



**LIST OF PLANNING APPLICATIONS AND OTHER PROPOSALS
SUBMITTED UNDER THE PLANNING ACTS TO BE DETERMINED BY
THE DIRECTOR OF ENVIRONMENT AND COMMUNITY SERVICES**

CIRCULATED SCHEDULE NO. 01/17

Date to Members: 06/01/2017

Member's Deadline: 12/01/2017 (5.00pm)

The reports listed over the page form the 'Circulated Schedule' a procedure agreed by the Planning and Transportation Committee on 21 November 1996. The procedure is designed to increase the effectiveness and efficiency of the Development Control Service. Under the arrangement reports are circulated on a weekly basis.

The reports assess the application, consider representations which have been received, and make a recommendation regarding the proposal. The procedure is designed to ensure that Members are aware of any concern expressed by interested parties in their ward and indicate a recommendation.

Having considered the reports, those applications that Councillors feel should be referred to an appropriate Area Development Control Committee must be notified to the Development Control section **by email within five working days of the publication of the schedule (by 5pm)**. If there has been no 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, Members may wish to speak to an officer about the issue, in order that any problems can perhaps be resolved without the need for referral to a Committee**

**PLEASE NOTE: THE CIRCULATED SCHEDULE PROCESS IS ONLY OPEN
TO THE ELECTED MEMBERS OF SOUTH GLOUCESTERSHIRE COUNCIL.**

NOTES FOR COUNCILLORS - FORMAL ARRANGEMENTS

If any Member requires any of the proposals listed in the Schedule to be considered by the appropriate Development Control Committee, please let the Director of Environment of Community Services know 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 the end of Thursday) (see cover page for the date).

To refer an application(s) members are asked to email MemberReferral@southglos.gov.uk providing details of

- Application reference and site location
- Indicate whether you have discussed the application(s) with the case officer and/or area planning manager
- Indicate whether you have discussed the application(s) with ward member(s) if the site is outside of your ward
- The reason(s) for the referral

The following types of applications may be determined by this Circulated Schedule procedure:

All applications and related submissions not determined either by the Development Control Committees or under delegated powers including:

- a) Any application submitted by or on behalf of the Council.
- b) Any application requiring either new or a modification to an existing planning agreement, provided that the application is not required to be determined by Committee.
- c) Any footpath diversion required to implement an approved scheme.
- d) Applications, except those where approval is deemed to be granted upon the expiry of a defined period, where a representation contrary to the Officers recommendation are received.
- e) Applications for Certificates of Appropriate Alternative Development where a representation contrary to the Officer's recommendation is received.
- f) Applications for Certificates of Lawful Use of Development

GUIDANCE FOR 'REFERRING' APPLICATIONS

Members are entitled to refer any application for consideration by the relevant DC Committee or Sites Inspection Committee, before a decision has been made. However as call-ins will delay the decision on an application and in the interests of improving the effectiveness and efficiency of the Development Control service, this option should only be exercised after careful consideration. Members are therefore asked to take account of the following advice:

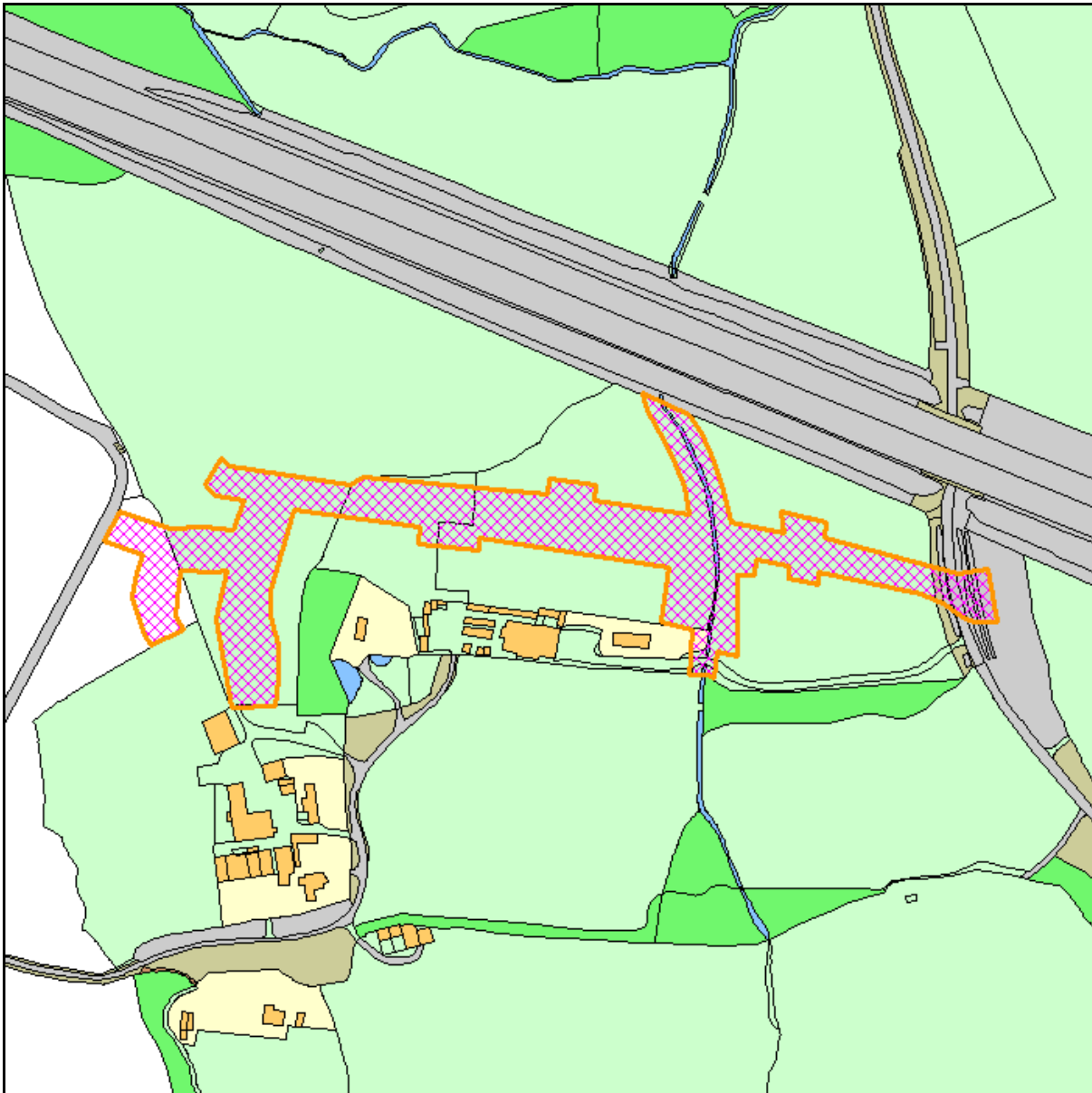
- Before referring an application always speak to the case officer or Area Planning Manager first to see if your concerns can be addressed without the application being referred.
- If you are considering referring in an application outside the ward you represent, as a courtesy, speak to the ward member(s) 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**
- Always make your referral request by e-mail to MemberReferral@southglos.gov.uk, where referrals can be picked up quickly by the Development Management Technical Support Team. Please note a copy of your referral e mail will appear on the website. **If in exceptional circumstances, you are unable to e-mail you request, please contact 01454 863519, well in advance of the deadline, to discuss alternative arrangements to ensure your response can be received.**
- When you refer an application, make clear what the planning reasons are for doing so. This will help the case officer and other members give attention to the specific issues you have raised.
- It may also allow officers to seek to negotiate with the applicant to overcome the Member's concerns and therefore removing the need for a Committee determination.

CIRCULATED SCHEDULE - 6 January 2017

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK16/4926/RM	Approve with Conditions	Land At Emersons Green East Emersons Green South Gloucestershire	Boyd Valley	Emersons Green Town Council
2	PK16/5564/F	Approve with Conditions	Myrtle Farm Siston Hill Siston South Gloucestershire	Siston	Siston Parish Council
3	PK16/6225/F	Approve with Conditions	2 Foxcote Kingswood South Gloucestershire BS15 9TX	Woodstock	None
4	PT15/5528/RM	Approve with Conditions	Park Farm Phases 2 3 And 4 Butt Lane Thornbury South Gloucestershire	Thornbury North	Thornbury Town Council
5	PT16/4213/CLP	Refusal	8 Lysander Walk Stoke Gifford South Gloucestershire BS34 8XE	Stoke Gifford	Stoke Gifford Parish Council
6	PT16/6170/F	Split decision See D/N	38 New Street Charfield South Gloucestershire GL12 8ES	Charfield	Charfield Parish Council
7	PT16/6187/F	Approve with Conditions	Bristol Golf Club St Swithins Park Blackhorse Hill Easter Compton South Gloucestershire BS10 7TP	Almondsbury	Almondsbury Parish Council
8	PT16/6339/CLE	Approve	Land Adjacent To New Cottages Townwell Cromhall South Gloucestershire GL12 8AH	Charfield	Cromhall Parish Council

CIRCULATED SCHEDULE NO. 01/17 – 6 JANUARY 2017

App No.:	PK16/4926/RM	Applicant:	Emersons Green Urban Village
Site:	Land At Emersons Green East Emersons Green South Gloucestershire	Date Reg:	27th September 2016
Proposal:	Construction of road 5 and adjoining roads, including carriageway and footway. Construction of Pond C4 and reprofiling of Lyde Green Watercourse. Approval of reserved matters - appearance, landscaping, layout and scale; to be read in conjunction with outline planning permission PK15/4232/RVC, formerly PK04/1965/O).	Parish:	Emersons Green Town Council
Map Ref:	367750 177889	Ward:	Boyd Valley
Application Category:	Major	Target Date:	23rd December 2016



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 100023410, 2008. **N.T.S.** **PK16/4926/RM**

1. **THE PROPOSAL**

- 1.1 The application seeks reserved matters consent for the construction of Road 5 which is part of the internal road network located in the north eastern part of Emersons Green East (EGE) site, (now known as Lyde Green) located adjacent to residential land parcel 16 and employment land between the proposed road and the M4 motorway, as shown on the detailed masterplan. All reserved matters are sought: landscaping, layout scale and appearance. Access was granted at Outline stage. The proposed road would be a Spine Road/Boulevard, running east/west from the approved T junction at the northern end of Road 4, previously approved and now built out under PK14/0727/RM. The proposed Road 5 (470m in length) runs through Phase 2 in the northern part of EGE to provide strategic movement through the development and to the Safeguarded land beyond to the east. In addition, the proposal includes Tertiary roads (270m in length) within residential parcel 16, as well as junctions into this parcel and the adjacent employment land.
- 1.2 Further, the proposal includes drainage works comprising works to the Lyde Green Watercourse and construction of Pond C4 -attenuation for the eastern part of Road 5 together with the eastern part of residential parcel 16 where they lie within the Lyde Green Watercourse catchment.
- 1.3 Road 5 has a carriageway width of 7m, with 2m verges on each side, a 3m wide cycleway/safe route to school on the south side, and a 2.4m footway on the north side.
- 1.4 The reserved matters should be read in conjunction with outline planning permission PK04/1965/0 (subsequently amended to PK15/4232/RVC) for an urban extension on 99 hectares of land including residential development of up to 2550 dwellings. The site has the benefit of an approved Detailed Masterplan and approved Design Code. The movement strategy for the site is based around the provision of two main spine roads linking to the Westerleigh and Rosary roundabouts on the Ring Road. Internally a circulatory distributor road will form the main public transport link around the site, linking local roads into residential parcels, where speeds are restricted in accordance with the Design Code.

Amended Scheme

- Road 5 amended to 7m width at eastern end
- Note also added to general arrangement drawing on the restrictions/TROs etc to be agreed at detail stage or covered by a condition.
- Pond C4 amended to allow tree T009 to be retained. This pushes the boundary of Area 16 back west by about 9m allowing for a 3m strip between the pond and the boundary

- The HE culvert under the M4 has been shown. No works to the Lyde Green watercourse are proposed within approx. 25m of the culvert, and the culvert will not be affected by the works.
- A note has been added to the general arrangement drawing on the location of the employment accesses: to be reviewed/amended to suit RM's for the employment parcels.
- SGC's street lighting has been added and street trees amended accordingly.
- The bridleway along the southern boundary has been added to inform the RM's for the southern development areas
- The background image for Whitecats has been removed
- Pumping station position remains to the east of Pond C4
- Sub-stations are shown adjacent to the pumping station and also in Area 16.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework- March
2012 National Planning Practice Guidance
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006 (saved policies)
D1 Design
L1 Landscape Protection and Enhancement
T12 Transportation Development Control Policy M2 Site 5 Major mixed use development at Emersons Green East EP2 Flood Risk and Development
- 2.3 South Gloucestershire Local Plan: Core Strategy (adopted Dec. 2013)
CS1 High Quality Design
CS2 'Green Infrastructure
- 2.4 Supplementary Planning Guidance Adopted Design Checklist SPD
South Gloucestershire Residential Parking Standards SPD (adopted)
Waste Collection: Guidance for New Developments

3. RELEVANT PLANNING HISTORY

- 3.1 PK04/1965/0 Urban extension on 99 hectares of land comprising of:- Residential development of up to 2550 dwellings; up to 100,000m² of B1, B2, B8 and C1 employment floorspace. Up to 2,450 m² of small scale A1, A2, A3, A4 and A5 uses. One, 2 - form entry primary school, a land reservation for a second 2 - form entry primary school and a land reservation for a secondary school. Community facilities including a community hall and cricket pavillion (Class D1) and health centre. Transportation infrastructure comprising connections to the Folly roundabout on Westerleigh Road and the Rosary roundabout on the Ring Road and the construction of the internal road network. A network of footways and cycleways. Structural landscaping.

Formal and informal open space. Surface water attenuation areas. (Outline) with means of access to be determined.
Approved 14th June 2013.

- 3.2 Development Control East Committee on 15th February 2013 approved the Detailed Masterplan associated with outline planning permission PK04/1965/0 at Emersons Green East.
- 3.3 PK14/0727/RM Construction of Roads 4 and 5 (approval of Reserved Matters to be read in conjunction with Outline Planning Permission PK04/1965/O). Approved 11.9.14
- 3.4 PK15/4232/RVC Urban extension on 99 hectares of land comprising of Residential development of up to 2550 dwellings; up to 100,000m² of B1, B2, B8 and C1 employment floorspace. Up to 2,450 m² of small scale A1, A2, A3 A4 and A5 uses. One, 2 - form entry primary school, a land reservation for a second 2 - form entry primary school and a land reservation for a secondary school. Community facilities including a community hall and cricket pavilion (class D1). Transportation infrastructure comprising connections to the Folly roundabout on Westerleigh Road and the Rosary roundabout on the Ring Road and the construction of the internal road network. A network of footways and cycleways. Structural landscaping. Formal and informal open space. Surface water attenuation areas. (Outline) with means of access to be determined. **Variation of Condition relating to trigger for construction of Tiger Tail on M32 attached to approved Outline application.**
Permission granted 9.5.16
- 3.5 Environmental Impact Assessment was carried out for the Outline planning permission for this development and officers can confirm that the current RM application does not raise any issues that would call into question the EIA conclusions.

4. CONSULTATION RESPONSES

4.1 Emersons Green Town Council No objection.

4.2 WessexWater
Nocomments.

Environment Agency

No objections but recommend that the Lead Local Flood Authority reviews the surface water drainage scheme.

Highways England

The original consultation response from HE was that they recommended that planning permission not be granted as further assessment was required. This related to the HE owned culvert under the M4 motorway. HE required sufficient detail from the applicant for them to be satisfied that the culvert will continue to operate effectively and safely.

There was concern that the originally submitted drawings did not clearly show the extent of re-profiling or tie in with the culvert. Following the submission of further detail and plans relating to this, HE have now withdrawn their original response and now state:

No objection. HE have now received sufficient details to allow us to assess the development's impact on HE's SRN drainage. HE can confirm that the drainage scheme submitted is acceptable to HE and can be accommodated within our drainage system without compromising the integrity of the system and having a negative impact on the motorway. We therefore offer no objections to the application and this supersedes our previous recommendation.

4.2 Other Consultees

Lead Local Flood Authority - SGC Drainage

No objection in principle subject to advice and informatives: A management and maintenance plan is required for surface water drainage features in this phase - the Lyde Green Watercourse, Pond C4 and the various drainage structures. This should be covered by planning condition. An informative should note that the surface water drainage design for subsequent Reserved Matters for Parcel 16 and the Employment area and Hussey Land must comply with the approved plans: Surface Water Drainage Strategy C4 Whitecats Catchment 9296- PH4-101 01 A) and Surface Water Drainage Strategy C3 reservoir Catchment (296-PH4-101 02A).

SGC Public Rights of Way Team

The consideration of this application is affected by the public right of way diversion which should be considered first.

SGC Highway Engineer SGC

Listed Building Officer No objection

SGC Landscape Architect

Following negotiation, no objection.

SGC Highway Structures

If the application includes a structure that will support the highway or support the land above a highway the highway Structures should be informed and formal Technical Approval be sought.

Other Representations

4.3 Local Residents

On behalf of adjacent landowners the following responses have been received:

Sellwood Planning

Following an objection to the originally proposed plans, it is confirmed that my clients welcome the modification to the General Arrangement plan which continues Road 5 at its full width up to Lyde Green Road, where it forms a conventional T' junction.

This will allow all traffic from the safeguarded land to connect to the wider Emersons Green East development. This access arrangement will then allow your Council to achieve its long term aspiration to close Lyde Green Road at the M4 underbridge and at the foot of Coxgrove Hill.

In order to ensure that this access arrangement will be delivered, it is considered that it is essential that a planning condition is attached to the reserved matters approval requiring that Road 5 is completed in its entirety up to Lyde Green Road and made available to all traffic prior to the occupation of development served by Road 5.

Strutt and Parker

Following objections to the originally proposed scheme, my clients are encouraged to note the changes to the application which no longer show the narrowing of the carriageway for Road 5 as it approaches the junction with Lyde Green Rd. It is further notes that the annotation on the plan refers to potential future controls and TROs to be agreed as part of a detailed scheme planning condition. This RM application should however not be approved with such an open ended reference on the plans. This matters must be the subject of a Grampian condition or ideally a legal agreement (or Deed of Variation). In the absence of such a provision, uncertainty over the proposed arrangements for vehicular circulation will be compounded. It will be TW that will be creating the connection to Lyde Green Road. At the point when TW make the connection, the ability of motorists within the Emersons Green East highway network to access onto Lyde Green Road (and thence to Pucklechurch via the former railway underbridge, and Westerleigh road via the M4 underbridge) will be created. Similarly, the potential for motorists on those other routes seeking to access the Emersons Green East site other than via the ring road will also be created. The issue of the stopping up cannot properly be left to some future point in time, but must be addressed before this connection is formed. If this is not done, then there is the prospect of some significant local network reassignment, with no mechanism in place for mitigation if necessary. In my view, this must be addressed now, through a Grampian condition preventing the connection being established until the stopping up is in place.

However, to be effective, this also needs to be accompanied by a requirement to deliver the public transport loop as anticipated in the Site Masterplan. The connection between Road 5 and Lyde Green Road is required to deliver this. It is clear that the transport loop which is proposed to run along Lyde Green Road is something that was to be delivered under the GHQ outline permission, and is not something that development of the safeguarded land was to deliver. Whilst part of the former safeguarded land may not be able to come forward for development prior to the transport loop being delivered, that is not the point.

Such a restriction would be undermined by allowing additional development within the present EGE site to come forward with no firm commitment to the delivery of the transport loop.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The principle of development has been established with the approval of outline planning permission PK04/1965/0, (and subsequently PK15/4232/RVC) which covers a substantial part of the Emersons Green East (EGE) development, allocated by Policy M2 in the South Gloucestershire Local Plan. The outline planning permission reserved all matters for future consideration, except means of access off the Rosary roundabout, which has been approved in detail.

5.2 The DC East Committee, in February 2013, approved the site-wide detailed masterplan, and subsequently officers approved the design code under delegated powers for the whole of the outline application site.

5.3

Condition 6 attached to the outline planning permission requires applications for the approval of reserved matters to be in accordance with the approved Design and Access Statement parameter plans, masterplan and design code; and that a compliance statement is submitted with each reserved matters application. The application includes a detailed compliance statement.

Compliance Design and Access Statement.

The EGE Design and Access Statement (DAS) which sets out a set of site wide guiding principles and includes a movement strategy. It sets out initial indicative street sections and characteristics and these have been used to inform the proposed street hierarchy and street design. The Movement strategy defines access points, public rights of way, strategic footpaths and bus routes.

It is considered that the street characteristics for a primary street in a mixed employment and residential neighbourhood are complied with.

Compliance with approved Outline Parameter Plans, Lyde Green Design Code and Masterplan

The approved Movement Strategy Parameter Plan (plan 9604 Rev F approved at Outline stage) identifies Road 5 as a Primary Street also serving as a Public Transport route and Main Street Cycle route. The revised plans accord with this designation. The proposed road aligns with that shown on this Parameter Plan and the approved Detailed Masterplan, apart from at its eastern end. In the applicant's Compliance Statement they have explained that a land use study of the 'Whitecats' part of the Employment Land (the eastern end) has been carried out. The options produced were discussed with commercial developers. The study and discussions with developers concluded that by realigning the road to a straight route- rather than a bended route at this end- was more efficient and created more opportunity for employment. Road 5 now continues on a straight alignment to tie in with Lyde green Road rather than following the southern boundary of the site, it is considered that this revised alignment does not harm the aspirations of the Masterplan in this location as it still allows for access to the land to the east for future development. Further it does not harm the movement strategy or any urban design considerations. The impact on landscape is discussed under the '*Trees and landscape*' section below.

