

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: 03/21

Date to Members: 22/01/2021

Member's Deadline: 28/01/2021 (5.00pm)

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

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

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

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

NOTES FOR COUNCILLORS

– formal arrangements for referral to committee

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

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

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

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

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

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

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

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

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

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

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

7) Any applications, except those list 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:

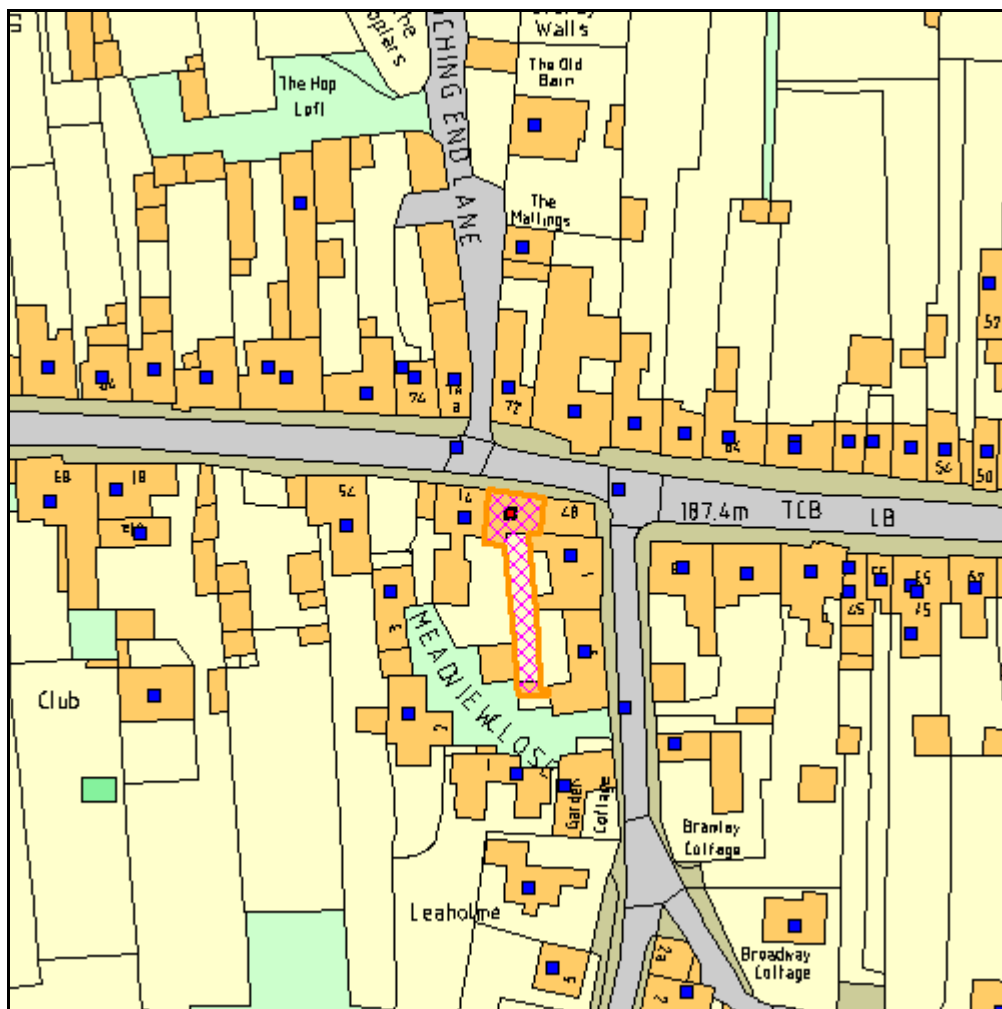
To be emailed to MemberReferral@southglos.gov.uk

CIRCULATED SCHEDULE - 22 January 2021

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	P20/16182/F	Approve with Conditions	69 High Street Marshfield South Gloucestershire SN14 8LT	Boyd Valley	Marshfield Parish Council
2	P20/16183/LB	Approve with Conditions	69 High Street Marshfield South Gloucestershire SN14 8LT	Boyd Valley	Marshfield Parish Council
3	P20/18701/F	Refusal	School Garden Nursery Elberton Road Olveston South Gloucestershire BS35 4DB	Severn Vale	Olveston Parish Council
4	P20/18897/F	Approve with Conditions	25 Quarry Road Alveston South Gloucestershire BS35 3JL	Severn Vale	Alveston Parish Council
5	P20/20130/F	Approve with Conditions	20 St James Place Mangotsfield South Gloucestershire BS16 9JB	Staple Hill And Mangotsfield	None
6	P20/21783/F	Split decision See D/N	718 Southmead Road Filton South Gloucestershire BS34 7QT	Filton	Filton Town Council
7	P20/23983/F	Refusal	Land At School House The British Yate South Gloucestershire BS37 7LH	Frampton Cotterell	Iron Acton Parish Council
8	PT18/3569/F	Approve with Conditions	The Orchard Hacket Lane Thornbury Bristol South Gloucestershire BS35 3TZ	Thornbury	Thornbury Town Council

CIRCULATED SCHEDULE NO. 03/21 - 22 January 2021

App No.:	P20/16182/F	Applicant:	Mr Nick Mallaburn
Site:	69 High Street Marshfield South Gloucestershire SN14 8LT	Date Reg:	8th September 2020
Proposal:	Installation of 2no front dormers and a single storey rear extension to form additional living accommodation.	Parish:	Marshfield Parish Council
Map Ref:	377830 173733	Ward:	Boyd Valley
Application Category:	Householder	Target Date:	28th October 2020



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N.T.S.

P20/16182/F

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

REASON FOR REFERRING TO THE CIRCULATED SCHEDULE

This application appears on the Circulated Schedule because more than 3no. Letters of objection have been received from neighbours. The comments of the Parish Council do not appear to be raising objection, but could be construed as such.

The objections received are contrary to the findings of this report.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the installation of 2no. Front dormers and a single storey rear extension.
- 1.2 The application site is a listed (grade II) mid terrace property located within the Marshfield settlement boundary. The site is also within the Marshfield Conservation Area, and the Cotswolds Area of Outstanding Natural Beauty (AONB)
- 1.3 The application should be read in conjunction with an application for listed building consent (P20/16183/LB), which is pending consideration at the time of writing this report.
- 1.4 During the course of the application being considered, revised plans have been submitted. Due to the nature of the changes, it was not considered necessary to conduct any public re-consultation.

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
PSP8	Residential Amenity

PSP11	Transport Impact Management
PSP16	Parking Standards
PSP19	Wider Biodiversity
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

Marshfield Conservation Area SPD (Approved) March 2004

Landscape Character Assessment (Area 2 – Marshfield Plateau) (Adopted) November 2014

3. RELEVANT PLANNING HISTORY

3.1 P20/16183/LB (pending consideration by the LPA):

Internal and external alterations to include removal of metal window and partitions, installation of 2no front dormers to facilitate a loft conversion, works to the cellar and erection of a single storey rear extension.

4. CONSULTATION RESPONSES

4.1 Marshfield Parish Council

No objection in principle subject to the plans being approved by Conservation and meeting requirements of the Part Wall Act.

Concerns from residents referring to boundary wall need addressing from structural and party wall point of view. Works should not commence until permission have been granted.

4.2 Landscape Officer

No objection in principle, but question juxtaposition of the extensions elevations to the existing rear garden boundary walls.

4.3 Listed Building and Conservation Officer

The full copies of the conservation officer comments are available on the Council's website, and are summarised here

Initial response:

Insufficient information to justify the alterations or to allow informed assessment to be made of the effect of the internal and external works on the significance of this listed building. Dormers too big. Rear extension lacks detail in respect to side elevation and these will relate to stone boundary walls. Concerns over dimensions as presented.
Recommendation: refusal.

The applicant was made aware of the full concerns of the Conservation officer and it was agreed that the opportunity would be given for revisions to be made and further information to be submitted. Updated response(s) below;

Updated response:

Aspects of the proposal are acceptable, but questions remain over the attic works and the proposed dimensions of the extension which require resolving prior to determination. Items such as the basement and internal finishes could be conditioned for later approval.

Final response:

Satisfied that the new interventions can be accommodated without the loss of existing structures. Number of conditions recommended.

4.4 Ecology Officer

No objection subject to conditions and informative

4.5 Archaeology Officer

No comment

4.6 Local Residents

A total of 3no. General comments and 7no. Objection comments have been received. It should be noted that of the 7no. objections, 5 have come from the same person, 3 of which appear to be duplicates (submitted twice). Nevertheless, it still stands that there are 3no. objection comments from different people. 2 of the 3no. general comments have also been received from the same person.

General comments are summarised as follows;

- There are two applications for the same address (P20/16183/LB and P20/16182/F). Not clear what the differences are.
- Do not want building or vegetation near wall
- Concern over construction noise, and if access is used at the rear for building work
- Would like garden wall inspected prior to works commencing
- Proposed flue location would not be desirable from visual and exhaust gas point of view. Owner has assured us that the flue would not be in this location.

Objection comments are summarised as follows;

- Potential impacts on light
- Plans have discrepancies (e.g. rear door head height)
- Ground levels different between neighbours
- Structural concerns (re. foundations and boundary walls)
- Maintenance of boundary walls
- Party wall matters
- Extensive alterations being made to interior
- Works appear to be underway (due to noise)
- Dormers being introduced – out of keeping
- Depth of new extension is not shown
- Extension should not protrude above boundary wall
- Concern over use of membrane for roof
- Insulation should be improved for privacy

- Need assurance that works would fall outside weekends and holidays
- Concern over building noise
- Building work might impact sale of property
- Dormers will result in loss of privacy

5. ANALYSIS OF PROPOSAL

- 5.1 The proposal seeks to install 2no. front dormers and erect a single storey rear extension.
- 5.2 Principle Of Development
PSP38 of the South Gloucestershire Council Policies, Sites and Places Plan (adopted November 2017) permits development within existing residential curtilages (including extensions) in principle where they do not unduly harm the design, visual amenity and residential amenity of the locality or prejudice highway safety or the provision of adequate private amenity space. PSP38 is achieved through CS1 of the South Gloucestershire Council Core Strategy (adopted December 2013), which requires development to demonstrate the highest standards of design and site planning by demonstrating that siting, form, scale, height, massing, detailing colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the site and its context. The development is acceptable in principle, subject to the following detailed consideration.
- 5.3 The building itself is afforded statutory protection, and the area it is within (a conservation area) is also afforded statutory protection, both as designated heritage assets. Beyond the statutory protection, the NPPF, CS9 and PSP17 all place weight on the conservation of designated heritage assets.
- 5.4 Design, Visual Amenity and Heritage
69 High Street is a two storey mid-terrace rubble stone cottage that fronts on to Marshfield High Street, characterised by a pantile roof and four sash windows (to the front), with plain stone surrounds. It is noted that the property is included on the list for its group value, but this nevertheless does not change its status of having statutory protection.
- 5.5 The proposal is to introduce 2no. Front pitched dormers, which are to sit in line with the first and ground floor windows. Following revision, the dormers have been reduced in size to offer a better sense of hierarchy, as traditionally dormer windows would be smaller than the lower windows to reflect the hierarchy of the rooms internally. As with any addition to the front of a building, careful consideration is needed as to how it will impact the character of the area and the street scene. In this case, dormers are observed multiple times along the high street and so officers do not consider them to be out of keeping with the surrounding locality.
- 5.6 Turning to the rear, the extension would in effect add to the existing smaller 20th century lean to structure. The garden layout is unusual, due to the historic nature of the property, and comes off the rear at an angle, but is narrower than the rear of the property itself. The extension would project from the existing rear by c.1.9 metres to the West, but by c.3 metres to the East. Essentially, the

garden room extension wraps around the existing rear lean to element and takes something of a lightweight form, with stone piers to the rear, and a lead flat roof. The design of the extension, following revision of the roofing material (from membrane to lead) can be considered to be a simple lightweight addition to the rear that is suitably scaled as to not be overly dominant with regards to the host property.

- 5.7 When considering the heritage impacts, it is important to note that the planning application itself is concerned only with the external works. The internal works will be assessed in greater depth under the concurrent listed building consent application (P20/16183/LB). However for clarity here, following revisions the internal alterations are at a point where they are considered acceptable by the conservation officer, subject to a number of conditions. The site also falls within a conservation area (a designated heritage asset), which needs to be considered under this application.
- 5.8 As referred to above, the works to the roof (dormers) have been revised to better suit the traditional hierarchy of the internal accommodation. The rear extension is sited such that it is not observable in any capacity from the public realm, apart from possibly from the rear in Mead View Close, which is understood to be a private road. By reason of siting, scale and overall design, officers do not consider the proposals to cause any harm to the character and appearance of the Marshfield Conservation Area, and its significance can therefore be considered to be preserved.
- 5.9 Having regard to the revisions made to the proposals, officers are also satisfied that the works will not give way to any harm to the special architectural and historic interest of the listed building, subject to the conditions laid out by the conservation officer to secure finer details of the proposal. The consideration from a listed building angle will be set out in greater depth in the accompanying listed building consent application. As the conditions required by the Conservation Officer are relative to the listed building consent side of the proposal, it would not be necessary to apply them to both this permission and the listed building consent (if granted). Otherwise, the situation would arise where conditions would need to be discharged twice. As such, the requisite conditions should be attached to the listed building consent only, if it is granted.
- 5.10 Landscape
The site is within the AONB, and Area 2 (Marshfield Plateau) of the Landscape Character Assessment SPD. The NPPF sets out that great weight should be afforded to the conservation and enhancement of the landscape and scenic beauty of AONBs, and stipulates that development should be refused if it is major development. PSP2 also requires proposals to not adversely affect the natural and scenic beauty of the AONB.
- 5.11 The proposed development will be within an established curtilage and is of a small (non-major) scale. It will be predominantly experienced from within the rear garden of the site (and adjoining private gardens) and from the high street in the case of the front dormers. For that reason, officers do not consider there to be any landscape issues with the proposal, should permission be granted.

5.12 Residential Amenity

PSP8 permits development where it does not prejudice the residential amenity of both occupiers of the development and of neighbouring dwellings through the creation of unacceptable impacts. Such unacceptable impacts include loss of privacy, overlooking, loss of light, loss of outlook and overbearing/dominant impacts. Officers note that amenity has been a cause for concern from neighbours, particularly with regards to overlooking, loss of light and noise.

5.13 The front dormers would overlook the properties on the Northern side of the High Street, across the highway. As the overlooking would occur across the public realm, this cannot be considered as unacceptable and would not form reasonable grounds for refusal.

5.14 Turning to impacts on light, officers note that the garden of the adjoining neighbour to the East is set at a lower level to that of no.69. Therefore, careful consideration is needed as to how the proposal will impact this property. Following clarification of the dimensions and door head height, officers are satisfied that the works can be carried out without the need to increase the height of the extension over what is planned. With this in mind, officers do not consider the extension being up to c.350mm above the existing boundary wall to present any material light (or overbearing) concerns that would justify a refusal on amenity grounds.

5.15 Noise during construction is not a matter that would allow the application to be resisted. This is because such noise is temporary and is not in relation to the proposed use of the site (which remains residential). It is reasonable to expect that noise will be generated during the construction of the development, but having regard to the scale of the development, officers would not consider construction management plan to be necessary. However, given the close-knit relationship with the neighbouring properties, a working hours condition would be quite reasonable in this case. Normally, work would be restricted to not take place after 6pm. However, government guidance with regards to the Covid-19 pandemic sets out that working hours should not be restricted before 9pm unless there is a clear justification. This is to facilitate the need for staggered/socially distanced working practices where necessary. Works should therefore be restricted to not take place after 9pm.

5.16 Parking Standards

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

5.17 Officers understand that given the nature of the property and its setting, there is no off-street parking and there is realistically no scope to add any. The existing property has 3 bedrooms, which would increase to 4 if permission were granted. Under PSP16, 3 and 4 bed dwellings require 2no. off street parking spaces. As there is no material increase in demand for parking under adopted policy, the fact there is no parking nor can any proposed can be considered to

be a neutral impact. Therefore, officers have no objection with regards to parking.

5.18 Ecology

A bat survey report has been supplied with the application (Ethos, November 2020). This assessed the building as having low potential for roosting bats and an emergence survey was undertaken. Although outside the survey season, given the conditions on the day the ecologist is satisfied that the survey will in this case be sufficient to determine the presence of protected species.

5.19 Having reviewed the bat survey report, the ecologist is satisfied with the contents and raises no objection. However, suitably worded conditions should be attached (should permission be granted) to ensure that works proceed in accordance with the submitted report, and to secure a lighting design strategy for biodiversity and evidence of mitigation being implemented.

5.20 Private Amenity Space

The site would benefit from c.80 sq m of private amenity space, should permission be granted. This is in accordance with the PSP43 guide for a 4+ bed property.

Impact on Equalities

5.21 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.

5.22 With regards to the above 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.

Accuracy of the plans

5.24 Although the application was initially submitted with insufficient detail and the plans had issues, the revisions made and additional detail (particularly confirmation of door head heights compliance with building regulations) meant the final iteration of the plans for which this report is based are considered satisfactory to accurately reflect what is being proposed.

Civil matters

- 5.25 Matters relating to the Party Wall Act, future maintenance and the any damage caused to neighbouring property during construction are not matters that can be controlled through the planning system, and are civil issues between the applicant and any affected parties.

Private finance

- 5.26 Impact on the saleability of a neighbouring property is not a material planning consideration

Works underway

- 5.27 Works taking place without the correct planning permission could be a breach of planning control and could be subject to enforcement action. Unauthorised works to a listed building could be an offence under the Planning (Listed Building and Conservation Areas) Act 1990. Both matters would need to be reported to the enforcement team. It should be noted that some exploratory 'opening up' and investigation has been required as part of the consideration of the application to understand the significance of fabric to be removed/altered. As set out above and in the accompanying listed building consent application, the internal fabric to be removed and/or altered is noted to be non-historic, and so consequently there will be no loss of significance to the designated heritage asset.

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 There is a duty placed on the Council under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 when planning permission is sought for any works to have special regard to the desirability of preserving the (listed) building or its setting or any features of special architectural or historic interest 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.
- 6.2 The recommendation to **grant** permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

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

CONDITIONS

1. Standard Time Limit

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. Ecology - Mitigation Measures

The development shall proceed in strict accordance with the Mitigation Measures provided in the Bat Survey Report (ethos, November 2020).

Reason

To ensure adequate ecological enhancements are made and to comply with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (adopted) December 2013; PSP19 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (adopted) November 2017 and the provisions of the National Planning Policy Framework.

3. Lighting Design Strategy For Biodiversity

Prior to substantial completion, a "lighting design strategy for biodiversity" for the boundary features and any native planting shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Any Variation from the agreed details shall be agreed in writing with the Local Planning Authority.

Reason

To ensure that any new external lighting does not have an adverse impact in relation to protected species or other biodiversity and to accord with policy PSP19 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 and; the provisions of the National Planning Policy Framework.

4. Ecology - Evidence of Mitigation

Prior to substantial completion, evidence of the installation of the ecological enhancement features recommended in Bat Survey Report (ethos, November 2020) shall be submitted to the local planning authority for approval in writing. This shall include, but is not limited to a species rich turf.

Reason

To ensure that suitable ecological enhancements are made post implementation and to accord with policy PSP19 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

5. Plans

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

Block plan

20-01 - Site location plan

1:2 Dormer details

Existing elevations and section

Existing floor plan

Rooflight manufacturer detail (CR_WRPS_MB_A)

EDN-GGL-VAS-XXX-0319 2- Velux detail

Received 02/09/2020

Proposed garden room details (rev.B)

Received 18/11/2020

Existing and proposed roof plans (rev.C)

Proposed elevations and section (rev.C)

Proposed floor plans (rev.C)

Received 17/12/2020

Reason

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

6. Working Hours

The hours of working on site during the period of construction shall be restricted to

Monday - Friday.....7:30am - 9:00pm

Saturday.....8:00am - 1:00pm

No working shall take place on Sundays or Public Holidays.

The term working shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site

Reason

To protect the amenities of neighbouring occupiers to accord with policy PSP8 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017.

