

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: 24/21

Date to Members: 18/06/2021

Member's Deadline: 24/06/2021 (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:

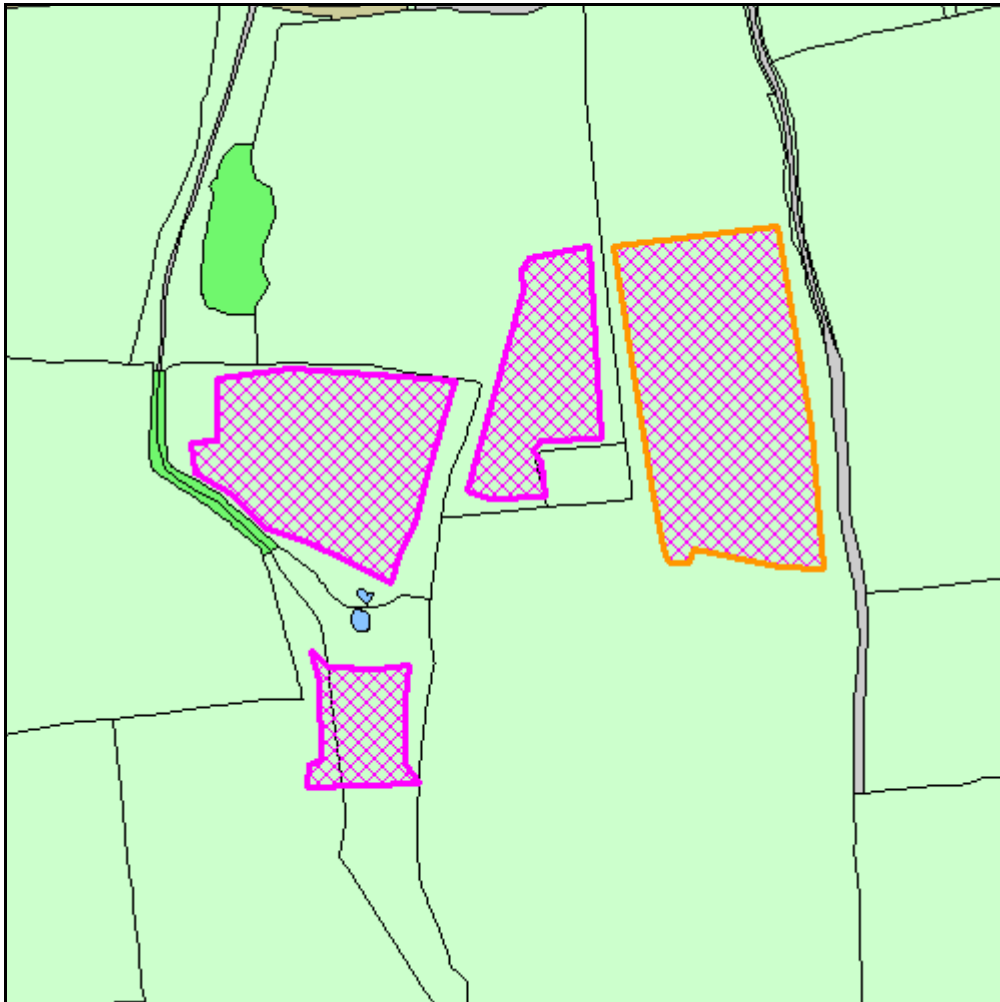
To be emailed to MemberReferral@southglos.gov.uk

CIRCULATED SCHEDULE - 18 June 2021

ITEM NO.	APPLICATION NO.	RECOMMENDATION	LOCATION	WARD	PARISH
1	P20/16804/RM	Approve with Conditions	PI7, 8, 9 & 11 North Yate New Neighbourhood South Gloucestershire Yate	Yate North	Yate Town Council
2	P20/21981/F	Approved Subject to Section 106	Kleeneze Sealtech Ltd Ansteys Road Hanham South Gloucestershire BS15 3SS	Hanham	Hanham Parish Council
3	P20/22056/F	Approve with Conditions	1 Abbott Road Severn Beach South Gloucestershire BS35 4PU	Pilning And Severn Beach	Pilning And Severn Beach Parish Council
4	P21/00007/F	Approve with Conditions	Fieldgrove Farm House Field Grove Lane Bitton South Gloucestershire BS30 6HU	Bitton And Oldland Common	Bitton Parish Council
5	P21/00308/LB	Approve with Conditions	The Coach House The Old Hundred Acton Turville Road Tormarton South Gloucestershire GL9 1JB	Boyd Valley	Tormarton Parish Council
6	P21/00311/F	Approve with Conditions	The Coach House The Old Hundred Acton Turville Road Tormarton South Gloucestershire GL9 1JB	Boyd Valley	Tormarton Parish Council
7	P21/00828/F	Approve with Conditions	Garages Adjacent To 1 Alexandra Gardens Soundwell South Gloucestershire BS16 4QJ	Staple Hill And Mangotsfield	None
8	P21/01096/RVC	Approve with Conditions	The Manor Church Lane Marshfield South Gloucestershire SN14 8NT	Boyd Valley	Marshfield Parish Council
9	P21/01099/RVC	Approve with Conditions	Land Adjacent To The Manor Church Lane Marshfield South Gloucestershire SN14 8NT	Boyd Valley	Marshfield Parish Council
10	P21/01154/F	Approve with Conditions	11 Stone Hill View Hanham South Gloucestershire BS15 3SZ	Hanham	Hanham Abbots Parish Council
11	P21/01255/F	Approve with Conditions	The Old Mill Chapel Lane Warmley South Gloucestershire BS15 4WW	Parkwall And Warmley	Siston Parish Council
12	P21/02534/F	Approve with Conditions	2 Standish Avenue Patchway South Gloucestershire BS34 6AJ	Bradley Stoke North	Stoke Lodge And The Common
13	P21/02833/F	Approve with Conditions	Bath Ales Ltd Hare House Southway Drive Warmley South Gloucestershire BS30 5LW	Bitton And Oldland Common	Bitton Parish Council
14	P21/02889/F	Approve with Conditions	20 Boscombe Crescent Downend South Gloucestershire BS16 6QH	Frenchay And Downend	Downend And Bromley Heath Parish Council
15	P21/02938/F	Approve with Conditions	37 Cadbury Heath Road Cadbury Heath South Gloucestershire BS30 8BX	Parkwall And Warmley	Oldland Parish Council
16	P21/02949/RVC	Approve with Conditions	Units 1-6 Pucklechurch Estate Pucklechurch	Boyd Valley	Pucklechurch Parish Council
17	P21/03048/F	Approve with Conditions	8 The Avenue Little Stoke South Gloucestershire BS34 6LJ	Stoke Gifford	Stoke Gifford Parish Council

CIRCULATED SCHEDULE NO. 24/21 - 18th June 2021

App No.:	P20/16804/RM	Applicant:	BDW Trading LTD (Barratt Bristol Division)
Site:	PI7, 8, 9 & 11 North Yate New Neighbourhood South Gloucestershire	Date Reg:	22nd September 2020
Proposal:	Erection of 183 no. dwellings with associated parking, garaging and works with appearance, layout, scale and landscaping to be approved (Approval of Reserved Matters to be read in conjunction with outline permission P19/6296/RVC formerly PK12/1913/O).	Parish:	Yate Town Council
Map Ref:	370834 184871	Ward:	Yate North
Application Category:	Major	Target Date:	16th December 2020



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100023410, 2008.

N.T.S.**P20/16804/RM**

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

REASON FOR REFERRAL TO CIRCULATED SCHEDULE

This application is referred to the circulated schedule procedure due to 1no. objection from Yate Town Council, which is contrary to the Officer's recommendation. This is detailed in para. 4.1 of this report.

1. THE PROPOSAL

- 1.1 This application seeks reserved matters consent for the erection of 182no. dwellings with roads, parking, garaging and other associated works. The reserved matters which comprise appearance, landscaping, layout, and scale should be read in conjunction with outline permission PK12/1913/O superseded by P19/6296/RVC. This outline consent included details of access into the site off Randolph Avenue and Leechpool Way, with provision for access from Peg Hill. The wider site benefits from an approved design code (North Yate New Neighbourhood Design Code Rev D-March 2017) and masterplan (Condition 39 Detailed Masterplan 4739-LDA-00-XX-DRL-0013), as well as several framework plans which were approved at outline stage.
- 1.2 The application site comprises Parcels 7, 8, 9 and 11 of the North Yate New Neighbourhood. It is adjacent to Parcels 12A and 13A which are located to the south, as permitted by ref. P19/12246/RM. The site comprises approximately 4.58 hectares and is split in to 4 parcels of land. Parcel 7 is located to south west, Parcel 8 to the north west, with Parcels 9 and 11 to the east. These Parcels are located in either the Yate Gallops or Yate Woods Character areas. The parcels are largely surrounded by green infrastructure and ecology corridors to the south, east and west. To the north is proposed to be a potential second primary school, subject to demand, with associated pitches. An existing and retained footway/bridleway is located along the western edge of the western parcels. Connections to and from this are intended to be provided, in accordance with the outline permission.
- 1.3 Extensive negotiations have taken place throughout the application process. As a result of this, significant improvements have been made to the scheme.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework Feb 2019
National Planning Practice Guidance

2.2 Development Plans

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
CS16 Housing Density
CS17 Housing Diversity
CS18 Affordable Housing
CS30 Yate and Chipping Sodbury
CS31 North Yate New Neighbourhood

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

PSP1 Local Distinctiveness
PSP2 Landscape
PSP3 Trees and Woodland
PSP6 Onsite Renewable and Low Carbon Energy
PSP8 Residential Amenity
PSP10 Active Travel Routes
PSP11 Transport Impact Management
PSP16 Parking Standards
PSP17 Heritage Assets and the Historic Environment
PSP19 Wider Biodiversity
PSP20 Flood Risk, Surface Water and Watercourse Management
PSP21 Environmental Pollution and Impacts
PSP37 Internal Space and Accessibility Standards for Affordable Dwellings
PSP43 Private Amenity Space Standards
PSP47 Site Allocations and Safeguarding

2.3 Supplementary Planning Guidance

The South Gloucestershire Design Checklist SPD (adopted)
The South Gloucestershire Residential Parking Standards SPD (adopted)
Waste and recycling Collection: Guidance for New Developers SPD (adopted)
Extra Care and Affordable Housing SPD (adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 PK10/042/SCO, Scoping Opinion for a proposed mixed-use site approximately 104ha in North Yate.
- 3.2 PK12/1913/O, Mixed use development across 100.76 hectares of land comprising up to 2,450 new dwellings (Use Class C3), extra care housing (Use Class C2), 4.63 hectares of employment land (Use Class B1,B2) provision of a local centre, two primary schools, together with the supporting infrastructure and facilities including: new vehicular and pedestrian accesses, public open space and landscaping and proposal to underground the electricity powerlines. Outline application including access with all other matters reserved. Approved on 17th July 2015.
- 3.3 PK15/5230/RVC, Variation of condition 41 of Planning Permission PK12/1913/O to change the proposed wording which related to the need for an Energy Statement and energy targets. Approved on 6th May 2016

- 3.4 PK16/2449/RVC, Variation of condition 12 attached to planning permission PK12/1913/O to allow for a programme for archaeological investigations across the site. Approved on 15th August 2016.
- 3.5 PK17/0039/NMA, Non-material amendment to Condition 19 of PK16/2449/RVC (Outline planning permission for the North Yate New Neighbourhood) to reflect the updated phasing plan submitted pursuant to Condition 4. Approved on 23rd February 2017.
- 3.6 PK17/4826/RVC Variation of conditions 12, 19 and 41 attached to outline planning permission PK12/1913/O to rationalise and validate amendments to conditions previously granted under application reference numbers PK15/5230/RVC, PK16/2449/RVC, and PK17/0039/NMA. Approved on 27th November 2017
- 3.6 P19/6296/RVC Variation of condition 19 attached to outline planning permission PK12/1913/O (as amended under applications PK15/5230/RVC, PK16/2449/RVC, PK17/0039/NMA and PK17/4826/RVC) to amend the wording of the condition (19) to "There shall be no commencement of Phase 5 of the development as shown on the Phasing Plan submitted pursuant to condition 4, until such time as the internal link road linking Randolph Avenue, Leechpool Way and the access from the Peg Hill development (as approved by planning permission PK12/0429/O) has been implemented and is operational. Construction use and residential use are deemed operational. Approved on 13th September 2019.
- 3.7 P19/12246/RM (Parcels 12A and 13A) Erection of 155 no. dwellings, with roads, parking and associated works with appearance, landscaping, layout, scale and access to be determined. (Approval of Reserved Matters to be read in conjunction with outline permission PK12/1913/O as amended by PK17/4826/RVC). Approved 12th December 2019.
- 3.8 P20/14503/FDI Diversion of public footpath LYA/53/10 and LYA/55/10. No Objection 14th October 2020.

4. CONSULTATION RESPONSES

4.1 Yate Town Council

Objection. Our concern is about the layout of the part of the scheme which faces onto the main estate road opposite the school and nursery site. Whatever is done with walking to school, there are traffic and safety issues outside of a school. This application has houses facing onto the road right opposite the school, with narrow parking spaces, nose to tail eg plots 605/606/ 607/608/609. These will have vehicles coming out onto the main road on a corner, right by the school either manoeuvring to reverse onto those narrow drives or reversing out. We have in the past expressed concerned more generally about this, and those concerns have not been accepted. However, now we are dealing with a corner right opposite the primary school site. We really do think South Glos need to insist that a different parking solution is adopted, as otherwise we will see cars reversing across the pavement either on or off drives, on a corner by the school, exactly where children will be waiting to cross to get to school.

Parents will conclude that this is dangerous and are therefore even more likely to drive their children to school, and that will create serious problems too. This will lead to an increase in on_street traffic with parents and carers dropping off and picking up children from the school. Additionally, reversing onto a bend is dangerous as residents wont be able to see oncoming traffic and if there are parked cars, this will make visibly poorer. This proposed plan needs to look into different parking solutions to combat these issues particularly when in regards to safety of children.

4.2 Transport Officer

No objections. Having assessed the revised plans and with the new information provided on the general layout, parking (both on-plot and visitors' parking) as well as vehicle tracking for service vehicles, etc. I confirm that there is no transportation or highway issue that we can raise objection to in respect to this application.

They have also made a direct response to comments of Yate Town Council, this will be covered in paras. 5.13- 5.15 of this report.

4.3 Urban Design

No objections. Previous urban design issues largely addressed through revised plans. Outstanding comments as follows:

- Thin strips of land by access routes are not dealt with consistently, with some poor examples across the site.
- Some materials proposed are not of high standard as expected
- Overall visual impact of apartment blocks could have been improved.

4.4 Landscape Officer

No objections. Previous landscape issues largely addressed through revised plans. Outstanding comments as follows:

- Some fencing details are not of a high quality design.

4.5 Public Open Space Officer

No objections. Issues originally raised have now been addressed through revised plans.

4.6 Public Art Officer

No objections. As new sections of the site are brought forward, the developers should start to develop stages 2 and 3 of the public art strategy so that any proposals can be integrated through the site.

4.7 Drainage Officer

No objections. This is subject to the development complying with approved plans.

4.8 Archaeology Officer

No comments.

4.9 Housing Enabling

No objections. Outstanding comments originally raised have now been resolved.

- 4.10 Avon and Somerset Police
No objections. Consider the design is generally in order and complies appropriately with the crime prevention through environmental design principles.
- 4.11 Lighting Engineer Officer
No objections. Please note that we have been appointed as the external lighting consultant for this site, as such the lighting scheme will be acceptable in accordance with the Councils Street Lighting requirements.
- 4.12 Highway Structures
No comments.
- 4.13 Public Rights of Way
The plot [Parcel 7] to the left/west is situated near the entrance to the bridleway LYA 54 and footpath LYA 55 . It was always the intention that this bridleway would form an active travel route through the development linking to Randolph Avenue. This would recognise the previous use of this path linking for multiuser Tanhouse Lane to Randolph avenue. The extinguishment of the path by this first plot on this path does not bode well for the proposed active travel route that was, I understood to be running through a landscape strip. I therefore have to object to this application and request that the plans for the plot to the west be adapted to cater for the active travel route and footpath LYA 54 and LYA 55.
- 4.14 Climate Change Officer
No objections. The development complies with Condition 40 of the outline consent in relation to the requirement for an energy statement. Additional measures were requested but have not been forthcoming prior to determination.

Other Representations

- 4.15 Local Residents
No comments received.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
North Yate New Neighbourhood ('NYNN') is a major development site allocated by Policy CS31 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013 for a major mixed use development of up to 3000 dwellings. Outline consent was subsequently granted on 17th July 2015 for a mixed use development across 100.76 hectares of land comprising up to 2450 new dwellings, including 4.63 hectares of employment land, a local centre, two primary schools and supporting infrastructure. This permission covers a substantial area of the NYNN allocation. A Masterplan and Design Code for the NYNN were subsequently approved by the Local Planning Authority on 20th January 2017 and 12th May 2017 respectively. This application relates to 4 parcels of residential development, which are shown on the approved masterplan. The principle of the development is therefore established and acceptable.

5.2 Urban Design

The approved Design Code envisages a new neighbourhood made up of different areas with their own qualities. These comprise three separate character areas: Yate Gallops, Yate Woods, and Yate Meadows. The Design Code sets out that the character areas facilitate a design that reflects the existing site and its surrounding context, whilst enabling a range of development types to come forward to broaden the market choice on offer and to help deliver a commercially sustainable scheme.

- 5.3 This site comprises 4 separate Parcels, their character areas are set out in the table below.

Character Area	Defined as
Yate Woods <i>Parcel 7</i> <i>Parcel 8</i> <i>Parcel 9</i>	Informal character of landscape reflected in detail of streets, short vistas with sequence of junctions leading you towards the main street to the east or the green corridors to the edges. Semi-random spacing of street trees. Natural materials, tones and textures defining the characteristic. Fences, stone and hedges forming boundaries.
Yate Gallops <i>Parcel 11</i>	Tight, organised urban form, tree lined streets and formality reflected in planting. High density towards south of character area decreasing at northern end.

5.4 Parameter Plans

The approved outline parameter plans show that these Parcels would be entirely residential, with a density of 35-50 dwellings per hectare and a maximum height of 2-3 storeys. The proposed development would be wholly residential in nature, with buildings of a maximum height of 3 storeys and an overall density of 39 dwellings per hectare. This is in accordance with the parameter plans and is considered acceptable.

5.5 Access and Movement

The access and movement parameter plans show that a primary street would run south west to north east and would bound each of the application parcels. Secondary streets would also run through Parcel 8 and between Parcels 9 and 11. Further to this, an existing bridleway/footway runs along the boundaries of the western parcels. The parameter plans show that this would be retained and incorporated into the open space and green corridors. It is shown to be connected to the north west corner of Parcel 7, with a proposed on plot footway/shared surface to be provided around the site, and connections to the south. A on plot footway/shared surface is also shown to the east of Parcels 8 and 9, and to the south/east of Parcel 11. These features are shown in the plans submitted and the scheme is considered to comply with the access and movement parameter plan.

5.6 Green Infrastructure

The development is not required to provide any specific green infrastructure or open space. The Green infrastructure parameter plan does set out that street trees should be provided on the primary and secondary streets surrounding the

parcels. Street trees are now provided in these locations, as such the development is considered to comply with this parameter plan.

5.7 Waste Collection and Storage

A refuse strategy plan was submitted alongside the application, this demonstrates that the majority of properties will have refuse storage areas within rear gardens, and where storage is to the front, screening is provided in the form of 1.2 metre high walls. Collection points are provided adjacent to the public highway to ensure convenient access for future occupiers and collection crews. The apartment blocks proposed as part of this development are served by bin storage areas which are easily accessible from the public highway. It is considered that this complies with the waste collection SPD and no objections are raised to these matters.

5.8 Layout and Appearance

Throughout the course of the application process significant design improvements have been sought and received. This includes:

- Additional block paving
- Introduction of external balconies to apartments
- Change from timber fencing to estate railing along parts of the public realm
- Alterations to a large number housetypes in terms of detailing and materials.
- Increased the amount of stone materials used on the site
- Changes to proposed roof tiles to a material of a higher quality.
- Introduction of feature gables
- Removal of 1no. dwelling to facilitate an improved design and additional landscaping.
- Additional street trees, trees within back gardens and trees within parking areas
- Improved solutions to some verges on the site.

Parcels, 7, 8 and 9

These Parcels are located in the Yate Woods character area. The layout of the dwellings largely reflect that shown on the approved Masterplan. There are some changes to the location of tertiary streets but these are largely minor, in all cases frontages onto the highway, and connections to open space are retained. The dwellings in these areas comprise gabled ended 2 storey detached, semi-detached and terraced dwellings with semi-open/open building lines. This is in accordance with the design code for this area. In terms of front boundary treatments, this would be formed of low hedging with some low screening walls and metal estate railings along secondary streets. This is also in accordance with the design code. Materials in this area will be formed of red brick, with cladding/render sections and slate grey roofs. This reflects the neutral tones proposed as part of this character area.

In addition to the above, two apartment blocks are shown to the south of Parcel 9. These would front the road and would also now be formed of red brick with some stone/render detailing to feature gables and would have balconies to the front. Through the course of the application the urban design officer raised several concerns in relation to these

apartment blocks. Detailed concerns expressed by the Urban Design Officer have been overcome, and whilst further improvements to the apartment blocks have not been forthcoming, the Planning Officer considers that the overall appearance of the blocks are now to an acceptable standard. .

Parcel 11

This Parcel is located in Yate Gallops character area. In contrast to the Yate Woods Parcels, this part of the application site would have a tighter form and a formal layout, with housing laid in 3 main blocks. The dwellings would comprise detached, semi-detached and terraced 2 storey properties which are packed closer together with a more enclosed building line.

Dwellings would front the nearby primary street, secondary street and open space corridors. Trees would be incorporated along streets in a relatively formal arrangement. Materials would also be different, with gold brick and an alternate red brick incorporated. Where properties face the open space to the east, stone materials are proposed to provide a sympathetic response. Render would also feature on some dwellings. The materials and form used reflect other parts of the Yate woods character area in the NYNN, notably directly to the south at Parcels 12a and 13a.

- 5.9 The design improvements negotiated on this site have resolved the majority of the urban design officer's concerns. The Urban Design Officer raised concerns in relation to the treatment of thin strips of land between the side elevations of dwellings and the highway. Whilst there have been improvements in this area, the Urban Design Officer's concerns remain. Whilst further improvements have not been forthcoming, given that the issues primarily relate to the S.38 highway adoption process and have been permitted on all other parcels at the NYNN, there is no objection on this basis.
- 5.10 The urban design officer is generally supportive of the materials proposed. However, it is considered that higher quality materials should be proposed on the site. It is therefore recommended that a condition is imposed to allow the local planning authority to approve materials at a later date.
- 5.11 Through extensive negotiations, significant amendments have been made to the scheme which have resulted in design improvements. There were further detailing and alterations to design features which have not been forthcoming. Nevertheless, these are relatively minor in nature and their omission will not result in a significant adverse harm. Overall, the revised scheme is considered to comply with CS1 and CS31, subject to the recommended condition.
- 5.12 Transportation**
- The level of proposed parking is considered to be acceptable and reflects the requirement set out in Policy PSP16. Apartments have at least one space allocated for car parking and the parking courts have visitor parking spaces. Visitor parking spaces have also been provided on streets throughout the parcel, and these have been spread out evenly. The highway officer has

confirmed that vehicle tracking for service vehicles is also acceptable. The primary and secondary streets have been designed in accordance with the layout and detail as set out in the approved design code and masterplan.

- 5.13 It is noted that Yate Town Council have objected to this application on highway safety grounds. This relates to properties which are located close to the school and the parking arrangements that are proposed. Yate Town Council consider that conflict could occur with pedestrians, especially those walking to school should cars wish to exit these spaces onto the main street.
- 5.14 Whilst these concerns are understood, it is noted that there are continuous footways along the primary and secondary streets of this development. The footway outside the school itself is 3 metres wide and is not adjacent to parking to the front of properties. On the opposite side of the road (where dwellings are located) there is a footway that is 2 metres wide. It is also noted that all roads within the development have been designed to maintain the vehicular speed of 20mph or less, through the introduction of traffic calming measures and speed control at bends. The road has also been designed to ensure that there is good visibility for road users.
- 5.15 Given all of the above, the highway officer considers that those walking to and from the school would have a safe route to walk which would be segregated by the road. Further to this, it should be noted that the means of access to residential properties directly off primary and secondary streets has already been approved in principle through the outline consent and subsequent masterplan and design codes.
- 5.16 The development would provide sufficient parking in accordance with Policy PSP16 and it is not considered that the development would result in a significant adverse highway safety impact. A condition is recommended to ensure that parking is provided prior to occupation of the corresponding dwelling.
- 5.17 **Landscaping**
Through the course of the application revised plans showing significant improvements to landscaping have been submitted. These are summarised as follows:
- Improvements to levels to ensure protection of adjacent retained vegetation
 - Additional block paving throughout the site
 - Change from fencing to walling in a number of areas.
 - Reductions in height of retaining walls
 - Changes to units/hardstanding to facilitate improved maintenance access to retained hedgerows and to ensure their protection.
 - Additional planting introduced across the site
 - 10no. additional trees in back gardens
- 5.18 Given the above, the majority of the concerns originally raised have now been rectified and the landscape officer has confirmed that the scheme is now acceptable. Having said this, they did raise a concern that a chain link fence was proposed to the back garden of some of the units. It is recommended that

a condition is imposed to agree an alternate boundary treatment, notwithstanding the plans.

- 5.19 Overall, the landscaping is considered to be well integrated into the development and in accordance with Policies CS1 and PSP2. Conditions are recommended to ensure that all hard and soft landscaping is implemented, and to ensure that replacement planting is carried should any trees/vegetation die or are removed.

5.20 Affordable Housing

There are 69no. affordable housing units proposed as part of this development. The tenure will be split 80% social rent and 20% shared ownership, this is in accordance with the Affordable Housing Masterplan for the NYNN. Throughout the course of the application, the housing enabling officer raised concerns that the proposed distribution of affordable housing was too heavily concentrated in Parcels 7, 8 and 9, with Parcel 11 having a much lower percentage of Affordable Housing units. As such, 4 units have now been moved to Parcel 11 from Parcel 9. This results in a more even distribution throughout the entire application site.

- 5.21 The housing enabling officer also requested that the applicant confirm that the wheelchair units proposed will be built to the wheelchair specification. The applicant has now confirmed this will be the case, in accordance with the S106 Agreement. A note has also been added to drawings.

- 5.22 Given the above, the development is now considered to comply with Policies CS18, PSP37, and is in accordance with the S106 Agreement which is attached to the outline consent.

5.23 Public Open Space

No informal Public Open Space ('POS') is required to be provided within these Parcels according to the masterplan, parameter plans and design code. The application site does include minimal areas of POS, which do provide connections to the wider POS at the site. Throughout the course of the application, the POS officer raised a number of concerns. These have now been resolved, and the improvements are summarised as follows:

- Reduction in height of retaining walls
- A number of ownership and adoption issues rectified.
- A number of maintenance issues rectified, including access to maintenance corridors.
- Change to some planting to ensure suitability for POS areas.

5.24 Public Rights of Way

There is existing Public Right of Way's ('PROW') near to the site. LYA 53 was subject to a footpath diversion order as part of ref. P20/14503/FDI. This shows that it would run along the western edge of Parcel 7 and would connect to a bridleway and footpath to the north west of Parcel 7. LYA 54 (a bridleway) and LYA 55 (a footpath) run from the north west of Parcel 7 and along the western edge of Parcel 8.

5.25 The PROW's are shown within the access and movement parameter plan that was approved as part of the outline permission. The parameter plan also shows that a connection would be made to Parcel 7, defined as 'proposed footway through open space'. It also indicated that this would connect to the shared surface which surrounds Parcel 7, and onwards the south towards LYA 53.

5.26 The PROW officer raised concerns that the footpath would not be continued as segregated path through open space. However, the development proposed is in accordance with the parameter plans which were approved at outline stage. The bridleway/footpath would connect to Parcel 7 in the north west corner and would then lead to shared surface streets surrounding the dwellings which lead to the south. Accordingly, the development is in accordance with the parameter plans approved at outline stage and these concerns are considered to be outside the scope of this reserved matters application.

5.27 Residential Amenity

Through the course of the application process a number of concerns were raised in relation to the residential amenity impact on future occupiers. As a result of this amendments have been made to the scheme, which are summarised as follows:

- Removal of a number of detached garages to ensure that garden sizes can be increased, and to reduce overbearing impacts on future occupiers.
- Reduction of 1no. dwelling to allow for increased garden sizes and improved residential amenity.
- Introduction of external balconies to apartment blocks
- Communal garden space for apartment blocks
- Increased back-to-back distances.

5.28 Given the above, it is now considered that the development would provide an acceptable standard of amenity for future occupiers, in accordance with policies CS1, PSP8 and PSP43.

5.29 Drainage

The Councils drainage officer has raised no objections to the proposal. The Drainage Officer is satisfied that the information submitted demonstrates compliance with the wider Surface Water Drainage Masterplan/Strategy. This is subject to the development complying with submitted plans, an approved plans condition is recommended.

5.30 Ecology

A number of ecological strategies were secured as part of the discharge of conditions on the outline consent. This included a Landscape and Ecological Management Plan, and wildlife mitigation strategies. These strategies were required to help mitigate the impact on, as well as measures to enhance wildlife. An informative note is attached to notify the developer of the requirement to accord with the relevant wildlife strategies.

5.31 Sustainability

The outline consent set out the aspirations and requirements of the development in relation to sustainability. Condition 40 of the outline consent requires an Energy Statement to be submitted to set out how:

- passive solar gains, cooling of buildings, and natural ventilation will be maximised.
 - insulation measures to reduce energy demand alongside a calculation of energy demand.
- 5.32 The wording and requirements of this condition reflects the Policy requirements of Policy CS1. This focuses on passive solar gains and insulation measures to reduce energy demand; there is no requirement for any additional renewable/low carbon technology. The condition pre-dates Policy PSP6 which imposes a more stringent energy saving requirement of 20% via renewable/low carbon energy generation sources on major greenfield residential development.
- 5.33 The Energy Statement submitted focuses on a 'fabric first' approach which prioritises improvements to the fabric of dwellings to avoid unnecessary energy demand and consequent CO2 reduction. The energy statement submitted demonstrates that through the fabric first approach there will be a reduction in CO2 emissions and energy compared to statutory building regulations requirements with a typical fabric energy efficiency of circa 8-17% better than Part L standards.
- 5.34 The Climate Change Officer did request that the developers go further in terms of reducing energy demand and the generation of renewable energy. This was requested from the applicant, but it is noted that this has not been forthcoming prior to determination. It is not considered that an objection could be sustained on this basis due to the development complying with the outline consent condition. A condition is recommended to be attached requiring the dwellings to accord with the measures set out in the energy statement.
- 5.35 **Street Lighting**
The Councils Lighting Engineer has not raised an objection to the proposal. All of the streets within the parcels will be adopted and therefore, will be required to have street lighting. The provision and design of street lighting falls under the Section 38 highway adoption process. A condition in respect of street lighting is recommended to be attached to avoid conflict between street lighting columns and street trees.
- 5.36 **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.
- 5.37 With regards to the above this planning application it is considered to have a neutral impact on equality.

5.38 Conclusions

This reserved matters application directly relates to an outline planning permission and is acceptable in principle. The development is generally considered to comply with the masterplan, parameter plans and design code, as approved by the outline consent.

5.39 Through extensive negotiations with the applicant, revisions and additional information have been received. There are some matters that do count against the scheme. Particularly in relation to the appearance of the proposed apartment blocks and the treatment of some highway verges, as well as a lack of further reductions in energy demand and opportunities for renewable energy generation. Nevertheless, on the whole, detailed matters are generally considered acceptable, subject to the recommended conditions. Accordingly, it is not considered that the harms identified would clearly outweigh the benefits of the development. This reserved matters application is therefore recommended for approval, subject to conditions.

