

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: 18/22

Date to Members: 06/05/2022

Member's Deadline: 12/05/2022 (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 identifying the application reference and site location
- b) Within 5 working days of the date of this schedule e.g. if the schedule is published on a Friday, comments have to be received by end of the following Thursday (see cover page for the date)
- c) The referral should include the reasons for the referral why it would not be appropriate to permit the proposal to be determined under the delegated arrangements; the issue the proposal raises in relation to the relevant policy context and the balanced consideration that has been given to the extra costs and delay to the referral You may wish to consider the guidance given in the Members' Planning Code of Good Practice in the Council's constitution, which sets out the criteria the Chair of the Committee, in consultation with the Spokes will use to consider any referral requests.

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

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

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

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

1) Any application submitted by, or jointly, or on behalf of the Council.

2) Any application submitted by or any matter directly affecting or involving any

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

3) Any application requiring a new planning agreement.

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

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

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

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

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

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

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

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

c. All applications for non-material amendments

d. All applications to discharge planning conditions

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

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

Additional guidance for Members

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

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

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

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

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

A template for referral is set out below:

Referral from Circulated Schedule to Development Management Committee

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

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

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

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

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

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

Date:

To be emailed to MemberReferral@southglos.gov.uk

Schedule Number	Officers Deadline reports to support	Date to Members	Members deadline	Decisions issued from
17/22	12 O'Clock Wednesday 27 April	9am Thursday 28 April	5pm Thursday 5 May	Friday 6 May
18/22	Normal			
19/22	Normal			
20/22	Normal			
21/22 Queens Jubilee	5pm Monday 23 May	9am Wednesday 25 May	5pm Tuesday 31 May	Wednesday 1 June
22/22 Queens Jubilee	5pm Monday 30 May	9am Wednesday 1 June	5pm Thursday 9 June	Friday 10 June

Dates and officer deadlines for Circulated Schedule May Bank Holiday and Queens Jubilee 2022

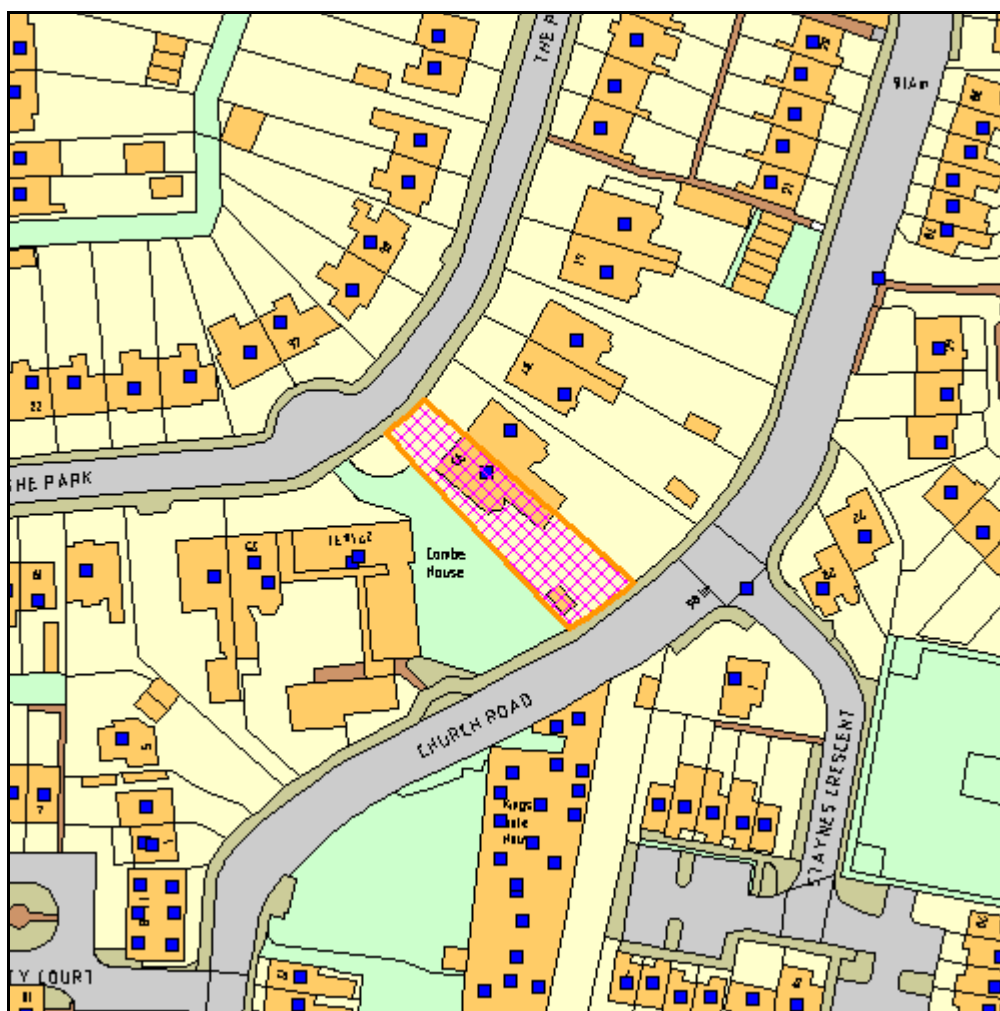
CIRCULATED SCHEDULE 06 May 2022

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ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	P22/00637/F	Refusal	Land To The Rear Of 33 The Park Kingswood South Gloucestershire BS15 4BL	Kingswood	
2	P22/00726/HH	Approve with Conditions	682 Southmead Road Filton South Gloucestershire BS34 7QT	Filton	Filton Town Council
3	P22/01040/HH	Approve with Conditions	The Stables The Street Olveston South Gloucestershire BS35 4DR	Severn Vale	Olveston Parish Council
4	P22/01101/F	Refusal	The Yard Field Lane Littleton Upon Severn South Gloucestershire BS35 1NU	Severn Vale	Aust Parish Council
5	P22/01104/F	Approve with Conditions	Land Adjacent To 99 Charnhill Drive Mangotsfield South Gloucestershire BS16 9JS	Staple Hill And Mangotsfield	

CIRCULATED SCHEDULE NO. 18/22 - 6th May 2022

App No.:	P22/00637/F	Applicant:	R Harrison
Site:	Land To The Rear Of 33 The Park Kingswood South Gloucestershire BS15 4BL	Date Reg:	24th February 2022
Proposal:	Demolition of garage. Erection of 1 no. detached dwelling with associated works.	Parish:	
Map Ref:	365144 173973	Ward:	Kingswood
Application Category:	Minor	Target Date:	20th April 2022



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N.T.S.

P22/00637/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

The application appears on the Circulated Schedule because more than 3no. representations have been received from interested parties that are contrary to the findings of this report and officer recommendation.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the demolition of an existing garage and the erection of 1no. detached dwelling with associated works.
- 1.2 The application site is the rear garden of number 33 The Park, a two-storey semi-detached dwelling in Kingswood, within the East Fringe of Bristol Urban Area. The host dwelling, no.33 fronts The Park, however the new dwelling would front Church Road, to the rear of no.33.
- 1.3 During the application's consideration, revised plans have been accepted to address highway officer concerns. A period of public re-consultation was conducted due to the changes proposed to the rear boundary wall required to facilitate the access for the new dwelling. Further alterations were made to further reduce the height of the rear boundary wall, however no further re-consultation was carried out as it was not considered that anyone would be disadvantaged.

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
CS29	Communities of the East Fringe of Bristol

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

PSP1	Local Distinctiveness
PSP8	Residential Amenity
PSP11	Transport Impact Management

PSP16	Parking Standards
PSP20	Flood Risk, Surface Water, and Watercourse Management
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)
 Householder Design Guide SPD (Adopted) March 2021

3. **RELEVANT PLANNING HISTORY**

- 3.1 None.

4. **CONSULTATION RESPONSES**

- 4.1 Parish Council
 The area is unparished.

- 4.2 Transport

Initial comments:

No objection to parking and access for the main house. Concerns raised regarding the parking and access arrangements for the new dwelling.

Updated comments:

No objection, conditions recommended.

- 4.3 Highway Structures
 Informative.

- 4.4 Drainage (LLFA)
 No objection, informative.

- 4.5 Coal Authority
 No objection, subject to conditions.

- 4.6 Conservation Officer
 No objection.

