



**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. 23/17

Date to Members: 09/06/2017

Member's Deadline: 15/06/2017 (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:

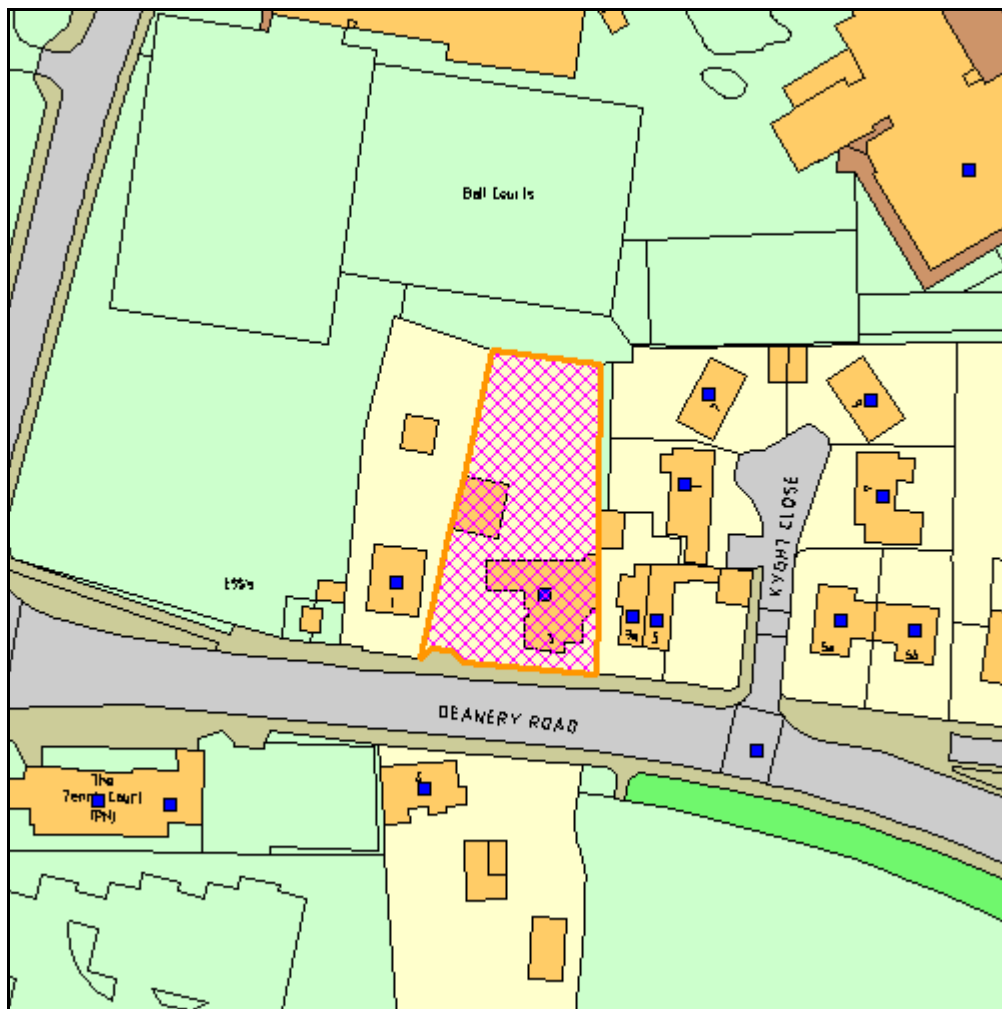
- Before referring an application always speak to the case officer or Area Planning Manager first to see if your concerns can be addressed without the application being referred.
- If you are considering referring in an application outside the ward you represent, as a courtesy, speak to the ward member(s) 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 - 09 June 2017

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK16/6675/F	Approve with Conditions	3 Deanery Road Kingswood South Gloucestershire	Kings Chase	None
2	PK17/0379/F	Approve with Conditions	13A Cossham Street Mangotsfield South Gloucestershire	Rodway	None
3	PK17/0546/F	Approve with Conditions	7 Cherry Gardens Bitton South Gloucestershire BS30 6JD	Bitton	Bitton Parish Council
4	PK17/0693/F	Approve with Conditions	46 Parkfield Rank Parkfield Road Pucklechurch South Gloucestershire BS16 9NP	Boyd Valley	Pucklechurch Parish Council
5	PK17/1385/R3F	Deemed Consent	Civic Centre High Street Kingswood South Gloucestershire	Kings Chase	None
6	PK17/1792/CLP	Approve with Conditions	7 Downleaze Downend South Gloucestershire BS16 6JR	Downend	Downend And Bromley Heath Parish Council
7	PK17/1872/CLP	Approve with Conditions	11 Kingston Drive Mangotsfield South Gloucestershire BS16 9BQ	Rodway	None
8	PK17/1894/F	Approve with Conditions	71 Robin Way Chipping Sodbury South Gloucestershire BS37 6JP	Chipping	Dodington Parish Council
9	PT16/4744/MW	Approve with Conditions	Hallen Yard Severn Road Hallen South Gloucestershire BS10 7SE	Almondsbury	Almondsbury Parish Council
10	PT16/6580/RM	Approve with Conditions	Land At Day House Leaze North Of Wotton Road Charfield Wotton Under Edge South Gloucestershire GL12 8TG	Charfield	Charfield Parish Council
11	PT17/1044/RM	Approve	11A Gloucester Road Almondsbury South Gloucestershire BS32 4HD	Almondsbury	Almondsbury Parish Council

CIRCULATED SCHEDULE NO. 23/17 – 9 JUNE 2017

App No.:	PK16/6675/F	Applicant:	Mr And Mrs Alex Lamb
Site:	3 Deanery Road Kingswood Bristol South Gloucestershire BS15 9JA	Date Reg:	30th December 2016
Proposal:	Demolition of existing garage and erection of a detached residential annexe.	Parish:	None
Map Ref:	366373 173618	Ward:	Kings Chase
Application Category:	Householder	Target Date:	16th February 2017



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REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

A comment has been received stating the submitted plans were unavailable. After further investigation, it was discovered that not all the plans had made available to the public. Officers have now checked that all the information needed to assess the application has been provided, the documentation has been published on the public website for comment, and a 21 day re-consultation completed. However, given no further representation has been received removing this original comment, this application has had to be referred to the circulated schedule for determination as the comment is contrary to Officer recommendation for approval.

1. THE PROPOSAL

- 1.1 This application seeks planning permission to erect a detached annexe.
- 1.2 The application site is 3 Deanery Road in Kingswood, which itself is Grade II listed. Located in the east fringe of Bristol, the site is within the existing urban area. The site falls within the coal referral area, but in this case, such designation would not affect this application given the scale of development proposed. There are no further land designations which would impact on the development proposal.
- 1.3 To facilitate the erection of the annexe, the existing double garage would be demolished. The proposed annexe would contain 1 reception room to provide living facilities (including a kitchen), 1 bathroom and 2 bedrooms.

2. POLICY CONTEXT

2.1 National Guidance

Planning (Listed Buildings and Conservation Areas) Act 1990
National Planning Policy Framework March 2012

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS4a Presumption in Favour of Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS9 Environment and Heritage
CS29 Communities of the East Fringe of Bristol

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

T12 Transportation
H4 Development within Existing Residential Curtilages
L13 Listed Buildings

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

PSP1 Local Distinctiveness
PSP8 Residential Amenity
PSP16 Parking Standards

PSP17 Heritage Assets
PSP38 Development within Existing Residential Curtilages

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

3. **RELEVANT PLANNING HISTORY**

- 3.1 PK12/4267/LB
Replacement conservatory (retrospective). – approved.
05.02.2013
- 3.2 PK12/4264/F
Erection of replacement conservatory (retrospective). – approved.
05.02.2013
- 3.3 PK12/0492/LB
Alteration to existing flat roof of kitchen to pitched roof. Installation of replacement windows. Erection of rear conservatory. (Works to rectify unauthorised works) – approved with conditions.
04.04.2012
- 3.4 PK11/2447/LB
Alteration to existing flat roof of kitchen to pitched roof. Installation of new windows. Erection of conservatory. (Works to rectify unauthorised works.) – withdrawn.
07.11.2011
- 3.5 PK06/1797/LB
External alterations including reinstatement of timber sash windows, cast iron rainwater fittings and timber fascia boards. – approved with conditions.
19.07.2006

4. **CONSULTATION RESPONSES**

- 4.1 Parish/Town Council
This area is unparished

- 4.2 Other Consultees

Sustainable Transport

Additional detail on host dwelling, vehicular access and parking required.
Update: revised plans received in light of comments above.

Conservation Officer

Detrimental to the setting and significance of the listed building.

Other Representations

4.3 Local Residents

1 letter from a local resident has been received, neither supporting nor objecting to the proposal:

- submitted plans unavailable

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

It has previously been accepted that the location of the proposed annexe would fall within the residential curtilage of 3 Deanery Road. Development is permitted within the curtilage of existing residential properties subject to an assessment of design, amenity and transport. In addition to this, because no 3 is listed, consideration must be given to heritage matters. Finally, an assessment should be made on whether the proposal is an annexe or whether it amounts to a new dwelling.

5.2 Test of an Annexe

The completed annexe would contain all the primary living accommodation for the building to function as an independent dwelling. However, it would be a very small building for such a use without a certain reliance on the main house, particularly with regard to amenity space (as no separation in the curtilage has been indicated). The two buildings would have a close physical relationship and there will be some functional relationship with the two for access and amenity.

5.3 Should the proposed annex be used as an independent dwelling, a more detailed analysis would be required. Therefore a condition will be imposed that restricts the occupancy of the annexe to being ancillary accommodation to no 3. On the basis that such a condition is applied, officers accept that the proposal would constitute an annexe.

5.4 Heritage

No 3 (also referred to within the listing description as "The Yews") has its origins in the late eighteenth century. A building on this site with a much smaller footprint is shown on the 1840s Tithe. Following a substantial scheme of extension around the middle of the nineteenth century which saw the construction of parallel ranges being attached to the front of what was a very modest cottage, the first edition of the OS map (circa 1880s) reflects largely the footprint of the building as it now stands. Moreover, the ability to perceive the historic evolution of the building can be considered to enhance the significance of the building that can be derived from its formal and overall aesthetic appearance.

5.5 To the western side of the property is the existing driveway, at the end of which is the gable fronted double garage. Although a smaller garage is indicated in this position by the 1940s, the garage is not considered to be of any historic and architectural significance.

- 5.6 Regarding its contribution to the setting and significance of the listed building, in this case although a large garage within the curtilage of a large dwellinghouse could be expected, the contribution cannot be considered to be one of a positive nature, as the large double up and over door in particular detracts from the potential historic and architectural interest of its setting.
- 5.7 The proposed scheme is to demolish the garage and in its place erect a new structure to be used as a residential annexe.
- 5.8 The proposed new structure is to not only be located on the same footprint but it is also to be of the same scale, height and form. Although a scaled block plan has been submitted to confirm this, no scaled floor plans or elevations of the existing structure have been submitted and so it is not possible to confirm whether this is truly the case.
- 5.9 The loss of any garage is always a concern as there is a tendency to seek a replacement structure in the future which can often be problematic in regard to integrating the structure successfully. It also can result in an intensification of the off-street parking provision which can also cause harm to the character and appearance of a property.
- 5.10 In this instance there is sufficient off-street parking to accommodate for the loss of the garage, but there is little opportunity for a replacement structure to be considered, as the existing garage is located within a natural or obvious position at the end of the existing drive. If a future proposal is to subdivide the curtilage with the proposed annexe being a self-contained unit, any proposed replacement garage would have to be sited directly adjacent to the listed house which would not be acceptable. It is therefore important to flag this point up now because once this garage is lost, it is unlikely that any replacement structure will be achievable
- 5.11 Notwithstanding this, if what is being proposed is in effect a like-for-like replacement in terms of scale and form, then in principle no objection can be raised and the setting of the listed building will be preserved.
- 5.12 However although the relationship between the existing garage and the listed house could be considered to be relatively comfortable, the proposal in contrast could, by reason of its design, appear somewhat awkward and potentially rather contrived.
- 5.13 To improve the design, minor changes were sought. What was original proposed just appeared like a rather bland bungalow that, spatially and visually, could appear incongruous within its immediate context.
- 5.14 The Conservation Officer provided comprehensive list of appropriate amendments which was by no means exhaustive, but only one option was taken forward – lintel and cill details.

- 5.15 Officers appreciate the detailing added from previous proposals. However, these amendments only increase the domestic character of this building which was the problem with the last scheme in that it would read as a small, rather apologetic bungalow.
- 5.16 Notwithstanding the architectural embellishments, the proposed building would follow a like-for-like design approach, including in its use of materials (which will be conditioned) and with regard to the context for the proposal, including neighbouring developments, and the siting of the building in relation to the listed house, Officers are satisfied that the proposed building would still retain its functional simplicity as an outbuilding and would not visually compete with its historic host.
- 5.17 Living Conditions
Development should not be permitted which would have a prejudicial impact on the residential amenity of existing nearby occupiers or which offers poor living conditions to future occupiers of the development.
- 5.18 The site has substantial grounds that would provide sufficient outdoor amenity space to meet the needs arising from the development. The development would not be overbearing on nearby occupiers or lead to a loss of privacy.
- 5.19 The proposal is not considered to have a significant impact on residential amenity and is therefore acceptable.
- 5.20 Transport and Parking
Access and parking for the annexe will be provided from the existing drive. The annexe itself would require one space; this is in addition to the parking for the existing house. As three parking spaces have been identified on the submitted plans, the proposal accords with the Residential Parking Standard SPD and no objection is raised.

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 It is recommended that planning permission is GRANTED subject to the conditions listed below.

Contact Officer: Helen Braine
Tel. No. 01454 863133

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 annexe hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 3 Deanery Road, Kingswood.

Reason

The development has been permitted on the particular circumstances of the case and the development would be unsuitable for use as a separate residential dwelling because it would require further consideration with regard to residential amenity and parking against policy CS1, CS8, CS15, CS16, and CS17 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 and policy H4 of the South Gloucestershire Local Plan (Adopted) January 2016.

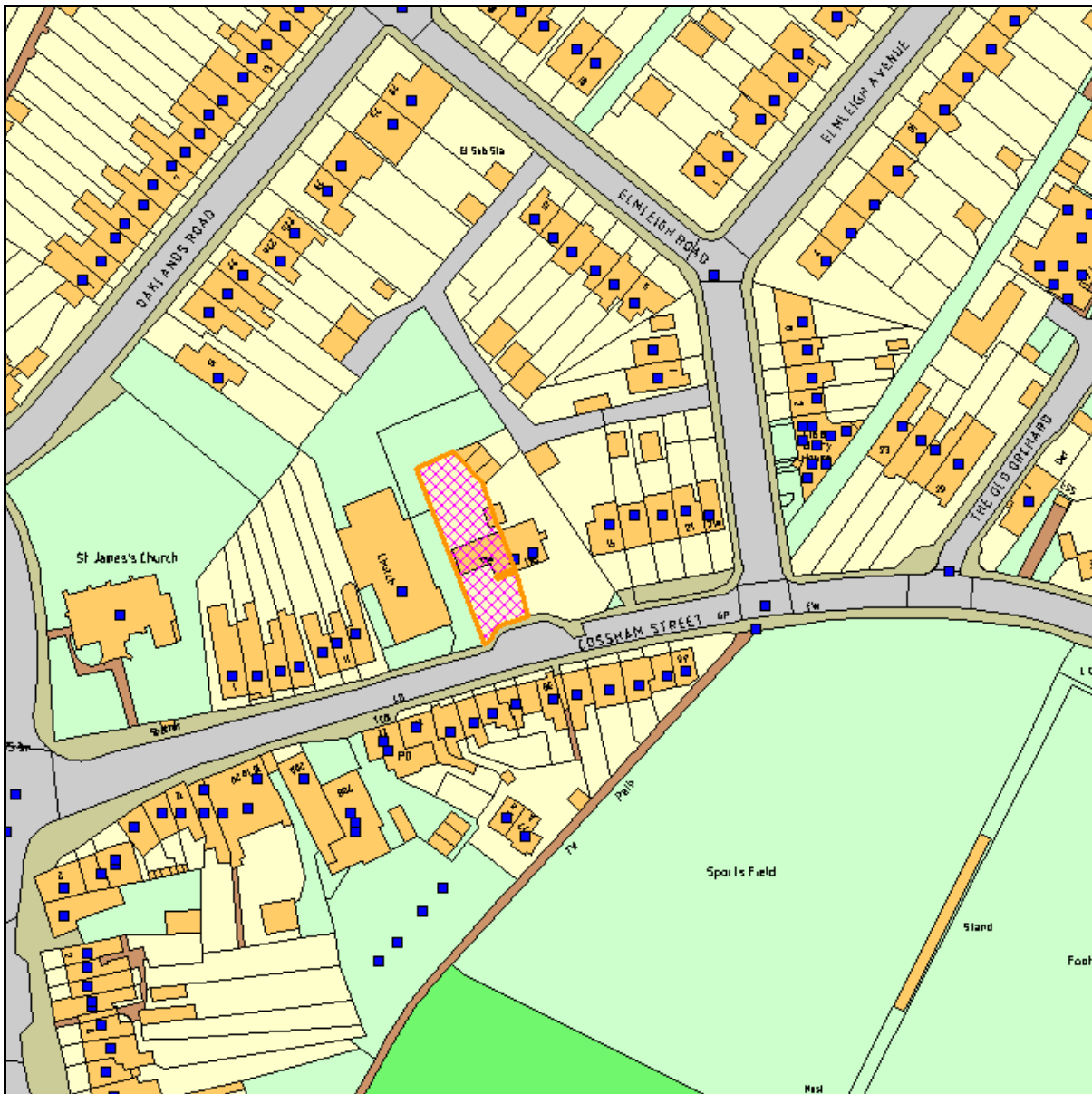
3. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason

To preserve the setting of the listed building and to safeguard the character and appearance of the surrounding area, and to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy L13 of the South Gloucestershire Local Plan (Adopted) January 2006; and the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 23/17 – 9 JUNE 2017

App No.:	PK17/0379/F	Applicant:	Mr Benjamin Lavis
Site:	13A Cossham Street Mangotsfield South Gloucestershire BS16 9EW	Date Reg:	1st February 2017
Proposal:	Construction of vehicle access from Cossham Street. (Retrospective) (Resubmission of PK16/5331/F).	Parish:	None
Map Ref:	366533 176188	Ward:	Rodway
Application Category:	Householder	Target Date:	24th March 2017



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REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application is to appear on Circulated Schedule due to the receipt of an objection from a neighbouring resident.

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the construction of vehicle access from Cossham Street (Retrospective) (Resubmission of PK16/5331/F).
- 1.2 This application relates to a two-storey, semi-detached dwelling located on Cossham Street. The dwelling was formerly part of a local police facility, but has been a residential dwelling for approximately 15 years. Planning permission is required for the vehicular access because Cossham Street is a classified highway.
- 1.3 This application is a resubmission following the refusal of PK16/5331/F due to insufficient information being submitted to demonstrate that adequate visibility can be achieved from the proposed access. This application includes additional plans which suitably indicate existing street furniture, the width of the access and visibility splay.
- 1.4 The agent has stated in their supporting statement that the access and drive have been in use for in excess of 12 years. A separate application (Ref. PK17/0381/CLE) was submitted at the same time, although the information submitted was considered poor and did not confirm the lawfulness of the existing access. The application has subsequently been withdrawn in favour of the Officer determining this application.

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 Presumption in Favour of Sustainable Development
- CS5 Location of Development
- CS8 Improving Accessibility

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

- H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings
- T12 Transportation Development Control Policy for New Development

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

- PSP1 Local Distinctiveness
- PSP8 Residential Amenity

PSP38 Development within Existing Residential Curtilages

- 2.3 Supplementary Planning Guidance
Residential Parking Standards SPD (Adopted) December 2013

3. **RELEVANT PLANNING HISTORY**

- 3.1 PK17/0381/CLE Application for a certificate of lawfulness for existing vehicle access and drive
Withdrawn 01.06.17
- 3.2 PK16/5331/F Creation of vehicular access
Refused 22.11.16
Reason for refusal:
1. Insufficient information has been submitted to demonstrate that adequate visibility can be achieved from the proposed access to allow vehicles to enter and leave the site safely. The proposal will therefore, have detrimental effect on highway safety and is contrary to policies T12 and H4 of the South Gloucestershire Local Plan (adopted) January 2006 (saved policy).
- 3.3 PK04/3398/F Construction of vehicular access
Refused 18.11.04
Reason for refusal:
1. The proposal will result in vehicles reversing on or off a classified road creating additional highway safety hazards for other road users and this is contrary to the South Gloucestershire Revised Deposit Draft Local Plan Policy T12B, as the access cannot be considered to be safe and Policy T12C, as the proposal would have an unacceptable effect on road, pedestrian and cycle safety.

4. **CONSULTATION RESPONSES**

- 4.1 Emersons Green Town Council
Members would seek and support the advice of the South Gloucestershire Council Transport Officer. Emersons Green Town Council would encourage the no parking of vehicles on this very busy and problematic road.
- 4.2 Sustainable Transport
Subject to a condition that the driveway is changed to a permeable bound surface, there is no transportation objection to the retention of the existing vehicular access.

Other Representations

4.3 Local Residents

Comment of objection received from The United Reformed Church (South Western Synod) Incorporated:

- We are the property holding trustee of the church premises known as Mangotsfield and Castle Green URC, situated adjacent to the premises and hold Freehold title;
- The boundary between our property and 13A is not as shown on the plans which indicate that the boundary structure is a fence running in a straight line. Some years ago the owner of 13A replaced part of the fence located alongside the forecourt with a new structure which was erected on our land without permission. This matter was raised with the applicant at the time and the new section of fence can be clearly seen 'stepping-out' of line with the older section of fence;
- As a consequence, land was taken without our permission. Part of this application does relate to land belonging to another party, contrary to Certificate A. we have not received any Notice relating to the application being made on our land;
- The Vehicular Manoeuvring Plan shows the drive access hatched, which extends across a small section of the pavement and our existing access to which we object;
- Comments made by the applicant regarding the use of the church access and car park are inaccurate. The pre-school facility use the grass area at the rear of our premises for play and recreation. On average a maximum of 5 vehicles are parked each week day in the car park. There is a gate across the access for safety reasons. On evenings and weekends the church use the car park on average maximum of 10 vehicles;
- The church is concerned about the use of this existing access which presents a safety hazard, particularly when parents and children are using the footpath. Parents already park in the nearby layby and the existing signage, proposed dropped kerb and ongoing use of the access will be detrimental to visibility and safety.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Saved policy H4 of the adopted Local Plan (2006) permits this kind of development, subject to criteria relating to residential amenity, highway safety and design. Highway Safety is considered to be the most pertinent issue due to the nature of the existing development and previous refusal reasons (applications in 2004 and 2016).

