

# 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: 31/22**

**Date to Members: 05/08/2022**

**Member's Deadline: 11/08/2022 (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](mailto: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](mailto: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](mailto:MemberReferral@southglos.gov.uk)

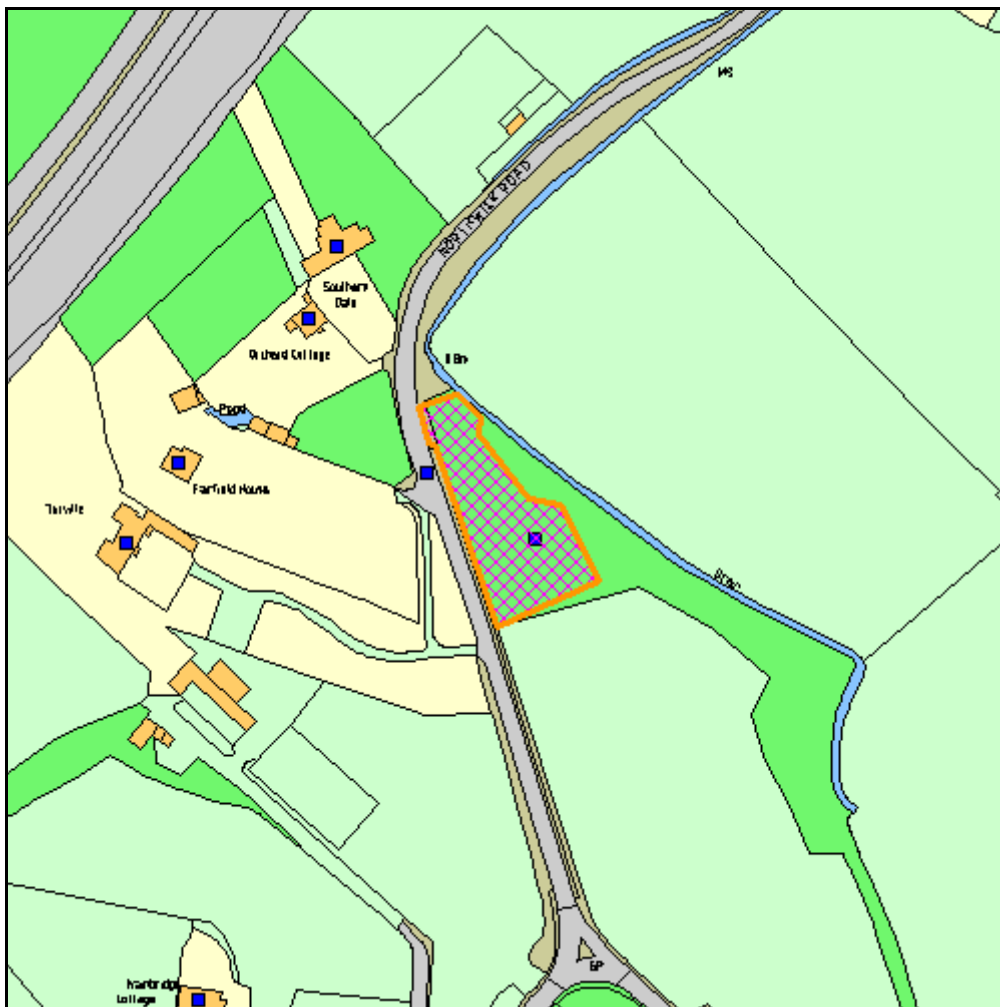
# CIRCULATED SCHEDULE 05 August 2022

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ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	<b>P20/10637/F</b>	Approve with Conditions	Land At Northwick Road Pilning South Gloucestershire BS35 4HA	Pilning And Severn Beach	Pilning And Severn Beach Parish Council
2	<b>P21/06534/F</b>	Approve with Conditions	678 Southmead Road Filton South Gloucestershire BS34 7RD	Filton	Filton Town Council
3	<b>P22/02501/F</b>	Approve with Conditions	5 Meadow View Shortwood Road Pucklechurch South Gloucestershire BS16 9PQ	Boyd Valley	Pucklechurch Parish Council
4	<b>P22/02937/F</b>	Refusal	2 Chapel Cottages Wick Lane Upton Cheyney South Gloucestershire BS30 6NL	Bitton And Oldland Common	Bitton Parish Council
5	<b>P22/03071/F</b>	Approve with Conditions	Unit 14 Eagles Wood Business Park Woodlands Lane Bradley Stoke South Gloucestershire BS32 4EU	Bradley Stoke North	Bradley Stoke Town Council
6	<b>P22/03422/HH</b>	Approve with Conditions	46A Lapwing Close Bradley Stoke South Gloucestershire BS32 0BJ	Bradley Stoke North	Bradley Stoke Town Council

**CIRCULATED SCHEDULE NO. 31/22 - 5th August 2022**

<b>App No.:</b>	P20/10637/F	<b>Applicant:</b>	Mr Michael McDonagh
<b>Site:</b>	Land At Northwick Road Pilning South Gloucestershire BS35 4HA	<b>Date Reg:</b>	23rd June 2020
<b>Proposal:</b>	Change of use of land to gypsy and traveller caravan site to facilitate the stationing of 1no. mobile home, 1no. touring caravan and erection of 1no. amenity unit and associated works. (amendment to PT16/4188/F - allowed on appeal)	<b>Parish:</b>	Pilning And Severn Beach Parish Council
<b>Map Ref:</b>	355524 185497	<b>Ward:</b>	Pilning And Severn Beach
<b>Application Category:</b>	Minor	<b>Target Date:</b>	13th August 2020



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P20/10637/F

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

## **REASON FOR REPORTING TO THE CIRCULATED SCHEDULE**

This application has been reported to the Circulated Schedule due to the objection from Pilning and Severn Beach Parish Council, which is contrary to Officer recommendation.

### **1. THE PROPOSAL**

- 1.1 This is a full application for the change of use of the land to a gypsy and traveller caravan site to facilitate the stationing of 1 mobile home, 1 touring caravan and the erection of 1 amenity unit, along with the associated works.
- 1.2 Planning permission for the same proposal was refused in 2016 and subsequently being allowed on appeal in 2017. Following this, the works to implement the change of use were undertaken, which resulted in the mobile home and the amenity block being sited in the wrong place. This application seeks to regularise the works undertaken to reflect the actual situation on site.
- 1.3 The application has been amended since submission to show the location of the fence and gate posts that are on the site.
- 1.4 The site is located within the Green Belt and outside any identified settlement boundary.

### **2. POLICY CONTEXT**

#### 2.1 National Guidance

National Planning Policy Framework  
Planning Policy for Traveller sites – August 2015  
Ministerial Statement by Rt. Hon. Brandon Lewis MP (July 2013)  
Planning Practice Guidance

#### 2.2 Development Plans

##### South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design  
CS9 Managing the Environment and Heritage  
CS21 Gypsy and Traveller Accommodation  
CS34 Rural Areas

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

PSP1 Local Distinctiveness  
PSP7 Green Belt  
PSP8 Residential Amenity  
PSP16 Parking Standards

#### 2.3 Supplementary Planning Guidance

South Gloucestershire Design Check List SPD (August 2007)

Development in the Green Belt SPD (June 2007)  
South Gloucestershire Landscape Character Assessment SPD (2005)  
Residential Parking Standards (2013)  
Waste Collection (January 2015)

### 3. **RELEVANT PLANNING HISTORY**

- 3.1 N6311 – Erection of detached dwelling with garage. Construction of new pedestrian and vehicular access. Installation of septic tank/cesspit – refused 14<sup>th</sup> February 1980
- 3.2 PT05/1413/F – Change of use from agricultural land (sui generis) to use of land for keeping of horses (sui generis) and erection of stable – refused 9<sup>th</sup> August 2005
- 3.3 PT13/3720/F – Change of use of land to gypsy and traveller caravan site to facilitate the stationing of 1 mobile home, 1 touring caravan and the erection of 1 amenity unit and associated works – refused 16<sup>th</sup> July 2014. Appeal dismissed 29<sup>th</sup> July 2015
- 3.4 PT16/4188/F - Change of use of land to gypsy and traveller caravan site to facilitate the stationing of 1 mobile home, 1 touring caravan and the erection of 1 amenity unit and associated works – refused 9<sup>th</sup> September 2016. Appeal allowed 9<sup>th</sup> August 2017

### 4. **CONSULTATION RESPONSES**

- 4.1 Pilning and Severn Beach Parish Council  
Object to the application, raising the following points;
- Although the application is minor, it brings forward far bigger issues
  - Area of hardstanding shown on is a third of what has already been laid on site (breach of condition 2) (*Officer note: This application seeks to regularise works undertaken*)
  - Currently 3 caravans and one static (breach of condition 5) (*Officer note: From the site visit, there was only one static and one tourer on site*)
  - Regularly been a 6 wheel tipper parked on site (breach of condition 7) (*Officer note: This has not been present when Officers have visited the site as part of this application*)
  - 2 new caravans have numerous adults that cannot be described as dependants (breach of condition 3) (*Officer note: From the site visit, there was only one static and one tourer on site*)
  - Caravans shown on site are not as plan 16\_785\_001 (breach of condition 8) (*Officer note: This application seeks to regularise works undertaken*)
- 4.2 External Consultees  
**Environment Agency** – no comments received
- 4.3 Internal Consultees  
**Sustainable Transport** – No comments as the application is broadly a resubmission of the previous application allowed on appeal.  
**Planning Policy** – Offer the following comments



- Effectively an amendment to PT16/4188/F
- Notwithstanding this, the application proposes a new site in South Glos
- There is a high level of need for pitches in the district
- This site is an amendment to an existing permission, so would not make a contribution to meet the existing shortfall
- National policy is clear that in the green belt, inappropriate development is harmful and should not be approved except in very special circumstances
- Considerable weight can be given to Policy CS21
- It is for the case officer considers criteria 1-4 of the policy is met and it should be deferred to specialist officer for their assessment of the proposal and its compliance with national and local policy

**Lead Local Flood Authority** – Site is Flood Zone 3 and a Flood Risk Assessment should be submitted.

**Archaeology** – No further archaeological work is required

**Highway Structures** - No comment

**Landscape** – No comments received

### Other Representations

- 4.4 Local Residents  
None received

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

The principle of the development on this site has been established though the allowed appeal in 2017. In that case, the Inspector found that the development complied with the criteria of Policy CS21, whilst acknowledging the harm to the green belt in terms of the inappropriate development carried substantial weight. When balancing this harm against the best interests of the child, he considered that the harms were outweighed by this when allowing the appeal.