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 reserved matters consent has been taken having regard to the policies and proposals in the development plan set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

7.1 That the application be **APPROVED** subject to the conditions below.

CONDITIONS

1. Approved Plans

The development shall be carried out in accordance with the following plans and details:

468-PH4-002-01 Existing Levels Rev D
468-PH4-002-02 Existing Levels Rev D
468-PH4-050-01 Engineering for Planning Rev D
468-PH4-050-02 Engineering for Planning Rev D
468-PH4-050-03 Engineering for Planning Rev D
468-PH4-050-04 Engineering for Planning Rev D
468-PH4-075-01 Drainage Strategy for Planning Rev D
468-PH4-075-02 Drainage Strategy for Planning Rev D
468-PH4-200-01 Road and Sewer Long Sections
468-PH4-200-02 Road and Sewer Long Sections
468-PH4-200-03 Road and Sewer Long Sections
468-PH4-200-04 Road and Sewer Long Sections

468-PH4-200-05 Road and Sewer Long Sections
468-PH4-506-Impermeable Area Plan Rev D
468-PH4-510-Flood Exceedance Routing Rev D
0642-7-100 Topographical Survey-A0L
0642-7-101 Location Plan-A1L
0642-7-102 E Planning Layout-A0L
0642-7-103 C Street Scenes-A0L
0642-7-104-1 D External Works Layout-A0P
0642-7-104-2 D External Works Layout-A1P
0642-7-104-3 D External Works Layout-A0L
0642-7-104-4 D External Works Layout-A1L
0642-7-105 C Vehicle Tracking Layout-A0L
0642-7-106 C External Detailing-A2L
0642-7-107 C Adoption Plan-A0L
0642-7-108 D Materials Layout-A0L
0642-7-109 A Garages and Car Port-A1L
0642-7-110 C Building Heights Plan-A0L
0642-7-111 C Refuse Strategy Layout-A0L
0642-7-112 C Code Reference Plan-A0L
0642-7-113 Cycle Storage-A4L
0642-7-114-1 A Plot 586 Wheelchair Units-A2L
0642-7-114-2 A Plot 587 Wheelchair Units-A2L
0642-7-116-1 C Site Sections-A0L
0642-7-116-1 C Site Sections-A0L
0642-7-Garden Areas-Issue 4-A4P
0642-7-HTB-Housetype Booklet-ISSUE 5
0642-7-Parking Matrix-Issue 4
Barratts Bristol SWMP Ladden Village Phase 4
Basin 3a 23.07.2020
Basin 4 23.07.2020
Basin 6 23.07.2020
Basin 11 23.07.2020
BBS21596ams phase0B revE
cil_questions
GL1278 09 Highway Tree Pit Detail
GL1326 01H Soft Landscape Proposals
GL1326 02G Soft Landscape Proposals
GL1326 03G Soft Landscape Proposals
GL1326 04F Soft Landscape Proposals
GL1326 06A On Plot Tree Pit Detail
GL1326 Landscape Management Plan
GL1326 - Designer's Landscape Risk Assessment - NYNN P4 - 06-04-2021
Ladden Garden Ph4 - Energy Statement - 22.07.2020
Pages from BBS21596-03 phase 0B rev E
PL7,8,9 & 11 SoC Issue 1
BHL Assessment
SWMP
PLQ-249-A
PLQ-250-A
SLD-501-001-B
SLD-501-002-B

Reason
For the avoidance of doubt.

2. Materials

Notwithstanding the Materials Plan (dwg no. 0642-7-108 Rev D), and prior to construction above slab level of any dwellings hereby approved:

- sample panels of proposed brickwork types shall be erected on site for approval in writing by the Local Planning Authority and;
- sample panels of proposed stonework shall be erected on site for approval in writing by the Local Planning Authority and;
- samples of cladding colours shall be submitted to the Local Planning Authority for approval in writing and;
- details of render shall be submitted to the Local Planning Authority for approval in writing.

The approved sample panels shall be kept on site for reference until the brickwork and stonework are complete. Development shall be carried out in accordance with the approved details.

Reason
To ensure a good quality of external appearance and to accord with the approved Design Code and Policy PSP1 of the adopted South Gloucestershire Policies, Sites and Places Plan, and CS1 of the adopted South Gloucestershire Core Strategy.

3. Parking

The off-street parking facilities (for all vehicles, including cycles) shown on the plan hereby approved shall be provided for the plot to which it relates before the corresponding building is first occupied, and thereafter retained for that purpose.

Reason
In the interests of the character and appearance of the area, to accord with policy PSP2 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017 and policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

4. Boundary Treatment

Notwithstanding the plans hereby permitted, a alternative boundary treatment to the 1.2 meter high chain link fence (as shown on the External Works and External Detailing Plans) shall be submitted to the Local Planning Authority for approval in writing. The development shall proceed in accordance with the approved details.

For avoidance of doubt: the 1.2 meter chain link fence as shown on the approved plans shall not be used on the site.

Reason

To ensure a good quality of external appearance and to accord with the approved Design Code and Policy PSP1 of the adopted South Gloucestershire Policies, Sites and Places Plan, and CS1 of the adopted South Gloucestershire Core Strategy.

5. Implementation of Landscaping

All hard and soft landscape works shall be carried out in accordance with the details hereby approved. The works shall be carried out in the first planting season prior to occupation of the final dwelling approved under this reserved matters application or in accordance with the programme agreed in writing by the Local Planning Authority.

Reason

In the interests of the character and appearance of the area, and to accord with policy PSP2 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017; and policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

6. Replacement Planting

Any trees or plants shown on the landscaping scheme hereby approved, which die, are removed, are damaged or become diseased within 5 years of the completion of the approved landscaping scheme shall be replaced by the end of the next planting season. Replacement trees and plants shall be of the same size, location and species as those lost.

Reason

In the interest of the amenities of the site and to accord with policy CS1 of the South Gloucestershire Core Strategy (adopted) December 2013; policy PSP16 of the South Gloucestershire Policies, Sites and Places Plan (Adopted) November 2017; and the Residential Parking SPD.

7. Energy Statement

The residential units hereby approved shall be built to the fabric first/energy efficiency measures as set out in the Energy Statement (AES Sustainability Consultants Ltd, dated July 2020) hereby approved

Reason

In the interests of sustainability and reducing the energy demand of dwellings beyond statutory minimum building regulations and to accord with policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

8. Streetlighting

Prior to the first occupation of any dwelling in the parcel, details of street lighting shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the first occupation of any dwelling in the parcel.

Reason

To ensure that the lighting scheme does not adversely impact on the landscaping scheme, and to ensure the health and appearance of vegetation in the interest of the character and appearance of the area and to accord with policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013; and policy PSP2 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017.

9. Affordable Housing 1

All Affordable Dwellings shown on the approved Planning Layout plan shall be constructed to meet Part M of the Building Regulations accessibility standard M4(2) with the exception of any self-contained accommodation built above ground floor level. Where Wheelchair units are identified on the approved planning layout these units will be constructed to meet South Gloucestershire Council's Specification Requirements for Wheelchair Units.

Reason

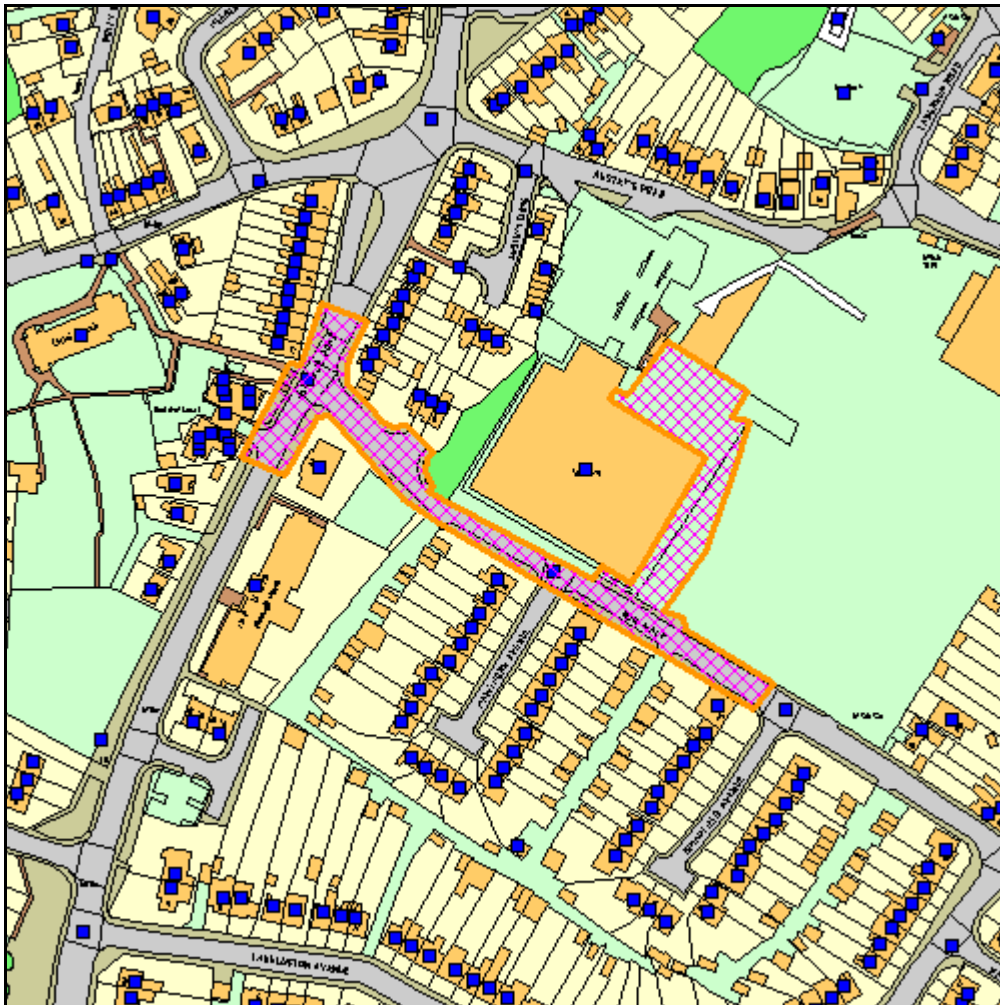
To ensure inclusive design access for all in accordance with Policy PSP37 of the adopted South Gloucestershire Local Plan: Policies, Sites and Places Plan.

Case Officer: Lucy Paffett

Authorising Officer: Jonathan Ryan

CIRCULATED SCHEDULE NO. 24/21 - 18th June 2021

App No.:	P20/21981/F	Applicant:	Homes England
Site:	Kleeneze Sealtech Ltd Ansteys Road Hanham South Gloucestershire BS15 3SS	Date Reg:	11th November 2020
Proposal:	Upgrading of existing service access from New Walk to Sealtech's service yard with associated drainage and improvements to pedestrian infrastructure on Memorial Road	Parish:	Hanham Parish Council
Map Ref:	363970 172259	Ward:	Hanham
Application Category:	Minor	Target Date:	4th January 2021



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 100023410, 2008. **N.T.S.** **P20/21981/F**

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

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application is referred to the Circulated Schedule as representation has been received from 16 no local residents which is contrary to the Officer's recommendation. The scheme also requires a S106 agreement to secure the works to the highway.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the upgrading of an existing historic vehicular access on New Walk, into the Sealtech site service yard. In addition, improvements to pedestrian and vehicular infrastructure in the wider highway network are proposed, and associated drainage.
- 1.2 The access in question runs parallel and adjacent to the Kleeneze Sealtech Ltd site which is a safeguarded area for economic development. The access connects the existing service yard with New Walk in Hanham.
- 1.3 The wider site benefits from extant planning permission for the re-development of Hanham Business Park by Tesco Stores Ltd, although it is understood the foodstore is no longer being implemented. This application would provide HGV's an alternative access to enter and exit the service yard rather than via Laburnum Road as is the current arrangement. The proposal would enable the continued safe access of Sealtech's service yard for HGVs during and after redevelopment of the wider Hanham Business Park, segregated from staff access and parking.
- 1.4 During the course of the application and following concerns raised by highways officers, the proposed re-location of the pedestrian refuge island was replaced by a raised table at the junction between New Walk and Memorial Road. A pedestrian crossing will be maintained at the same location.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

CS1 High Quality Design

CS4a Presumption in Favour of Sustainable Development

CS5 Location of Development

CS8 Improving Accessibility

CS9 Managing the Environment and Heritage

CS12 Safeguarded Areas for Economic Development

CS29 Communities on the East Fringe of Bristol Urban Area

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

PSP1	Local Distinctiveness
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP22	Unstable Land
PSP27	B8 Storage and Distribution

3. RELEVANT PLANNING HISTORY

- 3.1 PK16/1690/NMA
Non Material Amendment to planning application PK12/1619/F to amend wording of condition 25 to say Prior to the commencement of any highway works on Ansteys Road, relocation of the Wessex Water Control Kiosk for Combined Sewer Overflow currently located on the site shall be carried out to the satisfaction of Wessex Water and such details as approved shall be forwarded to the Local Planning Authority for approval.
No objection: 29/04/2016
- 3.2 PK12/1619/F
Demolish an existing warehouse building and construction of a foodstore (2,918m² gross internal floorspace) with associated car parking, landscaping, ancillary plant and equipment. Alterations to existing vehicular accesses on New Walk and Anstey's Road and alterations to car parking to retained Sealtech premises.
Approved subject to Section 106: 09/05/2012

4. CONSULTATION RESPONSES

- 4.1 Hanham Parish Council
No objections, however concerns expressed over parking in New Walk which could obstruct accessibility in relation to access and egress by large vehicles.
- 4.2 Sustainable Transport
Revised comments following submission of amended plans- 07/06/21:

There are highway works associated with this development and these are in two parts. First part is to improve the existing site access from the New Walk and second part aims to improve accessibility to the wider highway network via Memorial Road junction with New Walk.

I confirm that the first set of the highway works are those previously agreed by the Council in association with planning application PK12/1619/F (i.e. application for Tesco). The second and the new element of the proposal aims to address the service vehicles arriving to the site and enable them to negotiate Memorial Road Junction with New Walk. For this to be achieved, the applicant is proposing to remove the existing traffic island on Memorial Road (near the junction with New Walk) and to replace it with a 'Raised Table' as shown on the submitted drawing. This proposal aims to maintain low vehicular speed and at the same time aims to provide alternative pedestrians crossing point at the same location as existing on Memorial Road.

If the council is minded to approve this then, it is suggested that all highway works be secured under appropriate s106 legal agreement.

4.3 Highway Structures

Informative- Structure Number 67W087 (23 Memorial Rd, Retaining Wall) is close to the application site. No excavation within 5 metres of the existing structure is to be undertaken without providing details of the proposed excavation to the Highway Structures team at least 10 working days prior to the excavation.

4.4 Lead Local Flood Authority

No objection.

4.5 The Coal Authority

No objection subject to conditions.

Other Representations

4.6 Local Residents

Objection comments received from 16 no. residents, summarised as follows;

Highway Safety

- Pinch point in roads unsuited for articulated lorries.
- Road is narrow in places, not possible for HGVs to access the site.
- Inadequate visibility
- Many parents and children use new Walk for school route.
- Pavement only on one side of the road.
- Previous accidents occurred on Laburnum Rd involving lorry.
- T-junction on Memorial Rd is a black spot.
- Cars parked along this route will cause obstruction.
- Current crossing provides safe refuge, proposal not as visible or convenient for accessing the High St.
- Proposed crossing in close proximity to vehicle entrance to flats.
- Is there room for HGVs to manoeuvre safely?

Residential Amenity

- Will impact current on-street parking provision
- Parking restrictions would seriously impact residents that park on New Walk.
- Disruption to residents to allow a relatively few number of commercial vehicle movements is disproportionate.
- Increase in noise and fumes from HGVs.

Other

- No notification of application received.
- Many residents have not been informed.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy PSP11 of the Policies, Sites and Places Plan (Adopted) November 2017 allows for the upgrading of vehicular access subject to considerations on the effect upon the highway and road safety. In addition, guidance in the NPPF should be used to assess the impact of the development. Furthermore, the Kleeneze Sealtech site is located within a safeguarded area for economic development; Policy CS12 of the Core Strategy supports the regeneration and retention of B use classes and contributions to a more sustainable pattern of development.

5.2 Therefore, the proposed development is acceptable in principle but should be determined against the considerations as set out below.

5.3 Access and Highway Safety

The application is proposing the upgrade of an existing vehicular access from New Walk to Sealtech's service yard and to remove an existing pedestrian refuge on Memorial Road, construct a new crossing and install a raised table. It is acknowledged that there were historical HGV accesses from the site onto New Walk, though these have been closed off for a number of years. That said, it is important to note the re-opening of this access for service use to Sealtech was agreed within the approval of the previous application (PK12/1619/F).

5.4 The previously approved application for the Tesco footstore retained the Sealtech business operation. The approved site layout included an upgraded site access arrangement off New Walk to enable the Sealtech site to be serviced from this point rather than Labernum Road. This was designed to also provide a secondary vehicular access for customers of the foodstore. The proposal subject of this current application would retain the same position for the access from New Walk but this would no longer be used as secondary access point for the wider development, rather it would serve only the Sealtech service yard instead. As use would only be from vehicles accessing the Sealtech site it is accepted that the potential generated traffic on New Walk would be reduced. The proposed reduction in width of the access road from 7.5m to 5.5m and providing an 'x' distance of 2.4m for the visibility spay is considered to be acceptable by the Council's highway officer. Furthermore, the submitted swept path analysis indicates that HGV vehicles would be able to enter and exit the site in forward gear. This element of the proposal is not considered to be materially different from that of the previously approved arrangement under PK12/1619/F and as such, no objection is raised.

5.5 The submitted vehicle tracking information indicates that the existing pedestrian refuge at the junction of New Walk and Memorial Road would conflict with HGV vehicles when entering and exiting New Walk. It is therefore proposed that this would be removed, though an informal crossing would remain at this point. The initial proposal included the re-location of the refuge island to the south side of the junction, however officers raised concerns that this could create difficulties for larger vehicles turning left from New Walk, as well as a failure to meet latest specification requirements in terms of size. Although no refuge island would be in place, on request of the Council's transport officer a raised table would be inserted covering the entirety of the junction of New Walk and Memorial Road.

This is considered by officers to adequately reduce vehicle speeds and maintain a satisfactory level of road safety in this location.

- 5.6 Concern has also been raised by local residents in regard to the narrow nature New Walk and current on-street parking causing obstruction for large vehicles. However, the application is proposing a formal give-way arrangement at this pinch point and a buildout to reduce the effective road width to 3.5m, as well as supplementary signage. Highways officers are satisfied this arrangement would not result in any severe highway safety concerns. The current on-street parking which would be impacted by the proposal is thought to consist of a relatively short stretch of road and given the abundance of on-street parking in the immediate area, it is thought this could be adequately accommodated elsewhere. As such, subject to the applicant entering into a Section 106 agreement to secure the works to the highway and the relevant traffic calming measures on New Walk, there is no transportation objection to the proposal.
- 5.7 Residential Amenity
Policy PSP8 of the PSP Plan states development proposals will be acceptable provided they do not create unacceptable living conditions or have an unacceptable impact on the residential amenity of occupiers of nearby properties. Most relevant to this application are potentially unacceptable impacts resulting from; noise or disturbance; and odours, fumes and vibration.
- 5.8 As stated above, the previously approved upgraded access arrangements off New Walk were intended to provide a secondary access point for customers of the proposed Tesco store as well as those vehicles accessing the retained Sealtech site. Whereas the new proposal would be a means of access to the Sealtech service yard only.
- 5.9 Although the new proposal is sought to allow delivery vehicles a means of access to the Sealtech site, overall the proposal is not thought to generate any material increase in traffic using New Walk and therefore is not considered to be any more harmful than the previously approved arrangement. Conversely, by removing access to the wider business park, it could result in less disturbance and fewer fumes.
- 5.10 The submitted Transport Statement states that Sealtech typically receives between 4 and 6 deliveries a day comprising of a combination of vans, rigid and arctic HGVs. These deliveries take place weekdays between the hours of 09:00 and 17:30. This is considered to be reasonable in that the noise impact and disturbance to local residents would be limited.
- 5.11 Drainage
Following the submission of a proposed drainage layout plan, the Flood and Water management team were satisfied with the proposed surface water drainage arrangements. As such, no objections are raised in this regard.
- 5.12 Coal Mining
In support of the application a Coal Mining Risk Assessment was submitted. In order to ensure the future safety and stability of the development, officers are

satisfied that the necessary investigation work and mitigation measures suggested by the Coal Authority could be addressed by means of condition.

5.13 Procedural Matters

Some concern was raised in relation to the carrying out of the neighbour consultation. The consultation carried out by the Council was in line with the Town and Country Planning (Development Management Procedure) (England) Order 2015 and the adopted Statement of Community Involvement (SCI). Letters were sent to the relevant addresses on 11th November 2020.

5.14 Planning Obligation

In respect of the 3 tests in Section 122 of the Community Infrastructure Regulations 2010 and paragraph 56 of the NPPF, it is considered that the planning obligations are necessary to ensure appropriate measures are implemented to mitigate the potential harm from the proposal on highway safety.

5.15 Equalities

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

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That authority be delegated to the Director of Environment and Community Services, to grant full planning permission, subject to:

7.2 The conditions set out below; and

- 7.3 The applicant first voluntarily entering into an agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:
- i. Remove the existing traffic island on Memorial Road and replace it with a 'speed table' as shown in principal on plan no. 49308-2001-101 rev D together with all associated works and to include lighting, tactile paving at crossing points, drainage, signage and road making, etc.
 - ii. Construct the site access on New Walk as shown in principle on plan no. 49308-2001-101 rev D together with all associated works and to include lighting, road signage and road marking etc.
- 7.4 It is recommended that should the agreement not be completed within 12 months of the date of the resolution to grant planning permission, the application shall:
- i. Be returned to Circulated Schedule for extension of the above 12 month period; or,
 - ii. That delegated authority be given to the Director of Environment and Community Services to refuse the application.

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. No development shall commence until;
 - a) a scheme of intrusive site investigations has been carried out on site to establish the risks posed to the development by past coal mining activity, and;
 - b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

Reason

To ensure that the risk posed by the past coal mining activity in the area is adequately identified and where necessary mitigated and to accord with Policy PSP22 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (Adopted) November 2017; Policy CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013; and the National Planning Policy Framework. This is required prior to commencement to fully engage with the coal mining legacy.

3. Prior to first use of the access off New Walk, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason

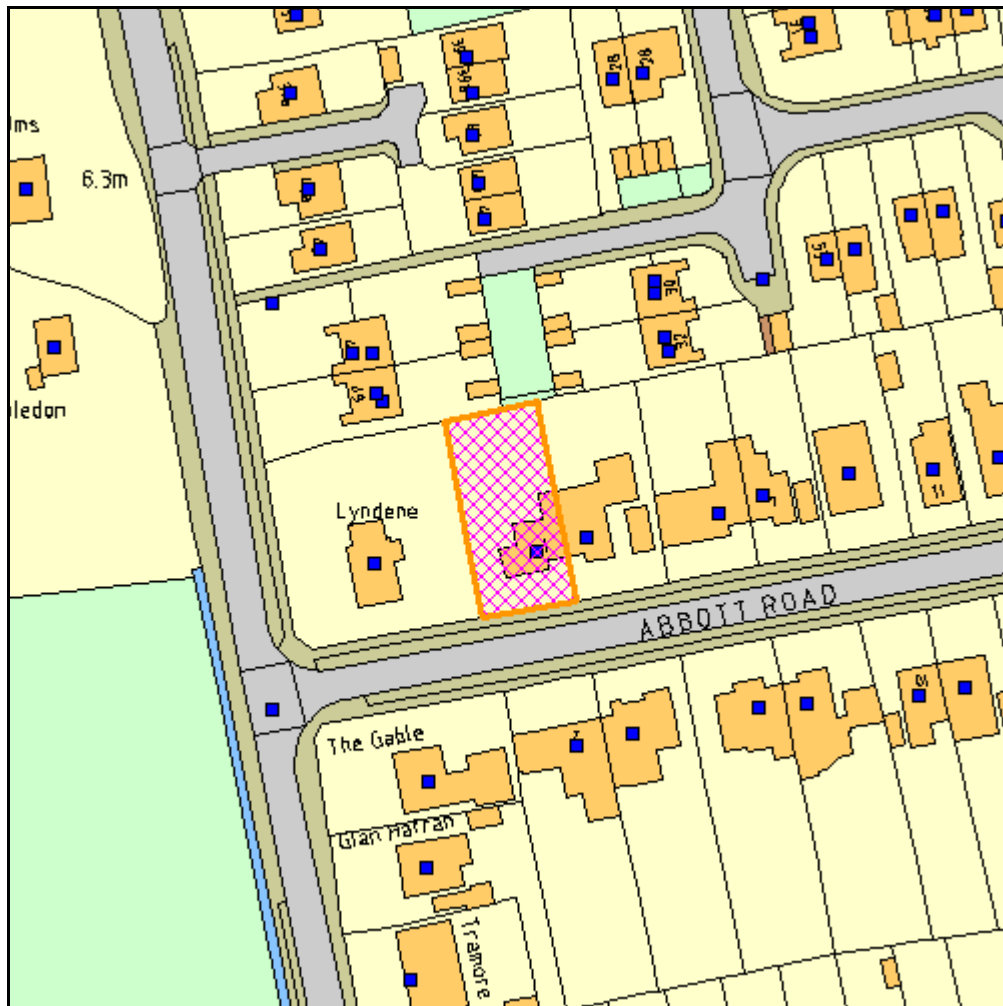
To ensure that the risk posed by the past coal mining activity in the area is adequately identified and where necessary mitigated and to accord with Policy PSP22 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (Adopted) November 2017; Policy CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013; and the National Planning Policy Framework. This is required prior to commencement to fully engage with the coal mining legacy.

Case Officer: James Reynolds

Authorising Officer: Helen Ainsley

CIRCULATED SCHEDULE NO. 24/21 - 18th June 2021

App No.:	P20/22056/F	Applicant:	Mr Aaron Spicer
Site:	1 Abbott Road Severn Beach South Gloucestershire BS35 4PU	Date Reg:	11th November 2020
Proposal:	Erection of two storey side, single storey front and rear extension to form additional living accommodation. Installation of front and rear dormers to facilitate loft conversion. Creation of new vehicular access.	Parish:	Pilning And Severn Beach Parish Council
Map Ref:	354357 184318	Ward:	Pilning And Severn Beach
Application Category:	Householder	Target Date:	5th 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 REFERRAL TO THE CIRCULATED SCHEDULE

This application appears on the Circulated Schedule due to the receipt of strong concerns raised by the Parish Council. This has been regarded as an objection comment, contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for: the erection of a two-storey side extension; erection of a single storey front and rear extension; the installation of front and rear dormers; and, the creation of new vehicular access all to provide additional living accommodation and access at 1 Abbott Road, Severn Beach.
- 1.2 The applicant site comprises a modest plot with the property itself forming an end semi-detached bungalow. The property benefits from off street parking and a rear garden, providing the residents with ample amenity space. However, it is recognised the site lies within flood Zone 2 and 3.
- 1.3 *Procedural Matters* – Amended plans have been received from the applicant’s agent. This has altered the scope of development and as such, further public consultation has been conducted.

2. POLICY CONTEXT

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

- 2.2 Development Plans

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

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

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

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

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

3. **RELEVANT PLANNING HISTORY**

- 3.1 No relevant planning history.

4. **CONSULTATION RESPONSES**

4.1 Pilning and Severn Beach Council

[1st Consultation Comment] No objection to the application but request the following be taken into consideration:

- Front face of side extension should be set back.
- Roof dormers should sit below ridge line.
- Passageway to side should be a minimum of 1 meter wide.
- Ensure sufficient off-road parking for 4no. bedrooms.

[2nd Consultation Comment] Concern raised over proportions of the front dormers as out of keeping with the immediate area and suggest client may have difficulty with building regulations.

- 4.2 *[Officer Comment]* The above concerns have been noted and to address these (should the application be approved), it would not be considered unjust to set a condition that would ensure the ridge height of the existing property remains the same. Likewise, section 5 provides further analysis on design.

4.3 Sustainable Transport Officer

[1st Consultation Comment] Internal dimensions of the proposed garage do not meet minimum requirements of garage standards. However, submitted plans indicated on-site parking could be implemented to the frontage of the property.

[2nd Consultation Comment] None received.

- 4.4 *[Officer Comment]* The applicant's agent has sent revised plans detailing parking arrangements which is seen to address the above concerns. Nevertheless, further analysis with regards to on-site parking capacities is discussed in section 5 of this report.

4.5 Flood Risk and Water Management Officer

[1st Consultation Comment] The proposed site is located within Flood Zone 3 and according to the Environment Agency advice for minor extensions, applicants are required to submit a Flood Risk Assessment.

[2nd Consultation Comment] No objection towards the proposed development subject to the following informative: all matters appertaining to land drainage must be discussed and agreed with The Lower Severn Internal Drainage Board (LSIDB) who is the Land Drainage Authority for this area.

4.6 Local Residents

No comments received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy PSP38 permits extensions and alterations to existing dwellings within established residential curtilages subject to an assessment of design, amenity and transport. The development is acceptable in principle but will be determined against the analysis set out below.

5.2 Design and Visual Amenity

Policies CS1, PSP38 and the SGC Householder Design Guide seek to ensure that development proposals are of the highest possible standards of design in which they respond to the context of their environment. This means that developments should demonstrate a clear understanding of both the site and local history to ensure the character, distinctiveness and amenity is well assessed and incorporated into design.

5.3 The proposed works would introduce a substantial single storey rear extension and adjoining two-storey side extension, that when combined would provide an additional 48sqm at the ground floor. These works would effectively 'in-fill' the existing rear space by means of extending the property by 8.5 meters from the current kitchen to side building line (West facing). Here, the two-storey development would join the rear and feature a gable roof – mirroring the existing in height and form – that would function to provide a larger garage and kitchen-dinner. On the first floor, 4no. bedrooms would be introduced (replacing 2 of the existing) through means of the side extension and proposed dormers, with 2no. dormers sought to be installed on the front and rear elevation, respectably. Those found on the principal elevation would be equal in width, circa 4.7 meters, and show typical characterises of the 'shed' dormer style. Likewise, the rear dormers would display equal balance in size and scaling but are generally considered flat-roof and would have an accompanying Juliet balcony. The finishing materials in this scheme are set to match those used on the existing property.

5.4 As indicated above, revised plans have been received from the applicant's agent which have significantly improved the design of the proposal. Initial concerns regarding the form and massing have since been addressed and whilst the case officer notes the concerns of the parish council, immediate properties to the Southwest and Southeast of the applicant site feature works with a similar design and scale to this application, which has not only formed a material consideration in the officer's assessment, but also demonstrates this scheme includes design features that are sympathetic to the surrounding locality.

5.5 On the reasons outlined above, the officer is satisfied that the development proposal is acceptable in design terms and complies with policies CS1 and PSP38 and the Household Design SPD.

5.6 Residential Amenity

Policy PSP8 relates specifically to residential amenity in which it states development proposals are acceptable, provided they do not create unacceptable living conditions or result in unacceptable impacts on residential

amenities. These are outlined as follows (but are not restricted to): loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and, odours, fumes or vibrations.

- 5.7 When considering the impacts of this proposal on the residential amenity of neighbouring properties, the main area of concern are the rear works, specifically the 2.no dormers and Juliet balcony.
- 5.8 As outlined in PSP38, the opportunity to protect and enhance the amenity of existing residential properties should be the aim of all new development, whereby the loss of privacy or creation of overbearing effects provides sufficient grounds for refusal. Whilst the 2no. dormers and proposed Juliet balcony would increase the opportunity for overlooking into the attached property's rear garden (No.3 Abbott Road), their siting – approximately 4.8 meters behind the rear building line of No.3 with a maximum ground-floor-to-window-height of 5 meters – is considered sufficient to mitigate the impacts described above.
- 5.9 Therefore, given the scale, sitting and form of the proposed works and in respect of adjoining neighbours, this scheme would not result in any unreasonable impacts and complies with policies PSP8 and PSP38.
- 5.10 Private Amenity Space
Policy PSP43 states that residential units, including those that are subject to development, are expected to have access to private amenity space that is: functional and safe; of a sufficient size in relation to occupants; and, be easily accessible. As the proposal does not reduce access to the rear garden and seeks to increase living accommodation, the officer is satisfied private amenity space for the host property would remain intact and as such, the proposed ground floor rear extension would comply with PSP43.
- 5.11 Transport (Access and Parking)
Policy PSP16 sets out the Council's criteria for parking specifications. It states that parking space provision per dwellinghouse is proportionate to bedroom number. The proposed works would amalgamate to the host property supporting 4no. bedrooms, with 2 on-site parking spaces required. Submitted evidence has indicated the site could adhere to the capacities outlined above, indicating this proposal is compliant with policy PSP16 and the Council's Residential Parking Standards SPD.
- 5.12 However, policy PSP11 states that where development proposals generate a demand for travel, they should be considered acceptable provided that access is appropriate, safe, convenient and attractive for all modes of travel arising to and from the site. This policy also outlines that access should not: contribute to serve congestion; impact on the amenities of communities surrounding access routes; have an unacceptable effect on highway and road safety; and, should not harm environmentally sensitive areas.
- 5.13 With regard to the above, it is considered that the proposed dropped kerb would be reflective of facilities that are located within the immediate vicinity of the site. In addition to this, visibility from the highway (to the proposed parking

area) would be of sufficient quality, with the proposal not likely to create unreasonable highway safety or contribute to serve congestion. Due to this, it is considered the proposal would comply with PSP11. Notwithstanding this, as the development relates to the highway, it is recommended that any works should be carried out in accordance with the Council's standards of construction and all details of construction first to be agreed by the Council's Streetcare Manager.

