



**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. 02/17

Date to Members: 13/01/2017

Member's Deadline: 19/01/2017 (5.00pm)

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

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

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

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

NOTES FOR COUNCILLORS - FORMAL ARRANGEMENTS

If any Member requires any of the proposals listed in the Schedule to be considered by the appropriate Development Control Committee, please let the Director of Environment of Community Services know within 5 working days of the date of this Schedule (e.g., if the schedule is published on a Friday, comments have to be received by the end of Thursday) (see cover page for the date).

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

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

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

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

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

GUIDANCE FOR 'REFERRING' APPLICATIONS

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

- Before referring an application always speak to the case officer or Area Planning Manager first to see if your concerns can be addressed without the application being referred.
- If you are considering referring in an application outside the ward you represent, as a courtesy, speak to the ward member(s) to see what their views are, before referring the application.
- Always make your referral request as soon as possible, once you have considered all the application details and advice of the case officer. **Please do not leave it to the last minute**
- Always make your referral request by e-mail to MemberReferral@southglos.gov.uk, where referrals can be picked up quickly by the Development Management Technical Support Team. Please note a copy of your referral e mail will appear on the website. **If in exceptional circumstances, you are unable to e-mail you request, please contact 01454 863519, well in advance of the deadline, to discuss alternative arrangements to ensure your response can be received.**
- When you refer an application, make clear what the planning reasons are for doing so. This will help the case officer and other members give attention to the specific issues you have raised.
- It may also allow officers to seek to negotiate with the applicant to overcome the Member's concerns and therefore removing the need for a Committee determination.