- 5.2 On this basis, it is considered that the principal issues to be considered are whether the amendments to the approved scheme would have a materially greater impact than the approved scheme, which is extant.

### 5.3 Impact on the Green Belt

As stated above, the development is considered to represent inappropriate development in the Green Belt, which is harmful by definition. In this case, the key consideration in terms of the Green Belt harms is whether the development that is the subject of this application would have a great impact on the openness of the Green Belt than the previously approved scheme.

- 5.4 The application proposes the same quantum of development as previously approved in terms of the change of use and amenity block. The mobile home has moved further back into the site and the touring caravan would be sited parallel to the southern boundary. The amenity block appears to be in broadly the same position. The extent of the hardstanding has increased.

- 5.5 Overall it is not considered that the revised siting and hardstanding would result in a materially greater impact on the openness of the Green Belt nor would it

conflict with the purposes of including land within it than the approved scheme. This is considered to represent Very Special Circumstances to outweigh the harm caused to the Green Belt as there is a realistic fall-back position for the applicant.

5.6 Impact on the landscape

There is a greater area of hardstanding proposed under this application than was previously approved. There is some screening provided to the site by the existing boundaries. As stated above, other than the hardstanding, the quantum of development is the same as approved.

5.7 The Inspector acknowledged there was some limited harm to the landscape, though this could be mitigated through landscaping. Whilst it is acknowledged that there would be a greater impact on the landscape through the increased level of hardstanding, it is considered that the landscaping on site would largely mitigate this and the weight given to any residual harm would be limited.

5.8 There has been metal gates and post and rail fencing constructed at the site. The plans have been amended to show the locations of these structures though no plans of the structures themselves have been submitted. The post and rail fencing is characteristic of the local area. The gates are 2m high metal gates with vertical railings, which is not characteristic of the local area. This would have a low amount of harm to the visual appearance of the landscape.

5.9 The gate piers have statues mounted to the top of them and there is a large statue in the open space adjacent to the hardstanding. These are not considered to be characteristic of the area and cause harm to its visual amenities. The applicant has agreed to their removal and a condition would be imposed requiring their removal within 6 months of the date of the decision.

5.10 Impact on highway safety

There would be no increase in the level of use of the site thus there would be no change to the impact on the highway. There is sufficient visibility to allow safe access and egress to the site with the gates imposed with sufficient space to the front to ensure vehicles do not have to wait on the highway.

5.11 Impact on Flood Risk

Part of the site is located within Flood Zone 3 though it appears that the area to be developed falls within Flood Zone 1. This mirrors the findings of the previous Inspector. Furthermore, the area in Flood Zone 3 benefits from flood defences. Whilst the comments of the LLFA are noted, given the previous decision and the changes between it and this application, it is not considered that there would be any adverse impact on flood risk as a result of this proposal.

5.12 Impact on residential amenity

There would be no increase in the number of families using the site. The revised siting of the various elements would not lead to an adverse impact on the residential amenity of existing occupiers. There is sufficient amenity space to provide a suitable level for occupiers of the site itself.

#### 5.13 Planning balance

The development represents inappropriate development in the Green Belt, this weighs significantly against the development. There would also be some limited harm to the landscape character of the area from the introduction of the gates.

5.14 Significant weight must be given to the Very Special Circumstances of this case, which are both the extent permission and the best interests of the child.

5.15 Neutral weight is given to the introduction of the post and rail fences and the lack of identified harms to the landscape (other than that identified above), highway safety and flood risk.

5.16 In light of the above, it is considered that the proposed development is considered to be acceptable, subject to conditions to restrict the occupancy to the applicant and other restrictive conditions set out in the previous permission. There will additional conditions to ensure the gates and fence as they are currently erected and not changed and to require the removal of the statues.

#### 5.17 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 positive impact on equality as it is for people with a protected characteristic.

## 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 Planning Permission be **GRANTED**, subject to the conditions set out below.

## **CONDITIONS**

1. The development hereby permitted shall be carried out in accordance with the following drawings

Site Location Plan (16\_785C\_001), received by the Council on 18th June 2020  
Day room plans and elevations (16\_785C\_005), received by the Council on 18th June 2020  
Revised block plan (16\_785C\_003 Rev B), received by the Council on 11th July 2022  
Photographs of the gates and fence, received by the Council on 29th July 2022

### Reason

To define the terms and extent of the permission

2. The occupation of the site hereby permitted shall be carried out only by Mr Michael McDonagh, and his wife Teresa, and their resident dependants.

### Reason

The permission has been granted solely having regard to the special circumstances of the case and use not in accordance with the requirements of the condition would require the further consideration of the Local Planning Authority in the light of the Development Plan, and any other material considerations.

3. When the land ceases to be occupied by those named in condition 2, the use hereby permitted shall cease and all caravans, structures, materials and equipment brought on to or erected on the land, and/or works undertaken to it in connection with the use, shall be removed and the land shall be restored to its condition before the development took place.

### Reason

The permission has been granted solely having regard to the special circumstances of the case and use not in accordance with the requirements of the condition would require the further consideration of the Local Planning Authority in the light of the Development Plan, and any other material considerations.

4. No more than 2 caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 as amended (of which no more than 1 shall be a static caravan) shall be stationed on the site at any time.

### Reason

To safeguard the openness of the Green Belt, in accordance with Policy PSP7 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (November 2017) and the guidance within the National Planning Policy Framework

5. No commercial activities shall take place on the land, including the storage of materials.

### Reason

To safeguard the openness of the Green Belt and the visual amenities of the area, in accordance with Policies PSP2 and PSP7 of the South Gloucestershire Local Plan:

Policies, Sites and Places Plan (November 2017) and the guidance within the National Planning Policy Framework

6. No vehicle over 3.5t shall be stationed, parked or stored on this site.

Reason

To safeguard the openness of the Green Belt and the visual amenities of the area, in accordance with Policies PSP2 and PSP7 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (November 2017) and the guidance within the National Planning Policy Framework

7. The mobile home shall be sited in accordance with plan no. 16\_785C\_003 Rev B (received 11th July 2022).

Reason

To safeguard the openness of the Green Belt and the visual amenities of the area, in accordance with Policies PSP2 and PSP7 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (November 2017) and the guidance within the National Planning Policy Framework

8. Within 6 months of the date of the decision, details of the surface and foul water drainage scheme (including Sustainable Drainage Systems e.g. soakaways if ground conditions are satisfactory), and other measures for the remediation and prevention of surface water run-off and flooding; the control of pollution and environmental protection, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the details so approved.

Reason

To ensure the development is served by satisfactory arrangements for the disposal of surface water and foul sewerage, to ensure flood risk on-site and off-site is not increased, and to protect the water environment in accordance with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy December 2013, Policy PSP20 of the South Gloucestershire Council Local Plan: Policies Sites and Places Plan 2017, and paragraph 167 of the National Planning Policy Framework. The

9. The landscaping scheme and the landscape maintenance shall be carried out in accordance with the details approved under ref DOC19/0001.

Reason

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

10. The refuse collection and storage facilities shall be in accordance with the details submitted under ref: DOC19/0001

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 CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

11. No external lighting shall be installed other than that approved under ref DOC19/0001

**Reason**

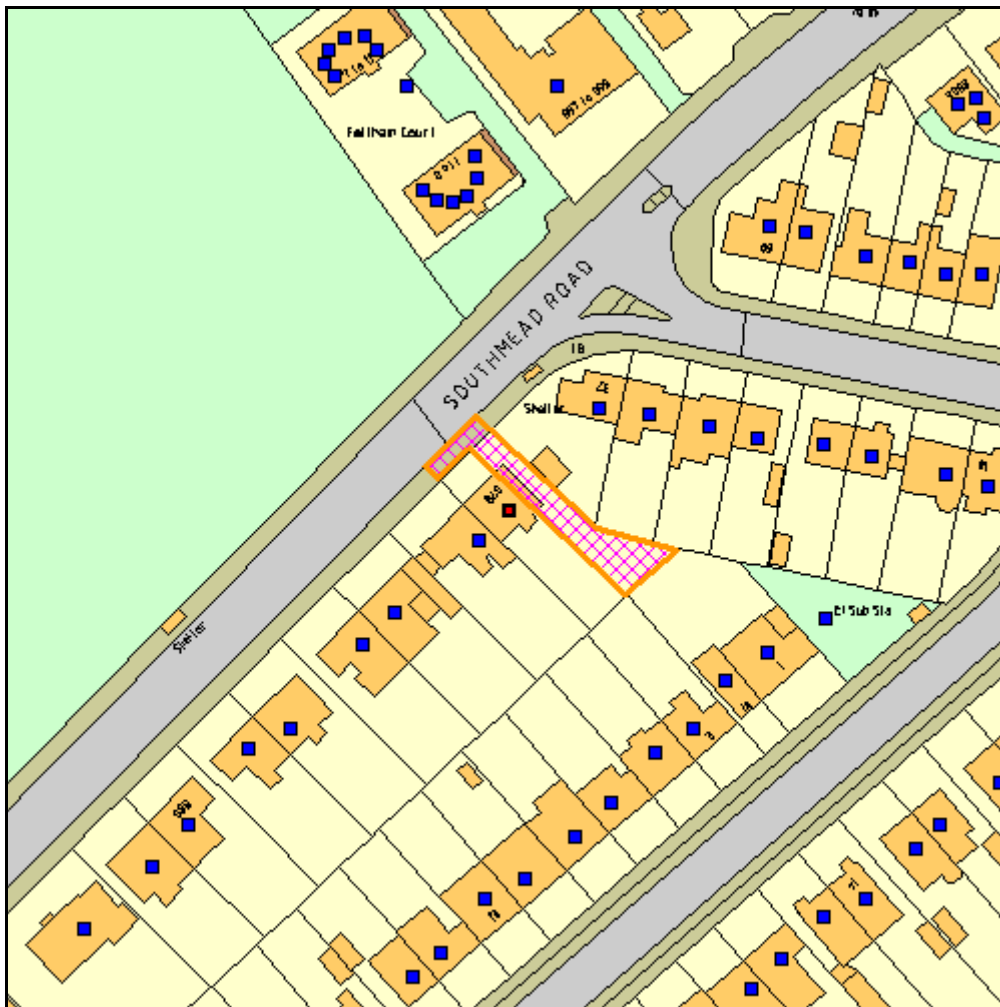
To ensure the satisfactory external appearance of the development in the interests of visual amenity and to protect the residential amenity of the neighbouring occupiers and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning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

**Case Officer: Suzanne D'Arcy**

**Authorising Officer: David Stockdale**

**CIRCULATED SCHEDULE NO. 31/22 - 5th August 2022**

<b>App No.:</b>	P21/06534/F	<b>Applicant:</b>	Mike Tucker
<b>Site:</b>	678 Southmead Road Filton South Gloucestershire BS34 7RD	<b>Date Reg:</b>	7th October 2021
<b>Proposal:</b>	Erection of 1 no. attached dwelling with parking, access on to Southmead Road and associated works.	<b>Parish:</b>	Filton Town Council
<b>Map Ref:</b>	359683 178743	<b>Ward:</b>	Filton
<b>Application Category:</b>	Minor	<b>Target Date:</b>	30th November 2021



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

## **REASON FOR REPORTING TO THE CIRCULATED SCHEDULE**

The application appears on the Circulated Schedule because a representation has been received from Filton Town Council that is contrary to the findings of this report and officers recommendation.