- 4.7 Local Residents
 In total, 7no. letters of objection and 6no. letters of support have been received across both consultations, which can be broken down and summarised as follows:

First consultation

Objection letters - 5no. received:

- Parking are to the front of no.33 will impact the continuity of the frontage
- The wall makes the road an attractive and desirable road to live on
- Changes to the frontage of 33. Will affect our view
- Any changes to the frontage should be sympathetic
- Parking on the front garden will be detrimental environmentally and aesthetically
- Gardens are valuable to wildlife
- Further information is needed, and the conservation officer should be consulted
- A cross section of the site is needed
- Application does not explain how it meets para. 124d of the NPPF
- Proposal will impact the character of no. 33 and the rest of the group
- Conservation officer should be consulted to determine whether the property meets the bar for a non-designated heritage asset
- Para.194 of the NPPF requires the applicant to identify the significance of the property.
- If the works to the garden were found to be harmful, clear and convincing justification would be required per. Para. 200 of the NPPF.
- Out of character with the Victorian houses
- Planning has been refused previously for a bungalow at the rear of no.35.
- Surprised to have not been directly informed as the houses are part of a group
- The houses are some of the most beautiful and desirable in Kingswood
- Close to the new conservation are of Kingswood
- Would not maintain the prevailing character and setting of the area
- Work to the front garden will make the area look less attractive and more overcrowded.
- Ample parking exists in the current back garden
- Drainage concerns
- Building could be altered later on to provide overlooking windows
- Not in keeping with the Victorian villas
- Positive comments are from family and friends
- Houses are an important park of the history of Kingswood
- Environmental concerns with paving the front garden
- Impact on wildlife and bird habitat
- Paving over gardens increases heat in urban areas
- Would negatively alter he whole appearance of the crescent

Support letters – 5no. total (including 1no. from the applicants):

- Fits in well with the building behind
- Design is interesting and clever and fits in well
- Provides much needed housing
- Eco design
- Fantastic design that would fit into surroundings
- Fits into the environment of the back garden
- Does not impact the stone wall
- Other dwellings have houses in the garden
- Parking on the front will alleviate parking issues
- Kingswood needs more housing

- Does not affect the original house
- Off street parking will remove two cars from the road
- There will still be plants in the front garden

Response in support from the applicant summarised thus:

- The Park is a typical street in Kingswood comprising different styles
- There is little consistency in the design and appearance of the homes on the street
- No.33 has undergone many changes over time
- Houses on The Park already have parking
- Incorrect assumptions have been made about the off-street parking
- Intention is only to widen the existing entrance and retain the pillars
- Installation of parking does not require planning permission
- Parking is only included due to the loss of the parking at the rear
- Similar buildings have been built elsewhere
- Dwelling should not be considered in relation to The Park. The address will be Church Road.
- Designed to compliment the flats opposite
- Topography has been carefully considered
- There will be no overlooking
- The wall at the rear is incorporated into the design
- Dwelling will be eco-efficient
- C.100sqm of garden will remain at the existing dwelling
- Houses are not listed or subject to any building restrictions and are of no more historic or aesthetic value than any other Victorian dwelling in Kingswood
- Proposed dwelling is for personal use.

Second consultation

Objection letters – 2no. received:

- Object to revised plan to demolish part of the garden wall
- Demolition of the rear wall will compromise its integrity
- Cannot see why the wall needs to be altered as other properties have access through it already
- Object to parking on front garden – will cause drainage issues
- Disagree with the building being for personal use
- Revised plan does not address concerns
- Wall on Church Road is a local feature
- Well known environmental, aesthetic and wildlife reasons for not turning gardens over to parking
- The Park is unique and special
- Proposal is not in keeping

Support letters – 1no. received:

- No issues with original or revised plan
- Council has a responsibility to consider self builds
- Proposal is in an area where new housing is generally accepted in principle

- New property will be environmentally friendly and high standard of design
- There will be no stability issue with removing part of the wall
- No tarmac will be used for parking so there will be no drainage issues
- Modern and will provide housing and will open up a large house to be used for a new family
- Prefer the new design as the house can be seen more.

5. **ANALYSIS OF PROPOSAL**

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

Principle of Development

- 5.2 Policy CS5 sets out the Council's spatial strategy, which directs development to within the urban fringes of Bristol and at appropriate scales to within settlement boundaries as designated on the policies map. In this case, development on the site that leads to the creation of a new residential unit is acceptable in principle on a purely locational basis. This is by reason of the site being within the East Fringe of Bristol Urban Area.

- 5.3 As the site falls within the curtilage of no.33 The Park, PSP38 is also relevant. PSP38 permits development within residential curtilages (including new dwellings in urban areas) where they are acceptable in terms of design, amenity of neighbours, parking and highway safety and the provision of adequate private amenity space.

- 5.4 Good design is a key requirement of any development, and CS1 sets out that development should demonstrate the highest standards of design and site planning. This means that proposals should demonstrate that siting, form, scale, height, massing, detailing, colour, and materials should be 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. The NPPF also sets out that development that is not well designed should be refused, and instructs that good design is a key aspect of sustainable development.

- 5.5 Further to the above, the proposed development is acceptable in principle, and it is acknowledged that the proposal would result in a minor socio-economic benefit of 1no. additional dwelling towards the housing stock within the district.

5.6 Design and Visual Amenity

33 The Park is a large two-storey semi-detached Victorian villa set within a good-sized plot on the South-Eastern side of The Park, and forms one of six similar dwellings forming 3no. pairs arranged in a crescent where The Park bends to face North. The building has pennant sandstone elevations with stone quoins, window dressings and details. To the front is a double bay window and the roof is characterised by a hipped form with central and end chimney stacks. The front garden is set behind a low-level boundary wall with a pedestrian gate

- set between two piers, whilst the rear of the garden that fronts Church Road is contained by a much higher stone boundary wall. The site is generally level, but The Park runs downhill from South (where no.33 is situated) to North. The garage and access point onto Church Road are at a raised level to allow existing access on to Church Road from the garden of no.33.
- 5.7 The proposed development would take the form of 1no. detached two storey dwelling in the garden of no.33, with the new dwelling facing towards Church Road, which would be where it is accessed from. The new dwelling's ground floor would be split-level, due to the raised access point and boundary with Church Road. The new dwelling would have a cropped-hip roof, front dormer and feature gable that would face Church Road, and there would be small ground floor flat roofed elements to the front and rear forming the front porch/entrance area and rear kitchen. The boundary wall that fronts Church Road would be lowered to 900mm, as required to provide sufficient visibility. The dwelling would be c.7.4 metres to the ridge at its highest point, and c.3.7 metres to the eaves, at the highest point. Amenity space would be to the side of the new dwelling, and would wrap around the front, side, and rear of it. Parking would be in the form of a carport under the first floor, accessed from Church Road.
- 5.8 The proposed dwelling would be in a backland location in relation to the main dwelling (no.33), however the proposal would not constitute a backland development as it would have an active street frontage with Church Road. Active street frontages are a strong feature in the area and so in that respect, the proposed development would accord with the general pattern of development in the locality.
- 5.9 However, the part of Church Road on which the dwelling would be sited is characterised by a high boundary wall which runs from the rear of no.33 down to the rear of no.41, punctuated only by garage and pedestrian accesses serving no's 33-41 The Park. At some point in the past, it would appear as though the wall also ran behind no.43 but was removed to facilitate the construction of a block of garages. A key feature of this part of Church Road, aside from the high stone boundary wall, is the open feel and absence of development between 33 and 43 (save for the small low level garage block behind no.43 and incidental garden structures). Another key feature of no's 33 – 41 The Park is their large back gardens, which at this point provide valuable relief in an otherwise built up urban area.
- 5.10 Of particular concern in this case is the siting and layout of the new dwelling. The new dwelling would be placed in a position that would appear to be the beginning of a new building line on this part of Church Road, but as the proposal is for one dwelling only, the new unit would appear isolated and stark in its location, not relating well to the built form around it. The dwelling would also begin to erode the otherwise open character of this part of Church Road by introducing a two-storey building. This would result in a development that appears discordant in its location, and out of place within the street-scene on Church Road.

- 5.11 Furthermore, the development would erode the large rear garden of no.33, with large rear gardens noted as being a strong feature of these properties, which would in turn be harmful to the character of the host building. Moreover, the new dwelling would be set in an uncharacteristically small plot in comparison to the surrounding and indeed the host dwelling, which contrasts with the much larger rear gardens afforded particularly to no's 33-41 The Park, which form something of a distinctive building group in the locality given that they are all the same design and broadly the same layout, which contributes to the distinctiveness of the locality. The scale of the plot in relation to the scale of the dwelling also gives rise also to a sense of overdevelopment, not present elsewhere in the vicinity.
- 5.12 Finally, the proposed works would necessitate the removal of a large portion of the rear boundary wall to facilitate safe access. Whilst the transport need for this is noted, the boundary wall on this part of Church Road forms a distinctive part of the character of the area and what is proposed would, by reason of the wall's partial removal, have a materially harmful impact on the character of the area.
- 5.13 The design of the dwelling itself also presents some concern. The use of a cropped hip roof which is not a common feature in the immediate setting of the building would also draw attention to the building as an incongruous feature, as would the flat roof on the porch (albeit to a far lesser extent as its single storey). Accordingly, the new dwelling in terms of its visual appearance would appear out of character and would clash with the surrounding built form.
- 5.14 Whilst the proposed dwelling would have a lesser impact on The Park Itself, the impacts would be greatest when the development is experienced from Church Road. As proposed, the siting of the new dwelling in this location would appear incongruous, cramped, and contrived, which would be compounded by the design of the dwelling itself which also appears out of keeping with the character of the area and surrounding built form. It would not therefore 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 and would not for the reasons discussed above meet the highest standards of design and site planning.
- 5.15 The works to the front to form parking for no.33 do not in and of themselves require planning permission, as creating hard surfaces and dropped kerbs are permitted development. As the road is not classified, the works to drop the kerb would only require permission from the highway authority, which is a separate process. Whilst these works would have some impact on the character of the host building, the proposal to retain the gate piers would be welcomed. Given that driveways and vehicle accesses are already present in the area, and that these works do not need planning permission, there are no reasonable grounds to resist this part of the scheme. That said, the proposal as a whole is considered to be unacceptable in terms of design, for the reasons discussed above.
- 5.16 Comments are noted regarding the historic interest of the buildings. For the avoidance of doubt, the site is not within a conservation area, and the host

building is not listed (nor is it locally listed). The conservation officer has been consulted who raises no heritage objection to the proposed development in heritage terms, and the host dwelling would not be considered to constitute a non-designated heritage asset.

5.17 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.