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

POSITIVE AND PROACTIVE STATEMENT:

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

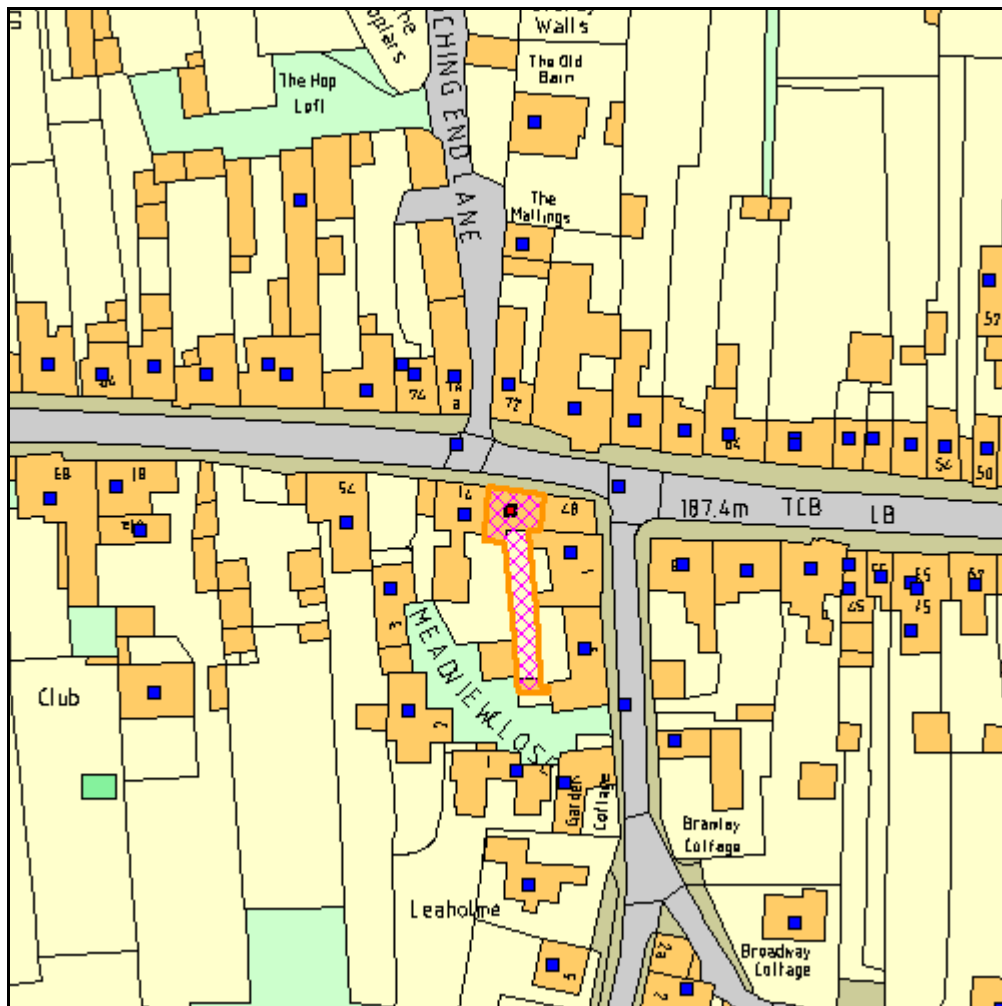
The applicant was initially invited to withdraw the application as it was unacceptable as submitted. However and upon request, they were given the opportunity to submit further information and revised plans, which occurred on two occasions. Following this, the proposal is considered to have overcome initial issues and can now be considered acceptable. An extension has been agreed and the application has been determined within the agreed extension.

Case Officer: Alex Hemming

Authorising Officer: David Stockdale

CIRCULATED SCHEDULE NO. 03/21 -22nd January 2021

App No.:	P20/16183/LB	Applicant:	Mr Nick Mallaburn
Site:	69 High Street Marshfield South Gloucestershire SN14 8LT	Date Reg:	8th September 2020
Proposal:	Internal and external alterations to include removal of metal window and partitions, installation of 2no front dormers to facilitate a loft conversion, works to the cellar and erection of a single storey rear extension.	Parish:	Marshfield Parish Council
Map Ref:	377830 173733	Ward:	Boyd Valley
Application Category:	Minor	Target Date:	28th October 2020



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 100023410, 2008. **N.T.S.** **P20/16183/LB**

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

REASON FOR REFERRING TO THE CIRCULATED SCHEDULE

This application appears on the Circulated Schedule because more than 3no. Letters of objection have been received from neighbours.

The objections received are contrary to the findings of this report.

1. THE PROPOSAL

- 1.1 The application seeks listed building consent for Internal and external alterations to include removal of metal window and internal partitions, installation of 2no front dormers to facilitate a loft conversion, works to the cellar and erection of a single storey rear extension.
- 1.2 The application site is a listed (grade II) mid terrace property located within the Marshfield settlement boundary. The site is also within the Marshfield Conservation Area, and the Cotswolds Area of Outstanding Natural Beauty (AONB)
- 1.3 The application should be read in conjunction with an application for full planning permission (P20/16182/F), which is pending consideration at the time of writing this report.
- 1.4 During the course of the application being considered, revised plans have been submitted. Due to the nature of the changes, it was not considered necessary to conduct any public re-consultation. The description of development however did change. A 14 day re-consultation was conducted in light of this from 6th January 2020 to 20th January 2020.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

- | | |
|-----|---------------------------------------|
| CS1 | High Quality Design |
| CS9 | Managing the Environment and Heritage |

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

- | | |
|-------|--|
| PSP17 | Heritage Assets and the Historic Environment |
|-------|--|

3. RELEVANT PLANNING HISTORY

- 3.1 P20/16182/F (pending consideration by the LPA):
Installation of 2no. Front dormers and a single storey rear extension.

4. CONSULTATION RESPONSES

- 4.1 Marshfield Parish Council
No comment has been received
- 4.2 Ecology Officer
No objections subject to conditions and informative
- 4.3 Listed Building and Conservation Officer
The full copies of the conservation officer comments are available on the Council's website, and are summarised below.

Initial response:

Insufficient information to justify the alterations or to allow informed assessment to be made of the effect of the internal and external works on the significance of this listed building. Dormers too big. Rear extension lacks detail in respect to side elevation and these will relate to stone boundary walls. Concerns over dimensions as presented. Recommendation: refusal.

The applicant was made aware of the full concerns of the Conservation officer and it was agreed that the opportunity would be given for revisions to be made and further information to be submitted. Updated response(s) below;

Updated response:

Aspects of the proposal are acceptable, but questions remain over the attic works (how they will be accommodated) and the proposed dimensions of the extension (in particular door frame height) which require resolving prior to determination. Items such as the basement and internal finishes could be conditioned for later approval.

Final response following submission of further information:

Satisfied that the new interventions can be accommodated without the loss of existing structures. Number of conditions recommended.

- 4.4 National Amenity Societies
No comments have been received
- 4.5 Local Residents
3no. general comments and 9no. Objection comments have been received. 3 of the objection comments have been received from the same person and 2 are duplicates of the same comment (so should count as one comment).

The general comments are summarised as follows;

- There are two applications for the same address (P20/16183/LB and P20/16182/F). Not clear what the differences are.
- Do not want building or vegetation near wall
- Concern over construction noise, and if access is used at the rear for building work
- Would like garden wall inspected prior to works commencing
- concerned over boundary wall (i.e. if it will affect it or if remedial works will be needed)
- Drawings (still) not accurate
- Party wall and structural concerns

Objection comments are summarised as follows;

- Potential impacts on light
- Plans have discrepancies (e.g. rear door frame height)
- Ground levels different between neighbours
- Structural concerns (re. foundations and boundary walls)
- Maintenance of boundary walls
- Party wall matters
- Detail not included of removal of rubble/ old materials and how deliveries will be made
- Extensive alterations being made to interior
- Works appear to be underway (due to noise)
- Dormers being introduced – out of keeping
- Depth of new extension is not shown
- Extension should not protrude above boundary wall
- Concern over use of membrane for roof
- Insulation should be improved for privacy
- Need assurance that works would fall outside weekends and holidays
- Concern over building noise
- Building work might impact sale of property
- Dormers will result in loss of privacy
- Insufficient parking

5. **ANALYSIS OF PROPOSAL**

5.1 The proposal seeks to undertake Internal and external alterations to include removal of metal window and internal partitions, installation of 2no front dormers to facilitate a loft conversion, works to the cellar and erection of a single storey rear extension.

5.2 Principle Of Development

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether or not to grant listed building consent for any works, the LPA shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest in which it possesses. The NPPF also attaches great weight to the conservation of heritage assets and ensuring their significance is maintained or enhanced.

5.3 Impact on the Listed Building

69 High Street is a two storey mid-terrace rubble stone cottage that fronts on to Marshfield High Street, characterised by a pantile roof and four sash windows (to the front), with plain stone surrounds. It is noted that the property is included on the list for its group value, but this nevertheless does not change its status of having statutory protection. The works proposed include the following;

External

- Installation of 2no. front dormers
- Erection of single storey rear 'garden room' extension
- Installation of 2no. conservation roof lights to the rear roof slope

Internal

Ground Floor

- Removal of non-historic partitions
- Removal of rear sitting window and lowering opening
- Creation of downstairs lobby

First Floor

- Alterations to bed 3 to form ensuite for bed 1, upstairs bathroom, and stairs up to 2nd floor, including the removal of and addition of internal stud walls.

Second Floor (loft conversion)

- Internal partitions to create 2no. bedrooms and bathroom
- Structural improvements to facilitate the conversion of the attic, including the installation of cranked steel beam(s)

Cellar

- Finishes to the walls and floor

- 5.4 Officers are aware of the fact the building as it stands is in a state of neglect and has been for some time, and so plans to restore the building are welcomed, however this has to be sensitive to the historic fabric and listed status of the building. Initially, there were a number of issues relating to the works, primarily due to a lack of justification and a lack of detail, particularly with regards to how the attic would be converted. More broadly, there was a lack of justification and detail in relation to the heights of the rear extension and the door frame; the alteration to the layout internally as it was unclear whether the fabric was historic or not and; construction of the rear extension. The applicant was invited to provide the requisite justification and detail, for which the assessment can now be assessed on. Alterations were also made to the dormers to reduce their scale, and the roof material to the rear extension was replaced with lead as opposed to single ply membrane, as originally proposed.

External works

- 5.5 Starting at the front, the two dormers proposed having been reduced in size are considered to be acceptable when considered in terms of impacts on the significance of the listed building, with no harm considered to arise. The dormers would reflect other dormers along the high street and are suitably scaled to reflect the internal hierarchy of accommodation, with the dormers

providing a modicum of light to an area that was normally ancillary, and of a lower status within the building.

5.6 The rear extension is in effect an extension of an existing lightweight 20th century lean to. This is to be positioned between the two stone walls which define the narrow garden. The extension is to be independent from the garden walls as a 'standalone' structure. Revisions have taken place to remove the proposed elastomeric flat roof with a more traditional leaded roof. There was some concern about the door height being low and whether or not this would comply with the building regulations. The issue being that it might end up with the extension being higher if a standard size door frame were used. Having established that the lower (nonstandard) frame size can be used without conflicting with the building regulations, the proposed rear extension can be considered to be acceptable, and as having a neutral impact on the significance of the listed building.

5.7 The proposal included the addition of four conservation roof lights to the rear roof slope, however this was considered to be excessive and would represent an unacceptable degree of visual clutter. Having reduced the number to two conservation rooflights, this is now considered acceptable.

Internal Works

5.8 The proposal would see multiple changes made to the internal layout, including the removal of partitions and the addition of partitions (stud walls) to create a more open plan living area downstairs and to move bed 3 to the new loft conversion and create a fourth bedroom/study in the loft. When considering the plan form and removal of fabric, detail has been provided to satisfy officers that the fabric to be removed is not historic, and therefore will not result in any further loss of significance to the listed building, thereby having a neutral impact.

5.9 The works to the attic will essentially introduce living accommodation to this area in the form of two bedrooms. This will involve the introduction of cranked steel beams, however the works are designed so that they sit alongside the existing fabric and so do not result in significant loss or alteration to the existing structures. Following submission of detail setting out how the loft conversion would be achieved, the conservation officer considers this to be acceptable. That said, further detail of how the cranked steels would be clad should be sought by condition.

5.10 Having regard to the above, the proposed alterations can be considered to not harm the significance of the listed building, therefore having a neutral impact. As such, listed building consent can be granted as the works will not harm the special architectural and historic interest of the building.

5.11 The above said, there are a number of conditions recommended to ensure that the development preserves the special architectural and historic interest of the building and ultimately, significance. These are listed at the end of this report.

5.12 Other Matters

A number of issues raised from neighbouring residents are not relevant to the issue at hand with a listed building consent application and so cannot be considered in this report. Listed building consent can only consider the impacts on the special architectural and historic interest of the building, and not wider planning issues such as parking, impacts on amenity or other such issues. However, these matters will be considered in the accompanying full planning application report, for which this report should be read in conjunction with.

Impact on Equalities

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

6. CONCLUSION

- 6.1 The decision to **grant** listed building consent has been taken having regard to section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and advice contained in the National Planning Policy Framework and accompanying Historic England Planning Practice Guidance. It is therefore considered that the Council's statutory duties have been fulfilled.

7. RECOMMENDATION

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

CONDITIONS

1. Listed Building Consent Time Limit

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

Reason

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

2. Large Scale Details To Be Agreed

Prior to the start of the relevant phase of works and notwithstanding the submitted details, the detailed design, including materials and finishes, of the following items shall be submitted to and approved in writing by the Local Planning Authority:

- a. cladding to cranked steels
- b. external vents to the attic bathroom and SVP
- c. basement wall and floor finishes
- d. attic roof insulation and finishes
- e. ground floor insulated wall materials
- f. staircase to attic, including handrail, balusters and newel posts.

The design and details shall be accompanied by elevations and section drawings to a minimum scale of 1:10 with full size moulding cross sections. The works shall thereafter be implemented strictly in accordance with the agreed details.

Reason

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

3. Dormer Roof Tiles - Samples

Prior to the commencement of the relevant phase of works, samples of the proposed dormer roof tiles shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out strictly in accordance with the approved sample.

Reason

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

4. Additional Cleaning and Finishing Methods

Details of any additional cleaning and finishing methods beyond the approved brush cleaning and Danish Oil treatment shall be submitted to the Local Planning Authority prior to the commencement of the relevant phase of works. The works shall be completed strictly in accordance with the agreed details.

Reason

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

5. Lime Plastering and Pointing Details

Prior to the commencement of the relevant phase of the works, specifications for the proposed lime plastering and lime pointing shall be submitted to and approved in

writing by the Local Planning Authority. The works shall be completed strictly in accordance with the agreed details.

Reason

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

6. Approved Plans and Documents

The works shall be carried out in accordance with the following plans and submitted documents;

Block plan

20-01 - Site location plan

1:2 Dormer details

Existing elevations and section

Existing floor plan

Rooflight manufacturer detail (CR_WRPS_MB_A)

EDN-GGL-VAS-XXX-0319 2- Velux detail

Received 02/09/2020

Details of attic, rear elevation, internal finishes, cleaning methods and materials (via email)

Received 17/12/2020

Proposed garden room details (rev.B)

Structural mark-up - eaves

Structural mark-ups

Received 18/11/2020

Existing and proposed roof plans (rev.C)

Proposed elevations and section (rev.C)

Proposed floor plans (rev.C)

Received 17/12/2020

Reason

For the avoidance of doubt and to ensure that the approved works safeguard the special architectural and historic character of the building, and to accord with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990

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

POSITIVE AND PROACTIVE STATEMENT:

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

The applicant was initially invited to withdraw the application as it was unacceptable as submitted. However and upon request, they were given the opportunity to submit further

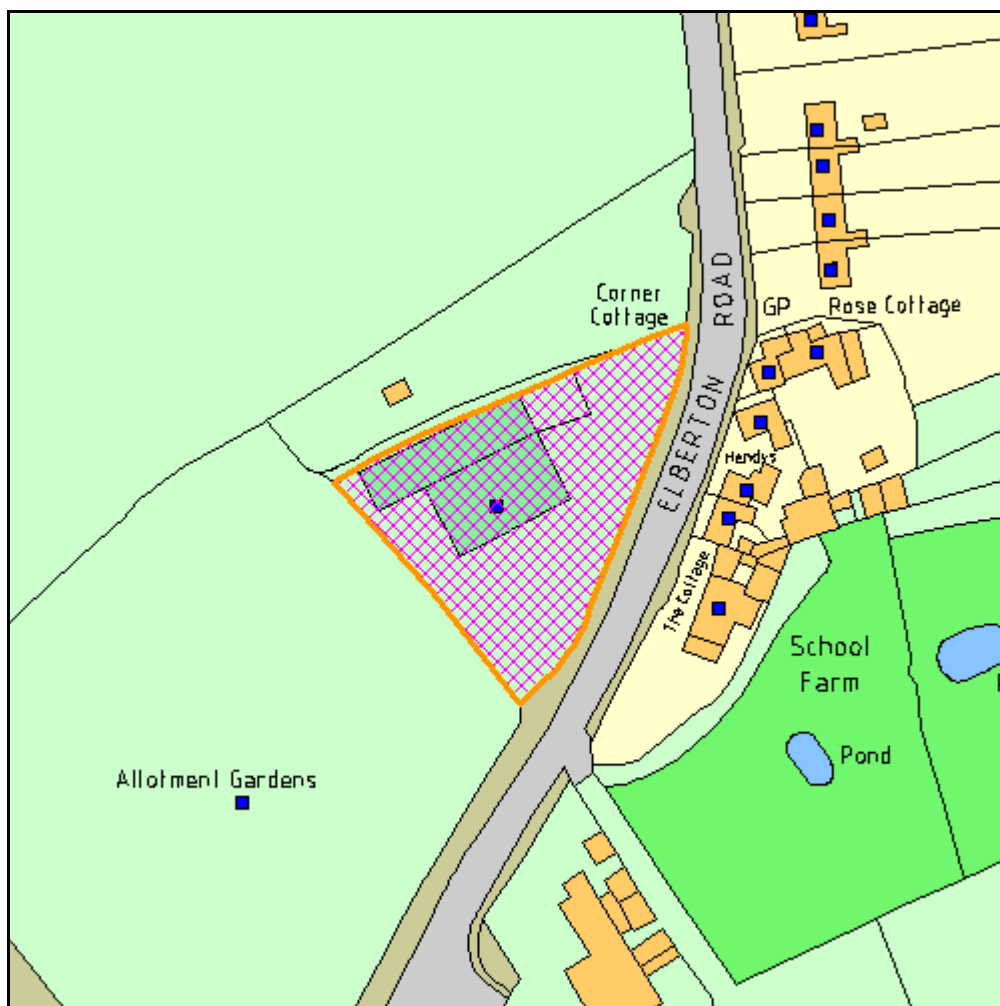
information and revised plans, which occurred on two occasions. Following this, the proposal is considered to have overcome initial issues and can now be considered acceptable. An extension has been agreed and the application has been determined within the agreed extension.

Case Officer: Alex Hemming

Authorising Officer: David Stockdale

CIRCULATED SCHEDULE NO. 03/21 -22nd January 2021

App No.:	P20/18701/F	Applicant:	Elberton Road (SW) Ltd
Site:	School Garden Nursery Elberton Road Olveston South Gloucestershire BS35 4DB	Date Reg:	15th October 2020
Proposal:	Demolition of existing storage buildings. Erection of 2no. self-build dwellings, creation of parking and turning area with landscaping and 1.5m boundary wall. (Resubmission of P20/04346/F).	Parish:	Olveston Parish Council
Map Ref:	360121 187540	Ward:	Severn Vale
Application Category:	Minor	Target Date:	8th December 2020



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100023410, 2008.

N.T.S.

P20/18701/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 has been referred to the Circulated Schedule due to the receipt of supporting comments, which would be contrary to officers' recommendation.