5.2 Highway Safety and Transportation

There is an existing vehicular access off Cossham Street, along the western boundary of the application site. At the front of the dwelling there is a large, gravelled driveway. To the west there is an access along the east elevation of the church, which leads to the rear car parking area. There is a fence and hedgerow along the front boundary, which are set back from the highway, but runs along to the east.

- There are various street furniture along this section of Cossham Street, including a telegraph pole and road sign next to the access, a parking layby for two vehicles, double yellow line restrictions, and a traffic calming chicane giving way to oncoming vehicles approaching from the east on Cossham Street.
- 5.3 The plans submitted show that the access is approximately 2.2 metres wide. The Transportation Officer has confirmed that despite the various existing street furniture, they are satisfied that the location of this does not affect driver visibility when exiting the site. The existing boundary fence and hedgerow are sufficiently set back and are low enough to allow driver visibility both east and west. Whilst the Officer is concerned that there is existing vegetation and trees along the front boundary, due to the curved shape there would appear to be adequate room for a vehicle to nudge out and gain visibility from east to west. The Officer is also concerned that there is a large amount of street furniture within close vicinity of the application site. Namely a large road sign and telegraph pole, which somewhat restricts the width of the access. Clearly vehicles can easily enter and exit the driveway as the access has been existing for a few years and there was a vehicle parked on the drive at the time of the Officer's site visit. The proposed plan states that there is a visibility splay measuring 117m to the east and 96m to the west. As confirmed by the Transportation Officer, it is considered that none of the existing street furniture appears to detrimentally hinder visibility or impact on highway safety.
- 5.4 The block plan submitted shows that the whole frontage of the site is given to parking and turning, which allows vehicles to enter and leave the site in forward gear. A number of dwellings along the north side of Cossham Street having driveways, including the attached neighbour No. 13B, which has a much wider access that crosses over the neighbouring driveway No. 15, footpath and an on-street parking layby. In this respect, the existing access is not an unusual feature in this part of Cossham Street, despite the number of constraints located near the site and access.
- 5.5 Overall, it is considered that the access is considered acceptable and would not harm highway safety. Although the Officer has raised concerns about the existing access, the advice from the Council's Transportation Officer is that there is suitable visibility and the existing access does not raise any serious concerns for its continued use. There appears to be adequate visibility for vehicles exiting the site and for them to be aware of pedestrians using the footpath, vehicles entering/exiting the church car park and traffic travelling along Cossham Street. The Transportation Officer has commented that the loose stone driveway is not considered acceptable as it will lead to stone being dragged onto the public highway. A condition has been suggested that the driveway needs to have a permeable bound surface. Given the site constraints and that this is a retrospective application, it is considered that the replacement of part of the loose stone driveway nearest the highway with a 3 metre band of permeable bound surface would be a suitable compromise and will improve the existing situation, making it more acceptable in highway safety terms. As such, a condition will be attached. The proposal is considered to comply with policies T12 and CS8 of the adopted Local Plans.

5.6 Design and Visual Amenity

The existing access takes the form of an opening in the fence. There is no gate and the kerb is currently not dropped. A number of dwellings along the north side of Cossham Street have driveways. The access is considered to appear in keeping with the character of the area and immediate street scene.

5.7 Residential Amenity

The use of the access and front curtilage for parking within this residential area is common. It is considered unlikely that the continued use of the access would have any negative impact on the existing level of residential amenity.

5.8 Other Matters

The neighbouring church have raised objections concerning land ownership and an altered boundary fence at No. 13A. The replacement of the fence line appears to be a historic unresolved issue between the neighbours that has not been fully addressed. It does appear that a section of the fence has been stepped out, but not by a significant margin. It is considered that the land ownership issue raised is a civil matter and this issue cannot be dealt with via this planning application.

5.9 The Vehicular Manoeuvring Plan shows the drive access hatched, which extends across a small section of the pavement in front of the church's access. It is considered that this hatched area is indicative of how a vehicle would access No. 13A due to the angle of the drive and existing boundary fences, it also includes a public footpath (not owned by the applicant). The existing access is not considered to hinder the church's own vehicular access.

6. **CONCLUSION**

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

6.2 The recommendation to **APPROVE** 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 planning permission is **APPROVED**, subject to the attached conditions.

Contact Officer: Katie Warrington
Tel. No. 01454 864712

CONDITIONS

1. Part of the existing loose stone driveway nearest to the highway shall be replaced with a 3 metre band of permeable bound surface within 6 months of the date of the decision.

Reason

In the interests of highway safety, and to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies), Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, Residential Parking Standards SPD (Adopted) December 2013 and the National Planning Policy Framework (2012).

CIRCULATED SCHEDULE NO. 23/17 – 9 JUNE 2017

App No.:	PK17/0546/F	Applicant:	Mr Darren Horler
Site:	7 Cherry Gardens Bitton Bristol South Gloucestershire BS30 6JD	Date Reg:	10th February 2017
Proposal:	Erection of two storey and first floor rear extension to form additional living accommodation.	Parish:	Bitton Parish Council
Map Ref:	367225 170273	Ward:	Bitton
Application Category:	Householder	Target Date:	5th April 2017



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 100023410, 2008. **N.T.S.** **PK17/0546/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

Comments of objection have been received from Bitton Parish Council and a neighbouring occupier, contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for erection of two storey and first floor rear extension to form additional living accommodation. The proposal would create three larger bedrooms on the first floor and a bathroom, with a master bedroom and en suite in the second floor extension.
- 1.2 The application site relates to a large semi-detached property, of red brick construction, with a hipped roof. The property benefits from a large curtilage and is set back from the road. Neighbouring properties are similar in style, with two styles of houses interspersed along Cherry Gardens in pairs. The property is angled facing further to the north-east. To the rear on Barry Close there are terraces and pairs of bungalows.
- 1.3 During the course of the application, the proposed plans have been revised following feedback given to the agent. The bulky side and rear dormer on the second floor has been removed and is replaced by a more in keeping extension to the roof. A further revised plan has been submitted changing the design and opening of the bathroom window in the first floor, side elevation, in response to objections from the neighbouring occupier and Bitton Parish Council.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Policy Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS4a Presumption in Favour of Sustainable Development
CS8 Improving Accessibility
CS9 Managing the environment and heritage

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

H4 Development within Existing Residential Curtilages
T12 Transportation Development Control

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

PSP8 Residential Amenity
PSP16 Parking Standards
PSP38 Development within Existing Residential Curtilages, Including Extensions and New Dwellings

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

3. RELEVANT PLANNING HISTORY

- A number of applications relate to neighbouring properties on Cherry Gardens:
- 3.1 9 Cherry Gardens
PK15/3240/PDR Conversion of detached garage to residential annexe ancillary to main dwelling
Approved 21.09.15
- 3.2 4 Cherry Gardens
PK08/1375/F Erection of two storey and first floor rear extension to form additional living accommodation.
Approved 30.06.08
- 3.3 3 Cherry Gardens
PK08/1282/F Erection of two storey and first floor rear extension to form additional living accommodation
Approved 30.06.08
- 3.4 19 Cherry Gardens
PK06/0754/F Installation of rear dormer to facilitate loft conversion. Erection of single storey rear and two storey side extension to form garage and additional living accommodation.
Refused 21.04.06
- 3.5 18 Cherry Gardens
PK05/2410/F Erection of first floor and 2 no. single storey rear extensions to form additional living accommodation for dependant relative. Installation of 1no. side and 1 no. rear dormer to facilitate the loft conversion.
Approved 06.10.05
- 3.6 12 Cherry Gardens
PK05/0971/F Erection of two storey and single storey side extension and single storey rear extension to form garage and additional living accommodation. (Amendment to previously approved scheme PK04/3624/F).
Approved 20.05.05
- 3.7 12 Cherry Gardens
PK04/3624/F Erection of two storey and single storey side extension and single storey rear extension to form garage and additional living accommodation. (Resubmission of PK04/2088/F).
Approved 06.12.04

- | | | |
|------|-------------------------------------|---|
| 3.8 | 12 Cherry Gardens
PK03/3798/F | Alterations to roof with installation of 1no. front and 1no. rear dormer windows to facilitate loft conversion.
Refused 28.01.04 |
| 3.9 | 19 Cherry Gardens
PK03/2244/F | Erection of two storey side and single storey rear extension to form garage and additional living accommodation (Resubmission)
Approved 23.10.03 |
| 3.10 | 19 Cherry Gardens
PK03/1516/F 19 | Erection of two storey side and single storey rear extension to form garage and additional living accommodation.
Refused 01.07.03 |

4. CONSULTATION RESPONSES

- 4.1 Bitton Parish Council
While having no objections to the rear extension, Councillors objected to the roof shape proposed for the loft conversion which they felt was poorly designed and out of keeping with the street scene.

Updated comments following re-consultation:

- Concerns were raised regarding windows that would overlook neighbours. The effect of the works would be overbearing and out of keeping with the street scene. If permission is granted, windows must be opaque and limited opening.

Other Representations

4.2 Local Residents

One neighbouring resident has objected to the proposal:

- Dormer at side of the extension is far too large and would have an effect on the sunlight/light at the side of our house and would make rooms facing No. 7 much darker, especially the side bedroom (only one window) and landing;
- The proposed windows at the side of the house, although opaque, they would allow the owner to look into the ground floor living area and upstairs side windows (bedrooms) of our house, and patio and garden area (when opened). Could the windows be non-opening and opaque?;
- Agree with Bitton Parish Council that the roof shape proposed for the loft conversion is poorly designed and out of keeping with the street scene;
- Refer to previous extension at No. 3 Cherry Gardens, which was extended into the loft;
- Concerns about overlooking/loss of privacy;

- Loss of significant level of sunlight and daylight, and possible overshadowing;
- The second floor dormer would give us a feeling of being hemmed In due to its close proximity and change of height of the roofline and shape of the extensions, causing our outlook to be unacceptable closed-in.

Updated comments following re-consultation:

- Agree with Bitton Parish Council in respect of the windows at the side of the proposed development, i.e. overlooking and should be opaque with limited opening;
- Could the second floor window be opaque and the opening reversed to restrict viewing of rear of neighbouring property and daughters bedroom window;
- Also concern about rooflights as they are level with daughters bedroom window due to the change in topography and creates a privacy issue;
- Cannot understand why the rooflight on the front elevation was removed. Could the other rooflights be non opening and opaque?

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policy H4 of the adopted Local Plan is supportive in principle of proposals for alterations and extensions to existing dwellings within their curtilage, providing that design is acceptable and there are no unacceptable impacts on residential amenity. CS1 promotes high quality design. Development proposals will be required to demonstrate that siting, form, scale, height, massing, detailing, colour and materials, as informed by, respect and enhance the character, distinctiveness and amenity of both the site and its context.

5.2 Design and Visual Amenity

The proposal involves the erection of a two storey and first floor rear extensions to form additional living accommodation. The property currently has three bedrooms and the family bathroom is on the ground floor. The proposal seeks to create a bathroom on the first floor and an additional master bedroom and en suite in the second floor. The previous proposal sought to erect a bulky side and rear dormer that would be out of keeping with the host and neighbouring dwellings.

5.3 The proposed design would be similar to No's 3 and 4 Cherry Gardens which were granted planning permission in 2008. The proposal would extend the ground, first and second floors living accommodation, whilst remaining suitably in keeping in terms of design, scale and massing. The roof of the host dwelling would remain hipped from the front elevation, extending to a gable end on the rear elevation. Roof lights would be inserted in the side and rear elevations to provide the master bedroom with natural daylight. Overall, the proposed extension is considered to remain in keeping with the host and neighbouring dwellings, providing a suitably designed alternative to the previous dormer extensions, that achieves the design objections of policy CS1.

5.4 Residential Amenity

The application site is located at a slight angle to No. 6. No. 7 and No. 6 are part of pairs of semi-detached dwellings of differing design. There is also a slightly difference in height, due to the topography of the street, which slopes up south to north. Initial objections from a neighbouring occupier and Bitton Parish Council based on the initial proposed plan involved dormer windows in the side and rear elevations. The revised proposal includes a new first floor window in the side elevation (neighbouring No.6), as well as two rooflights in the side elevation, and an additional window and rooflight in the second floor rear elevation. Concern has been raised again by a neighbouring resident and Bitton Parish Council about the potential overlooking from the two additional windows and rooflights, in particular their impact on the bedroom window in the side elevation of No.6. In response, the agent has revised the plan and altered the first floor bathroom window to be top hung and obscurely glazed to reduce any overlooking potential.

5.5 The proposed rooflights in the side elevation of the roof would serve the landing and ensuite bathroom of the master bedroom. It is considered that the relationship between the application site and No. 6 is unusual, but given the orientation of No. 7 and the fact that No.6 is located slighter higher, it is unlikely that there would significant or detrimental overlooking caused by the rooflights. It is more likely that given No. 6 is higher, they could overlook into the rooflights. Given the two rooflights are more for natural light purposes and do not serve primary rooms (landing and en suite), it would not be unreasonable to restrict their opening to protect against any overlooking impacts on the neighbouring occupiers.

5.6 The proposed extension is not considered to prejudice the amenity of the occupiers of neighbouring properties given its siting and scale. There is considered to be sufficient distance between neighbouring properties to the side and rear elevations do not appear overbearing. With the changes to the bathroom window and a condition restricting the opening of the rooflights in the side elevation, the revised proposal is considered to be a significant improvement from the initial dormer window extensions. The resulting revised proposal is much-improved and would be similar to No's 3 and 4 Cherry Gardens. The proposal is considered to preserve the existing levels of residential amenity afforded to the neighbouring occupiers and is acceptable.

6. CONCLUSION

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

6.2 The recommendation to **APPROVE** 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 planning permission is **APPROVED**, subject to the attached conditions.

Contact Officer: Katie Warrington
Tel. No. 01454 864712

CONDITIONS

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

Reason

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

2. The development shall be implemented strictly in accordance with the following plans: Site Plan (01); Existing Plans (02); received by the Council on 8th February 2017. Proposed Plans (03B); received by the Council on 30th May 2017.

Reason

To ensure that the development is carried out in accordance with the plans and drawings as assessed in the application and in the interests of the visual amenity of the site and the surrounding locality; and the residential amenity of the surrounding locality and to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

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

Reason

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

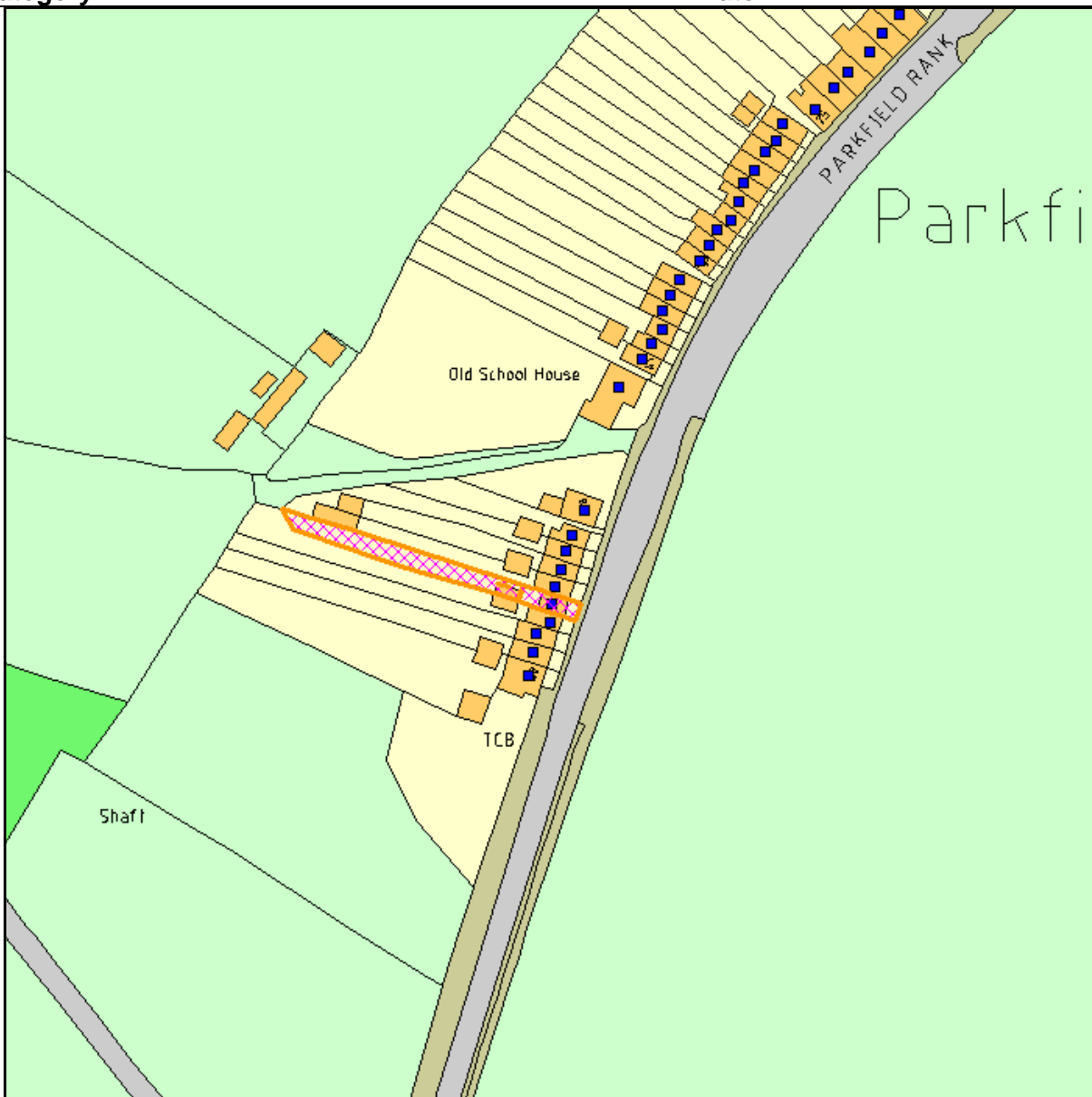
4. The two rooflights in the north elevation shall have restricted opening; the details of which shall be agreed in writing with the Local Planning Authority prior to their installation, and thereafter retained as such.

Reason

To protect the privacy and amenity of neighbouring occupiers at No.6 Cherry Gardens, and to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies); and the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 23/17 – 9 JUNE 2017

App No.:	PK17/0693/F	Applicant:	Miss And Mr Day And Mann
Site:	46 Parkfield Rank Pucklechurch South Gloucestershire BS16 9NP	Date Reg:	20th February 2017
Proposal:	Erection of a three storey and a single storey rear extension to form additional living accommodation. Demolition of existing porch and erection of replacement front porch. Extension to existing outbuilding to form detached garden office.	Parish:	Pucklechurch Parish Council
Map Ref:	369077 177275	Ward:	Boyd Valley
Application Category:	Householder	Target Date:	13th April 2017



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 100023410, 2008. N.T.S. PK17/0693/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is set to appear on Circulated Schedule due to an objection from a neighbouring resident, contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a three storey and a single storey rear extension to form additional living accommodation, demolition of existing porch and erection of replacement front porch, and extension to existing outbuilding to form detached garden office.
- 1.2 This application relates to a mid-terrace, two storey property, located in a row of terraced houses on Parkfield, Pucklechurch. Parkfield is a row of small, terraced dwellings, with long, narrow plots that extend to the west, with vehicular access at the rear. They have a distinct semi-rural character, with the majority of properties along Parkfield having been extended in a similar manner to the proposal, i.e. porches, rear extensions and dormer extensions.
- 1.3 The application site is located outside of any defined settlement boundary and within the Bristol/Bath Green Belt.
- 1.4 During the course of the application, the applicant and agent decided to amend the plans and pull the party wall in from the adjoining property (No. 47) in order to address the objection from the neighbour.

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 Presumption in Favour of Sustainable Development
CS5 Location of Development
CS34 Rural Areas

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

H4 Development within Existing Residential Curtilages
T12 Transportation

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

PSP1 Local Distinctiveness
PSP7 Development in the Green Belt
PSP8 Residential Amenity
PSP16 Parking Standards
PSP38 Development within Existing Residential Curtilages, Including Extensions and New Dwellings

- 2.3 Supplementary Planning Guidance
Development within the Green Belt (Adopted) January 2006
Residential Parking Standards (Adopted) December 2013

3. RELEVANT PLANNING HISTORY

None relevant to the application site, but there are a number of permissions relating to neighbouring properties:

- | | | |
|-----|----------------------------------|--|
| 3.1 | 49 Parkfield Rank
PK13/0216/F | Demolition of existing outbuilding to facilitate the erection of a three storey and single storey rear extension and installation of front dormer window to provide additional living accommodation
Approved 15.03.13 |
| 3.2 | 48 Parkfield Rank
PK13/3615/F | Erection of ground and first floor rear extensions to provide additional living accommodation
Approved 04.01.13 |
| 3.3 | 47 Parkfield Rank
PK12/0700/F | Erection of single storey rear extension to provide additional living accommodation
Approved 03.05.12 |
| 3.2 | PK12/2219/F | Erection of single storey rear extension to provide additional living accommodation
Approved 27.07.12 |
| 3.3 | P90/1410 | Erection of two storey rear extension to provide kitchen with bedroom above with an additional bedroom in loft space
Approved 16.05.1990 |
| 3.4 | 45 Parkfield Rank
PK06/0037/F | Erection of three storey rear extension to provide additional living accommodation
Approved 07.02.06 |
| 3.5 | P91/2570 | Erection of single storey front extension to provide entrance porch
Approved 08.01.92 |
| 3.6 | P93/1519 | Erection of single storey front extension to provide lounge extension
Approved 20.06.93 |

4. CONSULTATION RESPONSES

- 4.1 Pucklechurch Parish Council
No objection.
- 4.2 Open Spaces Society
No comment received.
- 4.3 Public Rights of Way
No objection.
- 4.4 Sustainable Transport
No objection.

