

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: 38/22

Date to Members: 23/09/2022

Member's Deadline: 29/09/2022 (5.00pm)

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

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

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

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

NOTES FOR COUNCILLORS

– formal arrangements for referral to committee

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

c. All applications for non-material amendments

d. All applications to discharge planning conditions

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

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

Additional guidance for Members

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

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

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

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

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

A template for referral is set out below:

Referral from Circulated Schedule to Development Management Committee

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

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

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

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

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

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

Date:

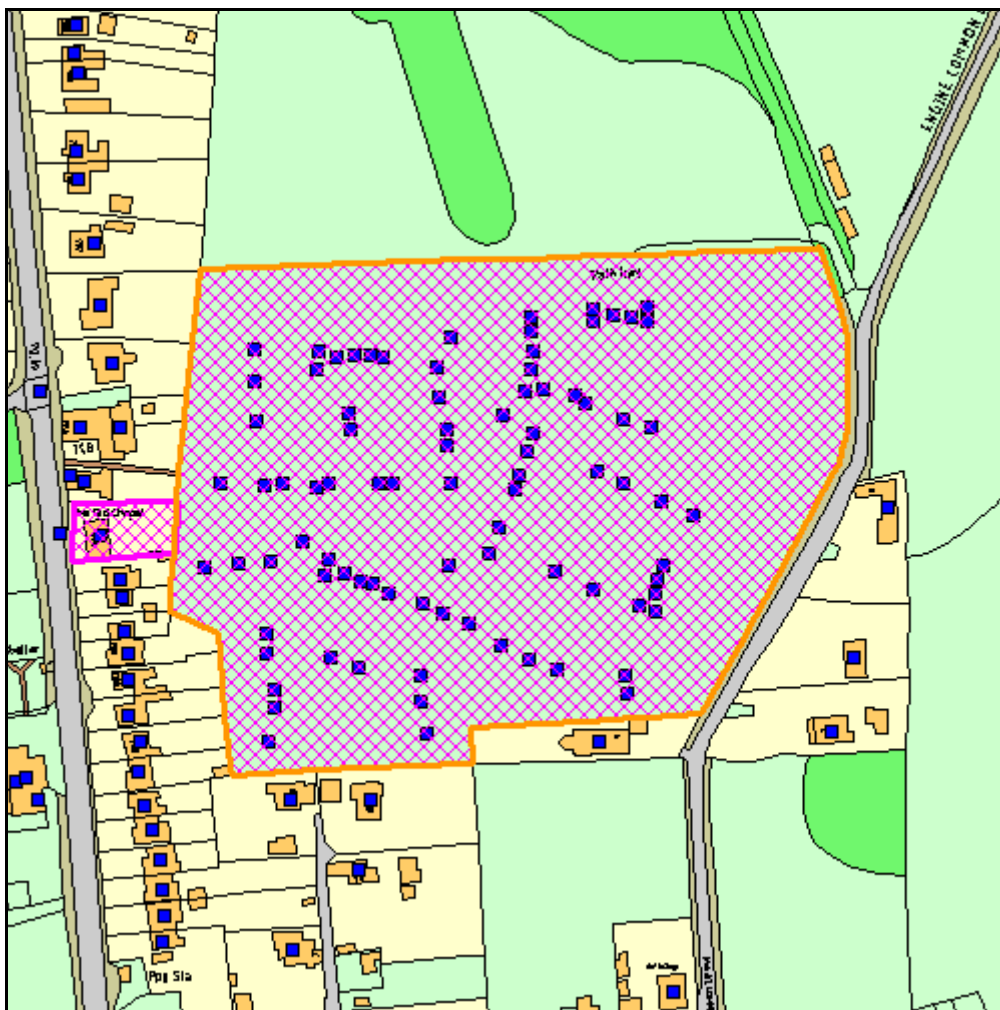
To be emailed to MemberReferral@southglos.gov.uk

CIRCULATED SCHEDULE 23 September 2022

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	P21/04070/RM	Approve with Conditions	Land East Of North Road Engine Common Yate South Gloucestershire BS37 7LQ	Frampton Cotterell	Iron Acton Parish Council
2	P22/01061/F	Approve with Conditions	20 - 26 Conygre Grove Filton South Gloucestershire BS34 7DP	Filton	Filton Town Council
3	P22/02746/F	Approve with Conditions	Land Off Badgers Brook Lane Wick South Gloucestershire BS30 5TT	Boyd Valley	Wick And Abson Parish Council
4	P22/03242/HH	Approve with Conditions	Shire Horse Barn Doynton Lane Dyrham South Gloucestershire SN14 8EZ	Boyd Valley	Dyrham And Hinton Parish Council
5	P22/03299/F	Approve with Conditions	Land At 23 And 24 Mercier Close Yate South Gloucestershire BS37 7RA	Yate Central	Yate Town Council
6	P22/03663/HH	Approve with Conditions	80 Shortwood Road Pucklechurch South Gloucestershire BS16 9PJ	Boyd Valley	Pucklechurch Parish Council
7	P22/03722/F	Approve with Conditions	Land At 1 Oaktree Avenue Pucklechurch South Gloucestershire BS16 9RP	Boyd Valley	Pucklechurch Parish Council
8	P22/03732/HH	Approve with Conditions	14 Lancelot Road Stoke Gifford South Gloucestershire BS16 1WG	Stoke Park And Cheswick	Stoke Gifford Parish Council
9	P22/04009/HH	Approve with Conditions	6 Flaxpits Lane Winterbourne South Gloucestershire BS36 1JY	Winterbourne	Winterbourne Parish Council
10	P22/04100/HH	Approve with Conditions	12 Brendon Close Oldland Common South Gloucestershire BS30 8QE	Bitton And Oldland Common	Bitton Parish Council
11	P22/05074/HH	Approve with Conditions	37 Hawkins Crescent Bradley Stoke South Gloucestershire BS32 8EL	Bradley Stoke South	Bradley Stoke Town Council

CIRCULATED SCHEDULE NO. 38/22 -23rd September 2022

App No.:	P21/04070/RM	Applicant:	Newland Homes Limited
Site:	Land East Of North Road Engine Common Yate South Gloucestershire BS37 7LQ	Date Reg:	12th June 2021
Proposal:	Demolition of 276 North Road and erection of 84no dwellings, open space and other associated works with layout, landscaping, scale and appearance to be determined (Approval of reserved matters to be read in conjunction with Outline permission P20/24044/O).	Parish:	Iron Acton Parish Council
Map Ref:	369998 183988	Ward:	Frampton Cotterell
Application Category:	Major	Target Date:	8th September 2021



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 100023410, 2008. N.T.S. P21/04070/RM

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

REASON FOR REFERRING TO CIRCULATED SCHEDULE

This application is referred to the circulated schedule due to objections received contrary to the Officers recommendation.

1. THE PROPOSAL

- 1.1 The application seeks approval of reserved matters connected to outline planning permission P20/24044/O. The outline planning permission granted consent for the demolition of 276 North Road and the erection of up to 89 dwellings, with open space and other associated works. The matter of access was agreed at outline stage, all other matters were reserved. The proposed development is for the construction of 84 dwellings thus slightly below the total figure granted at outline stage.
- 1.2 This reserved matters application therefore seeks to determine matters of appearance, landscaping, layout and scale. **There is no opportunity through this application to consider the principle of development or the means of access to the site.**
- 1.3 As established and approved at outline stage, vehicular access will be facilitated by demolishing 276 North Road, an existing residential dwelling within Engine Common. The site is situated within the open countryside outside of any established settlement boundary, and therefore outside of Engine Common and the nearby town of Yate. The site is not within the Bristol/Bath Green Belt however. The site is designated as a Site of Nature Conservation Interest for its species rich (neutral and marshy) grassland with broadleaved woodland. A Public Right of Way runs through the site diagonally from NW to SE and a second PROW runs around the northern and western site boundaries. A small part of the site is known to have been used for coal mining in the past.

2. POLICY CONTEXT

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

2.2 **Development Plans**

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

CS1 High Quality Design

CS4a Presumption in Favour of Sustainable Development

CS5 Location of Development

CS6 Infrastructure and Developer Contributions

CS7 Strategic Transport Infrastructure

CS8 Improving Accessibility

CS9 Managing the Environment and Heritage
CS15 Distribution of Housing
CS16 Housing Density
CS17 Housing Diversity
CS18 Affordable Housing
CS23 Community Infrastructure and Cultural Activity
CS24 Green Infrastructure Sport and Recreation Standards
CS30 Yate and Chipping Sodbury
CS31 North Yate New Neighbourhood CS34 Rural Areas

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

PSP1 Local Distinctiveness
PSP2 Landscape
PSP3 Trees
PSP6 Onsite Renewable and Low Carbon Energy
PSP8 Residential Amenity
PSP10 Active Travel Routes
PSP11 Development Related Transport Impact Management
PSP16 Parking Standards
PSP17 Heritage Assets and the Historic Environment
PSP19 Wider Biodiversity
PSP20 Drainage
PSP21 Environmental Issues
PSP22 Unstable Land
PSP37 Internal Spaces Standards for Affordable Units
PSP40 Residential Development in the Countryside
PSP42 Self-Build and Custom Housing
PSP43 Private Amenity Standards
PSP44 Open Space, Sport and Recreation

2.3 Supplementary Planning Guidance

The South Gloucestershire Design Checklist SPD (Adopted)
The South Gloucestershire Waste SPD (Adopted)
The South Gloucestershire Residential Parking Standards SPD (Adopted) The
South Gloucestershire Affordable Housing and Extra Care SPD (Adopted)
The South Gloucestershire Revised Landscape Character Assessment SPD
(Adopted)
The South Gloucestershire CIL Charging Schedule and the CIL and S106 SPD
(Adopted)
The South Gloucestershire Biodiversity Action Plan (Adopted)
West of England Strategic Green Infrastructure Strategy
West of England Nature Recovery Network
National Landscape Character Area NCA118

3. RELEVANT PLANNING HISTORY

3.1 P20/24044/O

Demolition of 276 North Road and erection of up to 89 dwellings, open space and other associated works (Outline) with access to be determined. All other matters reserved (Resubmission of P19/7769/O)

Approved 13th April 2021

3.2 P19/7769/O

Demolition of 276 North Road and erection of up to 89 dwellings, open space and other associated works (Outline) with access to be determined. All other matters reserved

Withdrawn April 2022

4. **CONSULTATION RESPONSES**

4.1 Iron Acton Parish Council

Don't state whether they object to the application but rather make the following comment: Traffic in the immediate area, drainage and safety of school pedestrians.

These matters however were addressed at outline stage

Sustainable Transport

Matters of access to the site were considered at outline stage. No objection to the reserved matters application.

Conservation Officer

This matter was fully addressed at outline stage. No further comment to make.

The Coal Authority

The Coal Authority have no objections

Highway Structures

The application includes a boundary fence alongside the footpath, the responsibility for maintenance for this structure will fall to the property owner.

Tree Officer

No objection subject to a condition that the works should be completed in accordance with the Arboricultural Report submitted.

Lead Local Flood Authority

No objection subject to conditions

PROW

No objection subject to conditions

Ecology Officer

No Objections

Police Community Safety

No objection or comments. Having viewed the revised information as submitted February 22 I find the design to be in order and complies appropriately with the crime prevention through environmental design principles.

Public art Officer

This matter was addressed at Outline Stage. The Councils Public Art officer comments that Newland Homes have appointed a public art consultant to deliver a scheme for them and look forward to receiving further details.

Avon Fire and Rescue

Request 5 additional fire hydrants. *This matter however was established at outline stage*

Landscape Officer

Recognises many improvements have been made. Makes a number of suggestions on how the scheme can be further improved.

Other Representations

4.2 Local Residents

28 letters of objection have been received to the application. Several of the letters are from the same households submitted as revised plans have been submitted (your officers have estimated that a total of 18 different households object to the proposal). Below is a summary of the key points of concern raised – full details can be viewed on the Councils web site.

- Are the Ash branded as having Ash Die Back as bad the arboricultural report says?
- Trees in the garden of 290 North Road are covered by a TPO
- Path to rear of plots 75, 76 , 77 and 78 is very narrow – should be made wider
- The landscape plan does not tie with the planning layout
- To knock down the cottage built in 1909 is criminal
- Impact on ecology
- Impact on highway safety – the new speed humps are breaking up
- Traffic
- Schooling – the school is not big enough
- Flooding for neighbouring dwellings
- Wildlife haven/Impact on ecology
- Overbearing and overlooking for neighbouring dwellings
- Buildings are too close to residents on North Road
- There are mines on the site
- This development should not be allowed to happen – destroying the character of the area

4.3 One letter of support has been received stating that the revised plans are a significant improvement.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The proposed development is acceptable in principle as outline planning permission for the proposed development has been granted under application P20/24044/O. This application seeks to approve the 'reserved matters'. In this

instance the reserved matters are: appearance, landscaping, layout and scale. The details submitted with this reserved matters application are fully compliant with the masterplan/landscaping endorsed at outline stage.

5.2 Scale and Layout

The scale and layout of the development is acceptable and complies with the details approved at outline stage. There is a clear hierarchy of streets shown in the document, ranging from the Primary, secondary to private drives.

5.3 The application is accompanied by a building heights key plan that shows the slightly taller heights being located fronting onto the primary street or generally around the centre of the site, dropping down slightly towards the edges. The 3 dwellings closest to the existing neighbours at The British are limited to 1.5 storey bungalows. The dwellings closest to existing neighbours along North Road and Engine Common Lane are restricted to being true two storey dwellings with a handful (14) dwellings towards the centre of the site at 2.5 storeys in height.

5.4 The layout has evolved and improved during the course of the application to help limit the impact on neighbours, improve the PROW links through the centres of the site and generally increase the sense of space and 'green' along the spine road. A small green area (marked as Engine Common Green) on the site plan provides a central focal point helping to soften the impact of the development. As per the outline approval, green buffers are retained along the northern and eastern site boundaries to help with the integration from residential to rural. There are no objections to the layout of the scheme.

5.5 Appearance

The appearance of the dwellings is acceptable and in accordance with the details agreed at outline stage and through the discharge of conditions. The two dwellings at the site entrance (plots 1 and 84) are finished in natural stone and design sympathetically to respect the loss of the existing building No. 276. This was an issue specifically highlighted by members when the original outline was heard by committee. Natural stone also features on four dwellings (plots 20, 21, 41, and 42) at the heart of the scheme near the green space and plot 75 on the top north western site boundary. This careful approach to the use of natural stone at key locations through the site is supported.

5.6 As per the external materials layout plan, the other dwellings through the site are a mix of re-con stone and render. The predominant material being re-con stone with the render being used on a few key plots. This approach to the use of materials is supported. Although years ago, re-con stone was a poor substitute for natural stone, the material has evolved significantly. It is now a good quality product that looks attractive. Whilst of course, it would be preferable for natural stone to be used throughout the scheme but there is no reason for this to be insisted upon and the cost is likely to be prohibitive.

5.7 Finally on the matter of materials, natural stone walls are also proposed around the site frontages at key locations. Natural Stone boundary walls are found at the dwellings on the site frontage and also on the dwellings close to the new

- village green. This design approach is supported and will offer an attractive environment.
- 5.8 Moving onto the appearance of the dwellings, the dwellings are attractively designed. Key plots have chimneys and design features including front porches and bay windows feature. Where gables are visible, they are a good pitch (not too gentle) that is typical of the area. The short terrace (plots 14 – 19) is a ‘traditional’ style building with book end front gables at either end. Generally, thought and attention has been put into the design of the buildings. There is no objection to the proposed site appearance.
- 5.7 Residential Amenity
There are two elements to be considered here – the impact on existing neighbours and the impact afforded to future residents.
- 5.8 Impact on Existing Neighbours
There are three groups of properties that stand to be most affected by the proposed development – those on North Road that back onto the site, those in the British and those on Engine Common Lane. With respect to those dwellings on North Road, due to the separation distances, the impact on all of these dwellings has been carefully considered and found to be compliant. To the north of the site spine road, the new dwellings will be separated from the proposed dwellings by the retained PROW and vegetation. To the south of the spine road, additional tree planting is proposed in the rear gardens of the new residential units. In all locations, the rear of the proposed dwellings is greater than 30m from the rear of the existing dwellings along North Road. This exceeds the 20m guidance.
- 5.9 Turning to The British, plots 1 and 9 will be just over 10 metres from the existing dwellings at the end of The British (dwellings 35 and 38). Extensive negotiations were undertaken with respect to this part of the site given the potential impact on these neighbours. As a result of these negotiations, the dwellings closest to The British are now bungalows (1.5 storeys in height) with substantial planting. In order to protect the amenity of the dwellings on The British, a condition will be attached to any consent granted to restrict the insertion of windows in the southern elevation of plots 8 and 9 that could impact on amenity.
- 5.10 Consideration must finally be given to the impact on existing neighbours on Engine Common Lane – namely No. 3. No 3 Engine Common Lane is a bungalow with windows facing towards the application site. Plot No 26 will be closest to this bungalow but will still be 10 metres from its side (Northern) elevation and separated by the garden of the proposed new dwelling. By virtue of a combination of the separation and the proposed new dwelling being located to the North of the existing bungalow, the impact on the amenity is acceptable. Whilst condition 15 attached to the outline permission requires the submission of a Construction Environmental Management Plan (CEMP), for the avoidance of doubt a specific construction hours condition will be attached to this planning permission to help protect the amenity of all neighbouring residents.

5.11 Impact on Future Residents

As initially submitted, some of the dwellings on the site fell slightly short of the required standard of private and useable garden space as set out in policy PSP43. Following design tweak, all dwellings are now fully compliant and all have garden sizes that meet the minimum standards set out on Policy PSP43.

5.12 The dwellings are quite generously spaced out with sufficient separation distances to prevent unacceptable levels of inter-visibility. Whilst, as with all residential estate development, rear gardens will be overlooked by first floor windows, there are no situations where the levels of overlooking are considered to be un-acceptable.

5.13 The future residents will have good access to the PROW network being able to easily access North Road to the east and Engine Common Lane (by foot and cycle only) to the West. The improvements to the PROW network (as discussed below) including inclusivity and year-round use weigh in favour of the application. The, albeit small, green space at the centre of the site will provide an attractive focal point at the centre of the development. The development will be an attractive place for the future new residents to live.

5.14 Transport

It is important to re-iterate at this stage that the principle of development and the means of access to the site has already been approved at outline stage. Whilst objectors have raised concerns about traffic movements, this is not an opportunity to re-consider the principle of constructing the dwellings on the site. Rather, at this Reserved Matters stage, this is the opportunity to look at the parking arrangements and details of the internal site layout.

5.15 The application is accompanied by tracking diagrams that show domestic vehicles, commercial vehicles and refuse vehicles being accommodated safely within the development.

5.16 The application is also supported by a parking allocation plan that goes through in great detail how the scheme complies with the requirements of PSP16. In accordance with PSP16, the total parking space requirement for residents is 155 spaces with an additional 17 visitor spaces. A total of 195 resident spaces are being provided with 21 unallocated/visitor parking spaces being provided. The scheme is thus policy compliant overall.

5.17 It is acknowledged that some of the visitor bays are on street as opposed to being designed into pull ins or the such. Whilst pull ins are usually a preferred option, their absence is not a significant concern. This is effectively a large cul-de-sac where on street, informal parking can be expected and accommodated.

5.18 The proposed layout does not show any traffic calming within the development. Such traffic calming measures may include calming features in the form of changes in horizontal or vertical alignment of the main road within the development. Furthermore, details of the finish of the shared surface roads is not yet known (should ideally be finished with coloured block paving). These details will be the subject of a suitably worded condition.

5.19 Landscape

The scheme has evolved and improved significantly since the original submission and these improvements are noted by the landscape officer. Whilst the landscape officer makes some further suggestions with respect to shortening driveways and giving dwelling rear access rather than access from the main road. Whilst these amendments have not been made, justification has been provided. If driveways are shortened, cars are more likely to park to the front of dwellings thus impacting on the visual amenity of the street scene. Whilst rear driveways could technically be provided, there is some concern that for short/quick trips, residents would be more likely to pull up on the road in front of their properties, again impacting on visual amenity.

5.20 During the course of the application, additional street planting has been added which has resulted in a central green access road that will be tree planted. Once the trees grow and mature, this will provide an attractive environment linking the two roads together. The planting schedule has been simplified in line with the comments made by the landscape officer with the hedge planting on the main street being simplified to increase uniformity.