### **1. THE PROPOSAL**

- 1.1 Full planning permission is sought for the erection of 1no. attached dwelling with parking, access on to Southmead Road and associated works.
- 1.2 The application site is a semi-detached 1930s dwelling on the South-east side of Southmead Road, located within the North Fringe of Bristol Urban Area.
- 1.3 During the application's consideration, revised plans have been received in response to highways officer comments and the application has been amended to include access onto Southmead Road as part of the development proposals. Accordingly, the site boundary (red line) and development description have been amended to reflect this, and the appropriate notice (certificate B) has been served. A 21-day re-consultation was carried out in light of this amendment.
- 1.4 A further amendment has been sought during consideration to reduce the no. of bedrooms within the proposed dwelling to 2, following concerns with respect of internal space standards. Given the nature of this change, no further public re-consultation was considered necessary.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
National Planning Policy Framework July 2021  
National Planning Practice Guidance

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

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



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

- 2.3 Supplementary Planning Guidance  
 Design Checklist SPD (Adopted) August 2007  
 Residential Parking Standard SPD (Adopted) December 2013  
 CIL and S106 SPD (Adopted) March 2015  
 Waste Collection SPD (Adopted) January 2015 (updated March 2017)

### 3. **RELEVANT PLANNING HISTORY**

#### *Application site*

- 3.1 PT02/1690/F (approved 28/06/2002):  
 Erection of first floor side extension to form bedroom and bathroom above existing garage and kitchen.

#### *Neighbouring sites*

- 3.2 [No. 676 Southmead Road – attached neighbour] P21/03851/F (refused 05/08/2021):  
 Demolition of existing garage/store room. Erection of 1 no. dwelling with parking, access and associated works.

#### *Refusal reason 1:*

The proposed dwellinghouse, by virtue of its size, scale, design and its siting to the side of the existing dwelling No.676 Southmead Road is considered to result in a cramped and contrived form of development, which will appear adversely out of keeping with existing the pattern of development and character of the area. As such, the proposal does not achieve the highest possible standards of design and site planning required and is therefore contrary to Policies CS1 and CS17 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013; Policy PSP1 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework

- 3.3 [No. 668 Southmead Road] P21/06718/F (refused 27/01/2022 / appeal submitted):  
 Demolition of existing garage. Erection of 1 no. dwelling, creation of new access and associated works (Resubmission of P21/04649/F).

#### *Refusal reason 1:*

The proposed development would result in a building with inappropriate form that would not sufficiently integrate with the surrounding context and thus result in harm to the existing street scene. It is therefore considered the development to be contrary to policies CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013), PSP38 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017), and, the South Gloucestershire Householder Design Guide (Adopted March 2021).

#### *Refusal reason 2:*

The proposed development, due to the increase of built form and potential for intervisibility would result in an overbearing effect and reduce the kitchen privacy of the neighbouring property to the Southwest (No.666 Southmead Rd). It is therefore considered the development to be contrary to policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017), and, the South Gloucestershire Householder Design Guide (Adopted March 2021).

*Refusal reason 3:*

The proposed development, due to inadequate plot size, would result in an unsatisfactory level of private amenity space for the potential occupants and therefore demonstrate overdevelopment. It is therefore considered that the development is contrary to policy PSP43 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

- 3.4 [No. 668 Southmead Road] P21/04649/F (refused 17/09/2021):  
Demolition of existing garage. Erection of 1 no. dwelling, creation of new access and associated works.

*Refusal reason 1:*

The proposed development would result in a building with inappropriate form that would appear visually out-of-keeping within the surrounding context and not reflect the appearance of an independent property. It is therefore considered the development to be contrary to policies CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013), PSP38 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017), and, the South Gloucestershire Householder Design Guide (Adopted March 2021).

Pre-application advice

Pre-application advice has been provided for 1no. attached dwelling on this site under PRE21/0315. The response to this enquiry was not supportive of the plans submitted at pre-app stage. It should nonetheless be noted that the plans submitted with this application have been amended, primarily so that the proposed dwelling appears less like a subservient side extension than was proposed at the pre-app stage.

## 4. **CONSULTATION RESPONSES**

### 4.1 Filton Town Council

*First response*

Objection, summarised as follows:

- Need to have access to the highway not specified
- Design too small for a liveable 3 bedroom property
- Not in keeping with neighbouring bedroom sizing
- Is the proposal for flats or a single 3 bed dwelling?
- Should be looked at alongside P21/06629/F

*Second response*

Objection, summarised as follows:

- Insufficient parking
- 678 will lose right of way
- Insufficient living area

- Width of access at pinch point at left side of build
- Drainage improvements noted

#### 4.2 Transport

##### *First response*

Principle not objected to, but concerns raised with regards to the proposed parking, specifically the length of the parking bays. Does not appear to be sufficient space, which means cars will potentially overhang the footway, obstructing its use.

Existing layout appears to be misleading.

Refusal recommended if it cannot be demonstrated that parking in accordance with standards can be provided.

##### *Second response* – further to the submission of dimensioned plans

As there are only some marginally substandard spaces and that all other spaces are policy compliant, no highway objection is raised.

#### 4.3 Highway Structures

No comments have been received.

#### 4.4 Drainage (LLFA)

##### *First response*

It is stated within the 'Design and Access Statement' that rainwater butts are to be utilised for surface water reuse instead of a soakaway system, as the site may be restricted due to its density and the required 5 metre minimum separation from any structure including the public highway.

We therefore query what arrangement is to be utilised to accommodate overflow volumes during exceedance events?

##### *Second response*

An updated Site Layout Plan which shows the location of a proposed soakaway for surface water disposal has been submitted and accepted, therefore we have, No Objection.

#### 4.5 Local Residents

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

Objection summarised as follows:

- Overdevelopment
- Negative impact on light

- Loss of privacy as access to rear will be between my boundary wall and the new dwelling
- Ground floor rear extension will necessitate the removal of an existing outhouse which forms part of the boundary. No provision has been made to make good this boundary.

Support summarised as follows:

- Enhances the area and matched similar development within the area.

## **5. ANALYSIS OF PROPOSAL**

- 5.1 The proposal seeks to erect 1no. attached dwelling with access onto Southmead Road, with associated works.

### Principle of Development

- 5.2 Policy CS5 directs new development to the urban areas and at smaller/appropriate scales to within settlement boundaries as designated by the policies map. PSP38 permits development in existing residential curtilages in urban areas, including new dwellings, where they are acceptable in terms of design, do not prejudice the amenity of neighbours, provide sufficient parking, do not prejudice highway safety and provide sufficient private amenity space. As the application site is within the North Fringe of Bristol Urban Area and is an existing curtilage within an urban area, the proposed residential development is acceptable in principle in this location on this site. Accordingly, the following detailed consideration will consider the relevant planning issues including design and visual amenity, residential amenity, transportation and drainage.

### 5.3 Design and Visual Amenity

Policy CS1 is the Council's principal design policy. CS1 requires development to demonstrate the highest standards of design and site planning by demonstrating that siting, form, scale, height, massing, detailing colour and materials are informed by respect and enhance the character, distinctiveness and amenity of both the site and its context. PSP1 requires development proposals to demonstrate an understanding of and respond constructively to the buildings and characteristics that make a particularly positive contribution to the distinctiveness of the area/locality.

- 5.4 The locality comprises generally early 20<sup>th</sup> century semi-detached dwellings, with some detached dwellings and small terraces present on the stretch of Southmead Road between Rannoch Road to the SW and Charborough Road to the NE. The rank of 5 semi-detached pairs that the application site sits on the end of are generally characterised by hipped roofs, double height bay windows dressed in stone with elevations comprising brick at GFL and render at FFL with brick quoin details. That said, there have been many alterations made to the dwellings over the years, and some have been 'gabled off', as is commonly done on dwellings such as these.

- 5.5 The proposed development would see the erection of an attached two storey dwelling on the side elevation of the existing dwelling, creating a terrace of 3no. dwellings. The proposed dwelling would have eaves and ridge heights that

match the existing dwelling, and the front elevation of the new dwelling would be flush with the existing dwelling. The new dwelling would have hipped roof, double height bay window to the front and to the rear, a 3-metre-deep ground floor projection.

- 5.6 The creation of a terrace would be difficult to resist in principle in this location, given that whilst they are less common than semi-detached pairs, small terraces are observable within the locality, including where Rannoch Road joins Southmead Road to the Southwest.
- 5.7 The new dwelling would be narrower than no.678, which is c.6.1 metres wide whereas the new dwelling would be c.5.1 metres wide (1 metre narrower in total). That said, the new dwelling clearly exhibits design traits that are present on the rank of dwellings (double height bay window, hipped roof) and the arrangement of openings accords with that of the existing dwelling (albeit with slightly narrower proportions). The reduced width however is not to such an extent that would, in the officer's opinion, justify or sustain a refusal and on balance is acceptable in this location.
- 5.8 The previous refusals elsewhere are noted and acknowledged. In this case, there is sufficient space and the siting on the end of the rank means there is no risk of terracing. Moreover, the new dwelling is not set back or down and does not attempt to read as an extension (as found in other proposals). Therefore, there are clear differences in the specific context that means the proposal can be considered acceptable in this instance.
- 5.9 Should permission be granted, it would need to be ensured that the materials match the existing dwelling (no.678) and to that end, a suitably worded condition should be applied to require matching details.
- 5.10 Residential Amenity  
PSP8 permits development where it does not prejudice the residential amenity of both occupiers of the development and of neighbouring dwellings through the creation of unacceptable impacts. Such unacceptable impacts include loss of privacy, overlooking, loss of light, loss of outlook and overbearing/dominant impacts.
- 5.11 The new dwelling, by reason of siting, would have no material impacts on the existing dwelling, in terms of amenity.
- 5.12 No.32 Charborough Road to the NE stands to be most affected, as the new side elevation of the new dwelling would be brought closer to this dwelling. No 32 Charborough Road is angled towards no.678, to some extent. The Householder Design Guide SPD sets out that where a primary room window faces a blank elevation, there should be a separation of at least 12 metres. In this case, none of the rear elevation windows of no.32 would directly face the blank elevation of the new dwelling at less than 12 metres. The existing dwelling at no.678 already breaks the 45 degree line from the rear of no.32, however the rear elevation of no.32 is located such that the windows would not directly face the side elevation of the new dwelling and would instead continue to face the open aspect of the rear garden as they do now. There would be

some increase in the overbearing of the amenity space of no.32, however it is noted that the land belonging to no.32 that directly abuts the site appears to be used for parking/garage and does not represent the main amenity space (including that closer to the rear of the host dwelling), which would not suffer any unacceptable overbearing or overshadowing impacts, should permission be granted.