5.14 Flood Risk

The applicant site is situated within flood zone 3, with residential dwellings in this zone being classed as 'more vulnerable' types of development. Due to this, standing advice from the Environmental Agency has been followed, with the applicant submitting a Flood Risk Assessment. This document has been reviewed by the Flood Risk and Water Management Team with no objections raised. Therefore, the development proposal would comply with the council's flood risk policies and corresponding provisions of the NPPF.

5.15 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.

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That the application be **APPROVED** subject to conditions.

CONDITIONS

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

Reason

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

2. The ridge of the development hereby permitted shall not exceed the existing ridge height (6.00 meters).

Reason

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

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

Location Plan (BW1-00843652)
Existing Elevations (05)
Proposed Elevations (03:B)
Existing Floor Plans (04)
Proposed Ground Floor Plan (01:B)
Proposed First Floor Plan (02:B)
Parking Plan (06:A)

Reason

To define the terms and extent of the permission.

Case Officer: Ben France
Authorising Officer: Helen Ainsley

CIRCULATED SCHEDULE NO. 24/21 - 18th June 2021

App No.:	P21/00007/F	Applicant:	Mr And Mrs Jones
Site:	Fieldgrove Farm House Field Grove Lane Bitton South Gloucestershire BS30 6HU	Date Reg:	15th February 2021
Proposal:	Creation of lake with associated re-profiling works to include 4no. mounds	Parish:	Bitton Parish Council
Map Ref:	367196 169629	Ward:	Bitton And Oldland Common
Application Category:	Major	Target Date:	14th May 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

The application appears on the Circulated Schedule due to a representation being received from the Parish Council, which is contrary to the findings of this report and Officer Recommendation.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the creation of a lake, with associated land re-modelling works and the creation of 4no. mounds.
- 1.2 The application site is a parcel of open land measuring approx. 3.92ha, to the North of and associated with Fieldgrove Farmhouse (grade II listed).
- 1.3 During the application's consideration, revisions have been made to the plans and further information has been received on multiple occasions to address comments from the Landscape and Tree Officers. The description of development has also changed to reflect alterations and changes to the number of mounds (originally 1no. 1.8-metre-high linear bund was proposed to the North). A round of public re-consultation was carried out following the change to the description of development. The following report is based on the revised plans.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework February 2019
National Planning Practice Guidance

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS34	Rural Areas

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP7	Development in the Green Belt
PSP8	Residential Amenity
PSP11	Transport Impact Management

PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water, and Watercourse Management

- 2.3 Supplementary Planning Guidance
 Development in the Green Belt SPD (Adopted) June 2007
 Design Checklist SPD (Adopted) August 2007
 Landscape Character Assessment SPD (Adopted) November 2014

3. **RELEVANT PLANNING HISTORY**

- 3.1 PK07/0083/F (withdrawn 17/12/2007):
 Change of use of land from agricultural (Sui Generis) to residential land (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). Erection of 1 No. detached dwelling and construction of new access drive.

4. **CONSULTATION RESPONSES**

4.1 Bitton Parish Council

Objection, concerns raised regarding considerable disruption to wildlife already on site.

Updated comments were received re-iterating the initial objection.

4.2 DC Transport

Do not have any comment because it is not believed that the proposal will significantly change the sites travel demand patterns.

4.3 Highway Structures

No comment

4.4 Tree Officer

Objection on the grounds of insufficient arboricultural information.

Updated comments following submission of updated arboricultural information:

Updated report does not include a tree protection plan as required.

Final comments following submission of additional further information:

No objection

4.5 Police (Community Safety)

No objection or comments (x2)

4.6 Arts and Development

No comment (x2)

4.7 Drainage (LLFA)

No objection; informative recommended

Further comments received:

Comments as previous.

4.8 Environmental Policy and Climate Change Team

No comments have been received.

4.9 Landscape Officer

Further information required and conditions recommended.

Updated comments following changes to the proposal and further information being included:

No objection, subject to conditions.

4.10 Ecology Officer

Habitat suitability assessments are required for ponds within 500m of the site that are separated by no significant dispersal barriers. Other mitigation recommended at the current juncture are appropriate. Conditions recommended.

Following the submission of the habitat suitability assessment:

No objection.

4.11 Avon Wildlife Trust

No comments have been received

4.12 Public Health and Wellbeing

No comments have been received

4.13 Archaeology Officer

Moderate archaeological potential for the site with the presence of a Bronze Age barrow cemetery c.600m Southeast. HC11 condition will be required (programme of archaeological work to involve monitoring of excavation works).

4.14 National Land Management Team

No comments have been received.

4.15 Conservation Officer

Initial comments:

Defers to the landscape, ecology, and tree officer's as it is largely a landscaping issue. From a heritage perspective it is the visual impact of the above ground remodelling which might impact the field and wider setting of Fieldgrove Farmhouse. Large Earth works or sudden change in level might appear incongruous and sufficient information is not provided.

Updated comments:

No heritage objection. Defers to Landscape and Archaeology Officer recommendations.

4.16 Environment Agency (SW)

No comments have been received.

5. ANALYSIS OF PROPOSAL

- 5.1 The proposal seeks to create a lake, with associated re-profiling works and the creation of 4no. mounds.

Principle of Development

- 5.2 The site is not considered to fall within the curtilage of the main property, which means the development should be considered in the context of a development in an open field, albeit understood to be in the same ownership as Fieldgrove Farmhouse. The site is outside a designated settlement boundary and is within the greenbelt, though not within any sensitive landscape designations (such as the Cotswolds National Landscape). Accordingly, the main principal issues are whether the development would be appropriate in the greenbelt and rural location.
- 5.3 PSP2 submits that development proposals will be acceptable where they conserve and where appropriate, enhance the quality, amenity, distinctiveness, and special character of the landscape (defined by the Landscape Character Assessment). The site is within LCA area 16: Avon Valley. CS1 aims to (inter alia) safeguard existing features of landscape, nature conservation, heritage or amenity value and public rights of way. CS34 requires development proposals to (inter alia) protect, conserve, and enhance the rural areas distinctive character, beauty, wildlife, landscape, biodiversity and heritage.
- 5.4 CS9 requires heritage assets to be conserved, respected, and enhanced in a manner appropriate to their significance. CS9 also attaches weight to the conservation of the landscapes character, quality, distinctiveness, and amenity. PSP17 requires development affecting the setting of listed buildings to preserve

of where appropriate enhance those elements which contribute to their special architectural or historic interest (including their settings). The NPPF at paragraph 193 submits that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be).

- 5.5 Development in the greenbelt is strictly controlled, to preserve its fundamental aim, which is to prevent urban sprawl by keeping land permanently open. Openness and permanence are their essential characteristics. Per the NPPF, development that is inappropriate is, by definition, harmful to the greenbelt and should not be approved except in very special circumstances. When considering a planning application, LPAs should give substantial weight to any harm to the greenbelt.
- 5.6 Within the greenbelt, there are limited forms of development that are considered appropriate. These are outlined in paragraph 145. In this case, none apply. However, paragraph 146 sets out additional forms of development that can be considered appropriate, provided they preserve the openness and do not conflict with the purposes of including the land within the greenbelt. One such exception (146, b) is engineering operations.
- 5.7 The works proposed involve digging out a large expanse of land to create the lake, which then involves re-modelling of the remainder of the land which will see a rise in level across the site of c.0.45m and up to c.1.35m on the four raised mounds. The works proposed are considered to constitute engineering operations, which are in principle appropriate in the greenbelt, provided they do preserve the openness and do not conflict with the purpose of including land within the greenbelt.
- 5.8 Whilst there would be some appreciable increase in the land level and the four mounds will be noticeable, once in situ these will appear as relatively natural features of the landscape which are not considered to present any material impact on the openness of the greenbelt. Furthermore, the works would not conflict with the purposes of including the land within the greenbelt. Accordingly, the proposed development is considered appropriate in the greenbelt and is therefore acceptable in principle.
- 5.9 As the proposal is acceptable in greenbelt terms (and therefore, in principle), the proposal needs to be considered in terms of design and landscape, heritage, trees, ecology, residential amenity and transportation.
- 5.10 Design and Landscape
The site is currently an open pastoral field, bounded on the North-eastern and North-western boundaries by trees and hedging, with 3no. mature Oak trees in the field itself. The lake would be situated more to the Western side of the field, occupying roughly 15275sqm (c.3.7 acres) and would wrap around 3no. trees (though not completely). The lake would be c.1.8 metres deep, with a 1-metre-deep shelf running around the edge. At the bottom of the lake would be heat collection pipes which would serve a heat pump.

- 5.11 The lake would see the site level raised by between 350mm and 450mm (outside tree protection zones), with 4no. mounds created up to 1.35 metres in height. In principle, the introduction of a lake is not objectionable when considering the lake approved in the early 2010s to the East of Fieldgrove Farmhouse. The key issue is to ensure that the lake and re-modelled landform appears naturalistic. Following revision, the proposal appears more naturalistic in appearance as demonstrated by submitted cross sections and the 4no. mounds will appear less artificial than the originally proposed linear bund to the North of the site. Overall, the lake itself and the ground remodelling are appropriately in keeping with their landscape and rural surroundings and are appropriately naturalistic in appearance. Accordingly, the proposal is considered acceptable in its landscape setting and broadly in accordance with the relevant parts of CS1, PSP2, CS34 and CS9.
- 5.12 Whilst the proposal is acceptable in landscape and visual terms, appropriately worded conditions are required, if permission is granted. Tree planting is proposed as per the application particulars which is welcomed. As such, conditions would need to cover this, and a detailed planting plan of all proposed tree and ecological habitat planting/grassland hierarchy and a 5-year maintenance schedule covering the establishment of all new planting and grassland areas is required, as submitted by the landscape officer. Officers would concur and these conditions are considered necessary in order to ensure that the proposed development suitably integrates into its landscape environs and achieves a satisfactory standard of appearance.
- 5.13 Heritage (inc. Archaeology)
The introduction of a lake would not on its own impact the wider setting of the listed building (Fieldgrove Farmhouse), and consideration should be given to the existing lake immediately to the East of the house approved in the early 2010s. The main issues are to do with landscaping, however from a heritage point of view it needs to be ensured that there would not be any large, artificial looking earthworks or sudden changes in levels which might otherwise appear as incongruous in what is at present a plain, pastoral field.
- 5.14 The revisions to the proposal address the concern about artificial looking earthworks, with the now proposed 4no. mounds and raised level across the site will appear more naturalistic, which was a key requirement for the proposal to succeed in heritage terms. What is now proposed can be considered to address the initial conservation queries, which is reflected by the updated comments from the conservation officer of 'no objection'. As the proposed development would not cause harm to the wider setting of the listed building, it must follow that there are no conservation objections to the proposed development and it can be considered compliant in terms of the policy framework.
- 5.15 As noted by the Council's Archaeologist, there is moderate archaeological potential to the site by reason of the presence of a Bronze Age barrow cemetery c.600m Southeast. As this is the case, an appropriately worded condition should be applied, should permission be granted, to secure a programme of archaeological work. This should involve the monitoring of excavation works.

5.16 Trees

PSP3 submits that development proposals should minimise the loss of existing vegetation on a site that is of importance in terms of ecological, recreational, historical or landscape value. Within the site and in close proximity to the lake are 3no. mature Oak trees, assessed to fall into category B2 (trees of moderate quality, mainly due to landscape qualities). The Northeast and Northwest of the site are bounded by numerous trees and hedging. An arboricultural report with protection plan has been submitted (Green Way Tree Surgery Professional Tree Services February 2021, revised and updated April 2021) in support of the application.

5.17 No trees are proposed to be removed, which is welcomed given their contribution to the landscape, as reflected in their categorisation. It is therefore necessary to ensure that they are appropriately protected whilst works are underway.

5.18 Following the submission of further information in the form of an updated arboricultural report including a tree protection plan, the tree officers are satisfied with the information provided. Accordingly, the proposal is not considered to conflict with the aims of PSP2. An appropriately worded compliance condition should be applied, should permission be granted, to ensure that works proceed in accordance with the tree protection measures and arboricultural report.

5.19 Ecology

The application is furnished with a preliminary ecological appraisal and GCN habitat suitability index assessment. The latter report has been submitted on the basis that there are ponds within 500m of the site which have been identified and the site supports terrestrial habitat for GCNs. The site, though not covered by any specific ecological designations, supports habitats including improved grassland, tall herbs, ruderal and scrub and trees/woodland. As set out in the appraisal, the dominance of improved grassland on the site largely restricts habitats of value to the fringes of the site, except for a low number of isolated mature trees. Officers note that concerns are raised by the Parish Council in terms of impacts on existing wildlife on the site. Having received the proposal and the submitted report, the Council's ecologist raises no objections, subject to appropriately worded conditions. The findings of the Council's Ecologist can be summarised as follows:

Bats

The woodland provides suitable foraging habitat for bats and several trees identified were found to have bat roosting potential, however all trees will be retained.

No lighting is proposed. However, if any external lighting is required, a sensitive lighting plan is needed.

Great crested newt (GCN)

There are several ponds within 500m which have been identified and the site does support terrestrial habitats for GCN.

Habitat suitability assessments have been undertaken, two ponds are located within 250m of the development footprint. These are Ponds P5 and P8, located 150m and 70m away, respectively. Pond P5 is assessed as 'Poor' suitability and Pond P8 is assessed as 'Below Average' suitability to great crested newt. The site lies between these two ponds. Surrounding the site and the ponds are high quality terrestrial habitats for great crested newt, mainly woodland, including Meadow Wood Nature Reserve and woodland strip bordering the Bristol-Bath railway path. This woodland links all ponds providing migratory routes around the site. The development footprint is composed of alpaca-grazed pasture, which offers very low-quality habitat supporting no refuge habitat.

With consideration to the proximity of ponds, the presence of high-quality terrestrial habitats surrounding and linking the ponds and the very low-quality habitat dominating the site and specifically the development footprint, it is considered that there is very low likelihood of great crested newt being present on site.

Risk Avoidance Measures (RAMs) have been recommended and will be required prior to commencement of works.

Dormice

The woodland and scrub edge provide suitable habitat for dormice, though the woodland will be retained if any scrub needs to be removed appropriate mitigation has been recommended which includes a pre-works check and supervision of works.

Birds

There are suitably nesting bird habitats on site, if any vegetation such as scrub is to be removed appropriate mitigation has been recommended, which includes sensitive timing and supervision of works/ pre-work check where works cannot practically take place outside of the nesting bird season.

Reptiles

The majority of the site is unsuitable for reptiles, however there is some potential in the boundaries of the site. Appropriate mitigation has been recommended and this includes supervision of works, a pre-works check and construction of a refuge prior to works commencing.

Badgers

Mammal tracks were recorded on site, however no other badger signs were noted. Appropriate mitigation has been recommended.

Hedgehog

Though hedgehogs have not been mentioned within the report, the mitigation proposed will also be applicable to them. Recommendations for the design of the lake which should be taken into consideration, and this is also to include areas of the lake to be designed that animals can use to get out if they were to enter the lake, such as hedgehogs.

Invertebrates

The site has moderate value for invertebrates, the lake will improve the suitability of the site for them in addition to the enhancements recommended within the report.

- 5.20 The above findings are from the consultation response provided by the Council's Ecologist. It is clear that where necessary, appropriate mitigation has been proposed, and enhancements will occur. Appropriate measures are proposed to minimise impacts and to ensure that construction works do not unduly harm ecology on the site. Accordingly, officers are satisfied that the requirements of the NPPF and relevant local plan policies (PSP18, PSP19, PSP2, CS9 and CS2) have been met and there are no ecological reasons to resist the proposed development.
- 5.21 Appropriately worded conditions will be required, should permission be granted, to ensure that works proceed in accordance with the submitted mitigation measures and that the Reasonable Avoidance Measures (RAMs) to safeguard GCNs and other amphibians are submitted to the local planning authority prior to the commencement of work. A condition is requested to require evidence of mitigation (including refuges and native planting). As the provision enhancements themselves will be picked up by a compliance condition, and planting will be covered by the landscaping condition, this condition in its current wording is not considered to meet the test of being necessary to make the development acceptable. Officers would therefore consider it necessary to amend the wording to require locations and details of the proposed enhancements, prior to substantial completion.
- 5.22 Residential Amenity
PSP8 permits development where it does not prejudice the residential amenity of both occupiers of the development and of neighbouring dwellings through the creation of unacceptable impacts. Such unacceptable impacts include loss of privacy, overlooking, loss of light, loss of outlook and overbearing/dominant impacts.
- 5.23 By reason of the nature of the development and intervening distance between the site and neighbouring residences, officers are satisfied that should permission be granted, there would be no unacceptable impacts on the residential amenity afforded to neighbouring occupiers.
- 5.24 Transportation
The proposed development would not impact on the existing parking and turning areas for the main property, Fieldgrove Farmhouse. Due to the nature

of the development, it is not something that would significantly change the sites travel demand patterns, as noted by the highway's officers. Accordingly, Officers have no transportation objections to the proposed development.

Impact on Equalities

5.25 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.

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 It is recommended that permission is **GRANTED**

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. Prior to the commencement of development, a programme of archaeological investigation and recording for the site shall be submitted to and approved by the Local Planning Authority. Thereafter, the approved programme shall be implemented in all respects, unless the Local Planning Authority agrees in writing to any variation.

Reason

In the interest of archaeological investigation or recording because of the moderate archaeological potential of the site, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework

3. Reasonable Avoidance Measures (RAMs) to safeguard Great Crested Newts and other amphibians are to be submitted to the local authority prior to commencement of works for review and agreement. Works shall proceed in accordance with the agreed measures.

Reason

To ensure that that the proposed development does not harm protected species (GCN) that may be present on site in accordance with PSP19 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017.

4. The development shall proceed in strict accordance with the Mitigation Measures provided in the Preliminary Ecological Appraisal (Seasons Ecology, January 2021) this includes but not limited to a pre-work check prior to vegetation removal, supervision of vegetation removal, construction of a refuge, sensitive timing of works and suitable habitat protection.

Reason

In the interest of ensuring that the development does not harm on site ecology, including protected species, and to ensure that adequate enhancements are made and to accord with PSP19 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017.

5. The development shall proceed in strict accordance with the tree survey and arboricultural implications report and trees shall be protected during development in accordance with submitted tree protection plan (Green Way Tree surgery professional Tree Services, February 2021, revised and updated April 2021, as received by the LPA 9th June 2021).

Reason

In the interest of ensuring that the existing trees on site that are to be retained are appropriately protected during development, and to accord with PSP3 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017)

6. Within three months of ground excavations commencing on site, a detailed planting plan specifying the location, species, stock size, planting centres and quantities of all proposed tree and ecological habitat planting/grassland hierarchy shall be submitted for agreement by the local planning authority, to also include with a 5 year maintenance schedule covering the establishment of all new planting and grassland areas. Planting shall be implemented in accordance with the agreed details in the first planting season following substantial completion of works and the 5 year maintenance schedule shall be implemented as agreed.

Reason

In this interest of ensuring that the lake and ground re-modelling successfully integrates within the landscape, to ensure appropriate enhancements are made and to ensure a satisfactory standard of appearance in accordance with PSP2 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017), CS1, CS9 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013

7. The development shall be implemented in accordance with the following plans:

Block Plan

Existing OS extract

As received 26th December 2020

Location plan

As received 10th February 2021

Existing land levels

Proposed OS extract

As received 13th April 2021

Proposed lake (1 of 2)

Proposed lake (2 of 2)

As received 30th April 2021

Reason

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

8. There shall be no lighting installed without the prior written approval of the Local Planning Authority.

Reason

In the interests of ensuring that the development does not harm on site ecology, including bats-protected species- and to accord with PSP19 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017.

9. Prior to substantial completion of the development hereby approved, locations and details of the proposed ecological enhancements shall be submitted to the local planning authority for approval in writing. Enhancements shall be implemented in accordance with the approved details prior to the completion of the development hereby approved.

Reason

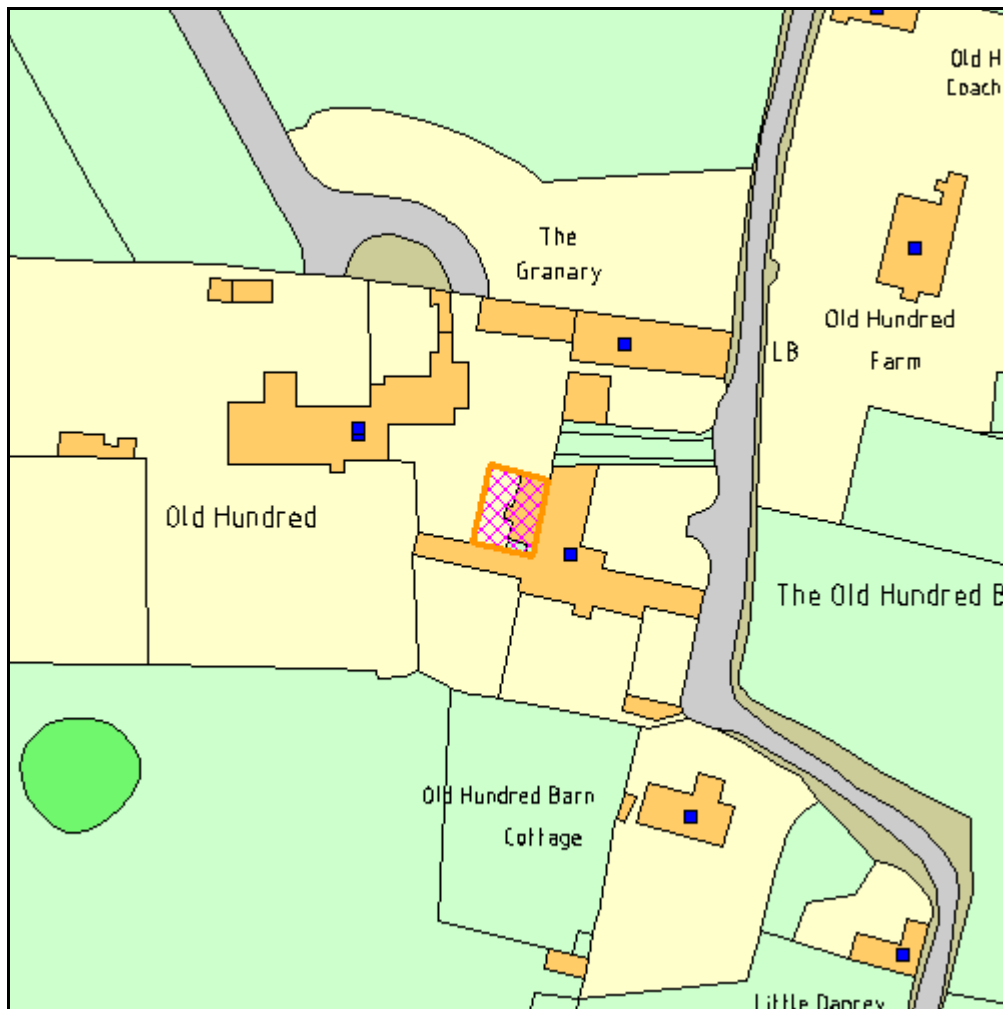
To ensure that appropriate ecological enhancements are incorporated in to the development and to accord with policy PSP19 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017.

Case Officer: Alex Hemming

Authorising Officer: Helen Ainsley

CIRCULATED SCHEDULE NO. 24/21 - 18th June 2021

App No.:	P21/00308/LB	Applicant:	Mr and Mrs P and J Kennedy
Site:	The Coach House The Old Hundred Acton Turville Road Tormarton South Gloucestershire GL9 1JB	Date Reg:	3rd February 2021
Proposal:	Erection of single storey front extension and porch. Replacement of existing glazing, door and associated frames in aperture on front elevation.	Parish:	Tormarton Parish Council
Map Ref:	376452 178684	Ward:	Boyd Valley
Application Category:	Minor	Target Date:	26th March 2021



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 100023410, 2008. **N.T.S.** **P21/00308/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 REFERRING TO THE CIRCULATED SCHEDULE

This application appears on the Circulated Schedule because a representation has been received from the Parish Council, which does not specifically object, but could be reasonably construed as an objection.

1. THE PROPOSAL

- 1.1 Listed building consent is sought for the erection of a single storey front extension and porch. Replacement of existing glazing, door and associated frames in aperture on front elevation.
- 1.2 The application site, The Coach House, is a curtilage listed building that is in lawful use as an independent dwelling. The site is within the curtilage of the grade II listed building known as 'The Old Hundred' and is within the Cotswolds National Landscape (formerly AONB). The site is outside a settlement boundary but is within a well-established rural building group.
- 1.3 The application has been subject to amended plans, which have been subject to a period of public re-consultation.
- 1.4 This report should be read alongside the associated planning application, P21/00311/F, currently pending consideration by the LPA.

2. POLICY CONTEXT

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

- 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 P21/00311/F (pending consideration):
Erection of porch and single storey front extension to provide additional living accommodation.

- 3.2 PK09/5359/CLE (approved 23/11/2009):
Application for Certificate of Lawfulness for an existing use of an annex comprising The Wing and The Stable Flat, and 1no barn known as The Coach House as 3 no. self-contained flats.
- 3.3 Other history is available but is considered neither recent nor relevant.

4. **CONSULTATION RESPONSES**

4.1 Tormarton Parish Council

Initial comments

Feel that the application cannot be considered until plans have been updated.

No updated comments have been received against this application. Updated comments have been received against the associated planning application:

Do not object in principle but support comments made by neighbours with regards to gap between buildings.

4.2 Tortworth Parish Council

No comments have been received

4.3 Listed Building and Conservation Officer

Initial comments

Concerns raised reading the initial design.

Updated comments

No objection and no non-standard conditions required

4.4 Ecology Officer

Further information is needed

[Officer Comment] Further information has been provided and ecological issues are addressed in the accompanying full application report. For reference, the Ecologist has no objection to the full application, following the submission of further information.

4.5 National Amenity Societies

No comments have been received

4.6 Local Residents

1no. general comment has been received, summarised as follows:

- Comments have disappeared
- Revised plans will have a more visual impact on Old Hundred Barn
- Reiterate concern about gap wall of extension and annexe

5. ANALYSIS OF PROPOSAL

- 5.1 The proposal seeks to erect a single storey front extension and porch, and replace existing glazing, door and associated frames in aperture on front elevation.
- 5.2 Principle Of Development
Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether or not to grant listed building consent for any works, the LPA shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest in which it possesses. The NPPF also attaches great weight to the conservation of heritage assets and ensuring their significance is maintained or enhanced.
- 5.3 Impact on the Listed Building
By reason of its date, and its historic functional and associative connection with the Grade II listed Old Hundred, the Coach House is considered to be curtilage listed, and thus the law provides that it is to be treated as part of the listed building during the consideration of the development proposals. The development proposals have the potential to impact upon the setting of the Grade II listed Old Hundred. The property is a simple single storey building that was understood to have once been, as the name would suggest, a coach house, used to garage coaches. The elevations are faced with coursed stone, and the roof is pitched, with double roman tiles.
- 5.4 The date of construction and functional origins of the building are also considered to be reflected in its character and appearance, for as again set out within the supporting statement, the 2no. Bays of the former coach house remain evident. Overall it is a modest building in style and character although the height of the eaves does give it a rather ungainly appearance which is presumably a consequence of its original function.
- 5.5 The extension would be a simple form that projects by c.4.9 metres from the front (West) elevation of the existing property, with a ridge height of c.3.8 metres, height to eaves of c.2.5 metres and width of c.4.3 metres. The ridge would be set down from the ridge of the main property by c.900mm. The roof of the extension would run parallel with the much longer roof of the Old Hundred Barn Immediately South and would give the resultant building an 'L' shaped footprint and would incorporate an internal/enclosed porch.
- 5.6 The revisions have resulted in an extension that reads as a simple front wing and the resultant 'L' shaped footprint is not uncommon in rural farmsteads. Having regard to the scale and form of the extension, the proposal is not considered to present any material harm to the architectural or historic interest of the listed building (or its setting) and accordingly, its significance can be considered to be sustained. The level of harm (no harm) is agreed by the conservation officer. Accordingly, the proposal can be considered acceptable in listed building terms.

- 5.7 An appropriately worded condition should be applied to any consent to ensure that tiles match existing. A condition requiring the stonework to match is also considered prudent, to ensure that the extension assimilates appropriately and preserves the architectural and historic interest and setting of the listed building.

Impact on Equalities

- 5.8 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.

- 5.9 With regards to the above this planning application 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 advice contained in the National Planning Policy Framework and accompanying Historic England Planning Practice Guidance. It is considered that the Council's statutory duties have been fulfilled.

7. RECOMMENDATION

- 7.1 It is recommended that listed building consent is **GRANTED** subject to the following conditions:

CONDITIONS

1. The works hereby permitted shall be begun before the expiration of three years from the date of the consent.

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

Reason

To safeguard the special architectural and historic character of the building, and to accord with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990

3. The facing stonework shall match the existing original stonework in respect of colour, texture, coursing, jointing and pointing.

Reason

To safeguard the special architectural and historic character of the building, and to accord with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990

4. Works shall proceed in accordance with the following plans and documents:

KENNEDY080121JD - Joinery detail
As received 2nd February 2021

KENNEDY090321EP - Combined plans
As received 24th March 2021

KENNEDY090321OS - Site location and proposed block plan
As received 25th March 2021

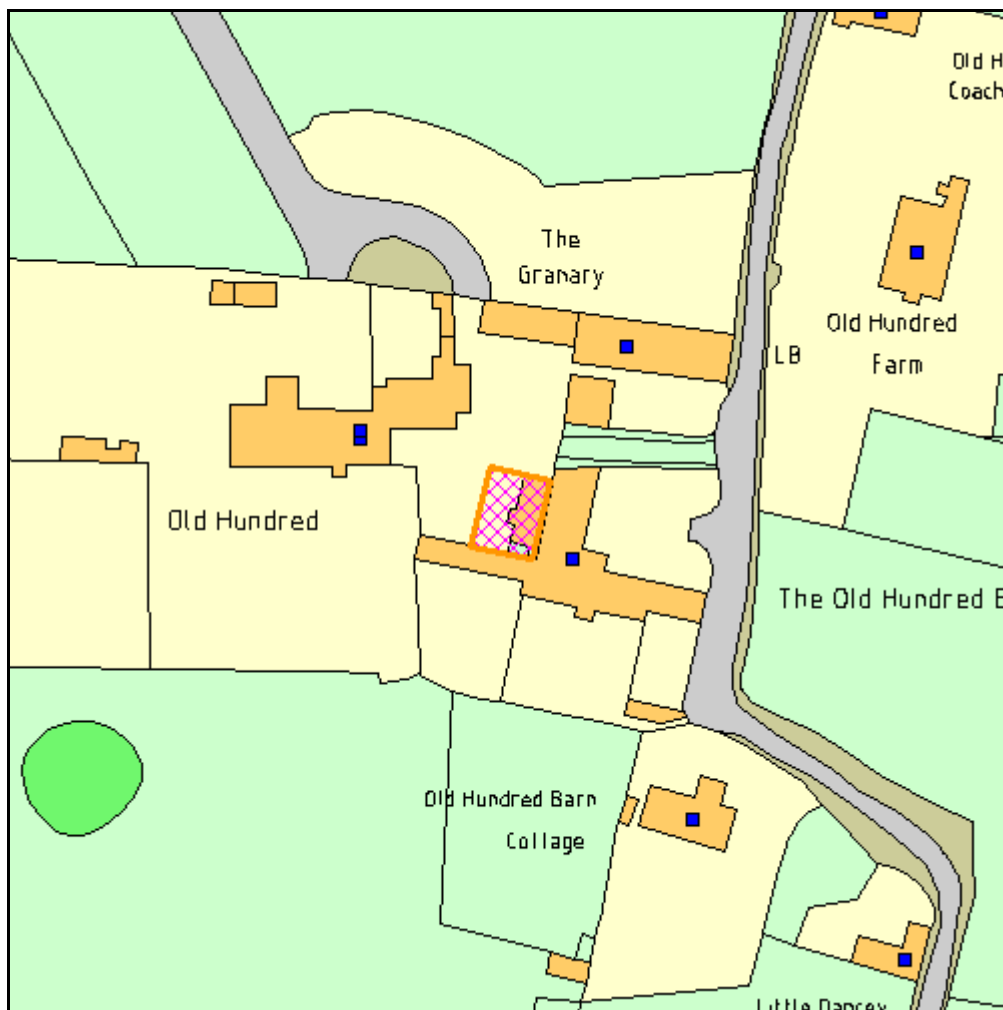
Reason

To safeguard the special architectural and historic character of the building, and to accord with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990

Case Officer: Alex Hemming
Authorising Officer: Helen Ainsley

CIRCULATED SCHEDULE NO. 24/21 - 18th June 2021

App No.:	P21/00311/F	Applicant:	Mr And Mrs Kennedy
Site:	The Coach House The Old Hundred Acton Turville Road Tormarton South Gloucestershire GL9 1JB	Date Reg:	3rd February 2021
Proposal:	Erection of porch and single storey front extension to provide additional living accommodation.	Parish:	Tormarton Parish Council
Map Ref:	376452 178684	Ward:	Boyd Valley
Application Category:	Householder	Target Date:	26th March 2021



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 100023410, 2008. **N.T.S.** **P21/00311/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 THE CIRCULATED SCHEDULE

This application appears on the Circulated Schedule because a representation has been received from the Parish Council, which does not specifically object, but could be construed as an objection.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of a porch and single storey front extension.
- 1.2 The application site, The Coach House, is a curtilage listed building that is in lawful use as an independent dwelling. The site is within the curtilage of the grade II listed building known as 'The Old Hundred' and is within the Cotswolds National Landscape (formerly AONB). The site is outside a settlement boundary but is within a well-established rural building group.
- 1.3 The application has been subject to amended plans, which have been subject to a period of public re-consultation.
- 1.4 This report should be read alongside the associated listed building consent application, P21/00308/LB, currently pending consideration by the LPA.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework February 2019
National Planning Practice Guidance

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS34	Rural Areas

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards

PSP17	Heritage Assets and the Historic Environment
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Space Standards

- 2.3 Supplementary Planning Guidance
 Design Checklist SPD (Adopted) August 2007
 Householder Design Guide SPD (Adopted) March 2021
 Traditional Rural Buildings (Barn Conversions) SPD (Adopted) March 2021
 Residential Parking Standard SPD (Adopted) December 2013

3. **RELEVANT PLANNING HISTORY**

- 3.1 P21/00308/LB (pending consideration):
 Erection of single storey front extension and porch. Replacement of existing glazing, door and associated frames in aperture on front elevation.
- 3.2 PK09/5359/CLE (approved 23/11/2009):
 Application for Certificate of Lawfulness for an existing use of an annex comprising The Wing and The Stable Flat, and 1 no barn known as The Coach House as 3 no. self-contained flats.
- 3.3 Other history is available but is considered neither recent nor relevant.

