

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: 46/22

Date to Members: 18/11/2022

Member's Deadline: 24/11/2022 (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

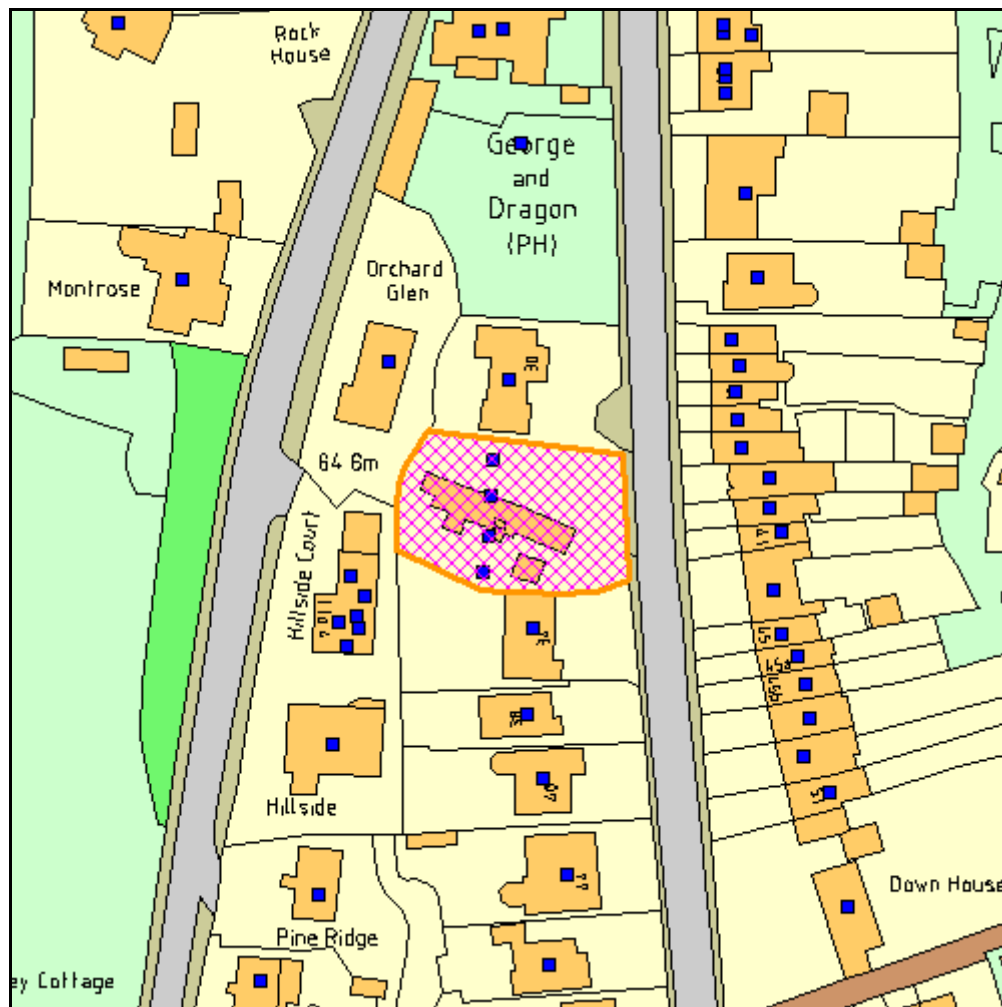
CIRCULATED SCHEDULE 18 November 2022

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ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	P22/01937/RVC	Approve with Conditions	32 Dragon Road Winterbourne South Gloucestershire BS36 1BG	Winterbourne	Winterbourne Parish Council
2	P22/02130/F	Approve with Conditions	8 Oaktree Crescent Bradley Stoke South Gloucestershire BS32 9AD	Bradley Stoke North	Bradley Stoke Town Council
3	P22/03351/HH	Approve with Conditions	17 St Michaels Close Winterbourne South Gloucestershire BS36 1NS	Winterbourne	Winterbourne Parish Council
4	P22/03726/O	Approve with Conditions	Land Rear Of 16-18 Earlstone Close Cadbury Heath South Gloucestershire BS30 8HQ	Parkwall And Warmley	Oldland Parish Council
5	P22/05600/F	Approve with Conditions	102 - 104 Rodway Road Patchway South Gloucestershire BS34 5PG	Patchway Coniston	Patchway Town Council

CIRCULATED SCHEDULE NO. 46/22 -18th November 2022

App No.:	P22/01937/RVC	Applicant:	Mr David Drew
Site:	32 Dragon Road Winterbourne South Gloucestershire BS36 1BG	Date Reg:	31st March 2022
Proposal:	Variation of condition 2 attached to permission P20/21230/F (Appeal reference APP/P0119/W/21/3268597) to amend the approved plans and variation of condition 3. Demolition of existing dwelling. Erection of 4 no. dwellings with associated works.	Parish:	Winterbourne Parish Council
Map Ref:	364767 180387	Ward:	Winterbourne
Application Category:	Minor	Target Date:	25th May 2022



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P22/01937/RVC

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

INTRODUCTION

This application appears on the Circulated Schedule due to the objection of the Parish Council contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 Planning permission was granted (P20/21230/F) at appeal in June 2021 for the erection of four dwellings in the form of two semi-detached pairs. The Inspector's decision included 3No. conditions.
- 1.2 Condition 2 lists those plans approved; the current application is seeking to vary this condition in order to substitute revised details, modifying the roof design of the two central dwellings. The central properties would have their hipped roofs raised to gables, thereby adding more accommodation in the roof space.
- 1.3 In addition the application includes details of the site's surface water drainage in order to discharge condition No3. This condition would therefore become a compliance condition.

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
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

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

PSP1 Local Distinctiveness

PSP2 Landscape

PSP3 Trees and Woodland

PSP8 Residential Amenity

PSP16 Parking Standards

PSP17 Heritage Assets and the Historic Environment

PSP18 Statutory Wildlife Protection

PSP38 Development within Existing Residential Curtilages

PSP43 Private Amenity Space Standards

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007)

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 P20/12940/F Demolition of existing dwelling. Erection of 3 No. detached dwellings with associated works. Refused 2.9.20

3.2 P20/21230/F Demolition of existing dwelling. Erection of 4 no. dwellings (2x semi detached pairs) with associated works. Allowed at appeal 23.6.21

4. CONSULTATION RESPONSES

4.1 Winterbourne Parish Council

Originally objected to the proposal on the grounds of lack of information. Subsequently objected due to inadequate drainage information having regard to the comments of the Council's Drainage Engineer.

Final comment:

Objection. No measures of sustainability have been put in place to mitigate climate change.

4.2 Other Consultees

4.3 SGC Drainage

We are now 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.

Soakaways Location Plan / Drwg. No. 1560-12A – SuDS / Dated March 2022

David Drew Design & Construction Ltd - Drainage Proposals (32 Dragon Road, Winterbourne) document / Rev. B / Dated 16 August 2022

Sustainable Transport – Transport DC
No comments.

Other Representations

4.4 Local Residents

Comments have been received from one local resident stating that the dwellings are facing the wrong way round and the internal layout could be improved, and that two detached dwellings would be preferable.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

5.2 To determine this application, submitted under Section 73 of the Town and Country Planning Act 1990, it is necessary to consider whether there have been any relevant material changes in policy since the condition was originally imposed; as well whether there have been any material changes in circumstances; together with consideration of the reasons for imposing the condition in the first place, and whether they are still relevant.

5.3 Since June 2021, when the appeal was determined, there has been no change to the Development Plan, and no significant change to other material considerations.

5.4 There is no statutory definition of a ‘minor material amendment’ but it includes any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved. The courts have held that if an amendment to a condition can be made which keeps the description of the development intact it is appropriate to make such an application under s.73, even if the effect of the change will be significant. It is necessary therefore to consider whether the effect of the application goes beyond the terms of the original planning permission.

5.5 The proposal does not change the size, footprint layout or number of dwellings on the site. The proposed design changes relate to the roof only. The scope of the original planning permission would remain the same through the current application.

5.6 The issues to consider therefore are whether the design change is acceptable. In addition whether the submitted drainage details are satisfactory to discharge the original condition.

Design and Visual Amenity

As approved, the dwellings would have hipped roofs on all sides. It is proposed that each pair of semis would have a hipped roof on the outside side elevation, but the central side elevation would be a gabled roof. Material to the

consideration of this application is the fact that the appeal application was originally refused on grounds that included design. The inspector however noted that;

The Council and third parties are concerned that the introduction of two pairs of two-storey semi-detached dwellings is at odds with the character and appearance of the area and constitutes overdevelopment of the site. During my site visit I noted that the western side of Dragon Road, where the appeal site is located, is characterised by detached dwellings with terraced dwellings on the eastern side. Whilst I did not see any semi-detached dwellings, I do not consider that the introduction of such dwellings would be at odds with the wide variation in dwelling types in the immediate area.

