

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: 47/21

Date to Members: 26/11/2021

Member's Deadline: 02/12/2021 (5.00pm)

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

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

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

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

NOTES FOR COUNCILLORS

– formal arrangements for referral to committee

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

c. All applications for non-material amendments

d. All applications to discharge planning conditions

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

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

Additional guidance for Members

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

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

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

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

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

A template for referral is set out below:

Referral from Circulated Schedule to Development Management Committee

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

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

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

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

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

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

Date:

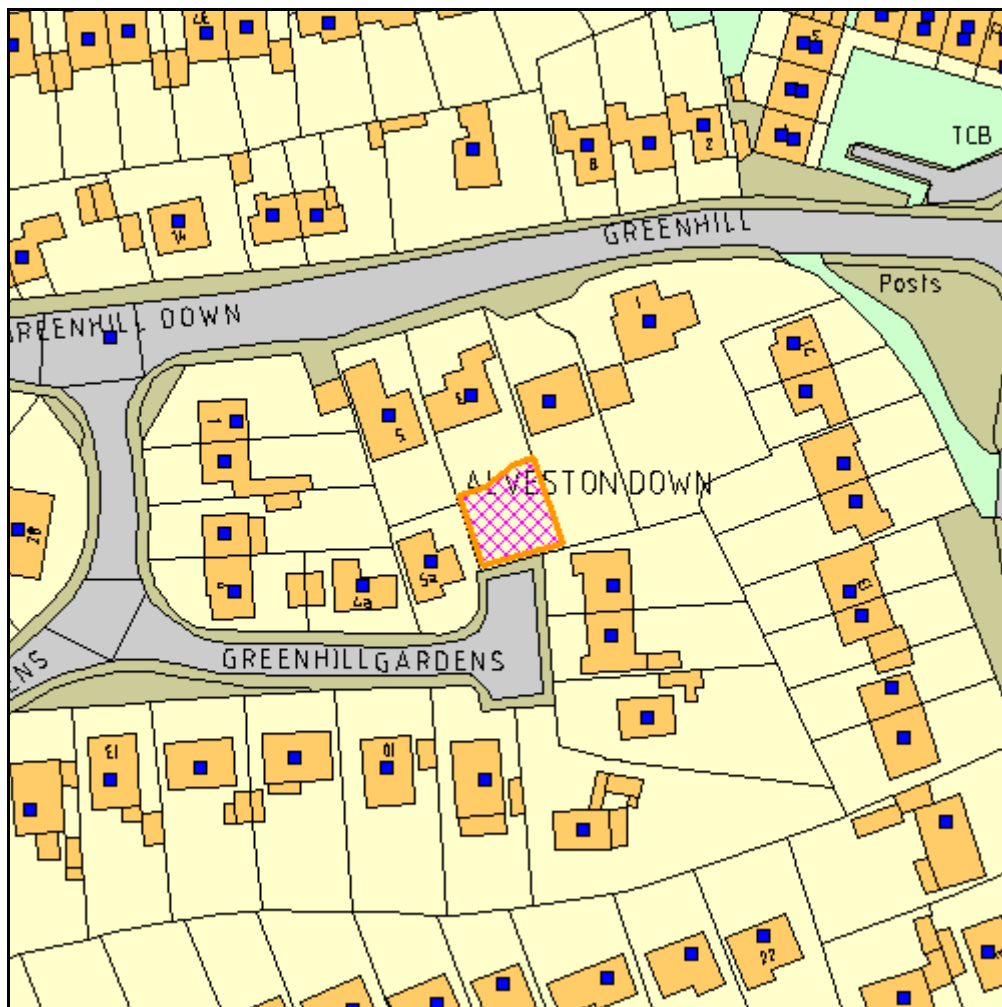
To be emailed to MemberReferral@southglos.gov.uk

CIRCULATED SCHEDULE - 26 November 2021

ITEM NO.	APPLICATION NO.	RECOMMENDATION	LOCATION	WARD	PARISH
1	P20/16244/F	Approve with Conditions	3 Greenhill Down Alveston South Gloucestershire BS35 3PA	Severn Vale	Alveston Parish Council
2	P21/01040/F	Approve with Conditions	Land At Rear 1 Cleeves Court Court Farm Road Longwell Green South Gloucestershire BS30 9AW	Longwell Green	Hanham Abbots Parish Council
3	P21/04587/F	Approve with Conditions	285 New Cheltenham Road Kingswood South Gloucestershire BS15 4RJ	New Cheltenham	
4	P21/06208/F	Approve with Conditions	10 Barn End Marshfield South Gloucestershire SN14 8PE	Boyd Valley	Marshfield Parish Council

CIRCULATED SCHEDULE NO. 47/21 - 26th November 2021

App No.:	P20/16244/F	Applicant:	Mr and Mrs Fox
Site:	3 Greenhill Down Alveston South Gloucestershire BS35 3PA	Date Reg:	15th September 2020
Proposal:	Erection of 1no dwelling with parking and associated works.	Parish:	Alveston Parish Council
Map Ref:	363154 187975	Ward:	Severn Vale
Application Category:	Minor	Target Date:	9th November 2020



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 100023410, 2008. N.T.S. P20/16244/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 APPLICATION APPEARING ON THE CIRCULATED SCHEDULE

This planning application has been referred to the Circulated Schedule due to the receipt of residents' objection, which are contrary to the officers' recommendation.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of 1 no. detached dormer bungalow at the rear garden of No. 3 Greenhill, Down, Alveston.
- 1.2 It is located within an area of the Bristol/Bath Green Belt, and is within the Alveston settlement boundary. A number of mature trees are growing within the site.

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
CS2	Green Infrastructure
CS4a	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS16	Housing Density
CS17	Housing Diversity
CS34	Rural Areas

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

PSP1	Local Distinctiveness
PSP7	Development in the Green Belt
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted 2007)
Residential Parking Standards (Adopted 2013)
Residential Amenity TAN (Endorsed 2016)
Development in the Green Belt SPD (Adopted 2007)

3. RELEVANT PLANNING HISTORY

- 3.1 PT00/0826/F (No. 3) Erection of two storey front extension and front porch. Refused 01-JUN-00
- 3.2 PT00/2457/F (No. 3) Erection of single storey ground floor extension to form porch and first floor dormer extension to form new bedroom. Approved 16-OCT-00
- 3.3 PT02/2937/F (No. 5 and 5a) Erection of two detached dwellings (in accordance with amended plans submitted on 2 December 2002.) Approved 13.01.2003
- 3.4 PT03/3813/F (No. 5a) Erection of detached dwelling on 0.26 hectares of land (re-submission of part of PT02/2937/F). Approved 09-FEB-04
- 3.5 PT04/3667/F (No. 3) Erection of detached garage. Approved 26-JAN-05
- 3.6 PT06/1662/F (No. 3) Erection of single storey rear extension. Approved 03-JUL-06

4. CONSULTATION RESPONSES

- 4.1 Alverston Parish Council
No comments
- 4.2 Highway Officer – no objection, query the parking provision for the existing dwelling.
- 4.3 Drainage Engineer – Query the proposed method of both foul sewage disposal and sustainable drainage system.
- 4.4 Archaeology Officer – no comments
- 4.5 Environmental Protection Team (Contamination) – no objection subject to conditions.
- 4.6 Environmental Protection Team (Noise) – No adverse comments
- 4.7 Highway Structure – no comments
- 4.8 Landscape Officer – no objection
- 4.9 Arboricultural Officer – no objection

Other Representations

4.10 Local Residents

- 16 objection comments have been received, summarised as:
- Refuse lorries require the entire turning bay
 - Access and parking is at capacity

- Disruption during construction
- Property will be closer to the pavement than others
- Overbearing in outlook and proximity to neighbours
- Site is cramped and overdeveloped
- Previous infill development carried out
- Loss of trees
- Existing drainage issues
- Address of development misleading
- Plan measurements inaccurate

1 support comment has been received, summarised as:

- Happy with the revised plans

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

CS5 of the Core Strategy encourages new residential development in settlement boundaries and urban areas (incl within the Green Belt). It suggests that small scale infill development may be permitted within settlement boundaries of villages such as Alveston, but it will still need to comply with the provisions in the NPPF, CS34 and PPS7.

