

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: 37/22

Date to Members: 15/09/2022

Member's Deadline: 21/09/2022 (5.00pm)

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

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

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

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

NOTES FOR COUNCILLORS

– formal arrangements for referral to committee

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

c. All applications for non-material amendments

d. All applications to discharge planning conditions

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

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

Additional guidance for Members

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

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

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

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

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

A template for referral is set out below:

Referral from Circulated Schedule to Development Management Committee

1. Application reference number:

2. Site Location:

3. Reasons for referral:

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

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

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

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

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

Date:

To be emailed to MemberReferral@southglos.gov.uk

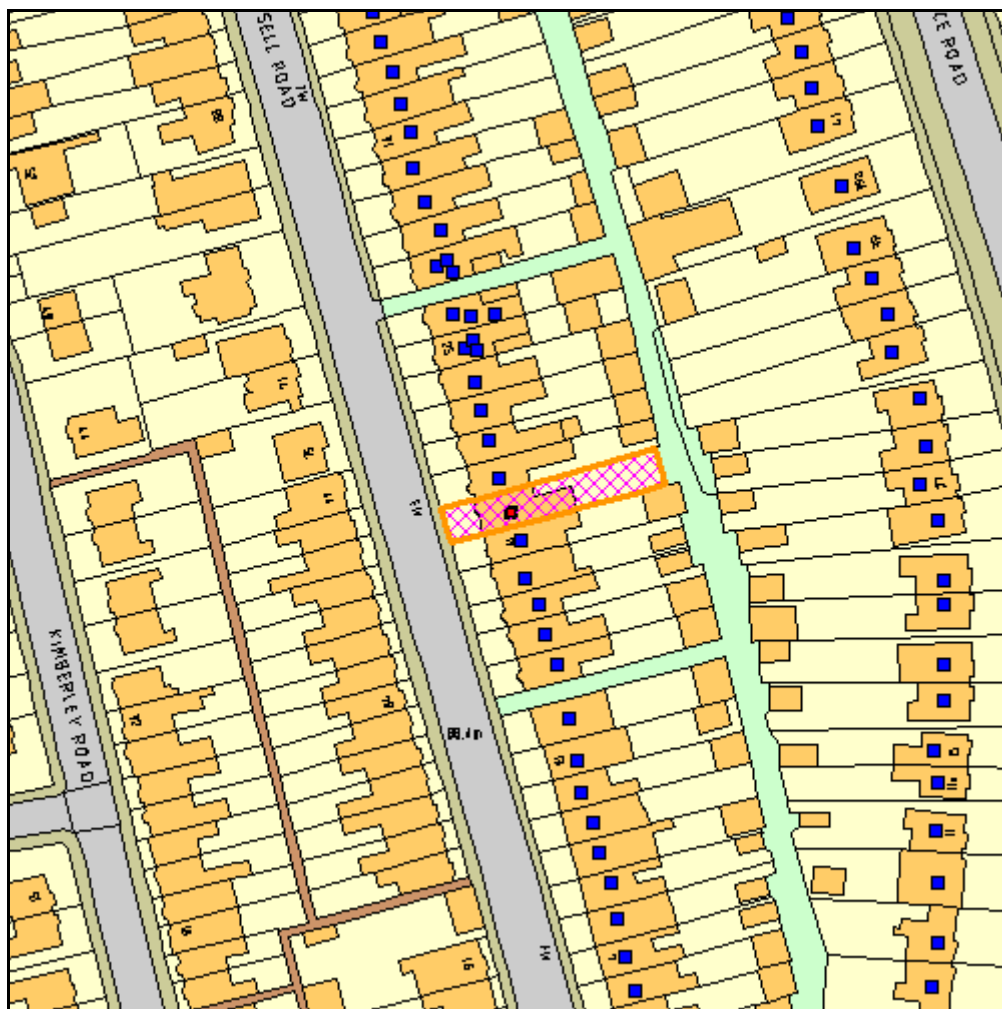
CIRCULATED SCHEDULE 15 September 2022

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ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	P22/02331/F	Approve with Conditions	20 Cassell Road Staple Hill Bristol BS16 5DF	Frenchay And Downend	Downend And Bromley Heath Parish Council
2	P22/02733/HH	Approve with Conditions	Flat 2 Beech House Westerleigh Road Pucklechurch South Gloucestershire BS16 9RD	Boyd Valley	Pucklechurch Parish Council
3	P22/02734/LB	Approve with Conditions	Flat 2 Beech House Westerleigh Road Pucklechurch South Gloucestershire BS16 9RD	Boyd Valley	Pucklechurch Parish Council
4	P22/03089/F	Approve with Conditions	26 Bridgman Grove Filton South Gloucestershire BS34 7HR	Filton	Filton Town Council

CIRCULATED SCHEDULE NO. 37/22 -15th September 2022

App No.:	P22/02331/F	Applicant:	Mr Mohibbul Ehtisham
Site:	20 Cassell Road Staple Hill Bristol BS16 5DF	Date Reg:	16th May 2022
Proposal:	Change of use to of dwelling to 7 bedroom House in Multiple occupation (HMO) for up to 7 people (Sui generis) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).	Parish:	Downend And Bromley Heath Parish Council
Map Ref:	364303 176110	Ward:	Frenchay And Downend
Application Category:	Minor	Target Date:	11th July 2022



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N.T.S.

P22/02331/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 APPEARANCE ON CIRCULATED SCHEDULE

This application appears on the Council's Circulated Schedule procedure following the receipt of an objection raised by the Parish Council and over 3no public letters of objection, contrary to the officer recommendation detailed below.

This report originally appeared on the circulated schedule on 2nd September and has since has been updated to include additional commentary on transport and parking.

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the change of use to of dwelling to 7 bedroom House in Multiple occupation (HMO) for up to 7 people (Sui generis) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) at 20 Cassell Road, Staple Hill.
- 1.2 The application site is located with a settlement boundary and is not subject to any restrictive designations.
- 1.3 Amended plans have been received since the point of submission, this is inclusive of a title change to the plan as the development work has already been completed, in addition to the correction of minor discrepancies to correctly reflect the original structure.

2. POLICY CONTEXT

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

- 2.2 Development Plans

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

CS1	High Quality Design
CS4a	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS25	Communities of the North Fringe of Bristol Urban Area

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

PSP1	Local Distinctiveness
PSP8	Residential Amenity

PSP11	Transport Impact Management
PSP16	Parking Standards
PSP38	Development within Existing Residential Curtilages
PSP39	Residential Conversions, Subdivision, and HMOs
PSP43	Private Amenity Space

- 2.3 Supplementary Planning Guidance
 South Gloucestershire Design Checklist (*Adopted 2007*)
 Residential Parking Standards SPS (*Adopted 2013*)
 SGC Householder Design Guide (*Adopted March 2021*)
 SGC Houses in Multiple Occupation SPD (*Adopted October 2021*)

3. **RELEVANT PLANNING HISTORY**

- 3.1 P21/07003/F. Permission Granted, 12/1/2022
Erection of a single storey rear extension to form additional living accommodation.