4. **CONSULTATION RESPONSES**

4.1 Tormarton Parish Council

Initial comments

Feel that the application cannot be considered until plans have been updated.

Updated comments

Do not object in principle but support comments made by neighbours with regards to gap between buildings.

4.2 Sustainable Transport

No objection

4.3 Listed Building and Conservation Officer

Initial comments

Concerns raised reading the initial design.

Updated comments

No objection and no non-standard conditions required

4.4 Archaeology Officer

No comment

4.5 Tree Officer

No objection, do not recommend any arboricultural conditions.

4.6 Ecology Officer

Initial comments

Further information is required

Updated comments

No objections, conditions recommended

4.7 Local Residents

1no. objection and 1no. general comment have been received.

Objection summarised:

- Concerned about encroachment
- Request party wall surveyor and more detailed plans
- Extension appears higher than existing roofline
- Noise levels

General comment summarised:

- Concern about gap between extension and neighbouring property
- Impact on guttering
- Would the foundations go under our annexe and create party wall issues?

5. **ANALYSIS OF PROPOSAL**

5.1 The proposal seeks to erect a single storey front extension and porch. The following assessment is based on the revised plans received 24th and 25th March 2021, in response to concerns raised by the Conservation Officer.

5.2 Principle Of Development

PSP38 of the South Gloucestershire Council Policies, Sites and Places Plan (adopted November 2017) permits development within existing residential curtilages (including extensions) in principle where they do not unduly harm the design, visual amenity and residential amenity of the locality or prejudice highway safety or the provision of adequate private amenity space. PSP38 is achieved through CS1 of the South Gloucestershire Council Core Strategy (adopted December 2013), which requires development to demonstrate the highest standards of design and site planning by demonstrating that siting, form, scale, height, massing, detailing colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the site and its context. Additional guidance on achieving good design for householder developments is set out in the Household Design Guide supplementary planning document (SPD), which was formally adopted in March 2021. The development is acceptable in principle, subject to the following detailed consideration.

- 5.3 CS9 requires heritage assets to be conserved, respected, and enhanced in a manner appropriate to their significance. PSP17 requires proposals affecting listed buildings to preserve or where appropriate, enhance those elements which contribute to their special architectural or historic interest. Conservation of heritage assets is also given substantial weight in the NPPF, and designated heritage assets including listed buildings and conservation areas enjoy statutory protection under the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 5.4 Design, Amenity and Heritage
The property is a simple single storey building that was understood to have once been, as the name would suggest, a coach house, used to garage coaches. The elevations are faced with coursed stone, and the roof is pitched, with double roman tiles.
- 5.5 The extension would be a simple form that projects by c.4.9 metres from the front (West) elevation of the existing property, with a ridge height of c.3.8 metres, height to eaves of c.2.5 metres and width of c.4.3 metres. The ridge would be set down from the ridge of the main property by c.900mm.
- 5.6 The roof of the extension would run parallel with the much longer roof of the Old Hundred Barn immediately South and would give the resultant building an 'L' shaped footprint and would incorporate an internal/enclosed porch. What is proposed, despite being on the front elevation, can be considered to be an appropriately scaled and subservient addition to the host property, which is considered to be acceptable in terms of design.
- 5.7 By reason of it not being a major development, its scale, and its siting within an established grouping of rural buildings, the development would not cause any harm to the natural or scenic beauty of the Cotswolds National Landscape (formerly AONB).
- 5.8 From a heritage perspective, the key issue is to ensure that the extension does not detract from the simple form of the building and draw attention to the building in a way that results in a disparate character. The revisions have resulted in an extension that reads as a simple front wing and the resultant 'L' shaped footprint is not uncommon in rural farmsteads. Having regard to the scale and form of the extension, the proposal is not considered to present any material harm to the listed building or its setting. The level of harm (no harm) is agreed by the conservation officer. Accordingly, the proposal can be considered acceptable in heritage terms.
- 5.9 An appropriately worded condition should be applied, should permission be granted, to ensure that tiles and stonework used match the existing, in the interests of ensuring a satisfactory standard of external appearance and to preserve the architectural and historic interest of the listed building. As this condition is recommended in the accompanying listed building consent, it is not necessary to apply it to the planning consent (if granted) also.

- 5.10 Residential Amenity
PSP8 permits development where it does not prejudice the residential amenity of both occupiers of the development and of neighbouring dwellings through the creation of unacceptable impacts. Such unacceptable impacts include loss of privacy, overlooking, loss of light, loss of outlook and overbearing/dominant impacts.
- 5.11 By reason of the scale, siting and form of the development, officers do not consider there to be any material residential amenity issues. Comments are noted regarding noise, however as the extension is not connected to the neighbouring property this issue can be considered addressed. In any case however, this would be unlikely to warrant refusal because noise transmission through walls would be picked up by building regulations and the use would be residential, next to another residential use.
- 5.12 Parking Standards
PSP16 requires developments to provide levels of parking based upon the number of bedrooms at a dwelling. Where an increase is proposed, proposals should demonstrate that adequate off street parking can be provided to accommodate increase in demand.
- 5.13 The proposed development does not increase the vehicular parking requirements for the dwelling, nor do they impact the existing parking provision.
- 5.14 Private Amenity Space Standards
As a 1 bed property, 40sqm private amenity space should be available per PSP43. The resultant amount post development would be c.36sqm. Whilst below 40sqm, the deficiency is marginal and having regard to the nature of the dwelling, the amenity space left is not considered to be sufficiently poor in quality or amount to warrant refusal.
- 5.15 Ecology
On request, the application has been furnished with a preliminary bat roost assessment (CTM Wildlife, April 2021). This found the building to provide negligible potential for roosting bats, and specific enhancements have been recommended. Having reviewed the report, the Council's Ecologist considers the survey work appropriate and raises no objection, subject to conditions. Officers note a condition requesting evidence of mitigation measures. As a compliance condition will cover this, a further condition to this effect is not considered to meet the test of being necessary.

Impact on Equalities

- 5.16 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 is considered to have a neutral impact on equality.

5.18 Other Matters

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

Civil issues

5.19 Party wall matters and impacts on foundations are not material planning considerations but are instead civil issues and cannot be given weight in determining the planning application. The applicant is reminded of their obligations under the Party Wall Act 1996.

5.20 The close gap between the extension and neighbouring property would not constitute a reason to refuse the planning application and matters such as drainage and rainwater goods would need to satisfy building regulations in any case.

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.

6.3 There is a duty placed on the Council under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 when planning permission is sought for any works to have special regard to the desirability of preserving the listed building or its setting, or any features of special architectural or historic interest in which it possesses. It is considered that full consideration has been given to these duties and the proposal is considered acceptable in this regard.

7. RECOMMENDATION

7.1 It is recommended that permission is **GRANTED** subject to the following conditions.

CONDITIONS

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

Reason

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

2. The development shall proceed in strict accordance with the Mitigation Measures provided in the Preliminary Bat Survey report (CTM Wildlife, April 2021) and shall include the enhancements as set out in the said report (Beaumaris Midi Bat Box).

Reason

To ensure that appropriate ecological mitigation is incorporated in to the development and to accord with PSP19 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017 .

3. Development shall be implemented in accordance with the following plans:

KENNEDY080121JD - Joinery detail
As received 2nd February 2021

KENNEDY090321EP - Combined plans
As received 24th March 2021

KENNEDY090321OS - Site location and proposed block plan
As received 25th March 2021

Reason

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

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

Reason

To safeguard the special architectural and historic character of the building, and to accord with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

5. The facing stonework shall match the existing original stonework in respect of colour, texture, coursing, jointing and pointing.

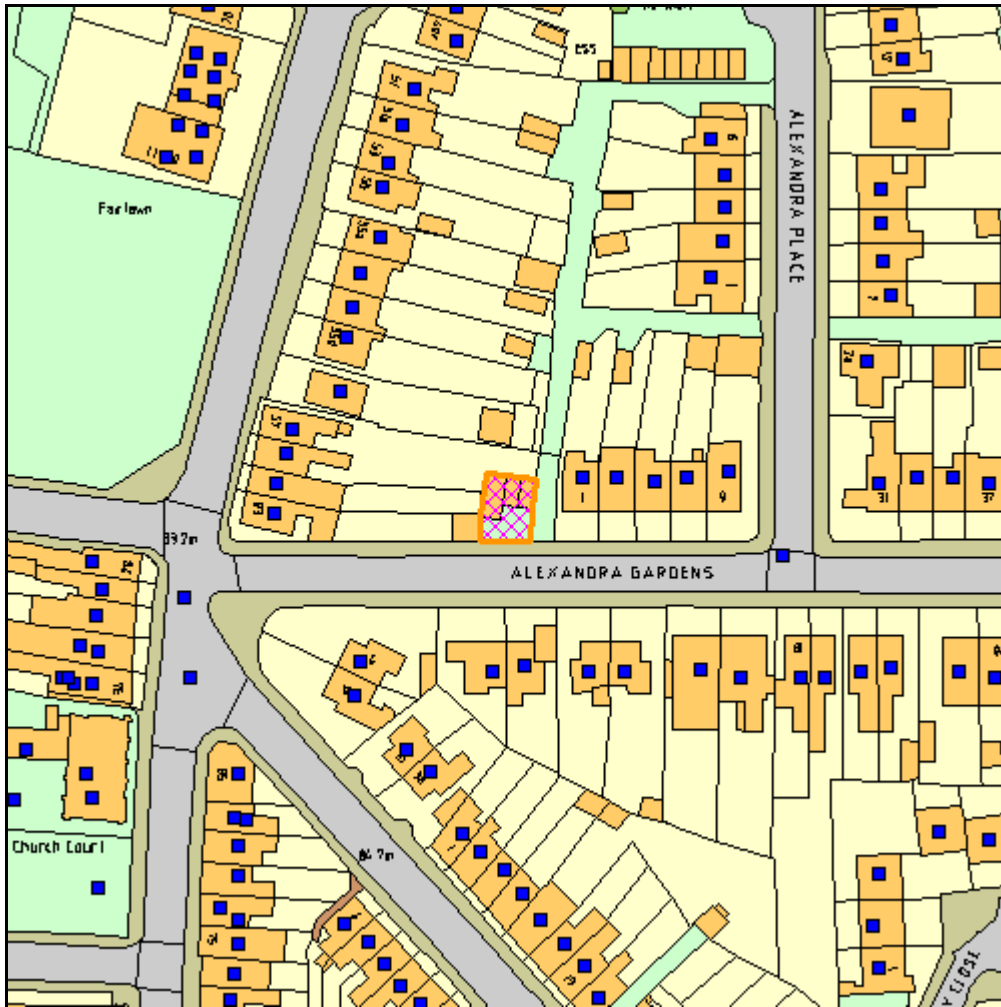
Reason

To safeguard the special architectural and historic character of the building, and to accord with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Case Officer: Alex Hemming
Authorising Officer: Helen Ainsley

CIRCULATED SCHEDULE NO. 24/21 - 18th June 2021

App No.:	P21/00828/F	Applicant:	Mrs Tamara Jordan
Site:	Garages Adjacent To 1 Alexandra Gardens Soundwell South Gloucestershire BS16 4QJ	Date Reg:	17th February 2021
Proposal:	Demolition of 3no. existing garages. Erection of 1no. dwelling with parking and associated works (resubmission of P20/05929/F)	Parish:	None
Map Ref:	364895 175608	Ward:	Staple Hill And Mangotsfield
Application Category:	Minor	Target Date:	12th April 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.

Reasons for Referring to the Circulated Schedule

This application has been referred to the Circulated Schedule following the receipt of objections from more than three (6no.) local residents; the concerns raised being contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The application site comprises a small (90sq.m.) parcel of land containing 3no. redundant, single-storey garages. The site lies on the northern side of Alexandra Gardens, Staple Hill, beyond the rear gardens of properties facing on to Soundwell Road, with neighbouring gardens abutting the site at its western and northern boundaries. A row of terraced dwellings, forming part of Alexandra Gardens, is situated to the east of the site and separated from it by a rough track providing access to the rear of properties on Soundwell Road. The site is situated within the Bristol East Fringe Urban Area. The site is also situated within a Coal Referral Area. The immediate surrounding area is made up of a mixture of semi-detached and terraced properties, taking on a mixture of architectural forms. The site does not lie within a Conservation Area and there are no Listed Buildings nearby that would be affected.
- 1.2 It is proposed to demolish the existing garages and erect a single, detached, 2-storey, 1-bedroom dwelling, consisting at ground level of a garage and open plan kitchen/dining room with access to the rear garden, and at first floor level a bedroom, bathroom and sitting room. Externally the proposal includes an enclosed rear garden and a small front garden.
- 1.3 This application seeks to overcome the reasons for refusal of a previous scheme for a 2-bed dwelling on the site (see P20/05929/F).
- 1.4 During the course of this current application, the scheme has been further revised to take account of both officer and local resident concerns; not least regarding overlooking issues from a first-floor rear balcony (now deleted), amenity space provision, space standards and proximity of windows to properties on the opposite side of Alexandra Gardens.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework Feb 2019
National Planning Policy Guidance 2014

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

CS15 Distribution of Housing
CS16 Housing Density
CS17 Housing Diversity
CS29 Communities of the East Fringe of the Bristol Urban Area

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

PSP1 Local Distinctiveness
PSP2 Landscape
PSP8 Residential Amenity
PSP11 Transport Impact Management
PSP16 Parking Standards
PSP20 Flood Risk, Surface Water and Watercourse Management
PSP21 Environmental Pollution and Impacts
PSP43 Private Amenity Space Standards

- 2.3 South Gloucestershire Supplementary Planning Documents
Residential Parking Standards SPD (Adopted) December 2013
Design Checklist SPD (Adopted) 2007
Waste Collection: Guidance for New Development SPD (Adopted) January 2015
CIL & S106 SPD
Householder Design Guide SPD – Adopted March 2021

- 2.4 5-Year Housing Land Supply (5YHLS)
The Council's December 2019 Annual Monitoring Revue reveals that the Council can now demonstrate a 5.28 years Housing Land Supply (HLS) along with the appropriate buffer. In this scenario, decisions should be made in accordance with the Development Plan unless material considerations indicate otherwise.

3. RELEVANT PLANNING HISTORY

- 3.1 P19/10376/F - Demolition of existing garages. Erection of 1 No. detached dwelling with associated works.
Withdrawn 01st Oct. 2019
- 3.2 P20/05929/F - Demolition of existing garages. Erection of 1 No. detached dwelling with associated works (Resubmission of P19/10376/F)
Refused 8th July 2020 on grounds of:
- Overdeveloped and cramped nature of development.
 - Loss of privacy for future occupiers.
 - Inadequate amenity space.

4. CONSULTATION RESPONSES

- 4.1 Parish Council
Not a parished area.

4.2 Other Consultees

Highway Structures

Details of excavations and the temporary support that is to be provided during construction are to be submitted to satisfy the highway authority that support to the highway is provided at all times.

Lead Local Flood Authority

No objection

Transportation D.C.

No objection

The Coal Authority

No objection subject to a condition to secure intrusive site investigation and mitigation should coal workings be found.

Other Representations

4.3 Local Residents

6no. local residents have objected to the scheme; the concerns raised are summarised as follows:

- Loss of light to nos. 3 Alexandra Gardens & 61 Soundwell Road.
- No foul sewers are available.
- Disruption during construction phase.
- Loss of privacy due to inter-visibility with windows to the front of 6 Alexandra Gdns. and overlooking of the garden of no.57 Soundwell Rd.
- Loss of view from 6 Alexandra Gdns.
- Less than 20m from 6 Alexandra Gdns.?
- The building would extend beyond the building line on Alexandra Gardens. A covenant prevents this.
- Disruption to telephone pole and lines.
- Not in character.
- Would block the right of access to the rear of no.63 Soundwell Rd.
- Balcony overlooks neighbouring gardens.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The development plan supports residential development within the established settlement boundaries. Policy CS5 of the Core Strategy encourages new residential development within settlement boundaries and urban areas, and Policy CS29 of the Core Strategy encourages new provision of housing in the East Fringe of the Bristol Urban area. Similarly, Policy PSP38 of the Policies, Sites & Places Plan states that new dwellings and extensions within existing residential curtilages are acceptable in principle but should respect the overall design and character of the street and surrounding area; would not prejudice the amenities of neighbours; would not prejudice highway safety or provisions of an acceptable level of parking provision for any new and existing buildings;

would not prejudice the provision of adequate private amenity space, and would not lead to the loss of gardens that form part of a settlement pattern that contributes to local character. Whilst the application site is not strictly speaking residential curtilage, the same principles can be applied in this case.

- 5.2 The principle of residential development on this brownfield site, within the urban area is acceptable. Detailed matters relevant to this application will be assessed below.

Scale, Design and Visual Amenity

- 5.3 Core Strategy Policy CS1 reflects the NPPF in seeking to secure the highest possible standards of design and site planning; development proposals are required to demonstrate *inter alia* that siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the site and its context. Furthermore, Policy PSP1 of the South Gloucestershire Local Plan : Policies, Sites and Places Plan, seeks to ensure that development demonstrates an overall understanding of, and responds constructively to, the buildings and characteristics that make a particularly positive contribution to the distinctiveness of the locality.
- 5.4 To facilitate the development, it is proposed to demolish the 3no. garages, which themselves are poorly constructed of block and wood and contribute nothing in a positive sense, to the visual amenity of the street scene. The proposed building height is a 2-storey structure with a pitched roof and gabled ends; the ridgeline of the proposed roof would sit below that of the adjacent No. 1 Alexandra Gardens.
- 5.5 Alexandra Gardens is made up of residential houses in styles varying from Victorian to mid-20th century. The mix of buildings in the immediate area is predominately 2-storey with separate single-storey garages to the rear or sides of properties, where they exist. Other parking is either provided on-street or provided on front driveways. In some instances these parking areas have been increased in size to take the place of front gardens. A significant number of properties have been enlarged either via planning consents or permitted development.
- 5.6 The proposed development is intended as a single dwelling infill. The dwelling would be constructed from traditional load bearing masonry, in keeping with the adjacent mid-20th century houses. The external cladding would be brick to first-storey and then render to the roof line, the roof would be of clay tiles.
- 5.7 There are several examples of recently completed schemes of a similar nature in the immediate neighbourhood. At the eastern end of Alexandra Gardens are a pair of 2-bedroom modern dwellings. These were recently constructed under planning approval PK15/3816/F. On the opposite side of Soundwell Road, 2 flats with Garages PK16/0244/F were constructed facing Midland Road, these replaced existing outbuildings and garages. The proposed 1-bedroom dwelling would positively add to the mix of house types and styles; this to some extent weighs in favour of the scheme.

5.8 Given the variety of styles and ages of architecture within the immediate and wider location, there is no one-design vernacular that needs to be replicated here. What is proposed in design terms, is considered to be an enhancement on what currently exists i.e. the ramshackle garages and this to some extent weighs in favour of the scheme; officers therefore consider that, on balance, in relation to the other properties within the location, the scale and appearance of the proposal is acceptable.

Layout

5.9 In terms of site planning, the scheme is considerably constrained by the small size of the plot (90 sq.m.). As a result, the proposed detached dwelling would have its front elevation close to the pavement edge and its western and eastern elevations hard against the neighbouring garage/garden and side alley respectively. The current scheme however differs from that previously refused in that, the dwelling has been re-configured within the plot in order to provide a larger rear garden and pull the rear elevation away from the rear boundary with the garden of no. 57 Soundwell Rd.

5.10 The arrangement of the proposed house on the site, seeks to reflect the transition in the terrace of houses at the junction of Soundwell Rd. and Alexandra Gardens, with the terrace to the east. By sitting forward of the main building line on Alexandra Gardens and close to the pavement edge, the scheme is intended to provide a prominent corner at the junction with the alley. The front garden, being so small, to some extent fails to reflect the front garden aesthetic shown to the east.

5.11 In this revised scheme the proposed two-storey dwelling, being located so far in front of the Alexandra Gardens' established building line, would be more prominent within the street scene than the existing single-storey garages.

5.12 Whilst the scheme would make efficient use of a brownfield site in a sustainable location, the scheme is still quite cramped and contrived. This is a result of the limited size of the plot. This does not in officer opinion fully represent the highest standards of site layout and design, which would be contrary to the objectives of Policy CS1 and the NPPF.

Residential Amenity

5.13 In line with Policy PSP8 and the recently adopted Householder Design Guide SPD, development proposals will only be acceptable where they do not create unacceptable living conditions or have an unacceptable impact on the residential amenity of occupiers of the development or of nearby properties. Matters to consider are:

- a) Loss of privacy and overlooking;
- b) Overbearing and dominant impact;
- c) Loss of light (daylight/sunlight)
- d) Noise or disturbance; and
- e) Odours, fumes or vibration.

5.14 The proposed dwelling would be a small detached property, which given its scale, height and location would have very little impact, in terms of overbearing

impact or loss of light, on the neighbouring dwellings along Alexandra Gardens; it is noted that the facing gable end of no. 1 Alexandra Gardens is a blank elevation separated from the application site by the adjacent alleyway.

- 5.15 The property would for most part be separated from the gardens to the west by the neighbouring garage. The gardens to the rear of the properties on Soundwell Rd. are long, so much so that there would be adequate distance (22-23 metres) from the rear elevations of those houses to the side elevation of the proposed dwelling. Any overshadowing of the gardens of nos. 61 & 63 Soundwell Rd. would not be significant and would only affect the very eastern ends of the gardens, which are less likely to be used.
- 5.16 To the north the property would now be sufficiently set back from the rear garden of no. 57 Soundwell Rd. so that any overshadowing would be at the far end of what is a very long garden, so any harm would be minimal. The front elevation of the proposed dwelling would be close (approximately 17 metres) to the properties on the opposite side of Alexandra Gardens i.e. nos. 4 & 6. The dwelling would however be lower than the terraced houses to the east and is not excessive in scale. Being to the north, the dwelling would not result in a significant loss of natural light to nos. 4 & 6.
- 5.17 The occupier of no.6 Alexandra Gardens has raised concerns about loss of view but there is no right to a view in planning terms and this matter would not justify refusal of the planning application.
- 5.18 The application site is within a densely populated, built up residential area, and as such, a degree of overlooking, including the perception of it, is to be reasonably expected, especially if the most efficient use of land within the Urban Area is to be achieved, as required by the NPPF.
- 5.19 There would be little additional overlooking to the east, there are no windows proposed for the east side elevation and the western side elevation of neighbouring no.1 Alexandra Gardens is blank.
- 5.20 There are no windows proposed for the west side elevation of the dwelling. At ground floor level the rear garden would be enclosed by a 1.7m close board fence. A condition could prevent any future insertion of first floor windows in the west side elevation. A further condition could ensure the erection of the boundary fence prior to the first occupation of the dwelling and future maintenance of thereafter. An additional condition to prevent the future insertion of dormers or roof-lights is also justified in this case.
- 5.21 To the north there would be reduced potential for overlooking of the neighbouring gardens, the previously proposed balcony has however now been deleted from the scheme. There would be some overlooking from the proposed first floor rear windows, including the first floor living room, albeit that the most direct views would only be of the neighbouring garages and ends of the long gardens, so any loss of privacy in this direction would be minimal.

- 5.22 To the south, the first floor front windows would now be approximately 17m to 17.5m from the properties on the opposite side of Alexandra Gardens i.e. nos. 4 & 6. The Householder Design Guide pg41 states:

“There are no minimum separation distances where dwellings front one another across the public realm, for example a street, as the land is usually already subject to overlooking. However, consideration will be given to the prevailing separation distances in the locality. Proposals that fail to respect the existing development pattern are unlikely to be considered to meet the highest possible standards of design.”

To some extent the proximity of the front windows to those opposite therefore weighs against the scheme.

- 5.23 This however is to some extent countered by the revised internal layout, such that the first floor front windows now only serve a bedroom, landing and bathroom. The plans show the bathroom window obscurely glazed. A condition could secure this and the future obscure glazing of the landing window as well.
- 5.24 As regards increased noise and disturbance during the development phase, this would be short term only and the hours of working on the site could be controlled by condition. Increased noise or anti-social behaviour from future residents is not a planning issue and falls to be controlled by the appropriate enforcement agencies.
- 5.25 Moving to the issue of amenity space provision; Policy PSP43 requires all new residential units, to have access to private amenity space. The space should *inter alia* be easily accessible from living areas and of a sufficient size and functional shape to meet the needs of the likely number of occupiers. The Policy sets minimum space standards; the requirement for a 1-bedroom house is 40sq.m.
- 5.26 The proposed detached dwelling, would now have a private rear garden space of approximately 35.5sq.m. in area and an enclosed front garden of 4 sq.m. Whilst the amount of private amenity space provision falls just short of the required standard, it is considered sufficient given the sustainable location of the area.

Highway Safety

- 5.27 In terms of parking provision, policy PSP16 of the Policies, Sites and Places Plan sets out the Council's minimum parking standards for residential development. The number of parking spaces that should be provided is based on the number of bedrooms contained within a residential unit. The proposed dwelling would contain 1 bedroom, with PSP16 outlining that a minimum of 1 parking space should be provided for 1-bed properties. In order to count towards overall parking provision, any garage space should measure a minimum of 6.0m x 3.0m.
- 5.28 The submitted plans now show the provision of one off-street parking space within a garage, the size of which (6.0m x 3.0m) is considered to be acceptable. The Transportation Officer is also satisfied that the parking space

can be safely accessed. Subject to conditions to ensure the future allocation and retention of the parking space and implementation prior to first occupation, there are no highway objections.

- 5.29 Concerns have previously been raised about the loss of the garages and the possible resultant increase in on-street parking in an already congested area. Officers note however that the existing garages and areas to the front are privately owned. The applicant has confirmed that the garages are only used for storage purposes and are no longer appropriately sized for use by modern cars; furthermore no parking takes place on the areas to the front, so there would be no displacement of vehicles onto the street.

5.30 Landscape

There is no vegetation of note within the site. There are no objections on landscape grounds.

Environmental Issues

- 5.31 The site is within a Coal Referral Area but is not in an area at high risk of flooding. A Coal Mining Risk Assessment has been provided to the Coal Authority's satisfaction, who raise no objection subject to a condition to secure intrusive site investigation and mitigation should coal workings be found.

- 5.32 Given the proposed use of the building, neighbouring property would not be subjected to excessive noise levels. Neither would future occupants be subjected to excessive levels of noise, dust or smell. The Council's drainage engineer raises no objections to the scheme, which would utilise the existing mains sewer in the roadway, as indicated on Plan 0015-200 Ground Floor GA.

Waste and recycling

- 5.33 In line with SPD guidance waste recycling storage provision has been made for the house in a purpose built shelter to the front.

Rights of Way

- 5.34 Officers have previously had site of the Title Deeds for the site; these set out the rights of way that exist for the site. They show no right of way other than for the 3 garage owners to pass over the forecourt area, to the front of the site, of each of the other garage owners. There is no right for any other person to use the site, nor is there any existing access that is currently in use.

Other Matters

- 5.35 Concerns have previously been raised by local residents that have not been addressed above and include the following:
- the impact of the proposal on house values is not a material consideration in the determination of planning applications.
 - whether or not neighbours agree to the erection of scaffolding on their land is not a planning issue but a civil matter between the respective parties. In the event of permission being granted, any Decision Notice would carry an informative advising the applicant/developer as to their responsibilities under the Access of Neighbouring Land Act.

- If the nearby telephone line is affected, that is a matter between the applicant/developer and BT.

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

- 5.37 With regards to the above, this planning application is considered to have a neutral impact on equality. Equalities have been given due consideration in the application of planning policy as discussed in this report.

CIL

- 5.38 The South Gloucestershire Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide SPD was adopted March 2015. CIL charging commenced on 1st August 2015 and this development would be subject to CIL.

Planning Balance

- 5.39 NPPF para. 11c states that development proposals that accord with an up-to-date development plan should be approved without delay. It has recently been established that the Council can demonstrate a 5-year housing land supply and as such the Development Plan is up to date and in accordance with the NPPF, in as much as the main policies for determining this application are concerned. The proposal has been assessed against the relevant policies within the Development Plan.

- 5.40 The principle of the proposed residential development is acceptable on this brownfield site, in this urban location in the Bristol East Fringe. The scheme would make efficient use of the site and would provide additional low cost open market housing in a highly sustainable location; this weighs in favour of the scheme. The provision of one small dwelling would make a positive contribution to the Council's 5YHLS albeit only a modest one. Furthermore, there would be some visual enhancements to the street scene and the scheme would make a positive contribution to the mix and style of house types in the location. The scheme would, in the short term support house builders and local craftsmen.

- 5.41 Conversely, the somewhat cramped and contrived nature of the scheme, as described above, is not considered to fully represent the highest standards of site layout required by the Policy CS1 or the NPPF.

- 5.42 Given that this is a very finely balanced judgment, officers nevertheless consider that the positive aspects of the scheme would just outweigh the identified harm. In reaching this conclusion officers are mindful of a recent

appeal decision for a similar scheme (see P19/7450/F – APP/P0119/W/20/3247365 – 1A Christchurch Av. Downend) where the Inspector considered that the new dwelling proposed, merely reflected the dense and intimate nature of the area.

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** planning permission has been taken having regard to the policies and proposals in the Development Plan set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 That planning permission be APPROVED subject to the conditions listed below:

CONDITIONS

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

Reason

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

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

Location Plan Drawing No. 0020 100 received 14th Feb. 2021
Existing Ground Floor Plan Drawing No. 0020 210 received 14th Feb. 2021
Existing South and West Elevation Drawing No. 0020 310 received 14th Feb. 2021
Block Plan Drawing No. 0020 110 Rev A received 27th May 2021
Drainage Proposal Drawing No. 0020 115 received 27th May 2021
Ground Floor Plan Drawing No. 0020 200 Rev B received 27th May 2021
First Floor Plan Drawing No. 0020 201 Rev B received 27th May 2021
South and West Elevation Drawing No. 0020 300 Rev B received 27th May 2021
North and East Elevation Drawing No. 0020 301 Rev B received 27th May 2021

Reason

To define the terms and extent of the permission.

3. The hours of working on site during the period of demolition and construction shall be restricted to 07.30hrs to 18.00hrs Mon to Fri after 30th September 2021, before which an end time of 21.00 hrs is permitted in accordance with Government COVID-19 Written Ministerial Statement on construction hours; and 08.00hrs to 13.00hrs Sat. and no working shall take place on Sundays or Bank Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or

machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery, deliveries to the site and the movement of vehicles within the curtilage of the site.