5.2 Policy PSP38 of the PSP Plan (November 2017) does allow 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.

5.4 Policy CS1 of the Core Strategy seeks that the siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the application site and its context. Policy PSP43 sets out specific private amenity space standards for all new residential units.

5.5 The proposal is for planning permission to erect a detached dormer bungalow. Consequently the main issues to deliberate, as well as Green Belt, 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.

5.6 Green Belt

CS5 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013 states that proposals for development in the Green Belt must comply with the provisions in the National Planning Policy Framework February 2019. The objective is to protect the openness of the Green Belt. PSP7 of the Policies,

Sites and Places Plan demonstrates that inappropriate development can be harmful to the Green Belt and that it would not be acceptable unless very special circumstances can be demonstrated and that they clearly outweigh the harm to the Green Belt.

- 5.7 Under National Planning Policy Framework February 2019, proposals affecting the Green Belt are regarded as inappropriate. However, there are exceptions to this policy including limited infilling in villages. This proposal is therefore in compliance with this exception, paragraph 145 statement (e). Therefore, it is concluded that the proposal complies with policies of the NPPF and CS5, as it is within the settlement boundaries of the village setting and is also a limited, small scale infill development. The infill proposal would be situated in a built-up urban setting, and therefore would create a limited infill to the village. The proposal becomes an exception to the construction of new dwellings and as such, the proposal therefore complies with appropriate development in the Bristol/Bath Green Belt.
- 5.8 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.
- 5.9 The new detached one and a half storey dwelling, with attached garage adjoining its western side, would lie within the rear garden of No. 3 the host property, to be front onto and be accessed from the hammerhead at the eastern end of Greenhill Gardens. It would form No. 3a, adjacent to the recent Nos. 4a and 5a to its east.
- 5.10 The proposed dwelling has been proposed through its design to complement the existing surrounding dwellings in its choice of materials and components. In particular, building materials such as render, recon stone, brick and natural stone can be found in immediate area and therefore the proposed dwelling is proposed to be finished with render and timber cladding.
- 5.11 This proposed dwelling will have an overall width of 13.3 metres and 9.1 meters in depth, narrowing to 5.8 meters on the west elevation. It is proposed to have a gable ended pitched roof in the main, with flat roof elements to the side and rear. 3no dormers are proposed in the roof space.
- 5.12 In regards to the site layout, whilst the plot cannot be described as generous it does provide suitable amenity space and parking provision without appearing cramped and overdeveloped.
- 5.13 The design of the dwelling has taken into account its context, and a dormer bungalow will not look out of place in this location.
- 5.14 The proximity of the proposal to the road has been raised as a concern. When visiting the site it is clear that the proximity of built form to the road fluctuates

- within the streetscene. The location of the dwelling therefore will not appear out of place.
- 5.15 Overall, the proposal is considered to comply with policies CS1 and PSP38.
- 5.16 Arboricultural and Landscaping consideration
There are no Arboricultural objections to this proposal. The retained neighbouring trees are protected by existing close board fencing. There are several low grade trees proposed for removal to which there are no objections.
- 5.17 Two proposed trees are to be planted to the rear boundary. Subject to a landscape plan being submitted providing details of location, species, stock size, planting centre and quantity, together with details of all proposed boundary and hard landscape surface treatments, there is no Arboricultural or Landscape objection to the proposal.
- 5.18 Residential Amenity
Policy PSP38 of the Policies, Sites and Places Plan explains that development will be permitted provided that it would not detrimentally impact the residential amenities of nearby occupiers and would not prejudice the retention of adequate private amenity space. Policy PSP8 specifically relates to impacts on residential amenity and outlines that unacceptable impacts could result from (but are not restricted to); loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance.
- 5.19 Concerns have been raised from neighbouring occupiers that the development would appear overbearing, result in overshadowing and loss of privacy from overlooking.
- 5.20 The impact on residential amenity has been assessed in terms of the surrounding neighbouring properties. The dwelling built form is proposed facing onto Greenhill Down, therefore there should be very little loss of light, overshadowing or overbearing impacts to any neighbouring properties, given its form and scale and the relationship with neighbouring properties. In terms of separation distance, the rear of 3 Greenhill Down is 12.7m from the rear of the proposed building. To the front, taking a straight line from the front of the proposed building, there is a separation distance of 20m to the front of 6 Greenhill Gardens. There are no set separation distances for single storey buildings, however in this case it is considered sufficient to mitigate against overlooking.
- 5.21 The proposal is located in close proximity to 5 Greenhill Gardens, and the proposed kitchen window would overlook the front driveway to some extent. This is however not the primary garden space available to number 5, and the harm is not considered to be significant. The front door and windows for number 5 are set back behind the garage, and given the angle and relationship between the existing and proposed there will not be easy overlooking or intervisibility between the two.

- 5.22 In terms of overlooking, any windows to the side of the property are at ground floor level and would be sited behind boundary treatments. While some overlooking of external spaces would occur, neighbouring properties have quite long gardens and as indicated above the distances to the nearest properties (window to window) will ensure that any impact is not significant such as would not justify the refusal of the application.
- 5.23 Although the site is located in a semi-rural residential area, the proposed mass and form should not result in a dominant impact on the existing residential amenity of the neighbouring occupiers, as it shares similarities of the existing pattern of housing form and therefore it relates to the existing characteristics of the immediate area.
- 5.24 As illustrated on the submitted Site Plan, the proposed new dwelling should benefit from a good amount of private amenity space as shown. PSP43 sets out the standards which are based on the number of bedrooms at a property, and as there are 2 No bedrooms proposed, then 50m² is required and therefore compliance is applicable.
- 5.25 The proposal also demonstrates that the existing adjacent dwelling should also continue to benefit from a good amount of private amenity space, and that it will remain accessible, and that it should continue to be a functional and safe space of sufficient size and shape, continuing to meet the needs of both the current and any future occupants.
- 5.26 The proposal therefore does not cause significant harm to residential amenity.
- 5.27 Transport
This site is located within an existing built-up area, hence it fully complies with the requirements of Policy PSP11 of the adopted South Gloucestershire Local Plan: Policies, Sites and Places document in terms of location and access by all travel modes. There is no objection in principle.
- 5.28 The Councils minimum domestic car parking requirements, as set out in the Residential Parking Standards SPD adopted in December 2013, relate the number of off-street parking spaces required to the number of bedrooms present in any property. In this case, the new dwelling will have two bedrooms, which means that it is necessary to provide just one space. This is provided and that this appears to conform to the dimensional requirements of Policy PSP16 of the adopted South Gloucestershire Local Plan: Policies, Sites and Places. No space is available for vehicles to turn before leaving the site, however this is not a significant issue as it is situated in a residential area where such arrangements are common and at the inner end of Greenhill Gardens which is a short cul-de-sac.
- 5.29 No changes are proposed to the existing parking situation for the dwelling at 3 Greenhill Down.
- 5.30 All works on or immediately adjacent to the public highway, must be approved by this Council before, during and after completion as appropriate. This includes the installation of dropped kerbs and footway crossovers.

