

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: 11/21

Date to Members: 19/03/2021

Member's Deadline: 25/03/2021 (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 19 March 2021

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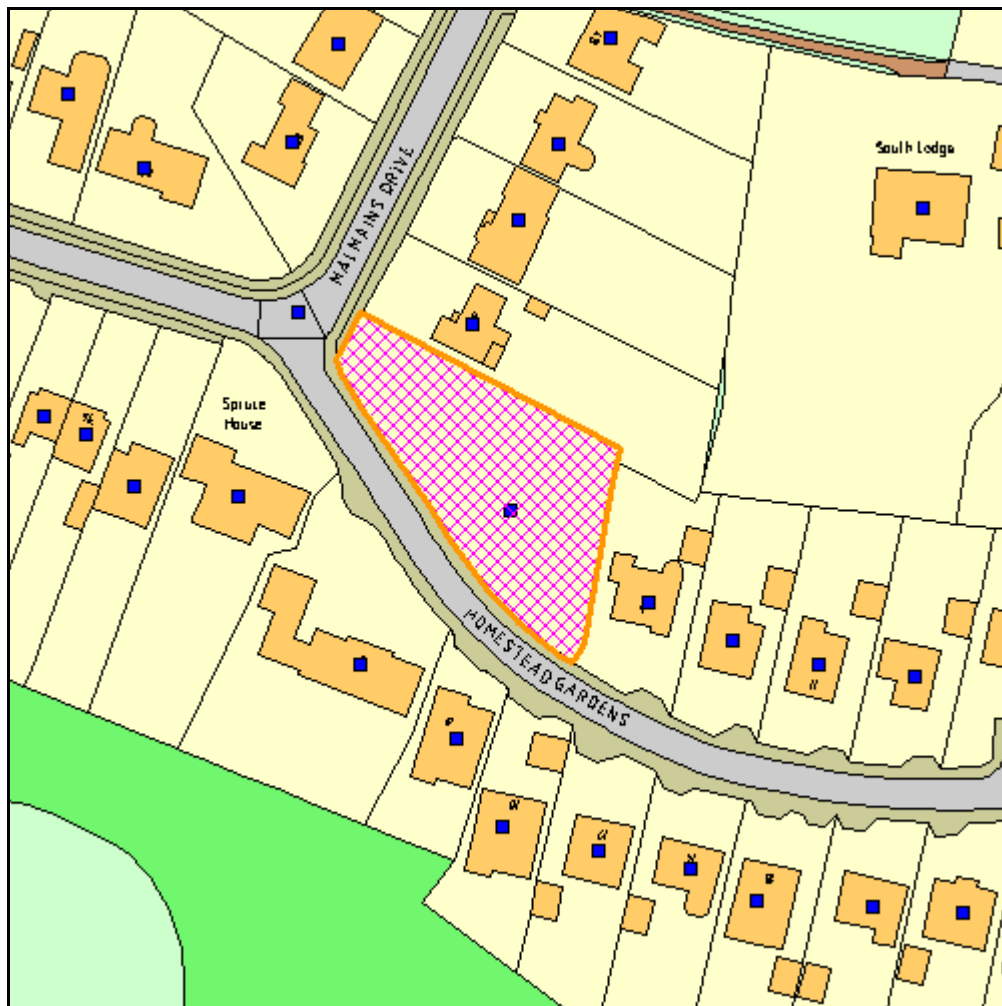
ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	P20/17252/RVC	Approve with Conditions	1 Homestead Gardens Frenchay South Gloucestershire BS16 1PH	Frenchay And Downend	Winterbourne Parish Council
2	P20/22832/F	Split decision See D/N	The Cottage Upper Street Dyrham South Gloucestershire SN14 8HN	Boyd Valley	Dyrham And Hinton Parish Council
3	P20/23871/F	Approved Subject to Section 106	Alveston House Hotel Davids Lane Alveston South Gloucestershire BS35 2LA	Severn Vale	Alveston Parish Council
4	P21/00072/F	Approve with Conditions	The Old Vicarage 85 High Street Wick South Gloucestershire BS30 5QQ	Boyd Valley	Wick And Abson Parish Council
5	P21/00376/F	Approve with Conditions	Valley View Cottage 3 Rock Road Wick South Gloucestershire BS30 5TW	Boyd Valley	Wick And Abson Parish Council

Dates and officer deadlines for Circulated Schedule Easter Bank Holidays 2021

Schedule Number	Officers Deadline reports to support	Date to Members	Members deadline	Decisions issued from
13/21	5pm Tuesday 23 rd March	9am Thursday 25 th March	5pm Wednesday 31 st March	Thursday 1 st April
14/21	12pm Tuesday 30 th March	9am Wednesday 31 st March	5pm Thursday 8 th April	Friday 9 th April

CIRCULATED SCHEDULE NO. 11/21 -19th March 2021

App No.:	P20/17252/RVC	Applicant:	Mr & Mrs R Smith
Site:	1 Homestead Gardens Frenchay South Gloucestershire BS16 1PH	Date Reg:	18th September 2020
Proposal:	Variation of condition 4 attached to PT17/4403/F (as amended by P21/00830/NMA) to substitute drawings for minor alterations.	Parish:	Winterbourne Parish Council
Map Ref:	363963 178001	Ward:	Frenchay And Downend
Application Category:	Minor	Target Date:	6th November 2020



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100023410, 2008.

N.T.S.

P20/17252/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.

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

Contrary view of Parish Council and more than 3 comments received from Local Residents contrary to Officers 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.
- 1.2 The application is seeking to vary Condition 4 of planning permission PT17/4403/F (as amended by P21/00830/NMA), to substitute drawings for minor alterations. The permission granted was for the erection of 1no. dwelling and associated works.
- 1.3 The application site is located within the Bristol Urban Area, and is not subject to any other sensitive planning constraints. The works on site have already commenced.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework February 2019
National Planning Practice Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

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

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

2.3 Supplementary Planning Guidance

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

Assessing Residential Amenity TAN (Endorsed) 2016

3. RELEVANT PLANNING HISTORY

- 3.1 P21/00830/NMA
Non material amendment to planning permission PT17/4403/F to add the plans as a condition.
Approve Non Material Amendment (26/02/2021)
- 3.2 PT17/4403/F
Erection of 1no. dwelling and associated works.
Approve with Conditions (15/11/2017)
- 3.3 PT11/3698/O
Erection of 2no. detached dwellings (Outline) will all matters reserved.
Approve with Conditions (04/01/2012)

4. CONSULTATION RESPONSES

- 4.1 Winterbourne Parish Council
Objection – Concern over highway safety and that the proposed alterations are not minor.
- 4.2 Archaeology
No comments
- 4.3 Ecology Officer
No objection
- 4.4 Flood and Water Management
No objection
- 4.5 Highway Structures
No comment - The application includes a boundary wall alongside the public highway, the responsibility for maintenance for this structure will fall to the property owner.
- 4.6 Sustainable Transport
No objection – “We noted that various changes have been made to the site's access arrangements and as a result the separate facility previously proposed for pedestrians had been removed. Whilst we remain concerned about this concept as we consider that it reduces their safety, we do not consider that this matter is sufficient by itself to warrant the maintenance of a highways and transportation objection to this development. Hence, we have no further objection to this application.”
- 4.7 Tree Officer
Information required – an arboricultural method statement will be required for the works proposed within the root protection areas of the retained trees shown within the submitted plan. This should be in accordance with BS:5837:2012.

[there are no trees retained on site]

4.8 Local Residents

12 objections from local residents have been submitted, making the following points:

Design and Visual Amenity

- The boundary wall is imposing and overbearing.
- The overall footprint and scale of the building is not proportional to the plot size or neighbouring properties.

Residential Amenity

- The new windows overlook neighbouring properties.
- Construction has caused excess noise and dust for neighbouring residents.
- The previously approved windows would overlook the neighbouring properties, to a greater extent than was previously apparent.
- Concern over boundary treatments.

Highway Safety

- The visibility splays are insufficient for cars entering and leaving the site making it dangerous for pedestrians.
- The previous comments from Sustainable Transport have not been followed.
- The single garage door has been changed to two separate doors, raising concern that the garage will not be used as such.
- The pavement outside the property has been damaged by the works.
- The 2 metre boundary wall reduces the visibility for neighbouring properties.

Other Issues

- Multiple trees have been removed from the site, at least one of which had a TPO.
- The boundary wall has been built above the approved height and seems to be partially built on Council land.
- The Design and Access Statement included incorrect dates.
- Many of the minor amendments have already been built.
- Windows have been added to the previously approved plans that were not approved.
- Restrictions should be placed on times of working. Previous restrictions have not been followed.
- The alterations proposed are not minor.
- Not all neighbouring properties have been given the right to comment.
- The plans re-submitted are misleading and inaccurate, the previously approved plans do not match what was actually approved.
- The address of the application has been changed.

5. ANALYSIS OF PROPOSAL

5.1 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.

- 5.2 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. If the Authority decides that planning permission should be granted subject to the same conditions, then the application should be refused.
- 5.3 This application seeks to vary Condition 4 attached to permission PT17/4403/F (as amended by P21/00830/NMA).

- 5.4 Condition 4 reads as follows:

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

RS.01 - Ground Floor Plan (Received 20/09/2017)

RS.02 - First Floor Plan (Received 20/09/2017)

RS.03 - The Location Plan (Received 20/09/2017)

RS.04 A - Proposed Site Plan (Received 03/11/2017)

RS.06 A - Proposed Elevations (Received 05/10/2017)

Reason

To define the terms and extent of the permission.

- 5.5 In effect, the variation of the plans condition seeks to substitute the approved plans for minor alterations. These minor alterations include:
- alterations to the ridge height of the main roof, secondary roof and front porch roof;
 - the addition of 2no. high level roof lights on the north elevation;
 - the addition of 1no. high level roof light, 1no. obscure glazed first floor window; 1no. ground floor window and 1no. ground floor door on the east elevation;
 - alterations to the fenestration of the south and west elevations;
 - alterations to the chimney; and
 - alterations to the visibility splays to the highway access.

- 5.6 Analysis

As set out in paragraph 5.1, the principle of the development has already been established so the below analysis will only be assessing the minor alterations proposed.

- 5.7 Design and Visual Amenity

Policy CS1 of the Core Strategy and Policy PSP1 and PSP38 of the Policies, Sites and Places Plan seek to ensure that development proposals are of the highest possible standards of design. This means that developments should

have appropriate: siting, form, scale, height, massing, detailing, colour and materials which are informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context.

- 5.8 The proposed minor alterations do not significantly change the appearance of the proposed dwelling. The reduction in height of part of the ridge of the main roof would not be detrimental impact the appearance of the dwelling or character of the street scene. The slight raising of the ridge height of the secondary roof and front porch roof would also not have a detrimental impact.
- 5.9 The alterations to the fenestrations of all four elevations and alterations to the chimney would be minor and would not be considered detrimental to the visual amenity of the site or its context.
- 5.10 The 2 metre high boundary wall was approved as part of the previous application, as was the overall footprint and scale of the building.
- 5.11 On the basis of the assessment set out above, it is not considered that the proposed minor alterations would detract from the appearance of the building or negatively impact the visual amenity of the street scene or character of the area.
- 5.12 Residential Amenity
Policy PSP8 and PSP38 of the Policies, Sites and Places Plan explains that development will be permitted provided that it would not detrimentally impact the residential amenities of nearby occupiers and would not prejudice the retention of adequate private amenity space. Policy PSP8 specifically relates to impacts on residential amenity, and outlines that unacceptable impacts could result from (but are not restricted to): loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and odours, fumes or vibration.
- 5.13 The addition of 2no. roof lights on the north elevation would not lead to an increase in overlooking of the neighbouring properties. Both these roof lights would be high level with the sole purpose of providing additional light to the kitchen. They would not allow views out over the neighbouring properties.
- 5.14 The addition of 1no. roof light and 1no. first floor window in the east elevation would not lead to an increase in overlooking of the neighbouring properties. The roof light would be high level with the sole purpose of providing additional light to the dwelling, whilst the first floor window would be obscure glazed and non-opening below 1.7 metres above floor level. A condition would be included with any consent requiring this.
- 5.15 The alterations to the fenestrations of all four elevations would be minor and would not detrimentally increase the overlooking of neighbouring properties. The alterations to the ridge heights would be minor and would not detrimentally alter the impact of the dwelling on the neighbouring properties.
- 5.16 It is noted that the previously approved windows would cause some overlooking of neighbouring properties but these have already been approved

- as it was not considered the impact would be significant enough to warrant refusal.
- 5.17 Concerns have been raised over boundary treatments, landscaping and the loss of multiple trees from the site. A condition would be included with any consent requiring the submission of a detailed landscape plan showing proposed boundary treatments, planting and hardstanding. This condition would be included to protect the visual amenity of the site and its context and to protect the residential amenity of neighbouring occupiers. One of the trees removed was subject to a TPO and this is a legal issue being handled separately from this application.
- 5.18 On the basis of the assessment set out above, it is not considered that the minor alterations proposed would result in any unacceptable impacts on the amenity of neighbours.
- 5.19 Transport
Alterations have been made to the sites access arrangement and as a result the separate facility previously proposed for pedestrians has been removed. Whilst it is considered that this would reduce pedestrian safety entering the site, it is not considered that this matter is sufficient to warrant a highways and transportation objection to the development.
- 5.20 Alterations have been made to the garage fenestration to replace the single garage door with two separate doors. The proposal would still provide space for at least three vehicles to park on site and for them to turn and leave in a forward gear. The proposal therefore still complies with the minimum parking standards as set out in Policy PSP16 of the Policies, Sites and Places Plan. For the avoidance of doubt, a condition will be attached to any consent requiring the 3 parking spaces to be provided prior to the first occupation of the new dwelling, and thereafter retained as such.
- 5.21 Concerns have been raised over the effectiveness of the visibility splays and the impact of the 2 metre high boundary wall on highway safety. The boundary wall and visibility splays have already been approved, with the only changes being the removal of the pedestrian access.
- 5.22 Equalities
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. This planning application is considered to have a neutral impact on equality.
- 5.23 Other Matters
A number of matters raised from the consultation responses have not been addressed in the main body of this report. These will be considered below:

- 5.24 Concerns have been raised that the Design and Access Statement and submitted plans include incorrect information about the previously approved application. This is noted so the proposed plans have been compared to the previously approved plans attached to the previous application.
- 5.25 Concerns have been raised that the minor alterations are not minor and have already been built. It is considered that the alterations would be minor when compared to the development as a whole. It is noted that the alterations have already been carried out but this will not have any impact on the determination of this application.
- 5.26 Concerns have been raised that the address of the application has been changed to confuse potential objectors and that not all neighbouring properties have been given the right to comment. The change of address is not a planning consideration and the site history has been clearly shown in this report. The Council have consulted all neighbours in line with requirements.
- 5.27 Concerns have been raised over noise and dust from the construction of the development as well as damage to the public footpath. Disruption during construction is not a planning consideration and damage to the public highway would be a legal issue. A condition will be included with any approval controlling the hours of working on site in the interest of residential amenity.
- 5.28 Works on site have already commenced so it would not be necessary to carryover the standard time limit condition from the previous consent. All other conditions will be carried over.