Transport issues

The approved Design Code provides a street hierarchy defining the network of streets across the development. Road 5 is a Primary Route for direct strategic movement through the development. The design codes states that such roads will have a distinctive character informed by regular formal tree planting within verges. The following list is the characteristics of the development as requirements for a primary Route/Spine/Boulevard, as set out in the Design Code:

- The design speed is 20mph
- The carriageway width is 7.0m
- The footway is 2.4m wide on the north side and 3m on the south side where it forms a 'safe route to school/cycleway
- The verge width is 2m on both sides of the road
- Parallel parking could be accommodated within the grass verge.
- Traffic calming is provided through raised tables
- A bus route is provided with widening where necessary to allow buses to pass. Bus stop locations are identified
- Swept path analysis has determined junction spacing and radii
- 2.4m x 25m junction visibility provided for all accesses
- Forward visibility exceeds 25m
- Carriageway is asphalt with buff tactile paving at all pedestrian crossings
- Indicative tree locations shown with final locations to be determined following approval of adjacent RMs
- LED lighting on 8m high columns - design by SGC Lighting Engineer

With regard to the proposed Secondary roads into parcel 16, it is acknowledged that the masterplan indicates some homezones in these locations, which is not part of the proposal. The matter has been considered and it is concluded that as the roads are through routes and near the Primary Street, they are no

particularly suitable for homezones in any event. It is considered therefore that homezones of an equivalent length could be provided elsewhere within parcel 16, at locations to be decided at RM stage. This is considered acceptable as the approved homezone plan within the Design Code allows for some flexibility in the location of homezones, as long as they are provided nearby and to the same extent.

Officers can confirm that the proposed details of the Secondary roads accord with the design Code details.

The Council's Highway Engineer has advised therefore that the proposal is acceptable from a transportation point of view. With regard to the junctions that serve the employment roads/units located to the north of the site, the Auto-track detail drawing shows that the junctions serving the employment roads are not wide enough to accommodate two-vehicles passing one another (i.e. a HGV passing a van). This issue can however be rectified by utilising larger corner radii at the junction with the main road or alternatively, by provision of 'overrun' area at the junction. It is noted that the plans submitted include a note stating that '*junction position for access to Employment Areas to be Reviewed and Amended as necessary to Suit Reserved Matters Planning Applications*'. With this in mind, the Council's highway engineer is satisfied that this matter can adequately be addressed at the final detail (adoption) design stage.

Road 5 has been designed with appropriate traffic calming measures in form of speed raised tables and it is noted that the scheme has been subject to safety audit report. The road will be subject to 20mph speed limit as it is the case for the rest of roads in Emersons Green East area. This road will be on a bus route and the plans submitted with this show the location of bus stops including all other infrastructures all to be completed by the applicant.

In conclusion, Transportation Development Control have no objection to this application, subject to a condition requiring Road 5 and all of its infrastructures including footway/cycle connection, bus stops/shelters etc, shall will be completed to the Council's adoptable standards and the road shall be connected to the existing highway networks at its junction with Lyde Green Road with all details of traffic controls and the necessary TROs to be agreed in writing with SGC at final details design/adoption stage.

The need for a TRO is due to the relationship of Road 5 with the Safeguarded land to the east. This is land safeguarded in the adopted South Gloucestershire Local Plan for future residential or mixed use development, and this allocation has been carried forward into the adopted South Gloucestershire Local Plan: Core Strategy. The masterplan envisages there being no through route from Pucklechurch and Westerleigh Rd through the safeguarded land to the main part of EGE. This means that whilst there is a requirement for Road 5 to be constructed right up to the site boundary, which abuts Lyde Green Rd - an adopted highway - it is important that this does not enable traffic to use this as a through route. The proposed Road 5 will be create the connection to Lyde Green Road. At the point when the connection is made, the ability of motorists within the Emersons Green East highway network to access onto Lyde Green Road (and thence to Pucklechurch via the former railway underbridge, and

Westerleigh road via the M4 underbridge) will be created. Similarly, the potential for motorists on those other routes seeking to access the Emersons Green East site other than via the ring road will also be created. It is necessary therefore for the application to include the requirement for the necessary TROs to be implemented to enable this to take place. Subject to this therefore, the proposal is in compliance with the relevant approved plans and documents as well as Policy T12 of the adopted SGLP.

With regard to the adjacent landowners' comments regarding implementation of the bus loop, it is not considered necessary for this application to provide for it as the location of the bus route within the safeguarded land is not certain. The indicative provision of a bus route along Lyde Green Rd may not be the best option. This matter therefore will be considered and implemented as part of any safeguarded land applications.

Trees and Landscaping

The originally submitted scheme moved the attenuation basin from the north, where it was associated with an existing low, wet grassland area adjacent to the motorway, to the south, adjacent to Lyde Green Common. The attenuation basin was shown as an unnatural rectangular feature which would result in the removal of the existing hedgerow (H001) along the stream line and the poplar trees which follow the stream line (G001, T008 and T009). The original masterplan showed the group and T009 being retained. There was concern that this tree removal was not necessary as moving the road line northwards should enable all of these poplars to be retained. Whilst the trees are classified as Category C, the height of the trees at 19m tall makes them important landscape features. Hence officers concerns originally were that there was an unnecessary amount of tree removal. The Council's Tree Officer confirmed that whilst these trees were classed in the applicant's original tree survey as Class c, they should in fact be Class B.

Following negotiations however, the applicant submitted revised plans that showed the reconfiguration of Pond C4 and the retention of the vegetation group and T009, a large poplar. Whilst the Council's Landscape Architect considered there was still scope to retain T008 as well, the Council's tree officer was not concerned about this. Following further clarification on whether it would, in fact be possible to also retain T008, the applicant's engineer confirmed that the eastern section of the road currently drains to the pond and levels do not permit the highway drainage to cross over the 600mm culvert under the road. The road would therefore need to be moved much further north to allow a discharge to the pond around the north of the tree or the attenuation location reviewed. Further that Employment Area C also currently discharges to the pond. The applicant's drainage consultant does not believe there is sufficient space between the trees to allow this and avoid damage to the trees/roots if T008 is kept. This again would need to be rerouted around the north of the tree or the discharge location reviewed. The road would need to move much further north to allow for an embankment down to the tree RPA (the road is elevated to cross over the watercourse) and to allow the watercourse to be diverted in to the pond; probably at least 20m north of its current position.

Having regard to the above comments and those of the Council's Tree Officer, it is considered that the revised proposal is acceptable in terms of tree retention.

In respect of the design of Road 5, the avenue of trees is considered acceptable and in accordance with the approved DAS, Landscape Parameter Plan masterplan and design Code. It is acknowledged that the location of these trees might need to be amended as the Reserved Matters details are drawn up on the adjacent parcels, to allow for vehicle crossovers.

Other landscape concerns related to the indicative layouts that were submitted with the application for the adjacent parcels. These have now been omitted from any of the submitted plans.

The revised scheme is considered satisfactory, and in compliance with Policy L1 and the masterplan and design code for EGE.

Drainage

Another departure from the masterplan relates to the proposed attenuation pond C4. It was originally located to the north of Road 5 within the area identified as flood zone 3 (greater than 1:100 annual probability of flooding) to make the best use of the land. With new flood modelling carried out for this area and agreed with the EA, the modelling showed that the Whitecats part of the employment land was not at risk of flooding during a 1:100 as previously thought. It was therefore thought to be more efficient to locate the pond to the south of the Road 5 where the attenuation depth within the pond could be greater, hence resulting in a smaller footprint.

The Council's Drainage Engineer is satisfied with the detailed surface water drainage proposal subject to a condition requiring maintenance and management to be carried out.

As noted in the consultation section of this report, Highways England originally had concerns that the application could detrimentally impact on their culvert underneath the M4 motorway. Revised plans and additional details submitted have now satisfied HE that the proposal will not impact on their asset and they now have no objection to the application subject to a condition regarding management and maintenance of the surface water drainage features, the proposal is acceptable in drainage terms.

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 (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 That the Reserved Matters submitted in accordance with Conditions 1, 2 and 10 associated with Outline Planning Permission PK04/1965/0 dated 14th June 2013 be APPROVED, subject to the following conditions:

Contact Officer: Helen Ainsley
Tel. No. 01454 863788

CONDITIONS

1. All hard and soft landscaping works shall be carried out in accordance with the details hereby approved. The planting shall be carried out in the first planting season following the commencement of the development hereby approved.

Reason

In the interests of the visual amenity of the scheme and to provide timely pedestrian facilities and in accordance with Policy D1, L1 and T12 of the South Gloucestershire Local Plan.

2. All bus stops and shelters shall be implemented by the applicant prior to Road 5 being brought into operational use, or an alternative timetable agreed in writing by the Local Planning Authority.

Reason

To ensure that public transport is provided and is accessible to the new residents to reduce reliance on the private car in accordance with saved Policies H1.M2, T12 of the adopted South Gloucestershire Local Plan and Policies CS1, CS8 of the adopted South Gloucestershire Local Plan: Core Strategy 2013.

3. Prior to the development, or any part of it, hereby approved being brought into operational use, details of a scheme for the management and maintenance of the surface water drainage features within the application site shall be submitted to and agreed in writing by the Local Planning Authority. The management and maintenance shall be carried out in accordance with the agreed details.

Reason

To ensure a satisfactory means of drainage is provided and maintained and to accord with policy CS9 of the adopted South Gloucestershire Local Plan: Core Strategy December 2013.

4. Any trees or plants shown on the approved landscaping scheme to be planted or retained which die, are removed, are damaged or become diseased within 5 years of the completion of the approved landscaping scheme shall be replaced by the end of the next planting season. Replacement trees and plants shall be of the same size, location and species as those lost.

Reason

In the interests of the visual amenity of the scheme and in accordance with saved Policies L1 and M2 of the South Gloucestershire Local Plan (2006) and Policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy Adopted

2013.

5. Following the commencement of the development hereby approved, Road 5 shall be constructed in its entirety, in one step, to join with Lyde Green Rd. Road 5 in its entirety shall be made available to all traffic prior to the occupation of any development served by Road 5.

Reason

In the interests of enabling the comprehensive development of the Emersons Green East site allocated for development in the adopted South Gloucestershire Local Plan and the South Gloucestershire Local Plan Core Strategy Adopted 2013.

6. Prior to the completion of the works required by Condition 5 above, TROs shall be made by the applicant and implemented to secure the necessary traffic controls to prevent the ability of motorists within the Emersons Green East highway network to access from Road 5, (via Lyde Green Road) Coxgrove Hill to Pucklechurch via the former railway underbridge, and Westerleigh road via the M4 underbridge. In addition, to prevent motorists on those routes seeking to access the Emersons Green East site other than via the ring road. Such traffic controls shall include all necessary works which may include the provision of turning areas and any necessary signage.

Reason

To accord with the approved transport strategy for EGE, the masterplan and in the interests of highway safety, and in accordance with Policy T12 of the adopted South Gloucestershire Local Plan.

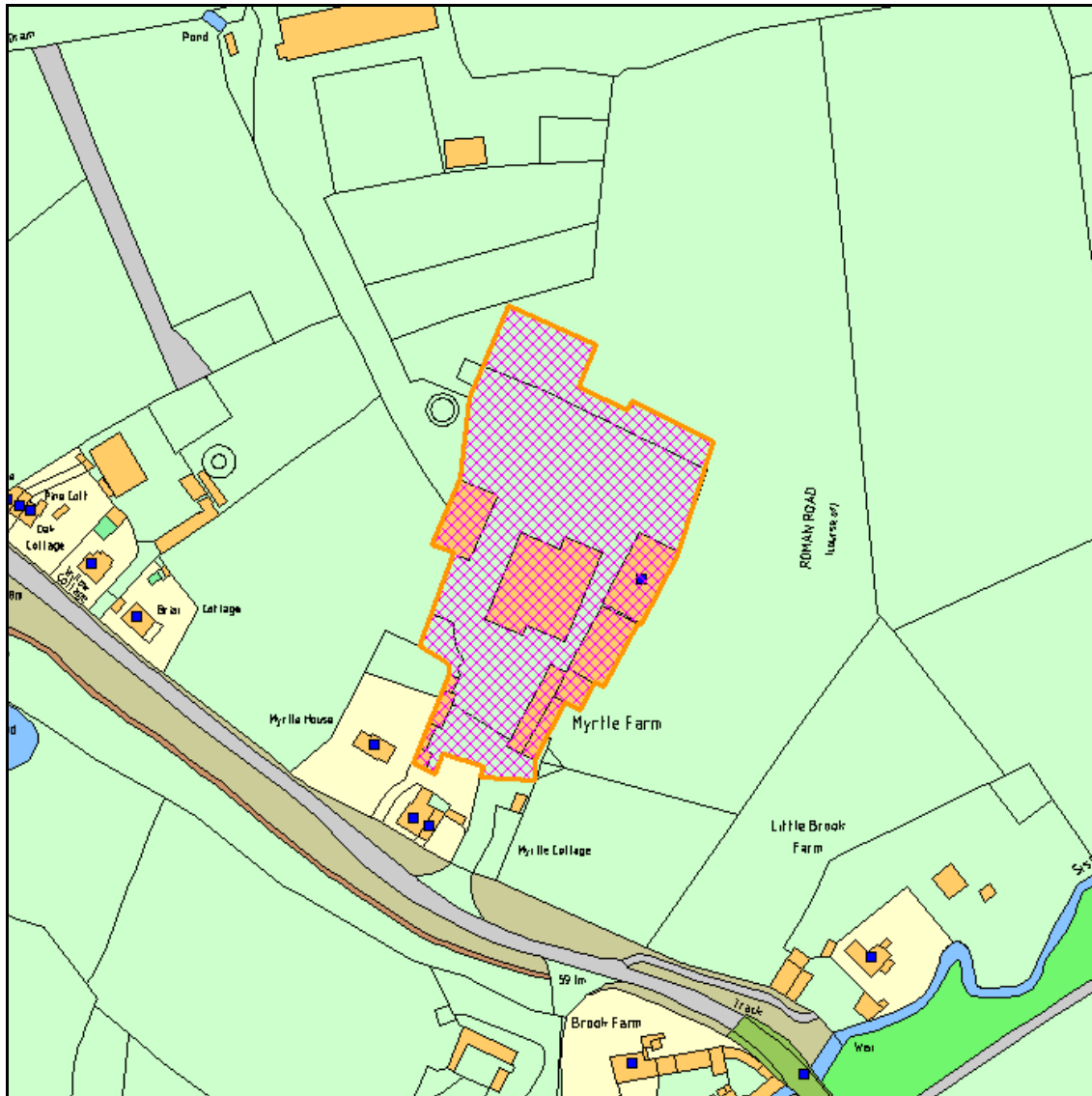
7. Notwithstanding the final position of the street trees hereby approved for Road 5 being subject to the Reserved Matters planning approvals for the parcels fronting Road 5, the number of street trees shown on the plans hereby approved shall be maintained.

Reason

In the interests of the visual amenity of the scheme and in accordance with saved Policies L1 and M2 of the South Gloucestershire Local Plan (2006) and Policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy Adopted 2013.

CIRCULATED SCHEDULE NO. 01/17 – 6 JANUARY 2017

App No.:	PK16/5564/F	Applicant:	Prompt Transport Ltd
Site:	Myrtle Farm Siston Hill Siston Bristol South Gloucestershire BS30 5LU	Date Reg:	12th October 2016
Proposal:	Alterations to raise roofline of building no.1	Parish:	Siston Parish Council
Map Ref:	367384 174371	Ward:	Siston
Application Category:	Minor	Target Date:	2nd December 2016



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule following the receipt of an objection from Siston Parish Council, the concerns raised being contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The former Myrtle Farm complex is now used by Prompt Transport as a storage and distribution centre. Myrtle Cottage to the south of the yard is Locally Listed but does not form part of the application site. The application site and buildings benefit from a Certificate of Lawfulness granted in respect of the use of the land and buildings for B8 Storage and Distribution purposes under reference PK12/2494/CLE; prior to this planning permission K1887/3 was granted for B1 and B2 industrial uses for the site. The site lies in the open countryside and is washed over as Green Belt. There is an existing vehicular access into the site from Siston Hill.
- 1.2 The application seeks full planning consent to increase the capacity of one of the buildings on the site i.e. Building No.1, by raising the roofline, to meet the business needs of the current operators. The building is one of the smallest on the site, having a foot-print of only 10.5m x 10.2m and is located between other much larger buildings located on the south-eastern boundary of the site, on land currently used for B8 storage and distribution purposes under the existing Certificate of Lawfulness.
- 1.3 It is proposed to remove the existing roof, increase the height of the perimeter walls by 3.2m to a new eaves height of 6.0m and replace the roof with a corresponding increase to the height of the roof ridge from 5.0m to 7.8m. A new roller shutter door would be introduced in the north-western elevation of the building to provide access. To facilitate access to this new door, part of the adjoining building to the south-west would be demolished, resulting in a net loss of floor-space of 50 sq.m.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Practice Guidance 2014

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

L1 Landscape Protection and Enhancement
L4 Forest of Avon
L11 Archaeology
L15 Buildings and Structures Which Make a Significant Contribution to the Character and Distinctiveness of the Locality
EP2 Flood Risk and Development
T8 Parking Standards
T12 Transportation Development Control Policy for New Development
LC12 Recreational Routes

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
CS34 Rural Areas

2.3 Supplementary Planning Guidance

Development in the Green Belt SPD (Adopted) June 2007.

The Local List (SPD) Adopted Feb. 2008.

SG Landscape Character Assessment as adopted Nov. 2014:-

The site lies within Landscape Character Area 6; Pucklechurch Ridge and Boyd Valley.

Emerging Plans

2.4 Proposed Submission : Policies Sites and Places Plan June 2016

PSP2 - Landscape

PSP7 - Development in the Green Belt

PSP8 - Residential Amenity

PSP16 - Parking Standards

PSP17 - Heritage Assets and the Historic Environment

PSP27 - B8 Storage and Distribution Uses

PSP28 - Rural Economy

3. RELEVANT PLANNING HISTORY

- 3.1 K1887 - Two storey extension to existing farm house to provide enlarged living room, utility room and WC with two bedrooms and sewing room over.
Approved 27 July 1977.
- 3.2 K1887/3 - Change of use of land and buildings to B1 and B2 industrial units, parking provision and demolition of buildings.
Approved May 1996
- 3.3 PK12/1561/CLE - Application for Certificate of Lawfulness for use of land and buildings and associated building operations for storage and distribution uses Class B8 as defined in the Town & Country Planning (Use Classes) Order 1987 (as amended). Resubmission of PK12/1561/CLE)
Withdrawn 14 June 2012
- 3.4 PK12/2494/CLE - Application for Certificate of Lawfulness for use of land and buildings and associated building operations for storage and distribution uses Class B8 as defined in the Town & Country Planning (Use Classes) Order 1987 (as amended).
Approved 14 Sept. 2012
- 3.5 PK13/1364/PNA - Prior notification of the intention to erect an agricultural building for the storage of fodder and machinery.
No objection 20 May 2013

- 3.6 PK13/3332/F - Erection of storage building (Class B8); as defined in the Town and Country Planning (Use Classes) Order 1987 as amended.
Approved 14 Feb. 2014
Not implemented

4. CONSULTATION RESPONSES

4.1 Siston Parish Council

Members feel, due to insufficient information and detail provided with the planning application which meant they were unable to assess the proposal and make an informed decision and, as the site is in a sensitive Green Belt location, that they have no other option than to object to this planning application.

4.2 Other Consultees

Lead Local Flood Authority

No comment

Sustainable Transport

We note that this planning application seeks to carry out alterations to the roofline of one of the buildings at Myrtle Farm, Siston Hill, Siston. As we do not consider that this change will alter the travel demand associated with this site, we have no highways or transportation comments about this application.

Highway Structures

No comment

Other Representations

4.3 Local Residents

No responses

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

On 27th March 2012 the National Planning Policy Framework (NPPF) was published. The policies in this Framework are to be applied from this date with due weight being given to policies in the South Gloucestershire Local Plan 2006 (SGLP) subject to their degree of consistency with this Framework. It is considered that the Local Plan policies as stated in section 2.2 of this report are broadly in compliance with the NPPF. It is noted that the NPPF puts considerable emphasis on delivering sustainable development and not acting as an impediment to sustainable growth, whilst also seeking to ensure a high quality of design and good standard of amenity for all existing and future occupants of land and buildings.

- 5.2 The South Gloucestershire Local Plan Core Strategy was adopted in Dec. 2013 and forms part of the Development Plan. The Proposed Submission: Policies, Sites and Places Development Plan is not yet adopted and whilst it is a

material consideration, the policies therein can currently only be afforded limited weight.

- 5.3 The National Planning Policy Framework (para.19) advises that planning authorities should adopt a positive and constructive approach towards planning applications for economic development; *'The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system'*.
- 5.4 Core Strategy Policy CS1 (3) requires development to demonstrate that existing features of landscape, nature conservation, heritage or amenity value and public rights of way, are safeguarded and enhanced through incorporation into the development. Local Plan Policy L1 also seeks to conserve and enhance the character, distinctiveness, quality and amenity of the landscape.
- 5.5 Core Strategy Policy CS9 seeks to protect the natural and historic environment. Clause 3 of Policy CS9 expects development to "conserve and enhance the character, quality, distinctiveness and amenity of the landscape".