- 5.31 Concerns have been raised over the existing turning space and this being accessed by refuse vehicles. The development would not impact upon the amount of turning space available.
- 5.32 Contaminated land
The proposed development is located less than 250m from a former quarry that has since been infilled. There is therefore a potential for contamination which could give rise to unacceptable risks to the proposed development, in particular from any ground gases which may be being produced in the filled ground. There is no objection, subject to the submission of details by condition.
- 5.33 Other matters
Concerns have been raised regarding measurements stated on the submitted plans. The agent has clarified the measurements taken, and these have been corroborated by the use of an online mapping system. The LPA is content that the submitted plans are accurate.
- 5.34 Objections have also been raised regarding disturbance from construction. This would not represent a valid reason for refusal, however given the proximity of residential properties it has been considered necessary for an hours of working condition to be applied.
- 5.35 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.
- 5.36 With regards to the above this planning application it is considered to have a neutral impact on equality.

6. CONCLUSION

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

7. **RECOMMENDATION**

7.1 That the application be **APPROVED**.

CONDITIONS

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

Reason

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

2. The off-street parking provision and refuse storage provisions as shown on the Block Plan (01 C), shall be provided prior to the first use of the dwelling and retained for those purposes thereafter.

Reason

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

3. No development shall commence until surface water and foul sewage drainage details including SUDS (Sustainable Drainage Systems e.g. soakaways if ground conditions are satisfactory), for flood prevention; pollution control and environmental protection have been submitted and approved by the Local Planning Authority.

A detailed development layout showing surface water and SUDS proposals is required as part of this submission.

For the avoidance of doubt we would expect to see the following details when discharging the above conditions:

- Confirmation and acceptance of an agreed connection point and discharge rate for surface water and foul water disposal from Wessex Water.
- A clearly labelled drainage layout plan showing the pipe networks and any attenuation infrastructure - to include drainage for Ringtail Cottage.
- Updated drainage calculations to show there is no flooding on site in 1 in 30 year storm events (winter and summer); and no flooding of buildings or off site in 1 in 100 year plus an allowance for climate change storm event (winter and summer) in line with the current industry accepted allowance.
- A plan showing the cross sections and design of the attenuation infrastructure (Permeable paving and attenuation crates) and its components.
- The drainage layout plan should also show exceedance / overland flood flow routes if flooding occurs and the likely depths of any flooding.
- The plan should also show any pipe node numbers referred to within the drainage calculations.
- A manhole / inspection chamber schedule to include cover and invert levels.
- Ownership and/or responsibility, along with details of the maintenance regime in relation to the Surface Water Network and any components such as Attenuation features and Flow Control Devices where applicable for the lifetime of the

development. If privately maintained, the document should also consider any future sale scenarios and how tentative purchasers will also be made aware of their jointly vested highway and drainage assets.

Development must be implemented exactly in accordance with the agreed drawing strategy.

Reason

To comply with South Gloucestershire Local Plan: Policies, Sites and Plans Plan (Adopted) November 2017 Policy PSP20; South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 Policy CS1 and Policy CS9; and National Planning Policy Framework 2019.

4. Previous historic uses(s) of land within 250m of the site may have given rise to contamination. No development shall commence until an assessment of the risks posed by any contamination shall have been carried out and submitted to and approved in writing by the local planning authority. This assessment must be undertaken by a suitably qualified contaminated land practitioner, in accordance with British Standard BS 10175 Investigation of potentially contaminated sites and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced), and shall assess any contamination on the site, whether or not it originates on the site.

Reason

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

5. Where following the risk assessment referred to in condition 4, land affected by contamination is found which could pose unacceptable risks, no development shall take place until detailed site investigations of the areas affected have been carried out. The investigation shall include surveys/sampling and/or monitoring, to identify the extent, scale and nature of contamination. A report shall be submitted for the written approval of the local planning authority and include a conceptual model of the potential risks to human health; property/buildings and service pipes; adjoining land; ground waters and surface waters; and ecological systems.

Where unacceptable risks are identified, the report submitted shall include an appraisal of available remediation options; the proposed remediation objectives or criteria and identification of the preferred remediation option(s). The programme of the works to be undertaken should be described in detail and the methodology that will be applied to verify the works have been satisfactorily completed.

The approved remediation scheme shall be carried out before the development is occupied.

Reason

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

6. Prior to first occupation, where works have been required to mitigate contaminants (under condition 5) a report providing details of the verification demonstrating that all necessary remediation works have been completed satisfactorily shall be submitted to and agreed in writing by the Local Planning Authority.

Reason

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

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

Reason

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

8. No occupation shall commence until a hard and soft landscape scheme has been submitted to and approved in writing by the Local Planning Authority showing details of all trees, hedgerows and other planting to be retained; a planting specification to include numbers, size, species and positions of all new trees and shrubs, details of existing and proposed walls, fences, other boundary treatment and surface treatment of the open parts of the site, and a programme of implementation.

Reason

To protect the character and appearance of the area and residential amenity to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, Policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 and the National Planning Policy Framework.

9. All hard and/or soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of the development or in accordance with the programme agreed in writing with the Local Planning Authority. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of the development being completed, die, are removed or become seriously damaged or diseased shall be replaced during the next planting season with other trees or plants of a species and size to be first approved in writing by the Local Planning Authority. All hard landscape works shall be permanently retained in accordance with the approved details.

Reason

To protect the character and appearance of the area and residential amenity to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy

(Adopted) December 2013, Policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 and the National Planning Policy Framework.

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

Monday - Friday.....7:30am - 6:00pm
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 the occupiers of nearby dwelling houses, and to accord with Policy PSP38 of the South Gloucestershire Policies Sites and Places Plan (Adopted) and the provisions of the National Planning Policy Framework.

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

02 Sep 2020	02	EXISTING SITE LOCATION & BLOCK PLAN
12 Jul 2021		REVISED ELEVATIONS
13 Jul 2021		REVISED FLOOR PLANS
03 Nov 2021	01	C - 031121 SITE PLANS