- 5.13 There are no side elevation windows proposed on the new dwelling, which means there are no overlooking concerns. However, in the event permission is granted, this should be ensured by applying a suitably worded condition to prevent side elevation windows, in the interest of protecting the amenity of no.32. Concern is noted that the new access walkway to the back gardens of no. 678 and the new dwelling would lead to a loss of privacy. However, as an access path where people are unlikely to spend any extended period of time, there would not be the opportunity for any unacceptable overlooking or disturbance issues to occur.
- 5.14 In terms of private amenity space, both the new and existing dwelling will offer at least 100sqm private amenity space. This would exceed the PSP43 standard for a 4+ bed dwelling, which given both dwellings would have less than 4 bedrooms, is acceptable. The amenity space for both dwellings would be sufficiently useable and private. The amenity space for the new dwelling would be somewhat overlooked by the dwellings on Charborough Road, however there would more than enough separation distance to prevent any unacceptable impacts and the level of garden overlooking would not go beyond what is already possible elsewhere in the locality.
- 5.15 Internally, the new dwelling would accord with the Nationally Described Space Standards for a 2 bed, 4-person dwelling. All primary living accommodation would benefit from at least 1no. window and the levels of light and outlook would be the same as the existing dwelling which is acceptable.
- 5.16 Transportation and Parking  
The application site is located within an urban area and therefore accords with the locational requirements of PSP11 in terms of proximity to services and facilities by modes of travel other than the private car.
- 5.17 The development would see the provision of 1no. 2-bedroom dwelling, which generates a parking requirement of 1no. space. The existing dwelling having 3 bedrooms requires 2no. spaces. As proposed, the new dwelling and the existing dwelling would be correctly provided with at least 1no. and 2no. spaces respectively (the new dwelling would in-fact also offer 2no. spaces). One of the spaces for the existing and the extra space for the new dwelling would be 5.3 metres in length. PSP16 submits that spaces in front of a garage or wall should be at least 5.5 metres in length, which is to acknowledge that vehicles would not park directly against a wall and so the extra length is required to help prevent overhang.
- 5.18 Given that only one of the spaces for the existing dwelling and the extra for the new dwelling are only 200mm short and are still longer than the standard 4.8 metres, the case officer is not of the opinion that this minor infraction would

result in any severe or unacceptable highway safety impacts, as confirmed by the highway authority during the application's consideration.

- 5.19 In terms of access, the highway (Southmead Road) in this location is straight and subject a 30mph speed limit. As such, the lack of turning facilities are not considered a critical issue in this case, due the residential nature of the area and low speed limit. Moreover, the parking area would reflect others within the vicinity which also do not benefit from turning heads. On that basis, the proposed development can be considered acceptable in terms of access, and parking.
- 5.20 Should permission be granted, suitably worded conditions should be applied to secure the provision of electric vehicle charging points and the provision of the parking as shown on plan.
- 5.21 Drainage  
Having considered the revised plans, the Lead Local Flood Authority are content with the proposed layout plan showing the location of a soakaway for surface water dispersal. There are therefore no objections to the development in terms of drainage.

### **Impact on Equalities**

- 5.22 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.
- 5.23 With regards to the above this planning application is considered to have a neutral impact on equality.

## **6. CONCLUSION**

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

## 7. **RECOMMENDATION**

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

### **CONDITIONS**

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

Reason

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

2. The materials to be used on the external surfaces of the new attached dwelling hereby approved shall match those used on the host dwelling, no. 678 Southmead Road.

Reason

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

3. No windows other than those shown on the plans hereby approved shall be inserted at any time in the side elevation of the new dwelling.

Reason

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

4. Prior to first occupation of the new dwelling hereby approved, the parking and access facilities for the new and existing dwelling as shown on plan A03 rev.A (proposed site layout, as received 17th January 2022) shall be provided and shall be retained thereafter for their intended purposes.

Reason

To ensure the provision of a satisfactory level of parking and to accord with PSP11 and PSP16 of the South Gloucestershire Local Plan; Policies Sites and Places Plan (Adopted) November 2017

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

A01 rev.A - Site location plan  
As received 14th January 2022

A02 rev.A - Existing site layout  
A03 rev.A - Proposed site layout  
As received 17th January 2022

A04 rev.A - Existing and proposed street sections  
A05 rev.A - Proposed plans and elevations



As received 15th March 2022

A07 - Existing and proposed layout - figured dimensions

As received 5th April 2022

Reason

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

6. Prior to first occupation, the new dwelling hereby approved shall be provided with at least 1no. electric vehicle charging socket, rated at 7kw, 32amp minimum, which shall be installed in accordance with manufacturer's instructions and retained thereafter.

Reason

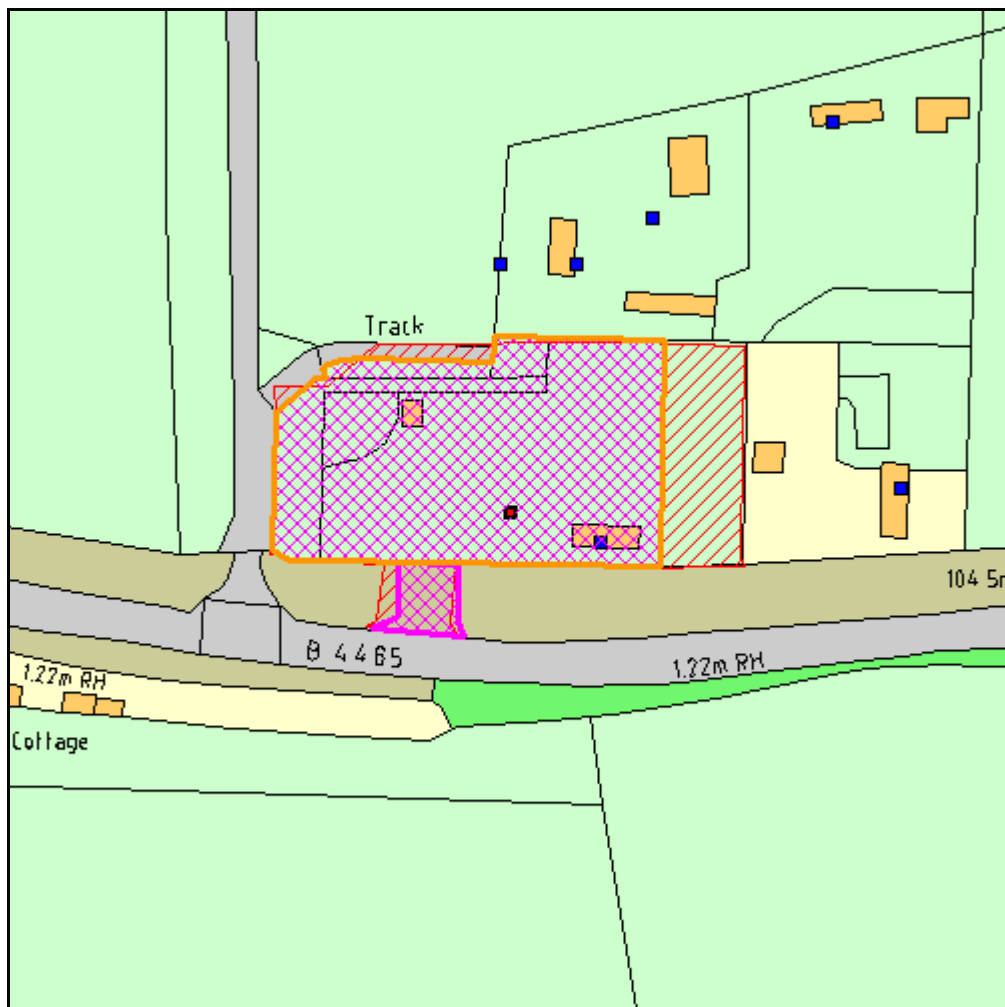
To ensure sustainable transport facilities are provided, to reduce Co2 emissions and to accord with CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

**Case Officer: Alex Hemming**

**Authorising Officer: Marie Bath**

**CIRCULATED SCHEDULE NO. 31/22 - 5th August 2022**

<b>App No.:</b>	P22/02501/F	<b>Applicant:</b>	Mr Jason McDonagh
<b>Site:</b>	5 Meadow View Shortwood Road Pucklechurch South Gloucestershire BS16 9PQ	<b>Date Reg:</b>	20th May 2022
<b>Proposal:</b>	Creation of new vehicular access on to Shortwood Road.	<b>Parish:</b>	Pucklechurch Parish Council
<b>Map Ref:</b>	369046 175799	<b>Ward:</b>	Boyd Valley
<b>Application Category:</b>	Minor	<b>Target Date:</b>	14th July 2022



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 100023410, 2008. N.T.S. P22/02501/F

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

## **REASON FOR REPORTING TO THE CIRCULATED SCHEDULE**

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

### **1. THE PROPOSAL**

- 1.1 Full planning permission is sought for the creation of a new vehicular access on to the Shortwood Road, a classified highway (class B).
- 1.2 The application site is an existing Gypsy and Traveller site situated to the North of Shortwood Road, located within the Bristol/Bath Green Belt and open countryside.