1. THE PROPOSAL

- 1.1 This is a resubmission application seeking full planning permission for the demolition of existing landscaping depot and storage buildings on site, the erection of 2 no. self-build dwellings, creation of parking and turning area with landscaping and 1.5 metre boundary wall at the School Garden Nursery, Elberton Road, Olveston. While there are no significant differences between the current proposal and the previously withdrawn scheme, it is noted that additional information, including an updated ecological report and details of the boundary treatment, were submitted to support the application. A very minor change was made to the side elevation of plot 1.
- 1.2 The site has been subject to a number of planning applications in the past. The previous application, P20/04346/F was withdrawn and the outline application, PT18/3107/O, was dismissed at the appeal. The outline proposal was related to the erection of up to 3 no. dwelling with access to be determined and the Inspector dismissed the appeal due to the impact upon the openness of the Green Belt and the character and appearance of the Olveston Conservation Area. It is also noted that a scheme PT17/2102/O for up to 4 dwellings was also refused and dismissed for similar grounds.
- 1.3 The site is located in the Bristol / Bath Green Belt and outside the nearest settlement boundary of Olveston. The site itself is not situated within a conservation area, but it borders the Olveston Conservation Area. The old school building and Old School House, which are locally listed buildings, are situated opposite to the application site. The site is not subject to any high risk of flooding.
- 1.4 The main differences of this proposal to the scheme, which was dismissed at appeal, are:
- It is a full planning application, the location, scale, height and appearance of the proposed dwellings are provided.
 - The new buildings are single storey
 - The number of proposed dwelling were reduced from three to two.

During the course of the application, the agent provided a viewpoint assessment, photographs of the site, supporting documents to address the officers' concerns.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework February 2019 'NPPF'
 Planning (Listed Buildings and Conservation Areas) Act 1990
 Planning (Listed Buildings and Conservation Areas) Regulations 1990
 (as amended)
 Historic England's Good Practice Advice in Planning Note 2 -
 "Managing Significance in Decision-Taking in the Historic Environment"
 Historic England's Good Practice Advice in Planning Note 3 – "The
 Setting of Heritage Assets (2nd Edition)".

2.2 South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS5	Location of Development
CS8	Improving accessibility
CS9	Managing the Environment and heritage
CS15	Housing distribution
CS16	Housing Density
CS17	Housing Diversity
CS18	Affordable housing
CS34	Rural Areas

South Gloucestershire Policies Sites and Places Development Plan document Adopted November 2017

PSP1	Local distinctiveness
PSP2	Landscape
PSP7	Development in the Green Belt
PSP8	Residential amenity
PSP11	Transport impact management
PSP16	Parking standards
PSP17	Heritage assets and the historic environment
PSP19	Wider Biodiversity
PSP20	Drainage
PSP37	Internal space and accessibility standards for dwellings
PSP40	Residential development in the countryside
PSP42	Self-Build and Custom Housebuilding
PSP43	Private amenity space standards

2.3 Supplementary Planning Guidance

South Gloucestershire Development in the Green Belt (Supplementary
 Planning Document) Adopted May 2007
 South Gloucestershire Design Checklist (Supplementary Planning Document)
 Adopted 2007
 South Gloucestershire Council Affordable Housing Supplementary Planning
 Document (Adopted) September 2008
 Residential Parking Standards Supplementary Planning adopted December
 2014
 South Gloucestershire Landscape Character Assessment as amended and
 adopted Nov 2014:- Area 18 – Severn Ridges

SGC Olveston Conservation Area Supplementary Planning Document adopted
January 2017

3. RELEVANT PLANNING HISTORY

- 3.1 N7638 – Erection of glasshouse for cultivation, sale and distribution of plants. Construction of a vehicular access. Refused. 10th September 1981.
- 3.2 N7638/1 – Erection of glasshouse of 265 sq. m. Approved. 9th June 1982.
- 3.3 N7638/2 – Use of land for the stationing of a portable unit 20 sq. m . in floor area to provide office and toilet facilities ancillary to the use of land as a nursery. Approved 29th July 1982.
- 3.4 P87/3057 - Use of land for the stationing of a portable unit 20 sq. m . in floor area to provide office and toilet facilities ancillary to the use of land as a nursery (Renewal of temporary consent). Approved. 1st February
- 3.5 P88/2010 – Erection of new glasshouse totalling 192 sq. m. Approved 17th July 1988. S 523 agreement to only sell by wholesale ie not to sell from site.
- 3.6 P93/1070 - Use of land for the stationing of a portable unit 20 sq. m . in floor area to provide office and toilet facilities ancillary to the use of land as a nursery (Renewal of temporary consent). Approved. 24th February 1993.
- 3.7 P95/1094 – Construction of earth landscaping bank and hardstanding. Refused. 30th March 1995.
- 3.8 P95/1482 - Construction of earth landscaping bank and hardstanding. Approved. 23rd May 1995.
- 3.9 P97/2535 – Retention of nursery and landscape contractors with associated inside storage of materials and machinery. Approved 9th April 1998. (This covered part of the site – largely the front and the southern half of the site. This is a personal permission granted to the applicant (I Roberts and Sons) and no outside storage was permitted.
- 3.10 P98/2572 – Retention of use of land for the stationing of two portacabins for use as office and toilet facilities ancillary to use of the land. Approved 4th December 1998.
Two conditions were attached:
The use hereby permitted shall be discontinued and the land restored to its former condition on or before 10 December 2001 in accordance with a scheme of work submitted to and approved by the Local Planning Authority.
Reason The form and appearance of the building(s) is out of character with the surrounding area and is permitted for a limited period only because of the special circumstances of the case.

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, and the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting those Orders

with or without modification) the premises shall not be used for any purpose other than that hereby authorised without the prior written consent of the Local Planning Authority.

Reason The development has been permitted solely for that use applied for and any other use would require the further consideration of the Local Planning Authority.

- 3.11 PT00/3165/O Residential development (outline). Withdrawn. 23rd January 2001.
- 3.12 PT01/1020/O Residential housing development (outline). Refused. 11th January 2002.
- 3.13 PT14/0336/F Demolition of existing nursery building to facilitate erection of 4no dwellings with associated works. Withdrawn 31st March 2014.
- 3.14 PT15/0719/F Demolition of existing nursery building to facilitate the erection of 1no. dwelling with associated works. Refused
- 3.15 PT17/2102/O Erection of 4no dwellings with associated garages (Outline) with access to be determined. All other matters reserved. Refused 13.09.2017 and Dismissed at appeal
- 3.16 PT18/3107/O Erection of up to 3 no. dwellings (outline) with access to be determined , all other matters reserved. (Re-submission of PT17/2102/O). Refused 23.05.2019 and Dismissed at appeal.
- 3.17 P19/8593/CLE Continued use of land and buildings as a depot for a landscaping contracting business (sui generis), with use including the storage of vehicles, materials and machinery. Approved 25.09.2019
- 3.18 P20/04346/F Demolition of existing landscaping depot and storage buildings on site. Removal of existing security fence and gate. Erection of 2 no. single storey dwellings with associated works. Erection of 1500mm high natural stone boundary wall. Withdrawn 28.09.2020

4. CONSULTATION RESPONSES

4.1 Olveston Parish Council
No comment

4.2 Other Consultees

Ecology Officer – No objection subject to conditions

Arboricultural Officer – A tree survey and tree constraints plan has been submitted. As it is a full planning application, a tree protection plan and arboricultural method statement in accordance with BS:5837:2012, for the protection of the existing trees for retention, is required.

Highway Officer – no objection

Environmental Protection (Contamination) – no objection subject to condition seeking an assessment of the risks posed by any contamination, an intrusive investigation/remediation strategy, and a verification strategy.

Drainage Engineer – no objection subject to condition seeking details of sustainable drainage method.

Highway Strategy – The application includes a boundary wall alongside the public highway, the responsibility for maintenance for this structure will fall to the property owner. Details of excavations and the temporary support that is to be provided during construction of any access are to be submitted to satisfy the highway authority that support to the highway is provided at all times.

Landscape Officer – concerns that the proposal does not:

- Maintain the rural, open landscape setting of the Conservation Area, and the corresponding local area of Green Belt;
- Fit in with the established pattern of residential development along Elberton Road.

The proposed soft landscape scheme requires a more robust framework of tree planting, which also, should complement the rural character of the site location.

Conservation Officer – Advised the proposal offers an enhancement to the conservation area in the form of an improved gateway and boundary treatment. The views across the allotments from Elberton Road, to the open countryside would be retained. However, the built form, by virtue of its design and single storey height, does not respond to the traditional built form and character of village.

Other Representations

4.3 Local Residents

4 no. letters of support and 3 no. letters of objection. The residents' comments are summarised as follows

Supporting comments:

- Olveston Primary School is opposite a landscape gardening business and there are often commercial vehicles driving into or leaving the site during school drop off and pick up times. I am concerned that this may impact on the safety of my children if they were to attend this school. Currently the proposed site is also very untidy and unkempt looking. For the above reasons, I consider two residential properties on this site would have a positive impact on the school and the village as a whole.
- The village would benefit from more residential properties, which would give people like me greater opportunity to purchase a property in this area.
- Having more residential properties, would help to support local shops and businesses in the village of Olveston.

- Two new built bungalows and the erection of a stone wall and the planting of a hedge would be much more in keeping and enhance the village as a whole.
- I felt this could be exactly what my husband and I are looking for. I volunteer with RSVP as a reading buddy in primary schools and I would also have a local school in which I could offer my services.
- There is a real lack of bungalows available in this area and not any modern new bungalows. There is a real need for this type of property to be built to give a broader range of properties potentially available in the future.
- This would be good addition to the village and tidy up a rather dishevelled area.

Objecting comments:

- Here is currently no development on this side of Elberton Road apart from the existing buildings on this site. Any permanent development would change the profile of the road and not be in keeping with the rural aspect of Elberton Road, regardless of the height of the property.
- The existing development do not form the solid construction that residential property would.
- The proposed new boundary wall facing Elberton Road is woefully inadequate.
- The properties would have a direct line of sight into a number of houses in Elberton Road
- Should this application be considered appropriate, then a similar high vegetative screening to that currently in place should be retained on a permanent basis
- The trees and hedging to the right of the property should also be retained in full to provide screening to the adjacent site, which comprises a private allotment and garden.
- Finally whilst there is existing vehicle access to the site, it is generally outside of school arrival and departure times and any development would result in more vehicle movements during the day resulting in a greater traffic risk at what is already a busy pinch point for traffic twice a day.
- Don't understand how the land has been designated developed.
- Having only two bungalows, does not address major objections.

- Elberton Rd has only development on its east side The west side affords wonderful views over the Severn and Welsh hills
- what is to stop further developments on the adjoining allotments, privately owned land and farmers' fields
- This would destroy forever this green belt panoramic for all the residents who live on Elberton Road
- What privacy does the proposed stone wall offer anyone compared to the existing 15 ft plus shrubs

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

This application is for the demolition of the existing landscaping depot and the erection of 2 no. bungalows in the open countryside and the Bristol / Bath Green Belt. Therefore Policy CS5 – Location of Development and CS34 – Rural Areas of the adopted Core Strategy and Policy PSP7 – Development in Green Belt and PSP40 – Residential Development in the Countryside of the adopted PSPP would be particularly relevant.

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

(1) rural housing exception initiatives

(2) rural workers dwellings

(3) the replacement of a single existing dwelling, where it is of a similar size and scale to the existing dwelling, within the same curtilage, and of design in keeping with the locality, and minimises visual intrusion in the countryside

(4) the conversion and re-use of existing buildings for residential purpose

Given the nature of this proposal, it is considered that the proposed dwelling would not fall within any of these allowable forms of development contained within policy PSP40.

5.3 Inspector's assessment

The outline application PT18/3107/O for the erection of up to 3 no. (one and a half storey dwelling) was refused and subsequently dismissed at the appeal. During the course of the appeal, the Inspector also took account of the grant of the Certificate of Lawfulness of the existing use as a depot for landscaping contracting business use including the storage of vehicles, materials and machinery. The Inspector's comments are summarised as follows:

- By reason of the likely siting and height of the proposed houses, the proposal would have a greater visual impact on the openness of the Green Belt than the existing development
- It would represent a clear encroachment of residential development into the countryside
- The overall effect of the development would harm the significance of the Olveston Conservation Area derived from its setting. The harm to the historic environment would be less than substantial within the meaning of the Framework. However, the public benefits of the scheme would be modest, therefore they would not outweigh this harm to the designated heritage asset.
- It is noted the Council's second reason for refusals relating to the loss of an existing employment. Given the limited employment opportunities, this matter has not been determinative in the Inspector's decision.

5.4 Green Belt

The NPPF states that the local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this (paragraph 145) state:

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 highlighted in the above paragraph 5.3, the Inspector concluded that the previous scheme would have a greater impact on the openness of the Green Belt than the existing development. Therefore, the officers need to consider if this current scheme would adequately address the issues.

Firstly, it should be noted that there are some differences of the current proposal:

- (i) It is a full planning application and it is not an outline proposal. The height and scale of the proposed dwellings are clearly shown on the submitted drawings.
- (ii) The number of dwellings has been reduced from three to two.
- (iii) The proposed dwellings are single storey building instead of one and a half storey.

Secondly, the agent provided some figures of the existing buildings and suggested that the floor area and volume is approximately 553m² and 1,660m³ respectively. Regarding the proposed dwellings, whilst the agent has submitted some information, officers estimated that the total floor area of these bungalows would be approximately 348m² while the total volume would likely to be over 950m³. In terms of its height, it is confirmed that the ridge of the proposed

dwellings would sit at 24.5m AOD and these dwellings would not be taller than the existing buildings.

- 5.5 As stated in paragraph 5.3, the Inspector concluded that the previous proposal for 3 no. one and half storey dwellings would have an impact upon the openness of the Green Belt because of the likely siting and the height. In terms of the siting, the current proposal would result in less impact than the refusal scheme as the number of dwellings has been reduced. In addition, the resulting total floor area and total volume would still be less than those of the existing buildings. Furthermore, the site benefits a lawful use as a depot for a landscaping contracting business with storage of vehicles, materials and machinery. Compared the authorised use, officers consider that a residential use, subject to appropriate conditions restricting no further extensions and outbuilding, would likely result less impact upon the openness of the green belt. As such, it is considered that the proposal would be an appropriate development in the Green Belt.
- 5.6 Density
The proposal would result in approximately 11 dwellings per hectare the proposal represents a very low density of development. Whilst the density would not represent the most efficient use of the land, given the constraints and the rural character of the site of the surrounding area, it is not considered that any higher density would be appropriate at this location. Officers are therefore satisfied with the density of the proposal.
- 5.7 Heritage consideration
The application relates to a site adjacent to the boundary of Olveston conservation area and in proximity to locally listed buildings, thereby affecting the setting of designated and non-designated heritage assets. The Olveston Conservation Area Appraisal SPD emphasises the importance of the rural landscape setting to the village and the SPD noted that *'From the elevated position of Elberton Road, views over the allotments to the open fields beyond are an important aspect of the setting of this area of the village, which has a more open and rural character than the main street.'*
- 5.8 Officers also noted that the Inspector's comments: *'However, even accepting that the houses could themselves be well-designed, I find that their anomalous placement on the opposite side of the road to the village would lead them to appear visually isolated, and to incongruously break from the established pattern of development which characterises Elberton Road.... the scheme would erode the clear division between these two distinct environments on their respective sides of Elberton Road, and cause an incursion of residential development into the countryside at odds with the historic growth pattern of the village. Although the existing boundary fences and gate could be better replaced, the overall effect of the development would harm the significance of the OCA derived from its setting.'*

5.9 From heritage perspective, the development now proposes:

- 2 no single storey houses of natural stone and clay tile of a ridge height not exceeding the ridge height of the glass houses on the site (the planning statement refers to ground levels being reduced and a maximum ridge height of 24.25m AOD) ;
- Removal of palisade fence and retention of conifer hedge along Elberton Road;
- Construction of new 1.5m stone boundary wall in front of this conifer hedge;

Although the proposal is now for single storey buildings, these are of a more permanent, solid appearance being natural stone and clay tile, in contrast to the existing glasshouses. They also have an overtly domestic appearance. As a result they will be more conspicuous and introduce a residential character to the site. It is the presence of houses on the opposite site of Elberton Road from the existing houses that the inspector determined would be at 'anomalous' and at odds with the historic growth pattern. As such, the revised proposal would be unable to overcome this as it still introduces residential development in to an area which has a rural character and it would impact negatively on the setting of the conservation area. The development has been reduced in height to overcome the concerns about 'vertical change' and prominence. However, by revising the proposal to two bungalows, this results in a form of development which is out of keeping with the traditional local vernacular which characterises the conservation area.

5.10 Regarding the proposed boundary treatment, the application proposes the removal of the palisade fence and large metal gates and constructing of a new 1.5m stone wall and new planting. The proposal would enhance the Elberton Road boundary in the form of a traditional stone boundary wall with a more appropriate gateway.

5.11 In summary, the proposal would offer an enhancement to the conservation area in the form of an improved gateway and boundary treatment. However, the built form, by virtue of its design and single storey height, does not respond to the traditional built form and character of the village, as such, it would have a negative impact on the setting of the conservation area, which is an important element of its significance. Similarly, the proposal has not fully addressed the Inspector's concerns in relation to the distinction in character on either side of Elberton between residential and rural, and how this contributed to the setting of the conservation area. Officers consider that the harm to the setting of the conservation area and locally listed building would be less than substantial, and such harm need to be considered as part of the overall planning balance to accord with paragraphs 196 and 197 of the NPPF. Therefore, planning balance is discussed in paragraph 5.22.

- 5.12 Arboricultural and Landscape consideration
There are three existing trees growing around the site 1 x Beech and 2 x Ash. The Ash trees are shown to be removed, which given that they are probably affected by Ash dieback, is not of concern. The proposal includes several new trees to be planted which mitigate for the loss of the Ash trees. A tree survey and Tree constraints plan were submitted. As this is a full application, a tree protection plan and arboricultural method statement, which could be secured by appropriate planning condition, in accordance with BS:5837:2012 is required to protect the existing trees, which retained.
- 5.13 From landscape perspective, the proposed site layout is similar to the previous scheme, which was withdrawn, and the ridge height will be 24.5m AOD to match the tallest of the former nursery buildings, which is some 0.75 metre lower than the previous application. A new stone boundary wall along the Elberton Road will be 1.5 metres in height with a Cock and Hen coping detail, and the proposed boundary wall generally be in keeping with the prevailing frontage treatment along Elberton Road. The proposed soft landscape shows the frontage conifers are to be removed and replaced by native hedge planting. Whilst officers welcome the landscaping scheme, it is considered that the scheme requires a more robust framework of tree plant to complement the rural character of the site location. Should this application be considered favourably, a condition could be imposed to seek a revised soft landscaping scheme.
- 5.14 Design and Visual Amenity
The proposal is to demolish the existing depot and storage buildings on site, remove the existing security fence and gate, and the erection of 2 no. bungalow dwellings and associated works including 1.5 metres high stone boundary wall. The existing buildings are single storey buildings having little special design / architectural interest, therefore, officers have no objection to their removal.
- 5.15 The eastern side of Elberton Road is characterised by linear residential development of largely 2 storey in height with a mix of terrace or semi-detached older cottage style properties with random stonework elevations and boundary walls. A large area of allotment gardens lies to the south of the site, at the junction of Elberton Road with Aust road and The Street.
- 5.16 The plot is large enough to accommodate two bungalows with a reasonable sized garden. The proposed bungalows have simple design forms with two gables on the front elevation and they would be finished natural stones and brick under clay plain tiles. Whilst the new bungalows would not reflect the general character of the locality, the bungalows achieved a reasonable standard of design.
- 5.17 In terms of visual amenity, the proposal would introduce 2 no. bungalows to replace the existing unsightly structures, also to replace the existing palisade fencing and metal gate along the front boundary with stone wall and new planting, as such, it is considered that the proposal would not be harmful to the character of the site and the locality.