5.18 The two neighbouring dwellings that would stand to be most affected by the proposal are the existing dwelling (no.33) and the direct neighbour to the North-east, no.35 The Park. The boundary of the new plot would be c.10.8 metres from the rear elevation of no.33, with the two-storey part of the dwelling itself c.13.5 metres from the rear elevation of no.33. No.33 has a rear wing (single storey), however the part of this wing that faces the site and new dwelling has no facing habitable room windows. A 12-metre separation is usually required where windows face a blank elevation, and as the rear windows of no.33 that face the site are more than 12 metres away from the two storey parts, there would be unlikely to be any material unacceptable impacts on the amenity of no.33 with regards to impacts on outlook, or overbearing. The separation between the dwelling and the garden of no.33, and the relationship are such that there would not be any unacceptable impacts such as loss of light or overbearing with regards to the garden of no.33, either.

5.19 The case officer acknowledges the sloping nature of the road. However, the siting of the new dwelling and its separation from no.35, mean that there would not be any unacceptable overbearing, light, or outlook issues with regards to this neighbour. There are no first floor windows facing towards no.33 and no.35, save for 3no. rear rooflights on which serve the bedrooms and upstairs bathroom of the new dwelling. Although rooflights, as they are set lower in the roof, they could lead to increases in overlooking, but this could be addressed through appropriately worded conditions to ensure that they are fixed and obscure glazed. Ground floor windows are present on the new dwelling, but these would not present overlooking issues due to being ground floor windows/doors, subject to an appropriate boundary treatment (noted on plan to be a 2-metre fence, which would address this). The host dwelling would be left with c.100sqm of private amenity space, which exceeds the PSP43 standard of 70sqm for a 4+ bed dwelling.

5.20 Internally, the new dwelling meets the nationally described space standards for a 2 bed, 4-person (2 storey) dwelling. However, amenity concerns are present in terms of future occupants.

5.21 The first-floor bedrooms would both benefit from adequate natural light and outlook, which would continue to be the case if the rear roof lights were obscure glazed, as each bedroom would benefit from a dormer window facing Church Road. On the ground floor, light and outlook to the dining and living area (habitable rooms) would be provided by a set of bi-fold doors and a

- window. The bi-fold doors would face the NE boundary fence with a maximum separation of 3 metres. The Lounge window facing NW would face the boundary with the host dwelling at a c.2.5 metre separation distance.
- 5.22 This presents a concern as it would be below the 12-metre window-wall separation distance expected, and given the sunken nature of the garden, would be likely to result in an oppressive and overbearing outlook to the downstairs principal living areas, which would be detrimental to the amenity of future occupants.
- 5.23 Moreover, the amenity space when measured on plan (notwithstanding the annotation) appears to be c.45 sqm. PSP43 instructs that 2 bed dwellings should benefit from at least 50sqm of private amenity space. The cramped layout of the amenity space which wraps around the side, rear and front of the dwelling, coupled with it being below the standard in policy means that the amenity space would not be considered to be of sufficient quality. In addition, the low (c.900mm) boundary wall with Church Road means that the amenity space would seldom be private. The site being unable to provide sufficient private and useable amenity space is a further symptom of overdevelopment.
- 5.24 Overall, whilst there would be no unacceptable impacts on the amenity of neighbouring occupiers, the proposed development would not provide an acceptable level of amenity for future occupiers due to lack of private amenity space of sufficient quality, and poor levels of light and outlook afforded to the ground floor living areas.
- 5.25 Transportation
The application site is located within an urban area with good public transport links and access to key services and facilities by means other than the private motor car. Accordingly, the proposal would accord with the sustainability and locational requirements of PSP11. PSP16 sets out the number of parking spaces required based on the number of bedrooms in a dwelling, and PSP11 sets out that where access is concerned, it should be safe and convenient, and not have an unacceptable impact on highway and road safety.
- 5.26 Starting with parking, the new dwelling having two bedrooms means that 1no. space is needed to comply with PSP16. It is unclear how many bedrooms are in the existing dwelling but given its scale, is assumed to be either 4 or 4+ bed. Per PSP16, 4 bed dwellings should have 2no. spaces and 4+ bed dwellings, 3no. spaces.
- 5.27 The new dwelling would benefit from 1no. space, and therefore accords with PSP16 in terms of the amount of parking. The host dwelling would lose its existing garage and has no other parking. The existing garage is noted from a site visit to be small and unlikely to provide a meaningful parking space for a vehicle of modern proportions. On the frontage, parking would be provided for 2no. vehicles, which would be a material increase on the existing provision of 1no. space. On that basis, irrespective of whether no.33 has 4 or 4+ bedrooms, the proposed parking would be an increase on the present situation and would therefore have a positive impact in removing potentially 1no. additional vehicle

from the street. On that basis, there are no objections to the level of parking provided for either the new or existing dwelling.

5.28 Following revision, the boundary wall is to be reduced on the Church Road side to allow better visibility of the new access for the new dwelling up and down Church Road. It is noted that the right-side visibility splay down Church Road is broken by the neighbouring boundary wall, albeit not by a significant amount. Whilst the visibility splay does not entirely accord with the required standard, it would be a significant betterment on the existing situation and given that the road is subject to a 30mph limit in a residential area, not likely to present any significant safety issues. The highways officers have no objection to the access or parking arrangements, subject to a condition to require the provision of electric vehicle charging. Subject to this and a condition to require the provision of the parking and access prior to first occupation, there would be no objection on transport grounds to the proposed development.

5.29 Coal Mining Legacy

The site is within an area affected by past coal mining activities (the defined development high risk area). Accordingly, a coal mining risk assessment has been provided with the application. The Coal Authority have reviewed this and are in acceptance of the contents, and recommend no objection, subject to a condition to require a scheme of intrusive investigations prior to works commencing.

Impact on Equalities

5.30 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.

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

Other Matters

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

5.33 Self-Build – It is noted that consultation responses refer to self-build. Local plan policy PSP42 encourages self and custom build housing, and the local planning authority is obliged to give suitable permission to enough suitable serviced plots of land to meet the demand for self-build and custom build housing in their area. This application however is not presented as being self or custom build,

- and the supporting material does not set out how the development meets the definition of self or custom build. For the avoidance of doubt, even if the scheme could be considered as being genuinely self or custom build, the proposed development would still need to accord with the other relevant policies of the development plan in order to be acceptable.
- 5.34 Consultation – Comments are noted regarding consultation, however everyone who should have been formally consulted has been.
- 5.35 Drainage – Concerns are noted in relation to drainage. The driveway for no.33 would need to be surfaced in a suitably drained material which is a requirement of permitted development and in any event, could be conditioned had the development been otherwise acceptable. Considering the scale of the development, drainage matters would also be appropriately addressed through building regulations.
- 5.36 Environmentally friendly design – These comments are noted. Any development would need to meet the minimum standards set out in the building regulations and whilst exceeding these standards would always be welcomed, this does not outweigh the other harms identified.
- 5.37 Additional plans (e.g., cross section) needed – The case officer considers there to be sufficient information to assess the proposed development, which has also been informed by a site visit.
- 5.38 Impact on other structures – Impacts on the integrity of neighbouring property is not something that can be regulated through planning permission and would be a civil matter if any damage occurred.

Planning Balance

- 5.39 The proposed development would result in a minor socio-economic benefit of 1no. additional dwelling to the districts housing supply, which would be within an urban area where residential development is supported in principle. This attracts weight in favour of the proposed development.
- 5.40 The proposed development would be acceptable in terms of parking and access and would be acceptable in terms of amenity of future occupiers. These aspects are given neutral weight as they are an expectation of any development.
- 5.41 The proposed development would however not meet the highest standard of design and site planning and would be harmful to the character of the area and the host dwelling as outlined above. Furthermore, the proposal would not provide an acceptable level of amenity for future occupants, as outlined in this report. Both aspects weigh against the proposed development and are not outweighed by the modest positive weight afforded to the provision of 1no. additional dwelling. On that basis, planning permission should be refused.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 It is recommended that permission is **REFUSED** for the following reasons:

Refusal Reasons

1. Design

Number 33 The Park and its neighbours are large Victorian villas with large rear gardens. These large gardens and the Villas themselves form a distinctive feature of the locality, as does the high stone boundary wall that fronts Church Road. The proposed dwelling by reason of its siting in an uncharacteristically small plot in relation to the host dwelling, would appear cramped and contrived in layout and would erode the character of the host building. The proposal would also require the removal of the rear boundary wall to facilitate safe access, which would also erode the character of Church Road, of which the boundary wall contributes to. In addition, the part of Church Road on which the dwelling is proposed currently has an open character in the otherwise built up urban location and the placement of 1no. Single dwelling in the location as proposed would appear isolated and discordant within the street scene and in relation to other built form, and the cropped hipped roof and flat roofed porch which are alien features in the locality would further draw attention to the building as an incongruous feature. This would have a materially harmful impact on the character and appearance of the locality, and the proposal would fail to demonstrate an understanding of an respond constructively to the buildings and characteristics that make a particularly positive contribution to the distinctiveness of the area/locality. The proposed development therefore fails to accord with policies CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; PSP1 and PSP38 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017.

2. Amenity of Future Occupiers

The proposed dwelling would fail to provide an acceptable standard of amenity for future occupants by reason of the relationship between the ground floor lounge and dining room openings and the adjacent boundary treatment, which at a 3 metres maximum separation would lead to an oppressive and restricted outlook and poor

levels of light internally. Moreover, the amenity space afforded to the new dwelling as measured on plan would fall short of the standard expected for a 2 bed dwelling of 50 square metres and the layout of the amenity space is awkward and restricted in nature, and therefore not sufficiently useable. In addition, the amenity space afforded to the new dwelling not be sufficiently private due to the lowering of the boundary wall on Church Road, allowing direct visibility of the private amenity space from the pavement. The proposed development therefore fails to accord with policies PSP8 and PSP43 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017.