Analysis

- 5.6 The building to which this application relates is located within the existing complex of buildings on land that is already authorised for B8 uses under the existing Certificate of Lawfulness PK12/2494/CLE. The NPPF, under para. 28 states that: *'Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:'*
- *Support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings.*
- 5.7 The site lies within the Bristol & Bath Green Belt within which inappropriate development is by definition, harmful to the openness of the Green Belt; openness being the most important attribute of Green Belts.
- 5.8 The NPPF at para. 80 lists the five purposes of including land within the Green Belt, these being:
- To check the unrestricted sprawl of large built-up areas;
 - To prevent neighbouring towns merging into one another;
 - To assist in safeguarding the countryside from encroachment;
 - To preserve the setting and special character of historic towns; and
 - To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 5.9 At para. 88 the NPPF states that, *'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, is clearly outweighed by other considerations.'

- 5.10 Para. 89 states that '*Local Planning Authorities should regard the construction of new buildings as inappropriate in the Green Belt*' unless falling within one of the exceptions listed. It is noted that bullet point 3 includes within this category: "*the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.*"
- 5.11 Myrtle Farm represents a previously developed site where buildings and hard-standings have already been established for B8 uses. Building No.1 lies within the existing group of buildings, most of which are much larger and as such, the proposed increase in height/volume of building No.1 can be easily incorporated within the existing built development without appearing incongruous. The footprint of the building would not increase so there would be no encroachment into the adjacent open Green Belt land. The proposal represents the extension and intensification of use of an existing B8 use. The proposal would not have a greater impact on the openness of the Green Belt and the purposes of including land within it than the existing development.
- 5.12 In reaching this conclusion officers have noted that there are several buildings within the site of similar design to that proposed. The storage building approved under PK13/3332/F was considered to represent limited infilling. Furthermore, although the proposal would represent an increase in the overall bulk of the building, this would to a large extent be compensated by the reduction in size of the building immediately to the south-west. The Green Belt Policy contained within the adopted Green Belt SPD generally allows house extensions of up to 30% increase of the volume of the original dwelling; in this case the net overall increase in built volume, albeit for commercial use, would in officer opinion be less than 30% and as such the scheme is not a disproportionate extension in the Green Belt.
- 5.13 Scale and Design
The building has an agricultural appearance being constructed of concrete block and render and metal sheeting. The materials to be used in the extension would match those existing. The extended building is considered appropriate for the use proposed and is commensurate with the scale of the existing buildings within the site.
- Landscape Issues
- 5.14 Saved Policy L1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 seeks to protect the character, distinctiveness, quality and amenity of the landscape.
- 5.15 The site lies within the Green Belt between Webb's Heath and Siston Common; it does not lie within or close to the Cotswolds AONB. The location is rural in character and the buildings within the site are agricultural in style. The extended building would not be readily visible from the roadway - Siston Hill to the south, due to the intervening buildings and vegetation.

The site is reasonably well enclosed by the vegetation that grows on the boundaries to the north, east and west. What would be seen would be viewed against the back-drop of the larger buildings to the north, which would be visually acceptable.

5.16 Transportation Issues

Officers do not consider that the proposal would significantly increase the travel demand of the site. There are existing facilities for car parking, lorry parking and manoeuvring within the site. Officers are satisfied that these areas together with the existing access arrangements are adequate to serve the site together with the extended building. All vehicles would continue to enter and exit the site in forward gear. The site is an established Transport Yard with good communications to the Ring Road and Motorway beyond. Under the existing Certificate of Lawfulness there are no conditions controlling the use of the site and on this basis officers consider it unreasonable to impose any conditions of use on the extended building. There are therefore no transportation objections.

5.17 Heritage Issues

Given the location of the Locally Listed Cottage to the south and the scale of the proposed extended building in relation to the existing larger buildings on the site, the proposal would not have any adverse impact on the setting of the non-designated heritage asset.

5.18 A Roman Road runs to the east of the site and would not be directly affected by the proposal.

5.19 Impact upon Residential Amenity

The nearest dwellings Myrtle House and Myrtle Cottage lie to the south of the site. Given that the site is an existing uncontrolled storage and distribution yard with several buildings already lying in close proximity to these dwellings than building No.1, officers do not consider that there would be any significant increased adverse impact on residential amenity over and above that which currently exists.

5.20 Environmental Issues

The site is not prone to flood; surface water drainage would be to the existing soakaways. Whilst there would be some additional disturbance during the construction phase, this can be mitigated by a condition to control the hours of working.

6. CONCLUSION

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

6.2 The recommendation to grant planning permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Local Plan Core

Strategy (Adopted) Dec. 2013 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 That planning permission be GRANTED subject to the conditions listed on the Decision Notice,

Contact Officer: Roger Hemming
Tel. No. 01454 863537

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).

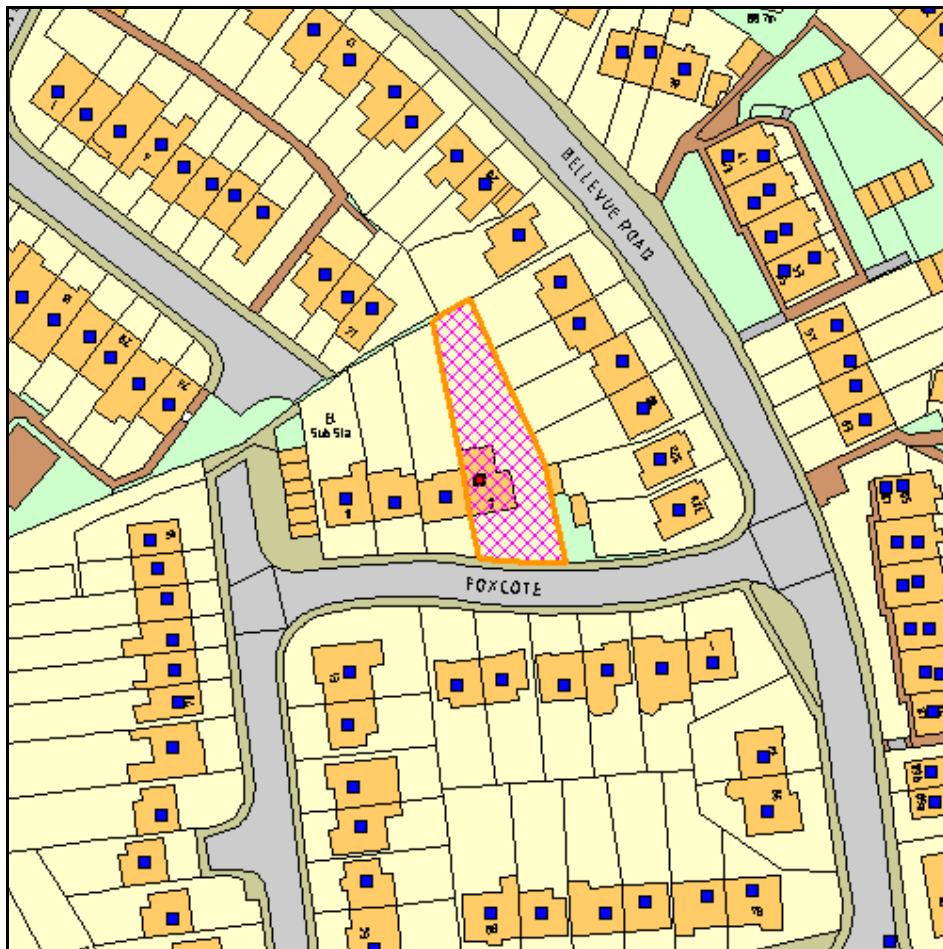
2. The hours of working on site during the period of construction shall be restricted to 07.30hrs to 18.00hrs Mon to Fri; and 08.00hrs to 13.00hrs Sat, and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: 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 neighbouring occupiers and to accord with the National Planning Policy Framework (para.123).

CIRCULATED SCHEDULE NO. 01/17 – 6 JANUARY 2017

App No.:	PK16/6225/F	Applicant:	Mr And Mrs Pope
Site:	2 Foxcote Kingswood Bristol South Gloucestershire BS15 9TX	Date Reg:	15th November 2016
Proposal:	Erection of single storey front extension and two storey side extension to provide additional living accommodation.	Parish:	None
Map Ref:	365567 173364	Ward:	Woodstock
Application Category:	Householder	Target Date:	6th January 2017



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100023410, 2008. **N.T.S.** **PK16/6225/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The planning application has been referred to the Council's Circulated Schedule procedure due to comments received from local residents contrary to the Officers decision.

1. THE PROPOSAL

- 1.1 The application seeks planning permission for the erection of a two storey side extension and single storey front extension to provide additional living accommodation at 2 Foxcote in Kingswood.
- 1.2 The host dwelling is a two storey semi-detached property in Kingswood. The dwelling has pebble dash render elevations and a gable end roof.
- 1.3 Following the comments raised revised plans were received on 20th December 2016 showing the removal of the proposed first floor side elevation window.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Policy Guidance 2014

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006 (saved policies)

H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS4A Presumption in Favour of Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility

South Gloucestershire Local Plan: Proposed Submission: Policies, Sites and Places Plan June 2016

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

2.3 Supplementary Planning Guidance

Design Checklist Supplementary Planning Document (adopted) August 2007
Residential Parking Standards Supplementary Planning Document (adopted) December 2013

3. RELEVANT PLANNING HISTORY

- 3.1 K4210/1 Single storey rear extension (Previous ID: K4210/1)
Approved 13.03.1987
- 3.2 K4210 Erection of two storey extension to provide garage with granny
annexe over. (Previous ID: K4210)
Approved 13.06.1983

4. CONSULTATION RESPONSES

- 4.1 Town/ Parish Council
Area is unparished.
- 4.2 Sustainable Transport
The proposed works will increase the number of bedrooms on the first floor to four. The plans submitted shows that the vehicular parking at the site complies with the Council's residential parking standards. As such, subject to a condition that the parking is provided there are no transportation objections to the proposed development.

Other Representations

- 4.3 Local Residents
Two letters of objection have been received from neighbouring residents raising the following issues:
- The proposal will have an overbearing effect on our house and garden as the side elevation will be much closer to our boundary;
 - The proposed side extension will have a large window and will result in a loss of privacy as the window will face our dining, kitchen and garden area;
 - There will be some loss of light as our property is at a lower level and the proposal will block sunlight from our garden much earlier in the afternoon;

5. ANALYSIS OF PROPOSAL

- 5.1 The application seeks planning permission for the erection of a two storey side extension and a single storey front extension to provide additional living accommodation at 2 Foxcote in Kingswood.
- 5.2 Principle of Development
Policies CS1 of the South Gloucestershire Core Strategy (adopted December 2013) and Saved Policy H4 of the South Gloucestershire Local Plan (adopted January 2006) are both supportive in principle. Saved Policy H4 is supportive providing development is within the curtilage of existing dwellings, the design is acceptable with relation to policy CS1 of the Core Strategy, that there is safe and adequate parking, and also providing the development has no negative effects on transport.

Policy CS1 of the Core Strategy exists to make sure developments enhance and respect the character, distinctiveness and amenity of the site and its context. The proposal shall be determined against the analysis below.

5.3 Design and Visual Amenity

The applicant site is a two-storey semi-detached property in Kingswood. The property is set back from the residential road of Foxcote by an area of hardstanding.

5.4 The proposed two storey side extension will continue the gable roof of the existing dwelling with roof tiles to match the existing; whilst the proposed two storey side extension will not be subordinate to the original dwelling officers do not consider this to be detrimental to the dwelling or the character of the surrounding area. The extension will have rendered elevations and white UPVC windows and doors to match the materials used within the existing dwelling.

5.5 The single storey front extension will continue the hipped roof and will be the same height as the existing front porch. The materials proposed will match those used in the existing dwelling and the proposed openings will also be similar to the existing.

5.6 As part of the proposal the existing single storey rear extension will be extended beyond the two storey side extension. The proposed single storey rear extension will match the existing in relation to the height and depth of the existing extension and also in relation to the proposed materials.

5.7 Overall, it is considered that the proposal respects the character of the site and the wider context as well as being of an appropriate scale and proportion with the original dwelling and surrounding properties. Thus, the proposal satisfies policy CS1 of the adopted Core Strategy.

5.8 Residential Amenity

Saved policy H4 of the adopted Local Plan states that proposals for development within existing residential curtilages will only be permitted where they would not prejudice the amenity of nearby occupiers.

5.9 The applicant site is a two-storey semi-detached property located on the residential road of Foxcote in Kingswood. The applicant site benefits from being located on a modest plot of land with 1.8 metre timber fences as boundary treatments. The application seeks planning permission for the erection of a single storey front extension and a two storey side extension to provide additional living accommodation.

5.10 As part of the proposal a number of objection comments have been received highlighting that the proposal could be overbearing, overlooking and result in a loss of sunlight.

5.11 Revised plans were received on the 20th December 2016 to address the issues of overlooking by removing the proposed first floor side elevation window which would have overlooked the properties on Bellevue Road.

The other additional openings proposed as part of the extension are not considered to result in an adverse increase in overlooking.

5.12 Additionally comments have been raised suggesting the proposal will have an overbearing impact on the dwellings on Bellevue Road as the proposed side elevation will be much closer to the boundary, the proposal may also block sunlight to the gardens on Bellevue Road which are located on a lower level than those on Foxcote. Officers do not consider the proposal to be detrimentally overbearing, the proposed extension is located approximately 2.5 metres from the existing boundary treatment and over 15 metres from the nearest property on Bellevue Road. Furthermore, with relation to the sunlight officers note that the proposal will have some impact on the existing situation however the proposed extensions are not considered to adversely impact the right to light.

5.13 Overall, officers consider that the proposal would not result in any adverse impacts on the residential amenity of neighbouring occupiers or future occupiers. As such the proposal is considered acceptable in terms of saved policy H4 of the Local Plan (adopted) 2006.

5.14 Highways

The proposal shows that one further bedroom will be created as a result of the proposed extension, South Gloucestershire's Residential Parking Standards Supplementary Planning Document (adopted) December 2013 states that the minimum parking requirement for a four bed dwelling is two off street parking spaces. Officers are satisfied that there is adequate parking available at the site and as such subject to the parking being maintained there are no objections to the proposed extension.

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 (Adopted) January 2006 and the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

7.1 That the application is **APPROVED** with the following conditions.

Contact Officer: Fiona Martin
Tel. No. 01454 865119

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 off-street parking facilities (for all vehicles, including cycles) shown on the Block Plan hereby approved shall be thereafter retained for that purpose.

Reason

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

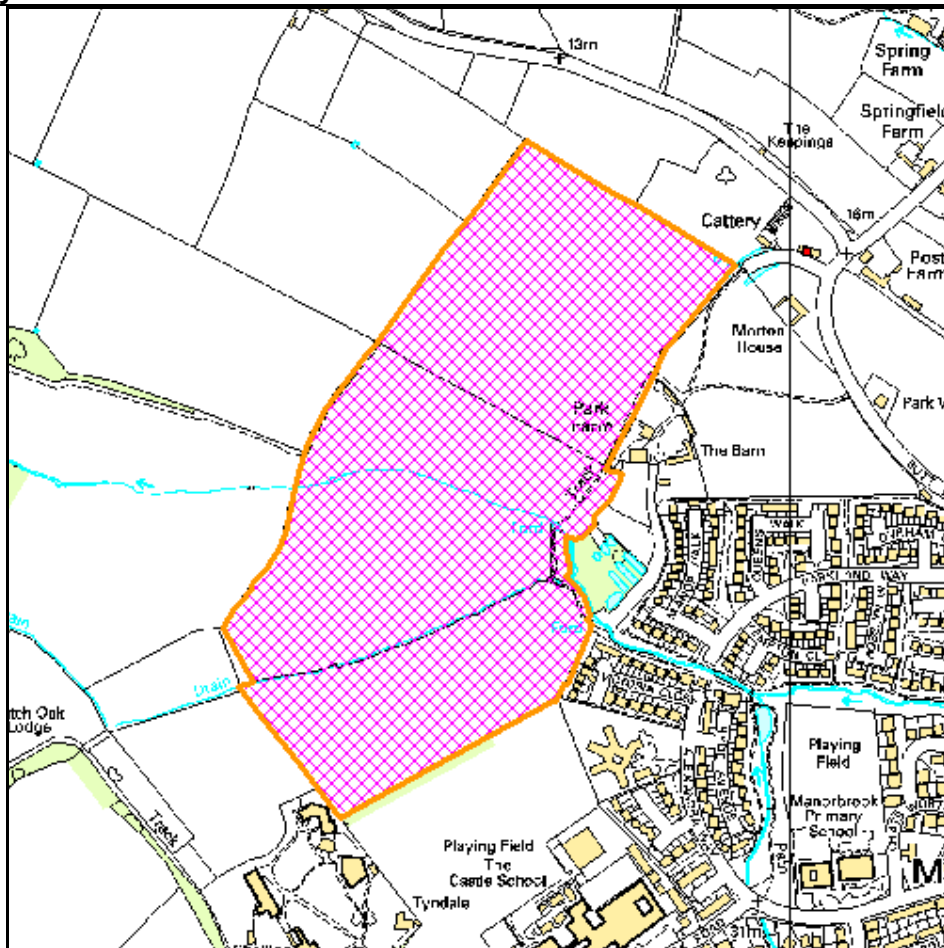
3. The hours of working on site during the period of construction shall be restricted to 7:30 to 18:00 Monday to Friday and 8:00 to 13:00 on Saturdays; and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: 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 amenities of the occupiers of nearby dwelling houses, and to accord with saved Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006; Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013 and the provisions of the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 01/17 – 6 JANUARY 2017

App No.:	PT15/5528/RM	Applicant:	David Wilson Homes (South West) Ltd
Site:	Park Farm Phases 2 3 And 4 Butt Lane Thornbury South Gloucestershire	Date Reg:	11th January 2016
Proposal:	Approval of the appearance, landscaping, layout and scale in relation to the erection of 374 Homes on Phases 2, 3 and 4 of the Park Farm, Thornbury development, in addition to the discharge of pre-commencement conditions and S106 Obligations. (Approval of Reserved Matters to be read in conjunction with Outline Planning Permission PT11/1442/O)	Parish:	Thornbury Town Council
Map Ref:	364018 191625	Ward:	Thornbury North
Application Category:	Major	Target Date:	31st March 2016



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application appears on the Circulated Schedule due to the receipt of representations contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 This reserved matters application relates to the erection of 374 no. dwellings with landscaping, car parking and associated works. The application includes a crossing over Pickedmoor brook, sports pitches, allotments and play areas.
- 1.2 This application is to be read in conjunction with outline planning permission PT11/1442/O that granted permission for the erection of up to 500 dwellings with public open space, associated works (access approved, with all other matters reserved). The original outline planning permission related to the entire Park Farm site and this reserved matters application relates only to phases 2, 3 and 4 with phase one already having been granted reserved matters consent and having been substantially completed.
- 1.3 The site subject to this reserved matters application extends to approximately 21.97 hectares of which approximately 10.4 hectares will be developed for housing. The remainder of the site will be utilised for other purposes including allotments, orchards, sports pitches, trim trail, open space, and flood plain. The site consists of agricultural land on the north-west edge of Thornbury. The site 'wraps round' the Grade II listed Park Farm buildings and gardens that lie predominantly to the east.
- 1.4 The application seeks reserved matters consent for a range of dwellings including 2-5 bedroom houses and 1-2 bedroom flats. Although affordable housing is discussed in more detail in the body of the report, this reserved matters application includes that 35% of the dwellings are affordable units which complies with the S106 agreement. External facing materials will consist of a mix of natural stone, reconstituted stone, render and brick.
- 1.5 The application has been subject to extensive negotiation since its submission and has been amended a number of times following discussion between officers and the applicant. The necessary re-consultation has been carried out.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework 2012
Technical Guidance to the National Planning Policy Framework 2012
National Planning Practice Guidance 6th March 2014
Ancient Monuments and Archaeological Areas Act 1979

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

- L8 Sites of Regional and Local Nature Conservation Interest
- L10 Historic Parks and Gardens and Battlefields
- L11 Archaeology
- L12 Conservation Areas
- L13 Listed Buildings
- EP2 Flood Risk and Development
- T7 Cycle Parking
- T8 Parking Standards
- T12 Transportation Development Control Policy
- H3 Residential Development in the Countryside
- LC1 Provision for Built Sports, Leisure and Community Facilities
- LC2 Provision for Education Facilities

South Gloucestershire Local Plan: Core Strategy (Adopted) 2013

- CS1 High Quality Design
- CS2 Green Infrastructure
- 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
- CS24 Green Infrastructure, Sport and Recreation Standards
- CS32 Thornbury
- CS33 Housing Opportunity

2.3 Supplementary Planning Guidance

- Affordable Housing and Extra Care Housing Draft Supplementary Planning Document
- Residential Parking Standards SPD (Adopted) 2013
- South Gloucestershire Design Checklist (Adopted) 2007

2.4 Emerging Policy

The West of England emerging Joint Spatial Plan and Joint Transport Study. The consultations on these plans ran from Monday 7 November until Monday 19 December 2016, following on from an initial Issues and Options consultation in 2015. The development of the Spatial Strategy will continue throughout 2017 and the submission of the document to Secretary of State is anticipated to be in 2018.
(The JSP and JTS are a material consideration but not being given any weight in the determination of this application.)