4. **CONSULTATION RESPONSES**

- 4.1 Downend and Bromley Heath Parish Council

*“- Incomplete plans for loft conversion.
 - Insufficient off street parking for a 7-person HMO in a street which is already congested with on-street parking, as noted by residents and neighbours.”*

- 4.2 Sustainable Transport Officer
 No objection subject to condition of cycle parking.

- 4.3 Economic Development Officer
 No objection.

- 4.4 Local Residents
 17 letters of objection have been received from neighbours. The key points have been summarised below.

- Questions regarding the size of the existing extension under P21/07003/F;
- Existing garage to the rear of the property has been re-cited and converted into an unlawful self-contained accommodation unit;
- Poor workmanship for existing works and structural issues;
- Not enough parking;
- Increased traffic problems;
- Increased safety concerns;
- Insufficient sewage systems;
- Insufficient internal room sizes and garden space;
- Increased noise, disturbance and anti-social behaviour;
- Harm to character and visual appearance;
- Increased litter;
- De-valuation of neighbouring properties; and

- Set an unwanted precedent if approved;

5. ANALYSIS OF PROPOSAL

- 5.1 This application seeks full planning for the change of use from dwelling house to a 7 bed house in multiple occupation (HMO) (sui generis).
- 5.2 Policy PSP39 within the adopted Policies, Sites and Places Plan (2017) states that where planning permission for an HMO is required, this will be acceptable, provided that this will not prejudice the amenity of neighbours. Supporting text states that the term “neighbours” should be taken to mean properties adjacent to, and surrounding, the application site which have a reasonable potential to be directly affected by harmful impacts arising from the proposal(s).
- 5.3 In addition, Policy PSP8 maintains that development proposals will only be acceptable provided that they do not ‘have unacceptable impacts on residential amenity of occupiers of the development or of nearby properties’. Unacceptable impacts could result from noise or disturbance, amongst other factors, which could arise from HMOs functioning less like traditional single households on a day-to-day basis.
- 5.4 Prejudicing the amenity of neighbours can arise at a localised level when developments of such HMO uses are inappropriately located, or become concentrated, particularly at an individual street level.
- 5.5 The Houses in Multiple Occupation Supplementary Planning Document (SPD) (Adopted) 2021 SPD provides a way of using available data (licensed HMOs) to provide tangible and substantiated evidence regarding the concentration of HMOs and overall housing mix within the locality of the proposal.
- 5.6 Additional Explanatory Guidance 1 sets out that the following factors should be taken into account when determining if the proposal would prejudice the amenity of adjacent neighbours:
- Whether any dwelling house would be ‘sandwiched’ between two licensed HMOS, or,
 - Result in three or more adjacent licensed HMO properties.
- 5.7 The application site, 20 Cassell Road, does not have any neighbouring HMOs and would therefore not result in a dwelling being sandwiched between two licensed HMOs, or result in three or more adjacent licensed HMO properties.
- 5.8 Notwithstanding this, and as there are localities within the same ward of the proposed development that currently experience a concentration of HMOs, the SPD requires consideration to be given to the potential harm to support mixed communities due to the impact upon the defined character and existing amenity support – those application which contribute towards a harmful impact should be resisted. Specifically, Additional Explanatory Guidance 2 sets out the following should be taken into consideration when assessing the proposal to determine if harm would arise:

- The development would result in 10% of households within the locality being registered as a licensed HMO property; or,
- More than 20% of households within a 100m radius of the application property would be registered as a licensed HMO property.

(NB: For the purposes of this assessment, the SPD defines 'locality' as a statistical boundary known as a Census Output Area. A Census Output area is smaller than a ward area)

- 5.9 In the case of the application site, HMO properties within the **census output area** locality currently represent 7.1% of households. Within 100m radius, there are 62 properties, 2 of which are registered as a HMO.
- 5.10 In respect of the above considerations, the principle of the change of use to a HMO is accepted. Notwithstanding this, the proposal must also be reviewed against other relevant areas of consideration to determine if local planning policy is satisfied.

Design and Visual Amenity

- 5.11 No building operations are proposed as part of this application. It is noted that works to facilitate a loft conversion have already taken place by virtue of permitted development. Whilst no Certificate of Lawfulness has been issued, obtaining this Certificate is at the applicant's discretion.

Residential space

- 5.12 With regards to the amenity of future occupiers, plans indicate the proposed property would have a kitchen/diner along with 7no bedrooms. It is the responsibility of the landlord to ensure the rooms accord with internal national space standards for future occupiers.
- 5.13 Policy PSP43 sets out minimum standards for private amenity space, however there is no set standard for HMOs. Using this policy as a reference, a 1no. bed flat should have access to a minimum for 5m² amenity space. Using this standard, 7 x 1bed. flats would require 40m² amenity space. The rear garden would achieve approximately 60m², thus sufficient useable amenity space would be provided in accordance with policy PSP40.

Transport

- 5.14 The site is located within a sustainable location, however adopted policy requires HMOs to provide 1 parking space per 2 bedrooms. In addition, secure cycle storage would be needed.
- 5.15 An HMO of this size would require a minimum of 3 car parking spaces. There are currently 2 spaces on site, thus one additional space is required. Photos submitted also indicates that two cars can park on the site side by side. In response, the applicant has submitted a parking survey to seek to demonstrate that there is sufficient parking in the local area at evenings and weekends to meet the unmet parking demand. It is noted that the date and the timing of the parking survey as carried out in this case include one weekday (i.e. 14th July 2022 between the hours of 6pm to 8.30pm) and weekend survey (i.e. 17th July between the hours of 11.0am 1.30pm). The presented data in this parking

survey does not entirely match the exact format as recommended in the Council's parking survey guidance, nonetheless, the overall evidence as well as the Highway Officer's own site observation point to the fact that there is sufficient parking in the local area at evenings and weekends to meet the parking demand. Due to this, the development would require only 1 car to be parked on the street, which the survey demonstrates is available. Hence, on balance, officers consider parking to be acceptable. Subject to a condition to ensure the existing parking is available prior to first occupation, no objections are raised.

5.16 Further to the above, officers are also minded that the site is in a sustainable location with good access to walking and cycling routes. The site also benefits from good connections to the bus network along the High Street (to the west) and Downend Road (to the east). The site is within commuting distance (by foot, bicycle, and public transport) of a number of major employments and town/ city centre locations and as such it is considered acceptable.

5.16 Consideration of likely impact on Equalities

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

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

5.18 Other Matters

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

Property value:

This is not a planning matter and therefore falls outside the remit of this planning assessment.

Waste and rubbish on the street and in the rear lane:

If such a situation occurs residents are advised to contact the Council's Street Care Team.