Other Representations

- 4.5 Local Residents
One comment of objection from a neighbouring resident:
- On the north-west elevation, it seems that the builder intends to bridge the gap between the two houses No. 45 and my house (No.47) by cutting into our existing extension. That could weaken our walls, which I object to. But do not object to building up to it;
 - The proposed roof down pipe would need to go into a soakaway on No. 46 property.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Policy H4 of the adopted Local Plan allows for the extension and other alteration of existing dwellings subject to an assessment of design, amenity and transport. As the site is located within the green belt, consideration must be given to whether the proposal is appropriate development in the green belt.
- 5.2 Green Belt
The application site is located within the green belt. The application relates to an historic mid-terraced, two-storey cottage that is proposed to be extended in the form of a three storey and single storey rear extensions, replacement front porch and extension to existing outbuilding. The government attached great importance to green belts with the fundamental aim of keeping the land permanently open in nature. To achieve this, development in the green belt is considered to be inappropriate, unless it falls into one of the defined exception categories listed in the NPPF at paragraph 89. The essential characteristics of green belts being their openness and their permanence.
- 5.3 Paragraph 89 of the NPPF allows for the extension or alteration of a building within the green belt provided that it does not result in disproportionate additions over and above the size of the original building. Further guidance is also included in the Council's adopted green belt SPD. In this document a disproportionate test is set out which helps to determine what may be considered disproportionate based on the cumulative cubic volume increase over and above the original volume of the building (as it stood on 1 July 1948).

- 5.4 However, the individual circumstances of this case should be given due consideration. The proposed development would significantly increase the floor space of the dwelling, with an additional floor extension proposed. The proposed development would therefore significantly add to the existing built form of the dwelling. The only recent additions to the dwelling appear to be a front porch, rear dormer window and a single storey rear extension, both of which will be replaced with larger extensions.
- 5.5 The proposed replacement porch would be slightly wider than existing, and would have little impact in terms of volume. The proposed single storey rear extension would extend to the same length as the neighbouring properties. Similarly, the existing rear dormer window would be replaced by a large three storey rear extension, adding a larger first and second floors. Lastly, the existing outbuilding, which according to historic mapping appears to pre-dates 1948, will be double in footprint. The Officer has calculated that in effect, the proposed extensions (excluding the volume of the existing porch, single storey rear extension and outbuilding) appears to exceed 80%. The Agent has been notified of this calculation, although has not disputed it with their own, and has submitted a supporting justification statement detailing a number of other properties in Parkfield Rank which have all been extended to a similar degree, including the immediate neighbours No's 45 and 47. A number of which I have listed in the planning history, which are relevant to the application site. Whilst a number date back to 1990s, the planning history for Parkfield Rank shows a clear pattern of large extensions, particularly to the rear elevation, roof and outbuildings.
- 5.6 In light of the above, Officers do not consider the proposal would result in a disproportionate dwelling nor would it impact on the openness of the green belt. The proposed extensions would remain in keeping with other properties on Parkfield Rank, of which most have extended with a front porch and large rear extensions in order to increase the modest four-room dwellings to larger and more modern functioning homes. The proposed extensions would have a similar footprint to neighbouring properties and in this respect, the proposal is not considered to amount to inappropriate development in the green belt and is considered acceptable.
- 5.7 Design
New development of the highest possible design quality is permitted under Policy CS1. Along Parkfield Rank, there are a number of examples of dwellings that have been extended in a similar manner. Rear three storey extensions are a common feature. The Officer did advise the Agent that the design of the proposed second floor extension was different to the immediate neighbouring properties Nos 45 and 47. However, there are examples of the same design of extension further along Parkfield Rank, and as the extension is located on the rear elevation it is not considered to be visible in the public realm as such. Overall, the proposed design of the extensions will remain in keeping with the character and appearance of the host dwelling and neighbouring properties. The proposal complies with Policy CS1.

5.8 Residential Amenity

The proposal is considered to have little impact on neighbouring occupiers. The rear extensions would be extend to the same degree as both neighbouring properties, with additional windows contained in the rear elevations. The additional windows are not considered to result in a materially greater impact on privacy than the existing situation.

- 5.9 The proposal would increase the footprint of the dwelling and would reduce the amount of amenity space. However, the application site benefits from a long rear garden and aside from the outbuilding spanning the full width of the garden, there would remain ample amenity space left to serve a three bedroom dwelling. The proposal is not considered to have a prejudicial impact on residential amenity and is considered to comply with Policy H4.

5.10 Transportation and Parking

The proposed development would increase the number of bedrooms from two to three in total. Whilst the proposed extensions would increase the footprint of the dwelling, there is no vehicular access or existing off-street parking facilities in the form of a garage or parking area at the property. The Transportation Officer has commented that there will be no loss of vehicular parking as a result of the proposed development. As a number of other dwellings on Parkfield Rank have extended their dwellings and increased the number of bedrooms without providing additional parking, there is no transportation objection.

5.11 Public Rights of Way

Whilst there is no objection in principle, the proposed development may affect the nearest recorded public right of way (footpath ref. LPU27/10) which runs from Parkfield Rank along a private track providing access to the rear of the property. It is assumed that the track will be used for construction access and deliveries, therefore in order to mitigate any obstruction and to maintain safety to pedestrians, informatives will be added to the decision notice advising the applicant

5.12 Other Matters

Given the initial objections from the neighbour to the proposal, the applicant and agent have addressed these by revising the proposed plans and pulling the party wall in from the adjoining property (No. 47). This is considered to have addressed this civil matter during the process of determining the application.

6. CONCLUSION

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

- 6.2 The recommendation to **APPROVE** 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 planning permission is **APPROVED**, subject to the attached conditions.

Contact Officer: Katie Warrington
Tel. No. 01454 864712

CONDITIONS

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

Reason

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

2. The development shall be implemented strictly in accordance with the following plans: Site Location Plan (2708-101); Block Plan (2708-102); Proposed Site Plan (2708-103); Existing Ground Floor Plan (2708-104); Existing First and Second Floor Plans (2708-105); Existing South East Elevation (2708-109); Existing North West Elevation (2708-110); Existing Section A-A (2708-111); Existing Section B-B (2708-112); Proposed South East Elevation (2708-113); Proposed Section A-A (2708-115); Proposed Section B-B (2708-116); Proposed Garden Office (2708-118); Proposed Garden Office Extension (2708-119); received by the Council on 16th February 2017.

Revised Plans -

Proposed Ground Floor Plan (2708-106); Proposed First and Second Floor Plans (2708-107); Proposed and Existing Roof Plans (2708-108); Proposed North West Elevation (2708-114); Proposed Section C-C (2708-117); received by the Council on 27th March 2017.

Reason

To ensure that the development is carried out in accordance with the plans and drawings as assessed in the application and in the interests of the visual amenity of the site and the surrounding locality; and the residential amenity of the surrounding locality and to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

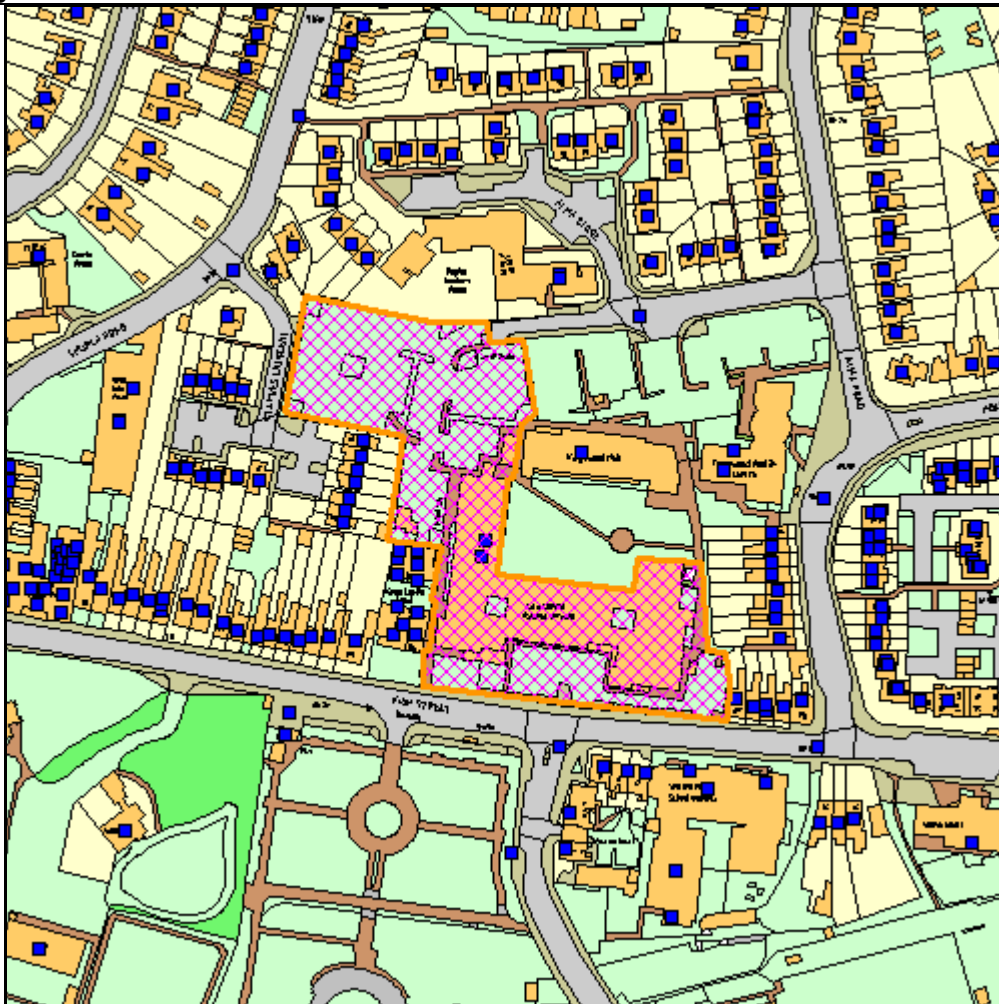
3. The materials to be used in the construction of the external surfaces of the extensions hereby permitted shall match those used in the existing building.

Reason

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

CIRCULATED SCHEDULE NO. 23/17 – 9 JUNE 2017

App No.:	PK17/1385/R3F	Applicant:	South Gloucestershire Council
Site:	Civic Centre High Street Kingswood South Gloucestershire BS15 9TR	Date Reg:	26th April 2017
Proposal:	External alterations to include installation of replacement windows and door to facilitate Change of Use from Civic centre (Class D1) to mixed use (Class D1) and offices (Class B1) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).	Parish:	None
Map Ref:	365270 173865	Ward:	Kings Chase
Application Category:	Minor	Target Date:	13th June 2017



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REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application is referred to the Circulated Schedule in accordance with procedure as the application is made by South Gloucestershire Council itself.

1. THE PROPOSAL

- 1.1 The applicant proposes the change of use of the Kingswood Civic Centre building from a D1 Use (Non-residential institution) to a mixed use D1 and B1 (Office) use. The building currently functions as a Council Office for South Gloucestershire Council and the retained D1 element will remain in this use. As the description implies this would be a flexible use that does not specify a use for each area of the building providing it falls within either a D1 or B1 office use. All existing parking arrangements remain unchanged.
- 1.2 As part of this proposal a number of alterations are proposed to the external windows and doors. The changes largely involve the replacement of existing windows and doors on the western elevation and southern elevation with limited replacements elsewhere. Solar panels are proposed on the southern elevation roof.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS5 Location of Development
CS8 Improving accessibility
CS9 Managing the Environment and Heritage
CS12 Safeguarded area for Economic Development
CS23 Community Infrastructure and Cultural activity

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

T8 Parking Standards
E3 Criteria for Assessing Proposals for Employment Development within Urban Areas

South Gloucestershire Local Plan: Proposed Submission: Policies, Sites and Places Plan June 2016 (Examination Feb 2017)

PSP1 Local Distinctiveness
PSP11 Transport Impact Management

3. RELEVANT PLANNING HISTORY

- 3.1 There have been a number of applications associated with the site

4. **CONSULTATION RESPONSES**

4.1 Parish/Town Council

The area is unparished

4.2 Other Consultees

Sustainable Transport

This building, the subject to this application has been in operation for a number of years as part of SG Council offices. There are no changes proposed to the existing access. There is a parking court to the rear of the building and this would also remain unaltered. The site is in a sustainable location near Kingswood Town Centre and I am satisfied that neither the traffic or parking demand for this would significantly change as the result of this proposed change of use and as such, we, Transportation Development Control have no highway objection to this application

Avon and Somerset Constabulary

Having viewed the information as submitted we find the design to be in order and complies appropriately with the crime prevention through environmental design principles.

Other Representations

4.3 Local Residents

There have been no responses received.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

This application seeks to change the use of the Kingswood Civic Centre from a D1 (non-residential use) to a mixed D1 and B1 (Office) use.

Policy CS5 of the Core Strategy seeks to support development within the communities of the North and East fringes of the Bristol Urban Area as this reduces the need to travel as this is where essential infrastructure is in place or planned. As such the proposed change of use is supported.

The Civic Centre has operated as a public building, accessible to the public and as such could be considered to fall within the definition of community infrastructure however de facto there has always been a large ancillary office function. The civic function will be partially retained through the mixed. Notwithstanding the civic function it is important to note that the Kingswood Civic Centre is identified as a safeguarded employment site under Policy CS12 (Communities of the East Fringe No.17).

The proposed change to a mixed use is thus acceptable in principle, with a B1 use fitting more readily within an employment use than the existing civic function (notwithstanding that the site has functioned with an ancillary office function).

Policy E3 of the adopted South Gloucestershire Local Plan considers proposals for employment uses with the existing urban areas and indicates that the reuse of existing buildings will be acceptable provided that:

a) The development would not have unacceptable environmental effects:

The proposed mixed use is not considered to have the potential to cause an adverse environmental effect

b) Adequate provision is made for servicing and delivery requirements and development would not give rise to unacceptable levels of vehicular traffic, especially heavy goods vehicles, or on-street parking to the detriment of the amenities of the surrounding areas and highway safety

This is considered in detail below.

c) Development would not prejudice existing residential amenities

The proposed mixed use would not prejudice existing residential amenities. The necessary alterations to the building would not result in any additional overlooking as the windows are being replaced and are not new. This application does not involve any increase in floor area/extension to the building. The B1 element would not result in any loss of amenity over and above the existing use (and it should be noted as indicated above that the building has operated with a large ancillary office element since its inception)

d) The character of the area or settlement is not adversely affected

It is not considered that the proposed change of use will adversely affect the character of the area.

e) Maximum density compatible with the sites location, its accessibility and its surroundings is achieved

The existing building is not being altered. The proposal is considered to comply with this criteria.

f) In the case of travel intensive B1 (Office Development) the location is well served by public transport

The site is located such that there are a public transport facilities nearby that give access to the wider area. It is considered that the proposal complies with this criteria.

The proposed development is considered to be acceptable in principle subject to consideration of the design changes and the transportation impact set out below

5.2 Transportation

There are no proposals to alter the existing access and the parking arrangements remain as existing. The site is located in a sustainable location in close proximity to public transport facilities. It is not considered that the proposed change to a mixed use would significantly change either the traffic levels or the parking demand. As such the proposed development is considered acceptable in transportation terms

5.3 Design

Alterations to the building are proposed, however these largely comprise replacement to existing windows. No new windows are shown. A small number of solar panels are shown on the southern (front) elevation of the building.

The proposed changes are considered acceptable in design terms both with respect to the impact on the host building and within the wider context

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 planning permission be granted subject to the condition set out below.

Contact Officer: David Stockdale
Tel. No. 01454 866622

CONDITIONS

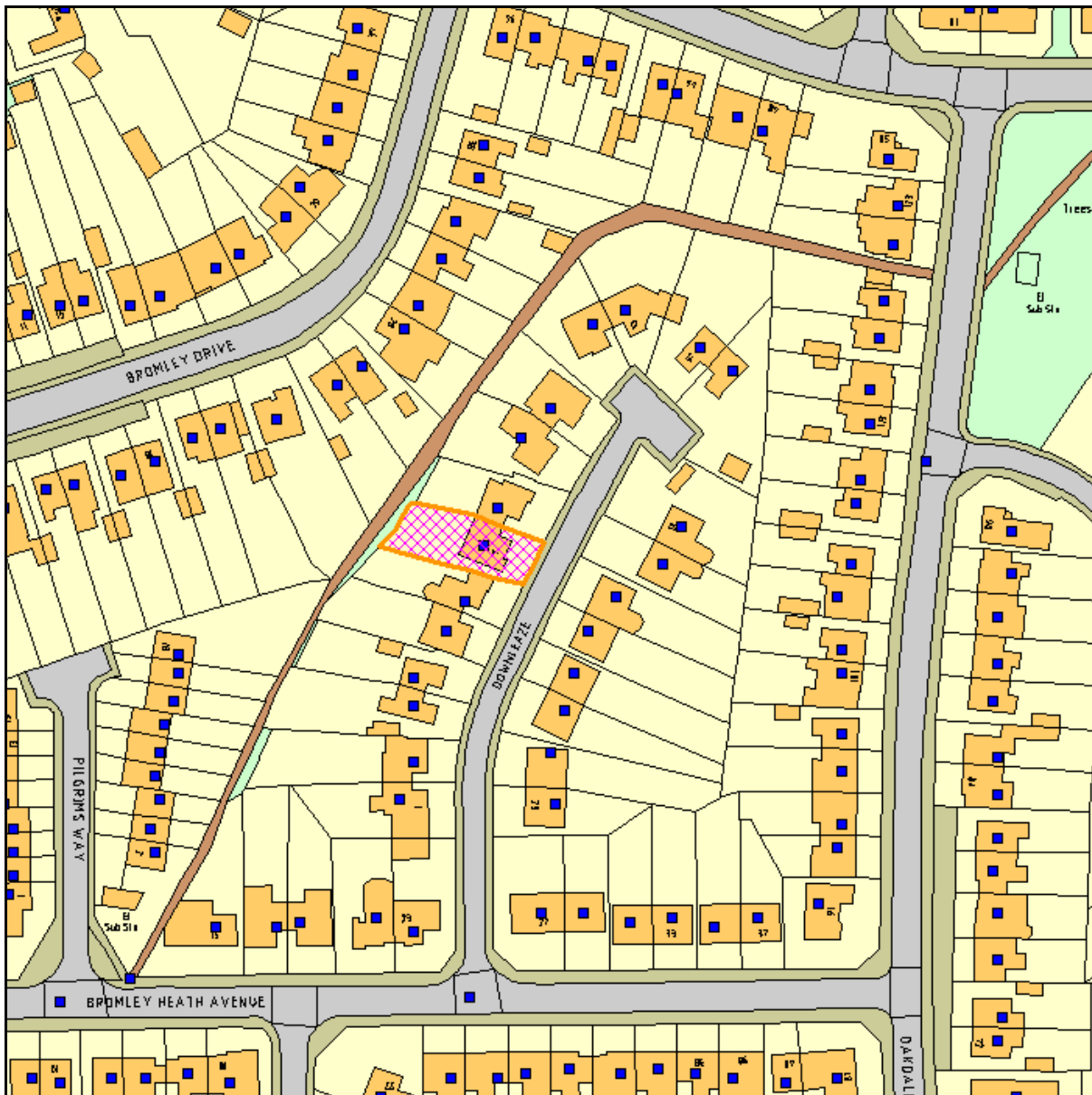
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 23/17 – 9 JUNE 2017

App No.:	PK17/1792/CLP	Applicant:	Faye Moss
Site:	7 Downleaze Downend Bristol South Gloucestershire BS16 6JR	Date Reg:	10th May 2017
Proposal:	Application for a certificate of lawfulness for the proposed erection of a single storey side extension and conversion of existing garage into living accommodation.	Parish:	Downend And Bromley Heath Parish Council
Map Ref:	364949 177832	Ward:	Downend
Application Category:	Certificate of Lawfulness	Target Date:	16th June 2017



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application is for a Certificate of Lawfulness, and as such, according to the current scheme of delegation, is required to be taken forward under the Circulated Schedule procedure.

1. THE PROPOSAL

- 1.1 The applicant is seeking a formal decision as to whether the proposed erection of a single storey side extension and conversion of existing garage into living accommodation at 7 Downleaze, Downend, Bristol, South Gloucestershire, BS16 6JR would be 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 PK17/0671/PNH Refusal 18.04.2017
The erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 5.9m, for which the maximum height would be 2.9m, and for which the height of the eaves would be 2.1m.

4. CONSULTATION RESPONSES

- 4.1 Downend and Bromley Heath Parish Council
No objection.

Other Representations

- 4.2 Local Residents
No comments received.

5. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

- 5.1 Location and Block Plan (PL03, June 2016)

Plan received by the Council on 19th April 2017

Proposed Plans and Elevations (PL02B, July 2016)
Plan received by the Council on 19th April 2017

Existing Plans and Elevations (PL01, July 2016)
Plan received by the Council on 19th April 2017

Foundation, GA and Roof Rafter Plans (BR01, November 2016)
Plan received by the Council on 19th April 2017

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.

6.3 The proposed development consists of the conversion of the existing garage into living accommodation (this is dealt with in point 6.4), and the erection of a single storey side extension. This proposed side extension would fall within Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015, which allows for 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, PA or Q of Part 3 of this Schedule (changes of use);

The dwellinghouse was not granted under Classes M, N, PA or Q of Part 3.

(b) As a 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.

- (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 side extension would not exceed the height of the roof of the existing dwellinghouse.

- (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 side extension would not exceed the eaves of the existing dwellinghouse.

- (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,**
(ii) or exceed 4 metres in height;

The proposal does not extend beyond the rear wall of the original dwelling house by more than 4 metres, or exceed 4 metres in height.

