

# 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: 01/22**

**Date to Members: 07/01/2022**

**Member's Deadline: 13/01/2022 (5.00pm)**

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

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

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

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

## NOTES FOR COUNCILLORS

### – formal arrangements for referral to committee

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

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

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

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

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

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

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

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

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

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

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

7) Any applications, except those 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](mailto:MemberReferral@southglos.gov.uk) (not individual email addresses), where referrals can be picked up quickly by the Technical Support Team.

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

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

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

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

**A template for referral is set out below:**

## **Referral from Circulated Schedule to Development Management Committee**

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

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

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

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

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

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

**Date:**

To be emailed to [MemberReferral@southglos.gov.uk](mailto:MemberReferral@southglos.gov.uk)

# CIRCULATED SCHEDULE - 07 January 2022

ITEM NO.	APPLICATION NO.	RECOMMENDATION	LOCATION	WARD	PARISH
1	<b>P19/15337/RVC</b>	Approve with Conditions	The Meadows Parkfield Pucklechurch South Gloucestershire BS16 9NS	Boyd Valley	Pucklechurch Parish Council
2	<b>P20/17040/F</b>	Refusal	Frenchay Village Museum 1 Begbrook Park Frenchay South Gloucestershire BS16 1SZ	Frenchay And Downend	Winterbourne Parish Council
3	<b>P21/04645/F</b>	Approve with Conditions	119 Salisbury Road Downend South Gloucestershire BS16 5RP	Frenchay And Downend	Downend And Bromley Heath Parish Council
4	<b>P21/04886/F</b>	Approve with Conditions	39 Sutherland Avenue Downend South Gloucestershire BS16 6QW	Frenchay And Downend	Downend And Bromley Heath Parish Council
5	<b>P21/06740/F</b>	Approve with Conditions	39 Hortham Lane Almondsbury South Gloucestershire BS32 4JJ	Severn Vale	Almondsbury Parish Council
6	<b>P21/06867/F</b>	Approve with Conditions	88 Courtlands Bradley Stoke South Gloucestershire BS32 9BB	Bradley Stoke North	Bradley Stoke Town Council
7	<b>P21/07553/F</b>	Approve with Conditions	21 Church Lane Downend South Gloucestershire BS16 6TA	Frenchay And Downend	Downend And Bromley Heath Parish Council

**CIRCULATED SCHEDULE NO. 01/22 - 7th January 2022**

<b>App No.:</b>	P19/15337/RVC	<b>Applicant:</b>	Mrs Tracey Williams
<b>Site:</b>	The Meadows Parkfield Pucklechurch Bristol South Gloucestershire BS16 9NS	<b>Date Reg:</b>	23rd October 2019
<b>Proposal:</b>	Removal of condition 1 attached to planning permission PK16/0672/F, to allow permanent use of the site. (PK16/0672/F-The change of use of land for the siting of 1 no Gypsy caravan with 1 no. day room. Erection of relocated stable block.)	<b>Parish:</b>	Pucklechurch Parish Council
<b>Map Ref:</b>	368966 177631	<b>Ward:</b>	Boyd Valley
<b>Application Category:</b>	Minor	<b>Target Date:</b>	13th December 2019



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 100023410, 2008. **N.T.S.** **P19/15337/RVC**

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

## **REASONS FOR REFERRING TO THE CIRCULATED SCHEDULE**

This application has been referred to the Circulated Schedule following the receipt of an objection from Pucklechurch Parish Council, which is contrary to the officer recommendation.

### **1. THE PROPOSAL**

- 1.1 Planning permission PK16/0672/F was previously granted for the change of use of land to facilitate the siting of 1no. Gypsy Caravan and 1no. Day Room and the erection of a re-located Stable Block. The Stable Block was to be re-located to the south to facilitate the proposed Gypsy Pitch. The proposal represented an extension of an existing authorised Gypsy Site known as 'The Meadows'.
- 1.2 The application site is located within the Green Belt and open countryside to the west of Parkfield. The site is accessed via a rough track (Pit Lane) off Parkfield Road. A small sewage works lies to the north and isolated dwellings i.e. Parkfield House & Longacre lie to the north-west and south-east respectively.
- 1.3 Planning permission PK16/0672/F was granted 21<sup>st</sup> Oct. 2016 subject to a number of conditions. Condition 1 reads as follows:

*The use hereby permitted shall be carried on for a limited period, with that period being 3 years from the date of this decision or if the premises cease to be occupied by Ms Lana Williams whichever is the shorter. Following this period the use shall cease and all materials and equipment brought onto the premises in connection with the use shall be removed and the land restored to its former condition (to include relocation of the stable block to its former position).*

#### *Reason*

*The development is inappropriate within the Green Belt and has only been granted planning permission given the personal circumstances of Ms. Lana Williams; to accord with Green Belt Policy embodied within the NPPF and Policies CS5 and CS34 of The South Gloucestershire Local Plan : Core Strategy (Adopted) 11th Dec. 2013 and The 'Development in the Green Belt' SPD Adopted June 2007.*

- 1.4 This application seeks to remove or alternatively revise the condition to provide a permanent consent or alternatively a temporary personal consent to the occupier Ms Lana Williams.
- 1.5 *Members Note : This application stalled because it was not received by the Council until 18<sup>th</sup> Oct. 2019 or registered until 23<sup>rd</sup> October 2019. This placed doubt on the validity of the application. Nevertheless the Council's Solicitor has now confirmed that the application is valid and as such can be determined in the usual manner.*

## 2. POLICY CONTEXT

### 2.1 National Guidance

National Planning Policy Framework July 2021  
NPPF accompanying document Planning Policy for Traveller Sites (PPTS)  
August 2015  
Ministerial Statement by the Rt. Hon. Brandon Lewis MP 2 July 2013.  
National Planning Practice Guidance (NPPG)

### 2.2 Development Plans

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

Policy CS1 High Quality Design  
Policy CS5 Location of Development  
Policy CS9 Managing the Environment and Heritage  
Policy CS21 Gypsy and Traveller Accommodation  
Policy CS34 Rural Areas

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

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

### 2.3 Supplementary Planning Guidance

The South Gloucestershire Design Check List SPD Adopted August 2007  
Development in the Green Belt SPD Adopted June 2007  
South Gloucestershire Revised Landscape Character Assessment (SPD) -  
Adopted Nov 2014  
South Gloucestershire Council Waste Collection: guidance for new  
developments (SPD) Adopted Jan 2015  
South Gloucestershire Council - 'Gypsy and Traveller Accommodation  
Assessment (GTAA) 2017 Explanatory Note'

#### Relevant Case Law

2.4 Case law is clear that there is a duty on both the Local Planning Authority (LPA) and Secretary of State to treat the best interests of the child as a primary consideration, and that no other consideration is inherently more important (see AZ v SSCLG & South Gloucestershire Council [2012] and Collins v SSCLG [2013]).



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

- 3.1 PK02/2103/F - Change of use from grazing land to gypsy caravan site. Creation of access track. Refused 24 March 2003 for reasons of:
- Inappropriate development in the Green Belt; no very special circumstances demonstrated.
  - Inadequate drainage information.
  - Siting would have a detrimental impact on visual amenity of Green Belt.
- Appeal APP/P0119/A/03/1115541 dismissed 13 Oct 2003.
- 3.2 PK06/0781/F - Change of use of grazing land to land for the keeping of horses. Erection of stable block and hay store. Refused 4 May 2006 for reasons of:
- The siting of the stable block would fail to conserve the amenity and open character of the rural landscape and would adversely affect the visual amenity of the Green Belt.
- 3.3 PK07/2523/F - Change of use of land from grazing to residential land for stationing of 2no. gypsy Caravans and creation of access track. (Retrospective application).  
Withdrawn 16 June 2010
- 3.4 PK10/0711/F - Use of land for the siting of 1no. gypsy caravan pitch, with associated hard standing and access. Erection of 1no. ancillary utility/day room. Retention of stable block. (Part retrospective).  
Refused 15 Nov 2010 for reasons of:
- Inappropriate development in the Green Belt; no very special circumstances demonstrated.
  - Siting would have a detrimental impact on visual amenity of Green Belt.
- Appeal APP/P0119/A/10/2141502 ALLOWED 21 June 2011 with a full award of costs.
- 3.5 PK13/2108/F - Change of use of land to gypsy/travellers site including 2no. mobile homes and 2no. touring caravans with the formation of additional hard-standing and 2no. ancillary utility/day rooms.  
Approved 4 April 2014
- 3.6 PK16/0672/F - The change of use of land for the siting of 1 no Gypsy caravan with 1 no. day room. Erection of relocated stable block.  
Approved – temporary 3 year consent personal to Ms Lana Williams.

### **4. CONSULTATION RESPONSES**

- 4.1 Pucklechurch Parish Council  
PPC objected to application PK16/0672/F on the grounds that the development is inappropriate development in the Green Belt and very special circumstances were not demonstrated to exist so as to outweigh the harm arising from the inappropriate development. It still considers that the development has a detrimental impact on the visual amenity and the openness of the Green Belt and amounts to encroachment in the Green Belt. SGC also considered that this

represented inappropriate development in the Green Belt in its report to DCE on 20th October 2016 (5.25) and permission was only granted given the personal circumstances of Ms. Lana Williams. PPC believes that the scant information supplied in support of the applicants request to make this a permanent permission does not amount to a demonstration of the very special circumstances required to override the permanent harm to the Green Belt that would arise. Personal circumstances are not material planning considerations and from the limited description supplied in the application, what is described is not particularly unusual or special when compared with those experienced with the settled population. PPC would also query whether or not the individuals continue to meet the definition of a Gypsy or Traveller as per that expressed in the latest version of Planning Policy for Traveller Sites since it would follow that someone who is undertaking the role a fulltime Carer is likely to have ceased to travel

#### 4.2 Other Consultees

##### Sustainable Transport

No objection

##### Landscape Officer

No comment

##### Corporate Travelers Unit

*The manager of the South Gloucestershire Traveller Unit has commented and provided a good deal of personal information about Mrs Tracey Williams' health and personal needs, which the applicant Lana Williams provides for. This information is of a personal and confidential nature but can be provided to Members upon request from the Case Officer or Planning Manager.*

Lana and her son need a stable place to live so that her son can keep the friendships he has built and continue with his education. Lana needs to be able to care for her Mother on a daily basis and be available 24hours of the day. She (Lana) has always lived on a Gypsy Site, which is part of her culture and heritage. I can confirm that there are no plots available on the Council run sites.

##### Strategic Planning Policy Team

We don't have a policy position on this type of development specifically, but as a general statement, Core Strategy para 10.76 makes clear that existing, authorised sites will be safeguarded and will be retained until such time as it can be proved no longer a need. It also says that, in the case of sites with temporary permission, the 'safeguarded' status will apply until such time as the existing permission expires.

The council's general position is to retain its existing supply of sites capable of use by Gypsies and Travellers. To give up existing sites will only compound the existing shortfall and make the challenge of finding new sites more difficult. In order to address this in the new Local Plan, it is likely (albeit not yet agreed) that we'll propose the continuation of this approach.

In terms of the timescales for the new Local Plan, we've had to revise the timescales for its preparation and its scope as a result of the withdrawal of the JSP. The upshot, in terms of this application, is that the new Local Plan situation won't resolve anything for this site (or any other) in the short term, so moving from a temporary (time) permission to something more permanent (permanent/personal) would be beneficial for them and us. Also think this approach is consistent with the approach taken to other Gypsy/Traveller sites in a similar position.

## **Other Representations**

### 4.3 Local Residents

2no. responses were received, one neutral and one objecting. The objector raised the following concerns:

- The property has a poor road access and dangerous exit.
- The site lies within the Green Belt.
- No reason to change the conditions.
- The property is located close to the prospective M4 link road route.
- Not characteristic of the area.