6. **CONCLUSION**

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

7. **RECOMMENDATION**

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

CONDITIONS

1. The development/works hereby permitted shall only be implemented in accordance with the plans as set out in the plans list below:
PDCM:516-12C - Proposed Ground Floor Plan (Received 15/09/2020)
PDCM:516-13A - Proposed First Floor Plan (Received 15/09/2020)

PDCM:516-22A - Proposed Roof Plan Lower Level (Received 15/09/2020)
PDCM:516-23A - Proposed Roof Plan Upper Level (Received 15/09/2020)
PDCM:516-30B - Proposed West Elevation (Received 15/09/2020)
PDCM:516-31B - Proposed North Elevation (Received 15/09/2020)
PDCM:516-32B - Proposed East Elevation (Received 15/09/2020)
PDCM:516-33B - Proposed South Elevation (Received 15/09/2020)
PDCM:516-34A - Block Plan (Received 15/09/2020)

Reason

To define the terms and extent of the permission.

2. Prior to the use or occupation of the dwelling hereby permitted, and at all times thereafter, the proposed first floor window on the east elevation and first floor window on the north 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 residential amenity of the neighbouring occupiers and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

3. Prior to the use or occupation of the dwelling hereby permitted and notwithstanding the submitted plans and details, a detailed scheme of hard and soft landscaping, to include details of proposed planting (and times of planting); boundary treatments (to include plan(s) indicating the final positions, design, height, materials, and type) and areas of new hard surfacing (including details of materials) shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed 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.

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

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.

5. The hours of working on site during the period of construction shall be restricted to 7:30 to 18:00 Monday to Friday and 8:00 to 13:00 on Saturdays; and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

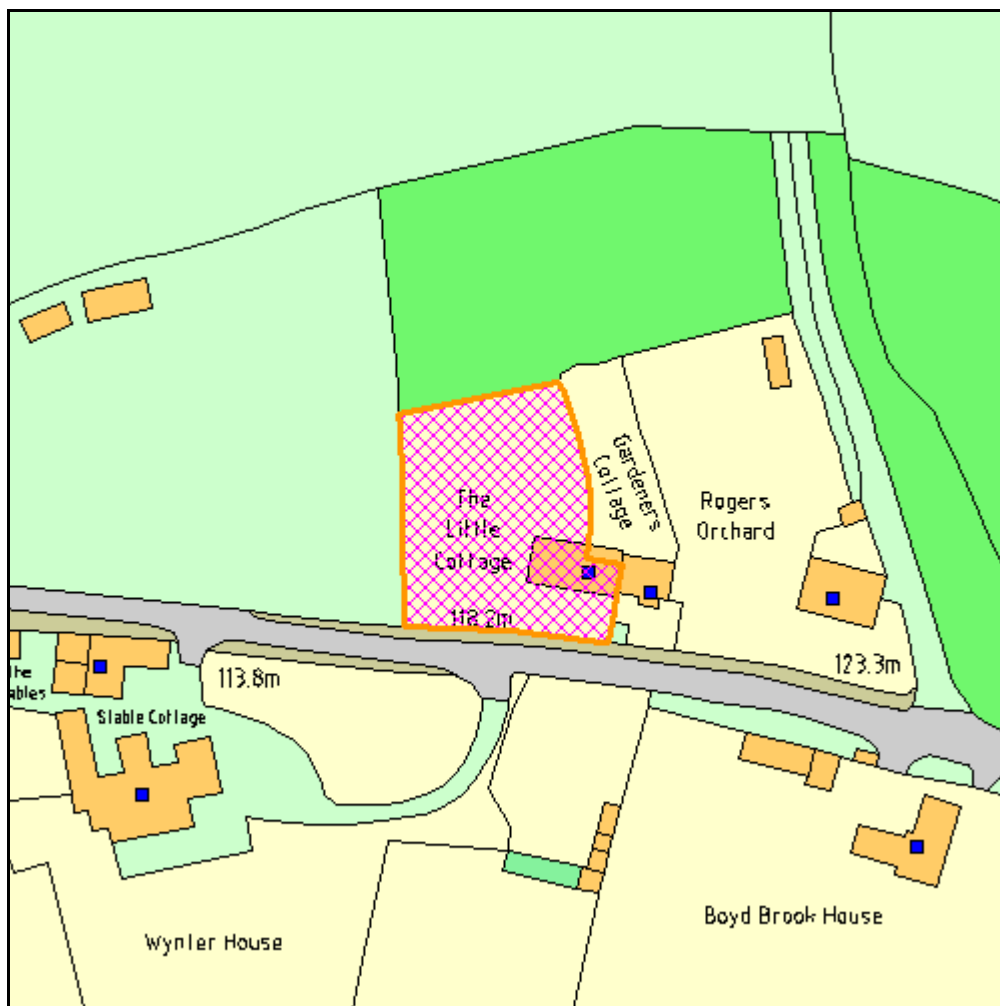
To protect the residential amenity of the neighbouring occupiers and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

Case Officer: Oliver Phippen

Authorising Officer: David Stockdale

CIRCULATED SCHEDULE NO. 11/21 -19th March 2021

App No.:	P20/22832/F	Applicant:	Mrs Rachel Hucker
Site:	The Cottage Upper Street Dyrham South Gloucestershire SN14 8HN	Date Reg:	2nd January 2021
Proposal:	Erection of two storey rear extension to form additional living accommodation and enlargement of existing parking provision.	Parish:	Dyrham And Hinton Parish Council
Map Ref:	373834 175902	Ward:	Boyd Valley
Application Category:	Householder	Target Date:	15th February 2021



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P20/22832/F

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

REASON FOR REFERRING TO CIRCULATED SCHEDULE

The application appears on the Circulated Schedule because more than 3no. comments in support of the proposal have been received and the findings of this report are that a split decision is recommended, with a part refusal, contrary to the representations received in support of the proposal.

1. THE PROPOSAL

- 1.1 Full planning permission is sought for the erection of a two-storey rear extension and the enlargement of the existing parking area serving the property.
- 1.2 The application site is a semi-detached cottage that fronts the Northern side of Upper Street in Dyrham. The site is not within a settlement boundary, is within the Bristol/Bath greenbelt and is also within the Dyrham Conservation Area and Cotswolds National Landscape (formerly AONB).
- 1.3 During the application's consideration, revised plans have been submitted along with further information. The application was initially submitted with plans that were either deficient in detail (in the case of the parking area) or from a previous approval 10 years ago. Revised plans were in the form of updated, more accurate plans and plans that accurately depict the works proposed to the parking area, required to allow a full and fair assessment. A 21-day public re-consultation was carried out to ensure that nobody would be disadvantaged.

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
PSP20	Flood Risk, Surface Water, and Watercourse Management
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Space Standards

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

3. RELEVANT PLANNING HISTORY

- 3.1 PK10/1777/F (approved 25/08/2010):
 Erection of two storey rear extension to provide additional living accommodation (Resubmission of PK09/5670/F).

This permission has now lapsed and the extension was not built. The current application for a rear extension is materially the same as this consented scheme.

- 3.2 PK09/5670/F (withdrawn 18/12/2009):
 Erection of two storey rear extension to provide additional living accommodation.

Other history is available but is not considered directly relevant to this proposal, nor is it recent.

4. CONSULTATION RESPONSES

- 4.1 Dyrham and Hinton Parish Council
 Support comment submitted, with no elaboration.
- 4.2 Sustainable Transport
 No comments have been received in either consultation.
- 4.3 Conservation Officer

Initial comments:

Some concern expressed about the design of the rear extension but notes that it will not harm the character or appearance of the conservation area. Insufficient information provided for the works to the parking area.

Updated comments (1st iteration):

No further comments made on the rear extension. Parking area extension would result in less than substantial harm and refusal recommended unless

robust material considerations are identified that are sufficient to outweigh the harm.

Conditions required if approval considered.

4.4 Archaeology Officer

HC11 condition needed due to ground disturbance and potential for the survival of archaeology.

4.5 Drainage (LLFA)

Query foul and surface water disposal

[Officer Comment] *Given the scale of the development and that the proposal relates to a long-established residential property, it is not considered necessary to request this be clarified at the planning stage. Instead, this could be satisfactorily addressed through building regulations.*

4.6 Tree Officer

Initial comments:

Objection – direct impact on trees in a conservation area and no supporting information submitted. Tree report needed.

Updated comments:

No objection, subject to works proceeding in accordance with the arboricultural report.

4.7 Landscape Officer

Initial comments:

Further information required; conditions recommended.

Correspondence with the Landscape Officer has established that further information requested could be dealt with via condition.

4.8 Residents

1no. objection and 1no. support comments have been received.

Objection comment summarised:

- Drawings not accurate
- Extension will block light and views
- Smaller extension would be preferable/more practicable
- Extension to parking area will have significant impact on public realm of conservation area and setting of the entrance to grade II listed building (Wynter's House)
- Car parking is plan only – not enough information

- Parking area very large – nothing proposed to mitigate impact on conservation area
- Walls should be faced with natural stone

Support comments summarised:

- Well thought out and reasonable proposal
- Lack of suitable affordable property for young families leading to increase in average age – residents support planning application for extensions in order to create medium sized homes
- Sympathetic proposals
- Parking will provide relief to Upper Street and occupiers
- Extra space more conducive for young/growing families
- Extension will not be noticed by passers by
- Parking will take cars off the street and help recycling lorries and other larger vehicles
- Current situation difficult for emergency vehicles
- In keeping with character of village
- Clearly an improvement
- Historic character of village needs to segue seamlessly with realities of modern life (cars)
- Existing steps unsafe
- Village needs young people to sustain itself

1no. further support comment has been received post consultation, which didn't raise anything beyond what had already been raised by others in the two formal consultation periods.

5. **ANALYSIS OF PROPOSAL**

1.1 The proposal seeks to erect a two-storey rear extension and extend an existing parking area. This proposal, in terms of the rear extension, is materially the same as PK10/1777/F, which was previously approved but has now lapsed. Whilst it has lapsed, this previous consent is a strong material consideration in the determination of the rear extension part of the proposal. The expansion to the parking area is new and has not been considered previously.

1.2 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. The development is acceptable in principle, subject to the following detailed consideration.

1.3 Greenbelt

- Development within the greenbelt is strictly controlled to ensure that the fundamental aim of the greenbelt is preserved, which is to prevent urban sprawl by keeping land permanently open. Openness and permanence are the two main characteristics of the greenbelt. Within the greenbelt, development that is inappropriate should be refused, unless very special circumstances can be demonstrated that outweigh the harm to the greenbelt. Inappropriate development is by definition, harmful to the greenbelt.
- 1.4 Limited forms of development are considered to be acceptable in the greenbelt and are set out in paragraph 145 of the NPPF. One such form of development is the extension or alteration of existing buildings, provided it is proportionate. PSP7 elaborates on proportionality and submits that extensions that result in a volume increase over and above that of the original building of up to 30% are likely to be considered acceptable. Additions of between 30% and 50% stand to be carefully considered and additions over 50% are unlikely to be considered proportionate.
- 1.5 The previously approved rear extension was considered on the basis of the increase amounting to less than 30% over and above original. With there being no other additions to the property since then and this approved scheme not being implemented, this previous finding can be considered to still stand. Accordingly, the proposed extension is of a volume that cannot be considered to be disproportionate by reason of being below 30% over and above the original volume. It follows therefore that the proposed extension can be considered proportionate and is therefore appropriate in the greenbelt.
- 1.6 Paragraph 146 of the NPPF sets out additional forms of development that are appropriate in the greenbelt, provided they preserve its openness and do not conflict with the purposes of including land within the greenbelt. One such additional form of development is engineering operations. The works to the parking area can be considered to amount to engineering operations. The works would result in a more engineered appearance by reason of the building up of retaining walls and excavation of the bank, however this would not have any marked impact on the openness of the greenbelt and would not conflict with the purposes of including the land within the greenbelt. Accordingly, this proposed engineering operations are also not considered to be inappropriate in the greenbelt. It is therefore considered following the above reasoning that both aspects of the proposed development can be considered appropriate development in the greenbelt.
- 1.7 Design, Visual Amenity and Heritage
The existing property is a cottage which sits in an elevated position above Upper Street. The property is faced with coursed random rubble bath stone, with pantile roof and stone coped verges. Windows are predominantly two and three light mullioned windows with leaded glazing. The parking area fronts the Northern side of Upper Street and is offset to the left of the property (when viewed from the front), with retaining walls that comprise re-constituted stone, which are dug in to the bank.