Noise and disturbance:

The property would be a domestic residence. Any inconsiderate behaviour over and above what is normally expected should be reported to the correct authority in this case The Police Authority or Environmental Protection.

Poor workmanship and structural issues:

This is not a planning matter, with the responsibility falling on the owner of the property.

Insufficient sewage systems:

If sewage problems occur, residents are advised to contact the Councils Drainage Team.

Existing garage to the rear of the property has been re-sited and converted into an unlawful self-contained accommodation unit:

It is understood the redevelopment of the garage has been undertaken by virtue of permitted development rights. The garage would be used for ancillary storage (bicycles and other). Nonetheless, it would not be unreasonable to condition the garage to be ancillary storage only for the interests of residential amenity.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

CONDITIONS

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

Reason

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

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

Received by the council on 24th August 2022: Elevations (Revised), Floor Plans (Revised), Garage Floor Plan, Location and Block Plan (Revised).

Reason

To define the terms and extent of the permission.

3. The cycle storage facilities as shown on the plans hereby approved must be retained in perpetuity.

Reason

To promote sustainable forms of transport and to comply with policies PSP11 and PSP16 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) 2017.

4. The existing garage must only be used for ancillary storage in relation to 20 Cassell Road, and for no other purposes unless otherwise approved by the council.

Reason

In the interests of protecting the character of the area and residential amenity, to accord with policies PSP1 and PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) 2017.

5. Prior to first occupation, the associated parking must be made fully available to future occupants and be retained in a high quality condition in perpetuity.

Reason

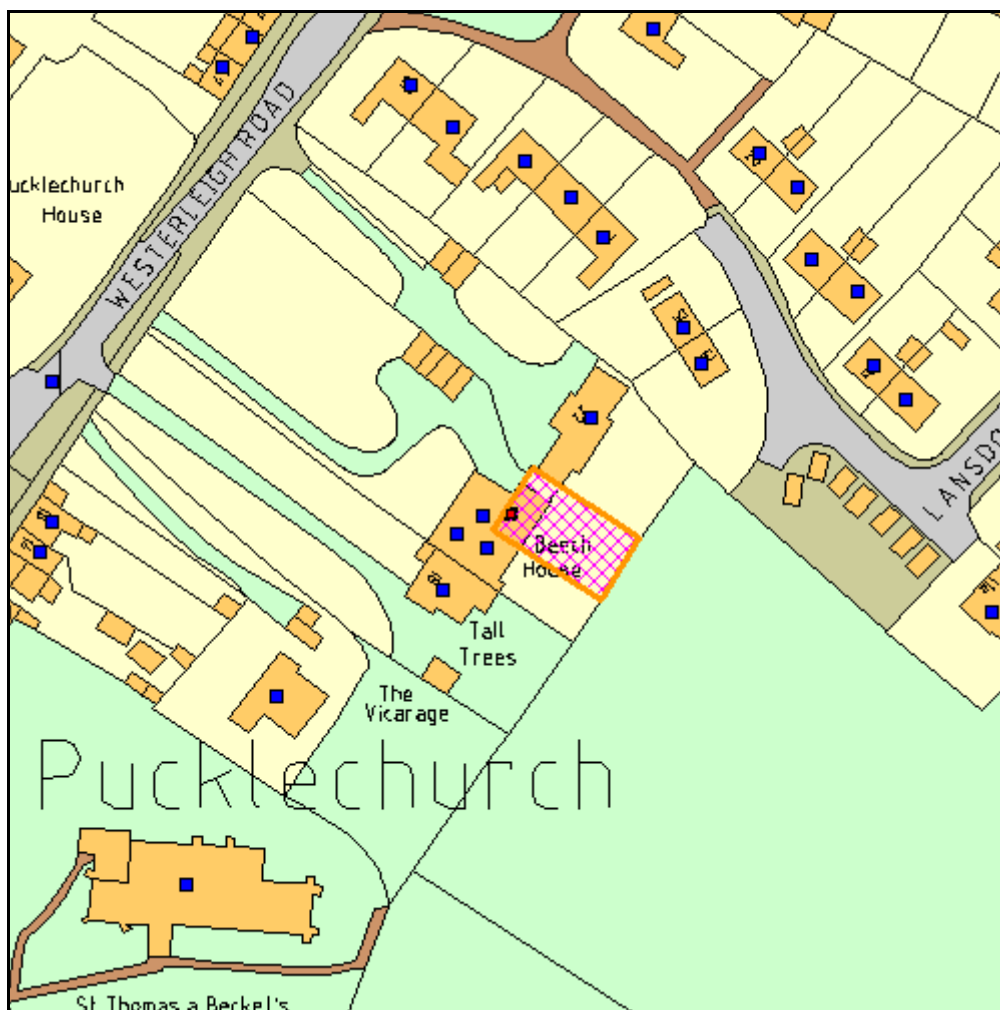
To ensure sufficient parking in compliance with Policy PSP16 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) 2017.

Case Officer: Thomas Smith

Authorising Officer: Helen Ainsley

CIRCULATED SCHEDULE NO. 37/22 -15th September 2022

App No.:	P22/02733/HH	Applicant:	Val Molton
Site:	Flat 2 Beech House Westerleigh Road Pucklechurch South Gloucestershire BS16 9RD	Date Reg:	25th May 2022
Proposal:	Works to incorporate existing covered area into flat to form additional living accommodation.	Parish:	Pucklechurch Parish Council
Map Ref:	369978 176593	Ward:	Boyd Valley
Application Category:	Householder	Target Date:	19th July 2022



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

REASON FOR APPEARING ON CIRCULATED SCHEDULE

This application appears on the Council's Circulated Schedule procedure following the receipt of comments from the Parish Council querying the design and potential impact of the development on adjoining properties.

1. THE PROPOSAL

- 1.1 This application seeks listed building consent for works to incorporate an existing covered area into the flat to form a dining room and porch.
- 1.2 The site of the proposed works sits within the defined settlement boundary of Pucklechurch and forms part of the wider association with the Grade II listing of 'Beech House' due to mid-19th century origin. Here, it is recognised the host dwelling itself is a ground floor flat located to the northern end of Beech House which is 'washed over' by the Pucklechurch Conservation area (Pucklechurch CA).
- 1.3 Lastly, the case officer makes note this full application should be read in conjunction with the listed building consent **P22/02734/LB**.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework
National Planning Policy 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
CS4a	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage

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

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

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

3. RELEVANT PLANNING HISTORY

- 3.1 Ref: P92/2433/L. Listed Building Consent, 28.04.1993
Proposal: *Erection of single storey rear extension to provide a conservatory.*
- 3.2 Ref: P92/2432. Approve full planning, 28.04.1993
Proposal: *Erection of single storey rear extension to provide a conservatory.*

4. CONSULTATION RESPONSES

4.1 Pucklechurch Parish Council
[1st Consultation]

- The Parish Council is unable to make an informed comment without additional information and notes the proposed drawings do not permit assessment of impact upon listed building nor do views take account of the effect on the adjacent property.
- Nonetheless, queries are raised as to whether a flat roof extension is an appropriate addition to the building.