Reason

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

4. The garage (parking space) shall be provided prior to the first occupation of the dwelling hereby approved. Thereafter, the garage shall be retained as such and used solely for car parking and domestic storage only.

Reason

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

5. The boundary fences (as shown on the approved plans) shall be erected prior to the first occupation of the dwelling house hereby approved and maintained as such thereafter.

Reason

To protect the residential amenity of the future and neighbouring occupiers and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP8 of The South Gloucestershire Local Plan : Policies , Sites & places Plan (Adopted) Nov. 2017, the National Planning Policy Framework and the Householder Design Guidance SPD Adopted March 2021.

6. No first floor windows shall be inserted at any time in the west side elevation of the property hereby approved.

Reason

To protect the residential amenity of the neighbouring occupiers and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP8 of The South Gloucestershire Local Plan : Policies , Sites & places Plan (Adopted) Nov. 2017, the National Planning Policy Framework and the Householder Design Guidance SPD Adopted March 2021.

7. Prior to the first occupation of the dwelling house hereby permitted, and at all times thereafter, the proposed first floor landing and bathroom windows on the front (south) elevation shall be glazed with obscure glass to level 3 standard or above with any opening part of the window being at least 1.7m above the floor of the room in which it is installed.

Reason

To protect the residential amenity of the neighbouring occupiers and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP8 of The South Gloucestershire Local Plan: Policies, Sites

& places Plan (Adopted) Nov. 2017, the National Planning Policy Framework and the Householder Design Guidance SPD Adopted March 2021.

8. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no dormer windows or rooflights shall be constructed.

Reason

To protect the residential amenity of the neighbouring occupiers and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP8 of The South Gloucestershire Local Plan: Policies, Sites & places Plan (Adopted) Nov. 2017, the National Planning Policy Framework and the Householder Design Guidance SPD Adopted March 2021.

9.
 1. No development (excluding demolition of existing buildings) shall commence until;
 - a) a scheme of intrusive site investigations has been carried out on site to establish the risks posed to the development by past coal mining activity, and;
 - b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

2. Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

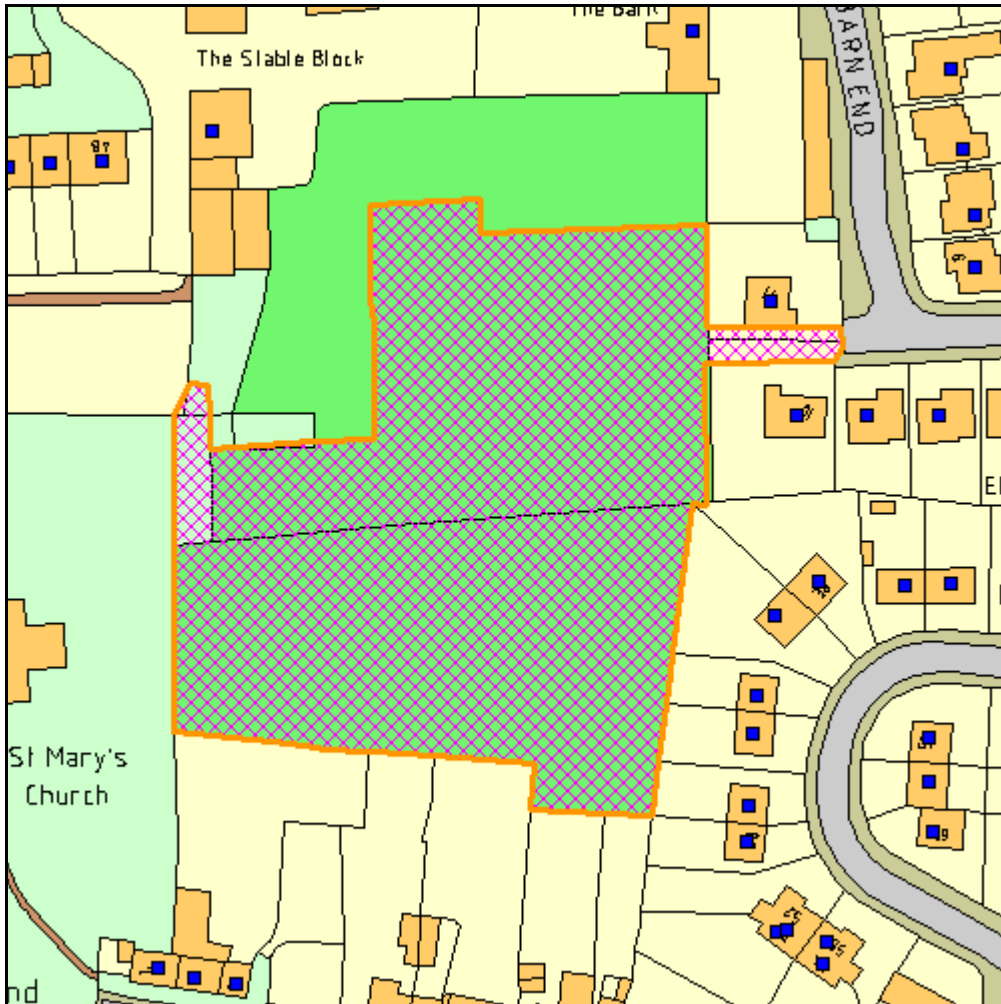
Reason

The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 178 and 179 of the National Planning Policy Framework and to accord with Policy CS9 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013 and Policy PSP22 of The South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) Nov. 2017. This is a pre-commencement condition as investigation works and appropriate mitigation are required to ensure the future safety of the occupiers of the development and prevent the need for retrospective mitigation after the development is commenced/completed and to take account of the past mining activities within the area.

Case Officer: Roger Hemming
Authorising Officer: Helen Ainsley

CIRCULATED SCHEDULE NO. 24/21 - 18th June 2021

App No.:	P21/01096/RVC	Applicant:	Mr & Mrs David Trigwell
Site:	The Manor Church Lane Marshfield South Gloucestershire SN14 8NT	Date Reg:	16th March 2021
Proposal:	Variation of condition 2 attached to planning permission P19/5232/F to amend the approved plans. Erection of 1 no. detached dwelling with detached two storey carport, new access, parking and associated works.	Parish:	Marshfield Parish Council
Map Ref:	378198 173717	Ward:	Boyd Valley
Application Category:	Minor	Target Date:	28th April 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.

CIRCULATED SCHEDULE

This application appears on the Circulated Schedule following objection comments from the Parish Council and from local residents contrary to officer recommendation.

1. THE PROPOSAL

- 1.1 This planning application is made under Section 73 (“s73”) of the Town and Country Planning Act 1990 (as amended) (“the Act”). Applications made under this section of the Act seek to develop land without compliance with conditions previously attached to the relevant planning permission. In this instance, the applicant seeks Variation of condition 2 attached to planning permission P19/5232/F to amend the approved plans. Erection of 1 no. detached dwelling with detached two storey carport, new access, parking and associated works.
- 1.2 The application relates to The Manor, Church Road, Marshfield, a grade II* listed building, located within the setting of a number of listed buildings which include the Grade I listed St Mary’s Church and its Grade II listed chest tombs within the church yard; the Grade II* listed “Manor” to the north-west; and a number of Grade II listed cottages to the East End to the south. The application site is also located within the Marshfield Conservation Area, in the Cotswolds Area of Outstanding Natural Beauty and washed over by the Bristol/Bath Green Belt. Trees on the site have recently been protected under a blanket tree protection order (November 2018) and the site is of archaeological significance.
- 1.3 Condition 2 of P19/5232/F reads:

Notwithstanding that timber cladding shall not form part of the external materials of the proposal, development shall proceed in accordance with the following plans:

As received by the Council on 13.5.19:

Existing site plan - 18-079/E1
Proposed car port - 18-079/G1
Location plan -18-079/LP1
Section through site - 18-00 200 A

As received by the Council on 16.7.19:

East (Front) elevation - 100/19/B
Rear (west) elevation - 101/19 B
Sectional south elevation 102/19 B
North elevation - 103/19 B
Ground floor plan - 104/19 B
First floor - 105/19 B
Roof view - 106/19 B
South elevation - 107/19 B
Landscape/site plan - 18/079/SP1 E

Reason:

To maintain and enhance the character and appearance of the Conservation Area, and to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policies PSP1, PSP2, PSP17 of the Policies Sites and Places (Adopted) 2017 and the National Planning Policy Framework.

- 1.4 Revised plans submitted for consideration under the current application are:
As received by the LPA on 26.2.21:
Proposed ground floor plan – 5083/51 D
Proposed first floor plan – 5083/52 C
Proposed south and east elevations – 5083/53 E
Proposed north and west elevations – 5083/54 B
- 1.5 The differences between the two schemes are set out in the below report and relate to the overall design and appearance of the new dwelling.
- 1.6 Other conditions attached to the approved scheme were for landscape (condition 3) and materials (condition 5). Application DOC21/00079 has been submitted for the discharge of both of these conditions and has been assessed on its own merits, and is now approved. It is noted that a number of objection comments have been received for this discharge of condition application but members of the public are not consulted on such applications. Decisions are made by officers, including those from the specialist team.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework February 2019

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
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
CS23	Community Infrastructure and Cultural Activity

CS24	Green Infrastructure, Sport and Recreation Standards
CS34	Rural Areas

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP4	Designated Local Green Spaces
PSP5	Undesignated Open Spaces
PSP7	Development in the Green Belt
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP18	Statutory Wildlife Protection
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water, and Watercourse Management
PSP38	Development within Existing Residential Curtilages
PSP42	Custom Build Dwellings
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

Trees on Development Sites SPG (Adopted) Nov. 2005.

South Gloucestershire Design Checklist (Adopted) 2007)

South Gloucestershire SPD: Residential Parking Standards (Adopted) 2013

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

SPD: Development in the Green Belt (Adopted) 2007

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

Marshfield Conservation Area Advice Note and Map (Adopted) 2004

Local Green Spaces Note – Marshfield June 2018

3. RELEVANT PLANNING HISTORY

Further applications can be found on the website.

DOC21/00079: Conditions attached to the approved scheme for landscape (condition 3) and materials (condition 5). Discharge of condition approved.

3.1 P21/01099/RVC Variation of condition 2 attached to P19/5232/F to include amendments to the carport timber cladding. Erection of 1 no. detached dwelling with detached two storey carport, new access, parking and associated works. Pending consideration

3.2 P19/5232/F Erection of 1 no. detached dwelling with detached two storey carport, new access, parking and associated works. Approved 10.3.20

3.3 PK18/4461/F Erection of 1 no. detached dwelling with two storey car port, new access and associated works.

- Withdrawn 29.11.18
- 3.4 PK14/4576/TCA Works to various trees situated within the Marshfield Conservation Area. (See tree schedule)
No objection 23.12.14

4. CONSULTATION RESPONSES

- 4.1 Marshfield Parish Council
Strongly object to this Planning Application and request for the application to appear on the Circulated Schedule.

Internal Consultees

- 4.2 Conservation officer
No objection subject to previous conditions being applied.
- 4.3 Archaeology
No comment
- 4.4 Landscape architect
No objection
- 4.5 Highway structures
No objection
- 4.6 Tree Team
No comment

Statutory / External Consultees

- 4.7 Transport Officer
No objection
- 4.8 Historic England
No comment
- 4.9 Drainage and Flood Risk Management
No objection

Other Representations

- 4.10 Local Residents
26 letters of objection have been received from local residents. The points raised are summarised as:
- Changes proposed not in accordance with conditions of approved application
 - The site's protected status was removed by the Council
 - Better reviews of wildlife and environmental implications required
 - Archaeological test digs limited to one corner and tell us nothing about rest of site

- Lack of affordable housing in the village
- No explanation as to why the design is being changed back to the one originally rejected
- Disingenuous to state site cannot be seen from public land
- Changes are not in-keeping with the setting
- Building facades and layouts vary considerably and constitute a major change requiring a new application
- Unpopular with local residents – brings into question effectiveness of local democracy
- Councillors should have the opportunity to check the application met legal requirements in respect of its environmental impact
- With insider knowledge the applicant is attempting to change the approved project into an early rejected scheme
- Will have negative and adverse impact on conservation area, landscape and locality
- Appears all conditions are being eroded
- These changes make a mockery of the whole planning system
- Any changes to the approved design will diminish the experience of well-being when visiting the churchyard
- Application is disingenuous and is far greater than an amendment

5. **ANALYSIS OF PROPOSAL**

- 5.1 The applicant seeks to vary the condition relating to adopted plans relating to the design and appearance of the main dwellinghouse.
- 5.2 **Principle of Development**
Applications made under s73 of the Act seek permission for the development of land without compliance with conditions subject to which a previous planning permission was granted. With applications made under s73, the Local Planning Authority shall consider only the conditions subject to which planning permission was granted; the principle of development is therefore established.
- 5.3 If the Local Planning Authority decides that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, the Authority should grant permission accordingly.
- 5.4 If the Authority decides that planning permission should be granted subject to the same conditions, then the application should be refused.
- 5.5 In assessing this application it is necessary to assess whether the relevant condition, or any variations satisfy the requirements of planning conditions as set out in the National Planning Policy Framework (NPPF). The NPPF requires all planning conditions to pass three tests – that conditions should be:
- i. Necessary to make the development acceptable
 - ii. Directly related to the development
 - iii. Fairly and reasonably related in scale and kind

5.6 Analysis of the proposal

Approval for the erection of one dwelling and separate car port was given on 10.3.20 by the Spatial Planning Committee. This planning application remains extant. Plans submitted with application P19/5232/F showed significant areas of the main dwelling as well as the walls of the carport would be timber clad. At the time no objection was raised to the use of these materials by Historic England or by the Council's Conservation Officer. Approval was, however, granted by the Spatial Planning Committee on condition that no timber cladding was to be used on the exterior of the development.

5.7 A separate application appearing on the Circulated Schedule proposes varying the condition to allow the carport only to be clad in timber to complement an existing oak framed summerhouse within the site but it is emphasised no timber would be used on the main dwelling as per the wishes of the Spatial Planning Committee expressed in Condition 2 of planning application P19/5232/F.

5.8 *Assessment of revised plans:*

Details submitted with the application indicate that the proposed revisions do not change the siting, overall building height, width and plan form of the dwelling. It is further stated that the proposed changes have resulted as a result of having to comply with Building Regulations and also to address the planning condition imposed that required the building not to be timber clad.

5.9 The revisions propose changes relate to the fenestration on the front (east facing) elevation and to the windows on the side wing of this elevation. A small parapet at eaves height to hide the gutters would also be included here.

5.10 On the north facing side elevation changes include the removal of the previous slight step down in ridge height and also two dormer windows which face the wooded area would become more traditional in design.

5.11 To the south facing side elevation two ground floor windows would be added while on the west facing rear elevation a small parapet would be added at eaves to match that proposed to the front and to again hide unsightly gutters. Three narrow ground floor windows would be inserted into the flat roofed single storey element of the side wing.

5.12 The changes are purely relate to the overall design and appearance of the proposed dwelling. Taking the scheme as a whole these changes are considered relatively minor, and acceptable and in accordance with adopted policy, would not have a negative impact on the conservation area or the nearby listed assets.

5.13 Other planning areas:

Given the proposed revisions do not alter the position of the proposed new dwelling there would be no adverse impact on residential amenity for closest neighbours; the scheme does not change the on-site parking or turning arrangement and does not interfere with the protected trees, landscape or ecological matters.

5.14 Other conditions:

The required landscape and materials conditions have been discharged under DOC21/00079 and along with original conditions attached to P19/5232/F will become compliance conditions for this application.

5.15 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.

5.16 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.

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

5.18 Other matters:

With regards to some objection comments –

- Planning approval has already been granted for a new house on this site.
- The decision was made by a Planning Committee after a site visiting and a full debate. The democratic process has been carried out correctly.
- Approval for planning application P19/5232/F remains extant.
- Environmental impacts relating to such areas as ecology, landscape and trees were considered by Council specialists and the information submitted was acceptable subject to conditions.
- This is application does not relate to an affordable housing scheme.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of the original permission 10.3.20 granted under planning application P19/5232/F.

Reason

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

2. Notwithstanding that timber cladding shall not form part of the external materials of the main dwelling, development shall proceed in accordance with the following plans:

As received by the Council on 13.5.19:

Existing site plan - 18-079/E1

Proposed car port - 18-079/G1

Location plan -18-079/LP1

Section through site - 18-00 200 A

As received by the LPA on 26.2.21:

Proposed ground floor plan - 5083/51 D

Proposed first floor plan - 5083/52 C

Proposed south and east elevations - 5083/53 E

Proposed north and west elevations - 5083/54 B

As received by the Council on 9.6.21:

Landscape plan - v8

Reason

To maintain and enhance the character and appearance of the Conservation Area, and to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policies PSP1, PSP2, PSP17 of the Policies Sites and Places (Adopted) 2017 and the National Planning Policy Framework.

3. Development shall be carried out in accordance with the approved details of roofing and external facing materials as assessed under DOC21/00079 determined on 9.6.21.

Reason

To maintain and enhance the character and appearance of the Conservation Area, and to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policies PSP1, PSP2, PSP17 of the Policies Sites and Places (Adopted) 2017 and the National Planning Policy Framework.

4. Notwithstanding the provisions of Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no development as specified in Part 1 (Classes A, B, D, E, F, G and H), or any minor operations as specified in Part 2 (Class A), other than such development or operations indicated on the plans hereby

approved, shall be carried out without the prior written consent of the Local Planning Authority.

Reason

To maintain and enhance the character and appearance of the Conservation Area, and to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policies PSP1, PSP2, PSP17 of the Policies Sites and Places (Adopted) 2017 and the National Planning Policy Framework.

5. Development shall be carried out in accordance with the landscape plan approved under DOC21/00079 (approved on 9.6.21), no later than the first planting and seeding season following the completion of the development hereby approved, and any trees or plants (retained or planted) which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting seasons with others of a size and species as shall reasonably be specified by the Local Planning Authority.

Reason

To maintain and enhance the character and appearance of the Conservation Area, and to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policies PSP1, PSP2, PSP17 of the Policies Sites and Places (Adopted) 2017 and the National Planning Policy Framework.

6. Development shall proceed in accordance with the details submitted in the Silverback Arboricultural Report (May 2019).

Reason

To preserve and maintain the health and longevity of trees within the site, to enhance the character and appearance of the Conservation Area, and to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policies PSP1, PSP2, PSP17 of the Policies Sites and Places (Adopted) 2017 and the National Planning Policy Framework.

7. Development shall proceed in accordance with the details submitted in the Ecological Appraisal Report by Fiona Elphick (July 2018) and also in accordance with the Great Crested Newt Survey by Fiona Elphick (September 2019).

Reason

To maintain and enhance the character and appearance of the Conservation Area, and to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policies PSP1, PSP2, PSP17 of the Policies Sites and Places (Adopted) 2017 and the National Planning Policy Framework.

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

Reason

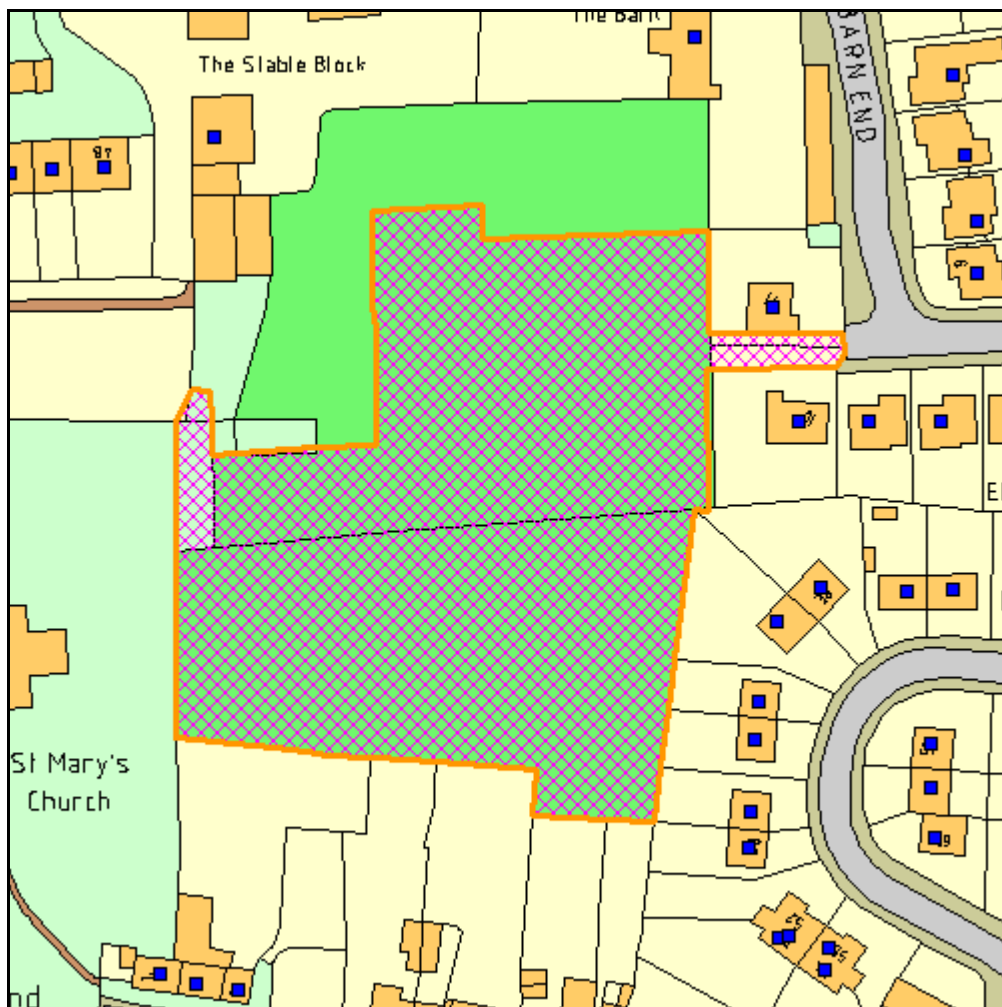
To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policy CS8 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013; Policy PSP16 of the Policies Sites and Places Plan (Adopted) 2017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

Case Officer: Anne Joseph

Authorising Officer: Helen Ainsley

CIRCULATED SCHEDULE NO. 24/21 - 18th June 2021

App No.:	P21/01099/RVC	Applicant:	Mr And Mrs David Trigwell
Site:	Land Adjacent To The Manor Church Lane Marshfield South Gloucestershire SN14 8NT	Date Reg:	12th March 2021
Proposal:	Variation of condition 2 attached to P19/5232/F to include amendments to the carport timber cladding. Erection of 1 no. detached dwelling with detached two storey carport, new access, parking and associated works.	Parish:	Marshfield Parish Council
Map Ref:	378198 173717	Ward:	Boyd Valley
Application Category:	Minor	Target Date:	4th May 2021



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 100023410, 2008. **N.T.S.** **P21/01099/RVC**

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

CIRCULATED SCHEDULE

This application appears on the Circulated Schedule due to objection comments from The Parish and local residents.

1. THE PROPOSAL

- 1.1 This planning application is made under Section 73 (“s73”) of the Town and Country Planning Act 1990 (as amended) (“the Act”). Applications made under this section of the Act seek to develop land without compliance with conditions previously attached to the relevant planning permission.
- 1.2 In this instance, the applicant seeks Variation of condition 2 attached to P19/5232/F to allow the use of timber cladding on the carport only. Erection of 1 no. detached dwelling with detached two storey carport, new access, parking and associated works.
- 1.3 The application relates to The Manor, Church Road, Marshfield, a grade II* listed building, located within the setting of a number of listed buildings which include the Grade I listed St Mary’s Church and its Grade II listed chest tombs within the church yard; the Grade II* listed “Manor” to the north-west; and a number of Grade II listed cottages to the East End to the south. The application site is also located within the Marshfield Conservation Area, in the Cotswolds Area of Outstanding Natural Beauty and washed over by the Bristol/Bath Green Belt. Trees on the site have recently been protected under a blanket tree protection order (November 2018) and the site is of archaeological significance.
- 1.4 Condition 2 of P19/5232/F reads:

Notwithstanding that timber cladding shall not form part of the external materials of the proposal, development shall proceed in accordance with the following plans:

As received by the Council on 13.5.19:

Existing site plan - 18-079/E1

Proposed car port - 18-079/G1

Location plan -18-079/LP1

Section through site - 18-00 200 A

As received by the Council on 16.7.19:

East (Front) elevation - 100/19/B

Rear (west) elevation - 101/19 B

Sectional south elevation 102/19 B

North elevation - 103/19 B

Ground floor plan - 104/19 B

First floor - 105/19 B

Roof view - 106/19 B

South elevation - 107/19 B
Landscape/site plan - 18/079/SP1 E

Reason:

To maintain and enhance the character and appearance of the Conservation Area, and to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policies PSP1, PSP2, PSP17 of the Policies Sites and Places (Adopted) 2017 and the National Planning Policy Framework.

- 1.4 Other conditions attached to the approved scheme were for landscape (condition 3) and materials (condition 5). Application DOC21/00079 was submitted for the discharge of both of these conditions. The application for discharge of conditions was assessed on its own merits and discharged on 9.6.21. It is noted that a number of objection comments have been received for this discharge of condition application but members of the public are not consulted on such applications. Decisions are made by officers, including those from the specialist team.

2. **POLICY CONTEXT**

2.1 National Guidance

National Planning Policy Framework February 2019

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
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
CS23	Community Infrastructure and Cultural Activity
CS24	Green Infrastructure, Sport and Recreation Standards
CS34	Rural Areas

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

PSP1	Local Distinctiveness
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PSP2	Landscape
PSP3	Trees and Woodland
PSP4	Designated Local Green Spaces
PSP5	Undesignated Open Spaces
PSP7	Development in the Green Belt
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP18	Statutory Wildlife Protection
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water, and Watercourse Management
PSP38	Development within Existing Residential Curtilages
PSP42	Custom Build Dwellings
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

Trees on Development Sites SPG (Adopted) Nov. 2005.
 South Gloucestershire Design Checklist (Adopted) 2007)
 South Gloucestershire SPD: Residential Parking Standards (Adopted) 2013
 Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide
 SPD – (Adopted) March 2015
 SPD: Development in the Green Belt (Adopted) 2007
 South Gloucestershire Council Waste Collection: guidance for new
 developments SPD (Adopted) Jan 2015
 Marshfield Conservation Area Advice Note and Map (Adopted) 2004
 Local Green Spaces Note – Marshfield June 2018

3. RELEVANT PLANNING HISTORY

Further applications can be found on the website.

DOC21/00079 Discharge of conditions attached to the approved scheme for landscape (condition 3) and materials (condition 5). Approved on 9.6.21.

- 3.1 P21/01096/RVC Variation of condition 2 attached to planning permission P19/5232/F to amend the approved plans. Erection of 1 no. detached dwelling with detached two storey carport, new access, parking and associated works. Pending consideration
- 3.2 P19/5232/F Erection of 1 no. detached dwelling with detached two storey carport, new access, parking and associated works. Approved 10.3.20
- 3.3 PK18/4461/F Erection of 1 no. detached dwelling with two storey car port, new access and associated works. Withdrawn 29.11.18
- 3.4 PK14/4576/TCA Works to various trees situated within the Marshfield Conservation Area. (See tree schedule) No objection 23.12.14

4. CONSULTATION RESPONSES

- 4.1 Marshfield Parish Council
Strongly object to this Planning Application and request for the application to appear on the Circulated Schedule.

Internal Consultees

- 4.2 Conservation officer
No objection

- 4.3 Archaeology
No comment

- 4.4 Landscape architect
No objection

- 4.5 Highway structures
No objection

- 4.6 Tree Team
No comment

- 4.7 Ecologist
No objection

Statutory / External Consultees

- 4.8 Transport Officer
No objection

- 4.9 Historic England
No comment

- 4.10 Drainage and Flood Risk Management
No objection

Other Representations

- 4.11 Local Residents
14 letters of objection have been received from local residents. The points raised are summarised as:

- Objection to development on this site
- Inappropriate to its setting and surroundings
- Changes proposed not in accordance with conditions of approved application
- Changes are same as those previously rejected
- An attempt to revert back to an increased scale close to an earlier rejected scheme

- A new application for all the proposed changes is required
- Trying to ensure the original unacceptable design is achieved

5. ANALYSIS OF PROPOSAL

- 5.1 The applicant seeks to vary the condition specifically relating to materials for the proposed car port only.
- 5.2 Principle of Development
Applications made under s73 of the Act seek permission for the development of land without compliance with conditions subject to which a previous planning permission was granted. With applications made under s73, the Local Planning Authority shall consider only the conditions subject to which planning permission was granted; the principle of development is therefore established.
- 5.3 If the Local Planning Authority decides that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, the Authority should grant permission accordingly.
- 5.4 If the Authority decides that planning permission should be granted subject to the same conditions, then the application should be refused.
- 5.5 In assessing this application it is necessary to assess whether the relevant condition, or any variations satisfy the requirements of planning conditions as set out in the National Planning Policy Framework (NPPF). The NPPF requires all planning conditions to pass three tests – that conditions should be:
- i. Necessary to make the development acceptable
 - ii. Directly related to the development
 - iii. Fairly and reasonably related in scale and kind
- 5.6 Analysis of the proposal
Approval for the erection of one dwelling and separate car port was given on 10.3.20 by the Spatial Planning Committee. Plans submitted with the application showed significant areas of the main dwelling as well as the walls of the carport would be timber clad. At the time no objection was raised to the use of these materials by Historic England or by the Council's Conservation Officer. Approval was, however, granted by the Spatial Planning Committee on condition that no timber cladding was to be used on the exterior of the development.
- 5.7 This application proposes to revert to the original plans with the aim that the carport be clad in oak timber to complement an existing oak framed summerhouse within the site but that no timber would be used on the main dwelling as per the wishes of the Spatial Planning Committee expressed in Condition 2.
- 5.8 Details included in this submission point out that the carport is located at the side of the plot, well screened by existing mature trees and vegetation and as such would be unseen from any public vantage point around the site.

- 5.9 Furthermore the applicant states that they observed that when Members were considering no timber cladding as part of Condition 2, their focus was on the elevations of the main house rather than the carport.
- 5.10 In light of the extant approved scheme planning application the proposed changes to the external materials of the carport only can be considered to be a relatively minor change, and the proposal is therefore acceptable in these terms. A suitably worded revised condition will be added to the decision notice.
- 5.11 Other conditions: - landscape and materials conditions have been discharge and therefore, along with relevant others, these will become compliance conditions attached to the decision notice.
- 5.12 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.
- 5.13 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.
- 5.14 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 conditions.

CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of the original permission 10.3.20 granted under planning application P19/5232/F.

Reason

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

2. Notwithstanding that timber cladding shall not form part of the external materials of the main dwelling, development shall proceed in accordance with the following plans:

As received by the Council on 13.5.19:

Existing site plan - 18-079/E1

Proposed car port - 18-079/G1

Location plan -18-079/LP1

Section through site - 18-00 200 A

As received by the Council on 16.7.19:

East (Front) elevation - 100/19/B

Rear (west) elevation - 101/19 B

Sectional south elevation 102/19 B

North elevation - 103/19 B

Ground floor plan - 104/19 B

First floor - 105/19 B

Roof view - 106/19 B

South elevation - 107/19 B

Landscape/site plan - 18/079/SP1 E

Reason

To maintain and enhance the character and appearance of the Conservation Area, and to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policies PSP1, PSP2, PSP17 of the Policies Sites and Places (Adopted) 2017 and the National Planning Policy Framework.

3. Development shall be carried out in accordance with the approved details of roofing and external facing materials as assessed under DOC21/00079 determined on 9.6.21.

Reason

To maintain and enhance the character and appearance of the Conservation Area, and to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policies PSP1, PSP2, PSP17 of the Policies Sites and Places (Adopted) 2017 and the National Planning Policy Framework.

4. Notwithstanding the provisions of Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no development as specified in

Part 1 (Classes A, B, D, E, F, G and H), or any minor operations as specified in Part 2 (Class A), other than such development or operations indicated on the plans hereby approved, shall be carried out without the prior written consent of the Local Planning Authority.

Reason

To maintain and enhance the character and appearance of the Conservation Area, and to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policies PSP1, PSP2, PSP17 of the Policies Sites and Places (Adopted) 2017 and the National Planning Policy Framework.

5. Development shall be carried out in accordance with the landscape plan approved under DOC21/00079 determined on 9.6.21.

Reason

To maintain and enhance the character and appearance of the Conservation Area, and to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policies PSP1, PSP2, PSP17 of the Policies Sites and Places (Adopted) 2017 and the National Planning Policy Framework.

6. Development shall proceed in accordance with the details submitted in the Silverback Arboricultural Report (May 2019).