3. RELEVANT PLANNING HISTORY

- 3.1 PT11/004/SCR Development for around 500 houses with associated infrastructure.
EIA not required.
- 3.2 PT11/1441/O Creation of balancing pond and associated drainage infrastructure to serve proposed residential development on Land at Park Farm, Thornbury. Outline application with landscape matters reserved. Approved, S106 signed.
- 3.3 PT11/1442/O Erection of up to 500 dwellings on 26.21 hectares of land with public open space, associated works and access. Outline application including access with all other matters reserved.
Approved, S106 signed.
- 3.4 PT12/2644/O Creation of balancing pond and associated drainage infrastructure to serve proposed residential development on Land at Park Farm, Thornbury. Outline application with all matters reserved.
This is a duplicate application - to be determined.
- 3.5 PT12/2659/O Erection of up to 500 dwellings on 26.21 hectares of land with public open space, associated works and access. Outline application including access with all other matters reserved.
This is a duplicate application - to be determined.
- 3.6 PT13/032/SCR Screening Opinion for (PT12/2659/O) Outline proposal for the erection of up to 500 dwellings and associated parking; 2 vehicular accesses from Butt Lane; formal and informal public open space including sports pitches; the construction of highways through the site and associated engineering works.
EIA not required.
- 3.7 PT13/0919/RM Erection of 127 no. dwellings with landscaping, car parking and associated works. (Approval of Reserved Matters to be read in conjunction with Outline Planning Permission PT11/1442/O).
Approved March 2014
- 3.8 PT13/3665/F Erection of 1.85 metre high, boundary Natural Stone Wall and Wooden Gates.
Approved.
- 3.9 PT13/3666/LB Removal of existing fence. Erection of 1.85 metre high boundary Natural Stone Wall and Wooden Gates.
Approved.
- 3.10 PT13/039/SCR Creation of Vehicular Access onto Butt Lane, Thornbury to serve the development of up to 500 homes at Land at Park Farm approved by Planning Permission PT11/1442/O. (Amendment of access as approved by planning permission PT11/1442/O). Screening Opinion for PT13/3683/F.
EIA not required.

- 3.11 PT13/3683/F Creation of Vehicular Access onto Butt Lane, Thornbury to serve the development of up to 500 homes at Land at Park Farm approved by Planning Permission PT11/1442/O. (Amendment of access as approved by planning permission PT11/1442/O).
Approved.
- 3.12 PT14/1881/NMA Non-material amendment of PT13/0919/RM to replace the rear windows to plots 20 and 69 with roof lights.
No Objection June 2014
- 3.13 PT15/0998/NMA Non Material Amendment to PT13/0919/RM to change house types for plots 25,32,33,50,51,52,65,66,67 and 68.
No Objection April 2015
- 3.14 PT16/0531/NMA Non-material amendment to PT13/0919/RM to alter the plot substitutions from Barratt Homes house types to David Wilson house types.
No Objection April 2016
- 3.15 PT16/0839/RM Approval of the appearance, landscaping, layout and scale in relation to the erection of 374 Homes on Phases 2, 3 and 4 of the Park Farm, Thornbury development, in addition to the discharge of pre-commencement conditions and S106 Obligations. (Approval of Reserved Matters to be read in conjunction with Outline Planning Permission PT11/1442/O)
This is a duplicate application - to be determined.
- 3.16 PT16/0841/RM Approval of the appearance, landscaping, layout and scale in relation to the erection of 374 Homes on Phases 2, 3 and 4 of the Park Farm, Thornbury development, in addition to the discharge of pre-commencement conditions and S106 Obligations. (Approval of Reserved Matters to be read in conjunction with Outline Planning Permission PT11/1442/O)
This is a duplicate application - to be determined.
- 3.17 MODT16/0003 Deed of variation of Section 106 Legal agreement attached to planning permission PT11/1442/O (to reduce affordable housing contributions from 35% to 18.2%)
Resolution to grant but Deed of Variation not yet been completed

4. CONSULTATION RESPONSES

There have been several rounds of re-consultation during the course of the application. The comments below are a summary of the key points raised throughout all rounds of consultation. Full copies of the letters received can be found of the Councils web site.

4.1 Thornbury Town Council

The Town Council continues to OBJECT to this application on the grounds previously stated. Regarding these revised plans, the Town Council would like assurances that the concerns raised by the Crime Prevention Officer have been addressed through these revisions. We object to the proposed reduction in affordable housing units and are disappointed that the large blocks of

affordable housing are not more evenly distributed throughout the development site meaning that they are not being provided tenure blind.

4.2 Waste Engineer

Vehicle tracking is acceptable.

4.3 Lead Local Flood Authority

There has been extensive negotiation on the drainage scheme proposed for this application – particularly in so far as it relates to phase 4. At this stage the restricted discharge rate cannot be confirmed. It will either be restricted to 10.2 l/s to serve Park Farm Phase 4 only; or it will be restricted to 15 l/s to serve Park Farm Phase 4 and a potential development adjacent to Phase 4. Sufficient information has been submitted to show that both options satisfy sustainable drainage principles and will not cause flooding on or off site. When the detailed design is complete, the Lead Local Flood Authority will require confirmation of which restricted discharge will be used.

4.4 Public Rights of Way

Following extensive negotiations about the location and surfacing of PROW's through the site, it is concluded that the inclusion of the bridleway/multi user route through the site from Alexandra Way to Ringtail Lane will be a welcome safety measure avoiding what will become a busier Butt Lane/Gloucester Road/Morton Way junction. The developers should submit their diversion order application for the footpath and their stopping up/creation application for the diversion and upgrading of the footpath to bridleway without delay, with detailed plans of the overall proposals together with surfacing detail.

4.5 Wessex Water

A drainage strategy for foul water disposal has been agreed at outline planning stage and can be summarised below with current progress;

1. The first phase to provide off site connecting sewers has been completed by Wessex Water under a requisition arrangement with the developer.
2. The second phase of works allow for downstream upsizing to the treatment works by Wessex Water. These works will be programmed over the next 18 months as phases 2, 3 and 4 progress.
3. On site adoptable sewers allow for intercepting upstream flows from the public sewer system and discharging through the requisition sewer. The connecting sewers are sized at 450mm dia to maintain service levels with additional development flows. These flows will be connected at WW MH4302 and new sewer lengths constructed to discharge at F24. These measures are illustrated on drawings Drainage Strategy 12727 – SKC029 Rev B and 12727 – SKC030 Rev B.
4. The final phase of works for the fourth phase of the residential site will involve a range of public sewer diversions.

Connections to the upstream public sewer will need to be carried out by Wessex Water to form satisfactory flow controls and complete local upsizing. Surface water proposals should conform to the agreed surface water disposal strategy agreed under the outline consents and include flood risk measures approved by the LLFA.

On site sewers will be subject to a formal adoption agreement with Wessex Water and technical details should be submitted to local Development Engineer Ian Griffin for approval before proceeding to construction.

4.6 Tree Officer

Initially raised concern to the level of detail submitted but this has been addressed through the submission of revised plans. Subject to the attachment of conditions, the retention of trees and hedges can be adequately secured.

4.7 Housing Enabling

Clustering – Concerns were previously raised regarding the proposed clustering arrangements and how they failed to comply with the clustering principles set out in the S106 agreement which specifies 8 affordable dwellings in a cluster. Below are the comments of the enabling team and on balance, the enabling officer does not wish to put forward a reason for refusal.

Phases 2&3

- Plots 197-200, 203-207 and 219 & 220 appear to form a cluster of 11 affordable homes. Technically however none of these units share a contiguous boundary so technically they comply with the S106.
- Plots 313 & 314 and 325-331 have contiguous boundaries and therefore form a cluster of 9 affordable homes.
- Plots 226-231 and plots 232-234 share a contiguous boundary with plots 252-249 resulting in a cluster of 13 units.

Unit Layout and Design

- A number of comments were raised for information purposes and although though not material they reflect feedback received from RPs on matters such as open plan layouts and visitor parking. In addition concerns were raised regarding garden sizes for plots 401-404 this however is a planning matter and one for the Planning Officer to access suitability.
- The applicant should provide confirmation that the affordable housing build standards will be equivalent to Level 3 Code for Sustainable Homes, Part 2 Secured by Design and the Lifetime Homes Standard. The agent has not provided confirmation whether the standards will be met. Clearly non-compliance with the development standards will be in breach of the S106 obligations.

4.8 Transportation

Following extensive negotiation (primarily relating to the road width and design, and the bus route/bus stops) the final set of plans address all of the transportation officers concerns. Subject to the attachment of conditions, the highway officer raises no objection to the proposed development.

4.9 Historic England

Historic England has considered the information received and do not wish to offer any comments on this occasion. The application(s) should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

- 4.10 Ecology Officer
No comment
- 4.11 Landscape Officer
Has raised many objections through the course of the application and sought a number of amendments to the proposed landscape scheme. Following the receipt of several sets of amended plans, the final comments of the landscape officer are:
- Root barriers are indicated in the key on both landscape proposals drawings, but location not indicated on the layout; I would suggest root barriers are needed in locations where trees are proposed next to boundary walls.
 - Timber trip rail; this is shown as the timber post and diamond rail with straps; this should be amended to timber post with metal rail, which is a much neater.
 - Amend close board fencing to rendered or brick walls, where boundaries abut parking courts; to improve the area. Also add climbers to walls, where space allows
- 4.12 Environment Agency
The Environment Agency has no comments to make concerning this application, we defer to the Lead Local Flood Authority to make comments regarding surface water attenuation for this proposal.
- 4.13 Office for Nuclear Regulation
The proposed development does not present a significant external hazard to the safety of the nuclear site. Therefore, ONR does not advise against this development.
- 4.14 Urban Design
No comment on the final set of amended plans – although the initial comments of the urban design officer were used to inform the final set of plans.
- 4.15 Highway Structures
If the application includes a structure that will support the highway or support the land above a highway. No construction is to be carried out without first providing the Highway Structures team with documents in accordance with BD2/12 of the Design Manual for Roads and Bridges that will allow formal Technical Approval of the proposals to be carried out. The applicant will be required to pay the fees associated with the review of the submission whether they are accepted or rejected. If the application includes a boundary wall alongside the public highway or open space land then the responsibility for maintenance for this structure will fall to the property owner.
- 4.16 Conservation Officer
Raised concern about the potential ground raising in phase 4 which has subsequently been significantly reduced. Given the extant outline planning permission, the scheme agreed in phase 1 and previous comments, the Conservation officer does not wish to put forward a refusal reason.

Details relating to the management of the fishponds are included and secured through the S106 attached to the outline permission and so do not need re-visiting as part of this reserved matters consent.

4.17 Public Open Spaces Officer

Has raised many objections through the course of the application and sought a number of amendments to the proposed landscape scheme. Following the receipt of several sets of amended plans, the final comments of the POS officer are that the scheme is broadly acceptable and that a refusal reason could not be substantiated.

4.18 Archaeology Officer

Wishes to make no comment

4.19 Highways England

Wish to make no comment

4.20 Crime Prevention Officer

Plots 293, 294, 265, 294, 394, 400, 433, 448, 462, and 489 have identified parking areas in front of garages, whilst accepting that the vehicles should be parked in the garage, reality seems to indicate that they will be parked in front. Because these areas are between buildings this creates an area which is likely to be in the dark, depending upon the levels and positioning of the street lighting. Evidence suggests that this is an area vulnerable to crime, theft, damage, and potentially personal safety. It would be advantageous to either provide additional light in the area and/or ensure that the buildings have habitable rooms overlooking the area.

1. The car parking for Plots 253 and 254 are positioned in front of the properties but however there is little to differentiate this area of semi-private space from the surrounding public space. There is a 'void' area behind this parking adjacent to a wall, this is an area which could be vulnerable to Anti-Social Behaviour, and at the very least the wall should have an anti-graffiti coating.
2. On all phases of the site it is very obvious from the design as to the location of the affordable housing. The groupings used, the lack of garages and the way the properties are set back from the road does not ensure they are 'tenure blind' as required by the South Gloucestershire SPD.

There are a couple of open spaces in the development which have very little detail shown as to its design. Communal areas, playgrounds and seating areas have the potential to generate crime, the fear of crime and anti-social behaviour. They should be designed to allow supervision from nearby dwellings with safe routes for users to come and go. Boundaries between public and private space should be clearly defined and open spaces must have features which prevent unauthorised vehicular access. There is particularly no indication as to the means to prevent vehicles abusing the open spaces

4.21 Public Arts Officer

In order for the developers to fulfill the conditions of the s106 agreement, the Arts Officer has worked closely with them to refine their ideas for the public art

for this site and help develop a brief for artists. The development should provide an integrated site specific public art scheme and proposals discussed so far show the public art as closely aligned to the landscape scheme. Therefore, we would have expected to receive outline designs for the art as part of this application and for further information to be supplied as part of the landscape plans. There does not appear to be a specific document or plan relating to public art and there no references to public art features in the soft landscaping plans or the design statement. The External Works drawing references the site entrance piers but the plans themselves seem to take a different approach from that discussed in relation to the public art scheme. Given this lack of information, I have concerns about the developers ability/intention to deliver the public art scheme as per the s106 and am unable to assess, in consultation with my landscape colleagues, whether any proposals can be integrated into the site and will work harmoniously with the landscape scheme.

Other Representations

4.22 Local Residents

Approximately 10 formal letters/e-mails of objection have been received (although the case officer has received further e-mails in addition to this). A summary of the key points of concern raised is as follows:

- Queries over ground raising
- Concerns over bin collection for park farm
- Has consideration been given to the informal pedestrian routes that could be created by the future residents of Park Farm in order to access Thornbury Town Centre? The school is keen to limit foot traffic along the footpath OTH19.
- The detail of the site boundary between the school playing field and phase 4 of the proposed development is unclear.
- Details of the footpath entrance/exit in the SE corner of the development is not clear.
- Could further detail be provided regarding the proposed pedestrian access from the boundary of the school field northwards (through the housing development) to link with the proposed community pitches?
- Will there be any provision installed as part of the proposed development for the users of the proposed community pitches e.g. toilets, changing facilities?
- Could further detail be provided outlining the access arrangements for the maintenance of the community pitches?
- Is there any provision in the plans for parking at the site of the community pitches?
- It is unclear whether the pitches will be prepared and laid to grass.
- Who will be responsible for the upkeep of the provision for Children and Young People?
- Queries over the parameter plans and the design and access statement
- Queries over the heights of the buildings approved and erected in phase 1
- Why were any over 2 storey buildings allowed anywhere overlooking the listed buildings?

- Phase 1 has set a precedent to ignore the design and access statement
- Difficult to comment on the amended plans because it is very difficult to read the papers online and there are no paper copies
- Concerns over the heights of the proposed buildings – particularly with respect to the impact on the listed buildings.
- The developers have not responded to the concerns of the urban design officer or the conservation officer.
- Camphill Communities Thornbury (CCT) would like to make clear that we do not object to the principle of residential development at Park Farm; however we have serious concerns about the current lack of consideration that has been had for how the development proposed will impact upon the work that we do and the security and wellbeing of those we care for.
- Concerns over the security of vulnerable adults and children at the adjacent site due to increased footfall along footpath OTH19. Increased use of the footpath may undermine the operation of Sheilings
- Concerns over residential amenity, noise and landscaping
- Request a noise assessment
- Concerns about the lack of a definitive use for the field immediately adjacent to the Sheiling School – it is outside the defined layout for phase 4
- Concerns over possible ground level raising by up to 1.8 metres in phase 4
- Seek assurances that adequate car parking will be provided for contractors to stop nearby residential streets being used. Also suggest that suitable signage is erected.
- Request a suitable standpipe to enable the road sweeper to fill up on site rather than on Parkland Way
- Understand the need for housing but the development does not fit well with the size and condition of Thornbury
- The only access seems to be from Butt Lane which will become clogged
- The developers should contribute to improved facilities in Thornbury - £10,000 per dwelling would council to develop new facilities such as an expanded library, better sporting/leisure facilities, upgraded health facilities, expanded places at the local schools, cycleways and improved bus facilities connecting with the new metro bus routes to Bristol.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The principle of development was established for the erection of up to 500 dwellings on the Park Farm site under the approval of the outline scheme (ref. PT11/1442/O) on 8th March 2013. The site subject of this reserved matters application forms the final three phases (phases 2, 3 and 4) of the preferred location for housing opportunity in Thornbury, and as such is an integral part of the strategic housing growth in South Gloucestershire, as set out in Policy CS5 of the adopted Core Strategy: Local Plan 2013. As such, it also forms an integral part of the Council's five year land supply. As set out in the history section above, reserved matters consent has already been granted for phase

one and the first phase is already substantially complete with some of the units being occupied.

- 5.2 The application seeks reserved matters consent for 374 dwellings in a range of dwelling sizes, and as such is compliant with the principle of the outline planning permission, and Policy CS33 in this respect. Issues raised by objectors relating to points of access, financial contributions, the number of units or the suitability of the site have been already considered with the grant of outline planning permission and the associated S106 package approved with that scheme.
- 5.3 It is important to bear in mind that the principle of development has been approved and comments received objecting to the principle of the development cannot be taken into account in the assessment of this reserved matters application.
- 5.4 Condition 4 on the outline permission (ref. PT11/1442/O) states that this current application must be in accordance with the parameters described in the design and access statement submitted with the outline application. This reserved matters application is therefore acceptable subject to appearance, landscaping, layout and scale all being in accordance with the parameters of the design and access statement and the adopted South Gloucestershire Local Plan: Core Strategy 2013. The extant reserved matters consent for phase one is also a material consideration that must be given weight in the determination of this application. Weight must also be given to the conditions attached to the original outline consent that have subsequently been discharged.
- 5.5 Urban Design, Landscape and Visual Amenity
- Urban Design
- 5.6 At this reserved matters stage, it is not possible to adjust the location of the housing or alter the general access and layout arrangements that were agreed at outline stage. The general layout and alignment of dwellings and the spread of materials across the development is considered acceptable and is in accordance with the outline application. The Design and Access Statement contains a local character appraisal which picks up both the historic and modern context of existing development within Thornbury and the proposal broadly adheres to this.
- 5.7 The layout of the proposal must also be viewed in context of the extant outline permission and the approved parameter plans. The parameter plans approved at outline stage include access, scale, density and landscape. The proposed layout is broadly in accordance with all parameter plans and the indicative framework plan in the design and access statement. The proposed layout must also be viewed in light of the approved and implemented reserved matters consent at phase one.
- 5.8 The palette of materials are considered acceptable and the mix of materials including natural stone, recon stone, render and brick reflect the local distinctiveness of Thornbury.

The inclusion of natural stone will ensure successful visual integration between phases 1 and 2, 3 and 4. To ensure visual integration with phase 1, the roofscape has been bolstered with the addition of chimneys across the majority of the site and the use of different tiles.

- 5.9 In terms of general layout and urban design, the greatest deviation from the design and access statement is the design of the Avenue – the main road linking all four phases of the development together. The design and access statement clarifies that the Avenue will be enclosed by trees along its length and will have a segregated footpath along one side and a designated cycle way. The submitted plan, although showing the Avenue in the correct position on the site, shows a different design. The Avenue is not tree lined and does not have a segregated footway along on side. During the course of the application, officers requested that the design of the Avenue be amended so that it matches the description and vision as set out in the design and access statement. However, in response, the agent pointed out that the Avenue as approved through phase one also did not comply with the design and access statement. Officers had to make a balanced decision – whether to insist that the design and access statement be followed or allow for the amendment. On balance, your officers consider that the priority is to have Park Farm reading as a single, comprehensive development. To insist that the Avenue change form at the junction of phases 1 and 2 would result in a disjointed site to the detriment of legibility and visual amenity. The deviation from the design code is therefore deemed to be acceptable.
- 5.10 Overall, the reserved matters application provides the character and distinctiveness as set out in the outline consent, is consistent with the approved application at phase 1 and is acceptable from an Urban Design perspective.

Landscape

- 5.11 Throughout the course of the application, the applicant has submitted a series of revised landscape drawings in attempt to address the concerns of the landscape officer. Although the landscape officer still feels there is opportunity to improve the layout through changes to the design of the trip rail, additional climber planting and switching from timber fencing to wall in some locations, the proposal is broadly acceptable from a landscape perspective. Your planning officer agrees that the fence dividing flat block 226-231 and the gardens of 232-233 and 254 (on phase 2/3) would be visually unattractive given its length, visual prominence and proximity to Park Farm. A suitably worded condition will therefore be attached to any consent granted to ensure that this close board fence is changed to a wall of materials to match the adjacent buildings.
- 5.12 The site is semi-rural in nature and an appropriate level of native tree and shrub is proposed across phases 2, 3 and 4 of the development that helps relate the development to the open countryside. The landscape scheme is informed by the outline permission and the details submitted to discharge conditions. On balance, the landscape officer raises no objection to the proposed plans.