4.2 Listed Building and Conservation Officer
[1st Consultation]

- The applicant property is a ground floor flat that is believed to have been subdivided from the larger property of Beech House, circa 1970s, which itself is a grade II listed building with origins dating back to the early to mid-19th century.
- Given that the existing covered area is formed from a timber frame and polycarbonate roof that does not present any historical or architectural interest, the removal of this structure is acceptable. However, it is recognised the replacement of the lightweight timber/polycarbonate structure would see a 'deeper' formation and give the appearance of a heavier and more substantial fixture.
- However, it is recognised the works would take place in a discreet location due to a high stone wall extending across the rear to the neighbouring property to the Northeast, No.22 (which also forms the boundary between the two properties) as well as being set substantially back from the connecting highway to the front, meaning the impact on the surrounding conservation area and setting on the listed building would be limited.
- Notwithstanding this, further details regarding eaves layout, internal installation and preservation of historic features is required.

[2nd Consultation]

- The amended plans show that the historic timber arched door to the rear is being retained and a glazed door added internally to help with improving the insulating properties of the structure.
- No objections are raised as the significance of the principal asset would be preserved.

4.3 Local Residents [1st Consultation]

One objection letter has been received from a local resident. Key points are as follows:

- The proposed works would result in a loss of privacy and devalue our property due to works making use of a garden boundary wall, thus creating a pair of semi-detached structures.

[*Officer comment in response to local resident*] The above objection has been recognised. To address concerns regarding the use of a boundary wall in the proposed works, this is a Party Wall matter in which the Party Wall Act 1996 was introduced as a procedure for resolving disputes between owners of neighbouring properties – something the case officer has no jurisdiction over. In addition to this and in terms of loss in property value, this does not have any planning merit and thus falls outside the scope of this report. Comments relating to amenity are discussed below.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy PSP38 permits extensions and alterations to existing dwellings within established residential curtilages subject to an assessment of design, amenity and transport. Notwithstanding the above and in regard to the siting of the applicant site (Pucklechurch CA), local policies CS9 & PSP17 as well as corresponding provisions of the NPPF set out strict criteria to preserve and enhance elements which contribute to the special character of Conservation Areas. Similarly, it is recognised that part of the applicant building itself constitutes a designated heritage asset, which indicates the main issue to assess (whilst not dismissing those highlighted by PSP38) is whether the proposed development would be considered inappropriate and excessive having special regard to constraint policies detailed in local development plans and the NPPF.

5.2 Pucklechurch Conservation Area

PSP17 states development proposal within designated conservation areas should preserve or enhance the Conservation area, and demonstrate that their size, form and detailing have been taken in regard to the distinct character of the conservation area, and any architectural features which contribute to the appearance of the conservation area must be retained and protected.

5.3 The proposed development would introduce minor scale works to the principal elevation of the dwellinghouse as to ‘upgrade’ the existing covered area by creating an internal habitable space that would not generally be visible within the public realm. Due to this, the case officer considers that the character and

appearance of the Pucklechurch CA would be preserved, meaning the requirements of PSP17 (in conservation terms) would be satisfied.

5.4 Impact on Heritage Asset

As stated in paragraph 199 of the NPPF, great weight should be given to the conservation of heritage assets. This is irrespective of whether any potential harm amounts to substantial harm, total loss, or less than substantial harm to its significance. Further to Government planning policy, PSP17 seeks to ensure that alterations, extensions or changes of use to Listed Buildings, or development within their setting will be expected to preserve and where appropriate, enhance those elements which contribute to their special architectural or historic interest, including their setting(s).

5.5 As noted above, the host property forms part of a Grade II listed building, however, the scope of works would be contained to a structure that is unlikely to bear any historic significance (see corresponding Listed Building consent assessment). Given this, along with the minor extent of development being proposed, the works would not result in a loss of historic fabric or indeed create a change in character as to cause harm to the overall architectural interest of the Grade II listed building. Therefore, the development proposal would comply with corresponding provisions of the NPPF and meet the requirements of PSP17.

5.6 Design and Visual Amenity

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

5.7 The works described in this application are considered to integrate with the host structure as to sufficiently respect the character and distinctiveness of the immediate vicinity. Due to this, the proposal has an acceptable standard of design that complies with policy CS1 and PSP38.

5.8 Residential Amenity

Policy PSP8 states that development proposal will be permitted provided they do not create unacceptable living conditions or result in unacceptable impacts on residential amenities. These are outlined as follows (but are not restricted to): loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and, odours, fumes or vibrations.

5.9 Objection comments of a local resident raise concern that the proposal would result in a loss of privacy. However, there would be no new windows that would overlook the neighbour (with drawing No. proposed(3)103A confirming the shared boundary wall would only be used for structural stability, thus the relationship between the neighbours, in terms of amenity, would not be altered) and therefore indicates a loss of privacy would not be established through the proposed works. Due to this, there is insufficient grounds for refusal, and the development would satisfy the objectives of policy PSP8.

5.10 Private Amenity Standards

As stated in policy PSP43, residential units, including those that are subject to development, are expected to have access to private amenity space that is: functional and safe; of a sufficient size in relation to occupants; and, be easily accessible. Due to retaining the access to the existing rear garden, the case officer is satisfied private amenity space standards would be acceptable, and as such, the proposal would comply with PSP43.

5.11 Transport

Policy PSP11 outlines those development proposals that generate a demand for travel will be acceptable provided that access is appropriate, safe, convenient and attractive for all modes of travel arising to and from the site. It also outlines that access should not: contribute to severe congestion; impact on the amenities of communities surrounding access routes; have an unacceptable effect on highway and road safety; and, should not harm environmentally sensitive areas. No changes are sought to existing transport arrangements with no objection therefore raised.

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.

5.13 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 conditions.

