysis and publication must be submitted to and approved by the local planning authority. Thereafter the development shall proceed in accordance with the agreed details.

Reason:

In order to ensure the adequate protection of archaeological remains, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and Policy PSP17 of the South Gloucestershire Policies, Sites and Places Plan (adopted) November 2017.

This information is required prior to the commencement of the development in order to avoid any unnecessary remediation in the future

10. Sustainable Drainage

Notwithstanding the submitted details, prior to the commencement of development hereby approved, drainage detail proposals incorporating Sustainable Drainage Systems SUDS and confirmation of hydrological conditions e.g. soil permeability, watercourses, mining culverts) within the development shall be submitted for approval in writing to the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and PSP20 of the South Gloucestershire Policies, Sites and Places Plan (adopted) November 2017.

11. Phasing plan

The construction of the development hereby approved shall not proceed other than in accordance with the approved phasing plan 20/0296/003, or in accordance with an amended phasing plan as submitted to and approved in writing by the Local Planning Authority.

Reason:

To provide clarity to the permission. The ability to seek approval of an amended phasing plan acknowledges the fact that the development will be carried out in phases, and that an alternative phasing sequence may be equally acceptable in terms of delivering the development.

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

184-L-001 Rev A

184-PL-002 Rev A
184-PL-003 Rev B
184-PL-009 Rev A
184-PL-010 Rev A

as received by the Local Planning Authority on 13th November 2018

184-PL-001 Rev G
184-PL-004 Rev C
184-PL-008 Rev C

as received by the Local Planning Authority on 15th March 2019

184-PL-005 Rev D
20/0296/003

as received by the Local Planning Authority on 11th November 2020

Reason:

To define the terms and extent of the permission.

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

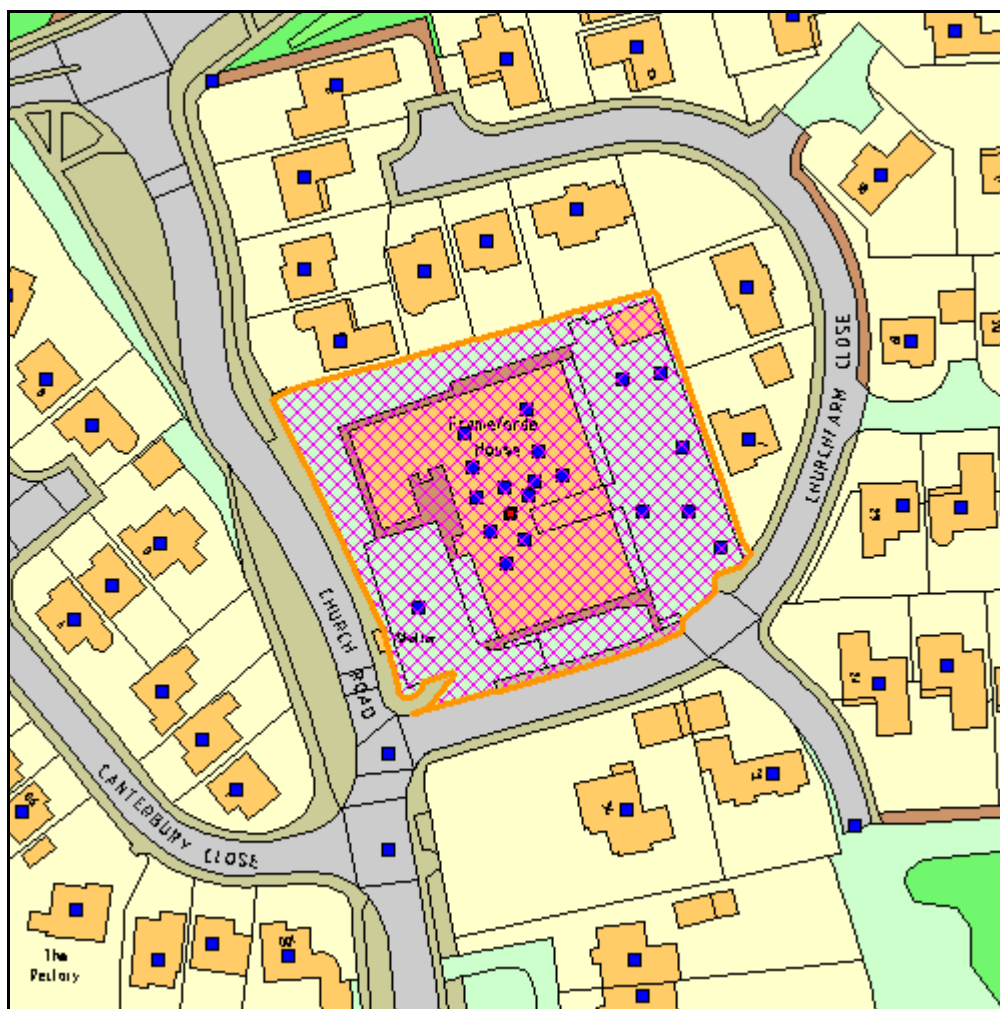
In dealing with this planning application the Local Planning Authority have worked with the applicant in a positive and proactive manner by maintaining contact and issuing a decision in a timely manner.

Case Officer: Rae Mepham

Authorising Officer: David Stockdale

CIRCULATED SCHEDULE NO. 02/21 -15th January 2021

App No.:	P20/23083/F	Applicant:	Phoenix Childcare Ltd
Site:	Fromeforde House Church Road Yate South Gloucestershire BS37 5JB	Date Reg:	23rd November 2020
Proposal:	Change of use of Suite C from Use Class E (business) to Use Class F1 (non residential institution) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).	Parish:	Yate Town Council
Map Ref:	371586 183142	Ward:	Yate North
Application Category:	Minor	Target Date:	15th January 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.