5.18 Privacy and Residential amenity

Residents' concerns regarding the potential impact upon their amenity are noted. The nearest residential properties locate opposite the site. The proposed dwellings would set back from the proposed boundary wall by approximately 3 to 9 metres. Whilst the nearby residents would be able to look onto the application site or vice versa, a reasonable separation distance would be maintained. Also, these are bungalows having no living accommodation on the first floor level, therefore the proposal would not cause an unreasonable overlooking or overbearing impact to be detrimental to the living conditions of these nearby residents, therefore, there is no objection in this regard. Furthermore, a reasonable sized outdoor space would be provided for future residents, therefore no objection to the proposed amenity space.

5.19 Transportation

This is broadly a resubmission of a previous applications for three or more dwellings on this site (ref PT18/3107/O and others). The Highway Officer had no objection to the previous scheme. As this proposal would further reduce the number of houses on site, therefore, there would be generally beneficial in highway and transportation terms. Subject to appropriate condition securing that the first 6 metres of the access road into the site would be constructed of a bound surface in order to avoid loose stone and detritus being dragged onto the public highway, there is no highway objection to the proposal.

5.20 Drainage

The site is not subject to any high risk of flooding. Officers consider that the proposal is acceptable from drainage perspective, and a condition could be imposed to seek a detailed drainage plan.

5.21 Ecology

An Ecological Assessment (Ethos, June 2018) and updated site visit report (Ethos, June 2020) were submitted with the application.

Bats - There are five structures on site, all were assessed for suitability of roosting bats, they were all found to be of negligible roosting potential. The wider environment was assessed as having high potential for foraging, commuting and roosting bats. The 2020 updated survey confirmed that conditions have not changed, therefore no further survey are required.

Great crested newt (GCN) - Nine ponds were located within 500m of the site. No ponds were found on site and overall it was assessed that the site was of negligible value for amphibians. There is an area of scrub in the north-eastern section of the site, which has low potential for amphibians. The 2020 updated survey found the site had no material changed.

Birds - There are habitats on site offering opportunities for nesting birds. Works impacting the vegetation must be undertaken outside nesting bird season, if this is not practical an ecologist must carry out an inspection immediately prior to any vegetation being removed.

Reptiles - The site was assessed as offering negligible potential for reptiles.

Hedgehog - There is potential for hedgehogs to commute through the site.

Officers have reviewed the submitted documents and are satisfied that the proposal would not be harmful to the protected species and wildlife habitats subject to appropriate planning conditions. Therefore there are no ecological objection.

5.22 Contamination

Former use of the site as a landscaping depot may have caused contamination which could give rise to unacceptable risks to the proposed development. In order to ensure that the site is suitable for its proposed use, a condition should be imposed to seek site intrusive investigations, remediation and verification strategy.

5.23 Planning Balance – Weighing Up Exercises

As discussed above, Officers have identified the magnitude of harm caused by this proposal and that the harm caused to the significance of the conservation area would be less than substantial. To accord with NPPF paragraph 196, the harm needs to be weighed against the public benefits of the proposal, including, however appropriate, securing its optimum viable use. The NPPF clearly set out three overarching objectives of sustainable development, economic, social and environmental, officers therefore assessed the proposal as follows:

- (i) The proposed development would give rise to some modest economic benefits during the construction and occupation phases.
- (ii) The government seeks to boost the supply of housing, Policy CS16 supports the mix of housing types in the locality, and Policy CS42 supports self-build and custom housing building. Unlike the previously refused scheme, this proposal would provide 2 no. bungalows instead of houses. Given that the proposal would provide different types of housing to meet different housing needs in the area, the proposal is given a modest weight.
- (iii) The proposal is also to replace the unsightly palisade fencing and metal gate with stone walls and new planting, as such, it would improve the character and appearance of the Conservation Area, therefore a modest weight is given from the heritage and landscape perspective.
- (iv) The application site lies to the proximity of the entrance of Olveston Primary School. The proposal would result in benefits of removing large vehicles and substituting them for cars. Therefore a modest weight is given from the highway safety perspective.

5.24 Whilst officers have found that some public benefits would arise from this proposal, given Inspector's decision and that a designated heritage assets and the preservation of the conservation area should be given great weight, officers

consider that the above listed public benefits, on balance, would not be sufficient to outweigh the harm, as such, a refusal is recommended.

5.25 Consideration of likely impact on Equalities

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

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

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to refuse planning permission has been taken having regard to the policies and proposals in the development plan set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

7.1 That planning permission be refused for the following reasons:

1. Policy CS5 of the South Gloucestershire Local Plan: Core Strategy adopted December 2013 states that new development will be strictly limited in the open countryside. The application site is outside of any defined settlement and therefore in the open countryside. Defined settlements establish locations which the local planning authority consider suitable for sustainable development. The proposal, given its location, does not contain any of the limited forms of residential development acceptable in the open countryside, which are stated in Policy PSP40 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

The proposal, by virtue of its nature and siting, would result in a isolated residential development that would fail to respect the rural character of the locality and would also be out of keeping with the established development pattern, as such, the proposal therefore does not represent a sustainable form of development and conflicts with Policy CS1, CS5 and CS34 of the South Gloucestershire Local Plan: Core

Strategy (Adopted) December 2013; Policy PSP1 and PSP40 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the provisions of the National Planning Policy Framework February 2019.

2. The proposed development, by virtue of its design and single storey height, would fail to respond to the traditional built form and character of the village. This will impact negatively on the setting of the conservation area, which is an important element of its significance. In addition, the proposal has not fully overcome the concerns that the inspector raised in relation to the distinction in character on either side of Elberton Road between residential and rural, and how this contributed to the setting of the conservation area. The harm is considered to be less than substantial.

Paragraph 196 of the NPPF states that 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. After weighing up all potential public benefits of the proposal, it is considered that there are inadequate public benefits which arise from this proposal to outweigh this heritage harm. As such, the proposal would be contrary to national guidance set out in the NPPF, Policy CS9 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013, Policy PSP17 of the South Gloucestershire Policies Sites and Places Development Plan November 2017 and guidance within the Adopted Olveston Conservation Area Supplementary Planning Document.

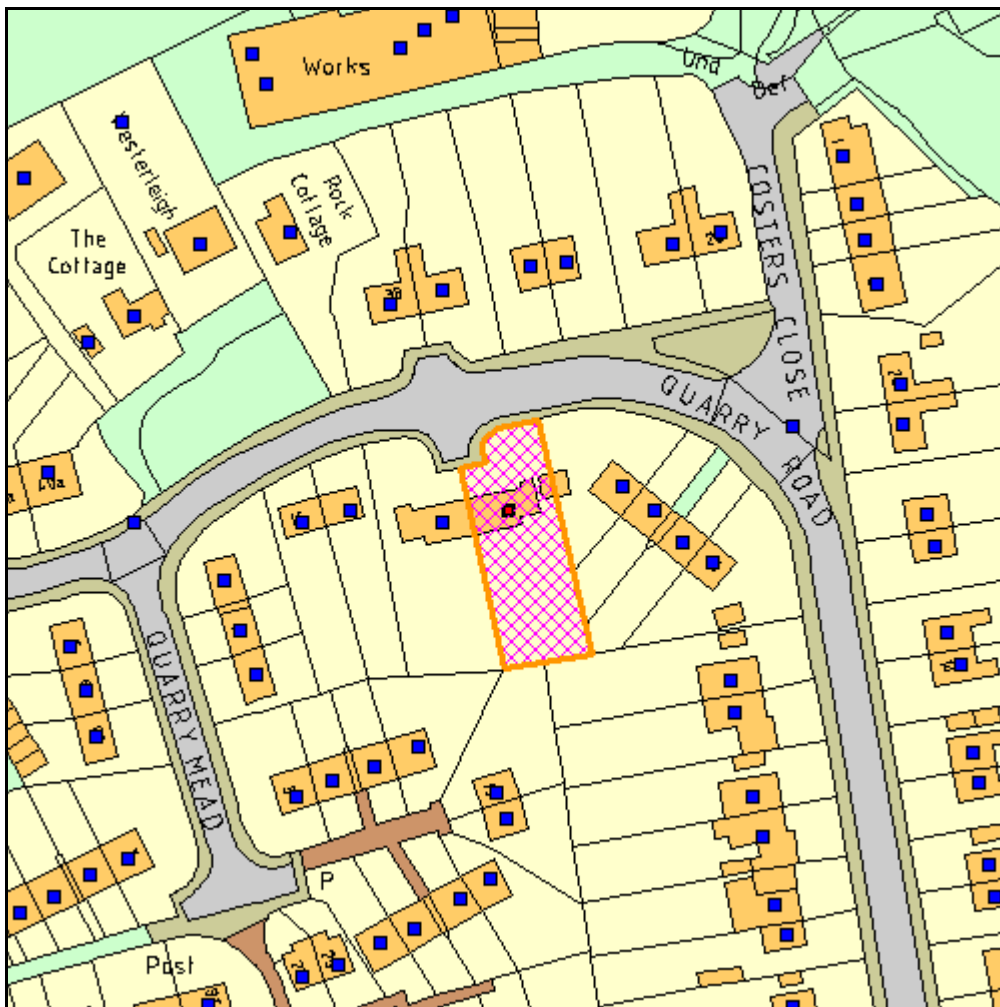
**IN ACCORDANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) ORDER 2015.
POSITIVE AND PROACTIVE STATEMENT:**

In dealing with this planning application the Local Planning Authority have worked with the applicant in a positive and proactive manner on seeking solutions to problems arising in the following ways: The application has been determined to accord with national and local planning policies.

Case Officer: Olivia Tresise
Authorising Officer: David Stockdale

CIRCULATED SCHEDULE NO. 03/21 -22nd January 2021

App No.:	P20/18897/F	Applicant:	Basri Kalia
Site:	25 Quarry Road Alveston South Gloucestershire BS35 3JL	Date Reg:	7th October 2020
Proposal:	Erection of two storey side extension to form 1 no. dwelling. Erection of single storey rear extension and to porch to existing dwelling to form additional living accommodation.	Parish:	Alveston Parish Council
Map Ref:	363041 188365	Ward:	Severn Vale
Application Category:	Minor	Target Date:	27th November 2020



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N.T.S.

P20/18897/F

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

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

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of 1no. attached dwelling; single storey rear extension and porch to existing dwelling.
- 1.2 The application site is located at 25 Quarry Road, Alveston and relates to a semi-detached house.
- 1.3 The application site is located within the defined settlement boundary of Alveston and is washed over by Bristol and Bath Green Belt.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework
National Planning Practice Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4a	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity

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

PSP1	Local Distinctiveness
PSP7	Green Belt
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist
Development in the Green Belt

3. **RELEVANT PLANNING HISTORY**

3.1 No relevant planning history.

4. **CONSULTATION RESPONSES**

4.1 Alveston Parish Council

The Parish Council Planning Committee **object**, due to this being a house of multiple occupancy that there is not enough parking provision in the surrounding area and the parking provision in the development is not adequate.

4.2 Other Consultees

Sustainable Transport

No objection, subject to recommended conditions.

Lead Local Flood Authority

No objection, subject to informatives.

Landscape Officer

No objection. Planning condition recommended.

Archaeology Officer

Wish to make no comment.

Highway Structures

Wish to make no comment.

Other Representations

4.3 Local Residents

2no. objection comments were received, with key points summarised below:

- Loss of skyline due to the two-storey extension.
- Loss of sunlight to the rear garden.
- The proposed plans will overlook our property.
- Direct loss of privacy.
- Unrealistic parking plans.

5. **ANALYSIS OF PROPOSAL**

5.1 The proposed development includes the erection of a two-storey side extension to form 1no. dwelling. Also, a single storey rear extension proposed for the host dwelling, as well as front porch. The application stands to be assessed against the above listed policies and all material considerations.

5.2 Green Belt

New dwelling

Paragraph 145 of the National Planning Policy Framework states that the construction of new buildings in the Green Belt is inappropriate. Also, it provides a list of exceptions, which, among others, includes the following:

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.*

It is considered that the proposal falls under sub-paragraph (g). Also, it is considered that the introduction of the proposed two-storey extension would not greatly impact the openness of the Green Belt. Whilst some degree of impact on the openness would occur, it is not considered that it would be detrimental.

5.3 *Rear extension*

With regard to extensions to existing buildings, Policy PSP7 of the South Gloucestershire Policies, Sites and Places Plan carries this principle forward; it is relevant to proposals for domestic extensions. It states that, as a general guide, additions of up to 30% of the volume of the original building would likely be considered appropriate. Where an extension would exceed this up to 50% the proposal would be carefully assessed, paying particular attention to the scale and proportion of the proposed extension. Where proposed extensions exceed 50%, the policy indicates that this would likely be considered disproportionate and therefore inappropriate.

- 5.3 Officers estimate that the current proposal, combined with any previous additions to the dwelling, would not exceed 30% mark. Therefore, it is considered that it would not be detrimental to the openness of the Green Belt.

5.4 Design and Visual Amenity

It is understood that the host dwelling would be reduced in width by approximately 1.3m. The proposed attached dwelling would be 6.8m wide, and 10.6m deep. The proposed overall height would be 8.15m and would match that of the host dwelling. Based on the submitted plans, both properties would be finished in white render. It was clarified by the agent that it would be K Rend Jersey (AR-07).

- 5.5 Overall, it is considered that this element of the proposal was designed to a good standard and accords with Policy CS1.

5.6 Rear extension

The proposed single storey rear extension to the host dwelling would measure 6.9m wide and 3.2m deep. It appears that the proposed single storey rear extension would mirror the one of the proposed dwelling.

5.7 Overall, it is considered that this development has been designed to a good standard and would not be detrimental to the visual appearance of the area. The proposal therefore complies with policy CS1.

5.8 Residential Amenity

A number of concerns were mentioned in the objection comments in relation to residential and private amenity. The below assessment is inclusive of those concerns.

5.9 Loss of skyline. It is considered that any potential loss of skyline would not materially impact the living conditions of the neighbouring occupiers.

5.10 Loss of sunlight to the rear garden. The garden in question is SW-facing, and as such it is considered that any potential loss of light would be minimal, and would not impact the living conditions to a material degree.

5.11 Loss of privacy. It is considered that the introduction of 1no. new dwelling by means of a two-storey side extension would not cause the loss of privacy for the neighbouring occupiers. The first floor rear windows would not provide the opportunity for direct overlooking of neighbouring properties. Any potential level of overlooking that could be achieved, would be of a degree that is expected in such residential setting.

5.12 Overall, it is considered that the residential amenity of neighbouring occupiers would be adequately preserved.

5.13 *Private Amenity Space*

Based on the submitted plans, both properties would have over 100 sq.m. of outside private amenity space available post-development. This is compliant with Policy PSP43.

5.14 Access and Parking

A number of parking-related concerns were mentioned in the objection comments, including the Parish Council objection. It is understood that the main concern is that the parking provision would not be adequate for the proposed and existing dwellings. The submitted plans indicate that there would be 2no. off-street parking spaces provided for each property, which makes the proposal compliant with Policy PSP16. As such, there are no concerns with the proposal from transportation perspective.

5.15 Other Matters

Parish Council objection states that the proposal is for a House of Multiple Occupancy. However, the planning application was submitted for 1no. new attached dwelling, and therefore it is assessed as such.

5.16 Consideration of likely impact on Equalities

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

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

CONDITIONS

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

Reason

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

2. The works must be carried out in accordance with the below plans:

Existing Plans and Elevations (Drawing No. 20/026-02)

Existing and Proposed Street Scene (Drawing No. 20/026-04)

Cycle Store and Bin Store Details (Drawing No. 20/026-05)

Proposed Plans and Elevations (Drawing No. 20/026-03)

Location Plan (Drawing No. 20/026-01, Rev. A)

Received by the Local Planning Authority on 02 October 2020.

Reason

For the avoidance of doubt.

3. The outside walls must be finished in white render (K Rend Jersey AR-07 or similar).

Reason

In the interests of visual amenity and to accord with Policy CS1 of South Gloucestershire Local Plan Core Strategy.

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

Reason

To manage any future development at the site in the interests of preserving the openness of the Green Belt, to accord with Policies CS5 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP7 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the provisions of the National Planning Policy Framework.

5. Prior to first occupation, the off-street parking provision, as indicated on Proposed Plans and Elevations (Drawing No. 20/026-03), must be implemented and maintained for that purpose thereafter.

Reason

In the interest of highway safety, and to accord with Policy PSP16.

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

Reason

To promote sustainable travel and to accord with Policy CS8 and South Gloucestershire Supplementary Planning Document on residential car parking standards.

7. Before completion of the works, detailed landscape plan specifying the location, species, stock size, planting centres and quantities of all proposed planting; together with details of all proposed boundary and hard landscape surface treatments, including proposed levels and any soil retention/retaining walls that may be required, must be submitted to and approved in writing by the Local Planning Authority.

Reason

In the interest of enhancement of landscape, and to accord with Policy PSP2.

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

POSITIVE AND PROACTIVE STATEMENT:

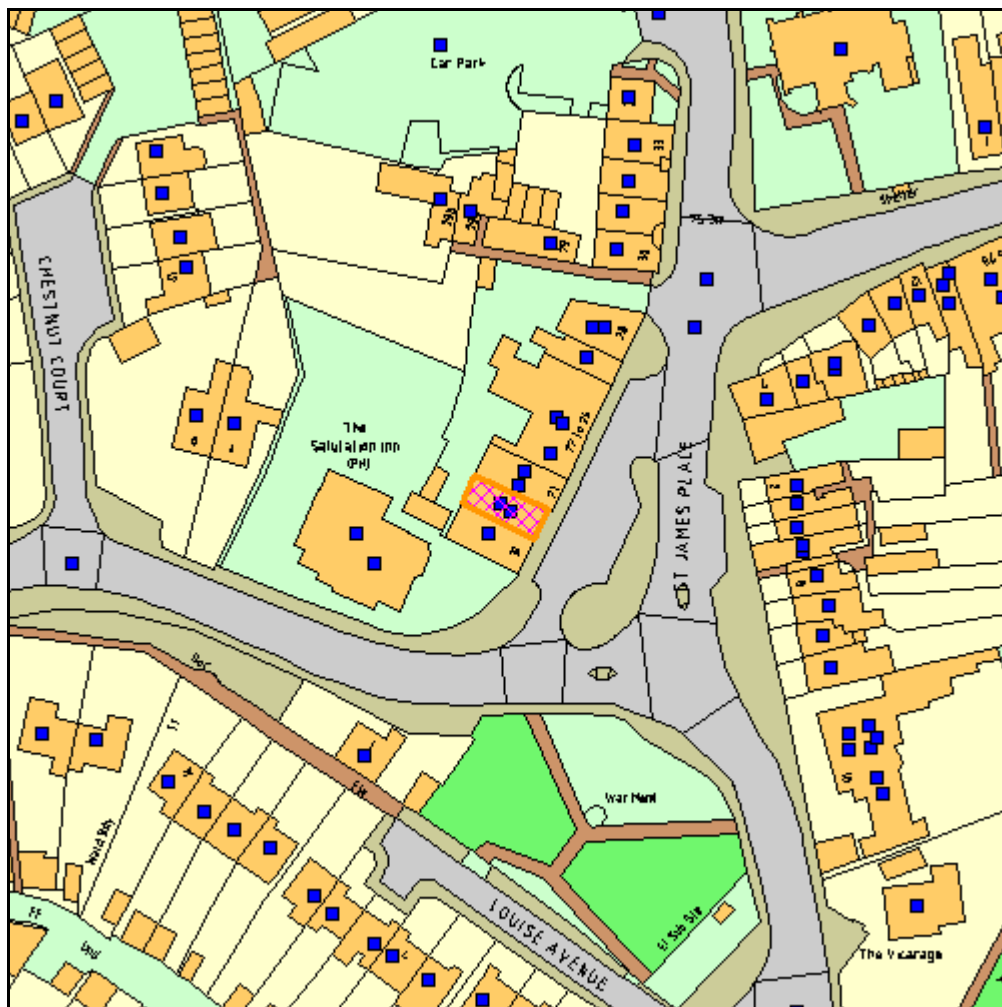
In dealing with this planning application the Local Planning Authority have worked with the applicant in a positive and proactive manner by conducting a thorough assessment.