The roof scape was not therefore a particular issue in the appeal.

It is noted that there are a variety of roof forms adjacent to the appeal site, in particular it is noted that gables are in fact the norm. Therefore the proposed introduction of part gabled roofs would not be out of character or harmful to the visual amenity of the area. Given this, and the fact that there are no other design revisions proposed, the variation of the plans list condition – 2 – is acceptable.

Drainage

During the course of this application revised and additional drainage details have been submitted in order to discharge condition 3. The Council's Drainage Engineer has confirmed that the level of information which has been submitted is satisfactory and therefore, providing the development is constructed in accordance with the approved plans and supporting documents there is no objection to the development proceeding. It is therefore necessary to add a condition requiring the submitted and approved drainage details to be implemented and complied with.

Other issues

The Parish Council have objected on the grounds that no measures of sustainability have been put in place to mitigate climate change. However the inspector did not impose such a condition, and indeed the application is only proposing to amend two conditions. It is not therefore possible to consider sustainability measures within the remit of the application.

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

7. RECOMMENDATION

7.1 That planning permission be GRANTED, subject to the conditions below.

CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of the original permission dated 23rd June 2021.

Reason:

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

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

- 1560-07 - Ground Floor Plans
- o 1560-08 - First Floor Plans
- o 1560-09A - East & West Elevations
- o 1560-10 - North & South Elevations
- o 1560-11A - Sections & Street Scene
- o 1560-12A - Location, Site Plan & Sections
- o 1560-13 - Second Floor Plans

Reason:

To define the permission, in the interests of clarity.

3. The development hereby approved shall be carried out in accordance with the following submitted drainage details prior to the first occupation.

Soakaways Location Plan / Drwg. No. 1560-12A - SuDS / Dated March 2022

David Drew Design & Construction Ltd - Drainage Proposals (32 Dragon Road, Winterbourne) document / Rev. B / Dated 16 August 2022

Structural Soils Ltd - Insitu Testing Report (infiltrations rates) 32 Dragon Road Winterbourne / Dated 21 September 2022.

Reason:

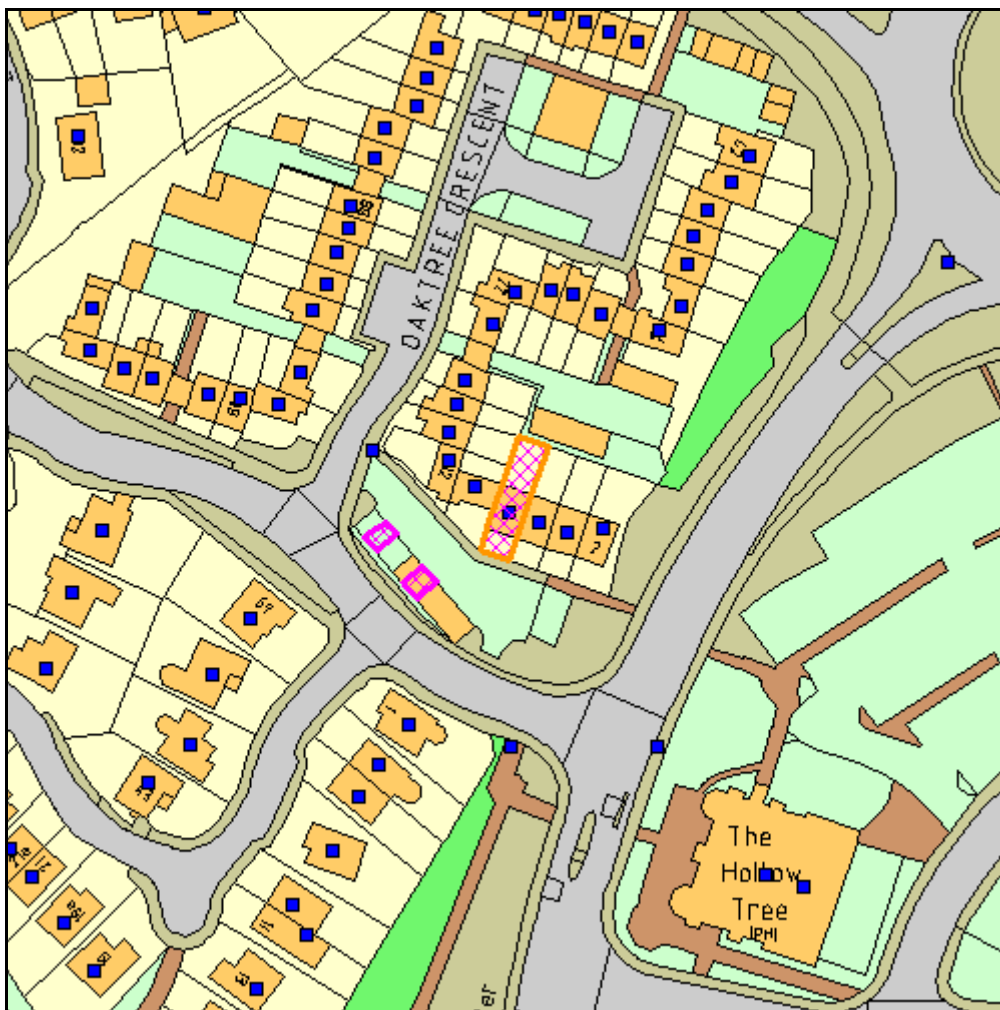
In the interests of surface water drainage and flood risk, and in accordance with Policy CS9 of the South Gloucestershire Council Local Plan Core Strategy 2013 and Policy PSP20 of the South Gloucestershire Council Local Plan, Policies Sites and Places Plan 2017.

Case Officer: Helen Ainsley

Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 46/22 -18th November 2022

App No.:	P22/02130/F	Applicant:	Adeyanju
Site:	8 Oaktree Crescent South Gloucestershire BS32 9AD	Date Reg:	19th April 2022
Proposal:	Erection of a single storey rear extension and conversion of property to form 2no self-contained flats.	Parish:	Bradley Stoke Town Council
Map Ref:	361249 182660	Ward:	Bradley Stoke North
Application Category:	Minor	Target Date:	8th June 2022



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P22/02130/F

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

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

The application appears on the Circulated Schedule because an objection from the town council has been received that is contrary to the findings of this report and officer recommendation.

1. THE PROPOSAL

- 1.1 Planning permission is sought for the erection of a single storey rear extension and conversion of the existing property from 1no. single dwelling to 2no. Self-contained flats.
- 1.2 The application site is a mid-terrace dwelling in the North Fringe of Bristol Urban Area.
- 1.3 During the application's consideration, revised plans have been accepted to reduce the scale of the proposed rear extension. As the amendments have resulted in a reduction in scale, no re-consultation has been considered necessary as nobody would have been disadvantaged.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

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

PSP1	Local Distinctiveness
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP20	Flood Risk, Surface Water, and Watercourse Management
PSP38	Development within Existing Residential Curtilages
PSP39	Residential Conversions, Subdivision, and HMOs

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

3. RELEVANT PLANNING HISTORY

- 3.1 PT18/6010/PDR (approved 08/01/2019):
Installation of rear dormer window to facilitate loft conversion
- 3.2 *Other history is available that is neither recent nor relevant to this proposal.*

4. CONSULTATION RESPONSES

- 4.1 Bradley Stoke Town Council
Objection due to overdevelopment, out of keeping, discordant, incongruous and ungainly. Inadequate amenity/recreational space and inappropriate location for bin store.
- 4.2 Stoke Lodge and The Common Parish Council (adjoining)
No comments have been received,
- 4.3 Sustainable Transport
No objection.
- 4.4 Highway Structures
No comments have been received.
- 4.5 Archaeology Officer
No comment.
- 4.6 Drainage (LLFA)
No objection. Informative recommended.
- 4.7 Local Residents
20. responses received in objection to the proposal. Summarised as follows:
- No space between properties so any new build would have an impact
 - 2nd floor element would allow overlooking
 - Impact on parking and noise due to increased occupants
 - Existing parking problems
 - New gate added to the rear may damage cars as space is not a thoroughfare.
 - Will set a precedent
 - Out of character
 - Building work would cause noise and disruption
 - Extension will reduce light
 - Existing owner of no.8 has filled one parking space with waste. Cars Park on the road instead

- Concerned for the safety of children and neighbours damaging each other's vehicles/property
- Further extension would remove privacy
- Increased number of residents may result in increased sound transmission

5. ANALYSIS OF PROPOSAL

- 5.1 Planning permission is sought for the erection of a single storey rear extension and conversion of the existing property from 1no. single dwelling to 2no. self-contained flats.