Rear Extension

- 1.8 The proposed rear extension would project from the rear by c.4 metres from the rear wall and would have a ridge height to match the existing, albeit oriented 90 degrees to the main ridge. The width would be c.5.7 metres and height to the eaves would be c.3.8 metres. The materials are proposed match the existing. The extension would necessitate a retaining wall being erected in the garden due to the levels of the site Officers note comments made by the conservation officer from a design point of view raising some concerns about the massing and scale appearing dominant, and the 'squat' nature of the roof.
- 1.9 Whilst officers would accept that the proposed rear extension is quite large, due regard should be given to the fact an extension of the same design has already been considered acceptable and granted permission on the site. Whilst some time has elapsed, the then local plan still placed emphasis on good design. The extension is well screened from the public realm and makes use good use of materials which would be sympathetic to the host property and the form, whilst larger, still follows the broad design characteristics of the host property. Accordingly and having regard to the previous approval on site for the same extension, officers do not consider there to be any design grounds on which to resist the proposal and consider it to be acceptable in terms of its design, subject to appropriately worded conditions to secure details of materials. This should include a condition requiring a sample panel of stonework for the works to the main house, and the retaining wall. A condition requiring matching tiles should also be applied, should permission be granted.
- 1.10 Turning to impacts on the Dyrham Conservation area (a designated heritage asset), the rear siting of the extension, local topography and screening from the public realm means that there will be limited appreciation of the scale of the extension from the public realm and consequently, Dyrham Conservation Area. As such, the proposed extension would not present any material harm to the character and appearance of the conservation area, with the impact therefore being considered neutral.
- 1.11 It therefore follows that the proposed rear extension is acceptable from a design and heritage point of view, and should be approved, subject to appropriately worded conditions, as set out above.

Parking extension

- 1.12 The proposal to extend the parking area would see the width increase from c.5.2 metres to c.12.2 metres, a c.7 metre increase overall. This would be to the West, with the existing bank being excavated to facilitate the extension. The current steps to the rear of the parking area would be re-aligned so that they lead down toward the front of the parking area. The extended parking area is to be built up using materials that would match the main property (coursed random rubble bath stone). The issue that presents itself with the parking area extension is not of design, when considered in isolation. The issue is rather how it would impact upon the character and appearance of the Dyrham Conservation Area, a designated heritage asset.
- 1.13 As a designated heritage asset, conservation areas enjoy statutory protection under the Planning (Listed Buildings and Conservation Areas) Act 1990 ('the

- act'). Section 72 of the act submits that local planning authorities shall pay special attention to the desirability of preserving or enhancing the character or appearance of that area. The NPPF, at paragraph 193 submits that when considering the impacts of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Local plan policies PSP17 and CS9 also require the preservation of heritage assets.
- 1.14 The justification for the parking area extension is acknowledged and the approach taken to the design can be regarded as being a sensible one. However, the proposal would nevertheless detract from the rural character of Upper Street. The Dyrham Conservation Area SPG specifically identifies that "the winding lands and hilly ground add much to the rural character of the village".
- 1.15 In contrast to this, what is proposed would increase the engineered appearance of the existing parking layout which would detract from the enclosed and rural character of the land and in turn, the wider conservation area and its special character. This is not a question of the design of the parking area itself, but rather the that the considered loss of character is an inherent consequence of digging out the bank further to increase parking provision. The existing green banked slopes would be replaced by retaining walls and an increase in visual presence of parked vehicles within. This would in turn increase the prominence of an engineered configuration and the parking area would lead to an increased sense of urbanisation within the street scene, which would again be detrimental to the rural character.
- 1.16 A key test for development in conservation areas is that it must preserve or enhance its character or appearance. In this case, officers do not consider this to be the case. Furthermore, the works could set an unwelcome precedent, considering existing parking pressures elsewhere within the village. In terms of harm – of which there can be no harm; less than substantial harm or; substantial harm – the proposal is considered by the conservation officer to present less than substantial harm.
- 1.17 With the identification of less than substantial harm, the proposal needs to be considered under paragraph 196 of the NPPF. Paragraph 196 submits:
- Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the **public benefits** of the proposal including, where appropriate, securing its optimum viable use*
- 1.18 As a householder development, the benefits of the proposal would be mostly private, as they often are. That said, it is acknowledged that there could be some *small* public benefit generated, by reason of an additional off street parking space that could alleviate a small amount of pressure on the on-street parking situation in the area. However, this public benefit is a small one and is not, in the view of officers, sufficient to outweigh the harm identified. Officers are sympathetic to comments from residents regarding the benefits of additional parking, however as set out above, the provision of one additional

parking space is not considered sufficient public benefit to outweigh the harm to the character and appearance of Dyrham Conservation Area.

- 1.19 Consequently, in the absence of sufficient public benefits the statutory presumption against granting permission applies for this part of the proposed development. The extension to the existing parking area should therefore be refused on the grounds of harm to a designated heritage asset, for which would be less than substantial with insufficient public benefits.
- 1.20 The purpose of this report is to consider the application to hand and not alternatives. It should however be noted that officers have sought to establish an acceptable alternative to what is proposed during the consideration of the application. Following consultation with the Conservation Officer, works to increase the parking area could be acceptable. This would however need to be on a smaller scale, more akin to providing two good sized spaces and allowing for the re-orientation of the stairs. But, what is currently proposed is not for the above reasoning considered acceptable. As the applicant has indicated that they would not wish to reduce the parking area to remove the third space, officers are unfortunately left with little choice but to make the above recommendation for part-refusal.
- 1.21 Landscape
The site is in a sensitive landscape setting (Cotswolds National Landscape, formerly the AONB). Both the NPPF and PSP2 seek to protect such landscape areas, and the NPPF prohibits major development within them.
- 1.22 By reason of the scale of the development (a householder proposal), officers cannot conceive a situation where the development would constitute major development within the AONB, and so there is no objection in this regard. Nevertheless, in its sensitive rural location careful consideration is needed as to how the proposal would integrate with the landscape.
- 1.23 The extension to the carpark area would be visible along Upper Street and would present a much more intrusive feature, purely by reason of its enlarged scale. Therefore, it needs to be ensured that the proposal would successfully integrate with appropriate mitigation planting and landscape frontage treatment. The latter was initially requested by the landscape officer pre-determination. However, following further consultation, these details could be captured by an appropriate pre-commencement condition and so this information not being present at this stage should not form a reason for refusal, as a condition could easily make the development acceptable in this regard. For the avoidance of doubt, officers would not consider a landscaping plan necessary with respect to the rear extension alone, of which is recommended for approval.
- 1.24 Archaeology
The site lies within the historic core of Dyrham, and there is potential for the survival of archaeology, as noted by the Council's archaeologist in reviewing the proposal. Whilst relatively small, the development will involve a level of ground disturbance that could affect below ground archaeology. As such, an appropriately worded condition should be applied to any consent (or part consent) to monitor construction and record any archaeological findings.

- 1.25 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.
- 1.26 The relationship between the property and the attached neighbour (Gardiners Cottage) is somewhat unorthodox as parts of The Cottage (for example, the sitting room) are situated East of parts of Gardeners Cottage. There is therefore a very close relationship between the two at the rear.
- 1.27 However, sufficient levels of separation would exist between the extension and the rear amenity space and windows of Gardiners Cottage to mitigate any serious residential amenity concerns in terms of overbearing or overshadowing. It is noted that concern is raised with regards to impacts on light and views. Whilst there would be some impact on the amount of light received to the West of Gardiners Cottage, the test is whether this would be unacceptable. It is the opinion of officers that this would not be the case. Impacts on private views are not a material planning consideration, however outlook is something that needs to be considered. For the reasons listed above, it is also not considered that there would be any unacceptable impact on outlook, should permission be granted.
- 1.28 In terms of privacy, the only new windows at first floor level are proposed to face the rear and the Western side garden area of the property. Therefore, there would not be any increase in overlooking that could be considered to be unacceptable. For the above reasoning, the proposal is considered to be acceptable in terms of residential amenity.
- 1.29 For the avoidance of doubt, by reason of its siting, scale and form, officers do not consider the works to the parking area to present any material residential amenity concerns.
- 1.30 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.
- 1.31 As existing, the property benefits from 3 bedrooms. As proposed, the property would benefit from 4 bedrooms. Per PSP16, 3 and 4 bed properties are required to provide 2no. off street parking spaces. The proposal would not increase the demand for parking as set out in adopted policy. As existing, the property benefits from a parking area that is designed for two vehicles, though officer's note that in policy terms, only appears to be big enough to constitute 1no. space per PSP16 (2.4 metres wide, 4.8 metres long). Notwithstanding the size of the existing parking area, as there is no material increase in parking demand then the impact of the extension would be able to be considered neutral in terms of parking.

- 1.32 The proposed works to the parking area would however create 3no. parking spaces that meet the PSP16 size requirements and so would present an increase of two parking spaces. As the extension to the parking area would present an increase in parking beyond the policy requirements, there would be no objections to this element of the proposal in terms of parking and transportation. This said, it is necessary to consider the acceptability of the extension without the car parking extension, which is recommended for refusal. Given that the extension would present no material increase in parking demand and would not reduce existing provision, the impact can be considered neutral and therefore officers would not raise any objection in terms of parking for the rear extension.
- 1.33 Private Amenity Space
Should permission be granted for the extension, the site would still benefit from well in excess of the PSP43 guide for a 4+ bed dwelling. This would remain such had the works to the parking area also been considered acceptable, for the avoidance of doubt.
- 1.34 Trees
The site by reason of being in a conservation area means that all trees are afforded protection. PSP3 also submits that where appropriate, trees on site should be protected. Initially, no arboricultural information was submitted and so the tree officer objected to the proposal. Further information prepared by the agent was submitted, however the tree officer did not consider this to be satisfactory as it was not in accordance with BS:5837:2012
- 1.35 An arboricultural report was subsequently submitted (Hillside Trees Ltd, March 2021). This includes a method statement, and details of the removal and translocation of existing trees where required. Having reviewed the report, the tree officer is satisfied with the detail and their objection is lifted, subject to an appropriately worded condition.

Impact on Equalities

- 1.36 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.
- 1.37 With regards to the above this planning application is considered to have a neutral impact on equality.
- 1.38 Other Issues

Officers note that concern is raised about the accuracy of the plans. Following the submission of revised plans, officers consider them to be sufficient to inform a decision.

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 **part grant and part refuse** 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 affecting listed buildings to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Under Section 72 of the same Act, it is the Council's duty to pay special attention to the preservation or enhancement of the character of the surrounding conservation area. It is considered that full consideration has been given to these duties and the proposal is considered acceptable in this regard.

7. **RECOMMENDATION**

- 7.1 It is recommended that a **SPLIT DECISION** is issued as follows:

PART GRANT OF PERMISSION:

Erection of two storey rear extension to form additional living accommodation, subject to the below conditions.

PART REFUSAL:

Enlargement of existing parking provision, for the below reason.

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 approved part of the proposed development shall be implemented in accordance with the following plans:

4177-OS-01 - Site location and block plan
4177-P-01 - Proposed ground and first floor plans
4177-P-02 - Proposed elevations
4177-P-03 - Proposed site plan
4177-P-04 - Proposed site elevations
4177-S-01 - Existing ground floor plan
4177-S-02 - Existing first floor plan
4177-S-03 - Existing second floor plan
4177-S-04 - Existing elevations
4177-S-05 - Existing site plan
4177-S-06 - Existing site elevations
Received 04/02/2021

Reason

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

3. The development shall be carried out in strict accordance with the tree report (including arboricultural impact assessment, arboricultural method statement and tree protection plan) (Hillside Trees LTD, March 2021).

Reason

To ensure that trees to be retained on site are protected and re-located where required and to accord with PSP3 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017.

4. 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, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

5. Sample panels of stonework measuring 1 metre by 1 metre, demonstrating the colour, texture and pointing for the stonework to be used on the extension and retaining wall (if different to that used on the extension) are to be erected on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The approved sample panel shall be kept on site for reference until the stonework is complete. Development shall be carried out in accordance with the agreed sample.