5.21 As was the case with the outline approval, clearly the development of this site will impact on the landscape. However, the development has been designed sympathetically and in accordance with the outline permission retaining the greatest degree of green space along the northern and eastern site boundaries. As such, there is no objection on the basis of site landscaping.

5.22 The Councils Arboricultural officer raises no objection to the proposal subject to a condition that the works are carried out in accordance with the Arboricultural Report submitted.

5.23 It is proposed to remove G04 (small part of the hedge along the eastern site boundary), G28 (a group of crack willow growing to form a single canopy on the southern site boundary) and T30 and T31 (Ash trees). T30 and T31 have not been fully inspected but they are expected to have limited useful life expectancy due to the presence of Ash die back. All other trees on site are to be retained. The Councils tree officer raises no objection to the proposed works.

5.24 Public Rights of Way

As per the outline permission, there are two Public Rights of Way that cross the site LYA/59/10 along the northern boundary and LYA/60/10 that runs diagonally through the site. The Highway Authority has a duty to assert and protect the use and enjoyment of public rights of way. In general routing PROW along a highway path is not encouraged. This is because it creates a poor environment for the user.

5.25 Again, the scheme has evolved throughout determination with respect to the treatment of the PROW. A PROW management plan has also been received.

5.26 The amended plans show the northern footpath (LYA/59/10) to be diverted away from the boundary slightly which avoids significant conflict with existing green infrastructure at the boundaries of the site and facilitates a hard surface

being laid for improved access. The diverted/new path is proposed to be constructed in Bredon gravel stone at 3m wide on the whole and this is acceptable but construction method needs to be agreed before construction. The plan stops short of annotating that the path is intended for future bridle use but the width and surfacing appears to futureproof this opportunity pending a link to the adjacent bridleway, LYA/61. This would form a safe and convenient link from North Road to Bridleway LYA/61. It is not possible to the applicant to complete the bridleway link and part of it runs outside of the site boundary.

- 5.27 The central footpath (Footpath LYA/60/10) is to be diverted with a 1.8 meter wide path along the adoptable estate road with a wider minimum 3m wide section (approx 25m long) at the end of the cul-de-sac being also given over to cycle access to Engine Common Lane. Discussion has taken place to ensure that the last 25m becomes a multi-user route and therefore would also afford horses passage to Engine Common Lane.
- 5.28 Whilst it is conceded that this is not truly green corridor, this was the inevitable result of the approval of the outline application and it does provide some landscaping and additional benefits to the active travel network. As such together with the landscaping, open areas and upgrade of the linked path LYA/59/10 for higher rights, no objection is raised to the planning application when viewed as a whole.
- 5.29 The formal mechanism/type of application(s) required for this are separate to the planning application.
- 5.30 Therefore, subject to conditions to ensure the PROW network improvements are secured as per the above, the PROW officer raises no objection to the proposal.
- 5.31 Coal Mining
Whilst it is understood that this is a significant concern of neighbours, the matter of coal mining was addressed at outline stage. The Coal Authority have confirmed that they have no objection to the reserved matters application. Your officer must be led by the Coal Authority as they are the experts in this matter. As the Coal Authority raise no objection, there is no reason to substantiate a refusal reason.
- 5.32 Ecology/Building with Nature
Matters of ecology were satisfied at outline stage. The Councils ecology officer raised no objection to this reserved matters application. As with Coal mining above, whilst your officer appreciated the concerns of local residents, this is a reserved matters application only. This is not an opportunity to revisit the principle of developing the land for up to 89 dwellings. Conditions 5, 6 and 7 attached to the outline permission requires the development to undertaken in a manner that protects the ecological integrity of the site. The applicant is still firmly committed to achieving Building with Nature accreditation.

5.33 Sustainability/Energy Strategy

The application is accompanied by an Energy Statement. The Energy statement show noticeable improvements in fabric efficiency and air permeability against the minimum value set by building regulations which is supported. The proposal to install Vaillant aroTherm heat pumps is firmly supported. The scheme will be constructed to a high sustainability standard – higher than that which can actually be insisted upon by either building regulations or planning policy, this weighs strongly in favour of the application and would hopefully be an example to other developers. Subject to a condition to ensure the development is carried out in accordance with the Energy Statement as submitted, there is no objection to the proposed development. Conditions 12, 13 and 15 attached to the outline application requires details of the solar arrays and air source heat pump systems to be submitted to the Council for written agreement.

5.34 Electric Vehicle Charging

In accordance with the requirements of Policy CS8 of the Core Strategy (Adopted) a condition will be attached to ensure that each property is fitted with an Electric Vehicle Charging point.

5.35 Affordable Housing

The Affordable housing quantum has been provided in accordance with the S106 agreement. The application for 84 dwellings shows 35% (29) homes will be provided as affordable – this complies with the S106 signed at outline stage. Furthermore, the application is in accordance with the tenure split of 76% social rent and 24% intermediate housing set out in the S106 agreement and proposes 22 units for social rent and 7 units for shared ownership. The range of house types proposed are in accordance with the S106 agreement (as set out in the table below) and it has been confirmed that the dwellings will be constructed in accordance with condition 16 attached to the outline consent.

Social Rent

Percentage	Type	Min Size m ²	Number
22%	1 bed 2 person flats	50	5
16%	2 bed 4 person flats	70	4
29%	2 bed 4 person houses	79	6
29%	3 bed 5 person houses 2 storey	93	6
4%	4 bed 6 person houses 2 storey	106	1

Shared Ownership

Percentage	Type	Min Size m ²	Number
16%	1 bed 2 person flat	50	1
17%	2 bed 4 person flat	70	2
34%	2 bed 4 person houses	79	2
33%	3 bed 5 person houses 2 storey	93	2

5.36 Subject to a conditions specifically relating to the wheelchair units (plots 55 and 71), there is no objection to the proposed scheme on the basis of Affordable housing.

5.37 Crime Prevention

As initially submitted, the Police raised a number of queries. These queries were all addressed through the amended plans submitted. As a result, the police comment that the design is in order and complies appropriately with the crime prevention through environmental design principles.

5.38 Public Open Space (POS)

The quantum of Public Open space on site was approved and secured at outline stage and the scheme is compliant with the signed S106. The application is accompanied by a detailed S38 adoption plan that shows which areas of land the applicant intends to be adopted by the Council. This has evolved through the course of the application and is now found to be at an acceptable standard.

5.39 The application is also supported by a Public Open Space management plan that shows which areas of the site will be the responsibility of the private maintenance company. Whilst this plan is largely acceptable, a condition will be attached to secure an updated plan so that clarity over the maintenance and management of the paths leading to the play area can be secured. Street Lights have all been removed from POS. A condition is also attached that secure the submission of details specifically relating the the play area and the allotments (to include but not restricted to the provision of sheds and a water supply). Subject to the attachment of such conditions to allow these details to be agreed post decision, there is no objection to the application as proposed.

5.40 Drainage

Draining is one of the key issues that has been raised by neighbours throughout the determination of both this Reserved Matters application and the approved outline application. As initially submitted the Lead Local Flood Authority requested additional information and clarity. In response to this a Microdrainage MDX file (only accessible to those with the correct software) has been submitted to the Council for assessment. This information was thoroughly assessed and a few minor anomalies were detected (the model included pipe runs between manhole S15 and the outfall, which was not shown

- on the drainage layout). In response to this, updated plans were submitted that show all infrastructure in place.
- 5.41 A Groundwater Level Monitoring report prepared by T&P Regeneration Ltd has been submitted as part of this reserved matters application. The report details the twelve-week programme of groundwater monitoring undertaken. The Lead Local Flood Authority have reviewed this data and have confirmed that the contents are acceptable. Condition 9 attached to the outline consent is therefore satisfied.
- 5.42 The introduction of an impermeable membrane to stop the ingress of groundwater into the basin is welcomed. This membrane is accounted for in the Groundwater Monitoring Report.
- 5.43 The applicant is in close and advanced discussions with Wessex Water who have indicated that they will adopt the infrastructure albeit there is no mandatory requirement for them to do so. Ultimately, if Wessex Water do not adopt, the pond will transfer to the management company and Wessex Water will just adopt the sewers leading up to and coming out of the pond.
- 5.44 Whilst appreciating that objectors will not agree, an extensive amount of drainage detail has been submitted with the application that has been prepared to address all queries and comments raised by the Lead Local Flood Authority. The Lead Local Flood Authority are the experts in the field of assessing and understanding drainage and storm waters and your officer has no reason or basis to disagree with their expert opinion. The Lead Local Flood Authority accept the drainage proposals and are happy for approval to be granted on the basis that the surface water drainage strategy be implemented as per the submitted drainage/engineering details. This will form the basis of a suitably worded condition.
- 5.45 Equalities
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.

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

6. CONCLUSION

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

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

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

7. RECOMMENDATION

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

CONDITIONS

1. The development hereby permitted shall take place in accordance with the following plans and reports:

Received by the Council on 6th September 2022:

Landscape Management Plan

Received by the Council on 2nd September 2022:

21149.201revI - Detailed Landscape Proposals Sheet 1 of 2

21149.202revI- Detailed Landscaping plan Sheet 2 of 2

234-101revE - S38 agreement plan

234-106revB - Gulley Catchment Plan

234-1142-1revB - Reduced Drainage Layout Sheet 1

234-1142-2revB - Reduced Drainage Layout Sheet 1

234-1142-3revB - Reduced Drainage Layout Sheet 3

234-141-1revG - External Works Layout Sheet 1

234-141-2revG - External Works Layout Sheet 2

234-141-3revG - External Works Layout Sheet 3

234-143-1revC - Finished Levels Layout Sheet 1

234-143-2revC - Finished Levels Layout Sheet 2

234-143-3revD - Finished Levels Layout Sheet 3

234-144-1revF - Lighting Layout Sheet 1 of 3

234-144-2revF - Lighting Layout Sheet 1 of 2

234-144-3revF - Lighting Layout Sheet 3 of 3

234-145revE - Impermeable Areas Plan

234-146-1revC - Flood Routing Plan Sheet 1

234-146-2revC - Flood Routing Plan Sheet 2

234-146-3revE - Flood Routing Plan Sheet 3

234-148-1revD - Swept Path analysis Refuse Vehicles Sheet 1

234-148-2revD - Swept Path Analysis Refuse Vehicles Sheet 2

234-148-3revD - Swept Path Analysis Refuse Vehicles Sheet 3

234-148-4revD - Residential Parking Sheet 1

234-148-5revD - Residential Parking Sheet 2

234-148-6revD - Residential Parking Sheet 3

234-148-7revD - Residential Parking Sheet 4

234-148-8revD - Residential Parking Sheet 5

234-148-9revD - Swept Path Analysis Commercial Vehicles

234-149revD - SuDS Sections

234-BSP-1revB - Bin Set Down Sheet 1
234-BSP-2revB - Bin Set Down Sheet 2
234-BSP-3revB - Bin Set Down Sheet 3
234-PAPrevB - Parking Allocation Plan
819-05revF - Planning Layout
819-09revF - Boundaries and Enclosures Key Plan

Received by the Council on 29th July 2022:
234-200revB - Play Area Layout Plan
234-201revA - Public Open Space Management Plan

Received by the Council on 19th July 2022:
220704-NR-TPPRevD - Tree Protection Plan
220704-NR-AIA-RevD - Arboricultural Impact Assessment
Energy Statement

Received by the Council on 8th July 2022:
819-41002revA - House Type Elevations
819-08revD - Affordable Housing Key Plan
819-07revD - Building Heights Key Plan
819-10revD - External Materials Key Plan

Received by the Council on 18th May 2022:
819-41-02revA - House Type Elevations (plots 72, 71, 70, 54, 55, 56)
819-47-01revA - House Type Floor Plans (plots 72, 71, 70, 54, 55, 56)
234-PWDPreva - PROW Diversion Plan
819-41-01revB - House Type Floor Plans (plots 14, 15, 16)
819-43-01revB - House Type Floor Plans (plots 17, 18, 53, 54, 68, 69, 70)
819-44-01revB - House Type Floor Plans (plots 30, 31, 32, 47, 48, 57, 58, 67)
819-45-01revB - House Type Floor Plans (plots 19, 18)

Received by the Council on 23rd Feb 2022:
819-47-02 - House Type Elevations (plots 72, 71, 70, 54, 55, 56)
819-44-02revA - House Type Elevations (plots 30, 31, 32, 47, 48, 57, 58, 67)
819-40-43 - House Type Elevations CL
819-39-03 - House Type Elevations PBD (plots 66, 60, 33)
819-34-03 - House Type Elevations TE (plots 80, 81, 73, 74, 78, 79)
Private Amenity Space Sizes Key
819-45-02revA - House Type Elevations (plots 19, 18)
819-31-03revA - House Type Elevations HN (plots 2, 4, 5, 12, 13, 22, 76)
819-37-02revA - House Type Elevations HT (plot 84)
819-14revA - Secure by Design plan
819-12-01revC - Street Scenes

Received by the Council on 8th December 2021:
234-113revA - Manhole Schedule

Received by the Council on 1st September 2021:
819-38-04 - House Type Elevations PB
819-46-01 - House Type Plans SC (plots 8, 9, 10)
819-46-02 - House Type Elevations SC (plots, 8, 9, 10)

Received by the Council on 10th June 2021:

- 819-31-01 - House Type Plans HN (plots 2, 4, 5, 12, 13, 22, 76)
- 819-33-01 - House Type Plans CR (plots 6, 7, 26, 27, 51, 52)
- 819-33-02 - House Type Elevations CR (plots 6, 7, 51, 52)
- 819-34-01 - House Type Plans TE (plots 80, 81, 73, 74, 78, 79)
- 819-35-01 - House Type Plans HR (plots 64, 65, 23, 24, 25)
- 819-35-02 - House Type Elevations HR (plots 64, 65, 23, 24, 25)
- 819-36-01 - House Type Plans HA (plots 20, 21, 41, 42, 43, 35, 36, 59)
- 819-36-02 - House Type Elevations HA
- 819-36-03 - House Type Elevations HA
- 819-37-01 - House Type Plans HT (plots 75, 84)
- 819-37-03 - House Type Elevations HT (plot 75)
- 819-38-01 - House Type Plans Plans PB (plot 61, 77, 34, 44, 1, 3)
- 819-38-02 - House Type Elevations PB
- 819-38-03 - House Type Elevations PB
- 819-43-02 - House Type Elevations
- 819-40-01 - House Type Plans CL (plots 37, 38, 39, 40, 62, 63, 82, 83)
- 819-40-02 - House Type Elevations CL
- 819-01 - Site Location Plan

Reason

To define and clarify the permission.

2. No windows other than those shown on the plans hereby approved shall be inserted at any time in the southern elevation of plots 8, 9 and 26 that face towards The British and 3 Engine Common Lane respectively.

Reason

To protect the residential amenity of the neighbouring occupiers and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

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 residential amenity of the neighbouring occupiers and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

4. The off-street parking facilities (for all vehicles, including cycles) shown on the plans hereby approved shall be provided before each individual building is first occupied, and thereafter retained for that purpose. For the avoidance of doubt, the infrastructure shall be provided on a plot by plot basis.

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.

5. Prior to the first occupation of any of the dwellings hereby permitted a scheme of traffic calming measures within the site shall be submitted to the Council for written approval. The details submitted shall include a timetable for implementation. The traffic calming shall include details of the finish of the shared surface roads (ideally coloured block paving). The scheme must be carried out in accordance with the details and timetable approved.

Reason

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.

6. Prior to the first occupation of any individual dwelling hereby permitted, each dwelling shall be provided with a 7kw/32Amp Electric Vehicle Charging Point.

Reason

In order to reduce greenhouse gas emissions and to provide and promote the provision of sustainable travel options to accord with Policy CS8 of the South Gloucestershire Local Plan Core Strategy 2013

7. The development hereby permitted shall take place exactly in accordance with the following plans:
220704-NR-TPPRevD - Tree Protection Plan
220704-NR-AIA-RevD - Arboricultural Impact Assessment

The tree protection must be in place prior to the commencement of any works on site and must remain on site at all times thereafter. For the avoidance of doubt, a narrow gate is permissible in the protection fencing to avoid obstruction of the PROW. Prior to the commencement of any works on the PROW upgrade within the tree protection fencing, a written method statement shall be submitted to the Council for written approval. The method statement will include details of all works necessary and a timescale for their implementation. All works must take place exactly in accordance with the details agreed.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of the health and visual amenity of the site, and to accord with The Town and Country Planning (Tree Preservation) (England) Regulations 2012

8. The works hereby permitted shall take place in accordance with the Energy Statement received by the Council on 19th July 2022.

Reason

In order to reduce greenhouse gas emissions to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy 2013

9. Notwithstanding the approved plans, the bathrooms in the wheelchair units (55 and 71) shall be redesigned to relocate the toilet opposite the door and remove the bath. For the avoidance of doubt, as these changes are internal no plan must be submitted to this effect.

Reason

To ensure that the wheelchair units are fit for purpose and to comply with the requirements of the S106 agreement attached to the outline permission.

10. Prior to the commencement of development above damp proof course, a timetable for the implementation of the landscaping, and a Landscape Management Plan including but not limited to the play area and the allotments shall be submitted to the Council for written approval. The scheme shall then be developed in accordance with the detail so agreed.

Reason

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

11. Notwithstanding the approved plans, prior to construction above damp proof course full details of the play area and allotments (to include detail of sheds, water supply etc.) shall be submitted to the Council for written approval. Development shall take place exactly in accordance with the details so agreed.

Reason

To ensure a satisfactory standard of Public Open Space on site that is acceptable and implemented in a timely manner and to comply with the requirements of Policy CS6 of the Core Strategy (Adopted).

12. Notwithstanding the approved plans and prior to the commencement of development above damp proof course a Public Open Space Plan and Public Open Space Management Plan shall be submitted to the Council for written approval. For the avoidance of doubt, these documents shall ensure that the street lights are not within the POS. Development must take place exactly in accordance with the details agreed.

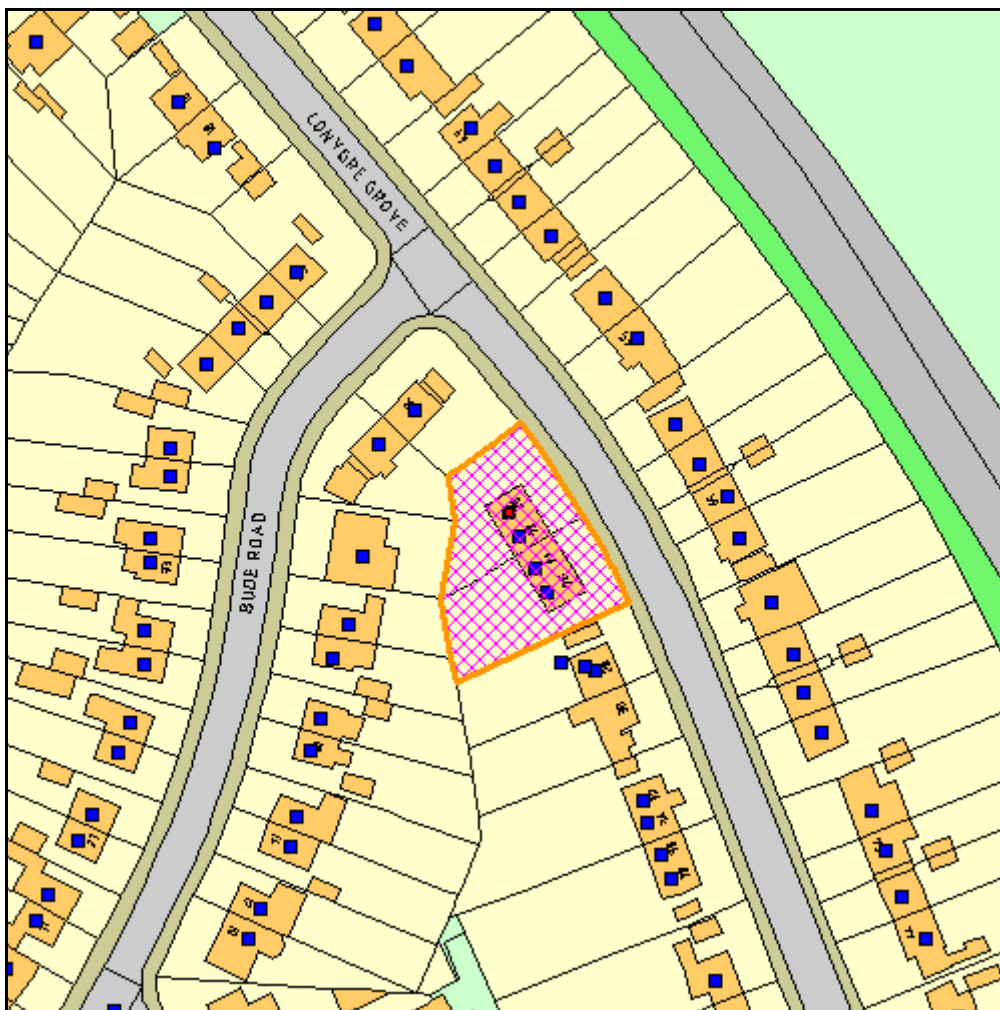
Reason

To ensure a satisfactory standard of Public Open Space on site that is acceptable and implemented in a timely manner to comply with the requirements of Policy CS 6 of the Core Strategy (Adopted)

Case Officer: Marie Bath
Authorising Officer: David Stockdale

CIRCULATED SCHEDULE NO. 38/22 -23rd September 2022

App No.: P22/01061/F	Applicant: Mr Mark Plumley
Site: 20 - 26 Conygre Grove Filton South Gloucestershire BS34 7DP	Date Reg: 28th February 2022
Proposal: Internal alterations to facilitate conversion from 4no flats to 2no dwellings and associated works.	Parish: Filton Town Council
Map Ref: 360971 179562	Ward: Filton
Application Category: Minor	Target Date: 22nd April 2022



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 100023410, 2008. N.T.S. P22/01061/F

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

REASON FOR APPEARANCE ON CIRCULATED SCHEDULE

The application appears on the Circulated Schedule following receipt of an objection comment from the Town Council, contrary to the officer recommendation of approval.