Case Officer: Alex Hemming
Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 18/22 - 6th May 2022

App No.:	P22/00726/HH	Applicant:	Mr And Mrs Morris
Site:	682 Southmead Road Filton South Gloucestershire BS34 7QT	Date Reg:	14th February 2022
Proposal:	Erection of a first floor side and rear extension to form additional living accommodation.	Parish:	Filton Town Council
Map Ref:	359773 178822	Ward:	Filton
Application Category:	Householder	Target Date:	7th April 2022



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P22/00726/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.

In accordance with the Council's Scheme of Delegation (Constitution) this application is referred to the Circulated Schedule as comments from a Parish or Town Council have been received which could be construed as contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a first-floor side and rear extension to form additional living accommodation at 682 Southmead Road, Filton.
- 1.2 The application site is situated within the northern Bristol Urban Area settlement boundary and comprises a two-storey semi-detached dwellinghouse.
- 1.3 During the course of the application revised plans were received reducing the scale of the proposal. Accordingly, a period of re-consultation was actioned.

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

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

3. RELEVANT PLANNING HISTORY

3.1 None.

4. CONSULTATION RESPONSES

4.1 Filton Parish Council
Loss of light to the neighbour
Visually improves the house

Further comment received reiterating original comments.

4.2 Local Residents
None received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application site is situated within the northern Bristol Urban Area settlement boundary and is currently utilised as a C3 dwellinghouse.

Policy PSP38 of the South Gloucestershire Policies, Sites and Places Plan (adopted) November 2017 is relevant to this application. The policy indicates that residential extensions are acceptable in principle subject to considerations of visual amenity, residential amenity and highway safety. The proposal therefore accords with the principle of development subject to the following considerations.

5.2 Design and Visual Amenity

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

5.3 The proposal introduces a first-floor rear and side extension over the single storey extension to provide additional living accommodation. The building has an existing two-storey projection that is an original feature. The proposal extends 2.9 metres from the rear elevation. The extension also extends approx. 1.2 metres to the side of the property. External materials are render and tiles to match the existing.

5.4 The proposal appears subservient when compared to the main building. It adheres to the Household Design Guidance SPD in terms of length near the boundary and primarily conceals itself behind the main roof slope. The side enlargement is set well back from the principal elevation and follows the existing roof slope. Overall, the proposed development would not detract from the appearance of the building or negatively impact the visual amenity of the

street scene or character of the area. Accordingly, the development complies with policies CS1 and PSP38.

5.5 Residential Amenity

Policy PSP8 of the Policies, Sites and Places Plan relates specifically to residential amenity in which it states development proposals are acceptable, provided that they do not create unacceptable living conditions or result in unacceptable impacts on the residential amenities of occupiers of the development or of neighbouring properties. These are outlined as follows (but not restricted to): loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and, odours, fumes or vibrations.

5.6 The proposal is sited near the boundary with No.684 Southmead Road, which itself benefits from a large single-storey rear and side extension. The proposal has been reduced in length to ensure it passes the 45-degree test when measured from the nearest habitable windows of both neighbouring dwellings, No.680 and No.684. This ensures an unobstructed zone of daylight can still be achieved. The proposed extension will sit in line with the existing single storey rear extension at No.684. The *South Gloucestershire Household Design Guide SPD* recommends that two storey extension near to or on the boundary should have a maximum depth of 3 metres. The existing rear projection this extension is joining is an original feature of the row of buildings and is therefore considered as the original rear elevation. This extension, extends 2.9m from the rear elevation thus adhering to the SPD.

5.7 The loss of light comments from Filton Town Council are noted, however as detailed above the extension complies with both the SPD's recommended maximum length and the 45-degree test. The area of garden that would be most impacted has already been built over by the neighbour's extension. Additionally, the extension at No.684 contains several skylights that, post development, will continue to provide ample natural light. The row of dwellings also benefit from south facing rear gardens consequently the proposal will not have a significant impact on natural light levels or lead to an objectionable level of overshadowing.

5.8 No new windows are proposed to the side elevations of the proposal and the Juliet balcony will be like the existing rear window as a result existing privacy levels will not be diminished. Overall, the extension is of a reasonable scale as to not give rise to any major concerns regarding overbearing or overlooking impacts on neighbouring occupiers. Based on the above, the proposal complies with PSP8.

Private Amenity Space

5.9 Supplementary to this, policy PSP43 sets out that residential units, are expected to have access to private external amenity space that is: functional and safe; of a sufficient size in relation to number of occupants; and be easily accessible. The proposal increases the size of the rear bedroom but does not raise the number of bedrooms. The site has a modest rear garden that post development still provides over 70m² of private amenity space, therefore the proposal complies with PSP43.

5.10 Transport (Access and Parking)

Policy PSP16 sets out the Council's criteria for parking specifications. It states that parking space provision per dwellinghouse is proportionate to bedroom number. The proposed increases the living space of the property but does not increase the number of bedrooms, as such no change in parking provision is required. The submitted plans confirm the site can provide 2 no off-road parking spaces. The proposal therefore accords with the above policy.

5.11 Consideration of likely impact on Equalities

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

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

CONDITIONS

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

Reason

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

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

Site location plan
Existing block plan
Existing elevations
Existing first floor plan
(above plans received 11/02/2022)

Proposed elevations
Proposed first floor plan
(above received 01/04/2022)

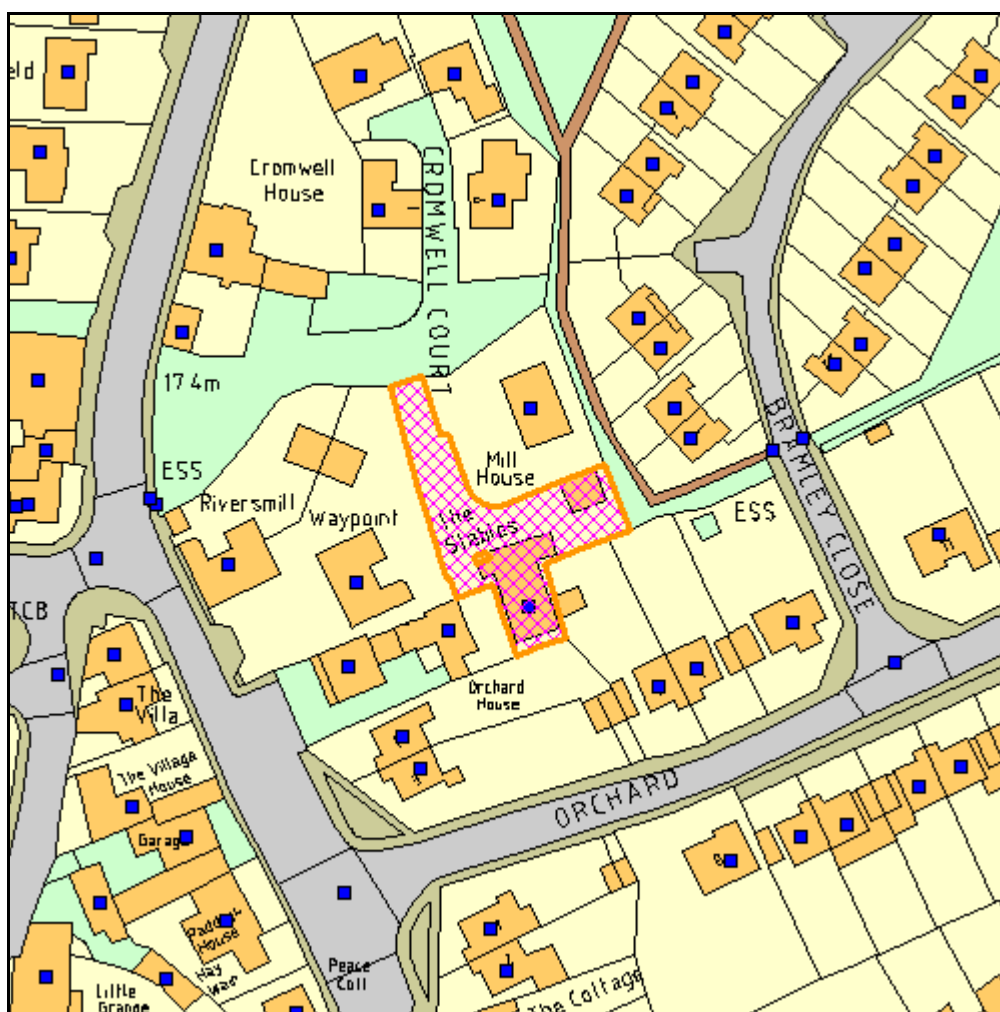
Proposed block plan
(above received 28/04/2022)

Reason
To define the terms and extent of the permission.

Case Officer: Charlie Morris
Authorising Officer: Helen Ainsley

CIRCULATED SCHEDULE NO. 18/22 - 6th May 2022

App No.:	P22/01040/HH	Applicant:	Mr And Mrs Dawes
Site:	The Stables The Street Olveston South Gloucestershire BS35 4DR	Date Reg:	3rd March 2022
Proposal:	Installation of a single storey 'cube' glass room to side elevation.	Parish:	Olveston Parish Council
Map Ref:	360159 187003	Ward:	Severn Vale
Application Category:	Householder	Target Date:	28th April 2022



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P22/01040/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.