### **2. POLICY CONTEXT**

#### 2.1 National Guidance

National Planning Policy Framework July 2021  
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
PSP7	Development in the Green Belt
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP20	Flood Risk, Surface Water, and Watercourse Management

#### 2.3 Supplementary Planning Guidance

Development in the Green Belt SPD (Adopted) June 2007  
Design Checklist SPD (Adopted) August 2007  
Landscape Character Assessment SPD (Adopted) November 2014

### **3. RELEVANT PLANNING HISTORY**

- 3.1 P22/01635/CLE (approved 10/06/2022):  
Retention of 2no. outbuildings for storage and a dayroom.
- 3.2 PK17/4232/RVC (approved 04/12/2017):  
Variation of condition 1 and 2 attached to PK14/2889/F allowed on appeal APP/P0119/W/15/3065767 condition no. 1 to now read The use hereby permitted shall be carried on only by the following and their resident dependants: James McDonagh and Helen Monagan (Plot 1) and Jason McDonagh and Theresa McDonagh (Plot 2). Condition no. 2 to now read, When the land ceases to be occupied by those named in Condition 1) above, the use hereby permitted shall cease and all caravans, buildings, structures, materials and equipment brought onto the land, or works undertaken to it in connection with the use shall be removed and the land restored within a further three months to its condition before the development took place
- 3.3 PK14/2889/F (refused 19/02/2015):  
Change of use of land to gypsy/travellers site including 2 no. mobile homes and 2 no. touring caravans with the formation of additional hard standing and 2 no. ancillary utility/day rooms.
- Appeal allowed 10/02/2016
- 3.4 PK09/0398/F (refused 29/05/2009):  
Change of use of grazing land (sui generis) for the stationing of 1no. residential gypsy mobile home, 4no. associated touring caravan pitches (1no. permanent and 3no. transit pitches). Erection of utility/day room and associated hardstanding.
- 3.5 P90/1062 (refused 07/03/1990):  
Change of use of land from agricultural to golf driving range

### **4. CONSULTATION RESPONSES**

- 4.1 Pucklechurch Parish Council  
Objection on the basis that the site sits in the green belt. This application would introduce hard structures such as gateways which are more in keeping with an urban rather than green landscape. The proposal would harm the character of the area and further erode the green verge and associated habit. The council queries why this additional access facing onto the highway is required when an existing access is in place. Furthermore, this site is in an elevated position above the road and the proposed driveway could cause surface water run-off onto the highway yet there appear no details in the application on the proposed structures, road surfacing or drainage and measures to mitigate run-off. This proposal would introduce permanent structures associated to a site which is conditioned upon named individuals occupying it. The granting of any permission should like the rest of the site be conditional that if the named occupants leave the site, it must be fully returned to the Green Belt

- 4.2 Siston Parish Council (adjoining)  
No comments have been received.
- 4.3 Sustainable Transport  
Unclear why the access is required, but no objection raised. Informative provided.
- 4.4 Highway Structures  
No comments have been received.
- 4.5 Drainage (LLFA)  
No objection, informative(s) provided.
- 4.6 Landscape Officer  
No objection subject to agreement of all proposed boundary and hard landscape surface treatments as a condition of any planning permission.
- 4.7 Local Residents  
No comments have been received.

## 5. **ANALYSIS OF PROPOSAL**

- 1.1 The application seeks planning permission for the creation of a new vehicular access onto Shortwood Road.
- 1.2 The Gypsy and Traveller site to the North already benefits from access from Shortwood Road. However, the applicant's agent has clarified that the new access is required because the applicant would wish to have an autonomous (independent) entrance as opposed to the existing access which is shared by multiple individuals. It is further contended that the existing access lane provides poor vehicular visibility.

### Principle of Development

- 1.3 The proposed development relates to the creation of a new access which would serve an existing authorised Gypsy and Traveller site. Whilst the case officer notes that there is already an existing shared access which provides access to the site (5, Meadow View), this in and of itself does not mean that a further access should not be permitted. The key issue to consider within this application is whether the access that is proposed is acceptable in planning terms. The site is located within the Bristol and Bath Green Belt and the access would provide access to a classified B road. Consequently, the main issues of consideration will be Green Belt, and whether the access is acceptable in highways terms. Green Belt can be considered to be a matter of principle.
- 1.4 Policy CS5 sets out the spatial strategy for the district and directs new development to the urban fringes of Bristol, and at appropriate scales to within the settlement boundaries as designated by the policies map. Elsewhere in the Green Belt, CS5 stipulates that development proposals will need to comply with the provisions of the NPPF or relevant local plan policies. CS34 sets out the

- strategy for the districts rural areas and submits that development proposals should protect the designated Green Belt from inappropriate development.
- 1.5 The NPPF instructs that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 1.6 Paragraph 149 of the NPPF lists 7 forms of development that are appropriate in the Green Belt. This proposal would not fall into any of these limited forms of appropriate development. Paragraph 150 goes on to list 6 other forms of development that are not inappropriate, provided they preserve the openness and do not conflict with the purposes of including the land within the Green Belt. The five purposes of the Green Belt are;
- a) *to check the unrestricted sprawl of large built-up areas;*
  - b) *to prevent neighbouring towns merging into one another;*
  - c) *to assist in safeguarding the countryside from encroachment;*
  - d) *to preserve the setting and special character of historic towns; and*
  - e) *to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*
- 1.7 One of the forms of development listed in 150 is 'engineering operations'. Engineering operations can cover activities altering the profile of land by excavation, embanking or tipping, or alternatively those which change the character of the surface of land by the laying down of hardstanding. Section 336 of the TCPA 1990 ('interpretation') provides limited guidance on the scope of engineering operations. One thing that section 336 does specify though is that engineering operations include the formation or laying out of means of access to highways. Given that the proposed development is for the formation and laying out of an access, the proposed development falls within the scope of engineering operations which are not inappropriate under the terms of NPPF para. 150, subject to consideration of openness and whether the works conflict with the purposes of including the land within the Green Belt.
- 1.8 The access would have a length of c.11.7 metres from the Travellers site, across the wide verge to the B4665, and would have a width of c.6 metres. The access would involve the laying out of a hard surface across the verge.
- 1.9 The access works relate primarily to hard surfacing. Openness is normally considered to be the absence of built form and so as the works would not add any built form, any impacts on openness would be negligible. Furthermore, the area of land (verge) is constrained to the South by the highway, North by the Traveller site and to the East and West by existing accesses. This means that the works would be well contained, and the wider open character of the area would not be appreciably altered.

- 1.10 Moreover, the works would not conflict with the purposes of including the land within the Green Belt as they would not result in the sprawl of a built up area, would not result in or contribute to neighbouring towns merging into one another, would have no impacts on the setting and special character of an historic town. In terms of encroachment into the countryside, the well contained nature of the verge which is bounded on all sides by hard surface means that the works would not result in any material encroachment into the countryside. Accordingly, the proposed development which constitutes an engineering option would not be inappropriate in the Green Belt, as it preserves openness and does not conflict with the purposes of including the land within the Green Belt.
- 1.11 Highways  
PSP11 permits development that would result in a demand for travel provided it would not generate traffic that would (*inter alia*) have an unacceptable impact on highway and road safety. PSP11 submits that access should be appropriate, safe and convenient for all mode trips.
- 1.12 The access proposed would run across a wide highway verge directly onto the Shortwood Road, which is subject to a 40mph speed limit. There is sufficient visibility for emerging vehicles to see and be seen from vehicles on the carriageway approaching the new access. The 6-metre-wide surface means that two vehicles can pass one another preventing the need to reverse onto the highway, and there is sufficient turning space within the site served by the access to allow egress in a forward gear. On that basis, there are no objections to the access in terms of highway safety.
- 1.13 The access will need to be surfaced to an adoptable standard and provided with surface water drainage. These details will be required as part of the process to obtain the necessary permit from the LHA to carry out the works.
- 1.14 Design and Landscape  
In design terms, the access will appear as a relatively standard piece of highways engineering which will sit between two existing accesses and the Shortwood Road and will therefore not appear out of place within its setting.
- 1.15 Given the rural setting and open nature of the area, it will be necessary to restrict any additional furniture such as gates, walls and railings associated with the access. This should be dealt with by an appropriately worded condition to secure details of these items, prior to their installation. This condition would also help to preserve the openness of the Green Belt. A further condition should be applied in the event permission is granted to secure details of the final surface material, to ensure acceptability within the rural and open setting.
- 1.16 Drainage  
The case officer notes that the site is in an elevated position and that concerns have been raised in respect of drainage. As confirmed during the highway authority consultation and above, details of surface water drainage to prevent run-off onto the carriageway will be required to be submitted as part of the permit to carry out the works. The permission under section 184 of the highways act will be required to be sought from the Council's Development

Implementation Team (SGC being the local highway authority). A suitably worded informative should be applied to any consent to remind the applicant of this. As drainage will be addressed during the implementation stage, a further planning condition need not be applied as drainage will be addressed appropriately through a separate process.

#### 1.17 Residential Amenity

The proposed development, by reason of its siting and nature, would not present any material residential amenity impacts, should permission be granted.

### **Impact on Equalities**

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

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

### **Other Matters**

1.20 The granting of this application would not alter the requirements of the conditions attached to the consent governing the use of the land as a Gypsy and Traveller by named individuals. This particular development is a standalone application, and the proposals represent appropriate development in the Green Belt and so there is no reason to condition its removal after a certain period, or once named individuals cease to occupy the land.

## **6. CONCLUSION**

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

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



## 7. **RECOMMENDATION**

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

### **CONDITIONS**

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

#### Reason

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

2. Prior to the installation of any gates, walls, railings or other furniture associated with the access hereby approved, full details shall be submitted to the local planning authority for approval in writing. Details shall include where necessary representative scaled layout and elevation plans. Development shall proceed in strict accordance with the approved details and no other gates, walls, railings or other furniture associated with the access shall be installed at any time without the consent of the local planning authority.

#### Reason

To ensure that the development serves to preserve the openness of the Green Belt and to ensure a satisfactory standard of external appearance that suitably assimilates into its rural setting in accordance with CS1 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; PSP1 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017 and the provisions of the National Planning Policy Framework.

3. Prior to installation, full details of the proposed surface material for the access shall be submitted to the local planning authority for approval in writing. Development shall proceed in strict accordance with the approved details.