- 5.13 Play and Recreation
The Council's Public Open Spaces Officer has considered the Play Strategy submitted for phase 2, 3 and 4 of the development. The amount of play space provided is in accordance with the S106 agreement signed at the outline stage.
- 5.14 Following negotiations, the revised plans show that two no. 20' x 10' communal storage sheds are to be provided to serve the allotments. The sheds will be located on the 'island' that does not sit within the flood zone. Although ideally a third shed would be provided to create additional storage space, this issue alone is not sufficient to warrant refusal of the planning application.
- 5.15 The proposed pitches are appropriate and in accordance with the outline permission and S106. As originally submitted, the drainage specification for the pitch was unacceptable but this has been corrected through the course of the application.
- 5.16 Highways and Transportation
The Highway Officer has considered in detail the reserved matters submission and considers the planning layout acceptable and that, other than the layout of the Avenue as discussed in paragraph 5.9, the design principles meet the aspirations of the outline planning permission. One of the main subjects of negotiation in so far as it relates to highways, was the bus route. By means of background information, in the longer term a bus link will be provided that runs all the way through the centre of the site linking Butt Lane with Park Road (the timing of the implementation of this bus link is detailed and secured through conditions and S106 attached to the outline consent.) Until as such time that the link is in place, busses will enter the site from Butt Lane, drive through phases 2 and 3 before turning and exiting the site back onto Butt Lane. In order to secure this temporary bus service, a number of conditions are suggested by the highway officer.
- 5.17 The level of car parking proposed is in accordance with the Residential Parking Standards SPD. Subject to compliance with a series of conditions relating to the bus link and provision of the parking spaces, there are no highway objections to the scheme as proposed.
- 5.18 Affordable Housing
When outline permission was originally granted, the S106 agreement included a requirement to provide 35% affordable housing on site. Members may be aware that in April 2016, a request was submitted to reduce this contribution from 35% down to 18.2%. This request was subject to rigorous viability screening and a report was presented to members via the Circulated Schedule dated 18th November 2016. The application was not called to committee and therefore has a resolution to grant subject to the signing of a Deed of Variation. However, as that Deed of Variation has not yet been formally prepared and signed, the original S106 (requiring 35%) still stands. Therefore, the plans submitted with this application all show 35% affordable housing. In the event that the Deed of Variation is signed and the affordable housing contribution is reduced down to 18.2% as agreed, further agreement will be required to change the affordable housing distribution on the site.

For the purposes of considering this current application, the 35% affordable housing requirement still stands.

- 5.19 The affordable housing has been provided in locations and in a form that has been mostly agreed with the Council's Housing Enabling Officer and in accordance with the S106 agreement attached to the outline planning permission. The Enabling officer has not put forward a reason for refusal.
- 5.20 The S106 on the outline agreed a pepper-potting of no more than 8 contiguous dwellings. On phase 2/3 there are three instances where the proposed affordable housing layout causes the housing enabling team concern as follows:
- Plots 197-200, 203-207 and 219 & 220 although not having contiguous boundaries, do sit together as a group of 11. The planning officer judgement to this is that technically however, as they do not have contiguous boundaries, this group is in accordance with the S106 agreement.
 - Plots 313 & 314 and 325-331 have contiguous boundaries and therefore form a cluster of 9 affordable homes. The planning officer judgement to this is that one additional flat in the cluster results in no demonstrable harm and is not of sufficient concern to necessitate a site re-design.
 - Plots 226-231 and in particular plots 232-234 share a contiguous boundary with plots 252-249 resulting in a cluster of 13 units. In making the planning decision, your officer must weigh up whether the disadvantages of this large cluster is sufficient to warrant refusal of the application. Given that the application is acceptable in all other respects, it would be unreasonable to refuse the application because of this large cluster.
- 5.21 Other than the clustering discrepancies detailed above, the proposal is in accordance with the outline planning permission and the original S106 agreement.
- 5.22 Historic Environment
As has been raised in the letters of objection received, Park Farm is a listed building and its protection is essential. However, the need to protect the setting of Park Farm must also be viewed in context of the extant outline permission and the approved parameter plans. The parameter plans approved at outline stage include access, scale, density and landscape. At this reserved matters stage, it is not possible to adjust the location of the housing or to create more of a buffer between the new development and Park Farm. Rather, it is necessary to assess whether the scheme is in accordance with the design and access statement, and, if it is not, whether the deviation is justifiable.
- 5.23 Because the general location of development is already established, as noted in the letters of objection, when considering the impact on Park Farm, one of the key considerations is building height. As part of the outline consent, the building heights have been established. The building heights parameter plan show the dwellings on phases 2 and 3 where they sit close to Park Farm to be two storeys in height.

All but three dwellings and the flat block fully comply with this detail. Contrary to the approved parameter plan, flat block 226-231 and dwellings 261, 262 and 263 are all 2 " storeys in height. In considering this difference, it is the opinion of your officer that dwellings 261, 262 and 263 are sufficiently divorced from Park Farm so as not to have detrimental impact by means of the additional height. The flat block, is also divided from Park Farm by a green landscaped buffer and play area.

- 5.24 Whilst acknowledging that the flat block is not strictly in accordance with the building heights parameter plan, consideration must also be given to the text contained within the design and access statement submitted with the outline permission. In section 5.4 of this document, it is stated that '*building heights are limited to 2 and half storeys with some 3 storey across the site. The area with the potential for the taller buildings occupies the centre of the site, relating to the principal movement corridor, public open space at the centres of the site and local nodes.*' In light of this statement, the inclusion of the two and a half storey flat block at a relatively central position within the Park Farm development, overlooking a key area of public open space and facing the key pedestrian route through the site, is not considered to be at odds with the general aims and purpose of the original design and access statement.
- 5.25 It is the opinion of both the planning officer and the conservation officer that the impact on Park Farm is as per that expected and approved at outline stage. As discussed above, although a few buildings are higher than envisaged, the additional impact on Park Farm is minimal and not of concern sufficient to warrant refusal of the application.
- 5.26 The use of natural stone has been secured on key dwellings facing Park Farm to secure a higher level of appearance. As was the case when the reserved matters application for phase 1 was approved, the use of render across the development and the use of a palette of colours as opposed to simply white/cream does lend more character to the area and is reminiscent of the terraces in Thornbury and this diverse palette is carried through the main avenue. This is considered sufficient to mitigate the substantial harm to Park Farm and provide a high quality design across phase 1 in accordance with policy CS1 of the Core Strategy.
- 5.27 In regard to the natural stone, render and brick; it is considered expedient to include a condition requiring full samples displaying how these materials will be constructed and finished on site.
- 5.28 The Council's Conservation Officer raises no objection to the reserved matters application subject to the two aforementioned conditions as suggested in para. 5.21.
- 5.29 Ecology
There are no ecological implications arising specifically from the reserved matters application, as the ecology is controlled by way of conditions on the outline planning permission.

5.30 Residential Amenity

With the exception of the cluster of dwellings around Park Farm, the proposed scheme has few immediate neighbours. In addition to the Park Farm complex, those dwellings that stand to be most affected by the completed dwellings are Ringtail Cattery to the north and Victoria Close to the east. The site is appropriately laid out to ensure that none of the existing dwelling suffer from unacceptable levels of loss of privacy, overbearing or overshadowing as a result of the proposed dwellings.

5.31 As noted in paragraph 5.23 above, the flat building facing Park Farm is to exceed two storeys in height. An assessment has therefore been made as to whether the extra height will have a detrimental impact on the level of amenity afforded to Park Farm. Given that the flat block stands in excess of 40 metres from Park Farm and divided by a play area and landscaping, it is not considered that there will be any significant additional overlooking or loss of privacy.

5.32 As raised in the letters of objection, officers do accept that local residents may experience disruption during the construction phase. Although officers will work with residents to ensure that disruption is kept to a minimum, details of construction management and hours of operation have already been agreed and secured through the outline permission. It is not appropriate to enforce further limiting conditions to this reserved matters application.

5.33 Public Rights of Way

A 2m wide cinder path is to be provided along the eastern play area in phases 2 and 3. Following extensive negotiations about the location and surfacing of PROW's through the site, it is concluded that the inclusion of the bridleway/multi user route through the site from Alexandra Way to Ringtail Lane will be a welcome safety measure avoiding what will become a busier Butt Lane/Gloucester Road/Morton Way junction. Due to some discrepancy between the planning layout and landscaping plans, a condition will be attached to ensure that details of the surfacing of the cinder path are submitted for approval.

5.34 It is noted that a local charity has raised concern that potential additional usage of PROW's may affect or inhibit their ability to operate. In response to this, your officer has looked at potential ways to remedy this problem and possibly divert OTH19. Unfortunately however, given the extent of the red line boundary and the extant permission (which agreed access and movement routes) there is no scope for your officer to insist that OTH19 be diverted.

5.35 Drainage

The overall surface water drainage strategy for the Park Farm site is controlled through several planning conditions attached to the outline consent, specifically: no's 13, 14, 15, 16, 17, 18 and 19.

5.36 A drainage layout has been submitted by the applicant for phases 2, 3 and 4 of the development and is considered acceptable by the Council's Drainage Engineer.

The drainage strategy was altered through the course of the application to avoid the need to significantly raise ground levels within phase 4. A suitable condition will be attached to the decision notice to ensure that when the detailed design is complete, the Lead Local Flood Authority will require confirmation of which restricted discharge will be used.

5.37 The Environment Agency raise no objection to the application. Subject to the attachment of the restricted discharge rate condition, there is no drainage objection to the proposed development.

5.38 Crime Prevention Officer

As noted at paragraph 4.20 of the report, the crime prevention officer raised a number of concerns about the proposed scheme. Through the submission of amended plans, the majority of the concerns have been addressed. Many of the dwellings have had their garages removed or relocated to address concerns of crime and several have also had additional doors or side windows introduced to add further natural surveillance. The layout is also more 'tenure blind' than initially submitted with a more equal spread of garages between affordable and market housing.

6. CONCLUSION

6.1 The principle of development has been established through the granting of the outline planning permission. The general urban form and detailing of the buildings should be further informed by the implemented reserved matters consent on Phase 1. This report has set out all arguments both in favour of and weighing against the development and where there are minor deviations from the approved Design and Access Statement, these have been explained. The urban design, landscape, access, historic environment and visual amenity aspects of the scheme, are acceptable and none of the specialist officers or internal or statutory consultees put forward a reason for refusal. The merits of granting planning permission far outweigh the negative points as set out in this report.

7. RECOMMENDATION

7.1 That reserved matters consent is **GRANTED** subject to the following conditions.

Contact Officer: Marie Bath
Tel. No. 01454 864769

CONDITIONS

1. Prior to occupation of the 150th dwelling on phases 2 and 3, the temporary bus route along the spine road and road 6 shall be surfaced to at least base course level and made available for buses.

Reason:

To ensure the development is served by public transport and to accord with Policy CS8 of the South Gloucestershire Core Strategy (Adopted).

2. Prior to occupation of the 150th dwelling on phases 2 and 3, the two bus stops and shelters enabled for Real Time information shall be provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure the development is served by public transport and to accord with Policy CS8 of the South Gloucestershire Core Strategy (Adopted).

3. No dwelling shall be occupied until the highway linking that dwelling to the existing public highway has been provided with street lighting, completed to base course level for the carriageway and surface course level for the footway or shared surface, all in accordance with details to be submitted to and approved by the Local Planning Authority beforehand.

Reason:

In the interests of highway safety, to ensure all dwellings are provided with a safe and suitable access and to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted).

4. Prior to the first occupation of any individual dwelling, the car and cycle parking associated with that individual dwelling must be provided in accordance with the submitted details dated 15th December 2016.

Reason:

In the interest of highway safety and to accord with South Gloucestershire Council's Residential Parking SPD and Policy T7 of the South Gloucestershire Local Plan (Adopted).

5. Upon completion of the detailed drainage design and prior to the first occupation of any individual dwelling on phase 4, details of the restricted discharge rate in so far as it relates to phase 4 shall be submitted to the Council for written agreement.

Reason:

The restricted discharge rate can vary dependant on the area of site to be covered. Although sufficient information has been submitted to show that both potential options satisfy sustainable drainage principles and will not cause flooding on or off site, to allow for monitoring and management, the final restricted discharge rate must be known. Also to comply with the requirements of policy EP2 of the South Gloucestershire Local Plan (Adopted).

6. Tree protection in accordance with BS5837:2012 shall be erected around all trees and hedgerows shown to be retained on the landscaping plan hereby approved. The protective fencing shall be put in place prior to the commencement of development and retained at all times during the construction period.

Reason:

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

7. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of the relevant part of the development or in accordance with the programme agreed with the Local Planning Authority. Any landscaping that fails within five years following planting shall be replaced in the next available planting season.

Reason:

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

8. Notwithstanding the submitted plans, the boundary treatment between flat block 226-231 and the gardens of dwellings 232-233 and 254 (phase 2/3) shall be a wall finished in Webber Ivory Render rather than a fence.

Reason

In the interests of the visual amenity of the area and to comply with the requirements of Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

9. Prior to the installation of the cinder path, full details of the paths construction and finishing shall be submitted to the Council for written approval. All development must take place exactly in accordance with the details so agreed. The Cinder path shall be implemented prior to the first occupation of the 200th dwelling on phases 2/3.

Reason

There is some discrepancy on the plans as to the surfacing of the path. Full details are required in the interests of the safety of the users and all in accordance with the visual amenity of the area to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

10. Prior to the commencement of the external finishing of any of the dwellings hereby approved, of the development representative sample panels of: stonework (including boundary walls) of all of the stone types to be used, each of at least one metre square showing the stone, coursing, mortar, pointing and, where relevant, coping; render of all of the types of render to be used, of at least one metre square showing the texture and colour; and brickwork of all of the brick types to be used, each of at least one metre square showing the brick, bonding and pointing; shall be erected on site and approved in writing by the Local Planning Authority. The approved sample panels shall be kept on site for reference until the relevant work is complete. Details and samples of all roofing 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 agreed details and samples.

Reason

To ensure that the scheme is designed to a high standard in accordance with policy CS1 of the South Gloucestershire Local Plan: Core Strategy 2013.

11. The development must be completed exactly in accordance with the following plans:

All Received by Local Planning Authority 24th December 2015:

03 HR	Design Statement
9325-500-001-S2 Rev C	Topographical Survey
9325-500-001-S3 Rev C	Topographical Survey
9325-500-001-S4 Rev C	Topographical Survey
23279 HT-H577-AV-01	Plot 389
23279 HT-H577-AV-02	Plot 389
23499 HT-33/34-03	Plots 467, 468, 481 & 482
Micro Drainage Calculations	Dated October 2015
Landscape Management Plan	
Landscape Implementation	
C040/R4/v2	Updated Badger Mitigation Strategy
C040/R8/v1	Updated Ecology Survey and Mitigation Strategy
Arboricultural Assessment 2011	
D21 53 02 BS 5837	Updated Phase 4 Tree Survey Data

All Received by Local Planning Authority 16th June 2016:

23279 HT-BIN-01A	Bin/Cycle Store Details Plots 128-153 & 226-231
12727-SKC011F	Pickedmoor Brook Crossing 2

Received by Local Planning Authority 28th October 2016:

23279 PL-01A	Location Plan
23499 PL-10F	Parking Allocation Layout Phase 4
23499 SS-02 Rev E	Street Scenes Phase 4
23499 PL-04.2F	Materials Layout Phase 4
23279 HT-P314-01E	Plots 308-312, 349-351 & 357-360
23279 HT-T322-02E	Plots 280,281,297, 298, 315 & 316
23279 HT-H433-01A	Plot 384
23279 HT-H433-02C	Plot 384
23279 HT-H433-03B	Plots 288, 307 & 332
23279 HT-H433-04B	Plots 288, 307 & 332
23279 HT-H500-01B	Plot 277
23279 HT-H500-02C	Plot 277
23279 HT-H500-05B	Plot 272, 289, 300 & 302
23279 HT-H500-06B	Plot 272, 289, 300 & 302
23279 HT-H536*-01B	Plot 334
23279 HT-H536*-02B	Plot 334
23279 HT-H536*-03B	Plots 321 & 322
23279 HT-H536*-04B	Plots 321 & 322
23279 HT-H469-01B	Plots 287, 292, 299, 337 & 378
23279 HT-H469-02B	Plots 287, 292, 299, 337 & 378
23279 HT-H497-01C	Plots 365, 367, 369, 383, 386 & 390
23279 HT-H497-02C	Plots 365, 367, 369, 383, 386 & 390
23279 HT-H421-01C	Plot 291
23279 HT-H421-02B	Plot 291
23279 HT-H421-03C	Plots 290, 354, 356, 370 & 377
23279 HT-H421-04C	Plots 290, 354, 356, 370 & 377
23279 HT-H408-03D	Plots 270, 271, 320, 366 & 385
23279 HT-H408-04D	Plots 270,271, 320, 366 & 385

23279 HT-H577-01C	Plots 389
23279 HT-H577-02C	Plots 389
23279 HT-H577-03D	Plots 130, 278, 335, 368 & 379
23279 HT-H577-04D	Plots 130, 278, 335, 368 & 379
23279 HT-H408-AV-03C	Plots 381, 382 & 388
23279 HT-H408-AV-04C	Plots 381, 382 & 388
23279 HT-H421-AV-01A	Plot 304
23279 HT-H421-AV-02A	Plot 304
23279 HT-H421-AV-03A	Plot 347
23279 HT-H421-AV-04A	Plot 347
23279 HT-H469-AV-01C	Plots 306, 348, 363 & 380
23279 HT-H469-AV-02C	Plots 306, 348, 363 & 380
23279 HT-H497-AV-01C	Plots 128
23279 HT-H497-AV-02D	Plots 128
23279 HT-H479-AV-03A	Plots 129
23279 HT-H479-AV-04A	Plots 129
23279 HT-H536*-AV-01C	Plots 269 & 346
23279 HT-H536*-AV-02B	Plots 269 & 346
23279 HT-H536*-AV-03A	Plots 268 & 303
23279 HT-H536*-AV-04A	Plots 268 & 303
23279 HT-H577-AV-03C	Plots 364 & 387
23279 HT-H577-AV-04C	Plots 364 & 387
23279 HT-H597-01D	Plots 127, 279, 301, 323, 324 & 333
23279 HT-H597-02D	Plots 279, 301, 323, 324 & 333
23279 HT-H597-03D	Plots 127
23279 HT-H597-AV-01A	Plot 305
23279 HT-H597-AV-02A	Plot 305
23279 HT-DR-01E	Plots 142 & 143
23279 HT-NE-01E	Plots 154, 155, 158 & 159
23279 HT-BA-01G	Plots 236 & 237
23279 HT-BA-02D	Plots 195, 196, 208 & 209
23279 HT-FI-01F	Plots 185, 186, 217, 218-222 & 224
23279 HT-FI-02C	Plots 144 & 147
23279 HT-FI-03E	Plots 156, 157, 177 & 178
23279 HT-FI-04A	Plots 224 & 246-248
23279 HT-FI-05A	Plot 139
23279 HT-MO-01D	Plot 266
23279 HT-MO-02C	Plot 260
23279 HT-WO-01C	Plots 138, 145 & 146
23279 HT-WO-03D	Plots 132, 161-163, 166, 167, 170-173 & 210-213
23279 HT-WO-04D	Plots 261 & 262
23279 HT-HE-01D	Plot 225
23279 HT-HE-02D	Plots 131 & 160
23279 HT-HE-03C	Plots 174 & 214
23279 HT-HE-04E	Plot 137
23279 HT-HE-05A	Plot 263
23279 HT-CA-01C	Plot 258 & 259
23279 HT-CA-03D	Plots 264 & 265
23279 HT-TH-01A	Plot 267
23279 HT-TH-02C	Plot 235
23279 HT-TH-03D	Plot 257

23279 HT-TIV-01F	Plots 183 & 184
23279 HT-TIV-02B	Plots 201 & 202
23279 HT-TIV-03B	Plots 253 & 254
23279 HT-KIN-01B	Plots 133-136, 164, 165, 168 & 169
23279 HT-KIN-02D	Plots 215 & 216
23279 HT-KIN-03B	Plots 140 & 141
23279 HT-KIN-04A	Plots 255 & 256
23279 HT-KIN-05	Plot 223
23279 HT-15-01E	Plots 187, 188, 193, 194, 242, 243, 343-345, 361, 362 & 372-376
23279 HT-15-02G	Plots 175, 176, 203, 204, 234, 238, 239, 283, 284, 318, 319 & 327-331
23279 HT-15-03B	Plots 249 & 250
23279 HT-15-04A	Plots 251 & 252
23279 HT-16-01D	Plots 179-182, 197-200, 341, 342 & 371
23279 HT-16-02C	Plots 205, 273, 274, 282, 295, 296, 317, 340, 352 & 353
23279 HT-18-01D	Plots 206, 207, 275, 276, 293 & 294
23279 HT-33/34-02D	Plots 189-192, 232, 233, 240, 241, 244, 245, 285, 286, 313, 314, 325, 326, 338 & 339
23279 HT-APART-01E	Plots 148-153 & 226-231
23279 HT-GAR-01B	Garage Details DWH Sheet 1
23279 HT-GAR-02B	Garage Details DWH Sheet 2
23279 HT-GAR-03B	Garage Details DWH Sheet 3
23279 HT-GAR-04B	Garage Details DWH Sheet 4
23279 HT-GAR-05B	Garage Details DWH Sheet 5
23279 HT-GAR-06A	Garage Details Barratt Sheet 1
23279 HT-GAR-07A	Garage Details Barratt Sheet 2
23279 HT-GAR-08A	Garage Details Barratt Sheet 3
23499 HT-H500-01B	Plots 483 & 492
23499 HT-H500-02C	Plots 483 & 492
23499 HT-536-01B	Plots 495 & 496
23499 HT-536-02B	Plots 495 & 496
23499 HT-469-01B	Plots 397, 484, 485, 490 & 494
23499 HT-469-02B	Plots 397, 484, 485, 490 & 494
23499 HT-497-01B	Plots 488, 491 & 497
23499 HT-497-02B	Plots 488, 491 & 497
23499 HT-421-01A	Plot 499
23499 HT-421-02A	Plot 499
23499 HT-577-01A	Plot 498
23499 HT-577-02A	Plot 498
23499 HT-597-01A	Plots 493 & 500
23499 HT-597-02B	Plots 493 & 500
23499 HT-408-01B	Plots 398, 399, 475, 476, 486 & 478
23499 HT-408-02B	Plots 399, 475, 476, 486 & 478;
23499 HT-408-03A	Plot 398
23499 HT-421-AV-01B	Plot 392
23499 HT-421-AV-02B	Plot 392
23499 HT-433-01A	Plot 489
23499 HT-433-02A	Plot 489
23499 HT-433-AV-03A	Plot 396