Principle of Development

- 5.2 Policy PSP39 is supportive of the conversion or sub-division of existing residential buildings into smaller units of self-contained accommodation, provided they would:
- 1) *Not harm the character and amenity of the area; and*
 - 2) *Not prejudice the amenity of neighbours; and*
 - 3) *Provide adequate amenity space; and*
 - 4) *Provide parking in accordance with the Council's parking standards.*

- 5.3 CS5 sets out the spatial strategy for the districts, and directs new development to the urban fringes of Bristol and to within settlement boundaries. The site is located within the North Fringe of Bristol Urban Area and so fully accords with the spatial strategy set out in CS5.

- 5.4 Further to the above, the proposals can be supported in principle under CS5 and PSP39, subject to consideration of the matters outlined in 1-4 above which follow the below assessment of design, amenity, and parking/transportation.

5.5 Design and Visual Amenity

Policy CS1 is the Council's principal design policy. CS1 requires development to demonstrate the highest standards of design and site planning by demonstrating that siting, form, scale, height, massing, detailing colour and materials are informed by respect and enhance the character, distinctiveness and amenity of both the site and its context.

- 5.6 The application site is a mid-terrace two storey dwelling faced with brick, with single bay window to the front, and double roman tiles to the roof. To the rear, there is a large box dormer which has been added previously off the back of a previously granted planning permission. The only external change is a 3.2 metre deep single storey rear extension, which is stepped to the rear and would be 2.3 metres deep to the West side elevation, with a return set in from the West side elevation by c.1.2 metres. The extension would have a flat roof which would be c.2.7 metres high. As the box dormer already exists, this part is not up for consideration, and the below assessment will consider only the additional single storey rear extension.

- 5.7 The extension, following reduction in scale, is modestly sized so as to appear in keeping with the scale of the host dwelling. The flat roof would not appear out of character when considering the box dormer previously approved and

moreover, the single storey nature of the extension means that the flat roof would appear far more recessive in the street scene (public visibility would be possible from Brook Way, due East). Materials are proposed to match existing, which will ensure a successful integration. Further to the above, the extension represents an acceptable standard of design that accords with CS1, PSP1 and the relevant part of PSP39.

5.8 Residential Amenity

PSP8 permits development where it does not prejudice the residential amenity of both occupiers of the development and of neighbouring dwellings through the creation of unacceptable impacts. Such unacceptable impacts include loss of privacy, overlooking, loss of light, loss of outlook and overbearing/dominant impacts. It is noted that concerns have been raised in regards to impacts on amenity.

5.9 In terms of amenity of future occupiers, officers note that all primary habitable rooms would benefit from good levels of light and outlook, with both flats being dual aspect. In terms of living arrangements, the ground floor flat would provide NDSS compliant internal space appropriate for a 1 bed, 1 person flat. The 2nd floor flat split over two levels accords with the NDSS for a 1 bed, 2 person flat. In terms of amenity space, PSP43 requires 1 bed flats to provide at least 5sqm private amenity space.

5.10 The ground floor flat would offer in excess of this requirement as the plans suggest that it would benefit from the amenity space to the rear. The upstairs flat however does not appear to have any allocated amenity space. That said, given the size of the flat it would be unlikely that it would be occupied by a family with children, and it is not uncommon to find upper floor flats in urban areas with no dedicated amenity space. Moreover, Patchway Common is a short walk from the site. Taking a balanced approach, a refusal on lack of amenity space for the upper floor flat would not be justified in this instance.

5.11 Turning to amenity of neighbours, no. 10 to the West and no.6 to the east would stand to be most affected. In terms of overlooking, the only new openings are at GFL to the rear of the extension. As these windows would look into the garden only, this would not result in any unreasonable overlooking impacts. The existing dormer windows are an existing situation, and so any overlooking from these would not be a reasonable ground to justify refusal given that they were previously found to be acceptable.

5.12 In terms of overbearing and overshadowing, the extension would have some impact on no.6 to the East, as the depth of the extension would break the 45 degree line. However, as the extension is single storey and of a modest height and depth, this would not result in any unacceptable levels of overbearing or loss of light/outlook. Similarly with no.10 to the West, the stepped rear elevation of the extension means that impacts on no.10 are reduced and so whilst again there would be some infraction of the 45 degree line, the modest height and depth of the extension mean that any impacts would not be unacceptable in respect of no.10.

- 5.13 Concerns about noise are noted. The use proposed would be residential in a residential area and so there would not be any unreasonable increase in noise levels. Impacts during construction are not a reason to withhold planning permission as they are temporary, however a suitably worded condition should be applied to limit working hours, in the interest of protecting neighbouring residential amenity due to the proximity to other residential properties.
- 5.14 Further to the above, the development is acceptable in terms of residential amenity and accords with PSP8 and the relevant part of PSP39.
- 5.15 Transport
The site is within an urban area and so would accord with the locational requirements of PSP11 in terms of being located in close proximity to key services and facilities, as well as public transport access and walking/cycling routes.
- 5.16 In terms of parking, as 1 bed flats, each would need to provide at least 1no. parking space. It is noted that the property benefits from 2no. parking spaces, and one would be allocated to each flat. This accords with PSP16 and as such there is no highways objection. A suitable space is also available to the front to provide storage for waste receptacles, which would be broadly the same as the existing situation. Should permission be granted, a condition should be applied to ensure that the parking is provided prior to first occupation of either flat, and retained thereafter in perpetuity. Subject to this, the development is acceptable in terms of transport and accords with CS8, PSP11, PSP16 and the relevant parts of PSP39.

Impact on Equalities

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

Other Matters

- 5.19 A number of matters raised from the consultation responses have not been addressed in the main body of this report. These will be considered below.
- 5.20 Rear access gate – this is noted. It is understood that this is an existing situation but in any event, adding a gate to provide access does not need

planning permission. It is not anticipated that this would have any undue impacts and in terms of any damage caused to private property, this would be a civil matter.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

CONDITIONS

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

Reason

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

2. Prior to first occupation of either flat, the parking as shown on plan 2411-06 P3 (proposed site, as received 8th November 2022) shall be provided, and shall be retained thereafter in perpetuity for the sole use of providing parking to each flat.

Reason

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

3. The hours of working on site during the period of construction shall be restricted to
Monday - Friday.....7:30am - 6:00pm

Saturday.....8:00am - 1:00pm

No working shall take place on Sundays or Public Holidays.

The term working shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site

Reason

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

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

2411-05 P2 - Existing elevations
2411-03 P2 - Existing first floor
2411-02 P2 - Existing ground floor
2411-04 P2 - Existing second floor
2411-01 P2 - Existing site, location and roof
As received 11th October 2022

2411-10 P3 - Proposed elevations
2411-08 P3 - Proposed first floor
2411-07 P3 - Proposed ground floor
2411-09 P3 - Proposed second floor plan
2411-06 P3 - Proposed site
As received 8th November 2022