#### Reason

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

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

PL02 - Existing block plan  
PL03 - Proposed block plan  
As received 29th April 2022

PL01 A - Site location plan  
As received 20th May 2022

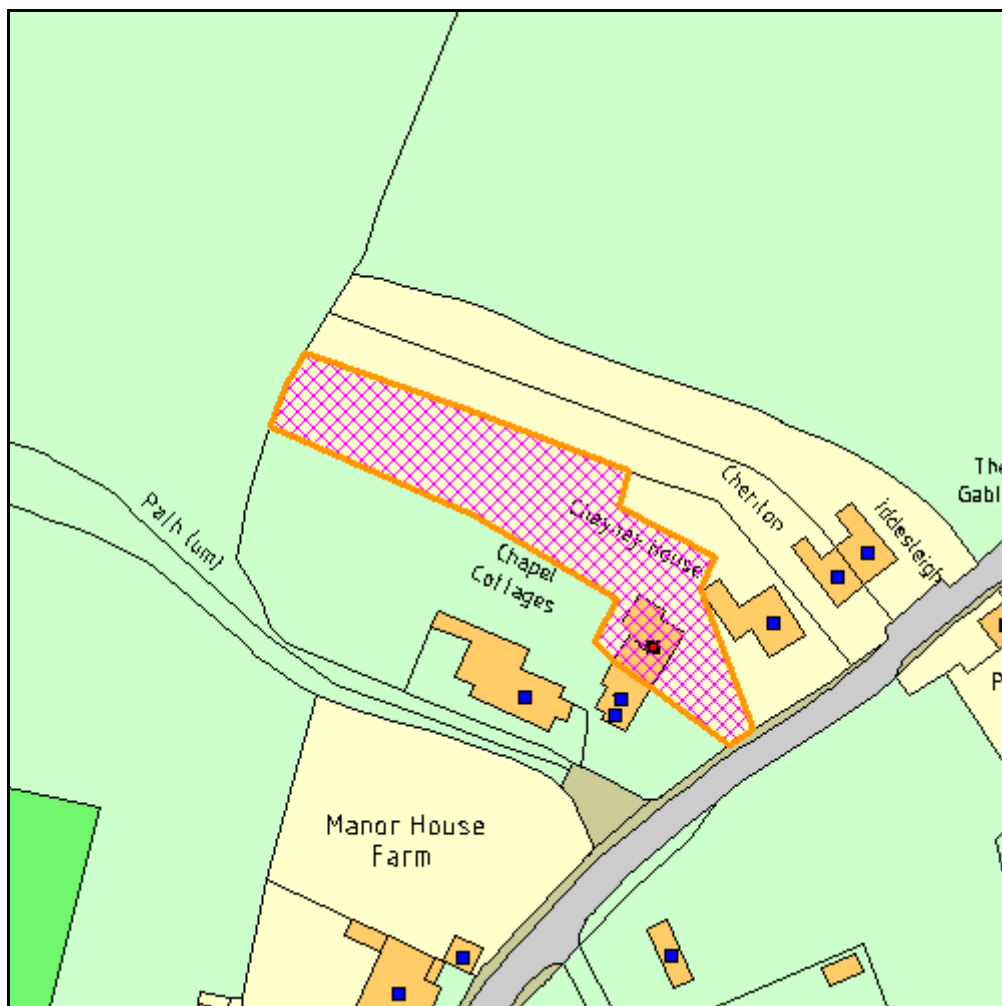
#### Reason

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

**Case Officer: Alex Hemming**  
**Authorising Officer: David Stockdale**

**CIRCULATED SCHEDULE NO. 31/22 -5th August 2022**

<b>App No.:</b>	P22/02937/F	<b>Applicant:</b>	Mr Andrew Westlake
<b>Site:</b>	2 Chapel Cottages Wick Lane Upton Cheyney South Gloucestershire BS30 6NL	<b>Date Reg:</b>	7th June 2022
<b>Proposal:</b>	Creation of new vehicular access and driveway (retrospective).	<b>Parish:</b>	Bitton Parish Council
<b>Map Ref:</b>	369314 170135	<b>Ward:</b>	Bitton And Oldland Common
<b>Application Category:</b>	Minor	<b>Target Date:</b>	1st August 2022



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

This planning application will be added to the Circulated Schedule because the proposal has received 5 No letters of support from neighbouring residents, which are contrary to the officer's recommendation.

## **1. THE PROPOSAL**

- 1.1 The application seeks retrospective full planning permission for the creation of a new vehicular access to the front of No 2, Chapel Cottages, and as detailed on the application form and illustrated on the accompanying drawings. A pre-application was also submitted (ref PRE21/0600) in July 2021.
- 1.2 The application relates to a semi-detached cottage property within Upton Cheyney, which lies directly adjacent to the Grade II listed Upton Cheyney United Reformed Church. The site backs onto fields, is within the Bristol/Bath Green Belt and is located within the Upton Cheyney Conservation Area but outside of a settlement boundary.
- 1.3 The application site is located to the north-west side of Wick Lane, with existing residential properties to either side, and is within an Area of Outstanding Natural Beauty (AONB). The host dwellinghouse is also located adjacent to the United Reformed Church, which is a Grade II Listed Building.

## **2. POLICY CONTEXT**

### **2.1 National Guidance**

National Planning Policy Framework July 2021  
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
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS34	Rural Areas

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP7	Development in the Green Belt
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards

PSP17	Heritage Assets and the Historic Environment
PSP38	Development within Existing Residential Curtilages
PSP40	Residential Development in the countryside
PSP43	Private Amenity Space Standards

### 2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007  
 Residential Parking Standards (Adopted) 2013  
 Householder Design Guide SPD (Adopted) 2021  
 Development in the Green Belt SPD (Adopted) 2007  
 Upton Cheyney Conservation Area (Designated October 1983)  
 Upton Cheyney Conservation Area Advice Note 7C  
 South Gloucestershire Landscape Character Assessment (Revised and Proposed for Adoption 2014): *The front part of the plot lies within LCA: 3 Ashwicke Ridges and the rear part in LCA: 11 Golden Valley*  
 Green Infrastructure: Guidance for New Development SPD (adopted April 2021)  
 Trees and Development Sites: Guidance for New Development SPD (adopted 2021)  
 Cotswold ANOB Management Plan 2018-2023

## 3. RELEVANT PLANNING HISTORY

3.1 PRE21/0600. Remove front boundary wall and pedestrian gate and construct driveway and lower kerb if necessary. Recommendation that the proposal would not be supported should a formal application be submitted. 21.09.21.

## 4. CONSULTATION RESPONSES

4.1 Bitton Parish Council  
 No Objections.

4.2 Other Consultees  
 Sustainable Transport – Transportation DC  
 No Objections – Conditions recommended.

Listed Building and Conservation Officer  
 Comments made – refusal recommended.

Landscape Officer  
 Comments made – not acceptable in Landscape terms.

Arboricultural Officer  
 No Comments.

Local Lead Flood Authority  
 No Objections – informatives recommended.

Highway Structures  
 No Comments received.

Planning Enforcement  
No Comments received.

## **Other Representations**

- 4.3 Local Residents  
5No letters of support comments received.

## **5. ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development  
The application seeks permission for the creation of a new vehicular access onto Wick Lane (retrospective) from a residential property. Policy PSP38 of the Policies, Sites and Places Plan permits extensions and alterations to existing dwellings within established residential curtilages subject to an assessment of design, amenity and transport.
- 5.2 While they may be some visual impacts of the works to provide a new vehicular access to the dwelling, it is considered that the proposal to drop the kerb to form a point of access requires prior permission. Consequently the main issues to deliberate are the impacts on highway safety/parking provision, and also the impacts upon the Upton Cheyney Conservation Area, and the Bristol/Bath Green Belt.
- 5.3 The Cotswold Area of Outstanding Natural Beauty (AONB)  
Policy PSP2 states that development proposals will only be acceptable where they conserve and where appropriate enhanced quality, amenity, distinctiveness and special character of the landscape (defined by the Landscape Character Assessment). This includes, but is not limited to:
- *landscape attributes which define the inherent character of an area, such as: landscape patterns arising from roads, paths, hedges, waterways and buildings; designed and natural landscapes, which include elements of natural beauty, historical or cultural importance and ecological features;*
  - *the tranquillity of a landscape, sense of place and setting;*
  - *landscape features, such as trees, hedgerows, woodlands, views, banks, walls, ponds and waterways; and*
  - *distinctive or characteristic topography and landforms.*
- 5.4 Within the AONB, great weight is given to the conservation and enhancement of the natural and scenic beauty of the landscape whilst taking account of the biodiversity interest and the historic and cultural heritage. Where development is proposed in a location which would affect the setting of the AONB, it must be demonstrated that it would not adversely impact upon the natural beauty of the AONB. Policy PSP2 requires that development is required to preserve the natural and scenic beauty of the AONB. However, and although there may be some initial impacts on the public visibility, officers have concluded that although the proposal may cause some minor impacts on this sensitive landscape they are not significant enough to warrant a refusal.

## 5.5 Green Belt

The application site is located within the Bristol/Bath Green Belt. Policy CS5 of the Core Strategy sets out that this type of development within the Green Belt will need to comply with the provisions of the NPPF or relevant local plan policies. CS34 of the Core Strategy provides the vision for rural areas, it aims to protect designated Green Belt areas from inappropriate development. Paragraph 147 of the NPPF is clear in stating that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in 'very special circumstances'. No very special circumstances have been demonstrated to justify such a departure from national and local policy.

5.6 Paragraph 150 of the NPPF goes on to state that other certain forms of development are also not inappropriate in the green belt provided they preserve its openness and do not conflict with the purposes of including land within it, as such, officers consider here that this proposal relates to '*engineering operations*' in this case.

5.7 The proposal is to create a new vehicular access to the host dwellinghouse. Therefore, officers consider that the creation of a new vehicular access is considered appropriate development within the green belt and that it would preserve the openness of the application site and its immediate surrounding context.

## 5.8 Landscape

Comments have been received from the Landscape Officer, particularly in respect of the stone frontage boundary wall, in that its removal and front lawn behind is considered undesirable, as it is a key characteristic of Wick Lane and the Upton Cheyney Conservation Area and that parked vehicles near to the cottage would be highly visible from Wick Road and the surrounding area. The application is therefore not acceptable in landscape terms.

## 5.9 Design, Heritage 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. The village of Upton Cheyney itself, is an attractive rural area amid the steeply sloping topography of this southern section of the Cotswolds.

5.10 This dramatic setting plays an important role in determining the village's form and character, as does the homogenous use of natural lias stone in its buildings and boundary walls. A sense of enclosure is an important element in the character of Upton Cheyney, and as it can be seen along the approach roads, that enclosure is predominantly provided by the topography with steep banks bounded by hedges. However, nearer the village core, stone boundary walls and buildings located adjoining the road do tend to dominate.