## **5. ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

The acceptance in principle of the use of the land as a Gypsy/Traveller site has already been established with the grant of PK16/0672/F, albeit for a temporary 3-year period and personal to Ms Lana Williams. The Council has previously accepted that the Williams family are a long established gypsy family. This current application seeks to make the consent a permanent one for general use by gypsies & travellers or alternatively a temporary permission personal to Ms Lana Williams.

5.2 Officers wish to stress that the scope of a variation/removal of condition application (section 73 application) is more limited than a full planning application. The Local Planning Authority may only consider the question of the condition(s), and cannot revisit or fundamentally change the original planning permission. It may be decided that the permission should be subject to the same conditions as were on the original permission; or that it should be subject to different conditions; or that permission may be granted unconditionally. There is a right of appeal in the usual way against any conditions imposed.

5.3 In assessing this application it is necessary to consider whether or not the relevant condition(s) or any variations thereto satisfy the requirements of planning conditions as set out in the National Planning Policy Framework (NPPF). The NPPF requires all planning conditions to pass three tests, these being that conditions should be: –

- i. Necessary to make the development acceptable
- ii. Directly related to the development
- iii. Fairly and reasonably related in scale and kind

- 5.4 In assessing this application, officers must consider the reason why Condition 1 was originally imposed and whether or not anything has changed in the interim that would now justify its variation/removal.

For information purposes the original Committee Report for PK16/0672/F is appended to this report.

**Applicant's Justification for Removing/Varying Condition 1**

- 5.5 Since the application was submitted and subsequent to the Parish Council comment, the applicant has provided the following additional information as justification for removing/varying the condition:

**Personal Circumstances**

- 5.6 "The letter from Jo McKean, Traveller Unit Manager at the Council, which you have, clearly outlines the personal circumstances. In summary, Lana and her son live on the pitch. Lana's son attends a local school and Lana works locally. She also cares for her mother who lives on one of the other adjacent pitches. The pitches are all occupied by family members. The site has been occupied by the family for over 20 years.

**Justification for removing the temporary condition**

The other pitches have been granted permanent permission. The pitches are all occupied by immediate family members. Lana needs to remain so she can continue to care for her mother and be close to other family support. It is crucial that her son can remain on the site for the long term so he can continue with his education and be close to immediate family.

The Council does not have any alternative sites available and has historically not been able to provide sufficient pitches. There is an unmet demand.

**What has changed since the original grant of planning permission PK/16/0672/F**

A temporary permission was granted in the first place even though the circumstances at the time did include most of the issues stated above. However, Lana's role in caring for her mother has increased. Furthermore, it is important for her son's continuing education that he can remain on site so he can remain at his current school and future secondary school. The role of family support is also very important in the gypsy community. The family has been living on the site for over 20 years, including Lana. It would clearly not be appropriate to force Lana and her son to now leave the site. In any event the lack of any alternative sites means there is no other site to move to."

**Analysis**

- 5.7 It was previously established under PK16/0672/F that there was a demonstrable need for the additional pitch and that the pitch (the subject of this application) represented inappropriate development in the Green Belt that required very special circumstances to overcome any harm to the openness of the Green Belt and any other harm. It was also established that the Williams family, including Lana, are gypsies who have lived at The Meadows for many years.

- 5.8 It was accepted at the time, that the additional pitch represented limited expansion of the existing gypsy site and was not considered to be a significant encroachment into the Green Belt. It was also noted that the site was not prominent in the landscape and was well screened. No significant 'other harm' was identified at the time of the application. The site was also considered to be appropriate for gypsy occupation.
- 5.9 Officers considered that the applicant had on balance adequately demonstrated the very special circumstances (see para. 5.25 of the report for PK16/0672/F) required to overcome the potential harm to the Green Belt by reason of inappropriateness and any other harm. Officers noted however that there were clearly, a complex combination of factors to consider in weighing up the planning balance and that in this case it was a finely balanced judgment.
- 5.10 Whilst the application was for a permanent planning permission, officers considered that, in the light of the still emerging new policy relating to Gypsies and Travellers; a temporary 3-year consent made personal to Ms Lana Williams and her spouse/partner and any dependent relatives, would be an appropriate solution, especially given the wording of then para. 187 (now 38) of the NPPF, which required Local Planning Authorities to look for solutions rather than problems, and decision takers at every level to seek to approve applications for sustainable development where possible.
- 5.11 In the interim, little has changed in policy terms.
- 5.12 Need for Gypsy and Traveller Accommodation  
Whilst CS21 remains the Council's principal development plan policy, the figures set out in CS21 relating to identified need are no longer up-to-date. The most up-to-date information relating to need is set out in the Gypsy and Traveller Accommodation Assessment (GTAA) 2017. Based on the GTAA 2017, there is a need for 61 additional pitches for Gypsies/ Travellers in South Gloucestershire by 2032. The Council is currently refreshing its GTAA and an update is due to be published later this year, however these represent the latest figures.
- 5.13 On the basis that allocations are yet to be made as part of any new local plan, and given the current shortfall in gypsy/traveller pitches, the Local Planning Authority is currently unable to demonstrate it has a 5-year supply of gypsy and traveller accommodation. Furthermore, the authority has a historic track record of under delivery of gypsy and traveller accommodation with a significant shortfall in supply and a ministerial direction to make significant improvements to supply and delivery.
- 5.14 Paragraph 22 of the Planning Policy for Traveller Sites (PPTS) emulates Section 38(6) of the Planning and Compulsory Purchase Act 2004. It states that applications should be determined in accordance with the development plan, unless material considerations indicate otherwise. As it is established that the Authority does not currently have a 5-year supply of gypsy sites, national guidance should be given greater weight as a material planning consideration.

5.15 Paragraph 23 of PPTS states that applications for gypsy and traveller sites should be assessed in the context of the presumption in favour of sustainable development; and, where a local planning authority cannot demonstrate an up-to-date 5 year supply of deliverable sites, this should be a significant material factor in the determination of applications (paragraph 27). The exception to this is where the land in question is subject to a national designation, such as Green Belt, as is the case here, where the tilted balance contained within the presumption in favour of sustainable development does not apply. Paragraph 24 of the PPTS sets out that Local Planning Authorities should apply weight to:

- a) the existing level of local provision and need for sites
- b) the availability (or lack) of alternative accommodation for the applicants
- c) other personal circumstances of the applicant
- d) that the locally specific criteria used to guide the allocation of sites in plans or which form the policy where there is no identified need for pitches/plots should be used to assess applications that may come forward on unallocated sites
- e) that they should determine applications for sites from any travellers and not just those with local connections.

The locational and impact assessment criteria of CS21 therefore can still be afforded full weight in decision taking.

5.16 As was the case in the original permission PK16/0672/F the conclusion remains that there is unmet need that is unlikely to be fully met in the near future, and this must be afforded significant weight.

Lack of available, suitable, acceptable, affordable alternative sites:

5.17 Little has changed since PK16/0672/F was approved. There are still no sites in the South Gloucestershire area for gypsies and travellers generally, and the two Council sites are still full with waiting lists. As stated in paragraph 24b of Planning Policy for Traveller Sites the availability (or lack) of alternative accommodation for the applicants is a relevant matter to be considered, and significant weight attaches to this matter, subject to consideration of the reference to paragraph 16 contained in the policy i.e. '*..subject to the best interests of the child, personal circumstances and unmet need are unlikely to clearly outweigh harm to the Green Belt and any other harm so as to establish very special circumstances.*'

Lack of a five year supply of sites:

5.18 The Council cannot demonstrate a five-year supply in respect of gypsy and traveller sites, as sought in paragraph 10 of Planning Policy for Traveller Sites. Paragraph 27 goes on to state that this is a significant material consideration in any planning decision for the grant of temporary permission, but further states an exception being where the site is on Green Belt land, as here. However, the application is for permanent use and the consideration of very special circumstances remains as set out in both the Framework and Planning Policy for Traveller Sites. The effect of the stated exception in the Green Belt is over the weight to be applied, now advised to be less than significant, and moderate weight is afforded this matter here.

The likely location of sites:

- 5.19 Some 25% only of the Council's area is outside the Green Belt or areas that are otherwise constrained. Whilst this is mainly to the North, where access to services is less convenient. There does therefore appear to be a reasonable likelihood of Green Belt land being needed in the new Local Plan for the provision of sites, but not a certainty, so that moderate weight only is attached to this.

Personal Circumstances

- 5.20 A good deal of supporting information has now been submitted in relation to this application, not least from the applicant's agent, the Council's own Gypsy/Traveller Unit Manager and Mrs Tracey Williams herself.
- 5.21 What has changed since the grant of PK16/0672/F is that Mrs Tracey Williams' health has deteriorated to a level where she is now registered disabled and now requires full-time care. The applicant Lana Williams is now in effect, Mrs Williams' full-time carer whilst also doing some part-time work locally. Furthermore, Lana now has a young son who has attended a local nursery and now attends the local Primary School.
- 5.22 Furthermore, it is not unusual for gypsies to live in extended family groups, where they can give mutual support to each other, not least with child care when the bread winner is travelling for work. It is a fact that having a settled base from which an adult member of the family can travel to seek work is acceptable and is supported by Government policy.
- 5.23 If the application is refused, the intended occupants have advised that their alternative accommodation options are very limited to none. If this application is to be refused it is likely that they will be forced to travel continually on the roadside or double up on other friends' and family members' pitches who have neither the permission nor the space to accommodate them.
- 5.24 Article 3(1) of the United Nations Convention on the Rights of the Child provides that the best interests of the child shall be a primary consideration in all actions by public authorities concerning children, meaning that no other consideration can be inherently more important than the best interests of the child. They must properly be afforded an importance or weight as great as any other material consideration prior to examination of the circumstances of the case (see para. 2.4 above). This will be considered further in the planning balance that follows.

Green Belt and Planning Balance

- 5.25 Substantial weight must be given to any harm to the Green Belt and the PPTS requires that greater protection is given to the Green Belt. Personal circumstances and unmet need, are unlikely to clearly outweigh the harm to the Green Belt and any other harm. The lack of a 5-year land supply is a less than significant material consideration when considering temporary consents in the Green Belt. New gypsy/traveller site development in the open countryside that is away from existing settlements should be very strictly limited.

- 5.26 As however was previously established under PK16/0672/F, the site is not particularly 'away' from the nearest settlement and is considered appropriate for Gypsy occupation. There is a demonstrable need for the accommodation and there is a lack of alternative sites within South Gloucestershire. The Council cannot demonstrate a 5-year land supply of deliverable Gypsy sites, which carries weight in favour of the proposal. The proposal would enable the extended family to continue to live together and to provide mutual support in particular regarding Mrs Tracey Williams' needs and for child care for Lana's young son.
- 5.27 The best interests of the child would ideally be served by having a settled base. The personal, educational and healthcare needs of the applicant and her extended family add further substantial weight in favour of the proposal. Whilst given the revised definition of Gypsies in the PPTS and the outstanding work to the GTAA as a result, the scope for a significant decrease in the need for pitches remains untested. The only harm identified would be some encroachment into the openness of the Green Belt and open countryside, but given the small size of the pitch and the fact that the pitch is located adjacent to the existing 3-pitch Gypsy Site, primarily on land previously occupied by a stable block (now re-located to the south) this is not significant; there is no significant 'other harm'.
- 5.28 Having taken all matters into account, officers consider that the considerations put forward fail to **clearly** outweigh the harm identified, in relation to the establishment of a **permanent, non-personal** use of the land for an additional gypsy pitch. This decision recognises the great importance given to Green Belts in the Framework and the substantial weight to be attached to any harm to the Green Belt. It acknowledges the statements in paragraphs 16 and 24 of Planning Policy for Traveller Sites as to the balance to be applied.
- 5.29 However, with the best interests of the child in mind, the balance alters in favour of a grant of a **permanent personal** permission. It is concluded that considerations as to the best interests of the child, are sufficient to clearly outweigh the harm identified so that very special circumstances exist. Whilst the application is for a permanent planning permission, officers consider that, in light of the personal circumstances of the proposed future occupiers and the still emerging new policy relating to Gypsies and Travellers; in this case a consent made personal to Ms Lana Williams her partner/spouse and any immediate resident dependants, would be an appropriate solution, especially given the wording of para. 38 of the NPPF which requires decision takers at every level to seek to approve applications for sustainable development where possible.
- 5.30 A further personal temporary permission would not be appropriate in view of the ongoing doubts over the delivery of sites through the Local Plan process as now proposed.