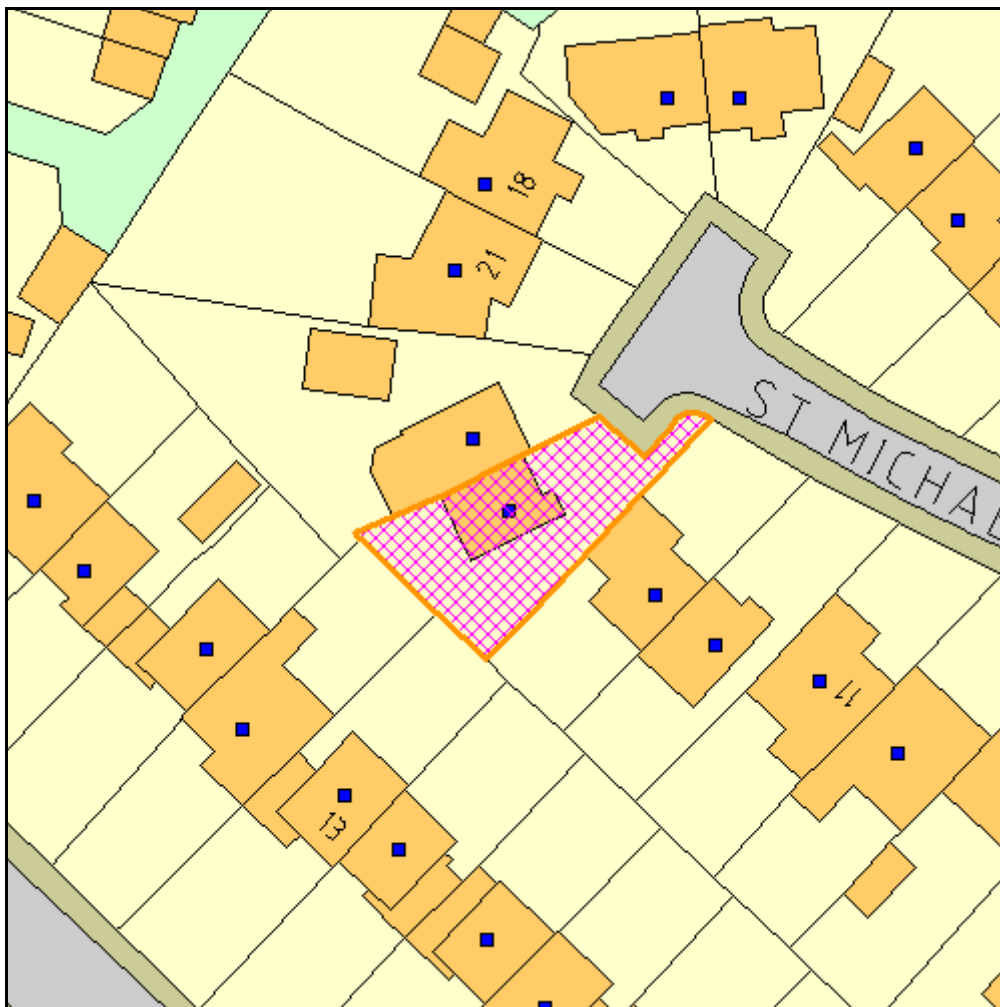
Reason

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

Case Officer: Alex Hemming
Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 46/22 -18th November 2022

App No.:	P22/03351/HH	Applicant:	Mr Nicholas Mainstone
Site:	17 St Michaels Close Winterbourne South Gloucestershire BS36 1NS	Date Reg:	30th June 2022
Proposal:	Erection of two storey side, single storey front and single storey rear extensions to form additional living accommodation.	Parish:	Winterbourne Parish Council
Map Ref:	365224 181143	Ward:	Winterbourne
Application Category:	Householder	Target Date:	22nd August 2022



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P22/03351/HH

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

REASON FOR REFERRING TO THE CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 Full planning permission is sought for the erection of a two storey side, single storey front and single storey rear extension to form additional living accommodation.
- 1.2 The application site is a 3no. bedroom semi-detached dwelling, located at 17 St Michael's Close, and is set within the area of Winterbourne.
- 1.3 Throughout the course of the application process, amendments have been made to the submitted plans, which will be discussed within this report. This assessment is therefore made on the basis of these revised plans.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework
National Planning Practice Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development

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

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

2.3 Supplementary Planning Guidance

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

3. RELEVANT PLANNING HISTORY

- 3.1 No relevant planning history.

4. CONSULTATION RESPONSES

4.1 Winterbourne Parish Council

The comments of the Parish Council are Objection. The Parish Council have concerns regarding parking provision. Drawing shows off-centre positioning of proposed garage door, suggesting difficulty of driver access. Driveway will not support two vehicles. We believe this to be an overdevelopment of the site.

4.2 Sustainable Transport

The applicant seeks to erect a two storey side, single storey front and single storey rear extension. The dwelling will remain a 4 bed and as such requires 2 off street parking spaces. A new garage is proposed but to be counted towards the parking provision requires an internal length of 6m. The submitted plans show 2 off street parking spaces are to be created to the front of the dwelling and as such the parking requirement is met. Subject to 2 spaces being constructed of a permeable material and being maintained as parking thereafter, there are no transportation objections.

If recommended for approval, we would require the development to provide electric vehicle charging in line with our emerging EV policy, which is for all individual dwellings with one or more dedicated parking spaces or garage to include provision for 7Kw (32 amp) charging infrastructure suitable for charging an electric or other ultra-low emission vehicle. These items should be fully approved by this Council before use. To this end, we would recommend that appropriate conditions are imposed on any planning permission granted for this site to ensure that this takes place.

4.3 Residents

No comments have been received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

PSP38 of the South Gloucestershire Council Policies, Sites and Places Plan (adopted November 2017) permits development within existing residential curtilages (including extensions) in principle where they do not unduly harm the design, visual amenity and residential amenity of the locality or prejudice highway safety or the provision of adequate private amenity space. PSP38 is achieved through CS1 of the South Gloucestershire Council Core Strategy (adopted December 2013), which requires development to demonstrate the highest standards of design and site planning by demonstrating that siting, form, scale, height, massing, detailing colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the site and its context. Additional guidance on achieving good design for householder developments is set out in the Household Design Guide supplementary planning document (SPD), which was formally adopted in March 2021. The development is acceptable in principle, subject to the following detailed consideration.

- 5.2 The proposal is relatively detailed in what it seeks to achieve. Each element of the scheme has therefore been broken down to describe in better detail.
- 5.3 Front and side extension
The plans show that it is proposed to erect a two storey extension to the side which would extend beyond the principal elevation of the property. The extension would measure 3.4m in width and would have a depth of 8.9m at ground floor level and 7.7m at first floor level. The side extension would be finished with a gable end, measuring 5m at the height of the eaves and 7m at ridge height.
- 5.4 Rear extension
It is also proposed to erect a single storey extension to the rear of the property. This extension would measure 2m in depth, 6.1m in width and would be finished with a lean-to roof, measuring 2.2m at the height of the eaves and 3.2m at ridge height.
- 5.5 Design & Visual Amenity
Policy CS1 of the Core Strategy and policy PSP1 and 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 In terms of design, amendments have been made to create an addition to the property which appears better balanced and demonstrates a greater level of subservience. The ridgeline of the two storey side extension has been set down from the ridgeline of the host dwelling by approximately 0.3m and the originally proposed single storey front extension has been removed from the plans. Whilst it is preferable for the side extension to not project beyond the principal elevation, in this instance the projection would be minor; approximately 1m and would therefore not have a harmful impact on the façade of the existing dwelling, nor the character of the street scene. This projection would also sit in line with the principal elevation of the semi-detached neighbour, thus not breaching the building line.
- 5.7 Furthermore, the overall projections from the side and rear are of an appropriate size and form so as not to result in a disproportionate addition to the dwelling which would result in overdevelopment of the site. The use of materials and finishes which match the existing property are also considered complementary and assist in integration between the proposed extensions and the existing built form.
- 5.8 On that basis, the proposal is found to be in accordance with the relevant policies within the development plan and the accompanying supplementary guidance within the SGC Householder Design SPD.
- 5.9 Residential Amenity
PSP8 permits development where it does not prejudice the residential amenity of both occupiers of the development and of neighbouring dwellings through the creation of unacceptable impacts. Such unacceptable impacts include loss of

privacy, overlooking, loss of light, loss of outlook and overbearing/dominant impacts. Similarly, policy PSP43 reinstates the requirement for the provision of sufficient private amenity space standards and that private and communal external amenity space should be; functional, safe, accessible, of sufficient size and should take into account the context of the development and, including the character of the surrounding area.

5.10 The property itself is semi-detached to its neighbour and sits within close proximity to its surrounding neighbours due to the built-up residential nature of the cul-de-sac. Given the proposed size, scale and siting of the extensions, it has been concluded that the impact on the neighbouring residential amenity would be limited and therefore it should not result in any unacceptable impacts that would warrant a refusal. Therefore, it is considered that the amenity of neighbouring residents would be adequately preserved, and the proposed development would comply with policies PSP8 and PSP43 of the development plan.

5.11 Parking Standards

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

5.12 The proposal would increase the number of bedrooms at the property from 3no. to 4no. and would also include the addition of an integrated garage on the ground floor of the two storey side extension. The garage itself cannot be considered appropriate for the parking of cars as it does not comply with the minimum space standards. As such, consideration has been given to the driveway parking to the front of the property.

5.13 The requirement for both 3no. and 4no. bedroom properties is 2no. off-street car parking spaces. It is clear from the block plan that there is sufficient driveway space to accommodate this requirement. The suggested condition from the transport officer is also noted and has been given consideration. The condition requires that the 2no. spaces need to be constructed of a permeable material and will need to be maintained thereafter for this purpose. The case officer considers this to be reasonable in this instance and would be attached to any grant of permission to ensure adequate off-street parking is maintained.

5.14 Consideration of likely impact on Equalities

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

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

6. **CONCLUSION**

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

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

7. **RECOMMENDATION**

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

CONDITIONS

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

Reason

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

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

Received by the Local Authority on 17 June 2022:
Existing Plans and Elevations

Received by the Local Authority on 27 June 2022:
Existing and Proposed North Elevation

Received by the Local Authority on 26 September 2022:
Proposed Plans and Elevations
Site Location and Block Plan

Reason

To define the terms and extent of the permission.