Reason

To preserve and maintain the health and longevity of trees within the site, to enhance the character and appearance of the Conservation Area, and to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policies PSP1, PSP2, PSP17 of the Policies Sites and Places (Adopted) 2017 and the National Planning Policy Framework.

7. Development shall proceed in accordance with the details submitted in the Ecological Appraisal Report by Fiona Elphick (July 2018) and also in accordance with the Great Crested Newt Survey by Fiona Elphick (September 2019).

Reason

To maintain and enhance the character and appearance of the Conservation Area, and to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policies PSP1, PSP2, PSP17 of the Policies Sites and Places (Adopted) 2017 and the National Planning Policy Framework.

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

Reason

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policy CS8 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013; Policy PSP16

of the Policies Sites and Places Plan (Adopted) 2017 and the South Gloucestershire Residential Parking Standards SPD (Adopted) December 2013.

9. Notwithstanding the approved plans, prior to the commencement of the carport, samples of the timber cladding proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

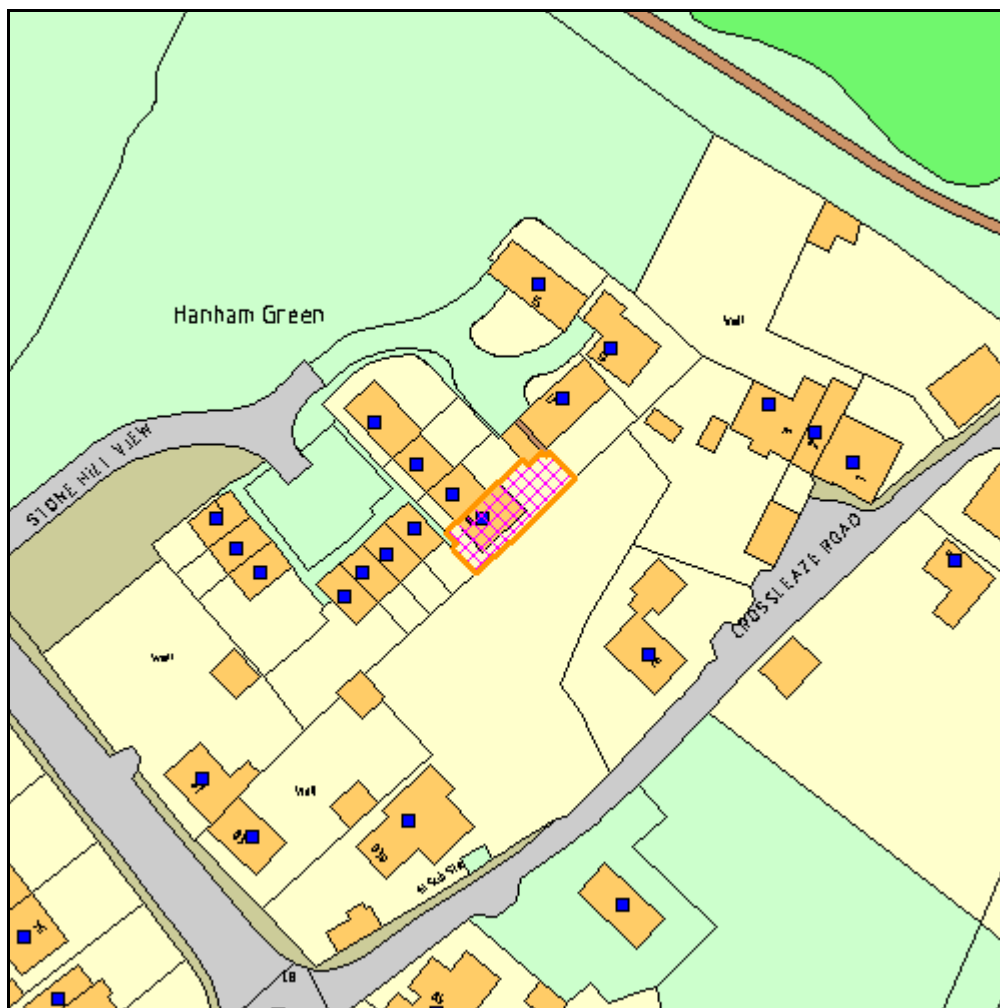
To maintain and enhance the character and appearance of the Conservation Area, and to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policies PSP1, PSP2, PSP17 of the Policies Sites and Places (Adopted) 2017 and the National Planning Policy Framework.

Case Officer: Anne Joseph

Authorising Officer: Helen Ainsley

CIRCULATED SCHEDULE NO. 24/21 - 18th June 2021

App No.:	P21/01154/F	Applicant:	Miss Claire Notton
Site:	11 Stone Hill View Hanham South Gloucestershire BS15 3SZ	Date Reg:	24th March 2021
Proposal:	Change of Use to private amenity space (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) and erection of 2 m boundary fence (retrospective).	Parish:	Hanham Abbots Parish Council
Map Ref:	364294 171082	Ward:	Hanham
Application Category:	Minor	Target Date:	18th May 2021



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P21/01154/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 the receipt of an objection from Hanham Abbots Parish Council contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 This is an application for full planning permission for the change of use of open land to private amenity space, and the erection of a 2m fence.
- 1.2 The application is partially retrospective, some vegetation has been removed from the land however the existing fence remains in place.
- 1.2 The application site lies within the designated settlement boundary.

2. POLICY CONTEXT

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

- 2.2 Development Plans

- South Gloucestershire Local Plan Core Strategy Adopted December 2013

- CS1 High Quality Design

- CS4a Presumption in Favour of Sustainable Development

- CS5 Location of Development

- CS8 Improving Accessibility

- CS9 Managing the Environment and Heritage

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

- PSP1 Local Distinctiveness

- PSP2 Landscape

- PSP5 Undesignated Open Spaces within Urban Areas

- PSP8 Residential Amenity

- PSP19 Biodiversity

- 2.3 Supplementary Planning Guidance

- South Gloucestershire Design Checklist (Adopted) 2007

3. RELEVANT PLANNING HISTORY

- 3.1 PK11/1652/F – Erection of 14 dwellings with parking, access and associated works. APPROVED

- 3.2 14 Stone Hill View - PK17/0355/F - Change of use of land from private open space to ancillary residential use (use class C3). (Retrospective). – Refused 27.07.2017 – Allowed on appeal 01.02.2018

4. CONSULTATION RESPONSES

- 4.1 Hanham Abbots Parish Council - Objections. The strip of land that runs adjacent to this and neighbouring properties is an important buffer between the Stone Hill View development and 63a Crossleaze Road. The owner of 63a Crossleaze, at the time the Stone Hill View development was planned, stated concerns over the fact that eventually the occupants of these homes would acquire this strip to enlarge their gardens, thus losing this buffer screening and their privacy.

This strip is also accessed by neighbouring properties who have gateways leading into it and if this proposal is permitted then this will obstruct neighbouring occupants to access this land to carry out maintenance to nearby trees and vegetation. We believe this contravenes PSP2 of the Policies, Sites & Places Plan. This will also reduce the area of amenity space available to neighbouring properties, contrary to PSP38 of the Policies, Sites & Places Plan as it would prejudice the amenities of neighbours.

- 4.2 Ecology – No objection
- 4.3 Transportation DC – No comments

Other Representations

- 4.4 Local Residents – No comments received

5. ANALYSIS OF PROPOSAL

- 5.1 11 Stone Hill View is part of a larger development of houses which adjoins an area of open space and an area of housing, and is semi-rural in character. The site is a residential property surrounded by residential dwellings and gardens.
- 5.2 The application site consists of a strip of land fully within the ownership of number 11, but not included within the residential curtilage of the property. The strip of land runs the length of the garden, approximately 22m, and is around 1m wide.
- 5.3 This buffer strip was part of application PK11/1652/F as part of open amenity land, with the intention of provide a landscaped area with ecological management conditions. The strip ran along the entire south eastern boundary of the development site.
- 5.3 Of relevance is an appeal decision for 14 Stone Hill View, where a further length of the buffer strip was incorporate into the garden area of that property. The appeal was allowed.

Principle of Development

- 5.4 The land is considered to be undesignated open space within an urban area. Development proposals in these areas will be acceptable if they do not adversely affect the quality, character, biodiversity, sustainable water management, recreation opportunities, heritage value, amenity or distinctiveness of the locality.

Landscape Character

- 5.5 The garden area of number 11, as well as the land under consideration for this application, is obscured from public view by surrounding properties and their gardens. Given the inconspicuous position of the appeal site, the development is not discernible within local views to detract from the wider semi-rural and open character of the area.
- 5.6 Whilst the intention of the land within the original permission was to provide a break between the development site and properties beyond, the strip would still have been bound by hard landscaping, creating a hard edge to the development which would reinforce the developments presence within the landscape. The proposed fence that would facilitate the change of use occupies the same position as the boundary treatment permitted within the original permission. There is not a discernible difference between the two that would result in an impact visually or on landscape character.
- 5.7 The fact that the buffer was around 1m wide must also be taken into consideration. A 1m landscaped area has very limited landscape value. The land to the south east application site also contains a much larger area of landscaping directly adjacent to the boundary, which remains unchanged by this application.
- 5.8 The application is not considered to have a harmful effect on landscape character and therefore would not be contrary to policy PSP1 or PSP2 of the Local Plan or policies CS1 or CS9 of the Core Strategy which seek development that conserves and where appropriate enhances the quality, amenity, distinctiveness and character of the landscape.

Ecology and biodiversity

- 5.9 Although the land has now been cleared, it is apparent that the site encompassed bramble scrub. This would have provided a habitat for birds and reptiles and contributed to an area for bats to forage and commute along.
- 5.10 In support of the original development for housing is an Ecological and Landscape Management Plan and Reptile Mitigation Strategy as well as drawings that depict proposed landscaping. The application site is identified as planting for a proposed hedgerow.
- 5.11 The applicant has stated that the area was accumulating rubbish and some of the vegetation within the strip had died back over the years. There is however

little evidence to show whether the shortcomings outweighed the benefits the land had for ecology and biodiversity.

- 5.12 It is therefore considered that the development has resulted in some loss of biodiversity which in turn is harmful to the local ecology. For this reason the change of use is contrary to policies PSP5 and PSP19 of the Local Plan and policies CS1 and CS9 of the Core Strategy which identify the importance of and seek development that avoids or minimises impact on biodiversity.

Residential amenity

- 5.13 It is apparent from the approved plans that the existing garden area is limited in size compared with the size of the house, and as a result, offers a relatively cramped area of outdoor space that offered a poor standard of amenity. The outside amenity space falls short of the 60m² that would now be required under PSP43. The proposed change of use would increase the garden area to a size that is more conducive to recreational activities for a family.
- 5.14 The concerns raised by the Parish Council are noted, however the proposals do not reduce the amount of amenity land for any properties. There does not appear to be any other owners of the land or indeed any other properties with rights of access over it. In any case, such an issue would be a civil matter.

Planning balance

- 5.15 The development does not have an adverse impact upon landscape character. Also weighed in the balance is the benefit of the change of use to the living conditions of the occupiers. The harm to ecology and biodiversity, which is limited, is considered to be outweighed by the benefits identified. On that basis, the proposal is not contrary to the development plan when taken as a whole.

Consideration of likely impact on Equalities

- 5.16 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.

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:

08 Mar 2021	BLOCK PLAN
08 Mar 2021	LOCATION PLAN
23 Mar 2021	FRONT ELEVATION-FENCE
23 Mar 2021	PLAN VIEW-FENCE

Reason

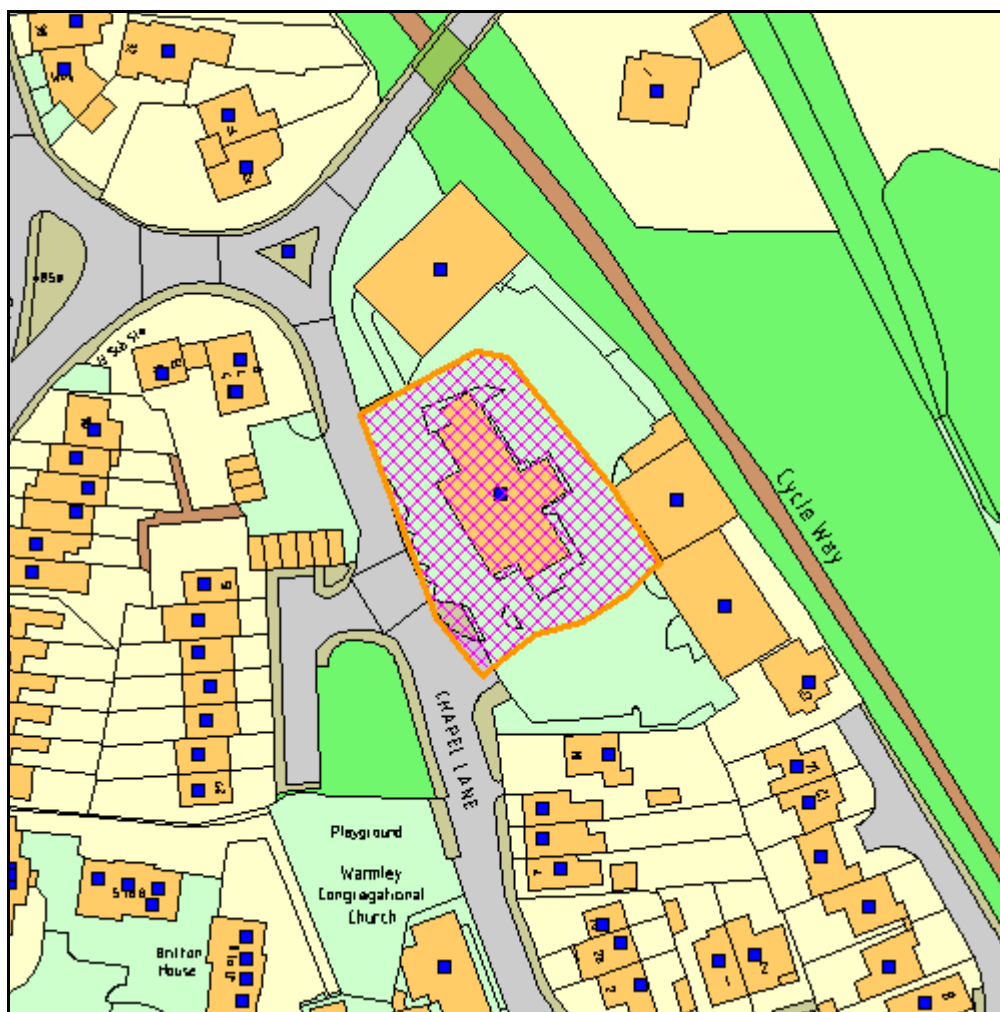
To define the terms and extent of the permission.

Case Officer: Rae Mepham

Authorising Officer: Helen Ainsley

CIRCULATED SCHEDULE NO. 24/21 - 18th June 2021

App No.:	P21/01255/F	Applicant:	Mr Peter Hurst
Site:	The Old Mill Chapel Lane Warmley South Gloucestershire BS15 4WW	Date Reg:	29th March 2021
Proposal:	Erection of second and third floor rear extension to form 1no. additional flat and enlarged flat with associated works.	Parish:	Siston Parish Council
Map Ref:	366961 173708	Ward:	Parkwall And Warmley
Application Category:	Minor	Target Date:	20th May 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 APPLICATION BEING ON CIRCULATED SCHEDULE

The application appears on the Council's Circulated Schedule procedure following the receipt of more than 3no. objection comments contrary to the officer recommendation below.

1. THE PROPOSAL

- 1.1 This application relates to the erection of a second and third floor rear extension to an existing building, to provide additional floor space to an existing flat and to provide 1no. additional flat to the building.
- 1.2 The existing Old Mill building is considered to be locally listed. The building is sited within a Settlement Boundary, and is within a Safeguarded Area for Economic Development.
- 1.3 The application has been revised since the original submission in regards to design.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework February 2019
National Planning Policy Guidance

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4a	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS9	Managing Environment and Heritage
CS12	Safeguarded Areas for Economic Development
CS29	Communities of the East Fringe of Bristol Urban Area

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

PSP1	Local Distinctiveness
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP43	Private Amenity Space Standards

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

3. RELEVANT PLANNING HISTORY

- 3.1 K4236/2, Date of Decision: 17-NOV-89, Proposal: ALTERATIONS AND ADAPTIONS TO EXISTING BUILDING (B1). ALTERATIONS TO PARKING AREAS AND LANDSCAPING.
- 3.2 PK11/1626/F, Decision: COND, Date of Decision: 14-JUL-11, Proposal: Installation of screen doors to front elevation and installation of air conditioning units to the rear elevation.
- 3.3 PK18/5617/F, Decision: COND, Date of Decision: 05-FEB-19, Proposal: Installation of 18no. windows, entrance steps, timber cladding & 8no. air conditioning units. Replacement of 2no. roller shutter doors with glazed screens and entrance doors.,
- 3.4 P20/23865/PNOR, Decision: PCON, Date of Decision: 02-MAR-21, Proposal: Prior notification of a change of use from Office (Class B1) to 19 no. flats (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).

4. CONSULTATION RESPONSES

- 4.1 Siston Parish Council – No response
- 4.2 Transportation DC – No objection
- 4.3 Conservation – Design alterations are an improvement. Large scale details of new windows would be required for any permission
- 4.4 The Coal Authority – No response
- 4.5 Drainage – No objection
- 4.6 Highway Structures – No comment

Other Representations

- 4.7 Local Residents – Three objection comments have been received, summarised as:
 - Existing parking situation is difficult and dangerous
 - Insufficient on site parking
 - Households will own and operate more than one vehicle
 - Large vehicles experience difficulty on local roads due to parking

5. ANALYSIS OF PROPOSAL

Principle of Development

- 5.1 The site is within the defined settlement boundary, an area where development is directed towards. This type of proposal is therefore acceptable in principle, subject to other material considerations.

- 5.2 The site is also within the Chapel Road safeguarded employment area. The existing building has already gained a change of use under P20/23865/PNOR. This application does not result in the loss of any “B” uses, and as such is not contrary to policy CS12.

Impact upon the Heritage Asset

- 5.3 The existing building is considered to be a locally listed building, considered a non-designated heritage asset.
- 5.4 The original building, constructed around 1907, was used as a corn mill. The building was a combination of three and four storeys constructed in redbrick, with arch-headed windows and a pitched tiled gable roof with parapets.
- 5.5 The building was later extended at ground floor level on the south west elevation, almost four storeys on the north west elevation, and two storeys on the rear elevation. This elevation seeks to extend this two storey element on the rear upwards by two additional storeys.
- 5.6 The building was converted into office use in the late 1980s.
- 5.7 The significance of the building stems primarily from its substantial presence and scale within the largely low-rise context of its surrounds, and from its social importance having been a place for employment within the local area.
- 5.8 The conversion to office space after 1989 and subsequent internal reconfigurations have already affected the buildings plan form and subdivided many of the large spaces.
- 5.9 The external appearance, form and architectural merit remain largely intact. The proposed extension works relate solely to the rear of the building, located away from the main public views of the site. The footprint of the building is also unaffected, with the proposed development sited atop an existing extension.
- 5.10 The extension matches the overall scale of the building, and provides a subservient roof sitting below the ridge of the lower section of roof.
- 5.11 The extension does obscure a portion of the rear elevation and 4no. window openings. This causes a degree of harm to the building, albeit at the lower end of less than substantial.
- 5.12 The extension replaces a hipped roof with a more appropriate parapet gable. The window design has been amended with segmental brick arches to match those in the main building.
- 5.13 The windows appear slightly squat when compared against the existing proportions, and this becomes evident when looking at individual panes. The proposed windows have panes with a horizontal emphasis whereas the existing windows are either square, or have a vertical emphasis. If the proportions of the windows and glazing pattern/panes can be adjusted to reflect the existing

then this would further respect the character of the host building a 3 over 6 arrangement of panes, for instance, may work. Large scale details of the new windows should be conditioned to ensure that they are appropriate for the building and match the existing as stated.

- 5.14 It is acknowledged that the proposal will likely allow a better configuration on units internally. The applicant has also stated that the proposal would allow the overall redevelopment to take place and to secure the long term future and management of the heritage asset. Given this, and the replacement of a non-ideal roof form, in accordance with para 197 of the NPPF it is considered that on balance, the proposal is acceptable.

Transportation and Highways

- 5.15 The site has a total of 33no. un-allocated spaces on site. The proposed level of parking is more than adequate as it meets the Council's minimum parking standards for the development.
- 5.16 Concerns regarding parking within the local area are noted, however given that the site can accommodate the expected parking requirements as per PSP16, the extension of one flat and provision of another will not further impact upon any parking or highways issues.

Residential amenity

- 5.17 Policy PSP43 sets out the expected levels of public and private amenity space that should be provided for residential properties. No amenity space has been provided under this application.
- 5.18 The application extends an existing building upwards. The overall site, formerly an office building, contains no outside amenity space with all outside space as hardstanding for car parking. There is therefore no opportunity for on-site amenity space.
- 5.19 The building is also locally listed, and the extension has been designed in such a way to complement the features of the existing building. It is very unlikely that balconies would be regarded as acceptable in design terms.
- 5.20 A material consideration is that the building has gained permission under prior approval for the provision of 18 flats within the existing building. The provision of amenity space is not one of the requirements within the GPDO.
- 5.21 The building is well located in terms of outside spaces, located immediately adjacent to the Bristol/Bath cycle path and Warmley Forest Park, which is around 10ha in size.
- 5.22 Although the lack of private amenity space is regrettable, given the restrictions of the site, the existing permission for conversion, and the very easy access to a large area of open space, in this instance the addition of one additional flat that does not have private amenity space is not considered to warrant a reason for refusal.

- 5.23 The proposed additional flat would meet National Space Standards, and the proposal also allows for the enlargement of a flat, improving conditions for future occupiers.
- 5.24 Given the location of the extension, there would be no overlooking or overbearing impact upon residential properties.

Coal referral

- 5.25 The proposal is located within a Coal referral area. The development is to be carried out above first floor level, with no proposed ground works. As such a Coal Report has not been considered necessary. The Coal Authority have raised no objections, nor suggested conditions.

Consideration of likely impact on Equalities

- 5.26 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.
- 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 off-street parking facilities shown on the plan hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason:

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

3. Prior to the first occupation of the dwelling details a 7 kW 32 Amp electric vehicle charging point shall be provided for each dwelling (20no. in total) and thereafter retained for that purpose.

Reason

To encourage sustainable means of transportation to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and PSP16 of the South Gloucestershire Local Plan: Policies Sites and Places Plan adopted November 2017.

4. Notwithstanding the approved details, no construction of the external walls of the development shall commence until large scale details of the proposed windows have been submitted to and approved in writing by the Local Planning Authority. Thereafter the work shall only be carried out in accordance with the approved details.

Reason

To safeguard the character and appearance of the building.

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

08 Mar 2021	20.050 - 001	SITE LOCATION PLAN
08 Mar 2021	20050-010	APPROVED SITE PLAN
08 Mar 2021	20050-011	APPROVED GROUND FLOOR PLAN
08 Mar 2021	20050-012	APPROVED FIRST FLOOR PLAN
08 Mar 2021	20050-013	APPROVED SECOND FLOOR PLAN
08 Mar 2021	20050-014	APPROVED THIRD FLOOR PLAN
08 Mar 2021	20050-015	APPROVED FRONT ELEVATION
08 Mar 2021	20050-016	APPROVED REAR ELEVATION
08 Mar 2021	20050-020	PROPOSED SITE PLAN
08 Mar 2021	20050-023	PROPOSED SECOND FLOOR PLAN
08 Mar 2021	20050-024	PROPOSED THIRD FLOOR PLAN
26 Mar 2021	20.050 - 003	EXISTING GROUND FLOOR PLAN
26 Mar 2021	20.050 - 004	EXISTING FIRST FLOOR PLAN
26 Mar 2021	20.050 - 005	EXISTING SECOND FLOOR PLAN
26 Mar 2021	20.050 - 006	EXISTING THIRD FLOOR PLAN
26 Mar 2021	20.050 - 120	BLOCK PLANS
26 Mar 2021	COMB-TO SPLIT	ELEVATIONS AS EXISTING
06 May 2021	026 A	PROPOSED REAR ELEVATIONS
06 May 2021	027 A	PROPOSED SIDE ELEVATIONS

Reason

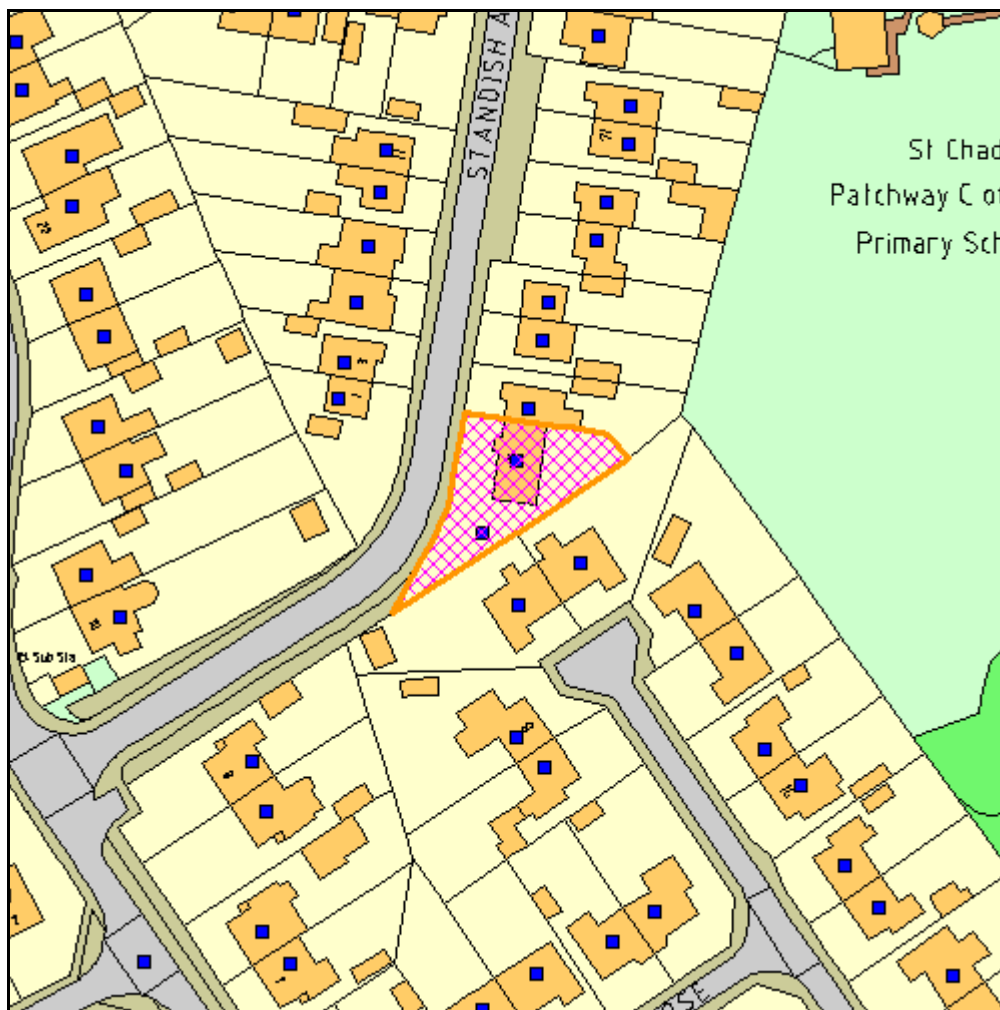
To define the terms and extent of the permission.

Case Officer: Rae Mepham

Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 24/21 - 18th June 2021

App No.:	P21/02534/F	Applicant:	Mr John Castell
Site:	2 Standish Avenue Patchway South Gloucestershire BS34 6AJ	Date Reg:	8th April 2021
Proposal:	Demolition of existing garage extension and erection of 1 no. dwelling with associated works.	Parish:	Stoke Lodge And The Common
Map Ref:	361023 182173	Ward:	Bradley Stoke North
Application Category:	Minor	Target Date:	1st June 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 THE CIRCULATED SCHEDULE

The application appears on the Circulated Schedule because in excess of 3no. representations have been received that are contrary to the officer recommendation.

1. THE PROPOSAL

1.1 The application seeks full planning permission for the demolition of an existing garage and the erection of 1no. dwelling, with associated works.

1.2 The application site is land to the side of and within the curtilage of 2 Standish Avenue, a semi-detached chalet style dwelling. The host property is located within a triangular plot that fronts the Eastern side of Standish Avenue, within the North Fringe of Bristol Urban Area. The area of land on which it is proposed to erect the dwelling is currently occupied by a single storey attached garage serving the host property.

1.1 The application is a re-submission of P20/13710/F. The current proposal is broadly the same as the refused scheme, however more of the plot has been allocated to the proposed dwelling to attempt to overcome the second refusal reason (insufficient amenity space).

1.3 This previous application was refused for two reasons which were:

The proposed development, if built, by reason of its sitting, size, scale and design would appear out of character with the surrounding pattern of development, in addition to appearing cramped and contrived. This would result in harm to the character and appearance of the site and its context, and does not represent the highest standards of design. The proposed development would therefore fail to comply with policy CS1 of the Core Strategy (Adopted 2013), policy PSP1 of the Policies, Sites and Places Plan (Adopted 2017).

And

The proposed development, if built, would be provided with an insufficient amount private amenity space at the detriment to the living conditions of the future occupiers. The proposed development therefore fail to comply with policy PSP43 of the Policies, Sites and Places Plan (Adopted 2017).

1.4 The applicant invoked their right of appeal, and a decision was issued by the Planning Inspectorate (APP/P0119/D/20/3261601) which dismissed the appeal.

1.5 However, the appeal was only dismissed on the grounds of there being insufficient private amenity space and the Inspector did not agree with the design refusal reason. Essentially, the inspector only upheld the second reason for refusal and found the design to be acceptable.

- 1.6 Accordingly, the issue of design can be considered as having been addressed by this appeal decision, and the main issue to consider in this instance is whether the development would be afforded sufficient private amenity space.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework February 2019
National Planning Practice Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS25	Communities of the North Fringe of Bristol

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

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

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) August 2007
Householder Design Guide SPD (Adopted) March 2021
Residential Parking Standard SPD (Adopted) December 2013
CIL and S106 SPD (Adopted) March 2015

3. RELEVANT PLANNING HISTORY

- 3.1 P20/13710/F (refused 30/09/2020 / appeal dismissed 29/03/2021):
Demolition of existing garage extension and erection of 1 no. detached dwelling with associated works.
- 3.2 P86/1868 (approved 16/07/1986):
Erection of front porch and single storey side extension to form double garage and utility room.

4. CONSULTATION RESPONSES

- 4.1 Stoke Lodge and The Common Parish Council
No comments have been received
- 4.2 DC Transport
No objection subject to conditions
- 4.3 Highway Structures
Have no comment to make
- 4.4 Drainage (LLFA)
No objection
- 4.5 Archaeology Officer
No comments have been received. It is noted that the comments on the previous application were “no comments”.
- 4.6 Local Residents
5no. representations in objection have been received (2 of which from Parish Councillors) and 1no. representation in support has been received.

Objection comments summarised as follows:

- Parking insufficient
- Parking would be dangerous
- Would change the view
- Would look overcrowded
- Impacts from building work
- Eyesore
- Roof line should be parallel to road like other properties
- Entrance to off-street parking should be wider enough for two cars side by side to avoid on street parking
- Overbearing
- Overlooking/loss of privacy
- Impact on light
- Difference in ground levels
- Noise and disturbance
- Overdevelopment
- Impact on sewerage system

Support comment summarised as follows:

- Well designed
- Should blend in well
- If it meets regulations, It should pass planning
- Enough parking

5. ANALYSIS OF PROPOSAL

- 5.1 The proposal seeks to demolish an existing garage and erect 1no. dwelling, with associated works.

Principle of Development

- 5.2 Policy CS5 of the Core Strategy outlines the locations at which residential development is considered appropriate within the district. CS5 submits that most new development in South Gloucestershire will take place within the communities of North and East fringes of the Bristol urban area(s). CS5 also outlines that new development will be of a scale appropriate to achieve greater self-containment, improving the roles and functions of towns, with a focus on investment in the town centres and improving the range and type of jobs. The application site is located within the defined settlement boundary of the North Fringe of Bristol Urban Area, and the scale of development is considered appropriate for this location. As such, based solely on the location of the site, the principle of the development is acceptable.
- 5.3 As the site is within an existing residential curtilage, PSP38 is also relevant. PSP38 permits development within existing residential curtilages (including new dwellings) provided they are of an acceptable design, would not prejudice the amenities of neighbours, would provide sufficient parking and would provide sufficient private amenity space. Policy CS1 is the Council's principal design policy. CS1 requires development to demonstrate the highest standards of design and site planning by demonstrating that siting, form, scale, height, massing, detailing colour and materials are informed by respect and enhance the character, distinctiveness and amenity of both the site and its context.
- 5.4 The development is acceptable in principle under the provisions of policy CS5 on a purely locational basis and is acceptable in principle under the provisions of PSP38. Moreover, it is acknowledged that the provision of one additional two bed dwelling towards housing supply would have a negligible socio-economic benefit. However, the impacts of the development proposal must be further assessed against relevant policy to identify any potential harm. For this type of development at this location, the further areas of assessment are; design and visual amenity, residential amenity, and transportation.