Case Officer: Mykola Druziakin

Authorising Officer: David Stockdale

CIRCULATED SCHEDULE NO. 03/21 -22nd January 2021

App No.:	P20/20130/F	Applicant:	Mr Cohan Zedek
Site:	20 St James Place Mangotsfield South Gloucestershire BS16 9JB	Date Reg:	21st October 2020
Proposal:	Change of Use from chiropractor clinic (Class E) to cafe/take away (Sui Generis) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) to include installation of extractor ventilation unit	Parish:	None
Map Ref:	366395 176100	Ward:	Staple Hill And Mangotsfield
Application Category:	Minor	Target Date:	11th December 2020



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

REASON FOR REFERRING TO CIRCULATED SCHEDULE

This application is referred to the circulated schedule due to objections received from 6no local residents which are contrary to the Officers recommendation.

1. THE PROPOSAL

- 1.1 The application seeks change of use from a chiropractic clinic (Use Class E) to café/takeaway (mixed use A3 and A5) (Sui Generis) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) to include installation of an extractor ventilation unit.
- 1.2 The application site relates to unit 20 St James Place, Mangotsfield which is located within a small parade of shops. The unit is currently vacant but was most recently occupied by a chiropractic clinic; the application is proposing to change the use to a fish and chip shop with eat-in and takeaway facilities.

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
CS14 Town Centres and Retail
CS29 Communities of the East Fringe of Bristol Urban Area

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

PSP1 Local Distinctiveness
PSP8 Residential Amenity
PSP11 Transport Impact Management
PSP16 Parking Standards
PSP21 Environmental Pollution and Impacts
PSP31 Town Centre Uses
PSP32 Local Centres
PSP35 Food and Drink Uses

- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) 2007

3. RELEVANT PLANNING HISTORY

- 3.1 PK09/5848/F
Change of use from Retail (Class A1) to Chiropractic Clinic (Class D1) with ancillary retail use as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).
Approved with conditions: 21/12/2009

4. CONSULTATION RESPONSES

- 4.1 Town/Parish Council
Unparished area.

Sustainable Transport
No objection.

Environmental Protection
No objection subject to condition.

Police Community Safety
No objection.

Other Representations

- 4.2 Local Residents
Objection comments received from 6 local residents, summarised as follows;

- Opening hours unacceptable- will encourage antisocial behaviour and noise until 11pm.
- Parking concerns.
- Centre of village already has 2 takeaways, restaurant and supermarket.
- St James Pace would disproportionately consist of three takeaway outlets.
- Already issues with groups hanging around in the evening.

- 4.3 Councillor Michael Bell
A café would be welcome, however parking is a concern.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
The application is for an eat-in and take-away fish and chip shop in Mangotsfield. The site is located within the settlement boundary and the proposal is to convert an existing ground floor unit from one business use to another. As such, the principal of development is acceptable subject to further considerations of the impact on the character of the area, residential amenity and public safety.

5.2 Character

The application site was previously occupied by a chiropractic practice but is currently vacant; it sits within an existing small parade consisting of 10 units in total. Some concern has been raised in regards to over-provision of hot food takeaways in this location should this application be allowed. There are currently two units in the parade that are in use as takeaways, one providing Indian food and another providing pizza/kebab style fast food. The proposal is for a fish and chip shop with mixed A3 and A5 use (Sui Generis), providing an eat-in or takeaway option. This is thought by the officer to provide a suitable alternative to the existing food takeaways and the resulting three takeaways is not thought to result in a significantly harmful concentration of food and drink uses within the locality. Overall, the proposed change of use is not thought to result in material harm to the character of the area.

5.3 Residential Amenity

The nearest residential properties to the application site are a row of cottages located on the opposite side of St James Place, separated by a small car park and the main highway. Concern has been raised in regard to a possible increase in anti-social behaviour and undue noise levels in the evening.

5.4 The application form indicates that the proposed opening hours would be 8am to 11pm Monday to Sunday. It is expected that residents in close proximity to business uses should expect higher noise levels than in exclusively residential area, and furthermore the existing takeaways previously mentioned are both conditioned to open between 11am and 11pm daily. It is therefore thought unreasonable to reduce the proposed opening hours in the evening, however the proposed 8am opening hours appear excessive and unusual for a fish and chip shop. It is therefore thought reasonable to match the hours of operation permitted at the neighbouring takeaway businesses.

5.5 Should any objectionable noise levels or anti-social behaviour be occurring then this should be reported to the relevant authorities for direct action.

5.6 Environmental Issues

With regard to fumes, smells and noise from the proposed extraction/ventilation system, this has been found to be acceptable by the council's Environmental Protection team subject to conditions. Full details of the proposed extraction and odour abatement system shall be provided prior to the first occupation with a schedule of their maintenance. In addition, details of the predicted noise levels from the extraction system shall also be provided. These details must be provided and approved by the council prior to the first occupation of the fish and chip shop.

5.7 Transport

Concerns over parking provision have been noted, however customers would be able to utilise an existing area for parking located directly outside the application site, which includes six marked bays and in addition, restricted kerbside parking which can accommodate a further 6-7 vehicles. Furthermore, St James Street short stay car park is located a short walk from the application site. The highways officer has stated the proposal would not result in any

significant increase in traffic and given the above, the proposal is not considered to result in any severe impact to highway safety.

5.8 Equalities

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

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

CONDITIONS

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

Reason

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

2. Prior to first occupation of the development hereby approved, full details of the proposed extraction and odour abatement system should be provided. This should include details on the specification and location of all fans, filters, plant and flues, including a detailed schematic diagram of the ventilation system and its location inside and outside the building. The plan should also show scaled details of where the flue will terminate in relation to adjoining premises (residential and commercial). If

acceptable, written confirmation will be given by the Local Authority. Work must take place exactly in accordance with the details agreed.

The odour abatement system shall comply with the principles of best practice contained within the EMAQ report, Control of Odour and Noise from Kitchen Exhaust Systems, an update to the 2004 report prepared by NETCEN for the Department of the Environment.

It is recommended that the flue should not terminate less than 1m above the roof ridge of any building within 15m of the building housing the commercial kitchen, and discharge vertically upwards. Additional odour control measures may still be required depending on the cooking type and frequency. If this cannot be complied with for planning reasons, then the extracted air shall be discharged not less than 1m above the roof eaves or dormer window of the building housing the commercial kitchen and additional odour control measures may be required. If neither of these can be complied with for planning reasons, then an exceptionally high level of odour control will be required*.

Any canopy above a wood burning appliance shall be designed in line with current guidance*. Solid fuel appliances should be considered separately when designing a safe and efficient ventilation/control system.

*Guidance on the above can be obtained in the EMAQ report, Control of Odour and Noise from Kitchen Exhaust Systems, an update to the 2004 report prepared by NETCEN for the Department of the Environment. It is available at <https://ee.ricardo.com/downloads/air-quality/control-of-odour-and-noise-from-commercial-kitchen-exhaust-systems>

Reason

To protect the amenity enjoyed by those living in the locality to accord with Policies PSP8, PSP21 and PSP35 of the South Gloucestershire Policies Sites and Places Plan (Adopted) 2017 and the provisions of the National Planning Policy Framework.

3. Prior to first occupation of the development hereby approved, a maintenance/cleaning schedule of the proposed extraction and odour abatement system, written in accordance with the manufacturers' instructions and recommendations, should be incorporated as part of the application. A written recording system should be retained thereafter to demonstrate when all such work is carried out for the duration of its use.

Reason

To protect the amenity enjoyed by those living in the locality to accord with Policies PSP8, PSP21 and PSP35 of the South Gloucestershire Policies Sites and Places Plan (Adopted) 2017 and the provisions of the National Planning Policy Framework.

4. Prior to first occupation of the development hereby approved details on predicted noise levels from the extraction system (fan and air movement, through and leaving the ducting) should be incorporated as part of the application. Flues should be well insulated and sited to minimise the effects of vibration transmission and noise to any adjacent building. It may be necessary to install anti vibration mounts, flexible couplings, silencers etc. Full details should be provided to show how any potential noise nuisance will be prevented through the design. Any assessment should be

carried out by a suitably competent engineer/consultant and be in accordance with BS4142 as amended. If acceptable, written confirmation will be given by the Local Authority. Work must take place exactly in accordance with the details agreed.

OR The Rating Noise Level of any plant associated with the extraction system shall not exceed the pre-existing LA90 Background Noise Level when measured and assessed in accordance with the British Standard 4142 as amended

Reason

To protect the amenity enjoyed by those living in the locality to accord with Policies PSP8, PSP21 and PSP35 of the South Gloucestershire Policies Sites and Places Plan (Adopted) 2017 and the provisions of the National Planning Policy Framework.

5. The use hereby permitted shall not be open to customers outside the following times:

11am to 11pm Monday to Sunday.

Reason

To protect the amenity enjoyed by those living in the locality to accord with Policies PSP8, PSP21 and PSP35 of the South Gloucestershire Policies Sites and Places Plan (Adopted) 2017 and the provisions of the National Planning Policy Framework.

6. 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 16th October 2020;
Existing and Proposed Plans
Site Location and Block Plan

Reason

To define the terms and extent of the permission.

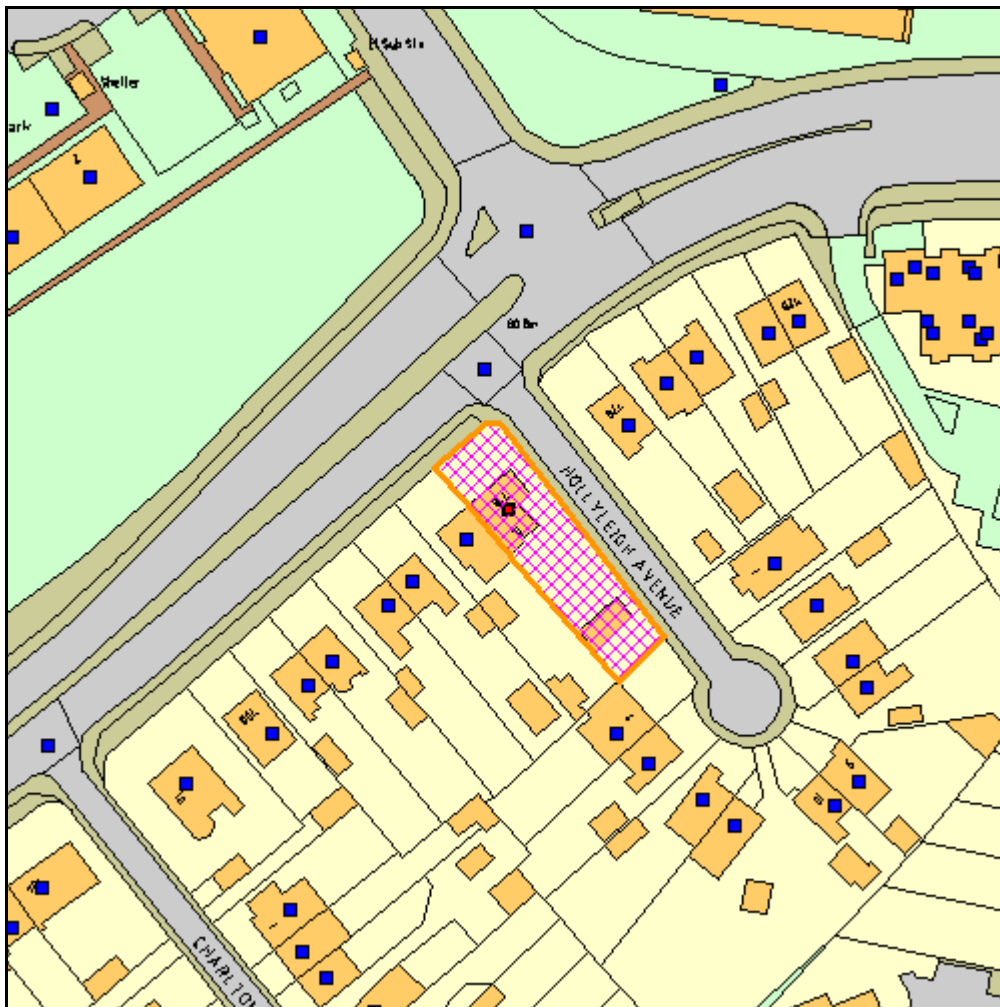
**IN ACCORDANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) ORDER 2015.
POSITIVE AND PROACTIVE STATEMENT:**

In dealing with this planning application the Local Planning Authority have worked with the applicant in a positive and proactive manner on seeking solutions to problems arising in the following ways: further information was accepted during the course of the application and the decision made within an agreed timeframe.

Case Officer: James Reynolds
Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 03/21 -22nd January 2021

App No.:	P20/21783/F	Applicant:	Mr David Bevan
Site:	718 Southmead Road Filton South Gloucestershire BS34 7QT	Date Reg:	13th November 2020
Proposal:	Installation of enlarged rear dormer, erection of two storey side/rear extension and single storey rear extension to provide additional living accommodation. Erection of two storey, detached building with external staircase to form garage and annex ancillary to the main dwellinghouse.	Parish:	Filton Town Council
Map Ref:	359932 178944	Ward:	Filton
Application Category:	Householder	Target Date:	5th January 2021



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 100023410, 2008. N.T.S. P20/21783/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 referred to the Circulated Schedule because the proposal has received 4No objections from Local Residents.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the installation of enlarged rear dormer; erection of two storey side/rear extension and single storey rear extension to provide additional living accommodation. Also, included, is the proposed erection of a two storey, detached building with external staircase to form garage and annex ancillary to the main dwellinghouse, as detailed on the application form and illustrated on the accompanying drawings.
- 1.2 The application site can be found at 718 Southmead Road and is a two storey semi-detached property located in an area of residential development. It is within the established built up area of Filton.
- 1.3 Under Permitted Development of Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), the rear dormer element of the loft conversion complies with the legislation, and therefore does not require subsequent planning consent.
- 1.4 As part of the assessment of this application, the design of the proposed two storey detached building to form the garage and annex has evolved. As part of the re-design and negotiations, a further consultation also took place. Some further comments were received on the revised scheme but only 1No objection comment from a local resident was received. No additional comments were received from statutory consultees.

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
CS2	Green Infrastructure
CS4a	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS9	Managing the Environment and Heritage

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

PSP1	Local Distinctiveness
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PSP3	Trees and Woodland
PSP8	Residential Development
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP18	Statutory Wildlife Sites: European Sites and Sites of Special Scientific Interest (SSSIs)
PSP19	Wider Biodiversity
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
 Residential Amenity TAN (Endorsed) 2016

3. RELEVANT PLANNING HISTORY

- 3.1 PT02/0358/F. Erection of boundary fence. Approved. 02.04.2002
- 3.2 N8811. Erection of a double garage for domestic use. Approved. 11.08.1983

4. CONSULTATION RESPONSES

- 4.1 Filton Town Council
 No comments received.

Sustainable Transport - Transportation DC
 No Objections / No transport objection is raised
 Suggestion only of 'Keep Clear Markings' from Streetcare.

Tree Officer
 No Comments / No additional Comments.

Ecology Officer
 Comments received - – Ecology assessment requested.

Other Representations

- 4.3 Local Residents
 4No letter of Objection received -
- *Proposed annexe will be out of character and will dominate the existing street scene;*
 - *Concerns over the proposed annexe being overbearing and not respecting the existing building line;*
 - *Concerns over the impacts of parking;*
 - *Concerns over loss of light;*
 - *Concerns of overlooking; and*
 - *Privacy Concerns.*

5. **ANALYSIS OF PROPOSAL**

- 5.1 Policy PSP38 of the PSP Plan (November 2017) allows the principle of development within residential curtilages, subject to considerations of visual amenity, residential amenity and highway safety. It states that new dwellings and extensions within existing residential curtilages are acceptable in principle but should respect the overall design and character of the street and surrounding area. They should not prejudice the amenities of neighbours, or that of highway safety and the parking provision should be of an acceptable level for any new and existing buildings. The adequate provision of private amenity space should also not be sacrificed for any new development that forms part of a settlement pattern that also contributes to local character.
- 5.2 Policy CS1 of the Core Strategy seeks that the siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the application site and its context.
- 5.3 The proposal is for planning permission is for the installation of an enlarged rear dormer; erection of two storey side/rear extension and single storey rear extension to provide additional living accommodation. Also, included, is the proposed erection of two storey, detached building with external staircase to form garage and annex ancillary to the main dwellinghouse. 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 Under the Policy CS1, compliance is required in terms of the siting, form, scale, height, massing, detailing, colour, materials and that it respects, and enhances the character, distinctiveness and amenity of both the site and its context. With its overall siting, form, scale, height and massing proposed, it is a vast increase on the existing garage and it has been considered that this element of the proposal does not respect the character of the site nor its context, and therefore is contrary to policy.
- 5.5 Under Policy PSP8, a development proposal will only be acceptable, provided that it does not create unacceptable living conditions or have an unacceptable impact on the residential amenity of occupiers of the development or of nearby properties. This proposal creates an unacceptable impact in it being overbearing and having a dominant impact.
- 5.6 Furthermore, and under Policy PSP38, it states that in an urban areas with defined settlement boundaries, development within existing residential curtilages, including extensions and new dwellings, and residential extensions elsewhere, will only be acceptable where it respects the building line, form, scale, proportions etc. In addition to this, and under PSP38, considerable weight is also given to the consideration of the first criterion of the policy, where the proposal is visually prominent. Again, it is felt that the proposal is contrary to PSP38 on the grounds of its proposed scale and proportion within the street and surrounding area.

- 5.7 In conclusion, officers have considered that the erection of the two storey, detached building with external staircase to form a garage and annex ancillary to the main dwellinghouse, if approved, would result in overdevelopment which is unreflective of the character of the surrounding area, and detrimental to the appearance of the street scene, and contrary to current policy and therefore this element to the proposal is recommended for refusal.
- 5.8 Annexe Test
By definition an annexe must be ancillary to the main dwelling house and should have some form of physical and functional reliance upon it. Ultimately, the resultant development should be one planning unit i.e. one household rather than two separate dwellings. In this instance, the proposal has some elements of living accommodation (a home office and a shower/WC area) that could enable it to be used as an independent unit of residential accommodation.
- 5.9 However, officers note that it would need to share the lounge, dining, snug, kitchen and existing garden with the main residence. Although, officers note that the annex would continue to share those internal spaces and the private amenity garden space, it does demonstrate that it will also have some physical reliance on the main property. As such, officers are satisfied that the annexe would be used ancillary to the main house and that should the application be approved, that a condition will be attached to the decision notice to ensure that the annex can never be a unit separate of the host property and will remain ancillary to it.
- 5.10 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.
- 5.11 The enlarged dormer, will have an overall width of 5.7 meters, with 2No windows to the rear elevations. The flat roof will be set down by 0.8 metres in height from the existing ridge and will be 0.65 meters from the centreline with the neighbouring property.
- 5.12 As stated in paragraph 1.3 under the 'Proposal', the installation of the flat roof rear box dormer, to facilitate the loft conversion, can be implemented without the benefit of planning permission, as it complies with the requirements of Part B of the General Permitted Development Order 2015.
- 5.13 Compliance with Part B of the GPDO has to ensure a number of criteria; including the proposed cubic content of the resulting roof space which is a maximum of 40 cubic meters for this type of dwelling; the fact that it does not extend beyond the roof plane/slope fronting the highway or the front façade; or indeed exceed the height of the highest part of the existing roof. As there is also no evidence to suggest any restrictions on permitted development rights to

this application site, there can be no objection on the basis of design or visual amenity.