REASON FOR REFERRING TO THE CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule following the receipt of a representation from Olveston Parish Council objecting the proposal, contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 Full planning permission is sought for the installation of a single storey 'cube' glass room to the side elevation of the application property.
- 1.2 The application site is a 3no. bedroom detached dwelling, located at the property known as The Stables, The Street, and is set within the area of Olveston.
- 1.3 The property is located within the setting of various listed buildings, all of which are Grade II listed. The property is also sited within the Bristol/Bath Green Belt and the Olveston Conservation Area. As such, a site notice was displayed on 04 March 2022.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework
National Planning Practice Guidance
Planning (Listed Buildings and Conservation Areas) Act 1990

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS9	Managing the Environment and Heritage

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP7	Development in the Green Belt
PSP8	Residential Amenity
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

Development in the Green Belt SPD (Adopted) June 2007

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

3. RELEVANT PLANNING HISTORY

- 3.1 **PT15/3794/F (Approved – 16 October 2015)**
Erection of single storey front and side extension to form additional living accommodation
- 3.2 **PT07/1375/F (Approved – 22 June 2007) (Mill House)**
Demolition of existing garage to facilitate the erection of detached dwelling and garage with associated works.
- 3.3 **PT05/1798/F (Refused – 26 July 2005) (Land at Mill House)**
Erection of detached dwelling on 0.1 hectares of land.

This application was refused by the LPA for highway/access reasons. The application was subsequently allowed at appeal (APP/P0119/A/06/2007345) on 04 December 2006.

4. CONSULTATION RESPONSES

- 4.1 Olveston Parish Council
OPC lodge an Objection as design not suitable and adjacent to a conservation area
- 4.2 Listed Building and Conservation Officer
On the basis of the information reviewed to date, we do not wish to offer any comments on this scheme. We defer, therefore, to the view of the case officer in assessing the impact of the proposed development on the character of the Olveston Conservation Area, taking into account guidance such as the adopted Conservation Area Appraisals and the Householder Design Guide SPD. It is not necessary for us to be consulted on this application again unless there are material changes to the proposals.
- 4.3 Residents
No comments have been received

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
PSP38 of the South Gloucestershire Council Policies, Sites and Places Plan (adopted November 2017) permits development within existing residential curtilages (including extensions) in principle where they do not unduly harm the design, visual amenity and residential amenity of the locality or prejudice highway safety or the provision of adequate private amenity space. PSP38 is achieved through CS1 of the South Gloucestershire Council Core Strategy (adopted December 2013), which requires development to demonstrate the highest standards of design and site planning by demonstrating that siting, form, scale, height, massing, detailing colour and materials are informed by,

respect and enhance the character, distinctiveness and amenity of both the site and its context. Additional guidance on achieving good design for householder developments is set out in the Household Design Guide supplementary planning document (SPD), which was formally adopted in March 2021. The development is acceptable in principle, subject to the following detailed consideration.

5.2 Furthermore, Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that the LPA shall have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest in which it possesses. The NPPF also attaches great weight to the conservation of heritage assets and ensuring their significance is maintained or enhanced.

5.3 The proposal is relatively simple in what it seeks to achieve. It is proposed to erect what will essentially be a glass 'cube' to the side of the application property, which leads out to the existing side and rear gardens.

5.4 The plans show that the cube itself will be more of a structure rather than an extension to the main dwelling by means of an enclosure. The structure would therefore measure 3.3m in depth and project 3.4m from the side elevation of the property and would be finished with a flat roof measuring 2.7m in height.

5.5 In terms of materials, the structure would be constructed predominantly with glass sliding doors with an aluminium powder coated post frame in a clay brown colour, sympathetic to the main dwelling.

5.6 Green Belt

The purpose of the green belt is to prevent urban sprawl by keeping land permanently open, and serves 5 purposes, according to Section 13 of the NPPF:

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

On that basis, local planning authorities have a responsibility to ensure substantial weight is given to any proposal which is likely to harm the green belt.

5.7 The requirements of the NPPF are backed up by development planning policy PSP7 and the Development within the Green Belt Supplementary Planning Document (Adopted 2007). PSP7 states that additions and alterations will be allowed provided they do not result in a disproportionate addition to the original building. The policy goes on to clarify that, as a general guide, an addition resulting in a volume increase less than 30% of the original building would likely be acceptable. Additions which exceed 30% will be given careful consideration with regards to whether the proposal would appear out of scale to the existing building. Subsequently, additions resulting in a volume increase of 50% or more

of the original building are most likely to be considered inappropriate as a disproportionate addition and are likely to be refused.

5.8 The NPPF goes on to state that:
“Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 148. 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.’”

5.9 The NPPF further states:
“A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are...

the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.”

5.10 For avoidance of doubt, the term ‘original dwellinghouse’ refers to the volume of the dwelling as it was when the original planning permission for its construction was granted, or the volume of the dwelling on 01 July 1948 (when the Town and Country Planning Act was introduced). Additions which have occurred since then will be considered cumulatively and will count against the overall increase in the volume of the dwelling when new additions are being assessed.

5.11 From the planning history within this report, it appears that the property was built in 2007 and has previously been extended in the form of a single storey front and side extension since its construction. The case officer has calculated the approximate volume of the original dwellinghouse was 499m³. The single storey front and side extension has extended the property by approximately 73m³, or 19.8% cumulatively, as shown below:

Original Volume of property (m ³)	Volume of existing extension(s)(m ³)	Volume of proposed extension(s)(m ³)	Total New Volume (m ³)	Percentage Increase from original
499	73	26	598	19.8%

5.12 The case officer has calculated that the proposed works are minimal in nature and that the proposed structure would increase the cumulative volume by 30m³, taking the total cumulative increase to just under 26%. As such, it can be reasonably demonstrated that there is unlikely to be any harm to the green belt cause by any potential works to the property. The works are also of a minor scale in this instance.

Original Volume of property (m ³)	Volume of existing extension(s)(m ³)	Volume of proposed extension(s)(m ³)	Total New Volume (m ³)	Percentage Increase from original
499	103	26	628	25.9%

5.13 The proposal is therefore compliant with local and national policy which seeks to ensure the green belt is protected.

5.14 Design & Visual Amenity

Policy CS1 of the Core Strategy states that development proposals will only be permitted where the highest possible standards of design and site planning are achieved. Furthermore, policy PSP38 of the Policies, Sites and Places Plan expresses that development within existing residential curtilages, including extensions and new dwellings, will be acceptable where they respect the character and appearance of the host dwelling and existing street scene by taking into account building line, form, scale, proportions, architectural style, landscaping and use of materials. The policy also underlines the importance of development within residential curtilages and the impact that this has on residential amenity, and that development should not prejudice the private amenity space or the amenity of neighbours.

5.15 Additionally, the Householder Design Guide SPD sets out general design guidance principles in which extensions and alterations should aim to; be of overall high-quality design, achieve successful integration by responding to the characteristics of the host dwelling and prevailing street scene and be subservient in scale and character.

5.16 In terms of the overall design, the structure is minimalistic in nature, presenting in a similar fashion to a conservatory, for example. The design of the cube is also respectful of its setting, particularly in the conservation area, green belt and setting of the nearby listed building, by virtue of its overall size, scale and form as well as its positioning where it connects to the property.

5.17 Furthermore, given the nature of the property and its context, the structure is shielded from the view of the public realm due to the development being set behind the boundary wall of the application property. This corner of the property already benefits from bi-fold doors which lead out to the small side courtyard and rear garden itself. This would be the main entrance point to the cube and would present an external appearance not too dissimilar to that what is existing.

5.18 In this instance, the case officer finds there to be no further design or visual amenity concerns and that the proposal is compliant with the policies set out in the development plan which seek to promote and encourage high quality design.

5.19 Impact on Heritage & the Listed Building

For contextual reference, the siting of the proposed structure would be approximately 63m away from the Grade II Cromwell House to the northwest, with Paddock House and Little Grange, also Grade II Listed buildings, approximately 78m to the southwest.

5.20 The site itself is within the Olveston conservation area but is set back and secluded from the main road, meaning the property is not visible from the main street scene and the siting of the structure would also not be visible from the public realm. The characteristics of the existing dwelling is of relatively modern nature, with the property being built in approximately 2007, and the addition of glass and glazing appearing as a prominent feature within the existing character of the building.

- 5.21 With regards to the impact of the proposal on the conservation area and the nearby listed building, it is demonstrated that the materials used will be sympathetic in nature to the existing dwelling. Whilst the use of glass may appear as a modern addition, this elevation of the property presents a large amount of glass as existing through the provision of bi-fold and patio doors and is therefore considered to be in keeping with the existing property.
- 5.22 The resultant size and scale of the structure would also appear subservient and proportionate in its context and is able to demonstrate compliance with high quality design policies within the development plan.
- 5.23 The case officer has also taken into account the comments received by the listed building and conservation officer and is satisfied that there is unlikely to be any harm caused to conservation and nearby heritage assets in this instance.
- 5.24 On that basis, having regard to the above assessment, officers are assured that the proposed works would not result in any harm to the special architectural or historic interest of the listed building nor the conservation area and ultimately, the overall significance.
- 5.25 Residential Amenity
PSP8 permits development where it does not prejudice the residential amenity of both occupiers of the development and of neighbouring dwellings through the creation of unacceptable impacts. Such unacceptable impacts include loss of privacy, overlooking, loss of light, loss of outlook and overbearing/dominant impacts. Similarly, policy PSP43 reinstates the requirement for the provision of sufficient private amenity space standards and that private and communal external amenity space should be; functional, safe, accessible, of sufficient size and should take into account the context of the development and, including the character of the surrounding area.
- 5.26 Similarly, Technical Advice Note: Assessing Residential Amenity provides supporting guidance on residential amenity considerations and how the above policies are applied in the determination of applications.
- 5.27 The property itself is detached but is within relatively close proximity to its surrounding neighbours. An assessment has therefore been made to determine whether the proposal is likely to impact any of these immediately surrounding neighbours.
- 5.28 In this case, it is demonstrable that due to the overall size, scale and nature of the proposal, the structure is unlikely to cause any significant or detrimental harm to the residential amenity of these neighbours. Additionally, there is also no risk of overlooking or loss of privacy as the structure would have an outlook solely within the curtilage of the main property where the boundary wall of the property is higher than the proposed structure, meaning that no neighbouring property is likely to be impacted.