3. The off-street parking facilities (for all vehicles) shown on the site location and block plan hereby approved shall be provided, and thereafter retained for that purpose.

Reason

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

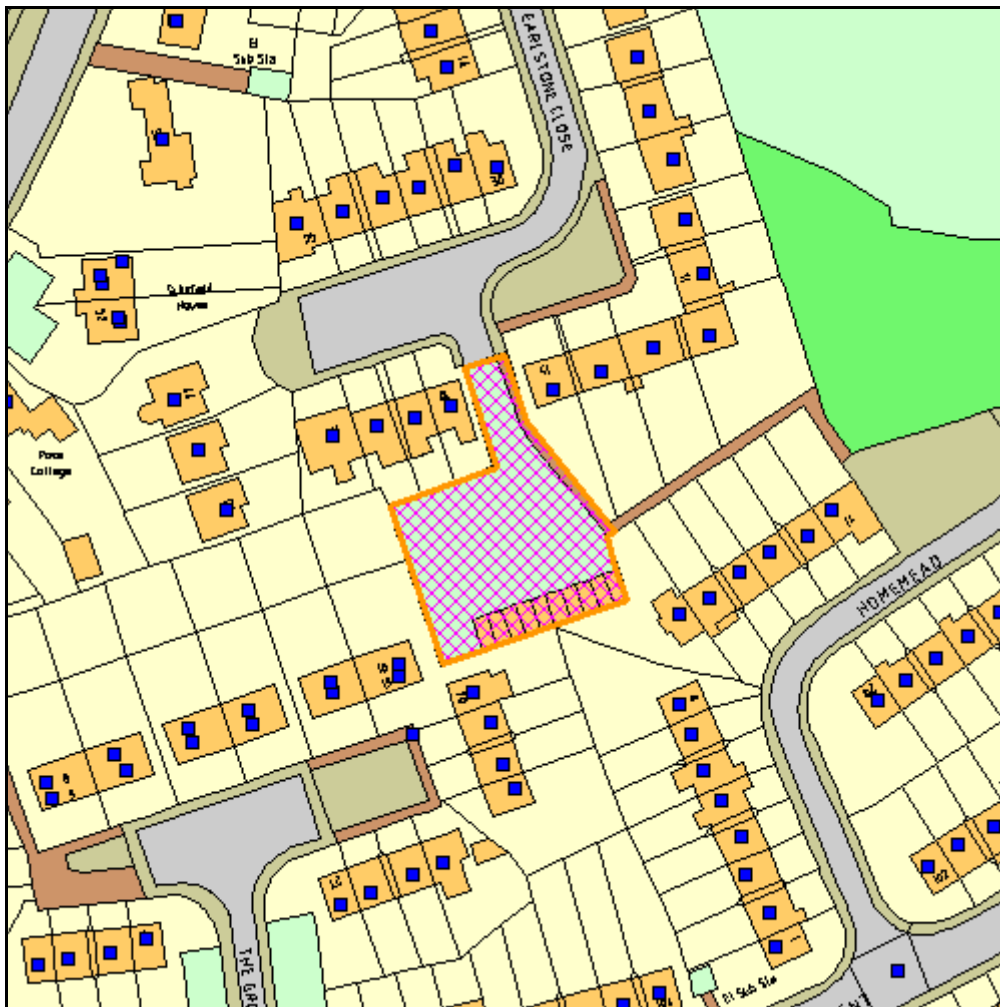
4. The parking area for which the access will serve and will be adjacent to shall be surfaced with a permeable, bound material with no loose surface material (e.g. gravel). The access hereby approved shall not be brought in to use until such time that this is provided.

Reason

To prevent loose surface material being tracked on to the highway, in the interest of highway safety and to comply with PSP11 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017.

Case Officer: Lucie Rozsos

Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 46/22 -18th November 2022**App No.:** P22/03726/O**Applicant:** Bromford**Site:** Land Rear Of 16-18 Earlstone Close
Cadbury Heath South Gloucestershire
BS30 8HQ**Date Reg:** 19th August 2022**Proposal:** Demolition of 10no. existing garages
and erection of 3no. residential
dwellings (Outline) with access to be
determined, all other matters reserved.**Parish:** Oldland Parish
Council**Map Ref:** 366207 171834**Ward:** Parkwall And
Warmley**Application
Category:** Minor**Target
Date:** 13th October 2022

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P22/03726/O

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

CIRCULATED SCHEDULE

This application appears on the Circulated Schedule following objections received contrary to Officer recommendation.

1. THE PROPOSAL

- 1.1 The applicant seeks outline planning permission for the Demolition of 10no. existing garages and erection of 3no. residential dwellings (Outline) with access to be determined, all other matters reserved.
- 1.2 The application site relates to land to the rear of 16-18 Earlstone Close, Cadbury Heath.
- 1.3 During the course of the application a revised parking survey was required as the original did not relate sufficiently to the application site.
- 1.4 The garages were formally owned by South Gloucestershire Council but have been sold, hence this development has been submitted by the new owners.
- 1.5 For the sake of clarity the proposed block plan - 6725-P-100 A is used for indicative purposes only.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework 2021
National Planning 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
CS18	Affordable Housing

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

PSP1	Local Distinctiveness
PSP8	Residential Amenity
PSP10	Active Travel Routes

PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP20	Flood Risk, Surface Water, and Watercourse Management
PSP21	Environmental Pollution and Impacts
PSP22	Unstable Land
PSP39	Residential Conversions, Subdivision, and HMOs
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

South Gloucestershire Householder Design Guide (Adopted) 2021)

South Gloucestershire SPD: Residential Parking Standards (Adopted) 2013

Affordable Housing SPD (Adopted) Sept 2008.

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 None

4. CONSULTATION RESPONSES

4.1 Oldland Parish Council
No objection

Internal Consultees

4.2 Environmental Protection – contamination.
No objection subject to conditions.

The applicant has agreed to the prior to commencement condition.

Statutory / External Consultees

4.3 DM Transport
The applicant is advised that Earlstone Close is adopted highway over its entire length including the section of road fronting the existing garages. In order for the applicant to include this area of land within his development site then, this section of adopted highway must first be made surplus to the highway's requirement – and for this to happen then, the applicant must first apply to the secretary of the State to stop this land up under the S247 and S248 of the Town and Country Planning Act under the Stopping up order.

Parking survey accepted – no objections to development of this brownfield urban area where sufficient on-site parking can be achieved. Grampian condition to be used due to land ownership issue having to first be concluded prior to development.

4.4 Flood Risk Management Team - drainage

Updated comments:

Following submission of additional information: no objection in principle to this application subject to conditions and informatives being attached to the decision notice reliant on the understanding that the current drainage layout is subject to the declassification and transfer of current ownership of those sections of 'Adopted Highway' within the site boundaries of Earlstone Close, over to 'Private Ownership'.

The applicant has agreed to the prior to commencement condition.

4.5 The Coal Authority

No objection subject to the following conditions:

1. Scheme of intrusive site investigations prior to development
2. Signed statement or declaration confirming the site has been made safe prior to occupation

The applicant has agreed to the prior to commencement condition.

Other Representations

4.6 Local Residents

5 letters of objection have been submitted to the LPA. The points raised are summarised as:

Too many houses proposed on this site.

Building on the boundary with our houses means we will lose light, view and privacy.

There will be issues with parking due to the small size of the site.

Concerns about construction traffic during development

Concerned about noise of construction disturbing shift workers

Cars already park on pavements making it difficult for delivery vehicles

Existing parking issues need to be sorted before this permission is allowed

Where will people park who currently use the garages that will be demolished?

Garages are an asset to the community and should be kept

5. ANALYSIS OF PROPOSAL

5.1 Outline planning permission is sought for the Demolition of 10no. existing garages and erection of 3no. residential dwellings (Outline) with access to be determined, all other matters reserved.