- 5.14 The two storey side/rear extension, 'wrap around' will have an overall width of 10.5 metres and be to an overall depth of 6.7 metres with 1No window and 2No sets of bi-fold doors out to the rear. The two storey element will have a gable fronted pitched roof and it will extend to 11.2 metres in height to the eaves from the existing ground level. The single storey element will have a lean to style roof with 2No roof lights, and will extend to 4.6 meters in height to the eaves from the existing ground level.
- 5.15 The proposed two storey detached garage forming an annex ancillary, will have an overall width of 6.1 metres and be to an overall depth of 10.0 metres with 3No high level windows to the side elevation and 1No aluminium folding/sliding garage access door to the front elevation to the ground floor. To the first floor, the overall internal depth will shorten to 7.25 meters but will maintain the external width of 6.1 meters, and will feature 4No obscured glazed rooflights and 1No window to the front elevation. A 1No personnel door access will be proposed via an external galvanised staircase to the side of the proposed building. The two storey element will have a gable fronted fully tiled mansard roof and it will extend to a maximum of 4.9 metres in height to the ridge from the existing ground level.
- 5.16 The enlarged rear dormer, two storey side/rear extension and single storey rear extension have all been designed to complement the existing dwelling in the choice of materials, details and components, ensuring that the aesthetical appearance of the dwelling continues to compliment neighbouring properties, matching materials and components to the existing dwelling where possible, and therefore the scale and form of the proposed extensions to the main dwellinghouse respects the proportions and character of the existing dwelling.
- 5.17 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.
- 5.18 In terms of the proposed two storey side and rear 'wrap around' extension and the overlooking concerns, 1No window is proposed to the side of the side extension and 1No window to the rear elevation on the ground floor and 1No window and 1No juliet balcony and 1No patio doors with glazed side panels to the rear elevation is proposed on the first floor overlooking the public realm and private amenity space respectively.
- 5.19 Although part of the proposal is a two storey side 'wrap around' extension with an eaves height of 5.56 metres, and given its position and scale, officers are satisfied that the impact will be minimal as the two storey element is

- subservient to the host dwelling. Accordingly, officers are satisfied that this proposed development would not result in a significant overbearing impact to the occupants of the neighbouring property.
- 5.20 As the site is located in a residential area, and given the proposed size, scale and location of the extensions to the original dwellinghouse, it has been concluded that the impact on the neighbouring residential amenity would be limited and therefore these extensions should not result in an unacceptable impact.
- 5.21 Transport
Policy PSP16 of the Policies, Sites and Places Plan sets out the Council's parking standards. The proposal to the original dwellinghouse only, includes 2No additional bedrooms, totalling 5No bedrooms (plus 1No home office to the first floor) but with at least 3No parking spaces provided, the parking will fulfill the South Gloucestershire parking standards.
- 5.22 Private Amenity Space
The dwelling benefits from a good amount of existing private amenity space to both the front and rear of the property. PSP43 sets out standards which are based on the number of bedrooms at a property. The proposed extension will create a total of 5No bedrooms (plus 1No home office to the first floor) and as such, should have at least 70m² of private amenity space. The existing dwelling has 3No bedrooms, and as such should have at least 60m² of private amenity space. No concern is therefore raised to the level of amenity space being proposed.
- 5.23 Ecology
It has been identified by the Ecology Officer that the proposal has the potential of impacting on protected species such as bats and could also impact on nesting birds and hedgehogs.
- 5.24 Therefore a preliminary ecological appraisal including a bat roost assessment has been requested and it was also highlighted that it should include results from all relevant surveys and appropriate mitigation, and that it should aim for biodiversity net gain and ecological enhancements to be recommended where suitable. This information was requested prior to determination and unfortunately it has not been received.
- 5.25 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.

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

6. PLANNING BALANCE

6.1 It is recommended that a **SPLIT DECISION** is issued.

6.2 Officers note that the proposed two storey, detached building with external staircase to form garage and annex ancillary to the main dwellinghouse is to be designed as an annexe (home office over a garage), and has been assessed accordingly in the decision making of this planning application. However, it is not considered that this element of the proposal is of sufficient weight to outweigh the identified harmful implications on the character and visual amenity of the area.

6.3 The proposed installation of enlarged rear dormer, erection of the two storey side/rear extension and single storey rear extension to provide additional living accommodation is considered acceptable in this instance. It is therefore recommended that this part of the proposal is approved.

7. CONCLUSION

7.1 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.

7.2 The recommendation of a **SPLIT DECISION** 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.

7.3 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.

7.4 The recommendation to **issue a split decision** has been taken having regard to the policies and proposals in the South Gloucestershire Policies, Sites and Places Plan (Adopted) 2017 and the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

7.1 It is recommended that a **SPLIT DECISION** is issued, **REFUSING** planning permission for the erection of the two storey, detached building with external staircase to form garage and annex ancillary to the main dwellinghouse and **APPROVING** the installation of enlarged rear dormer, the erection of a two storey side/rear extension and a single storey rear extension to provide

additional living accommodation, in accordance with the reasons and conditions 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:

01 Site Location Plan (Date received 04/11/20)
 10 Existing Roof Block Plan (1:200) (Date received 04/12/20)
 20 Existing Site Layout (Sheet 1 of 2) (Date received 04/12/20)
 30 Existing Site Layout (Sheet 2 of 2) (Date received 04/12/20)
 40 Existing Ground Floor Plan (Date received 04/12/20)
 50 Existing First Floor Plan (Date received 04/12/20)
 60 Existing Loft Plan (Date received 04/12/20)
 70 Existing Front Elevation (Date received 04/12/20)
 80 Existing Rear Elevation (Date received 04/12/20)
 90 Existing Side Elevation (Date received 04/12/20)
 95 Existing Side Elevation (Viewed from 716 Southmead Rd) (Date received 12/11/20)
 100 Existing Garage Roof and Floor Plan (Date received 04/12/20)
 110 Existing Garage Front and Rear Elevations (Date received 04/12/20)
 120 Existing Garage Side Elevations (Date received 04/12/20)
 1000 Rev A Proposed Roof Block Plan (Date received 04/12/20)
 1100 Rev A Proposed Site Layout (Sheet 1 of 2) (Date received 04/12/20)
 1200 Proposed Site Layout (Sheet 2 of 2) (Date received 04/12/20)
 1250 Proposed Parking Plan (Date received 04/12/20)
 1300 Proposed Ground Floor Plan (Date received 04/12/20)
 1400 Partial Proposed Ground Floor Plan (Date received 04/12/20)
 1500 Proposed First Floor Plan (Date received 04/12/20)
 1600 Rev A Proposed Loft Floor Plan (Date received 04/12/20)
 1700 Proposed Front Elevation (Date received 04/12/20)
 1800 Rev A Proposed Rear Elevation (Date received 04/12/20)
 1900 Rev A Proposed Side Elevation (Date received 04/12/20)
 1950 Rev A Proposed Side Elevation (Date received 04/12/20)

Reason

To define the terms and extent of the permission.

The proposed two storey detached building with external staircase forming a garage and annex ancillary to the main dwellinghouse would result, by reason of its siting, mass/bulk, height, scale and appearance, in a prominent, intrusive and visually jarring feature in the streetscape which is characterised by the uniform two storey semi-detached properties. The proposed development therefore is considered detrimental to the visual amenity of the locality and contrary to Policy PSP1, PSP38, and PSP8 of the South Gloucestershire Policies, Sites and Places Plan (Adopted) 2017; Policies CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013 and the provisions of the NPPF (2019).

For the avoidance of doubt the above refusal reason relates to the following plans:

1000 Rev A Proposed Roof Block Plan (Date received 04/12/20)
1100 Rev A Proposed Site Layout (Sheet 1 of 2) (Date received 04/12/20)
2000 Rev A Proposed Garage Floor Plans (Date received 08/12/20)
2100 Rev A Proposed Garage Front Rear Elevations (Date received 04/12/20)

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

POSITIVE AND PROACTIVE STATEMENT:

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

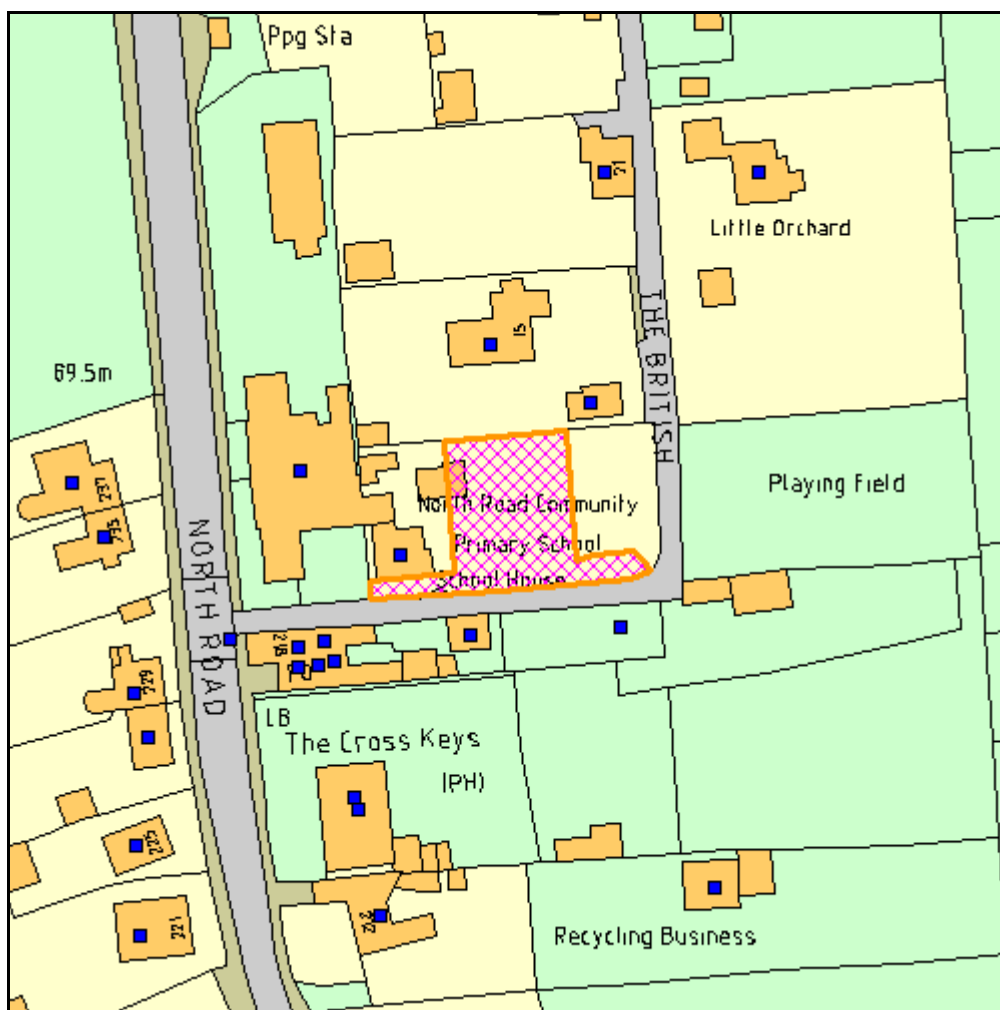
By issuing a timely decision.

Case Officer: Helen Turner

Authorising Officer: David Stockdale

CIRCULATED SCHEDULE NO. 03/21 -22nd January 2021

App No.:	P20/23983/F	Applicant:	Mrs Louise Williams
Site:	Land At School House The British Yate South Gloucestershire BS37 7LH	Date Reg:	15th December 2020
Proposal:	Erection of 2 no. dwellings with access, parking, new public footpath and associated works.	Parish:	Iron Acton Parish Council
Map Ref:	369917 183749	Ward:	Frampton Cotterell
Application Category:	Minor	Target Date:	3rd February 2021



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100023410, 2008.

N.T.S.

P20/23983/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.

CIRCULATED SCHEDULE

The application appears on the Circulated Schedule as per the Constitution as the applicant is an employee of the Council.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of a pair of semi-detached dwellings in the garden of The School House, The British. The application site is within the settlement boundary of Engine Common.
- 1.2 It is noted this application does not follow any pre-application planning advice.
- 1.3 It is further noted that this application follows the recent approval of a detached dwelling also within the garden of The School House (P20/20651/F) and an approval for alterations to the main house (P20/10847/F). Details can be found within the planning history section below.
- 1.4 Plans submitted with the application show the alterations having already taken place to the main dwelling. This is incorrect. Furthermore, the approval of the alterations to the main dwelling were only deemed acceptable following revisions to the parking and on-site turning arrangement. This is due to the narrowness of The British and concerns consistently expressed by Transportation Engineers in the assessment of development in this immediate area. This will be discussed in more detail below. Plans submitted with this application fail to reflect the revised parking for the main dwelling and would therefore compromise and conflict with the approved alterations (P20/10847/F).

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS18	Affordable Housing
CS30	Yate and Chipping Sodbury

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP18	Statutory Wildlife Protection
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

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

South Gloucestershire Design Checklist (Adopted) 2007)

South Gloucestershire SPD: Residential Parking Standards (Adopted) 2013

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

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

3. RELEVANT PLANNING HISTORY

- 3.1 P20/20651/F Demolition of existing outbuildings. Erection of 1 no. dwelling with access, parking and associated works (amendment to previously approved scheme PK16/1490/F).
Approved with conditions 24.12.20
- 3.2 P20/10847/F Demolition of existing conservatory, single storey side/front extension and rear lean-to extension. Erection of single storey side/front extension and two storey side and rear extension to provide additional living accommodation. Installation of first floor dormer window to front elevation, 4 no. solar roof panel blocks and 2 no. sections of 2 metre high fencing.
Approved with conditions 21.7.20
- 3.3 P20/11417/CLP Erection of 2 no. polytunnels.
Approved 18.8.20
- 3.4 P19/17631/TRE Works to trees as per proposed schedule of works received by the Council on 26th November 2019, covered by Tree Preservation Order SGTPO 10/09 dated 9th September 2009.
Approved 17.1.20
- 3.5 PK16/1490/F Erection of 1no. detached dwelling with access and associated works.
Approved 25.11.16

Committee overturn of refusal reason:

The British is a narrow, single track, road mainly without passing places and is unsuitable for two-way traffic. The junction of The British and North Road is substandard as it lacks sufficient visibility; there is also insufficient visibility at the location of the proposed access to the development. The British is used as

a route for school pupils between the main school building and the playing field; there is no dedicated pedestrian footway. The proposed development would lead to the intensified use of The British and the road is not considered to be adequate to safely accommodate the additional traffic when considered cumulatively with the other uses of The British, particularly with regard to more vulnerable road users. The development would lead to the increased potential for conflict between road users and lead to undesirable vehicular movements along the stretch of The British between the blind bend and the junction with North Road. The development would lead to a harmful impact to highway safety and this harm has been identified as being severe. The proposed development is therefore contrary to the National Planning Policy Framework and policy CS1 and CS8 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 and Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies).

Reason for overturn given by Committee:

The British is a small residential cul-de-sac and residents are accustomed to the highway issues on the road and at the junction with North Road

The development would enable the applicants, who require a bungalow for health reasons, to stay in the cul-de-sac

The visibility splay at the junction with North Road cannot be improved

No objection has been received from North Road Primary School

Concerns over visibility can be overcome

Could provision be made for visitor parking within the site?

The development will contribute to the Council's 5 year land supply

Site to the south:

- | | | |
|-----|-------------|--|
| 3.6 | PK17/2400/F | Partial demolition and alterations to existing shop to facilitate erection of 2no.dormer bungalows with access, parking and associated works.
Approved 5.10.17 |
| 3.7 | PK16/6886/F | Demolition of existing buildings and erection of 2no detached dwellings and associated works. (re-submission of PK16/2429/F).
Refused 28.4.17
4 reasons: access; parking; amenity and design |

4. **CONSULTATION RESPONSES**

4.1 Iron Acton Parish Council

Objection:

Iron Acton Parish Council objects to the proposal.

These dwellings if constructed can only be accessed via the narrow lane no through lane, The British. This lane is only sufficiently wide for one car or light truck at a time. There is no footway/pavement to protect pedestrians. Despite the developer's offer to provide space for a part of a footpath there is no room to construct a footpath along the narrowest part of the lane near the junction with North Road.

The access from North Road has no visibility splay. Vehicles emerging into North Road must encroach onto the North Road pedestrian pavement to gain vision up North Road. Vehicles cannot emerge and leave at the same time due to the narrowness of the lane entrance. The British has no passing places anywhere near the junction. It is mentioned in the application design statement that normal refuse/recycling lorries are too big for access and special vehicles have to be used.

The British is used as the only available route for children walking from North Road Community Primary School to the school's sports field.

Bearing in mind the narrowness of The British, Iron Acton Parish Council believes the danger to Primary School Children and other pedestrians can only be increased by additional development on that lane. IAPC is also concerned about the danger caused by the sub-standard junction with North Road.

South Gloucestershire Council has previously permitted some development on The British, but there has be a limit where a line must be drawn. Every time an application is made, the argument is made that it will cause only a small percentage increase in vehicle movements. All the small increases are cumulative over time. This development along with relatively recent additions will cumulatively have raised the number of dwellings by around 50%.

Iron Acton Parish Council would like to associate with the South Glos.Transport Officer's (Ali Khayatian) Consultee Comment regarding the sub-standard road and its junction, plus the lack of sufficient manoeuvring space provided within the submitted plan.

Should South Glos. Council be minded to permit this development it should be conditional upon appropriate precautions to avoid danger to primary school children and staff and to mitigate disruption to the school during construction.

Internal Consultees

- 4.2 Ecologist
Supplementary information required to confirm habitats impacted, mitigation and appropriate enhancement.
- 4.3 Tree Officer
No objection subject to a condition for tree planting.
- 4.4 Highway Structures
No objection.

Statutory / External Consultees

- 4.5 Sustainable Transport
Objection -
The constrained width of the access lane ('The British') at its junction with North Road makes this access unsuitable to serve further development traffic hence, the application is recommended **REFUSAL** for the following highway reasons.

- The incremental increase of development and the resulting vehicular traffic using a substandard access road (The British) by reasons of restricted width for two-way vehicular traffic and lack of footway facility at its junction with North Road will result in additional conflict between vehicles and pedestrians to the detriment of road safety. The proposal will be contrary to the SG Council policy PSP11.

- the scheme if implemented as proposed, would go against the previously approved scheme in relation to off the street parking and turning area in association with the School House application P20/10847/F.

4.6 Flood Risk Management Team
No objection subject to conditions

Other Representations

4.7 Local Residents

One letter of **objection** has been received from a local resident. The points raised are summarised as:

Impact on school:

- Entrance in The British is used for school for drop off and pick up
- The children use the school field at the end of this part of The British most days for both lessons and play. Everyone has a right to expect the children would be safe getting there and back
- Additional traffic whilst construction work is going on will cause more disruption with large lorries and workmen parking wherever they want. No one from the Council will be there to stop them
- There are at least 2 other developments in for the North Road area – how many more can the area take?

4.8 North Road Community Primary School

A letter of **objection** has been received from the school governing body. The points raised are summarised as follows:

- Disruption from dust, noise and vibration will have a direct impact on daily usage of outdoor learning classrooms
- Access for heavy plant and delivery lorries lies directly parallel to an area where youngest children learn and play outdoors – impact on health and well-being of pupils
- Use of all outdoor spaces are vital now and will continue to be over the coming months and years. To access the grassed field the children walk in single file down the right hand side of the lane, following the Countryside Code. Increase in works traffic will raise significant concerns around pupil safety whilst entering and leaving the school field. In addition the noise associated with the work will affect the tranquillity of this space which is used for our physical and emotional well-being curriculum.
- Daily impact of more dwellings would mean increased volume of idling cars waiting to exit The British onto North Road. This is directly next to the EYFS (early years foundation stage) outdoor learning areas and will have significant health and safety implications for our youngest pupils

- Need for vehicles to reverse from the driveways and from School House itself also raises concerns around the clear visibility of pupils walking along The British
- North Road is already a busy road and additional traffic calming measures are planned to reduce the speed along the road directly outside the school. More cars entering and leaving The British will further add to the traffic concerns raised by the wider school community.