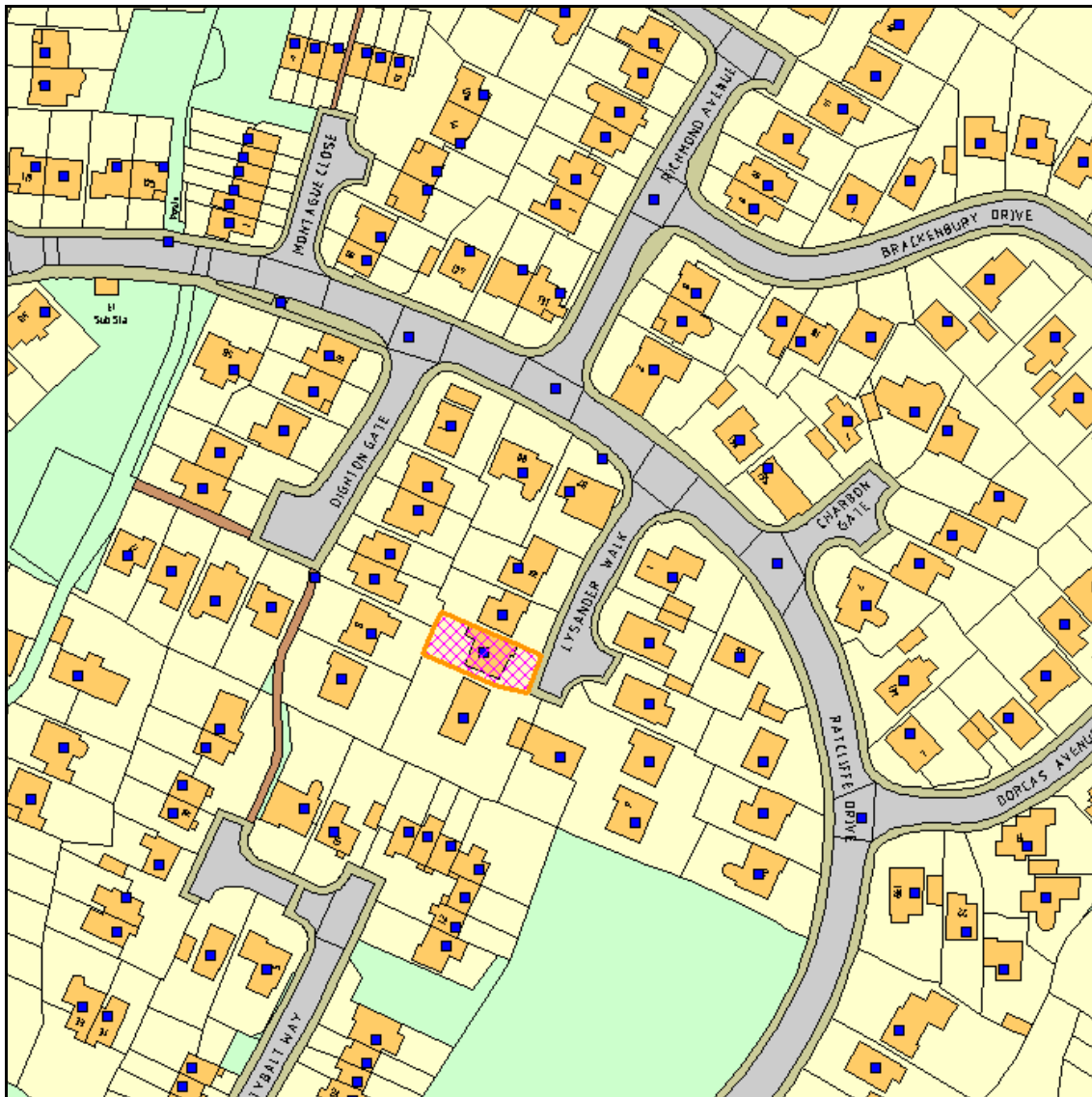
23499 HT-433-AV-04B	Plot 396
23499 HT-469-AV-01C	Plot 394
23499 HT-469-AV-02B	Plot 394
23499 HT-536*-AV-01A	Plots 391 & 395
23499 HT- HT-536*-AV-02C	Plots 391 & 395
23499 HT- HT-597-AV-01B	Plot 393
23499 HT- HT-597-AV-02A	Plot 393
23499 HT-BA-01E	Plots 447-449,465 & 466
23499 HT-BA-03E	Plots 408, 410, 427, 428, 436,445-446
23499 HT-FI-02C	Plot 450 & 451
23499 HT-MO-01C	Plots 429 & 452
23499 HT-WO-01B	Plots 409, 413, 414, 419, 420, 457 & 460-462
23499 HT-HE-01B	Plots 412, 421, 458, 459 & 464
23499 HT-CA-01D	Plots 411, 422, 424, 425, 426 & 456
23499 HT-TH-02C	Plots 423 & 463
23499 HT-PAD-01D	Plots 415-418
23499 HT-15-01B	Plots 402, 403, 430-433, 438, 439, 444 & 453-455
23279 HT-15-02A	Plots 469 & 477-480
23499 HT-16-01A	Plots 434
23499 HT-16-02A	Plots 401, 405-407 & 470-474
23499 HT-18-01B	Plot 404
23499 HT-33/34-02B	Plots 440-443
23499 HT-3B WC-01G	Plot 437
23499 HT-02 WC-01F	Plot 400
23499 HT-GAR-01C	Garage Details DWH Sheet 1
23499 HT-GAR-02C	Garage Details DWH Sheet 2
23499 HT-GAR-03A	Garage Details DWH Sheet 3
23499 HT-GAR-04A	Garage Details DWH Sheet 3
23499 HT-GAR-05A	Garage Details Barratt Sheet 1
23499 HT-GAR-06A	Garage Details Barratt Sheet 2
23499 HT-GAR-07A	Garage Details Barratt Sheet 3
23499 HT-GAR-08A	Garage Details Barratt Sheet 4
GL0001_A	Community Sports Pitch Specification
D21 53 P6 Phases 2 & 3 TPP A1	L(1)F Updated Phases 2 & 3 Arboricultural TPP Plan
D21 53 P6 Phase 4 TPP A1 LC	Updated Phase 4 Arboricultural TPP Plan
23499 PL-11C	Refuse Collection Layout Phase 4
23499 SE-01 Rev D	Street Section-A1
NT/PL951D	Enhanced Materials - Bays
NT/PL952E	Enhanced Materials - Flues, etc.
NT/PL953E	Enhanced Materials - Canopies 1
NT/PL954B	Enhanced Materials - Canopies 2
NT/PL955E	Enhanced Materials - Chimneys
NT/PL956	Enhanced Materials - Windows
NT/PL957	Enhanced Materials - Dormers
NT/PL958A	Enhanced Materials - Verges, Corbels & Eaves
Enhanced Materials Matrix	Dated 26th October 2016
All Received by Local Planning Authority 15th December 2016:	
23279 PL-02A	External Works Details Phases 2 and 3
23279 PL-03.1AE	Planning Layout Phases 2 and 3

23279 PL-04.1S	Materials Layout Phases 2 and 3
23279 PL-06.1 Rev H	External Works Layout Phases 2 and 3
23279 PL-06.2 Rev H	External Works Layout Phases 2 and 3
23279 PL-06.3 Rev H	External Works Layout Phases 2 and 3
23279 PL-06.4 Rev H	External Works Layout Phases 2 and 3
23279 PL-06.5 Rev H	External Works Layout Phases 2 and 3
23279 PL-06.6 Rev H	External Works Layout Phases 2 and 3
23279 PL-06.7 Rev H	External Works Layout Phases 2 and 3
23279 PL-10H	Parking Allocation Layout Phases 2 and 3
23279 SE-01G	Site Sections Phases 2 and 3
23279 SS-01H	Street Scenes Phases 2 and 3
23499 PL-03.2W	Planning Layout Phase 4
23499 PL.06.1F	External Works Layout Phase 4 1 of 3
23499 PL.06.2F	External Works Layout Phase 4 2 of 3
23499 PL.06.3F	External Works Layout Phase 4 3 of 3
12727-SKC027M	Phases 2 & 3 Engineering Layout 1
12727-SKC028M	Phases 2 & 3 Engineering Layout 2
12727-SKC029K	Phases 2 & 3 Drainage Layout 1
12727-SKC030K	Phases 2 & 3 Drainage Layout 2
12727-SKC031J	Phases 2 & 3 Tracking & Visibility Splays 1
12727-SKC032I	Phases 2 & 3 Tracking & Visibility Splays 2
12727-SKC033K	Phase 4 Drainage Layout
12727-SKC035J	Phase 4 Tracking & Visibility Splays
12727-SKC010J	Pickedmoor Brook Crossing 1
Micro Drainage Calculations	Phase 4 Updated
GL0001_14H	Soft Landscaping Proposals
GL0001_15H	Soft Landscaping Proposals
GL0001_16J	Soft Landscaping Proposals
GL0001_17J	Soft Landscaping Proposals
GL0001_18J	Soft Landscaping Proposals
GL0001_19J	Soft Landscaping Proposals
GL0001_20G	Soft Landscaping Proposals
GL0001_21G	Soft Landscaping Proposals
GL0001_22K	Soft Landscaping Proposals
GL0001_23K	Soft Landscaping Proposals
GL0001_13B	Public Open Space Assessment
12727-C012E	Pickedmoor Brook Crossing Elevation
12727-SKC034M	Phase 4 Drainage Strategy
12727-SKC042K	Phase 2 & 3 Tracking & Visibility
12727-SKC043K	Phase 2 & 3 Tracking & Visibility
GL0001_24E	Sports Pitch Drainage Layout
12727-SKC039J	Phase 2 & 3 S38 Adoption 1
12727-SKC040J	Phase 2 & 3 S38 Adoption 2
12727-SKC041I	Phase 4 S38 Adoption
23279 PL-11C	Refuse Collection Layout Phases 2 & 3
23279 CL-1D	Phase 1 - 4 Composite Layout
12727 SKC045 D	Phase 2-3 Road 6 Tracking
GL0001_26	No Dig Footpath Detail

Reason:
In the interests of completeness

CIRCULATED SCHEDULE NO. 01/17 – 6 JANUARY 2017

App No.:	PT16/4213/CLP	Applicant:	Ms Hannah Fraser
Site:	8 Lysander Walk Stoke Gifford Bristol South Gloucestershire BS34 8XE	Date Reg:	22nd July 2016
Proposal:	Application for a certificate of lawfulness for the proposed conversion of garage to living accommodation and erection of single storey rear extension.	Parish:	Stoke Gifford Parish Council
Map Ref:	362438 180311	Ward:	Stoke Gifford
Application Category:	Certificate of Lawfulness	Target Date:	13th September 2016



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 100023410, 2008. N.T.S. PT16/4213/CLP

1. THE PROPOSAL

- 1.1 The applicant is seeking a formal decision as to whether the proposed erection of a single storey rear extension at 8 Lysander Walk, Stoke Gifford would be lawful. Further the proposal seeks a formal decision as to whether the conversion of the garage to a habitable room is lawful.
- 1.2 The application is a formal way of establishing whether the proposal requires planning permission or not. Accordingly there is no consideration of planning merit; the decision is based solely on the facts presented.

2. POLICY CONTEXT

2.1 National Guidance

Town and Country Planning Act 1990 (As Amended) 1990 section 192 Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) Schedule 2, Part 1, Class A

The submission is not a planning application thus the Development Plan is not of relevance to the determination of this application; the decision rests upon the evidence that has been submitted. If the evidence submitted demonstrates that the proposed use is lawful on the balance of probabilities, the Local Planning Authority must grant a Certificate confirming that the proposed development is lawful.

3. RELEVANT PLANNING HISTORY

- 3.1 P84/0001/2 granted consent for the house and withdrew parts I and II of the 1977 general development Order and as such neither parts of the work are permitted development in this case.

PT07/1230/F Erection of first floor side extension and single storey rear extension to provide additional living accommodation approved 01.06.2007

4. CONSULTATION RESPONSES

- 4.1 Stoke Gifford Town Council
No Objection

- 4.2 Other Consultees

Councillor Ernie Brown
No objection

Transportation
No objection

Other Representations

- 4.3 Local Residents
No response received

5. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

- 5.1 Location plan 16-65/P/01
Combined Existing Plans 16-65/P/02 rev A
Proposed floor plan 16-65/P/03 Rev A
Proposed side and front elevations 16-65/P/04
Proposed side and rear elevations 16-65/P/05 Rev A
Proposed block plan 16-65/P/06
All plans received by the Council on 19/07/2016.

6. ANALYSIS OF PROPOSAL

6.1 Principle of Development

The application for a Certificate of Lawfulness is purely an evidential test and is a formal way of establishing whether or not the proposed development can be implemented lawfully without the need for planning permission. Accordingly there is no consideration of planning merit, the application is based on the facts presented. The submission is not an application for planning permission and as such the development plan is not of relevance to the determination of this application; the decision rests upon the evidence that has been submitted. If the evidence submitted demonstrates that the proposed use is lawful, on the balance of probabilities, the Local Planning Authority must grant a certificate confirming that the proposed development is lawful.

- 6.2 The key issue is to determine whether the proposal falls within the permitted development rights afforded to householders under Schedule 2, Part 1 of the GPDO 2015. However as P84/0001/2 withdrew parts I and II of the 1977 general development Order the replacement Schedule 2, Part 1 of the GPDO 2015 follows on from that previous order. As such neither parts of the work proposed at this house have the benefit of permitted development rights. For completeness the report goes on to look at the individual parts of the work and whether, had permitted development rights not been withdrawn, the works could have been permitted development.

- 6.3 The proposed development consists of a single storey rear extension and the erection of a wall and window within the garage door opening. This development would fall for consideration within Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015, which can permit the enlargement, improvement or other alteration of a dwellinghouse, provided it meets the criteria as detailed below:

A.1 Development is not permitted by Class A if –

- (a) Permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use)**

The dwellinghouse was not granted under Classes M, N, P or Q of Part 3. This criteria is met.

- (b) As result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);**

The total area of ground covered by buildings (other than the original dwellinghouse) would be less than 50% of the total area of the curtilage. This criteria is met.

- (c) The height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;**

The height of the rear extension would not exceed the height of the roof of the existing dwellinghouse. This criteria is met.

- (d) The height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;**

The height of the eaves of the rear extension would not exceed the eaves of the existing dwellinghouse. This criteria is met.

- (e) The enlarged part of the dwellinghouse would extend beyond a wall which—**

- (i) forms the principal elevation of the original dwellinghouse; or**
(ii) fronts a highway and forms a side elevation of the original dwellinghouse;

The extension would not extend beyond a wall which forms the principal elevation of the original dwellinghouse. The development therefore meets this criteria.

- (f) Subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and—**

- (i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or**
(ii) exceed 4 metres in height;

The application relates to a detached dwellinghouse. The proposed extension would extend around two metres beyond the rear wall. The development is 3.5 metres in height. The development therefore meets this criteria.

- (g) Until 30th May 2019, for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and—**

- (i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or**
- (ii) exceed 4 metres in height;**

Not applicable as the applicant is not applying for an extended householder extension through the prior approval procedure.

- (h) The enlarged part of the dwellinghouse would have more than a single storey and—**
 - (i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or**
 - (ii) be within 7 metres of any boundary of the curtilage the dwellinghouse opposite the rear wall of the dwellinghouse;**

The rear extension would be single storey.

- (i) The enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres;**

The height of the eaves does not exceed 3 metres. The development therefore meets this criteria.

- (j) The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would—**
 - (i) exceed 4 metres in height,**
 - (ii) have more than a single storey, or**
 - (iii) have a width greater than half the width of the original dwellinghouse; or**

The proposed single storey extension would attach to the extension granted in 2007 (PT07/1230/F). That extension, located behind the existing garage, was also adjoined to the side wall of the original dwellinghouse. Because the extension abutted the side of the original house, notwithstanding that it was also behind an original garage, the extension granted in 2007 (PT07/1230/F) has to be taken together with the current proposal. This means that the 'enlarged part of the dwelling' would have a greater width than half the width of the original dwellinghouse. Therefore the rear extension will require planning permission.

- (k) It would consist of or include—**
 - (i) the construction or provision of a verandah, balcony or raised platform,**
 - (ii) the installation, alteration or replacement of a microwave antenna,**

- (iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or
- (iv) an alteration to any part of the roof of the dwellinghouse.

The development would not include any of the above.

A.2 In the case of a dwellinghouse on article 2(3) land, development is not permitted by Class A if—

- (a) it would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles;
- (b) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or
- (c) the enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse.

The application site does not fall on article 2(3) land.

A.3 Development is permitted by Class A subject to the following conditions—

- (a) the materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;

As per the submitted plans the materials used in the exterior work would match the existing materials.

- (b) any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse must be—
 - (i) obscure-glazed, and
 - (ii) non-opening 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; and

Not applicable.

- (c) where the enlarged part of the dwellinghouse has more than a single storey, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse.

Not applicable.

7. RECOMMENDATION

- 7.1 That a certificate of Lawfulness for Proposed Development is **refused** for the following reasons:

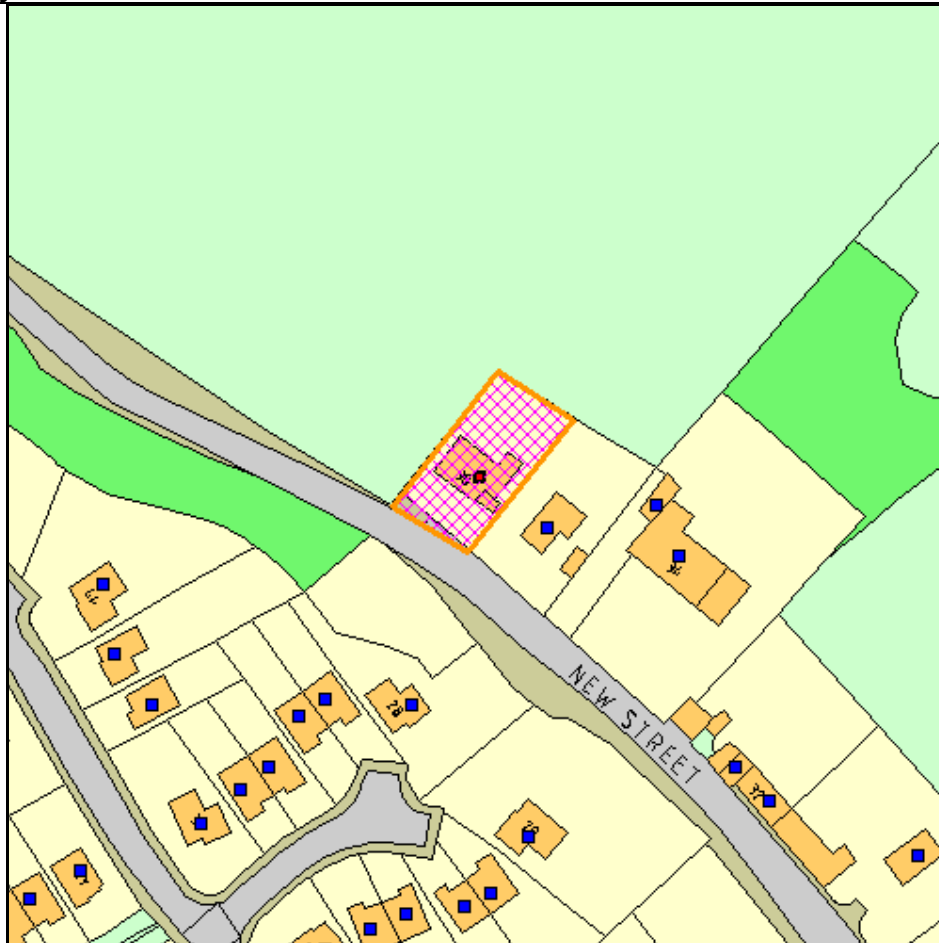
Contact Officer: Karen Hayes
Tel. No. 01454 863472

REASONS FOR REFUSAL

1. Permitted development rights were removed from the property under condition 4 to planning consent P84/0001/2 as it withdrew parts I and II of the Town and Country Planning General Development Orders 1977.
2. Evidence has been provided to demonstrate that on the balance of probabilities the rear extension proposed does not fall within permitted development for the curtilage of the dwellinghouse under Schedule 2, Part 1, of the Town and Country Planning General Permitted Development Order 2015 as it does not accord with Class A. (j), as the 'enlarged part of the dwelling' would have a greater width than half the width of the original dwellinghouse. The proposal does not therefore meet criterion 'j' and requires the benefit of planning permission.