REASON FOR REFERRING TO CIRCULATED SCHEDULE

This application is referred to the Circulated Schedule due to receiving 4no. objections contrary to the Officers recommendation.

1. THE PROPOSAL

- 1.1 The application seeks full planning for the change of use of Suite C in Fromeford House from business use (B1) to a non-residential institution (F1). The unit is proposed to be used as a post 16 education facility for pupils who are unable to attend mainstream colleges and will benefit from a smaller setting.
- 1.2 The proposal site is within a residential area of Yate, within the Settlement Boundary.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework
National Planning Policy Guidance

2.2 South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4a	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS13	Non-safeguarded Economic Development Sites
CS23	Community Infrastructure and Cultural Activity

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

PSP1	Local Distinctiveness
PSP8	Residential Amenity
PSP11	Transport
PSP16	Parking Standards

2.3 Supplementary Planning Guidance

Residential Parking Standards SPS (Adopted) 2013
Residential Amenity TAN (Endorsed) 2016

3. CONSULTATION RESPONSES

- 3.1 Yate Town Council – No response
- 3.2 Environmental Protection – No comments

- 3.3 Highways - Comments - *The Council's standard is 1 space per 2 staff and 1 space per 15 students. Cycle stands should be 1m apart so that cycles can be parked on both sides. It would be better to turn the stands through 90 degrees to avoid congestion in the covered walkway. If 22 car spaces are to be allocated to the facility, two of the spaces should be disable spaces. I. e. space 22 as well as space 1. I would also recommend paving the landscape area behind the parking spaces leading to the entrance so that students and staff can access the building without walking through the car park.*
- 3.4 Public comments – 4no. objections have been received, summarised as:
- Discrepancies in submitted information
 - Proposals will cause parking issues and overspill into highway
 - Chose not to live next to an education facility and object to the change of use
 - Concerns regarding age group of students and youths “hanging around”
 - Concerns regarding noise, trouble, threatening behaviour and breaking the law
 - Many local residents are elderly
 - Cul-de-sac is a quiet residential environment
 - Location of development is unsuitable for proposed use
 - Request to be informed of what measures will be put in place to mitigate resident’s concerns, protect properties and ensure safety
 - Public consultation should be extended

4. **RELEVANT PLANNING HISTORY**

- 4.1 None relevant

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of development

This application is for the change of use of a unit within an office building (E) to a non-residential education facility (F1). The site is considered to be a non-safeguarded economic development site. As the proposal continues to provide employment opportunities, it is considered to be in accordance with Policy CS13. The provision of non-residential education is supported in accordance with Policy CS23. The proposal is acceptable in principle, subject to other material considerations.

5.2 Highways

The property has access to an existing parking area, of which 22no. spaces will be made available to staff and students of this unit. Policy PSP16 requires the provision of 1no. space per 2no. staff, and 1no. space per 15no. students. With between 15 – 22 students and 12 staff, the proposal meets the parking requirements. Cycle parking for colleges is 1 per 2 students, however it is also accepted that the facility proposed is not a standard higher education facility. The proposal should however be expected to meet standards for staff cycle parking, and as such 6no. spaces for cycle parking will be required by condition. 2no. disabled spaces will be required. It is noted that Transportation DC recommended that the landscaping area behind parking spaces were paved. However, on balance the negative impact this would have upon character and appearance is considered to outweigh the harm potentially

caused within a slow moving, open car park, where pedestrians will be expected.

5.3 Residential amenity

Concerns have been raised from local residents regarding the impact the proposal may have upon the existing residential area. Whilst the proposal does include an outside area, the student numbers are low and unlikely to create noise comparable to a nursery or primary school. Significant concerns have been raised in regards to students causing issues whilst in the local area. It should be noted that the provision is for a very small number of students. The fact that the cohort are those that cannot access mainstream education, predominantly those with learning disabilities, will not necessarily result in a rise in anti-social behaviour. Any such instances should be reported to the police if they occur. The proposal is unlikely to cause harm to the residential amenity of nearby residents.

5.4 Conditions

The proposal has been considered on the basis of its use as a specialist education facility. Given the wider F1, which impacts have not been considered, it is considered reasonable in this instance to restrict the use of the site.

5.5 Consideration of likely impact on Equalities

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. This planning application it is considered to have a neutral impact on equality.

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. 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 planning permission is GRANTED.

CONDITIONS

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

Reason

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

2. The premises shall be used for specialist 16+ education provision and for no other purpose (including any other purpose in Class F1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to the Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason:

Other uses may have a different impact upon material considerations and will require further consideration against the Development Plan.

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

Reason:

In the interests of highway safety.

4. Notwithstanding the submitted plans, 6no. cycle spaces and 2no. disabled parking spaces shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason:

In the interests of highway safety and sustainable transport.

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

18 Nov 2020	959/PL01	THE LOCATION PLAN
18 Nov 2020	959/PL02	EXISTING BLOCK PLAN
18 Nov 2020	959/PL03	EXISTING FLOOR PLAN
18 Nov 2020	959/PL04	PROPOSED FLOOR PLAN
16 Dec 2020	PL05 A	PROPOSED BLOCK PLAN

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

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

In dealing with this planning application the Local Planning Authority have worked with the applicant in a positive and proactive manner on seeking solutions to problems arising in the

following ways: additional information was accepted and considered by officers during the course of the application.

Case Officer: Rae Mepham

Authorising Officer: David Stockdale