- (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.

- (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 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 extension would be within 2 metres of a boundary; however the eaves would not exceed 3 metres.

- (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 extension would extend beyond a wall forming a side elevation of the original dwellinghouse. However the extension would not exceed 4 metres in height, would not have more than a single storey, and would not have a width greater than half the width of the original dwellinghouse. With the widest point of the house measured from the outside of the original garage to the party wall with No. 8 Downleaze. This method is described on page 23 of the permitted development rights for householders Technical Guidance.

- (ja) Any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (e) to (j);**

The total enlargement does not exceed the limits set out in sub-paragraphs (e) to (j).

- (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.**
- (d) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (b) and (c);**

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;**

The submitted information indicates that the proposal will be finished in materials similar to those used in the exterior finish of the existing dwellinghouse

- (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, or forms an upper storey on an existing enlargement of the original dwellinghouse, 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.

6.4 No. 7 Downleaze, Downend has no planning history that restricts the conversion of the existing garage into living accommodation. Nor are there any physical restrictions regarding parking, access or amenity space as noted on my site visit on 25th May 2017 that would hinder this development.

As the proposed conversion would be internal, with no enlargement of the existing garage, this does not require prior approval from the Local Planning Authority.

7. RECOMMENDATION

- 7.1 That a certificate of Lawfulness for Proposed Development is **granted** for the following reason:

Evidence has been provided to demonstrate that on the balance of probabilities the proposed single storey side extension and conversion of existing garage into living accommodation falls within the permitted rights afforded to householders under Schedule 2, Part 1, Class A of the Town and Country Planning General Permitted Development Order 2015.

Contact Officer: David Ditchett
Tel. No. 01454 863131

CIRCULATED SCHEDULE NO. 23/17 – 9 JUNE 2017

App No.:	PK17/1872/CLP	Applicant:	Mr & Mrs Quilliam
Site:	11 Kingston Drive Mangotsfield Bristol South Gloucestershire BS16 9BQ	Date Reg:	12th May 2017
Proposal:	Certificate of lawfulness for the proposed installation of rear dormer to facilitate loft conversion	Parish:	None
Map Ref:	366010 177042	Ward:	Rodway
Application Category:	Certificate of Lawfulness	Target Date:	21st June 2017



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application is for a Certificate of Lawfulness, and as such, according to the current scheme of delegation, is required to be taken forward under the Circulated Schedule procedure.

1. THE PROPOSAL

- 1.1. The applicant is seeking a formal decision as to whether the proposed installation of 1no rear dormer to facilitate a loft conversion at No. 11 Kingston Drive, Mangotsfield would be 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 (General Permitted Development) (England) Order 2015, Schedule 2, Part 1, Class B, Class C and Class G.

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. None available.

4. CONSULTATION RESPONSES

- 4.1. Ward Councillors
No comments received.

Other Representations

- 4.2. Local Residents
No comments received.

5. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

Existing Plans and Elevations (Drawing No. 17029_CLD01)
Proposed Plans and Elevations (Drawing No. 17029_CLD02)

6. ANALYSIS OF PROPOSAL

6.1. Principle of Development

The application for a Certificate of Lawfulness is purely an evidential test that 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. It should be noted that there is no restriction on permitted development rights at the subject property. As such permitted development rights are intact and exercisable.

6.3. The proposed development consists of the addition of 2 roof lights; which is explained in point 6.4, and installation of a rear dormer to facilitate a loft conversion. The dormer development would fall within Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015, which permits the enlargement of a dwellinghouse consisting of an addition or alteration to its roof. This allows dormer additions and roof alterations subject to the following:

B.1 **Development is not permitted by Class B if –**

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

The dwellinghouse was not granted under Classes M, N, P, PA or Q of Part 3.

- (b) **Any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof;**

The height of the proposed dormer would not exceed the highest part of the roof, and therefore the proposed development meets this criterion.

- (c) **Any part of the dwellinghouse would, as a result of the works, extend beyond the plane of any existing roof slope which forms a principal elevation of the dwellinghouse and fronts a highway;**

The proposed dormer window would be located to the rear of the property, and as such would not extend beyond any existing roof slope

which forms a principal elevation of the dwellinghouse and fronts a highway. As such the proposal meets this criterion.

- (d) **The cubic content of the resulting roof space would, as a result of the works, exceed the cubic content of the original roof space by more than –**
- (i) **40 cubic metres in the case of a terrace house, or**
 - (ii) **50 cubic metres in any other case**

The property is a semi-detached house. Volume calculations as shown on Plan 17029_CLD02 indicate that the total increase in roof space of the original dwelling would be 19 cubic metres. Following a telephone conversation with the agent Mr Maddox on 6th June 2017; Volume calculations were undertaken by the case officer, which indicated the volume as 23 cubic metres, this was confirmed by Mr Maddox. As such, the proposal would result in an additional volume of no more than 50 cubic metres.

- (e) **It would consist of or include –**
- (i) **the construction or provision of a verandah, balcony or raised platform, or**
 - (ii) **the installation, alteration or replacement of a chimney, flue or soil and vent pipe; or**

The proposal does not include the construction or provision of a verandah, balcony or raised platform. However the proposed development does include the alteration of a boiler flue, this is dealt with in point 6.5.

- (f) **the dwellinghouse is on article 2(3) land**

The host dwelling is not on article 2(3) land.

B.2 Development is permitted by Class B subject to the following conditions—

- (a) **the materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;**
- (i) Submitted plans indicate that the proposed dormer will be finished in materials to match the finish of the existing roof. The roof and windows of the proposed dormer will be finished in materials to match those used in the external finish of the main dwelling. As such, the proposal is considered to meet this criterion.
- (b) **the enlargement must be constructed so that –**

- (i) **other than in the case of a hip-to-gable enlargement or an enlargement which joins the original roof to the roof of a rear or side extension –**
 - (ab) **the eaves of the original roof are maintained or reinstated; and**
 - (bb) **the edge of the enlargement closest to the eaves of the original roof is, so far as practicable, not less than 0.2 metres from the eaves, measured along the roof slope from the outside edge of the eaves; and**
- (ii) **other than in the case of an enlargement which joins the original roof to the roof of a rear or side extension, no part of the enlargement extends beyond the outside face of any external wall of the original dwellinghouse; and**

The rear dormer would be approximately 1 metre from the outside edge of the eaves of the original roof and the proposal does not protrude beyond the outside face of any external wall of the original dwellinghouse. The eaves are maintained.

- (c) **any window inserted on 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.**

The proposal does not involve the insertion of any windows to the side elevation of the dwellinghouse.

6.4. The proposed development also includes the provision of 2 new roof lights. This development falls within Schedule 2, Part 1, Class C of the Town and Country Planning (General Permitted Development) (England) Order 2015, which permits any other alterations to the roof of a dwellinghouse. This allows roof light additions subject to the following:

C.1 Development is not permitted by Class C if-

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

The dwellinghouse was not granted under Classes M, N, P, PA or Q of Part 3.

- (b) **the alteration would protrude more than 0.15 metres beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof;**

The roof lights proposed will not protrude more than 0.15 meters beyond the plane of the original roof.

- (c) **it would result in the highest part of the alteration being higher than the highest part of the original roof; or**

The roof lights proposed will not be higher than the highest part of the original roof.

- (d) **it would consist of or include-**

- (i) **the installation, alteration or replacement of a chimney, flue or soil vent pipe, or**
- (ii) **the installation, alteration or replacement of solar photovoltaics or solar thermal equipment.**

Not applicable to the proposed roof lights.

6.5. As the proposed development requires the alteration of a boiler flue, it must also be assessed to see if it falls within Schedule 2, Part 1, Class G of the Town and Country Planning (General Permitted Development) (England) Order 2015, which permits the installation, alteration, or replacement of a chimney, flue or soil and vent pipe on a dwellinghouse subject to the following:

G.1 Development is not permitted by Class G if-

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

The dwellinghouse was not granted under Classes M, N, P, PA or Q of Part 3.

- (b) **the height of the chimney, flue or soil and vent pipe would exceed the highest part of the roof by 1 metre or more; or**

The height of the altered boiler flue would exceed the highest part of the roof by 0.4 metres. It is therefore within the 1 metre parameter.

- (c) **in the case of a dwellinghouse on article 2(3) land, the chimney, flue or soil and vent pipe would be installed on a wall or roof slope which-**
- (i) **fronts a highway, and**
 - (ii) **forms either the principal elevation or a side elevation of the dwellinghouse.**

The dwellinghouse is not on article 2(3) land.

7. RECOMMENDATION

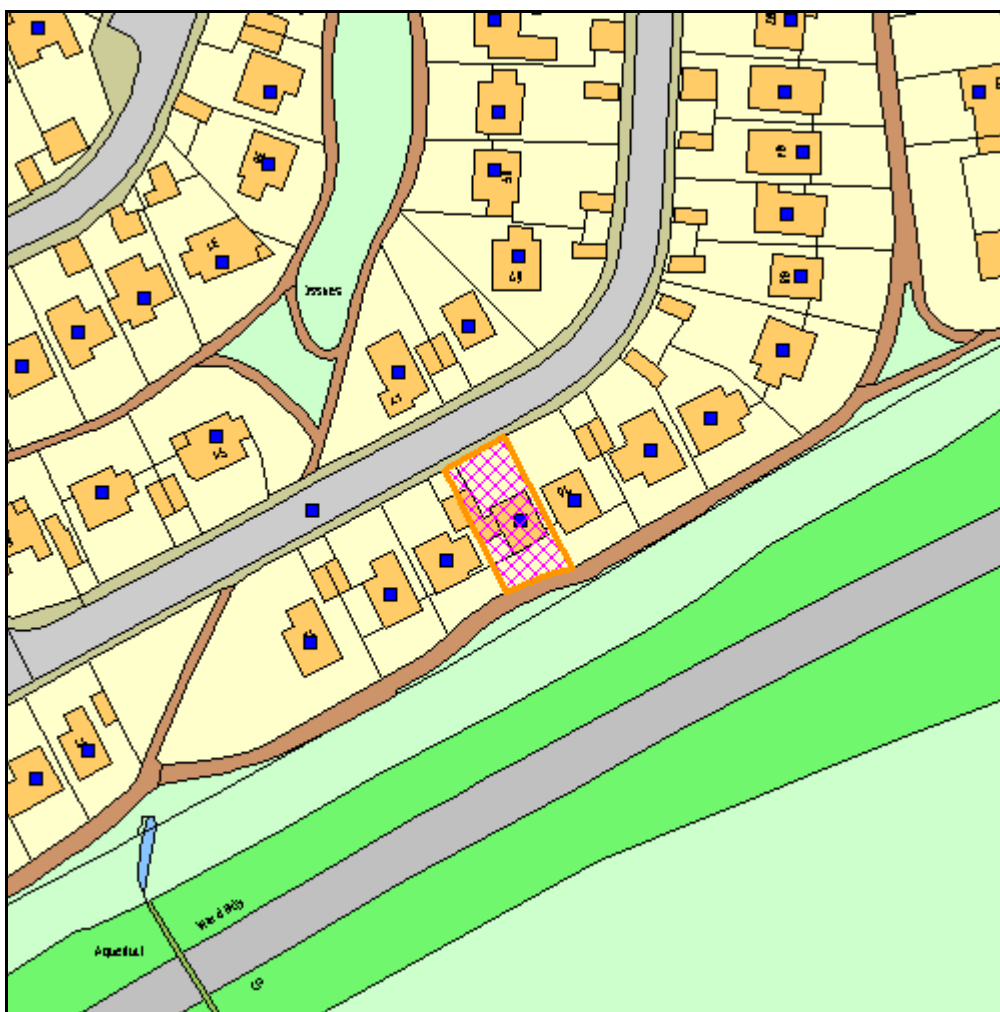
7.1. That a certificate of Lawfulness for Proposed Development is **granted** for the reasons listed below:

Evidence has been provided to demonstrate that on the balance of probabilities the proposed installation of a rear dormer; and addition of 2 roof lights would fall within the permitted rights afforded to householders under Schedule 2, Part 1, Class B, Class C and Class G of the Town and Country Planning General Permitted Development Order 2015.

Contact Officer: David Ditchett
Tel. No. 01454 863131

CIRCULATED SCHEDULE NO. 23/17 - 9 JUNE 2017

App No.:	PK17/1894/F	Applicant:	Mr & Mrs David & Sarah Long
Site:	71 Robin Way Chipping Sodbury South Gloucestershire BS37 6JP	Date Reg:	5th May 2017
Proposal:	Erection of two storey side extension and single storey front extension to provide additional living accommodation.	Parish:	Dodington Parish Council
Map Ref:	372291 181450	Ward:	Chipping Sodbury
Application Category:	Householder	Target Date:	14th June 2017



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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 The application is for the erection of a first floor side extension and a single-storey front extension to provide additional living accommodation.
- 1.2 The property is a detached dwelling set within a radburn-style estate in Chipping Sodbury. The main dwelling is finished in red brick, with hung tiles and brown roof tiles.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012
Planning Policy Guidance 2016

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

H4 Development within Existing Residential Curtilages
T12 Transportation

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

PSP1 Local Distinctiveness
PSP8 Residential Amenity
PSP38 Development within Existing Residential Curtilages, Including Extensions and New Dwellings
PSP43 Private Amenity Space Standards

- 2.3 Supplementary Planning Guidance
Design Checklist SPD (Adopted) 2007
Residential Parking Standards SPD (Adopted) 2013

3. RELEVANT PLANNING HISTORY

- 3.1 N8235 Approved with Conditions 09.09.1982
Erection of single storey extension at side to provide utility room.
- 3.2 P98/2280 Approved 10.09.1998
Erection of two storey side extension

4. **CONSULTATION RESPONSES**

- 4.1 Dodington Parish Council
No objection

Sustainable Transportation

The applicant seeks to erect a two storey side extension and single storey front extension to provide additional living accommodation. No increase in off street parking is required. There are no transportation objections.

Other Representations

- 4.2 Local Residents
Three neighbours objected to the proposal

Representation 1

Concerns regarding porch extending past the front elevation.

Representation 2

Proposed development is out of keeping with other dwellings.
Concerns regarding porch extending past the front elevation.

Representation 3

Concerns relating to overdevelopment of the site.
Concerns relating to scale of proposal.
Proposed development is out of keeping with other dwellings.
Concerns relating to spacing of dwellings.
Overshadowing and loss of outlook concerns.
Concerns regarding porch extending past the front elevation.

5. **ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development

The application seeks permission for erection of a first floor side extension and a single storey front extension to provide additional living accommodation. Saved policy H4 of the Local Plan permits extensions and alterations to existing dwellings within established residential curtilages subject to an assessment of design, amenity and transport. As well as the criteria of saved policy H4, the proposal will be considered with regards to design against policy CS1 of the Core Strategy. The development is acceptable in principle but will be determined against the analysis set out below.

- 5.2 Design

Two-Storey Side Extension

The proposed two storey side extension would extend from the west side of the property, partially sitting atop an existing side extension. It would be finished in the same materials as the existing dwelling and would be set lower than the existing roof. This would ensure that the extension is subservient to the existing dwelling.

- 5.3 One neighbour has objected to this proposal due to concerns relating to spacing of dwellings. A single storey extension already exists to the western side of the property. The new two-storey extension would abut the side of this extension; therefore, it is not considered that there would be a material change in the spacing between dwellings which would negatively affect the street scene.

Single-Storey Front Extension

- 5.4 The proposed single-storey front extension extends roughly 1.6m from the front of the house, and measures 6.4m in width. It would have a lean-to style roof, and would be finished in a similar style to the existing dwelling. Three objections were received based on the front extension, largely due to concerns relating to the building line. Upon the initial site visit, it was noted that this area of Robin Way does not have a strong building line. This is corroborated by aerial photographs of the site. In addition to this, 71 Robin Way is the most set back within the row of houses; the front extension would only extend 1.6m from the front of the dwelling, not significantly forward of any other house in the street

Cumulative Impact

It is noted that one neighbour has objected due to:

- Concerns relating to overdevelopment of the site.
- Concerns relating to scale of proposal.

It is not considered that the proposals would represent overdevelopment of the site, nor is it considered that the scale is overly large. Two-storey side extensions and single-storey front extensions on residential dwellings are relatively common and it is felt that the proposals respect the site's limitations.

- Proposed development is out of keeping with other dwellings.

The addition of a two storey-side extension and a front-extension is not likely to materially affect the street scene in regards to this dwelling. A number of other dwellings within the street have side extensions, including the house at 72 Robin Way, which has a two-storey side extension.

- 5.6 Overall, it is considered that the proposed extensions would not harm the character or appearance of the area and as such they are considered acceptable in terms of visual amenity. Therefore, it is judged that the proposal has an acceptable standard of design and is considered to be 'in keeping' with policies CS1 and H4 and conforms to the criteria in the adopted Local Plan.

5.7 Residential Amenity

The application site is a detached dwelling within a row of detached dwellings. The length, size, location and orientation of the proposals are not considered to give rise to any significant or material overbearing impact on adjacent properties.

It is noted that a neighbour has objected to the proposals due to overshadowing and loss of outlook concerns. This row of houses has north-facing gardens, and having looked at the path of the sun, it is considered unlikely that there would be a material loss of light as a result of this proposal. In regards to loss of outlook, this is not a material consideration and cannot be taken into account.

- 5.8 Further to this sufficient garden space remains to serve the property to the rear and front.
- 5.9 Overall, the proposal would not result in an unacceptable detrimental impact on the residential amenity of its neighbouring occupiers, meaning the proposal is in accordance with saved policy H4 of the adopted Local Plan.
- 5.10 Transportation
The applicant seeks to erect a two storey side extension and single storey front extension to provide additional living accommodation. No increase in off street parking is required. There are no transportation objections.

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 proposals are of an appropriate standard in design and are not out of keeping with the main dwelling house and surrounding properties. Furthermore the proposal would not harm the amenities of the neighbouring properties by reason of loss of privacy or overbearing impact. Adequate parking can be provided on the site. As such the proposal accords with Policies H4 and T12 of the South Gloucestershire Local Plan (Adopted) 2006 and CS1 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013.
- 6.3 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 planning permission is **granted**, subject to the conditions recommended.

Contact Officer: Owen Hoare
Tel. No. 01454 864245

CONDITIONS

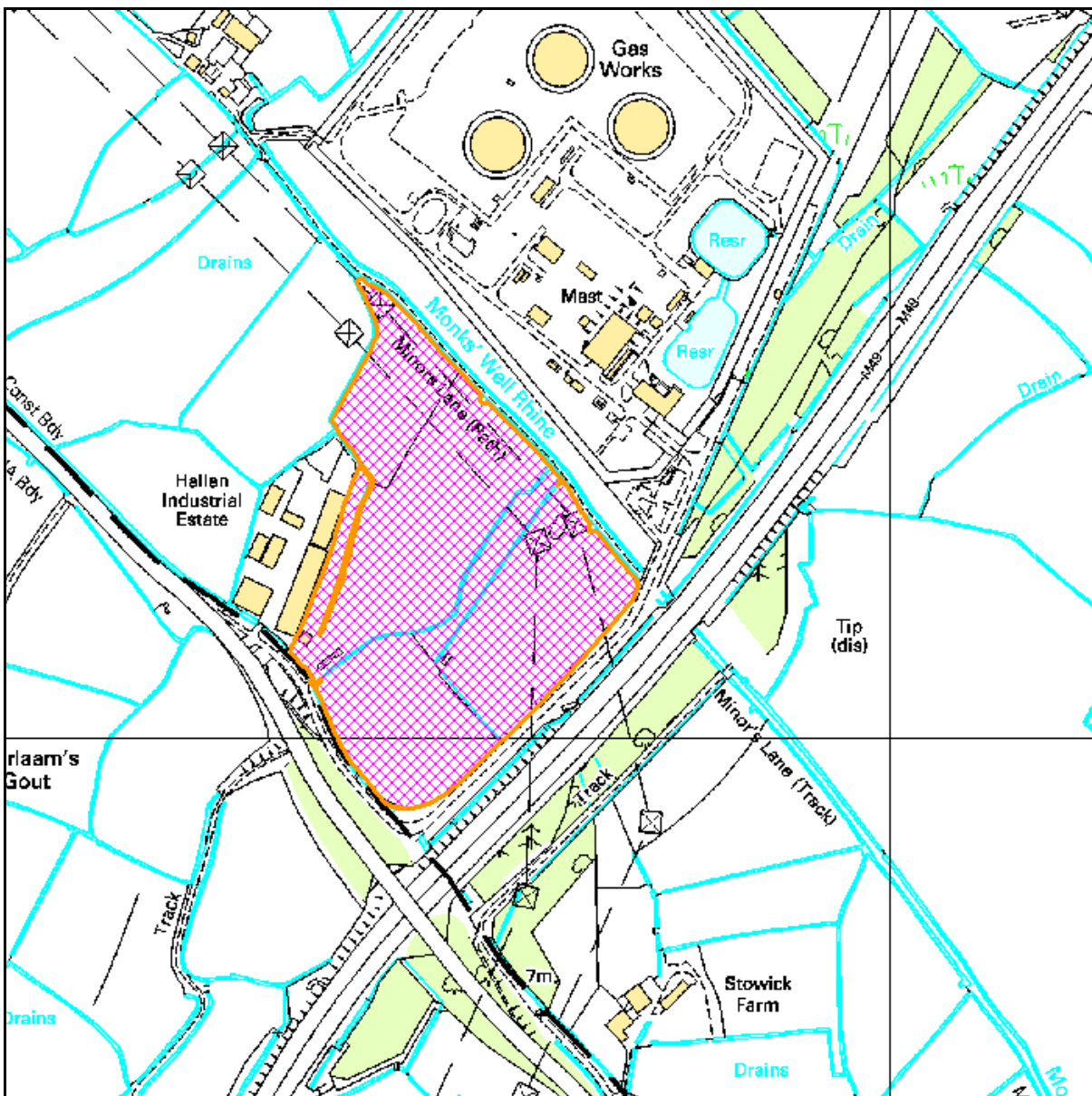
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 23/17 – 9 JUNE 2017

App No.:	PT16/4744/MW	Applicant:	Bristol And Avon Waste Management
Site:	Hallen Yard Severn Road Hallen South Gloucestershire BS10 7SE	Date Reg:	7th September 2016
Proposal:	Retention of use of land as construction waste transfer station including the erection of a building, siting of a weighbridge, erection of concrete push walls, construction of product storage bays, the erection of workshop and office buildings, and new highway access and perimeter concrete walls	Parish:	Almondsbury Parish Council
Map Ref:	354608 181083	Ward:	Almondsbury
Application Category:	Major	Target Date:	5th December 2016



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 100023410, 2008. N.T.S. PT16/4744/MW

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 This application seeks consent for the retention of the use of the land as a construction waste transfer station including the erection of a building, siting of a weighbridge, erection of concrete push walls, construction of product storage bays, the erection of workshop and office buildings, and new highway access and perimeter concrete walls. The hours of operation would be between 0700 and 1800 hours Monday to Friday and 0700 – 1300 on Saturdays. The annual throughput for the site would be up to 250,000 tonnes. It is expected that HGV's would route the site from the northwest, avoiding the village of Hallen and other residential areas to the south east of the site. The site as a whole would employ just over one hundred people.
- 1.2 The site itself is approximately 8.4 hectares in size. The northern half of the site does benefit from previous planning permissions for alternative waste uses (see planning history below). To this end, the land was cleared and top soil stripped in 2011 and work on the formation of a development platform and surface water lagoon was also commenced. This was pursuant to an existing permission granted for an In –Vessel Composting facility (planning references PT08/2686/F, PT09/0928/RVC and PT11/1736/MW). The site has a whole is also located within the Severnside employment area as covered in the historic extant ICI consents and identified in the South Gloucestershire Local Plan (Adopted) January 2006 for employment and industrial use and subsequently the South Gloucestershire Core Strategy Adopted December 2013. This proposal would essentially replace the previously consented in vessel composting facility and anaerobic digestion facility site area whilst adding to the overall site area in southern half of the site. The site lies within the coastal floodplain of the nationally and internationally important Severn Estuary, which is approximately 2 km to the west.
- 1.3 Much of the immediate surrounding land is predominantly agricultural although the area is interspersed with heavy industrial development and infrastructure as a backdrop. Hallen industrial estate is located immediately adjacent to the site on the west of the site. The gas works exist immediately to the north of the site. A designated recreational route runs adjacent to the north east border of the site. The M49 motorway runs near to the to the south east border of the site. The nearest properties include an isolated farm complex approximately 250 metres to the north and properties approximately 265 metres and 300 metres to the south east along Severn Road, beyond the line of the M49. The village of Hallen lies approximately 700m to the south east, beyond the motorway. Severn Road and the service road from it are located to the south west of the site.
- 1.4 The proposals have been screened in accordance with the relevant Environmental Impact Assessment Regulations. The application is accompanied by a Flood Risk Assessment, Noise Assessment, Ecology Impact Assessment and Appraisal Statement, Winter Bird Survey, Transport

Assessment and Landscape and Visual Impact Assessment. It should also be noted that the facility would need to be subject to a Waste Management Permit issued by the Environment Agency and would be subject to separate Environmental Protection authorisations for activities and operations within the site. A revised red line application boundary plan has also been submitted, reducing the size of the site slightly in the south east corner of the site.