#### Human Rights and the Public Sector Equality Duty

- 5.31 Article 8 on the European Convention on Human Rights as enshrined in the Human Rights Act 1998, concerns a right to respect for private and family life. The Public Sector Equality Duty was introduced under the Equality Act 2010



which requires at section 149 that a public authority or person exercising a public function must, in the exercise of its functions, have due regard to the need to (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. The Williams family's gypsy origins are a protected characteristic.

5.32 The recommendation that follows from the reasoning above to grant permission would allow the named person to occupy the land, and for the child to remain in education and access health care. This would be a proportionate approach as a personal consent would address the family's human rights but as it would be restricted to their particular circumstances, would be no wider than necessary to safeguard the wider public interest. As a result, this recommendation has had due regard to the Public Sector Equality Duty.

5.33 Officers consider that the operation of the Planning system does not conflict with the Human Rights Act. The Council has not acted unfairly in preparing the Local Plan or Core Strategy and then making decisions based upon the policies contained therein. Both plans have been tested at public enquiry and subsequently found to be sound.

## **6. CONCLUSION**

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

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

## **7. RECOMMENDATION**

7.1 That planning permission be GRANTED personally to Ms Lana Williams, her partner/spouse and any immediate resident dependants, subject to the conditions listed on the Decision Notice. (All relevant conditions imposed on PK16/0672/F to be carried over).

## **CONDITIONS**

1. The use hereby permitted shall be carried on only by Ms. Lana Williams, her resident partner/spouse and resident dependants. When the premises cease to be occupied by Ms. Lana Williams the use hereby permitted shall cease and all materials and equipment brought on to the premises in connection with the use shall be removed and the land restored to its former condition in accordance with a scheme of work submitted to and approved in writing by the Local Planning Authority.

Reason

The development is inappropriate within the Green Belt and has only been granted planning permission given the personal circumstances of Ms. Lana Williams; to accord with Green Belt Policy embodied within the NPPF and Policies CS5 and CS34 of The South Gloucestershire Local Plan : Core Strategy (Adopted) 11th Dec. 2013 and The 'Development in the Green Belt' SPD Adopted June 2007.

2. No commercial activities shall take place on the land the subject of this consent, including the storage of materials.

Reason

To protect the visual amenity of the Green Belt and landscape in general to accord with Policies PSP7 and PSP2 of the South Gloucestershire Local Plan : Policies, Sites and Places Plan (Adopted) Nov. 2017 and Policy CS34 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec 2013 and the NPPF.

3. The parking, turning and manoeuvring areas shall not be used for any purpose other than the turning and manoeuvring of vehicles.

Reason

In the interests of highway safety and to accord with Policy PSP11 of The South Gloucestershire Local Plan : Policies, Sites and Places Plan (Adopted) Nov. 2017 and Policy CS21 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec 2013.

4. The existing landscaping along the boundaries of the site shall be retained at all times unless otherwise agreed in writing by the Local Planning Authority.

Reason

To protect the visual amenity of the Green Belt and landscape in general to accord with Policies PSP7 and PSP2 of the South Gloucestershire Local Plan : Policies, Sites and Places Plan (Adopted) Nov. 2017 and Policy CS34 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec 2013 and the NPPF.

5. Notwithstanding the existing Gypsy and Traveller pitch located at 'The Meadows', there shall be no more than one additional pitch on the land the subject of this consent and within the individual pitch hereby approved no more than two caravans shall be stationed at any time, of which only one caravan shall be a residential mobile home.

Reason

To protect the visual amenity of the Green Belt and landscape in general to accord with Policies PSP7 and PSP2 of the South Gloucestershire Local Plan : Policies, Sites and Places Plan (Adopted) Nov. 2017 and Policy CS34 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec 2013 and the NPPF.

6. No vehicle over 3.5 tonnes shall be stationed, parked or stored on the land the subject of this consent.

Reason

To protect the visual amenity of the Green Belt and landscape in general to accord with Policies PSP7 and PSP2 of the South Gloucestershire Local Plan : Policies, Sites and Places Plan (Adopted) Nov. 2017 and Policy CS34 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec 2013 and the NPPF.

7. The pitch hereby approved shall not be occupied by any persons other than gypsies and travellers as defined in Annex 1 of DCLG document Planning Policy for Traveller Sites August 2015.

Reason

To ensure that the site is not occupied by people other than those of Gypsy and Traveller status, given the limited availability of Gypsy and Traveller sites within South Gloucestershire.

8. This decision relates only to the plans approved under PK16/0672/F (21st Oct. 2016) as identified below:

Location Plan, Proposed Site Drawing No. 09\_273B\_001 received 11th Feb. 2016.

Existing Site Drawing No. 09\_273B\_002 received 11th Feb. 2016.

Proposed Site Drawing No. 09\_273B\_003 received 22 March 2016.

Proposed plans for Day Room Drawing No. 09\_273B\_004 received 11th Feb. 2016.

Existing Stable Layout and Elevations Drawing No. 09\_273B\_005 received 17th Feb. 2016.

Reason

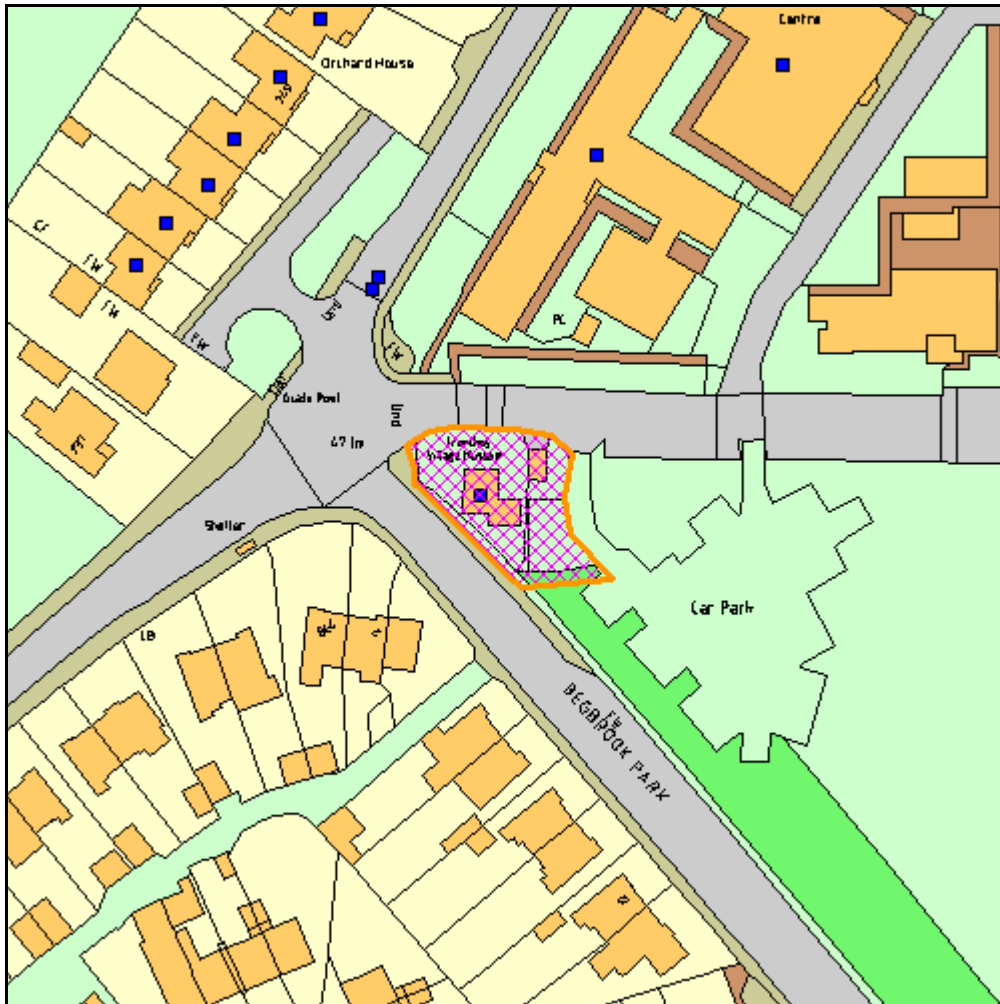
To define the terms and extent of the permission.

**Case Officer: Roger Hemming**

**Authorising Officer: Helen Ainsley**

**CIRCULATED SCHEDULE NO. 01/22 - 7th January 2022**

<b>App No.:</b>	P20/17040/F	<b>Applicant:</b>	Frenchay Tuckett Society
<b>Site:</b>	Frenchay Village Museum 1 Begbrook Park Frenchay South Gloucestershire BS16 1SZ	<b>Date Reg:</b>	9th December 2020
<b>Proposal:</b>	Demolition of existing garage and extension. Erection of two storey and single storey side extensions to form display area and office (Class F1c).	<b>Parish:</b>	Winterbourne Parish Council
<b>Map Ref:</b>	363364 177579	<b>Ward:</b>	Frenchay And Downend
<b>Application Category:</b>	Minor	<b>Target Date:</b>	1st January 2021



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

## **REASON FOR REFERRAL TO CIRCULATED SCHEDULE**

This application has been referred to the Circulated Schedule due to the receipt of support from Winterbourne Parish Council contrary to the Officers' recommendation.

### **1. THE PROPOSAL**

- 1.1 The applicant seeks full planning permission for the demolition of the existing garage and single storey extension to facilitate the erection of a two storey side extension to form display area and office (Class F1 (c )) at Frenchay Village Museum. This is the resubmission of planning application PT18/2280/F which was refused on impact upon the heritage asset and the conservation area.
- 1.2 Frenchay Village Museum is a curtilage listed building that is located within the defined settlement boundary and within the Frenchay Conservation Area. It should be noted that a listed building application will be required for the proposal, given that the building is curtilage listed and it needs to be treated as part of the listed building during the consideration of any development proposals.
- 1.3 During the course of the application, a revised scheme was submitted to change the scale and appearance of the proposed extension. Although officers have expressed the concerns that the revised scheme has not fully addressed the issues, no further alternative scheme came forward after a number of discussions, therefore, the application is determined as it submitted. The description of the application has been updated to reflect the changes.
- 1.4 A supporting statement is submitted with the proposal, the applicant expressed that the Museum needs additional space and facilities to address the following problems:
  - (i) A lack of suitable storage for artefacts due to the existing old pre-fabricated garage is dilapidated and is visual eye-sore
  - (ii) No internal toilet accommodation is available due to the near-by public toilets on the Lime Tree Avenue was demolished.

### **2. POLICY CONTEXT**

- 2.1 National Guidance and Regulations  
National Planning Policy Framework July 2021  
National Planning Practice Guidance  
Planning (Listed Buildings and Conservation Areas) Act 1990  
Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended)

## 2.2 Development Plans

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

CS1	High Quality Design
CS2	Green Infrastructure
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS23	Community Infrastructure and Cultural Activity

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP8	Residential Amenity
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment

## 2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) 2007

Frenchay Conservation Area SPD (Adopted) March 2007

Listed Buildings Technical Advice Leaflet December 2009

## 3. RELEVANT PLANNING HISTORY

3.1 PT18/2280/F Demolition of existing garage and erection of a two storey side extension. Creation of new pedestrian access. Refused 13.02.2019

3.2 CLIC Cottage

PT17/4999/F Change of use of land to residential and the erection of a single storey extension to form additional living accommodation. New vehicle access. (Re Submission of PT17/2620/F). Refused and Appeal Dismissed.