5.29 The proposal is therefore found to be compliant with policies PSP8 and PSP43 of the development plan which seeks to ensure residential amenity is safeguarded.

5.30 Parking Standards

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

5.31 It is not proposed to alter the existing parking arrangements at the property, nor is it proposed to change the number of bedrooms. As such, sufficient parking is demonstrated, and the case officer raises no concerns with regards to PSP16 of the development plan.

5.32 Consideration of likely impact on Equalities

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 It is recommended that permission is **APPROVED**.

CONDITIONS

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

Reason

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

2. The development/works hereby permitted shall only be implemented in accordance with the following plans:

Received by the Local Authority on 17 February 2022:

Site Location Plan

Proposed Block Plan

Existing Elevations (Drawing No. 34756-02)

Proposed Elevations (Drawing No. 34756-04)

Design and Access Statement

Received by the Local Authority on 03 March 2022:

Existing Floor Plan (Drawing No. 34756-01 - Revision B)

Existing Roof Plan (Drawing No. 34756-01 - Revision A)

Proposed Floor Plan (Drawing No. 34756-03 - Revision A)

Proposed Roof Plan (Drawing No. 34756-03 - Revision B)

Statement of Significance

Reason

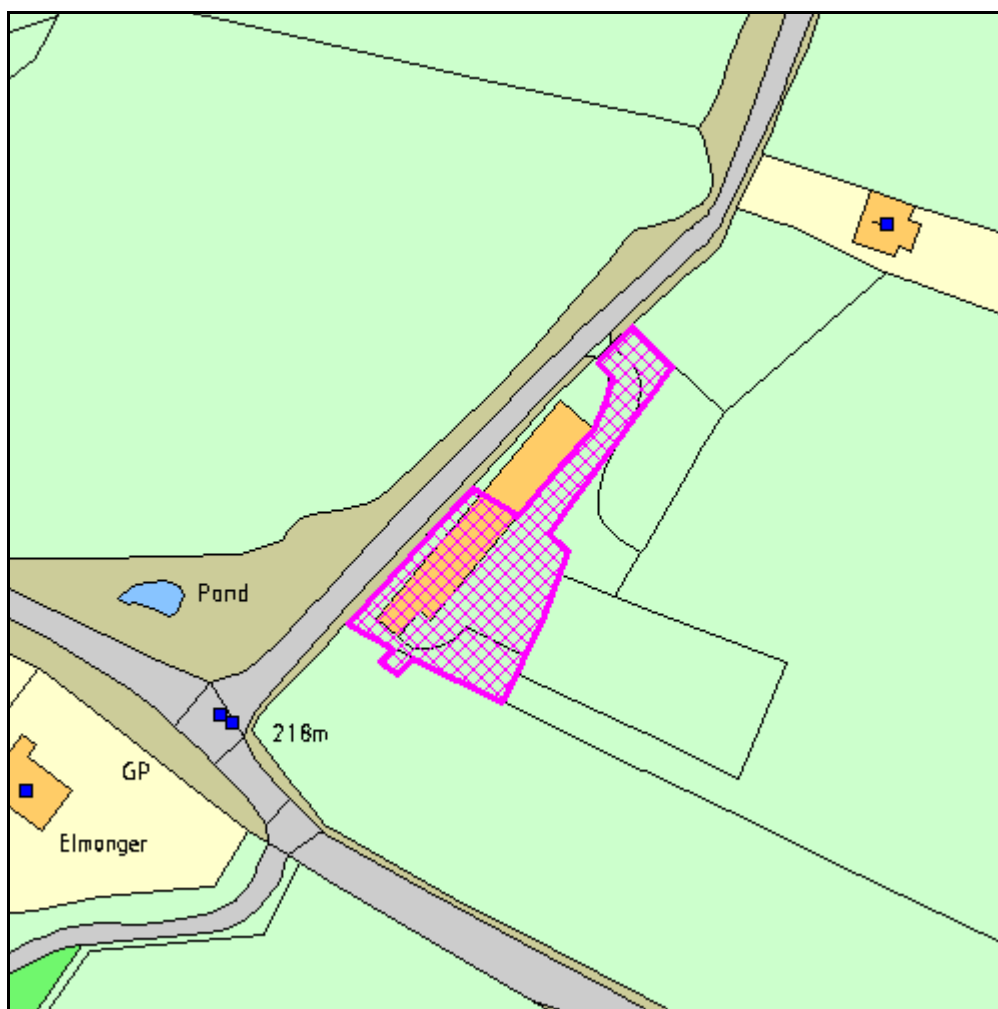
To define the terms and extent of the permission.

Case Officer: Lucie Rozsos

Authorising Officer: David Stockdale

CIRCULATED SCHEDULE NO. 18/22 - 6th May 2022

App No.:	P22/01101/F	Applicant:	Catherine and James Meachin and Morris
Site:	The Yard Field Lane Littleton Upon Severn South Gloucestershire BS35 1NU	Date Reg:	23rd February 2022
Proposal:	Demolition of existing barn/storage shed/stables and erection of 1no self-build dwelling.	Parish:	Aust Parish Council
Map Ref:	359978 189744	Ward:	Severn Vale
Application Category:	Minor	Target Date:	18th April 2022



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P22/01101/F

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

REASON FOR APPEARING ON CIRCULATED SCHEDULE

This application appears on the Council's Circulated Schedule procedure following four public comments in support of the proposal, contrary of the officer recommendation detailed below.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the demolition of the existing barn/storage shed/stables and erection of 1no self-build dwelling at The Yard, Field Lane, Littleton Upon Severn.
- 1.2 The application site is located within an open countryside location and is washed over by the Bristol and Bath Green Belt. No other restrictive policies apply.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework
National Planning Policy Guidance

2.2 South Gloucestershire Local Plan Core Strategy (Adopted) 2013

CS1	High Quality Design
CS4a	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS9	Managing the Environment and Heritage
CS34	Rural Areas

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

PSP1	Local Distinctiveness
PSP7	Development in the Green Belt
PSP8	Residential Amenity
PSP11	Transport
PSP16	Parking Standards
PSP19	Wider Biodiversity
PSP40	Residential Development in the Countryside
PSP43	Private Amenity Standards

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007
Residential Parking Standards SPD (Adopted) 2013
Residential Amenity TAN (Endorsed) 2016
Householder Design Guide SPD (Adopted) 2021

3. CONSULTATION RESPONSES

- 3.1 Aust Parish Council – Objection
“As the original buildings are to be demolished, this development would effectively be a new build within the green belt. No exceptional circumstances have been demonstrated; the application therefore represents inappropriate development in the green belt.”
- 3.2 Sustainable Transport – No objection, conditions recommended
- 3.3 Public Rights of Way – No objection, informative recommended.
- 3.4 Lead Local Flood Authority – No objection, informatives recommended.
- 3.5 Ecology Officer – No objection, conditions recommended.
- 3.6 Tree Officer – No objection, conditions recommended.
- 3.7 Landscape Officer – No objection, conditions recommended.

Local Resident Comments

- 3.8 Two comments have been received objecting to the development and four comments have been received in support. The key points are summarised below:

Against

- No exceptional circumstances to justify development in the Green Belt;
- Fails to comply with para 80 of the NPPF;
- Fails to comply with para 149 of the NPPF;
- Would harm the openness of the Green Belt, i.e. the introduction of residential paraphernalia;
- Harm to the character and form Littleton; and
- Unsustainable location.

For

- Well thought out and sympathetic;
- Positive for the local family and village;
- Be good for the applicants to live on site; and
- Precedent already set in village.

4. RELEVANT PLANNING HISTORY

- 4.1 PT04/0990/F. Permission Granted, 23/8/2005
Proposal: *Erection of stables, tack room and foaling box.*
- 4.2 PT03/0086/F. Permission Granted, 17/2/2003
Proposal: *Construction of all-weather riding surface.*
- 4.3 PT01/0746/F. Permission Granted, 19/4/2001
Proposal: *Retention of barn/storage shed.*

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Planning permission is sought for the demolition of the existing barn/storage shed/stables and erection of 1no self-build dwelling. The application site is with an open countryside location and is washed over by the Bristol and Bath Green Belt.

5.2 Location

Policy PSP40 of the Council's Policies, Sites and Places Plan (2017) (PSPP) deems any land outside of defined settlement boundaries (asper the Policies Map) to be "open countryside". Given the location of the application site outside of any defined settlement, it is therefore considered open countryside.

