

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: 11/22

Date to Members: 18/03/2022

Member's Deadline: 24/03/2022 (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

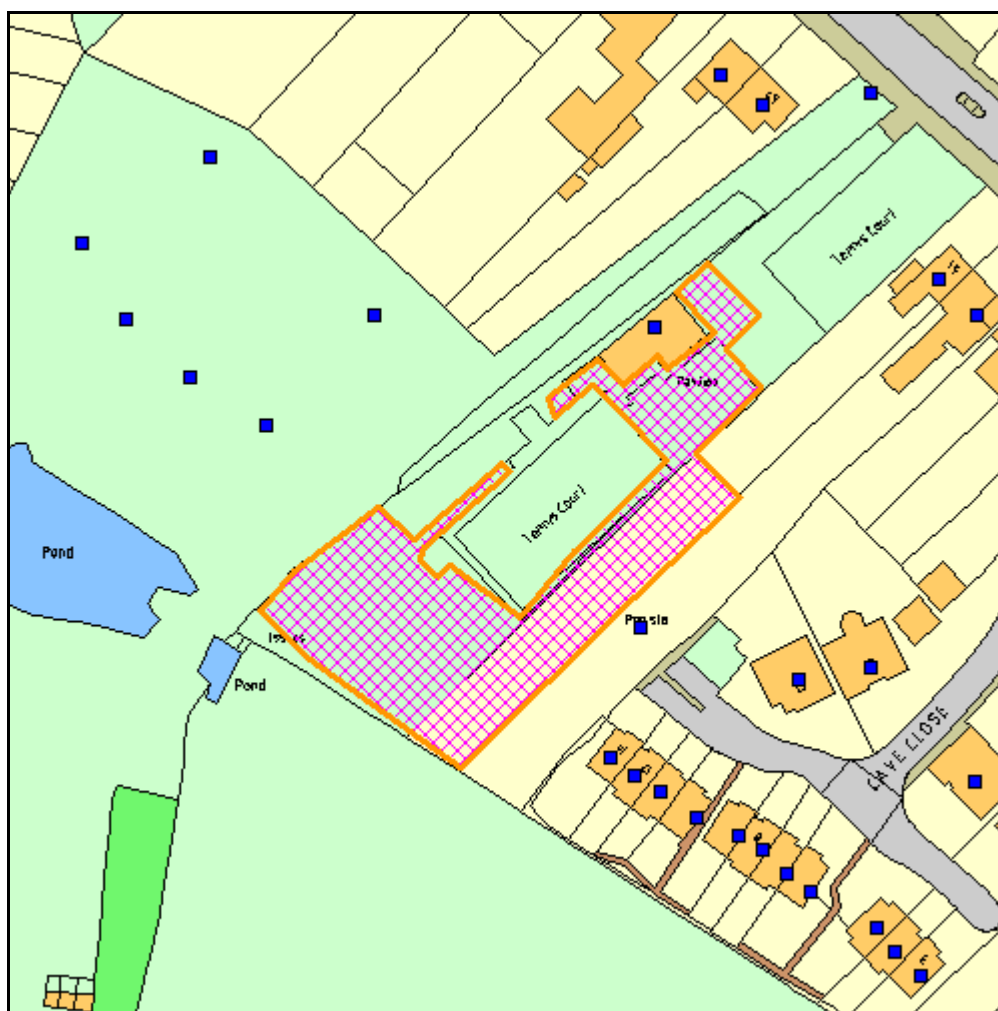
CIRCULATED SCHEDULE 18 March 2022

-

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	P21/00994/F	Approve with Conditions	Cleeve Tennis Club Cleeve Hill Downend South Gloucestershire BS16 6EU	Frenchay And Downend	Downend And Bromley Heath Parish Council
2	P21/04892/RM	Approve with Conditions	Land At Ladden Garden Village Leechpool Way Yate South Gloucestershire BS37 7YX	Yate North	Yate Town Council
3	P21/06850/F	Approve with Conditions	Parkmill Farm Oldbury Lane Thornbury South Gloucestershire BS35 1RD	Thornbury	Thornbury Town Council
4	P21/07632/RM	Approve with Conditions	Parcels PL6 North North Yate South Gloucestershire	Chipping Sodbury And Cotswold Edge	Wickwar Parish Council
5	P21/07670/F	Refusal	Priestpool Farm Ingst Road Olveston South Gloucestershire BS35 4AW	Severn Vale	Aust Parish Council
6	P21/08002/F	Approve with Conditions	Aura Retreat 69A Park Lane Frampton Cotterell South Gloucestershire BS36 2HA	Frampton Cotterell	Frampton Cotterell Parish Council
7	P21/08045/F	Refusal	Stoneford Camp Road Oldbury On Severn South Gloucestershire BS35 1PR	Severn Vale	Oldbury-on-Severn Parish Council
8	P21/08111/F	Approve with Conditions	Barrow Cottage Kings Square Bitton South Gloucestershire BS30 6HR	Bitton And Oldland Common	Bitton Parish Council
9	P22/00187/F	Approve with Conditions	19 Branksome Drive Filton South Gloucestershire BS34 7EG	Filton	Filton Town Council
10	P22/00571/HH	Approve with Conditions	66 Grace Road Downend South Gloucestershire BS16 5DU	Frenchay And Downend	Downend And Bromley Heath Parish Council
11	P22/00893/HH	Approve with Conditions	59 Crispin Way Kingswood South Gloucestershire BS15 4SH	New Cheltenham	

CIRCULATED SCHEDULE NO. 11/22 - 18th March 2022

App No.:	P21/00994/F	Applicant:	Cleeve Hill Tennis Club
Site:	Cleeve Tennis Club Cleeve Hill Downend South Gloucestershire BS16 6EU	Date Reg:	4th March 2021
Proposal:	Change of use of land from residential to tennis club (Class F2) to facilitate the creation of 1 no. tennis court, with the installation of 4 no. floodlights and associated landscaping. Erection of a single storey front extension to form enlarged clubhouse.	Parish:	Downend And Bromley Heath Parish Council
Map Ref:	364843 177012	Ward:	Frenchay And Downend
Application Category:	Minor	Target Date:	28th April 2021



© South Gloucestershire Council 2007.all rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2008.

N.T.S.

P21/00994/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.

INTRODUCTION

This planning application is referred to the Circulated Schedule due to the receipt of objection from the residents contrary to officers' recommendation.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the change of use of land from residential (Class C3) to tennis club (Class F2) to facilitate the creation of 1 no. tennis court, with the installation of 4 no. floodlights and associated soft and hard landscaping works, which includes, new deck area, open sided pergola structure, enlargement of terraced area, at Cleeve Hill Tennis Club. The proposal also included an erection of a single storey extension to enlarge the clubhouse.
- 1.2 During the course of the application, the applicant submitted following documents to address officers' concerns:
- Lighting design report Rev A and assessment report Rev B
 - Arboricultural Report dated July 2021
 - Gabion wall details
 - Ecological Impact Assessment dated March 2022

In addition, a set of revised plan was submitted to update the details of the floodlight and the existing trees.

- 1.3 The site is situated within the settlement boundary of Downend and surrounded by residential properties. The new, third tennis court would lie within the southwest margin of the site, with its long axis running perpendicular to the existing tennis court to its north. A new access path is proposed to run along the edge of the northern existing court from the extended clubhouse. An area of raised deck is proposed to the existing terrace which would be raised to match the existing finished floor level. There would be an open sided pergola joining to the clubhouse on the existing terrace area. The new external finishes to the clubhouse extension will comprise a mix of timber cladding and brickwork to match the existing. Typical square wire mesh fencing and access gates would be approximately 2.75m in height.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework July 2022
National Planning Practice Guidance

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS2	Green Infrastructure
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS23	Community Infrastructure and Cultural Activity
CS24	Green Infrastructure, Sport and Recreation Standards

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP9	Health Impact Assessments
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water, and Watercourse Management
PSP21	Environmental Pollution and Impacts
PSP44	Open Space, Sport and Recreation

2.3 Supplementary Planning Guidance

Trees on Development Sites SPG (Adopted) Nov. 2005.

South Gloucestershire Design Checklist (Adopted) 2007)

Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide

SPD – (Adopted) March 2015

3. RELEVANT PLANNING HISTORY

The site has been subject to a number of planning applications in the past, and the following applications are the most relevant to the determination of this application

3.1 P98/4350 Provision of practice tennis court (court No. 3). Approved 12.08.98 subject to condition restricting the length of illumination on the tennis court.

3.2 K6371 Extension to existing clubhouse. Approved 30.08.89

4. CONSULTATION RESPONSES

4.1 Downend and Bromley Heath Parish Council – no objection

4.2 Other Consultees

Public Open Space – no comments to make.

Environmental Protection Team – no objection in principle

Highway Officer – no objection

Highway Structure – no comment

Landscape Officer – no objection subject to conditions

Aboriginal Officer – no objection subject to conditions

Lighting Engineer – no objection
Drainage Engineer – no objection
Ecology Officer - no objection subject to conditions

Other Representations

4.3 Local Residents – 8 letters of objection and 44 letters of support were received. The comments were summarised as follows:

Concerns:

Amenity

- Disruption, blocking of pavement, driveway and disabled entrance
- Noise and disturbance from the development
- Anti-social behaviours: loud music, drunken people shouting, cars revving ups, foul language, aggressive behaviours trespassing, damage done to neighbours vehicles, hit by balls coming over, glasses being thrown
- Directly overlooked by the new tennis court (loss of privacy) due to the loss of the existing trees and the inadequate hedging
- Loss of 'nature' noise barriers due to the loss of the existing mature trees and vegetation
- Increase noise pollution
- Additional noise disturbance due to more functions and evening events
- Lighting pollution
- Light spill will cover the back of our house
- The current floodlights are supposed to be off by 10pm, but frequently on well past this time
- Significant disturbance

Highway

- Inadequate parking
- Increase the need to park either on Cleeve Hill or Cave Close
- Further parking issues due to the increase in social use and possible rental for public functions
- Traffic congestion
- Very busy junction already so has highway safety been considered?
- Contractors parking issues

Nature environment

- Loss of trees, what will happen to the TPOs
- At night, bats fly in the garden. Floodlights and noise will hinder this
- Loss of habitat for nature

Other

- Damage to my property (already extensive damage was caused – dry stone wall knocked down, trees and bushes destroyed, building rubbish found in my garden)
- Compromise the security of the neighbouring properties as easier to gain access to the rear of my property
- Increase social side of the club by applying for a music license

Supporting comments:

- The Club is a fantastic assets to Downend
- Enhance the availability to players, especially for the junior section
- Support provided there is not obtrusive light pollution on neighbouring properties
- The club does a lot for junior tennis in the local area
- (the club) have always been considerate neighbours
- The potential impact of the third courts appears to be minimal
- Encourage people to get fit and active
- Provide more sport facilities to the local community
- The expansion to the clubhouse encourages a family atmosphere, increase options to spectate regardless the weather
- The modern floodlights installed on the court nearest to the road seem far better than those used previously
- It will provide more court time and local schools will be encouraged to have links with the club
- No impact visually
- Will cause minimal extra disturbance and provide much needed to extra leisure facilities
- Have little impact on the surrounding houses or roads
- This should be supported in every way for the health and good of the community
- No detrimental effect
- Enable the club to attract new members
- Lighting has moved on and LED is the way forward as many clubs in the county already have with no disturbance to their neighbours
- Will encourage more local people to walk to the clubs
- A safe environment for youngsters

5. ANALYSIS OF PROPOSAL

5.1 The application is for the for the change of use of land from residential to tennis club (Class F2) to facilitate the creation of 1 no. tennis court, with the installation of 4 no. floodlights and associated (soft and hard) landscaping and the erection of a single storey extension to the existing clubhouse.

Principle of Development

5.2 The application stands to be assessed against the above listed planning policies and all material considerations. Of particular importance would be the impact on the character of the area following the development, the impact on amenity of closest neighbours, the impact on highway safety and on-street parking and its benefit as a community and education asset. Guidance also set out in Paragraph 92 of the NPPF emphasises that the Government places great importance on opportunities for sport and physical activity. As the proposal would result in an enhancement to the existing sport facilities, therefore there is no objection in principle to the proposal.

Design and Visual Amenity

5.3 As the proposal comprises a number of elements, therefore they are discussed in turn:

- 5.4 *Change of use* – The land subject to the change of use is used as a residential garden, and the proposed change of use would facilitate the construction of additional tennis court with landscaped area. As the proposal is to provide additional court to the established sport facilities, it is considered that the proposed change of use would not be out of character of the site.
- 5.5 *Tennis Court* – the proposed tennis court would be located to the southwest of the existing tennis court. New perimeter fence, which would be approximately 2.75 metres in height is proposed. Officers have no objection to the proposed court and perimeter fence given the discreet location and the modest scale of the proposal.
- 5.6 *Extension and external works to the Club House* – The existing clubhouse is a single storey structure with a pitched roof, while the proposed extension would be a contemporary single storey structure with a flat roof. The proposed extension to the clubhouse would be glimpsed from in private views from those properties lying adjacent to the northern boundary of the tennis club. Whilst the Council would not normally support flat roof extension as a matter of principle, given that the proposed extension is very modest in scale, it is not considered that the roof form would result in any harm to the character of the site. The proposed extension would be finished with timber cladding and brickwork to match those on the existing building. Officers have no objection to the proposed materials. The proposal also comprises a number of external works to the club house. An anthracite grey steel open sided pergola structure, which is approximately 2.5 metres in height, and it would be installed on the existing terrace to create a covered area. Further to the southwest of the existing terrace, a raised deck to be installed. It is considered that these external works would not be significant in scale, as such, they would not have adverse impact upon the character of the site.
- 5.7 *Floodlights* – It is proposed that 4 no. 8 metres high lighting columns and they will be located on either side of the central part of the new tennis court. Directional lanterns are proposed to reduce light spill and skyglow. This lighting would be visible from overlooking properties, but would be seen in the context of existing floodlighting within the club (e.g. 2 no. existing lit courts to the north) and surrounding residential lighting. Therefore, it is not considered that they would have significant impact upon the character of area.
- 5.8 In summary, the overall appearance of the proposal are typical of this type of development, and therefore they can be supported.

Residential Amenity

- 5.9 The site is surrounded by residential properties and residents' concerns are noted. The issues are discussed in turn:
- 5.10 The nearest residential properties to the proposed new extension would be No. 51 Cleeve Hill. As the new extension would be single storey in height and would be approximately 14 metres from the nearest boundary of this neighbouring property, therefore there would not be any unreasonable overlooking or overbearing impact upon No. 51. A group of mature trees and vegetation are growing along the northern boundary. Beyond this group of vegetation, there is

a vehicular access running along the said boundary linking to a number of new properties, which are recently constructed. The proposed elevations and sections show that the finish floor levels of the proposed deck area and the pergola structure would not project above the existing floor level of the host building. Given the modest scale and the reasonable separation between the site and the neighbouring properties, it is considered that the proposal would not result in an unreasonable overbearing or overlooking impacts upon the neighbouring properties.

- 5.11 The proposed tennis court would be located to the rear of the existing court and it would sit significantly lower than the ground level of the adjacent tennis court. The proposed perimeter fencing would be approximately 2.75 metres. Given the scale and location of the court, Officers consider that these works would not have unreasonable impact upon the nearby properties.
- 5.12 With reference to the proposed floodlights, as there are nearby residential properties (15m & 18m from the court as stated in the impact assessment), officers requested further information regarding the lighting calculation. To address the officers' concerns, the applicant submitted further information. The Council's Lighting Engineer is satisfied with the submitted lighting impact assessment as they are adequate to address the previous comments. Officers noted that the residents' concerns regarding the hours of illumination. Whilst the applicant has not precisely indicated about the hours of illumination, given to the proximity to neighbouring residents, it would be reasonable to impose a planning condition to restrict the hours of illumination to minimise the potential impact upon the neighbouring residents. In this instance, subject to a planning condition restricting the floodlights to be switched off before 10.00pm, it is considered that the residential amenity would be reasonably safeguarded.
- 5.13 It is noted that residents have concerns in terms of potential noise and disturbance as a result of the proposal. Due to the modest scale of the proposed works and the authorised use of the site, it is considered that the proposal would not result in significant adverse impact.
- 5.14 With reference to the concerns regarding the construction period, an informative will be attached with the decision notice to advise the applicant of the precautionary measures to be undertaken during the construction period.

Arboricultural and Landscape consideration

- 5.15 The existing tennis club lies off the southwest side of the A4017 Cleeve Hill, within the urban area of Mangotsfield (Downend). It comprises a long narrow site, with housing fronting onto the A4017 lying to either side of its northern margin. No. 51 Cleeve Hill has a long garden that runs the length of the southeast site boundary, beyond which lie housing fronting onto Cave Close. Undeveloped land wraps around the southern part of its northwest boundary and also its southwest boundary, with the rear gardens of properties fronting onto Overdale Road lying further south west. As shown on the previously submitted tree information, a number of TPO trees line the NW and SW and SE site boundaries adjacent to the proposed location of the new tennis court. In particular, the root protection zones/canopy spread of several larger Grade B

trees could be affected, namely T38 and T39 Sycamore on the NW boundary, and T31 Sycamore and T32 Ash on the SE boundary.

- 5.16 A tree survey has been provided together with submitted, and general information on a proprietary cellular tree root protection system (for new surfacing), tree protection plan to BS5837:2012 (with protective fencing line and construction method statement notes) has been submitted, given the potential impact of the perimeter tennis court fencing on surrounding tree canopies (including those of TPO trees), impact of new access path together with that of the new retaining walls and changes in ground levels on protected tree root zones. The proposal would involve a removal of 4 No. trees from the southern site corner to accommodate the new tennis court fencing and retaining wall. Also the canopy of the adjacent TPO tree would be cut back.
- 5.17 Soft Landscape Proposals Plan – 01A regarding tree and hedge planting species, planting densities and stock sizes and the implementation details have been submitted. The drawing also cross-references to Arboricultural Report and shows tree protection measures. The details regarding Gabion wall are also submitted. It is considered that they are acceptable from a visual/landscape perspective.
- 5.18 In summary, there is no landscape objection subject to conditions seeking the compliance of the submitted Arboricultural report and the submitted gabion retaining wall details and levels drawing, and seeking detailed planting plan to be undertaken in the first season following completion of the construction works.
- 5.19 Ecology matters
An Ecological Impact Assessment (Ethos, March 2022) has been submitted. The Council Ecology Officer confirmed that the site is not covered by any designated sites for Nature Conservation (European Sites, SSSI's and local sites (Sites of Nature Conservation Interest or Regionally Important Geological Sites)).

Bats - Several trees were identified as having bat roosting potential, however these will be retained. The tree line provides foraging and commuting habitat for bats, though floodlighting is limited to the winter months outside of the main bat activity season.

Great crested newt (GCN) - Previous surveys on the pond on the western corner of the site (over 4 years old) found that GCN were not present. Recent habitat suitability assessment found that the pond provided average suitability for GCN. Overall the site holds low potential for amphibians.

One way reptile fencing is to be installed prior to works commencing, this will follow a pre-works check of the area which is to be completed immediately prior to works starting. The trench created for the fencing is not to be left exposed overnight and fencing is to be installed on the same day as the trench is created. If this is not possible, a suitably qualified ecologist is to undertake a check of the trench prior to the installation of the fence. The removal of the fence will be under the supervision of a suitably qualified ecologist.

As GCN and other amphibians can shelter within roots of the trees, these are ideally to be removed outside of the main breeding season (March to June inclusive), where this is not possible a pre-works check is to be completed by a suitably qualified ecologist.

Dormice - The site does not support optimal habitat for dormice and is fragmented from the wider landscape.

Birds - The boundary will provide suitable nesting opportunities for birds. Some of this habitat is to be removed as part of the proposal and mitigation has been recommended. Compensatory planting will eventually replace the nesting opportunities, however there are opportunities to enhance the site. Two bird boxes (e.g. one Vivara open fronted nest box and one Vivara Pro Seville woodstone nest box) are to be installed on retained mature trees, facing a north-easterly direction and a minimum of 3m from the ground.

Reptiles - The majority of the site does not provide suitable habitats for reptiles.

Badgers - The site lacks foraging habitat for badgers and no signs of badgers were present on site.

Hedgehog - There are some habitats, mostly on the boundary of the site that provide foraging and dispersing hedgehogs. Appropriate mitigation has been provided.

Invertebrates - The site was not considered to support a wide assemblage of invertebrates due to the nature of the majority of the habitat with the most valued habitat confined to the boundary.

- 5.20 In summary, where a proposal is in close proximity to a pond with potential to support GCN usually an eDNA survey would be required, however on this occasion due to the habitats present and the mitigation proposed in addition to that stated above, officers considered that the mitigation and protective measures would be adequate to safeguard the protected species and wildlife habitat. As such, the proposal would comply Policy CS9 of the adopted Core Strategy and Policy PSP19 of the adopted PSPP. Therefore there is no ecological objection to the proposal.

Transport

- 5.21 Residents' concerns are noted. The proposal is seeking permission for an extension to the existing tennis club's clubhouse and for a third tennis court with associated works. Associated works include hard surfacing, enlargement of existing terraces and the addition of an open sided pergola structure adjacent to the clubhouse proposal. From transportation and highway point of view, it is not considered that the proposal, given its scale, would result in any significant vehicular movements to and from this site and as such, there is no highway objection to this application.

Other matters

- 5.22 The residents' concerns regarding amenity, highway, trees and wildlife habitats have already addressed earlier in this report. Regarding the antisocial behaviours of the individuals, it would be the responsibility for the applicant, the policy and other community safety partner agencies to tackle the existing issues. While it is noted that the proposed extension and refurbished works would likely intensify the existing use, there is inadequate evidence or information to suggest that the proposal would result in significant anti-social behaviour. In addition, the proposed works are relatively modest in scale, it is considered that there would not be any substantiate reason to refuse the application.
- 5.23 With reference to the security issues, it would be the responsibility for the site or houses owners to consider if any additional security measures would be necessary. Nevertheless, a planning condition would be imposed to make sure that appropriate boundary fence to be installed to safeguard the character of the site.

Planning Balance

- 5.24 The proposal is to change of use of land from residential to tennis club (Class F2) to facilitate the creation of 1 no. tennis court, with the installation of 4 no. floodlights and associated hard and soft landscaping works, and the erection of a single storey extension to form enlarged clubhouse. Whilst the proposal would enhance the facilities of the existing sport club, officers note the residents' concerns in term of the potential impact upon the amenity. In this instance, subject to a number of planning conditions including the restriction of the hours of illuminance, it is considered that the residential amenity of the neighbouring properties would be adequately safeguarded to the extent that the proposal would not be detrimental to the living conditions of the neighbouring residents. As such, the proposal can be supported.
- 5.25 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.
- 5.26 With regards to the above this planning application is considered to have a neutral impact on equality.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in

accordance with the policies of the Development Plan, unless material considerations indicate otherwise.

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

7. RECOMMENDATION

- 7.1 That planning permission be granted subject to the following conditions:

CONDITIONS

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

Reason

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

2. The development shall proceed in strict accordance with the Mitigation Measures provided in the Ecological Appraisal Ecological Impact Assessment (Ethos, March 2022). This includes: One way reptile fencing to be installed prior to works commencing, and this follows a pre-works check of the area which is to be completed immediately prior to works starting. The trench created for the fencing shall not be left exposed overnight and the said fencing shall be installed on the same day as the trench is created. If this is not possible, a suitably qualified ecologist shall undertake a check of the trench prior to the installation of the fence. The removal of the fence shall be carried out under the supervision of a suitably qualified ecologist. Any trees to be removed shall be carried out outside of bird nesting season, where this is not possible a suitably qualified ecologist shall undertake a pre-works check immediately prior to removal, this is also applicable if the trees are to be removed outside the main GCN breeding season (March to June inclusive).