2. POLICY CONTEXT

2.1 National Guidance
National Planning Policy Framework
National Planning Policy for Waste

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006
E1 Proposed Site for Employment Use
E2 Severnside

West of England Joint Waste Core Strategy (Adopted) March 2011
Policy 2 Non-Residual Waste Treatment Facilities
Policy 11 Planning Designations
Policy 12 General Considerations

3. RELEVANT PLANNING HISTORY

- 3.1 PT08/2686/F – Change of use of agricultural land to in-vessel composting facility comprising office building, weighbridge, waste reception building, composting halls, maturation and screening building, emissions treatment and associated plant. Approved 16th December 2008.
- 3.2 PT09/0928/RVC - Variation of condition 2 attached to planning permission PT08/2686/F to allow the amendment of the height of the composting hall. Approved 1st July 2009.
- 3.3 PT11/1736/MW – Change of use of agricultural land to in-vessel composting facility comprising office building, weighbridge, waste reception building, composting halls, maturation and screening building, emissions treatment and associated plant. (Consent to extend time limit of implementation of PT09/0928/RVC). Approved 26th July 2011.
- 3.4 PT12/1015/MW - Change of use of agricultural land to anaerobic digestion facility including weighbridges, reception building, biofilter, digestion and storage tanks and associated plant and infrastructure. Approved 22/6/12.
- 3.5 PT15/029/SCR – Screening Opinion for the Construction waste recycling facility, in addition to the provision of workshop and office buildings together with a weighbridge and associated infrastructure. EIA not required. 15/1/16

4. CONSULTATION RESPONSES

4.1 Almondsbury Parish Council
No comments received

4.2 Other Consultees

Environmental Protection

No objections in principle. The activities on site are likely to require Environmental Permits from both the Environment Agency (waste activities) and the Local Authority (crushing etc). The Environmental Protection Team were consulted previously on an application for a Permit received by the EA prior to the planning application being made. It was noted that the site boundary plan submitted for the planning application was larger than the site plan accompanying the EA permit application. This has been drawn to the attention of the EA permitting officer. It is however recommended that the EA are formally consulted on this planning application.

Fisher German (on behalf of Government pipelines)

A pipeline exists in close proximity to the north east of the site. The applicants are advised to contact the pipelines operators for advice prior to the commencement of any works.

Environment Agency

There was initial concern and objection from the EA to the proposals on flood risk grounds. Further Flood Risk Assessment details were subsequently submitted and the EA reconsulted.

The EA withdraw their previous objection, subject to conditions and informatives, securing compliance with the flood risk details.

Ecology

Description of Site

The eastern area of the site is currently in use as a recycling plant. The 4.1ha proposal site is fenced apart from its boundary with the recycling plant, and is surrounded elsewhere by open arable fields and grazing marsh, bounded by ditches and occasional hedgerows, with scattered large industrial sites. The Severn Estuary SAC, SPA and SSSI lies approximately 1.7km to the west. Lawrence Weston Moor Local Nature Reserve and Site of Nature Conservation Interest lies 1.7km SE of the site. This is highly unlikely to be adversely affected by the proposal, but the Severn Estuary SPA designated for its assemblage of wetland and migratory wildfowl and waders, may be if the site cannot be shown to have no relevance to these species.

Ecological Issues

An Ecological Impact Assessment has been provided (Environ, dated May 2016, updated July 2016). The findings are as follows:-

Habitats

- A large field with hardstanding, bare earth, rocks and rubble;
- Large pond in the NW, created since 2013, surrounded by long semi-improved (i.e. not species-rich) grassland. It is not clear whether or not this pond will be retained;
- Two ditches holding water;
- Standing water near eastern boundary, formed from a remnant ditch;
- Ditch immediately to south of the site;
- Isolated stagnant pool to the west of the site entrance;
- Hedgerow on northern boundary, not species-rich;
- Grass and tall plant covered bund along NW boundary;
- Ephemeral grassland, quite diverse in species;
- Dense scrub.

Species protected under the Conservation Regulations 2012 (as amended), known as European Protected Species, and Wildlife & Countryside Act 1981 (as amended)

- Bats – one tree (a mature dead ash tree adjacent to the NE of the site boundary) was considered to have moderate bat roost potential. There are foraging opportunities for bats across the site and particularly along the northern boundary. The tree should be retained and subject to no increase in ambient lighting, which also applies to the boundary habitats;
- Great crested newts (gcns) – the large pond was considered through Habitat Suitability Index assessment to have high suitability to support gcns. The remnant ditch in the east of the site was considered to have some potential to support gcns. Water bodies with gcn potential were subject to standard survey methods and none were found, despite DNA studies suggesting gcns were present;
- Otter – potential at the large pond.

Species protected under the Wildlife & Countryside Act 1981 (as amended)

- Water vole – likely signs in the form of a feeding station and a dropping were found at the large pond. Subsequent surveys concluded that no water voles were present even though they also found cut vegetation characteristic of water vole!
- Reptiles – potential in rough grassland, debris, brash piles – a reptile survey was carried out and found a small grass snake population (and also common toad, a national Priority Species).
- Breeding birds – limited opportunities on site apart from the large pond. This pond should be checked for wintering wildfowl.

Badger Act 1992

- No signs of badger were found.

European Hedgehog (not currently protected but a UK and South Gloucestershire Priority Species).

- The report did not consider this species.

The site did not have suitable habitat, nor was close to such habitat, to require consideration of any other protected species.

Local Plan Policy Context
Para 109 – 125, National Planning Policy Framework
L9 (Protected Species) - South Gloucestershire Local Plan
CS9 – Core Strategy

Analysis and Recommendations

There are many issues left unclarified under the present application.

The application cannot be determined without the following:-

- Details about which habitats are being retained, and how they are being protected both during construction and site operation, especially the large pond and the ash tree with bat roost potential.
- Details regarding a bat-friendly lighting plan are also required, should lighting be needed.
- Whilst some mitigation has been proposed, there are no recommendations for biodiversity enhancements, which would be expected under NPPF guidance. Proposals should be related to the South Gloucestershire Biodiversity Action Plan.
- Finally, a winter bird survey is required to determine whether the large pond is used by bird species for which the estuary is designated.

Due to insufficient information, there was therefore an initial objection to the proposals on ecological grounds.

While the precautionary mitigation strategy (Environ, dated September 2016) is considered thorough, there was concern in carrying out mitigation works for protected species in October, due to the risk that temperatures may fall below 10⁰C. This will make it less assured that species such as grass snake (known to be present) will be active, and disturbing hibernating species is contrary to best practice. This application cannot be determined yet as the Ecological Impact Assessment (Environ, dated May 2016) recommends further surveys for the protected species great crested newt, water vole and reptiles. Protected species surveys are referred in the precautionary mitigation strategy but do not appear to be available yet. These will need to be fully considered and avoidance/mitigation measures agreed before determination. In addition, there is a large waterbody on site which has potential to support wintering wildfowl and waders for which the Severn Estuary is designated. Therefore a full suite of winter bird surveys will be required, to cover the waterbody and any other suitable land within the application site.

A further, updated Ecological Assessment Impact, containing further surveys, assessment and precautionary mitigation strategy has subsequently been undertaken and submitted, and further consultation comments received:

There remained a query as to whether October was appropriate for reptile work; survey guidelines state April to September, early October at a push but this is not considered optimal. We will also need to be assured that no bird species for which the estuary is designated are using the large pond. This pond is comparable in size to Orchard Pools to the north which, albeit longer established, support gadwall.

An additional wintering bird survey was subsequently received and reconsulted:

The survey and results are considered satisfactory. Three survey visits would have been preferable but considering the distance from the estuary and the lack of birds recorded during the first two visits, it is unlikely to impact on birds associated with the SPA.

Archaeology

This application is part retrospective, as a significant amount of development work has taken place. Although this work took place without archaeological evaluation that would have been required, the applicants subsequently commissioned a heritage assessment and a programme of trial trenching and I am satisfied from this that the development work has not affected any archaeological features relating directly to human activity (such as settlement, field systems etc). I also do not see the need for further evaluation work at the site. However, the site has a very high potential to yield significant information about past environment through the palaeoenvironmental deposits on site. The nearby site of Willow Farm produced the best evidence for sea level change anywhere in the Severn Estuary and the Levels generally are extremely important in this regard. There is every reason to suspect that similar information will exist on the current application site. The retrospective development involved construction work that included considerable piling to bedrock. This piling process will have destroyed the palaeoenvironmental sequence and to mitigate this we would have requested a programme of palaeoenvironmental coring to obtain cores and analyse these in a laboratory followed by publication. Although this did not happen at the time, it is a requirement now. As such a condition needs to be applied to the consent for a programme of geoarchaeological and palaeoenvironmental work.

Landscape & Visual Amenity.

Drawings & Documentation

Landscape and Visual Report

Landscape Masterplan

Landscape & Visual Amenity

The existing site area is 4.3ha and the extension site is 4.1ha resulting in an overall site size of 8.4ha. It is centrally located on the coastal plain between the estuary and the scarp edge of Spaniorum Hill. The site is used for the recycling of construction, demolition and excavation wastes which are stored as a series of stockpiles of varying heights. The development includes the erection of office and workshop buildings, siting of a weighbridge, erection of concrete walls and storage bays, new highways access, perimeter concrete walls and the extension of the yard into Willows Farm. The site has been recently re-designed to rationalize previously ad hoc activity. The new office building is a sophisticated and eye catching version of a stack of shipping containers, enlivened by the use of colour and raising to 18.56m at the top of the lift shaft.

There is no vegetation within the active site or within the central area of the extension site. There is a hedge with a few trees on the north-west boundary and along Minors Lane. There is dense scrub with young trees between the access road and the M49 and Severn Road over-bridge embankments. There is a bridal way along the south eastern and north eastern boundaries of the site and additional public footpaths crisscrossing the surrounding area.

The land is included in an area of strategic green infrastructure within the West of England Strategic Green Infrastructure Framework with GI corridors possibly along Severn Road and Minors Road, though it is difficult to accurately locate due to the large scale of the map.

A landscape and visual report has been produced to assess the impact of the development on the visual amenity and landscape character of the surrounding area. This has identified that there will be limited opportunities for glimpses of the site from the wider landscape due to the level topography and intervening buildings and vegetation. Where the site is open to views from higher ground around Spanorium Hill it is seen within the context of other industrial infrastructure, such as the gas holding tanks and pylons and also the M49. There will be filtered views through the hedgerow on Minors Lane and there will be a brief, partial, oblique angled view from the Severn Road as it passes over the M49. The site is open to views from the bridal way that runs along the south eastern boundary, between the site and the M49.

A landscape master plan has been produced. This shows that all hedgerows and trees will be retained and no aggregate storage or vehicular movement will take place unless or until an arboricultural survey is undertaken. I will defer to one of the Tree Officers with regards to whether it is acceptable for the site to be operational prior to this being carried out. All existing ditches will be retained, with 8m maintenance standoffs on both sides, and managed for biodiversity. The landscape masterplan shows areas set aside to be managed as a wildlife reserve through the sowing of wildflower seeds. There is a proposed new native hedge on the northern boundary that will help to reinforce the structure of vegetation in the area and help screen views from the north. There will be a short section of hedge on the southern boundary that will help screen views from the bridal way. There is an area of mown grass along the rest of the southern boundary. Planting in this area would help to soften the views into the site from the bridal way and the Severn Road over bridge and would contribute to the GI structure and help mitigate for the loss of open pasture land.

Recommendation.

Additional large native trees and shrubs should be located along the approach road on the southern boundary of the site to help soften any views from the south and reinforce the areas Green Infrastructure and help to retain the semi-rural character. A landscape condition should be attached requiring a detailed planting plan to be submitted and approved, this should include additional planting as detailed above. A condition should also be attached to carefully control the sites lighting.

It is considered that if the above conditions are attached then the proposals are in accordance with Policies L1 and CS1 of the adopted Local Plan and the Core Strategy.

Lead Local Flood Authority

A plan showing the areas of site that have been raised to 7.45m AOD and the areas that still need to be raised may be necessary. Also confirmation of what type of material is to be used for raising the land.

There appears to be no storage capacity calculations attached to the FRA. Could these be submitted for review?

The submission of a Surface Water Drainage Plan is requested indicating the drainage network for the new buildings to be constructed on site.

Sustainable Transportation

We have now reviewed this planning application and note that it seeks to retain the use of land in Severn Road, Hallen as a construction waste transfer station. To this end, a number of facilities will be constructed including storage bays, a workshop and office buildings. We understand that this site already operates as a waste transfer facility and this application is, therefore, part retrospective. We note that, as was requested at the pre-application stage, a Transport Statement has been submitted to accompany this planning application. Our review of this document indicates that the applicants have carried out an adequate examination of the possible changes in trip movement that this development could produce and so we are broadly satisfied with this document and its findings. A more detailed discussion of our review is set out below:

Trip generation changes

Rather than using the TRICS database as is standard, we understand that the applicants have estimated the potential vehicular movements associated with the site from first principals. This is because data for this type of land-use is not available in TRICS. These calculations indicate that the maximum vehicular movements are likely to occur during the traditional morning and evening peak periods when employees travel to and from the site. Thus, the applicants estimate that, during these periods a maximum of 30 one-way vehicular movements will occur. They also indicate that HGV movements will equate to about two movements per hour throughout the working day. We are broadly satisfied with this approach and so concur with its results. As agreed at the pre-application stage, operational tests have only been undertaken at the junction of Severn Road and the Hallen Industrial Estate service road as this was considered to be the point where this development was most likely to detrimentally affect the local highway network. Hence, this junction has been tested for a future year of 2022 using the PICADY program and forecasts derived using the standard TEMPRO technique. The results of this analysis indicate that this development will have very little impact upon the local highway network. As a result, the applicants have concluded that these proposals will not create any detrimental impact on the surrounding highway network. We broadly accept this conclusion.

Car parking

The Transport Statement also includes a very limited examination of the car parking associated with the existing and proposed land uses at this site. Nevertheless, the applicants state that, as the existing 35 space car park has sufficient capacity to accommodate current demand from 90 employees with space to spare, it can also accommodate the extra demand arising from the proposed development as well. This is because the current proposals will only add another 15 workers. Although we are disappointed that a more robust analysis of this issue was not carried out, we broadly accept this conclusion. We are reassured on this point because the applicants also state that sufficient additional hardstanding is available to accommodate all vehicles which could visit the site at times of above average demand.

Non-vehicular access

We note that the applicants have only briefly described the provision for non-car travel to and from the site in the Transport Statement. They indicate that the site is adequately provided in this respect and so they are not proposing any enhancements to these facilities. Given the nature of activities at this location, we accept that this conclusion.

Vehicular access proposal

We understand that the site currently benefits from two accesses onto the Hallen Industrial Estate service road and note that the applicants swept path analysis demonstrates that HGVs can use the main access without difficulty. Consequently, we have no comment about this aspect of these proposals either.

Management of HGV movements

We are pleased to note that the applicants are intending to produce a written management statement setting out the ways in which they will address all the potential environmental impacts of this development and that this document will include the possible adverse effects HGV movements. Consequently, we have no comment about this aspect of these proposals either. In this case, however, we recommend that a condition is placed on any planning permission granted for this site to ensure that this document is satisfactorily produced in a timely manner.

Conclusions

After reviewing this Transport Statement, we broadly concur with the applicants conclusion that the current development is unlikely to have any materially detrimental impacts upon the local highway network. Conditions are recommended securing a traffic management plan.

Public Rights of Way

This application will affect public bridleway OAY101 which runs on three sides of the site from Severn Road, sharing the access to this site, and on down the private road to the gas works before turning left into Minors Lane. This route is included in the SGC Local Plan under policy LC12 and as such we would be seeking improvement and enhancement where possible. To this end the PROW team has been working with developers of the surrounding land to enhance the PROW network and this bridleway in particular.

It is therefore important that conflict between horses using the route and traffic to the site is minimized for safety and that the bridleway is protected. There is an application for the gas works site which, if permitted, proposes a number of HGV movements along the private road which already has implications for safety for users of the bridleway. The application for this site will add significantly to this if HGVs are permitted to access the site from the south east side. I would therefore wish to see all HGV traffic restricted to entering the site from the south-west side only, just off Severn Road, which will reduce the opportunity for horses traversing the embankment coming into conflict with them, and I would also wish to see signage installed and maintained to warn drivers, including cars continuing on the private road, of horses using the bridleway.

Following a further site visit and discussion of options, it was not considered that the weighbridge and the access could be moved, for operational reasons, however additional mitigation was recommended.

Additional PROW observations and recommendations to address any outstanding bridleway concerns are summarised below:

‘Taking the route from the south west, horses will come down the embankment, cross the road and run between the wall and the ditch and when they reach the southern corner they have the option to cross over and ride along a more cut back grass verge down to where they will turn in along the north-east edge of the site. People may prefer to stay on the side of the traffic doing the path that way around but the new verge gets more steeply sloped as it nears the first eastern entrance (there are two) and there is a great big sign in the way. After the first eastern entrance there is no verge. Coming the other way (north-south) they should stay on the verge from one end to the other as they will be running with the traffic.

In terms of safety could B&A be asked to cut that eastern verge back about 3-4m, make a way through from the southern entrance between the wall and the ditch to connect with their new grass verge and put decent warning signs up for the drivers – not just a triangle with a horse on it but some proper signs saying “Slow – horses” or similar. Would it also be possible to do a bit more for safety and keep the bridleway down the embankment off the road cut back?’

Following these discussions, the applicants considered the mitigation proposals acceptable and implementable.

Arts and Development

No comment

Highway Structures

No comment

Other Representations

4.3 Local Residents

3 letters of objection/concern have been received, raising the following points:

- We are regularly disrupted with noise from the site as early as 6.00am, going through the day until 7.00pm. Although noise tests have been carried out, (confirming 18 lorries left the site between 6.30am and 7.00am.) These tests were taken at the end of May when the tree/hedges were in full leaf and act as a sound barrier. Also the measurements were taken at 1.5m whereas our bedrooms are at a height of approximately 4m, giving a much straighter line of sound.

- At present there does not seem to be any dust prevention in place as we regularly get dust blown across, resulting in our cars permanently being covered in dust. We assume this is from the crushing operations. We are also concerned about the possible health risks this may cause.

- Despite the intensive transport assessment, we have seen at least four traffic incidents on Severn Road this year the majority being caused by slippery roads. (Possibly whilst the site has been operational.)

- Hardcore/rubble fragments are frequently seen on the road between the plant and Avonmouth. We have personally had damage to our vehicles on two separate occasions from such debris.

- Silty/dust deposits line the road daily from the plant junction on Severn Road towards Avonmouth making the roads more hazardous for traffic in wet weather.

- according to the sound report approximately 22 lorries leave the site each day at present (apparently 18 of them between 6.30am-7.00am) and this will be twice as bad once planning permission is granted.

- concern as to why this application has just been submitted when the site has been running for the past 8 months along with erection of concrete walls offices and the like way before this application was submitted.