5.3 Policy PSP40 goes on to prescribe the circumstances in which residential development in open countryside may be permitted. In such areas, residential development is limited to rural exception housing, dwellings for rural workers, replacement dwellings and the conversion/re-use of existing buildings. None of these exceptions are applicable to the proposal in this instance. When considered against this policy, the principle of new residential development on the appeal site is therefore precluded.

5.4 Whilst it's acknowledged the proposal would be close to some other rural housing, this is not indicative of the site being within a sustainable location. Indeed, given the distance of the appeal site from local facilities, occupiers of the proposed development would invariably be reliant on private car to access local services and meet their day-to-day needs.

5.5 For these reasons, the proposed development would be located in an unsustainable location, and would not be considered acceptable for new residential development. As set above, the development would conflict with Policy PSP40 of the PSPP, as it would fail to satisfy the exceptions criteria for residential development in the open countryside. It would conflict with Policy CS5 of the Council's Cores Strategy (CS), which directs development to existing urban centres and defined rural settlements, which are generally considered the most sustainable locations in the Council's area. The development would also conflict with the aims of Policy CS34 of the CS, which seek to preserve settlement boundaries and protect and enhance the distinct character and beauty of rural areas. Finally, the development would contravene the overarching objectives of the Framework, which places great emphasis on the protection of countryside.

Green Belt

5.6 Concerning the Green Belt, Policy CS5 states that development will need to comply with the provisions of the NPPF or relevant local plan policies. Paragraph 149 of the NPPF allows for limited infilling or the partial or complete redevelopment of *previously development land*, whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt than the existing development.

5.7 For clarity, *previously development land* is defined within the NPPF as:

“Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.”

5.8 It is noted that the existing building to be demolished, whilst not previously subject to a change of use application to conform an equestrian use, was inclusive on the former red line plan associated with application ref. PT03/0086/F which granted permission for an equestrian arena. Nonetheless, this building was conditioned by virtue of application ref. PT01/0746/F for the purposes of the storage of agricultural related materials and for no other use. With no certificate of lawfulness, or indeed any other planning application, to demonstrate that a change of use has occurred, the existing use must be considered against the evidence available, for which indicates the building in question is still within agricultural use.

5.9 In conclusion to the above, the barn proposed for demolition does not fall under the definition of ‘previously developed land’ as outlined by the NPPF, and nor does the proposed development comply with the Green Belt exception categories provided within paragraphs 149 or 150. The proposed development is therefore regarded as being inappropriate development, and is therefore harmful to the Green Belt for which substantial weight must be afforded in accordance with paragraph 148 of the NPPF.

5.10 Concerning the impact of openness, it’s noted the proposed dwelling would provide a volume of 585sq m, equitant to a 16% reduction when compared to the 695sq m volume of the barn for demolition. As such, the replacement structure would have a reduced impact on the openness of the Green Belt by way of its built development. In addition, the compact arrangement with its traditional rural linear form, also serves to avoid undue impact on Green Belt openness and ensures that the development remains unobtrusive.

5.11 Nonetheless, case law has established that residential paraphernalia also has the potential to harm the openness of the Green Belt and thus should also form part of the assessment. Whilst its noted the existing use of the site attracts its own paraphernalia, the large curtilage of the site would provide opportunities for extensive forms of residential paraphernalia, such as caravans, trampolines and washing lines for example – all of which cannot be controlled by the implementation of planning conditions. Furthermore, no explanation as to a replacement barn has been provided – considering this is still in use, it is likely one would be required, leading to a substantial volume increase over the existing situation. When taking this into balance, the proposal has the potential to result in a greater level of harm to the openness of the Green Belt when

compared to the existing. The proposed development would therefore undermine the fundamental aim of Green Belt policy, for which is to preserve the openness of the land. In addition, the development would also fail to protect the special character of the land for which should be protected by virtue of local plan policy CS34. No exceptional circumstances have been provided.

5.12 Design and Visual Amenity

Policy CS1 of the Core Strategy seeks to ensure that development proposals are of the highest possible standards of design. This means that developments should be informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context. The southwestern end of the proposed dwelling would be raised to counter for the reduced ground level, however the replacement structure would still sit marginally below the former ridge height of the barn. Nonetheless, the impact would be reduced by the introduction of a pitched roof with a lower eaves level. The proposed dwelling appears well designed, incorporating high quality materials (such as rubble stone), and is representative of the existing agricultural form and character of the site. As such compliance with policy CS1 is achieved.

5.13 Residential Amenity

Policy PSP38 of the Policies, Sites and Places Plan explains that development will be permitted provided that it would not detrimentally impact the residential amenities of nearby occupiers and would not prejudice the retention of adequate private amenity space. Policy PSP8 outlines the types of issues that could result in an unacceptable impact. The proposal has been carefully assessed and has found to be in compliance with these policies. Concerning the provision of private external amenity space, 60m² would be provided to the front of the property. Whilst amenity space to the front of dwellings is often seen as inappropriate due to not providing adequate levels of privacy, in this specific instance as a result of the rural location and existing site screening, the proposed amenity area is acceptable and would on balance comply with the provisions of policy PSP43.

5.14 Transport

It is noted the site is within a relatively remote location in a rural area, and such officers do not consider that it accords with the locational requirements of Policy PSP11 of the adopted SG Policies, Sites and Places Plan. However, whilst it is likely that this development would be largely car-dependent, transport officers conclude that it would not create a significant amount of additional traffic, nor would it produce any highways or transportation issues which could be considered to be severe or unacceptable.

5.15 Policy PSP16 of the Policies, Sites and Places Plan sets out the Council's parking standards. The proposal has been carefully assessed and has found to be in compliance with this policy. As per policy CS8, and to encourage sustainable forms of transport, the provision of electric vehicle charging points should be incorporated and could be conditioned. Furthermore, it's noted the site consists of a gravel surface, as such and in order to prevent gravel being dragged onto the highway, the first 5m from the site entrance should be of a bound surface (i.e. not gravel) for which could be conditioned.

5.16 Ecology and Trees

Policies PSP19 seeks to protect and enhance local levels of ecology. The buildings proposed for demolition from images appear to support negligible potential for roosting bats due to their exposed nature and corrugated metal roof. There are opportunities to improve the biodiversity of the site by implementing ecological enhancements, such as bat boxes and bird boxes.

5.17 Policy PSP3 seeks to protect and enhance trees where possible. An arboricultural report has been submitted and reviewed by officers. Provided the development takes place in accordance with the submitted Arboricultural report and BS:5837:2012, no objections are raised.

5.18 Consideration of likely impact on Equalities

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

6. CONCLUSION

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

REFUSAL REASONS

1. Policy CS5 of the South Gloucestershire Local Plan: Core Strategy adopted December 2013 states that new development will be strictly limited in the open countryside. The application site is outside of any defined settlement and therefore in the open countryside. Defined settlements establish locations which the local planning authority consider suitable for sustainable development. The proposal, given its location, would conflict with the spatial and locational strategy, which is to create sustainable communities in South Gloucestershire. Also, the site itself is not considered to relate well to any defined settlements, and the proposal does not contain any of the limited forms of residential development acceptable in the open countryside. The proposal therefore does not represent a sustainable form of development and conflicts with policy CS5 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP40 of the South

Gloucestershire Local Plan Policies, Sites and Places Plan (Adopted) November 2017; and the provisions of the National Planning Policy Framework February 2021.

2. The existing barn for demolition, as a result of its existing agricultural use, does not fall with the NPPF definition of 'previous developed land'. As such, the proposed development as a whole fails to comply with any of the exception categories provided in paragraphs 149 and 150 of the NPPF. Furthermore, the associated residential paraphernalia, and a replacement barn would encroach upon and harm the openness of the Green Belt, for which substantial weight is afforded to its protection. Similarly, the harm identified has not been found to be outweighed by 'Very Special Circumstances'. As such, the development proposal is contrary to paragraph 137 and 138 (c) of the NPPF.

Case Officer: Thomas Smith

Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 18/22 - 6th May 2022

App No.:	P22/01104/F	Applicant:	Mr Tom Moody
Site:	Land Adjacent To 99 Charnhill Drive Mangotsfield South Gloucestershire BS16 9JS	Date Reg:	23rd February 2022
Proposal:	Demolition of existing garage. Erection of 1 no. detached dwelling and associated works (resubmission of P19/0847/F).	Parish:	
Map Ref:	365664 175658	Ward:	Staple Hill And Mangotsfield
Application Category:	Minor	Target Date:	18th April 2022



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P22/01104/F

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

REASON FOR APPEARING ON CIRCULATED SCHEDULE

This application appears on the Council's Circulated Schedule procedure following the receipt of more than 3 objection comments by local residents, contrary of the officer recommendation detailed below.