Reason

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

3. The proposed flood lighting hereby approved shall not be used during the main bat activity season (November - February) and all external lighting shall also be installed in accordance with these timings. Outside the bat activity season (March - October), the approved floodlighting shall not be used between the hours of 22:00 and 06:30. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reasons

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

(ii) To protect the amenity of the neighbouring residents and to accord with Policy PSP8 and PSP21 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

4. Prior to the first use of the proposed tennis court hereby approved, a plan detailing the location and specifications of ecological enhancements shall be submitted to and approved in writing by the Local Planning Authority. This includes, one Vivara open fronted nest box and one Vivara Pro Seville woodstone nest box or appropriate alternatives. Development shall be carried out in accordance with the approved details.

Reason

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

5. The proposed development hereby approved shall be carried out in accordance with the submitted Arboricultural Report dated July 2021 prepared by Silverback arboricultural consultancy Limited.

Reason

In the interests of the long term health of the trees, and to accord with Policy PSP1 and PSP2 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017) and Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013).

6. The submitted soft landscaping proposals, Drawing no. 1435-01 revision A, shall be undertaken in the first season following completion of the construction works.

Reason

In the interests of the landscape character of the site, and to accord with Policy PSP1 and PSP2 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017) and Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013).

7. The proposed level and retaining wall details hereby approved shall be carried out in accordance with the submitted drawing, 0007-P018, which was received by the Local Planning Authority on 9 August 2021.

Reason

In the interests of the landscape character of the site, and to accord with Policy PSP1 and PSP2 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan

(Adopted November 2017) and Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013).

8. Prior to the commencement of development on the proposed tennis court hereby approved, a plan indicating the positions, design, materials and type of boundary treatments to be erected shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed before the first of use of the tennis court. Development shall be carried out in accordance with the approved details.

Reason

In the interests of visual amenity and to protect the residential amenity of the neighbouring occupiers and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and Policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

9. The proposed development hereby approved shall be carried out in accordance with the following plans:

Site location plan, Drawing 0007-P00,
Existing Clubhouse floor plan and terrace, Drawing 0007-P008,
Existing Clubhouse Elevations, Drawing 0007-P009,
Proposed Clubhouse Elevations, Drawing 0007-P011, received on 22 February 2021

Proposed Flood Light Elevations, Drawing 0007-P016, received on 3 March 2021

Proposed Site Plan, Drawing 0007-P004A, received on 23 April 2021

Existing site plan (survey), Drawing 0007-P002A,
Existing and Proposed Site sections, Drawing 0007-P005B
Proposed Tennis Court plan, Drawing 0007-P006B
Proposed Clubhouse Floor plan, Drawing 0007-P010A
Existing Site plan, Drawing 0007-P014A
Proposed Site plan, Drawing 0007-P015A
Existing and Proposed Site levels, Drawing 0007-P018
Soft Landscaping Proposal, Drawing 1435-01 rev A, all received on 9 August 2021.

Reason

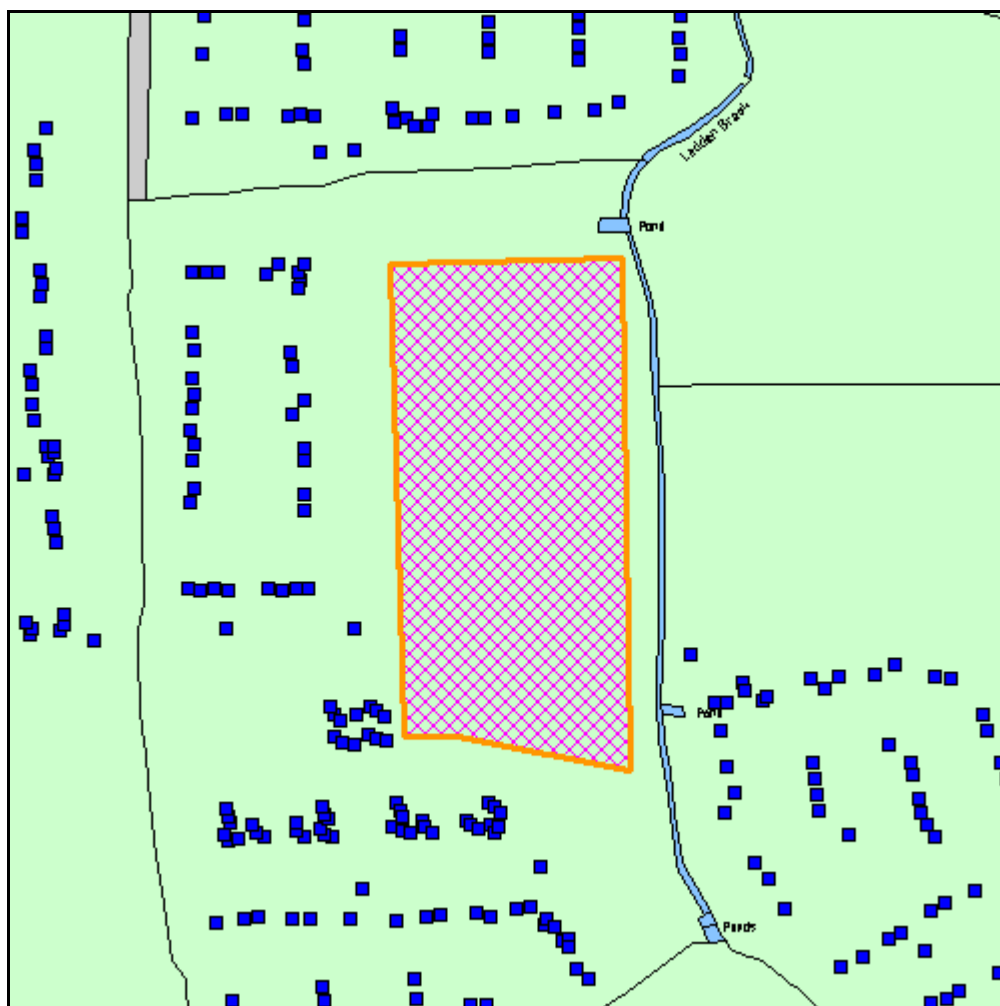
To define the approved development in planning terms.

Case Officer: Olivia Tresise

Authorising Officer: Suzanne D'Arcy

CIRCULATED SCHEDULE NO. 11/22 - 18th March 2022

App No.:	P21/04892/RM	Applicant:	Care UK And BDW Trading Ltd
Site:	Land At Ladden Garden Village Leechpool Way Yate South Gloucestershire BS37 7YX	Date Reg:	23rd July 2021
Proposal:	Erection of 75 no. bedroom care home (Class C2) with associated works, appearance, landscaping, layout, scale and access to be determined. (Approval of Reserved Matters to be read in conjunction with outline permission P19/6296/RVC (formerly PK12/1913/O), as amended by P21/02991/NMA).	Parish:	Yate Town Council
Map Ref:	371274 184287	Ward:	Yate North
Application Category:	Major	Target Date:	21st October 2021



© South Gloucestershire Council 2007. all rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2008.

N.T.S.

P21/04892/RM

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.

INTRODUCTION

This application appears on the circulated schedule because objections have been received from Yate Town Council and members of the public contrary to the officer recommendation

1. THE PROPOSAL

- 1.1 This application seeks reserved matters consent for the erection of a 75 bed care home. The reserved matters, which comprise appearance, layout, scale and landscaping should be read in conjunction with outline permission PK12/1913/O (as amended under applications PK15/5230/RVC, PK16/2449/RVC, PK17/0039/NMA, PK17/4826/RVC and P19/6296/RVC. This outline consent included details of access into the site off Randolph Avenue and Leechpool Way, with provision for access from Peg Hill. The description of development for the outline consent was changed to include a care home. This change was considered a Non Material Amendment and considered under application reference: P21/02991/NMA. The scheme benefits from an approved design code (North Yate New Neighbourhood Design Code Rev D-March 2017) and masterplan (Condition 39 Detailed Masterplan 4739-LDA-00-XX-DR-L-0013), as well as a number of framework plans approved at outline stage.
- 1.2 The application site comprises parcels PL15B in the North Yate New Neighbourhood. The site is on the corner of Dowsell Way and Fletcher Road and is bounded to the north and east by drainage infrastructure. The Local Centre currently under construction is located to the south of the site on the opposite side of Dowsell Way and completed residential development is located opposite the site on Fletcher Road.
- 1.3 Infrastructure such as the attenuation basins to the north and east and the primary and secondary roads already have consent under the approved infrastructure applications: PK17/4260/RM and PK18/1656/RM.
- 1.4 The proposed care home would have 75 bedrooms, communal rooms and facilities such as hairdressers. There is communal external open space and parking to the north of the building.

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
 - CS2 Green Infrastructure
 - CS4a Presumption in Favour of Sustainable Development
 - CS5 Location of Development
 - CS8 Improving Accessibility
 - CS9 Managing the Environment and Heritage

CS16 Housing Density
CS17 Housing Diversity
CS30 Yate and Chipping Sodbury
CS31 North Yate New Neighbourhood

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

PSP1 Local Distinctiveness
PSP2 Landscape
PSP3 Trees and Woodland
PSP6 Onsite Renewable and Low Carbon Energy
PSP8 Residential Amenity
PSP10 Active Travel Routes
PSP11 Transport Impact Management
PSP16 Parking Standards
PSP17 Heritage Assets and the Historic Environment
PSP19 Wider Biodiversity
PSP20 Flood Risk, Surface Water and Watercourse Management
PSP21 Environmental Pollution and Impacts
PSP37 Internal Space and Accessibility Standards for Affordable Dwellings
PSP43 Private Amenity Space Standards
PSP47 Site Allocations and Safeguarding

- 2.3 Supplementary Planning Guidance
The South Gloucestershire Design Checklist SPD (adopted)
Waste Collection: Guidance for New Developers SPD (adopted)
Extra Care and Affordable Housing SPD (adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 PK10/042/SCO, Scoping Opinion for a proposed mixed-use site approximately 104ha in North Yate.
- 3.2 PK12/1913/O, Mixed use development across 100.76 hectares of land comprising up to 2,450 new dwellings (Use Class C3), extra care housing (Use Class C2), 4.63 hectares of employment land (Use Class B1,B2) provision of a local centre, two primary schools, together with the supporting infrastructure and facilities including: new vehicular and pedestrian accesses, public open space and landscaping and proposal to underground the electricity powerlines. Outline application including access with all other matters reserved. Approved on 17th July 2015.
- 3.3 PK15/5230/RVC, Variation of condition 41 of Planning Permission PK12/1913/O to change the proposed wording which related to the need for an Energy Statement and energy targets. Approved on 6th May 2016.
- 3.4 PK16/2449/RVC, Variation of condition 12 attached to planning permission PK12/1913/O to allow for a programme for archaeological investigations across the site. Approved on 15th August 2016.
- 3.5 PK17/0039/NMA, Non-material amendment to Condition 19 of PK16/2449/RVC (Outline planning permission for the North Yate New Neighbourhood) to reflect the

updated phasing plan submitted pursuant to Condition 4. Approved on 23rd February 2017.

- 3.6 PK17/4826/RVC Variation of conditions 12, 19 and 41 attached to outline planning permission PK12/1913/O to rationalise and validate amendments to conditions previously granted under application reference numbers PK15/5230/RVC, PK16/2449/RVC, and PK17/0039/NMA. Permitted 27th November 2017
- 3.7 P19/6296/RVC - Variation of condition 19 attached to outline planning permission PK12/1913/O (as amended under applications PK15/5230/RVC, PK16/2449/RVC, PK17/0039/NMA and PK17/4826/RVC) to amend the wording of the condition (19) to "There shall be no commencement of Phase 5 of the development as shown on the Phasing Plan submitted pursuant to condition 4, until such time as the internal link road linking Randolph Avenue, Leechpool Way and the access from the Peg Hill development (as approved by planning permission PK12/0429/O) has been implemented and is operational. Construction use and residential use are deemed operational."
- 3.8 PK18/1656/RM, Approval of remaining site wide infrastructure including primary and secondary streets, utilities, services, foul and surface water drainage, hard and soft landscaping in relation to Phase 0 (Reserved Matters application to be read in conjunction with outline planning permission PK12/1913/O) amended by PK17/4826/RVC in regards to landscaping, appearance, layout and scale). Permitted 5th December 2018.
- 3.9 PK17/4260/RM, Laying out of infrastructure (Phase 0) including primary and secondary streets, utilities, services, foul and surface water drainage, hard and soft landscaping. (Approval of reserved matters including appearance, landscaping layout and scale to be read in conjunction with Outline Planning Permission PK12/1913/O superseded by PK16/2449/RVC). Permitted 21st May 2018.
- 3.10 P21/02991/NMA, Non material amendment to P19/6296/RVC to change the description of development as stated in outline planning permission reference PK12/1913/O and subsumed into outline planning permissions reference PK15/5230/RVC, PK16/2449/RVC, PK17/4826/RVC and P19/6296/RVC to Mixed use development across 100.76 hectares of land comprising up to 2,450 new dwellings (Use Class C3), residential care home or extra care housing (Use Class C2), 4.63 hectares of employment land (Use Class B1,B2) provision of a local centre, two primary schools, together with the supporting infrastructure and facilities including new vehicular and pedestrian accesses, public open space and landscaping and proposal to underground the electricity powerlines. Permitted 02nd July 2021.
- 3.11 Reserved matters applications for neighbouring residential and local centre parcels.

4. CONSULTATION RESPONSES

- 4.1 Yate Town Council – Object
Parking provision for staff
Parking provision for visitors
32 parking spaces should be provided

Concerned that options other than using private car would not be that attractive to staff and visitors due to poor provision and maintenance of cycle infrastructure and public transport

Concern over height and massing of the building and proximity of wings to the street and their impact on the street scene and neighbours opposite

Likely impact on local healthcare provision

No new health care provision in the wider allocation

Earlier comments –

Lack of parking

No safe cycle routes

No on street parking available to accommodate overflow parking

Front of site too close to local centre

Concerned that there will be conflict between the amenities of residents of the care home and noise from the local centre and outdoor activities.

Height and massing will dominate the street

Drawings do not show relationship to 2.5 storey houses opposite

Two wings close to the pavement with no room for landscaping

Finished floor levels 30cm above finished floor levels

- 4.2 Ecology Officer – No objection but requested additional information in relation to lighting. Additional information provided.
- 4.3 Transportation Officer – The comments from the transportation officer provide a detailed explanation for the agreement of parking provision below maximum standards as well as setting out that bus services in the area will be improved.
- 4.4 Avon Fire and Rescue Requests that fire hydrants are provided within the scheme, as well as a sum of money to be secured for the installation and maintenance of each fire hydrant.
- 4.5 Public Art - No comment in relation to this site. Barratts are implementing the public art plan for the whole North Yate new neighbourhood.
- 4.6 Drainage Officer - No objection following revisions to ensure landscape and drainage plans aligned. No objection to updated strategy.
- 4.7 Affordable Housing Officer – Confirmed as C2 use no affordable housing is required
- 4.8 Tree Officer – No objection
- 4.9 Landscape Officer: - Suggested improvements to planting which were incorporated in the revised scheme submitted. Was also involved in discussions to improve the treatment of level changes at the boundary of the site.
- 4.10 Urban Design Officer Offers the following comments; - First impressions positive but requested improvements to elevations facing Fletcher Road, further detail on materials, soft landscaping to break up hard landscaping and further details in relation to boundary treatment. Requested clarification on whether south facing windows may require features to prevent over heating. Pleased that areas for growing food included. Improvements included in revised plans to address Urban Design comments.

- 4.11 Public Open Space Officer – No comment as no open space within the development
- 4.12 Crime Prevention Officer – Highlighted a number of issues for the applicant to address and advises the application is not acceptable in its current format. Following revised and additional information the scheme is considered to comply appropriately with the crime prevention through environmental design principles.
- 4.13 Low Carbon Projects/Heat Networks Consultant – Further information required to demonstrate compliance with BREEAM 'Very Good'. Disappointed further opportunities not explored. Further information provided to demonstrate compliance with conditions attached to the outline consent.
- 4.14 Environment Agency – Recommended condition for finished floor levels. This is already secured in the outline permission. Recommended two informatives.
- 4.15 Travel Plan Officer: The submitted Travel Plan is considered to be acceptable following an update to reference Yate Train Station.

Other Representations

- 4.14 18 letters received from neighbouring occupiers commenting on the following summarised grounds:
 - Trees should be planted for each new residential bedroom
 - Increased traffic
 - Quality of accommodation for the elderly – small rooms, small windows, poor outlook.
 - Pleased to see level access from ground floor rooms to outdoor space
 - Potential conflict between trees and outlook of residents
 - Disturbance during construction
 - Strain on local services
 - No objection
 - The development of the site has altered the character of the estate
 - As it expands greater issues in relation to traffic, parking and antisocial behaviour
 - Development has ruined lives of residents in Brimsham Park
 - Development should be considered elsewhere and on brownfield sites.
 - We should not be developing on greenfield sites
 - Initial plans for Ladden Garden Village included a GP but this requirement has been removed.
 - The proposal will increase pressure on existing stretched services
 - Use of private car more attractive to shift workers as bus services less frequent and travelling in the dark.
 - Reference to save cycling routes is unfounded as none in the estate
 - Development needs more work to break up facing walls
 - Site is too small for scale of development proposed.
 - Impact on Ecology
 - Poor design
 - Where will residents shop?
 - Street lighting
 - Is there a need for another care home and so far out of Yate and Chipping Sodbury?
 - Shops, schools and community centre would provide a centre to the estate.
 - What is the point in objecting when the Council will do exactly what they want

No reply received
Continuous problems with construction traffic
How much green belt land will the Council sell to private enterprise for profit
Impact on neighbours from overspill parking
Close to an area likely to flood
Shame that only one shop now proposed in local centre
A summary document outlining changes would be useful

5. ANALYSIS OF PROPOSAL

5.1 Principle of development

North Yate New Neighbourhood is a major development site allocated in the Core Strategy, under policy CS31. Outline planning permission has been granted on the site for up to 2450 dwellings, 4.63 hectares of employment land, a local centre, two primary schools and associated infrastructure. Therefore, the principle for development of this land is well established. The scheme originally made specific provision for Extra Care Housing but the description was amended to allow for the provision of a Care Home or Extra Care Housing under application ref: P21/02991/NMA. The principle of the development of a Care Home is considered acceptable and provides housing diversity within this strategic site by providing specialist housing for the elderly in line with Policy CS17. The site access is already in place and the remaining reserved matters to be considered in this application are, layout, landscaping, scale and appearance.

This Reserved Matters application is considered an EIA application as it is a subsequent application in respect of EIA development. It is considered that the proposal is within the scope of the original Environmental Statement and consideration of the reserved matters below sets out how the scheme complies with the principles and parameters secured in the outline permission to avoid and mitigate significant environmental impacts. There are considered to be no new significant effects.

5.2 Layout, landscaping, scale and appearance.

5.2.1 The approved Masterplan and Design Code set out a number of Framework Plans and the proposed form of development is largely consistent with these. The Care Home falls within the residential use specified for the parcel in the Land Use Framework and is within the specified height range set out in the Building Heights Framework. The Urban Structure Framework suggested a strong building line to the south, east and west which the proposal complies with. The proposal responds to the approved Green Infrastructure Framework, Blue Infrastructure Network and the Access and Movement Framework approved under separate Reserved Matters approvals. Due to the use of the building and requirement for security a path is not proposed on the northern and eastern boundary as shown on the Access and Movement Framework Plan. This deviation from the approved framework is considered to be fully justified for design reasons. Density is expressed in dwellings per hectare in the Density Framework Plan and as such cannot be directly applied to the care home. However, it is considered that by complying with the other parameters a building of an appropriate scale is proposed.

- 5.2.1 The Design Code for the parcel specifies a mix of three storey apartments, 2.5 storey semi detached and 2.5 storey houses with options of low wall and railing or hedge for the boundary treatment. The location of extra care housing or care home was not indicated within the Masterplan and as such a degree of flexibility needs to be applied having regard to the operational needs of this particular type of housing. As a single two storey building with a high roof it is considered that the proposed building is in keeping with the spirit of the Code and presents a strong building line to the Primary Routes and a key building opposite the local centre as envisaged by the Code.
- 5.2.3 In addition to complying with the principle and parameters secured in the outline consent the proposal must also comply with the relevant policies contained within the Development Plan.
- 5.2.4 Core Strategy Policy CS1 seeks to ensure that new development is of the highest possible standard of design and is inter alia of an appropriate scale, form, appearance and layout that respects and enhances the character, distinctiveness and amenity of both the site and its context. The site forms part of the Yate Meadows character area. This area is intended to have the strongest visual and physical relationship to the wider countryside. It is characterised by contiguous green space and contains extensive ponds, swales and recessed flood attenuation areas. The parcels surrounding the application site have approved Reserved Matters and have either been implemented or under construction and this evolving character provides a further point of reference.
- 5.2.5 The application proposes the erection of a Care Home on a relatively small development parcel. The proposed building, landscaping and parking would occupy the whole of the site. It is considered that the layout responds to the site context with parking to the north and a H shaped building that provides a strong frontage to Dowsell Way and a staggered elevation to Fletcher Road with room for parking and landscaping. The parking included within the layout provides 27 spaces and highway officers have raised no objection to the level of parking. Parking is discussed in more detail later in this report. It is considered that the proposal respects and enhances the character, distinctiveness and amenity of the site and its context and will be a positive addition to the character of this part of Yate Meadows in accordance with Core Policy CS1.
- 5.2.6 Parking provision was raised as an issue in many of the neighbour letters received and in the response submitted by Yate Town Council. The justification for accepting the proposed level of parking is clearly set out in the consultation response prepared by the Council's Transportation Officer. In summary, there are no adopted parking standards for this type of residential use but historic standards are used as guidance. For this type of use maximum standards rather than minimum were applied. The amount of parking proposed by the applicants is based on evidence from other similar care homes operated by the applicant and whilst it is currently a 10 minute walk to a bus stop further public transport infrastructure is planned for the Ladden Garden Village. Therefore, the amount of parking proposed is considered to be adequate to serve the proposed development and would not have an unacceptable impact on highway safety. The level of parking shown can be secured by condition. The site is well situated for access to the Local Centre and planned improvements to public transport. It is considered that the use, traffic demands and parking provision are in accordance with Policy CS8, PSP16 and the NPPF.