5.2 Principle of Development

Policy CS5 of the Core Strategy outlines the locations at which development is considered to be appropriate. CS5 dictates that most new development in South Gloucestershire will take place within communities of the north and east fringes of the Bristol urban area, and within defined settlement boundaries. The application site is located within the defined settlement boundary of Cadbury

- Heath. As such, based solely on location of the site, the principle of development is acceptable.
- 5.3 However, the impacts of the development proposal must be further assessed against relevant policy in order to identify any potential harm.
- 5.4 Sustainable Transport:
- 5.5 The site is within the established settlement of Cadbury Heath, surrounded by other residential properties, and therefore in a sustainable location. The redevelopment of this brownfield site raises no in-principle objections. The scheme is to demolish 10no. garages and replace them with 3no. houses and the existing access point would be retained. If all 10no. garages were in use these would generate a greater amount of traffic than the proposed three dwellings. As such there would be no intensification of the use of this access which is considered safe and suitable in terms of visibility and able to accommodate movements associated with a development of this size. The existing pedestrian infrastructure in the immediate vicinity is suitable to serve the development and the local area benefits from lit footways.
- 5.6 Parking:
- 5.7 Residential parking standards are set out in policy PSP16 - one-bedroom dwellings require one car parking space per dwelling and two-bedroom dwellings to be provided with a minimum of 1.5 car parking space per dwelling and for three and four-bed dwellings, 2no. parking spaces are required. Based on the development mix of 2no. 2-bed and 1no. 3-bed dwelling then, a total of 5no. minimum spaces are required.
- 5.8 The indicative site layout plan shows that the proposed development will be provided with six parking spaces and therefore the level of car parking provision is in accordance with SGC parking standards. Provision of one visitors' parking space on site is recommended for this development.
- 5.9 *Parking Impact Resulting from the loss of existing garages and other non-garage spaces on site.*
- 5.10 The applicant acknowledges that the loss of garages and other parking spaces on site may result in additional on street parking and for this reason, the applicant has undertaken a parking survey to assess the impact. A revised parking survey was required as the original one did not include the access road leading to the site and the area of survey was some distance from the site.
- 5.11 Having reviewed the survey, it was confirmed to be in accordance with South Gloucestershire's parking survey guidance. Comments from local residents are acknowledged but given the survey findings, Officers are satisfied that there is sufficient on-street car parking capacity to accommodate the potential displacement of those vehicles that may be lost as a result of demolishing the garages. In addition, the applicant acknowledges, part of the new development falls within the adopted highway. Consequently, this issue must first be addressed by the applicant if the land is to be incorporated into the

- development site. As such it will be necessary for the applicant to apply to the Secretary of State to 'stop up' this section of the highway (under s247 and s248 of the Town and Country Planning Act to officially declassify the land and transfer ownership.
- 5.12 To achieve this a Grampian type condition will be attached to the decision notice to ensure that the stopping matter up is fully concluded before any development can commence on site.
- 5.13 Given the above, there are no transport objections to the scheme subject to conditions.
- 5.14 Comments from local residents with regard to the existing situation are noted. Any inconsiderate parking should be reported to the correct authority which in this case would be The Police Authority.
- 5.15 Design and Visual Amenity:
Policy CS1 of the Core Strategy and policy PSP1 and 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.
- 5.16 As the proposal is at outline stage, detailed design considerations will be dealt with at reserved matters stage. However, it is important to mention that the overall style and appearance of the dwellings must be in keeping with the area.
- 5.17 The updated NPPF (2021) has again emphasised the importance of design. It states *...The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.*
- 5.18 It is highlighted that among other things development should
- *add to the quality of the area;*
 - *be visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
 - *be sympathetic to local character and history;*
 - *establish or maintain a sense of place.*
- 5.19 It goes on to declare that *Development that is not well designed should be refused.*
- 5.20 The applicant is advised to refer to the recently adopted Householder Design Guide (Adopted 2021) and ensure the new houses reflect the character of the immediate area in scale, design and materials.
- 5.21 Residential Amenity:
Policy PSP38 of the Policies, Sites and Places Plan explains that development will be permitted provided that it would not detrimentally impact the residential amenities of nearby occupiers and would not prejudice the retention of

- adequate private amenity space. Policy PSP8 outlines the types of issues that could result in an unacceptable impact.
- 5.22 As detailed designs are yet to be submitted, some elements of residential amenity cannot yet be assessed. Any Reserved Matters application will need to ensure that windows, particularly in the side elevations, do not cause unacceptable harm by overlooking. It appears from the indicative block plan that there would be sufficient room on site to avoid issues of overlooking, inter-visibility and overbearing effect.
- 5.23 Any Reserved Matters application will need to refer to the SPD Household Design Guide which has relevant information on acceptable distances between properties to avoid negative impacts on amenity of existing and proposed dwellings.
- 5.24 The provision of outside amenity space standards are set out in Policy PSP43 and any Reserved Matters application will need to provide a high standard of usable amenity space for future occupiers.
- 5.25 Comments have been made regarding the potential noise and disturbance during construction and therefore appropriate conditions will be attached to the decision notice to limit working and delivery times etc.
- 5.26 Landscape and trees:
Both local and national policies and aims emphasise the importance of tackling climate change. The *Building Better, Building Beautiful Commission* produced their report *Living with Beauty* in January 2020. Its by-line was *Promoting health, well-being and sustainable growth*. The report highlighted the need for re-greening which is *aligned with the government's aim to eradicate the UK's carbon contribution by 2050*. The report goes on to declare that the *presence of greenery in the urban environment ... has a positive impact on our mental and our physical health*. This applies to all areas not just built-up ones.
- 5.27 The above ties in with the aspirations of South Gloucestershire Council who announced a climate emergency in July 2019 and the steps required to become carbon neutral by 2030. Plants and trees especially, help to absorb greenhouse gases, such as carbon dioxide.
- 5.28 The recently adopted Trees and Development SPD (2021) is in line with national aims for tackling climate change. The introductory paragraph states the document has been produced to :
- ... emphasise the importance of trees with reference to addressing Climate Change. It recognises the Climate Emergency declaration and reinforces to developers the vital and fundamental role that trees play in mitigating the effects of Climate Change.*
- 5.29 As an outline application dealing only with access, matter of landscape have not been addressed. The above has set out the expectations of future applications taking the opportunity to provide a betterment to the overall aim of

biodiversity and in tackling climate change. A high standard of landscape scheme will therefore be expected in the reserved matters scheme

5.30 Ecology:

No details of ecological matters have been provided with this outline scheme. It may be that the garages provide opportunities for protected special and other wildlife and therefore within any reserved matters application an assessment of the potential would be necessary prior to the demolition of the garages. Again betterment for wildlife including birds would be expected within any submitted proposal.

5.31 Drainage:

During the course of the application additional drainage information was provided for assessment. Following this the proposal has been deemed acceptable subject to conditions and informatives which can be found on the decision notice.

5.32 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.

5.33 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.

5.34 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.

5.35 Other Matters

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

5.36 Loss of view: there is no right to a view in planning terms and as such this is not something that can be considered under this report, however, the applicant has been advised to refer to adopted design policy and guidance so the reserved matters application would not include any issues relating to overlooking, inter-visibility etc.

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 the conditions written on the decision notice.

CONDITIONS

1. Approval of the details of the layout, scale and appearance of the building(s), and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason

This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

2. Plans and particulars of the reserved matters referred to in the condition above, relating to the layout, scale and appearance of any buildings to be erected, and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

Reason

This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

3. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason

This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

4. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason

This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

5. Development shall proceed in accordance with the following details:

As received by the LPA on 18.8.22:
Location plan - 6725-P-001 A

Existing site/block plan - 6725-P-110

Reason:

For the avoidance of doubt.

6. Development shall not commence until the existing section of the publicly adopted highway (i.e. section of road leading into the site fronting the garages) affected by the development has been satisfactorily stopped-up and approved in writing by the Council. For avoidance of doubt, the applicant is responsible for applying to the Secretary of the State to seek approval for the stopping up order under S247 and S248 of Town and Country Planning Act.

Reason:

To ensure the stopping up order has been completed prior to the commencement of any development on site and to accord with s247 and s248 Town and Country Planning Act 1990.

7. Prior to occupation of any dwellings on site, the applicant shall provide off-street parking together with electrical vehicle charging points (rated at a minimum of 7kw/32amp) for each new house. These shall be subsequently satisfactorily maintained thereafter for the use of residents.

Reason

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

8. Secure and under cover cycle parking shall be provided and maintained thereafter for every unit on-site all in accordance with plans submitted and approved pursuant to Condition 1 above.

Reason

To encourage means of transportation other than the private car, to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

9. Dilapidation survey
Prior to commencement of development a full dilapidation survey shall be submitted to and agreed in writing by the Local Planning Authority. For the avoidance of doubt this will require agreement with the highway authority to identify any existing damage on the existing public highway with each defect and its location being mapped on a plan for the area.

A post construction condition survey will then be required across the same extent of adopted highway in order to identify and agree with the Council any remedial works reasonably attributable to construction activities. Any identified highways defects resulting from construction activities will then be corrected to the satisfaction of the Council. Thereafter any damage arising from the development or construction traffic must be properly rectified with full construction depth and to satisfaction of the Highway Authority.