Reason

To ensure a satisfactory standard of external appearance and to maintain and enhance the character and appearance of the Conservation Area, and to accord with Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

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

Reason

To ensure a satisfactory standard of external appearance and to maintain and enhance the character and appearance of the Conservation Area, and to accord with Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

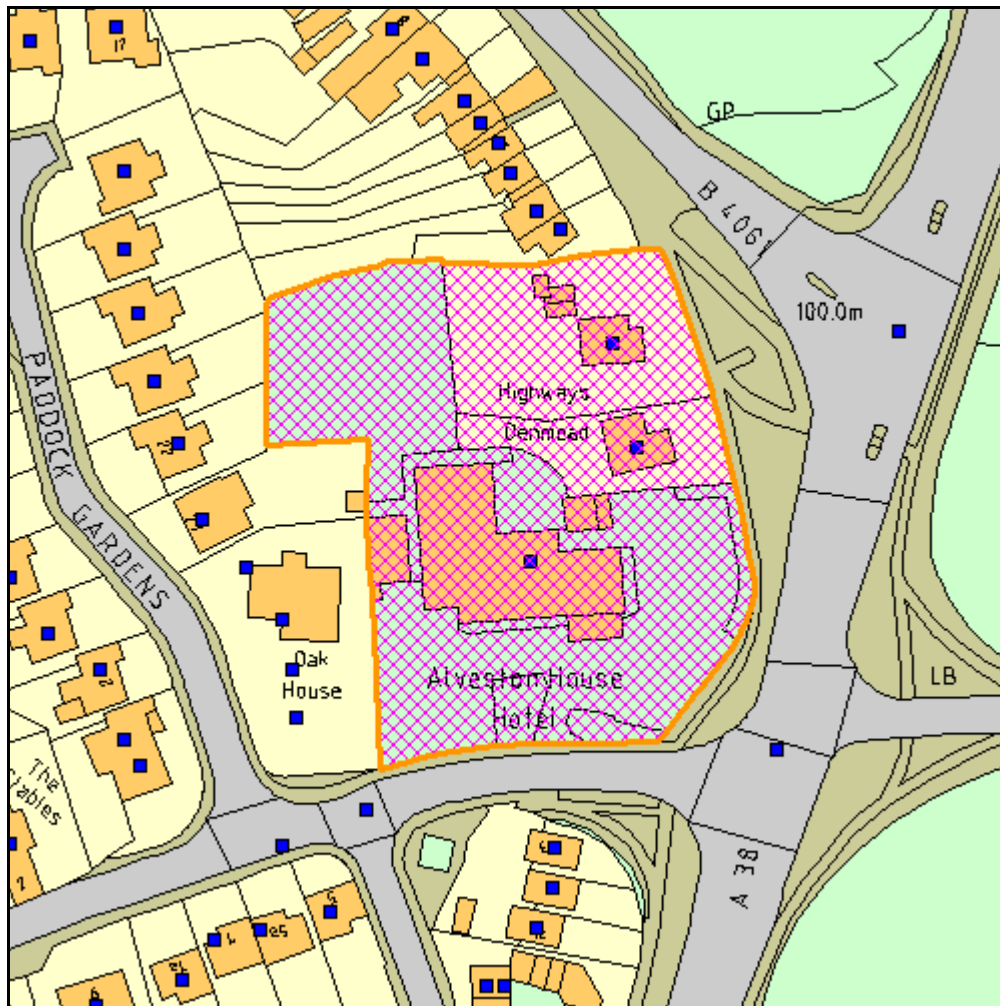
1. Refusal Reason - Less Than Substantial Harm

The proposed extension to the parking area by reason of its engineered appearance would result in an urbanising effect that would detract from the rural and enclosed character of Upper Street and in turn wider special character and appearance of the Dyrham Conservation Area, which is a designated heritage asset. The resultant harm would be less than substantial, and there are no public benefits that would be sufficient to outweigh the harm identified and as such, the statutory presumption against granting permission applies and the proposal is considered to be contrary to policies PSP17 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017; CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; the relevant sections of the National Planning Policy Framework and; Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Case Officer: Alex Hemming
Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 11/21 -19th March 2021

App No.:	P20/23871/F	Applicant:	Prestige Retirement Living Ltd
Site:	Alveston House Hotel Davids Lane Alveston South Gloucestershire BS35 2LA	Date Reg:	9th December 2020
Proposal:	Demolition of existing buildings. Erection of 22 no. dwellings with associated works.	Parish:	Alveston Parish Council
Map Ref:	363541 188059	Ward:	Severn Vale
Application Category:	Major	Target Date:	5th March 2021



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N.T.S.

P20/23871/F

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

INTRODUCTION

This application is referred to the Circulated Schedule in accordance with procedure as comments have been received that are contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the demolition of the Alveston House Hotel and 2 existing dwellings and the erection of 22 dwellings in their place.
- 1.2 The proposal is for a new residential cul-de-sac, accessed from David's Lane, arranged as eleven pairs of semi-detached houses on either side. Plots 1-12 to the west front onto the cul-de-sac and Plots 13-22 front onto Thornbury Road. There will be a pedestrian access for the latter plots from Thornbury Road with all plots having parking within the cul-de-sac. A turning head is provided at the northern end of the site, and parking for 46 vehicle parking spaces are provided, this includes visitor spaces). Cycle storage sheds are shown within rear gardens, and a refuse and recycling drop off point is to be provided at the site entrance.
- 1.3 There are two house types shown, 4 bed properties, Plots 1 to 2 and Plots 19 to 22 on to David's Lane/A38 junction and the remainder being three bed properties. All properties are two storey with room in the roof space facilitated by two box dormers on the front elevation (and also some roof lights on the rear elevation). A mix of brick types are shown (red and buff) with black stonewold tiles. A total of 48 parking spaces will be provided (this equates to four more spaces than the existing hotel). With respect to landscaping the existing stone boundary walls at the site will be retained with additional hedgerow and tree planting including the area facing A38.
- 1.4 There is a long history to this site as detailed in Section 3 below, however of most relevance, Members will recall that an outline application P20/06620/O, approving the access, landscaping and layout was recently approved subject to the signing of a S106 agreement (see Section 3 below). It is usual for a reserved matters application to follow an application for outline consent however in this case the applicant has chosen to consider all material planning considerations i.e. access, scale, layout, appearance and landscaping through the submission of a full application. This allows for work to continue on the S106 which will be applied to this application and to amend the layout. The layout is however broadly the same as that previously approved with the only differences being that Plots 1 and 2 no longer face onto David's Lane but have been turned at 90 degrees to face onto the access road at the entrance to the development, this has also resulted in a change to the parking arrangement for these properties. An area additional landscaping is proposed to the front of the site.

- 1.5 In support of the application in addition to the plans and Design and Access Statement the applicant has submitted the following:

Aboricultural Report
Flood Risk Assessment
Heritage Statement
Landscape Management and Maintenance Plan
Noise Assessment
Sustainability Statement
Transport Statement
Ecology Statement

2. **POLICY CONTEXT**

2.1 National Guidance

National Planning Policy Framework Feb. 2019
National Planning Practice Guidance 2014

2.2 Development Plans

The South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec. 2013

CS1 - High Quality Design
CS2 - Green Infrastructure
CS4A - Presumption in Favour of Sustainable Development
CS5 - Location of Development
CS6 - Infrastructure and Developer Contributions
CS7 - Strategic Transport Infrastructure
CS8 - Improving Accessibility
CS9 - Managing the Environment and Heritage
CS15 - Housing Distribution
CS16 - Housing Density
CS17 - Housing Diversity
CS18 - Affordable Housing
CS34 - Rural Areas

The South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) Nov. 2017

PSP1 - Local Distinctiveness
PSP2 - Landscape
PSP3 - Trees and Woodland
PSP6 - On Site Renewable and Low Carbon Energy
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
PSP21 - Environmental Pollution and Impacts
PSP43 - Private Amenity Space Standards

- 2.3 Supplementary Planning Guidance
 South Gloucestershire Design Check List (SPD)
 Trees on Development Sites SPG (Adopted) Nov. 2005
 South Gloucestershire Council Residential Parking Standards (SPD) Adopted
 Waste Collection: guidance for new developments (SPD) Adopted Jan. 2015
 Affordable Housing and extra care SPD (Adopted) May 2014
 Community Infrastructure Levy (CIL) & Section 106 Planning Obligations
 Guide.
 Technical Advice Note Assessing Residential Amenity June 2016

3. RELEVANT PLANNING HISTORY

- 3.1 P20/06620/O Demolition of existing buildings and erection of 22no dwellings (Outline) with access, layout and landscaping to be considered, all other matters reserved. This application was approved by the Development Management Committee on 15th October 2020 subject to the signing of a Section 106 agreement to secure affordable housing.
- 3.2 P19/11492/O Demolition of existing buildings (Highways, Denmead and ancillary buildings). Erection of 12 no. self-contained flats for occupation by people over 55 and communal areas, with associated works (Outline) with Access, Scale and Layout to be determined.
Appeal against non-determination submitted but withdrawn before an appeal decision was issued.
- 3.3 P19/11491/O Demolition of existing hotel. Erection of up to 30 no. self-contained units for occupation by people over 55 and communal areas, with associated works (Outline) with Access, Scale and Layout to be determined.
Appeal against non-determination submitted but withdrawn before an appeal decision was issued.
- 3.4 P19/3783/O Demolition of existing dwellings and erection of 3 No. detached dwellings (outline) with access and layout to be determined, all other matters reserved (resubmission of PT18/3997/O).
Refused May 2019. Refusal reasons below:

The development, if approved, would result in the intensification of a substandard access adjacent to a signal controlled junction of the A38. This would have a severe impact on highway safety to the contrary of policy PSP11 of the Policies Sites and Places Plan (Adopted) November 2017, policy CS8 of the Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

The proposed development, by virtue of its scale and layout, would result in a loss of openness surrounding the adjacent non-designated heritage asset, Alveston House Hotel, negatively affecting its setting by introducing a high density development into a location with a predominantly rural character. The proposed development is therefore contrary to policy CS1, CS9 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, policy PSP1, PSP2 and PSP17 of the South Gloucestershire Local Plan:

Policies, Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework.

- 3.5 P19/3625/PND Prior notification of the intention to demolish buildings at Alveston Hotel.

No Objection April 2019

This consent requires the demolition to commence not later than the expiration of five years beginning with the date of the decision. The demolition must therefore commence by 30th April 2024.

- 3.6 P19/1326/PND Prior notification of the intention to demolish buildings at Alveston Hotel. **Refusal March 2019.** Refusal Reason below:

The site is close to a number of residential properties and part of the existing hotel building is adjacent to a stone wall sharing with the residential properties of Paddock Gardens. It is considered that inadequate details were submitted relating to the structure condition of this garden wall in order for the Local Planning Authority to assess the method of demolition or restoration of this part of the proposal, therefore the prior approval of the local planning authority is required. By virtue of lack of information regarding the structural condition of this part of the proposal and the restoration works on this wall, should this wall becomes structurally unsound, the application fails to demonstrate that the demolition would not result in harm to the amenity of the nearby residents. The prior approval of the local planning authority is refused.

- 3.7 PT18/5849/PND Prior notification of the intention to demolish buildings at Alveston Hotel.

Refusal December 2018. Refusal reason below:

The site is close to a number of residential properties and part of the existing hotel building is adjacent to a stone wall sharing with the residential properties of Paddock Gardens and Denmead, and no information was submitted in order for the Local Planning Authority to assess the method of demolition or restoration of this part of the proposal. Further, no tree protection plan or arboricultural method statement was submitted with this prior notification. The prior approval of the local planning authority is therefore required. Due to the lack of details regarding the demolition method adjacent to the stone walls, lack of details of showing how the existing tree will be adequately protected during the demolition and restoration of the proposal, and the inappropriate hours of operation for the proposal, the application fails to demonstrate that the demolition would not result in harm to a protected tree and the amenity of the nearby residents. The prior approval of the local planning authority is refused.

- 3.8 PT18/3997/O Demolition of existing dwellings and erection of 4no detached dwellings (outline) with access and layout to be determined, all other matters reserved.

Refused March 2019. Refusal reasons below:

The development proposes the garden of plot 4 to be restricted to a small corner of the site which is particularly overlooked, as well as allowing window to window inter-visibility between plot 4 and the hotel resulting in a lack of privacy

for future occupiers. This would be detrimental to the residential amenity of future occupiers of the site to the contrary of policy PSP8 of the South Gloucestershire Policies Sites and Places Plan (Adopted) November 2017, the Assessing Residential Amenity Technical Advice Note (Adopted) June 2016 and the National Planning Policy Framework.

The proposed development, by virtue of its scale and layout, would result in a loss of openness surrounding the adjacent non-designated heritage asset, Alveston House Hotel, negatively affecting its setting by introducing a high density development into a location with a predominantly rural character. The proposed development is therefore contrary to policy CS1, CS9 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, policy PSP1, PSP2 and PSP17 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework.

The development, if approved, would result in the intensification of a substandard access adjacent to a signal controlled junction of the A38. This would have a severe impact on highway safety to the contrary of policy PSP11 of the Policies Sites and Places Plan (Adopted) November 2017, policy CS8 of the Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

- 3.9 PT17/5480/O Demolition of existing buildings. Erection of up to 34 no. self-contained units for occupation by people over 55 and communal areas, with associated works (Outline) with Access, Scale, Layout, Appearance and Landscaping to be determined.

Refused January 2018 and Appeal Dismissed

Extracts from appeal decision explaining the refusal reasons as follows:

'The proposed development would not fall within the exceptions to inappropriate development as defined within the Framework. As a result, the proposal would comprise inappropriate development in the Green Belt contrary to the Framework and Policy CS5 of the CS.

The proposed development would harm the character and appearance of the village and wider rural landscape. As such, it would not comply with Policies CS1 and CS34 of the CS, Policies PSP1 and PSP2 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (PSPP) and the Framework that seek the highest possible standards of design that respond constructively to the buildings and characteristics that make a positive contribution to the distinctiveness of the area, including the rural character and beauty, and the distinctiveness and special character of the landscape.

The proposed development would harm the setting of the listed building such that it would affect its significance. As such, the proposed development would conflict with Policies CS1 and CS9 of the CS, Policy PSP17 of the PSPP and the Framework that seek to protect and, where appropriate, enhance heritage or better reveal the significance of heritage assets and their settings... Where a development proposal will lead to less than substantial harm to the significance

of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. In this case, the proposal would contribute 34 units to the supply of housing, specifically that for occupation by older people. Whilst I consider that can carry considerable weight, it is not sufficient to outweigh the harm to the significance of the heritage asset.

The loss of the asset would conflict with Policies CS1 and CS34 of the CS and Policies PSP1 and PSP2 of the PSPP that seek to protect, conserve and enhance existing heritage features that make a particularly positive contribution to the distinctiveness of the locality and landscape, including through incorporation into development.

The location of the proposed access would result in additional and unacceptable noise and disturbance to occupiers of neighbouring houses on Paddock Gardens... In addition, overlooking would result in a loss of privacy to the occupiers of houses on Paddock Gardens that would harm the living conditions of those occupiers.

In the absence of any mechanism to provide affordable housing or evidence to show that the proposals would be unviable with the provision of affordable housing, I must conclude that the proposed development would conflict with Policy CS18 of the CS and the Framework.

In the absence of any mechanism to provide contributions toward the provision and improvement of public open space in the vicinity of the site, I conclude that the proposal would conflict with Policies CS6 and CS23 of the CS.'