- 5.2.7 The layout does not give rise to residential amenity concerns and although close to the boundary in places allows for appropriate separation distances and would not result in loss of outlook, privacy etc for neighbouring occupiers in accordance with PSP8. Future residents of the proposed care home would also be afforded adequate amenity in accordance with amenity standards adhered to by the applicants. The proximity of the Care Home to the local centre has been raised as an issue but these are considered to be compatible uses such that the uses in the local centre would not have an unacceptable adverse impact on the amenities of future occupants of the Care Home though noise and disturbance in accordance with PSP21.
- 5.2.8 It is considered that the proposed layout responds to the site context and provides an appropriate ratio of built development to parking and landscaping such that it sits comfortably within the site and is considered to be in accordance with CS1.
- 5.2.9 Strategic landscaping around the site was approved under a separate reserved matters application. This application proposes on site hard and soft landscaping. The proposed landscaping integrates the site into its setting. Hard landscaping is in high quality materials. It is considered that the on plot landscaping is in accordance with Policy PSP 2. The application has been amended to provide a more natural transition to the surrounding area reducing but not eliminating the need for retaining walls. It is considered that the relationship to the surrounding topography would not appear as incongruous or have an adverse impact on visual amenity in accordance with Policy CS1 and PSP2.
- 5.2.10 The building due to its proposed use is in one large block. It is a two storey building but, as the sections provided show, is comparable in height to the two and a half storey residential buildings opposite. It is considered that the scale of the building is in keeping with the character of the area in accordance with Policy CS1 and would not have an adverse impact on residential amenity in accordance with Policy PSP8.
- 5.2.11 The appearance of the building has been improved by adding additional windows to the Fletcher Road elevations and the design is considered to be in keeping with the character and appearance of the area utilising similar materials in accordance with Policy CS1. Boundary treatment details are considered to be in keeping with the character of the area whilst also taking account of the needs of the sites occupants with regards to security and personal safety.
- 5.2.12 Conditions will be imposed to require the submission of additional detailed design of the architectural features and samples of the materials.

5.3 Other.

- 5.3.1 Highway safety: There are sufficient footpaths along the primary and secondary streets, which have been approved as part of the infrastructure application and the site access is safe providing adequate visibility. It is considered that the application would not have an adverse impact on highway safety. The NPPF states at paragraph 111 that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

- 5.3.2 Drainage and flood risk: The information submitted alongside the application complies with the wider Surface Water Drainage Masterplan/Strategy and this indicated no flooding above ground in the 1in30year storms and no flooding of buildings or off-site in 1in100year events with an allowance for climate change. The proposed development would therefore have adequate drainage and would not result in an increase in flood risk. The finished floor level of the Care Home is set 300mm above the 1 in 100 modelled flood level plus climate change. This is a condition of the outline consent and applicable to all uses in all development parcels.
- 5.3.3 Ecology: The strategies submitted for the site demonstrate compliance with the site wide strategies approved for the wider development and are considered to be acceptable. Lighting proposals have been amended to address the comments made by the council's ecologist. Therefore, the proposal is considered to be in accordance with Policy CS2.
- 5.3.4 Climate change: An energy statement and BREEAM assessment was submitted in support of the scheme demonstrating that the final design of the building is targeting a BREEAM very good rating which is in compliance with conditions attached to the outline permission. The council encouraged the applicant to consider alternative technologies; however, the applicant has not acceded to this request.. Notwithstanding this, the proposal meets the requirements of the outline energy condition and policy CS1 of the Core Strategy; therefore, there is no objection on this basis.
- 5.3.5 Consideration of likely impact on Equalities: 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 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 quality 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 a neutral impact as equality matters have duly been considered in planning policy.

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 proposed layout, scale, appearance and landscaping of this site are considered to respond positively to the site context, masterplan and design codes to deliver a Care Home that will provide 75 beds for which there is a demonstrated need. Parking provision for the proposed use is considered to be acceptable and any perceived harm would not outweigh the benefits of scheme.

6.3 The recommendation to approve 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 Reserved matters consent is GRANTED subject to the following conditions.

CONDITIONS

1. Prior to the construction of development above Damp Proof Course (DPC) level, samples of all external facing materials shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

Reason: To ensure an adequate standard of external appearance and to accord with policy CS1 of the South Gloucestershire Core Strategy (adopted) December 2013.

2. Prior to the construction of development above Damp Proof Course (DPC) level, sample panels of stonework, demonstrating the colour, texture and pointing are to be erected on site and approved in writing by the Local Planning Authority . The approved sample panel shall be kept on site for reference until the stonework is complete. Development shall be carried out in accordance with the agreed sample.

Reason: To ensure an adequate standard of external appearance and to accord with policy CS1 of the South Gloucestershire Core Strategy (adopted) December 2013.

4. Prior to the construction of development above Damp Proof Course (DPC) level, a sample panel of the render indicating colours and texture, shall be erected on site and approved in writing by the Local Planning Authority. The approved sample panel shall be kept on site for reference until the development is complete. Development shall be carried out in accordance with the agreed sample.

Reason: To ensure an adequate standard of external appearance and to accord with policy CS1 of the South Gloucestershire Core Strategy (adopted) December 2013

5. Prior to the construction of the following items, the design and details including materials and finishes relating to that item shall be submitted to and approved in writing by the local planning authority: 1. Eaves, verges and ridges 2. All windows (including cill, reveal and lintels) 3. All external door hoods, architraves, canopies and porches 4. Dormers 5. Weatherboard cladding relative to masonry external leaf/window frames. The design details shall be accompanied by elevations and section drawings to a minimum scale of 1:20 together with cross section profiles. The scheme shall be implemented strictly in accordance with the approved details.

Reason: To ensure an adequate standard of external appearance and to accord with policy CS1 of the South Gloucestershire Core Strategy (adopted) December 2013.

6. Prior to the construction of the development above Damp Proof Course, a plan indicating the positions, design, materials and type of boundary treatment(s) to be erected shall be submitted to the Local Planning Authority for approval. The boundary treatment shall be completed before first occupation or in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure an adequate standard of external appearance and to accord with policy CS1 of the South Gloucestershire Core Strategy (adopted) December 2013.

7. Development shall be carried out in accordance with the approved lighting details within the submitted Exterior Lighting Strategy and External Detailed Lighting Design (November 2021 Rev C), received 18th November 2021. The works shall be carried out prior to first occupation of the development hereby approved.

Reason: To ensure that the lighting scheme does not adversely impact on the landscaping scheme, and to ensure the health and appearance of vegetation in the interest of the character and appearance of the area and to accord with policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013; and policy PSP2 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017.

8. The bin storage shown on the drawings hereby approved shall be provided before the care home is first occupied, and thereafter retained for that purpose.

Reason: In the interest of the amenities of the site and to accord with policy CS1 of the South Gloucestershire Core Strategy (adopted) December 2013.

9. The care home shall not be occupied until fire hydrants have been installed at the site in accordance with the locations indicated by the Avon Fire and Rescue response received on 5th January 2022 unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of the amenities of the site and to accord with policy CS1 of the South Gloucestershire Core Strategy (adopted) December 2013.

10. The biodiversity enhancements set out in Chapter 5 of the Landscape and Ecology - Design, Specification and Management Plan (February 2022 V4), received 10th February 2022 shall be implemented and maintained in accordance with the approved details for the duration of the development.

Reason: To ensure biodiversity enhancements are secured to accord with policy PSP19 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017.

11. The approved Travel Plan (February 2022 V1.1), received 19th February 2022 shall be implemented in accordance with the agreed details. The results of the implementation and monitoring shall be made available to the Local Planning Authority on request, together with any changes to the plan arising from those results.

Reason: To promote sustainable forms of transport to accord with policy PSP10 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017.

12. The development hereby approved shall achieve the BREEAM's 'Very Good' Standard. Within 3 months of being first occupied or brought into use, a post construction stage certificate certifying that the 'Very Good' standard has been achieved shall be issued and submitted to the local planning authority for its written approval.

Reason: To help reduce the impacts of climate change PSP6 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017.

13. The development hereby approved shall achieve the proposed targets and performance duties as outlined in the applicant's submitted Energy Statement (26 May 2021), received 12 July 2021, in conjunction with Services Rebuttal Statement (8 October 2021).
Reason: To help reduce the impacts of climate change PSP6 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017.
14. The development shall not be first occupied until surface and foul water drainage has been constructed in accordance with the approved scheme set out in Surface and Foul Water Drainage Surface Strategy (February 2022V3) , received 10th February 2022.
Reason: To ensure the site is adequately drained and served by adequate infrastructure.
15. The parking and cycle parking facilities shown on the approved plans shall be provided prior to the first occupation of the care home; and thereafter retained for that purpose.
Reason: To ensure adequate off street parking is provided to serve the development and to promote sustainable forms of transport to accord with policy PSP10 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017.
16. Development shall be carried out and maintained in accordance with the approved Landscape and Ecology - Design, Specification and Management Plan (February 2022 V4) , received 10th February 2022.
Reason: In the interest of the amenities of the site and to accord with policy CS1 of the South Gloucestershire Core Strategy (adopted) December 2013.
17. The development hereby approved shall carried out in strict accordance with the following plans:
 - Site Location Plan (4988 LP01), received 12th July 2021
 - Existing Site Plan (4988 - PL01 A), received 07 December 2021
 - Proposed Site Plan (4988- PL02AB), received 10th February 2022
 - Proposed Ground Floor Plan (4988 - PL03K), received 17 November 2021
 - Proposed First Floor Plan (4988 - PL04J), received 17 November 2021
 - Proposed Roof Plan (4988-PL05D), received 12th July 2021
 - Proposed Elevations Sheet 1 (4988 - PL06J), received 10th February 2022
 - Proposed Elevations Sheet 2 (4988 - PL07H), received 10th February 2022
 - Proposed Elevations Sheet 3 (4988 - PL08D), received 10th February 2022
 - Proposed Site Sectional Elevations (4988 - PL13F), received 10th February 2022
 - Boundary Treatment Plan (4988 - PL14D), received 10th February 2022
 - Proposed Street Elevations Sheet 1 (4988 - PL15E), received 10th February 2022
 - Proposed Street Elevations Sheet 2 (4988 - PL16D), received 10th February 2022
 - Proposed Refuse Store (4988 - PL11), received 12th July 2021
 - Landscape General Arrangement (402.40000.00001-16_101 Rev 11) , received 10th February 2022
 - Landscape Softworks Plan (402.40000.00019.201 P07), received 09TH March 2022
 - Landscape Hardworks Plan (402.40000.00019.301 P06), received 09TH March 2022
 - Exterior Lighting Plan (C9241-EX-01 Rev D), received 17th November 2021

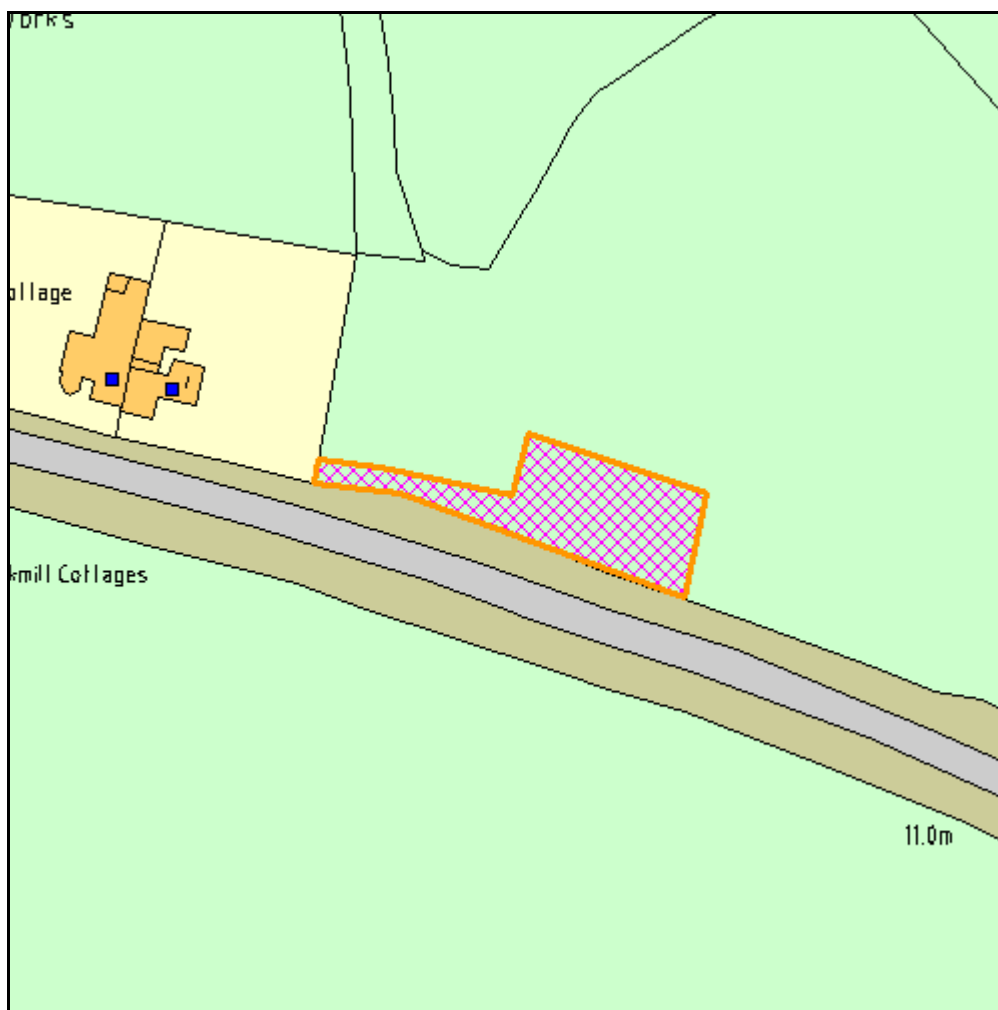
- Proposed Drainage Layout (402.40000.00001.16.001 P4), received 09TH March 2022
 - Drainage Details 1 of 2 (402.40000.00001-16-002 P0), received 09TH March 2022
 - Drainage Details 2 of 2 (402.40000.00001-16-003 P0), received 09TH March 2022
 - Drainage Schedules 1 (402.40000.00001-16-004 P1), received 09TH March 2022
 - Drainage Schedules 2 (402.40000.00001-16-005 P1), received 09TH March 2022
- Reason: For the avoidance of doubt.

Case Officer: Eileen Medlin

Authorising Officer: Jonathan Ryan

CIRCULATED SCHEDULE NO. 11/22 - 18th March 2022

App No.:	P21/06850/F	Applicant:	E J Garrett & Partners
Site:	Parkmill Farm Oldbury Lane Thornbury South Gloucestershire BS35 1RD	Date Reg:	28th October 2021
Proposal:	Erection of 1no. agricultural workers dwelling and 1no detached garage, with parking and associated works.	Parish:	Thornbury Town Council
Map Ref:	362801 191778	Ward:	Thornbury
Application Category:	Minor	Target Date:	23rd December 2021



© South Gloucestershire Council 2007.all rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2008.

N.T.S.

P21/06850/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

The following report appears on the Circulated Schedule list following an objection from the Parish.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of 1no. agricultural workers dwelling and 1no detached garage, with parking and associated works.
- 1.2 This application follows outline permission for a rural worker's dwelling granted in September 2020 which considered access and layout. This current application has been submitted as a full application as details of layout and design elements have changed, specifically a. detached (as opposed to integrated) garage and a front gable to the house.
- 1.3 During the course of the application additional details were requested regarding the proposed drainage system.

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 Environment and Heritage
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS34	Rural Areas

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP8	Residential Amenity
PSP16	Parking Standards
PSP40	Residential Development in the Countryside
PSP41	Rural Workers Dwellings
PSP43	Residential Amenity Space Standards

- 2.3 Supplementary Planning Guidance
Trees on Development Sites SPG (Adopted) Nov. 2005.
South Gloucestershire Household Design (Adopted) 2021)
South Gloucestershire SPD: Residential Parking Standards (Adopted) 2013
Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide
SPD – (Adopted) March 2015
South Gloucestershire Council Waste Collection: guidance for new
developments SPD (Adopted) Jan 2015

3. RELEVANT PLANNING HISTORY

- 3.1 P19/16956/O Erection of 1 no. agricultural workers dwelling (Outline)
with access and layout to be determined, all other matters reserved.
Approved 8.9.20

4. CONSULTATION RESPONSES

- 4.1 Thornbury Town Council
Objection: outside the development boundary and there is no clear
demonstrable need for use as an agricultural worker's dwelling. The materials
are also out of character and not suitable for the location.

Consultees

- 4.2 Sustainable Transport
No objection subject to conditions
- 4.3 Flood and Risk Management Team
No objection subject to informative.

Other Representations

- 4.4 Local Residents
None received

5. ANALYSIS OF PROPOSAL

- 5.1 The application is for the erection of 1no. rural worker's dwelling, detached
garage and works.
- 5.2 Principle of Development

The application stand to be assessed against the above listed policies and all
material considerations. Of particular relevance is the extant outline planning
permission P19/16956/O which examined the principle of development and
found that the matter of functional need and financial viability were acceptable.
This application will therefore summarise that position but discuss the overall
design, scale, massing, appearance, parking, ecology and landscape in more
detail.

5.3 Local Plan Policy PSP41 relating to Rural Workers Dwellings states the following:

Outside of the defined settlement boundaries, the erection of dwellings for permanent workers in agriculture, forestry or other rural businesses will be acceptable, where the applicant can demonstrate that:

1) the dwelling is required to satisfy a clearly established existing functional need to live at the place of work or within the immediate area, which can't be met within the defined settlement boundaries; and

2) the rural business has been established for at least three years, has been profitable for at least one of them, is financially sound, and has a clear prospect of remaining so; and

3) the need could not be fulfilled by another existing dwelling or building capable of conversion on the unit, or any other accommodation or building capable of conversion in the area, which is suitable and available for occupation by the worker concerned; and

4) the proposal(s) is satisfactorily sited in relation to the rural business and wherever possible, is sited within a hamlet or existing group of buildings. In the case of new businesses, where the need and location have been established, but permanence cannot be demonstrated, the consideration will be given to temporary accommodation, whilst the business establishes.

5.4 Functional and Financial need:

Given that these tests were undertaken with the outline application in 2020 and on the basis that this application is for the appearance of the house, the Officer's assessment at the time can be copied here for the sake of clarity:

5.5 *An agricultural assessment was carried out by Acorus on behalf of the Council which found that this 419 hectare holding centres around Oldbury is a sizeable family farming activity of both 720 cattle (400 existing dairy – expanding to 450, 139 heifers due to enter the herd by March 2021 and young beef cattle reared to 5 months) and 2000 pigs (rising to 4000 following planning permission. As such it is clear that the holding is undergoing expansion and succession and therefore on balance Acorus accepted a functional need for a farm workers dwelling to be genuine and essential.*

5.6 *The farm currently runs on 5 full time and 3 part time staff between the businesses whilst 7.2 full time equivalent is calculated through the Agricultural Budgeting and Costings Book 2018. This would rise to 10.1 following expansion. As such it is clear that the farm justifies a further house financially in the long term.*

5.7 *Financial evidence of the business into the future the evidence suggests that the business is economically viable and that there is a clear prospect of it remaining so. As such the financial test is satisfied.*

5.8 *A functional need can exist where there is a requirement for a worker to be on hand day and night in case the housed animals require essential care at short notice i.e. on welfare grounds. Given the nature of the farming activities concerned the consultant and your officers are content that the functional test is satisfied.*

- 5.9 *Noting the scale in particular of the organic dairy, the consultant is content there is a need for a further dwelling to support the dairy business. However, this application is in effect seeking planning permission for a third dwelling on the holding in addition to Park Mill Farmhouse (to be occupied by James Garrett as he succeeds his parents to run the pig unit) and Little Mill (herdsman's bungalow). Therefore the consultant also assessed the functional needs of the business in its entirety and concluded that the sizable farming business undergoing expansion and succession resulted in a need which is genuine and essential. The consultant however wonders if this is the best site for it as the pig enterprise expansion has yet to materialise and the more distant relationship between the key farm buildings and the site. There were however no other suitable properties for sale locally and no buildings available for conversion. Whilst the consultant considered that the proposed site is too remote from the livestock officers consider that to move the house to the other side of the road, onto the farm track, as suggested by our Consultant, would make little practical difference and have more impact on the countryside. The agent has confirmed that Park Mill Farmhouse remains within the farm business and is within sight and sound of all the livestock buildings that are used and as such that property can be considered within sight and sound of the key buildings.*
- 5.10 *As such the proposal passes the tests set out in PSP41 and qualifies as a farm workers dwelling.*
- 5.11 Design:
The proposal is for a family dwelling with garage and farm office space. Materials would be sandstone coloured render elevations under a 'Redland 50' brown tiled roof with a stone gable extension to the front elevation.
- 5.12 Comments from the Parish are noted with regards to inappropriate materials but the closest cottage to the west has had a large rendered extension added to the original stone dwelling. Given stone is referenced on the new build there can be no objection to the use of these materials.
- 5.13 Details included with the application state the dwelling would have a footprint of 10.5m x 6.5m with a single storey 5m x 3.5m side extension and a 4m x 1m front gable to add character and symmetry reflecting the adjacent cottages. The dwelling will have a ridge height of 7m.
- 5.14 It is noted that the overall floor area is as per the outline consent although with a bias towards ground floor.
- 5.15 The additional gable element and the increase in the overall size of the dwelling given the removal of the integral garage is considered acceptable.
- 5.16 The application now proposes a separate garage/office which would have a footprint of 10m x 5m and a ridge height of 5m. Materials for this structure are stated as being a steel frame clad in dark green box profile cladding. Details give the reason for it having the appearance of an agricultural building this as being commensurate with the surroundings.

- 5.17 Given the above the proposal is considered to accord with design policies and can be recommended for approval.
- 5.18 Residential amenity:
The application site is situated close to two other houses along Oldbury Lane but sufficiently distance so as to prevent harm by reason of overlooking or overbearing nature of development. Ample space on the plot will exist for residential amenity of the occupants and the plot will also accommodate car parking.
- 5.19 Sustainable transport:
The proposed agricultural workers dwelling would be accessed from an existing track access onto Oldbury Lane where good visibility exists. Whilst there is no transportation objection in principle to this proposal conditions are to be attached to the decision notice regarding cycle and car parking as well as an electric vehicle charging point.
- 5.20 Ecology:
It is noted that the approved application did not provide any ecological information. Recently South Gloucestershire Council has announced a climate emergency and biodiversity has become a high priority for the government measures for which an holistic approach is expected in all planning applications. As such, it is considered that conditions requiring a sensitive lighting design and ecological enhancements would be appropriate.
- 5.21 Landscape:
Details submitted with the application indicate landscaping proposals are for a native mix, the specification of which will be:
Blackthorn / Field Maple / Guelder Rose/ Hawthorn (50%)/ Hazel / Holly planted in 2 rows - 0.5m apart.
- 5.22 Plans provided are quite roughly drawn and as such a condition is to be attached to the decision notice to ensure a good quality scheme that includes hard surfacing proposals.
- 5.23 Flood zone
- 5.24 The previous application included a flood risk statement noting that the house and residential curtilage would be within flood zone 1 but a small part of the access drive in flood zone 2. At the time Officers conducted a sequential test and exception test as per the NPPF.
- 5.25 It was concluded that the as the house and residential curtilage would be located in flood zone one and not at risk of flooding no sequential assessment was required. Furthermore, as the house would be associated with the nearby farm its modest impact on flood zone 2 was not cause for sufficient concern to justify the refusal of the application. In addition it was considered likely that future occupants would have access to tractors or four-wheel drive vehicles should they need to enter or exit the site during a flood. The proposal was deemed to pass the sequential and exception tests.

- 5.26 Details of the proposed Sewage Treatment Plant have been submitted, and have been accepted.
- 5.27 Impact on Equalities
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.
- 5.28 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.
- 5.29 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.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 It is recommended that 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 occupation of the dwelling shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependants.