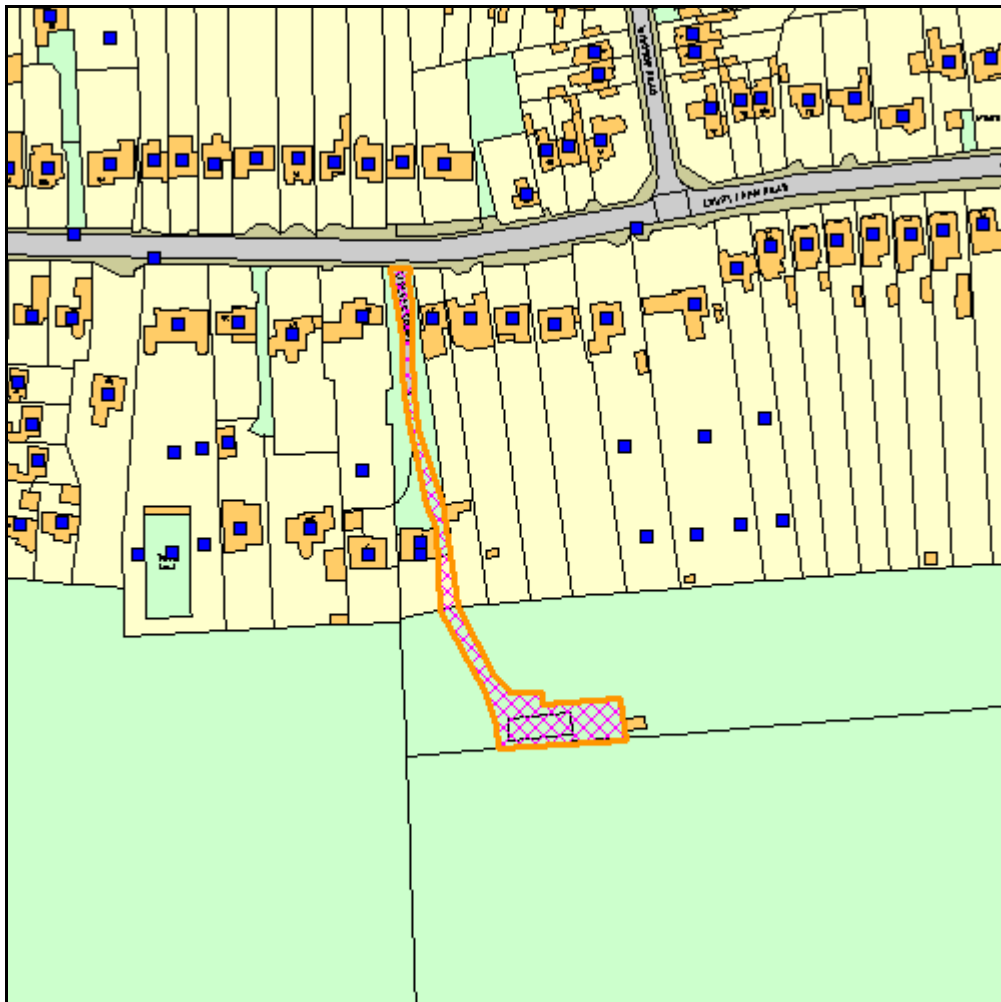
Reason

To define the terms and extent of the permission.

Case Officer: Rae Mepham
Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 47/21 – 26th November 2021

App No.:	P21/01040/F	Applicant:	Mr And Mrs Dowding
Site:	Land At Rear 1 Cleeves Court Court Farm Road Longwell Green South Gloucestershire BS30 9AW	Date Reg:	1st March 2021
Proposal:	Change of use of stable to 1no dwelling (Class C3) with parking and associated works as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) (Resubmission of refused application P20/08511/F).	Parish:	Hanham Abbots Parish Council
Map Ref:	365647 170522	Ward:	Longwell Green
Application Category:	Minor	Target Date:	19th May 2021



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 100023410, 2008. **N.T.S.** **P21/01040/F**

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

REASON FOR REFERRING TO CIRCULATED SCHEDULE

This application is referred to the circulated schedule due to objections received from the Parish Council which are contrary to the Officers recommendation.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the conversion of an existing stable into 1no dwelling (Class C3) as defined in the Town and Country Planning (Use Classes Order) 1987 (as amended), with parking and associated works at 1 Cleeves Court, Longwell Green.
- 1.2 A scheme for the conversion of the stables to a dwelling has been refused twice at this site. The most recently refused application was reference P20/08511/F, which was subsequently dismissed at appeal in December 2020 by reason of poor external living conditions.
- 1.3 The application site consists of an equestrian paddock which contains a large stable block on the southern boundary, permitted under PK18/1918/F. The site is located outside of any settlement boundary, within the open countryside, and is washed over by the Bristol and Bath Green Belt.
- 1.4 The application has sought to overcome the previous reason for refusal by reducing the number of bedrooms from 4 to 3 and increasing the size of the external amenity space.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

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

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP7	Development in the Green Belt
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP21	Environmental Pollution and Impacts
PSP30	Horse Related Development
PSP40	Residential Development in the Countryside
PSP43	Private Amenity Standards

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

3. **RELEVANT PLANNING HISTORY**

- 3.1 P20/08511/F
 Conversion of existing stable into 1no dwelling with parking and associated works. (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). Resubmission of refused application P19/8532/F.

 Refusal: 16/07/2020
 Appeal Dismissed: 14/12/2020
- 3.2 P19/8532/F
 Conversion of existing stable into 1no dwelling (class C3) with parking and associated works.

 Refusal: 17/09/2019
 Appeal Dismissed: 06/05/2020
- 3.3 PK18/1918/F
 Erection of extension to existing stables to provide 2no foaling boxes

 Approve with conditions: 04/07/2018
- 3.4 PK15/3673/F
 Erection of 4no. stable block with hay store and tack room.

 Approve with conditions: 30/12/2015
- 3.5 PK06/3610/F
 Change of use of land from agricultural to the keeping of horses. Erection of temporary field shelter for 2no horses for a temporary period of 12 months. (Retrospective).

4. CONSULTATION RESPONSES

4.1 Hanham Abbots Parish Council

Objection:

The proposed development looks cramped and lacks sufficient indoor amenity space.

Adverse impact on the living conditions of future residents.

No special circumstances exist to allow the creation of a residential dwelling in the Green Belt.

4.2 Ecology

No objection.

4.3 Environmental Protection

Noise- no objection

Contaminated land- No objection, subject to conditions.

4.4 Lead Local Flood Authority

No objection.

4.5 Highway Structures

No comment.

4.6 Tree Officer

No objection

Other Representations

4.7 Local Residents

Objection comments received by 2no. local residents, summarised as follows;

- Inappropriate development in the Green Belt.
- Could enable access for further development into the adjacent Green Belt, should this be approved.
- Amenity area of the building seems 'tight'. Space is not conducive for a 'family home'.
- Balconies from our properties look onto the stables and will therefore impact the view over the Green Belt land.
- Barn not constructed before 2013 and therefore planning rules in relation to the conversion of stables does not apply.
- Increase in noise and disturbance.
- Impact on wildlife within the fields.
- Would push the boundary of properties closer to the ancient woodland.
- Lack of engagement- no letters to neighbours.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application proposes the conversion of a stable building to a 3-bedroom dwelling, within the Green Belt and open countryside. The previous applications established that the proposal complies with Policy PSP40 and would form one of the circumstances where development is acceptable in the open countryside. The previous application was also deemed to overcome Green Belt concerns by removing the amenity space to the side of the proposed dwelling, this application does not include any additional land within the red line boundary. It is therefore accepted that the proposal would represent a reuse of a building which is of permanent and substantial construction, compliant with paragraph 150 of the National Planning Policy Framework.

In principle the development is therefore acceptable under the provisions of policy PSP40 and PSP7, and it is acknowledged that the provision of one additional dwelling towards the housing supply would have a modest socio-economic benefit. However, the impacts of the development must be further assessed against relevant policy in order to identify any potential harm. The further areas of assessment are discussed below

5.2 Design and Visual Amenity

Policy CS1 only permits new development 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.