4. CONSULTATION RESPONSES

3.1 Alveston Parish Council

No objection

3.2 Other Consultees

Tree Officer

No objection

Environmental Protection Officer (Noise)

No objection raised

Ecologist

No objection raised subject to conditions (the comments applied to Planning Application P20/06620/O still apply).

Transportation Officer

No objection

Arts Officer

Wishes to make no comment

Archaeology Officer

The proposal lies within the bounds of the historic settlement. The majority of the proposed construction lies outside the footprint of the existing buildings on the site and therefore the impact on any archaeological remains is likely to be more significant as these areas will have been impacted less by previous uses of the site. Given this, a programme of archaeological work in the form of an evaluation would be required as a condition of any permission granted on this site.

Community Infrastructure Officer

Requests S106 contributions towards off site POS provision and maintenance

Environment and Climate Change Officer

Initial Comments

A Sustainable Energy Statement will be required at the subsequent planning (reserved matters) stage which demonstrates how the scheme meets South Gloucestershire Council planning policies including but not limited to CS1, CS2, CS4, and PSP6, and relevant policy revisions if adopted at that time.

Following the submission of a statement, no objection to the proposal is raised subject to conditions to ensure that the development proceeds in accordance with the submitted details.

Lead Local Flood authority

No objection subject to a condition to secure the disposal of surface water from the site via soakaways if that method indicated by the applicant is achievable or if any case a Sustainable Urban Drainage system.

Housing Enabling

It is requested that the applicant provides 2 affordable units offered as Shared Ownership units. Based on the proposals submitted we would seek 2 x 3 bed 5 person houses 2 storey @ min size 93m²

Tree Officer

There are no objections in principal to the proposal. The applicant will be required to submit an Arboricultural method statement and a Tree protection plan in accordance with BS:5837:2012, with the reserved matters application.

Environmental Protection Officer

No objection subject to a condition to secure a Construction Environmental Management Plan (CEMP)

Conservation Officer

No objection to the principle of the demolition of the hotel and the quantum of housing previously approved within the setting of the listed Street Farmhouse. The development be of an appropriate design that will respect the character and distinctiveness of Alveston.

Landscape Officer

Following the submission of additional details, including a landscape maintenance plan and more detailed planting plan with details of hard and soft landscaping no objection is raised subject to the inclusion of conditions.

Other Representations**3.3 Local Residents**

5 letters of objection have been received. A summary of the main points of concern raised is as follows. Full copies of all letters received can be viewed on the Councils web site:

- The proposed dwellings are too close to existing properties in Paddock Gardens resulting in loss of amenity due to overlooking. Given the relationships including heights, angles and distance the development would be contrary to the guidance set out in the SGC SPD on assessing residential amenity.
- The proposal will result in loss of views
- Additional and appropriate planting is required to soften the impact of the development and protect neighbouring privacy
- The proposed buildings will tower over properties in Paddock Gardens and should not exceed the ridge height of those properties. The existing hotel building should not be used as a benchmark for determining appropriate heights.
- The proposed roof lights will result in loss of privacy
- An issue regarding Knotweed at the site must be addressed
- The proposed materials are not appropriate
- Parking provision is not sufficient
- The party wall between the property and neighbouring properties cannot be lowered. The proposal could result in the instability of the wall
- Trees need to be protected

4. ANALYSIS OF PROPOSAL**4.1 Principle of Development**

Policy CS5 and CS34 of the South Gloucestershire Local Plan, Core Strategy (Adopted) December 2013 is relevant to this planning application. In the case of residential development that lies within the Green Belt and within village settlement boundaries, policy CS5 is supportive of small scale infill

development and sets out that other forms of development in the Green Belt must comply with the provisions of the National Planning Policy Framework (NPPF) and the Core Strategy policies. Policy CS34 seeks to protect the designated Green Belt from inappropriate development.

It should be noted that the principle of developing the site for 22 no. dwellings and associated works has previously been established at the outline stage through P20/06620/O. The access, layout and landscaping were approved. The layout only differs marginally as described elsewhere in the report. This is a significant material consideration. The applicant could submit a reserved matters application just to determine scale and appearance.

Notwithstanding the extant consent, an assessment against Green Belt Policy is necessary.

4.2 *Green Belt*

The site is located within Alveston Village Settlement Boundary which is washed over by the Green Belt. Paragraph 133 of the NPPF sets out that the 'fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open' and that 'the essential characteristic of Green Belts are their openness and their permanence'. Paragraph 134 of the NPPF goes on to provide the five purposes of including land within the Green Belt. These are;

- i) to check the unrestricted sprawl of large built up areas;
- ii) to prevent neighbouring towns merging into one another;
- iii) to assist in the safeguarding of the countryside from encroachment;
- iv) to preserve the setting and special character of historic towns; and,
- v) to assist in urban regeneration by encouraging the recycling of derelict and other urban land.

Paragraph 145 of the National Planning Policy Framework sets out that the Local Planning Authority should regard the construction of new buildings as inappropriate in the Green Belt. Limited exceptions to this are;

- a) buildings for agriculture and forestry
- b) provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces
- e) limited infilling in villages,
- f) limited affordable housing for local community needs under policies set out in the Local Plan (including policies for rural exception sites);
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would;

- not have a greater impact on the openness of the Green Belt than the existing development; or
- not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

As set out earlier in this report, the site is located within the Alveston Village Settlement Boundary. It has previously been agreed at the outline stage that the development is largely sited on previously developed land given the hotel use, the associated infrastructure and the residential properties to the rear that would be demolished. It is agreed that Units 1-8 and 13-22 fall within the remit of previously developed and thus category “g” as set out above. It has also been agreed in the outline decision that the remaining four units on the site can be considered as limited infilling thus sitting within Criteria E.

It has also been determined that the development which comprises 2.5 storey properties (with room in the roof – so essentially 2.5 storeys) would have a height lower than the existing hotel and that the density of development is broadly similar to the surrounding area. It is noted that the dwellings would be close to the boundary of the site but the impact from parking would be less than that of the existing hotel where potentially a large number of vehicles can be parked to the front of the site. As such at the outline stage it was agreed that this development of 22 units is significantly different to the previous scheme that included a large apartment block.

To summarise, this proposal is almost identical to that put forward in the previous outline application both in the approved layout and the design and access statement. Officers continue to accept that units 1-8 and 13-22 compromise redevelopment of previously developed land, the remaining units comprise limited infill and the scheme as a whole will not have a greater impact on the openness of the Green Belt than the existing situation.

4.3 Location

As with the 2017 application and recent outline consent, whilst the site is located at the edge of Alveston, its location is well served by public transport and is located within easy reach of local services, including a convenience store, takeaway and public house/hotel. The site is also closely associated with the village of Alveston. On this basis, officers are satisfied that the site is a sustainable location and that the site can support housing development in principle.

4.4 Loss of the Existing Hotel Facilities

The demolition of the hotel has previously been consented, both through a prior approval for demolition and the inclusion of “demolition” within the description of development in the previous outline consent. Notwithstanding this it should be noted that the existing hotel is closed but previously it provided for community facilities such as weddings and conference facilities. The site also accommodates a restaurant which provides economic benefit. Policy CS23 of the Core Strategy seeks to protect community facilities from loss unless the use has ceased, is no longer fit for purpose, or suitable alternatives provision is

available within easy walking distance and to the required standard. Whilst it is noted that the proposed development would result in the total loss of the community use, the site is within easy walking distance of The Ship Inn which functions as a public house and hotel and offers a wide range of community facilities. Officers are therefore satisfied that suitable alternative facilities exist and as such the principle of this loss is consistent with the objectives of Policy CS23 of the South Gloucestershire Core Strategy.

4.5 Conservation and Heritage

As set out previously in this report, aspects of this development have been previously approved including the demolition of the hotel, however while that is material there is a duty to assess the impact of the development upon heritage assets.

The Loss of the Hotel

The Conservation Officer raises no objection to the demolition of the building acknowledging that this has previously been consented. It should be noted that although the building is not nationally or locally listed, it is still a building with a degree of architectural and historic interest that merits consideration in the planning system; a non-designated heritage asset. It has been heavily extended in the 20th century which has reduced its special interest, and internally it has undergone modernisation. Its intrinsic interest arising from its fabric and architectural qualities would be considered low when assessed against other heritage assets, but it remains a building that has a strong presence in the streetscape and, importantly, it imparts a sense of history, time-depth and character to an area that, on the west of the A38, is predominantly 20th century suburban development.

It should also be noted that the Inspector for the previous appeal agreed that the hotel was non-designated heritage asset of modest significance and concluded that the loss of this non-designated heritage asset would be a factor of modest weight against the proposed development, in accordance with the Framework.

In the overall planning balance the loss of the hotel will thus be given modest weight.

Impact upon the Setting of Grade II Listed Street Farm

Street Farm is an early 17th century farmhouse marking the entrance into the historic village of Alveston. The principle elevation of the farmhouse faces due west towards the application site and it is visible from the A38 across the field. There is no known historic association between the hotel and the farm and neither were intentionally designed or built with inter-visibility in mind. The extent of the setting of the listed building is not clearly defined but its significance will come partly from its location within an open, rural landscape, surrounded by farmland to which it would have had an historic and functional association. The application site lies at the very edge of this setting.

While the two assets, the Hotel and the Farmhouse help to contribute to the historic character of the locality, but it is not considered that the structure and form of the Hotel makes a tangible contribution to the significance and special interest of the listed Street Farmhouse. It is also important to note and this was recognised by the Inspector at the earlier appeal when it was noted that that views along Davids Lane and toward the listed farmhouse were framed by the houses at the end of Paddocks Gardens and Courville Close and that encroachment of new development on the scale previously proposed would have encroached into that view and would have significantly altered and dominated the view along Davids Lane in which the listed building is appreciated. The size and proximity of the previous proposal to the road would have resulted in it dominating its surroundings, in particular views along surrounding roads and from the listed building itself. Consequently, while this development is quite obviously different to that proposed and assessed by the Inspector any increase in the scale and massing of development on the Hotel site has the potential to “detract from the ability to appreciate the listed building within its setting and, as a result, from its significance”.

Summary

In summary, the development will result in the loss of the non-designated heritage asset, contrary to PSP17. The loss of this non-designated heritage asset would be a factor of modest weight against the proposed development, in accordance with paragraph 197 of the Framework. The development would have a limited impact upon the setting of the Listed Building. The development as proposed has drawn back Units 1 and 2 from the front of the site and thus there is a modest reduction of impact from the outline consent albeit Plots 19 to 22 are very slightly larger. As in the consideration of the outline consent there would be some impact upon the ability to appreciate the listed building within its setting and, as a result, from its significance. This would, therefore, be contrary to PSP17 and would result in a level of harm that would equate to ‘less than substantial harm’ in the context of the Framework. This would trigger paragraph 196, and the harm should be weighed against the public benefits of the proposal, taking into account the great weight afforded to the protection of designated heritage assets and their settings irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm (para 193).

As per the outline application your planning officer remains satisfied that the public benefit of the erection 22 new dwellings to include the provision of 2 affordable units and re-developing what could otherwise become a redundant site, do outweigh the less than substantial harm to Street Farmhouse.

4.6 Layout

The layout of the site was considered for the approved outline consent. This layout is broadly the same, showing a single point of access onto Davids Lane with all dwellings being accessed from the cul-de-sac. Each dwelling is to be provided with off street parking and garden space. The only difference in layout terms from the earlier consent is that Plots 1 and 2 situated to the left (west) of the entrance have been turned at 90 degrees so that they no longer front onto

Dauids Lane but onto the access road with a minor alteration to the parking layout at that part of the site but with no reduction in parking spaces.

Whilst the layout could be criticised as being car dominant, a complex palette of surface material are proposed to break up the hardstanding and afford visual interest.

Each dwelling will be provided with sufficient parking to meet the requirements of Policy PSP16. Similarly, each dwelling will be provided with external amenity space. Whilst most dwellings have very generous gardens, some units 15 and 16 do have modest private rear gardens space under the 60sqm requirement. It should be noted that these smaller 3 bed properties have very generous amenity space to the front which although not entirely private is of benefit, Plot 16 having 126 sq.m in total.

4.7 Residential Amenity

PSP8 of the Policies Sites and Places Plan indicates that development proposals will be acceptable provided that they do not create unacceptable living conditions or have an unacceptable impact on the residential amenity of occupiers of the development or neighbouring properties. Such amenity impacts are referenced as loss of privacy and overlooking; overbearing and dominant impact; loss of daylight/sunlight among others.

Concern has been raised that the properties situated to the west in Paddock Gardens would be adversely affected from the development, due to the juxtaposition/angle, the proximity and the height/dominance of the properties.

To assist in an understanding of how residential amenity is assessed in 2016 the Council adopted a Technical advice note (TAN) and this supports PSP8. The principle impact is window to window distances. For two storey dwellings a back to back distance of 20 metres is used as guidance. It is important to note that this is a guideline figure and the Tan indicates that factors on the ground such as the angles between the properties or heights differences may increase or decrease that distance. Such judgements are within the remit of the Case Officer.

It is noted that some concern has been raised that the proposed buildings are three storey (the separation distance recommended for such a relationships in the TAN is 28 metres). This is not considered to the case, the buildings are two storey with room within the roof space. There are no third storey windows on the rear elevation (dormers are located on the front). Whilst concern over roof lights on the rear elevations is noted and even that these should be obscure glazed, the roof lights are angled upwards and are within the roof. Any natural view from the roof light would upwards or level. It is not considered that the relationship between the new dwellings and those to the rear would give rise to loss of privacy. It is considered appropriate to remove PD rights in relation to alterations to the roof to allow consideration of the impact of any proposed dormer extension to the rear roofs and this will form a condition attached to the decision notice.