PT17/5294/LB Change of use of land to residential, the erection of a single storey extension and general refurbishment to include replacement UPVC windows and doors, reconfiguration of internal layout and external works. New vehicle access. Refused and Appeal Dismissed.

3.3 Penn House

P20/23827/F Demolition of existing garage. Erection of single storey garden room. Approved 27.01.2021

P20/23828/LB Demolition of existing garage. Erection of single storey garden room. Approved 27.01.2021

## 4. **CONSULTATION RESPONSES**

- 4.1 Winterbourne Parish Council – support the proposal. Members agreed this would continue to be an asset to the Community and fully support the application.

The Listed Building Officer – objection

Arboricultural Officer - A full Arboricultural report to include a tree constraints plan, a tree protection plan and a detailed arboricultural method statement is required.

Highway Officer – no objection

Drainage Engineer – no objection

Highway Structures – no comment

Avon Garden Trust – Do not wish to comment

### **Other Representations**

#### 4.2 Local Residents

2 letters of supports were received, the residents' comments are summarised as follows:

- Frenchay Museum is a valued asset and facility appreciated and supported by a good many members of the community.
- For several years now there have been discussions on how the facility could be improved most of which have not been progressed due to the lack of space available.
- The application is for a modest increase in floor area within a well-designed building which would enhance the premises besides being complimentary to its surroundings.
- The need to look ahead involves providing additional facilities to meet the requirements for access to all visitors.
- The current temporary toilet has no disabled access or child facilities.
- The safe and secure storage of artefacts and display space has outgrown the existing building as like any museum, new items are constantly being accessed. It is a pity to keep turning items down due to lack of space.
- There is no internet connection or way of accessing modern technology in the existing building, but would be incorporated into the extension and bring the museum into the modern age.
- The new extension would meet many of the needs of the museum and possibly be a more attractive proposition in attracting additional volunteers, who will be essential to keep the museum running in the future.
- I feel the museum will stay on hold in the current building as there is no room to make the changes so needed to make the museum a building for the future

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

Frenchay Village Museum is a curtilage listed Building. Policy CS9 of the South Gloucestershire Core Strategy aims to ensure that heritage assets are conserved, respected and enhanced in a manner appropriate to their significance. Similarly, Policy PSP17 will only permit development where it would preserve or enhance the character or appearance of the area. Additionally, the site is located within the Frenchay Conservation Area. Policy PSP2 permits development providing that they conserve and where appropriate enhance the quality, amenity, distinctiveness and special character of the landscape. The proposal accords with the principle of development subject to the consideration below.

### 5.2 Impact upon the curtilage listed building and its setting

The subject building, which is currently used as a museum, is a former lodge associated with Frenchay Park House (also known as Sisters House) which is Grade II listed and dates originally from the 18th century with early 19th century extensions. In light of its historic association with the Frenchay Park House, the building can be considered to be curtilage listed along with the other surviving lodges, such as Clic Cottage, Penn House, to the Beckspool Road. It should be noted that these lodges are also subject to planning applications and/or planning appeals in the past. In particular, in the appeal decision relating to Clic cottage, the Inspector states *'these (architectural) elements, its modest size, edge of parkland position and its historic relationship to the main house are all part of the special interest of this curtilage listed building.'* Whilst each application and appeal must be considered on its own merit, these planning applications including the Inspector's decision are relevant to the determination of this application to ensure that the assessment across other lodges of Frenchay Park House is consistent.

5.3 The proposal is to demolish the existing detached garage and single storey extension to facilitate the erection of a two-storey extension and a single storey extension to the museum. The proposed block plan also shows that the existing temporary w.c. will be removed. The existing garage is a pre-fabricated structure and it has no heritage or architectural value to the museum itself, Frenchay Park House, or the locality, therefore, therefore no objection is raised to the proposed demolition.

5.4 In terms of the size of the proposal, the new extensions are not small in scale, it will include a substantial ground floor element, which would double the footprint of the existing building. As the host building itself is of a modest size, the proposed extensions, due to its substantial scale, would have a significant adverse impact on the character of this curtilage listed building. In terms of the design, the proposal would comprise a two-storey pitched roof and a single storey flat roof extension. Although there are some differences between the current proposal and the previously refused scheme, e.g. a link is created between the host building and the two-storey extension, the ridge level of the two-storey extension is lowered. These changes would not adequately address the impact on the character and appearance of the lodge. In addition, the proposal would comprise a single storey flat roof extension, although the



rationale of the design is noted and understood, flat-roofed extensions are not considered to be appropriate as a matter of principle.

5.5 Furthermore, Officers are also mindful that the proposal with a much smaller extension than this at CLIC Cottage at the Beckspool Road entrance was refused on the grounds of scale and impact on character. The subsequent planning appeal was dismissed by the Inspector on the grounds of harm with the Inspector recognising the importance of the key characteristics of a lodge i.e. its modest scale and simple character which would have been unduly affected by the scheme. In this instance, it is considered that the proposed extensions, by virtue of its substantial scale and inappropriate design, there are objections in this regard.

5.6 As detailed within the supporting Design and Access Statement, the proposals are being driven by a need for additional accommodation to improve the functionality of the museum which would help provide what can be considered a more sustainable future. In that regard any development that can secure the ongoing use of the museum carries with it an element of public benefit. However, as substantial harm has been identified, paragraph 195 of the NPPF states that consent should be refused unless “it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss”. It is acknowledged that some public benefit would result from extending the museum, however, this does not amount to a substantial benefit that would outweigh the harm to the heritage asset. Hence, the application should be refused due to the adverse impact upon the heritage asset.

5.7 Impact upon Frenchay Conservation Area

The site lies within the Frenchay Conservation Area. Given the site is situated at a prominent location, any harm to the building would also be harmful to the locality within the Conservation Area, although this has been found to be less than substantial. Where less than substantial harm to a heritage asset has been found, paragraph 197 of the NPPF states “this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use”. As noted, some public benefits would result from the proposed development, however, this is not considered to outweigh the harm found.

5.8 Arboricultural consideration

A number of trees are growing near the site, a tree survey was submitted with the application, However a full arboricultural report to include a tree constraints plan, a tree protection plan and a detailed arboricultural method statement, is required, due to the proximity to the existing trees. Therefore, there is arboricultural objection to the proposal.

5.9 Residential Amenity

The nearest residential properties to the Frenchay Museum would be No.2 and No. 2A Begbrook Road, and No. 238 Frenchay Park Road. They are approximately 11 metres away lying opposite the Museum. Due to the use of the site and the reasonable separation distance between the proposed extension and the neighbouring residential properties, it is considered that the

development would not be detrimental to the amenity of the nearby dwellings, in terms of overbearing, overlooking, noise and disturbance.

#### 5.10 Highway safety and Parking

A significant parking area is available nearby and the proposal would not change the nature or the use of the existing use, therefore there is no highway objection.

#### 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. This planning application it is considered to have a neutral impact on equality.

### 6. CONCLUSION

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

6.2 The recommendation to **refuse** 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 **REFUSED** for the following reason:

#### REFUSAL REASONS

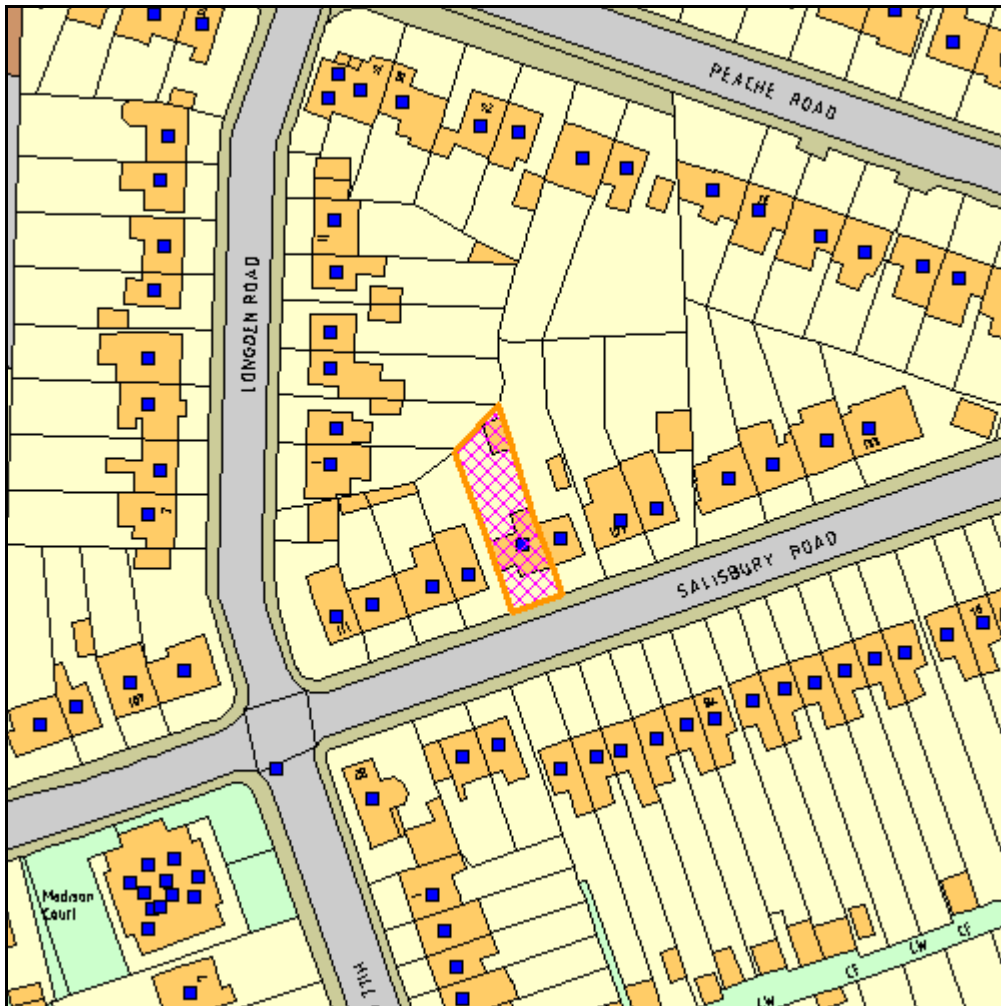
1. The host building is curtilaged listed building to the Grade II Listed Frenchay House. The National Planning Policy Framework requires that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Any harm to the significance of a designated heritage assets should require clear and convincing justification. The proposed development, by virtue its substantial scale, inappropriate design and massing would result in substantial harm to the significance of the curtilage listed building of the Grade II Listed Frenchay Park House. Although some information to indicate that there is a need to provide additional space and facilities to the existing building, insufficient substantial public benefit is found to outweigh the harm to the heritage asset. As such the development is contrary to Policy CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013; Policy PSP17 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (Adopted) November 2017; and paragraph 199 to 201 of the National Planning Policy Framework July 2021.