CIRCULATED SCHEDULE NO. 01/17 – 6 JANUARY 2017

App No.:	PT16/6170/F	Applicant:	Mr David Morgan-Richards
Site:	38 New Street Charfield Wotton Under Edge South Gloucestershire GL12 8ES	Date Reg:	11th November 2016
Proposal:	Installation of rear dormer to facilitate loft conversion including rear balcony and raised decking area. Erection of single storey front and side extension to form additional living accommodation. Erection of detached double garage and alterations to vehicular access.	Parish:	Charfield Parish Council
Map Ref:	372242 192707	Ward:	Charfield
Application Category:	Householder	Target Date:	6th January 2017



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 100023410, 2008. N.T.S. PT16/6170/F

REASON FOR SUBMISSION TO THE CIRCULATED SCHEDULE

This application has been submitted to the Council's circulated schedule procedure as comments received have been contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the installation of a rear dormer window and balcony; a single storey front and side extension; the erection of garage and alterations to the existing site access including the erection of a 1.2 metres high timber gate. Further to this, the application includes a proposal for a raised decking area to the rear.
- 1.2 The application site is no. 38 New Street which is a bungalow of modest scale set back from highway at a lower height than the height the highway level. The host dwelling is the last dwelling on New Street within the Charfield settlement boundary, this is evident in there being an open field to the north and west of the application site.
- 1.3 An application for a similar development was submitted in 2016, however this application was withdrawn by the applicant after receiving feedback from officers that an element of the development was considered to be unacceptable.
- 1.4 The Council's Highway Record demarcates a section of the application site as 'Highway Land'. Specifically the section at the front of the site to the south of the hedgerow closest to the principal elevation of the Host dwelling. Notwithstanding this, it is understood that this section of land is within the ownership of the applicant.
- 1.5 Over the course of the application revised plans were submitted, such plans amended the proposed rear dormer and reduced the scale of the proposed garage (minimally). These amended plans were not considered to be significant enough to warrant a period of re-consultation.

2. POLICY CONTEXT

2.1 National Guidance

NPPF	National Planning Policy Framework March
PPG	Planning Practice Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility

South Gloucestershire Local Plan Adopted January 2006 Saved Policies

T12	Transportation
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H4 Development within Existing Residential Curtilages

South Gloucestershire Local Plan: Proposed Submission: Policies, Site and Places Plan, June 2016

PSP1	Local Distinctiveness
PSP2	Landscape
PSP8	Residential Amenity
PSP11	Development Related Transport Impact Management
PSP16	Parking Standards
PSP38	Development within Existing Residential Curtilages

The Proposed Submission Draft Policies Sites and Places Plan (PSP plan) is a further document that will eventually form part of the South Gloucestershire Local Plan. The PSP plan will set out new planning policies for South Gloucestershire. Submission and Examination of this plan is expected to take place in late 2016, with scheduled adoption in 2017. Accordingly, with regard to the assessment of this planning application limited weight is attached to the policies within the PSP plan at this time – weight grows as the plan progresses.

2.3 Supplementary Planning Guidance

Residential Parking Standard SPD (Adopted) December 2013

South Gloucestershire Design Checklist SPD (Adopted) August 2007

3. **RELEVANT PLANNING HISTORY**

- | | | | |
|-----|-------------|-----------|------------|
| 3.1 | PT16/3640/F | Withdrawn | 07/09/2016 |
|-----|-------------|-----------|------------|
- Installation of rear dormer to facilitate loft conversion. Erection of single storey front extension to form additional living accommodation. Erection of two storey detached double garage with 1no french doors and Juliet balcony. Creation of new vehicular access on to 38 New Street and installation of new access gates of no more than 1.8m high.
- | | | | |
|-----|-------|-------------------------|------------|
| 3.2 | N8822 | Approve with Conditions | 11/08/1983 |
|-----|-------|-------------------------|------------|
- Erection of second storey extension to form 4 bedrooms, bathroom and landing.

From visiting the site it is evident that this planning permission was never implemented, as such it is not considered to represent an extant planning permission that can be implemented.

4. **CONSULTATION RESPONSES**

- | | |
|-----|---------------------------------|
| 4.1 | <u>Charfield Parish Council</u> |
|-----|---------------------------------|
- None received.
- | | |
|-----|------------------------------|
| 4.2 | <u>Sustainable Transport</u> |
|-----|------------------------------|
- No objection, a sufficient level of car parking is proposed and the access appears to remain unchanged.

Notwithstanding this comment, officers find it relevant to include a former comment submitted by the Council's Sustainable Transport Team with regard to the previously submitted application at the site. The Sustainable Transport Team previously objected to a similar proposal at the site as the development encroached onto 'highway land'.

Other Representations

4.3 Local Residents

One letter has been submitted to the Local Planning Authority with regard to this proposal, this letter was in objection to the development. Such comments have been summarised below:

- No objection to the extension and improvement of the existing building, however, the current proposal's scale and design does not in-keep with the existing building, plot or street scene. The development must accord with the NPPF and Policy CS1 of the Core Strategy.

Rear dormer:

- It will be visible from New Street (after the right hand bend);
- Proposed north and west elevation out-of-keeping with the character of the existing bungalow due to its scale;
- The choice of materials is incongruous;
- Increasing the ridge height is not acceptable;
- The proposal would appear incoherently and inconsistently designed with the building as a whole.

First Floor Balcony

- Overlooking – rear garden of no. 36 New Street – loss of privacy.

Double Garage

- The proposed garage would extend across the front of the existing dwelling and would obscure approximately half of the bungalow's frontage with the road;
- The double garage would sit higher than the existing dwelling.

5. ANALYSIS OF PROPOSAL

5.1 This application seeks planning permission for a number of works to an existing residential dwelling, and also alterations to an existing access and the erection of a garage. The application site falls within a designated settlement boundary and has no other designations relevant to this planning application.

5.2 Principle of Development

Policy CS1 'High Quality Design' of the South Gloucestershire Core Strategy (adopted December 2013) states development proposals will only be permitted if the highest possible standards of site planning and design are achieved. Meaning developments should demonstrate that they: enhance and respect the character, distinctiveness and amenity of the site and its context; have an appropriate density and well integrated layout connecting the development to

wider transport networks; safeguard and enhance important existing features through incorporation into development; and contribute to strategic objectives.

- 5.3 In addition to this, high quality design is seen as a 'key aspect of sustainable development...indivisible from good planning' within paragraph 56 of the NPPF, this paragraph goes on to state that good design contributes positively to 'making places better for people'. In a similar vein, paragraph 57 of the NPPF makes the case that all development should achieve high quality design, 'including individual buildings'.
- 5.4 Saved Policy H4 of the South Gloucestershire Local Plan (adopted January 2006) is supportive in principle of development within the curtilage of existing dwellings. This support is provided proposals respect the existing design; do not prejudice residential and visual amenity, and also that there is safe and adequate parking provision and no negative effects on transportation.
- 5.5 Overall residential development at the application site is acceptable in principle subject to the considerations set out above.
- 5.6 Design and Visual amenity
Saved policy H4 of the adopted Local Plan requires development within existing residential curtilages to respect the massing, scale, proportions, materials and overall design and character of the existing property and the character of the street scene and surrounding area. Policy CS1 of the Core Strategy only permits development where the highest possible standards of design and site planning are achieved. Development proposals will be required to demonstrate that siting, form, scale, height, massing, detailing, colour and materials, are informed by, respect and enhance the character, distinctiveness and amenity of both the site and its context.
- 5.7 The existing dwelling is situated within a prominent position at the edge of built-out section of New Street, the dwelling is positioned just within the boundary of the Charfield settlement boundary. To the north and west of the application site is open countryside and this is reflected through the surrounding agricultural field. The dwelling's principal elevation is set back from the highway in line with the adjacent dwelling to the east, indeed this distance between the highway and the principal elevation forms an important feature which contributes to both the character of the application site and the wider area. Within this gap is a small parking area between two small hedges and a front garden. A prominent feature of the application site is the fact that the floor level of the host dwelling is set at a much lower level than the adjacent highway, meaning the intervening land level between the highway and the host site slopes down toward the principal elevation.

Proposed Garage

- 5.8 The proposed garage is located to the front of the principal elevation of the host unit, set back by approximately 0.6 metres from the highway. The eaves height of the garage are slightly higher than the eaves of the host unit, and the ridge line of the garage would be just below the ridge height of the existing bungalow.

The reason for the height of the garage is the applicant intends for the garage to have a room within the roof space. The garage would be positioned to the front of the at least a third of the principal elevation, meaning the existing/proposed front lounge window would be blocked in its entirety, this is a signifier of poor site planning. Further to this, due to the scale, position and comparative ground levels of the proposed garage and site, the proposed building would loom over the existing bungalow in an uncomfortable manner that would materially harm the character of the application site. Turning to its position in specific relation to the street scene, officers consider that the dwelling's scale and position would represent an incongruous feature within the street scene that would harm the existing rural character of New Street. Especially given the open character of the application site to the front.

- 5.9 Overall, due to the scale, form, positioning and height of the proposed garage, the development would sit uncomfortably with that of the host unit as the garage would more prominent than the garage within the street scene.
- 5.10 The garage is proposed to be clad in timber boarding which the applicant suggests to be agricultural in style in order to in-keep with its surroundings. Officers find this choice of material to be harmful to the character of the application site, and immediate street scene. As established, the proposed garage is within a prominent position in relation to the host dwelling and street scene. The elevations clad in timber boarding represents a choice of material which fails to be informed by the area, as such it would likely appear as a visually incongruous feature if approved.
- 5.11 In itself this material choice should not represent a reason to refuse the development, as an appropriately worded condition could overcome this issue through requiring an appropriate material. However, the siting, form, scale, height and massing of the proposed garage fail to be informed by, or to respect or enhance the character, distinctiveness and amenity of both the site and its context. Accordingly, the proposed garage should be refused as it is contrary to the requirement of policies CS1 and CS34 of the Core Strategy, the design requirements of policy H4 of the Local Plan, and also the requirements of section 7 of the NPPF 'Requiring Good Design'.

Proposed Access Alterations

- 5.12 The existing area between the existing wall/hedge and hedge abutting the highway is used for car parking, and appears to have done so for in excess of 10 years (aerial photograph records shows a near-identical situation to the existing in 1991). Accordingly, this proposal does not include the change of use of highway land to residential land, as it appears this section of land has long functioned as part of the residential curtilage of the host unit.
- 5.13 The proposed access gates require express planning permission as they are over 1 metre in height (1.2 metres). The gates are proposed to be five bar timber gates opening into two sections. Given the height and material choice of the gates, the proposed gates in themselves are considered to be acceptable. The gates will enclose a section to the front of the dwelling and a small hedge will also be removed.

The removal of the hedge does not require express planning permission, and gates 1 metre or less could be erected in a similar position having the same enclosing effect as proposed. Given this, the gates enclosing impact is acceptable. It is expected that further hardstanding will need to be laid to provide further parking, a condition will be imposed that requires any new hardstanding to be bound and permeable in order to ensure effective drainage and to avoid material being carried over onto the highway. Overall, whilst the enclosure of the area to the front is regrettable, the applicant could do so without the requirement of express planning permission, and as such officers do not find it reasonable to resist this element of the proposed development.

Proposed Rear Dormer, Balcony and Decking

- 5.14 Originally, the proposed dormer window increased the ridge line of the dwelling, this has been removed the maximum height of the dormer now sits level with the ridge line of the host dwelling. The proposed dormer is a box-dormer which extends for approximately two thirds of the roof elevation. Whilst the box-dormer's bulky form is not overly attractive, the principle of such a form is established by the fact that it is achievable through Class B of Part 1 to Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO).
- 5.15 The dormer's rear elevation will effectively be flush with that of the existing ground floor rear elevation, this results in the absence of any identifiable eaves line. This is considered to be a negative aspect of the proposal, but in itself an insufficient reason to refuse the box-dormer. The dormer elevations would be finished in timber cladding, which as reflected above in the assessment of the proposed garage is a relatively incongruous within the street scene and application site. However, in this situation the dormer is at the rear and would only be visible from the field to the rear, and through filtered views when approaching from the north west along New Street. In this case, officers find this material to be acceptable given the secluded nature of the rear elevation.
- 5.16 Immediately to the rear of approximately 50% of the rear elevation of the proposed dormer is a small balcony area which is considered acceptable, as is the proposed decking area at ground floor level.
- 5.17 Overall given that a rear box-dormer of a similar design could be erected without the need of express planning permission, and the position of the dormer window itself at the rear, officers find this element of the development to acceptable in design terms.
- 5.18 Residential Amenity
Saved policy H4 of the adopted Local Plan aims to ensure that residential development within established residential curtilage does not prejudice the residential amenity of any neighbouring occupiers.
- 5.19 The proposed rear dormer would not give rise to a material loss of privacy to the nearby residential occupiers of no. 36, this is due to the orientation of the existing dwelling and the proposed dormer.

The proposed balcony could result in a platform where residents of no. 38, the host unit, could have views in to the rear garden of the adjacent unit. To avoid this, a condition will be imposed that requires an obscure screen to be positioned on the side (south eastern) elevation of the balcony.

5.20 Overall, subject to the discussed condition, officers do not find that the proposed development would materially harm the residential amenity of any nearby occupiers.

5.21 Transport and Parking

The proposal, if approved, would result in three bedrooms, meaning to accord with the Council's residential parking standard, two off-street car parking spaces are required to be provided within the residential curtilage of the host unit. Regardless of the proposed garage, which officers object to (see Design and Visual Amenity section), there is adequate opportunity to provide two car parking spaces at the site. As such, a condition shall be included that requires a minimum of two off-street car parking spaces to be introduced prior to the occupation of the development approved, and thereafter retained.

5.22 Officers note that the garage is proposed to be located within highway land, and regardless of the garage the applicant is intending to use this space for car parking, as historically it has been used. The development of highway land cannot be considered to be unacceptable in principle, there must be a policy-related reason or material consideration to resist such development. Officers can find no such reason, the development of this section of land is not materially harmful to the highway safety in the immediate area, especially given the existing use of this section of land.

5.23 The proposed gates at the site have the opportunity to open out into the highway that would likely obstruct traffic. As such a condition should be included that requires that the gates only open inwards.

5.24 Planning Summary

The proposed garage is considered to be an unacceptable feature of this development, however, the remaining aspects of the proposal area considered appropriate. The Local Planning Authority can issue a split decision where a particular aspect of a scheme is acceptable, and another is not, this is provided the aspects are distinct and severable. Officers find the proposed garage to be an aspect of the development that is suitably distinct and easily severable from the wider development. Accordingly, officers find that the proposed garage should be refused, and the remaining aspects of the development approved.

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 As reflected throughout this report, the proposed single store rear extension is considered to be acceptable, whereas the proposed first floor front extension has been established to be harmful to the residential amenity of the occupiers of no. 2 Hampshire Way.
- 6.3 Accordingly, the recommendation to **refuse** permission for the proposed garage; and to **approve** the rear dormer window, balcony, raised decking and access alterations; has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

7.1 SPLIT DECISION.

Contact Officer: Matthew Bunt
Tel. No. 01454 863131

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. Any new hardstanding to be required for vehicular parking shall be formed of a permeable and bound material.

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.
3. Prior to the first occupation of the development hereby approved, a 1.8 metre high obscure screen shall be erected on the south eastern elevation of the hereby permitted balcony. For the avoidance of doubt the screen shall be for the entire depth of the balcony.

Reason
To protect the privacy and amenity of neighbouring occupiers, and to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006; and the National Planning Policy Framework.
4. Prior to the first occupation of the hereby permitted dwelling, and at all times thereafter, at least two off-street car parking spaces shall be provided within the residential curtilage of the permitted dwelling. Each car parking space must measure at least 2.4 metres by 4.8 metres.

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. The gates hereby approved shall only open inwards, and not outwards into the public highway.

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.

REFUSAL REASON

1. The siting, form, scale, height and massing of the proposed garage fail to be informed by, or to respect or enhance the character, distinctiveness and amenity of both the site and its context. This evident in as the proposed garage would loom over the existing modestly sized bungalow in an uncomfortable manner where the garage would represent the more prominent feature within the street scene when compared to the host dwelling. Overall, the proposed garage results in a materially harmful impact on the character of the host dwelling, application site and street scene, and as such the garage is considered to represent an unacceptable standard of design that fails Policies CS1 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006, and the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 01/17 – 6 JANUARY 2017

App No.:	PT16/6187/F	Applicant:	Crown GolfCrown Golf
Site:	Bristol Golf Club St Swithins Park Blackhorse Hill Easter Compton South Gloucestershire	Date Reg:	11th November 2016
Proposal:	Erection of single storey greenkeepers building with storage for plant and machinery, parking and associated works. Erection of 2.1 metre high boundary fence and gates.	Parish:	Almondsbury Parish Council
Map Ref:	358458 181626	Ward:	Almondsbury
Application Category:	Minor	Target Date:	4th January 2017



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 100023410, 2008. **N.T.S.** **PT16/6187/F**

REASONS FOR REPORTING TO CIRCULATED SCHEDULE

The application has been subject to a representation contrary to the findings of the following report. Under the current scheme of delegation it is required to be taken forward under circulated schedule as a result.

1. THE PROPOSAL

- 1.1 The proposal seeks erect a single storey building to serve as a greenkeepers store, plant and machinery and to erect a 2.1 metre boundary fence and gates.
- 1.2 The subject property is a golf club set in substantial grounds that is located between Cribbs Causeway, Easter Compton and Over. The property has a clubhouse to the south-west of the proposed site and an existing greenkeepers building to the northern boundary that is shared with the adjacent Hydrock complex. The existing clubhouse is a substantial 2 storey building with various roof pitches and the greenkeepers building is a large modern industrial unit formed of a double apex building with corrugated cladding and roof. The existing greenkeepers space occupies around a ¼ of the structure and is served by a modest yard to the south-east.
- 1.3 The site is on a gradient that increases to the north and east and towards the M5 motorway embankment.
- 1.4 Permission has been granted for similar proposals on a number of occasions in the past. This scheme is identical to a scheme permitted in 2013 for which the permission has now lapsed.
- 1.5 The subject property is located within the Bristol/Bath Greenbelt to the north of the Cribbs Causeway Retail Park.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012
National Planning Policy Guidance 2014

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

- CS1 High Quality Design
- CS4a Sustainable Development
- CS5 Location of Development
- CS8 Improving Accessibility
- CS9 Managing the Environment and Heritage
- CS23 Community Infrastructure

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

- T8 Parking Standards
- T12 Transportation
- LC5 Sports and Leisure Facilities Outside of the Existing Urban Areas

LC9 Protection of Open Space and Playing Fields
 L1 Landscape Protection and Enhancement

South Gloucestershire Local Plan: Proposed Submission: Policies, Sites and Places Plan June 2016

PSP1 Local Distinctiveness
 PSP2 Landscape
 PSP3 Trees and Woodland
 PSP7 Development in the Greenbelt
 PSP8 Residential Amenity
 PSP11 Transport
 PSP16 Parking Standards
 PSP19 Wider Biodiversity
 PSP20 Flood Risk, Surface Water and Watercourse Management
 PSP44 Outdoor Sport and Recreation Outside Development Boundaries

- 2.3 Supplementary Planning Guidance
 Design Checklist SPD (Adopted) 2007
 Development in the Greenbelt SPD (Adopted) 2007

3. RELEVANT PLANNING HISTORY

St Swithins Farm, Westbury on Trym	N5401	Full	Refusal	02/08/1979	Construction of Earth Embankment
St Swithins Farm, Cribbs Causeway	P88/1280	Full	Approval	01/07/1988	Construction of Noise Bund (in accordance with the amended plans received by the council 29th March and 18th May 1988)
St Swithins Farm, Cribbs Causeway	P93/1705	Full	Approval	11/08/1993	Construction of noise bund
St Swithins Farm, Cribbs Causeway	P94/1410	Full	Approval	08/02/1995	Change of use of 200 acres of agricultural land to golf course.
St Swithins Farm, Cribbs Causeway	P94/2122	Full	Approval	08/02/1995	Extensions and alterations to facilitate change of use to Golf Club. Construction of Car Park.

St Swithins Farm, Cribbs Causeway	P94/2123/L	Listed Building Consent	Approval - Listed Building	08/02/1995	Works of demolition, alterations and extension to facilitate change of use to golf Clubhouse.
Bristol Golf Club, St Swithins Farm, Almondsbury	P990/2351	Full	Approval	18/10/1999	Erection of extension to conservatory (as revised by agents letter dated 19th October 1999) to clubhouse (alteration of scheme approved under planning permission reference P94/2122).
Bristol Golf Club, St Swithins Farm, Almondsbury	P99/2352/L	Listed Building Consent	Approval - Listed Building	18/10/1999	Works to facilitate extension to golf club house, including erection of extension and conservatory.
The Bristol Golf Club, St Swithins Farm, Almondsbury	PT00/0650/ADV	Advertisement Consent	Approved with Conditions	12/04/2000	Siting of 2 no flagpoles displaying 2 no flags (1 no Bristol Golf Club Emblem and 1 no for visiting clubs or societies).
The Bristol Golf Club, St Swithins Farm, Almondsbury	PT00/0486/LB	Listed Building Consent	Approved with Conditions	05/06/2000	Extension to club house comprising of golf facilities and internal alterations to extension and building.
The Bristol Golf Club, St	PT00/0484/F	Full	Approved with	05/06/2000	Extension to club,

Swithins Farm, Almondsbury			Conditions		comprising of golf facilities and internal alterations to existing building.
The Bristol Golf Club Ltd, St Swithins Farm, Almondsbury	PT00/0677/F	Full	Approved with Conditions	01/09/2000	Erection of equipment shed.
The Bristol Golf Club, St Swithins Farm, Almondsbury	PT00/2640/F	Full	Approved with Conditions	07/03/2001	Erection of golf professional's building and irrigation plant room. (In accordance with the amended plan received by the council on 27th November 2000).
Land at St Swithins Farm, Blackhorse Hill, Easter Compton	PT01/0786/F	Full	Approved with Conditions	30/04/2001	Replacement of existing 20m high monopole with 20 metre high lattice mast.
St Swithins Farm House, Blackhorse Hill, Easter Compton	PT02/1462/F	Full	Approved with Conditions	10/06/2002	Installation of replacement head frame and six antennas on existing 20 metre monopole
Bristol Golf Club, St Swithins Farm, Almondsbury	PT02/3573/F	Full	Approved with Conditions	17/03/2003	Installation of replacement head frame and six antennas on existing 20 metre monopole
The Bristol Golf Club, St Swithins Park, Blackhorse Hill, Almondsbury	PT04/2637/TMP	Temporary Permission	Approved with Conditions	08/09/2004	Retention of temporary building to form professional shop and plant room.