5. **ANALYSIS OF PROPOSAL**

- 5.1 The application is for the erection of a pair of semi-detached dwellings in the garden of The School House, The British. It is noted that no pre-application planning advice has been sought prior to the submission of this application.
- 5.2 **Principle of Development**
Policy CS5 of the Core Strategy outlines the locations at which development is considered appropriate. CS5 dictates that most new development in South Gloucestershire will take place within the communities of the north and east fringes of the Bristol urban area, and within defined settlement boundaries. The application site is located within the area defined as Engine Common. As such, based solely on the location of the site within the context of the Council's locational strategy for development, the proposed development is acceptable in principle.
- 5.3 It is acknowledged that the provision of two new dwellings towards housing supply would have a modest socio-economic benefit. However, the impacts of the development proposal must be further assessed against relevant policy in order to identify any potential harm and to reach a balanced decision. For this type of development at this location, the additional areas of assessment include; impacts on visual amenity and the character of the area, impacts on residential amenity, and impacts on the surrounding transport network. Furthermore, the Council is able to demonstrate a five year land supply of housing.
- 5.4 Policy CS1 of the Core Strategy seeks 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. Policy CS1 is fully compliant with design guidance in the NPPF.
- 5.5 Policy PSP1 of the Policies, Sites and Places Plan requires development proposals to demonstrate an understanding of the character of an area. Development proposals should make a positive contribution to the distinctiveness of a locality and innovative architectural responses to design issues are encouraged.
- 5.6 PSP38 is supportive of new residential dwellings within existing residential curtilages, but subject to an assessment of design, landscaping, amenity, highway safety and parking issues, as well as any other material planning considerations.

- 5.7 Officers are concerned this proposal fails to respect the character of the area. In addition the proposal would have adverse impacts on highway issues for this narrow lane. Furthermore, the proposal has failed to acknowledge that part of the front garden for one of the semis has been included in approved plans for alterations to the main dwelling. These matters are discussed in more detail below.
- 5.8 Plans:
It is noted that the submitted plans show an extended main house. This is incorrect. Permission has been granted for alterations to the main house but work has not yet begun. It must be noted that the main house is as shown in photographs included with the submission. The proposed changes in for example, materials are acknowledged but from experience often schemes are not progressed as granted and changes occur. It is therefore necessary to assess the site within its existing context.
- 5.9 The approval for the alterations to the main house was granted subject to conditions which included all plans. Revised plans sought during the course of that application, show a parking and turning area which made the scheme acceptable and on that basis it was approved. However, submitted plans with this current scheme show a large garage would be removed but more importantly, the parking/turning area to serve the main house would be subsumed within the front garden area of the closest proposed semi-detached property. This would render the scheme for alterations to the main house unacceptable due to adverse impact on the highway but without it the proposed semi would have insufficient parking area provision. This is discussed in more detail below.
- 5.10 Design and Visual Amenity
In recent months and following on from the report written by the *Building Better, Building Beautiful Commission (2020)* the government has indicated its commitment to promoting high quality design for new build homes and neighbourhoods. The report proposes three aims: *Ask for beauty; Refuse ugliness and Promote stewardship.*
- 5.11 The recent government white paper has just three areas or pillars, for discussion, the second of which is entitled Pillar 2: planning for beautiful and sustainable places. This demonstrates the importance the government is placing on this focus area of planning with the emphasis on enhancing and caring for our environments, long-term investment in such topic areas as beauty, sustainability, bio-diversity, landscape, history and community so as to pass these qualities onto generations to come.
- 5.12 The over-arching banner of design is therefore, very much at the forefront of planning. It is clear that substandard design or poor site planning should not be supported. It is acknowledged that development should make the best use of land as a limited resource but that aim should not be to the detriment of character or site planning/appearance of the existing site and its environs.
- 5.13 *Application site:*

The application site sits at the start of The British on the north side, following on from the rear of the school and extending east for around 50 metres until the lane dog-legs to the north. The site is made up of a detached property, School House, and its open garden, emphasised now by the removal of a hedge which until recently enclosed it to the south and east sides, and which contributes to the airy feel of the road. It is noted that the applicant has recently gained planning permission for a detached dwelling to the end of the garden at the point furthest away from the main house and also a large extension to the main house. The application being considered here would be for a pair of semi-detached properties in between the main house and the approved new dwelling.

5.14 *Character of the area:*

The British is a side road off a main highway, North Road, the entrance into which is flanked to the north by North Road Community Primary School and to the south by a dwellinghouse (formerly the Post Office now shut). The British is a single track cul-de-sac initially running west to east for around 70 metres whereupon it turns sharply to the north running straight for around a further 130 metres to its end. Typically the carriageway is around 2.8 metres wide past this dog-leg but achieving less in other places.

Scale and Massing:

- 5.15 The British has a definite rural, countryside quality made all the more so by the open expanse of the application site which currently sets the tone for this unique area. Hedgerows form a large part of this characterisation. Undeniably until very recently the application site was bound by a lush and mature hedgerow as can be seen in some of the submitted details. Progressing along the lane, the built form is characterised by individual properties with the majority set in large gardens. Indeed the submitted information included within the application indicates this to be the case. Detached properties of various styles are a strong feature here. As such the gaps and spaces around and between these existing properties is a distinct and noticeable feature contributing to an open and airy feel.
- 5.16 Even the two recent additions to the street scene, approved under PK17/2400/F have large gaps between themselves and also their host property, the former Post Office. In this way they very clearly acknowledge and respect the pattern of development within The British and openness remains a strong feature of the area.
- 5.17 Recent appeal decisions made by Planning Inspectors demonstrate how closer spacing of houses can significantly increase the built-up nature of an area, thereby reducing the feeling of spaciousness and eroding the open, rural character of an area to a harmful degree (Ref: 400-027-558, Holly Cottage and Collingwood, Cheshire). In the case of Melbury House, Somerton (Ref 400-027-564) the Inspector found the introduction of a more cramped, urban form of development harmed the spacious rural character and conflicted with the more individually designed houses nearby.
- 5.18 Despite approval for a dwellinghouse at the end of the garden, this openness would be somewhat retained and still experienced and would not have an

adverse impact on the overall character of this rural looking lane. However, the introduction of further built form, squeezed into the garden area would severely alter the situation, significantly reducing the openness and charm of The British. Weight is given against the proposal due to its adverse impact on the character of the lane.

Style of built form:

- 5.19 The proposal is for a pair of semi-detached dwellings. This type of built form is out of character with the lane which is made up of detached dwellings of various styles and materials. Weight is given against the scheme for this reason.

Amount of built form:

- 5.20 The best use of land is one of the aspirations of planning but this cannot be at the expense of an adverse impact on character. It is acknowledged that this area is included within the boundary of Engine Common, very close to the settlement boundary of the town of Yate, separated only by a main road. However, there are marked differences between the heavily urbanised town of Yate and the more rural settlement of Engine Common. Development along the main road in Engine Common is linear in pattern with gaps in between the houses. The introduction of more development along The British in this very open and highly visible spot fails to respect the semi-rural nature of this location. The introduction of a single dwellinghouse at the end of the garden has been approved, the introduction of a further pair of semi-detached properties would represent over-crowding of this site and would be inappropriate to the detriment of character and visual amenity. Weight is given against the scheme for this reason.

Overall Design of built form

- 5.21 The proposal is for a pair of semi-detached dwellings. The dwellings would have dormer windows to the front and rear. Dormer windows are not a feature that is readily observed in the nearby vicinity of the application site. Neither the host property nor the existing houses to the south have such a feature. It may be argued that the approved new dwelling would be of a similar style but that is a separate scheme that was assessed under its own rights. From experience it is observed that schemes can be subject to change or not even built-out, therefore, each application deserves to be assessed on its own merits as it is presented. It is clear that in design terms the proposal makes no reference to any existing built form and as such fails to respond to the existing character of the lane. Weight is given against the scheme for this reason.
- 5.22 From the submitted plans, it is noted that the proposed semi closest to the main house would only be around 4.7 metres away with what appears to be a 1 metre access path to the side of the new semi. But of course these plans show the proposed situation should the approved work to the main house go ahead. Plans also show the gap between the proposed new single dwelling and the eastern semi at around 2.5 metres divided into a 1 metre wide path for access to the rear garden of the semi and a 1.5 metre wide path for access to the rear of the detached dwellinghouse. The gap between all the built forms would therefore be small and overall the proposal would be a cramped development out of keeping with the pattern of development in this distinctive locality. Again

- this is illustrative of the lack of high quality site planning expected of new development. Weight is given against the scheme for this reason.
- 5.23 Precise details of the boundary treatments are lacking but the overall height and material used could again form a barrier to openness and impact adversely on the open nature of the area.
- 5.24 The scheme proposes a large area of hard-standing to the front of each property. This is a huge contrast to the existing situation, at odds with the overall character of the area. The area of hardstanding to the south serving that development cannot be used as an argument to support this current scheme. This is because its inclusion ensured a passing space for traffic along The British as well as serving as parking and turning areas for the two bungalows and in that way formed a fundamental and pivotal part of the assessment balance and subsequent approval of that scheme,. Even if this feature is regarded as not representing high quality urban planning, existing poor development does not justify the introduction of further poor development. The highest standard of planning is expected both nationally and locally.
- 5.25 It is useful to refer to relevant appeal cases. In the appeal case for Ryders By in Dunstable (Ref: 400-027-396) the Inspector found the preponderance of vehicle parking at odds with the character of the area and in the case of 1 Gadbridge Villas, Ewhurst (Ref: 400-027-242) the Inspector decided the new hard surfaced frontage parking area would dominate the area.
- 5.26 In this application, the expanse of parking areas would also dominate the frontage of both these proposed houses and the street scene in general, especially if the parking for the approved detached house is included in this visual appraisal. The area would be viewed as a sea of hardstanding that fails to respect the character of the area and represents poor site planning. Weight is given against the scheme for this reason.
- 5.27 Plans show some planting in between the parking areas for the semis. This measures between 0.5 and 0.87 metres wide. One metre breaks for planting at an absolute minimum are encouraged in urban areas but here in this more rural location a larger and supplementary robust planting scheme would be required. Given the very small space in terms of depth and width the planting area would be of such a poor quality it is difficult to see how any planting could establish itself to form a meaningful contribution to the street scene. This is an indication of poor site planning and weight is given against the proposal for this reason.
- 5.28 It is acknowledged that the houses along The British exhibit a variety of styles, design and materials. However, these are either viewed within their existing large plots or are historic individual cottages, again separate and unique in their own right. Development in this garden (which in time would include the approved single dwelling), would be viewed collectively and due to their squashed-in nature would appear incongruous to and not in-keeping with the existing street scene. Notwithstanding that the new dwellings would be constructed of good quality elements, the palette of materials fails to allude to the existing street scene and would appear tacked-onto the end of the garden

without reference to its surroundings. Again this points to poor site planning and for this reason weight is given against the proposal.

5.29 Residential amenity:

Plans indicate the proposed semi-detached dwellings would each have 3 bedrooms. Adopted planning policy PSP43 indicates that as a minimum new development of this size should have 60 square metres of usable and functional amenity space. Footpaths and parking areas are not counted towards such space. Minimum levels are more appropriate in urban settings. Plans indicate that gardens for the new dwellings would achieve this level. It is however, noted that the amenity space would be directly to the north of the properties. It would experience some early morning sun and some evening sun mostly in the height of summer only. Good practice encourages new dwellings to have at least 2 hours of spring sunshine. Given the squashed in nature of the development it is queried whether the scheme provides the best orientation to maximise sunlight which is encouraged under adopted policy PSP43 or if this simply cannot be achieved due to the extent of development.

5.30 Assessing the site at it stands, there would be a degree of overlooking of the garden of the semi closest to the main dwelling from this existing property, but the degree of overlooking would not be sufficient to raise concerns over privacy for any future occupants.

5.31 Notwithstanding that the amount of residential amenity space would comply with policy, this in itself would be insufficient to overcome the above reasons of poor site planning and trying to shoe-horn in far too much development on this particular site.

5.32 Sustainable Transport:

It is useful to examine the back history to the approvals of planning applications in the vicinity or on the site itself. A detached single storey dwelling within the garden of School House was originally approved under PK16/1490/F, an overturn by Committee against Officer recommendation. Minutes of the meeting reveal the Committee was swayed by the argument the house would be for a family member and on this basis over-ruled the recommendations made by the case officer and transport engineer. Some time afterwards, the main house was sold on the open market with planning permission for the new dwelling in the garden.

5.33 With regards to recently approved alterations to the main dwelling to increase it from a 2 bed to a 4 bed property, Transport Engineers expressed concerns regarding the originally proposed 3 tandem parking spaces. The overall scheme was only made acceptable by the introduction of a parking and turning area to serve the extended property thereby allowing vehicles to enter and leave in forward gear.

5.34 Examining the approval of two new small dwellings in the garden of the Post Office to the south of the site, these were only approved on the basis of them providing a passing area to be used by all traffic along The British as well as providing a parking/turning area for the new houses.

- 5.35 Without these amendments to proposed plans none of the above cited schemes would have been acceptable in transportation terms. On each occasion the Transport Engineer had expressed objections or recommended resisting the development due to the small, rural nature of the lane and/or the impact on highway safety from additional traffic emerging or entering from North Road.
- 5.36 The approval of the proposed new detached dwelling is accepted but the increase in traffic movements that a further 2 new dwellings would have from this particular location is of great concern. This is discussed in more detail below.
- 5.37 *Access:*
Viewing historic maps it may be surmised that the lane called The British could have been used for access purposes to fields or orchards behind buildings on North Road and to a few small buildings along the lane which perhaps began as farm outbuildings. Development has progressed, yet given the single track nature of The British and the lay of the land, increasing the width of the track along its entire length is not possible. It is therefore fundamentally important that it can cope with the additional volume of traffic that would be experienced from the introduction of yet another two dwellings here. Given that these two dwellings would be in between the main house and the newly approved dwelling, there is no reason to assume that construction of the single dwelling would not proceed. Consequently, there is likely to be an increase in traffic from 3 new dwellings.
- 5.38 The site is proposed to be accessed from The British – this is a narrow single lane serving the school playing field and some 11 other properties. Specific to the road width, the lane measures approximately 3m wide at its junction with North Road. At 3m wide, this is enough only for one vehicle to use at a time with no separate footway present at this location.
- 5.39 The visibility at the junction of The British and North Road is 2.4m x over 60m for vehicle to vehicle. The visibility between vehicles and pedestrians has recently been improved slightly by widening the footway on North Road and cutting off the corner of the building on the south side (the former Post Office), however it is still restricted because of the school fence, telegraph pole and the corner of the building on the south side.
- 5.40 For the most part there are informal passing places along The British, save for the two small areas created under planning application PK17/2400/F which have been included as part of the adopted highway.
- 5.41 The current scheme is seeking permission for two new (3-bed dwellings) to be served off The British. It is anticipated that traffic associated with this new development would be in order of 10 or 12 movements each day (i.e. 5 or 6 movements per each house). Whilst this may not be considered numerically large, it is considered that the impact of the new development on The British would not be insignificant in the context of the existing constraints. It therefore raises strong concerns.

- 5.42 It is noted that applicant is offering to provide a 1.2m wide footway along the application site frontage. Whilst this may assist pedestrians to take shelter from oncoming traffic, it does not address the pedestrian safety issues at the junction between The British and North Road. Officers remain concerned about the inadequate width of the access lane for two-way traffic movements as well as the lack of footway facility at the junction where there would be an increase of vehicular movements resulting from the new development. Construction, service and delivery vehicles would all have difficulty accessing The British. There is evidence of vehicle strikes on the corner of the building on the south side of the junction.
- 5.43 Overall, the assessment considers the access lane, The British, to be a substandard road, when compared to the current highway design standards.
- 5.44 *Parking:*
Plans show that each of the dwellings would have 3 parking spaces to the front. The parking for the adjacent approved dwelling would also be to the front, again 3 parking spaces have been shown on plans. The proposed pair of semi-detached dwellings would be 3 bed properties. Adopted policy indicates that dwellings of such a size required 2 off-street parking spaces. It is acknowledged that in terms of number and size of parking spaces, the proposal meets policy. Given the narrowness of the lane, simply meeting a number is not sufficient and the proposal requires additional examination.
- 5.45 In the first instance the gap between the parking spaces and the wall of the houses opposite would be very tight likely necessitating a high number of manoeuvres. This fails to represent high standards of design. Secondly, the 3 parking spaces would be required given that visitors, delivery vehicles or emergency vehicles would have nowhere else to park and if they stopped in the lane would cause an obstruction. This would have an impact on highway safety and could not be supported.
- 5.46 It is acknowledged that the number of parking spaces to the front could be reduced to two thereby allowing vehicles more room in which to perform manoeuvres. Such a change could off-set the first point made above but would not negate the need for provision for visitors, delivery vehicles and emergency vehicles. No vehicle tracking / auto track details have been provided to demonstrate appropriate accessibility or without having to encroach on third party land opposite.
- 5.47 Given the above and whilst recognising that parking can be achieved on site, the proposal would have an adverse impact on highway safety and for this reason cannot be supported.
- 5.48 Impact on the neighbouring school:
The North Road Community Primary School is adjacent to the application site. The access into the school (used by students, parents and others) is via a large double gateway directly off The British. The gateway is around 10 metres from the entrance into the lane off North Road. A second pedestrian gate is noted to the east which would open directly onto land belonging to the application site. Historically when the school itself and the School House were linked by

- ownership and use this single gate may have been used by the school/pupils but it has been confirmed by the school that this gateway is not used by them at the present time.
- 5.49 It is understood that pupils use the school playing field on a regular basis. This field is at the end of The British before it dog-legs to the north. Staff and pupils exit the main gateway and walk to and from the playing field along the southern side of The British. Although the applicant has indicated a footpath will be made available alongside the application site, this would be within the applicant's control rather than part of the adopted highway. This presents some issues. Should a vehicle block the footpath users would need to step out onto the road. Or if a future owner were to rescind any part of its use as a footpath, it could not be used at all. In either situation, given it would be in private ownership, there could be no redress or control.
- 5.50 It is not unreasonable to assume that the cumulative increase in the number of dwellings in this part of The British could lead to potential conflict between road users and pedestrians, particularly with regard to the more vulnerable user. Some weight is given against the proposal for this reason.
- 5.51 It is acknowledged that the road is likely to experience some disruption associated with the construction of 3 new houses here. This could be controlled by a condition limiting, for example, the hours of operation and delivery. However, there is some merit in the assumption that there would be dust, noise and disruption that could affect the use of the school playing field given the short distances between these areas.
- 5.52 Impact on Equalities
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society. As a result of that Act the public sector Equality Duty came into force. Among other things, the Equality Duty requires that public bodies to have due regard to the need to: eliminate discrimination; advance equality of opportunity; and, foster good relations between different groups when carrying out their activities.
- 5.53 Under the Equality Duty, public organisations must consider how they could positively contribute to the advancement of equality and good relations. This should be reflected in the policies of that organisation and the services it delivers.
- 5.54 The local planning authority is statutorily required to apply the Equality Duty to its decision taking. With regards to the Duty, the development contained within this planning application is considered to have neutral impact.
- 5.55 Other matters:
Comments from the Ecologist asking for some confirmatory information and comments from the highway officer mentioning a lack of auto-track details are noted. However, given the fundamental concerns and objections to the proposal these details have not been requested of the applicant.
- 5.56 Planning balance:

The application site is within the settlement boundary of Engine Common where spatial policy encourages development. A very small amount of weight is given in favour of the scheme for this reason. However, each application is assessed on its own merits and must satisfy all elements of adopted policy in the round rather than individually. The assessment is made as a whole under the entire suite of development plan policies.

- 5.57 The application site occupies a unique setting in what is regarded as a semi-rural location. The above assessment has found that the scheme is unacceptable, fails to respond to and would have detrimental impacts on the character of the immediate area. It therefore fails to attain the highest level of site planning as expected under both national and local planning policy. As such it has the potential for knock-on negative implications for residential amenity. Furthermore, the assessment has shown that the scheme would have a harmful effect on highway safety. For these reasons the scheme fails to represent the highest form of site planning and cannot be supported.

6. **CONCLUSION**

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

7. **RECOMMENDATION**

- 7.1 It is recommended that the application be **REFUSED**.