2. The site lies within the Frenchay Conservation Area. The proposed development, by virtue its substantial scale, inappropriate design and massing would result in less than substantial harm to the Frenchay Conservation Area. Although some information to indicate that there is a need to provide additional space and facilities to the existing building, insufficient substantial public benefit is found to outweigh the harm to the heritage asset. As such the development is contrary to Policy CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013; Policy PSP17 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (Adopted) November 2017; and paragraph 202 of the National Planning Policy Framework July 2021.
3. There are a number of trees growing to the proximity of the proposed development. Although a tree survey was submitted with the application, a full arboricultural report including a tree constraints plan, a tree protective plan and a detailed arboricultural method statement is required to ensure that the health of the trees would not be adversely affected. The proposal, by virtue of the lack of full detailed arboricultural report, will fail to demonstrate that the existing trees would be protected, as such, it would fail to comply with Policy PSP2 and PSP3 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

**Case Officer: Olivia Tresise**  
**Authorising Officer: Marie Bath**

**CIRCULATED SCHEDULE NO. 01/22 - 7th January 2022**

<b>App No.:</b>	P21/04645/F	<b>Applicant:</b>	Mrs Amy Jukes
<b>Site:</b>	119 Salisbury Road Downend South Gloucestershire BS16 5RP	<b>Date Reg:</b>	30th June 2021
<b>Proposal:</b>	Demolition of existing garage. Erection of two storey side and single storey rear extension to form additional living accommodation.	<b>Parish:</b>	Downend And Bromley Heath Parish Council
<b>Map Ref:</b>	365558 176650	<b>Ward:</b>	Frenchay And Downend
<b>Application Category:</b>	Householder	<b>Target Date:</b>	23rd August 2021



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

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

This application is reported to the Circulated Schedule as there is an objection from the Highways Officer, which is contrary to Officer recommendation.

#### **1. THE PROPOSAL**

- 1.1 The proposal seeks full planning permission for the erection of a two storey side extension to form additional living accommodation.
- 1.2 119 Salisbury Avenue is a two storey, semi-detached property, sited amongst similar style properties.

#### **2. POLICY CONTEXT**

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP8	Residential Amenity
PSP16	Parking Standards
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Space Standards

- 2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist  
Householder Design Guide SPD

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

- 3.1 K6308 – Double Storey Side Extension – Permitted 27<sup>th</sup> June 1989

#### 4. **CONSULTATION RESPONSES**

4.1 Downend and Bromley Heath Parish Council  
No objection

4.2 Other Consultees  
**Sustainable Transport** – Object to the proposed development as three spaces would be required and there does not appear to be sufficient space on site to provide this.

#### **Other Representations**

4.3 Local Residents  
None received

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

##### 5.1 Principle of Development

Policy CS1 'High Quality Design' of South Gloucestershire Core Strategy states that development proposals will only be permitted where the highest possible standards of design and site planning are achieved. Proposals should demonstrate that they: enhance and respect the character, distinctiveness and amenity of both the site and its context; have an appropriate density and its overall layout is well integrated with the existing development. PSP38 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan is supportive in principle of development within the residential curtilage of existing dwellings. This support is subject to the proposal respecting the existing design of the dwelling and that it does not prejudice the residential and visual amenity; adequate parking provision; and has no negative effects on transportation. The proposal accords with the principle of development, subject to the consideration below.

##### 5.2 Design and Visual Amenity

Policy CS1 of the Core Strategy and policy PSP38 of the Policies, Sites and Places Plan seek to ensure that development proposals are of the highest possible standards of design. This means that developments should be informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context.

5.3 The proposed development would be sited to the side of the existing property. It would match the height of the existing roof, in terms of ridge and eaves height. The two storey element would have the same depth as the existing dwelling and the subsequent single storey would join with the existing single storey element to the rear. It is noted in the Council's Householder Design Guide SPD that it is expected that side extensions should be set down from the ridge and set back from the main dwelling so that they are clearly read as an extension and to prevent the potential for a terraced appearance to the street scene.

- 5.4 This part of Salisbury Avenue is on a slope, which falls from east to west, resulting in the property at 117 being on higher ground than the application site. This would reduce the potential for a terraced effect should the adjacent properties be extended in the future. The proposed extension would have a hipped roof, which would further lessen its impact. Furthermore, there are other examples of similar style extensions within the street scene and it is not considered that this would represent an alien or harmful form of development in the street scene.
- 5.5 In terms of the impact on the host dwelling, 119 Salisbury Road has a projecting element to the front elevation. The proposed side extension would be in line with the existing front door, which is behind this projection. This provides a visual break in the building line of the front elevation and would result in the proposed extension having a subservient impact on the host dwelling. It is acknowledged that the ridge height would match the existing and due to the topography of the land, it is considered that a reduction in this ridge height could have an adverse impact on the rhythm of the street. It is therefore considered that the proposed two storey extension would not be harmful to the visual amenity of the area.
- 5.6 The proposed single storey extension is considered to be subservient to the host dwelling and of an acceptable design and appearance. Overall, it is considered that the proposed alterations would not harm the character or appearance of the area and as such are considered acceptable in terms of visual amenity. Therefore, it is judged that the proposal has an acceptable standard of design and is considered to accord with policies CS1 of the South Gloucestershire Local Plan Core Strategy and PSP38 of the Policies, Sites and Places Plan, as well as the aims of the Householder Design Guide SPD.
- 5.7 Residential Amenity
- Policy PSP8 of the Policies, Sites and Places Plan outlines that development proposals will be acceptable provided that they do not create unacceptable living conditions or have an unacceptable impact on the residential amenity of the occupiers of the development or of nearby properties. Unacceptable impacts could result from (but are not restricted to); loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and odours, fumes or vibration.
- 5.8 Given the nature and scale of the proposed development, it is considered that the residential amenity of neighbouring occupiers would be adequately preserved. It is also considered that the remaining private amenity space would be adequate.
- 5.9 On the basis of the assessment set out above, it is concluded that the proposal would have no unacceptable impacts on residential amenity, and the proposed development therefore accords with policies PSP8, PSP38 and PSP43.

## 5.10 Transport

Policy PSP16 of the Policies, Sites and Places Plan sets out the Council's parking standards. The Highways Officer has objected to the proposed development on the grounds that the resultant property would have five bedrooms, which would lead to a requirement for 3 spaces and there is not room for this within the site.

5.11 Following this objection, the applicant has confirmed that, although the loft is converted, it does not meet the building regulation standards for a bedroom. The resultant property would therefore have four bedrooms, which leads to a requirement for two spaces. The existing parking arrangement on site has space for two cars and therefore the proposed development would have sufficient parking, in accordance with the requirements of PSP16.

## 5.12 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 set out below.

## CONDITIONS

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



Reason

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

2. The development shall take place in accordance with the following plans:

Drawings numbered P001, P005 and P008, received by the Council on 27th June 2020 and drawings numbered P002 Rev A, P004 Rev A, P006 Rev A and P007 Rev A, received by the Council on 11th August 2020.

Reason

To define and clarify the permission.

3. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason

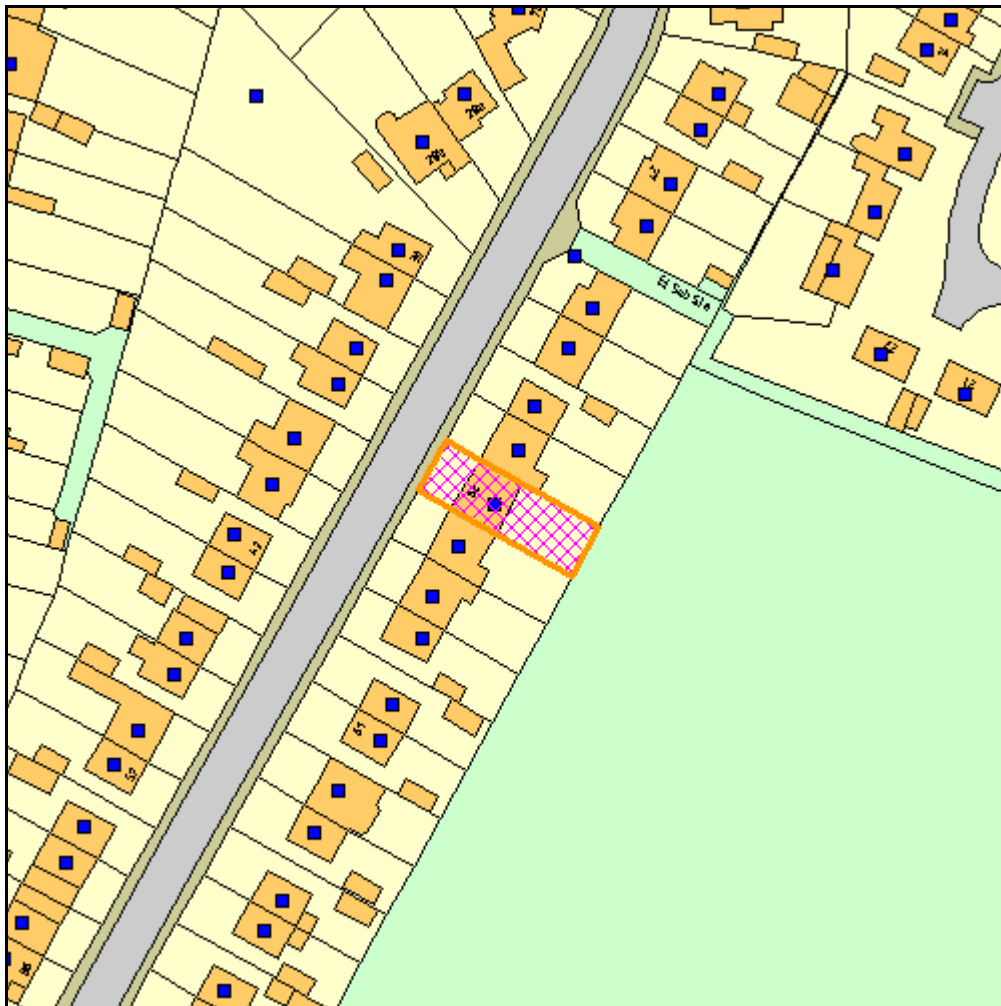
To ensure a satisfactory standard of external appearance and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

**Case Officer: Suzanne D'Arcy**  
**Authorising Officer: Helen Ainsley**

**CIRCULATED SCHEDULE NO. 01/22 - 7th January 2022**

<b>App No.:</b>	P21/04886/F	<b>Applicant:</b>	Mrs Louise Sloper
<b>Site:</b>	39 Sutherland Avenue Downend South Gloucestershire BS16 6QW	<b>Date Reg:</b>	25th July 2021
<b>Proposal:</b>	Erection of two storey side and single storey rear extension to provide additional living accommodation.	<b>Parish:</b>	Downend And Bromley Heath Parish Council
<b>Map Ref:</b>	365455 177383	<b>Ward:</b>	Frenchay And Downend
<b>Application Category:</b>	Householder	<b>Target Date:</b>	13th September 2021

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**N.T.S.**

**P21/04886/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 is reported to the circulated schedule, due to objection from Downend and Bromley Heath Parish Council, which is contrary to Officer recommendation. The parish council have objected due to overdevelopment of the site and insufficient off road parking.

### **1. THE PROPOSAL**

- 1.1 The proposal seeks full planning permission for erection of two-storey side and single storey rear extension to form additional living accommodation.
- 1.2 39 Sutherland Avenue is a semi-detached, dormer bungalow, sited amongst similar style properties.

### **2. POLICY CONTEXT**

#### 2.1 National Guidance

National Planning Policy Framework  
National Planning Practice Guidance

#### 2.2 Development Plans

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

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

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP8	Residential Amenity
PSP16	Parking Standards
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Space Standards

#### 2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist  
Householder Design Guide SPD

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

- 3.1 None relevant

## 4. **CONSULTATION RESPONSES**

- 4.1 Downend and Bromley Heath Parish Council  
Object to the proposed development, raising the following points;
- Overdevelopment
  - Insufficient parking for a 5 bedroom dwelling
- 4.2 Other Consultees  
None received

### **Other Representations**

- 4.3 Local Residents  
None received.

## 5. **ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

Policy CS1 'High Quality Design' of South Gloucestershire Core Strategy states that development proposals will only be permitted where the highest possible standards of design and site planning are achieved. Proposals should demonstrate that they: enhance and respect the character, distinctiveness and amenity of both the site and its context; have an appropriate density and its overall layout is well integrated with the existing development. PSP38 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan is supportive in principle of development within the residential curtilage of existing dwellings. This support is subject to the proposal respecting the existing design of the dwelling and that it does not prejudice the residential and visual amenity; adequate parking provision; and has no negative effects on transportation. The proposal accords with the principle of development, subject to the consideration below.