- I was unaware that this section of Severn Road had become classified as B40595. I do not have an up to date Ordnance Survey Map. The Ordnance Survey extract supplied with this application still identifies Severn Road as unclassified

- The site access road (approx South to North, parallel to Severn Road) was formerly part of Severn Road (prior to realignment for the Motorway). The section of road (approx. West to East, parallel to the motorway) was a Private Road owned by the predecessor to National Grid.

- concern that a broader time reference of history of incidents should be included. There was at least one serious accident, resulting in one fatality, immediately opposite to the entrance to the access road, prior to this reference period. This was with Severn Road in the current alignment but before it became necessary for the implementation of "Slippery Road" signs leading to and away from the site. In the period following this reference period, in which period the site has been active, there have been numerous accidents at the

Northern end (or within 20 metres) of the road section examined. There has been no less than four vehicles crashed into the Rhines, where they have left the road within the past nine months.

- There is no public transport that serves this location
 - There is no provision for pavement for sections of road, from the closest residential area/ public transport point, on sections of road where traffic speeds are monitored at approximately 50 mph and over which there is no lighting
 - The Walk Accessibility chart shows that at the extremes of its range, it covers residential area. However these areas are sparsely populated and largely fall into the Green Belt and, as such, are unlikely to contribute to the employee source of this site.
 - the increase of staff from 90 to 115 No. to be 25 No., not 15 No. This should be reflected in both traffic movement and parking provision at 100%.
 - The parking indicated is for approximately 35 cars. An immediate shortfall of 50 parking bays and a foreseeable shortfall of 75 bays, without restrictions on demand
-
- It is considered that the vehicle movement estimates do not take account most of the traffic accessing the site in small windows at peak traffic times at either end of the day or weekend traffic
 - There is a presumption in the report that vehicles do not break the 7.5 tonne restriction through the village of Hallen. Whilst not as bad as before (and by no means the only culprits) there are still vehicles that pass through the village to access the facility.
 - Monitoring of traffic flow (in 2016) is unlikely to have monitored staff into the site as it begins working prior to 07:30
-
- The land in question was not formerly industrial land, as stated, but was farmland.
 - The operational times that are referred to in this document better reflect activity experienced from the site and differ from those in the report.
-
- In terms of ecological assessment, apart from the fact that this appears to be incomplete; it is compromised by the fact that it is retrospective, and that the ecological characteristics of the plot have already been altered.
-
- The planning statement indicates operating hours different to those in the transport report
 - the planning statement confirms additional 15 No. staff makes a total of 105 No. with only 35 No. parking bays includes for visitors
 - there is an inadequacy of bus service
-
- Measures are specified for the control of dust and mud spreading. To date these have not proven successful.
 - The road is perpetually strewn with mud, as are the hedgerows to either side. This is also evident on the bridge over the motorway. This may be dust carried in the air as much as mud carried up by passing vehicles.

- Provision must be made to continuously maintain the condition of the road surface and of the surrounding area. The current deterioration has occurred in the relatively short time that the facility has been operating at 30% of its anticipated capacity.

- Automated wheel washing must be considered as a mandatory requirement.
- Proximity to the estuary makes the area vulnerable to high winds (hence the wind turbines). The risk of loose materials becoming airborne is therefore high. The use of water to suppress the materials will increase the risk of mud transfer to the vehicles, particularly where there is no procedure to (at least) wheel wash all vehicles leaving the facility.

- In terms of Flood Risk Assessment, there is concern over the recommendation to raise the land height when similar was strictly prohibited further inland from the estuary

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The NPPF provides a positive framework for sustainable development in the interests of wider economic, environmental and social provisions, except where it may compromise key sustainable development principles set out in national planning policy or where any adverse impacts would significantly and demonstrably outweigh the benefit.

5.2 The broad principles of waste recycling and recovery are clearly supported through National guidelines and targets and local policy. The principle of waste use, albeit for a different waste type of waste use operation/technology, of the site has been established over the northern portion of the site through the granting of previous permissions for waste development. The site has a whole is also located within the Severnside employment area as covered in the historic extant ICI consents and identified in the South Gloucestershire Local Plan (Adopted) January 2006 for employment and industrial use and subsequently the South Gloucestershire Core Strategy Adopted December 2013. Policy 2 of the West of England Joint Waste Core Strategy (Adopted) March 2011, states that planning permission for non-residual waste treatment facilities involving recycling, storage, transfer, materials recovery and processing will be granted (subject to development management policies) on land that is allocated in a Local Plan for industrial or storage purposes or has planning permission for such use, on previously developed land or at existing or proposed waste management sites. Taking the above into consideration, the proposed development for the site is considered acceptable in principle. The main issue for consideration is therefore whether the utilisation of an alternative waste use over part of the site would give rise to any additional material impacts, whether use of the remainder of the site would give rise to any material or significant issues, and whether these could be satisfactorily mitigated through the application.

5.3 Environmental Protection/Amenity Issues

The village of Hallen is approximately 700m to the south east, although there are isolated properties within closer proximity to the site. Of note, the site is within the designated Severnside industrial area, and furthermore has previously been granted planning permission for various waste uses on the northern portion, the principle is therefore considered acceptable. Notwithstanding this appropriate studies and information have been provided as part of the application informing the levels of impact upon the local area. It should also be noted that the facility would need to be subject to a full Waste Permit from the Environment Agency and Environmental Protection authorisations and permits for specific operations in order to operate. Government advice is to avoid duplication of controls where there are pollution control requirements and controls from other specific legislation and monitoring/enforcement from authorities. There are no objections from the Councils Environmental Protection Officer or the Environment Agency. On this basis the proposals are considered acceptable in planning terms.

5.4 In response to issues raised, regarding lighting, a scheme of lighting of a design suitable to prevent spillage, is proposed to be secured by condition. Hours of operation are also recommended by condition. In terms of environmental concerns, ongoing monitoring would be submitted as part of the EA Environmental Permit to become part of the ongoing permitting requirements. Additional authorisations on dust generating operations would also be required that would need to demonstrate satisfactory environmental standards, particularly in terms of dust suppression. In terms of potential noise, the hours of operation are considered reasonable in this instance and can be controlled by condition, any unreasonable disturbance would be subject to nuisance legislation.

5.5 Landscape

The planning application is supported by a landscape & visual assessment. This identifies the key visual receptors and analyses the existing views and anticipated visual impacts of the development. This assessment of views and predicted significance of effect the development would have is considered acceptable. It is also of note that the site is within the Severnside employment and further to this, waste development has already been approved at the site. A landscape condition is recommended requiring a detailed planting plan to be submitted and approved, this should include additional planting as detailed above. A condition should also be attached to carefully control the sites lighting. On this basis there is no landscape character or visual amenity objections to the proposal.

5.6 Drainage/Flood Risk

A Flood Risk Assessment has been provided with the application. Whilst there was initial concern with the Flood Risk Assessment, additional information was subsequently received. There are no objections from the Environment Agency, subject to recommended conditions securing compliance with the flood risk details. Given that the site has already been given approval for waste development it is considered that it remains an acceptable location. A condition is recommended for additional details of surface water drainage.

5.7 Ecology.

In terms of the principle of the development in this respect, it should be noted that the site is within the designated Severnside employment area, and furthermore, the northern portion of the site has been granted planning permission for waste previously and considered acceptable in ecological terms. An ecological impact assessment and overwintering bird survey have been undertaken and provided with the application. In terms of overwintering birds, it is considered that the current application would also be unlikely to have a significant or additional effect on the conservation objectives of the Severn Estuary European (N2K) site, either alone or in combination. The assessment is also considered to provide for a thorough precautionary mitigation strategy. An ecological management plan condition is recommended to be attached to any consent.

5.8 Public Rights of Way

It is considered that the application has the potential to affect public bridleway OAY101 which runs on three sides of the site from Severn Road, sharing the access to this site, and on down the private road to the gas works before turning left into Minors Lane. This route is included in the SGC Local Plan under policy LC12 (Major Recreational Routes). Concerns and mitigation have been discussed with the applicants and the Councils PROW Officer. It is considered that verge management and creation of additional space on the southern side between the wall and the ditch to help connect areas of verge, and a scheme of appropriate signage, as well as embankment management would help to address the potential conflict between horseriders and HGV's, on what the access track that also already serves the gas works behind. A condition is recommended to secure the measures recommended. On this basis and in this instance, it is considered that the mitigation satisfactorily addresses any potential concerns and the proposals are therefore acceptable respect of public rights of way.

5.9 Transportation

It must be acknowledged that planning permission already exists for part of the site and that the site as a whole is within the Severnside safeguarded employment area. The principle of development is therefore considered acceptable. Therefore the issue for consideration is whether the levels of HGV movements is a significant increase in respect of the local highway network and if necessary, whether any mitigation can be reasonably applied to address any issues. Existing access off the Severn Road is utilised, which also serves the adjacent industrial estate and gas works behind, and there are further separate entrances to serve the application site from the access lane. This situation is considered acceptable. There is not considered to be a particular safety problem with the site or surrounding area which the site is considered to be directly attributable towards or exacerbate. The level of vehicle movements generated from the site, given the context, location and approved uses of the area are considered reasonable and can be accommodated within the local highway network. In terms of off site weight restrictions on roads and concerns over driving contraventions, where vehicles are driving contrary to road restrictions this is a legal matter enforceable under traffic legislation. Car parking provision is considered suitable and the site and associated hardstanding could accommodate increased demand.

In terms of materials on the highway a wheelwash condition is recommended on any permission. In addition to this it is an offence to leave detritus on the highway, this is controlled and enforced by the Streetcare Inspectors under Highways legislation. A condition is also recommended for a site traffic management plan. On the basis of the above there are no transportation objections to the proposals.

5.10 Historic Environment/Archaeology

It is acknowledged that the application is retrospective, and a significant amount of development work has taken place. Whilst this work took place without initial archaeological evaluation, the applicants subsequently commissioned a heritage assessment and a programme of trial trenching. The Council's Archeological Officer is satisfied from this that the development work has not affected any archaeological features relating directly to human activity such as settlement, field systems etc. and further evaluation work at the site is not therefore considered necessary. There is however potential to yield significant information about past environment through the palaeoenvironmental deposits on site. The retrospective development involves construction work that included considerable piling to bedrock. This piling process will have destroyed the palaeoenvironmental sequence and to mitigate the retrospective nature of the development, in archeological terms it is considered necessary to request a programme of palaeoenvironmental coring to obtain cores and analyse these in a laboratory followed by publication. As such a condition needs to be applied to any consent for a programme of geoarchaeological and palaeoenvironmental work. This is considered acceptable in this instance to mitigate issues of archaeological interest and address the retrospective nature of the development to a satisfactory degree.

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 site, in that it has planning permission for industrial use and also benefits from an existing permission for waste use meets the locational criteria of Policy 2 of the West of England Joint Waste Core Strategy. Contamination and amenity issues, ecological issues and landscape issues are addressed through the proposals and subsequent requirements of conditions requiring further detailed schemes to be agreed and implemented as part of the development and it is not therefore considered that there would be any material issues, not addressed by the scheme. The proposals are acceptable in highways terms. The requirements of Policy 12 are therefore addressed. It should also be noted that an Environment Agency permit will be required to be obtained and complied with and this provides additional controls to the site.
- 6.3 The recommendation to grant permission has been taken having regard to the policies and proposals in the West of England Joint Waste Core Strategy (Adopted) March 2011 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

7.1 That planning permission is granted, subject to the recommended conditions.

Contact Officer: Simon Ford
Tel. No. 01454 863714

CONDITIONS

1. The development permitted by this planning permission shall only be carried out in accordance with the approved FRA [Hafren Water January 2017] and the following mitigation measures detailed within the FRA:
 1. Identification and provision of safe routes into and out of the site to an appropriate safe haven, as specified on page 18 section 6.2.1 of the FRA.
 2. Finished floor levels for the offices and workshop, as specified on page 37 drawing 4167-SK2 RevT of the FRA, to be set no lower than 8.10m Above Ordnance Datum (AOD).

Reason

To ensure safe access and egress from the site, to reduce the risk of flooding to the proposed development and future occupants and to accord with Policy 12 of the West of England Joint Waste Core Strategy (Approved) March 2011.

2. Within three months from the date of this permission a detailed planting and management plan to include the existing vegetation retained and providing details of the size, type and specification of all planting proposed, shall be submitted to the Local Planning Authority for written approval. Upon such approval the details shall thereafter be implemented in the next available planting season.

Reason

In the interests of visual amenity and ecology and to accord with Policy 12 of the Joint Waste Core Strategy.

3. Within three months from the date of this permission a scheme to maximise the avoidance of light spillage shall be submitted to the Local Planning Authority for written approval. Such a scheme shall include details on positioning, type and design of all external lighting. Upon such written approval the scheme shall be implemented and thereafter retained for the duration of the development.

Reason

In the interests of ecology and visual amenity and to accord with Policy 12 of the Joint Waste Core Strategy.

4. Within three months from the date of this permission a Traffic Management Plan (TMP) shall be submitted to the Local Planning Authority for written approval. For the avoidance of doubt the TMP shall include but not be limited to vehicle routing, working hours, wheel washing and local vehicle management to avoid vehicles waiting on the local highway network. The details shall thereafter be implemented in accordance with the approved details.

Reason

In the interests of road safety and local amenity and to accord with Policy 12 of the West of England Joint Waste Core Strategy (Adopted) March 2011.

5. Within 3 months from the date of this permission and prior to any further groundworks, including any exempt infrastructure works or remediation works, a programme for geoarchaeological investigation, assessment and analysis shall be submitted to the LPA for approval. Thereafter the approved programme shall be implemented in all respects unless the LPA agrees to any variation in writing. Thereafter the geoarchaeological investigation, post investigation assessment shall be completed in accordance with the approved programme and the provision made for analysis, publication and dissemination of results and archive deposition secured.

Reason

In the interests of the archaeology of the site and in accordance with Policy 12 of the West of England Joint Waste Core Strategy (Adopted) March 2011.

6. Within three months from the date of this permission, a detailed bridleway management scheme for the southern and eastern boundaries of the site, showing location, design and timescales for implementation for cut back , verge management and connection of verge areas, as well as a scheme of signage, shall be submitted to the Local Planning Authority for written approval. The scheme shall thereafter be implemented in accordance with the approved details.

Reason

In the interests of local amenity and public rights of way and in accordance with Policy 12 of the West of England Joint Waste Core Strategy (Adopted) March 2011.

7. No machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the following times 07.00 - 18.00 Mondays to Fridays, 07.00 - 13.00 on Saturdays; nor at any time on Sunday or Bank Holidays.

Reason

In the interests of the amenities of the area and in accordance with Policy 12 of the West of England Joint Waste Core Strategy (Adopted) March 2011.

8. Within three months from the date of this permission an ecological management plan for the site shall be submitted to and approved in writing by the Local Planning Authority. The management plan shall include a detailed scheme of protection, mitigation, compensation and enhancement measures to be incorporated within the development, including a timetable for the implementation of the scheme. The development and the requirements of the management plan, shall subsequently be carried out in accordance with the approved details.

Reason

In the interests of the ecology of the site and in accordance with Policy 12 of the West of England Joint Waste Core Strategy (Adopted) March 2011.

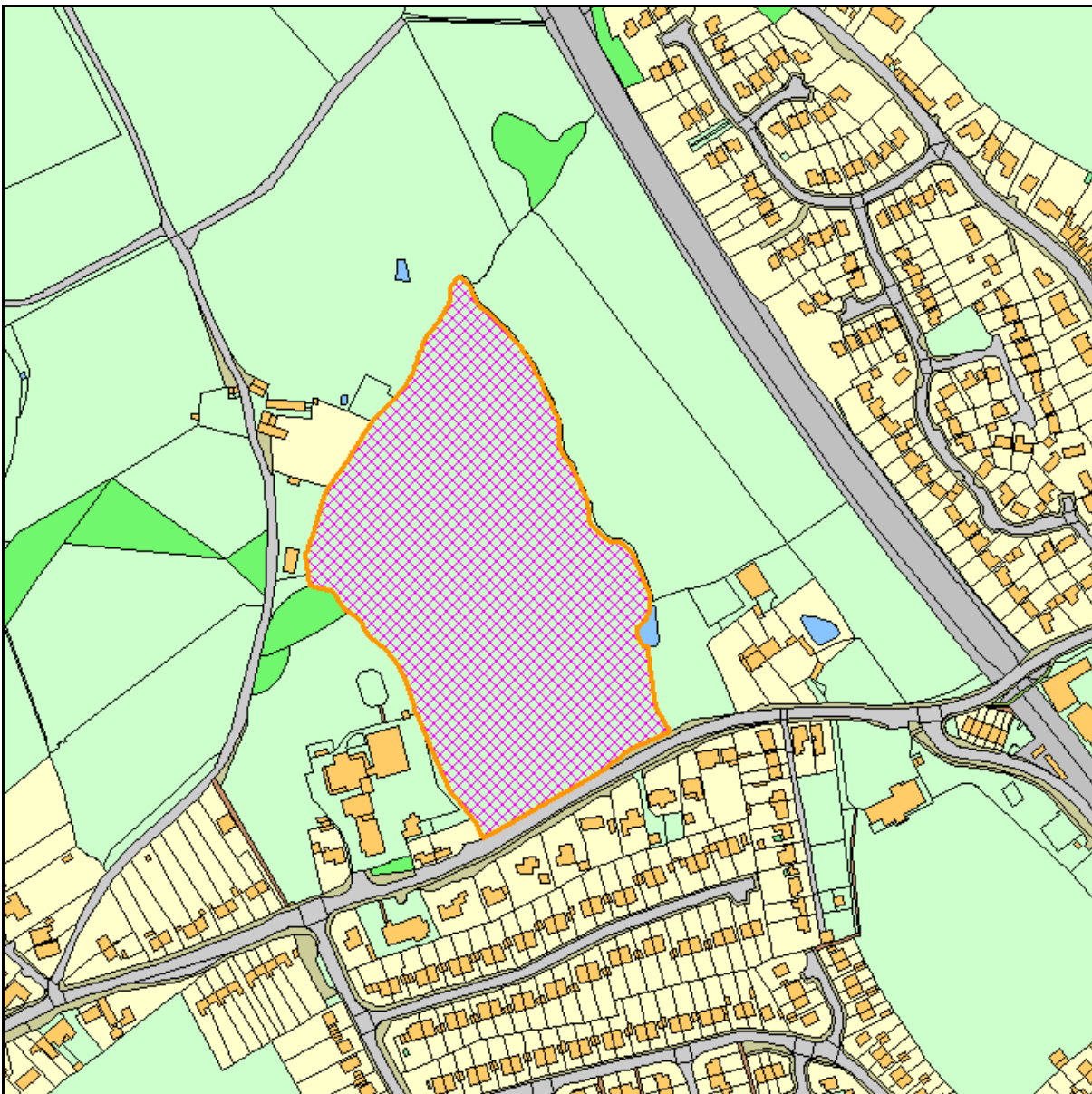
9. Within 3 months from the date of this permission surface water drainage detail proposals indicating the drainage network for the new buildings on site shall be submitted to the Local Planning Authority for written approval. Development shall be carried out in accordance with the approved details.

Reason

In the interests of the drainage of the site and the local water environment and in accordance with Policy 12 of the West of England Joint Waste Core Strategy (Adopted) March 2011.

CIRCULATED SCHEDULE NO. 23/17 – 9 JUNE 2017

App No.:	PT16/6580/RM	Applicant:	Bellway Homes Ltd (Wales)
Site:	Land At Day House Leaze North Of Wotton Road Charfield South Gloucestershire GL12 8TG	Date Reg:	16th December 2016
Proposal:	Erection of 64 dwellings with associated drainage and highways infrastructure. (Approval of Reserved Matters to be read in conjunction with Outline PT16/0462/O)	Parish:	Charfield Parish Council
Map Ref:	371961 192139	Ward:	Charfield
Application Category:	Major	Target Date:	14th March 2017



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 100023410, 2008. **N.T.S.** **PT16/6580/RM**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application is referred to the Circulated Schedule as there are comments made in objection to the development; and which are contrary to the officer recommendation to approve the application.

1. THE PROPOSAL

- 1.1 This application relates to outline planning permission (PT16/0462/O) for the erection of 64 dwellings as detailed in section 3 of this report. The outline planning consent secured the means of access to the site. This application seeks approval of all matters reserved at the outline stage, namely scale, layout, appearance and landscaping for the development of 64 new dwellings and associated works.
- 1.2 The site lies to the north of Wotton Road, and lies outside the village development boundary on the proposals map to the adopted Local Plan. Essentially, the village boundary is formed by the northern side of Wotton Road in this location. The Southern boundary of the site is formed by the northern side of Wotton Road. This boundary is currently formed by a mature hedgerow (approximately 100 metres) with a field gate at its eastern end.
- 1.3 The site comprises a large agricultural field, enclosed by established field boundaries. The boundaries include a row of poplars on the western side of the site and a large horse chestnut tree in the south-eastern area of the site. There are other large trees generally along the boundaries of the site. It is proposed to relocate the hedgerow at the front of the site to a position further back from the boundary, as part of a proposed area of public open space. This is addressed in more detail in the main body of this report.
- 1.4 The site is enclosed along its southern boundary by Wotton Road. Detached dwellings front onto the opposite (southern side) of Wotton Road which are set back from the main highway. To the east there is a farm and further agricultural fields whilst to the west is a pair of semidetached dwellings and school grounds. A Grade II Listed Building and its curtilage is situated to the north of Poolfield Farm also to the north of the site.
- 1.5 Wotton Road itself is the main road running through Charfield. A field access gate is positioned off Wotton Road in the South-eastern corner of the field. Access to the development would be positioned approximately at the same point that this field gate is located. Currently there is no footway along the application site boundary, but there is a footway opposite on its southern side. The approved outline planning permission (PT16/0462/O) indicate the provision of a footway and layby along the northern side of Wotton Road as part of the access arrangements.
- 1.6 The application details the provision of 64 new dwellings. The layout of the development is broadly informed by the indicative layout agreed at the outline planning permission stage. The proposed development comprises 58 houses (37 x 4 bed units, 12 x 3 bed units and 9 x 2 bed units) and 6 flats (2 x 2 bed units and 4x 1 bed units) with a total of 176 off-street parking spaces (including

garage spaces). A main access road and secondary access roads give access to the proposed dwellings. Public open space is proposed on the southern, eastern and northern parts of the development with pedestrian links throughout the site. An equipped formal play space is located in the southern part of the site with allotments and informal (natural and semi-natural) open space in the northern part of the site.