5.3 The application is not proposing any extensions to the existing building and the timber clad appearance of the stable would largely remain. The existing openings would be utilised for windows and doors with an additional window inserted on the rear elevation. As such, the appearance of the proposed dwelling is considered to be suitable within the rural settings and no objection is raised in this regard.

5.4 The proposed layout is similar to the previously refused scheme. Within the appeal statement the Inspector stated that ‘the new building would sit within a small grounds, with limited space between the building and side and rear boundary provided. However, it would be surrounded by open land and given its separation from nearby development, I find that visually, the development would not appear cramped.’

5.5 Given the layout of the development is largely unchanged, the proposal is not considered to be harmful to the character and appearance of the locality.

5.6 Residential Amenity

Policy PSP8 of the Policies, Sites and Places Plan (Adopted) November 2017 set out that new development should not create unacceptable living conditions or have an unacceptable impact on the residential amenity of occupiers of the development or of nearby properties through overbearing; loss of light; loss of privacy; noise or disturbance; or odours, fumes or vibration.

- 5.7 Policy PSP43 of the PSP plan sets out minimum space standards required for the provision of private amenity space. As a guide, a 3 bedroom dwelling is expected to provide 60 square metres of private amenity space. Private amenity space should be functional and safe, and designed to maximise sunlight and take account of the context of the development.
- 5.8 In an attempt to overcome the previous reason for refusal the scheme has reduced the number of bedrooms to 3, thus reducing the required amount of amenity space from 70 to 60 square metres. In addition, it now includes a 'cut out' section of the rear elevation which is considered to open the space out for more practical use. During the course of the application this 'cut out' section was reduced in size at the request of officers as concern was raised of the impact on the proposed internal living space. However, the subsequent amendments are considered to have resulted in a better balance in terms of proposed indoor and outdoor living conditions. The proposed outdoor amenity space would be well in excess of the required 60 square metres and although not an ideal shape, it could no longer reasonably be considered to cause substantial harm to the living conditions of future occupants. The proposal is therefore thought to have adequately overcome the previous refusal reason. That said, it is deemed necessary to restrict permitted development rights for the new dwelling in order to control any future development on the site.
- 5.9 Given the location of the building, which is separated from the nearest properties on Cleaves Court by approximately 55 metres, it is not considered by the officer to result in any substantially detrimental inter-visibility issues. Furthermore, the addition of 1 no new household is not considered to generate any significant increase in traffic noise or more generally.
- 5.10 Sustainable Transport and Parking Provision
The access arrangements are unchanged from the previous submissions which was found to be acceptable. A 3 bedroom property is required by policy PSP16 to provide a minimum of 2 off-street parking spaces; adequate parking would be provided within an integral car port and to the front of the dwelling. As such, no objections are raised in terms of transportation. However, in order to promote sustainable forms of transport details of an Electric Vehicle charging points will be required by conditioned.
- 5.11 Ecology
Comments were received in relation to the proximity of the proposed dwelling to an ancient woodland and that the development would impact wildlife. The proposal would involve the conversion of a relatively recent construction and therefore the impact to the woodland is not thought to warrant refusal. Photographs were submitted with both the previous submission and current application which are considered by the Council's ecology officer to demonstrate that the building is unsuitable for roosting bats due to the open and airy nature of the interior of the building. However, the adjacent hedgerows could potentially be used by foraging and commuting bats, therefore any external lighting will need careful consideration. A condition will be included for a 'lighting design strategy for biodiversity' to be agreed in writing should any additional lighting be proposed.

5.12 Environmental Protection

The site has been identified as being within 110m east of filled ground/landfill. If present, landfill and ground gas could be a potential hazard to health. Therefore, in order to ensure that the site is suitably safe for its proposed residential use, conditions will be included for a desk study risk assessment to be carried out and, if appropriate, a remediation strategy.

5.13 Other Matters

Concern was raised in regards to the neighbour consultation, however neighbouring properties were consulted on 1st March 2021 in accordance with the Council's Statement of Community Involvement.

5.14 Equalities

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

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

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. A) Desk Study - Previous historic uses of land within 250m of the site may have given rise to contamination. No development shall commence until an assessment of the risks posed by any contamination shall have been carried out and submitted to and approved in writing by the local planning authority. This assessment must be undertaken by a suitably qualified contaminated land practitioner, in accordance with British Standard BS 10175 Investigation of potentially contaminated sites and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced), and shall assess any contamination on the site, whether or not it originates on the site.

B) Intrusive Investigation/Remediation Strategy - Where following the risk assessment referred to in (A), land affected by contamination is found which could pose unacceptable risks, no development shall take place until detailed site investigations of the areas affected have been carried out. The investigation shall include surveys/sampling and/or monitoring, to identify the extent, scale and nature of contamination. A report shall be submitted for the written approval of the local planning authority and include a conceptual model of the potential risks to human health; property/buildings and service pipes; adjoining land; ground waters and surface waters; and ecological systems.

Where unacceptable risks are identified, the report submitted shall include an appraisal of available remediation options; the proposed remediation objectives or criteria and identification of the preferred remediation option(s). The programme of the works to be undertaken should be described in detail and the methodology that will be applied to verify the works have been satisfactorily completed.

The approved remediation scheme shall be carried out before the development (or relevant phase of development) is occupied.

C) Verification Strategy - Prior to first occupation, where works have been required to mitigate contaminants (under condition B) a report providing details of the verification demonstrating that all necessary remediation works have been completed satisfactorily shall be submitted to and agreed in writing by the Local Planning Authority.

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

Reason

In order to ensure that the site is safe and suitable for its proposed use, and to accord with policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and Policy PSP21 of the South Gloucestershire Local Plan: Policies, Site and Places Plan (Adopted) November 2017. This is required to be agreed prior to commencement of development to ensure the site is safe for future occupiers and to avoid any unnecessary remedial action in the future.

3. For any external lighting not identified on the plans hereby approved, prior to first occupation of the dwelling hereby approved 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, badgers and hedgehog and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

The works shall proceed in accordance with the agreed details.

Reason

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

4. Prior to first occupation, the dwelling hereby approved shall be provided with a 7Kw 32 Amp electric vehicle charging point 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 Policies PSP11 and PSP16 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

5. 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, and E), 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 protect the residential amenity of the occupiers of the proposed dwelling, to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan; and the National Planning Policy Framework.

6. The development hereby approved shall be carried out in accordance with the following documents:

Received by the Council on 24th February 2021:

Existing Floor Plan (03)

Existing Elevations (05)

Site Location Plan

Topo Survey

Received by the Council on 3rd November 2021:

Proposed Floor Plan (04 Rev A)

Proposed Elevations (06 REV A)

Block Plan (BLK01 Rev A)

Planning Layout (PL01 Rev A)

Reason

To define the terms and extent of the permission.