5.11 This development proposes the creation of a new vehicular access. The proposal appears to be an exercise in seeking to maximise the development opportunity, but fails to demonstrate a sufficient regard to the character and identity of the locality which includes the setting of a designated heritage asset. Consequently, if approved, it is considered harmful to the setting and the

- significance of Upton Cheyney Conservation Area, which is a designated heritage asset.
- 5.12 In accordance, it is considered that the proposals would result in less than substantial harm towards the lower end of the spectrum to the significance of the Upton Cheyney Conservation Area. Para 202 of the NPPF states that *“Where development proposals would 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”*. No public benefits have been demonstrated that would outweigh the less than substantial harm to the designated heritage asset.
- 5.13 Therefore, as the development proposal has failed to either preserve or enhance the character of appearance of the designated heritage asset that is Upton Cheyney Conservation Area, the retrospective development proposal is considered contrary to local plan policies CS9 and PSP17 and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 5.14 Overall, the proposed creation of a new vehicular access adjacent to Wick Road would be highly visible, and as such, the proposed works will have impacts on the visual amenity of the street scene and are therefore considered to appear out of character. As such, the proposal is not considered to comply with policies CS1, CS9, PSP17, PSP38 and is not within the context of paragraph 202 of the NPPF and is therefore recommended for refusal.
- 5.15 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 impacts; loss of light; noise or disturbance, and odours, fumes or vibration.
- 5.16 Given the nature of the proposals, it is not considered that the proposed works would have any significant adverse impacts on the residential amenity of occupiers of the development or of nearby properties. Impact on neighbours has been assessed and found to be acceptable.
- 5.17 Transport  
Policy CS8 of the Core Strategy outlines that vehicular access to a site should be well integrated and situated so it supports the street scene and does not compromise walking, cycling, public transport infrastructure and highway safety. Policy PSP11 of the Policies, Sites and Places Plan outlines that appropriate, safe, accessible, convenient and attractive access should be provided for all mode trips arising to and from a particular site. In terms of parking, policy PSP16 of the Policies, Sites and Places Plan sets out the Council’s minimum parking standards for residential development.



- 5.18 The proposal seeks the creation of a new vehicular access, which is adjacent to Wick Lane, in Upton Cheyney. This proposal would allow vehicles to park off-street to the side of the existing dwellinghouse. The proposed access will serve the existing dwellinghouse, and no additional traffic movements to and from this application site have been identified.
- 5.19 Finally, as there is an existing footway outside this section of highway fronting the application site, the visibility is also considered acceptable. On the basis of the assessment set out above, there are no fundamental concerns with the proposal from a highway safety perspective and the application is therefore acceptable in transportation terms and compliant with policies CS8, PSP11 and PSP16.
- 5.20 However as some works relate to the highway, any works must be carried out in accordance to the Council's standards of construction, with all details and method of construction first to be agreed by the Council's Streetcare Manager.
- 5.21 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.
- 5.22 With regards to the above this planning application it is considered to have a neutral impact on equality.

## **6. PLANNING BALANCE**

- 6.1 Less than substantial harm to the setting of a designated heritage asset has been identified. In accordance with para 202 of the NPPF, *'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'*.
- 6.3 Therefore and as per the wording of paragraph 202 above, where less than substantial harm has been identified, the harm of the proposal has to be weighed against the public benefit, and in this situation, officers have concluded that there is no public benefit.

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

## **7. RECOMMENDATION**

- 7.1 It is recommended that planning permission is **REFUSED** subject to the refusal reasons detailed on the decision notice.

1. The alterations to the access for the possible creation of parking fails to preserve the character and appearance and the setting of the Upton Cheyney Conservation Area. Less than substantial harm towards the lower end of the spectrum to the significance of the Upton Cheyney Conservation Area. No public benefits have been identified that may outweigh the less than substantial harm. The application is therefore contrary to the provisions of Para 202 of the NPPF; Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policies PSP38 and PSP17 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the provisions of the National Planning Policy Framework July 2021.
2. The alterations to the access for the creation of the parking space fails to reflect or enhance the local character and distinctiveness of the site and the surrounding locality and the associated landscape. This is harmful to the character and distinctiveness of the locality and is contrary to the principles set out in Policy CS1 of the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013 and Policy PSP1 and PSP2 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (adopted November 2017).

**Case Officer: Helen Turner**

**Authorising Officer: Suzanne D'Arcy**

**CIRCULATED SCHEDULE NO. 31/22 - 5th August 2022**

<b>App No.:</b>	P22/03071/F	<b>Applicant:</b>	Citron Hygiene Limited
<b>Site:</b>	Unit 14 Eagles Wood Business Park Woodlands Lane Bradley Stoke South Gloucestershire BS32 4EU	<b>Date Reg:</b>	13th June 2022
<b>Proposal:</b>	Change of use of industrial unit (B8) to a small scale bulking up and transfer of sanitary and clinical waste (offensive, non-offensive and hazardous waste streams sanctioned under the EA Standard Rules 2008 No24, clinical waste & healthcare waste transfer station) (Sui generis) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended)	<b>Parish:</b>	Bradley Stoke Town Council
<b>Map Ref:</b>	361589 183303	<b>Ward:</b>	Bradley Stoke North
<b>Application Category:</b>	Minor	<b>Target Date:</b>	3rd August 2022



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P22/03071/F

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

## **REASON FOR REPORTING TO THE CIRCULATED SCHEDULE**

This application is being reported to the Circulated Schedule as a result of consultation responses received, contrary to Officer recommendation.

### **1. THE PROPOSAL**

- 1.1 The application seeks permission for the change of use of industrial units (B8) to a small scale bulking up and transfer of sanitary and clinical waste (offensive, non-offensive and hazardous waste streams sanctioned under the EA Standard Rules 2008 No24, clinical waste & healthcare waste transfer station) (Sui generis) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).
- 1.2 The site itself consists of an existing building and hard/parking area, within the existing area of Eagles Wood Business Park, a safeguarded economic area. The proposals would utilise the existing building and site for the process described. The site is located within the confines of the existing industrial estate and is bordered on all sides by other uses within the Industrial Estate. The nearest residential properties to the site are located over 70 metres to the south, beyond other industrial units and on the opposite side of Woodlands
- 1.3 The site would be controlled and restricted by the Environment Agency waste permitting regime. This would control the processes for material entering the site as well as operating/management requirements within the site. The environmental and safety measures and certifications in place would be set by the EA should such a license be granted.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
National Planning Policy Framework  
National Planning Policy Guidance  
National Planning Policy for Waste

- 2.2 Development Plans

West of England Joint Waste Core Strategy (Adopted) March 2011  
Policy 2 Non-residual waste treatment facilities  
Policy 12 General Considerations

South Gloucestershire Local Plan Core Strategy Adopted December 2013  
CS1 High Quality Design  
CS12 Safeguarded Areas for Economic Development

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

### 3. **RELEVANT PLANNING HISTORY**

Various applications associated with the sites employment uses.

### 4. **CONSULTATION RESPONSES**

#### 4.1 Bradley Stoke Town Council

No comments to make

#### 4.2 Other Consultees

##### Sustainable Transport

No objection

##### Environment Agency

No comments received

##### Environmental Protection

No objections. The site would also need to be subject to Environment Agency licensing requirements

#### Other Representations

#### 4.3 Local Residents

3 letters of objection have been received, summarised as follows:

- the proposals will add further traffic to an already congested road
- the site needs to stay as it is
- the site is predominantly offices and warehouses and it is an inappropriate site for storing waste
- it could lead to an increase in noise
- may set a precedent for other waste uses which should be away from residential properties

### 5. **ANALYSIS OF PROPOSAL**

#### 5.1 Principle of Development

The principles of sustainable waste management are acknowledged through National and Local Policy. Waste management policy identifies the need for sufficient waste management facilities to meet the needs of communities. Policy 2 of the West of England Joint Waste Core Strategy (adopted) March 2011 is relevant to the consideration of proposals for non-residual waste management such as the materials recovery facility proposed. The policy seeks to ensure a suitable location for such operations is identified, highlighting industrial or employment land and sites with proximity to the local market. The proposed site is clearly located within an existing industrial/employment site and this is identified in the Local Plan. The National Planning Policy Framework, indicates a presumption in favour of sustainable development in the interests of wider economic, environmental and social provisions, except where it may compromise key sustainable development principles set out in

national planning policy or where any adverse impacts would significantly and demonstrably outweigh the benefits. Given the sites location on an existing industrial estate the principle of the location of the development is acceptable, subject to detailed development control consideration. It will therefore be necessary to consider the detailed development control criteria and whether any material impacts would accrue from the site and whether these can be mitigated. It should be noted that as a waste facility, the site would also be subject to Environment Agency legislation particularly in terms of types and amount of waste and the control of environmental issues. In this respect the Government advises that where environmental controls and planning controls exist over a site they should be complementary and not duplicate each other. To operate on this basis the company holds a Waste Carriers Licence from the Environment Agency. The applicant has submitted an application for an Environmental Permit to be issued by the Environment Agency in accordance with the Environmental Permitting (England and Wales) Regulations.

5.2 The applicant is a washroom hygiene service provider. It provides washroom hygiene services. The fleet of vans have two main roles, the vans service and supply washroom hygiene products (such as soap, hand dryers, cleaning products, dispensers etc.) Secondly, they collect washroom hygiene waste and clinical waste from its sites for onward treatment. The proposed operations will involve the bulking up and transfer of waste streams. This will minimise the distance and occasions that waste has to travel and reduce transportation requirements.

5.3 Local Amenity

Local concerns have been raised on predominantly the issues of transportation and the waste use. The site is an existing employment site and in policy terms this is deemed suitable for such use in principle. The volume of vehicle movements is referred to below but the scale of operations and level of vehicle movements is considered minimal for the site. The EA licensing regime would be in place to ensure its satisfactory handling and storage, and it would also therefore need to satisfy the Agency's licensing requirements before it could operate. Waste will be stored in specific container bins within the building, with one storage container located externally for non-offensive waste streams. Again this will be controlled by the EA license. External changes to the building would be minimal consisting mainly of the addition of a roller shutter door, and in keeping within the context of the sites and surrounding area.

5.4 Transportation

The site is an existing industrial unit. From a transportation perspective this proposal is unlikely to have a material impact on transport movements and as such there is no transportation objection to this proposal. Access is existing and there is satisfactory parking provision.

## 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 application is considered to comply with the locational principles of Policy 2 of the West of England Joint Waste Core Strategy (Adopted) March 2011, given the sites existing industrial/employment nature. The proposals are also considered to address any specific local issues taking into account the context of the area. It should also be noted that in this instance the site would require to satisfy and be operated in accordance with Environment Agency licensing regime, which would address and control the ongoing management and operation of the site in accordance with its requirements.
- 6.3 The recommendation to grant permission has been taken having regard to the policies and proposals in the Local Plan, set out above, and to all the relevant material considerations set out in the report.