### 5.2 Design and Visual Amenity

Policy CS1 of the Core Strategy and policy PSP38 of the Policies, Sites and Places Plan seek to ensure that development proposals are of the highest possible standards of design. This means that developments should be informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context.

- 5.3 The application proposes a single storey element to the rear elevation. This is considered to be designed in a manner sympathetic to the host dwelling, in terms of its scale, massing and design. The use of matching materials would further emphasise this harmony. Furthermore, the application proposes the extension of the existing rear dormer window. This element of the proposal would follow the proportions of the existing dormer window to the rear and would not dominate the rear roof slope. It is considered that either of these elements of the proposed would be harmful to the visual amenity of the area.

5.4 The application proposes the extension of the front dormer window. The Council's adopted SPD on Householder Design sets out that traditional dormers that do not extend across more than 50% of the roof width would be more likely to be acceptable. It also states that flat roof dormers should be avoided. The resultant dormer window would have a flat roof and extend more than 50% of the roof width. However, the street scene in this part of Sutherland Avenue is characterised by front, flat roof dormer windows. The proposed extension of the existing dormer window would be viewed in the context of the existing dormer and the wider street scene of similar style properties.

5.5 There are examples within the street scene of extensions which have been set down and back from the host dwelling with a separate dormer window. The most recent example is 35 Sutherland Avenue (ref: P19/2596/F). It is however considered that this results in more attention being drawn to the extension in this instance due to the uniformity of the dormers on the frontages. It is therefore considered that, on balance, the proposed side extension and front dormer window would not have an adverse impact on the visual amenity of the street scene in this instance.

5.6 Overall, it is considered that the proposed alterations would not harm the character or appearance of the area and as such are considered acceptable in terms of visual amenity. Therefore, it is judged that the proposal has an acceptable standard of design and is considered to accord with policies CS1 of the South Gloucestershire Local Plan Core Strategy and PSP38 of the Policies, Sites and Places Plan, as well as with the Householder Design Guide SPD.

#### 5.7 Residential Amenity

Policy PSP8 of the Policies, Sites and Places Plan outlines that development proposals will be acceptable provided that they do not create unacceptable living conditions or have an unacceptable impact on the residential amenity of the occupiers of the development or of nearby properties. Unacceptable impacts could result from (but are not restricted to); loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and odours, fumes or vibration.

5.8 Given the nature and scale of the proposed development, it is considered that the residential amenity of neighbouring occupiers would be adequately preserved. It is also considered that the remaining private amenity space would be adequate.

5.9 On the basis of the assessment set out above, it is concluded that the proposal would have no unacceptable impacts on residential amenity, and the proposed development therefore accords with policies PSP8, PSP38 and PSP43.

#### 5.10 Transport

The parish council have raised concerns over the level of parking on the site and whether it is sufficient for a five bedroom dwelling. There is currently parking for a single car, though there is additional space to the front of the property for additional parking. Policy PSP16 of the Policies, Places and Sites

Plan requires 3 parking spaces for a five bedroom property. There is considered to be sufficient space to the front of the property to create 3 parking spaces and there a condition will be imposed to require the provision of the required parking.

#### 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 set out below.

### CONDITIONS

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

Reason

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

2. The development shall take place in accordance with the following plans:

Drawings numbered 39/01, /02 Rev A and /03 Rev B, and associated site location plan, received by the Council on 12th July 2021.

Reason

To define and clarify the permission

3. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason

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

4. Prior to the occupation of the extension hereby approved, detailed plans showing the provision of car parking facilities for three cars in accordance with the standards set out in the Residential Parking Standards SPD (Adopted) December 2013 shall be submitted to the Local Planning Authority for approval. Thereafter, the development shall proceed in accordance with the agreed scheme, with the parking facilities provided prior to the first occupation of the extension hereby approved; and thereafter retained for that purpose.

Reason

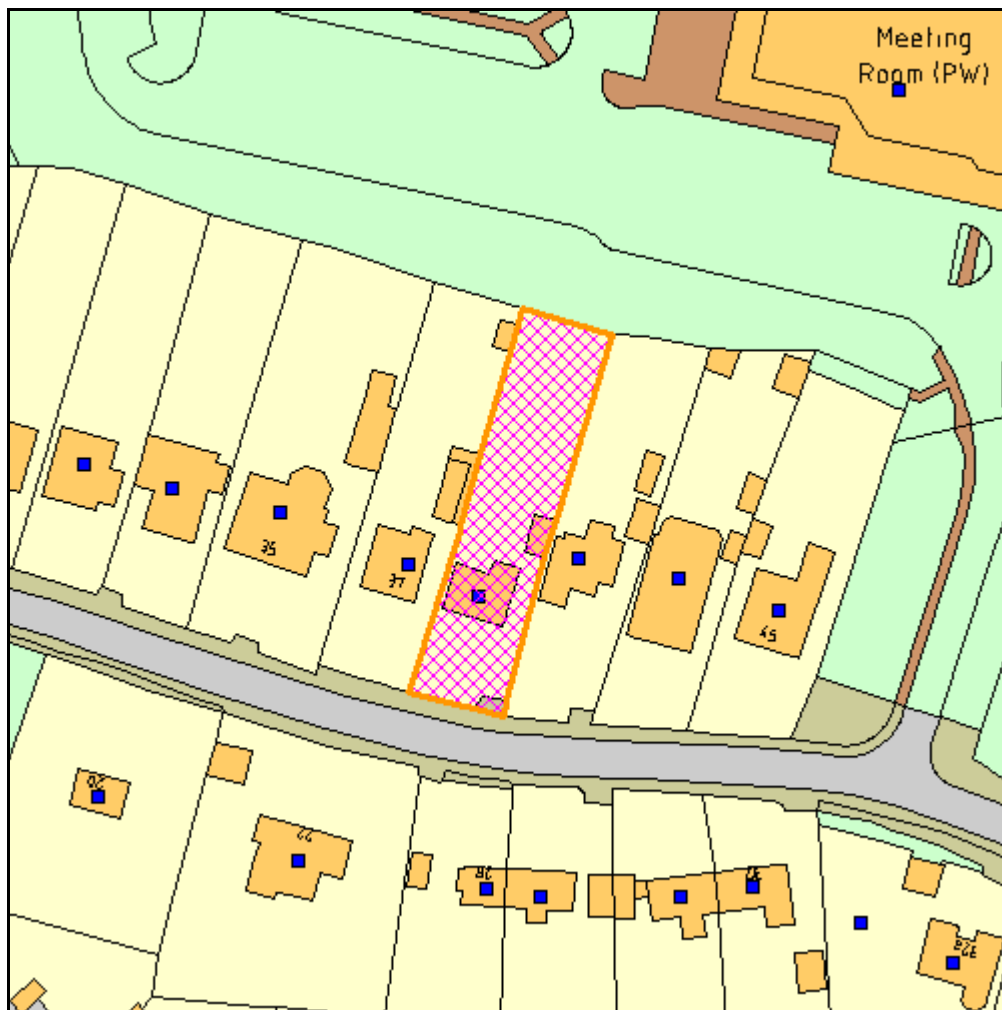
To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policy CS8 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013; and the South Gloucestershire Residential Parking Standards SPD (Adopted)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

**Case Officer: Suzanne D'Arcy**

**Authorising Officer: Helen Ainsley**

**CIRCULATED SCHEDULE NO. 01/22 - 7th January 2022**

<b>App No.:</b>	P21/06740/F	<b>Applicant:</b>	Mr Alex Boyd
<b>Site:</b>	39 Hortham Lane Almondsbury South Gloucestershire BS32 4JJ	<b>Date Reg:</b>	20th October 2021
<b>Proposal:</b>	Erection of single storey rear extension to form additional living accommodation.	<b>Parish:</b>	Almondsbury Parish Council
<b>Map Ref:</b>	362102 184511	<b>Ward:</b>	Severn Vale
<b>Application Category:</b>	Householder	<b>Target Date:</b>	13th December 2021



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

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

## **1. THE PROPOSAL**

- 1.1 Full planning permission is sought for the erection of a single storey rear extension to form additional living accommodation.
- 1.2 The application site is a 2no. bedroom detached bungalow, located at 39 Hortham Lane, and set within the area of Almondsbury.
- 1.3 The property is outside the Almondsbury settlement boundary and is situated within the green belt.
- 1.4 Throughout the application process, revised plans have been submitted to the Council presenting a reduction in depth of the size of the extension. The case officer is therefore proceeding on that basis.

## **2. POLICY CONTEXT**

### **2.1 National Guidance**

National Planning Policy Framework  
National Planning Practice Guidance

### **2.2 Development Plans**

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable 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 No relevant planning history

### **4. CONSULTATION RESPONSES**

#### **4.1 Almondsbury Parish Council**

This appears to be an overly large extension for the site and for the existing building. The Council considers that there will be implications for parking and accessibility in the immediate surroundings that would need to be addressed. There are already concerns about development work on a nearby site affecting parking and road use.

#### **4.2 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 The proposal is fairly simple in what it seeks to achieve. It is proposed to erect a single storey extension to the rear of the host property to provide additional living accommodation. The extension would measure 6.4m in width and would essentially in-fill the section to the rear elevation, meaning that the proposal would project 8.7m at its longest point and 5.7m at its shortest. In terms of height, the plans show that the extension would be finished with a gabled roof, measuring 2.7m at the height of the eaves and 5.3m at ridge height.

5.3 The plans also show that the proposal would incorporate bi-fold doors to the rear, 7no. roof lights to the roof structure and would be constructed and finished in materials which are of a slight contrast, but sympathetic, to that of the host property.

#### 5.4 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.

5.5 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.

5.6 In terms of its design, the case officer feels that the revised plans present much more of a subservient addition to the property. The resultant impact of reducing the depth of the extension means that the overall footprint of the property will be much more in keeping with the building lines of the neighbouring properties on the street and presents an appropriate and harmonious addition to the property.

5.7 Similarly, the use of materials to match encourages assimilation and coherence with the main dwelling and within its context. The proposal demonstrates a greater respect for the general design principles set out within the SGC Householder Design Guide and is considered as a positive planning gain to the main dwelling.

5.8 For these reasons, the case officer finds the proposal compliant with the policies set out in the development plan and the supplementary guidance within the SGC Householder Design Guide which seeks to promote and encourage high quality design.

#### 5.9 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.

- 5.10 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.
- 5.11 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.
- 5.12 The case officer has calculated the volume of the original house, as it would have been when built, at approximately 454m<sup>3</sup>, including the garage within the property's curtilage. Taking into account the revised plans, the volume of the proposed extension has been calculated at approximately 222m<sup>3</sup>, resulting in a volume increase of 49%.

Original Volume of property (m <sup>3</sup> )	Volume of existing extension(s)(m <sup>3</sup> )	Volume of proposed extension(s)(m <sup>3</sup> )	Total New Volume (m <sup>3</sup> )	Percentage Increase from original
454	0	222.7	676.7	49.1%

- 5.13 Guidance and policy states that generally anything over 30% should be given careful consideration. The case officer has, on that basis, considered the increase in volume on its own merit. Considering the planning weight applied to the design and visual amenity merits of the proposal, the case officer concludes that the proposal would present as a proportionate addition to the host property and within its context in the green belt.
- 5.14 The proposal is therefore found to comply with the requirements of local and national green belt policy.
- 5.15 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.