Case Officer: James Reynolds

Authorising Officer: David Stockdale

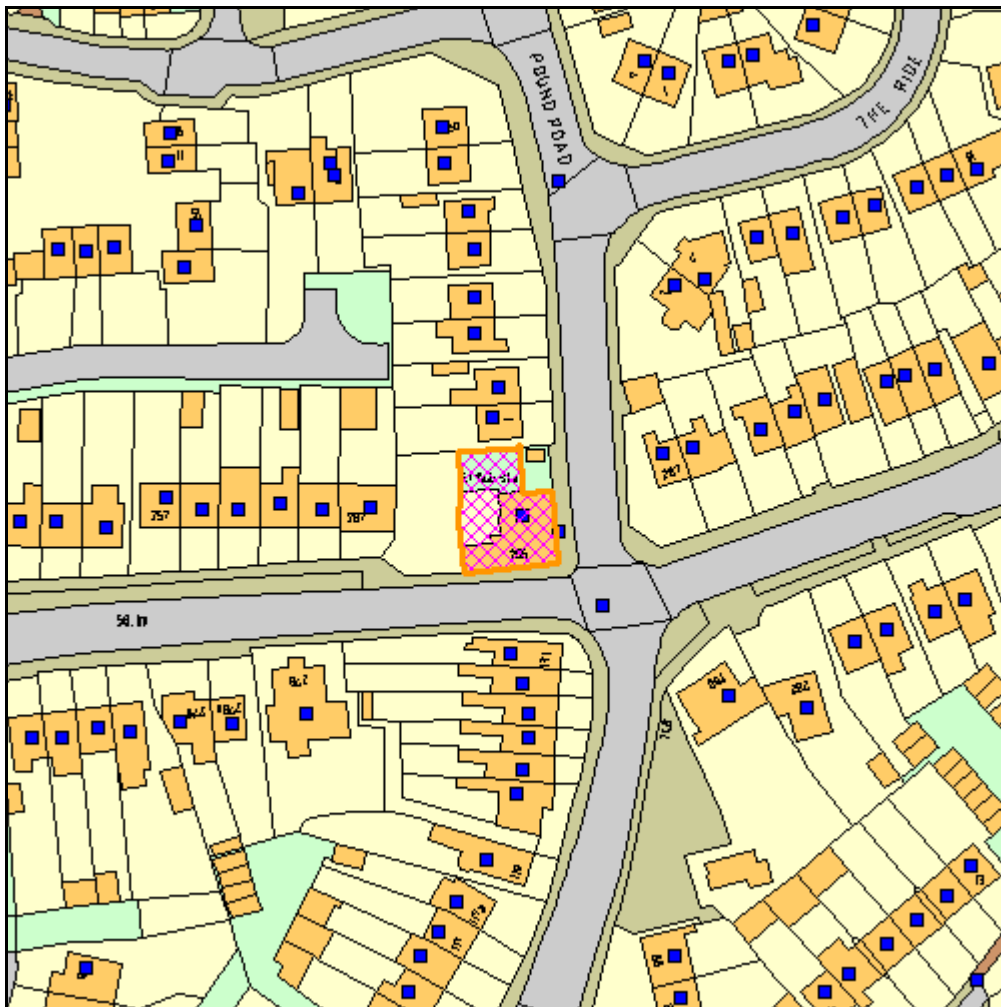
CIRCULATED SCHEDULE NO. 47/21 – 26th November 2021

App No.: P21/04587/F **Applicant:** Matt Eastburn

Site: 285 New Cheltenham Road Kingswood South Gloucestershire BS15 4RJ **Date Reg:** 28th June 2021

Proposal: Installation of 1no. rear dormer and conversion of dwelling (Class C3) to form 9no. person HMO (Sui Generis) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). **Parish:**

Map Ref: 365984 174379 **Ward:** New Cheltenham
Application Category: Minor **Target Date:** 19th August 2021



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

Reason for Referring to Circulated Schedule

This application has been referred to the Circulated Schedule following the receipt of 3 or more i.e. 5 objections from Local Residents; the concerns raised being contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The application relates to an existing, detached, 4-bedroom house, located on a corner plot at the junction of New Cheltenham Rd and Pound Rd., Kingswood. The location is mainly residential in character. A small electricity sub-station lies to the rear of the site. Vehicular access is from Pound Road. The dwelling is currently vacant and in need of refurbishment.
- 1.2 It is proposed to install a rear dormer window to facilitate the change of use of the dwelling to a 9no. person House in Multiple Occupation (HMO). A parking area and bin store would be provided to the rear utilising the existing access off Pound Road. It is also proposed to provide a secured covered cycle store for up to 9no. cycles.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS29	Communities of the East Fringe of Bristol

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

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

- PSP38 Development within Existing Residential Curtilages, including Extensions and New Dwellings
PSP39 Residential Conversions, Subdivision, and HMOs
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
Householder Design Guide SPD Adopted March 2021
South Gloucestershire Council SPD : Houses in Multiple Occupation (Adopted) 4th Oct. 2021

3. RELEVANT PLANNING HISTORY

- 3.1 P19/3199/F - Erection of 1no. detached dwelling, creation of parking and associated works.
Approved 14th May 2019
- 3.2 PK02/0408/O – Erection of 1 pair of semi-detached dwellings (Outline).
Refused 11th March 2002
- 3.3 PK02/3454/O - Erection of 2 dwellings (Outline)
Refused 18th Dec. 2002 – The decision to refuse was upheld at appeal as the proposal would have a negative impact on the living conditions of future occupiers and it was not thought sufficient parking provision would be provided.

4. CONSULTATION RESPONSES

4.1 Parish Council
Not a parished area

4.2 Other Consultees

Transportation D.M.

No objection subject to conditions to secure the car parking provision.

Other Representations

4.3 Local Residents

5no. responses were received, each raising concerns about the proposal. The concerns raised can be summarised as follows:

- Increased on-street parking in Pound Rd.
- Increased load on local infra-structure.
- Increased noise pollution.
- Too many flats.

- Not suitable for family location.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policy PSP39 within the adopted Policies, Sites and Places Plan (2017) states that, where planning permission for an HMO is required, this will be acceptable, provided that it would not prejudice the amenity of neighbours. The supporting text states that the term “neighbours” should be taken to mean properties adjacent to, and surrounding, the application site, which have a reasonable potential to be directly affected by harmful impacts arising from the proposal(s).

5.2 In addition, Policy PSP8 maintains that development proposals will only be acceptable provided that they do not ‘have unacceptable impacts on residential amenity of occupiers of the development or of nearby properties’. Unacceptable impacts could result from noise or disturbance, amongst other factors, which could arise from HMOs functioning less like traditional single households on a day-to-day basis.

5.3 Prejudicing the amenity of neighbours can arise at a localised level when developments of such HMO uses are inappropriately located, or become concentrated, particularly on an individual street level.

5.4 Additional Explanatory Guidance 1 in the Houses in Multiple Occupation SPD pg.13, sets out that the following factors should be taken into account when determining if the proposal would prejudice the amenity of adjacent neighbours:

- Whether any dwelling house would be ‘sandwiched’ between two licensed HMOS, or,
- Result in three or more adjacent licensed HMO properties.

5.5 In the case of the current application site, there are no other HMO’s in the immediate vicinity of the site. The proposal would therefore not result in a dwelling being sandwiched between two licensed HMOs, or result in three or more adjacent licensed HMO properties.

5.6 As set out in Policy CS17, providing a wide variety of housing type and sizes to accommodate a range of different households, will be essential to supporting mixed communities in all localities. Sub-division of existing dwellings and non-residential properties to form flats or HMOs can make a valuable contribution suitable for smaller households and single people, as part of these mixed communities.

5.7 Policy CS17 does not define what is meant by ‘mixed communities’ in all localities. Instead, it acknowledges that implementation of this policy, and PSP39, will be made on a case by case basis through the development management process. Therefore, the HMO SPD aims to acknowledge that some intensification, if carried out sensitively, and where it would not adversely affect the character of an area, can contribute to the local mix and affordability of housing, viability of local services, vitality of local areas and contribute to the Council’s housing delivery targets.