- 1.7 The outline planning permission is subject to a s106 legal agreement securing financial contributions to outdoor sports facilities and travel to school; onsite provision of open space (including facilities for children and young people) and allotments. The s106 also secures the provision of 35% affordable housing. The developer is obliged to comply with those requirements as part of the development of the site.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework (NPPF) March 2012
National Planning Policy guidance (NPPG) 2014

2.2 Development Plans

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

H3	Housing in rural areas
T12	Highway safety
L1	Landscape Protection and Enhancement
L9	Species Protection
L11	Archaeology
L13	Listed Buildings
L16	Protecting the best agricultural land
LC2	Contributions for Education Facilities
LC1	Contributions for Community Facilities

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

CS1	High Quality Design
CS3	Green Infrastructure
CS5	Location of Development
CS6	Infrastructure and developer contributions
CS8	Improving Accessibility
CS9	Heritage and the natural environment
CS16	Housing Density
CS17	Housing Diversity
CS18	Affordable Housing
CS23	Community Infrastructure and Cultural Activity
CS24	Sport and recreation standards
CS34	Rural Areas

2.3 Supplementary Planning Guidance and other relevant documents

Residential Parking Standards SPD (Adopted 2013)

Affordable Housing and Extra Care Housing SPD (Adopted May 2014)
South Gloucestershire Biodiversity Action Plan (Adopted)
The South Gloucestershire Design Check List SPD (Adopted August 2007)
Trees on Development Sites SPD Adopted Nov. 2005
Waste Collection Guidance for new developments January 2015 SPD
Charfield Village Plan (endorsed by South Gloucestershire Council)

2.4 Other Material Considerations

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assessments and the Historic Environment
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP37	Internal Space and Accessibility Standards for Dwellings
PSP43	Private Amenity Space Standards
PSP44	Open Space, Sport and Recreation.

3. RELEVANT PLANNING HISTORY

- 3.1 PT13/3541/O Outline application for the erection of 31 residential units incorporating market housing, sheltered housing and affordable units, 60 bed dementia care home, public open space and allotments with access to be determined and all other matters reserved.

This application was **refused** by the Local Planning Authority on 16th January 2014 for the following reasons;

- i) *The site lies outside the development boundary of Charfield and therefore in the open countryside. The proposed dwellings do not constitute exceptions under policy H3 of the adopted South Gloucestershire Local Plan for dwellings in rural areas. The proposal is unsustainable due to the site's location and the high degree of reliance on the motor car in the local vicinity. The proposal is also contrary to policies CS5 and CS34 of the adopted South Gloucestershire Core Strategy and the provisions of the National Planning Policy Framework.*
- ii) *In the absence of a Section106 legal agreement to secure affordable housing of a suitable tenure mix and unit types, the proposal is contrary to policy CS18 of the adopted Local Plan: Core Strategy and West of England Strategic Housing Market Assessment (SHMA) 2009 and 2013 SHMA Addendum.*

- iii) *In the absence of a Section106 legal agreement to secure works within the highway, the proposal is contrary to policy T12 of the adopted South Gloucestershire Local Plan.*
- iv) *In the absence of a Section106 legal agreement to secure contributions towards creating secondary school places and towards travel costs for transport to secondary school for the pupils generated by the proposal, the proposal is contrary to policy LC2 of the adopted South Gloucestershire Local Plan and policy CS6 of the adopted South Gloucestershire Core Strategy*
- v) *In the absence of a Section106 legal agreement to secure contributions towards community facilities required to service the proposed development the proposal is contrary to policy LC1 of the adopted South Gloucestershire Local Plan and policies CS6 and CS23 of the adopted South Gloucestershire Core Strategy.*

The application was allowed at appeal following an informal hearing on 5th November 2014.

South Gloucestershire Council subsequently challenged this decision at the High Court on five grounds and this challenge was successfully upheld on 8th June 2015 on one of those grounds namely that the Inspector had failed to take in to account the reasoning of a previous inspector considering an application in Hawkesbury and this was a material consideration at the appeal. As a result the appeal decision was quashed and the appeal was returned to the Planning Inspectorate for re-determination.

However, following the successful appeal decision relating to the proposal to building 106 dwellings on land South of Wotton Road, Charfield (PT13/4182/O as detailed below, it has been found that South Gloucestershire Council cannot demonstrate that it has a five year supply of housing land. The effect of this is that the relevant housing policy is currently out of date. The appeal was subsequently withdrawn and the following application submitted for consideration by the Local Planning Authority

- 3.2 PT14/2778/O Outline application for the erection of 31 residential units incorporating market housing, sheltered housing and affordable units, 60 bed dementia care home, public open space and allotments with access to be determined and all other matters reserved.

The application was **Approved** subject to conditions and s106 legal agreement on 28th August 2015

- 3.3 PT16/0462/O Erection of 64 dwellings (Outline) with access to be determined. All other matters reserved.

The application was **Approved** subject to conditions and s106 legal agreement on 7th June 2016. This outline consent is the basis for the reserved matters under consideration in this report

4. CONSULTATION RESPONSES

4.1 Two rounds of formal consultation have taken place with the local community regarding the application on 5th January 2017 and 6th March 2017 respectively. The later consultation followed amendments to the proposed development. Although further amendments have been provided since the initial consultation periods (in response to officer concerns) these are not considered to require further formal consultation as they are not considered to materially alter the scope of the proposed development. It should also be noted that officers will generally accept and consider public comments received (as far as it is practical to do so) up to the point at which the final decision is made.

4.2 Charfield Parish Council

Object to the proposed development. The comments made by the Parish Council are summarised as follows;

Initial response

The developer has agreed to provide additional parking spaces within the site for the benefit of two properties on Wotton Road. To compensate for the loss of on street parking. Concern is raised that the developer is now attempting to extricate themselves from the agreement.

The Local Community should be involved in the provision of public art into the development

Second response

Concerns raised that the development will not provide parking for neighbours immediately adjacent to the site.

Concern that the replacement of bungalows with 2 storey houses at the back of the development is contrary to that previously agreed and would have a detrimental impact upon neighbours immediately behind the development.

The proposal for the amphitheatre at the front of the development has the potential to attract anti-social behaviour.

4.3 Highway Authority

The Highway Engineer is satisfied that the proposed development is consistent with the access arrangements secured under the outline planning consent and is satisfied that the development complies with the South Gloucestershire Parking Standards. The Highway Engineer notes that the site has been tracked and would provide adequate standards for the movement of private motor vehicles, delivery vehicles, waste collection vehicles and emergency on the site. On this basis, no objection is raised.

The Highway Engineer has raised the issue of providing specific parking spaces for the residents of 24 and 25 Wotton Road in order to comply with the requirements of the s106 legal agreement.

4.4 Lead Local Flood Authority

No Objection in principle. Condition requiring specific technical drainage information is suggested.

4.5 Landscape Officer

The Landscape Officer continues to raise concern with the landscaping of the site. In particular there is concern regarding the creation of a bank facing onto Wotton Road and the successful translocation of the existing hedge to the top of this bank. Other concern relates to the use of steps in pedestrian access ways.

The need for parking associated with the allotments is questioned.

Clarification is sought in respect of the position of chain link fencing on the site (as referred to in the submitted Landscape and Ecological Mitigation Plan).

Concern about the level of planting associated with the pumping station is raised.

4.6 Arboriculture Officer

Initial concerns have been raised regarding the impact of the development upon the poplar trees (protected under a TPO) located within the school site and adjacent to the Western boundary of the site. Following detailed discussion and further submissions in respect of this matter, the Arboricultural Officer is now satisfied that the development is acceptable in respect of its impact on the trees. In general terms the development is considered acceptable in this regard and previous objections made by the Arboricultural Officer have now been addressed, subject to compliance with the agreed Arboricultural Management Plan and associated tree protection measures.

4.7 Ecology Officer

No Objection subject to conditions securing the mitigation set out in the Landscape and Ecological Management Plan.

4.8 Archaeology Officer

No Objection subject to a condition requiring details of appropriate archaeological mitigation/recording to be submitted and agreed.

4.9 Urban Design Officer

The Urban Design Officer initially raised concerns over the failure of the development to reflect the local character of the area, materials and detailing; or the parameters set out in the Design and Access Site. However, the Urban Design Officer recognises that through negotiation with officer the developer has now provided a development proposal that fully addresses the concerns and has withdrawn objection to the application.

No Objection.

4.10 Historic Environment (Conservation) Officer

The Historic Environment Officer raised initial concerns regarding the design of the proposed development and its impact upon the historical context of the site including the setting of the nearby listed building (Poolfield Farm) and other non-designated heritage assets.

However, the Historic Environment Officer recognises that through negotiation with officers the developer has now provided a development proposal that addresses the concerns held against the proposal.

Notwithstanding the above, the Historic Environment Officer draws attention to the agreed design parameters plan associated with the outline planning permission and notes that the proposal includes 7 houses which face the informal open space in the north of the site, where the design parameters indicate the development of four bungalow dwellings at that point.

4.11 Housing Enabling Team

No objection in principle. The Housing Enabling Officer comments that the affordable housing should comply with the specific requirements of the s106 legal agreement associated with the outline planning permission. Some concern has been raised with regard to clustering of the affordable units specifically in relation to the rear gardens associated with the affordable units.

4.12 Highway Structures

No objection in principle. Advice is given in respect of the obligation of the developer to obtain technical approval from the Highway Authority if development requires structures or works affecting the public highway.

Other Representations

4.13 Local Residents

13 members of the local community have commented in respect of this application. The comments are summarised as follows;

There is no identified need for the dwellings in Charfield.

The village cannot cope with more residential development.

The development will place more pressure on roads that are already congested. The M5 Junction is already at capacity.

Services in the locality such as the shop, schools, doctors, and general infrastructure are already at capacity.

There is limited public transport for Charfield.

The introduction of affordable housing into the development does not account for the isolated location and potential for the occupants to afford a car or public transport.

The affordable housing provision does not account for people who can't afford high housing prices.

The proposed development would not provide parking spaces as required by the s106 agreement for 23/25 Wotton Road to mitigate loss of parking outside those properties. The layby proposed is not within the site and as such does not cover this matter as it is not private. The layby is for the school drop-off and pick-up requirements.

The proposed layby is a danger to the highway.

Concern is raised that the hedge along the frontage of the site will not take up the full length of the frontage as it is now.

The proposed development will put pressure upon infrastructure and services such as road access, schools, health provision.

The development will dramatically change the community identity.

The proposed development (alongside others in the area) will have a negative impact on wildlife.

The development is exploiting green fields and green space in central Charfield.

The development is contrary to the Charfield Neighbourhood Plan and therefore against the wishes of the local community.

Development should not be considered until the Charfield Neighbourhood Plan and Joint Spatial Strategy has been finalised.

The development will result in noise and highway safety impact upon the school during the construction of the development.

The development will result in the loss of a potential site for a new school as Charfield grows in size resulting in the need to bus children outside the village for education.

The development site is an ideal place for a new railway station for Charfield.

The proposed development would have a detrimental impact upon the setting of nearby listed buildings

The development would have a detrimental impact on the amenity of the occupants of nearby dwellings as a result of noise from vehicular movements and use of the proposed allotments.

The development would have a detrimental impact on the rural character and agricultural feel to the locality.

Adequate measures should be taken to ensure the safety of Charfield Primary School Pupils – including a security fence between the school and the proposal site.

The impact on local schools for additional pupil places should be taken into consideration.

The safety of pedestrians (especially children) on local highways during congested times should be considered.

Access to the local PROW network should be provided from the site.

Potential for ore to be present on the site that may be damaging to health.

4.14 Charfield Neighbourhood Plan Steering Group; Summary of comments

The Group sets out that the main function of the group is to establish (through a parish wide survey) what is important to the residents in terms of land usage.

Confirm that the group has not looked at the application in detail as it is not the intention to comment on specific planning applications. However, has provided a summary of the wider issues identified by residents is outlined below;

Rural character should be retained

New development should allow for interconnectivity with other parts of the village (footpaths, cycle-ways and bridle-ways)

Green spaces, including mini-village greens, copses of trees, wildlife corridors, wildlife habitats, to be provided in new development and across developments

Improvements to the road infrastructure and junctions (particularly on Wotton Road), 20mph speed limits and provision of off street residential parking facilities (in excess of the minimum SPD standards)

Residential development provided as small developments.

Traditional stone buildings with slate roofs, cottage style (railway/agricultural cottages) and eco-friendly construction in new development.

Development of medium sized family homes, of a mixed house types

Covenants placed on new homes to control fencing and boundary treatment, parking of caravans and commercial vehicles to protect house values.

Development should respect the character of existing heritage assets and should reflect old building styles

5. ANALYSIS OF PROPOSAL

- 5.1 The proposed development consists of the construction of 64 dwellings and associated infrastructure; with access to the site from Wotton Road.
- 5.2 Principle of Development
Outline Planning Permission PT16/0462/O has secured the development of the site for residential development consisting of 64 dwellings. The outline planning permission has secured the access to the site. Accordingly, the principle of the development of the site to provide 64 residential dwellings is established at the outline stage.
- 5.3 This application seeks approval of matters reserved at the outline stage, namely; appearance, landscaping, layout and scale. The submission of the reserved matters is in compliance with the time scales required under the outline planning permission. These matters and the impact of the proposal in the context of those matters is addressed in detail below.
- 5.4 Design Considerations
The outline planning permission is supported by a Design and Access Statement that provided the design parameters to inform the general design and appearance of the future development of the site. Condition 7 of the outline planning permission should be in accordance with the design parameters. The outline planning consent also included an indicative layout plan and this shows the bulk of the proposed buildings positioned centrally within the site and two key areas of open space to the north and to the south, with a more linear area of open space to the east of the site. Access onto Wotton Road is shown from the southeast corner of the site as secured by the outline planning permission. As part of this reserved matters application, the applicant has submitted a 'statement of compliance' in relation to the scope of the outline planning permission.
- 5.5 Officers considered that the initial submission was poor and failed to respect the general character of the locality in terms of the design and appearance of the proposed buildings and the materials proposed to be used. However, for clarity, officers were satisfied at that stage that the layout of the development (position of buildings in relation to the access and open spaces) was relatively consistent with the indicative layout associated with the outline planning permission. Officers engaged with the applicant to improve the design of the buildings, the appearance of them and the materials to be used. Officers are satisfied that the appearance, layout and scale of the development is now acceptable and that the development would respect the traditional character of the buildings associated with Charfield Village.
- 5.6 It is noted that condition 7 of the outline planning permission should be in accordance with the design parameters. This document (amongst other things) implies that that the development would predominantly two storey in height and that a row of four 'bungalow' dwellings would be positioned along the north of the site. This reduction in height of buildings on the northern edge of the developed area of the site is intended to assist in reducing the impact of the setting of Poole Farm House (a grade II listed building).

This issue is addressed in detail below, however it is of note that there is no condition attached to the outline planning permission that specifically requires that four 'bungalows' are introduced into this part of the development. The design parameters and associated layout plan are meant for indicative purposes. It is entirely appropriate for the Local Planning Authority to consider alternative proposals, having regard to the general indicative parameters when considering the application. It is not necessarily the case that four 'bungalows' must be developed in this area of the site.

- 5.7 In the case of this reserved matters application, the proposal shows 7 two storey houses along the northern part of the developed area of the site. During the course of the assessment of this application, officers have negotiated a reduction in the height of those buildings in recognition of the requirement to reduce the scale of the development in that part of the site. In addition, changes to the materials and features (such as boundary walls) has also acted to reduce the overall scale of impact on this part of the site. It is of note that both the Urban Design Officer and the Heritage Officer have indicated that the approach is now acceptable.
- 5.8 Having regards to the above, it is considered that the design, appearance, layout and scale is acceptable.
- 5.9 Heritage Considerations
The area surrounding the site includes a number of heritage assets. The closest of these assets are located at Poolfield Farm House (this is a Grade II Listed Building) and the original building associated with Charfield Primary School (this is a non-designated heritage asset).
- 5.10 Paragraph 132 of the National Planning Policy Framework sets out that *great weight* should be given to the conservation of the asset. The National Planning Policy Framework goes on to set out that the more important the asset, the greater that weight attributed to it should be.
- 5.11 As set out, the principle of the development of this site for 64 dwellings is established under the outline planning permission. The existing site is an open field and the development of it would inevitably result in a substantial change to the setting of the heritage assets nearby the site; and is one that would result in a level of harm. To this end, the principle of permitting this change in the setting of the assets has been accepted and consideration of this factor given weight in the determination of the outline planning application against identified benefits.
- 5.12 Notwithstanding the above, the indicative design and layout parameters provided at the outline application stage acknowledged the impact of the development on heritage assets. In particular, the impact of the development on Poolfield Farm was addressed through the reduction in the scale of the buildings located in the North of the site. The indicative use of 'bungalow' type dwellings has been addressed above, and the use of such buildings was regarded at the outline application stage as being a way of mitigating the impact upon the setting of Poolfield Farm House. As set out earlier in this report, the proposed development under consideration proposes the development of 7 two storey houses.

This element of the proposal has been subject of considerable negotiation such that the proposed buildings have been reduced in scale. This has been achieved by lowering eaves and ridge heights and narrowing gable end facing in a northerly direction. Further amendments have also provided a natural stone wall that is more consistent with the general rural character of the locality.

- 5.13 The Northern part of the development (beyond the built up area of the proposal) is proposed to accommodate informal open space (including allotments) and substantial landscaping, including new trees and native shrubs. The North-western boundary of the site is enclosed by existing mature trees and hedgerows. These elements combine to provide separation of Poolfield Farm House from the 'built' elements of the proposed development and act as strong mitigation in terms of the impact of the development on the setting of Poolfield Farm House; and as such it is considered that the development would result in less than substantial harm to the significance of Poolfield Farm House as a Grade II listed building. It is noted that this harm relates to the setting of the asset and is not a physical harm to the fabric of the building.
- 5.14 Paragraph 134 of the National Planning Policy Framework sets out that where development would lead to 'less than substantial harm to the significance of the designated heritage asset, this harm should be weighed against the public benefits of the proposal'. The benefit of the proposals were considered at the outline stage and these were given weight resulting in the approval of outline planning application despite the presence of the Grade II Listed Building at Poolfield Farm House. The public benefits of the proposal include a significant contribution of housing towards the South Gloucestershire five year supply of housing land; and the positive contribution towards the provision of affordable housing units in South Gloucestershire. Whilst it is acknowledged that the development would result in some harm to the setting of the Poolfield Farm House, this must be considered in the context of the extant outline planning permission. Furthermore, officers consider that the detailed design and level of landscaping associated with the Northern area of the development would provide strong mitigation against this impact and as such the public benefits of the proposed development combine to outweigh the 'less than substantial' impact upon the significance of the Grade II Listed Building at Poolfield Farm House.
- 5.15 The original school buildings associated with Charfield Primary School are non-designated heritage assets (Locally Listed Buildings). Paragraph 135 of the National Planning Policy Framework indicates that the effect of a proposed development upon the significance of a non-designated heritage asset should be taken into account in determining a planning application. It goes on to set out that a balanced judgement will be required by decision makers having regard to the scale of any harm or loss and the significance of the heritage asset.
- 5.16 There is no physical impact on the fabric of the school buildings. However, the proposed development will have an impact on the setting of the school buildings. As set out earlier in this report, the extant outline planning consent is a factor for consideration and officers note that as development is approved in outline, acceptance that a level of impact will occur has been given.