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for internal alterations to facilitate conversion from 4.no flats to 2.no dwellings and associated works at 20-26 Conygre Grove, Filton.
- 1.2 The applicant site comprises of 4 residential properties and their associated curtilages which are set within the North fringe of Bristol. The host structure itself is formed of a semi-detached pair of ground and first floor flats which is understood not to be restricted by any local development plan policies.
- 1.3 *Procedural Matters* – an amended block plan has been received from the applicant’s agent to demonstrate capacity for onsite parking. This has not altered the description of development nor not affected the scope of assessment (there has been no contextual shift in evaluation), and as such, no further public consultation has been conducted. The case officer is satisfied this does not disadvantage the public interest.

2. POLICY CONTEXT

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

- 2.2 Development Plans

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

CS1	High Quality Design
CS4a	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
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
PSP8	Residential Development
PSP11	Transport
PSP16	Parking Standards
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Standards

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

3. RELEVANT PLANNING HISTORY

- 3.1 No relevant planning history.

4. CONSULTATION RESPONSES

- 4.1 Filton Town Council
The Town council have objected to this application due to concerns the dwellings could, at some point in the future, be converted into a House of Multiple Occupation (HMO). A request has been raised to attach a condition limiting such a change of use.
- 4.2 [*Officer comment in response to the above objection*] Whilst concerns regarding the potential change of use into a HMO are understood (some wards of Filton exceed the 10% threshold for a large HMO), paragraph 56 of the National Planning Policy Framework conforms that the use of a condition must adhere to 6 tests, two of which relate to whether a condition is necessary and relevant to the development to be permitted. In this instance, the use of a condition restricting a change of use (into a HMO) would be neither necessary nor relevant, and as such, the Council could not justify the application of such a condition and would therefore fail to meet paragraph 56 of the NPPF.
- 4.3 Archaeology Officer
No comments received.
- 4.4 Sustainable Transport Officer
The proposed works would not change the parking requirements at this location, however, onsite parking (which meets the required specifications detailed in PSP16) would help to ensure the resulting development is in line with the Council's current standards. Likewise, electric vehicle charging points are requested. Subject to these revisions being demonstrated, no objection would be raised.
- 4.5 Highway Structures Officer
No comments received.
- 4.6 Flood and water Management Officer

No objection but an informative is recommend with regard to public sewer location.

- 4.7 Local Residents
No comments received.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Policy CS5 outlines the locations in which development is considered appropriate and states that most new development in South Gloucestershire will take place within the communities of the North and East fringes of the Bristol urban area as well as those locations set within a defined settlement boundary. The proposed development would be located within the wider boundary of the North Bristol fringe and as such, based solely on the location of the site, the application is considered acceptable in principle.
- 5.2 Notwithstanding this, policy PSP38 states that the provision or conversion of dwellings within existing residential curtilages are acceptable, subject to an assessment of design, residential amenity and transportation. Due to this, an assessment of harm against these considerations (and any subsequent mitigation) will be conducted to evaluate the viability of the proposal against local plan policies.
- 5.3 Design and Visual Amenity
Policies CS1, PSP38 and the SGC Householder Design Guide seek to ensure that development proposals are of the highest possible standards of design in which they respond to the context of their environment. This means that developments should demonstrate a clear understanding of both the site and local history to ensure the character, distinctiveness and amenity is well assessed and incorporated into design.
- 5.4 With regard to the existing street scene along Conygre Grove, housing typically dates construction from the 20th century onwards, giving rise to a fairly consistent style of property that is of two-storey extent, terraced and has design features such as 'green' fronted gardens or the provision of onsite parking through the creation of a hardstanding area towards the frontage. This therefore indicates the proposal must demonstrate an understanding of the design features listed above in order to satisfy local policy.
- 5.5 In this unique circumstance, no alterations are sought to the external appearance of the existing structure with the bulk of works limited to the reconfiguration of floor plans (thus not requiring planning permission) as well as the creation of parking spaces and grass area situated in front of the principal elevation. The impact and associated highway risk of these parking spaces is later discussed at section 5.11 of the report, but in design terms and given one of the prevailing characteristics along this section of Conygre Grove features parking at the front or indeed a small garden area, it is considered the development would have a negligible impact upon the immediate vicinity and is therefore of an acceptable standard of design that complies with policies CS1 and PSP38.

5.6 Residential Amenity

In terms of residential amenity, policy PSP8 states development proposals are acceptable provided they do not create unacceptable living conditions or result in unacceptable impacts on residential amenities. These are outlined as follows (but are not restricted to): loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and, odours, fumes or vibrations.

- 5.7 When considering the impact of the proposed development on residential amenity, it is unlikely there would be any significant changes to existing relationships with neighbouring properties, indicating from the onset the works would satisfy the parameters of PSP8. However, to clarify this, it is again noted that the development would create the change from 4.no flats to 2.no houses, meaning the amount of 'residential movement' is unlikely to represent a level over and above the existing situation. Secondly, no new windows are sought to be installed, meaning opportunity for overlooking would not be exacerbated beyond that currently found. Due to this, the proposal is compliant with policy PSP8.

5.8 Private Amenity Space

Policy PSP43 states the Council's minimum standards for private amenity space for residential units, which informs new developments are expected to have access to private amenity space that is: of a sufficient size and functional shape to meet the needs of the likely number of occupiers; and, designed to take account of the context of the development, including the character of the surrounding area.

- 5.9 The proposed dwellings would each support capacity for 4no. bedrooms, meaning a requirement of at least 70 square metres of functional private amenity space is needed to satisfy the parameters of PSP43. The submitted evidence indicates this standard can be achieved for each of the proposed properties, and as such, the development proposal complies with PSP43.

5.10 Transport

Policy PSP11 states development proposals that generate a demand for travel will be acceptable provided that access is appropriate, safe, convenient and attractive for all modes of travel arising to and from the site. It also outlines that access should not: contribute to serve congestion; impact on the amenities of communities surrounding access routes; have an unacceptable effect on highway and road safety; and, should not harm environmentally sensitive areas.

- 5.11 Whilst it is acknowledged new access is sought and could therefore create the potential for new hazards, it is recognised that it would utilise an entry point of similar quality to those found on neighbouring properties along Conygre Grove, indicating visibility from this vantage point is of an acceptable standard. Likewise, Conygre Grove is denoted as a 20MPH speed limit which suggests high-speed incidents are less likely to occur, again demonstrating access to and from the site would be acceptable. Lastly, and given that the development would only result in a modest intensification of road use, the proposed arrangements are concluded to not result in any severe highway or

transportation issues. However, as the works would need to include a dropped kerb (and obviously relate to the highway), it is recommended that any works should be carried out in accordance with the Council's standards of construction, with all details first to be agreed by the Council's Streetcare Manager.

5.12 In terms of parking, policy PSP16 sets out the Council's criteria for parking specifications. It states that parking space provision per dwellinghouse is proportionate to bedroom number, with properties of the proposed size expected to each provide 2no. on-site parking spaces. Submitted evidence conforms this requirement can be satisfied with the case officer therefore not raising any parking objections. However, it is noted at this juncture that a request for an electric charging point has been made from the sustainable transport officer. Although the submitted plans demonstrate such facilities have not been put forward, it is recognised this request follows guidance not yet adopted and may fail to comply with the 4th test applied to a planning condition as listed in Paragraph 56 of the NPPF, suggesting a refusal on this basis would be inappropriate.

5.13 Flood Risk

The applicant site is not situated within flood zone 2 or 3 with residential dwellings in this zone generally regard as 'less' vulnerable types of development. Notwithstanding this, the application has been reviewed by the Flood Risk and Water Management Team who raised no objections subject to an informative relating to public sewer location. Due to this, it is considered the development proposal would comply with the council's flood risk policies and corresponding provisions of the NPPF.

5.14 Other Matters

It has been considered to attach a condition to ensure any works carried out through this proposal would not exceed those described in the description of development. Here, concern was initially raised that works could lawfully go beyond what is set out due to a lack of submitted elevation plans i.e., there is less accountability of what is put forward and what has been completed. However, a compliance condition has been attached to the planning decision to define the extent of works (which includes reference to a block plan, thus helping to control the scope of development), but it is also recognised that upon completion, each property would gain full Permitted Development rights, meaning occupants of the dwellings would be entitled to enlarge or alter their property within the confines of the General Permitted Development Order (2015). Given the location of site and surrounding context, there would be no reason to restrict the use of PD rights with a conclusion therefore reached there is no need to further limit development at this site for the time being.

5.15 Consideration of likely impact on Equalities

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act, the public sector equality duty came into force. Among other things, those subject to the equality duty must have due regard to: eliminate unlawful discrimination; harassment and victimisation; advance equality of opportunity; and, foster good relations

between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.

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

6. **CONCLUSION**

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

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

7. **RECOMMENDATION**

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

ADDITIONAL CONDITIONS

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

Reason

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

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

Site Location and Block Plan (00.01A)

Proposed Site plan (10.00A)

Existing Floor Plans (00.02A)

Proposed Floor Plans (00.004A)

Reason:

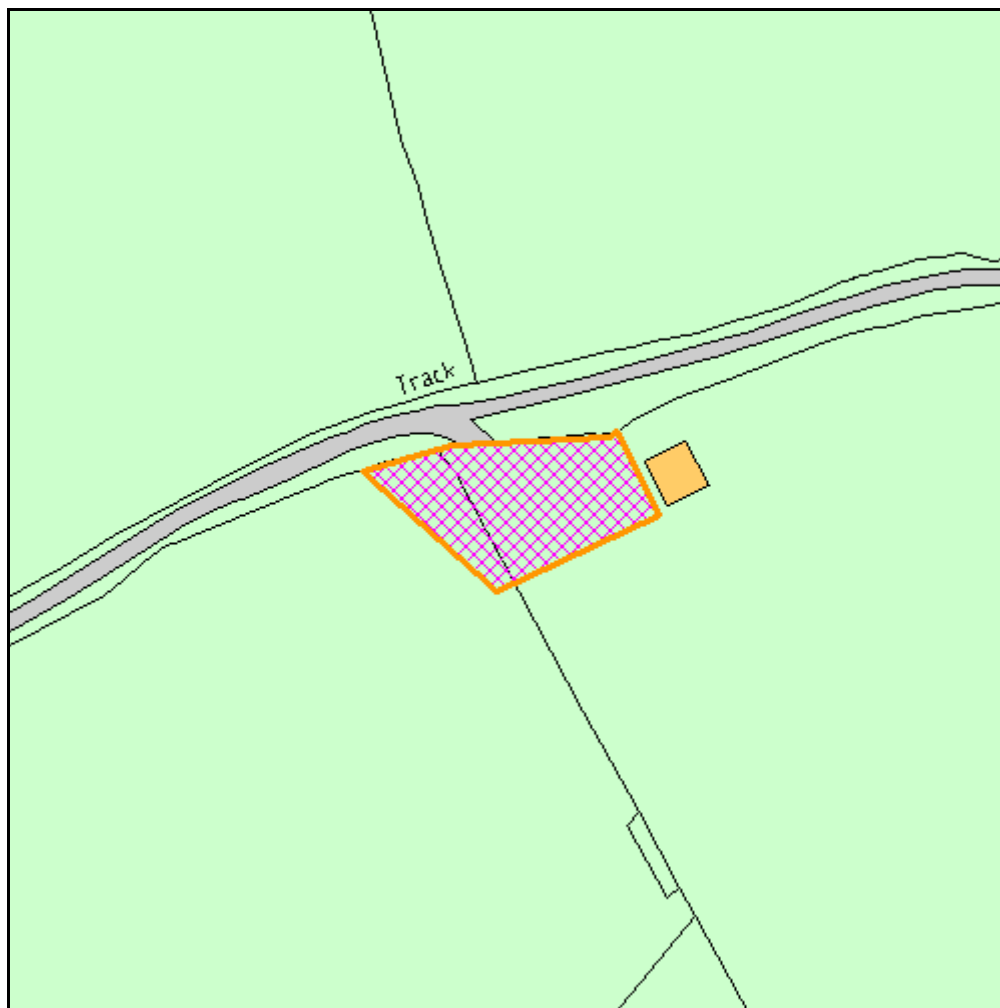
To define the terms and extent of the permission.

Case Officer: Steffan Thomas

Authorising Officer: Suzanne D'Arcy

CIRCULATED SCHEDULE NO. 38/22 -23rd September 2022

App No.:	P22/02746/F	Applicant:	Ms Sarah Hussey
Site:	Land Off Badgers Brook Lane Wick South Gloucestershire BS30 5TT	Date Reg:	17th May 2022
Proposal:	Erection of stable block.	Parish:	Wick And Abson Parish Council
Map Ref:	370870 175172	Ward:	Boyd Valley
Application Category:	Minor	Target Date:	11th July 2022



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 100023410, 2008. **N.T.S.** **P22/02746/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

Contrary view of Wick and Abson Parish Council.

1. THE PROPOSAL

- 1.1 Planning permission is sought for the erection of a stable block on Land off Badgers Brook Lane, Wick.
- 1.2 The application site comprises part of the northern margin of a field that is in use for the keeping of horses. Permission was granted in 2021 (ref. P20/11734/F) for the change of use of the land from agricultural land to a mixed use of keeping of horses and agriculture (sui generis). Permission was also granted for the erection of a stable block and the construction of an outdoor ménage with associated works. The site is accessed via a track and bridleway (LWA/30/50) from Abson Road. An existing agricultural barn exists directly adjacent to the site, within the applicants' ownership.
- 1.3 The application site is located outside any defined settlement boundary within the Open Countryside and Bristol and Bath Green Belt.
- 1.4 The proposed block of 6no. stables would have a 'C shaped' footprint with a traditional timber boarded elevational treatment. The proposal would replace the previously approved block of 3no. stables.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework July 2021
National Planning Practice Guidance

2.2 Development Plan

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

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS9	Managing the Environment and Heritage
CS34	Rural Areas

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP7	Development in the Green Belt
PSP8	Residential Amenity

PSP11	Transport Impact Management
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP30	Horse Related Development

- 2.3 Supplementary Planning Guidance
 Design Checklist SPD (Adopted) August 2007
 Development in the Green Belt (Adopted) June 2007
 Assessing Residential Amenity TAN (Endorsed) 2016

3. **RELEVANT PLANNING HISTORY**

- 3.1 P20/11734/F
 Change of use of agricultural land to a mixed use of keeping of horses and agriculture (sui generis) (retrospective) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). Erection of stable block and construction of outdoor ménage with associated works.
 Approve with Conditions (27/07/2021)
- 3.2 P19/6823/F
 Erection of 1 no. agricultural building to form storage for feed, hay and machinery (resubmission of PK18/2677/F).
 Approve with Conditions (29/07/2019)
- 3.3 P19/4718/NMA
 Non material amendment to PK18/2677/F to change the proposed roof from a mono pitch roof to a dual pitch roof.
 Objection (28/05/2019)
- 3.4 PK18/2677/F
 Erection of 1no. agricultural building to form storage for feed, hay and machinery.
 Approve with Conditions (20/08/2018)
- 3.5 PK08/3238/PNA
 Prior notification of the intention to erect an agricultural building for the storage of hay, feed and machinery.
 Objection (20/01/2009)
- 3.6 PK01/1724/F
 Erection of barn with hay loft.
 Approve with Conditions (07/08/2001)

4. **CONSULTATION RESPONSES**

- 4.1 Wick and Abson Parish Council
 Objection:
- The name Badgers Brook Lane does not exist on maps and is an unnamed bridle path. As it is a bridle path, no vehicular access is permitted.
 - The application affects the visual amenity.

- The applicant suggest they are going to undertake treatments for horses, this indicates it will be run as a business.
- The number of horses currently stabled there do not have the minimum 1.5 acres per horse as recommended by British Horse Association.
- There is insufficient area for number of horses planned.
- As there is no access along the lane, horses will be required to be unloaded on the hair pin bend.
- It would also appear that development has taken place on this land without planning permission previously.

4.2 Doynton Parish Council (neighbouring)

As the proposal is wishing to use a bridle path as an access to the site and should they do so ensure it is returned to its original state once the site completed.

4.3 Flood and Water Management Team

No objection.

4.4 Landscape Officer

No objection.

4.5 Sustainable Transport Team

No objection subject to the inclusion of conditions.

4.6 Local Residents

No responses received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application seeks permission for the erection of a stable block on land in use for the keeping of horses in the Open Countryside. Policy PSP30 of Policies, Sites and Places Plan states that:

“Development proposals for horse related development outside the defined urban areas and rural settlement boundaries will be acceptable providing that:

1. *new buildings, shelters or arenas are located, where possible, near to existing farmsteads or groups of buildings; and*
2. *there are no existing suitable underused buildings available or capable of conversion, located near to existing farmsteads or groups of buildings; and*
3. *the design of buildings, and the size of the site and the number of horses to be accommodated, has proper regard to the safety and comfort of horses and to the preservation and enhancement of the landscape; and*
4. *where necessary, safe and convenient access to bridleways and riding routes are available to riders; and*
5. *adequate provision is made for vehicular access, parking and manoeuvring and the development would not give rise to traffic conditions to the detriment of highway safety; and*

6. *any temporary structures, and vehicles associated with the proposed development, are located in appropriately designed storage on site, to avoid any harm or degradation to open countryside and rural landscapes.”*

The proposed development is therefore considered acceptable in principle subject to further assessment of areas such as: impacts on the Green Belt; horse welfare; design and visual amenity, residential amenity; and highway safety and transport.

5.2 Green Belt

The application site is located in part of the Bristol and Bath Green Belt, where development is restricted. Paragraph 149 of the NPPF sets out that local planning authorities should regard the construction of new buildings as inappropriate development in the Green Belt. There are a number of exceptions to this, which are set out within paragraphs 149 and 150 of the NPPF. The most relevant exception for this application is considered to be; ‘the provision of appropriate facilities (in connection with existing use of land or change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it’.

- 5.3 The proposed stable block would represent an appropriate facility in connection with the existing use of the land for the keeping of horses which is considered to be outdoor recreation. The proposal would replace a previously approved stable block but with a slightly larger footprint. The proposal would be seen in the context of the existing agricultural barn directly adjacent to the site and the previously approved horse ménage. It is considered that the proposal would preserve the openness of the Green Belt and would not conflict with the purposes of including land within it. Therefore, the proposal falls within the exception categories of the NPPF and is not inappropriate development.

- 5.4 On the basis of the assessment set out above, it is not considered that the development proposal would result in any unacceptable impacts on the openness and permanence of the Green Belt.

5.5 Horse Welfare

Guidelines laid down by the British Horse Society advises that a stable building should be large enough for a horse to comfortably stand up in and turn around. Therefore, depending on the size of the horse or pony, a stable should measure between 3 x 3 metres and 3.7 x 4.2 metres. The height of the stable should be between 2.7 and 3.4 metres. In this instance, it is considered that the size of the stable would be adequate in size, there is no objection to the proposal on this basis.