Reason

This is a prior to commencement condition to avoid any unnecessary remedial action in future and in the interests of highway safety, and to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

10. No development shall take place including any works of demolition until a construction management plan or construction method statement has been submitted to and been approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the construction period. The statement shall provide for:
- i. parking of vehicle of site operatives and visitors
 - ii. hours of operation
 - iii. method of prevention of mud being carried onto highway
 - iv. pedestrian and cyclist protection
 - v. proposed temporary traffic restrictions
 - vii. arrangements for turning vehicles

Reason

This is a prior to commencement condition to avoid any unnecessary remedial action in the future and in the interests of highway safety, and to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

11. SUDS: No development shall commence until surface water and foul sewage drainage details including SUDS (Sustainable Drainage Systems e.g. soakaways if ground conditions are satisfactory), for flood prevention; pollution control and environmental protection have been submitted and approved by the Local Planning Authority.

Reason:

This is a prior to commencement condition to avoid any unnecessary remedial action in the future and to comply with South Gloucestershire Local Plan: Policies, Sites and Plans Plan (Adopted) November 2017 Policy PSP20; South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 Policy CS1 and Policy CS9; and National Planning Policy Framework.

12. The drainage details submitted pursuant to Condition 11 should reduce surface water discharge from the site, wherever practicable and feasible on previously developed land, by reducing post development runoff rates for events up to and including the 1 in 100 year return period, with an allowance for climate change, to that of a Greenfield Qbar condition. Where it can be demonstrated that this is not practical or feasible, a 30% betterment of the existing condition will be required.

Reason:

To comply with South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017 Policy PSP20; and with South Gloucestershire Council's Level 2 Strategic Flood Risk Assessment December 2011.

13. Contamination:

A) Desk Study - Previous historic uses(s) of the site may have given rise to contamination. No development shall commence until an assessment of the risks posed by any contamination has been carried out and submitted to and approved in writing by the local planning authority. This assessment must be undertaken by a suitably qualified contaminated land practitioner, in accordance with British Standard BS 10175 Investigation of potentially contaminated sites and the Environment Agency's guidance - Land Contamination Risk Management (LCRM)*, and shall assess any contamination on the site, whether or not it originates on the site.

B) Intrusive Investigation/Remediation Strategy - Where following the risk assessment referred to in (A), land affected by contamination is found which could pose unacceptable risks, no development shall take place until detailed site investigations of the areas affected have been carried out. The investigation shall include surveys/sampling and/or monitoring, to identify the extent, scale and nature of contamination. A report shall be submitted for the written approval of the local planning authority and include a conceptual model of the potential risks to human health; property/buildings and service pipes; adjoining land; ground waters and surface waters; and ecological systems.

Where unacceptable risks are identified, the report submitted shall include an appraisal of available remediation options; the proposed remediation objectives or criteria and identification of the preferred remediation option(s). The programme of the works to be undertaken should be described in detail and the methodology that will be applied to verify the works have been satisfactorily completed.

The approved remediation scheme shall be carried out before the development (or relevant phase of development) is occupied.

C) Verification Report - Prior to first occupation, where works have been required to mitigate contaminants (under condition B) a report providing details of the verification undertaken, demonstrating that all necessary remediation works have been completed satisfactorily shall be submitted to and agreed in writing by the Local Planning Authority.

D) Any contamination found during the course of construction of the development that was not previously identified shall be reported immediately to the local planning authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found additional remediation and verification schemes shall be submitted to and approved in writing by the local planning authority. These approved schemes shall be carried out before the development (or relevant phase of development) is resumed or continued.

Reason:

To investigate the potential for contamination and to avoid unacceptable risks to future occupiers and to accord with Policy PSP21 of the Policy Sites and Places Plan (Adopted) 2017 and the NPPF in general. This is a prior to commencement condition to avoid any unnecessary remedial action in the future.

14. The hours of working on site during the period of construction shall be restricted to

Monday - Friday.....7:30am - 6:00pm

Saturday.....8:00am - 1:00pm

No working shall take place on Sundays or Public Holidays.

The term working shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site

Reason

To protect the amenity enjoyed by those living in the locality to accord with Policy PSP8 of the South Gloucestershire Policy Sites and Places Plan (Adopted) 2017 and the provisions of the National Planning Policy Framework.

15. No development shall commence until;
- a) a scheme of intrusive site investigations has been carried out on site to establish the risks posed to the development by past coal mining activity, and;
 - b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.
- The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

Reason:

To investigate the potential for contamination and to avoid unacceptable risks to future occupiers and to accord with Policy PSP21 of the Policy Sites and Places Plan (Adopted) 2017 and the NPPF in general. This is a prior to commencement condition to avoid any unnecessary remedial action in the future.

16. Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason:

To investigate the potential for contamination and to avoid unacceptable risks to future occupiers and to accord with Policy PSP21 of the Policy Sites and Places Plan (Adopted) 2017 and the NPPF in general.

17. The reserved matters submitted pursuant to Condition 1 shall include a Preliminary Ecological Appraisal.

Reason:

To ensure the protection of any wildlife and habitats on the site in accordance with Policy CS9 of the adopted South Gloucestershire Local Plan: Core Strategy, and Policies PSP18 and PSP19 of the adopted South Gloucestershire Policies Sites and Places Plan.

Case Officer: Anne Joseph
Authorising Officer: Helen Ainsley

CIRCULATED SCHEDULE NO. 46/22 -18th November 2022

App No.:	P22/05600/F	Applicant:	Elliott Group
Site:	102 - 104 Rodway Road Patchway South Gloucestershire BS34 5PG	Date Reg:	27th September 2022
Proposal:	Erection of 1no. additional storey over existing building to form 3no. residential flats with pitched roof (Class C3) with external staircase and associated works.	Parish:	Patchway Town Council
Map Ref:	360168 181617	Ward:	Patchway Coniston
Application Category:	Minor	Target Date:	21st November 2022



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 100023410, 2008. N.T.S. P22/05600/F

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

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

The application appears on the Circulated Schedule because an objection has been received from the Town Council, which is contrary to the findings of this report and officer recommendation.

1. THE PROPOSAL

- 1.1 Planning permission is sought for the erection of 1no. additional storey over existing building to form 3no. flats (class C3) with pitched roof, external staircase and associated works.
- 1.2 The application site is a vacant betting shop unit situated to the North of Rodway Road, within the North Fringe of Bristol Urban Area. The site is located within the Patchway town centre boundary and is within a primary shopping area.
- 1.3 During the application's consideration, revised plans have been accepted in response to highway officer comments. The change related to the parking arrangement to the rear. A further revised plan has been received to correct the proposed elevations to show the ground floor shop frontage retained. By reason of the scale and nature of the change, no public re-consultation was considered necessary.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS13	Non-Safeguarded Economic Development Sites
CS14	Town Centres and Retailing
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS25	Communities of the North Fringe of Bristol

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

PSP1	Local Distinctiveness
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP20	Flood Risk, Surface Water, and Watercourse Management
PSP31	Town Centre Uses
PSP33	Shopping Frontages
PSP39	Residential Conversions, Subdivision, and HMOs
PSP43	Private Amenity Space Standards

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

3. **RELEVANT PLANNING HISTORY**

- 3.1 P22/06126/PNSG (pending consideration):
 Prior notification for the change of use from betting shop (Sui Generis) to 2no. dwellings (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1985 as amended.
- 3.2 P22/02491/PAAB (approved 19/08/2022):
 Prior notification of the erection of 1 no. additional storey to create 2 no. dwellings.
- 3.3 P22/05247/PNCD (refused 19/10/2022):
 Prior notification for the change of use from commercial (Class E) to 2 no. dwelling (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1985 as amended.

Refusal reason 1:

Evidence suggests that the building was last in use a betting shop, which is a sui generis use. Betting shops do not fall within any of the uses listed in (2) of MA.1, and the proposed development is therefore contrary to MA.1 (b) of the Town and Country Planning (General Permitted Development) Order (2015).

Refusal reason 2:

The smaller (single) bedroom within the right side flat would have a floor area of 5.8 square metres and width of 1.9 square metres. This is below the requirements set out in the Nationally Described Space Standards (technical requirements - 10(c)). As the dwellings would not fully accord with the space standards, the development is contrary to the requirements of Section 3 (9A) of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

- 3.4 Other history is available that is neither recent nor relevant to this application.

4. CONSULTATION RESPONSES

- 4.1 Patchway Town Council
Objection. Application does not outline how it would deal with parking issues on Rodway Road.
- 4.2 Sustainable Transport

Initial comments: Further information is required.