The following Permitted Development Rights will be removed:

Schedule 2 Part 1 Class B – Additions to the roof of a dwelling house

Schedule 2 Part 1 Class C – Other alterations to the roof of a dwelling house

Concern over proximity is noted. Distances vary but are in almost all cases 20 metres or more. It is noted that there are some points where the applicant has measured distances not from the closest point on an existing houses (an example being No.22 to Plot 9) where the true distance is approx. 19.5m. There is a marginal angle between the properties. The difference of approx. 50cm between the 20m guide and the situation on the ground is noted however the Case Officer does not consider the resulting impact from the proposed upper floor (views being screened by boundary treatments at the ground floor level), significant such as would justify the refusal of the application.

Concern that there should be extensive planting in the proposed rear gardens to screen the development. It is noted that some landscaping is shown and also that there are proposed and retained boundary treatments. This is considered to create a normal relationship between properties in a residential setting. It would not be usual to landscape significantly private gardens as it is usual to allow future occupiers leeway to adapt and change their own gardens.

Subject to a condition to remove permitted development rights in relation to alterations to the roofs (to control possible dormer roof extensions, it is considered that having regard to the residential impacts set out in PPS8 the relationship between the development and neighbouring existing properties is acceptable and would not justify the refusal of the application nor would such a decision be sustained should there be an appeal.

4.8 Landscape

The site lies in a prominent location within the eastern settlement boundary of Alveston, at the junction of the A38, B4061 Thornbury Road and David's Lane. The submitted documents confirm that the existing stone walls to the highway frontage will be retained, and supplemented with hedgerow and tree planting, and that timber fencing is envisaged along garden boundaries.

A dialogue has taken place between the applicant and officers and a detailed planting plan has been secured for planting and hard landscaping along with a landscape maintenance plan. The Landscape architect comments that the application is supported by a good clear plan showing the proposed landscape strategy, supported by an appropriate level of planting and hard landscape finishes information. The landscape officer has indicated that it would be preferable if further planting could be secured on the verge adjoining A38 however this area is outside of the redline/ownership of the applicant and highway verge thus problematic. Comments relating to the level of parking along the western edge are noted however some native hedge planting is proposed along most of this side and the existing boundary wall retained with some fruit tree planting within the gardens.

A detailed Arboricultural report has been submitted with the application. The report includes a survey of all trees and includes the proposed method of

protection for two of the trees during the construction phase of the development. The Council Tree Officer notes that a Category B False Acacia (T10) lies in the SW corner of the site. There are a number of other boundary trees around the NW part of the site, including a Category B Silver Birch (T05) and Hazel (T09) in the boundary wall. T05 is proposed to be removed and T09 and T10 both retained with the removal of other trees that are of poor quality. Extensive tree planting is proposed. Subject to a condition to ensure that all works take place in accordance with those set out in the report the proposal is considered acceptable in this respect.

Conditions will be applied to secure an updated soft landscaping plan that specifies species, planting centres, qualities, tree locations (it is considered that the trees along the eastern frontage should be moved back from the boundary as they are of a type that will require greater space), and ensures that they are planted during the first available season following the completion of the development. Compliance conditions will be attached to ensure that all boundary treatments and hard landscaping are undertaken in accordance with the submitted details and that landscape maintenance is undertaken in accordance with the submitted details i.e. during the establishment period of Years 1 to 5. Subject to these conditions and that relating to tree protection above the proposal is considered acceptable in landscaping terms.

4.9 Transportation

The proposed access is at the same location as that previously approved. The highway officer raised no objection to that scheme and raises no objection to the current proposal. The single point of access onto St Davids lane has been found safe with tracking diagrams having been submitted to demonstrate that the access is useable and sufficient off street parking is provided to meet the needs of the development. No objection is raised by the Waste Engineer regarding facilitating waste collection.

It is considered that sufficient parking has been provided to cater for the needs of the development. The submitted plans now show a 7kw 32 amp car charging point for each property which is welcomed and this will be the subject of a condition attached to the decision notice.

There is no highway objection to the proposed development

4.10 Viability

Regrettably the application P20/06620/O was accompanied by a viability report. The viability report was assessed by an independent expert (the District Valuer) who concluded that, if full policy compliant S106 contributions are sought, the site is not viable. The District Valuer reached that conclusion on 28th July 2020 largely on the basis of the existing land use value. The findings are considered to still be valid for the current application.

For completeness this report will repeat the assessment previously made.

Policy CS18 requires developers to achieve 35% on site affordable housing, normally without public subsidy, if development sites fall within the site size thresholds. In negotiating the maximum level of affordable housing, the council will have regard to the economic viability of the site and the factors underpinning it. To be fully policy compliant the application should provide 8 dwellings on site on the tenure basis of 76% social rent and 24% shared ownership.

PSP42, criteria 3 “encourage developers to provide serviced custom build plots on residential development sites of over 10 dwellings”. The proposal reaches the threshold identified in PSP42. The proposal does not include any self and custom build provision on site.

In accordance with policy CS6 and CS23, contributions towards public open space are required as follows:

Off site POS provision/enhancement - £33,601.76

Off site POS maintenance £42,007.03

POS inspection fee if private management proposed £52 per 100sq.m. plus £500 core service fee.

The District Valuer’s report concluded that the site is not viable if it is policy compliant. Whilst the DV report is very detailed, the conclusion is that if the Council insist on a policy Compliant Scheme with 8 affordable units, the resultant surplus/deficit is a negative £2,183,829 and is not viable.

Whilst officers understand the concerns often expressed when viability arguments are made by developers, all decisions must be made in accordance with the NPPF. Para 57 of the NPPF clarifies that viability should be taken into consideration when a planning application is determined but the weight to be given to the viability argument is a matter for the decision taker. In this matter, officers give full weight to the viability case made and accept the applicant’s offer of the provision of 2 affordable units of shared ownership accommodation. Whilst this would mean no self-build, a shortfall of 6 affordable units and no contribution towards off site open space, the provision of 20 units of market housing and the 2 units of affordable housing is a significant benefit afforded significant weight in the determination of the application. The 2 units of affordable housing will be secured through a S106 legal agreement.

As considered with the earlier outline application the Housing Enabling team request that a revised viability appraisal is submitted for assessment in line with futureproofing if:

1. The scheme changes from the 22 x 3 bed houses currently proposed
2. The hotel on site no longer meets the requirements for utilisation of Existing Use Value/current EUV is no longer valid
3. The scheme has not started within 3 years of any planning approval or if it does not achieve practical completion within 5 years of any planning approval.

The mechanisms used to secure these viability reviews must also include the requirement that an agreed proportion of any uplift in net development value would be assessed and paid to the council as a financial contribution.

These mechanisms will be secured through the S106 agreement which is currently being worked on following the earlier resolution granted by the Development Management Committee in October.

4.11 Drainage

The application proposes to dispose of Surface Water from the site via soakaways. In order to demonstrate that soakaways are suitable for this site the applicant will need to carry out on site percolation tests. This will then allow the applicant to calculate an infiltration rate which will determine whether disposal of Surface Water via infiltration is suitable. It is noted that the proposed site access road is shown connecting to an existing storm sewer, however there are no recorded public surface water sewers in this location.

Whilst the drainage officer does not raise any objection to the proposed development, a SuDS condition specifying the level of information that will be required will be attached to any consent granted.

4.12 Archaeology

The proposal lies within the bounds of the historic settlement. Unlike the previous proposal much more of the proposed construction lies outside the footprint of the existing buildings on the site and therefore the impact on any archaeological remains is likely to be more significant as these areas will have been impacted less by previous uses of the site. Given this, a programme of archaeological work in the form of an evaluation would be required as a condition of any permission granted on this site.

4.13 Environment and Climate Change

A Sustainable Energy Statement has been submitted which is designed to show how the development will meet South Gloucestershire Council planning policies including but not limited to CS1, CS2, CS4, and PSP6.

Policy PSP6 is of most relevance as this indicates that *development proposals will be encouraged to minimise end user energy requirements over and above those required by the current building regulations through energy reduction and efficiency measures.... And be expected to ensure the design and orientation of roofs will assist potential siting and efficient operation of solar technology.*

The applicant has indicated that every property will have access to an Electric Vehicle Charging Point and this is welcomed. The use of Solar PV is indicated. The submitted details show a reduction in residual Carbon Dioxide emissions over standard systems of 37.2% which would comply with the aims and objectives of Policy PSP6 as set out above.

In order to ensure that the development contributes to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions conditions will be attached to the decision notice. Firstly a condition requiring the submission of final details of the PV system including details of location, dimensions and full technical specification together with a calculation of annual energy generation and associated reduction in residual CO2 emissions prior to implementation of the development. A condition will also be applied to require

prior to the first occupation evidence of installation of the PV and also a calculation showing the projected annual yield of the system such that it is sufficient to reduce residual CO2 emissions by the 37.2% set out in the report. Subject to these conditions the development is considered to meet the aims and objectives of South Gloucestershire Policies that relate to climate change.

4.14 Ecology

An updated Ecological survey (Ethos, December 2019) was submitted with the application, reference is also made to the Ecological Assessment (Ethos, November 2017) submitted to P19/3625/PND. The site was assessed as having low ecological value, and no further surveys are required therefore there are no objections subject to compliance conditions.

4.15 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.

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

4.16 Planning Balance

The proposal is afforded significant weight as it is appropriate development in a sustainable location in the washed over settlement boundary of Alveston. Further weight again can be given as two of the houses will also be secured in perpetuity as affordable units in a S.106 legal agreement. Modest weight can be afforded as the proposal would have a net gain of 20 houses to the 5year housing land supply. The development also accords with South Gloucestershire policies that relate to climate change.

A significant material consideration is also that consent has previously been given for outline consent subject to the signing of the same S106 agreement with the current proposal being aside from the small variation in the layout described above being the same.

Weighing against the application is the fact that the application is not policy compliant in terms of POS, Self-build and affordable housing provision. The development will also result in less than substantial harm on a listed building.

Overall the application merits outweigh the perceived harms of the development.

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 Environment and Community Services to **grant** planning permission, subject to the conditions set out below and the applicant first voluntarily entering into an Agreement under Section 106 of the Town & Country Planning Act 1990 (as amended) to secure the following;

Affordable Housing

The provision of 2 affordable units offered as shared ownership units. The two units should both be 3 bed, 5 person houses at 2 storey with a minimum size of 93m². The affordable homes are to be built to the same high quality design standards and visually indistinguishable from the market units and in addition, Part M of the Building Regulations accessibility standards M4(2), Secured by Design Silver, Part Q Building Regulation standards and compliance with the RP Design Brief.

As this is an outline application the S106 will require that a revised viability appraisal is submitted for assessment in line with futureproofing if:

The scheme changes from the 22 x 3 bed houses currently proposed
 The hotel on site no longer meets the requirements for utilisation of Existing Use Value/current EUV is no longer valid
 The scheme has not started within 3 years of any planning approval or if it does not achieve practical completion within 5 years of any planning approval.
 The mechanisms used to secure these viability reviews must also include the requirement that an agreed proportion of any uplift in net development value would be assessed and paid to the council as a financial contribution.

Reason

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

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

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

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. Trees

All works shall be carried out in accordance with the submitted Arboricultural Report (Silverback Arboricultural Consultancy Ltd) December 2017.

Reason

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

3. Ecology (Mitigation)

The development shall proceed in strict accordance with the Mitigation Measures provided in the Ecological Appraisal (Ethos, November 2017)

Reason:

In order to conserve and enhance the natural environment and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and Policy CS19 of the South Gloucestershire Local Plan Policies Sites and Places Plan 2017.

4. Ecology (Lighting)

Prior to occupation, details of external lighting are to be submitted to the local authority for review, this should include locations of external lighting, including security lighting and the light spill on to habitats suitable for hedgehogs and bats. All works shall take place in accordance with the approved details.

Reason:

In order to conserve and enhance the natural environment and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and Policy CS19 of the South Gloucestershire Local Plan Policies Sites and Places Plan 2017.

5. Ecological Enhancement Plan

Prior to the first occupation an ecological enhancement plan shall be submitted to the local authority for review, this should expand on the enhancements detailed within the report. All works shall take place in accordance with the approved details.

Reason:

In order to conserve and enhance the natural environment and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and Policy CS19 of the South Gloucestershire Local Plan Policies Sites and Places Plan 2017.

6. Drainage

No development shall commence until surface water and foul sewage drainage details including SUDS (Sustainable Drainage Systems e.g. soakaways if ground conditions are satisfactory), for flood prevention; pollution control and environmental protection have been submitted and approved by the Local Planning Authority. All works shall then be carried out in accordance with the approved details. For the avoidance of doubt the following details shall be included in the submission:

A clearly labelled drainage layout plan showing the exact location of any soakaways. Evidence is required to confirm that the ground is suitable for soakaways. Percolation / Soakage test results in accordance with BRE Digest 365 and as described in Building Regs H - Drainage and Waste Disposal

Evidence that the soakaway is appropriately sized in accordance with BRE Digest 365 Soakaway Design.

Sp. Note; - Soakaways must be located 5 Metres from any structure including the Public Highway

Sp. Note: - No surface water discharge will be permitted to an existing foul sewer without the expressed approval of the sewage undertaker.

Development proposals will be expected to reduce surface water discharge from the site, wherever practicable and feasible on previously developed land, by reducing post development runoff rates for events up to and including the 1 in 100 year return period, with an allowance for climate change, to that of a greenfield condition. Where it can be demonstrated that this is not practical or feasible, a 30% betterment of the existing condition will be required;

Ownership and/or responsibility, along with details of the maintenance regime in relation to the jointly shared Soakaways beneath the private access drive / road for the lifetime of the development.

The document should also consider any future sale scenarios and how tentative purchasers will also be made aware of their jointly vested drainage assets.

Reason:

To avoid flooding and to comply with South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017 Policy PSP20.

7. Archaeology

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

Reason:

In order to evaluate the significance of any archaeology on site and to allow an understanding of the impact of the development and to accord with Policy PSP17 of the South Gloucestershire Local Plan; Policies Sites and Places Plan 2017.