- 5.6 Further, the British Horse Society ‘recommends a ratio of two horses per hectare on permanent grazing (1-1.5 acres per horse). However, this recommendation can only ever be a guide as it is subject to numerous factors, such as:
- size and type of horse/pony;
 - fat score of horse/pony;

- length of time spent stabled or exercised off the pasture;
 - time of year;
 - quality of the pasture and type of soil;
 - number of animals on the pasture; and
 - how well the pasture is managed and cared for.
- 5.7 In this instance, the applicant owns approximately 25,500 square metres (approximately 6.3 acres) as shown in red and blue on the site plan and as such has access to sufficient land to accommodate the grazing of up to the six horses proposed. The fact that the site abuts a bridle path also weighs in favour of this proposal.
- 5.8 Design and Visual Amenity and Landscape
Policy CS1 of the Core Strategy and Policy PSP1 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 have appropriate: siting, form, scale, height, massing, detailing, colour and materials which are informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context.
- 5.9 Policy CS34 of the Core Strategy states that development proposals should protect, conserve and enhance the rural areas' distinctive character, beauty, wildlife, landscape, biodiversity and heritage.
- 5.10 The proposed stable would be sited immediately west of the existing agricultural building and would predominantly be seen within its context. The proposal would comprise a single storey structure with a traditional timber boarded elevational treatment.
- 5.11 The site lies to the NE of Abson in open countryside, off the south side of Badger Lane that connects at its western end to Abson Road. A bridleway follows the lane pass the northern boundary of the site, and a public footpath connects to the lane on the opposite side. Access into the site is off the lane via a gate in its NW corner. The wider site is defined by a mature hedge along its northern road boundary, recent planting along its western boundary, and the vegetated corridor of the Feltham Brook along its eastern boundary.
- 5.12 Pucklechurch Ridge and Boyd Valley is described as a diverse and undulating rural landscape of mainly mixed farmland. Relevant strategy aims include: ensure that new development in the rural landscape is located, designed and landscaped to integrate it with existing features to protect the particular rural character of the locality. There is no landscape objection to the proposal.
- 5.13 On the basis of the assessment set out above, it is not considered that the proposed development would detract from the appearance of the site or negatively impact the visual amenity or character of the area.
- 5.14 Residential Amenity
Policy PSP8 of the Policies, Sites and Places Plan outlines that development proposals will be acceptable provided that they do not create unacceptable

- living conditions or have an unacceptable impact on the residential amenity of the occupiers of the development or of nearby properties. Unacceptable impacts could result from (but are not restricted to): loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and odours, fumes or vibration.
- 5.15 The proposal has been carefully assessed and has found to be in compliance with these policies.
- 5.16 Highway Safety and Transport
The previous permission for stables on the site was to accommodate 3no. horses, this application is for a stable block to accommodate 6no. horses. The site is accessed via single-track bridleway from Abson Road which is not generally suitable for vehicles other than to access the land for certain low key uses. The increase from 3no. stables to 6no. stables would not generate any significant increase in traffic along the bridleway provided that the stable would be used for the keeping of horses for personal use only.
- 5.17 Conditions would be attached to any consent ensuring that the maximum number of horses kept on the land shall not exceed six and the development shall not be used for commercial use, riding school or DIY Livery. The hardstanding area to the side of the proposed stable block shall be retained for the parking and turning of vehicles associated with the development.
- 5.18 Equalities
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.
- 5.19 With regards to the above this planning application is considered to have a neutral impact on equality.
- 5.20 Other Matters
Concern has been raised by Wick and Abson Parish Council that development has taken place on this land without planning permission previously. The sites planning history is stated above and this assessment has been undertaken having regard only to lawful previous development on the site. If the Parish Council believe that development has taken place without planning permission they should contact the Councils Planning Enforcement Team.

6. CONCLUSION

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

7. RECOMMENDATION

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

CONDITIONS

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

Reason

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

2. The development/works hereby permitted shall only be implemented in accordance with the plans as set out in the plans list below:
Site Location and Block Plan (Received 17/05/2022)
Proposed Floor Plan (Received 16/05/2022)
Proposed Stable Elevations (Received 16/05/2022)

Reason

To define the terms and extent of the permission.

3. The stables hereby approved are to be used for personal private use only and shall not be used for commercial use, riding school or DIY Livery.

Reason:

To limit the vehicular use of the bridleway in the interest of highway safety and to accord with Policy PSP30 and PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

4. The maximum number of horses kept on the land shall not exceed 6 (six).

Reason

In the interests of the welfare of horses and to accord with the guidance of the British Horse Society to accord with policy PSP30 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (adopted) November 2017. Also in the interests of

highway safety, and to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013).

5. The hardstanding area to the west of the proposed stable block shall be retained for the parking and turning of vehicles associated with the development.

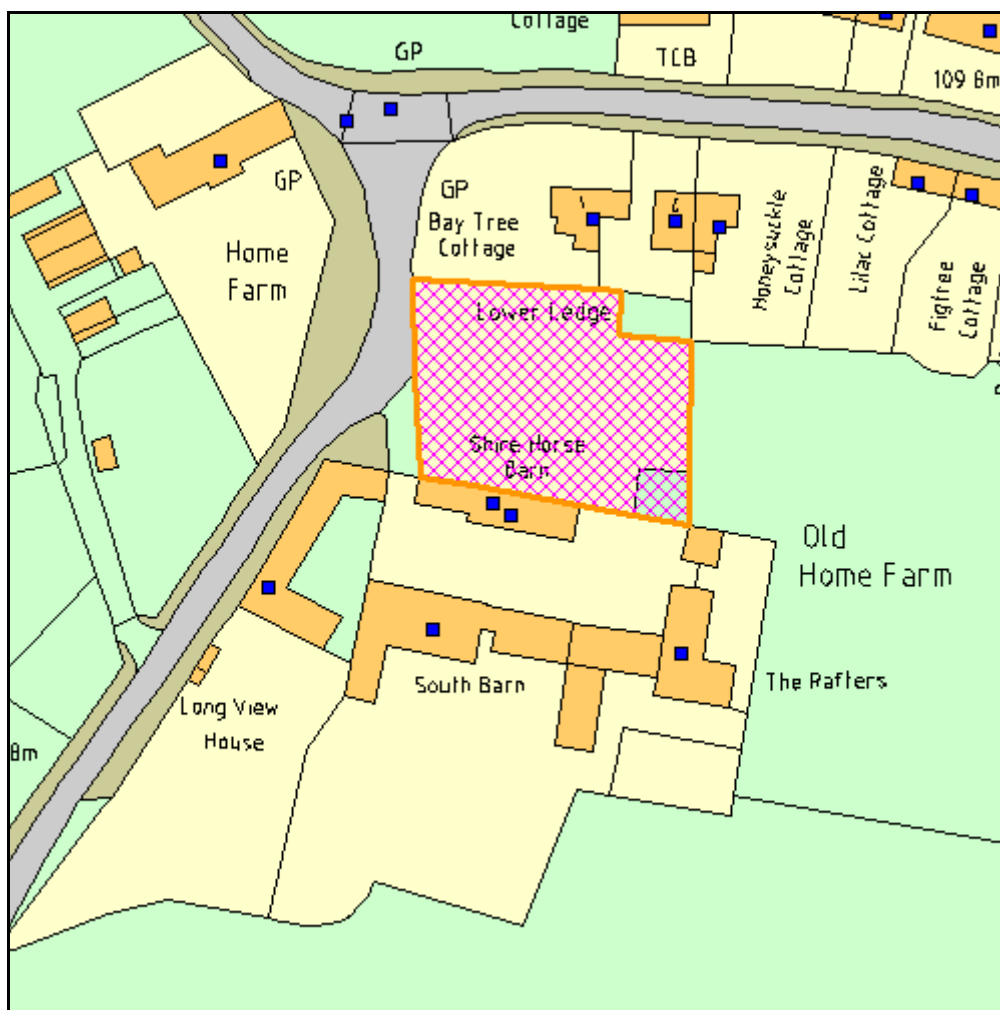
Reason

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

Case Officer: Oliver Phippen
Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 38/22 -23rd September 2022

App No.:	P22/03242/HH	Applicant:	Mr Stephen Wells
Site:	Shire Horse Barn Doynton Lane Dyrham South Gloucestershire SN14 8EZ	Date Reg:	24th June 2022
Proposal:	Installation of 2m high boundary fence between the gardens of Shire Horse Barn and Lower Ledge Cottages	Parish:	Dyrham And Hinton Parish Council
Map Ref:	373752 175582	Ward:	Boyd Valley
Application Category:	Householder	Target Date:	17th August 2022



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N.T.S.

P22/03242/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 Referral to Circulated Schedule

This planning application appears on the Circulated Schedule because the proposal has received in excess of 3 No objections from Neighbouring Consultees, which are contrary to the officer's recommendation.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the installation of a new 2.0 meter high boundary fence between the gardens of Shire Horse Barn and Lower Ledge Cottages, to match as closely as possible, the existing fence between the garden Lower Ledge Cottages 1 and the garden of Shire Horse Barn. The submitted plans show it being located between an existing fence and an existing beech hedge set further into the curtilage of the site.
- 1.2 The application site lies off the east side of Doynton Lane and can be found at Shire Horse Barn, which is located within a small cluster of dwellings. It is a single storey detached dwelling, located in a rural area of Dyrham and is within the settlement boundary.
- 1.3 It is washed over by the Bristol/Bath Green Belt; is within the Cotswold National Landscape: Area of Outstanding Natural Beauty (AONB) and Dyrham Conservation Area. Lower Ledge Cottage and Bay Tree Cottage to its west are also listed Grade II.
- 1.4 As part of the assessment and determination of this application, given the nature of the various neighbouring objections raised, clarification has been sought in terms of the ownership of the land and the extent of the residential curtilage.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework July 2021
National Planning Policy Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS34	Rural Areas

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

PSP1	Local Distinctiveness
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PSP2	Landscape
PSP7	Development in the Green Belt
PSP8	Residential Development
PSP11	Transport Impact Management
PSP17	Heritage Assets and the Historic Environment
PSP38	Developments within Existing Residential Curtilages
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007

Residential Parking Standards SPS (Adopted) 2013

Householder Design Guide SPD (Adopted) 2021

Development in the Green Belt SPD (Adopted) 2007

Dyrham Conservation Area SPD, designated July 1975.

South Gloucestershire Landscape Character Assessment SPD (Revised and Proposed for Adoption 2014): *Site lies within the eastern margin of LCA 5: Pucklechurch Ridge and Boyd Valley*

Cotswold ANOB Management Plan 2018-2023

3. RELEVANT PLANNING HISTORY

3.1 P20/22178/RVC. Removal of condition no 2 attached to planning permission PK08/2220/F to remove permitted development rights. Approved. 21.12.2020.

3.2 PK08/2220/F. Change of use of agricultural field to domestic curtilage. Approved. 23.09.2008.

3.3 PK08/3226/F. Erection of two storey side extension to form additional living accommodation. (Resubmission of PK08/2197/F). Approved. 19.01.2009.

3.4 PK08/2197/F. Erection of single storey rear extension to form additional living accommodation. Refused. 02.09.2008.

Refusal Reasons:

- *The proposed design of the proposed extension would have an adverse impact upon the character and appearance of a traditional rural building and would therefore fail to preserve and or enhance the Dyrham Conservation Area contrary to Policy L12 of the South Gloucestershire Local Plan (Adopted).*

4. CONSULTATION RESPONSES

4.1 Dryham and Hinton Parish Council
No Objections.

4.2 Other Consultees
Landscape Officer
Comments made -

- The proposed timber larch lap fence, and construction method statement, is acceptable from a landscape perspective.

Arboricultural Officer

Comments made -

- The supporting Method Statement dated 05/07/2022 provides sufficient information relating to the installation of the fence posts.

Listed Building and Conservation Officer

No Objections –

- Due to its positioning, design and scale, there are no heritage objections with the proposed fence installation subject to this application.

Archaeology Officer

No Comments received.

Other Representations

4.3 Local Residents

11No letters of objections comments have been received and 1No general comment.

The following has been summarised from the above noted 11No letters of objection comments received:

- *Concern that the proposed position of the new fence is upon adjacent land (2 Lower Ledge Cottage);*
- *Concern that if this proposed fence is granted permission it would be on adjacent land;*
- *Concern that an incorrect Certificate of Ownership has been completed as part of this application;*
- *Concern that a proposed fence is to be erected on land which is owned by the owner of Manatu, who has not been notified, nor has Certificate B been issued;*
- *The applicant has not provided a site plan (or title plan) of the adjacent land;*
- *Concerns that an inaccurate site survey has been submitted;*
- *Concern that the submitted document entitled location plan shows boundaries which no longer exist, and therefore misses out the boundary line;*
- *Concern that the applicant has submitted an incorrect location plan for the proposed fence application, because neither it, nor the hedge, are in the garden of Shire Horse Barn;*
- *Concern that the applicant is wrongly assuming ownership of a parcel of land which is currently owned by the Manatu freeholder - Mountview Estates plc;*
- *This application has a notable absence of the title plan for 'Carters Paddock' dating from the current owners' purchase in 2002;*
- *The location of the proposed fence is understood to be within the garden of 2 Lower Ledge Cottage;*
- *Concerns are raised over the ownership of the land onto which the fence is proposed to be erected;*

- *An objection is raised to this application on the grounds that the proposed fencing is to be sited on land that does not belong to the applicant;*
- *The applicant has incorrectly stated on the application form that he is the owner of this land, without evidence of ownership; and*
- *Concerns raised as this application should be withdrawn.*

1No letter of general comments received:

- *The proposed fence is not objected too but an objection is raised in respect of its erection before all parties agree of the precise location.*

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

PSP38 of the South Gloucestershire Council Policies, Sites and Places Plan (November 2017) permits development within existing residential curtilages in principle where they do not unduly harm the design, visual amenity and residential amenity of the locality or prejudice highway safety or the provision of adequate private amenity space.

5.2 PSP38 is achieved through CS1 of the South Gloucestershire Council Core Strategy (adopted December 2013), which requires development to demonstrate the highest standards of design and site planning by demonstrating that siting, form, scale, height, massing, detailing colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the site and its context. Therefore, the development is acceptable in principle, subject to the following detailed consideration.

5.3 The Cotswold AONB

Policy PSP2 states that development proposals will only be acceptable where they conserve and where appropriate enhanced quality, amenity, distinctiveness and special character of the landscape (defined by the Landscape Character Assessment). This includes, but is not limited to:

- *landscape attributes which define the inherent character of an area, such as: landscape patterns arising from roads, paths, hedges, waterways and buildings; designed and natural landscapes, which include elements of natural beauty, historical or cultural importance and ecological features;*
- *the tranquillity of a landscape, sense of place and setting;*
- *landscape features, such as trees, hedgerows, woodlands, views, banks, walls, ponds and waterways; and*
- *distinctive or characteristic topography and landforms.*

5.4 Within the Cotswolds Area of Outstanding Natural Beauty (AONB), great weight is given to the conservation and enhancement of the natural and scenic beauty of the landscape whilst taking account of the biodiversity interest and the historic and cultural heritage. Where development is proposed in a location which would affect the setting of the AONB, it must be demonstrated that it would not adversely impact upon the natural beauty of the AONB.

- 5.5 Policy PSP2 states that development is required to preserve the natural and scenic beauty of the Cotswold AONB. As the fence will be located in an area to the rear of an existing cluster of buildings, and due to its small scale and with limited public visibility, there will be no significantly adverse impacts on this sensitive landscape.
- 5.6 Green Belt
CS5 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013 states that proposals for development in the Green Belt must comply with the provisions in the National Planning Policy Framework (NPPF). The objective is to protect the openness of the Green Belt. At paras 149 and 150 sets out the types of development that could be considered appropriate Green Belt Development. The current proposal does not fall neatly into any of these categories. Its impact on openness and the purposes of the Green Belt must therefore be considered.
- 5.7 When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the green belt; 'very special circumstances' will not exist unless the potential harm to the green belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 5.8 The installation of a 2.0 meter high boundary fence between the gardens of Shire Horse Barn and Lower Ledge Cottages would have no significant detrimental impact on the openness of the Green Belt and will be viewed against the backdrop of other domestic paraphernalia and fencing. The proposed garden fence is considered appropriate development within the Green Belt.
- 5.9 Design and Visual Amenity
Policy CS1 of the Core Strategy and policy PSP38 of the Policies, Sites and Places Plan seek to ensure that development proposals are of the highest possible standards of design.
- 5.10 The boundary fence extends to a length of approximately 20 meters, sited along the boundary between the gardens of Shire Horse Barn and Lower Ledge Cottages 2, and it will extend to a total height of 2.0 metres from ground level. The proposed boundary fence, comprising of Larch Lap panels with posts and gravel boards, has been chosen to match the existing fence along the boundary of Lower Ledge Cottages 1 and the garden of Shire Horse Barn. Effectively the fence will be a continuation of this existing fence.
- 5.11 Therefore, with the proposed scale (its height), form and the choice of materials it is considered congruous with the character of the existing area. Accordingly, the proposal is acceptable from a design perspective and in compliance with PSP38 and CS1 in terms of its impacts on visual amenity, particularly within the surrounding context.
- 5.12 Residential Amenity
Policy PSP38 of the Policies, Sites and Places Plan explains that development will be permitted provided that it would not detrimentally impact the residential

amenities of nearby occupiers and would not prejudice the retention of adequate private amenity space. Policy PSP8 specifically relates to impacts on residential amenity and outlines that unacceptable impacts could result from (but are not restricted to); loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and odours, fumes or vibration. The proposal has been carefully assessed and has found to be in compliance with these policies.

5.13 Other Matters

Several letters of objection have been received from neighbouring and local residents to the area of Dyrham regarding the proposal. The primary comment being with respect of the ownership of the application site. Whilst your officer has exercised due diligence in ensuring that, to the best of our knowledge, the ownership details are correct, ultimately land ownership is not a material planning consideration. If incorrect information has been submitted or it is discovered in the future that the ownership is not correct, this is a separate legal issue that would need to be investigated through the civil courts.

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.

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

CONDITIONS

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

Reason

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

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

Location Plan (Date received 13/06/22)

Proposed Block Plan of the Site (Date received 13/06/22)

Boundary Fence Plan (Date received 22/06/22)

Supporting Statement (incl. plans) (Date received 13/06/22)

Method Statement - Supporting Post Installation (Date received 05/07/22)

Reason

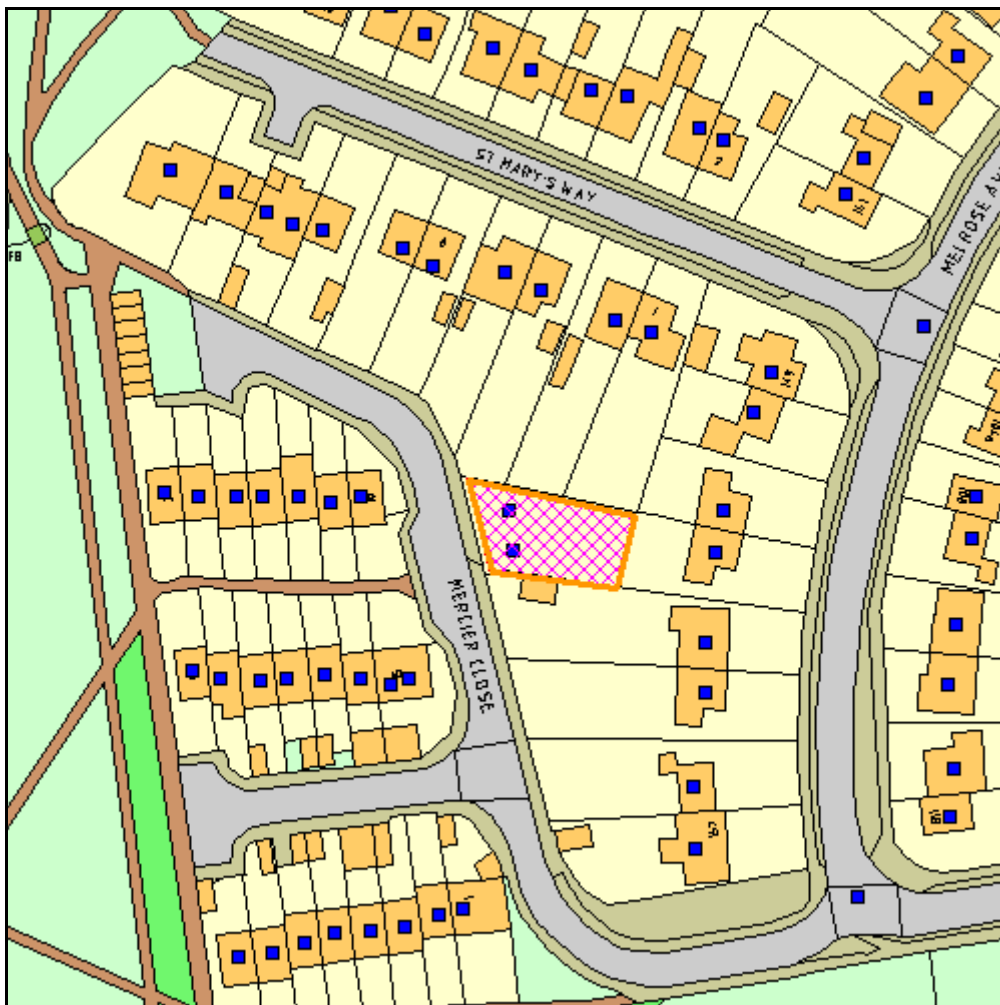
To define the terms and extent of the permission.