Updated comments: No objection. Condition recommended.
- 4.3 Drainage (LLFA)
No objection.
- 4.4 Building Control
No comments have been received.
- 4.5 Highway Structures
No comments have been received.
- 4.6 Local Residents
No comments have been received.

5. ANALYSIS OF PROPOSAL

- 5.1 Planning permission is sought for the erection of 1no. additional storey over existing building to form 3no. flats (class C3) with pitched roof, with external staircase and associated works.
- Principle of Development
- 5.2 The proposed development would see the introduction of 3no. residential units. CS5 directs new development such as this to the urban areas and settlements as designated by the policies map. As the site is situated within an urban area (North Fringe of Bristol), the development fully accords with the spatial strategy set out in CS5.
- 5.3 The proposed development would affect an existing premises within the town centre and primary shopping area. It is noted that the existing ground floor unit is a betting shop, albeit it is now vacant with the previous operator, Coral, having left recently. It is noted that an application is being considered under the permitted development order to convert the ground floor to residential. However, at the time of writing, this other application (P22/06126/PNSG) is yet to be determined and so the use has to be assumed as being the last lawful use (a betting shop – Sui Generis).
- 5.4 CS14 aims to protect the vitality and viability of town centres by resisting developments that result in the loss of retail units. In this instance, the development would affect only the roof of the existing unit, and the new flats

- would be formed within the new first floor and roof space created, leaving the existing betting shop on the ground floor intact. The development therefore would not result in the loss of the existing ground floor town centre use and so the proposed development would not conflict with the aims and objectives of CS14. In addition it is in compliance with the wider aims of PSP31 which encourages the positive use of upper floors in town centres.
- 5.5 Accordingly, the proposed development is acceptable in principle, subject to the following detailed consideration.
- 5.6 Design and Visual Amenity
The application site lies within a mature residential area within Patchway and is towards the edge of the main town centre boundary. To the East is predominantly residential, whilst to the West towards the town centre, more non-residential uses become apparent. Dwellings on Rodway Road are generally semi-detached post war two storey properties, whilst the application building is single storey and occupied by the vacant commercial unit subject of this application, and the Charcoal Grill 3 takeaway. The development would see the unit the subject of this application increase in ridge height from c.6.6 metres to c.9.5 metres. To the rear, an external staircase/platform would be added to facilitate access to the flats, and to the rear 2no. small dormers would be added. To the front at FFL 4no. windows would be inserted, and 4no. rooflights.
- 5.7 The starting point is to acknowledge that the increase in ridge height has already been given approval under prior notification (P22/02491/PAAB), and so this should be considered as something of a baseline. The main change in this instance is the insertion of dormers to the rear to facilitate the creation of the third flat in the roof space.
- 5.8 The two dormers to the rear are to be small, flat roofed dormers. Whilst noting the flat roofs, they are small and so do not dominate the rear roof slope or appear incongruous. In terms of the design of the additional storey, the resultant building would appear as a two-storey building in a location generally characterised by two storey buildings. The fenestration and design of the new frontage is orderly and does not appear out of character in the area in which it is located. There are therefore no design or visual objections with the proposed development.
- 5.9 Residential Amenity
PSP8 permits development where it does not prejudice the residential amenity of both occupiers of the development and of neighbouring dwellings through the creation of unacceptable impacts. Such unacceptable impacts include loss of privacy, overlooking, loss of light, loss of outlook and overbearing/dominant impacts.
- 5.10 The increase in massing would be kept broadly within the existing building lines and so there would be no overshadowing or overbearing issues. In terms of openings, these would face to the front and rear and would therefore not present any levels of overlooking beyond what is already possible in this location. The proposed rear access, whilst resulting in a first floor platform,

- would not present any unacceptable overlooking issues as it would be used as an access and not a functional balcony, and has clearly been designed as such.
- 5.11 The proposed flats at first floor would be dual aspect with all primary rooms benefiting from acceptable levels of light and outlook, and both would accord with the national space standards for 1 bed, 1 person dwellings. The upper floor flat in the roof would be more akin to single aspect, with the main openings facing North (rear dormer windows), however there would be rooflights on the Southern roof slope providing lights and some limited outlook to the kitchen, and light to the bathroom/circulation space. The main living area and bedroom for the upper floor flat ('unit C') would both be served by standard window openings via the two dormers, which provide an acceptable level of outlook (and light). Unit C would also meet the national space standards for a 1 bed 1 person dwelling (it is c.5sqm short of meeting the standard for 1 bed, 2 person). There are therefore no considered amenity issues in respect of future occupiers, in terms of the internal living arrangements. Whilst there is a commercial unit (betting shop) below, this is a sui generis use and not one that is known to produce high levels of noise. Moreover, it is not uncommon to have flats located above shops in town centre locations, and appropriate noise attenuation will be required as part of the building control stage, should permission be granted.
- 5.12 As 1 bed flats, there should be 5sqm private amenity space provided to each. In this case, there does not appear to be any provided. In such small quantities, this amenity space would normally be in the form of balconies, however officers would consider the addition of balconies to be impractical in this case as there could then be amenity impacts in respect of neighbouring occupiers.
- 5.13 As 1 bed flats, it would be unlikely that they would be occupied by a family with children, and the case officer notes that there would still be ample communal space to the rear to hang washing outside, for example. Moreover, the development is near to Norman Scott Park (a c.10 minute walk), which provides ample high quality public open space. It would therefore not be sustainable to refuse the development on a lack of amenity space, when the above is taken into account.
- 5.14 Transportation
The site is within a sustainable urban location, and therefore accords with the locational requirements of PSP11 in terms of location in relation to key services and facilities, and access to walking, cycling and public transport.
- 5.15 As 1 bed flats, PSP16 requires there to be at least 1no. parking space per unit. This has been correctly provided, and the parking would be access via the rear access lane which from a site visit, the case officer notes is suitably surfaced and appears to be readily used by residents to access parking spaces to rear of properties on Rodway and Windermere Road. This access is unlit, however as this is vehicular access, there is no issue in this respect. PSP11 also require safe, accessible and convenient access for all mode trips. In this respect, pedestrian access would be possible via the side access directly onto Rodway Road, and appropriate cycle storage (1 space per flat, per PSP16) is provided,

also accessed via the side access which leads directly to Rodway Road. This is acceptable and the highways officers do not raise any concerns with this aspect of the development.

- 5.16 The comments from the Town Council are noted. The development as set out above would provide sufficient parking to meet its own needs in accordance with policy and therefore it would not be appropriate to resist the development on the basis of wider concerns in relation to parking on Rodway Road. In terms of the commercial use, at present there is no parking for that use, and so the development would not displace any parking associated with that use onto the surrounding highway network.
- 5.17 Should permission be granted, suitably worded conditions will be required to ensure that the parking and access arrangements are provided in accordance with the agreed details. A condition should also be applied to ensure the provision of electric vehicle charging facilities for the parking spaces.

Impact on Equalities

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

Planning Balance

- 5.20 The development would result in a minor socio-economic benefit of 3no. single occupancy dwellings, which would contribute towards the district's housing stock. The development would also be positive in an environmental sense (albeit in a minor capacity) as it involves the addition of new dwellings within an urban area, through conversion and extension of an existing building. This adds weight in favour of the proposals.
- 5.21 The development would provide an acceptable level of parking (cycle and car) and would provide acceptable access. This attracts neutral weight as it is the default expectation of any development. The same can be said for amenity of neighbouring occupiers and future occupiers in terms of internal living arrangements.

5.22 There is some residual concern in terms of a lack of dedicated amenity space, however taking a balanced approach as set out above, this would not be a sufficient concern to justify withholding planning permission.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

CONDITIONS

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

Reason

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

2. Prior to occupation of any of the flats hereby approved the, parking, access, cycle and bin storage arrangements as shown on plan P1000 030 C (proposed plans and elevations, as received 11th November 2022) and plan P1000 027 A (proposed site plan, as received 26th October 2022) shall be provided in full, and shall be retained thereafter.

Reason

In the interests of highway safety and to ensure a satisfactory provision of parking in accordance with PSP11 and PSP16 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) November 2017.

3. Prior to occupation, each flat shall be provided with at least 1no. electric vehicle charging point to each parking space, rated at 7kw/32 amp minimum. Each charging point shall be installed to an operational standard and shall be retained thereafter.

Reason

To ensure sustainable travel options are provided and to accord with CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

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

P1000 026 - block plan
P1000 028 - existing plans and elevations
P1000 025 - location plan
As received 20th September 2022

P1000 027 A - Proposed site plan
As received 26th October 2022

P1000 030 C - Proposed plans and elevations
As received 11th November 2022

Reason

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

Case Officer: Alex Hemming
Authorising Officer: Helen Ainsley