Adjacent to Over Lane (B4055)	PT04/0143/F	Full	Approved with Conditions	19/11/2004	Construction of 9 hole golf course and outdoor sports facility. Erection of Clubhouse and groundsman's store (resubmission of PT03/1593/F).
The Bristol Golf Club, St Swithins Park, Blackhorse Hill, Almondsbury	PT05/3377/F	Full	Approved with Conditions	03/02/2006	Erection of an equipment shed.
Bristol Golf Club, Blackhorse Hill, Almondsbury	PT08/0207/F	Full	Approved with Conditions	21/07/2008	Installation of 4 no. floodlights to roof of driving range and installation of three ground mounted floodlights. (re-submission of PT07/0446/F).
The Bristol Golf Club, St Swithins Park, Blackhorse Hill, Almondsbury	PT10/2394/F	Full	Approved with Conditions	04/01/2011	Erection of greenkeepers building for storage of plant and machinery with associated parking and works. Erection of 2.1 metre high boundary fence and gates.
Bristol Golf Club, St Swithins Park, Almondsbury	PT13/2652/F	Full	Approved with Conditions	03/12/2013	Erection of greenkeepers building for storage of plant and machinery with associated parking and works. Erection of 2.1 metre

					high boundary fence and gates.
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4. CONSULTATION RESPONSES

4.1 Almondsbury Parish Council
No Comment Received

4.2 Other Consultees

Lead Local Flood Authority

No objection in principle but request the submission of further information prior to commencement related to SUDS.

Highway Structures

If the application includes a boundary wall alongside the public highway or open space land then the responsibility for maintenance for this structure will fall to the property owner

Transport Officer

No objection subject to the appendage of a condition requiring submission of details for approval.

Landscape Officer

No objection to the revised application as it is very similar to that previously approved.

Tree Officer

No objection subject to works being carried out in accordance with the revised arboricultural report.

Other Representations

4.3 Local Residents

One comment received objecting to the proposal on the basis that there is an existing building near the location and the proposal would have an impact on local ecology.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Section 8 of the NPPF (2012) is supportive of recreational and sporting developments and CS23 of the Core Strategy states the Council and partners will work to provide additional, extended or enhance community infrastructure and encourage participation in cultural activity. Saved Policy LC5 states that development of sports facilities outside the existing urban areas will be permitted provided that they are well located and highly accessible by public transport, foot and by bicycle; development would not unacceptably prejudice residential amenities; development would not have unacceptable environmental

or transportation effects; and development would not give rise to unacceptable levels of street parking to the detriment of the amenities of the surrounding area and highway safety.

5.2 The NPPF states certain development in the Greenbelt is considered acceptable subject to an assessment of its impact; this includes provision of appropriate sports and recreation facilities so long as it does not conflict with the purposes of including land within the Greenbelt. The South Gloucestershire Development in the Greenbelt SPD (2007) is supportive of the development of essential sports facilities in the Greenbelt. The proposal is subject to the consideration below.

5.3 Greenbelt

As already mentioned the proposal is for improvements to an existing sports facility that provides for an established Golf Club. The grounds have a number of existing buildings and permission has previously been permitted for identical schemes in the past including in 2013. This permission has now lapsed following three years from the date of determination.

5.4 The proposals seek to erect a detached greenkeepers building that will provide storage, plant and machinery and associated facilities. The proposal also seeks to introduce a 2.1 metre boundary fence around the proposed compound. The proposal will be located on the north-eastern boundary of the site. Part of this site falls into the Over Court Site of Nature Conservation Interest (SNCI), which is designated for its ancient woodland, calcareous grassland and neutral grassland habitats.

5.5 The use of the Golf Course was originally permitted in 1995 from its former use as agricultural land. As aforementioned a number of permissions have already been granted on similar schemes. The more recent two of these applications are formed of identical schemes. Furthermore the most recent application (PT13/2652/F) was assessed under the same basic policy context. At the point the previous permission was granted, the Core Strategy, though not officially adopted had been put past the inspector and was subject to the amendments recommended. As a result no material changes in the policy were expected and it would have been given material weight in any assessment. Given this consideration the proposal would be considered to be acceptable in principle.

5.6 One comment has been received objecting to the proposal on the basis that there is an existing building and the new building would cause too much damage to the local wildlife habitat. The proposal seeks to erect a store for greenkeeping equipment and the everyday maintenance of the site. The current arrangement of the site provides a proportion of an existing building for the same purpose. This situation is not ideal as the facilities are shared with Hydrock, which occupies a nearby site and leases some floorspace to the club. Around 75% of this building is occupied by Hydrock and is separated from the Golf Courses facilities by internal partitioning that does not match the height of the building. Upon site inspection it became apparent that due to the number of pieces of plant and machinery that require storage additional floor space would also be required.

Furthermore in order to provide secure facilities for more valuable items, storage containers were being utilised within the building, suggesting that the existing facility is unsecure and not fit for purpose. On this basis it is seen as unreasonable to refuse on these grounds. The impact on wildlife is discussed in detail within the Ecological considerations below.

5.7 A golf club is considered to be an appropriate use within the greenbelt as it preserves the openness of it. Therefore, essential facilities required in connection with the operation of the golf club would not be considered to conflict with the purposes of adopted greenbelt policy. Due to the value of the plant and machinery that will be stored it is also reasonable to expect that it should be accommodated within a secure building entirely within the applicant's control. The building will be situated on the boundary of the site, in what is not considered to be a visually prominent location. The proposal is also located in relatively close proximity to the existing building to the north-west of the subject site in order to minimise impact on openness.

5.8 Overall the proposal is considered to constitute appropriate development in the greenbelt as it would provide essential facilities for outdoor sports. In addition the proposal is not considered to have any worse an impact on the landscape and visual amenity of the site than that of the identical development permitted in 2013. Given this consideration the proposal is viewed to accord with policies CS5 and CS23 of the Core Strategy, the Development in the Greenbelt SPD (adopted) June 2007 and the provisions of the NPPF (2012).

5.9 Landscape

The application is a resubmission of a previously approved scheme. There was no objection to the earlier scheme in relation to landscape. The current application is sited in the same location and comprises the same structure and detailing. The proposal utilises external facing materials of colours that should blend relatively well with the surrounding landscape, consequently the landscape officer has no objection to the proposal subject to the tree officer being satisfied with the arboricultural survey and method statement; this is discussed below. Overall there is no objection with regard to policies CS1 or L1.

5.10 Ecology and Arboriculture

The application site lies partially within the Over Court SNCI and nearby ponds provide suitable habitats for Great Crested Newts which are a European Protected Species. Due to the location of these protected habitats in relation to the proposed site there was concern that the proposal would result in blocking of an important wildlife corridor. An objection was received in relation to the proposals impact on local wildlife. The application has been supported by an ecological assessment that appropriately identifies these sensitivities as well as providing a precautionary method statement that includes the provision of a wildlife corridor of around 9 metres to the north of the compound and appropriate fencing. The ecological officer holds no objection to the resubmitted proposal on the basis of the information provided and consequently the scheme is seen as acceptable with regard to adopted ecological policy and guidance, subject to the appendage of a condition requiring works to be carried out in accordance with the assessment produced by 'Reports 4 Planning'.

- 5.11 There are also a number of mature trees within relatively close proximity to the site. These provide a degree of visual amenity as well as a habitat for local flora and fauna. The Arboricultural report originally submitted in support of the application was not found to accord with British Standard BS5837:2012. A revised report was requested and has been provided. The tree officer no longer holds objection to the proposal subject to any works relating to the trees to be carried out in accordance with Arboricultural method statement and that an Arboricultural Consultant is present throughout the installation of the cellular confinement system and that a report including photographs recording the operation is submitted to the local authority upon completion. Subject to the recommended conditions there is no objection with regard to arboriculture.
- 5.12 Design
Development will only be permitted where good standards of site planning and design are achieved. Policy CS1 of the Core Strategy and the Design Checklist SPD set out the Council's position on design. Acceptable development proposals must demonstrate the designs are informed by, respect and enhance the character, distinctiveness and amenity of the site and its context. In doing so, the design should be informed by its surrounding area in relation to character, materials, colour, scale and detailing.
- 5.13 The proposed structure will have a basic form of construction comprised of a portal frame with profiled green cladding and profiled grey sheeting to the roof. This is not considered to be an unusual form of construction for the development proposed, nor is unusual for the rural area in which it is located. Furthermore the colour of the materials selected should aid the structure in blending with the surrounding landscape. The proposal will be relatively close to the existing Hydrock building; which is of a similar form of construction and the proposal is therefore viewed as in keeping with the area.
- 5.14 Overall the proposal is seen as having an acceptable quality of design and is viewed as being in accordance with Policy CS1 of the Core Strategy.
- 5.15 Residential Amenity
The proposal is for improvements to a sports facility outside the existing settlement boundary. As such it would be required to adhere to the provisions of Saved Policy LC5 of the adopted Local Plan (2006). This states that development should be permitted provided that it would not unacceptably prejudice residential amenity, highway safety or the environment.
- 5.16 The proposal seeks to provide improved facilities for the maintenance of the existing site. As a result of the proposal it is not considered any more operations will be taking place on site and therefore there would be no additional light or noise pollution stemming from the development.
- 5.17 The proposal is not likely to be a major traffic generator itself and as it is located away from the public entrance to the site and car parking would not be considered to have any impact on the number of trips to and from the site. The subject site as it within a golf course is located a significant distance from the nearest residential property.

Given this separation distance the proposal is not considered to have any impact on the amenity of nearby occupiers as a result of overbearing and the associated loss of light or privacy.

5.18 Transport

The proposal seeks to improve the existing facilities. Following development it is not thought that there would be a significant number of additional users and the building and yard will only provide parking to the greenkeepers and their equipment. The site is located on a private lane entirely contained within the Golf Club. The proposal is identical to a previously approved scheme and the transport officer does not hold an objection to the proposal meaning it is in accordance with Policies LC5 and T12.

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 (Adopted) January 2006 and the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

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

Contact Officer: Hanni Osman
Tel. No. 01454 863787

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. All works relating to trees are to be carried out in accordance with Arboricultural method statement forming section 4.5 of the Arboricultural Report received by the Local Planning Authority on the 6th December 2016. It is a requirement that the Arboricultural Consultant is present throughout the installation of the cellular confinement system and that a report including photographs recording the operation is submitted to the local authority upon completion.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of the health and visual amenity of the tree(s), and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

3. All works to be carried out in accordance with the precautionary method statement forming Appendix 1 of the ecological assessment dated 10th October 2016 by Reports 4 Planning. This will include the maintenance of a semi-natural buffer on the north-eastern boundary of the site. All works are to be carried out in accordance with said statement.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of the preservation of local wildlife and habitats, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

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

Reason

To comply with Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and National Planning Policy Framework 2012. This condition is required prior to commencement as it relates to the impact of the completed development.

5. Prior to the commencement of the development hereby approved an ecological management plan for the semi-improved grassland forming part of Over Court SNCI be drawn up and agreed with the Council in writing. All works are to be carried out in accordance with said plan.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of the preservation of local wildlife and habitats, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework. This condition is required prior to commencement as the works hereby permitted may impact the Over Court Site of Nature Conservation Interest.

CIRCULATED SCHEDULE NO. 01/17 – 6 JANUARY 2017

App No.:	PT16/6339/CLE	Applicant:	Mr R Moreton
Site:	Land Adjacent To New Cottages Townwell Cromhall Wotton Under Edge South Gloucestershire GL12 8AH	Date Reg:	24th November 2016
Proposal:	Application for a Certificate of Lawfulness to confirm drainage works which commenced on site on 31st October (in line with condition 3 of application ref. PT16/4003/RVC) constitute development and therefore a material start on site.	Parish:	Cromhall Parish Council
Map Ref:	369630 190644	Ward:	Charfield
Application Category:	Certificate of Lawfulness	Target Date:	16th January 2017



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 100023410, 2008. N.T.S. PT16/6339/CLE

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application is referred to the circulated schedule in accordance with the Council's scheme of delegation as it is for a certificate of lawfulness.

1. THE PROPOSAL

- 1.1 This application seeks a certificate of lawfulness to confirm the lawful implementation of the development permitted under planning ref. PT16/4003/RVC.
- 1.2 The application site is land adjacent to New Cottages Townwell in Cromhall. The application site is adjacent to a row of locally listed buildings.
- 1.3 In 2013 a planning application for the erection of a pair of semi-detached dwellings, including the construction of a new vehicular access and parking area, was permitted by the Authority, this planning permission has the following reference number PT13/3454/F. Planning ref. PT16/4003/RVC then successfully varied a number of conditions that planning ref. PT13/3454/F was subject to, planning permission PT16/4003/RVC is therefore the most recent planning permission at the site.
- 1.4 A certificate of lawfulness is sought on one ground as stated within Section 9 of the submitted application form. It is put to the Local Planning Authority that the development permitted under planning ref. PT16/4003/RVC has been lawfully implemented by nature of the fact that drainage works relevant to condition 3 have been lawfully undertaken at the site. For this to have occurred, the described works must have occurred prior to the 26/11/2016 in accordance condition 1 of planning ref. PT16/4003/RVC:

Cond. 1
The development hereby permitted shall be begun before the 26th of November 2016.
- 1.5 Accordingly, with regard to this assessment, this certificate of lawfulness will be assessed on one ground: whether the drainage works commenced prior to 26/11/2016 in accordance with section 56(2) 'development shall be taken to begun on the earliest date on which any material operation comprised in the development begins to be carried out'. Therefore, it is claimed that in accordance with section 191(4) of the Act that planning permission PT16/4003/RVC has been lawfully implemented.

2. POLICY CONTEXT

- 2.1 National Guidance
 - i. Town and Country Planning Act 1990: s171B and s191
 - ii. Town and Country Planning (Development Management Procedure) (England) Order 2015
 - iii. National Planning Practice Guidance: 17c (06.03.2014)

3. RELEVANT PLANNING HISTORY

- 3.1 PT16/4003/RVC Approve with Conditions 18/08/2016
Variation of Conditions 5, 6 and 7 attached to planning permission PT13/3454/F to remove the wording No development shall commence until and substitute with the wording Prior to commencement of the relevant part of the works.
- 3.2 PT13/3454/F Approve with Conditions 25/11/2013
Erection of 1no pair of semi detached dwellings. Construction of new vehicular access and parking area with associated works.

4. SUMMARY OF EVIDENCE IN SUPPORT OF THE APPLICATION

4.1 The applicant has submitted that Taylor Plant Limited, a civil engineering and groundwork contractor, undertook drainage works pursuant to condition 3 of planning permission PT16/4003/F. The applicant states that the works commenced on the 31/10/2016. The applicant has submitted a number of documents/records of correspondents in support of this claim:

- A 'print-screen' of a plan demonstrating the drainage works undertaken;
- A bill of quantities issued by Taylor Plant Limited to GVA Grimley Limited (the applicant), the quotation includes prices for the following works:
 - o welfare;
 - o section 5 opening licence for permission to excavate the highway;
 - o 2 manholes;
 - o the relevant trenches required for pipe etc.;
 - o the relevant labour with regard to breaking through into existing Wessex Water manhole.
- An invoice dated issued by Taylor Plant Limited to GVA Grimley Limited (the applicant), dated the 24/11/2016, the invoice includes the site address as well as the works listed within the quotation (see bullet point above).
- An email from Nicki Carter, the operations manager at Taylor Plant Limited, dated the 01/12/2016 detailing the works carried relevant to the drainage works at the application site. The operations manager confirms within the email that the works started on the 25/10/2016 and were completed on the 04/11/2016.

5. SUMMARY OF CONTRARY EVIDENCE

5.1 None.

6. OTHER REPRESENTATIONS RECEIVED

- 6.1 Cromhall Parish Council
None received.
- 6.2 Ward Councillors
None received.

- 6.3 Local Residents
None received.

7. EVALUATION

- 7.1 An application for a certificate of lawfulness is not a planning application: it is purely an evidential test and therefore should not be determined against planning policy or on planning merit. The test to be applied is whether the application has demonstrated, through precise and unambiguous evidence, that (in this instance) that the development permitted through PT16/4003/RVC was lawfully implemented.
- 7.2 Relevant Legislation to this Application for a Certificate of Lawfulness
Section 191(1) of the Act states that a person may make an application to the LPA to ascertain whether:
- (a) Any existing use of buildings or other land is lawful;
 - (b) Any operations which have been carried out in, on, over or under land are lawful; or
 - (c) Any other matter constituting a failure to comply with any condition or limitation subject to which planning permission has been granted is lawful.
- 7.3 The applicant has made an application under section 191(1)(c). The applicant has sought this certificate of lawfulness on the grounds that planning permission PT16/4003/RVC has been lawfully implemented by nature of drainage works being undertaken prior to the 26/11/2016.
- 7.4 Section 56 sets out requirements with regard to establishing 'time when development begun'. Section 56:
- (1) *Subject to the following provisions of this section, for the purposes of this Act development of land shall be taken to be initiated—*
 - (a) *if the development consists of the carrying out of operations, at the time when those operations are begun;*
 - (b) *if the development consists of a change in use, at the time when the new use is instituted;*
 - (c) *if the development consists both of the carrying out of operations and of a change in use, at the earlier of the times mentioned in paragraphs (a) and (b).*
 - (2) *For the purposes of the provisions of this Part mentioned in subsection (3) development shall be taken to be begun on the earliest date on which any material operation comprised in the development begins to be carried out.*

- 7.5 The drainage works are suggested by the applicant to constitute the development of land in accordance with section 56(1)(a). There are two key tests that this application must meet in order for a certificate to be awarded as requested by the applicant and in accordance with section 191(4). Specifically these tests are as follows:
1. Whether the drainage works expressed by the applicant comprise a material operation; and
 2. If so, were such material operation(s) carried out prior to the date in which development pursuant to planning ref. PT16/4003/RVC must have begun – 26/11/2016.
- 7.6 Section 56(4) defines a 'material operation' with specific regard to subsection 2. The applicant claims that the drainage works are most relevant to section 56(4)(c):
- 'the laying of any underground main or pipe to the foundations, or part of the foundations, of a building or to any such trench as is mentioned in paragraph (b)'.*
- 7.7 Assessment
From visiting the site it is clear that a chamber has been installed with regard to surface water drainage through there being a plastic based manhole cover at the rear of the site, in keeping with the submitted plan that demonstrates where pipe was laid. From this chamber within the site it is also clear that a pipe has been laid from the site to the public sewer to the south west of the site (outside). Further to this, there is gravel etc. on site which is understood to be used to fill in holes where pipe would be laid, ground disturbance is also evident on site as would be expected given the date of works submitted by the applicant.
- 7.8 With this in mind, officers are confident that surface water drainage works pursuant to the details secured within condition 3 of planning permission PT16/4003/RVC have been carried out. Further to this, officers are also satisfied that these works constitute a material operation in accordance with those described within section 56(4)(c). It now must also be considered if these works were carried out prior to the 26/11/2016.
- 7.9 The applicant originally suggested that the drainage works commenced on the 31/10/2016, however, since the original submission, the applicant has forwarded correspondence from Taylor Plant Limited - the company who carried out the works. The operations manager from Taylor Plant Limited states that works commenced on the 25/10/2016 and were completed on the 04/11/2016, the email also includes list of the works undertaken. An invoice dated the 24/11/2016 from Taylor Plant Limited ties in with the list of works described within the aforementioned correspondence, and this invoice concerns the application site and is addressed to the applicant. Accordingly, given this correspondence and documents independent to this application for a certificate of lawfulness, officers are of the opinion that on the balance of probabilities the drainage works discussed above were carried out prior to the 26/11/2016.

7.10 With regard to conditions contained within planning permission PT16/4003/RVC, no evidence is available to suggest that the development discussed was undertaken without compliance with such conditions, and such conditions did not require any information to be submitted prior to the commencement of the ground works such as drainage works. Accordingly, no information is available to suggest that the drainage works discussed were undertaken in an unlawful manner that would constitute a breach of conditions.

7.11 Conclusion

From the visiting the site and reviewing the submitted information officers find that on the balance of probability drainage works pursuant to condition 3 of planning permission PT16/4003/RVC were lawfully undertaken prior to the 26/11/2016. In accordance with section 191(4), a certificate of lawfulness should be issued confirming that drainage works in accordance with condition 3 of planning permission PT16/4003/RVC, were carried out prior to the 26/11/2016 meaning the development approved through planning permission PT16/4003/RVC has lawfully begun. The description shall be modified by the Local Planning Authority in accordance with this paragraph as is considered acceptable by section 191(4). This amendment is suggested in order to provide a more accurate account of the works undertaken.

8 RECOMMENDATION

8.1 It is therefore recommended that a Certificate of Lawfulness is **APPROVED** in accordance with the following amended description:

Application for a certificate of lawfulness confirming that drainage works in accordance with condition 3 of planning permission PT16/4003/RVC, were carried out prior to the 26/11/2016 meaning the development approved through planning permission PT16/4003/RVC has lawfully begun.

Contact Officer: Matthew Bunt
Tel. No. 01454 863131