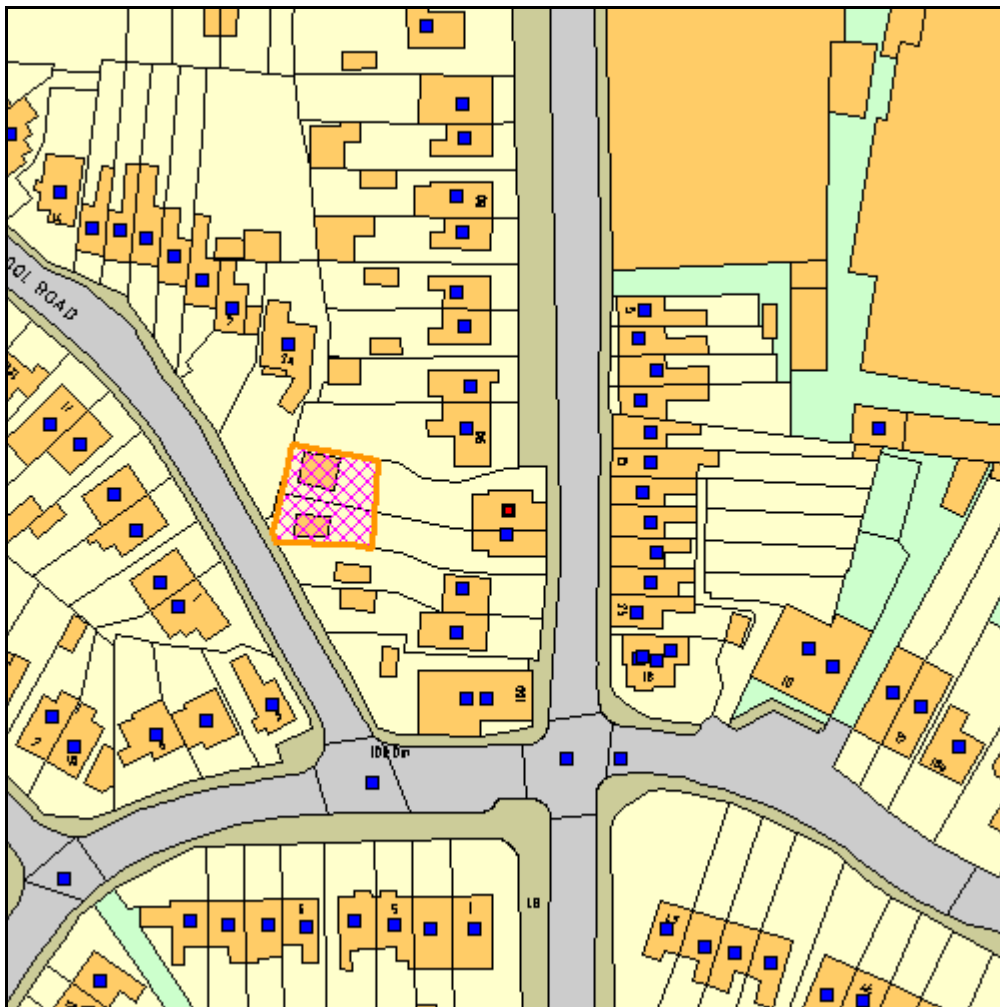
CIRCULATED SCHEDULE 13 January 2017

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ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK16/1709/F	Approve with Conditions	Land To Rear Of 92/94 Forest Road Kingswood South Gloucestershire BS15 8EH	Woodstock	None
2	PK16/4507/F	Refusal	Land Adjacent To 61 Glanville Gardens Kingswood South Gloucestershire BS15 9WX	Woodstock	None
3	PK16/5389/F	Approve with Conditions	4 Bell Square Marshfield South Gloucestershire SN14 8HS	Boyd Valley	Marshfield Parish Council
4	PK16/5579/F	Approve with Conditions	20 Church Road Wick South Gloucestershire BS30 5QL	Boyd Valley	Wick And Abson Parish Council
5	PK16/6042/F	Approve with Conditions	Mounds Court Farm Siston Hill Siston South Gloucestershire BS30 5LU	Siston	Siston Parish Council
6	PK16/6153/F	Approve with Conditions	Land To Rear Of 21 St Annes Close Cadbury Heath South Gloucestershire BS30 8EH	Parkwall	Oldland Parish Council
7	PK16/6249/F	Approve with Conditions	Bluebell Dibden Lane Emersons Green South Gloucestershire BS16 7AF	Emersons	Emersons Green Town Council
8	PK16/6406/F	Approve with Conditions	Tithe Barn Church Road Bitton South Gloucestershire BS30 6LJ	Bitton	Bitton Parish Council
9	PK16/6511/TRE	Approve with Conditions	Land At Goose Green Farm Yate South Gloucestershire BS37 7YT	Yate North	Yate Town
10	PK16/6554/FDI	No Objection	Golden Valley Mill Mill Lane Bitton South Gloucestershire BS30 6HL	Bitton	Bitton Parish Council
11	PT16/4420/RVC	Approve with Conditions	Hollywood Lane Easter Compton South Gloucestershire BS10 7TW	Almondsbury	Almondsbury Parish Council
12	PT16/4570/F	Approve with Conditions	The Bothy Ingst Hill Olveston South Gloucestershire BS35 4AP	Severn	Aust Parish Council
13	PT16/5424/F	Approved Subject to	Apple Tree Cottage Catherine Hill Olveston South Gloucestershire BS35 4EN	Severn	Olveston Parish Council
14	PT16/5444/F	Approve with Conditions	Wild Place Blackhorse Hill Easter Compton South Gloucestershire BS10 7TP	Almondsbury	Almondsbury Parish Council
15	PT16/6094/CLP	Refusal	Homeland Cottage 111 Marsh Common Road Pilning South Gloucestershire BS35 4JU	Pilning And Severn Beach	Pilning And Severn Beach Parish Council
16	PT16/6212/F	Approve with Conditions	94 Apseleys Mead Bradley Stoke South Gloucestershire BS32 0BG	Bradley Stoke North	Bradley Stoke Town Council
17	PT16/6232/F	Approve with Conditions	17A Gloucester Road Almondsbury South	Almondsbury	Almondsbury Parish Council
18	PT16/6247/F	Approve with Conditions	52 Watch Elm Close Bradley Stoke South Gloucestershire BS32 8AN	Stoke Gifford	Bradley Stoke Town Council
19	PT16/6552/F	Approve with Conditions	Land Off Baden Hill Road Tytherington Wotton Under Edge South Gloucestershire GL12 8UG	Ladden Brook	Tytherington Parish Council

CIRCULATED SCHEDULE NO. 02/17 – 13 JANUARY 2017

App No.:	PK16/1709/F	Applicant:	Messr Jenkins And Warren
Site:	Land To Rear Of 92/94 Forest Road Kingswood Bristol South Gloucestershire BS15 8EH	Date Reg:	4th May 2016
Proposal:	Erection of 1 no. detached bungalow with new access and associated works	Parish:	None
Map Ref:	364526 173153	Ward:	Woodstock
Application Category:	Minor	Target Date:	22nd June 2016



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 100023410, 2008. **N.T.S.** **PK16/1709/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule following objections received from local residents.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of 1no. detached bungalow with new access and associated works to the rear of Nos. 92 and 94 Forest Road in the established settlement of Kingswood and a Development High Risk Coal Area.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework (NPPF) March 2012
Planning Practice Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

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

H4	Residential Development within Existing Residential Curtilages
T7	Cycle Parking
T12	Transportation Development Control for New Development

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

PSP1	Local Distinctiveness
PSP8	Residential Amenity
PSP11	Development Related Transport Impact Management
PSP16	Parking Standards
PSP37	Internal Space and Accessibility Standards for Dwellings
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) 2007
Residential Parking Standard SPD (Adopted) 2013
Waste Collection: Guidance for New Development SPD (Adopted) January 2015

3. RELEVANT PLANNING HISTORY

- 3.1 PK10/1307/F Refused 23/07/2010
Erection of 1no. detached dwelling with associated works.