Case Officer: Helen Turner

Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 38/22 -23rd September 2022

App No.:	P22/03299/F	Applicant:	Kermcon Ltd
Site:	Land At 23 And 24 Mercier Close Yate South Gloucestershire BS37 7RA	Date Reg:	21st June 2022
Proposal:	Erection of 2 no. dwellings with new access and associated works.	Parish:	Yate Town Council
Map Ref:	371806 182802	Ward:	Yate Central
Application Category:	Minor	Target Date:	12th August 2022



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 100023410, 2008. **N.T.S.** **P22/03299/F**

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

REASON FOR APPEARING ON CIRCULATED SCHEDULE

This application appears on the Council's Circulated Schedule procedure following a number of objections received from local residents and the Town Council which are contrary to the officer recommendation detailed in this report.

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the erection of 2 no. semidetached dwellings with a new access and associated works to the rear of 149 Melrose Avenue, Yate.
- 1.2 The site is situated within an established residential area within the settlement boundary of Yate, on an estate known locally as The Ridge.
- 1.3 The application site has relevant planning history. In 2018 two semi-detached dwellings were granted consent. A further application for two semi-detached dwellings was submitted in 2022, and subsequently withdrawn. A comparison of these submissions will be made within this report.
- 1.4 Revised plans have been submitted during the course of this application to make minor alterations to the access and parking area. A re-consultation was not considered necessary.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS29	Yate and Chipping Sodbury

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

PSP1	Local Distinctiveness
PSP5	Undesignated Open Spaces within Urban Areas and Settlements

PSP8	Residential Amenity
PSP16	Parking Standards
PSP19	Wider Biodiversity
PSP43	Private Amenity Standards

- 2.3 Supplementary Planning Guidance
 South Gloucestershire Design Checklist SPD (Adopted) 2007
 South Gloucestershire Residential Parking Standard SPD (Adopted) 2013

3. **RELEVANT PLANNING HISTORY**

- 3.1 PK18/2319/F - Erection of 2 no. semi detached dwellings with new access and associated works. – Approved 24.08.2018
- 3.2 P22/01642/F - Erection of 2 no. semi detached dwellings with new access and associated works. – Withdrawn 13.06.2022

4. **CONSULTATION RESPONSES**

4.1 Yate Town Council - OBJECT

We have seen applications to try to add 2 dwellings here before. - a pair of houses, each 23ft deep and 17 feet wide. The previous application in March was withdrawn. That proposed two semi detached 3 storey dwellings. The Town Council objected. We said we would not object in principle to a single storey dwelling, but to add two three storey dwellings in the back garden would alter the character of the area.

1. Scale and massing. This is a redesign of the application, although it still shows a high pitched roof and shows bedrooms 2 and 3 on the second floor. The massing effect will be almost identical to the problems with the earlier application. So either this is a poorly proof read redesign, or the intention continues to be to deliver a 3 storey house using PD rights to put a bedroom in the attic. The layout of the first floor is puzzling eg the plans show an en-suite which is not en-suite i.e. you can only get to it by going out of either bedroom onto the landing, so the whole arrangement looks odd and needs clarifying.

2. Needs removal of PD rights to stop development in attic. The first floor plan is IDENTICAL to the first floor plan on the withdrawn 3 storey application, as is the ground floor, so all that has happened is that the third floor plan has been removed. However, as the conversion of the top floor to a bedroom would not require planning consent, and the height of the roof is almost the same, we object unless there is a condition removing PD rights to convert to attic floor to habitable space, because of the issues of privacy.

3. The obscure glazing needs to be conditioned, but even with that there will be significant overlooking of neighbouring properties from the upstairs rear windows, because of the property alignment.

4. Whilst the plan now shows 2 parking spaces for each dwelling, it does not show bin stores, etc., and there is no ACAD or R3500 to show the vehicles

could safely enter/ exit the site from the public highway. The applicant does not own the verge and it is also not currently shown on the highways map, so as things currently stands the applicant still cannot show the availability of ANY off street parking spaces. The existence of a right of way to the highway to demonstrate off street parking can be provided as shown is required

- 4.2 Transportation DC – No objection subject to widened access and re-orientation of parking. Conditions relating to access parking and EVCP.
- 4.3 Ecology – The habitats on site are unknown and in order to understand the current status of the site, photographs of the site are required prior to determination to assess if further surveys are required. This is of particular importance due to the local records of slow worm.
- 4.4 Public rights of way – No objection subject to detail of access levels
- 4.5 Drainage – No objection
- 4.6 Highway structures – No comment

Other Representations

4.7 Local Residents

Five objection comments have been received, summarised as:

- Imposing structures
- Impact on light
- Degradation of living conditions
- Site restricted
- Increased pressure on locality
- Destruction of character
- Overlooking
- Additional traffic
- Clarification required for drainage
- Notification not carried out correctly
- Developer does not live in the area
- Concern for wildlife but not residents
- Proposal only for profit
- Area characterised by large gardens
- Inappropriate location
- Blot on the landscape
- Building works will be disruptive
- Permission would set a precedent
- Parking space inadequate
- Residents will park on road
- Too close to existing houses
- Repeat applications

5. ANALYSIS OF PROPOSAL

Principle of Development

- 5.1 The application site lies within the existing urban area of the east fringe of Bristol. Under policy CS5 which establishes the locational strategy for development, the site is considered to be a suitable site for development subject to site specific considerations and would therefore be supported in principle.
- 5.2 Policy CS17 would also allow for development within existing residential gardens and curtilages subject to an assessment on the impact of the development on the character of the area, transportation, and residential amenity.
- 5.3 Having established the principle is acceptable, the impact of the proposed development should also be carefully assessed and this is set out in the remainder of this report. The overall design and impact on the character of the area is an important element of the assessment (Policy CS1); the impact on the existing residential amenity of the area (policy PSP8); and the transport implications (policy CS8 and Residential Parking Standards SPD). Full weight is given to policy CS1 which does not relate to the supply of housing, but controls the quality of new development within South Gloucestershire. Policy CS8 and the residential parking standard SPD supporting it are considered to be up to date.
- 5.4 The proposal is for the erection of a new dwelling within an established residential and urban area. Both national and local planning policy are supportive of such development and weight can therefore be given to it being an acceptable form of development, subject to a detailed assessment below.

Site history

- 5.5 Application PK18/2319/F for the erection of 2 no. semi detached dwellings was granted in 2018. The dwellings measured around 10.3m wide, 8m deep, 5m to the eaves and 7.8m to the ridgeline. The application under consideration proposes dwellings of the same dimensions, but re-oriented within the site to sit south west to north east. The reorientation is proposed to avoid an existing drainage area. This application expired in 2021.
- 5.6 Application P22/01642/F was submitted in March this year for the erection of 2 no. semi-detached dwellings. These measured 11.5m wide, 5m to the eaves and 8.7m to the ridgeline. These dwellings were 2 and a half storey with rear dormers. This application was subsequently withdrawn due to concerns relating to the roof pitch and dormers.

Design and visual amenity

- 5.7 The site proposed to be developed forms part of the rear garden for no. 149 Melrose Avenue, however the new dwellings would relate to and be accessed from Mercier Close. The surrounding estate has a mixture of render and

brickwork, and the properties on Mercier Close show a mix of brick, hanging tile and render gable ends at a perpendicular angle to the main spine of the street. The proposed dwellings will also be two storey with a gable roof line, and a render finish, however there will also be coloured inert boarding, resulting in a more modern aesthetic. As only the west of Mercier Close is developed and these units are proposed on the east, the proposal does not relate closely to an existing street scene, and therefore some flexibility on the detailing is permissible. Officers therefore do not have any objection to the use of coloured boarding to create interest on the principal elevation. Material details have not been set out on the proposed elevations, therefore a materials condition will be required.

- 5.8 The proposals height has been reduced since P22/01642/F by around 1m and a shallower pitch introduced, which is in-keeping with the surrounding properties.
- 5.9 The re-orientation has resulted in a layout where the properties relate to the road line. This has resulted in a slightly uncomfortable orientation where the buildings is around 0.8m from the boundary line in the south west corner. However, given there is no set building line or pattern of development in this area, on the ground the layout of the dwellings will not appear out of place.
- 5.10 Overall, the application is considered acceptable in design terms and is in accordance with policy CS1 of the Core Strategy.

Residential amenity

- 5.11 The site forms part of the garden of no. 149 Melrose Avenue, however following development no. 149 will still benefit from over 100 square metres of useable and good quality amenity space. This is in excess of the policy requirements for gardens in policy PSP43. The proposed two-bedroom dwellings will have amenity space of 61 square metres and 68 square metres, which is also in excess of the 50 square metre requirement.
- 5.12 Regarding overlooking, the window to window distance is in excess of 20 metres, which is considered acceptable at two storey height in a high density residential area. The bathroom windows to the rear would be closer than 20m, however these will be obscurely glazed. All other views will either be into the highway or indirect views into neighbouring gardens are common in built up areas, as well as a side window proposed at ground floor level of each dwelling which will be screened by the proposed boundary treatment. It is acknowledged that some overshadowing will occur into the property along St Mary's Way to the north, however these properties benefit from large, lengthy gardens only the end of the garden to be affected. Comments regarding the loss of a view have been given limited weight as the right to a view is not a planning consideration.
- 5.13 Letters received from local residents have suggested a working hours condition to restrict noise levels at night and at weekends, and given the location in close proximity to other residential properties it is reasonable to add this to the decision notice in the event the application is approved. Once construction is

- complete it is not considered that the development will cause a noise disturbance, as the vehicle movements to and from the site will be minimal.
- 5.14 Restrictions to roof extensions is also considered to be reasonable in this case, as the introduction of a dormer window would introduce unacceptable harm to residential amenity due to overlooking.
- 5.15 Subject to conditions, it is considered that the residential amenities of the surrounding occupiers and the application site will be protected.

Transportation

- 5.16 Whilst no visibility information regarding the new access has been submitted, Mercier Close is a short residential cul-de-sac and vehicles are likely to be travelling at low speed. Visibility splays are therefore not necessary. The grass verge over which the access is to be formed is the recorded path of Public Right of Way LYA/82, although it is not well utilised due to the availability of a tarmac footpath on the opposite side of Mercier Close. The vehicular crossover will not have an impact on footpath access however an informative will be put on the decision notice to remind the developer of their responsibilities regarding public footpaths.
- 5.17 The existing parking for the host property, no. 149, will not be affected by the development.
- 5.18 Two spaces have been proposed for each dwelling, which complies with PSP16. The access has been widened to allow easier manoeuvring, and the parking area realigned with the road.

Ecology

- 5.19 Photographs were submitted of the site in order to understand which habitats are present. These have been submitted, and show the land is currently laid to grass with some scattered trees. There is a low possibility that tree nesting birds could be using the tree on site, and as such a check for nesting birds should be undertaken prior to any clearance, which should be undertaken outside the breeding bird season. No other protected species are likely to be utilising the site. The surrounding amenity grassland is well kept with a short sward. There is also little in the way of suitable cover for species such as common reptiles.
- 5.20 In order to ensure biodiversity gain in accordance with policy PSP19, a condition ensuring a bird box and an invertebrate home shall be added to the decision notice in the event the application is approved, as well as gaps in the boundary treatment to allow for hedgehogs to pass through.

Other issues

- 5.21 Officers can confirm that the procedures within the Statement of Community Involvement have been followed, both in terms of the number and location of residents consulted and the amount of time given for comment.

- 5.22 Concerns have been raised by the Town Council regarding access rights. The proposal borders the public highway, and as such no further notice is required.
- 5.23 Concerns have been raised regarding labelling on the proposed first floor plans, which show bedrooms 2 and 3 although only 2 bedrooms are proposed. An en-suite also can only be accessed from the hallway. The labelling oddities do not alter what is being proposed, and as such do not present an issue in issuing a decision.

Consideration of likely impact on Equalities

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

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 That permission be granted.

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 the development hereby approved, one bird box and one invertebrate home per dwelling shall be installed, and as well as gaps within any new fencing to allow passage to hedgehogs.

Reason:

To ensure that biodiversity gain is sought from the development, in accordance with policy PSP19 of the Policies Sites and Places Development Plan Document (Adopted) November 2017.

3. Prior to the commencement of development of the external walls details of the roofing and external facing materials proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

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

4. The windows indicated to be obscurely glazed on the proposed elevations shall at all times be of obscured glass to a level 3 standard or above and be permanently fixed in a closed position unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

Reason

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to protect the residential amenity of the neighbouring occupiers and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

5. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no windows/dormer windows or rooflights (other than those expressly authorised by this permission) shall be constructed.

Reason

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to protect the residential amenity of the neighbouring occupiers and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

6. 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 residential amenity of the neighbouring occupiers and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

7. The development shall not be occupied until the access and parking (plus one 7Kw 32 Amp electric vehicle charging point per dwelling, and cycle store) arrangements have been completed in accordance with the approved details.

Reason:

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

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

16 Jun 2022	FHC20102-SK-01	P4	PROPOSED GROUND FLOOR PLAN
16 Jun 2022	FHC20102-SK-02	P4	PROPOSED FIRST FLOOR PLAN
16 Jun 2022	FHC20102-SK-03	P4	PROPOSED ROOF PLAN
16 Jun 2022	FHC20102-SK-04	P4	PROPOSED ELEVATION PLANS
15 Sep 2022	FHC20102-SK-06	P5	PROPOSED BLOCK PLAN

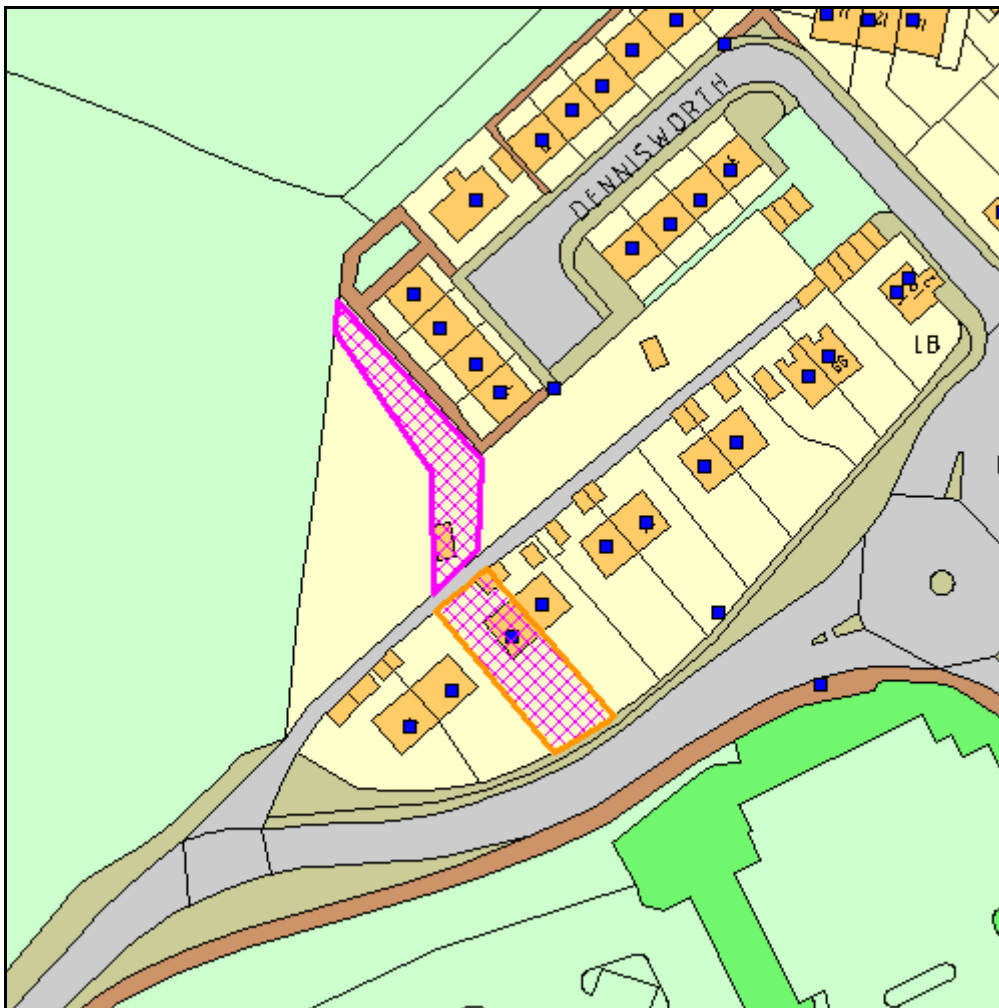
Reason:

To define the terms and extent of the permission.

Case Officer: Rae Mepham
Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 38/22 -23rd September 2022

App No.:	P22/03663/HH	Applicant:	Ms E Knight
Site:	80 Shortwood Road Pucklechurch South Gloucestershire BS16 9PJ	Date Reg:	4th July 2022
Proposal:	Erection of single storey rear and two storey side extension to provide additional living accommodation.	Parish:	Pucklechurch Parish Council
Map Ref:	369595 176126	Ward:	Boyd Valley
Application Category:	Householder	Target Date:	25th August 2022



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 100023410, 2008. **N.T.S.** **P22/03663/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 REPORTING TO THE CIRCULATED SCHEDULE

Contrary view of Pucklechurch Parish Council. The Parish Council have objected only to the proposed balcony shown on the plans, which would not be approved as part of this decision.

1. THE PROPOSAL

- 1.1 Planning permission is sought for the erection of a two storey side and single storey rear extension to provide additional living accommodation at 80 Shortwood Road, Pucklechurch.
- 1.2 The application site comprises a two storey semi-detached dwelling. The application site is located within the defined Pucklechurch settlement boundary.
- 1.3 The submitted plans show a first floor balcony/patio above the proposed single storey rear extension. This was not included in the description proposal would not be acceptable in either design or residential amenity terms. Therefore, were the application to be recommended for approval it would be done so notwithstanding the balcony/patio and privacy screens shown on the submitted plans.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework July 2021
National Planning Practice Guidance

2.2 Development Plan

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

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

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

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

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) August 2007
Residential Parking Standard SPD (Adopted) December 2013
Assessing Residential Amenity TAN (Endorsed) 2016

3. RELEVANT PLANNING HISTORY

3.1 None

4. CONSULTATION RESPONSES

4.1 Pucklechurch Parish Council

Objection - concerns about the flat-roofed area described as a patio that sits to the rear of the property at first floor level. Whilst both ends of the patio are shown with obscure 1800mm high screens, no section has been provided that demonstrates the elevation to the northeast side of the property and therefore the potential impact this would have on the residential amenity of its partner semi-detached dwelling with regard to overbearing and the potential for loss of light to lived areas.

4.2 Sustainable Transport

No objection, an EV charging point condition is suggested.

4.3 Local Residents

No responses received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application seeks permission for a two storey side and single storey rear extension at an existing residential property. Policy PSP38 of the Policies, Sites and Places Plan permits development within established residential curtilages subject to an assessment of design, amenity and transport. The development is acceptable in principle but will be determined against the analysis set out below.

5.2 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 have appropriate: siting, form, scale, height, massing, detailing, colour and materials which are informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context.

5.3 The proposed two storey side extension would be set back from the front elevation and down from the ridge line of the existing dwelling. The proposal would have a width of approximately half the width of the existing dwelling and would be finished in materials to match the external finish of the existing dwelling. The proposal would appear in keeping with, and subservient to, the existing dwelling.