Reason

The site is not in an area intended for development and the development has been permitted solely because it is required to accommodate a person working in agriculture or forestry, to accord with advice in policy CS5 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, policy PSP41 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017 and the National Planning Policy Framework.

3. The dwelling shall not be occupied until 2no. car parking spaces, a 7Kw 32 Amp electric vehicle charging point and two covered and secure cycle parking spaces have been provided.

Reason

In the interest of highway safety, to promote sustainable transport choices and to accord with policies CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and PSP11 and PSP16 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017.

4. Prior to the commencement of development a programme of archaeological investigation and recording (evaluation) for the site shall be submitted to and approved by the Local Planning Authority. Thereafter, the approved programme shall be implemented in all respects.

Reason

In order to ensure the adequate protection of archaeological remains, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework. This is required prior to commencement to ensure that archaeology is not disturbed before an agreed watching brief is in place.

5. If additional external lighting is required, prior to occupation, a "lighting design strategy for biodiversity" for the boundary features and any native planting shall be submitted to and approved in writing by the local planning authority. The strategy shall:
 - Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - Show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority

Reason

To protect against harm to protected species and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP19 of the Policies Sites and Places DPD (Adopted) November 2017; and the National Planning Policy Framework.

6. Prior to occupation, details of ecological enhancements are to be submitted to the local authority. These include, but are not limited to, bat and bird boxes.

Reason

To protect against harm to protected species and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP19 of the Policies Sites and Places DPD (Adopted) November 2017; and the National Planning Policy Framework.

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

Reason

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

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

Reason

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

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

23 Oct 2021	GARAGE/STORE - PROPOSED ELEVATIONS
23 Oct 2021	PROPOSED EAST & WEST ELEVATIONS
23 Oct 2021	PROPOSED FLOOR PLANS
23 Oct 2021	PROPOSED NORTH & SOUTH ELEVATIONS
28 Oct 2021	EXISTING BLOCK PLAN
28 Oct 2021	LOCATION PLAN
28 Oct 2021	PROPOSED SITE PLAN
18 Feb 2022	PACKAGE TREATMENT SYSTEM AND UNDERGROUND PIPE

Reason

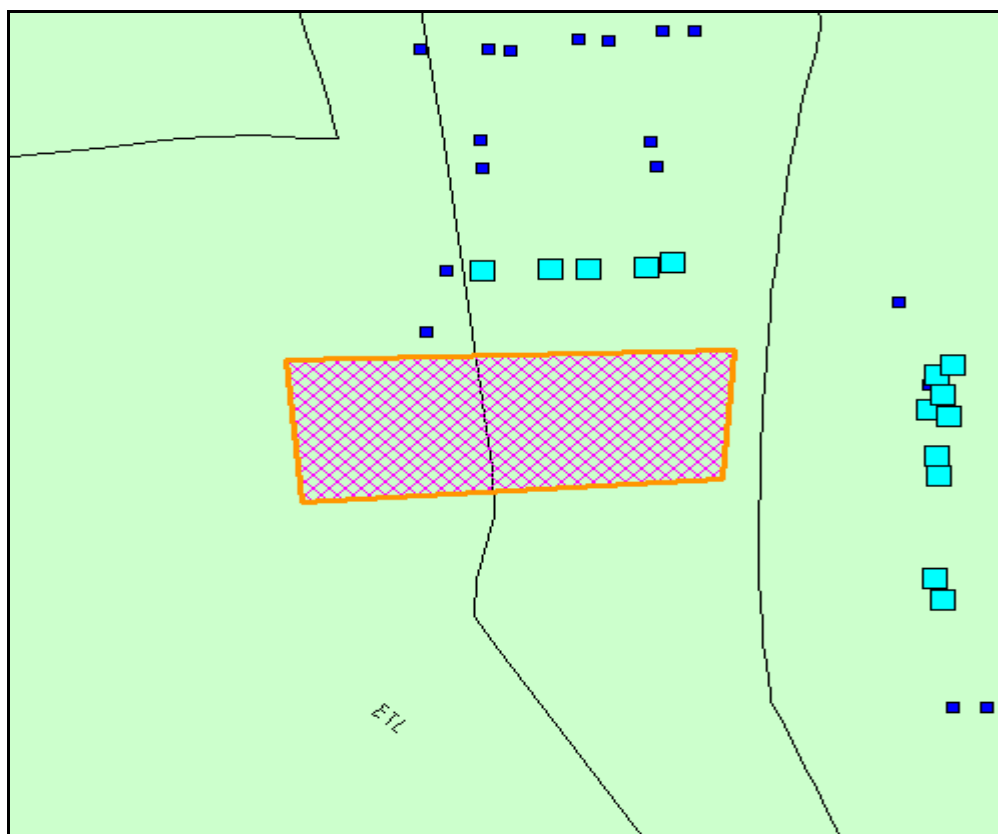
To define the terms and extent of the permission.

Case Officer: Rae Mepham

Authorising Officer: Suzanne D'Arcy

CIRCULATED SCHEDULE NO. 11/22 - 18th March 2022

App No.:	P21/07632/RM	Applicant:	BDW TRADING LTD (BARRATT BRISTOL)
Site:	Parcels PL6 North North Yate South Gloucestershire	Date Reg:	15th December 2021
Proposal:	Erection of 8no. dwellings and garaging/ parking, with appearance, landscaping, layout and scale to be determined (to be read in conjunction with outline permission PK12/1913/O amended by P19/6296/RVC)	Parish:	Wickwar Parish Council
Map Ref:	370783 185197	Ward:	Chipping Sodbury And Cotswold Edge
Application Category:	Minor	Target Date:	7th February 2022



© South Gloucestershire Council 2007. all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008. **N.T.S.** **P21/07632/RM**

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.

INTRODUCTION

This application appears on the circulated schedule because an objection has been received from Yate Town Council contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 This application seeks reserved matters consent for the erection of 8no. dwellings and garaging/parking. The reserved matters to be determined, which consists of appearance, layout, scale, and landscaping should be read in conjunction with outline permission PK12/1913/O as amended by P19/6296/RVC. This outline consent included details of access into the site off Randolph Avenue and Leechpool Way, with provision for access from Peg Hill. The scheme benefits from an approved design code (North Yate New Neighbourhood Design Code Rev D March 2017) and masterplan (Condition 39 Detailed Masterplan 4739-LDA-00-XX-DRL-0013), as well as a number of framework plans approved at outline stage.
- 1.2 The application site comprises the north-eastern corner of parcel PL6 in the North Yate New Neighbourhood (Ladden Garden Village). The site abuts a primary street to the north; a green corridor with trees, hedgerow and a ditch to the east; and a separate residential development to the south and west approved under application P21/02473/RM.
- 1.3 The 8 dwellings proposed are all for sale on the open market and comprise a mix of terrace, semi-detached and detached units of 2, 2.5 and 3 storeys with a mix of 3 and 4 beds.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework July 2021
National Planning Practice Guidance
National Design Guide

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
CS16 Housing Density
CS17 Housing Diversity
CS30 Yate and Chipping Sodbury
CS31 North Yate New Neighbourhood

South Gloucestershire Local Plan: Policies, Sites and Places Plan

Adopted November 2017

PSP1 Local Distinctiveness

PSP2 Landscape

PSP3 Trees and Woodland

PSP6 Onsite Renewable and Low Carbon Energy

PSP8 Residential Amenity

PSP10 Active Travel Routes

PSP11 Transport Impact Management

PSP16 Parking Standards

PSP17 Heritage Assets and the Historic Environment

PSP19 Wider Biodiversity

PSP20 Flood Risk, Surface Water and Watercourse Management

PSP21 Environmental Pollution and Impacts

PSP37 Internal Space and Accessibility Standards for Affordable Dwellings

PSP43 Private Amenity Space Standards

PSP47 Site Allocations and Safeguarding

2.3 Supplementary Planning Guidance

The South Gloucestershire Design Checklist SPD (adopted)

The South Gloucestershire Residential Parking Standards SPD (adopted)

Waste Collection: Guidance for New Developers SPD (adopted)

Extra Care and Affordable Housing SPD (adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 PK10/042/SCO, Scoping Opinion for a proposed mixed-use site approximately 104ha in North Yate.
- 3.2 PK12/1913/O, Mixed use development across 100.76 hectares of land comprising up to 2,450 new dwellings (Use Class C3), extra care housing (Use Class C2), 4.63 hectares of employment land (Use Class B1,B2) provision of a local centre, two primary schools, together with the supporting infrastructure and facilities including: new vehicular and pedestrian accesses, public open space and landscaping and proposal to underground the electricity powerlines. Outline application including access with all other matters reserved. Approved on 17th July 2015.
- 3.3 P19/6296/RVC, Variation of condition 19 attached to outline planning permission PK12/1913/O (as amended under applications PK15/5230/RVC, PK16/2449/RVC, PK17/0039/NMA and PK17/4826/RVC) to amend the wording of the condition (19) to "There shall be no commencement of Phase 5 of the development as shown on the Phasing Plan submitted pursuant to condition 4, until such time as the internal link road linking Randolph Avenue, Leechpool Way and the access from the Peg Hill development (as approved by planning permission PK12/0429/O) has been implemented and is operational. Construction use and residential use are deemed operational". Approved on 13th September 2019.

- 3.4 PK17/4260/RM, Laying out of landscape and infrastructure (Phase 0) including primary and secondary streets, utilities, services, foul and surface water drainage, hard and soft landscaping. (Approval of reserved matters including appearance, landscaping, layout and scale to be read in conjunction with Outline Planning Permission PK12/1913/O superseded by PK16/2449/RVC). Approved on 21st May 2018.
- 3.5 P21/02473/RM, Erection of 157 no. dwellings with new roads, drainage, parking, garaging and works with appearance, layout, scale, and landscaping to be approved (Approval of reserved matters to be read in conjunction with outline permission PK17/4826/RVC formerly PK12/1913/O). Approved on 11th March 2022.

4. **CONSULTATION RESPONSES**

4.1 Yate Town Council
"Object

1. Plots 2-8 have parking spaces that will involve reversing out on the main estate spine road on a bend, such that vehicles approaching from the north will not have good visibility of manoeuvring vehicles, and as the parking spaces for each property comprise two spaces, both end to end this will cause significant issues.
2. The application is proposing that the visitor parking spaces be located on the main road into the phase from the north, at the junction with the estate spine road. These are not set well into the road, but literally adjoin the pavement along the spine road, so they offer no space for vehicles turning into the phase estate road to turn into the road off the main road before encountering the parked vehicles (as the distance from estate main road to the first parked vehicle is under the length of a car). This will result in vehicles having to turn into the phase road on the wrong side of the phase road, but doing so before they are in a position to see if there is anything coming the other way. The visitor spaces at the very least need to be further into the road, away from the junction or set back from the main road width.

4.2 Affordable Housing Officer
No objection

- 4.3 Landscape Officer
The engineering plan submitted doesn't show the revised layout. I want to make sure that the levels along the path and down to the ditch/ hedge work so the levels plan needs updating. It would also be really useful if cross sections could be produced to show how this relationship will work.
There is not space for 3 oak trees close to the houses and the trees should be planted to the east of the hedge. I note that the material of the garden walls is not specified- we may need to check that they are brick and not render as cropped up on the adjoining parcel.

4.4 Drainage Officer

We are satisfied with the level of information which has been submitted and therefore, providing the development is constructed in accordance with the following approved plans and supporting documents which are acceptable to the LLFA, we have No Objection to the development proceeding.

Engineering for Planning - PL6 / Drwg. No. 468-PH5-050 / Rev. A / Dated 07-01-2022

Surface Water Contributing Areas Plan Sheet 1 of 3 / Drwg. No. B693-36 / Rev. D / Dated 28-09-2020

Adoption Plan – PL6 / Drwg. No. 0642-9-107 / Rev. - / Dated October 2021

Highway Verge Tree Pit Detail – PL 6 / Drwg. No. GL 1653-02 / Rev. - / Dated 20-10-2021

Soft Landscape Proposals - PL6 / Drwg. No. GL1563-01-A / Rev. A / Dated 18-11-21

PFA Consulting MicroDrainage Network Model – S3 / Received 26-08-21

4.5 PROW Officer

A S.257 diversion under the Town and Country Planning Act which will be necessary. It is understood that this order is already in progress and also involves higher rights of use. It would be useful to see this on the proposed planning layout for context. The proposed diversion is however shown in orange on the above plan. As such no objection is raised.

4.6 Urban Design Officer

All issues have now been addressed. One final point to raise is the design of the southern boundary, onto the adjacent parcel (P21/02473/RM). The materials plan indicates some kind of brick screen wall (the orange lines) but I'm unsure what this will look like. The boundary line which leads off this running east, should also be treated in a consistent material, so that the wall which defines the parking court to the south is a single material. I would suggest that this should be a 1.8m high brick wall, finishing halfway along the rear garden of unit 4. This will provide a strong and clear boundary to both parking areas either side. A higher quality and more robust boundary is also appropriate given the high visibility of the boundary right by the exit of the parcel.

4.7 Tree Officer

I am happy with the new location of the 3 oak trees.

4.8 Transportation Officer

The scheme involves the construction of eight houses with off-street parking plus garages. The access to these is off the main road which has been approved previously as part of the main infrastructure application and as such it is considered acceptable. Submitted plan shows three off-street parking one which is in form of a garage for each house. Level of parking as shown meets the council parking standard and as such it considered acceptable. In view of the above mentioned therefore, we transportation development control have no objection to this application.

Other Representations

4.9 Local Residents

One letter of objection has been received from a member of the public. The following is a summary of the reason given for objecting:

- We need to stop building on greenfield sites;
- Brownfield sites should be used instead;
- There will be detrimental effect on nature and in terms of climate change;
- Detrimental effect on the character and visual amenity of the area;
- Contrary to the Greener Places Green Infrastructure Strategy 2021.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

North Yate New Neighbourhood is a major development site allocated by policy CS31 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013 for a major mixed use development of up to 3000 dwellings. Outline consent was subsequently granted on 17th July 2015 for a mixed use development across 100.76 hectares of land comprising up to 2450 new dwellings, including 4.63 hectares of employment land, a local centre, two primary schools and supporting infrastructure. This approval covers a substantial area of the NYNN allocation. A masterplan and design code for the North Yate New Neighbourhood were subsequently approved by the Local Planning Authority on 20th January 2017 and 12th May 2017 respectively. The principle of the development is therefore, acceptable.

5.2 Urban Design

The approved design code envisages a new neighbourhood made up of different areas with their own particular qualities. Three separate character areas – Yate Gallops, Yate Woods, and Yate Meadows are proposed in order to achieve this. The idea, according to the design code, is that the character areas facilitate design that works with the existing site and its surrounding context, whilst enabling a range of development types to come forward to broaden the market choice on offer and to help deliver a commercially sustainable scheme.

5.3 The site lies within the Yate Woods character area, which is located on the western side of the NYNN site and is shaped and strongly influenced by the original hedgerow and tree corridors extending through the development. The design code sets out that the green corridors bolstered by new native tree planting will help create the setting to frame the new dwellings. The streets are characterised by shorter vistas leading to either the main street or the green corridors on the edges of the development. There is more of an informal development layout to this area in comparison to the Gallops area to the east.

5.4 Parameter Plans

Certain strategic parameters with regards to land use, scale, density etc. were approved at outline stage in order to guide reserved matters proposals to

ensure that the NYNN is a well-designed and sustainable place. A reserved matters proposal should follow the principles and parameter plans approved at outline stage unless it is demonstrated that a deviation would not harm the overall design quality. The approved parameter plans show that parcel PL6 is required to provide entirely residential development with a density between 45-60DPH, with a maximum of 2-3 storeys (12m). The proposal consists entirely of residential units of a maximum height of 3 storeys; and a density of approximately 50DPH. Accordingly, it is considered that the proposal accords with the land use, building heights and density parameter plans.

5.5 Green Infrastructure

The Green Infrastructure parameter plan specifies that on street tree planting must be provided along the primary street on the northern edge of the proposal. The landscape plans submitted address the requirements for tree planting along the primary street and correctly reference the infrastructure plans that have already been approved in respect to the planting treatment for these areas which is acceptable. The site also abuts a Green Infrastructure corridor to the east. An additional three heavy standard oak trees are proposed to be planted within the green corridor.

5.6 Access and Movement

An on-plot footway is proposed to the eastern edge of the parcel which connects to a footway in the separate parcel to the south. This proposal is in accordance with the Access and Movement parameter plan.

5.7 Waste Collection and Storage

Bin storage points are proposed in rear garden areas where they will be well screened from views from the public realm. Collection points for properties are adjacent to adoptable highways which will ensure convenient collection by refuse crews.

5.8 Layout and Appearance

The size and shape of the development parcel dictates the layout. The properties are arranged in a linear layout fronting on to the primary street to the north. The corner plots comprise windows and cladding to the side elevation to provide sufficient visual interest to the streetscene. The proposed dwellings comprise a consistent building line being set back 3 metres from the street. Plot 1 has been increased in height to 3 storeys to reflect its prominent location at the entrance to the parcel and to be consistent with the height of the apartment block within the neighbouring parcel to the west. The remaining dwellings are 2.5 storeys and a 2 storey dwelling on the corner adjacent to the green corridor. The materials proposed are Weinerberger Blended Red Multi Gilt Stock Brick, Hardieplank Weatherboarding in Midnight Black and Forticrete SL8 roof tiles in slate grey colour. These materials are considered to be acceptable and in keeping with other approved development within the same character area.

5.9 Public Rights of Way

Public footpath reference LYA/55/10 extends along the eastern boundary of the application site and would be affected by the proposed development. The footpath is proposed to be diverted so that it runs along the opposite side of the hedge within the Green Infrastructure corridor and upgraded to a bridleway.

This matter has been dealt with under application P21/04770/FDI and therefore, there is no objection on this basis.

5.10 Security

The dwellings abut a separate development proposal to the south, which is shown indicatively on the plans submitted. The majority of dwellings would form a back-to-back arrangement with the dwellings to the south, which is considered to be a secure layout that offers a good level of protection to rear garden areas. A dwarf brick wall and a 1.8 metre high brick wall in conjunction with a hedgerow are proposed to the southern boundary which abuts a parking court associated with a separate scheme to the south. A 1.8 metre high wall to the boundary would result in the parking space for plot 1 being enclosed to both sides by hard boundaries. The dwarf wall in conjunction with a hedgerow would provide a defensible yet softer boundary and is considered acceptable.

5.11 Landscaping

Improvements have been made to the amenity of the street through an increase in the width of the roadside planting bed adjacent to plot 1. A hornbeam hedge is proposed to the frontages of dwellings set behind a dwarf brick wall, which is considered to be acceptable and in keeping with the Woodlands character area. The development has been moved further away from the eastern ditch to provide more space to the green corridor and more room for any level changes to be accommodated. The location of the proposed three oak trees has been moved to the eastern side of the hedge, in accordance with the Landscape and Tree Officer's comments, where there is space for them to grow to a large size. A revised engineering plan has been submitted as requested by the Landscaping Officer to reflect the latest layout. The materials of the boundary walls have been specified on the materials layout plan and is proposed as red brick to match the proposed dwellings, which is now considered acceptable.

5.12 Sustainability

The aspirations and requirements of the development in relation to sustainability have already been agreed by virtue of the approval of the outline permission (granted on 17th July 2015), and reserved matters are required to be determined in the context of the conditions attached to the outline permission. Condition 40 on the outline permission requires an energy statement to be submitted to set out how passive solar gains and cooling of buildings and natural ventilation will be maximised, insulation measures to reduce energy demand, and a calculation of energy demand. The wording and requirements of condition 40 reflect the policy requirements of policy CS1 of the South Gloucestershire Core Strategy (2013), and focuses on passive solar gains and insulation measures to reduce energy demand; there is no requirement for any renewable/low carbon technology in this case. The condition pre-dates PSP6 in the Policies Sites and Places Plan Adopted November 2017, which imposes a more stringent energy saving requirement of 20% via renewable/low carbon energy generation sources on major greenfield residential development.

5.13 The energy statement submitted focuses on a fabric first approach which prioritises improvements to the fabric of dwellings to avoid unnecessary energy demand and consequent CO2 reduction. For example, the proposal adopts an

airtightness standard of 5.0m³ @ 50Pa, which is better than the building regulation standard of 10m³ @ 50Pa. The energy statement submitted demonstrates that through a fabric first approach there will be a reduction in CO₂ emissions and energy use compared to statutory building regulations requirements. The calculations confirm that the scheme will have a reduced energy requirement 2.7% better than Building Regulations Part L standards and will reduce CO₂ emissions by 345kg/year or approximately 2.5%. A condition is attached requiring the dwellings to accord with the fabric first measures set out in the energy statement.

5.14 Urban Design Conclusion

Improvements have been secured to the design of the scheme through negotiation with the developer. The proposal is now considered to achieve a good standard of design in line with policy CS1 of the Council's Core Strategy.

5.15 Residential Amenity

The application dwellings about a separate development proposal to the south, which is shown indicatively on the plans submitted to demonstrate the relationship between the two parcels. There would be back to back separation distance of approximately 20 metres between the proposed dwellings and the dwellings in the neighbouring parcel to the south. This level of separation is considered to be acceptable to ensure that no significant adverse residential amenity issues would be created. All of the dwellings proposed benefit from private amenity space, and it is considered that the gardens will provide an adequate level of amenity in terms of enjoyment and function and will all benefit from a south facing aspect. All other dwellings are considered to be at an acceptable distance to not be adversely affected by the proposal in respect to residential amenity.

5.16 Transportation

The plans submitted demonstrate that all properties benefit from at least two off-street parking spaces. All dwellings benefit from garages which meet the recommended minimum size criteria. The Highways Authority have raised no objections to the scheme and consider it to be compliant with the Council's Parking Standards. All dwellings will be accessed directly off of the main primary street to the north. This is allowed for by virtue of the masterplan and design code. Given the small size of the parcel the only location for visitor parking to be provided is on the main spine road, although visitor parking will be available in the parcel to the south. The streets in the NYNN are designed for very low speeds of 20mph and less; therefore, it is not considered that there would result any significant adverse highway safety issues. The Council's Transportation Officer has raised no objections on this basis. An informative note is attached to encourage the developer to make future residents aware of the 20mph speed limit and for this speed restriction to be implemented as soon as practically possible.

5.17 Listed Building Impacts

The closest heritage asset to the development parcel is the grade II listed building Leechpool Farmhouse approximately 500 metres to the north. Given the level of separation and intervening development it is not considered that there would be an impact on the setting of the heritage asset. Moreover, the

relationship has already been considered and accepted by virtue of the outline application.

5.18 Affordable Housing

In accordance with the approved affordable housing schedule, there is no requirement for affordable housing to be provided in this parcel.

5.19 Drainage

The details submitted satisfactorily demonstrate that the proposal complies with the approved surface water drainage strategy for the NYNN. Accordingly, the Council's Drainage Officer has confirmed that the details are acceptable and has raised no objections to the scheme.

5.20 Ecology

A number of ecological strategies were secured as part of the discharge of conditions on the outline consent. This included a Landscape and Ecological Management Plan, and wildlife mitigation strategies. These strategies were required to help mitigate the impact on, as well as measures to enhance wildlife. An informative note is attached to notify the developer of the requirement to accord with the relevant wildlife strategies.

5.21 Consideration of likely impact on Equalities

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

CONDITIONS

1. Prior to the first occupation of any dwelling in the parcels, details of any street lighting, shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, the scheme shall also demonstrate the green corridor to the east of the parcel being dark (lux levels no higher than 1 lux) for wildlife. Development shall be carried out in accordance with the approved details prior to the first occupation of any dwelling in the parcels.