- 5.16 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.
- 5.17 The property itself is detached with its neighbours at No. 37 and No. 41 sited either side at approximately 5m away in terms of distance from one physical property to another. These neighbours have been given the greatest consideration in this assessment with regards to the impact of the proposal on residential amenity.
- 5.18 Building lines in the area are generally staggered, with many properties extending and altering over time. As previously mentioned, the extension would allow the property to sit well within this context and, similarly, would not result in any detrimental impact to residential amenity by means of overbearing or physical presence.
- 5.19 Additionally, the case officer has taken into account the impact of the proposal on current and future occupiers of the property. It has been made clear to the case officer that the applicant seeks to protect and enhance the structure and character of the property and can be demonstrated that the extension would provide the additional desired living space whilst not negatively harming the host property nor its surroundings.
- 5.20 The case officer therefore finds that the proposal is compliant with the requirements of PSP8 and PSP43 of the development plan which seeks to protect and safeguard the residential amenity of the neighbours and current and future occupiers of the property.
- 5.21 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.
- 5.22 The proposal does seek to alter the number of bedrooms at the property, taking the property from a 2no. bedroom to a 4no. bedroom. On that basis, the property would be expected to provide 2no. off-street parking spaces, in line with the requirements of PSP16.
- 5.23 It can be demonstrated that the property would be able to provide provision for 2no.+ off-street parking spaces in the form of a garage and large driveway. The property could also support the provision for occasional on street parking if required. The proposal is therefore found to be compliant with PSP16 of the development plan and no further concerns are raised from the case officer.
- 5.24 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 18 October 2021:

Site Location Plan (Drawing No. 1179 90-100)

Site Plan Existing (Drawing No. 90-101)

Existing Elevations (Drawing No. 20-101)

Existing Ground Floor and Loft Plan (Drawing No. 20-100)

Proposed Elevations (Drawing No. 20-201 - Revision B) (Superseded)

Proposed Ground Floor Plan (Drawing No. 20-200 - Revision B) (Superseded)

Received by the Local Authority on 23 December 2021:

Proposed Elevations (Drawing No. 20-201 - Revision C)

Proposed Ground Floor Plan (Drawing No. 20-200 - Revision C)

Reason

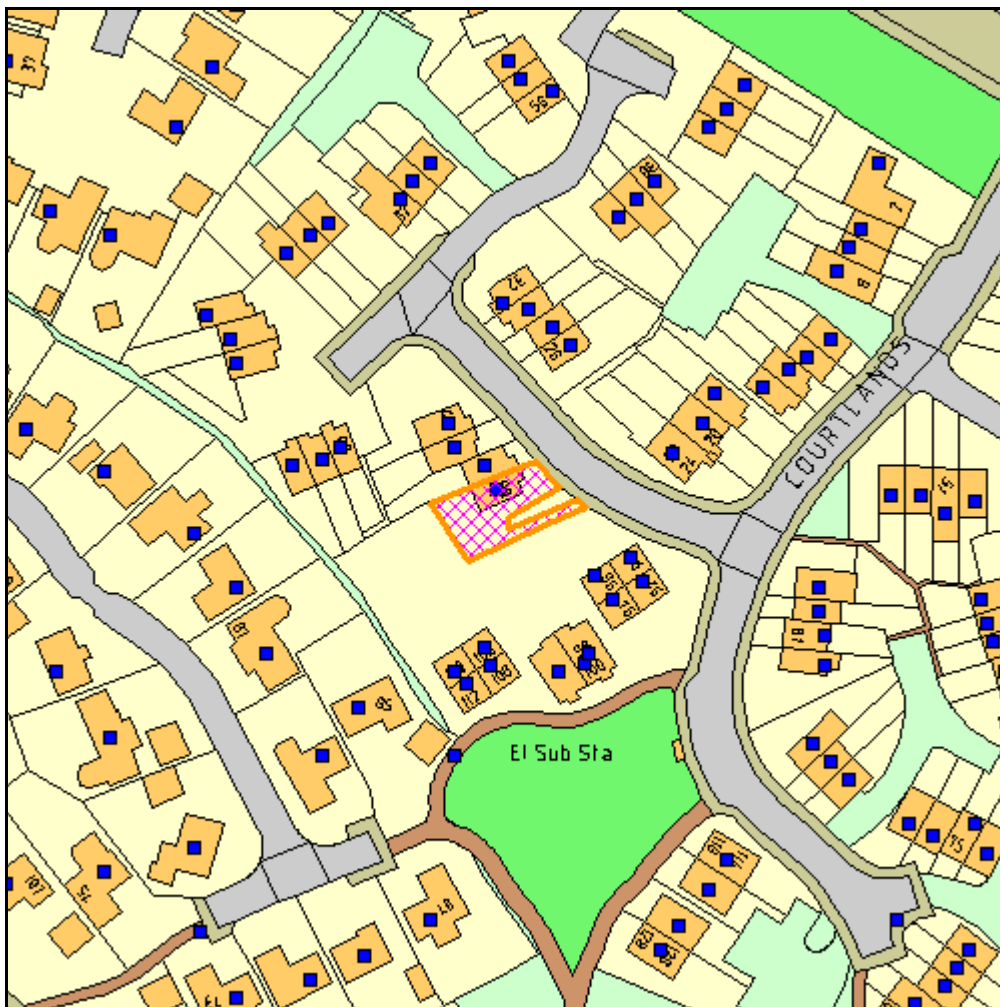
To define the terms and extent of the permission.

**Case Officer: Lucie Rozsos**

**Authorising Officer: David Stockdale**

**CIRCULATED SCHEDULE NO. 01/22 - 7th January 2022**

<b>App No.:</b>	P21/06867/F	<b>Applicant:</b>	George Dyte
<b>Site:</b>	88 Courtlands Bradley Stoke South Gloucestershire BS32 9BB	<b>Date Reg:</b>	29th October 2021
<b>Proposal:</b>	Erection of two storey side extension to form additional living accommodation.	<b>Parish:</b>	Bradley Stoke Town Council
<b>Map Ref:</b>	361348 182126	<b>Ward:</b>	Bradley Stoke North
<b>Application Category:</b>	Householder	<b>Target Date:</b>	20th December 2021



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

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

## **1. THE PROPOSAL**

- 1.1 Full planning permission is sought for the erection of a two storey side extension to form additional living accommodation.
- 1.2 The application site is a 2no. bedroom semi-detached dwelling, located at 88 Courtlands, and set within the area of Bradley Stoke.
- 1.3 Throughout the course of the application process, revised plans were submitted to the Council, reducing the size of the scheme. The case officer is therefore proceeding on the basis of these amended plans.

## **2. POLICY CONTEXT**

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

- 2.2 Development Plans  
South Gloucestershire Local Plan Core Strategy Adopted December 2013  
CS1 High Quality Design  
CS4A Presumption in Favour of Sustainable Development  
CS5 Location of Development

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

- |       |  |
|-------|--|
| PSP1  | Local Distinctiveness                              |
| PSP8  | Residential Amenity                                |
| PSP16 | Parking Standards                                  |
| PSP38 | Development within Existing Residential Curtilages |
| PSP43 | Private Amenity Space Standards                    |

- 2.3 Supplementary Planning Guidance  
Design Checklist SPD (Adopted) August 2007  
Householder Design Guide SPD (Adopted) March 2021

## **3. RELEVANT PLANNING HISTORY**

- 3.1 No relevant planning history

## **4. CONSULTATION RESPONSES**

- 4.1 Bradley Stoke Town Council



Bradley Stoke Town Council objects to this planning application on grounds of overdevelopment of site and out of keeping. Also the proposed extension will result in car parking difficulties/restrictions for the neighbouring driveway.

#### 4.2 Sustainable Transport

The proposed development will increase the bedrooms within the dwelling to four which will require a minimum of two parking spaces to be provided to comply with South Gloucestershire Council's residential parking standards. Although this level of parking is shown on the proposed site plan, I do not like the orientation of one of the spaces as it will make it difficult to access. There is also some confusion over the existing driveway and whether this is still in the ownership of the Applicant and why this is not being used for parking?

#### 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 Following the submission of the revised plans, the proposal seeks to erect a two storey extension to the side of the host property. The plans show that the extension would measure 2.5m in width and span 6.2m down the side elevation of the property. Additionally, the structure would be finished with a gable roof, measuring 4.7m at the height of the eaves and 6.7m at ridge height from ground level.

#### 5.3 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.

- 5.4 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.
- 5.5 In terms of its design, the proposal presents as a much more subservient addition to the property, by reason of its size, scale and balance with the host property. The extension has been designed in such a way which respects the principles of the SGC Householder Design Guide including the setting down of the ridge line from the main roof and the setting back of the extension from the principal elevation.
- 5.6 The width of the main dwelling is 4.3m, while the extension measures 2.5m in width from the side elevation Whilst the width of the extension is greater than that of the main dwelling however, in this instance, the case officer feels that the extension still presents as a subservient addition to the property. Similarly, the case officer finds that it would be impractical and incongruous to present an extension which is half the width of the existing property due to the slim line design of the main dwelling as existing. Therefore, the proposed development at 2.5m is considered appropriate in this case.
- 5.7 The plans also show that the extension will be constructed and finished in materials which match that of the host property. This promotes assimilation and coherence with the main dwelling. The case officer notes the prevailing character of the street scene in particular and feels that the proposed extension would sit well within this context.
- 5.8 For the reasons set out above, the case officer finds that the proposal is compliant with the policies set out in the development plan and the supplementary guidance which seek to promote and encourage high quality design.
- 5.9 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.
- 5.10 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.

- 5.11 The property itself is semi-detached to its neighbour at No. 86 with an area of open space to the south side of the property, currently used for parking for adjoining properties.
- 5.12 Given the siting, positioning, layout and scale of the proposal, the case officer is of the view that the proposal is unlikely to affect the residential amenity of the surrounding neighbours in a negative manner. The proposed design does include a first floor side elevation window however, 2no. side elevation windows are currently in situ. The window on the side elevation is therefore considered to have minimal impact on any resultant overlooking or loss of privacy concerns.
- 5.13 Similarly, the case officer has considered the impact of the proposal on current and future occupiers of the property. As previously mentioned, the house is relatively narrow in design and the proposed extension will provide occupiers with additional living accommodation on the ground floor and an additional bedroom and study on the first floor. The proposal therefore provides an appropriate and well-designed internal layout which will benefit modern day living space standards.
- 5.14 On that basis, the case officer finds that the proposal is unlikely to have any significant impact on residential amenity of adjoining and surrounding neighbours and that the proposal presents an element of planning gain with respect to current and future occupiers of the property. The proposal is therefore compliant with PSP8 and PSP43 of the development plan.
- 5.15 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.
- 5.16 It is proposed to alter the number of bedrooms at the property from a 2no. bedroom to a 3no. bedroom with study. This arrangement would need to suitably demonstrate 2no. off-street parking spaces. The case officer has also taken note of the comments received from the sustainable transport officer with regards to clarification on the parking arrangements.
- 5.17 It has been confirmed that the existing driveway is currently half in ownership with the applicant and its neighbour. It is noted that the arrangement does present an element of awkwardness in terms of parking 2no. vehicles on the driveway however, the arrangement will remain as currently existing. The applicant is currently able to demonstrate parking for 2no. vehicles under this arrangement and will remain unchanged as part of the application.
- 5.18 Additionally, the property is sited down a quiet road in the area, with on street parking available if needed in the immediately surrounding vicinity. It can therefore be demonstrated that if there was a need to park on street, there would be no negative impact in terms of creating parking congestion or any highway safety concerns.

5.19 The case officer therefore raises no further parking concerns and does not warrant the layout of the parking arrangements as a sufficient reason for refusal. The proposal is therefore compliant with PSP16 of the development plan.