CONDITIONS

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

Reason

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

2. The development hereby approved shall be completed in strict accordance with the following plans:

Site Location and Block Plan : (3)002

Proposed Site Location and Block Plan : (3)002A

Existing Plans : (3)003

Proposed Plans (3)103A

Reason:

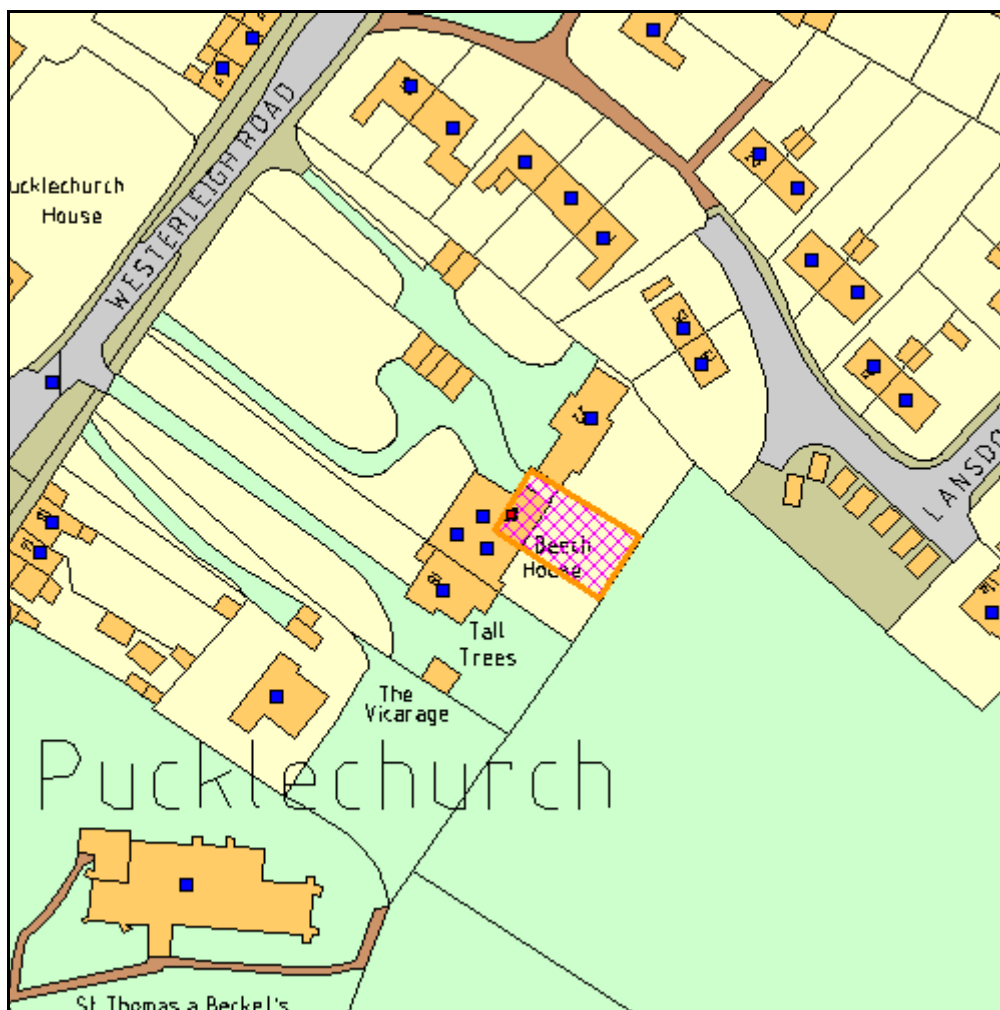
To define the extent and terms of the permission.

Case Officer: Steffan Thomas

Authorising Officer: Helen Ainsley

CIRCULATED SCHEDULE NO. 37/22 -15th September 2022

App No.:	P22/02734/LB	Applicant:	Val Molton
Site:	Flat 2 Beech House Westerleigh Road Pucklechurch South Gloucestershire BS16 9RD	Date Reg:	25th May 2022
Proposal:	Works to incorporate existing covered area into flat to form additional living accommodation.	Parish:	Pucklechurch Parish Council
Map Ref:	369978 176593	Ward:	Boyd Valley
Application Category:	Minor	Target Date:	19th July 2022



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100023410, 2008. N.T.S. P22/02734/LB

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

REASON FOR APPEARING ON CIRCULATED SCHEDULE

This application appears on the Council's Circulated Schedule procedure following the receipt of comments from the Parish Council querying the design and potential impact of the development on adjoining properties.

1. THE PROPOSAL

- 1.1 This application seeks listed building consent for works to incorporate an existing covered area to form a dining room and porch at Flat 2, Beech House, Pucklechurch.
- 1.2 The site of the proposed works sits within the defined settlement boundary of Pucklechurch and forms part of the wider association with the Grade II listing of 'Beech House' due to mid-19th century origin. Here, it is recognised the host dwelling itself is a ground floor flat located to the northern end of Beech House which is 'washed over' by the Pucklechurch Conservation area (Pucklechurch CA).
- 1.3 Lastly, the case officer makes note this listed building consent should be read in conjunction with the full application **P22/02733/HH** for analysis relating to design, amenity and transport.

Procedural Matters – Amended plans have been received by the applicant's agent confirming details of eaves layout on the front elevation, retaining the rear historical door and use of insulation throughout the proposed work. Due to this, only internal consultations have been carried, with the case officer satisfied this has not disadvantaged the public interest.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework
National Planning Policy 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
CS9 Managing the Environment and Heritage

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

PSP17 Heritage Assets and the Historic Environment

3. **RELEVANT PLANNING HISTORY**

- 3.1 Ref: P92/2433/L. Listed Building Consent, 28.04.1993
Proposal: *Erection of single storey rear extension to provide a conservatory.*
- 3.2 Ref: P92/2432. Approve full planning, 28.04.1993
Proposal: *Erection of single storey rear extension to provide a conservatory.*

4. **CONSULTATION RESPONSES**

4.1 **Pucklechurch Parish Council**
[1st Consultation]

- The Parish Council is unable to make an informed comment without additional information and notes the proposed drawings do not permit assessment of impact upon listed building nor do views take account of the effect on the adjacent property.
- Nonetheless, queries are raised as to whether a flat roof extension is an appropriate addition to the building.

4.2 **National Amenities Society**
[1st Consultation]

- No comments received.

4.3 **Listed Building and Conservation Officer**
[1st Consultation]

- The applicant property is a ground floor flat that is believed to have been subdivided from the larger property of Beech House, circa 1970s, which itself is a grade II listed building with origins dating back to the early to mid-19th century.
- Given that the existing covered area is formed from a timber frame and polycarbonate roof that does not present any historical or architectural interest, the removal of this structure is acceptable. However, it is recognised the replacement of the lightweight timber/polycarbonate structure would see a 'deeper' formation and give the appearance of a heavier and more substantial fixture.
- However, it is recognised the works would take place in a discreet location due to a high stone wall extending across the rear to the neighbouring property to the Northeast, No.22 (which also forms the boundary between the two properties) as well as being set substantially back from the connecting highway to the front, meaning the impact on the surrounding conservation area and setting on the listed building would be limited.
- Notwithstanding this, further details regarding eaves layout, internal installation and preservation of historic features is required.

[2nd Consultation]

- The amended plans show that the historic timber arched door to the rear is being retained and a glazed door added internally to help with improving the insulating properties of the structure.
- No objections are raised as the significance of the principal asset would be preserved.

4.4 Local Residents

[1st Consultation]

One objection letter has been received from a local resident. Key points are as follows:

- The proposed works would result in a loss of privacy and devalue our property due to works making use of a garden boundary wall, thus creating a pair of semi-detached structures.