Reason

In the interests of security and crime prevention and to ensure that the lighting scheme does not adversely impact on the landscaping scheme, and to ensure the health and appearance of vegetation in the interest of the character and appearance of the area and to accord with policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013; and policy PSP2 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017.

2. All hard and soft landscape works shall be carried out in accordance with the details hereby approved. The works shall be carried out in the first planting season prior to occupation of the final dwelling approved under this reserved matters application or in accordance with the programme agreed in writing by the Local Planning Authority.

Reason

In the interests of the character and appearance of the area, and to accord with policy PSP2 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017; and policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

3. Any trees or plants shown on the landscaping scheme hereby approved, which die, are removed, are damaged or become diseased before either: 5 years of the completion of the approved landscaping scheme; or prior to transfer of the relevant trees or plants to either residential occupiers or a private management company shall be replaced by the end of the next planting season. Replacement trees and plants shall be of the same size, location and species as those lost.

Reason

In the interests of the character and appearance of the area, to accord with policy PSP2 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017 and policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

4. Prior to the construction of development above Damp Proof Course (DPC) level, samples of weatherboard cladding shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

Reason

To ensure an adequate standard of external appearance and to accord with policy CS1 of the South Gloucestershire Core Strategy (adopted) December 2013.

5. Prior to the construction of development above Damp Proof Course (DPC) level, sample panels of brickwork, demonstrating the colour, texture, facebond and pointing are to be erected on site and approved in writing by the Local Planning Authority. The approved sample panels shall be kept on site for reference until the brickwork is complete. Development shall be carried out in accordance with the agreed samples.

Reason

To ensure an adequate standard of external appearance and to accord with policy CS1 of the South Gloucestershire Core Strategy (adopted) December 2013.

6. Prior to the construction of development above Damp Proof Course (DPC) level, the detailed design including materials and finishes of the following items on all dwellings shall be submitted to and approved in writing by the local planning authority:

1. Eaves, verges and ridges
2. All windows (including cill, reveal and lintels)
3. All external door hoods, architraves, canopies and porches
4. Extracts, vents, flues & meter boxes
5. Dormers
6. Weatherboard cladding relative to masonry external leaf/window frames.

The scheme shall be implemented strictly in accordance with the approved details.

Reason

To ensure an adequate standard of external appearance and to accord with policy CS1 of the South Gloucestershire Core Strategy (adopted) December 2013.

7. The bin storage shown on the drawings hereby approved shall be provided before the corresponding dwellings are first occupied, and thereafter retained for that purpose.

Reason

In the interest of the amenities of the site and to accord with policy CS1 of the South Gloucestershire Core Strategy (adopted) December 2013.

8. The off-street parking facilities (for all vehicles, including cycles) shown on the plan hereby approved shall be provided for the plot to which it relates before the corresponding building is first occupied, and thereafter retained for that purpose.

Reason

In the interest of the amenities of the site and to accord with policy CS1 of the South Gloucestershire Core Strategy (adopted) December 2013.

9. The residential units hereby approved shall be built to the fabric first/energy efficiency measures as set out in the Energy Statement hereby approved, including units achieving a minimum airtightness of 5m³/h.m² @50Pa.

Reason

In the interests of sustainability and reducing the energy demand of dwellings beyond statutory minimum building regulations and to accord with policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

10. Prior to the construction of development above Damp Proof Course (DPC) level, samples of roof tiles to be used shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

Reason

To ensure an adequate standard of external appearance and to accord with policy CS1 of the South Gloucestershire Core Strategy (adopted) December 2013.

11. No development shall commence until the trees on the site and on the adjacent site, which are to be retained, have been enclosed by protective fencing, in accordance with British Standard 5837 (2012): "Trees in Relation to Design, Demolition and Construction -Recommendations". The fencing shall be erected in accordance with the tree protection plans submitted. After it has been erected, it shall be maintained for the duration of the works and no vehicle, plant, temporary building or materials, including raising and or, lowering of ground levels, shall be allowed within the protected areas.

Reason

In the interest of the heath and visual amenity of trees and to accord with policy PSP3 of the South Gloucestershire Local Plan Policies Sites and Places Plan (adopted) November 2017. This is a pre-commencement condition to ensure that trees are given sufficient protection and are not damaged by construction activities.

12. The development hereby approved shall carried out in strict accordance with the following plans:

Location plan, 0642-9-101 B
Planning layout, 0642-9-102 B
Street scenes, 0642-9-103 B
External works layout, 0642-9-104 B
Vehicle tracking, 0642-9-105 B
Adoption plan, 0642-9-107 B
Materials layout, 0642-9-108 B
Refuse strategy, 0642-9-110 B
Building heights plan, 0642-9-111 B
Code reference plan, 0642-9-112 B
Garden areas layout, 0642-9-113 B
Engineering for planning, 468-PH5-050 C
Soft landscaping proposals, GL165301C
Received on 16th March 2022

Housetype booklet issue 2, 0642-9
External detailing, 0642-9-106 A
Garages, 0642-9-109 A
Received on 25th February 2022

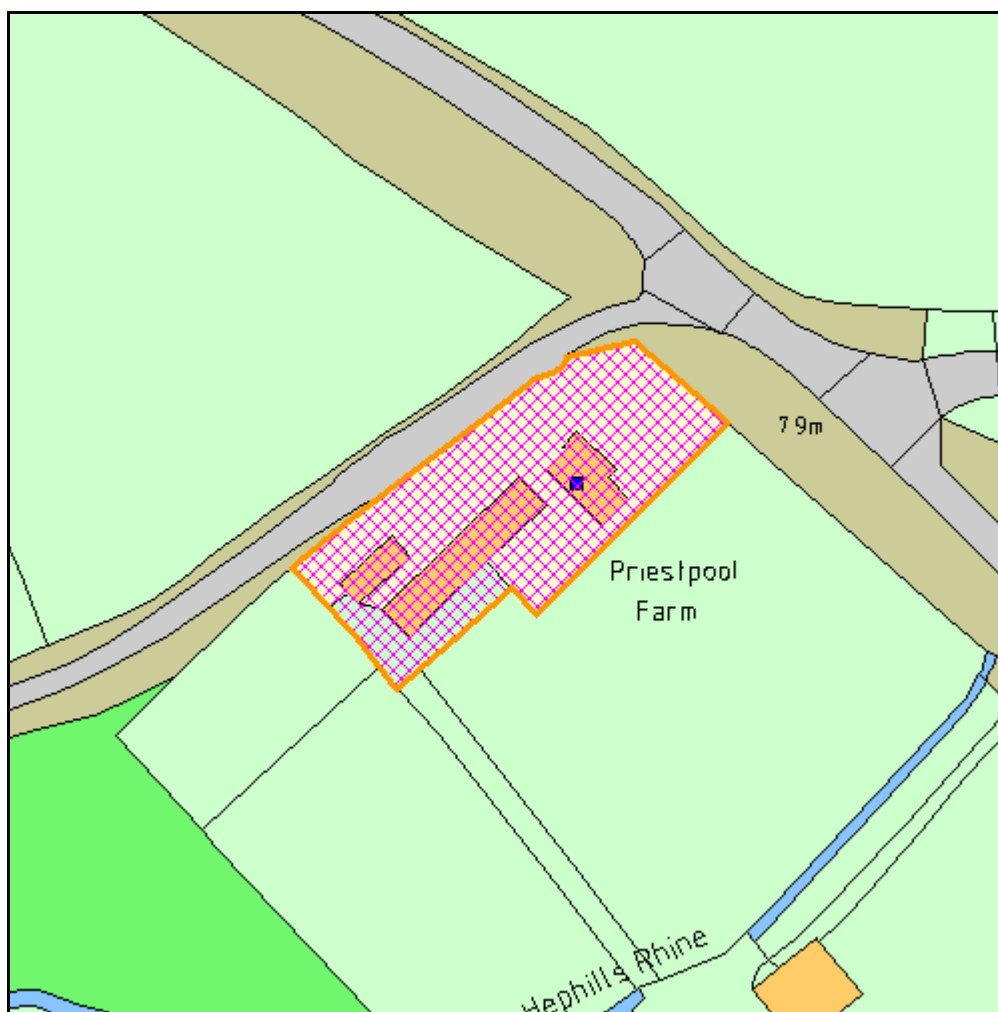
Topographical survey, 0642-9-100 A
Soft landscape highway verge tree pit, GL1653 02
25th November 2021

Reason
For the avoidance of doubt.

Case Officer: Jonathan Ryan
Authorising Officer: Lucy Paffett

CIRCULATED SCHEDULE NO. 11/22 - 18th March 2022

App No.:	P21/07670/F	Applicant:	Mr And Mrs C Hicks
Site:	Priestpool Farm Ingst Road Olveston South Gloucestershire BS35 4AW	Date Reg:	2nd December 2021
Proposal:	Demolition of existing garage and erection of a single storey extension to form residential annexe.	Parish:	Aust Parish Council
Map Ref:	359523 188103	Ward:	Severn Vale
Application Category:	Householder	Target Date:	24th January 2022



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008. **N.T.S.** **P21/07670/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.

INTRODUCTION

This application appears on the Circulated Schedule, as a result of consultation responses received, contrary to Officer recommendation.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the demolition of an existing garage and erection of single storey extension to form a provide annexe. This application is a resubmission of two earlier proposals, your references P21/18025/F and P21/06084/F.
- 1.2 Of note in the consideration of this current application therefore are two recent previous applications. P20/18025/F was also for the demolition of an existing domestic garage and erection of single storey building to form ancillary annexe (Class C3). This was refused for the following reasons:

1. The proposed development is tantamount to the creation of a new dwelling as it fails to have the functional and physical relationship with the main dwelling to be used as an ancillary annex. The site is an inappropriate location for a new dwelling as it conflicts with the spatial strategy and does not fall within the limited categories of residential development appropriate within the open countryside. The proposal is therefore contrary to policy CS5 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, policy PSP40 of the South Gloucestershire Local Plan: Policies, Site and Places Plan (Adopted) November 2017, and the provisions of the National Planning Policy Framework.

2. The proposed development would result in a small dwelling being sited immediately to the front of a larger dwelling. As such, the proposal would appear out of place and scale with the host dwelling and harmful to the visual amenity of the local area. The proposal does not achieve the highest possible standards of design required and is therefore contrary to Policies CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013; Policies PSP1 and PSP40 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; the National Planning Policy Framework and, the South Gloucestershire Householder Design Guide (Adopted March 2021).

3. The site is located within the Bristol/Bath Green Belt and the proposal does not fall within the limited categories of development normally considered appropriate within the Green Belt as the extension is considered to be disproportionate. In addition, the applicant has not demonstrated that very special circumstances apply, such that the normal presumption against development in the Green Belt should be overridden. The proposal is therefore contrary to the provisions of Policy CS5 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; the advice set out in the

adopted Development in the Green Belt SPD (2007); and the National Planning Policy Framework.

- 1.2 A further application was subsequently submitted, ref. P21/06084/F, which was also for the demolition of an existing garage and erection of a single storey extension to dwelling to provide a residential annexe. (Re submission of P20/18025/F) This was also refused for the reasons cited above:
- 1.3 The applicant has stated that they wish to combine the floor plan of the first application and the linked form and elevational appearance of the second application
- 1.4 The application site can be found within the relatively large private curtilage of the existing two storey detached host dwelling of Priestpool Farm, Ingst Road. The site is located within a rural area to the northwest of the Olveston settlement boundary and is within the Bristol/Bath Green Belt.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework
National Planning Policy Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP7	Development in the Green Belt
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP19	Wider Biodiversity
PSP28	Rural Economy
PSP38	Development within Existing Residential Curtilages
PSP40	Residential Development in the Countryside
PSP41	Rural Workers Dwellings
PSP43	Private Amenity Space Standards

- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted 2007)
Residential Parking Standards SPS (Adopted 2013)
Development in the Green Belt SPD (Adopted 2007)
Household Design Guide SPD (Adopted 2021)
South Gloucestershire Landscape Character Assessment SPD (Revised and Proposed for Adoption November 2014) (Site lies within the eastern edge of LCA 20: Pilning Levels, where it adjoins LCA 18: Severn Ridges)
Green Infrastructure: Guidance for New Development SPD (adopted April 2021)
Trees and Development Sites: Guidance for New Development SPD (Adopted April 2021)

3. RELEVANT PLANNING HISTORY

- 3.1 P21/06084/F - Demolition of existing garage. Erection of single storey extension to dwelling to provide residential annexe. (Re submission of P20/18025/F). Refused 21.10.2021. The refusal reasons are referred to above.
- 3.1 P20/18025/F. Demolition of existing domestic garage and erection of single storey building to form ancillary annexe (Class C3). Refused. 10.06.21. The refusal reasons are referred to above.
- 3.2 P98/1520. Conversion of agricultural building to stables. Construction of all-weather riding arena. Change of use of land for mixed agricultural/ keeping of horses. Approved. 25.09.1998
- 3.3 P98/1351. Erection of two storey extension. Approved. 22.04.1998

4. CONSULTATION RESPONSES

- 4.1 Aust Parish Council
No Objections.
- 4.2 Other Consultees
Sustainable Transport – Transportation DC
No Objections, conditions recommended
- Lead Local Flood Authority
No Objections, informative recommended.
- Landscape Officer
No Objections, conditions recommended
- Environmental Protection
No Objections, conditions recommended.

Environment Agency

No Objections in principle, subject conditions.

Petroleum Enforcement Authority (PEA) (South Gloucestershire Council)

We were notified of a redundant underground petrol storage tank at Priestpool Farm.

The applicant is aware of the location of the tank and its decommissioned status. On that basis providing proposed works are at least 10 metres away from the tank location the PEA has no objection to the application.

The applicant will be aware that action will need to be considered if the tank is less than 10 metres of the proposed works and can consult with the PEA for advice if required.

Other Representations

4.3 Local Residents

12No letters of support received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Permission is sought for the demolition of an existing garage and the erection of single storey extension to the host dwellinghouse to provide a residential annexe. Of note and material consideration are the two previous refusals. Amongst other considerations therefore it will be necessary to assess whether the current proposals address previous concerns and reasons for refusal.

5.2 Annexe Test

For a proposal to be considered as an annexe it should only contain ancillary accommodation to the main dwelling and demonstrate some form of functional and physical reliance upon the original main dwellinghouse. Ultimately, the resultant development should be one planning unit i.e. one household rather than two separate dwellings.

5.3 In this instance, the proposal is considered to have all the facilities required for the building to operate as a self-contained dwellinghouse including all necessary primary rooms. The scale of the proposed annex also is also very large and tantamount to a new dwelling with no reliance on the host dwelling. Furthermore, given the location of the bi-fold doors in the proposed kitchen area, the proposal indicates that the site could be divided to provide separate amenity spaces for both the existing dwelling and the proposed single storey extension to dwelling to provide residential annex.

5.4 Despite any alterations to the previously refused schemes, the proposal could still be easily occupied as a dwelling without any physical or functional association to the existing host dwellinghouse. Function interdependency has still not been demonstrated. Whilst the 'annex' is physically attached to the main farm, via a roof, there is no internal link between the two, the two could reasonably operate entirely independently of one another in the same way any other semi-detached unit could.

5.5 Accordingly, whilst officers acknowledge that this application does not specifically seek to create a separate planning unit, officers consider that the proposed development continues to be tantamount to the provision of a new dwelling. The application will therefore be assessed on that basis, and planning permission should only be granted if a separate dwelling would be granted permission in its own right. The application is not considered to overcome the previous concerns and reasons for refusal in this respect.

5.6 Development in the Open Countryside

Policy CS5 of the South Gloucestershire Core Strategy outlines the locations at which development is considered to be appropriate; new development is directed towards the existing urban areas and defined rural settlements. This application site is located within open countryside and outside of any defined settlement boundary. Policy CS5 also states that in order to deliver the strategy for development, the framework for the location and scale of development in other proposals for development in the Green Belt will need to comply with the provisions in the National Planning Policy Framework July 2021 or relevant local plan policies in the Core Strategy.

5.7 CS5 dictates that most new development in South Gloucestershire will take place within the communities of the north and east fringes of the Bristol urban area, and within defined settlement boundaries. However the impacts of the development proposal must be further assessed against relevant policies in order to identify any potential harm. Policy PSP40 of the Policies, Sites and Places Plan allows only for the following specific forms of residential development in the open countryside:

- Rural Housing exception initiatives;*
- Rural Workers dwellings;*
- The replacement of a single existing dwelling, where it is of similar size and scale to that of the existing dwelling; within the same curtilage, and of a design in keeping with the locality, and minimises visual intrusion in the countryside; and*
- The conversion and re-use of existing buildings for residential purposes.*

It is concluded that none of the above policies would permit the erection of a new dwelling in this location. It therefore follows that there is an in principle objection to the proposed development, as it does not accord with the requirements of policies CS5 of the Core Strategy or PSP40 of the Policies, Sites and Places Plan.

5.8 Policy PSP40 of the PSP Plan concludes that residential development proposals within the open countryside including alterations, extensions or the creation of a residential unit, will be acceptable where they do not have a harmful effect on the character of the countryside, or the amenities of the surrounding area. In particular to this proposed single storey extension application, the application is not to convert the existing garage building – rather it is to demolish it and erect a new building in its place but with a linked annexe with underpass. None of the criteria within PSP40 therefore apply.

5.9 Policy PSP39 also states that the conversion or sub-division of existing

residential buildings into smaller units of self-contained residential accommodation will be acceptable, provided that they do not harm the character and amenity of the area within which they are located or indeed prejudice the amenity of neighbours. This proposal has been carefully assessed and it has been found not to be in a sustainable location for new development, particularly in the form of a 'detached' dwelling house and is therefore contrary to the requirements of PSP11, PSP39, PSP40, CS4a, CS5 and the presumption in favour of sustainable development as set out at paragraph 11 of the National Planning Policy Framework July 2021. The application is not considered to overcome the previous concerns and reasons for refusal in this respect.

5.10 Green Belt

The objective of Green Belt is to protect its openness. Disproportionate additions to buildings are considered to be inappropriate in the Green Belt. PSP7 of the Policies, Sites and Places Plan demonstrates that inappropriate development can be harmful to the Green Belt and that it would not be acceptable unless 'very special circumstances' can be demonstrated and that they clearly outweigh the harm to the Green Belt. The proposed addition is considered to represent a disproportionate addition to the existing dwelling.

5.11 In addition to this and in accordance with the NPPF, the erection of a new dwellings at this location is not one of the limited categories of development that can be considered acceptable in the Green Belt. No very special circumstances have been demonstrated. The application is therefore inappropriate development in the Green Belt by matter of principal. Providing additional residential accommodation within the exiting residential curtilage it not considered to be very special circumstance that would outweigh the presumption against development. The application is not considered to overcome the previous concerns and reasons for refusal in this respect.

5.12 Location of Development - Relationship with nearest defined settlement.

Whilst the majority of applications for new residential development outside of the settlement boundaries should be resisted in accordance with the Council's spatial strategy, the Local Planning Authority do consider in certain circumstances, to recommend an approval of dwellings, outside of the settlement boundary. However, this will only apply where the site lies close to the edge of the defined settlement boundary and when it has a direct relationship with it.

5.13 In terms of assessing the location of the development, PSP11 sets out that residential development proposals are to be located in a safe, useable walking and, or cycling route, and that it is an appropriate distance to key services and facilities. The proposed dwelling does not read as a natural extension to the settlement of Olveston and neither is it considered to have easy, safe walking routes to it.

5.14 Design and Visual Amenity

Policy CS1 of the Core Strategy seeks to ensure that development proposals are of the highest possible standards of design. This means that developments should have appropriate: siting, form, scale, height, massing, detailing, colour

- and materials which are informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context. Furthermore, Policy PSP1 of the Policies, Sites and Places Plan outlines that development proposals should demonstrate an understanding of, and respond constructively to the buildings and characteristics that make a particularly positive contribution to the distinctiveness of the area/locality.
- 5.15 The single storey building is partially located on the original building footprint of the existing garage.
- 5.16 At one end, an 'underpass' proposes to join the single storey building to the host dwellinghouse. Although the proposed dwelling would be smaller than the host dwellinghouse, this is still considered to affect the rhythm of the streetscene by creating a much smaller dwelling, linked by an 'underpass', and that is still sited forward from the host dwellinghouse.
- 5.17 As the single storey building is to the front of the original dwellinghouse, fronting onto Ingst Road, there may be some potential impacts on the street scene. Whilst no objection is raised to the actual design of the building, the two dwellings sitting together would have an awkward and visually jarring juxtaposition. The proposed dwelling is therefore not considered to sufficiently respect the existing built form or pattern of development. Therefore, it is concluded that such a proposal would have an adverse impact on the visual amenity or the character of the locality. Although the proposal as a building in its own right does represent a sufficient standard of design, it is considered through its location, layout and scale to result in harmful impacts to the character and appearance of the surrounding area, and it is therefore not compliant to policy CS1. The application is not considered to overcome the previous concerns and reasons for refusal in this respect.
- 5.18 Residential Amenity
Policy PSP38 of the Policies, Sites and Places Plan explains that development will be permitted provided that it would not detrimentally impact the residential amenities of nearby occupiers and would not prejudice the retention of adequate private amenity space. Policy PSP8 specifically relates to impacts on residential amenity and outlines that unacceptable impacts could result from (but are not restricted to); loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and odours, fumes or vibration.
- 5.19 The impact on residential amenity has been assessed in terms of the surrounding neighbouring properties. Given the nature and location of the proposed single storey extension and the host dwellinghouse, there are not considered to be any residential amenity issues arising from it, given the large plot of land that both the proposed single storey extension and host dwellinghouse are located within. Given the siting and scale, it is not thought by officers to result in any significantly detrimental impacts to residential amenity.
- 5.20 Transport
This planning application is seeking to demolish the existing garage within the curtilage of Priestpool Farm, Ingst Road, Olveston and replace it with a single

- storey extension, which is considered tantamount to a dwelling. Consequently, it is not considered that the proposal complies in principle with the locational requirements of Policy PSP11 of the adopted South Gloucestershire Local Plan: Policies, Sites and Places, given its nature, as a dwelling, as discussed above.
- 5.21 Notwithstanding this it is not considered that the proposal is likely to give rise to any highway or transportation issues which can be considered to be severe or unacceptable. It is also considered that the proposals would be able to conform to the Council's minimum domestic car parking requirements as set out in the Residential Parking Standards SPD adopted in December 2013 and Policy PSP16 of the adopted South Gloucestershire Local Plan: Policies, Sites and Places Plan.
- 5.22 Private Amenity Space
The application site benefits from a large area of private amenity space, and the plans appear to show sufficient amenity space. Therefore no concern is raised on the level of amenity space being proposed or available.
- 5.23 Landscape
Although it is understood that the annexe will overlay the existing garage, it is noted that the proposed single storey extension will be both longer and wider in its overall proposed size. The roof of the new dwelling will be visible above the roadside hedge, and its north west elevation will be visible from the road opposite the site entrance, to replace views of the existing garage. The proposals will have some visual impact on the openness of the Green Belt.
- 5.24 There are no objections to the proposal solely on landscape grounds, and the retention of the frontage hedge is welcomed, however sufficient room should be allowed for the proposed infill hedge planting and the 4No. parking spaces be eased away from the wall to give more space (e.g., min. 1.5m width) to allow hedge and any complementary new infill planting to thrive. A detailed landscape plan specifying the location, species, stock size, planting centres and quantities of all proposed tree and structure planting (to be implemented in the first season following completion of construction works); together with details of all proposed boundary and hard landscape surface treatments would be required. Generally, it is considered that the proposal will have a negligible visual impact on the visual amenity of the Green Belt and despite the comments and recommendations above, the application is acceptable in landscape terms.
- 5.25 Environment Agency
Providing the Local Planning Authority are satisfied that the requirements of the Sequential Test under the National Planning Policy Framework (NPPF) are met, the Environment Agency have no objections and therefore the application is considered acceptable in flooding terms, as an annex.
- 5.26 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.