5.20 Consideration of likely impact on Equalities

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services. 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 24 October 2021:

Site Location Plan (Drawing No. PA21/185/01)

Existing Site Plan (Drawing No. PA21/185/02)

Proposed Site Plan (Drawing No. PA21/185/03) (Superseded)

Existing Floor Plans (Drawing No. PA21/185/04)

Existing Elevations (Drawing No. PA21/185/05)  
Proposed Ground Floor Plan (Drawing No. PA21/185/06) (Superseded)  
Proposed First Floor Plan (Drawing No. PA21/185/07) (Superseded)  
Proposed Elevations (Drawing No. PA21/185/08) (Superseded)

Received by the Local Authority on 24 December 2021:  
Proposed Site Plan (Drawing No. PA21/185/03 - Revision A)  
Proposed Ground Floor Plan (Drawing No. PA21/185/06 - Revision A)  
Proposed First Floor Plan (Drawing No. PA21/185/07 - Revision A)  
Proposed Elevations (Drawing No. PA21/185/08 - Revision A)

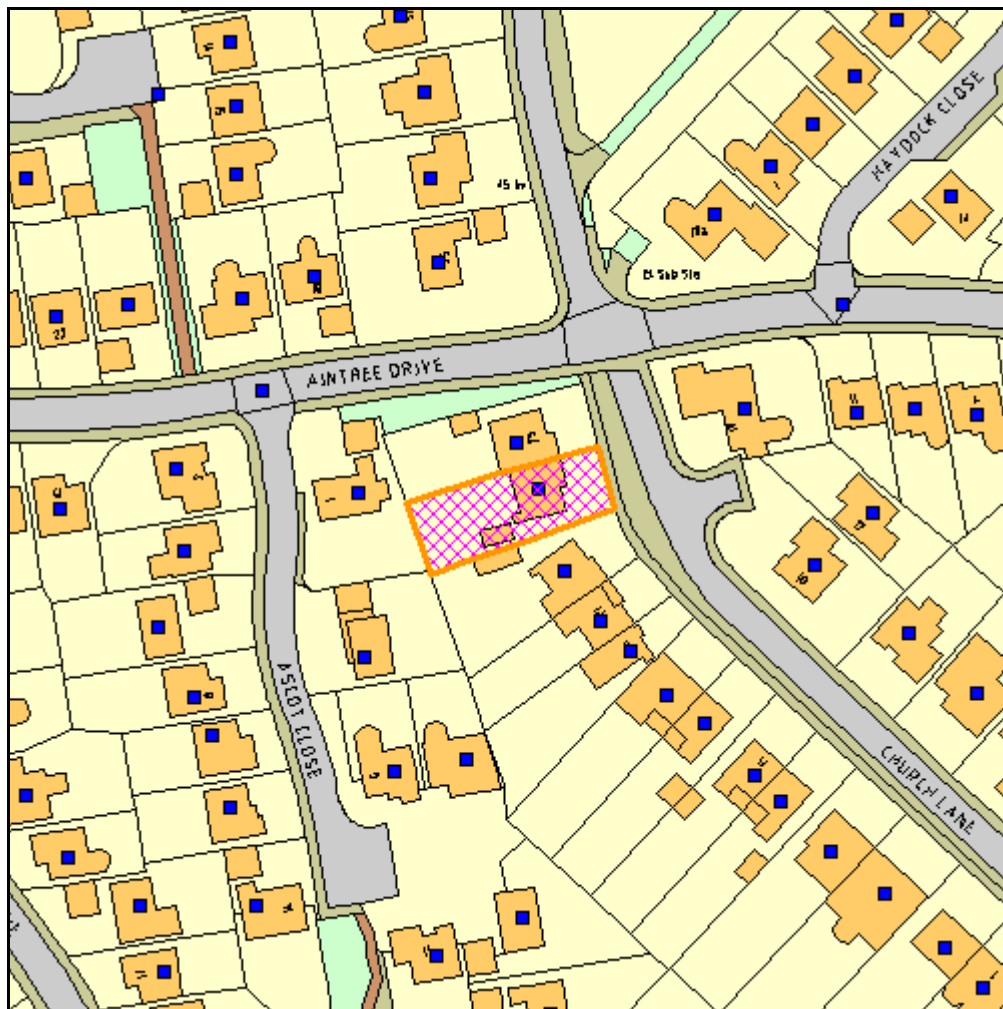
Reason

To define the terms and extent of the permission.

**Case Officer: Lucie Rozsos**  
**Authorising Officer: Marie Bath**

**CIRCULATED SCHEDULE NO. 01/22 - 7th January 2022**

<b>App No.:</b>	P21/07553/F	<b>Applicant:</b>	Mr And Mrs Pratt
<b>Site:</b>	21 Church Lane Downend South Gloucestershire BS16 6TA	<b>Date Reg:</b>	24th November 2021
<b>Proposal:</b>	Erection of a two storey side and rear extension and a single storey infill extension to form additional living accommodation.	<b>Parish:</b>	Downend And Bromley Heath Parish Council
<b>Map Ref:</b>	365784 178184	<b>Ward:</b>	Frenchay And Downend
<b>Application Category:</b>	Householder	<b>Target Date:</b>	14th January 2022



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 100023410, 2008. **N.T.S.** **P21/07553/F**

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

This planning application will be added to the Circulated Schedule because the proposal has received 2No objections from Downend and Bromley Heath Parish Council and 1No objection from a neighbouring resident, which are contrary to the officer's recommendation.

## **1. THE PROPOSAL**

- 1.1 The application seeks planning permission for the erection of a two storey side and rear extension and a single storey infill extension to form additional living accommodation, as detailed on the application form and illustrated on the accompanying drawings.
- 1.2 The application site can be found at 21 Church Lane and is a two storey semi-detached property within the established built up area of Downend.
- 1.3 As part of the assessment and determination of this application, a further consultation has taken place following comments received by Downend and Bromley Heath Parish Council, as clarification was requested with regards to the proposed off-street parking and some design concerns. Following the re-consultation, Downend and Bromley Heath Parish Council still wish to raise an objection in respect of the proposal and their outstanding design concerns.
- 1.4 Furthermore, and following this further consultation, it has been confirmed to the case officer that no building work shall be conducted on the adjacent properties land and that all works will be completed entirely within the applicant's land ownership. In addition, it is also noted that the proposed extension is sited appropriately sufficiently for any overhang of any element of the extension i.e. eaves, gutters etc and therefore will not impact on any neighbouring property.

## **2. POLICY CONTEXT**

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

- 2.2 Development Plans  
South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

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

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

- 2.3 Supplementary Planning Guidance  
 South Gloucestershire Design Checklist (Adopted 2007)  
 Residential Parking Standards SPS (Adopted) 2013  
 Household Design Guide SPD (Adopted) 2021

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

- 3.1 None relevant.

### 4. **CONSULTATION RESPONSES**

- 4.1 Downend and Bromley Heath Parish Council  
 1No further letter of Objection received following re-consultation –
- *Concerns are still raised in relation to the boundary overhang issue.*

- 1No letter of Objection received –
- *boundary overhang issue needs to be addressed; and*
  - *off street parking has not been addressed*

- 4.2 Other Consultees  
 Sustainable Transport – Transportation DC  
 No Objections.

Archaeology Officer  
 No Comment.

#### **Other Representations**

- 4.3 Local Residents  
 1No letter of Objection received –
- *Concerns that the proposal will be overbearing and create overdevelopment on the existing streetscene;*
  - *Concerns of loss of light and overshadowing;*
  - *Concerns of overhanging from the proposed development;*
  - *Concerns of loss of off-street parking; and*
  - *Concerns of impacts on drainage and sewerage to neighbouring properties.*

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

- 5.1 Principle of Development  
 PSP38 of the South Gloucestershire Council Policies, Sites and Places Plan (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.
- 5.2 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. Therefore, the development is acceptable in principle, subject to the following detailed consideration.
- 5.3 Design and Visual Amenity  
Policy CS1 of the Core Strategy and policy PSP38 of the Policies, Sites and Places Plan seek to ensure that development proposals are of the highest possible standards of design. This means that developments should be informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context.
- 5.4 The two storey side extension will have an overall width of 2.650 metres and will be to a total depth of 6.375 metres. The extension will have a hipped roof and it will maintain the existing eaves height of existing original roof to the host dwellinghouse. It has been concluded that given that as the proposed two storey side extension is of a subservient nature and proportionate to the existing dwellinghouse, that it is acceptable.
- 5.5 The single storey rear extension will have a maximum overall width of 7.900 to the ground floor, shortening to 5.250 meters at first floor but will be to an overall depth of 3.50 meters. It will have a flat roof with 1No glass skylight to the single storey rear element, extending to 2.6 meters in height to the eaves and a hipped roof to the first floor rear extension, maintaining the existing eaves height of the host dwellinghouse. It has been concluded that as these proposed rear extensions are of a subservient nature and proportionate to the existing dwellinghouse, that they are also considered acceptable.
- 5.6 The Household Design Guide SPD provides guidance that some side extensions can sometimes dominate or create an inharmonious addition to a dwellinghouse and to the street scene. The case officer notes that the attached semi-detached property of No 23 Church Lane is of a similar style and mass property as the existing host dwellinghouse and therefore has concluded that given these 2No semi-detached properties form a pair of attached dwellings, that this proposal in its design, size and mass may unbalance the dwellinghouses.
- 5.7 However, as the proposed two storey side extension has been designed subserviently to the host dwellinghouse and has been designed carefully, integrating it with the existing host dwellinghouse fabric through a proposed choice of materials to the walls, roof, and components, ensuring that the aesthetical appearance of the dwellinghouse continues to also compliment the attached neighbouring semi-detached property, and together with the rear extensions, the scale and form of the proposed extensions does respect the

proportions and character of the existing dwellinghouse. By virtue of the above the overall development meets the requirements of policy PSP38 and subsequently meets the requirements of policy CS1.

5.8 Residential Amenity

Policy PSP38 of the Policies, Sites and Places Plan explains that development will be permitted provided that it would not detrimentally impact the residential amenities of nearby occupiers and would not prejudice the retention of adequate private amenity space. Policy PSP8 specifically relates to impacts on residential amenity and outlines that unacceptable impacts could result from (but are not restricted to); loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and odours, fumes or vibration.

5.9 Given the proposed size, scale and siting of the two storey side; two storey and single storey rear extensions, it has been concluded that the impact on the neighbouring residential amenity would be limited and therefore it should not result in an unacceptable impacts. Therefore, it is considered that the amenity of neighbouring residents would be adequately preserved and the proposed development would comply with policies PSP8, PSP38 and SGC (Adopted) Household Design Guide SPD.

5.10 Transport

Policy PSP16 of the Policies, Sites and Places Plan sets out the Councils parking standards. The plans submitted show that there are 2No existing parking spaces to the frontage of the application site which will remain following development. Therefore no transportation objections are raised.

5.11 Private Amenity Space

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

5.12 Other Issues

The concerns of the Parish Council are noted. However the applicant has confirmed that all works can be carried out on their property and that there will be no overhang. Informatives will be attached to any consent granted to remind the applicant that the granting of planning permission does not grant any rights to enter or build over land that is not within their ownership.

5.13 Consideration of likely impact on Equalities

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

requires equality considerations to be reflected into the design of policies and the delivery of services.

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

## **6. CONCLUSION**

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

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

## **7. RECOMMENDATION**

- 7.1 That the application be **APPROVED**.

## **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:

PA21/186/01 Location Plan (Date received 19/11/21)

PA21/186/02 Rev A Existing Site Plan (Date received 09/12/21)

PA21/186/03 Rev A Proposed Site Plan (Date received 09/12/21)

PA21/186/04 Existing Ground Floor Plan (Date received 19/11/21)

PA21/186/05 Existing First Floor Plan (Date received 19/11/21)

PA21/186/06 Existing Elevations (Date received 19/11/21)

PA21/186/07 Rev B Proposed Ground Floor Plan (Date received 04/01/22)

PA21/186/08 Proposed First Floor Plan (Date received 19/11/21)

PA21/186/09 Rev B Proposed Elevations (Date received 04/01/22)

Reason

To define the terms and extent of the permission.

**Case Officer: Helen Turner**

**Authorising Officer: Marie Bath**