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the demolition of existing garage and erection of 1 no. detached dwelling and associated works at 99 Charnhill Drive, Mangotsfield.
- 1.2 The applicant site comprises a compact plot of approximately 63m² with the host structure itself forming a detached single storey garage that has adjoining access onto Signal Rd/Charnhill Drive to the North and a pathway leading to the Bristol and Bath cycle way immediately to the West. Likewise, it is recognised on-site development is not limited by any local development plan policies.
- 1.3 This application is a resubmission of the previously approved scheme P19/0847/F (which itself followed an inspector's decision to allow the appeal made under PK13/1764/F) and the refused Non-Material Amendment proposal P22/00507/NMA, which is essentially seeking the following alterations (to P19/0847/F):
 - Increase in roof pitch.
 - Repositioning of front door as to sit on the 'lefthand' side of the principal elevation with introduction of window.
 - Removal of 3no. side (West) windows.
 - Omission of bin/bike storage and subsequent relocation to frontage of property.
 - Introduction of 1st floor rear facing window.
- 1.4 *Procedural Matters* – Revised plans have been received from the applicant's agent (introduction of rear boundary fence) but further public consultation has not been conducted as the case officer is satisfied this does not disadvantage the public interest.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework
National Planning Policy Guidance
- 2.2 Development Plans

South Gloucestershire Local Plan: Core Strategy (Adopted December 2013)
CS1 High Quality Design

CS4a	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility

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

PSP1	Local Distinctiveness
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP43	Private Amenity Space

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted 2007)

Residential Parking Standards SPS (Adopted 2013)

SGC Householder Design Guide (Adopted March 2021)

3. RELEVANT PLANNING HISTORY

- 3.1 Ref: P22/00507/NMA. *Refused, on the grounds that the changes are material* 15.02.2022.
Proposal: Non-material amendment to planning permission P19/0847/F to reconfigure the roofs and front fenestration and relocate the subfloor basement bin and cycle storage area to the front of the dwelling.
- 3.2 Ref: P19/0847/F. Approved, 02.04.2019.
Proposal: Demolition of existing garage and erection of 1no dwelling and associated works.
- 3.3 Ref: APP/P0119/A/13/2204041. Allowed, 04.12.2013.
Proposal: Demolition of garage to facilitate the erection of 1no. dwelling with associated works.
- 3.4 Ref: PK13/1764/F. Refused, 17.07.2013.
Proposal: Demolition of garage to facilitate the erection of 1no. dwelling with associated works.
- 3.5 Ref: PK12/2527/F. Refused, 18.10.2012.
Proposal: Demolition of garage to facilitate the erection of 1no. dwelling (Resubmission of PK12/1600/F).
- 3.6 Ref: PK12/1600/F. Withdrawn, 10.07.2012.
Proposal: Demolition of garage to facilitate the erection of 1no. dwelling.
- 3.7 Ref: PK12/0066/F. Approved, 24.02.2012.
Proposal: Demolition of existing garage to facilitate erection of 4no. two storey town houses.

4. CONSULTATION RESPONSES

- 4.1 Highway Structures Officer

No comments received.

4.2 Flood and Water Management Officer

No objection but recommend an informative referring to the proximity to public foul sewer location.

4.3 Environmental Protection Officer: Contaminated Land

No objections but conditions relating to a desk study, intrusive investigation and verification report are recommended should the application be approved.

4.4 Environmental Protection Officer: Noise

No objections.

4.5 Sustainable Transport Officer

No objections subject to a condition relating to installation of electric vehicle charging point.

4.6 Local Residents

One letter of *support*: Proposed development would improve appearance of old garage.

In addition to this, 3 letters of *objection* have been received which are summarised as follows:

- o The proposal has a lack of parking and could impact adjoining road.
- o Potential for loss of privacy and reduction in sunlight reaching side windows.
- o Storage of bins at front could be a road hazard and would not reflect characteristics of surrounding street.
- o Potential impact on existing sewage system.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The principle of development had previously been established under the 2019 approved planning application (P19/0847/F), hence the only matters that can be considered are those relating to the proposed changes. Further to this, it is noted that P19/0847/F had taken the inspectors findings from the appeal of APP/P0119/A/13/2204041 as a material consideration to the Council's decision to approve the erection of 1no. dwelling at this site. Based on this planning history, an assessment must now follow of the current proposals to determine if they have significantly altered approved considerations (it is again noted that the accepted principle of development cannot be revisited from that of the 2019 application).

5.2 Design and Visual Amenity

As noted above, the changes sought under this application are listed as follows:

- Increase in roof pitch.

- Repositing of front door as to sit on the 'lefthand' side of the principal elevation with introduction of window.
 - Removal of 3no. side (West) windows.
 - Omission of bin/bike storage and subsequent relocation to frontage of property.
 - Introduction of 1st floor rear facing window.
- 5.3 In the first instance, the case officer notes the above adaptations were refused under P22/00507/NMA as it was considered the change in roof pitch would affect the overall size, height and shape of development and would there have a material impact on the original considerations of P19/0847/F.
- 5.4 Notwithstanding this, the change in roof pitch and form has essentially improved integration with the immediate context as it is more reflective of built form i.e., the previous curved roof was an isolated feature not found in the immediate vicinity. Likewise, the removal of windows on the side (East) elevation has resulted in property with an improved fenestration layout as to further aid integration with the prevailing street scene i.e., front and back windows with minimal side openings form the built pattern of development in the area. Lastly, the front door re-alignment and bin storage have a negligible impact on the overall design.
- 5.5 Again, it is noted that significant weight must be given to 2019 application, in which, broadly speaking, the changes described above, although "materially different", do not represent significant concerns as to warrant refusal in this instance.
- 5.6 Residential Amenity
Policy PSP8 explains that development proposals will be permitted provided they do not create unacceptable living conditions or result in unacceptable impacts on residential amenities. These are outlined as follows (but are not restricted to): loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and, odours, fumes or vibrations.
- 5.7 Due to the change in roof pitch and subsequent height increase by an approximate 760mm, there is likely to be an increased reduction of sunlight to 2nd floor side window of the neighbouring property to the East (No.99 Charnhill Drive) and this should be carefully considered. It is noted, however, that the established relationship of overshadowing between the proposed property and the ground floor / 1st floor window of No.99 under P19/0847/F would not be changed as result of this application. Whilst the 2nd floor window would now be 'blocked' and therefore a lower amount of sunlight would reach the neighbour's North facing bedroom, it is recognised there is a larger front window which also provides sunlight and adequate outlook opportunities. This suggests the side window which would be blocked acts a secondary window, therefore indicating that whilst there would be a reduction in sunlight and potential impact on brightness and outlook, an acceptable standard of sunlight would remain for the neighbour's bedroom.

- 5.8 In terms of overlooking, this development seeks to introduce a 1st floor rear window where there wasn't one previously approved, to which neighbouring residents have raised concern for a reduction in privacy to their outdoor amenity space. There is already a relationship of overlooking from the adjoining terraced block e.g., 1st floor windows and 2nd floor balconies already overlook rear garden spaces, suggesting the development would not exacerbate a loss of privacy more so than the existing situation. Likewise, the rear building of the proposed property is set back 2.5 meters, reducing the immediate opportunity for overlooking. Due to the above considerations, the case officer does not raise any amenity objections.
- 5.9 Transport
Policy PSP16 sets out the Council's criteria for parking specifications. It states that parking space provision per dwellinghouse is proportionate to bedroom number, with a property of the proposed size expected to 1no. on-site parking space. Whilst concerns have been raised with regard to the lack of parking, there is no change to the proposed parking and therefore cannot be assessed (see paragraph 5.1 of this report).
- 5.10 As proposed, the changes to bin and bike store seek the removal of 'basement' storage and relocation to front driveway. In terms of highway safety, concerns are noted with regard to the location of bin store, which could reduce visibility when exiting site. Notwithstanding this, Charnhill drive is primarily a residential road that is denoted as a 30MPH speed limit, suggesting high levels of traffic are not present and therefore lower the likelihood of collisions. Similarly, the transport officer has raised no objections subject to the conditions imposed upon the 2019 approval (electric vehicle charging point). Based on this, the case officer does not consider the development to create unacceptable highways impact as to warrant refusal.
- 5.11 Contaminated Land
The application site is understood to have an historic vehicle workshop use, meaning there is potential for contamination which could give rise to unacceptable risks to the proposed development. As a result, the Council's Environmental Health contaminated land officer has been consulted who suggested conditions relating to desk base studies and remediation strategies to help identify any contamination risk and appropriate mitigation. The planning officer has had regard to the fact that such conditions were not imposed on the 2019 approval, and as the current application is seeking only amendments to this, it is considered reasonable to include the contaminated land information as an informative only rather than a new condition.
- 5.12 Conditions
Previous conditions attached to the 2019 planning approval have been brought forward to this application as they enable the works to proceed. Here, it is noted that the adaptations to the 2019 approval do not result in a change of proposal i.e., both projects seek the erection of 1no. dwelling, meaning the same conditions will be carried forward, apart from a slight change to the fence condition height.

6. CONCLUSION

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

7. RECOMMENDATION

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

CONDITIONS

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

Reason

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

2. Prior to the erection of the roof, details and/or samples of the roofing materials to be used in the construction of the building shall be submitted to and approved in writing by the local planning authority.

Development shall be carried out in accordance with the approved details.

Reason

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

3. The vehicular parking, cycle storage and bin store shall be provided on site in accordance with the approved details prior to the first occupation of the development and shall be retained at all times in the future for these purposes.

Reason

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

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows or other openings other than those hereby approved shall be constructed in the rear elevation, no dormer windows shall be added and no extensions shall be constructed.

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.

5. The 1.8 metre high rear boundary fence shown on the approved plans shall be erected prior to the first occupation of the development and shall be retained at all times.

Reason

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to protect the residential amenity of the occupiers and 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.

6. The development hereby permitted shall be completed in strict accordance with the approved plans listed below:

Site Location Plan (PA22/202/01)
Existing Block Plan (PA22/202/02)
Proposed Block Plan (PA22/202/03 Rev A)
Existing Plans and Elevations (PA22/202/04)
Proposed Elevations (PA22/202/07)
Proposed Ground Floor Plan (PA22/202/05)
Proposed First Floor Plan (PA22/202/06)

Reason

To define the extent and terms of the permission.

Case Officer: Ben France
Authorising Officer: Helen Ainsley