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

7. **RECOMMENDATION**

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

Refusal Reasons

1. The proposed development is tantamount to the creation of a new dwelling as it fails to have the functional and physical relationship with the main dwelling to be used as an ancillary annex. The site is an inappropriate location for a new dwelling as it conflicts with the spatial strategy and does not fall within the limited categories of residential development appropriate within the open countryside. The proposal is therefore contrary to policy CS5 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, policy PSP40 of the South Gloucestershire Local Plan: Policies, Site and Places Plan (Adopted) November 2017, and the provisions of the National Planning Policy Framework.
2. The proposed development would result in a small dwelling being sited immediately to the front of a larger dwelling. As such, the proposal would appear out of place and scale with the host dwelling and harmful to the visual amenity of the local area. The proposal does not achieve the highest possible standards of design required and is therefore contrary to Policies CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013; Policies PSP1 and PSP40 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; the National Planning Policy Framework and, the South Gloucestershire Householder Design Guide (Adopted March 2021).

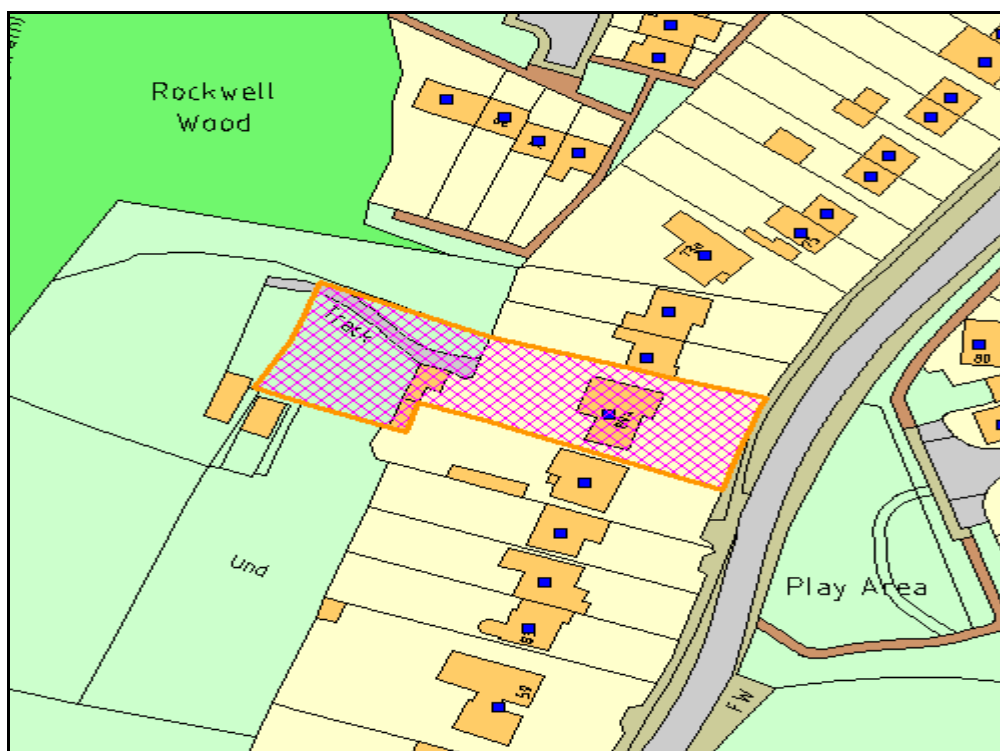
3. The site is located within the Bristol/Bath Green Belt and the proposal does not fall within the limited categories of development normally considered appropriate within the Green Belt, and as an extension is considered to be disproportionate. In addition, the applicant has not demonstrated that very special circumstances apply, such that the normal presumption against development in the Green Belt should be overridden. The proposal is therefore contrary to the provisions of Policy CS5 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; the advice set out in the adopted Development in the Green Belt SPD (2007); and the National Planning Policy Framework.

Case Officer: Simon Ford

Authorising Officer: Suzanne D'Arcy

CIRCULATED SCHEDULE NO. 11/22 - 18th March 2022

App No.:	P21/08002/F	Applicant:	Ms D Hemmings
Site:	Aura Retreat 69A Park Lane Frampton Cotterell South Gloucestershire BS36 2HA	Date Reg:	5th January 2022
Proposal:	Change of use from garage/workshop to holiday let (Class C3), and change of use of floor area in the main dwelling from residential (Class C3) to Hairdressers/Beauty salon (Sui Generis) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). Amendment to permitted opening hours as conditioned under PT14/4902/F to 09:00-18:00 Tuesday - Wednesday, 09:00-20:00 Thursday - Friday, 09:00-16:00 Saturdays. No work will be carried out on Sundays, Mondays or Bank Holidays.	Parish:	Frampton Cotterell Parish Council
Map Ref:	366448 180745	Ward:	Frampton Cotterell
Application Category:	Minor	Target Date:	1st March 2022



© South Gloucestershire Council 2007. all rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2008.

N.T.S.

P21/08002/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.

INTRODUCTION

This application has been referred to the Circulated Schedule due to the receipt of objection from Parish Council.

1. PROPOSAL AND SITE DESCRIPTION

- 1.1 This site is related to No. 69A Park Lane, Frampton Cotterell, and this application comprises of three key elements, (i) the change of use of existing garage/workshop to holiday let (Class C3), (ii) the change of use of floor area (the living room at the ground floor and 2 no. bedrooms at the first floor) of the main dwelling from residential (Class C3) to Hairdressers/Beauty salon (Sui Generis) in order to extend the existing business, and (iii) the change of opening hours as conditioned under PT14/4902/F (see below table). The applicant confirmed that the business will not open on Sundays, Mondays or Bank Holidays. The table shows the existing and proposed opening hours:

	Approved hours	Proposed hours	Changes of hours
Monday	09.00 – 18.00	Closed	- 9 hours
Tuesday	09.00 – 18.00	09.00 – 18.00	None
Wednesday	09.00 – 18.00	09.00 – 18.00	None
Thursday	09.00 – 18.00	09.00 – 20.00	+2 hours
Friday	09.00 – 18.00	09.00 – 20.00	+2 hours
Saturday	09.00 – 16.00	09.00 – 16.00	None
Sunday	Closed	Closed	None

- 1.2 The site lies off the west side of Park Lane with residential properties lying to either side of it, with a play area and green space on the opposite side of the road. The site lies within the Green Belt, the boundary of which follows the western side of Park Lane. The single storey garage/workshop lies to the rear/west of the host building and is accessed via a driveway lying to its north. The proposal includes lying put 2 no. patio areas to the west of the garage/workshop together with 3 no. parking spaces with an area of grass retained beyond.
- 1.3 The site has been subject to a number of planning applications in the past. The existing garage and store was granted planning permission (PT17/0126/F) in 2017 and the hair and beauty salon in the part of ground floor of the host dwelling was granted planning permission (PT14/4902/F) in 2015 by the Development Management Committee.
- 1.4 The submitted Design and Access Statement for the current proposal indicated that the applicant wishes to convert the existing garage on site to provide holiday accommodation, which will be used in connection with the wellness retreat and provides clients with the option to stay overnight following their treatment. Although the applicant indicates that the proposed accommodation

would be used in connection with the wellness retreat, which might be considered to be 'employment use' – Use Class E, the proposed unit, based on the submitted drawings, would be clearly capable to provide a self-contained residential accommodation. As such, the proposed accommodation should be classified C3 Use.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework July 2021

National Planning Practice Guidance

2.2 Adopted 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

CS9 Managing the Environment and Heritage

CS34 Rural Areas

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

PSP1 Local Distinctiveness

PSP7 Development in the Green Belt

PSP8 Residential Amenity

PSP11 Transport Impact Assessment

PSP16 Parking Standards

PSP20 Flood Risk, Surface Water and Watercourse Management

PSP38 Development within Existing Residential Curtilages

PSP40 Residential Development in the Countryside

PSP43 Private Amenity Space Standards

2.4 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) August 2007

Residential Parking Standard SPD (Adopted) December 2013

Development within the Green Belt SPD (Adopted) June 2007

South Gloucestershire Landscape Character Assessment (adopted Nov 2014)

LCA 13 Frome Valley

3. RELEVANT PLANNING HISTORY

3.1 N5309 Approve with Conditions 08.03.1979
Erection of bungalow (outline).

3.2 N5309/1 Approve with Conditions 14.02.1980
Erection of detached bungalow with integral domestic garage.

3.3 PT14/4902/F Approve with Conditions 13.03.2015

Change of use of dwelling from Residential (Class C3) to sui generis to allow part of ground floor to be used as a hair and beauty salon. Extensions and alterations to raise the roofline to provide additional living accommodation at first floor level.

- 3.4 PT17/0126/F Approve with Condition 07.04.2017
Demolition of existing outbuildings. Erection of a detached garage and store.
- 3.5 P21/05992/F Withdrawn
Change of use from garage/workshop to holiday accommodation (Use Class C3).
- 3.6 P19/17229/RVC Withdrawn
Variation of conditions 2 (Area used as hairdresser/beauty salon) and 3 (Permitted working hours) attached to planning permission PT14/4902/F. Change of use of dwelling from Residential (Class C3) to sui generis to allow part of ground floor to be used as a hair and beauty salon. Extensions and alterations to raise the roofline to provide additional living accommodation at first floor level.

4. CONSULTATION RESPONSES

- 4.1 Parish Council - The Council objects to this application due to over development PSP8 residential amenity, however if the planning officer is minded to approve the application, the [Parish] Council would like a planning condition for it to operate on hours appropriate in a residential area
- 4.2 Landscape Officer – no objection
- 4.3 Highway Officer – no objection subject to condition.

Other Representations

- 4.4 Local Residents – one letter of support was received and the resident states that this is something that the village could benefit from bringing revenue to the local community. A retreat in the village would benefit them as a community, with somewhere family friend can enjoy the Frome valley. Positivity they need it in the climate we live in. [She is] all for development that will support mental health and well-being bringing this to the right level for them to all hopefully have a better year mentally.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The site is situated in the open countryside, therefore Policy CS5 and PSP40 are particularly relevant to the assessment of this application. The said policy states that the conversion and re-use for residential purposes would be acceptable subject to the following criteria:

- i) The building is of permanent and substantial construction.

The existing garage and store is a modern structure, which is constructed of block works and finished with brickwork and render. The building would be capable for the proposed conversion without any major reconstruction. Whilst there would be some new window and doors, existing openings will be retained. Therefore, the proposal would therefore meet this criterion.

- ii) It would not adversely affect the operation of a rural business or working farm

The proposal is to extend the existing business as well as convert the existing garage and store to a 2-bed self-contained holiday accommodation, which would have living room, kitchen and a bathroom. The D&A Statement indicated that the accommodation would be used in connection with wellness retreat, which would provide an option for customers to stay overnight following their treatment. Given that the proposed conversion would be in associated with the existing business use in the main dwelling, subject to condition to ensure that the accommodation will not be operated as a separate planning unit, it is considered that the proposal would meet this criterion.

- iii) Any extension as part of the conversion or subsequently is not disproportionate to the original building, and

No extension is proposed as part of the conversion.

- iv) If the building is redundant or disused, the proposal would also need to lead to an enhancement of its immediate setting.

The existing building is not redundant or disused.

In summary, the proposed conversion would be ancillary to the existing business in the host dwelling, it is considered that the proposed conversion would not be contrary to Policy PSP40 of the adopted PSPP. Therefore there is no objection in principle to this element of the proposal. With regard to the proposal to intensify the existing business and change the opening hours, officers have no objection in principle subject to the following assessment.

5.2 Green Belt

The site is washed over by Bristol / Bath Green Belt. Paragraph 147 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 149 and 150 states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt, however, certain forms of development, such as, reuse of buildings, are not inappropriate in the Green Belt provided they preserved its openness and do not conflict with the purposes of including land within it.

- 5.3 The proposal is to convert the existing garage and store into holiday accommodation. The existing structure is a modern structure, which is capable

for the proposed conversion. While the existing windows and doors would be retained, there would be some new window, rooflight and door. Nevertheless, no extension is proposed to this existing structure, as such, it is considered that the proposed conversion would be appropriate development in the Green Belt.

- 5.4 It is noted that the curtilage associated with the proposed accommodation would be extended further to the west beyond the previously approved curtilage for the existing business. Therefore, there would be some potential impact, due to the introduction of domestic paraphernalia e.g. parking, garden sheds or other structures. However, the proposed changes to the area would not be large in size and a planning condition can be imposed to restrict no further structure to be erected within the site, therefore, it is considered that the impact upon the openness of the Green Belt would be minimal. Therefore, subject to the mentioned condition, it is considered the proposal would be appropriate development in the Green Belt. There is no objection to proposal in this regard.

5.3 Design and Visual Amenity

CS1 and PSP1 seek the highest possible standards of design and states 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. The proposal is to convert the existing garage and workshop into a residential accommodation. The proposed changes to the external appearance would be minor in nature and scale. Therefore, proposal would comply with policy CS1 of the adopted Core Strategy and policy PSP1 of the adopted PSPP.

5.4 Residential Amenity

The proposed accommodation would not be immediately adjacent to the neighbouring properties. Due to its single storey structure, the proposal would not result in any significant adverse impact in terms of overlooking or overbearing. Regarding the amenity of the future occupiers, the proposed accommodation would have 2 bedrooms, therefore it should provide a minimum of 50 square metres of private outdoor amenity space. Based on the submitted block plan, the site would only provide approximately 25 square metres amenity space to the rear (southeast) of the building, and its size would be considerably below the set guidance. Also, the amenity space would only be accessed from a kitchen door. There are 2 no. patio area locating to the northwest of the building, however, the area would be immediately adjacent to parking spaces. Therefore it is unlikely that the area would be used as a private garden. Whilst the proposal would not provide adequate private amenity area for the occupiers, Officers are mindful that the proposed accommodation would be used as a wellness retreat in connection with the existing business in the main dwelling. Provided that a planning condition to secure this, the amenity of future occupiers would be adequately safeguarded. Regarding the proposed extended business floor area within the host dwelling and the proposed changes to the opening hours, officers consider that the proposed changes are not significant, therefore it would not adversely affect the amenity of the neighbouring residents. Overall, it is considered that the development would be acceptable with regard to residential amenity.

5.5 Transport and Parking

The proposal would be provided with sufficient car parking for both the Hairdresser / Beauty Salon which benefits from an earlier consent, and the holiday let. The access is existing and the proposal would not generate any significant difference in vehicle movements. In this instance, it is considered that there is no highway objection subject to conditions seeking the provision of parking spaces, 2 no. cycle parking space and a 7Kw 32 Amp Electric Vehicle Charging Point.

5.6 Landscape

From landscape perspective, no hard landscape strategy, such as boundary treatment, hard landscape surface treatments, proposed levels, submitted with the application. However, given the scale of the proposal, it is considered that a planning condition can be imposed to seek these details.

5.7 Consideration of likely impact on Equalities

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

6. CONCLUSION

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

6.2 The recommendation to approve planning permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 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 following conditions:

CONDITIONS

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

Reason

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

2. Notwithstanding the provisions of Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no development as specified in Part 1 (Classes A, B and E) or any minor operations as specified in Part 2 (Class A), other than such development or operations indicated on the plans hereby approved, shall be carried out without the prior written consent of the Local Planning Authority.

Reason: To protect the openness of the Green Belt and to accord with Policy CS1 and CS5 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and Policy PSP7 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

3. The hairdresser/beauty salon element of the Sui Generis use hereby permitted may not exceed the floorspace as shown on drawing 0644/4 and 0644/5 received by the Council on 14th December 2021.

Reason

Intensification or subdivision of the beauty salon/hairdressers element or holiday let of the proposal will require further consideration in terms of the impact on residential amenity and highway safety in accordance with the requirements of Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and Policy PSP8, PSP11, and PSP16 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

4. The proposed holiday let hereby approved shall only be occupied in connection with the approved business use in the host dwelling, known as Aura Retreat, 69A Park Lane, Frampton Cotterell, South Gloucestershire, BS36 2HA, and shall not be occupied for any other purposes.

Reason

Intensification or subdivision of the beauty salon/hairdressers element or holiday let of the proposal will require further consideration in terms of the impact on residential amenity and highway safety in accordance with the requirements of Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and Policy PSP8, PSP11, and PSP16 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

5. The site shall not be open to clients outside the following times:

09.00 to 18.00 Tuesday and Wednesday

09.00 to 20.00 Thursday and Friday

09.00 to 16.00 Saturday; nor at any time on Monday, Sunday or Bank Holidays.

Reason

To protect the amenity enjoyed by those living in the locality to accord with Policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Place Plan (Adopted) November 2017.

6. Prior to the first occupation of the proposed accommodation hereby approved, the off-street parking facilities shown on the plan, 2 no. cycle parking space and a 7Kw 32 Amp Electric Vehicle Charging Point shall be provided and thereafter retained for that

purpose at all times. The gates across the entrance to the site shall be fully open at all times when the beauty salon/hairdressers is open to customers.

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 PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

7. Prior to the first use of the proposed accommodation hereby approved, a scheme of hard landscaping scheme shall be submitted to the Local Planning Authority for approval. The said scheme shall include existing and proposed levels, any forms of retaining structure, boundary treatments and an area of hardsurfacing. Development shall be carried out in accordance with the agreed details and retained as such thereafter.

Reason

To protect the character and appearance of the area to accord with Policy PSP1 and PSP2 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017, Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

8. The proposed development hereby approved shall be carried out in accordance with the following drawings:

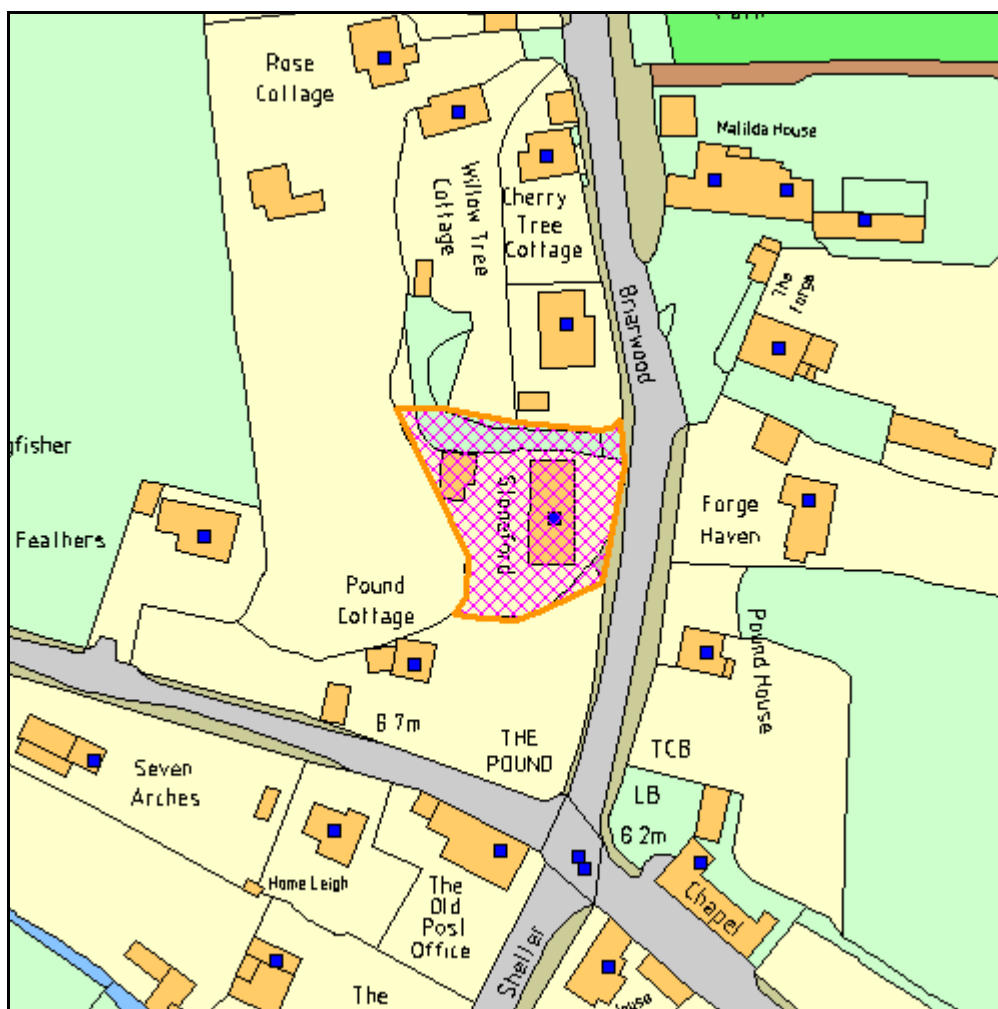
Site location plan, Proposed site plan, elevations and floor plans Drawing no. 70623/04/101 rev A, Proposed Ground Floor Plan within the existing dwelling, Drawing No. 0644/4 and Proposed First Floor Plan within the existing dwelling, Drawing No. 0644/5, all received by the Council on 14 December 2021.

Reason: To define the approved development in planning terms.

Case Officer: Olivia Tresise
Authorising Officer: Suzanne D'Arcy

CIRCULATED SCHEDULE NO. 11/22 - 18th March 2022

App No.:	P21/08045/F	Applicant:	Mr O Ward
Site:	Stoneford Camp Road Oldbury On Severn South Gloucestershire BS35 1PR	Date Reg:	24th January 2022
Proposal:	Erection of two storey rear extension and raising of roofline to facilitate the formation of first floor living accommodation. Installation of 3 no. front dormers and alterations to the front door arrangements.	Parish:	Oldbury-on-Severn Parish Council
Map Ref:	360954 192592	Ward:	Severn Vale
Application Category:	Householder	Target Date:	17th March 2022



© South Gloucestershire Council 2007.all rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2008.

N.T.S.

P21/08045/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 CIRCULATED SCHEDULE

The application appears on the Circulated schedule as representation has been received from 9no. local residents which is contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the erection of two storey rear extension and raising of roofline to facilitate the formation of first floor living accommodation. Installation of 3 no. front dormers and alterations to the front door arrangements at Stoneford, Oldbury on Severn.
- 1.2 The application site is situated within the settlement boundary and comprises a single storey detached dwellinghouse. The site is in flood zone 2 & 3.
- 1.3 This application follows two previous refusals, P19/2265/F & P19/16132/F, and a dismissed appeal. All of which were refused for design reasons.