- 5.8 As there are localities which are already experiencing concentrations of HMOs, the SPD requires consideration of existing localities that are already experiencing levels of HMOs which harm the ability to support mixed communities and preventing impact on character and amenities, and applications which would result in a level of HMOs that could contribute towards harmful impacts.
- 5.9 Additional Explanatory Guidance 2 – HMO SPD pg.14 sets out that the following factors should be taken into account when determining if the proposal would contribute to harmful impacts in respect of a mixed community and the character and amenity of an area:
- An additional HMO in localities where licensed HMO properties already represent more than 10% of households, or,
 - More than 20% of households within a 100m radius of the application property.
- 5.10 For the purposes of this assessment, a 'locality' is defined by a statistical boundary known as a Census Output Area.
- 5.11 In the case of 285 New Cheltenham Road, HMO properties currently represent only 2.0% of households. Within 100m radius there are 148 properties, 3 of which are HMOs, or 2.0%.
- 5.12 The principle of change of use to an HMO is therefore considered to comply with policies PSP39, PSP8 and CS17 and the SPD.
- 5.13 In regards to the proposed dormer window, Policy PSP38 of the PSP Plan allows the principle of development within residential curtilages, subject to considerations of visual amenity, residential amenity and highway safety. Furthermore, Policy CS1 of the Core Strategy seeks that the siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the application site and its context.
- Impact on the character of the area.
- 5.14 The application is proposing the installation of a rear flat roofed dormer to facilitate the change of use to a 9no. person HMO. The proposed dormer window would be relatively large in size, however similar flat roof dormers are to be found within the surrounding area. The dormer window would be set in from the eaves, ridge and roof edge and would not be overly dominant. The dormer is also situated at the rear of the property away from the main public viewpoints. It should also be noted that the proposed dormer would fall within the parameters of permitted development. Furthermore, the dormer is similar to that shown on page 37 of the Householder Design Guide as being acceptable.
- 5.15 The proposal will facilitate the refurbishment of an otherwise run-down property. The historic fabric of the building would be retained and the proposed materials for use in the dormer are considered to respect the host property and its surrounds; as such there is no reasonable justification for refusal in terms of the impact on the character of the area due to visual impacts.

Residential amenity

- 5.16 As already set out, the principle of the change of use is not considered to significantly impact upon residential amenity.
- 5.17 Policy PSP43 sets out minimum standards for private amenity space, however there is no set standards for HMOs. Using this policy as a reference, a 1no. bed flat should have access to a minimum for 5m² amenity space. Using this standard, 9 x 1bed. flats would require 45m² amenity space. The rear garden is well in excess of this requirement, and as such it is considered that sufficient private amenity space would be provided for future occupants.
- 5.18 The proposal is situated within a dense urban area. It is accepted that some overlooking would occur from the proposed dormer window, however this is not outside of what would be expected within a residential area and is not at a level that would cause significant harm to residential amenity.
- 5.19 The physical alterations to the property are small-scale, and are not considered to cause any significant overbearing impact or loss of light. The existing boundary treatments provide a high level of privacy.

Transportation and highways

- 5.20 The Council Policy PSP16 parking standard for HMO's is one space per two bedrooms rounded up to the nearest whole number of spaces. Therefore a 9 bed HMO requires 5 spaces. The Policy states that these can be provided on-site or alternatively on-street where there is a suitable width of carriageway.
- 5.21 The scheme provides for 4no. car parking spaces within the site, to the rear of the house and accessed off Pound Rd. via an existing access. A bin store would also be provided within the site but close to the access. The existing gates across the access are to be removed. There is sufficient manoeuvring space on-site independent of parking space, in order for vehicles to access and egress the site access in forward gear. The access is considered acceptable. Officers noted during their site visit that unrestricted on-road parking was widely available within the vicinity of the property. One car parking space could be satisfactorily accommodated outside the site.
- 5.22 The site is in a sustainable location within close proximity of a number of shops and amenities with 2no. bus stops within a short distance from the site providing easy access into Bristol City Centre and Kingswood High Street.
- 5.23 Secure cycle parking would be provided within an existing single-storey extension and is consistent with the Council's standards. The Bristol/Bath Cycle Way is in close proximity to the site.
- 5.24 The proposal would not result in significant harm being caused to the local highway network or highway safety. No substantive evidence has been provided to the contrary.

Other matters

- 5.25 There is no reason to assume that any hostile response would occur from reporting noise or anti-social behaviour, and any such response would be a police matter.
- 5.26 Article 4 Directions are a means to restrict permitted development rights. There are currently no Article 4 Directions relating to HMOs in place within South Gloucestershire.
- 5.27 Given the application site is remaining under residential use, there is no reason to conclude the mental wellbeing of neighbouring residents would be detrimentally impacted.
- 5.28 Advertisement and consultation for this application has been carried out in line with the DMPO (2015) and the Statement of Community Involvement (2020).

Consideration of likely impact on Equalities

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

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to grant 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 GRANTED subject to the conditions listed below:

CONDITIONS

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

Reason

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

2. The off-street parking provisions and refuse storage provisions, as shown on the Proposed Site Plan and Bin Store Details (drawing no. 20/039 04) and cycle storage provisions as shown on the Proposed Plans and Elevations Plan (drawing no. 20/39 03) both received by the council on 24th June 2021, shall be provided prior to the first use of the property as a 9 person HMO and retained for those purposes thereafter.

Reason

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

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

Location Plan Drawing No. 20/039 01 received 24th June 2021

Existing Plans and Elevations Drawing No. 20/039 02 received 24th June 2021

Proposed Plans and Elevations Drawing No. 20/039 03 received 24th June 2021

Proposed Site Plan and Bin Store Details Drawing No. 20/039 04 received 24th June 2021