A pre-commencement condition is needed because future remedial action would not be possible

8. Construction Environmental Management Plan (CEMP)

The development shall be carried out at all times in accordance with the Construction Management Plan (dated 9th February 2021) received 9th March 2021

Reason

In the interests of visual amenity and to protect the amenity enjoyed by those living in the locality to accord with CS1 of the South Gloucestershire Local Plan Core Strategy 2013 and the provisions of the National Planning Policy Framework.

9. Affordable Housing

The 2 affordable dwellings shall be constructed to meet Part M of the Building Regulations accessibility standard M4(2).

Reason

To facilitate adaption as tenants needs change, to facilitate mixed balanced communities in accordance with policy PSP18 of South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted) November 2017.

10. Electric Charging

Prior to the first occupation of the development hereby approved the provision of a 7kw/32Amp Electric Vehicle Charging Points and their cabling for each dwelling as shown on Drg No. 2936/701E received 1st March 2021 shall be carried out in accordance with the approved details and retained as such thereafter.

Reason

In order to reduce greenhouse gas emissions and to provide and promote the provision of sustainable travel options to accord with Policy CS8 of the South Gloucestershire Local Plan Core Strategy 2013

11. Heritage

Prior to the first occupation of the development, full details of the re-location of the commemorative memorial plaque to Captain Frank Barnwell (currently located on the Hotel) shall be submitted to an approved in writing by the Local Planning Authority (in consultation with Alveston Parish Council). The said plaque shall be installed, prior to the first occupation of the development in accordance with the agreed details.

Reason:

In the interests of maintaining the historical association with the site and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and Policy PSP17 of the South Gloucestershire Local Plan Policies Sites and Places Plan 2017.

12. Soft Landscaping Plan

Prior to the commencement of development an Updated Soft Landscape Plan shall be submitted to and approved in writing by the Local Planning Authority. All new planting shall be implemented in the first available planting season following the completion of the construction works. For the avoidance of doubt the submitted details shall include the location; species; planting centres and qualities of all proposed tree and structure planting.

Reason

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

13. Landscape Maintenance

Landscape Maintenance shall be undertaken during the establishment period (Years 1 to 5 following implementation of the planting) and shall be undertaken in accordance with the submitted schedule (Cambium) dated November 2020.

Reason

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

14. Hard Landscaping

All proposed boundary and hard landscape surface treatments to be undertaken in accordance with Hard Landscape Plan 1419-02 Rev A received 1st March 2021.

Reason

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

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

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.

16. Approved Plans

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

Received 7th February 2020

175/3601-2 Basement
175/3601-3 Ground Floor
175/3601-4 First Floor
175/3601-5 Second Floor
175/3601-6 Elevation

Received 2nd December 2020

2936 3003 Location Plan
2936 700_Existing Site Plan

Received 25th January 2021

2936/705 Rev B Sections

Received 1st March 2021

2936 701E Proposed Site Plan Drainage (inc Electric Vehicle Charging points and Section guide for 2936/705 Rev B).
2936 702D House Type A
2936 703E House Type B
1419-01C Planting Proposals
1419-02 Rev A Hard Landscape Proposals
1419 Landscape Maintenance Plan - Rev A
2936 710 Plans & Elevations House Type B Plots 13/14

Received 2nd March 2021

2936 704A Proposed site plan roof
705 Proposed Strip Elevations

Reason:
For the avoidance of doubt

17. Permitted Development Rights

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 B and C 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:

In order to protect the residential amenity of neighbouring occupiers by allowing an assessment to be made of alterations to the roofs of properties (loss of privacy and overlooking) to accord with Policy PSP8 of the South Gloucestershire Local Plan: Policies Sites and Places Plan 2017.

18. Solar PV

Prior to the commencement of that part of the development (roofs), final details of the proposed Solar PV system including location, dimensions, design/technical specification together with a calculation of annual energy generation (kWh/annum) and association Carbon Dioxide emissions shall be submitted to and approved in writing by the Local Planning Authority. All works shall take place in accordance with the approved details.

Reason:

To ensure that the development contributes to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions and in accordance with Policies CS1, CS2, CS4 of the South Gloucestershire Local PL an Core Strategy 2013 and Policy PSP6 of the South Gloucestershire Local Plan: Policies Sites and Places Plan 2017

19. Solar PV

Prior to the first occupation of the development hereby approved evidence of the PV system as installed including the exact location, technical specification and projected annual energy yield (KWh/year) shall be submitted to the Local Planning Authority.

Reason:

To ensure that the development contributes to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions and in accordance with Policies CS1, CS2, CS4 of the South Gloucestershire Local PL an Core Strategy 2013 and Policy PSP6 of the South Gloucestershire Local Plan: Policies Sites and Places Plan 2017

20. Carbon Dioxide Emissions

Prior to the first occupation of the development hereby approved a calculation to show that the projected annual yield of the installed PV system is sufficient to reduce residual Carbon Dioxide emissions by 37.2% as indicated in the submitted Energy Statement

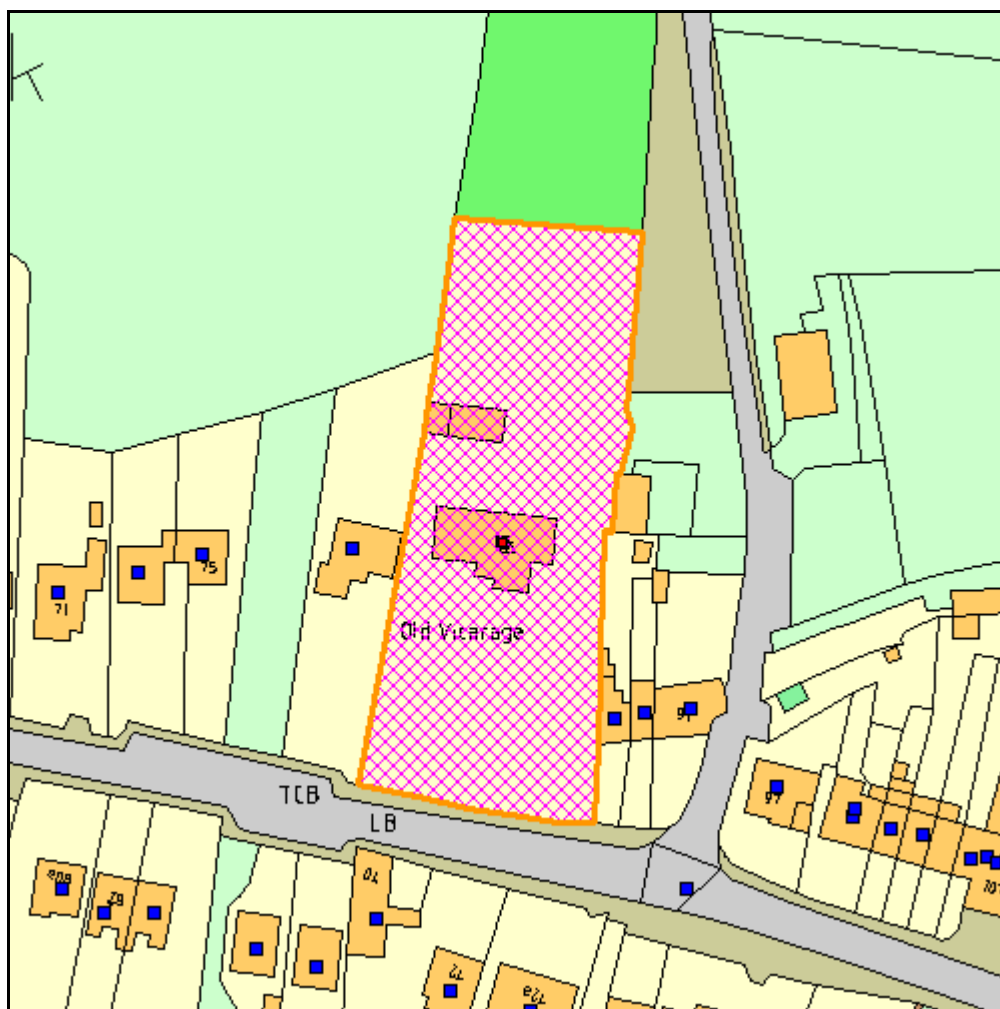
Reason:

To ensure that the development contributes to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions and in accordance with Policies CS1, CS2, CS4 of the South Gloucestershire Local Plan Core Strategy 2013 and Policy PSP6 of the South Gloucestershire Local Plan: Policies Sites and Places Plan 2017

Case Officer: David Stockdale
Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 11/21 -19th March 2021

App No.:	P21/00072/F	Applicant:	The Shant Building Company
Site:	The Old Vicarage 85 High Street Wick South Gloucestershire BS30 5QQ	Date Reg:	20th January 2021
Proposal:	Demolition of existing garage. Erection of 1 no. outbuilding to form swimming pool, garage, gym and office.	Parish:	Wick And Abson Parish Council
Map Ref:	370629 172731	Ward:	Boyd Valley
Application Category:	Householder	Target Date:	15th March 2021



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P21/00072/F

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

REASON FOR APPEARING ON CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 Planning permission is sought for the demolition of an existing garage and the erection of 1no. outbuilding to form a swimming pool, gym, garage and office. The application relates to The Old Vicarage, 85 High Street, Wick.
- 1.2 The application site comprises a large detached property set within a generous plot. The site is situated within the defined settlement boundary of Wick, and is washed over by the Bristol and Bath Green Belt.
- 1.3 The proposed development forms a resubmission of the previously approved application, ref. P19/09083/F. The difference between the two applications is that now a first floor element is proposed for the use of a home gym. Amended plans have been received during the determination process which have lowered the height of the extension and changed the roof profile, from a pitched to a mansard.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS34	Rural Areas

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

PSP1	Local Distinctiveness
PSP7	Development in the Green Belt
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP38	Development within Existing Residential Curtilages, Including Extensions and New Dwellings

- 2.3 Supplementary Planning Guidance
Development in the Green Belt
Design Checklist SPD (Adopted) 2007
Residential Parking Standards SPD (Adopted) 2013

3. **RELEVANT PLANNING HISTORY**

3.1 **P19/09083/F**

Demolition of existing garage. Erection of 1 no. outbuilding to form swimming pool, garage and office.

Approved: 19.10.2019

3.2 **PK01/0192/F**

Erection of single storey rear extension.

Approved: 20.04.2001

3.3 **P91/1716**

Erection of rear porch and loggia.

Approved: 10.07.1991

3.4 **P90/2881**

Alteration and extension of storage and utility block and change of use to form granny flat.

Refused: 10.01.1991

3.5 **P88/2027**

Erection of single storey rear extension to provide additional living room space with verandah.

Approved: 06.07.1988

3.6 **P87/2420**

Erection of side conservatory.

Approved: 07.10.1987

4. **CONSULTATION RESPONSES**

4.1 Wick and Abson Parish Council

Objection. Out of proportion and inappropriate backlot development.

Other Representations

- 4.2 Local Residents
No comments received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application seeks permission for the erection of an outbuilding to contain a swimming pool, garage and office. Extension and alterations to existing properties is managed through policy PSP38 of the Policies, Sites and Places Plan. This policy is generally supportive subject to an assessment of design, amenity and transport. However, the site is located within the Green Belt and any development must accord with the principles of Green Belt policy to be acceptable.

5.2 Green Belt

Policy CS5 and CS34 of the Core Strategy and policy PSP7 of the Policies, Sites and Places Plan support the protection of the Green Belt from inappropriate development. The NPPF also attaches great importance to the Green Belt – with development in the Green Belt generally being considered inappropriate. However, there are limited categories of development within the Green Belt that are not considered to be inappropriate. One of the exception categories is the extension of a building provided that it does not result in a disproportionate addition over and above the original size of the building, as is set out in Paragraph 145 of the NPPF. Whilst it is noted that the proposed outbuilding would be separated from the host and would not technically be an extension, as it is situated in close proximity to the host, it is reasonable to consider it as an extension for the purposes of a Green Belt assessment.

- 5.3 Policy PSP7 of the Policies, Sites and Places Plan and the South Gloucestershire Supplementary Planning Document: Development in the Green Belt (Adopted) 2007) set out a guide for assessing whether or not an extension is proportionate. Additions resulting in a volumetric increase of up to 30% are likely to be considered proportionate, those resulting in an increase between 30% and 50% are to be carefully reviewed, and those resulting an increase of over 50% are likely to be considered disproportionate.

- 5.4 The applicant has provided volume calculations. When taking account of past development that has occurred at the site, as well as the removal of the existing garage, it is calculated that the proposed development would result in a volumetric increase of 43%. Whilst it is acknowledged that the building is of a considerable scale, given the scale of the host and the generous size of the plot, it is not considered that the outbuilding would appear as a disproportionately large structure within its setting. Furthermore, the fact that the site is situated within the defined settlement boundary and within a clutch of other buildings would also reduce the physical impact of the development on openness.