- 5.17 The layout of the proposed development is such that new dwellings are set back from Wotton Road behind open space. To this end, some openness is retained in the views of the locally listed school buildings. Furthermore, the development site is separated from the school complex by its school yard, a strong bank of hedging and poplar trees, as well as existing dwellings on Wotton Road. This helps to screen the development in the context of the school and as such reduces its overall impact, and the level of harm is less than substantial. Again, given that outline planning permission is granted and the identified public benefits of the development, it is considered that any harm resulting from the development of this site is outweighed by the benefits of the proposal.
- 5.18 Landscape Considerations
Again, the consideration of this factor must be considered in the context of the extant outline consent, which will inevitably impact in landscape terms. The existing site is made up of an open field with strong boundaries made up of hedges and trees. The proposed development will result in a significant impact in landscape terms as it will alter the existing character from an open field to residential development. However, the site is not located in a designated or protected landscape area. The issue for consideration under this reserved matters application is whether or not the quality of the landscaping of the development proposed is acceptable in the wider context of the locality.
- 5.19 The layout of the proposed development is such that the built residential area is positioned centrally in the site with areas of open space to the North, South and East of the site. The Landscaping to the North of the site provides informal open space that includes two ponds (these also provide drainage and ecological mitigation) and substantial new planting of trees and native shrubs as well as native wild flower grass mix. Native semi-aquatic plants would also be provided associated with the ponds and linking water course. The area will also accommodate allotments. The Southern part of the site will be planted with ornamental planting and grass and will also provide the area for more formal open space and equipped play facilities. The Eastern area of the site is relatively narrow and native shrubs and wild flower grass mix will be provided to enhance the east boundary of the site. As part of the development, existing trees and hedges will be retained with two poor quality trees removed as part of the wider landscaping scheme. In this instance, the management of the landscape and public areas within the site will be the responsibility of a management company appointed by the developer. The new residents will have a stake in such a company and the scope of this is specifically controlled by the s106 agreement associated with the outline planning consent.
- 5.20 During the course of the assessment of this application, there has been considerable negotiation between officers and the developer in order to bring forward improvements to the proposal initially submitted. Officers consider that the negotiations have now provided a landscape scheme that is broadly acceptable. The Landscape Officer raised concerns with the initial submission with the landscaping of the site some of which have been resolved. Concerns related to the introduction of steps in public areas, planting in relation to the pumping station (associated with the drainage scheme of the development) and the need for parking associated with the proposed allotments. In this instance,

- the steps referred to have now been omitted in place of gradual gradients. This will assist access to the open spaces by residents. Planting has been provided to screen the pumping station. In relation to the parking for the allotments, officers consider that these would facilitate the bringing of plants and horticultural tools to the site. The parking spaces are positioned directly off the residential access road within associated with the development and as such would have very limited impact in respect of the wider landscaping of the site.
- 5.21 Further concern has been raised as to the proposed bank to the front of the site with Wotton Road and the subsequent position of the hedge, which is proposed to be translocated as part of the proposed development. The landscape officer has suggested that a preference would be to provide a retaining wall, finished in natural stone to help to reduce the overall gradient of the bank. The applicant has considered this, and argues that the wall would not be necessary and that the proposed bank is acceptable. Officers have carefully considered the impact of the proposed bank in the wider context and note that it would not extend the full width of the boundary of the site with Wotton Road. Furthermore the bank would be read in the context of the new layby (required as part of the s106 agreement associated with the outline planning permission) which would itself act to alter the street scene in this locality. The proposed bank and translocation of the existing hedge would not materially alter the scope of the approval at the outline stage and as such is considered acceptable. It is noted that the development would translocate the existing hedge (rather than planting a replacement hedge) along the Wotton Road Boundary of the site. Officers note that this will incur some risk in respect of the ability of the hedge to survive such a move, this approach will provide a more instant mitigation in the street scene. However, the associated Landscape Management Plan includes measures for the care of the hedge whilst it is establishing itself in the new position; and in the event that the hedge (or parts of it) die away measures are in place for its replacement.
- 5.22 Having regards to the above, officers are satisfied that the landscaping of the development is acceptable and that the impact of the development in the wider area is adequately mitigated.
- 5.23 Arboricultural Considerations
Considerable negotiation has taken place in respect of the position of buildings in the Western part of the development site where they would have a potential impact upon the existing poplar trees located within the adjacent school site. The poplar trees are subject of a Tree Protection Order. Initial concerns raised by the Arboricultural Officer related to the position of buildings and the ability to provide adequate tree and root protection during the construction of development; and in relation to the future maintenance and longevity of the trees.
- 5.24 Following the negotiation, the developer has submitted amendments to the layout of the proposed development that adequately address the impact upon the poplar trees. The Arboricultural Officer has confirmed that this aspect is now acceptable. Similarly, in respect of other trees associated with the boundary of the site, the proposed development is acceptable.

- The proposal includes specific measures for the protection of existing trees during the course of the development and it is appropriate to apply a condition requiring that the development proceeds in accordance with the agreed protection measures.
- 5.25 Subject to this condition, officers are satisfied that the proposed development is acceptable in Arboricultural Terms.
- 5.26 Ecological Considerations
Again, the ecological impact of this development proposal must be considered in the context of the extant outline planning permission. The principle of the development of the site is established. The scope of the assessment of this reserved matters application is to ensure that the physical development of the site provides adequate and appropriate mitigation in respect of the ecological value of the site.
- 5.27 In this instance, the site is not subject to statutory or non-statutory nature conservation designations. The Ecology Officer has confirmed that there are not ecological constraints to the granting of planning permission. Officers note that details pertaining to conditions held against the outline planning permission (in respect of bird boxes and badger impact mitigation) are covered in detail in the submitted Landscape and Ecology Mitigation Plan (LEMP). However matters relating to the potential for Doormouse and Great Crested Newts to be present have been considered by the Ecology Officer. It is recognised that the development will provide new ponds and these will carry the potential to provide habitat for Great Crested Newts. Accordingly, the development will provide the means for the species to utilise the habitat without barrier to areas outside the site. Natural England have encouraged the developer to provide the second smaller pond with a wet link to the larger balancing ponds as part of the sustainable drainage measures associated with the site. The Landscape and Ecological Management Plan provides an appropriate management regime for water, scrub and grassland which would act to maximise the value to great crested newt habitat and the wider biodiversity of the site.
- 5.28 The Ecology Officer notes that a single Doormouse nest has been recorded in the Eastern boundary hedge of the site. The Landscape and Ecological Management Plan provides the basis for the appropriate management of habitat relating to this species and also includes specific measures for an ecological search for the species in relation to the translocation of the hedge along the boundary of the site with Wotton Road.
- 5.29 In respect of the above species, a specific licence is required (provided by Natural England) under regulations 53/56 of the Habitat Regulations 2010 before developer affecting the species is carried out. The Ecology Officer has confirmed that, in respect of protected species, the application satisfied the required tests under the Habitat Regulations 2010 and as such is acceptable in that regard. In this instance, it is appropriate to apply a condition in the event that the application is approved such that development proceeds in accordance with the agreed Landscape and Ecological Management Plan (LEMP). Subject to this condition, officers are satisfied that the development is acceptable in ecological terms.

5.30 On-site Community Facilities

The outline planning permission is subject to a s106 legal agreement which secures specific requirements for open space and facilities for Children and Young People within the site; and also secures financial contributions for off-site recreational facilities.

5.31 In respect of the on-site facilities, the layout of the proposed development facilitates the provision of informal areas of open space on the Northern and Eastern areas of the development with more formal type open-space to the Southern part of the site. The latter is intended to accommodate equipped play facilities.

5.32 As set out earlier in this report, negotiations in relation to the general landscaping of the development have resulted in amendments which have addressed access issues to informal open space areas. In broad terms, officers are satisfied that the open space areas are acceptable and note that the management of these areas will be subject to a private management scheme administered by a private company. This is also secured as a requirement under the s106 legal agreement associated with the outline planning permission (which would include the management of equipped play facilities on the site).

5.33 Notwithstanding this, officers continue to hold concerns relating to the provision of equipped play space for the benefit of Children and Young People. In particular concern is raised that the proposal does not comply with the requirements of the s106 legal agreement both in terms of the amount of space and the quality of the equipment and facility proposed. As such, this element of the proposal is not compliant with Policy CS24 of the South Gloucestershire Local Plan, Core Strategy. However, officers are satisfied that this is a matter which can be resolved through the submission of revised details specifically to address the concern raised. Given that the provision of play facilities would be provided as part of the landscaping of the site, officers consider that this matter can be addressed through the use of an appropriately worded condition. The condition would require details of the equipped play facilities for the written agreement of the Local Planning Authority. The subsequent implementation of the facilities and trigger for that provision would be consistent with the specific landscaping requirement of the s106 legal agreement. Subject to this condition, the proposed development is considered acceptable in respect of on-site community facilities.

5.34 Affordable Housing

In respect of the provision of affordable housing, the developer is obliged to provide units in accordance with the s106 legal agreement associated with the outline planning consent. The proposed development provides 22 affordable housing units consistently with the numbers required by the s106 agreement. It is the responsibility of the applicant to ensure that the units comply with the technical specifications and tenure as set out in the legal agreement.

5.35 The layout of the development shows that the affordable units on plots 55/59 and 50/51 share a boundary (separated by a timber fence). The Housing Enabling Officer has noted that these units are effectively adjacent and raises some concern about the clustering of affordable units in this way. It is noted that the Affordable Housing and Extra Care Housing SPD (Adopted May 2014) aims to prevent close clustering of affordable units. However, in this instance, the primary elevations and accesses to the units in question are from different and separate parts of the development site (accessed from different access roads). Whilst they are close physically close together, the layout of the development is such that the units would not be perceived to be grouped together and as such officers are satisfied that the clustering objectives of the SPD are not undermined.

5.36 Archaeology Considerations

A Written Scheme of Archaeological Investigation (WSI) has been provided in accordance with the 5 of the outline planning permission; and is considered acceptable in principle. It is appropriate to apply a condition in the event that this application is approved such that the identified archaeological investigation and recording works will be carried out to the agreement of the LPA prior to the commencement of the development. Subject to this condition, there is no archaeological constraint to approving this application.

5.37 Drainage Issues

The development of the site includes measures for the sustainable means of discharging surface water. This includes two ponds (as referred to earlier in this report with a balancing pond provided in the Northeast corner of the site. The Lead Local Flood Authority find that the principle of the development in drainage terms is acceptable and have requested a condition requiring specific technical details of the drainage works for agreement by the LPA. In this instance, condition 6 of the outline planning permission requires technical drainage details prior to the commencement of the development. This condition would cover the requirements of the Lead Local Flood Authority and as such a further condition in respect of this reserved matters application is not necessary.

5.38 Some local concern has been raised about the capacity of the local foul water treatment works to cope with the additional population of this development proposal (and others) in the locality. The principle of the development of this site is established under the outline planning permission. To this end, the principle of connecting to (and the capacity of) the existing foul water treatment facilities has been addressed at the outline stage.

5.39 Having regards to the above, the proposed development is acceptable in drainage terms.

5.40 Transportation, Parking and Highway Safety

- Access to the site is from Wotton Road approximately at the same position that the existing field gate into the site is situated. Access is a matter that was approved under the outline planning permission (PT15/0462/O) and as such the principle of the development of the site in terms of transportation, highway safety and amenity is established.
- 5.41 The access arrangements from Wotton Road have been agreed at the outline stage and relevant highway works and mitigation is secured as part of the s106 legal agreement associated with the outline planning permission. This includes the new junction into the site, a new layby (with capacity for 7 vehicles) along the frontage of the site with Wotton Road and a new footway providing a pedestrian link from the new junction towards Charfield Primary School. The layby would act to provide facilities for drop-off and pick-up during peak movement times associated with the school and would also provide informal parking facilities.
- 5.42 Officers are satisfied that the development would provide adequate off street parking in accordance with the South Gloucestershire Residential Parking Standards. Officers are also satisfied that the proposed development would cater for safe vehicular movement through-out the site for a range of vehicles including private cars, emergency vehicles, waste collection and other service vehicles.
- 5.43 On this basis, officers are satisfied that the development is acceptable in highway safety, amenity and transportation terms.
- 5.44 It is noted that the s106 legal agreement secures the provision within the development site of up to four parking spaces for use by the residents of numbers 23 and 25 Wotton Road. In this instance, officers consider that the layby located at the front of the site (adjacent to Wotton Road) is within the development site and would provide four spaces that would be reasonably available for use by the residents of those dwellings. Nonetheless, concern has been expressed by the local residents, that the development has not included this requirement, and that the layby is not sufficient to address the s106 obligation. Accordingly, the developer has agreed to provide a further two parking spaces located within the development site following specific negotiation regarding this matter with the local residents. Essentially, these are located close to the junction of the development with Wotton Road and would be available exclusively for those residents. The spaces are clearly marked upon the site layout plan.
- 5.45 This is a matter for the developer and the affected residents to agree upon. Given that the parking spaces are exclusively for the use of the occupiers of numbers 23 and 25 Wotton Road (and therefore not in the wider public interest) this aspect of the development cannot be secured by the Local Planning Authority directly as part of any consent of this reserved matters application. Essentially this is a civil matter. However, the developer is at liberty to secure and agree the terms of the use of the spaces with those residents as part of the private management of the site.

Officers are satisfied that given nature of the proposed parking spaces, the provision of them is acceptable in visual, landscape and highway safety terms.

5.46 On this basis, officers consider that the obligation placed on the developer to provide the parking spaces is satisfied.

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/refuse 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 Reserved Matters application is approved subject to the following conditions.

Contact Officer: Simon Penketh
Tel. No. 01454 863433

CONDITIONS

1. Equipped Play Space

Notwithstanding the details submitted with this planning application, within 4 months of the date of this planning permission, revised details demonstrating the method of providing equipped play facilities shall be submitted to and agreed in writing by the Local Planning Authority. For the avoidance of doubt, the facilities shall provide a minimum activity zone of 384 sq.m in accordance with the definition of 'Provision for Children and Young People' as set out in the s106 legal agreement (dated 7th June 2016).

The equipped play facilities shall be provided in accordance with the agreed details, and in accordance with the timescales set out in Schedule 2, Part 1, 5 of the s106 legal agreement (dated 7th June 2016). Thereafter the equipped play facilities shall be retained as such.

Reason

In order to ensure that adequate equipped play facilities are provided within the site for the benefit of Children and Young People and to accord with Policy CS24 of the South Gloucestershire Local Plan (Adopted) December 2013.

2. Tree Protection

The development hereby approved shall be implemented strictly in accordance with the Arboricultural Impact Assessment and the Arboricultural Method Statement (T_EDP4051_02 RevC) as received by the Local Planning Authority on 30th May 2017.

Reason

In the interest of the protection of trees from damage during the construction of the development, to protect the amenity value of the trees and in the interest of character of the landscape; and to accord with saved Policy L1 of the South Gloucestershire Local Plan (adopted January 2006) and Policy CS9 of the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013.

3. Landscape and Ecological Management Plan

The development hereby approved shall be implemented strictly in accordance with the Landscape and Ecological Management Plan (LEMP V4) dated May 2017 by EAD Ecology (as received by the Local Planning Authority on 30th May 2017).

Reason

In the interest of the ecological value of the site and to provide ecological enhancement and mitigation as part of the development hereby approved; and to accord with saved Policy L9 of the South Gloucestershire Local Plan (adopted January 2006) and Policy CS9 of the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013.

4. Replacement Hedge

In the event that part of, parts of or all of the hedge to be translocated from the boundary of the site with Wotton Road (as detailed upon 401.02/01 and 02 as received by the Local Planning Authority on 30th May 2017) dies, becomes diseased or is otherwise removed following its translocation, the hedge shall be replaced with a new hedge on a like for like basis in the next available planting season. Thereafter the hedge shall be retained as such.

Reason

In the interest of the character and visual amenity of the site, new development and the surrounding landscape and to accord with saved Policy L1 of the South Gloucestershire Local Plan (adopted January 2006) and Policy CS9 of the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013.

5. Prior to the commencement of the development hereby approved archaeological investigations, shall be carried out and the findings and recordings of which shall be submitted for agreement in writing by the Local Planning Authority in accordance with the Written Scheme of Investigation for a Programme of Archaeological (dated January 2017) as received by the Local Planning Authority on 26th May 2017.

Reason

In the interest of archaeological investigation and recording and to accord with saved policy L11 of the South Gloucestershire Local Plan (Adopted) January 2006 and Policy CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

6. Approved Plans

The development shall be implemented strictly in accordance with the following plans;

1597-101 rev A
16064 PL-201 rev 0

as received by the Local Planning Authority on 13th December 2016

1597 100 rev X
1597 103 rev F
1597 104 rev E
1597 105 rev E
1597 106 rev E
1597 155-5 rev A
1597 155-6 rev A
16064 PL-100-1 rev 07
16064 PL-100-2 rev 07
16064 PL-100-3 rev 06
16064 PL-100-4 rev 02
16064 PL-101 rev 04
16064 PL-103 rev 06
16064 PL-200 rev 10
16064 PL-202 rev 03
401 02/01 rev C
401 02/02 rev C

Arboricultural Method Statement (incorporating Impact Assessment and Tree Protection Measures), prepared by EDP
Updated Landscape and Ecological Management Plan (LEMP)

as received by the Local Planning Authority on 30th May 2017

1597 150 rev A
1597 151 rev B
1597 151-1 rev A
1597 151-2 rev A
1597 151-3
1597 151-4
1597 151-5
1597 152 rev A
1597 153 rev B
1597 153-1 rev A
1597 153-2
1597 153-3

1597 154 rev A
1597 155 rev B
1597 155-1 rev A
1597 155-2
1597 155-3
1597 155-4
1597 155-5
1597 155-6

as received by the Local Planning Authority on 4th May 2017

Reason

For the avoidance of doubt.

CIRCULATED SCHEDULE NO. 23/17 – 9 JUNE 2017

App No.:	PT17/1044/RM	Applicant:	Mr Richard Pearson Pearson & Clutterbuck Ltd
Site:	11A Gloucester Road Almondsbury South Gloucestershire BS32 4HD	Date Reg:	14th March 2017
Proposal:	Erection of 1 no. detached dwelling with associated works (Approval of Reserved Matters to be read in conjunction with PT15/0047/O)	Parish:	Almondsbury Parish Council
Map Ref:	360726 184128	Ward:	Almondsbury
Application Category:	Minor	Target Date:	9th May 2017



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 100023410, 2008. **N.T.S.** **PT17/1044/RM**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application is circulated as a result of the Parish Council objections in relation to parking.

1. THE PROPOSAL

- 1.1 This application follows the granting of outline planning permission for a detached dwellings under application reference PT15/0047/O which approved the means of access to the site and layout. The means of access agreed was directly from the layby off the A38 at the front of the site.
- 1.2 The application site relates to a piece of land in the washed over green belt settlement of Almondsbury facing the Gloucester Road.
- 1.3 The application site is a modest plot which was previously part of the garden belonging to No.11 but is now separated from that house by boundary fence/wall and has its own car and cycle parking in accordance with the outline planning consent.

2. POLICY CONTEXT

2.1 National Guidance

The National Planning Policy Framework March 2012
The National Planning Practice Guidance

2.2 Development Plans

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

CS1 High Quality Design
CS4A Presumption in Favour of Sustainable Development
CS5 Location of Development
CS9 Environmental Resources and Built Heritage
CS16 Housing Density
CS17 Housing Diversity
CS34 Communities of the rural areas

South Gloucestershire Local Plan (Adopted) January 2006

L1 Landscape Protection and Enhancement
L9 Protection Species
H4 Development with curtilage of a dwelling
EP2 Flood Risk and Development

Emerging Plan

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

PSP1 Local Distinctiveness
PSP8 Residential Amenity
PSP16 Parking Standards
PSP43 Private Amenity Space Standards

- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (SPD) Adopted 23rd Aug 2007
South Gloucestershire Council Residential Parking Standards (Adopted)
South Gloucestershire Draft Technical Advice Note: Assessing residential amenity in planning applications. (May 2015)

3. RELEVANT PLANNING HISTORY

- 3.1 PT15/0047/O Erection of 1 no. dwelling (Outline) with layout and means of access to be determined. All other matters reserved. Creation of new vehicular access to existing dwelling. (Resubmission of PT07/3464/O)
Approved
- 3.2 PT08/3169/RM Erection of 1 no. dwelling with parking and associated works. (Approval of Reserved Matters to be read in conjunction with Outline Planning Permission PT07/3464/O) Approve with Conditions 03.02.2009 (only partial discharge carried out)
- 3.3 PT07/3464/O Erection of 1 no. dwelling (Outline) with layout and means of access to be determined. All other matters reserved. Creation of new vehicular access to existing dwelling. - Approve with Conditions 18.01.2008

4. CONSULTATION RESPONSES

4.1 Almondsbury Parish Council

Object

- The application is not in great detail
- The lay by is already over used by parked vehicles
- The parking plans for this 4 bedroom application are not clear
- The vehicle access to the property is not defined enough

4.2 Other Consultees

Sustainable transport

No objection

Tree Officer

No objection to works set out in the submitted Arboricultural report

LLFA

No objection in principle

Archaeology

No objection – the Written Scheme of Investigation provided is satisfactory to start work.

Other Representations

4.3 Local Residents

None

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The principle of the development of two dwellings on the site and access to it is established under outline planning permission (referenced PK15/0047/O). This application now seeks to agree landscaping, scale, layout and appearance on the basis that they already have the access point to the site agreed. The red lined site is the same as the outline scheme.

5.2 Design and residential amenity

The application shows a layout with one house positioned as previously shown on the outline application and as such not affecting the parking and access previously agreed. This takes the form of a relatively small cottage similar in eaves and ridge height to the adjoining house. The house would have eaves at 4.4m high and a ridge 6.77m above finished floor level. The footprint sits comfortably within the individual plot and provides a private garden at the rear similar to those alongside. This garden is not deep but a copse is located directly behind the proposal and provided sufficient distance this prevents any direct overlooking to properties further down the hill. There is reasonable separation between the properties on either side sufficient to prevent harm to residential amenity on either side.

The predominant elevations are front and rear where most fenestration is located but additional windows to the side elevations are not considered to be harmful to privacy of the neighbours. The house has a Juliet style balcony which faces the copse at the rear. None of the fenestration is anticipated to cause a direct loss of privacy into neighbouring properties.

5.3 Boundary treatment in terms of a stone wall and gates are already on site and will not change.

5.4 The plans show that the house is to be finished in white roughcast render with clay pantiles to match the neighbouring roofs. This is sufficient prevent the need to require more materials detail by condition.

5.5 Overall therefore the siting and design of the proposed development is considered appropriate to this area and the proposal would not have a significant and demonstrable harmful impact on the residential amenity of the surrounding houses or on the design of the area.

5.6 Transportation

The access to the site is established and the proposed block plan provides an existing garage and a further parking space to the side of the garage at 2.4 by 4.8m wide. The internal size of the garage is not specified but a further car could be parked in tandem with the proposed car parking space and these two spaces alone would adequately provide the two parking spaces required by the Councils parking standards. With regard to the Parish Council comments it is acknowledged that the layby to the front of the site is already subject of parked cars but the provision of at least two spaces meets the needs of the Councils parking standards and as such no objection is raised. The front boundary wall is acceptable in height as it stands.

5.7 In view of the above mentioned therefore, there is no highway objection to this application.

5.8 Landscaping Impact

The house would be located within a small group of buildings at the top of the escarpment. Trees located on land at the rear of the site, but unaffected by the scheme would prevent this from having a material impact on the wider landscape. The Arboricultural assessment submitted retains four of the small trees at the front of the site, including the most significant, a mid age Hornbeam, and the means of protection is stipulated. Two poor trees will be removed and there are no other trees on site. The tree officer has assessed the proposal and raises no objection to the proposal.

5.9 Drainage

There is no objection in principle from the drainage team. Drainage officers have been shown a scheme which satisfies them that appropriate drainage can be achieved.

5.10 Permitted development rights

Permitted development rights have already been withdrawn on the Outline application.

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 In light of the conditions already attached to the Outline consent which required implementation of cycle and car parking as shown, tree protection and archaeology investigation as now agreed there is no requirement for additional conditions.

6.3 The recommendation to approve the reserved matters of the outline planning consent 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 reserved matters of appearance, landscaping, layout and scale are approved subject to the conditions set out below. It is further agreed that conditions related to drainage (9) and archaeology (No.10) conditions are hereby discharged.

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