5.4 The proposed single storey rear extension would be modest in scale when compared to the existing dwelling and would be finished in materials to match the external finish of the existing dwelling. The proposal would have a flat roof

- which, whilst not ideal, would match the existing single storey flat roofed element of the dwelling and would be set wholly to the rear of the dwelling.
- 5.5 The submitted plans show a first floor balcony/patio above the proposed single storey rear extension. This was not included in the description proposal would not be acceptable in either design or residential amenity terms. Therefore, were the application to be recommended for approval it would be done so notwithstanding the balcony/patio and privacy screens shown on the submitted plans. A condition would also be included with any consent ensuring that the proposed flat roof never be used as a balcony, roof garden or similar amenity area.
- 5.6 On the basis of the assessment set out above, it is not considered that the proposed development would detract from the appearance of the building or negatively impact the visual amenity of the street scene or character of the area.
- 5.7 Residential Amenity
Policy PSP8 of the Policies, Sites and Places Plan outlines that development proposals will be acceptable provided that they do not create unacceptable living conditions or have an unacceptable impact on the residential amenity of the occupiers of the development or of nearby properties. Unacceptable impacts could result from (but are not restricted to): loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and odours, fumes or vibration.
- 5.8 The proposed two storey side extension would extend towards the shared boundary with the neighbouring property to the south-west. The proposed two storey extension would not extend past the rear elevation of the property and there are no side facing windows that would be impacted by the proposal. No side facing windows are proposed on the extension.
- 5.9 The proposed single storey rear extension would be modest in height and depth and would not have any unacceptable impact on the residential amenity of either the neighbouring property to the south-west or north-east.
- 5.10 The submitted plans show a first floor balcony above the proposed single storey rear extension. This was not included in the description proposal would not be acceptable in either design or residential amenity terms. The proposed privacy screen would have an overbearing and dominant impact on, and would lead to a loss of light to, the rear window of the neighbouring property. Without this privacy screen, the proposed balcony would lead to a loss of privacy for the current and future occupiers of the neighbouring property.
- 5.11 Therefore, were the application to be recommended for approval it would be done so notwithstanding the first floor balcony/patio and privacy screens show of the submitted plans. A condition would also be included with any consent ensuring that the proposed flat roof shall not be used as a balcony, roof garden or similar amenity area.

- 5.12 On the basis of the assessment set out above, it is not considered that the development proposal would result in any unacceptable impacts on the amenity of neighbours.
- 5.13 Highway Safety and Transport
Policy PSP16 of the Policies, Sites and Places Plan sets out the Councils parking standards. The proposed development would increase the number of bedrooms in the property from 3 to 4 so under the Councils minimum parking standards the minimum number of on-site parking spaces requires at the property would remain at 2. No change to the sites existing parking provision for 2no. vehicles is proposed. The proposal would not lead to an increase in vehicles parking on the public highway.
- 5.14 The Sustainable Transport Team have suggested a condition for the provision of an EV charging point. It is not considered proportional to request this for a household extension.
- 5.15 Equalities
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.
- 5.16 With regards to the above this planning application is considered to have a neutral impact on equality.

6. CONCLUSION

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

7. RECOMMENDATION

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

CONDITIONS

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

Reason

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

2. Notwithstanding the first floor rear balcony/patio and privacy screens shown on plans 4213/P1 A, 4213/P2 A, and 4213/P3 A; the development/works hereby permitted shall only be implemented in accordance with the plans as set out in the plans list below:

The Location Plan (Received 30/06/2022)

4213/P1 A - Existing and Proposed Elevations (Received 30/06/2022)

4213/P2 A - Existing and Proposed Floor Plans (Received 30/06/2022)

4213/P3 A - Side Elevations and Block Plans (Received 30/06/2022)

Reason

To define the terms and extent of the permission

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

Reason

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

4. The roof area of the single storey extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the Local Planning Authority.

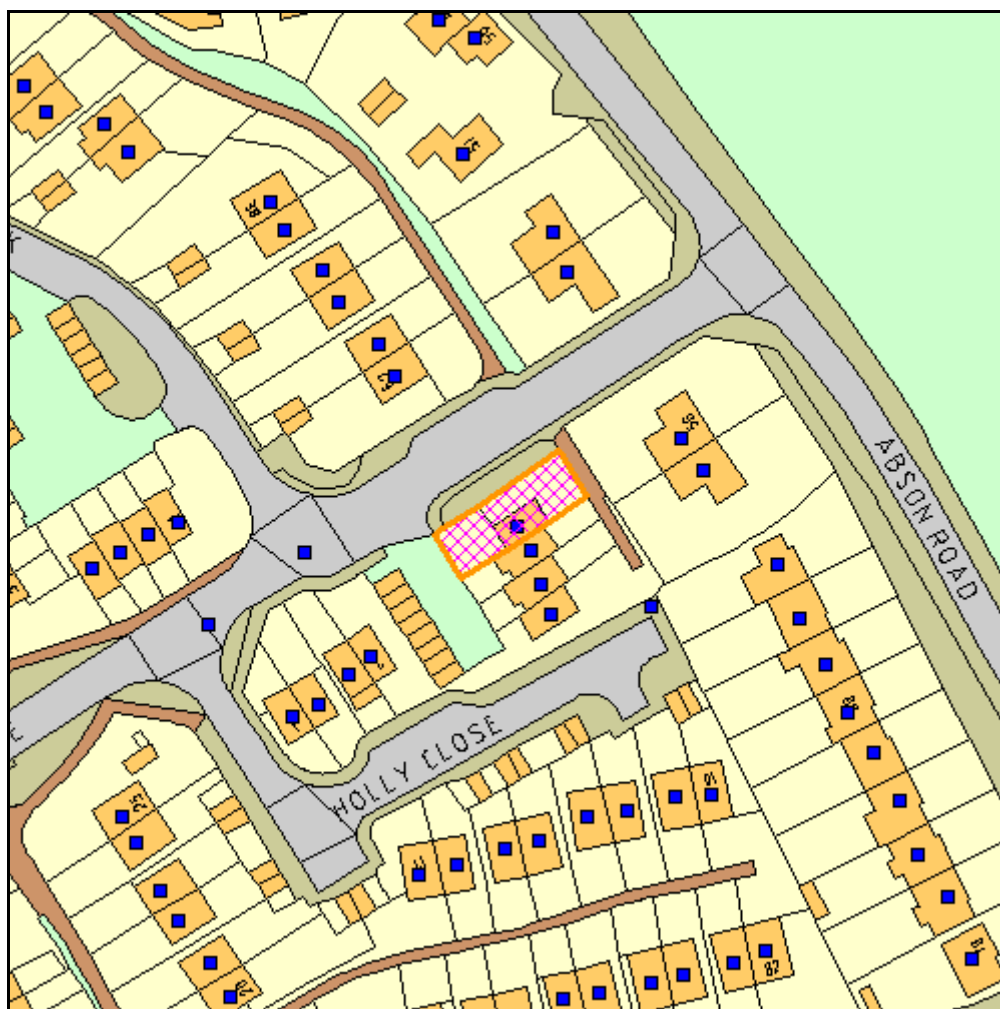
Reason

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to protect the residential amenity of the neighbouring occupiers and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP1, PSP8 and PSP38 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the National Planning Policy Framework.

Case Officer: Oliver Phippen
Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 38/22 -23rd September 2022

App No.:	P22/03722/F	Applicant:	Mr Chris Smart
Site:	Land At 1 Oaktree Avenue Pucklechurch South Gloucestershire BS16 9RP	Date Reg:	18th July 2022
Proposal:	Erection of 1 no. dwelling with parking, access and associated works (Resubmission of P22/01401/F).	Parish:	Pucklechurch Parish Council
Map Ref:	370203 176251	Ward:	Boyd Valley
Application Category:	Minor	Target Date:	12th September 2022



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P22/03722/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 REFERRING TO CIRCULATED SCHEDULE

This application appears on the Council's Circulated Schedule procedure following an objection from the Parish Council and 4no. objections from local residents, contrary to the findings of this report and the officer recommendation.

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the Erection of 1 no. dwelling with parking, access and associated works (Resubmission of P22/01401/F), as detailed on the application form and illustrated on the accompanying drawings.
- 1.2 The application site lies within the established built-up residential area of Pucklechurch and forms part of the residential curtilage to the side (north) of No.1 Oaktree Avenue, a two-storey end terrace property.
- 1.3 It is noted that this is a resubmission of application ref: P22/01401/F. It was recommended that a parking survey should be undertaken to aid in the proposals determination, as such the application was withdrawn.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted December 2013)

CS1	High Quality Design
CS4a	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity

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
PSP37	Internal Space and Accessibility Standards for Dwellings
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Space Standards

- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted August 2007)
Residential Parking Standards (Adopted December 2013)
Waste Collection: Guidance for New Developments (Adopted 2019)
National Design Guide (2019)
Householder Design Guide (Adopted March 2021)

3. RELEVANT PLANNING HISTORY

- 3.1 **P22/01401/F**. Erection of 1 no. dwelling with parking, access and associated works. **Withdrawn**. 30/05/2022.
- 3.2 **N4990**. Erection of front entrance porch. **Approve with Conditions**. 26/10/1978.

4. CONSULTATION RESPONSES

- 4.1 Pucklechurch Parish Council
Objection.

As with the previously withdrawn application Pucklechurch parish council (PPC) maintains its objection to the development of the side garden to create a two-bedroom property since amongst other things it fails to meet the requirements of PSP34 with regard to the provision of private amenity space equivalent to 50sqm. Although measurements have now been provided, PPC is still of the opinion that the width of the rear garden area as shown on the plans is not an accurate reflection of the space available based on the size of the two remaining fence panels that are still in situ. There also appears to be a discrepancy between the width of the house and the width of the rear garden as presented.

The proposed dwelling is now shown as a 2 bedroomed property with a third room on the first floor described as an office/store. The National Space Standard for a 2b4p property has not been met. The smaller of the two bedrooms is only suitable for a single bed space yet this has not been clarified in the drawings supplied and if approved should be referenced appropriately as such. PPC also has concerns that the room labelled as an office/store might be interpreted by some as a small third bedroom, but this does not meet the National Space Standard that requires a floor area of at least 7.5sqm as this room measure of just 4.35sqm. Furthermore, no cross-sections have been supplied that show the proposed ceiling heights of the rooms nor an indicative layout for the bathroom.

The applicant has attempted to resolve the issue of parking spaces by removing these altogether but has included the provision of an EV charging point to the front of the property. PPC believes that EV charging cables trailed from this property across the grass verge and pavement to the roadside would cause a safety hazard and could also limit the accessibility of the footway and therefore negatively impact people with disabilities.

A bin store is shown to the front of the property which would not be in keeping with the open plan design for the locality and would be detrimental both to residential and visual amenity and would require bins to be left on Oaktree Avenue where none are currently left for collection. No cycle storage has been provided and no environmental gain demonstrated with regard to green landscaping.

4.2 The Tree Team

The Tree Officer has no objection, however the applicant should be mindful of nesting birds if removing the hedge.

4.3 Sustainable Transport – Transportation DC

The main transportation issue regarding this is access and parking.

The current proposal, the applicant does not provide any off-street parking for the new house.

By comparison, it is noted that the earlier scheme on the same site (i.e. application P22/01401/F), included two off-street parking spaces on site with access proposed off Oaktree Avenue.

The new proposed house is a 3-bed house although the plans submitted shows one of the bedrooms as store/office. To conform the Councils minimum residential car parking standards as set out in the Residential Parking Standards SPD adopted in December 2013 and Policy PSP16 of the Policies, Sites and Places document, it will be necessary to provide two on-site parking spaces. With the current application, the applicant proposes no off-street parking for the new house. In this context therefore, the development does not meet SG Council policy PSP16 minimum parking standard and it is not acceptable.

In support of this application however, the applicant has now provided a car parking survey on the adjacent streets which is relevant to this application. Information submitted includes photographic evidence of the streets and include the parking survey that was carried on 2 weekday evenings (Tuesday 7 June and Friday 10 June) after 20:00 hrs and on Saturday 11 June on the nearby roads namely, Oaktree Avenue, Holly Close and Maple Walk within 200 metres walking distance to the application site.

I am content with the method of the parking survey carried out and I confirm that the survey complies with South Gloucestershire Council Parking Survey Technical Advice Note document – (as approved Feb 2022).

Out of the combined total of 62no. potential parking spaces available on all three forementioned roads, the result of parking survey shows that between 16 spaces (i.e. 27% of 62spaces) and 21no. spaces (i.e. 35% of 62 spaces) of available parking spaces were available during survey periods. On this basis then, the applicant concludes that the parking demand for the new house can be accommodated on the public highway without significant impact on parking/congestion in the vicinity.

Conclusion – *In view of all the above mentioned and whilst, the officer acknowledges that there are some available parking spaces on the adjoining streets within the 200m walking distance of the applicant site to meet the demand of parking form this development, I am concerned that this proposal can be repeated too often and it could set a precedent for other similar proposal which the council may find difficult to resist in the future. We transportation development control therefore recommend refusal of the application as it is contrary to policy PSP16 of SG council local plan.*

4.4 Lead Local Flood Authority

No objection in principle, subject to the attachment of informatives.

4.5 Highway Structures

No comments received.

4.6 Local Residents

4no. comments of objection and 1no. comment neither objecting to or supporting the planning application has been received from local residents. The following concerns and points have been raised.

- *Don't know why changing to a 2-bed house changes things*
- *Not enough parking and general congestion*
- *Parking survey not realistic/true reflection of parking problems residents are experiencing and encountering on this road*
- *Nobody wants to park 200 metres from their house two streets away*
- *Will be a very serious road safety issue to permit this house*
- *Disruption of builders vehicles*
- *The loss of garden space and open grass area would be disappointing given the density of development on the estate already*
- *Existing residents would be displaced with regards to parking*

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The Local Planning Authority is able to demonstrate that it has a five year supply of deliverable housing sites. This application stands to be accessed against the Development Plan and National Policy Framework. Accordingly, the key policies CS5 and CS34 of the Core Strategy are up to date for the purposes of this planning application and as such can be attributed full weight in the consideration of this application.

5.2 Policy CS5 outlines the locations at which development is considered to be appropriate; new residential development is directed to within the north and east fringes of Bristol's urban area, and then at smaller scales to within settlement boundaries as defined on the Policies Map. By reason of this application relating to a site situated within Pucklechurch settlement boundary as defined on the Policies Map, based solely on the location of the site, the principle of development is acceptable.

5.3 As the site is within the residential curtilage of an existing dwelling, PSP38 of the Policies Sites and Places Plan (PSP) is also relevant. PSP38 submits that

in urban areas and rural settlements with defined settlement boundaries, development within existing residential curtilages (including new dwellings), and residential extensions elsewhere, will be acceptable where they are of an acceptable design; do not prejudice the amenity of neighbours; provide adequate parking and provide adequate private amenity space. As established above, the proposed development is acceptable in principle, subject to the following considerations.

5.4 Design and Visual Amenity

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

5.5 The area is generally characterised by one and a half storey semi-detached properties and two-storey small-to-mid size terraces. The majority of dwellings in this locality are constructed of brick with elements of hanging tiles, render or cladding. A distinctive feature of the surrounding area is the pedestrianised/undeveloped front gardens and grass verges.

5.6 The application is proposing a two-storey dwelling attached to the side of No.1 Oaktree Avenue. The property will be set forward of No.1's front building line by (approx.) 1.7, however, each property in the terrace is stepped forward of the last by a similar amount. The new residential unit will have a pitched roof which will match the eaves and ridge height of the neighbouring properties in the terrace.

5.7 It is acknowledged that the proposed dwelling will present around a 0.3 metre reduction in width to that of the existing dwelling. However, the amount is marginal. Therefore, this will not result in the new dwelling appearing uncharacteristically narrow or introduce a detrimentally harmful element to the street scene.

5.8 Concerning boundary treatments, the existing timber closed board fence will remain in situ, enclosing the properties rear garden. The resultant subdivision of the plot will successfully reflect the rhythm of the street and existing settlement pattern. Whilst the submitted plans illustrate that a bin store is proposed to the front of the new dwelling, the applicant has confirmed that the bins could alternatively be relocated to the back garden. Therefore a notwithstanding condition regarding the positioning of the proposed bin store will be attached to any approved decision notice. The amenity space will be located to the rear and the front garden will be left open free from development. It is recognised that the proposed dwelling will sit tight against the site side boundary line. Nevertheless, due to the public grass verge, which sits between the site and the pavement, the built form will remain to be set back from the highway by an ample distance.

5.9 The design approach of the proposal is noted in that to a degree it attempts to replicate the sitting, form, proportions, detailing and materials of the existing terrace, and in turn lends itself to the prevailing property type in the area. A condition to support the use of matching materials will be attached to the decision notice. As such, the new residential unit if built, would be representative of an acceptable design quality and would respect the character of the site and its context. The proposed development therefore complies with policies CS1, PSP1 and PSP38.

5.10 Residential Amenity

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

Amenity of neighbours

5.11 Due to the separation distances involved, the only potentially affected neighbour will be adjoining property No.1 Oaktree Avenue. However, the majority of the proposed dwelling will sit adjacent to No.1's two-storey side massing. While it is acknowledged that the proposal fails to meet the 45 degree test set out in the Adopted Householder Design Guide SPD, this is with regards to No.1's first-floor front elevation window and the proposed dwellings first-floor rear elevation window. It is important to note that this is the existing case for each property in the terrace, given that each property is stepped forward of the last. Additionally, officers have undertaken a desk-top study which confirms that the rooms that the windows in question serve, in both cases are served by a secondary window, as such it is not the only natural light source.

5.12 Alike the fenestration arrangement of the existing properties within the terrace, the key openings serving the new unit will be located to the dwellings front and rear elevations. As such, no new line of overlooking will be created. It is recognised that 2no. windows are proposed to the side elevation. However, the window at ground floor will be at high level and a separation distance of (approx.) 13.5 metres will sit between the proposed window and closest neighbour No.43 Maple Walk, situated across the public highway. Additionally, the side window positioned at first-floor will serve the family bathroom. Should the application be approved, it is found appropriate to attach a compliance condition to support this window being obscure glazed. The impact on the level of amenity afforded to neighbouring dwelling by virtue of overbearing, loss of light/outlook and look of privacy is acceptable.

Amenity of future occupiers

5.13 The submitted plans indicate that the dwelling will be a 2-bed, 3-person house, set across two-storeys. The proposed office/store is only (approx.) 4m², therefore is not of sufficient size to be counted as a bedroom. The nationally

prescribed space standards state that a property of this size should have a gross internal floor area of 70m². The proposed gross internal floor area for the property is around 66m². While officers acknowledge this falls below the requirements, the amount by which this falls below is so marginal, this does not warrant refusal of the application. The supporting drawings also illustrate that all rooms of primary living accommodation will benefit from a window of sufficient size. Future occupants of the development will therefore be provided with adequate natural light in all habitable rooms.