- 5.5 Overall, it is concluded that the outbuilding would represent a proportionate addition to the host building and site. The proposal is therefore an appropriate form of development in the Green Belt.
- 5.6 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 and design. This means that developments should have appropriate: siting, form, scale, height, massing, detailing, colour and materials which are informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context.
- 5.7 The host dwelling is served by a large front garden, with a stone wall and substantial vegetation situated at the southern boundary of the site. As such, the proposed outbuilding is set a significant distance from the public areas provided to the south of the site, and is largely screened from public view. As such, it is not considered that the provision of the new building would have a significant impact on the visual amenity of the streetscene or the character of the wider area.
- 5.8 In terms of the design of the building itself, it is acknowledged that the structure would be of a substantial scale. Since the point of submission the front dormer has been removed and the rear element reduced in height, as such subservient elements are present. Overall its form is typical of a larger outbuilding which is considered to sit comfortably within its plot. In terms of the more detailed aspects of the design, the outbuilding would incorporate high levels of glazing, and would be predominantly finished in natural stone. In respect of roof finish, the pitched roof section would be finished in tiles to match the main dwelling, with conservation type roof lights. This design approach is considered to be appropriate, and it is considered that the building would integrate successfully in to the site.
- 5.9 On the basis of the assessment set out above, it is concluded that an acceptable standard of design has been achieved. The development proposal therefore accords with policies CS1 and PSP38.
- 5.10 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.
- 5.11 It is noted that the building would extend for a significant distance along the eastern boundary of the site. However the existing structure also extends for a significant distance. Whilst the massing of the proposed building would be greater, it is not considered that it would have a significantly greater presence than the existing. Furthermore, the area immediately to the east is not within a

- residential use. As such, it is not considered that the provision of the building would degrade the amenity of any neighbours through any overlooking, overbearing or overshadowing impacts.
- 5.12 In terms of the amenity of the occupants of the host, it is considered that ample external amenity space would be retained on-site, following the development.
- 5.13 On the basis of the assessment set out above, it is not considered that the development would have any unacceptable impacts on residential amenity. The development proposal therefore complies with policies PSP8 and PSP38.
- 5.14 Transport
The proposal would have no significant impact on existing vehicular access arrangements, nor the travel patterns associated with the property. It is also considered that adequate space for vehicular parking would be retained at the site following the development.
- 5.15 Other Matters
Due to the sitting, size, scale and location of the proposed outbuilding, it could have the capacity to function independently of the host property. Whilst this would not be desirable as it would overlook the associated private amenity space of the host property, it is not considered unreasonable to attach a condition to ensure it remains as an ancillary unit so to protect the residential amenities of the occupants.
- 5.16 Equalities
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.
- 5.17 With regards to the above this planning application is considered to have a neutral impact on equality.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

CONDITIONS

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

Reason

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

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

Received by the council on 6 January 2021: EXISTING ELEVATIONS,, AND THE LOCATION PLAN.

Received by the council on 18 January 2021: BLOCK PLAN.

Received by the council on 29 January 2021: EXISTING SITE PLAN (Rev A), PROPOSED BLOCK PLAN (Rev A), PROPOSED ELEVATIONS (Rev B), and PROPOSED FLOOR PLANS (Rev B).

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

3. The outbuilding hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as The Old Vicarage, 85 High Street, Wick, South Gloucestershire, BS30 5QQ.

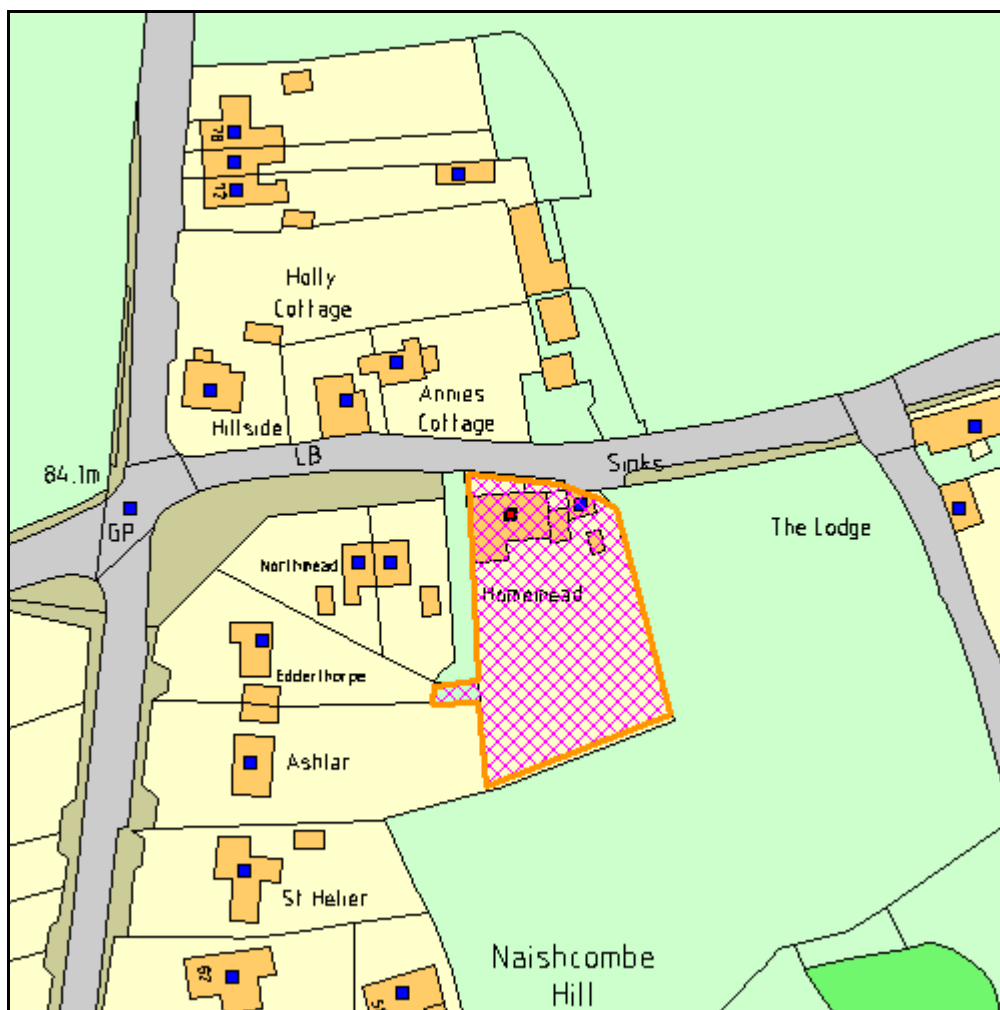
Reason: To protect the residential amenity of the host property and neighbouring occupiers and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP1 of the Policies Sites and Places Plan (Adopted) 2017 and the National Planning Policy Framework.

Case Officer: Thomas Smith

Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 11/21 -19th March 2021

App No.:	P21/00376/F	Applicant:	Mr Michael Purnell
Site:	Valley View Cottage 3 Rock Road Wick South Gloucestershire BS30 5TW	Date Reg:	28th January 2021
Proposal:	Erection of 1 no. detached double garage.	Parish:	Wick And Abson Parish Council
Map Ref:	370372 173476	Ward:	Boyd Valley
Application Category:	Householder	Target Date:	22nd March 2021



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 100023410, 2008. **N.T.S.** **P21/00376/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 Wick and Abson 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 1 no. detached double garage to the rear of the host dwellinghouse, as detailed on the application form and illustrated on the accompanying drawings. The existing brick outbuilding will be demolished.
- 1.2 The application site can be found at Valley View Cottage, 3 Rock Road is set within a modest sized plot, and is an existing two storey detached property. It is located inside of the settlement boundary and is within the Bristol/Bath Green Belt.

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 the Environment and Heritage
CS34	Rural Areas

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

PSP1	Local Distinctiveness
PSP7	Development in the Green Belt
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP19	Sites of Nature Conservation Interest
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)
Development in the Greenbelt SPD (Adopted 2007)

3. **RELEVANT PLANNING HISTORY**

- 3.1 DOC20/00188. Discharge of condition 4 (Parking) attached to planning permission PK15/4081/F. Erection of single storey side extension and two storey rear extension to provide additional living accommodation. Installation of glazed Juliet balcony to rear. Alterations to roof and chimneys to enable loft conversion. Discharge of Condition. 13.08.2020.
- 3.2 PK17/1104/NMA. Non Material Amendment to planning permission PK15/4081/F to installation of 3 no. roof lights to east elevation roof and and change roof covering between dormers to grey/slate coloured EDPM single ply membrane. No Objection. 11.04.2017.
- 3.3 PK15/4081/F. Erection of single storey side extension and two storey rear extension to provide additional living accommodation. Installation of glazed juliet balcony to rear. Alterations to roof and chimneys to enable loft conversion. Approved. 20.01.2016.
- 3.4 PK09/5989/NMA. Non material amendment to PK08/2301/F to reduce pitch of main roof to 20 degrees and to revise lean-to on west elevation to gable feature. No Objection. 18.12.2009.
- 3.5 PK08/2301/F. Erection of single storey extension to converted barn to form additional living accommodation, ancillary to main dwelling. Approved. 22.09.2008.
- 3.6 N5557. Erection of first floor extension. Approved. 17.05.1979.

4. **CONSULTATION RESPONSES**

- 4.1 Wick and Abson Parish Council
 1No letter of Objection – Out of proportion and oversized;
 Encroachment of Green Belt land; and
 Concerns over existing ongoing works to the host
 dwellinghouse and within its curtilage.

Envrionmental Protection
 No Objections – Informatives recommended.

Sustainable Transport
 No Objections.

Other Representations

- 4.2 Local Residents
 1No letter of support received.
 1No letter of general comments received.

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 1No detached double garage. 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 Green Belt
CS5 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013 states that proposals for development in the Green Belt must comply with the provisions in the National Planning Policy Framework February 2019. The objective is to protect the openness of the Green Belt.
- 5.5 Under National Planning Policy Framework February 2019, proposals affecting the Green Belt are regarded as inappropriate. However, there are exceptions to this policy in that the extension or alteration of a building provided that it does not result in disproportionate addition over and above the size of the original building. This proposal is considered in compliance with this exception, paragraph 145 statement (c) and therefore, if permitted, this development would result in an appropriate form of development in the green belt.
- 5.6 PSP7 of the Policies, Sites and Places Plan also demonstrates that inappropriate development can be harmful to the Green Belt and that it would not be acceptable unless very special circumstances can be demonstrated and that they clearly outweigh the harm to the Green Belt. It is noted that additions to dwellings in the Green Belt will be only be acceptable provided they do not result in a disproportionate addition over and above the size of the original building.
- 5.7 PPS7 also states that additions proposed that exceed a 30% volume increase, will still be carefully assessed, paying particular regard to whether the proposal would appear out of scale and proportion to the host dwelling. This proposed double garage demonstrates a total volume increase of approximately 17% to the host dwelling. The new proposed garage would be in addition to that of the previously approved single storey side and two storey rear extension in 2016, which was calculated at a 35% volume increase to the original dwelling.

Therefore this creates a total volume increase of 52%, which is in excess of the PPS7 guidelines.

5.8 However, with the loss of the existing outbuilding to the rear, and the proposed double garage remaining subservient to the host dwellinghouse, and located approximately 23 meters from the rear façade, this proposed garage is within the greenbelt, and within the defined settlement boundary. However, as the proposal does result in a small increase in total volume within the greenbelt, it does respect the principal elevation of the host dwellinghouse, and is considered to be in keeping with the existing character and scale. On this basis, there is no objection to the proposed garage in terms of greenbelt policy and officers therefore consider it appropriate development in the green belt.

5.9 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.

5.10 The proposed double garage will have an overall width of 6.25 metres, and be to a depth of 7.11 metres. It will have a gable fronted pitched style roof and it will extend to the ridge by 4.950 metres from the existing ground level. Openings proposed are 2No windows and 1No personnel door to the side elevation overlooking the private amenity space and 1No vehicle garage door to the front elevation.

5.11 In regards to the proposed ridge height of the pitched roof, officers have concluded that it would not cause any harm on the visual residential amenity and understand that it has been proposed to this height with a tiled roof to match that of the host dwellinghouse, as the applicant has expressed an interest to fit and install solar panels, and hence a flat roof would therefore be unsuitable.

5.12 The double garage has been proposed through its design to complement the existing dwelling in the choice of materials, details and components, such as the proposed roof tiles, to ensure that the aesthetical appearance of the garage continues to match that of the host dwellinghouse and compliment neighbouring properties.

5.13 The proposed visible walls, which will be viewed from Rock Road, will be clad with shiplap boarding to the front and side (garden facing) elevations and render to the other two elevations which will match that of the existing dwellinghouse and boundary treatments. The roof will be covered in black coloured double roman concrete interlocking tiles and the doors and windows are proposed as double glazed stained softwood timber units. . The scale and form of the proposed double garage respects the proportions and character of the existing host dwellinghouse.

5.14 Residential Amenity

- Policy PSP38 of the Policies, Sites and Places Plan explains that development will be permitted provided that it would not detrimentally impact the residential amenities of nearby occupiers and would not prejudice the retention of adequate private amenity space. Policy PSP8 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.
- 5.15 The impact on residential amenity has been assessed in terms of the surrounding neighbouring properties. Given the scale, built form and location of the proposed double garage within the very large application site, it has been concluded that this proposal should not create any overbearing or dominant impacts to the adjacent properties, particularly those adjacent to the west of the site on Naishcombe Hill.
- 5.16 Although the application site is located on the edge of the small residential area of Wick, and given the scale and location of the proposal, it should not implement any unnecessary impacts on the residential amenity of the immediate neighbouring occupiers.
- 5.17 Transport
Policy PSP16 of the Policies, Sites and Places Plan sets out the Council's parking standards. It has been concluded that the proposed double garage will not interfere with the existing site access arrangements and that there is sufficient space within the driveway etc for vehicles to park and turn to leave the site in a forward gear out onto Rock Road. Therefore there are no transport concerns.
- 5.18 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 proposal does not include any changes to the number of bedrooms.
- 5.19 Other Matters
Both the Parish council and one local resident have both provided comments with regards to the ongoing works at the application site in that they have been ongoing for some time. Whilst these concerns are understood, they are not material planning considerations in this application. However, the applicant has commented that some elements of the unfinished works that are being referred such as all outside works will be completed once, and if approved, the proposed double garage is finished.
- 5.20 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.

5.21 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:

1 Site Location and Block Plans (Date received 25/01/21)

2 Plans, elevations, Section and Notes (Date received 25/01/21)

Reason

To define the terms and extent of the permission.

Case Officer: Helen Turner

Authorising Officer: David Stockdale