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
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
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water, and Watercourse Management
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Space Standards

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

3. RELEVANT PLANNING HISTORY

- 3.1 N3970/1 – Erection of detached bungalow. Construction of cesspit (outline). Approved (cond) 09/09/1982
- 3.2 P84/2008 – Erection of detached bungalow and garage/workshop. Construction of new pedestrian access. Approval of reserved matters 17/10/1984
- 3.3 P19/2265/F – Erection of a single storey rear extension. Raising the roofline to facilitate a loft conversion. Refused 29/08/2019
- 3.4 P19/16132/F - Erection of two storey rear extension with balcony and alteration of roofline to form loft conversion. Refused 13/01/2020

4. CONSULTATION RESPONSES

- 4.1 Oldbury on Severn Parish Council
Objection on the following grounds:
- The increase in size of the property is not in keeping with the original capacity of the plot size, potential over-development of the site
 - Change to the character of the property
 - Concern over the proposed roof height
 - Not in keeping with neighbouring properties
- 4.2 Listed Building & Conservation Officer
-The proposed treatment of the 1st floor extension is a significant improvement on previous proposals and the new arrangement is much less imposing and incongruous. I would make the observation that the dormers in the front elevation are very generously sized in comparison to the modest size of the building and would suggest they be reduced to a paired casement width. The proposal will not affect the setting or significance of the scheduled monument of Oldbury Camp, nor the significance of the locally listed buildings opposite (Pound House and Cart Wash) so I defer to your assessment of the proposal taking into account design guidance contained in the Householder Design Guide SPD.
- 4.3 Historic England
No comment – defer to Councils' conservation and archaeological advisers.
- 4.4 Archaeology and Historic Environment Record Officer
No comment.
- 4.5 Planning Ecologist
- Two-day roosts for common pipistrelles were recorded during the surveys in 2019. Suitable mitigation was recommended as well as proposed enhancements which are welcomed.
As bat roosts were present and due to the age of the report, updated surveys are required, this will include an update site assessment followed

by three emergence/re-entry surveys with the results of the surveys submitted to the local authority for review.

Due to judicial review, the bat surveys cannot be condition.

- No evidence of birds was recorded during the 2019 survey, if this has changed, suitable avoidance measures and mitigation is to be recommended.

4.6 Lead Local Flood Authority

No objection.

4.7 Sustainable Transport

No transport objection subject to EV charging infrastructure condition.

Officer note:

The requirement of an EV charging condition is unreasonable for the type of development proposed.

4.8 Local Residents

1 comment neither objection nor supporting has been received. As well, 9 comments supporting the proposal received, summarised below:

- Oldbury on Severn has changed considerably
- Encouraging younger families into the village
- Well screened from the road by trees
- Proposal would improve property and the area
- In keeping with surrounding properties
- Sympathetic to varied surrounding properties
- Current property dated and would benefit from up-dating.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application site is situated within the Oldbury on Severn settlement boundary and is currently utilised as a C3 dwellinghouse.

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

5.2 Design and Visual Amenity

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

5.3 The existing property is a bungalow with a simple pitched roof design. It sits in an area with open rural character, with hedging to the front of the property. The

property is visible from the adjacent foot path and nearby road. The area benefits from a variety of building types, scale, and external materials.

- 5.4 The proposal involves the raising of the roofline by approx. 0.75 metres, the installation of 3.no front dormer windows, and a two-storey rear extension. The alterations span the width of the rear extension, and the two-storey rear extension spans approx. 8.6 metres across the rear. At first floor level, the two-storey extension merges into a flat roof section that is sited in-between the two pitched roofs.
- 5.5 Since the two previous refused applications and appeal decision, the *Household Design Guide SPD (2021)* has been adopted. This seeks to further clarify and expand on the design guidance set out under PSP38 and CS1. It states:

All extensions and alterations should aim to be of an overall high-quality design and be subservient in scale and character to ensure the prominence of the existing building is preserved.

The SPD provides more details about rear extension and states:

that whilst they (rear extensions) may not always be in the public view, it is still important to ensure the design quality is of a high standard so as not to detract from the character of the existing dwelling.

- 5.6 The proposal adds substantial and stocky extensions across the rear elevation and roof slope. The proposal has differing roof types, including a sizeable expanse of flat roof. It is noted that the proposal benefits from the use of gable roofs at both side elevations, which attempt to lessen the public views of the flat roof. Nevertheless, the proposal by virtue of its scale, size and massing would not remain visually subservient to the modest existing dwelling and would diminish the character of the existing dwelling.
- 5.7 To the front, the dormer windows also fail to meet the standards of high-quality design. The Household Design Guidance SPD states:

that due to their prominence the visual impact of any dormer is likely to be significant and so is the potential for harm due to inappropriate scale, form, material, and positioning. Furthermore, what is often proposed are over-dominant features seeking to provide a material increase in living space which impacts on the aesthetic character of the host.

The proposed large dormers are sited approx. 0.15m from the ridge though the SPD urges a 0.5m separation. In addition, whilst the dormers are equally set in the roof, they do not align with the existing ground floor windows below. As a result, the dormers would appear overly prominent and unbalancing to the front façade.

- 5.8 Overall, the proposed development would not be a subservient or sensitive addition and it would result in harm to the character and appearance of the host

property and the surrounding area. Consequently, the proposal would conflict with policies CS1 and PSP38.

5.9 Residential Amenity

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

- 5.10 The property is detached and sited approx. 14 metres away from the nearest neighbour, Briarwood. The proposal results in the addition of fenestration to the first floor, including a Juliet balcony. To the front, the nearest property, Pound House, is sited over 20 metres away at an angle. Due to its siting, the proposal will not lead to any overbearing or overlooking impacts of neighbouring properties. Overall, the proposal conforms with PSP8

Private Amenity Space

- 5.11 Supplementary to this, policy PSP43 sets out that residential units, are expected to have access to private external amenity space that is: functional and safe; of a sufficient size in relation to number of occupants; and be easily accessible. The proposal marginally adds additional living but does not increase the number of bedrooms. The site benefits from a large rear garden that post development still provides over 150m² of private amenity space. The proposal therefore complies with PSP43.

5.12 Transport (Access and Parking)

Policy PSP16 sets out the Council's criteria for parking specifications. It states that parking space provision per dwellinghouse is proportionate to bedroom number. The proposal results in the number of bedrooms increase from 3 to 5 therefore the number of parking spaces increased from 2 to 3. It is demonstrated that 3 parking spaces can be provided within the site, as such the proposal accords with the above policy.

5.13 Ecology

Two bat roosts were recorded during the 2019 surveys submitted with the previous planning application, P19/2265/F. Owing to the age of the surveys, updated reports are crucial and due to judicial review, the bat surveys cannot be conditioned. If the proposal were to be supported the surveys would have been requested, however, as there is a principal design objection, it is unreasonable to demand the surveys and associated costs. Consequently, insufficient information has been submitted to assess the impact on protected species, therefore the proposal as submitted is contrary to PSP19 and the NPPF.

5.14 Flood Risk

The site is sited in Flood Zone 2 and 3. This means the site is at high probability of flooding. The National Planning Policy Framework sets strict tests

to protect people and property from flooding which all LPA's are expected to follow.

5.15 Paragraph 164 of the NPPF sets out that applications for some minor development, including householders' application would not be required to submit a sequential or exception test. But would be expected to provide a site risk assessment. A flood risk assessment has been submitted and accepted.

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.

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 **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 reasons given below:

REFUSAL REASONS

1. The proposed development would fail to reach the highest possible standards of design by virtue of its siting, form and scale and it would fail to respect or enhance the character and distinctiveness of the host dwelling and the surrounding area. The proposal is therefore contrary to Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP1 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; the adopted SGC Householder Design Guide and the provisions of the National Planning Policy Framework.

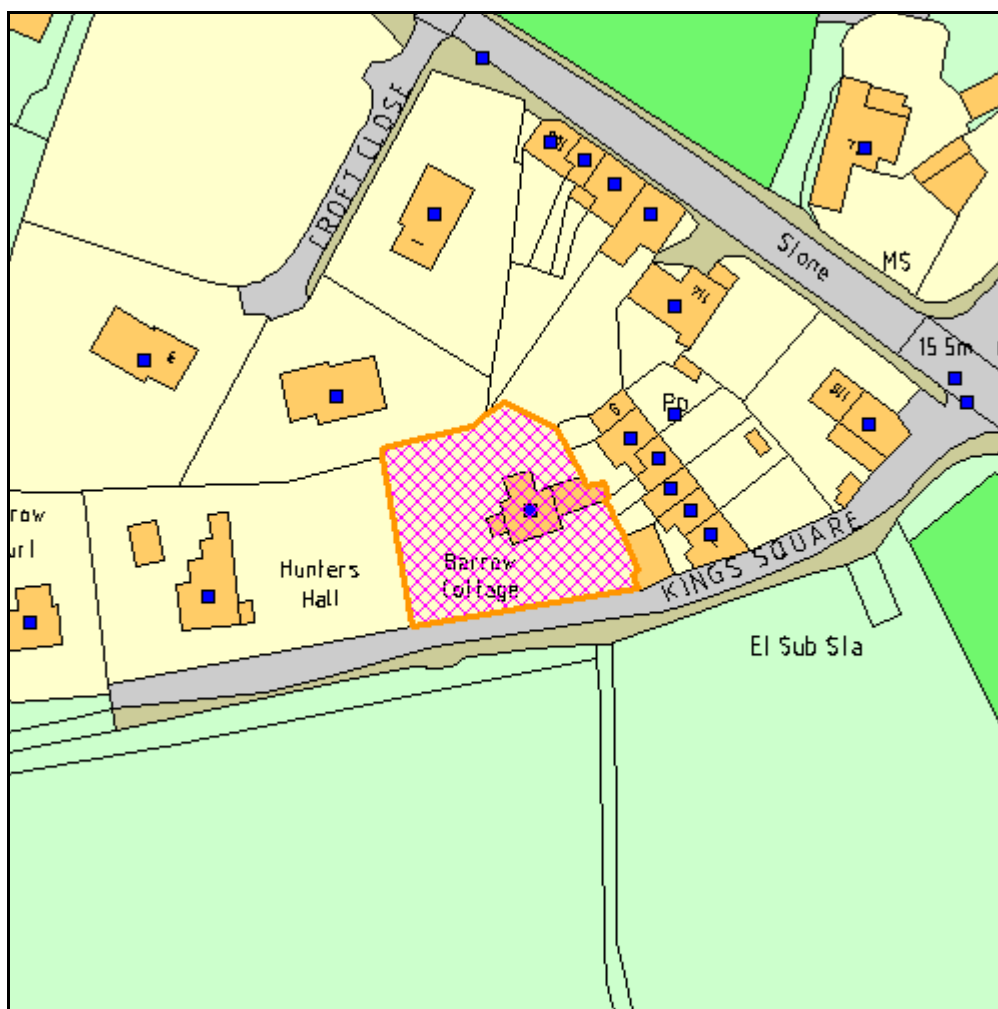
2. Insufficient information has been provided regarding ecological matters, particularly with reference to bats, the proposal therefore is contrary to Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

Case Officer: Charlie Morris

Authorising Officer: Suzanne D'Arcy

CIRCULATED SCHEDULE NO. 11/22 - 18th March 2022

App No.:	P21/08111/F	Applicant:	Helen Pugsley
Site:	Barrow Cottage Kings Square Bitton South Gloucestershire BS30 6HR	Date Reg:	7th January 2022
Proposal:	Demolition of an existing conservatory and erection of a single storey side and rear extension to form additional living accommodation. Erection of front porch.	Parish:	Bitton Parish Council
Map Ref:	367867 169721	Ward:	Bitton And Oldland Common
Application Category:	Householder	Target Date:	4th March 2022



© South Gloucestershire Council 2007.all rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2008.

N.T.S.

P21/08111/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 CIRCULATED SCHEDULE

The application is referred to the Circulated Schedule as representation has been received from the Parish Council which is contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the demolition of an existing conservatory and the erection of a single storey side and rear extension to form additional living accommodation; and the erection of a front porch.
- 1.2 The application site relates to Barrow Cottage which is a locally listed, detached two storey cottage. It is located within Bitton Conservation Area.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework (NPPF)
National Planning Policy Guidance (NPPG)
National Design Guide

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

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

- PSP1 Local Distinctiveness
- PSP2 Landscape
- PSP3 Trees and Woodland
- PSP8 Residential Amenity
- PSP11 Transport Impact Management
- PSP16 Parking Standards
- PSP17 Heritage Assets and the Historic Environment
- PSP20 Flood Risk, Surface Water and Watercourse Management
- PSP38 Development within Existing Residential Curtilages
- PSP43 Private Amenity Standards

2.3 Supplementary Planning Guidance

- South Gloucestershire Design Checklist (Adopted) 2007
- Residential Parking Standards SPD (Adopted) 2013
- Waste Collection SPD (Adopted) 2015 (Updated 2017)

3. RELEVANT PLANNING HISTORY

3.1 None relevant

4. CONSULTATION RESPONSES

4.1 Bitton Parish Council

Object- out of keeping with the rest of the property.

4.2 Conservation Officer

No objections in respect of the impact to the host dwelling and the identified heritage assets- some further consideration is advised in respect of the scale and design of the side extension.

4.3 Tree Team

No objection, subject to conditions.

Other Representations

4.4 Local Residents

None received.

5. ANALYSIS OF PROPOSAL

5.1 **Principle of Development**

Policy PSP38 of the Policies, Sites and Places Plan (November 2017) 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 (December 2013) 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.

Importantly, policy PSP17 of the Policies, Sites and Places Plan (November 2017) and policy CS9 of the Core Strategy (December 2013) state that heritage assets are expected to be conserved, respected and enhanced in a manner appropriate to their significance.

The proposal accords with the principle of development subject to the consideration below.

5.2 **Design and Heritage Impact**

Barrow Cottage is locally listed and falls within Bitton Conservation Area. It dates back to the middle of the 19th century where the original building consisted of a simple square proportioned dwelling with a shallow wing to the north. There are historic later additions to the east which appear in the 1st addition of the OS map in 1888, therefore in planning terms these can be considered to form part of the 'original dwellinghouse'. There is also a small conservatory on the west elevation, and even though no historic

record can be found for this addition, it is to be demolished as part of the proposal anyhow. The loss of the conservatory would not cause any significant harm.

- 5.3 The proposed porch is entirely appropriate in terms of scale, form and design. The supporting Design & Access statement indicates the materials are to include a slate roof above timber framed windows/door and a dwarf stone wall. This is consistent with the main house and, subject to conditions, no objections are raised.
- 5.4 Paragraph 203 of the NPPF states that *'In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'* In addition, Policy PSP17 of the PSP plan seeks development proposals in the conservation area to preserve, or where appropriate, enhance those elements which contribute to their special character.
- 5.5 Although the council's conservation officer raised doubt as to whether the extension would be complimentary in views from the side and rear, overall, the positive contribution the building makes to the character of the area and sense of local distinctiveness would be preserved. It would therefore be unreasonable to raise objection in regard to the heritage impact of the proposal. Overall, while the concerns may not be sufficient to object to the scheme on the grounds of its locally listed designation therefore, the design and visual impact of the proposals need to be considered carefully in accordance with the prevailing design policies and SPD guidance.
- 5.6 The extension would wrap around the west and rear elevations, linking to the existing kitchen wing. Although the footprint would be relatively large, the proposed extension would be single storey and set back significantly from the principal elevation of the main dwelling, as such it would result in a clearly subservient appearance and is of an appropriate size and scale to suitably retain the character of the existing building. The proposed side/rear extension would be more contemporary in appearance with large power coated aluminium framed windows/doors, soft-lime based rendered walls and a EPDM rubber roof covering (slate coloured).
- 5.7 The parish council have raised concerns that the extension would be 'out of keeping', however the extension would be in a discreet location and, subject to a condition ensuring a high quality finish, the proposed materials would result in addition to the original dwelling that would be, in this case, appropriately distinct and easily identifiable as a modern extension. Furthermore, the flat roof design is thought to fittingly reflect that of the existing east wing, offering a better sense of balance to the overall property when viewed from the front.
- 5.8 Given all of the above, the proposed development would not cause any significant harm to the character of the host dwelling, nor the conservation area, and therefore no objections are raised in terms of design and heritage impact.
- 5.9 **Trees**
No trees are to be removed as part of the application, however there are a number of established trees in close proximity to the proposals. There is also a protected tree within the site and a 2no other protected trees near the boundary. Therefore, to

ensure the health of the existing trees during construction, a condition will be included for an arboricultural method statement and tree protection plan to be agreed in writing.

5.10 **Residential Amenity**

Given the siting and scale of the development, combined with the separation distances involved, it is not likely to have any adverse impact on the residential amenity of any surrounding neighbours through overlooking, overbearing or loss of light. Furthermore, adequate private amenity space would remain for the occupiers of the host dwelling following development.

5.11 **Transportation**

The application is not proposing any additional bedrooms, nor would it impact on the existing parking arrangements. As such, no objection is raised in regard to transport.

5.12 **Equalities**

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

6. **CONCLUSION**

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

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

7. **RECOMMENDATION**

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

CONDITIONS

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

Reason

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

2. Prior to the commencement of the relevant phase of works (excluding demolition), details of all roofing and external facing materials proposed to be used on both the side/rear extension and porch extension hereby approved shall be submitted to and approved in writing by the Council. The work shall be carried out strictly in accordance with the approved details.

Reason

To ensure a satisfactory standard of external appearance to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and to ensure the works serve to preserve the architectural and historic interest of the locally listed building and its setting, in accordance with 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 national guidance set out at the NPPF.

3. Prior to the commencement of the works hereby approved, an arboricultural report containing an arboricultural method statement and tree protection plan, in accordance with British Standard 5837(2012), shall be submitted and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of the health and visual amenity of the existing trees, to accord with policy PSP3 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 and The Town and Country Planning (Tree Preservation) (England) Regulations 2012. This is required prior to commencement to avoid unnecessary damage to trees during construction.

4. The development hereby permitted shall take place in accordance with the following plans:

Received by the Council on 20th December 2021;
SITE LOCATION PLAN
EXISTING ELEVATIONS
EXISTING GROUND FLOOR PLAN
PROPOSED GROUND FLOOR PLAN

Received by the Council on 7th January 2022;
BLOCK PLAN
PROPOSED ELEVATIONS

Reason

To define the terms and extent of the permission.

Case Officer: James Reynolds
Authorising Officer: Helen Ainsley

CIRCULATED SCHEDULE NO. 11/22 - 18th March 2022

App No.:	P22/00187/F	Applicant:	Likemind Developments Ltd
Site:	19 Branksome Drive Filton South Gloucestershire BS34 7EG	Date Reg:	17th January 2022
Proposal:	Erection of a two storey side and single storey rear extensions, installation of 1 no. rear dormer to facilitate the change of use of 1 no. dwelling to 7 bedroom, 7 occupant House in multiple occupation (HMO) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).	Parish:	Filton Town Council
Map Ref:	360605 179262	Ward:	Filton
Application Category:	Minor	Target Date:	10th March 2022



© South Gloucestershire Council 2007.all rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2008.

N.T.S.

P22/00187/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, contrary to the officer recommendation detailed below.

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the erection of a two storey side and single storey rear extensions, installation of 1 no. rear dormer to facilitate the change of use of 1 no. dwelling to 7 bedroom, 7 occupant House in multiple occupation (HMO) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) at 19 Branksome Drive, Filton.
- 1.2 The application site is located with a settlement boundary and is not subject to any restrictive designations.
- 1.3 Revised plans have been received since the point of submission, which have reduced that volume and altered the design of the proposed rear dormer.

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 No relevant planning history.

4. CONSULTATION RESPONSES

- 4.1 Filton Town Council: Objection

“The proposal for a HMO (house in multiple occupation) of 7 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 Councillor Chris Wood: Objection

“This application provides a limited number of car parking spaces for a 7 bedroom HMO, to be provided in close proximity to a road junction, on an already congested road, without a bus link, where vehicles often park dangerously on the pavement due to a lack of on-street parking.

“The Residential Parking Standards Supplementary Planning Document (SPD) 2013 outlines that HMO “developments can, if inappropriately located and/or by becoming concentrated in a locality, increase local on-street parking problems” and states that HMO applications will be permitted only if they “would identify acceptable off-street parking”. The key term here is acceptable, no acceptable off-street parking has been identified due to its proximity to the road junction. I am also concerned that this application breaches the Houses in Multiple Occupation: Guidance for new developments Supplementary Planning Document October 2021 as over 40% of South Gloucestershire’s HMOs are located in Filton and the impact on parking, noise, litter and antisocial behaviour problems has increased dramatically as a result.

“This application is inappropriately located, will further increase the already burdensome on-street parking problems, traffic congestion and endanger road users, including cyclists and pedestrians and lead to an increase in noise, litter and antisocial behaviour. There is no doubt that there are clear planning guidelines laid out by this council which prohibit the granting of this planning application, as highlighted in the two SPDs noted above, hence why it should be rejected by members.”

4.3 Sustainable Transport Officer

No objections, conditions recommended.

4.4 Economic Development Officer

No objection.

4.5 Local Residents

59 letters of objection have been received from neighbours. The key points have been summarised below.

- Too many HMO's in the area;
- Loss of a family home;
- Not enough parking;
- Increased traffic problems;
- Increased safety concerns;
- Increased noise, disturbance and anti-social behaviour;
- Harm to character and visual appearance;
- Increased litter;
- Loss of light;
- No local economic investment;
- Services not sufficient to cover large properties; and
- No legal access to service lane.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The primary consideration of this application is whether the change of use of a dwelling from C3 into C4 (house of multiple occupation) would have an unacceptable impact upon the surrounding area. This is primarily assessed against the tests outlined in the Houses in Multiple Occupation SPD (Adopted) 2021 which utilises available data (licensed HMOs) to provide an assessment of the concentration of HMOs and overall housing mix within the locality of the proposal.

5.2 Further to this, policy PSP39 states that where planning permission for an HMO is required, it will only be considered acceptable where the development would not prejudice the amenity of neighbours. Supporting text confirms the term "neighbours" should be taken to mean properties adjacent to, and surrounding the application site, and would therefore have 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 they do not create unacceptable living conditions or result in unacceptable impacts on residential amenities of both the potential occupants and neighbouring properties. Unacceptable impacts include but are not limited to, noise and disturbance, which could arise from HMOs due their functioning less like traditional single households on a day-to-day basis.

5.4 Referring back to the SPD, 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. Here it is noted that Additional Explanatory Guidance 1 states the following should be taken into consideration when assessing the proposal as to avoid a likely refusal:

- Whether any dwellinghouse would be ‘sandwiched’ between two licensed HMOs; or
- Result in three or more adjacent licensed HMO properties.

5.5 The application site, 19 Branksome Drive, 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.

5.6 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)

5.7 In the case of 19 Branksome Drive, HMO properties within the **census output area** locality currently represent 5.7% of households. Within 100m radius, there are 96 properties, 4 of which are registered as a HMO.

5.8 In respect of the above considerations, the principle of the change of use to a HMO is therefore accepted. Notwithstanding this, the proposal must also be reviewed against other relevant areas of consideration to determine if local planning policy is satisfied.

5.9 Lastly, the proposed alterations are acceptable in principle as policy PSP38 permits extensions and alterations to existing dwellings and outbuildings within established residential curtilages subject to an assessment of design, amenity and transport, which is provided below.

5.10 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.