- 5.14 Supplementary to this, policy PSP43 sets out that residential units, are expected to have access to private external amenity space that is: functional and safe; of a sufficient size in relation to number of occupants; and be easily accessible. With regards to the provision of amenity space, the proposed 2-bed property will be provided with (approx.) 40m² of private garden space to the rear. Whereas 60m² will remain serving the existing 3-bed host dwelling to the rear and front combined. In this particular case, due to the sitting of the dwelling within the application site, whereby the principle elevation fronts an access pathway as opposed to a public highway. The properties front garden is able to count towards No.1's private external amenity space calculations.
- 5.15 While the new dwellings garden space will fall slightly below the recommended amount. As stated by the South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted November 2017), these standards are provided as a guide only. As the dwelling will still benefit from a rear garden of sufficient size and shape. It is considered that the harm to private external amenity space will not be significant enough to refuse the application on these grounds alone.
- 5.16 Nevertheless, it is to be noted, that if the proposal satisfies all other planning considerations and the decision to grant permission is recommended. It is found appropriate that in order to ensure an adequate level of private amenity space remains, permitted development rights which would enable the property to be extended should be removed.
- 5.17 Transport (Access and Parking)
PSP11 requires developments that create a demand for travel to provide appropriate, safe, accessible, convenient and attractive access for all mode trips arising to and from the proposal. Residential development should be located on safe, useable walking and/or cycling routes that are an appropriate distance from key services and facilities. Additionally, Policy PSP16 sets out the Council's criteria for parking specifications. It states that parking space provision per dwellinghouse is proportionate to bedroom number. Cycle parking is also required, in accordance with schedule A of PSP16.
- 5.18 The site is within a defined settlement boundary which is sufficiently served by key services and facilities. Accordingly, the site can be considered to be broadly in accordance with the locational requirements of PSP11.
- 5.19 Originally, no parking was proposed for the new dwelling. As previously highlighted in the transport officer's comments, the previous application ref: P22/01401/F proposed 2no. spaces to the properties front curtilage. These spaces would have been accessed via Oaktree Avenue, which would have

- required installation of a dropped kerb. However, due to the surrounding area being characterised by open front gardens free from development, in terms of design and visual amenity this was not considered acceptable.
- 5.20 Since the application was initially submitted and consultations were received, the local authority have accepted revised plans. No.1 Oaktree Avenue, a 3-bed property, as existing benefits from 2no. off-street parking spaces, located adjacent to the rear of the property. The amendments include reallocating 1no. space to the proposed residential unit, as such the new and existing property will both be provided with 1no. parking space. It is acknowledged that whilst this will result in the new dwelling being provided with parking provision that sufficiently meets PSP16. Consequently, this will result in the parking provision for the existing dwelling falling below the recommend amount.
- 5.21 Nevertheless, Policy PSP16 section 5.68 states that parking provision that does not accord with the standards set out in PSP16 may be acceptable. In such cases, conclusive factual statements confirming why deviation from the standards is necessary, must be included in the Transport Assessment. A parking survey has been submitted in support of the resubmission to establish the existing on-street parking situation. The surrounding streets are not subject to parking restrictions and the parking survey concludes that there is adequate on-street parking to justify the lack of parking provision on site. The transport officer has confirmed that the method in which the applicants have undertaken the parking survey is in accordance with the parking survey technical guidance and is accepted.
- 5.22 It is acknowledged that the transport officer proceeds by stating that regardless of the evidence provided by the parking survey, refusal is still recommended due to concerns that this proposal can be repeated too often and it could set a precedent for other similar proposals. However, each application is based on its own merits. Future applications for similar development would have to submit a parking survey for that specific area and the results of the survey in each case would establish whether on-street parking in that location is acceptable. Additionally, it is noted that transport were happy with the installation of a dropped kerb to the previous application, which would have resulted in removal of 1no. parking space on the road. Therefore, the comments from the transport department appear somewhat contradictory.
- 5.23 Overall, the existing and proposed dwelling will be provided with 1no. parking space each, and evidence has been provided to demonstrate that there is available parking spaces on the adjoining streets within the 200 metre walking distance of the application site to meet the additional demand for parking at this development.
- 5.24 If the proposal satisfies all other planning considerations and the decision to grant permission is recommended, a compliance condition will be attached to the decision notice, stating that the new dwelling shall not be occupied until the identified parking space has been re-allocated. Furthermore, the new dwelling shall not be occupied until two covered and secure cycle parking spaces have been provided for the new dwelling. These shall subsequently be retained in

situ unless agreed in writing by the Local Planning Authority. On that basis, the proposed scheme is in compliance with policy PSP16.

5.25 Due to the council's recent declaration of a climate change emergency, it is also considered reasonable to condition the installation of 1no. electric vehicle charging point for the new unit prior to first occupation. This will also encourage sustainable transport methods in accordance with policy PSP8.

5.26 Flood
The Lead Local Flood Authority have reviewed the submitted supporting documents. The development proposals are considered acceptable, subject to relevant informatives.

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

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

CONDITIONS

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

Reason

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

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

(Received 04th July 2022)

Parking Survey

Proposed Floor Plans and Elevations (2)

(Received 14th September 2022)

Site Location and Block Plans (1) Rev A

Reason

To define the terms and extent of the permission.

3. The materials used externally in the development hereby permitted shall match those of the existing building in colour and texture.

Reason

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

4. Prior to the use or occupation of the proposed development hereby permitted, and at all times thereafter, the proposed first floor window on the side (north) elevation serving the family bathroom shall be glazed with obscure glass to level 4 standard or above.

Reason

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policy PSP38 of the South Gloucestershire Local Plan: Policies Sites & Places Plan (Adopted) November 2017; and the National Planning Policy Framework.

5. With regard to the provisions of Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no development as specified in Part 1, Classes A, B, D and E, shall be carried out without the prior written consent of the Local Planning Authority.

Reason

To ensure a satisfactory standard of external appearance and private amenity space, to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policies PSP1, PSP2 and PSP38 and PSP43 of the Policies, Sites and Places Plan (Adopted) 2017; and the National Planning Policy Framework.

6. The proposal shall not be occupied until the car parking arrangements have been completed in accordance with those shown on the Site Location and Block Plans

(received 14th September 2022). These arrangements shall subsequently be retained in situ unless agreed in writing by the Local Planning Authority.

Reason

In the interests of highway safety to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 and the National Planning Policy Framework.

7. The proposed development hereby permitted shall not be occupied until two covered and secure cycle parking spaces have been provided for the new dwelling. These shall subsequently be retained in situ unless agreed in writing by the Local Planning Authority.

Reason

To ensure the satisfactory provision of cycle parking facilities and to accord with PSP16 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017); Policy CS8 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013, the South Gloucestershire Residential Parking Standards SPD (Adopted) December 2013 and the provisions of the National Planning Policy Framework.

8. The proposed development hereby permitted shall not be occupied until one 7Kw 32 Amp electric vehicle charging point has been fully installed for the new dwelling. This charging point must then remain in situ unless otherwise approved by the council.

Reason

In the interest of ensuring the provision of facilities to promote sustainable travel and to accord with CS8 of the South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) December 2013.

9. Notwithstanding the submitted plans, the proposed bin store will be positioned within the new dwellings rear garden. This bin store must then remain in situ unless otherwise approved by the council.

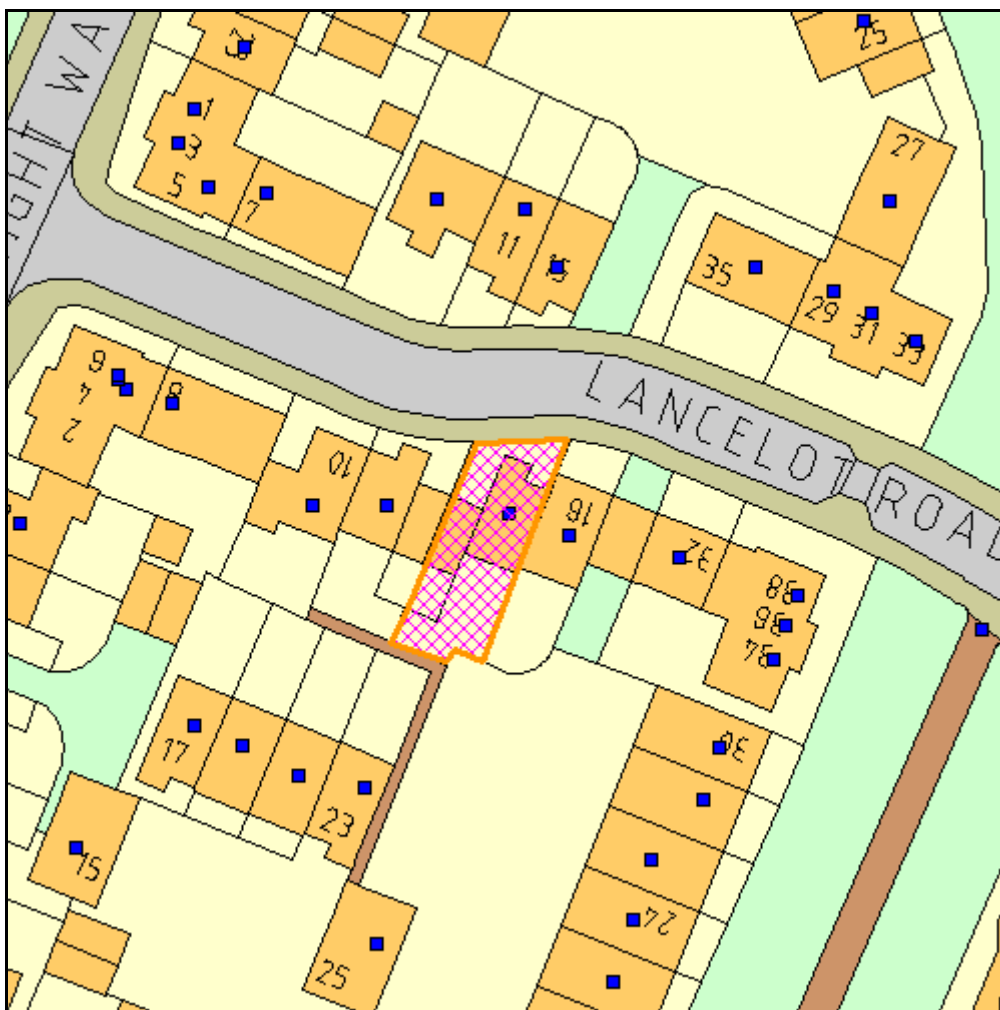
Reason

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

Case Officer: Chloe Summerill
Authorising Officer: Suzanne D'Arcy

CIRCULATED SCHEDULE NO. 38/22 -23rd September 2022

App No.:	P22/03732/HH	Applicant:	Cheang
Site:	14 Lancelot Road Stoke Gifford South Gloucestershire BS16 1WG	Date Reg:	6th July 2022
Proposal:	Erection of single storey rear extension to form additional living accommodation.	Parish:	Stoke Gifford Parish Council
Map Ref:	362348 177625	Ward:	Stoke Park And Cheswick
Application Category:	Householder	Target Date:	30th August 2022



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100023410, 2008.

N.T.S.

P22/03732/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 CIRCULATED SCHEDULE

This application appears on the Council's Circulated Schedule procedure following an objection from the Parish Council contrary to the findings of this report and the officer recommendation.

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the erection of a single storey rear extension to form additional living accommodation.
- 1.2 The application site can be found at No.14 Lancelot Road, located within the established built-up residential area of Stoke Gifford, and is set within a moderate sized plot. The dominant feature within the site is a two-storey terrace property with integral garage.
- 1.3 It is noted that since the application was initially submitted and consultations were received, revised drawings have been accepted by the local authority. The amended plans have reduced the footprint of the extension and omitted the partial garage conversion from the scheme.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted December 2013)

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

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

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

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

3. **RELEVANT PLANNING HISTORY**

- 3.1 **P99/1510**. Erection of 201 dwellings (approval of reserved matters). **Approval Full Planning**. 30/09/1999.

Condition 1:

Notwithstanding the provisions of Article 3 and parts 1 and 2 of the Second Schedule to the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) no development as specified in Part 1 (Classes A, B, D, E, G and H), or any minor operations as specified in Part 2 (Class A), other than such development or operations indicated on the plans hereby approved, shall be carried out without the prior written consent of the Local Planning Authority.

4. **CONSULTATION RESPONSES**

- 4.1 Stoke Gifford Parish Council
Objection. Insufficient parking provision, of the required dimensions, given the removal of the existing garage.

Should planning permission be granted, SGPC would request the inclusion of a condition restricting the hours of working (and movement or delivery of machinery or building materials), during the period of construction, to 07:30 18:00 Monday to Friday, 08:00 13:00 Saturdays and with no working permitted on Sundays or Public Holidays.

- 4.2 Sustainable Transport – Transportation DC
No.14 Lancelot Road would remain a 3 bed dwelling. SGC minimum parking standards state that a 3 bed dwelling requires 2 off street parking spaces. It is proposed to remove the existing garage creating a car port with additional space on the driveway. It appears from the submitted plans that the available length for parking would be reduced from the existing. The required length for each space is 5.5m. Please can the applicant provide a scale plan to show this can be achieved. Subject to this plan being received and approved, there would be 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 The Archaeology Officer Natural & Built Environment Team
No comments received.

- 4.4 Local Residents
No comments received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application site is situated within the north fringe of Bristol's urban area and is currently utilised as a C3 dwellinghouse. The proposed development will extend the area of living accommodation within the property at the expense of section of existing rear garden.

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

5.2 Design and Visual Amenity

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

- 5.3 The proposed single-storey extension will project (approx.) 3 metres from the properties rear elevation and span the width of the dwelling, measuring a distance of 4.7 metres. The extension will feature a mono-pitch roof, which will rise from an eaves height of 2.3 metres to a maximum ridgeline of 3.7 metres. Incorporated within the design will be 1no. window and 1no. external door positioned to the extensions rear façade, permitting access to the garden.
- 5.4 Removal of the properties garage door also forms part of the proposed works, as well as installation of additional window to the dwellings side (west elevation) into the open garage/carport. External finish to the extension will be brick with interlocking concrete tiled roof to match the host dwelling. All new openings will be set in white uPVC casements.
- 5.5 The extension appears subservient to the host dwelling, maintaining the properties architectural integrity, balance of the pair and character of the area. The proposals have been designed to complement the existing property through its proportions and materials. Furthermore, having reviewed the surrounding area, open carport type structures at ground floor with living accommodation located above is not an uncommon feature, with numerous examples noted along Lancelot Road, including adjacent property No.12. As such, the design is harmonious with the existing dwellings and continues to complement neighbouring properties. Overall, the proposed development has an acceptable standard of design satisfying policies CS1 and PSP38.

5.6 Residential Amenity

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

5.7 The proposed development is modest in scale, achieved by its single-storey nature and mono-pitch roof form. As such, the impact on the level of amenity afforded to neighbouring dwellings by virtue of overbearing and loss of light is acceptable. Additionally, the proposal will not result in unreasonable harm to the amenity of the application property. The application therefore satisfies the requirements of PSP8 and PSP38.

5.8 Supplementary to this, policy PSP43 sets out that residential units, are expected to have access to private external amenity space that is: functional and safe; of a sufficient size in relation to number of occupants; and be easily accessible. The proposed development will not increase the degree of occupancy within the property, however, it will build on existing rear curtilage, resulting in the remaining garden measuring (approx.) 44m². Whilst it is acknowledged that this will result in the dwellings private amenity space falling below the council's space standards with a property of this size (3 bedrooms) expected to provide a minimum of 60m². As stated by the South Gloucestershire Local Plan: Policies, Sites and Places Plan (adopted November 2017), these standards are provided as a guide only. As the dwelling will still benefit from a rear garden of sufficient size and shape. It is considered that the harm to private external amenity space will not be significant enough to refuse the application on these grounds alone.

5.9 Transport (Access and Parking)

Policy PSP16 sets out the Council's criteria for parking specifications. It states that parking space provision per dwellinghouse is proportionate to bedroom number. As previously highlighted, revised drawings have been accepted by the local authority, whereby the partial garage conversion has been omitted from the scheme. As such, the proposed development will not trigger a material increase in demand for parking at the site nor will it impact current provision. Therefore, no objection is raised under PSP16.

5.10 The case officer acknowledges the comment received from sustainable transport regarding the attachment of a condition to the application stating that the proposal should include the provision of electric vehicle charging facilities, in accordance with the Council's emerging policy. However, the condition is disproportionate to the nature of this application.

5.11 Other Matters

The comment received from the Parish Council during consultation regarding restricting the hours of working during the period of construction has been acknowledged. The application site is situated within a built up residential area and the proposed development sits within close proximity to neighbouring

properties boundaries. As such if the proposal satisfies all other planning considerations and the decision to grant permission is recommended, it is found appropriate that a compliance condition regarding hours of working, be attached to the decision notice.

5.12 Consideration of likely impact on Equalities

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

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

6. CONCLUSION

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

7. RECOMMENDATION

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

CONDITIONS

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

Reason

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

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

(Received 05th July 2022)
Site Location Plan

(Received 21st September 2022)
Combined Plan (Rev B)

Reason

To define the terms and extent of the permission.

3. The hours of working on site during the period of construction shall be restricted to 07:30 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturday; and 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 residential amenity of the occupants of nearby dwellings; and to accord with Policy CS1 and CS22 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013.

Case Officer: Chloe Summerill
Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 38/22 -23rd September 2022

App No.:	P22/04009/HH	Applicant:	Ms Pam Kaur
Site:	6 Flaxpits Lane Winterbourne South Gloucestershire BS36 1JY	Date Reg:	22nd July 2022
Proposal:	Erection of a two storey side and single storey rear extension to form additional living accommodation.	Parish:	Winterbourne Parish Council
Map Ref:	364887 180520	Ward:	Winterbourne
Application Category:	Householder	Target Date:	15th September 2022



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

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

Contrary view of Winterbourne Parish Council.

1. THE PROPOSAL

- 1.1 Planning permission is sought for the erection of a two storey side and single storey rear extension to form additional living accommodation at 6 Flaxpits Lane, Winterbourne.
- 1.2 The application site comprises a two storey end of terrace dwelling that has previously been granted planning permission for a single storey side and rear extension (ref. P21/04450/F). The application site is located within the defined Winterbourne settlement boundary.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework July 2021
National Planning Practice Guidance

2.2 Development Plan

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

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

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

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

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) August 2007
Residential Parking Standard SPD (Adopted) December 2013
Assessing Residential Amenity TAN (Endorsed) 2016
Household Design Guide SPD (Adopted) March 2021

3. RELEVANT PLANNING HISTORY

- 3.1 P22/01592/F
Erection of 1no. attached dwelling with associated works.

Withdrawn (10/06/2022)

- 3.2 P21/05896/CLP
Use of domestic garage for dog grooming.
Refuse Certificate of Lawfulness (10/11/2021)

Refusal Reason 1

It is considered that on balance the proposed change of use of the building to operate a dog grooming service constitutes a material change of use of the land, and is not of a purpose that is considered incidental to the dwellinghouse. Further the change of use proposed does not fall under any permitted development category of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), and therefore requires planning permission.

- 3.3 P21/04450/F
Erection of a single storey side and rear extension to form additional living accommodation.
Approve with Conditions (07/10/2021)

4. CONSULTATION RESPONSES

- 4.1 Winterbourne Parish Council
Objection - concerns regarding the application which states that work has not started when it is evident that it has. In addition, it is felt this is an over development of the site and concerns remain regarding access and parking.
- 4.2 Local Residents
1no. general comment from local residents has been received making the following points:
- Although the applicant has already commenced building and has created a parking space by removing part of their boundary wall, I do not oppose the erection of a two storey side and single storey rear extension to form additional living accommodation. This has no effect on my own property.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
The application seeks permission for a two storey side and single storey rear extension at an existing residential property. Policy PSP38 of the Policies, Sites and Places Plan permits development within established residential curtilages subject to an assessment of design, amenity and transport. The development is acceptable in principle but will be determined against the analysis set out below.
- 5.2 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 have appropriate: siting, form, scale, height, massing, detailing, colour and

materials which are informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context.

- 5.3 The proposed two storey side extension would be set back from the front elevation of the existing dwelling by approximately 1 metres; would be set down from the ridge line of the existing dwelling; would have a width of less than half the width of the existing dwelling; and would be finished in materials to match the finish of the existing dwelling.
- 5.4 The proposed single storey rear extension would be modest in scale and would be finished in materials to match the finish of the existing dwelling.
- 5.5 On the basis of the assessment set out above, it is not considered that the proposed development would detract from the appearance of the building or negatively impact the visual amenity of the street scene or character of the area.
- 5.6 Residential Amenity
Policy PSP8 of the Policies, Sites and Places Plan outlines that development proposals will be acceptable provided that they do not create unacceptable living conditions or have an unacceptable impact on the residential amenity of the occupiers of the development or of nearby properties. Unacceptable impacts could result from (but are not restricted to): loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and odours, fumes or vibration.
- 5.7 When considering the impact of the development on the residential amenity of neighbouring residents, the neighbouring property which is most likely to be affected is the adjoining property to the east at 8 Flaxpits Lane.
- 5.8 In respect of the adjoining property to the east, it is noted that whilst the proposed single storey rear extension would extend along the shared boundary with the neighbouring property it would be modest in scale with an approximate depth of 2 metres. The proposed two storey side extension would not extend past the rear elevation of the existing dwelling.
- 5.9 To the west of the site there are commercial properties with flats above. There is an access road in-between. Due to the road in-between the proposal would not have any overbearing or dominant impacts. To insure that no window to window intervisibility occurs a condition would be attached to any consent requiring the proposed first floor window on the west elevation to be obscure glazed and non-opening below 1.7 metres above floor level.
- 5.10 On the basis of the assessment set out above, it is not considered that the development proposal would result in any unacceptable impacts on the amenity of neighbours.
- 5.11 Highway Safety and Transport
Policy PSP16 of the Policies, Sites and Places Plan sets out the Councils parking standards. The proposed development would increase the number of bedrooms in the property from 3 to 4 so under the Councils minimum parking

standards the minimum number of on-site parking spaces requires at the property would remain at 2. There would be no alteration to the sites existing parking provision.