Recent Appeal Decision

- 5.5 APP/P0119/D/20/3261601 against P20/13710/F is a strong material consideration in this case, in addition to the above. In dismissing the appeal, the inspector upheld the Council's second refusal reason (insufficient private amenity space) but did not uphold the Council's first reason (design). In not upholding the design refusal, the inspector noted:

Standish Avenue is a typical suburban residential road mostly characterised by chalet style dwellings with accommodation in the roofspace. There is a variety in the separation distances between units in addition to the building line with some dwellings set back further than others, however the dwellings have open frontages and parking to the front providing the street with a sense of openness. The appeal site is located near a junction with Shellmor Avenue, which is characterised by bungalows, and there are bungalows along Standish Avenue near this junction.

And

In this context, the proposed single storey dwelling would not appear incongruous, and the proximity to the host dwelling, No 2, would not be out of keeping with the pattern of development along Standish Avenue. The proposed dwelling would replace a large flat roofed garage, and whilst it would incorporate a flat roofed element in addition to a pitched roof, this would reflect the existing garage and a number of attached flat roofed garages along the street. The part pitched roof, part flat roofed design would therefore echo the existing rhythm and pattern of development along the street.

And

The property would be set back from the highway, and whilst slightly projecting on front of No 2, the building line is varied, and the set back is sufficient to retain the open character of the street scene. The single storey nature of the property, the open garden area to its southern side and separation distance to No 2a, ensures that it would not appear cramped.

5.6 The proposal in this instance is broadly the same as the refused scheme, however more of the plot has been allocated to the proposed dwelling to attempt to overcome the second refusal reason (insufficient amenity space).

5.7 Design and Visual Amenity

As noted above, the design of the proposed development can be considered acceptable by reason of the recent decision from the Planning Inspectorate, which found that the proposed development would not be harmful to the character and appearance of the surrounding area. Accordingly, there can be no conflict with CS1 or PSP1 and the proposal can be considered acceptable in terms of design. The proposed materials are to be facing brick, render and double roman roof tiles with a new 1.8 metre timber boundary fence to separate the new and existing properties. These are considered to be acceptable, in the context of the residential area. That said, an appropriately worded condition should be applied in the event permission is granted to require samples of the final materials, in the interest of ensuring a satisfactory standard of external appearance.

5.8 Residential Amenity

PSP8 permits development where it does not prejudice the residential amenity of both occupiers of the development and of neighbouring dwellings through the creation of unacceptable impacts. Such unacceptable impacts include loss of privacy, overlooking, loss of light, loss of outlook and overbearing/dominant impacts.

5.9 It is noted that concern has been raised with regards to impacts on neighbouring occupiers. With regards to the loss of privacy and overlooking, overbearing and dominant impacts, and loss of light to the neighbouring properties, due to the siting, size, scale and design of the proposed development, it would not result in unreasonable harm to the residential amenities enjoyed by neighbouring properties. Levels of overlooking would not be beyond what can be reasonably expected in an urban area.

- 5.10 Comments are noted to raise concerns with regards to impacts on the amenities of neighbours from the construction phase of development. As these would be temporary and to be expected of any development when it is being implemented, this would not be a reasonable ground to refuse permission. A condition should be applied to limit working hours.
- 5.11 The issue that presented with the previous application was a lack of private amenity space. As a 2-bed dwelling, the new dwelling requires 50sqm of private amenity space. The existing property is understood to have 3 bedrooms, which would require 60sqm of private amenity space. This application seeks to address the previous concerns by allocating more of the plot to the new property to meet the requirements of PSP43. As established in the previous appeal, the garden to the front of the new property should not be counted towards the total provision as it would not be private and would not be of sufficient quality.
- 5.12 The alteration to the proposal in this case means that the 50sqm can be met, albeit just, which means that the proposal meets the requirements of PSP43. The host property would be left with more than 60sqm private amenity space, which means that it remains policy compliant with PSP43. The amenity space to the rear of the new property would be of a somewhat odd shape, however the increase in size means officers are now satisfied that the amenity space would be able to accommodate domestic items associated with a small family sized dwelling (such as play equipment, cloths drying area, etc.). As the proposed development provides a satisfactory level of private amenity space, the proposed development can be considered acceptable in this regard and the previous refusal reason can be considered to be overcome.
- 5.13 Transportation
As the site is within an urban area, the development is considered to fully comply with the PSP11 locational requirements in terms of location in relationship to key services and facilities. As a 2-bedroom property, PSP16 requires 1no. off street parking space to be provided. As a 3-bed property, no.2 (the parent property) requires 2no. parking spaces. 3no. spaces are required in total.
- 5.14 The plans show that there are parking areas provided for each property (existing and new) which would provide the required level of parking (3 in total, 1no. for the new property and 2no. for the parent property). Whilst there would be no facility to turn on site, the unclassified nature of the road, low speed limit and residential nature of the area means this is unlikely to pose any significant issues, with such arrangements being common in residential areas. The highways officers have examined the access arrangements and consider the proposal to be acceptable.
- 5.15 The proposal would necessitate an extension to the dropped kerb, which would not require planning permission in its own right as the road is not classified, however an appropriately worded informative should be applied to remind the applicant that they would need to seek approval from the highway authority before commencing works on the public highway. Appropriately worded

conditions should also be applied, should permission be granted, to ensure that parking areas are provided and to require them to be surfaced in a bound material to prevent material being tracked on to the highway. Electric vehicle charging facilities should also be provided, which can also be picked up by condition. Subject to the above, there are no highways grounds on which to resist the proposed development.

Impact on Equalities

5.16 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 is considered to have a neutral impact on equality.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 It is recommended that permission is **GRANTED**

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 parking provision and access arrangements (including extension to the existing dropped kerbs) as indicated on plans hereby approved (in particular, 259/02a, proposed plan and elevations, as received 31st March 2021) shall be provided prior to the first occupation of the new dwelling and shall be retained thereafter. The parking areas shall at all times be surfaced in a bound material.

Reason

In the interest of ensuring that a satisfactory level of parking is provided and to ensure that no loose surface material is tracked on to the public highway, in the interests of highway safety and to accord with PSP11 and PSP16 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017.

3. The new and existing dwelling shall be provided with electric vehicle charging facilities, details of which shall be provided to the local planning authority prior to first occupation of the new dwelling hereby approved. Facilities shall be implemented in accordance with the agreed details and retained thereafter.

Reason

In the interest of ensuring the provision of facilities to promote sustainable travel and to accord with CS8 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) December 2013.

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

Reason

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

5. Development shall be implemented in accordance with the following plans:

Site location plan

259/01A - Existing combined and block plans

259/02A - Combined proposed plans

As received 31st March 2021

Reason

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

6. The hours of working on site during the period of demolition and construction shall be restricted to 07.30hrs to 18.00hrs Mon to Fri after 30th September 2021, before which an end time of 21.00 hrs is permitted in accordance with Government COVID-19 Written Ministerial Statement on construction hours; and 08.00hrs to 13.00hrs Sat. and no working shall take place on Sundays or Bank Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery, deliveries to the site and the movement of vehicles within the curtilage of the site.

Reason

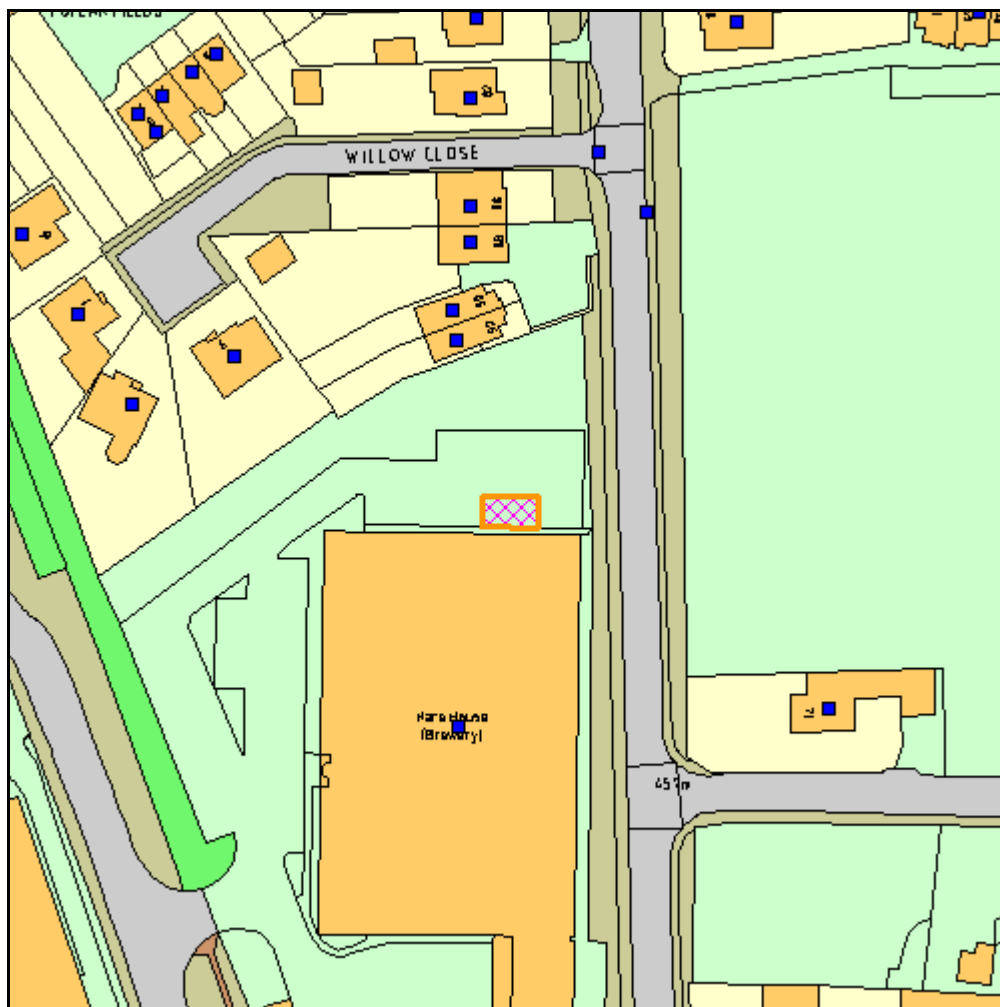
To protect the amenities of nearby occupiers in accordance with PSP8 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017.

Case Officer: Alex Hemming

Authorising Officer: Helen Ainsley

CIRCULATED SCHEDULE NO. 24/21 – 18th June 2021

App No.:	P21/02833/F	Applicant:	Mr David Pedlar St Austell Breweries Ltd
Site:	Bath Ales Ltd Hare House Southway Drive Warmley South Gloucestershire BS30 5LW	Date Reg:	29th April 2021
Proposal:	Installation of an external waste yeast tank connected to existing brewery plant.	Parish:	Bitton Parish Council
Map Ref:	367870 172586	Ward:	Bitton And Oldland Common
Application Category:	Minor	Target Date:	23rd June 2021



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 100023410, 2008. **N.T.S.** **P21/02833/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 THE CIRCULATED SCHEDULE

The application appears on the Circulated Schedule because more than 3no. Representations have been received from residents, which are contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 Full planning permission is sought for the installation of an external waste yeast tank, to be connected to the existing brewery plant.
- 1.2 The application site is the Northern end of the Hare House site occupied by Bath Ales Ltd, and is within the East Fringe of Bristol urban area. The site is also within an area safeguarded for economic development per CS12 and B8 storage and distribution per PSP27
- 1.3 During the course of the application, further information has been provided following comments from residents, which prompted environmental protection to be consulted as part of the application.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework February 2019
National Planning Practice Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS12	Safeguarded Areas for Economic Development
CS29	Communities of the East Fringe of Bristol

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

PSP1	Local Distinctiveness
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP20	Flood Risk, Surface Water, and Watercourse Management
PSP21	Environmental Pollution and Impacts
PSP27	B8 Storage and Distribution Uses

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) August 2007

3. RELEVANT PLANNING HISTORY

- 3.1 PK14/3224/RVC (approved 21/10/2014):
Variation of condition attached to K448/30, K448/38, K448/58 and PK14/0549/F all relating to hours of operations being 24 hours to allow brewing overnight.

Relevant conditions:

Condition 3

The level of noise emitted from the site shall not exceed 50 dB(LAeq 1hr) between 07:00 and 23:00 and 40dB (LAeq 5min) between 23:00 and 07:00, as measured at or beyond the boundary of any residential premises. The measurements and assessment shall be made in accordance with the provisions of BS4142:1997.

Condition 4

No outside working shall be carried out on the site between 21:00 and 07:00 within any 24 hour period.

Condition 5

No deliveries shall be taken at or despatched from the site outside the hours of 07:00 to 18:00 Monday to Saturday or at any time on a Sunday, Bank or Public Holidays.

- 3.2 Other planning history is available for the site, but is neither recent nor relevant.

4. CONSULTATION RESPONSES

4.1 Bitton Parish Council

No objection

4.2 Siston Parish Council

No comments have been received

4.3 DC Transport

Have no comments because the parking and access arrangements remain unchanged and the proposal will not alter the travel demand.

4.4 Highway Structures

No comments have been received

4.5 Drainage (LLFA)

No objection; informative recommended

4.6 Economic Development

No comments have been received

4.7 Environmental Protection

No formal comments have been received. However, in light of concerns raised by residents, EP have been consulted. Following the submission of further details of what the proposal would entail, environmental protection officers do not raise any concerns and do not request the use of any specific noise related conditions.

4.8 Local Residents

5no. objection comments have been received, 2 of which from the same person. Comments are summarised as follows:

- Brewery creates noise and smells
- Tank will make things worse
- Noise and smell should be at the other end of the factory
- Will this add to existing smells emitted?
- Will this add to existing all hours noise?
- Impact on property value
- Concerned tank will allow increased production
- Previous applications not discussed with neighbours or given enough notice
- Bath Ales should be challenged by planning committee as expansion to date feels unquestioned and has reached critical point
- Not enough information
- How long will the pump be in operation?
- Will the tank be vented and what will prevent smell being emitted?
- Will the tank be filled during working hours or will it be continuous
- Have additional noise reduction measures been considered?
- Concerned only three properties have been advised about the application – several others affected by the site

5. ANALYSIS OF PROPOSAL

5.1 The proposal seeks to an external waste yeast tank, to be connected to the existing brewery plant.

Requirement for the tank

5.2 The tank is proposed to store waste Yeast produced during the fermentation process on the site in a more efficient manner than the current set up. The tank will replace the existing set up, which consists of a number of IBCs (intermediate bulk containers) that are currently used to collect and store the same waste Yeast in the storage area to the North of the site. These containers are currently stored outside in the same place that the new tank will be situated.

5.3 The tank would be linked to the building by a pipe which would fill the tank, fed from a new pump installed 20 metres inside the building. It is stated that the tank would not be vented outside, and the only external connection would be

that which would allow the tank to be emptied by tanker, which would take place during the sites permitted exterior operational hours. At present IBCs are emptied individually by suction hose from a tanker.

Principle of Development

- 5.4 The NPPF submits that planning policies and decisions should help create the conditions in which businesses can invest, expand, and adapt. Accordingly, significant weight should be given to the need to support economic growth and productivity. Policy CS12 seeks to safeguard areas designated for economic development, and the site is located within one of the safeguarded areas (area 23, Southway Drive, North Common). The proposal would be for a piece of equipment ancillary to the existing economic development function of the site. Therefore, the proposed development would not conflict with the aims of CS12, or the NPPF in terms of supporting economic growth and productivity.
- 5.5 There are no other factors that would prevent the proposed development in this location in principle. However, detailed consideration is required with regards to impacts on residential amenity, visual amenity and transportation.
- 5.6 Residential Amenity
PSP8 permits development where it does not prejudice the residential amenity of both occupiers of the development and of neighbouring dwellings through the creation of unacceptable impacts. Such unacceptable impacts include odours, fumes and vibration, noise or disturbance, loss of privacy, overlooking, loss of light, loss of outlook and overbearing/dominant impacts. It is noted that concerns are raised regarding odours and noise generated from the site.
- 5.7 The tank would have the effect of reducing the need for forklift operations associated with the filling and moving of a number of smaller containers, with the tank instead taking the waste product straight from the process inside via a direct pipe. This means that should permission be granted, there could be a reduction in existing noise levels at this end of the site. Similarly, the use of a tank as proposed would theoretically mean less odours to some extent because it would not be open and would not be vented outside. Accordingly, it is not considered that the proposed tank would lead to any increase in noise or odours beyond the existing situation largely governed by the main consent for the site.
- 5.8 Other wider issues with the site and its operation cannot be addressed through this planning application, which only seeks installation of a singular tank, which is considered acceptable. It should also be noted that the site is covered by existing conditions which limit activities. PK14/3224/RVC, granted in 2014, is in effect the latest permission for the overall operation of the site. This permission limited the use of the site to use a brewery only and puts limits on noise levels at certain times of day, limits outside working to daytime hours only and limits hours of deliveries (inbound and outbound).
- 5.9 Any functioning of the wider site would need to take place within the limitations of this consent. Pertinent to this case would be the emptying of the tank which would need to be within the permitted hours, and any noise generated by the

pump would need to comply with the db limits imposed on this RVC consent. For the avoidance of doubt, it also submitted that in any event, the pump would be largely silent in operation.

5.10 Having regard to the above, whilst concerns are noted, there is nothing specific to this application that would warrant refusal on amenity grounds. Officers are also satisfied that the siting and scale of the tank are such that there would be no other amenity issues, such as overbearing, or overshadowing, should permission be granted.

5.11 Design and Visual Amenity

The tank would have a height of c.4 metres and would be c.4 metres deep. It would be sited on the Northern end of the main building next to an existing, taller tank. The design and appearance of the tank are functional, which will be read within its commercial setting as another piece of equipment associated with the use of the site. To put it another way, the proposal would not be out of keeping with its surroundings. Accordingly, the proposal is considered acceptable in terms of design and visual amenity.

5.12 Transportation

The tank would occupy part of the site currently used for storage of waste Yeast using the existing set up and would not impact on the levels of parking available on site. Moreover, the proposal would be unlikely to lead to any appreciable increase in travel demand for the site, and any lorry movements that are required to empty it would need to take place within the limits of the conditions applicable to PK14/3224/RVC. Because it will not alter the parking arrangements or lead to any appreciable alteration to the site's travel demand, the highways officers do not raise any concerns with the proposal. Accordingly, officers consider the proposal to be acceptable in terms of transportation.

Impact on Equalities

5.13 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.

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

Other Matters

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

- 5.16 Whilst concerns are noted regarding issues with previous consents and how they were dealt with procedurally, this cannot have any weight on the current application, which needs to be considered on its own merits. The application has been correctly referred to Circulated Schedule and could therefore appear before the Development Management Committee, should a valid referral be made on planning grounds.
- 5.17 The application has been given the correct publicity in accordance with the Council's Statement of Community Involvement.
- 5.18 Impacts on property value are not a material consideration.

6. **CONCLUSION**

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

7. **RECOMMENDATION**

- 7.1 It is recommended that permission is **GRANTED**

CONDITIONS

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

Reason

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

2. Development shall be implemented in accordance with the following plans:

HYT_STR_ATP_004 A - Existing and proposed elevation plans

HYT_STR_ATP_005 A - Existing and proposed floor plans

Site location plan

As received 21st April 2021

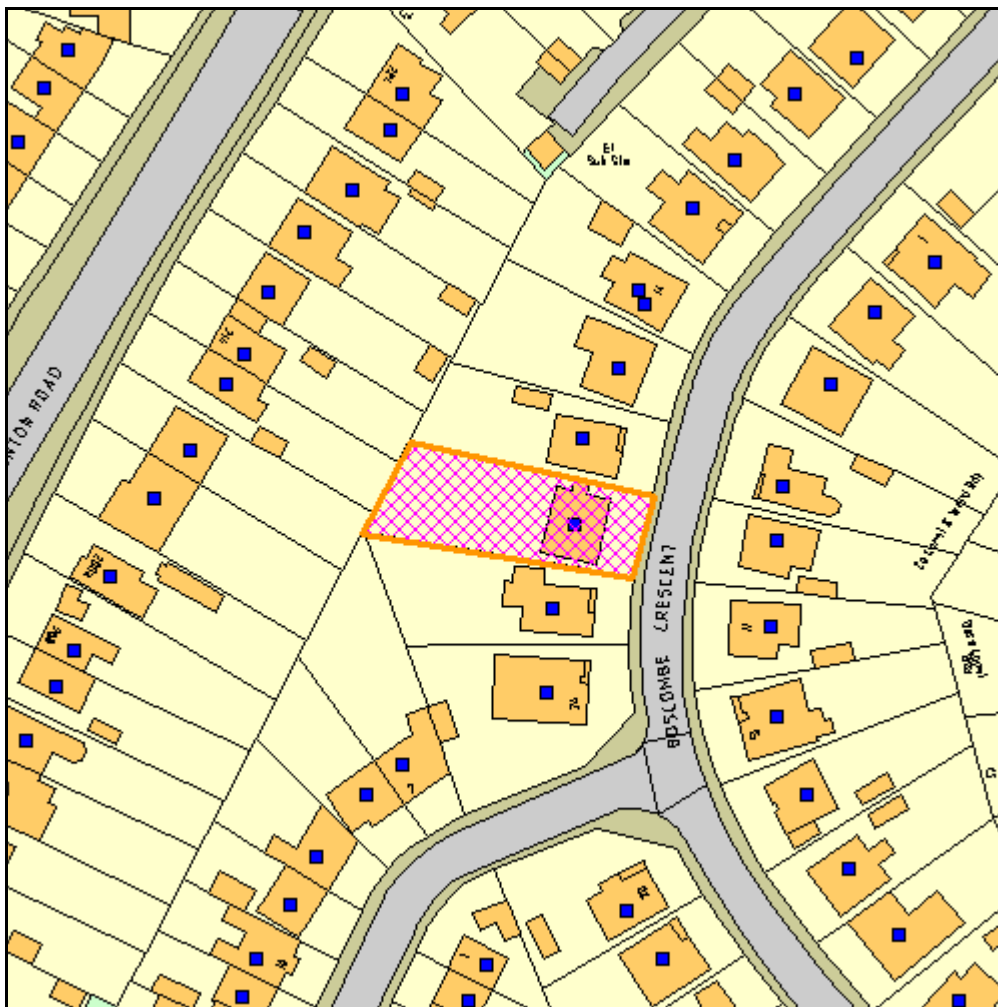
Reason

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

Case Officer: Alex Hemming
Authorising Officer: Helen Ainsley

CIRCULATED SCHEDULE NO. 24/21 - 18th June 2021

App No.:	P21/02889/F	Applicant:	Mr J Bryan
Site:	20 Boscombe Crescent Downend South Gloucestershire BS16 6QH	Date Reg:	30th April 2021
Proposal:	Erection of a one and a half storey rear extension to form additional living accommodation and installation of 3no rooflights to facilitate loft conversion.	Parish:	Downend And Bromley Heath Parish Council
Map Ref:	365521 177620	Ward:	Frenchay And Downend
Application Category:	Householder	Target Date:	24th June 2021



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P21/02889/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 THE CIRCULATED SCHEDULE

This application appears on the Circulated Schedule because a representation has been received from the Parish Council that is contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 Full planning permission is sought for the erection of a one and a half storey rear extension and the installation of 3no. roof lights to facilitate a loft conversion.
- 1.2 The application site is a detached bungalow in the East Fringe of Bristol Urban Area.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework February 2019
National Planning Practice Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS29	Communities of the East Fringe of Bristol

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

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

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) August 2007
Householder Design Guide SPD (Adopted) March 2021
Residential Parking Standard SPD (Adopted) December 2013

3. RELEVANT PLANNING HISTORY

None.

4. CONSULTATION RESPONSES

4.1 Downend and Bromley Heath Parish Council

Objection

- Out of keeping
- Overdevelopment

4.2 Emersons Green Town Council

Have no comment.

4.3 Sustainable Transport

No objection

4.4 Local Residents

2no comments of support have been received, both more or less stating no objections to the development.

5. ANALYSIS OF PROPOSAL

5.1 The proposal seeks to erect a 1.5 storey rear extension and install 3no. rooflights to facilitate a loft conversion.

5.2 Principle Of Development

PSP38 of the South Gloucestershire Council Policies, Sites and Places Plan (adopted November 2017) permits development within existing residential curtilages (including extensions) in principle where they do not unduly harm the design, visual amenity and residential amenity of the locality or prejudice highway safety or the provision of adequate private amenity space. PSP38 is achieved through CS1 of the South Gloucestershire Council Core Strategy (adopted December 2013), which requires development to demonstrate the highest standards of design and site planning by demonstrating that siting, form, scale, height, massing, detailing colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the site and its context. Additional guidance on achieving good design for householder developments is set out in the Household Design Guide supplementary planning document (SPD), which was formally adopted in March 2021. The development is acceptable in principle, subject to the following detailed consideration.

5.3 Design and Visual Amenity

The host property is a bungalow with rendered elevations and brick details, and a pitched roof with side gables comprising of double roman tiles. The immediate area is characterised mostly by bungalows, many of which have been extended to the rear in various ways. Most recently, no7 opposite has had approved an extension to the existing rear projection approved under P20/02100/F.

- 5.4 The extension would project from the rear by 4.3 metres and would see a rear facing gable introduced with a ridge height matching the host property. The extension would be set in from the Northern side elevation by c.300mm and the Southern elevation by c.1200mm. The proposal would allow 3no. bedrooms to be introduced in the loft (though the ridge height would not increase) and the living area downstairs expanded.
- 5.5 The extension being 4.3 metres in depth is within the limits set out in the household design SPD for a ground floor rear extension and would maintain in excess of a 7-metre distance between the rear elevation and the rear garden boundary. Per the SPD, two storey rear extensions should be no deeper than 4 metres. Given however that the extension is not a full two storey height extension, 4.3 metres is considered acceptable in this instance. The plot itself is generous in size, so the extension as proposed does not appear 'crammed in' or lead to an overdeveloped appearance. The form of the extension, whilst appearing large, broadly respects the design cues and characteristics of the existing property and the street frontage would still appear as a bungalow, albeit with loft accommodation, which is not at all uncommon.
- 5.6 Ideally the ridge of the extension would be set down, however in this case officers would be concerned that it would make the roof pitch appear uncharacteristically low or 'squat', so on balance consider the matching ridge appropriate on this occasion. In all other respects, the extension can be considered appropriately in keeping with the host property and surrounding area, and there are not considered to be any material grounds on which to resist the proposal in terms of its design. Accordingly, the proposal is considered broadly in compliance with PSP38, CS1 and the household design SPD.
- 5.7 Residential Amenity
PSP8 permits development where it does not prejudice the residential amenity of both occupiers of the development and of neighbouring dwellings through the creation of unacceptable impacts. Such unacceptable impacts include loss of privacy, overlooking, loss of light, loss of outlook and overbearing/dominant impacts.
- 5.8 The depth being what it is means that officers are satisfied that there would not be any overbearing or overshadowing concerns, when considering the site context and the parameters set out in the SPD which aim to protect residential amenity (4 metres is the depth limit for two storey rear extensions / 5 metres for single storey extension). The property being set further forward than the Northern and Southern neighbour further mitigates any overbearing or overshadowing.
- 5.9 Upper floor windows would be introduced to the rear which would be over 7 metres away from the rear boundary (and thus in compliance with the 7-metre garden boundary test). Rear window to window distances would also be in excess of the 20-metre rule. High level windows are proposed on the side elevations on the gable ends, which should be conditioned to be obscure glazed and non-opening below 1.7 metre above floor level (this is also

indicated on plan). Subject to this, officers do not consider there to be any material overlooking issues, should permission be granted. Whilst the above condition would mean bedrooms having obscure glazed windows, these bedrooms would also be served by two rooflights each, which would not need to be obscured.

5.10 Having regard to the above consideration, officers consider the proposed development to be acceptable in terms of residential amenity.

5.11 Parking Standards

PSP16 requires developments to provide levels of parking based upon the number of bedrooms at a dwelling. Where an increase is proposed, proposals should demonstrate that adequate off-street parking can be provided to accommodate increase in demand.

5.12 The existing property would go from 2 to 4 bedrooms, which means the parking requirement would increase from 1no. to 2no. parking spaces, to comply with PSP16. Having reviewed the proposal, the highways officer considers the parking to be acceptable and officers also note that there is sufficient space on the existing frontage to park 2 vehicles. Accordingly, the proposal is considered acceptable in terms of parking.

5.13 Private Amenity Space

A 4-bed property should benefit from at least 70sqm private amenity space to comply with PSP43. Post development, the plot would still contain enough private amenity space to exceed this requirement.

Impact on Equalities

5.14 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.

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 It is recommended that permission is **GRANTED** subject to the following conditions:

CONDITIONS

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

Reason

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

2. Prior to the use or occupation of the extension hereby permitted, and at all times thereafter, the proposed first floor windows on the side elevations shall be glazed with obscure glass to level 3 standard or above with any opening part of the window being above 1.7m above the floor of the room in which it is installed'..

Reason

To protect the amenities of neighbouring occupiers in accordance with PSP8 of the South Gloucestershire Local Plan: Policies sites and Places Plan (Adopted) November 2017.

3. Development shall be implemented in accordance with the following plans:

0813-01 - Location and block plans
0813-11 - Existing elevations
0813-12 - Existing floor plans
0813-13 - Proposed elevations
0813-14 - Proposed floor plans
As received 25th April 2021

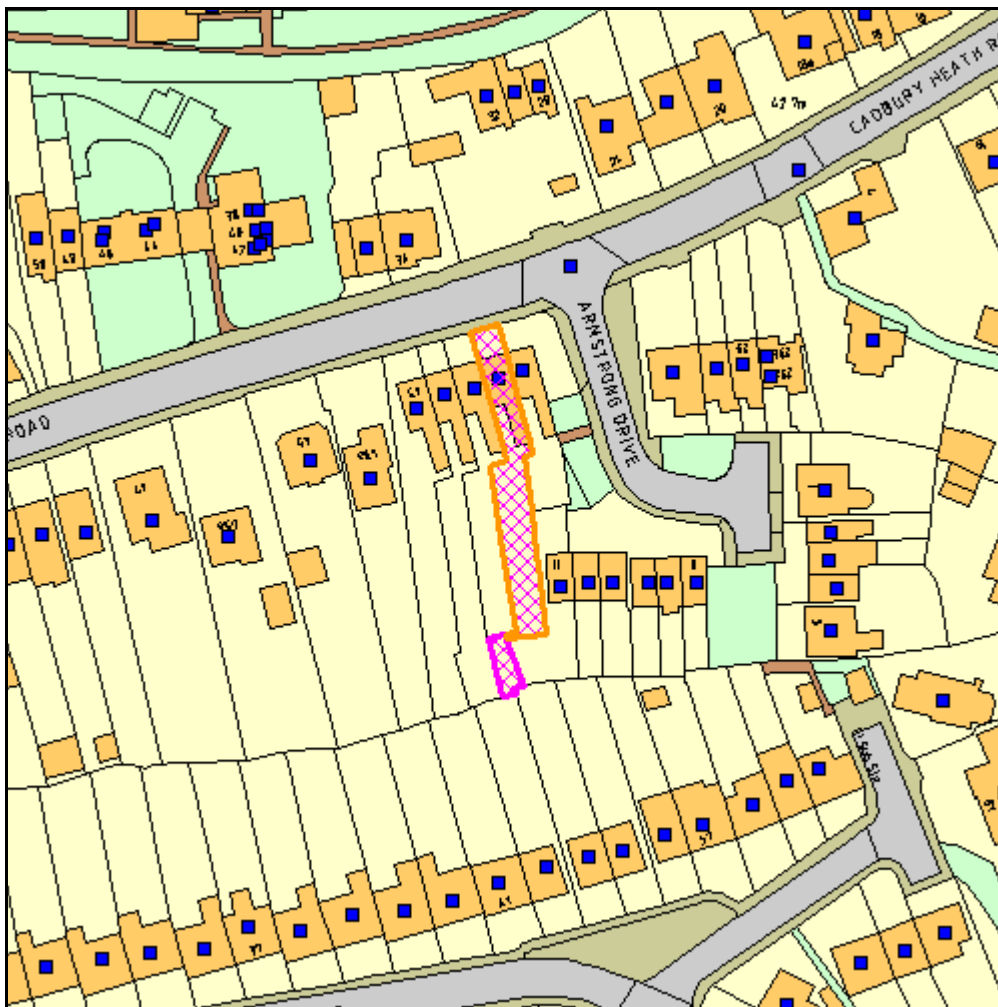
Reason

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

Case Officer: Alex Hemming
Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 24/21 - 18th June 2021

App No.:	P21/02938/F	Applicant:	Stone
Site:	37 Cadbury Heath Road Cadbury Heath South Gloucestershire BS30 8BX	Date Reg:	7th May 2021
Proposal:	Erection of single storey side/rear extension to provide additional living accommodation. Installation of raised platform.	Parish:	Oldland Parish Council
Map Ref:	366707 172483	Ward:	Parkwall And Warmley
Application Category:	Householder	Target Date:	1st July 2021



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

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

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of a second storey rear extension and single storey side/rear extension to provide additional living accommodation, as detailed on the application form and illustrated on the accompanying drawings. The application also includes the installation of a raised platform to the rear.
- 1.2 The application site can be found at 37 Cadbury Heath Road and is a two storey mid-terrace property located in an area of residential development. It is within the established built up area of Kingswood.
- 1.3 As part of the assessment and determination, the second storey rear extension has now been removed due to any potential impacts upon the residential amenity, in particular, to the adjacent neighbouring properties.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework February 2019
National Planning Policy Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

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

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

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted 2007)
Residential Parking Standards SPS (Adopted) 2013
Household Design Guide SPD (Adopted March 2021)

3. RELEVANT PLANNING HISTORY

- 3.1 P21/02937/CLP. Installation of 2No rooflights to front elevation and 1No. rear dormer window to facilitate loft conversion. Pending Consideration.