1. By virtue of the amount of development on the site, its scale and massing, the proposal is considered to represent a cramped form of development and one that fails to respond to or respect the character of The British. The scheme also does not adequately reflect the existing street scene in terms of appearance and would be at odds with the current built form to the detriment of visual amenity. In addition the vast expanse of hardstanding to the front has very limited opportunities for successful planting and again would dominate and be at odds with the character of the area. The type and amount of development proposed has knock-on adverse impacts for residential amenity, on-site parking and highway safety. As such the scheme fails to represent the highest standard of site planning and is thereby contrary to adopted planning policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013 and Policy PSP1, PSP8 and PSP43 of the South Gloucestershire Policies Sites and Places Plan (Adopted) 2017 and the NPPF in general.
2. The incremental increase of development and the resulting vehicular traffic using a substandard access road The British by reasons of restricted width for two-way

vehicular traffic and lack of footway facility at its junction with North Road will result in additional conflict between vehicles and pedestrians to the detriment of road safety.

In addition, the scheme if implemented as proposed, would go against the previously approved scheme (application P20/10847/F) in relation to off the street parking and turning area in association with the School House.

The proposal would be contrary to Policies PSP11 and PSP 16 of the South Gloucestershire Policies Sites and Places Plan (Adopted) 2017.

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

POSITIVE AND PROACTIVE STATEMENT:

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

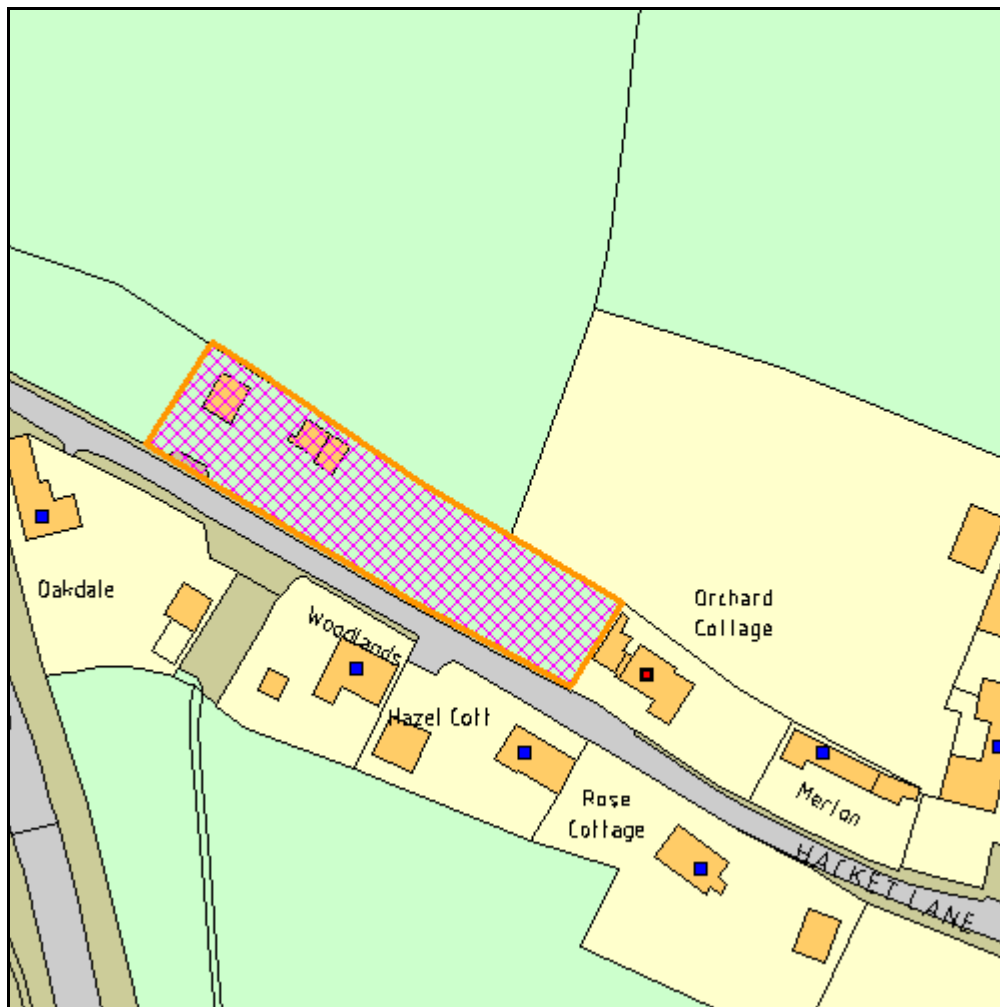
The proposal fails to represent the highest standard of site planning and cannot be supported. The application has been determined within the set timeframe.

Case Officer: Anne Joseph

Authorising Officer: David Stockdale

CIRCULATED SCHEDULE NO. 03/21 - 22nd January 2021

App No.:	PT18/3569/F	Applicant:	Mrs M Lanfear
Site:	The Orchard Hacket Lane Thornbury Bristol South Gloucestershire BS35 3TZ	Date Reg:	13th August 2018
Proposal:	Erection of 1 no. dwelling with new access and associated works.	Parish:	Thornbury Town Council
Map Ref:	365226 190215	Ward:	Thornbury
Application Category:	Minor	Target Date:	5th October 2018



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 100023410, 2008. N.T.S. PT18/3569/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 has been referred to the Circulated Schedule due to the receipt of objection from Thornbury Town Council.

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the erection of 1no. detached bungalow with associated works at The Orchard, Hacket Lane, Thornbury.
- 1.2 The site relates to a parcel of land and a detached garage situating outside the settlement boundary of Thornbury in the open countryside, within the setting of a Grade II listed building Woodbine Farmhouse. The site is also located within Flood Zone 3. During the course of the application, the applicant submitted additional information including the modelling works to address the concerns, which were raised by Environment Agency. As such, this application can be determined on this basis.

2. POLICY CONTEXT

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

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

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

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP8	Residential Amenity
PSP16	Parking Standards
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Space Standards

- 2.3 Supplementary Planning Guidance
 South Gloucestershire Design Checklist (Adopted) August 2007
 Residential Parking Standard SPD (Adopted) December 2013
 Waste Collection SPD (Adopted) January 2015

3. RELEVANT PLANNING HISTORY

The site has been subject to a number of planning applications in the past, the following applications are the most relevant to the determination of this application. .

- 3.1 PT11/3590/O Erection of 1 no. four bedroom dwelling with an integral disabled person self-contained living apartment (Outline). All matters reserved. Withdrawn 9.1.2012
- 3.2 PT11/1881/O Erection of replacement storage building (outline) all matters reserved. Refused 08.08.2011 and subsequently dismissed at the appeal. The Inspector considered that the proposal would cause harm to the character and appearance of the area.
- 3.3 P89/2000 - Erection of detached bungalow (outline). Refused 13.07.1989. Appeal dismissed.
- 3.4 P88/2746 - Erection of bungalow (outline). Withdrawn 10.10.1988.
- 3.5 P88/1265 – Erection of storage building of approximately 90sq.m in floor area (outline). Approved 20.04.1988.
- 3.6 P84/1185 - Use of land for the storage of a caravan together with the erection of a garage and store and the formation of vehicular and pedestrian access. Approved 21.03.1984.
- 3.7 N5823/4 – Re-siting of single garage/implement store. Approved 30.09.1982.
- 3.8 N5823/3 - Erection of garage/implement store. Alterations to existing vehicular access (in accordance with the amended plans received by the Local Planning Authority on 26th May 1982). Approved 17.06.1982.
- 3.9 N5823/2 - Use of land for the stationing of residential caravan. Refusal 11.06.1981.
- 3.10 N5823/1 - Erection of detached bungalow and garage. Alteration of existing vehicular and pedestrian access. (Outline). Refused 05.03.1981.
- 3.11 N5823 - Erection of detached bungalow and garage. Alteration of existing vehicular and pedestrian access. (Outline). Refused 13.09.1979. Appeal dismissed.
- 3.12 N5517 - Erection of detached dwelling and garage; construction of a vehicular access. Refusal 17.05.1979.

4. **CONSULTATION RESPONSES**

4.1 Thornbury Town Council – object – This is a new dwelling that is outside the settlement boundary.

Environment Agency – no objection subject to conditions

Highway Structure – no comment

Listed Building and Conservation Officer –The proposal would not result in any harm to the significance of the Grade II listed Woodbine Farmhouse.

Sustainable Transport – no objection to the location and parking and turning provision, but query the existing parking provision of Oakdale

Archaeology Officer – no comment

Arboriculture Officer – no objection, subject to condition.

Drainage Engineer – advised the modelling to be approved by Environment Agency

Ecology Officer – no objection subject to conditions.

Other Representations

4.5 Local Residents

Four letters of objection have been received and the comments are summarised as follows (full comments are available in the Council's website)

- Cause issues for cars and pedestrians accessing the lane
- There will be regular obstructions to the traffic due to the delivery vehicles and contractors vehicles
- may present a danger to walkers using the lane for recreational walking and those travelling into town for work or schools.
- concerned about any hazards to other road users such as debris being left on the lane during clearance of the site, delivery of materials and obstructions on the road.
- The point of access is positioned close to the junction of Morton Way and Hacket Lane which is already a bottleneck with room for only one vehicle to pass at a time in much of the Lane. This bungalow would generate additional traffic which would add to the problem.
- Concerns vehicles enter the site going forwards but exit blind going backwards into the Lane?
- Who would ensure that vehicles enter and leave going forwards?
- Overlooking
- Loss of existing hedges
- The footprint of the new dwelling is considerably larger than neighbouring properties
- Wonder if the property is in keeping with other properties already present.

- Cannot agree that the new building will fit into the rural surroundings of the Hacket.
- The bungalow is unimaginatively designed, it would be wholly inappropriate in the Hacket where the majority of houses are well over 100 years old.
- out of character and sympathy with the rural nature of the area
- Fears were expressed that this could open the gates to further applications for building along the Lane.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

- (1) rural housing exception initiatives
- (2) rural workers dwellings
- (3) the replacement of a single existing dwelling, where it is of a similar size and scale to the existing dwelling, within the same curtilage, and of design in keeping with the locality, and minimises visual intrusion in the countryside
- (4) the conversion and re-use of existing buildings for residential purpose

Given the nature of this proposal, it is considered that the proposed dwelling does not fall within any of these forms of development contained within policy PSP40.

5.2 Location of Development – Relationship with Nearest Defined Settlement

In terms of the relationship with the nearby defined settlement, the site lies opposite the settlement boundary of Thornbury. Whilst it is situated within the open countryside, it is noted that a major residential development was recently granted (subject to S106) on the land to the north of the application site. Given its proximity to the settlement boundary and other residential development, it is considered that the proposal does form one of the few cases, where can be supported.

5.3 Drainage and Flood Risk

The NPPA states that an inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. The aim of the sequential test is to steer new development to areas with the lowest risk of flooding. If it is not possible for development to be located in zones with a lower risk of flooding, the exception test may have to be applied. For the exception test to be passed it should be demonstrated that:

- a) The development would provide wider sustainability benefits to the community that outweigh the flood risk; and
- b) The development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

- 5.4 Environment Agency originally objected the proposal as South Gloucestershire Council's Strategic Flood Risk Assessment Level 2 information shows that the development is located within Fluvial Flood Zone 3b, the functional floodplain, which is land designed to hold, store and contain flood water during times of flood. In order to address the concerns, the applicant submitted comprehensive documents including modelling works, which included sensitively testing and additional works to the downstream boundary. The submitted documents have now confirmed that the site is not in Flood 3b. Environment Agency has also reviewed the submitted details and satisfied with the submitted details. In addition, the submitted document has adequately detailed for a site-specific Flood Risk Assessment, therefore the Agency withdrew its objection subject to a condition securing the finished floor level to be set 300mm above the existing ground levels.
- 5.5 To accord with the NPPF, the flood risk vulnerability and flood zone 'compatibility' nature of the proposal, the scheme would be subject to the sequential test and the exception test. As the entire site is located within the same flood zone, it would not be possible to locate the proposed bungalow within the site to an area with a lower risk of flooding. Having said that, the proposal would make social benefits to the locality due to its provision of additional dwelling in the area; and the economic benefits during the construction and the occupation of this new dwelling. Furthermore, the applicant has submitted adequate details to address the Environment Agency's concerns, and this would satisfy the second part of the Exception Test. Therefore, subject to appropriate conditions securing the finished floor levels and seeking drainage details and flood warning and evacuation plan, it is considered that the proposal would meet the NPPF.
- 5.6 Transportation
This planning application seeks to construct a new dwelling on land adjacent to The Orchard in Hacket Lane. Residents' concerns were noted. This site is located on the edge of the existing Thornbury urban area, therefore it broadly complies with the requirements of Policy PSP11 of the adopted PSPP in terms of juxtaposition to necessary facilities and access by all travel modes. In addition, this single property would unlikely generate more than 7 vehicular trips per day, therefore it would not have a severe impact on the adjoining highway. Furthermore, the proposal would provide adequate parking spaces to meet the Councils minimum domestic car parking requirements, as set out in the Residential Parking Standards SPD adopted in December 2013. The adjoining area of hardstanding would provide a turning space for vehicles; the existing access would also appear to be satisfactory and it would remain unchanged. Therefore there is no objection in this regard. Highway Officer query the existing parking provision for Oakdale as it lies to the opposite side of Hacket Lane. The agent has confirmed that existing garage is not belonged to other neighbouring properties, which has own their own garage or parking spaces, therefore, officers are satisfied that the proposal would not adversely affect the existing parking provision.

- 5.7 Heritage consideration, Design & Visual Amenity
Policy CS1 states that new development will only be permitted where the highest standards of site planning and design are achieved. This policy requires that siting, overall layout, density, form, scale, height, massing, detailing, colour and materials, are informed by, respect and enhance the character, distinctiveness and amenity of both the site and the locality.
- 5.8 Hacket Lane is an informal country lane with a verdant and sinuous character of Hacket Lane and it is contrary with the urban and heavily engineered Morton Way. In light of the contribution, Hacket Lane does make to the character and identity of the locality being what can be considered a traditional country lane which retain the character of the rural setting of the town. Nevertheless, it is considered that such contribution would not be so significant to be considered to be a non-designated heritage asset.
- 5.9 In terms of the impact on the designated heritage asset, the proposed new bungalow would be located approximately 100m to the west of the Grade II Woodbine Farmhouse. Due to this separation distance; the configuration of the lane; existing buildings and planting levels, there would be no significant tandem views of both the proposed bungalow and the farmhouse from views within Hacket Farm in either direction. From the north, any views of the new building would be filtered by the existing levels of planting but the separation distances are sufficient to ensure there would be no direct encroachment into the setting of the listed building and in any tandem views the proposed building would be seen in the existing context which is an historic farmhouse located adjacent to a mixture of later dwellings. Therefore regardless of the contribution the existing setting of Woodbine Farm could be considered to contribute towards its setting and in turn significance, the impact would be very limited, as how the designated heritage is currently experienced would remain largely unchanged.
- 5.10 From the design and visual amenity perspective, the proposed bungalow would have two gables on the front elevation and it would be finished with natural stone with a small section of render under brown roof tiles. Given that the design of the proposed dwelling is very simple and it would be finished with traditional building materials, there is no objection in this regard subject to condition seeks details and samples of external materials.
- 5.11 Residential Amenity
The proposed dwelling would have three bedrooms and an outdoor space would be located to the south east (side) of the proposed dwelling which could be made private that amounts to approximately 72sqm. Therefore the proposal meets the criteria within policy PSP43. In addition, all windows are appropriately located, as such, the amenity of future occupiers would be adversely affected.
- 5.12 Residents' concerns regarding the potential overlooking were noted. However, given that the proposed bungalow would be single storey and no dormer or rooflight is proposed, it is considered that the proposal would not cause an unreasonable impact to be detrimental to the living conditions of the neighbouring properties. Also, there is a reasonable distance between the

proposed bungalow and the neighbouring dwellings, therefore the potential overbearing impact would not be significant. Subject to appropriate conditions to restrict new openings, the development is considered to be acceptable.

5.13 Arboricultural and landscaping consideration

There are a number of existing trees and hedges growing within the site and along the boundary. An arboricultural report was submitted to confirm that the existing trees would be protected. Subject to conditions securing the protection of the existing landscaping features and securing further details of new tree planting and boundary treatment, there is no objection in this regard.

5.14 Ecological consideration

A preliminary ecological appraisal (Abricon, September 2019) was submitted with the application. The proposal will not adversely affect any designated sites. The Council Ecology Officer has reviewed the submitted report, which confirmed that there is a potential bat roost within the garage, however the building is not included in the proposed works, minor alterations to ensure safety of bats is recommended regarding the ceiling. Therefore, subject to conditions, there is no objection in this regard.

5.15 Equalities

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

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That planning permission be granted subject to the following conditions:

CONDITIONS

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

Reason

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

2. The finished floor levels of the proposed development should be set 300mm above existing ground levels as outlined in section 6.3, page 13, of the Flood Risk Assessment (FRA) by Hydrock reference 8354-HYD-XX-XX-RP-D-5001 Issue P1 dated 21/12/2018.

Reason: To reduce the impact of flooding to the proposed development and future occupants and to accord with Policy PSP20 of the South Gloucestershire Local Plan; Policies, Sites and Places Plan (Adopted November 2017), Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013), and the provisions of the National Planning Policy Framework.

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

Reason

To ensure a satisfactory standard of external appearance and to accord with Policy PSP1 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017), Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

4. Prior to the first occupation, a full detailed Flood Warning and Evacuation Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be implemented in at any time.

Reason: To reduce the impact of flooding to the proposed development and future occupants and to accord with Policy PSP20 of the South Gloucestershire Local Plan; Policies, Sites and Places Plan (Adopted November 2017), Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013), and the provisions of the National Planning Policy Framework.

5. The development shall proceed in strict accordance with the Mitigation Measures provided in Chapter 5 and Appendix D of the Preliminary Ecological Appraisal (Abricon, September 2019).

Reason

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

6. Prior to first occupation, evidence of the installation of the ecological enhancement features recommended in the Preliminary Ecological Appraisal (Abricon, September 2019) shall be submitted to the local planning authority for approval in writing. This shall include, but is not limited to, bird boxes, bat boxes, hedgehog house and native planting.

Reason

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

7. A pre-construction check carried out by a suitably experienced ecologist to check for signs of badgers with 48 hours of work commencing.

Reason

This is a pre-commencement condition to ensure the works are carried out in an appropriate manner and in the interests of the wildlife habitats and protected species, and to accord with Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017), Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

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

Reason

This is a pre-commencement condition to ensure that appropriate drainage strategy is designed at the pre-construction stage and a satisfactory means of drainage is provided, and to accord with Policy PSP20 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017), Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

9. The proposed development hereby approved shall be carried out in accordance with the submitted Arboricultural Impact Assessment and Arboricultural Method Statement, Assured Trees Arboricultural Consultancy, dated 18th January 2019.

Reason

In the interests of the long term health of the tree, and to accord with Policy PSP2 and PSP3 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017), and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013), and the provisions of the National Planning Policy Framework.

10. Notwithstanding the submitted plan, Drawing No. LAN/1126/PL/12/20/001/K, prior to the construction of any walls of the proposed dwelling hereby approved, a scheme of proposed planting, times of planting; boundary treatments and areas of hardsurfacing shall be submitted to the Local Planning Authority for approval. For the avoidance of doubt, the proposed new trees shall be of native species and the proposed boundary treatment shall be of permeable fencing for wildlife. Development shall be carried out in accordance with the agreed details prior to the first planting season following the first occupation of the proposed dwelling hereby approved.

Reason

To protect the rural and landscape character of the site, to accord with Policy PSP2 and PSP3 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017), and Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

In the interest of wildlife habitats and protected species, to accord with Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017) and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013).

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

Reason

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

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

Reason

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

13. The proposed development hereby approved shall be carried out in accordance with the following plans:

Site location plan, block plan, Proposed Elevations and Floor Plans, Drawing No. LAN/1126/PL/12/20/001/J, received by the Council on 22 December 2020.

Reason: To safeguard the amenity of the site and locality and to accord with policies of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017) and the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and the provisions of the National Planning Policy Framework.

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

POSITIVE AND PROACTIVE STATEMENT:

In dealing with this planning application the Local Planning Authority have worked with the applicant in a positive and proactive manner on seeking solutions to problems arising in the following ways: The application has been determined to accord with national and local planning policies.

Case Officer: Olivia Tresise

Authorising Officer: David Stockdale