4.5 [*Officer comment in response to local resident*] The above objection has been recognised. To address concerns regarding the use of a boundary wall in the proposed works, this is a Party Wall matter in which the Party Wall Act 1996 was introduced as a procedure for resolving disputes between owners of neighbouring properties – something the case officer has no jurisdiction over. In addition to this and in terms of loss in property value, this does not have any planning merit and thus falls outside the scope of this report. Comments relating to amenity are discussed in the corresponding report of P22/02733/HH.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

As stated in Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Local Planning Authorities have special regard in the consideration as to whether to grant listed building consent. This applies to any works associated to the desirability of preserving the listed building itself, its setting or any features of special architectural or historic interest in which it possesses. Further to this, the NPPF attaches great weight to the conservation of heritage assets to ensure their significance is maintained or enhanced. The development seeks to make minor alterations to a listed building and is therefore acceptable in principle but will be further assessed to determine the level of harm and any subsequent mitigating factors (if present).

5.2 Impact on the Listed Building

In the first instance, it is noted that the accompanying full planning application covers the extent of works in terms of its planning merits beyond the necessary heritage consideration, with this application evaluating the consent required to extend or alter the listed building.

5.3 The proposed development is limited in scope when considering the potential change to character of Beech House with it noted the works consist of the following minor alterations:

- Replacement of existing covered area with an improved thermal efficient flat roof and 2no. flat roof lights.
- Insulation added to floor of the amenity area.
- Installation of external timber door with a side glazing panel.

- New conservation roof light added to the existing roof of dwellinghouse. Due to the nature of the existing covered area, which does not present any significant historical or architectural interest, as well as the development taking place in discreet location – the covered area is not only set back by 60m from the adjoining public highway but is also ‘screened’ by a rear wall and forms an enclosed space – the proposed development would ensure the significance of this Grade II Listed Building would be preserved, as well as the character and appearance of the Pucklechurch CA.

5.4 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.

5.5 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 conditions.

CONDITIONS

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

Reason

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

2. The development hereby approved shall be completed in strict accordance with the following plans:

Site Location and Block Plan : (3)002

Proposed Site Location and Block Plan : (3)002A

Existing Plans : (3)003

Proposed Plans (3)103A

Reason:

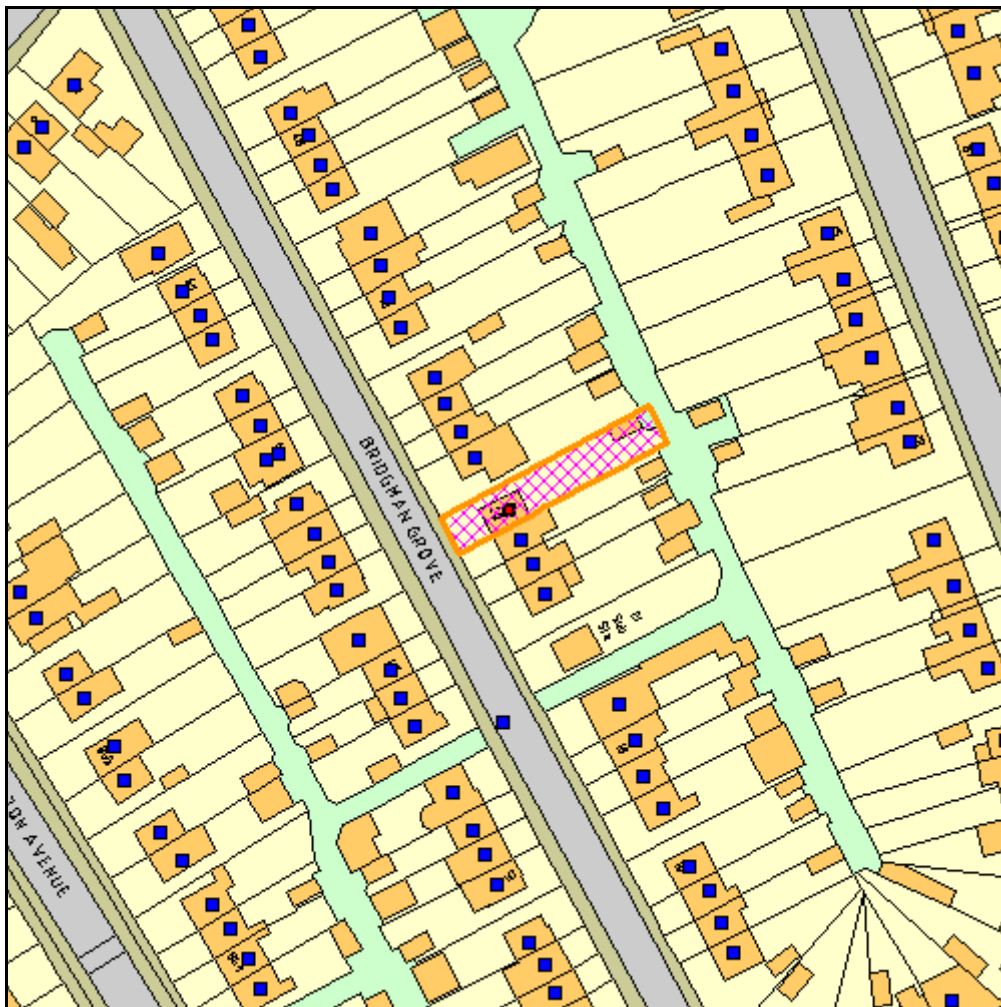
To define the extent and terms of the permission.

Case Officer: Steffan Thomas

Authorising Officer: Helen Ainsley

CIRCULATED SCHEDULE NO. 37/22 -15th September 2022

App No.:	P22/03089/F	Applicant:	Mr Kevin Farrant
Site:	26 Bridgman Grove Filton South Gloucestershire BS34 7HR	Date Reg:	7th June 2022
Proposal:	Erection of rear ground floor and two storey side extensions, hip-to-gable roof extension and rear dormer to facilitate change of use from 3 bedroom dwelling (Class C3) to 8 bedroom HMO (Sui Generis) as defined in Town and Country planning (Use Classes) Order 1987 (as amended).	Parish:	Filton Town Council
Map Ref:	360976 179386	Ward:	Filton
Application Category:	Minor	Target Date:	1st August 2022



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P22/03089/F

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

CIRCULATED SCHEDULE

This application is referred to the Circulated Schedule following objection comments from local residents and the Parish Council, contrary to the officer recommendation below.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the change of use from a 3no. bedroom dwelling (C3) to an 8no. bedroom HMO (Sui Generis), and the erection of a rear ground floor and two storey side extensions, hip-to-gable roof extensions and rear dormer.
- 1.2 The application relates to an end terrace property within the settlement boundary at 26 Bridgman Grove.
- 1.3 The application was originally submitted as a change of use from a 6no. bed small HMO, with the extensions and roof alterations shown on the existing plans. Following a site visit it became apparent that although the alterations had been deemed as lawful under P22/01786/CLP, they had not yet been carried out. Existing plans were therefore requested to reflect the current situation on site, the description changed and a full re-consultation carried out.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4a	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS25	Communities of the North Fringe of Bristol Urban Area