5.12 The existing site does not meet the Councils minimum parking standards so, whilst it is noted that the proposed site would also not meet the Councils minimum parking standards, it is not considered that the proposed development would lead to any additional vehicles parking on the highway.

5.13 Equalities

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

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

5.15 Other Matters

Concerns have been raised that the proposed works have already started. The application site has a previous permission for a single storey side and rear extension (ref. P21/04450/F) that is still within its three year start period. Any works on site are therefore likely to be the lawful implementation of this 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 That the application be **Approved** subject to the conditions included on the decision notice.

CONDITIONS

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

Reason

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

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

Site Location Plan (Received 21/07/2022)
Existing/Proposed Block Plan (Received 21/07/2022)
Existing Site Plan (Received 21/07/2022)
Existing Ground Floor Plan (Received 21/07/2022)
Existing First Floor Plan (Received 21/07/2022)
Existing Roof Plan (Received 21/07/2022)
Existing Front Elevation (Received 21/07/2022)
Existing Side Elevation (Received 21/07/2022)
Existing Rear Elevation (Received 21/07/2022)
Proposed Site Plan (Received 21/07/2022)
Proposed Ground Floor Plan (Received 21/07/2022)
Proposed First Floor Plan (Received 21/07/2022)
Proposed Roof Plan (Received 21/07/2022)
Proposed Front Elevation (Received 21/07/2022)
Proposed Side Elevation (Received 21/07/2022)
Proposed Rear Elevation (Received 21/07/2022)

Reason

To define the terms and extent of the permission.

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

Reason

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

4. Prior to the use or occupation of the extension hereby permitted, and at all times thereafter, the proposed first floor window on the west elevation shall be glazed with obscure glass to level 3 standard or above with any opening part of the window being above 1.7m above the floor of the room in which it is installed.

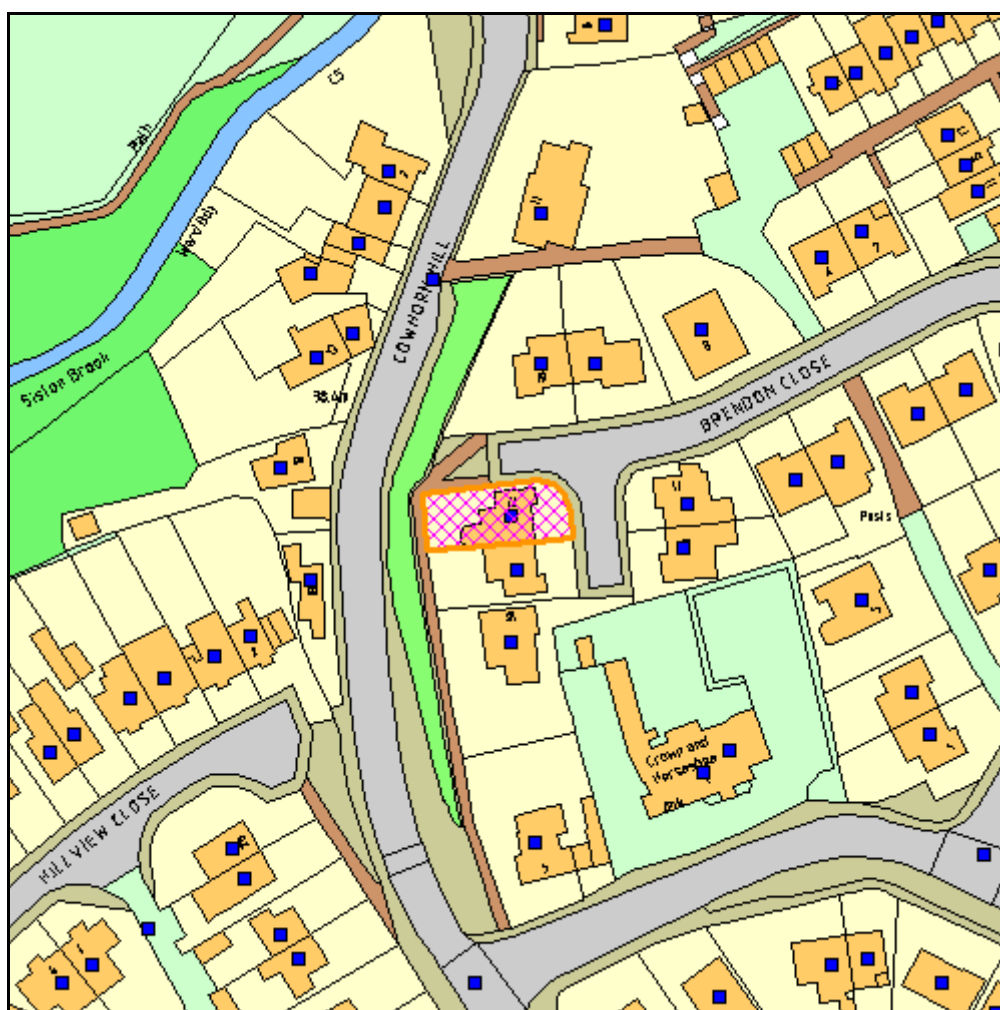
Reason

To protect the residential amenity of the neighbouring occupiers and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

Case Officer: Oliver Phippen
Authorising Officer: Suzanne D'Arcy

CIRCULATED SCHEDULE NO. 38/22 -23rd September 2022

App No.:	P22/04100/HH	Applicant:	Lois Radnedge
Site:	12 Brendon Close Oldland Common South Gloucestershire BS30 8QE	Date Reg:	25th July 2022
Proposal:	Erection of single storey rear extension,, two storey and first floor side extensions to provide additional living accommodation.	Parish:	Bitton Parish Council
Map Ref:	367098 171903	Ward:	Bitton And Oldland Common
Application Category:	Householder	Target Date:	16th September 2022



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P22/04100/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 CIRCULATED SCHEDULE

This application appears on the Council's Circulated Schedule procedure following an objection from the Parish Council contrary to the findings of this report and the officer recommendation.

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the erection of a single storey rear extension, two storey and first floor side extensions to provide additional living accommodation, as detailed on the application form and illustrated on the accompanying drawings.
- 1.2 The application site can be found at No.12 Brendon Close, located with the built-up residential area of Oldland Common, and is set within a good sized plot. The dominant feature within the site is a two-storey semi-detached dwellinghouse.
- 1.3 It is noted that this is a re-submission of application ref: P21/04793/F, which was approved subject to conditions. The key change to the scheme relates to the rear element. The two-storey and first-floor side extensions are essentially the same as the previously approved, apart from some slight modifications to internal layout.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted December 2013)

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

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

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

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

3. RELEVANT PLANNING HISTORY

- 3.1 **P21/04793/F**. Erection of a single storey side/rear extension and first floor side extension to form additional living accommodation. **Approve with Conditions.** 02/09/2021.

4. CONSULTATION RESPONSES

- 4.1 Bitton Parish Council
Objection. The extension is not subservient to the main building. There is no detail on the application about the additional parking arrangements required.

- 4.2 Sustainable Transport – Transportation DC
Our records show that this development it is broadly a resubmission of a previous version, which has been subject to various amendments. However, we have no record of having ever been consulted about these proposals, despite the fact that we understand they result in an increase in the number of bedrooms present here. Which in turn means that to conform the Councils minimum residential car park standards it may be necessary to provide additional car parking spaces on the site as well.

No information is provided about the present and future parking arrangements on this site in support of either of the applications for this development. Consequently, we are unaware of the basis for the comments made in response to the previous application, nor can we determine whether the current proposals conform to the requirements of Policy PSP16. This of particular concern as one of the spaces currently provided appears to be significantly substandard and causes vehicles using it to overhang the footway. Hence, we would wish to see this matter clarified by the applicant. In doing so they must ensure that all spaces on the site conform to the requisite dimensional requirements if they are to be included in its total allocation.

Moreover, we would recommend that the applicant provides electric vehicle charging facilities in accordance with the Councils emerging policy. To ensure this takes place, we also recommend that an appropriate condition is imposed on any planning permission granted for this development.

Overall, therefore, although we believe that this proposal is unlikely to create any severe or unacceptable highway or transportation issues, without clarification of the parking matters raised above we cannot reach any formal conclusions. Hence, we would request the applicant's earliest clarification of these points.

- 4.3 Local Residents
No comments received.

5. **ANALYSIS OF PROPOSAL**

5.1 **Principle of Development**

The application site lies within the east fringe of Bristol's urban area and is currently utilised as a C3 dwellinghouse. The proposed development will extend the area of living accommodation within the property, including an additional bedroom, by building above the existing single-storey side mass and at the expense of section of rear garden.

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

5.2 **Design and Visual Amenity**

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

5.3 ***First-floor side extension***

The application property benefits from a single-storey mass attached to the side (north) elevation. The proposal comprises a rear extension to this existing mass, to somewhat 'square-off' the ground floor plan. A first-floor will then be constructed about this extended structure, sitting in line with properties front and rear elevations. The extension will feature a pitched roof that will extend across from the host dwelling, maintaining the eaves and ridge height and gable-off at the end. Whereas, a section of mono-pitch roof will connect the new addition to the front of the existing single-storey massing. Incorporated within the design will be 1no. window at first-floor to the extensions front and rear façades.

5.4 ***Single-storey rear extension***

A single-storey rear extension forms part of the proposed scheme. The extension will project (approx.) 3 metres from the properties rear building line and span the width of the dwelling, measuring a distance of 8.4 metres. The extension will have a mono-pitched roof, which will rise from an eaves height of 2.4 metres to a ridgeline of 3.5 metres. Installed within the roof structure will be 4no. skylights. Additionally, 1no. set of bi-fold doors will be introduced to the extensions rear elevation, permitting access to the garden.

5.5 Combined, the proposed development will facilitate with the properties remodelling and refurbishment. At ground floor, the extensions will open up the rear of the property to provide the occupants with a large open plan kitchen/dining/living space. Whilst at first-floor the properties existing 'box' room will be enlarged, as well as an en-suite and forth bedroom created. All elements benefiting for a modern growing family.

- 5.6 It is acknowledged that the first-floor extension does not appear subservient to the host dwelling, however, reviewing the surrounding area this is not unusual. There are multiple examples within close proximity of the application site of development almost identical in nature to that being proposed. This includes No.15 Brendon Close, located opposite, as well as No.5 and 7 a couple of doors down the road.
- 5.7 The proposals have been designed to respect the existing property in its proportions and choice of materiality, ensuring that the appearance of the dwelling is harmonious and continues to complement neighbouring properties. A condition to support the use of matching materials will be attached to the decision notice. Overall, it is considered that a satisfactory standard of design has been achieved which will not be detrimental to the character of the existing dwellinghouse, nor its immediate context. As such, the proposal is deemed to comply with policies CS1 and PSP38.
- 5.8 It is of importance to reiterate that the first-floor element of this scheme was granted permission only last year under application ref: P21/04793/F, whereby the Parish Council commented no objection. As 3 years have not passed, this exact first-floor extension could be constructed under the previous approval, therefore this forms a material consideration and holds a degree of planning weight.
- 5.9 Residential Amenity
Policy PSP8 of the Policies, Sites and Places Plan relates specifically to residential amenity in which it states development proposals are acceptable, provided that they do not create unacceptable living conditions or result in unacceptable impacts on the residential amenities of occupiers of the development or of neighbouring properties. These are outlined as follows (but not restricted to): loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and, odours, fumes or vibrations.
- 5.10 Whilst it is recognised that the proposed rear extension will sit close to the adjoining boundary with No.14, this element of the scheme is modest in scale, achieved by its single-storey nature and mono-pitch roof form. Furthermore, the vertical mass increase to the side of the property will be situated to the north, with adequate separation distances between neighbouring dwellings given its end plot location. No openings are proposed to the extensions side elevations. The impact on the level of amenity afforded to neighbouring dwellings by virtue of overbearing, loss of light and loss of privacy is acceptable. The application therefore satisfies the requirements of PSP8 and PSP38.
- 5.11 Supplementary to this, policy PSP43 sets out that residential units, are expected to have access to private external amenity space that is: functional and safe; of a sufficient size in relation to number of occupants; and be easily accessible. Although the proposed scheme will increase the occupancy within the dwelling, as well as build on existing rear garden. The properties remaining private amenity space will continue to meet the Council's design standards (70m²) for a 4-bedroom property, complying with policy PSP43.
- 5.12 Transport (Access and Parking)

Policy PSP16 sets out the Council's criteria for parking specifications. It states that parking space provision per dwellinghouse is proportionate to bedroom number, with a property of the proposed size (4-bedrooms) expected to provide a minimum of 2no. off-street parking spaces. Whilst this scheme represents an increase in the total number of bedrooms, the parking requirements remain effectively unchanged.

5.14 The comments received from transport regarding the attachment of a condition stating that the proposal should include the provision of electric vehicle charging facilities, in accordance with the Council's emerging policy, has been acknowledged. However, the condition is disproportionate to the nature of this application.

5.15 Consideration of likely impact on Equalities

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

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

CONDITIONS

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

Reason

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

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

(Received 25th July 2022)

Existing Elevations

Existing Floor Plans

Proposed Elevations

Proposed Floor Plans

(Received 21st September 2022)

Site and Block Plan (Rev A)

Reason

To define the terms and extent of the permission.

3. The materials used externally in the development hereby permitted shall match those of the existing building in colour and texture.

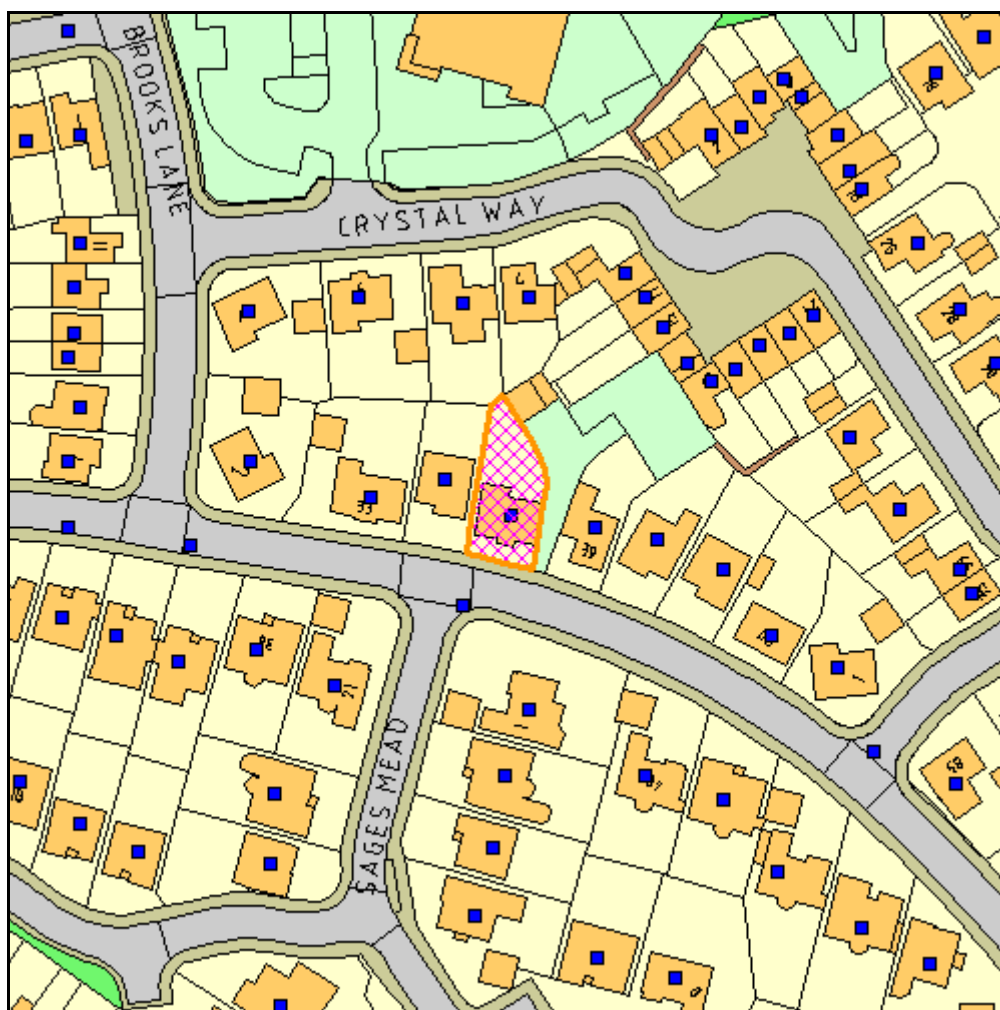
Reason

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

Case Officer: Chloe Summerill
Authorising Officer: Marie Bath

CIRCULATED SCHEDULE NO. 38/22 -23rd September 2022

App No.:	P22/05074/HH	Applicant:	Mr Alin Bostan
Site:	37 Hawkins Crescent Bradley Stoke South Gloucestershire BS32 8EL	Date Reg:	23rd August 2022
Proposal:	Erection of single storey rear extension to form additional living accommodation.	Parish:	Bradley Stoke Town Council
Map Ref:	362098 181635	Ward:	Bradley Stoke South
Application Category:	Householder	Target Date:	14th October 2022



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P22/05074/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 Referral to Circulated Schedule

This planning application appears on the Circulated Schedule because the proposal has received 1No objection from Bradley Stoke Town Council, which is contrary to the officer's recommendation.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission erection of single storey rear extension to form additional living accommodation, as detailed on the application form and illustrated on the accompanying drawings.
- 1.2 The application site can be found at 37 Hawkins Crescent, is set within a good sized plot, and is an existing two storey detached dwelling. It is located within the established residential area of Bradley Stoke and the subsequent settlement boundary.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework July 2021
National Planning Policy Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

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

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

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted 2007)
Residential Parking Standards SPS (Adopted 2013)
Householder Design Guide SPD (Adopted 2021)

3. RELEVANT PLANNING HISTORY

- 3.1 None relevant.

4. CONSULTATION RESPONSES

4.1 Bradley Stoke Town Council

1No letter of Objection received –

- *Bradley Stoke Town Council objects to this planning application on grounds of the proposed flat roof being out of keeping with the area, in addition to the fenestration not being complimentary to the visual amenity.*

Other Representations

4.2 Local Residents

No Comments received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

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

5.3 Design and Visual Amenity

Policy CS1 of the Core Strategy and policy PSP38 of the Policies, Sites and Places Plan seek to ensure that development proposals are of the highest possible standards of design.

5.4 The proposed single storey rear extension, will have an overall depth of 3.850 metres and a width of 9.8 metres (almost the width of the host dwellinghouse). It is proposed to have a flat roof with 1No glass lantern centrally placed, and extend to an overall height of 2.90 meters from ground level.

5.5 The Household Design Guide SPD provides guidance that some rear extensions can sometimes dominate or create an inharmonious addition to a dwellinghouse. The proposed extension does have a flat roof but this is an acceptable modern design approach on what is a modern dwelling. The extension would not result in any harmful impacts on the character of the host dwellinghouse, its attached neighbouring property, or any adjacent neighbouring properties nor the appearance of the surrounding area and or the streetscene. Therefore the scale and form of this proposed extension respects the proportions and character of the existing host dwellinghouse and meets the

requirements of policy PSP38 and subsequently meets the requirements of policy CS1 and the Householder Design Guide SPD.

5.6 Residential Amenity

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

5.7 The proposed single storey rear extension in terms of its scale and mass will not result in unacceptable impacts upon the occupants of the attached, adjacent or surrounding neighbouring dwellings. The application complies with policies PSP8, PSP38 and the Householder Design Guide SPD.

5.8 Transport

Policy PSP16 of the Policies, Sites and Places Plan sets out the Council's parking standards. As there is no proposal to increase the number of bedrooms, the application to be acceptable in transportation terms.

5.9 Private Amenity Space

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

5.10 Consideration of likely impact on Equalities

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

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

6. CONCLUSION

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

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

7. **RECOMMENDATION**

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

CONDITIONS

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

Reason

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

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

212/P1 Combined Existing Plans (Date all received 19/08/22)

212/P2 Combined Proposed Plans

212/P3 Existing Block Plan

212/P4 Proposed Block Plan

212/P5 Site Location Plan

Reason

To define the terms and extent of the permission.

Case Officer: Helen Turner

Authorising Officer: Marie Bath