Reason

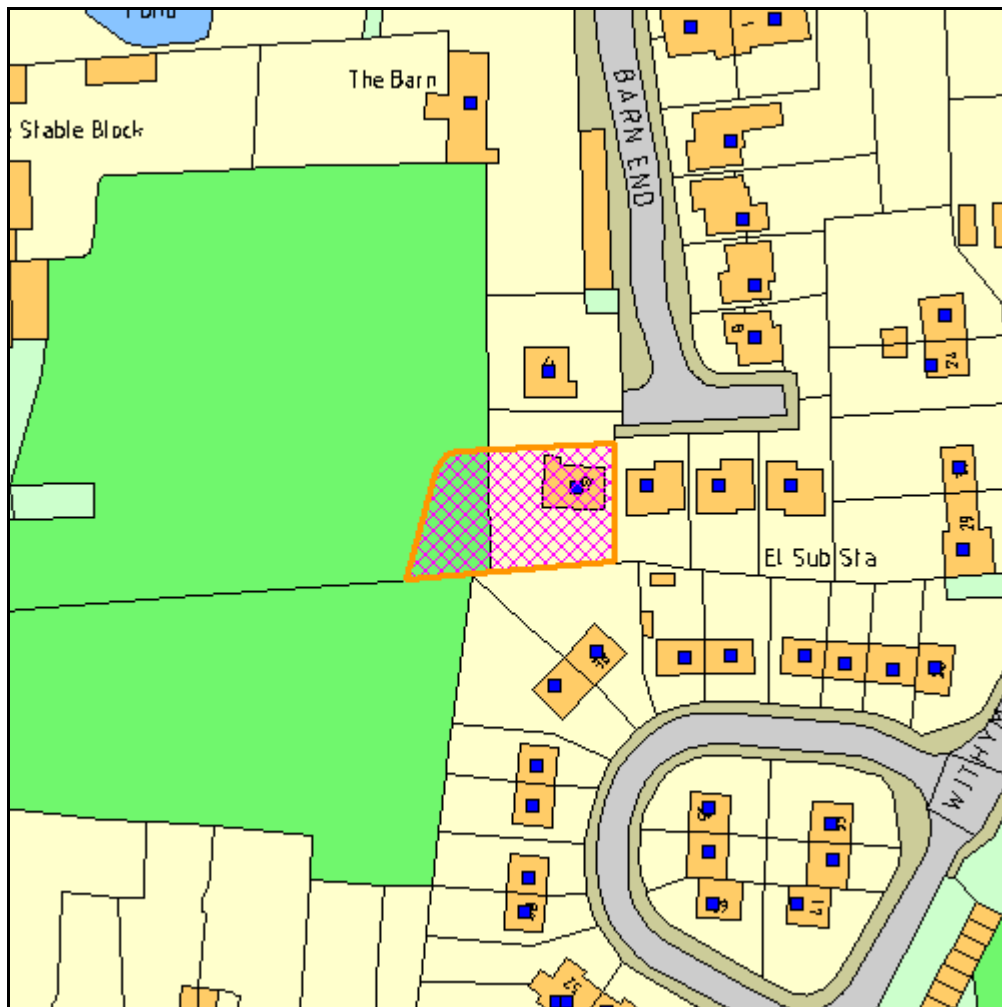
To define the terms and extent of the permission.

Case Officer: Roger Hemming

Authorising Officer: David Stockdale

CIRCULATED SCHEDULE NO. 47/21 - 26th November 2021

App No.:	P21/06208/F	Applicant:	Mr Nick Vellacott
Site:	10 Barn End Marshfield South Gloucestershire SN14 8PE	Date Reg:	21st September 2021
Proposal:	Erection of an outbuilding to form an ancillary garden room/office.	Parish:	Marshfield Parish Council
Map Ref:	378353 173716	Ward:	Boyd Valley
Application Category:	Householder	Target Date:	12th November 2021



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 100023410, 2008. **N.T.S.** **P21/06208/F**

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

REASON FOR APPEARING ON CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 Full planning permission is sought for the erection of an outbuilding to form an ancillary garden room/office at 10 Barn End, Marshfield.
- 1.2 The application site forms a detached residential dwellinghouse, located within the Marshfield Settlement Boundary. The area is washed over by the Cotswold AONB and sits within the Marshfield Conservation Area. No other restrictive policies apply.
- 1.3 Please note the curtilage of the application site (10 Barn End) was extended as part of the application for the neighbouring site (ref. P19/5232/F). Evidence has been provided from the applicant's solicitor confirming the change of ownership.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework
National Planning Policy Guidance

2.2 South Gloucestershire Local Plan Core Strategy (Adopted) 2013

CS1	High Quality Design
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) 2017

PSP1	Local Distinctiveness
PSP8	Residential Amenity
PSP11	Transport
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Standards

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007
Residential Parking Standards SPD (Adopted) 2013
Residential Amenity TAN (Endorsed) 2016
Annexes and Residential Outbuildings SPD (Adopted) 2021

3. **RELEVANT PLANNING HISTORY**

- 3.1 *The neighbouring site - Land Adjacent To The Manor*
Ref. P19/5232/F. Permission Granted, 5/12/2019
Proposal: *Erection of 1 no. detached dwelling with detached two storey carport, new access, parking and associated works.*

[Officer Comment]: Please note the curtilage of the application site (10 Barn End) was extended as part of the application. Evidence has been provided from the applicant's solicitor confirming the change of ownership.

4. **CONSULTATION RESPONSES**

- 4.1 Marshfield Parish Council – Objection

“Marshfield Parish Council would strongly object to this application if the development is to be positioned on Open Green Space Land. The Parish Council request clarification of the designation of this area of land.”

[Officer Comment]: The development would be within private curtilage, not Open Green Space Land. This issue has been previously considered on the approved applications to develop the adjacent site. The principle of using this piece of land as private garden was approved.

- 4.2 Other Consultees

Tree Team – No comment.

Conservation Officer – No objection, comments incorporated below.

Other Representations

- 4.3 Local Residents

One comment objecting to the proposed development has been received by a neighbouring resident, the comments have been summarised into the following key points:

- Seeks to build on a protected open space;
- The area is covered in a blanket TPO;
- Trees and an ancient boundary wall already removed;
- Ancient woodland should be protected;
- The area is Protected Open Space, Conservation Area, AONB, and Green Belt.

- 4.4 [Officer Comment]: Officers can confirm that the site is located within the Marshfield Conservation Area and the Cotswold AONB, however it is not Green Belt or Protected Open Space.

5. ANALYSIS OF PROPOSAL

5.1 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. Further regard is given to its location within the Marshfield Conservation Area, for which policies CS9 and PSP17 seek to protect and enhance the area's significance in line with the provisions of the NPPF.

5.2 In the identification of the designated and/or non-designated heritage assets which are affected or have the potential to be affected by the application proposal, the South Gloucestershire Historic Environment Record (HER) has been viewed. Where heritage assets are identified as affected, or have the potential to be affected, the information contained on the HER has been used in an assessment of their significance and consideration of the impact on that significance.

5.3 The proposal is to erect a timber summerhouse of approximately 4x4 metres with a 3.37m overhang, and a height of 2.4m. The proposed summerhouse is modest in scale and would be situated in a discreet location. It is considered that the proposed development would not result in any harm to the character and appearance of the host dwelling or the wider locality, inclusive of the designated heritage asset being the Marshfield Conservation Area, or the Cotswold AONB.

5.4 Residential Amenity

Policy PSP38 of the Policies, Sites and Places Plan explains that development will be permitted provided that it would not detrimentally impact the residential amenities of nearby occupiers and would not prejudice the retention of adequate private amenity space. Policy PSP8 outlines the types of issues that could result in an unacceptable impact. The proposed summer house is modest in scale and situated away from neighbouring properties. As such, the proposed development would not result in any unreasonable harm to the amenities of the neighbours.

5.5 Transport

Policy PSP38 of the Policies, Sites and Places Plan sets out the Council's parking standards. The proposal would not increase the number of bedrooms or otherwise expand the degree of occupancy within the property, and the existing access and parking arrangement remain unchanged. Therefore, there is no highway objection.

5.6 Trees

Policy PSP3 and the newly adopted Tree SPD seeks to protect and increase tree cover. The proposed development would not result in the loss or harm of any mature trees, with the trees surrounding the site having already been assessed by the application for the neighbouring (as discussed above) site

which resulted in the expansion of the curtilage of the application property. It is further noted that no objections made by the councils Tree Team.

5.7 Consideration of likely impact on Equalities

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

6. CONCLUSION

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

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 Grant Planning Permission subject to conditions.

CONDITIONS

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

Reason

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

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

Received by the council on 17 September 2021: Block Plan, Floor Plan, Proposed Elevations, and Location Plan.

Reason

To define the terms and extent of the permission.

Case Officer: Thomas Smith
Authorising Officer: Marie Bath