- 5.11 The proposed 2 storey side extension would be set back from the principle elevation and a reduced ridge height. The roof form would follow the existing hipped form. The proposed width is less than half of the host property. When compared in its entirety against the host property, the proposed 2 storey side extension appears as a subservient addition. The proposed single storey rear extension is small in mass and does not impact the overall context of the property. Revised plans have been submitted to reduce the volume of the proposed rear dormer and it now incorporates a pitch. The proposed dormer would also comply with the direction listed within the Householder Design Guide SPD.
- 5.12 Overall, the proposed extensions would not result in unreasonable harm to the character or appearance of the site and its context. It would be an acceptable standard of design that complies with policies CS1 and PSP38.
- 5.13 Residential Amenity
As outlined above, the principle for the change of use is not considered to significantly impact upon residential amenity with the introduction of a minor single storey rear extension unlikely to introduce elements of overlooking or overbearing effect. This suggests the proposal fully accords with policy PSP8.
- 5.14 However, policy PSP43 sets out minimum standards for private amenity space which should be functional, safe and of sufficient size in relation to occupants. Whilst this policy does not provide a standard for HMOs, it should be used as a reference point when assessing HMO applications. The policy confirms that a 1no. bed flat should have access to a minimum of 5m² amenity space, suggesting the proposal should supply, at minimum, 35m² (7 x 1no. bed) of private amenity space. The submitted demonstrate this standard could be achieved.
- 5.15 Notwithstanding this, the submitted floor plans demonstrate that internal space conditions are of a 'cramped' nature, but the case officer refers to the national HMO licensing application which ensures an assessment of the suitability for dwelling to be used as a HMO (based on the size and number occupants) is conducted. So, whilst concerns are raised with regards to internal space standards, this ultimately fall outside the scope of planning assessment.
- 5.16 Transport
Policy PSP16 sets out the Council's criteria for parking specifications. It states that parking space provision for a HMO is 1 space per 2 bedrooms and should be rounded up to the nearest whole number, with a HMO of the proposed size expected to provide 4no. on-site parking spaces. The submitted plans confirm that this requirement can be satisfied. Notwithstanding this, the requested condition of the sustainable transport officer is noted – prior to first occupation, an electric charging point should be installed – with the case officer in agreement it would not be undue to set such a condition.

- 5.17 In addition to the above, policy PSP11 states 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 serve 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.
- 5.17 Access to each of the proposed parking spaces would utilise an entry point from Branksome Drive and would be positioned in a similar fashion to that of existing. Likewise, submitted details indicate that visibility from the proposed vantage point would be of an acceptable standard and given that the development would only result in a modest intensification of road use, the proposed arrangements would not result in any serve highway or transportation issues. The proposed development therefore satisfies the requirements of policies PSP11 and PSP16, with no transportation objections raised.
- 5.18 Consideration of likely impact on Equalities
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act, the public sector equality duty came into force. Among other things, those subject to the equality duty must have due regard to: eliminate unlawful discrimination; harassment and victimisation; advance equality of opportunity; and, foster good relations between people who share a protected characteristic and those who do not. 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.
- 5.19 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/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 13th January 2022: Site Location Plan, Existing Block Plan, Existing Ground Floor Plan, Existing Roof Plan , Proposed Ground Floor Plan, Proposed First Floor Plan, and Existing Elevations.

Received by the council on 9th March 2022: Block Plan.

Received by the council on 15th March 2022: 3rd Floor Plan (Rev B), Proposed Elevations (Rev B), Proposed Roof Plan (Rev B).

Reason

To define the terms and extent of the permission.

3. Prior to first occupation of the development hereby approved, the access, car parking, one Electric Vehicle Charging Point(7Kw 32 Amp), and cycle parking must be fully complete and be made fully accessible.

Reason

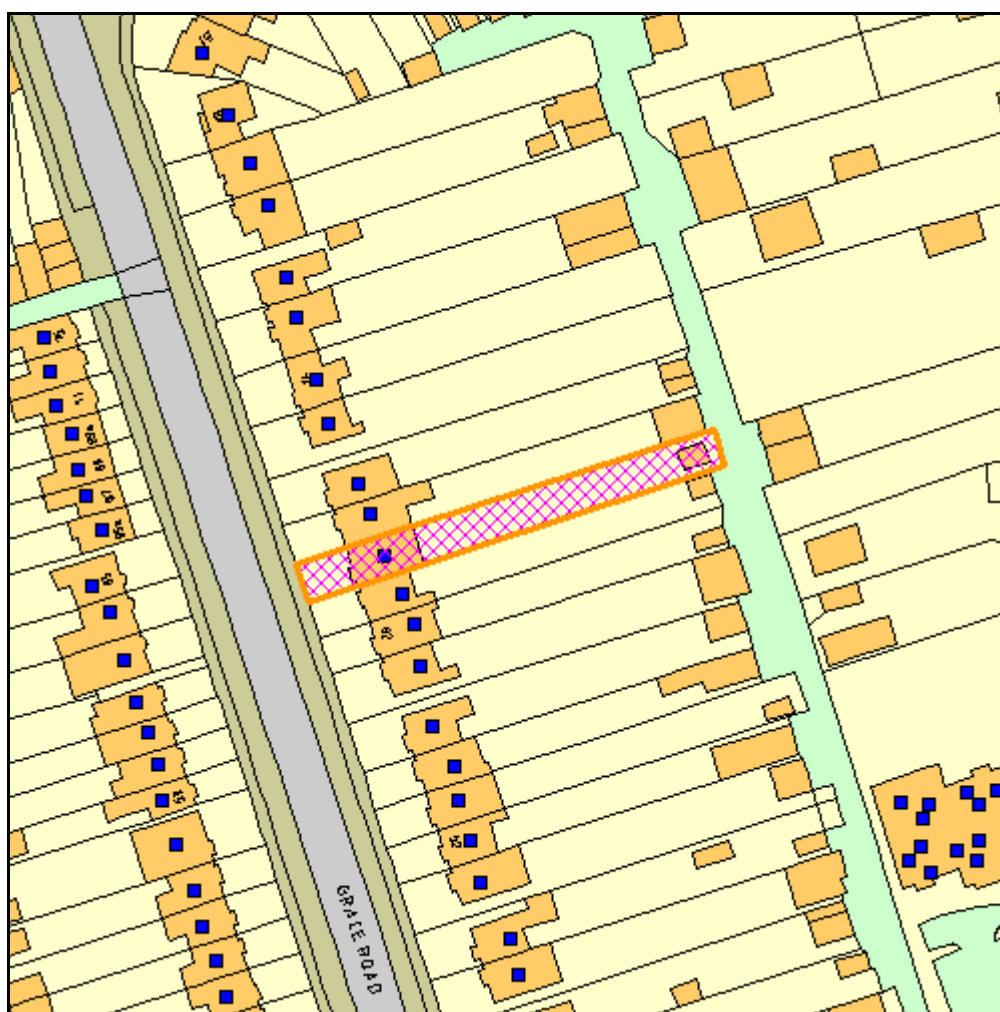
In the interest of highway safety and to accord with policies PSP11 and PSP16 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

Case Officer: Thomas Smith

Authorising Officer: Helen Ainsley

CIRCULATED SCHEDULE NO. 11/22 - 18th March 2022

App No.:	P22/00571/HH	Applicant:	Mr Neil Thompson
Site:	66 Grace Road Downend South Gloucestershire BS16 5DU	Date Reg:	2nd February 2022
Proposal:	Erection of two storey rear outbuilding to provide garage, office and guest bedroom.	Parish:	Downend And Bromley Heath Parish Council
Map Ref:	364378 176253	Ward:	Frenchay And Downend
Application Category:	Householder	Target Date:	29th March 2022



© South Gloucestershire Council 2007. all rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2008.

N.T.S.

P22/00571/HH

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

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

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of a two storey rear outbuilding to provide garage, office and guest bedroom, as detailed on the application form and illustrated on the accompanying drawings.
- 1.2 The application site can be found within the garden of 66 Grace Road and is set within a good sized rear amenity space, and the host dwellinghouse is an existing two storey mid-terrace property, within the settlement boundary of Downend.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework July 2021
National Planning Policy Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

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

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

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted 2007)
Residential Parking Standards SPS (Adopted 2013)
Household Design Guide SPD (Adopted 2021)
Annexes and Residential Outbuildings – Guidance for new developments SPD (Adopted 2021)

3. RELEVANT PLANNING HISTORY

- 3.1 None relevant.

4. CONSULTATION RESPONSES

4.1 Downend and Bromley Heath Parish Council

1 No letter of Objection –

- *Constitutes a new dwelling and overdevelopment*

4.2 Other Consultees

Sustainable Transport – Transportation DC

Comments made –

- *As currently submitted, the proposal would be recommended for refusal as insufficient information has been provided to confirm if adequate vehicular access and parking are available.*

Tree Officer

No Objections.

- *Although the Tree Officers have no objections to this proposal, but they would like to see some tree planting following completion of development to mitigate for the loss of the trees on site.*

Other Representations

4.3 Local Residents

No Comments received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy PSP38 of the PSP Plan (November 2017) allows the principle of development within residential curtilages, subject to considerations of visual amenity, residential amenity and highway safety. It states that new dwellings and extensions within existing residential curtilages are acceptable in principle but should respect the overall design and character of the street and surrounding area. They should not prejudice the amenities of neighbours, or that of highway safety and the parking provision should be of an acceptable level for any new and existing buildings. The adequate provision of private amenity space should also not be sacrificed for any new development that forms part of a settlement pattern that also contributes to local character.

5.2 Policy CS1 of the Core Strategy seeks that the siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the application site and its context.

5.3 Annexe Test

By definition an annexe must be ancillary to the main dwelling house and should have some form of physical and functional reliance upon it. Ultimately, the resultant development should be one planning unit i.e. one household rather than two separate dwellings. In this instance, the proposal has some of the elements of principal living accommodation (a bedroom and a bathroom)

- that could enable it to be used as an independent unit of residential accommodation.
- 5.4 The case officer notes that the proposed annexe would need to share the existing kitchen, living & dining area, garden, and main access with the host dwellinghouse, and as such, it does show physical reliance on the host dwellinghouse. As such, officers are satisfied that that the annexe would be used ancillary to the main house. A condition will be attached to the decision notice to ensure that the annex can never be a unit separate of the host property and will remain ancillary to it.
- 5.5 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.
- 5.6 The proposed two storey rear outbuilding will extend to a total width of 6.0 meters (width of the existing amenity space) and to a depth of 8.0 meters. In general it will feature a gable end pitched style roof and extend to the ridge by 5.8 metres and 2.4 metres in height to the eaves, which will house a proposed office space/guest bedroom to the first floor, and therefore a flat roofed box dormer is also proposed to its front elevation, which will overlook the existing private amenity space of the host dwellinghouse. A double garage door is proposed to the rear elevation, which would be accessible via the private access lane to rear of the curtilage.
- 5.7 The proposed two storey rear outbuilding has been proposed through its design to complement the existing dwelling in the choice of materials, details and components, ensuring that the aesthetical appearance of the outbuilding continues to compliment neighbouring properties, match materials and components where possible, and therefore the scale and form of the proposal does respect the proportions and character of the host dwellinghouse and its surrounding context.
- 5.8 Comments have been received in the form of an objection by Downend and Bromley Heath Parish Council, as they are concerned that such a proposal constitutes overdevelopment. Within this particular area of Downend, other neighbouring properties have detached buildings/garages to the rear of the properties towards the rear of their private amenity space, which is only accessible via the private access/unadopted roadway from Overhill Road.
- 5.9 As such, the case officer has concluded that the proposed scale, form and height of the outbuilding does respect the existing proportions and characteristics of the host dwellinghouse and its surrounding character and context, and therefore, by virtue of the above the overall development does meet the requirements of policy PSP38, CS1 and the Household Design Guide SPD.

5.10 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.

- 5.11 The impact on residential amenity has been assessed in terms of the surrounding neighbouring properties given its proposed scale, built form and location. As stated previously, the proposal is located to the rear to the private amenity space of the application site and despite the height of the gable end pitched roof which will facilitate an office and occasional bedroom to the roof space, officers have concluded that as it is proposed near to similar like pitched roof structures, that it would not cause any overbearing or dominant impacts. Therefore, it is concluded that the amenity of neighbouring residents would be adequately preserved and the proposed development would comply with policies PSP8, PSP38 and Household Design Guide SPD.

5.12 Transport

Policy PSP16 of the Policies, Sites and Places Plan sets out the Councils parking standards. The proposed development would create a new building to the rear of the site with a garage to the ground floor and a one bed studio on the first floor. No detail on the layout of the existing dwelling has been shown. Vehicular parking requirements are assessed on the number of bedrooms within the site. No detail on existing vehicular access and parking have been shown. It is unclear from the detail submitted if this is proposed to be an annexe or a new standalone dwelling. As currently submitted, refusal is recommended as insufficient information has been provided to confirm if adequate vehicular access and parking are available.

- 5.13 In response to these comments, clarification has been provided to confirm that the host dwellinghouse is a 3No bedroom dwelling and therefore 2No parking spaces are required to comply with the South Gloucestershire Council parking standards. It has also been confirmed that there is no off-street parking at present to the host dwellinghouse, which is illustrated in the submitted Site Location and Block Plans.

- 5.14 The case officer notes that the proposal is for the erection of two storey rear outbuilding to provide a garage, office and guest bedroom, as illustrated on the Proposed Plans. The case officer understands that the vehicular access to the proposed new garage will be via an existing private access lane, which is accessible from Overnhill Road and that the proposed garage could accommodate 2No parked vehicles. Therefore the application is considered acceptable in sustainable transport terms.

- 5.15 In terms of the concerns raised by both the Parish Council and Sustainable Transport officers, in respect of the proposal being assessed as an annexe or a standalone dwelling, the case officer has applied the 'annexe test' earlier in this

report and concluded that as the proposed annexe would need to share the existing kitchen, living & dining area, garden, and main access, that it does show physical reliance on the host dwellinghouse. Therefore, the case officer is satisfied that that the annexe would be used ancillary to the main house and a condition would be applied, if granted, to ensure this.

5.16 Private Amenity Space

The host dwelling currently benefits from an amount of existing private amenity space. PSP43 sets out standards which are based on the number of bedrooms at a property. Although 1No additional bedroom is proposed, no concern is raised on the level of amenity space being proposed.

5.17 Arboricultural Comments

Although comments have been received from the Tree Officer of no objection to this proposal, some further tree planting is required following completion of development, to mitigate for the loss of the trees on site. If granted, an appropriate condition would be added to the consent to secure this.

5.18 Consideration of likely impact on Equalities

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

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

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That the application be **APPROVED** subject to the conditions detailed on the decision notice.

CONDITIONS

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

Reason

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

2. The annex hereby permitted shall not be occupied at any other time other than for ancillary purposes as part of the main residential use of the dwelling known as 66 Grace Road, Downend, BS16 5DU.

To protect the residential amenity of the host dwelling to accord with policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017.

3. Replacement tree(s), the species, size and location of which are to be approved in writing by the Local Planning Authority, shall be planted in the first planting season following completion of development to mitigate for the loss of the trees on site.

Reason

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

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

Site and Block Plan (Date both received 01/02/22)
Combined Plan

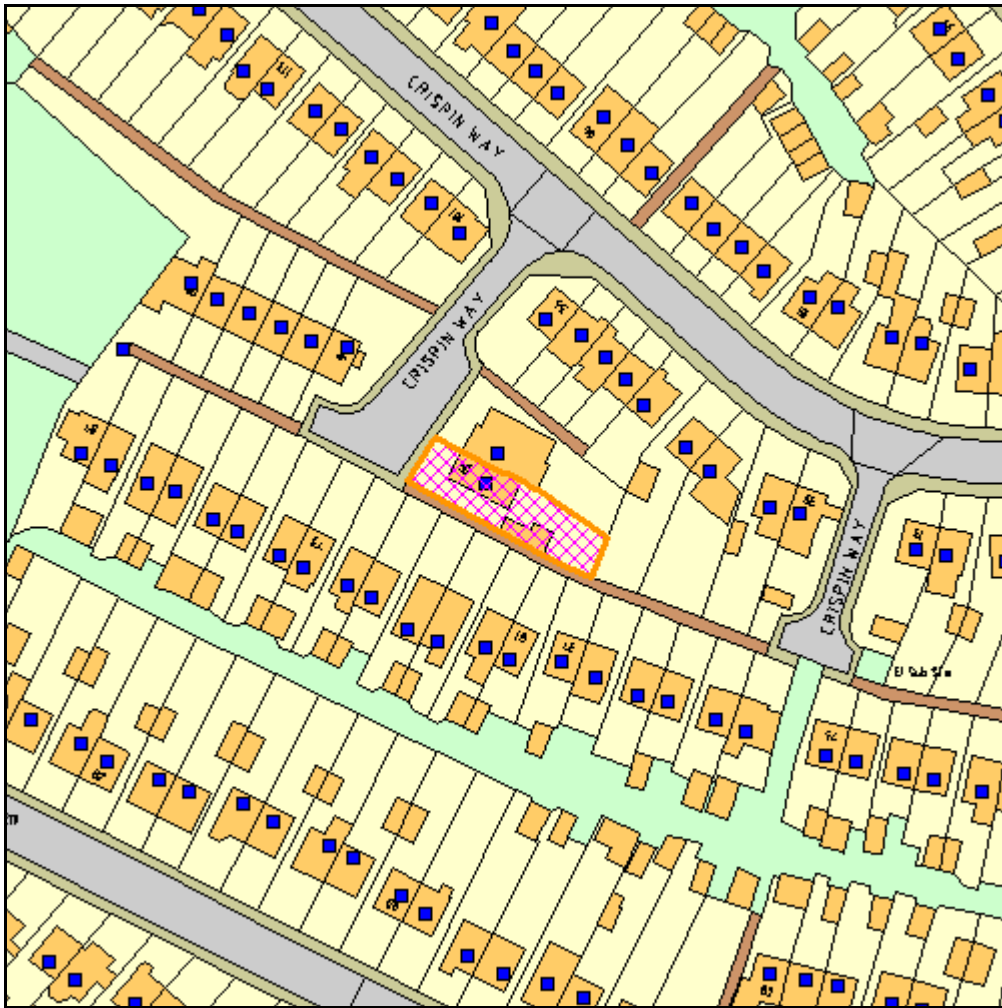
Reason

To define the terms and extent of the permission.

Case Officer: Helen Turner
Authorising Officer: Suzanne D'Arcy

CIRCULATED SCHEDULE NO. 11/22 - 18th March 2022

App No.:	P22/00893/HH	Applicant:	Ms Stacey Saunders
Site:	59 Crispin Way Kingswood South Gloucestershire BS15 4SH	Date Reg:	16th February 2022
Proposal:	Erection of single storey side extension to provide additional living accommodation.	Parish:	
Map Ref:	365872 174730	Ward:	New Cheltenham
Application Category:		Target Date:	12th April 2022



© South Gloucestershire Council 2007.all rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2008.

N.T.S.

P22/00893/HH

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

This planning application will be added to the Circulated Schedule because the proposal has received 3No objections from Neighbouring Residents, which are contrary to the officer's recommendation.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of a single storey side extension to provide additional living accommodation, as detailed on the application form and illustrated on the accompanying drawings.
- 1.2 The application site can be found at 59 Crispin Way, is set within a moderately sized plot, and is an existing semi-detached property. It is located within the established built up residential area of Kingswood.
- 1.3 As part of the assessment of this application, design negotiations have taken place following comments received in respect of the potential visual impacts that the height of the originally proposed roof would have on surrounding neighbouring properties and its potential future use. Comments were also been made in respect of the existing and proposed off-street car parking arrangements. Following the various comments received, revised elevations and details of the proposed vehicle parking have now been received and therefore re-assessed by officers.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework July 2021
National Planning Policy Guidance

2.2 Development Plan

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: Proposed Submission: Policies, Sites and Places Plan June 2016

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

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007

3. RELEVANT PLANNING HISTORY

3.1 None relevant.

4. CONSULTATION RESPONSES

4.1 Other Consultees

Sustainable Transport – Transportation DC

Comments made –

- *Submitted plans do not show the existing or proposed vehicular access or parking arrangements; and*
- *A minimum of 2No spaces are required to be provided (2.4m by 4.8m) within the boundary of the host dwellinghouse.*

Public Right of Way

No Objections.

Other Representations

4.2 Local Residents

3 No letters of Objection received –

- *Concerns that the proposed extension will be overbearing;*
- *Concerns over the potential future use of the roof space in the possibility of it providing additional living accommodation;*
- *Concerns over increased on-street parking and vehicles causing obstructions;*
- *Concerns over access to public footpath being obstructed during construction and works period; and*
- *Concerns over potential trip hazards from construction materials.*

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 single storey side extension will have an overall depth of 6.8 meters and will be to a width of 3.0 meters, and feature a gable end pitched roof. Originally, the submitted scheme proposed a rather high pitch gable end roof, and through negotiations, the revised proposed design of the roof to the single storey side extension, has now been significantly reduced and appears much more congruous with the attached neighbouring property. The case officer also understands that there are no rooms proposed to the roofspace as part of this application.

5.5 Therefore, with this much reduced set down from the original host ridge of almost 3.0 meters to the proposed ridge; a height of 2.3 meters to the eaves from ground level, and a set back from the front façade by almost 1.0 meter, the proposed form and scale of the side extension does now create a more appropriate subservience to the host dwellinghouse, the streetscene, and it also retains a more appropriate balance to the attached neighbouring property.

5.6 The extension has been proposed through its design to complement and integrate with the host dwellinghouse in its choice of materials, details and components, ensuring that the aesthetical appearance compliments the host dwelling and its attached neighbouring property accordingly, and therefore the proposed scale and form is considered to respect the proportions and character of the existing dwellinghouse. Therefore, and by virtue of the above, the development meets the requirements of policy PSP38, CS1 and the Household Design Guide SPD.

5.7 Residential Amenity

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

5.8 Given the proposed size, the significantly reduced height of the proposed roof; its scale and its siting of this extension, it has been concluded that the impact on the neighbouring residential amenity would now be very limited and therefore due to the revised design, the proposed single storey side extension should no longer result in any overbearing or dominant impacts. Therefore, it is considered that the amenity of neighbouring residents would be adequately preserved and the proposed development does comply with policies PSP8, PSP38 and Household Design Guide SPD.

5.9 Transport

Policy PSP16 of the Policies, Sites and Places Plan sets out the Council's parking standards. Comments were received in respect of the potential off-street parking on the application site by Sustainable Transport colleagues. Consequently revised proposed site and block plans have now been received which demonstrate that 3No proposed off-street parking spaces, which comply with South Gloucestershire Council's residential parking standards, have been proposed. As such, the application is now acceptable in sustainable transport terms.

5.10 Private Amenity Space

The host dwelling currently benefits from an amount of existing private amenity space. PSP43 sets out standards which are based on the number of bedrooms at a property. No concern is therefore raised on the level of amenity space being proposed.

5.11 Other matters

Comments have been received in respect of the potential impacts from the potential construction and works should the application be granted. Whilst these concerns are noted, they are not a material planning consideration.

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 it is considered to have a neutral impact on equality.

6. CONCLUSION

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

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

7. RECOMMENDATION

- 7.1 That the application be **APPROVED** subject to the conditions detailed on the decision notice.

CONDITIONS

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

Reason

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

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

0825-01A Location and Block Plans (Date received 14/03/22)

0824-11 Existing Elevations (Date received 15/02/22)

0824-12 Existing Floor Plans (Date received 15/02/22)

0825 22 Proposed Floor Plans (Date received 15/02/22)

0825 21B Proposed Elevations (Date received 14/03/22)

Reason

To define the terms and extent of the permission.

Case Officer: Helen Turner

Authorising Officer: Suzanne D'Arcy