4. CONSULTATION RESPONSES

4.1 Oldland Parish Council

1No letter of Objection –

- *The Parish Council objects to this application on grounds of loss of residential amenity as the site is cramped and there appears to be inadequate space to ensure no loss of light and privacy for adjacent properties.*

4.2 Other Consultees

Sustainable Transport - Transportation DC

No Objections.

Other Representations

4.3 Local Residents

1No letter of Objection received –

- *Concerns over loss of natural light and overshadowing;*
- *Concerns of overlooking and loss of privacy; and*
- *Concerns over potential impacts of resale value and materials.*

5. ANALYSIS OF PROPOSAL

- 5.1 Policy PSP38 of the PSP Plan (November 2017) allows the principle of development within residential curtilages, subject to considerations of visual amenity, residential amenity and highway safety. It states that new dwellings and extensions within existing residential curtilages are acceptable in principle but should respect the overall design and character of the street and surrounding area. They should not prejudice the amenities of neighbours, or that of highway safety and the parking provision should be of an acceptable level for any new and existing buildings. The adequate provision of private amenity space should also not be sacrificed for any new development that forms part of a settlement pattern that also contributes to local character.
- 5.2 Policy CS1 of the Core Strategy seeks that the siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the application site and its context
- 5.3 The proposal is for planning permission is for a single storey side/rear extension and the installation of a raised platform. Consequently the main issues to deliberate are the impact on the character of the area and the principle dwelling; the impact development may have on the amenities of neighbouring occupiers and the resultant dwelling; and the proposals impact on highway safety/parking provision.

- 5.4 Design and Visual Amenity
Policy CS1 of the Core Strategy and policy PSP38 of the Policies, Sites and Places Plan seek to ensure that development proposals are of the highest possible standards of design. This means that developments should be informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context.
- 5.5 The single storey side/rear extension will create an infill to the host dwellinghouse in 2No parts, taking into account the change in ground level, and will be to an overall width of 1.84 metres and be to an overall depth of 6.2 metres with 2No windows and 1No personnel door looking out to the rear amenity space, and 2No high level windows. It will have a lean to style roof with glazed panels and it will extend to a maximum 2.4 metres in height to the eaves from the existing ground levels.
- 5.6 The extensions have been proposed through their design to complement the existing dwelling in the choice of their materials, details and components, ensuring that the aesthetical appearance of the dwelling continues to compliment both the existing dwellinghouse and its neighbouring properties, matching materials and components, particularly to the existing dwellinghouse where possible, and therefore officers have summarised that the scale and form of the proposed extensions do respect the proportions and character of the existing dwellinghouse.
- 5.7 Residential Amenity
Policy PSP38 of the Policies, Sites and Places Plan explains that development will be permitted provided that it would not detrimentally impact the residential amenities of nearby occupiers and would not prejudice the retention of adequate private amenity space. Policy PSP8 specifically relates to impacts on residential amenity and outlines that unacceptable impacts could result from (but are not restricted to); loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and odours, fumes or vibration.
- 5.8 The impact on residential amenity has been assessed and found to be acceptable. Although the proposed development may result in some limited impact to the occupants of No 39 Cadbury Heath Road by means of overshadowing, because of the fenestration and existing extensions already in place, the impact is found to be acceptable.
- 5.9 In terms of a loss of potential light, and any overbearing effect, it is noted that the proposed single storey side/rear infill extension would project for a total of 6.2 meters (matching that of the existing host dwellinghouse) along the boundary with the adjacent terraced dwelling. It has been taken into account that as the proposed extension lies to the east of this adjoining property of No 39, any loss of daylight during the course of the day will be minimal. In addition, it has also been taken into account that this extension will have a lean to and flat roof, with a maximum height of 2.4 meters from ground level.

- 5.10 With the Council's recently adopted *Household Design Guide SPD*, the proposal has also been considered in terms of the 45 degree test which seeks to test whether there would be likely to be an overbearing effect, loss of light or outlook. For the majority of the daytime hours, the rear façade of the application site and its neighbouring properties, including their associated private amenity space, face a south/south easterly direction, and therefore officers have concluded that although there will be a minor break in the 45 degree zone, from a potential room of primary living accommodation to the rear of No 35 and No 39, officers have concluded that its impact will be minimal and that a good amount of natural light and outlook will still be achievable.
- 5.11 As the site is located in a built up residential area, and given the proposed size, scale and location of the single storey rear/side extension, officers are satisfied that the proposed development would not result in a significant overbearing impact to the occupants of the neighbouring property.
- 5.12 Transport
Policy PSP16 of the Policies, Sites and Places Plan sets out the Council's parking standards. The proposal reduces the number of bedrooms by 1No, totalling 2No bedrooms but with at least 2No parking spaces already provided, the parking will fulfill the South Gloucestershire parking standards and therefore there are no transportation objections.
- 5.13 Private Amenity Space
The dwelling benefits from a good amount of existing private amenity space to both the front and rear of the property. PSP43 sets out standards which are based on the number of bedrooms at a property. The proposed extension will create a total of 2No bedrooms and as such, should have at least 50m² of private amenity space. The existing dwelling has 3No bedrooms, and as such should have at least 60m² of private amenity space. No concern is raised on the level of amenity space being proposed.
- 5.14 Other Matters
1No letter of objection has been received in respect of concerns over the proposed re-sale value of the neighbouring properties, whilst these concerns are noted and understood, they are not material planning considerations.
- 5.15 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.

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That the application be **APPROVED**.

CONDITIONS

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

Reason

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

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

101 Rev A Site Location and Block Plan (Date all received 17/06/21)

201 Rev A Existing and proposed Site Plans

301 Rev A Existing Floor and Roof Plans

302 Rev A Proposed Floor and Roof Plans

401 Rev A Existing Elevations

402 Rev A Proposed Elevations

404 Rev A Proposed Site Elevations

501 Rev A Existing Section

502 Rev A Proposed Sections

701 Rev A Existing Sketch View 3D

702 Rev A Proposed Sketch View 3D

Reason

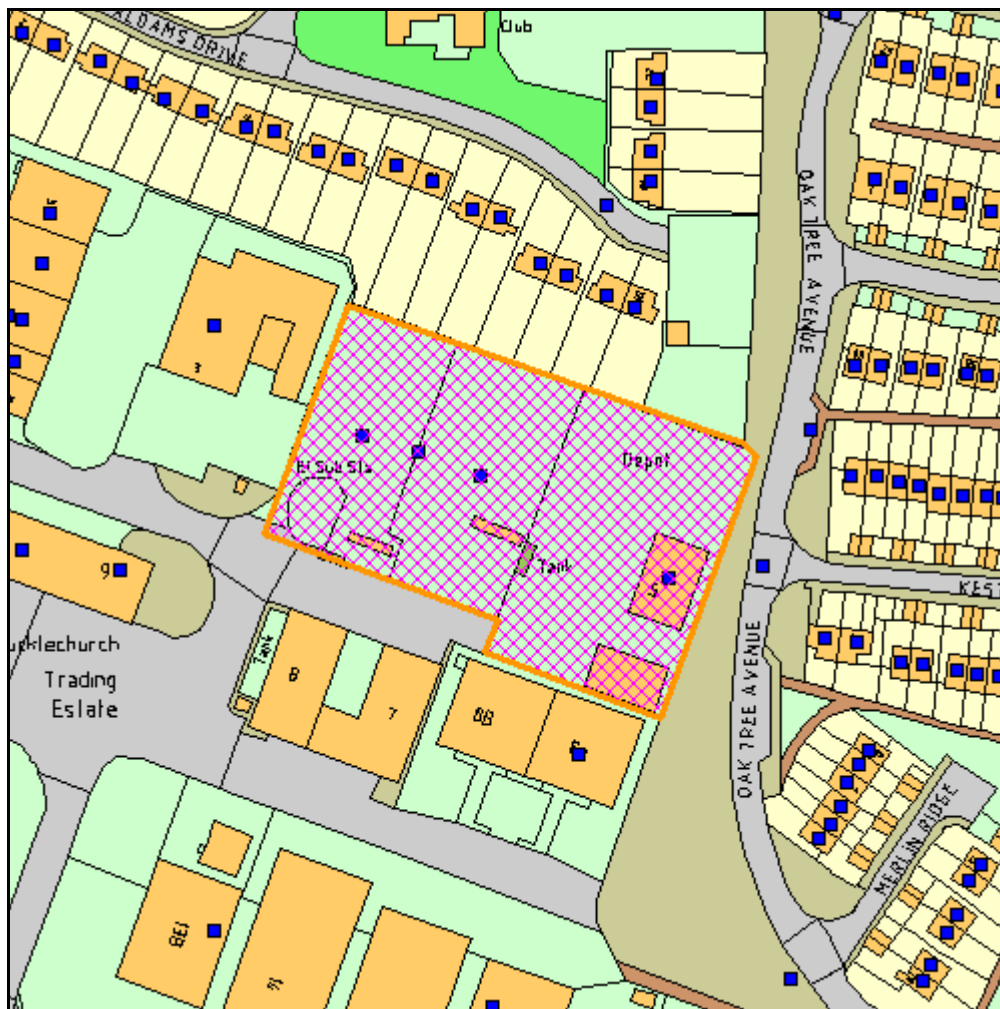
To define the terms and extent of the permission.

Case Officer: Helen Turner

Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 24/21 - 18th June 2021

App No.:	P21/02949/RVC	Applicant:	BNPSSTC (Jersey) Ltd & BCI Ltd
Site:	Units 1-6 Pucklechurch Estate Pucklechurch	Date Reg:	29th April 2021
Proposal:	Variation of condition 2 attached to permission PK18/4218/RVC (originally PK18/2104/F) to amend the approved plans. Erection of 6 no units for Class B1C, B2 & B8 uses with car parking, service areas, landscaping and associated works.	Parish:	Pucklechurch Parish Council
Map Ref:	369922 175995	Ward:	Boyd Valley
Application Category:	Minor	Target Date:	23rd June 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 APPEARING ON CIRCULATED SCHEDULE

This application appears on the Council's Circulated Schedule procedure following the receipt of more than three objection comments.

1. THE PROPOSAL

- 1.1 This application seeks a variation of condition 2 (plans list) of application PK18/4218/RVC (originally PK18/2104/F). Application PK18/2104/F was for the erection of 6 no units for Class B1C, B2 & B8 uses with car parking, service areas, landscaping and associated works.
- 1.2 The proposals being applied for are to move the 5.2m high timber acoustic fence and substation approximately 4m from its original position, away from the residential party boundary north of the site, and to insert doors within the acoustic fence.
- 1.3 These proposals were originally submitted under P21/00084/NMA but were refused, as the potential noise implications required consideration and was thus not deemed to be a non-material change to the original plans.
- 1.4 The site is located within the built up industrial area of Pucklechurch nearby a number of residential properties on St Aldams Drive.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4a	Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS11	Distribution of Economic Development Areas
CS12	Safeguarded Employment Areas
CS34	Rural Areas

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

PSP1	Local Distinctiveness
PSP3	Trees and Woodlands
PSP6	Onsite Renewables and Low Carbon Energy

PSP8	Residential Amenity
PS10	Active Travel Routes
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP19	Wider Biodiversity
PSP20	Water Management
PSP21	Environmental Pollution
PSP27	Storage and Distribution Uses
PSP28	Rural Economy

3. **RELEVANT PLANNING HISTORY**

- 3.1 P21/00084/NMA Non material amendment to planning approval PK18/4218/RVC (formerly PK18/2104/F) to the yard layout, for the fence and substation to move away from the residential area north of the site. Refused 27.04.2021
- 3.2 DOC20/00231 Discharge of conditions 6 (tree protection) and 7 (drainage) attached to planning permission PK18/4218/RVC. Discharged 14.10.2020
- 3.3 PK18/4218/RVC Variation of condition 5 attached to planning permission PK18/2104/F to remove the restriction on time for the operation of vehicles. Approved 14.12.2018
- 3.4 PK18/2104/F Erection of 6 no units for Class B1C, B2 & B8 uses with car parking, service areas, landscaping and associated works Approved 24th August 2018
- 3.5 PK18/2109/F – Erection of a buildings to provide Class B1C, B2 & B8 uses with car parking, service areas, landscaping and associated works. Approved 24.08.2018
- 3.6 PK11/2233/EXT – Approval – 19/09/2011 – Demolition of existing buildings and redevelopment of the site to provide 6 units in two blocks for commercial/industrial use (Class B1(c), B2, B8) with ancillary office space, car parking, landscaping and associated works including the erection of an acoustic fence. (Resubmission of PK08/0418/F).(Consent to extend time limit implementation for PK08/2278/F)
- 3.7 PK08/2278/F – Approval – 24/10/2008 – Demolition of existing buildings and redevelopment of the site to provide 6 units in two blocks for commercial/industrial use (Class B1(c), B2, B8) with ancillary office space, car parking, landscaping and associated works including the erection of an acoustic fence. (Resubmission of PK08/0418/F).
- 3.8 PK08/0418/F – Refusal – 14/04/2008 – Demolition of existing buildings and redevelopment of the site to provide two blocks for commercial/industrial use (Class B1(c), B2, B8) with ancillary office space, car parking, landscaping and associated works. Erection of 3m high boundary fence.

4. **CONSULTATION RESPONSES**

- 4.1 Pucklechurch Parish Council – No response
- 4.2 Landscape – comments – the use of native shrubs or hedging, and larger growing tree species, would be preferable
- 4.3 Archaeology – No comment
- 4.4 Tree officer - *The proposed would have less impact on arb features and I have no objection subject to full compliance with existing arb methodology.*
- 4.5 Transportation DC – No objection
- 4.6 Conservation – No heritage concerns
- 4.7 Ecology – No objection
- 4.8 Drainage – No objection
- 4.9 Crime prevention design advisor – No objection
- 4.10 Environmental protection – No objection in principle

Other Representations

4.10 Local Residents

One letter of objection has been received, summarised as:

- New buildings are an eyesore
- Consideration has not been given to neighbours
- Buildings impact on house value
- Hours of working are a cause for concern
- Noise will increase once units are operational

One petition has also been received, signed by 19no. residents, summarised as:

- Residents are against the development
- Units have devalued houses
- Construction noise from units
- Wildlife has been affected
- Residents have not been able to oppose the structures
- Units should be screened

5. **ANALYSIS OF PROPOSAL**

Principle of Development

- 5.1 This application is a variation of condition 2 (plans list) for application PK18/4218/RVC (originally PK18/2104/F). The variations applied for are to move the 5.2m high timber acoustic fence and substation approximately 4m

from its original position, away from the residential party boundary north of the site, and to insert doors within the acoustic fence.

- 5.2 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.

Noise and residential amenity

- 5.3 The application has been submitted with a Noise Report. This report reviews typical operational noise levels for a warehouse facility and assesses these with respect to the existing noise climate at the nearest residential properties.
- 5.4 The Noise Report considers noise break out from the warehouse buildings, HGV movements and HGV reversing alarms.
- 5.5 Assessment carried out for this report indicates that the noise climate in the vicinity of the proposed Plot A development site is attributable to road traffic noise in the local area, together with residual noise from surrounding commercial and industrial premises within the Pucklechurch Trading Estate. It is considered that this noise will determine background sound levels at existing dwellings nearest to the site.
- 5.6 Assessment of activity noise levels for the proposed development indicates that daytime and night time BS 8233 internal criteria would readily be achieved at the nearest residential properties to the north on St Aldams Drive, and to the east beyond Oaktree Avenue when windows are open.
- 5.7 Assessment of activity noise levels in accordance with BS 4142 indicates that the noise impact of the proposed development would achieve a condition of 'low impact' at the nearest existing residential properties would be unlikely to give rise to noise disturbance.
- 5.8 It is noted that the predicted noise levels at the dwellings from the proposed development are significantly below the existing ambient and background noise climate and, consequently, are unlikely to be noticeable.
- 5.9 It will be necessary to implement noise limit criteria for any plant installations associated with the proposed new development in order to prevent disturbance at the nearest residential properties. Limit criteria in this respect have been determined in accordance with BS 4142:2014.
- 5.10 Environmental Protection have raised no objection in principle regarding the proposals, providing the attenuation measures within the report are carried out.
- 5.11 Overall, the controls within the noise report and the location of the acoustic fence further away from residential properties are likely to improve residential amenity in comparison to the extant permission.

Landscape and trees

- 5.12 A landscaping plan has been submitted, to amend the approved landscape plan to accord with the amended fence line. The planting plan is otherwise unchanged from the planting plan submitted under PK18/2104/F, with a row of Birch Trees and meadow grass underneath.
- 5.13 The comments from the Landscape Officer suggesting the addition of native shrubs or hedging, and larger growing tree species are noted. Whilst it is agreed these would be an improvement, as the planting scheme has already been accepted as acceptable it would not be reasonable in this case to refuse an application on that basis.

Other matters

- 5.14 Whilst the concerns of residents are noted, this application is applying to vary the plans list to alter a small part of the scheme, which as a result will improve residential amenity. The original scheme is extant, and as explained in the above report the policy position has not altered since the scheme originally gained consent.
- 5.15 As a granted variation application effectively supersedes the original planning application any applicable conditions must be carried over. Some conditions have been discharged, and as such will be changed to compliance conditions. The time limit condition must remain three years from the date of the original permission.

Consideration of likely impact on Equalities

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 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 original planning permission PK18/2104/F (granted 24.08.2018).

Reason

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

2. Development shall be carried out in accordance with the following plans:

Received by the Local Planning Authority on 3rd May 2018 -
Units 1 and 2 Ground and First Floor Plan (PL004)
The Location Plan (PL001)
Existing Block Plan (PL002)
Existing Section Plans (PL009)
Section Plans (PL006)

Received by the Local Planning Authority on 28th April 2021

PROPOSED SITE PLAN (PL003E)
UNITS 1 & 2 GA ELEVATIONS (PL006C)
UNITS 3, 4, 5 & 6 GA ELEVATIONS (PL007A)
PROPOSED SITE BLOCK PLAN (PL036A)

Received by the Local Planning Authority on 11th May 2021

PLANTING PLAN (18-13-03A)

Reason

In the interests of clarity and proper planning and for the avoidance of doubt.

3. Prior to first operation, a plan showing the location and specification of two bird boxes (as recommended in the Ecological Survey Report, Clarkson & Woods Ecological Consultants, February 2018) and photographic evidence of their installation shall be submitted to the local authority for approval in writing. Development shall proceed in accordance with the approved details.

Reason

To ensure the works have an acceptable impact on local ecology and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP19 of the Policies Sites and Places DPD (Adopted) November 2017; and the National Planning Policy Framework.

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

Reason

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

5. The noise rating level from operations on site including vehicle movements and fixed plant shall not exceed the pre-existing LA90 Background Noise Level when measured and assessed in accordance with the British Standard 4142:2014 as amended. The development shall be carried out in accordance with the recommendations within the submitted Acoustic Report - Hoare Lea - Revision 2 - 28 April 2021.

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 DPD (Adopted) November 2017; and the provisions of the National Planning Policy Framework.

6. The development shall be carried out in strict accordance with the tree protection plan and methodological report approved under DOC20/00231.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of the health and visual amenity of the trees and to accord with policy CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 and policy PSP3 of the South Gloucestershire Local Plan Policies Sites and Places Plan (Adopted) November 2017; and the provisions of the NPPF.

7. The development shall be carried out in strict accordance with the drainage details approved under DOC20/00231.

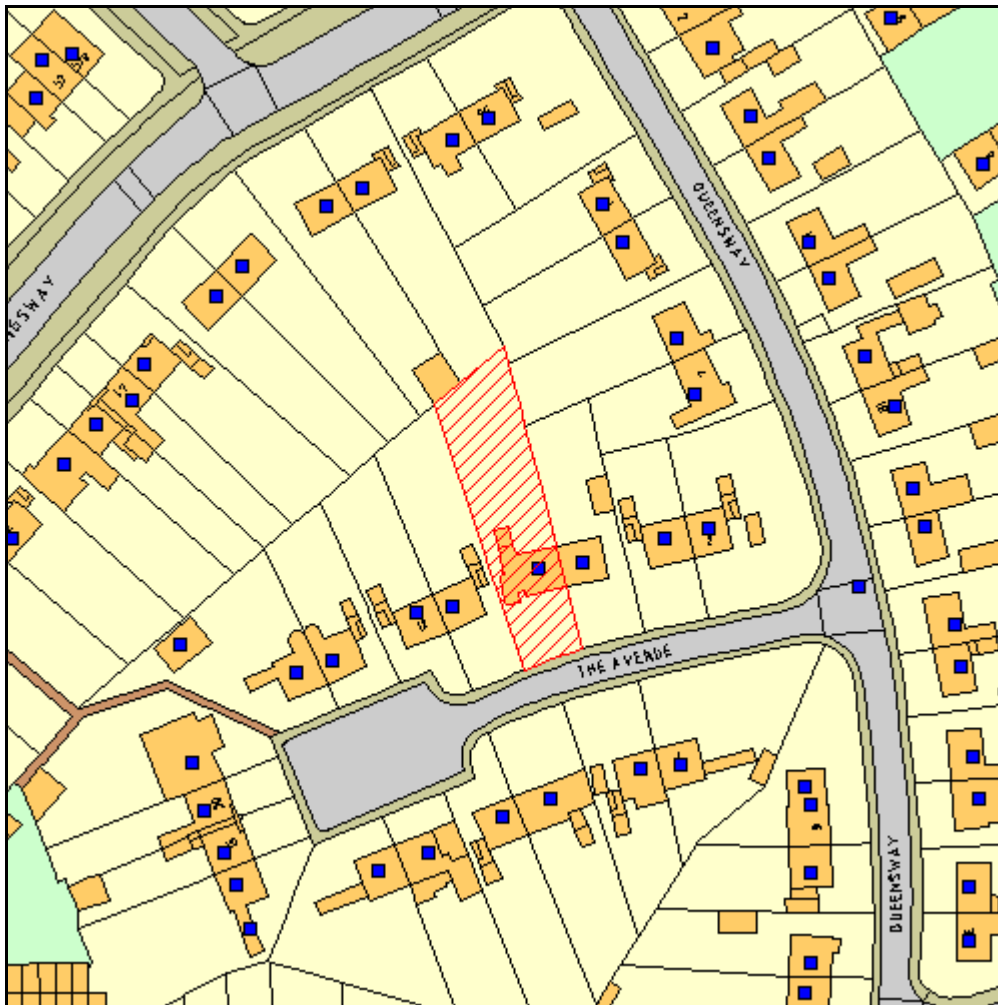
Reason

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; Policy PSP20 of the Policies Sites and Places DPD (Adopted) November 2017; and the National Planning Policy Framework.

Case Officer: Rae Mepham
Authorising Officer: Helen Ainsley

CIRCULATED SCHEDULE NO. 24/21 - 18th June 2021

App No.:	P21/03048/F	Applicant:	John Hughes
Site:	8 The Avenue Little Stoke South Gloucestershire BS34 6LJ	Date Reg:	10th May 2021
Proposal:	Erection of a single storey rear conservatory.	Parish:	Stoke Gifford Parish Council
Map Ref:	361448 180707	Ward:	Stoke Gifford
Application Category:	Householder	Target Date:	5th July 2021



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 100023410, 2008. **N.T.S.** **P21/03048/F**

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

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

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of a single storey rear conservatory.
- 1.2 The application site can be found at 8 The Avenue, is set within a good sized plot, and is an existing two storey semi-detached property. It is located within the established residential area of Little Stoke.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework February 2019
National Planning Policy Guidance

2.2 South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

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

PSP1	Local Distinctiveness
PSP8	Residential Development
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP21	Environmental Pollution and Impacts
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Standards

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007
Residential Parking Standards SPS (Adopted) 2013
Household Design Guide SPD (Adopted 2021)
Noise Policy Statement for England (NPSE) *Specific Guidance Note 1 – Planning and Noise*

3. RELEVANT PLANNING HISTORY

- 3.1 PT16/1776/F. Demolition of existing side building and erection of single storey rear/side extension. Approved. 31.08.2016

- 3.2 PT15/1510/PNH. Erection of single storey rear extension which would extend beyond the rear wall of the original house by 6 metres, for which the maximum height would be 3 metres and the height of the eaves would be 3 metres. No Objection. 07.05.2015
- 3.3 PT15/0450/PNH. Erection of single storey rear extension which would extend beyond the rear wall of the original house by 6.0 metres, for which the maximum height would be 3.5 metres and the height of the eaves would be 3.0 metres. No Objection. 02.03.2015

4. CONSULTATION RESPONSES

4.1 Stoke Gifford Parish Council

1No letter of Objection received –

- *Stoke Gifford Parish Council objects to this planning application. The Parish Council feel the proposed extension is an overly large one, in relation to the original dwelling and other nearby dwellings. On the assumption that this house is already operating as an HMO, the Parish Council objects to the application as by increasing the size of the property, there will not be enough parking spaces.*

Other Representations

4.2 Local Residents

1No letter of Objection received –

- *Concerns over the impact of noise from the proposed conservatory and its potential use.*

1No letter of general comments received –

- *Concerns over the potential access for maintenance.*

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy PSP38 of the PSP Plan (November 2017) allows the principle of development within residential curtilages, subject to considerations of visual amenity, residential amenity and highway safety. It states that new dwellings and extensions within existing residential curtilages are acceptable in principle but should respect the overall design and character of the street and surrounding area. They should not prejudice the amenities of neighbours, or that of highway safety and the parking provision should be of an acceptable level for any new and existing buildings. The adequate provision of private amenity space should also not be sacrificed for any new development that forms part of a settlement pattern that also contributes to local character.

- 5.2 Policy CS1 of the Core Strategy seeks that the siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the application site and its context.

- 5.3 The proposal is for planning permission for the erection of a single storey rear conservatory to provide additional living accommodation. Consequently the main issues to deliberate are the impact on the character of the area and the principle dwelling; the impact development may have on the amenities of neighbouring occupiers and the resultant dwelling; and the proposals impact on highway safety/parking provision.
- 5.4 Design and Visual Amenity
Policy CS1 of the Core Strategy and policy PSP38 of the Policies, Sites and Places Plan seek to ensure that development proposals are of the highest possible standards of design. This means that developments should be informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context.
- 5.5 The single storey rear conservatory, will have an overall width of 5.5 metres and be to a depth of 4.0 metres, with 1No doors to the rear façade into the private amenity space. It is proposed to have a flat roof, and will extend to 2.6 metres in height to the eaves from ground level.
- 5.6 It is considered that the proposed conservatory would respect, through its design, to complement the existing dwelling in the choice of materials, details and components, ensuring that the aesthetical appearance of the dwelling continues to compliment neighbouring properties, and the scale and form of the proposed conservatory will respect the proportions and character of the existing dwelling.
- 5.7 Residential Amenity
Policy PSP38 of the Policies, Sites and Places Plan explains that development will be permitted provided that it would not detrimentally impact the residential amenities of nearby occupiers and would not prejudice the retention of adequate private amenity space. Policy PSP8 specifically relates to impacts on residential amenity and outlines that unacceptable impacts could result from (but are not restricted to); loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and odours, fumes or vibration.
- 5.8 The impact on residential amenity has been assessed in terms of the surrounding neighbouring properties. In terms of a loss of potential light, and any overbearing effect, it is noted that although the host dwellinghouse is sited staggered from the adjoining property, that the proposed extension would project for a further 4.0 meters along the existing boundary with No 6. However as the proposed extension is sited at the rear, and the existing front façade of this particular pattern of development (Nos 2-12) face a southerly direction, therefore any loss of daylight during the course of the day will be minimal. In addition, it has been taken into account that the proposed conservatory would have an almost flat roof, with a maximum height to the eaves of 2.6 meters.
- 5.9 With the Council's recently adopted *Household Design Guide SPD*, the proposal has also been considered in terms of the 45 degree test which seeks to test whether there would be likely to be an overbearing effect, loss of light or outlook. For the majority of the daytime hours, the rear façade of the

application site and its adjoining neighbouring property, including their associated private amenity space, face a northerly direction, and the proposed rear conservatory is proposed to be sited approximately 6.0 meters from the existing boundary with the adjoining property. Therefore officers have concluded that its impact will be minimal and that a good amount of natural light and outlook will still be achievable to the adjoining neighbouring property of No 6 The Avenue.

5.10 In terms of overlooking, there is 1No proposed door to the rear elevation, looking towards the existing private amenity space. However, the conservatory is proposed to be constructed of PVC and glazing, and despite the existing boundary treatment, if officers are minded to approve the application, a condition will be added to ensure that the western side elevation are obscurely glazed for privacy. Therefore, and as the site is located in a built up residential area, and given the proposed size, scale and location of the extension, it has been concluded that the impact on the neighbouring residential amenity would be limited and therefore it should not result in an unacceptable impact.

5.11 Transport

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

5.12 Private Amenity Space

The dwelling benefits from a good amount of existing private amenity space to both the front and rear of the property. PSP43 sets out standards which are based on the number of bedrooms at a property. Although the proposed extension is for a conservatory, the existing large private amenity space has an area of 14.0 meters in width by 27.0 meters in depth. Therefore, there is no concern raised on the level of amenity space being proposed, as the dwelling benefits from a very generous amount of private amenity space and despite the proposed single storey conservatory, the garden will still benefit from private amenity space of sufficient size and functional shape, meeting the needs of the occupants and indeed any future occupants.

5.13 Other Matters

1No letter of objection has been received in respect of the proposal for the single storey rear conservatory in terms of noise created from the potential use of the conservatory and 1No letter of general comments in respect of any potential upkeep of maintenance. With respect of any potential noise created from a 'use' by the applicants, Policy PSP21, relates to noise generating uses. Therefore it is not considered that a proposed conservatory in a residential area would comprise of a noise generating development, as it is an extremely common arrangement, and therefore there is no objection to the proposal on the grounds of noise and disturbance.

5.14 Concerns have also been raised in respect of the potential for the host dwellinghouse becoming an HMO (House of Multiple Occupation) in future years. This however is not a material consideration of this planning application. In terms of the potential upkeep of maintenance to neighbouring properties,

although these concerns are also understood and noted, again, it is not a material planning consideration, and is a civil matter.

5.15 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.

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That the application be **APPROVED**.

CONDITIONS

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

Reason

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

2. Prior to the use or occupation of the extension hereby permitted, and at all times thereafter, the conservatory western side elevation shall be glazed with obscure glass to level 3 standard or above with any opening part of the window being above 1.7m above the floor of the room in which it is installed.

Reason

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policy PSP8 of the South Gloucestershire Local Plan Policies Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework.

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

Site Location Plan (Date received 04/05/21)

Block Plan (Date received 06/05/21)

Existing Floor Plan (Date received 06/05/21)

Existing Side Elevations (Date received 06/05/21)

Existing Rear Elevation (Date received 10/05/21)

Proposed Floor Plan (Date received 04/05/21)

Proposed Side Elevations (Date received 06/05/21)

Proposed Rear Elevation (Date received 06/05/21)

Proposed Side Elevations (Date received 04/05/21)

Reason

To define the terms and extent of the permission.

Case Officer: Helen Turner

Authorising Officer: Helen Ainsley