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

PSP1	Local Distinctiveness
PSP8	Residential Development

PSP11	Transport
PSP16	Parking Standards
PSP38	Development within Existing Residential Curtilages
PSP39	Residential Conversions, Subdivision, and HMOs
PSP43	Private Amenity Standards

- 2.3 Supplementary Planning Guidance
 South Gloucestershire Design Checklist (Adopted) 2007
 Residential Parking Standards SPD (Adopted) 2013
 Waste Collection: Guidance for new developments SPD (Adopted) 2015
 Houses in Multiple Occupation SPD (Adopted) 2021

3. RELEVANT PLANNING HISTORY

- 3.1 P22/01786/CLP - Erection of single storey side and rear extensions, installation of hip to gable roof extension and 1 no. rear dormer. Change of use from dwelling (Class C3) to small HMO for up to 6 people (Class C4). – Lawful 20.04.2022

4. CONSULTATION RESPONSES

- 4.1 Filton Town Council - OBJECTION
 Proximity of other HMOs
 Overdevelopment
 Parking issues
 no dimensioned drawings have been submitted to show that the proposed additional bedrooms are above the minimum size.
 It is requested that terms of the planning permission include a restriction that no more than 3 vehicles may be stored by the residents and/or tenants at the property or in nearby surrounds at any one time. The proposal for a HMO (house in multiple occupation) of 8 beds has been found to be contrary to the recently adopted supplementary planning document which states that in localities where known HMO properties already represent more than 10% of households the introduction of additional HMOs will be unacceptable. This area of Filton has a 11.2% concentration of HMOs and as such the change of use into a large HMO fails to meet adopted Policy CS17 of the South Gloucestershire Local Plan: Cores Strategy (Adopted) 2013 and PSP39 of the Policy Sites and Places Plan (Adopted) 2017 and the adopted SPD Houses in Multiple Occupation (Adopted) 2021
- 4.2 Transport – 4 spaces are required under PSP16. Subject to this being provided, there is no transportation objection. 2 EVCP to be provided.
- 4.3 Drainage – No objection
- 4.4 Archaeology – No comment

Other Representations

- 4.5 Local Residents

11 no. objections have been received, summarised as:

- Parking concerns
- Shortage of on street parking
- Existing HMOs on street
- Disruption from construction
- No bus route in area
- Overlooking
- Family area
- Loss of community
- Concerns with rubbish

5. ANALYSIS OF PROPOSAL

Principle of Development

- 5.1 The applicant seeks full planning permission for the change of use from a 3no. bedroom dwelling (C3) to an 8no. bedroom HMO (Sui Generis), and the erection of a rear ground floor and two storey side extensions, hip-to-gable roof extensions and rear dormer.
- 5.2 This application follows the approval of P22/01786/CLP, which confirmed that the erection of single storey side and rear extensions, the installation of hip to gable roof extension and 1 no. rear dormer and the change of use from dwelling (Class C3) to small HMO for up to 6 people (Class C4), were lawful alterations that could be carried out without express permission.
- 5.3 Policy PSP39 within the adopted Policies, Sites and Places Plan (2017) states that where planning permission for an HMO is required, this will be acceptable, provided that this will not prejudice the amenity of neighbours. Supporting text states that the term “neighbours” should be taken to mean properties adjacent to, and surrounding, the application site which have a reasonable potential to be directly affected by harmful impacts arising from the proposal(s).
- 5.4 In addition, Policy PSP8 maintains that development proposals will only be acceptable provided that they do not ‘have unacceptable impacts on residential amenity of occupiers of the development or of nearby properties’. Unacceptable impacts could result from noise or disturbance, amongst other factors, which could arise from HMOs functioning less like traditional single households on a day-to-day basis.
- 5.5 Prejudicing the amenity of neighbours can arise at a localised level when developments of such HMO uses are inappropriately located, or become concentrated, particularly at an individual street level.
- 5.6 The Houses in Multiple Occupation Supplementary Planning Document (SPD) (Adopted) 2021 is useful guidance to determine whether proposals from C3 to large HMOs comply with the existing Development Plan policies. The SPD provides a way of using available data (licensed HMOs) to provide tangible and substantiated evidence regarding the concentration of HMOs and overall housing mix within the locality of the proposal.

- 5.7 Additional Explanatory Guidance 1 sets out that the following factors should be taken into account when determining if the proposal would prejudice the amenity of adjacent neighbours:
- Whether any dwelling house would be 'sandwiched' between two licensed HMOS, or,
 - Result in three or more adjacent licensed HMO properties.
- 5.8 In the case of 26 Bridgman Grove, granting permission as an HMO would not result in a dwellinghouse being sandwiched between two licenced HMOs, or result in three or more adjacent licensed HMO properties.
- 5.9 As set out in Policy CS17, providing a wide variety of housing type and sizes to accommodate a range of different households, will be essential to supporting mixed communities in all localities. Sub-division of existing dwellings and non-residential properties to form flats or HMOs can make a valuable contribution suitable for smaller households and single people as part of these mixed communities.
- 5.10 Policy CS17 does not define what is meant by 'mixed communities' in all localities. Instead, it acknowledges that implementation of this policy, and PSP39, will be made on a case basis through the development management process. Therefore, the HMO SPD aims to acknowledge that some intensification, if carried out sensitively, and where it would not adversely affect the character of an area, can contribute to the local mix and affordability of housing, viability of local services, vitality of local areas and contribute to the Council's housing delivery targets.
- 5.11 As there are localities which are already experiencing concentrations of HMOs, the SPD requires consideration of existing localities that are already experiencing levels of HMOs which harm the ability to support mixed communities and preventing impact on character and amenities, and applications which would result in a level of HMOs that could contribute towards harmful impacts.
- 5.12 Additional Explanatory Guidance 2 sets out that the following factors should be taken into account when determining if the proposal would contribute to harmful impacts in respect of a mixed community and the character and amenity of an area:
- An additional HMO in localities where licensed HMO properties already represent more than 10% of households, or,
 - More than 20% of households within a 100m radius of the application property.
- 5.13 For the purposes of this assessment, a 'locality' is defined by a statistical boundary known as a Census Output Area.
- 5.14 In the case of 26 Bridgman Grove, licensed HMO properties currently represent 3.1% of households within the COA. Within a 100m radius there are 93 properties, 3 of which are licensed HMOs thereby achieving a concentration of 3.2%.