## **7. RECOMMENDATION**

7.1 That planning permission is granted subject to the conditions recommended

### **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:

GPP/CH/A/22/01 - Site Location Plan

GPP/CH/A/22/02 - Site Layout Plan

BPB/22/001/DR005 Rev A- Existing Ground Floor Plan

BPB/22/001/DR006 Rev A - Existing First Floor Plan

BPB/22/001/DR011 Rev B - Proposed Ground Floor Plan

BPB/22/001/DR011 Rev D - Proposed First Floor Plan

BPB/22/001/DR007 Existing Elevations

BPB/22/001/DR012 Rev B Proposed Elevations

- received by the Council on the 31st May 2022

Reason

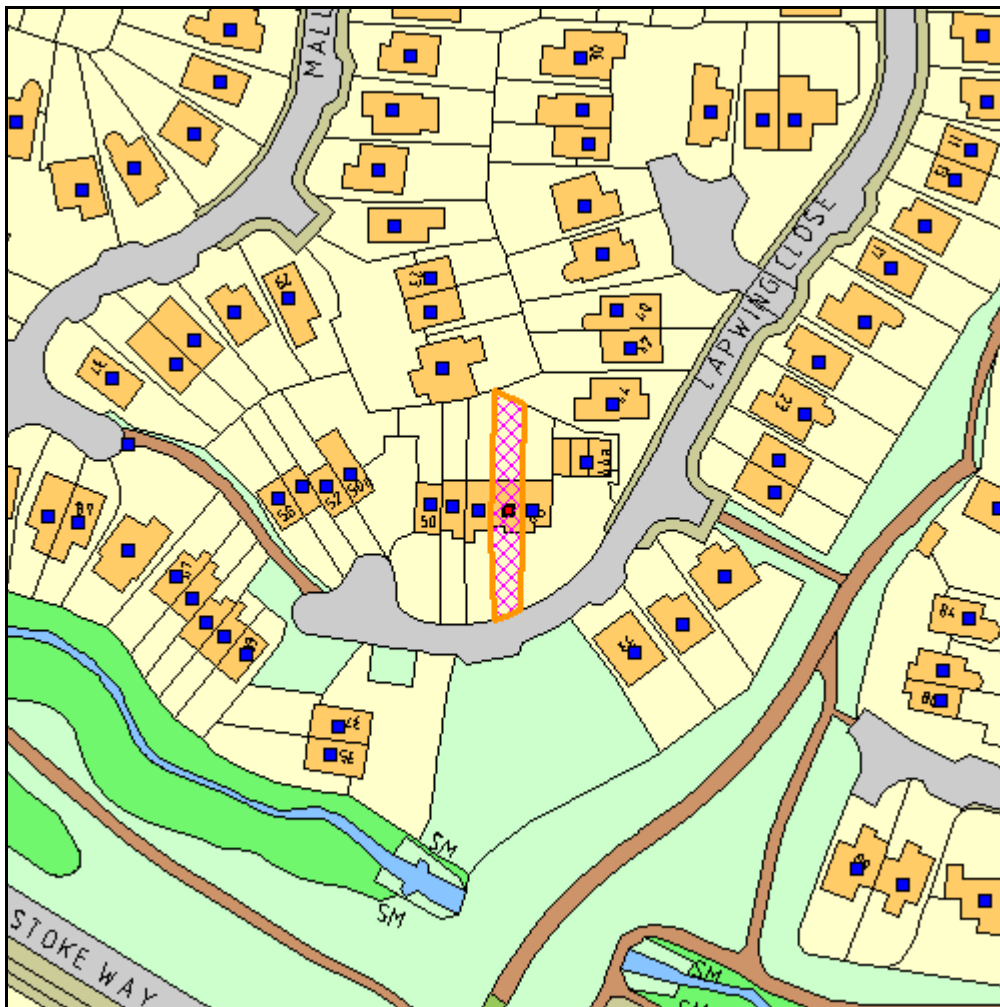
To define the terms and extent of the permission.

**Case Officer: Simon Ford**

**Authorising Officer: David Stockdale**

**CIRCULATED SCHEDULE NO. 31/22 - 5th August 2022**

<b>App No.:</b>	P22/03422/HH	<b>Applicant:</b>	Mr D Ashmead
<b>Site:</b>	46A Lapwing Close Bradley Stoke South Gloucestershire BS32 0BJ	<b>Date Reg:</b>	23rd June 2022
<b>Proposal:</b>	Installation of rear dormer window to facilitate loft conversion.	<b>Parish:</b>	Bradley Stoke Town Council
<b>Map Ref:</b>	361612 182678	<b>Ward:</b>	Bradley Stoke North
<b>Application Category:</b>	Householder	<b>Target Date:</b>	17th August 2022



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P22/03422/HH



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

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

## **1. THE PROPOSAL**

- 1.1 The application seeks full planning permission for the installation of rear dormer window to facilitate loft conversion, as detailed on the application form and illustrated on the accompanying drawings.
- 1.2 The application site can be found at 46A Lapwing Close and is a semi-detached property within the residential area of Bradley Stoke, and is within the settlement boundary. Permitted Development Rights have been removed from this property by condition 4 of a previous planning permission P93/0020/396.
- 1.3 As part of the assessment and determination of the application, design comments were made in respect of the original proposed design. As such, a revised, reduced in overall size, proposal has been submitted for consideration.

## **2. POLICY CONTEXT**

### **2.1 National Guidance**

National Planning Policy Framework July 2021  
National Planning Policy Guidance

### **2.2 Development Plans**

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

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

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

### **2.3 Supplementary Planning Guidance**

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

### **3. RELEVANT PLANNING HISTORY**

3.1 None relevant.

### **4. CONSULTATION RESPONSES**

4.1 Bradley Stoke Town Council  
1No letter of Objection received

4.2 Other Consultees  
Sustainable Transport – Transportation DC  
No Objections.

#### **Other Representations**

4.3 Local Residents  
No Comments received.

### **5. ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development  
Policy PSP38 of the PSP Plan (November 2017) allows the principle of development within residential curtilages, subject to considerations of visual amenity, residential amenity and highway safety. It states that new dwellings and extensions within existing residential curtilages are acceptable in principle but should respect the overall design and character of the street and surrounding area. They should not prejudice the amenities of neighbours, or that of highway safety and the parking provision should be of an acceptable level for any new and existing buildings. The adequate provision of private amenity space should also not be sacrificed for any new development that forms part of a settlement pattern that also contributes to local character.
- 5.2 Policy CS1 of the Core Strategy seeks that the siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the application site and its context.
- 5.3 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.
- 5.4 The Household Design Guide SPD sets out general design guidance principles in which extensions and alterations should aim to be; overall high-quality design; achieve successful integration by responding to the characteristics of the host dwellinghouse and the streetscene but remain subservient in scale and character. As such, the SPD specifically states that when a flat roofed box dormer is considered the only viable option, justification is required to demonstrate that the proposal has mitigated the most harmful aspects of such a design, such as its alignment and proportion in respect to the host dwellinghouse; that it is sited a minimum of 300mm below the ridge and from

the verges of the host roof; that it is sited 500mm above the existing eaves and that it is set back from the principal elevation.

- 5.5 The proposed rear dormer will extend to a width of 4.4 metres across its façade and protrude 2.8 metres from the roof plane. As part of the assessment, the originally proposed design has evolved to ensure that overall its proposed siting and appearance, complies with the key design principles as recommended by the SPD guidance, aligning its structure, fabric and fenestration. Therefore, it is accepted that the proposal would now be congruous with the host dwellinghouse in terms of its proposed reduced scale, design and materials.
- 5.6 From a design and visual amenity perspective, and as part of this pair of semi-detached dwellings, the host dwellinghouse is sited as part of a 'terrace' pattern of development in the cul-de-sac, and with the attached dwelling of No 46, the proposed dormer would not necessarily be visible. However, through the proposed use of materials, the proposal reinforces assimilation within its context, and therefore the impact that the proposal is likely to have on the prevailing character and appearance of the street scene is concluded as minimal.
- 5.7 As the extension appears subservient to the host dwelling, and maintains an architectural integrity, balance and character to the area. The proposal has been designed to complement the existing host dwellinghouse through its proportions and materials such as hanging tiles to the dormer face and cheeks, ensuring that the aesthetical appearance of the original dwellinghouse is congruous and compliments both the host and neighbouring properties. By virtue of the above, it has been concluded that the proposal is to an acceptable standard of design and therefore complies with policies CS1, PSP38 and the Household Design Guide SPD.
- 5.8 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.
- 5.9 The impact on residential amenity has been assessed in terms of the surrounding neighbouring properties. Given the position of the rear dormer extension and its scale, the case officer is satisfied that this proposal would not necessarily result in a significant overbearing impacts.
- 5.10 The case officer concludes that the proposal may be perceived as permitting increased levels of overlooking upon the adjacent neighbouring gardens, with the possibility of having a detrimental impact on their level of amenity. As the site is located in a built up residential area, and given the scale and location of the dormer, the proposal should not result in an unacceptable impact on the residential amenity of neighbouring occupiers in terms of privacy or

overlooking. Therefore it has been concluded that the impact on the neighbouring residential amenity would be limited and therefore it would not result in an unacceptable impact and is deemed to comply with policy PSP8 of the Policies, Sites and Places Plan.

5.11 Transport

Policy PSP16 of the Policies, Sites and Places Plan sets out the Councils parking standards. The proposal has been carefully assessed and has found to be in compliance with this policy.

5.12 Private Amenity Space

The dwelling benefits from a good amount of existing private amenity space to both the front and rear of the property. PSP43 sets out standards which are based on the number of bedrooms at a property. No concern is raised on the level of amenity space being proposed.

5.13 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.

5.14 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** subject to the conditions detailed 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:

Site Location Plan (Date received 21/06/22)

Proposed Block Plan (Date received 21/06/22)

032 -101-A Existing Floor and Elevation Plans (Date received 21/06/22)

032 -102-A Proposed Ground and First Floor Plans (Date received 21/06/22)

032 -103-D Proposed Combined Plan (Date received 07/07/22)

032 -104-A Existing and Proposed Side Elevation Plans (Date received 23/06/22)

Reason

To define the terms and extent of the permission.

**Case Officer: Helen Turner**

**Authorising Officer: David Stockdale**