- 5.15 The principle of a change of use to an HMO is therefore considered to comply with policies PSP39, PSP8 and CS17 and the SPD.
- 5.16 In regards to the proposed alterations, Policy PSP38 of the PSP Plan allows the principle of development within residential curtilages, subject to considerations of visual amenity, residential amenity and highway safety. Furthermore, Policy CS1 of the Core Strategy seeks that the siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the application site and its context.

Design and visual amenity

- 5.17 The NPPF and local adopted policy under CS1 places great emphasis on the importance of design. Good quality design respects both the character of existing properties and the character of an area in general. The NPPF suggests good design should respond to and be sensitive to local character, should aim to raise standards of design and enhance the immediate setting. The updated guidance emphasises high quality design, that takes into account local design standards, continues to be important, and poor design that fails to take opportunities to improve the quality of an area or to take this into account, should be resisted.
- 5.18 In terms of external alterations, the application proposes a single storey rear extension, two storey side extension, hip-to-gable roof extension and rear dormer.
- 5.19 Most rooflines within the area have been retained as hipped however some properties have utilised their permitted development rights to undertake hip-to-gable conversions, most notably at 49 Bridgman Grove. It is considered that the hip-to-gable element would result in some unbalancing to the terrace.
- 5.20 The proposed dormer window is also relatively large in size, although has been set marginally down from the ridge, in from the side and up from the eaves.
- 5.21 It should also be noted that the proposals to the roof fall within the parameters of permitted development, and could be carried out as per P22/01786/CLP. The proposed materials are considered to respect the host property and its surrounds and as such there is no reasonable justification for refusal in terms of the impact on the character of the area due to visual impacts.
- 5.22 The proposed single storey extension is full width and flat roofed, and given its size appears subservient to the host dwelling.
- 5.23 The proposed two storey side extension has been well set back from the principle elevation to allow a side access, and it set below the overall ridgeline and eaves of the existing property. The roof pitch will match that of the existing property. Given the set down and separation distance between the proposal and the adjacent property, there will be not be a terracing effect as a result of the proposal.

- 5.24 Overall, the proposals are considered to be acceptable in terms of design and appearance.

Residential amenity

- 5.25 With regards to the amenity of future occupiers, plans indicate the proposed extended property would have a kitchen and communal area on the ground floor alongside two bedrooms, one bathroom and one en-suite; the first floor would contain four bedrooms, and a further two bedrooms and one bathroom on the second floor. It is the responsibility of the landlord to ensure the rooms accord with internal national space standards for future occupiers.
- 5.26 Policy PSP43 sets out minimum standards for private amenity space, however there is no set standard for HMOs. Using this policy as a reference, a 1no. bed flat should have access to a minimum for 5m² amenity space. Using this standard, 8 x 1bed. flats would require 40m² amenity space. The rear garden would achieve sufficient useable amenity space to accord with adopted policy.
- 5.27 The proposals will result in some impact to light to the side window of the adjacent property, however this impact will be minimal and the window serves the hall and stairs rather than a habitable room.
- 5.28 The two storey element is sited between dwellings and as such will not have an overbearing impact on gardens to the rear. The proposed upper floor and dormer window face the rear garden and although some indirect overlooking could occur to the rear gardens of neighbouring properties, this is to the extent considered normal within built up residential areas.
- 5.29 The single storey element of the proposal is small scale and given its size, will not result in overlooking or an overbearing impact.

Transportation and highways

- 5.30 The Council Policy PSP16 parking standard for HMO's is one space per two bedrooms rounded up to the nearest whole number of spaces. Therefore an 8 bed HMO requires 4 spaces.
- 5.31 Three spaces are to be proposed to the front of the property which is already laid to hardstanding, and one space will be provided to the rear in half of the existing garage. A bike store and bin storage area are provided, with the rest of the garage retained for storage.
- 5.32 Given the above there are no transport objections subject to a condition that prior to first use of the site the parking is provided, in addition to two electric vehicle charging points.

Consideration of likely impact on Equalities

- 5.33 The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society. As a result of that Act the public sector Equality Duty came into force. Among other things, the Equality Duty requires that

public bodies to have due regard to the need to: eliminate discrimination; advance equality of opportunity; and, foster good relations between different groups when carrying out their activities. Under the Equality Duty, public organisations must consider how they could positively contribute to the advancement of equality and good relations. This should be reflected in the policies of that organisation and the services it delivers. The local planning authority is statutorily required to apply the Equality Duty to its decision taking. With regards to the Duty, the development contained within this planning application is considered to have neutral impact.

Other matters

- 5.34 A number of matters raised from the consultation responses have not been addressed in the main body of this report. These will be considered below.
- 5.35 Property value:
This is not a planning matter and therefore falls outside the remit of this planning assessment.
- 5.36 Waste and rubbish on the street:
If such a situation occurs residents are advised to contact the Council's Street Care Team.
- 5.37 Noise and disturbance:
The property would be a domestic residence. Any inconsiderate behaviour over and above what is normally expected should be reported to the correct authority in this case The Police Authority or Environmental Protection. A condition will be attached to the decision notice regarding construction times and good working practice.
- 5.38 Vehicles hit and inconsiderate parking:
Again this is not a planning matter and any issues should be reported to the correct authority in this case The Police Authority.

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 the application be APPROVED subject to conditions attached to the decision notice.

CONDITIONS

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

Reason

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

2. Prior to the commencement of use the car, cycle parking and bin store arrangements shall be installed in accordance with the submitted Proposed Site Plan (103A), alongside two Electric Vehicle Charging Points.

Reason:

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

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

02 Jun 2022		ELEVATION (REAR) - PROPOSED
02 Jun 2022		PROPOSED FIRST FLOOR PLAN
02 Jun 2022		PROPOSED GROUND FLOOR PLAN
02 Jun 2022		PROPOSED LOFT FLOOR PLAN
02 Jun 2022		PROPOSED ROOF PLAN
02 Jun 2022		PROPOSED SECTION A-A
02 Jun 2022		PROPOSED SIDE ELEVATION
18 Jul 2022	1773(L)103	A SITE PLAN
10 Aug 2022	1773(L)02	LOCATION PLAN
10 Aug 2022	1773(L)10	EXISTING GROUND FLOOR PLAN
10 Aug 2022	1773(L)11	EXISTING FIRST FLOOR PLAN
10 Aug 2022	1773(L)12	EXISTING LOFT PLAN
10 Aug 2022	1773(L)13	EXISTING ROOF PLAN
10 Aug 2022	1773(L)14	EXISTING FRONT ELEVATION
10 Aug 2022	1773(L)15	EXISTING REAR ELEVATION
10 Aug 2022	1773(L)16	EXISTING SIDE ELEVATION
10 Aug 2022	1773(L)17	EXISTING SECTION A-A

Reason:

To define the terms and extent of the permission.

Case Officer: Rae Mepham

Authorising Officer: Suzanne D'Arcy