Refusal reason no. 1

By reason of its siting and design, the proposed dwelling if permitted, would not be sufficiently in-keeping with the established pattern or appearance of development within the locality, and as such would represent an incongruous element within the street scene to the detriment of the visual amenity and character of the neighbourhood, contrary to Policies D1 and H4 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006, Policy CS1 of the South Gloucestershire Core Strategy Pre-Submission Publication Draft March 2010 and the requirements of the South Gloucestershire Design Checklist (SPD) Adopted 23rd Aug 2007 and PPS3 - Housing as revised 9 June 2010.

- 3.2 PK08/3146/F Approved with Conditions 23/01/2009
Subdivision of existing dwelling to form 2no. self contained flats. Erection of first floor rear extension to provide additional living accommodation.

- 3.3 PK08/2820/F Refused 24/11/2008
Erection of 1no. dwelling with access and associated works.

Refusal reason no. 1

The proposal to divide the existing curtilage of the property to provide an additional dwelling, represents a cramped form of development, which by reason of loss of privacy from overlooking, overbearing impact and overshadowing, would have a significant adverse impact on the amenity of the occupiers of neighbouring residential property, contrary to Policies H2 and H4 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

Refusal reason no. 2

By reason of its siting and design, the proposed dwelling if permitted, would not be sufficiently in-keeping with the established pattern or appearance of development within the locality, and as such would represent an incongruous element within the street scene to the detriment of the visual amenity of the neighbourhood contrary to Policies D1 and H4 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and the requirements of the South Gloucestershire Design Checklist (SPD) Adopted 23rd Aug 2007.

Refusal reason no. 3

Insufficient information has been submitted to fully assess the impact of the proposal on an adjacent Sycamore Tree of high visual amenity value to the locality. This is contrary to the requirements of Policies L1 and D1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and the South Gloucestershire SPD Note 'Trees on Development Sites' adopted Nov 2005.

- 3.4 K2852 Approved with Conditions 22/08/1979
Erection of a single garage.

4. CONSULTATION RESPONSES

4.1 Parish/Town Council
The area is unparished

4.2 Other Consultees

Highway Structures

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

Drainage Officer

No objection.

Highway Engineer

No. 94 consists of two separate flats with two parking spaces – one to the front and another to the rear. Concerned the rear parking space will be lost as a result of new development.

Seek clarification:

1. Is No. 92 still two separate flats?
2. If so, then what is happening to the second parking space for the second flat? Is there any replacement parking for this second existing flat on site?

Update:

Proposed Dwelling and Parking Arrangements plan (drwg no. 01P) received 29/06/2016.

Confirmation No. 92 is two separate flats and they will each be provided with an allocated parking space. Plans also indicate the bungalow will be provided with two parking spaces. Remains unclear how many bedrooms each flat contains, but as it seems unlikely there will be more than two, this proposal seems to conform to our Residential Parking Standards. Likewise, as there are only three individual dwellings on the site, there would appear to be no requirement for separate provision for visitor parking. No objection on basis of parking provision, but access arrangement for bungalow remains unclear and needs clarification.

Update:

It appears that the access is currently or was formerly used by at least one may be two garages. Under these circumstances, this seems to be approximately the same situation as would pertain in the future i.e. access to two parking spaces. Therefore, would be very difficult to sustain an objection on this basis.

Planning Enforcement

No comment received.

Coal Authority

Objection:

Application site falls within a defined Development High Risk Area. Applicant submitted a factual letter from Bristol Coal Mining Archives in support of the

application. Letter provides basic coal mining information in relation to site, but does not provide an assessment of the risks to any provided new development. Coal Mining Risk Assessment needed.

Update:

Coal Mining Risk Assessment received 22/08/2016.

Report concludes that the coal mining legacy potentially poses a risk to the proposed development and that intrusive site investigation works should be undertaken prior to development in order to establish the exact situation on site. Condition securing site investigation and remedial works prior to commencement of development recommended.

Other Representations

4.3 Local Residents

Three letters, two objecting and the other neutral, have been received from local residents. The points raised are as follows:

Residential Amenity

- Overlooking neighbouring properties Nos. 90 and 96 Forest Road and 2a Counterpool Road
- Close proximity to Nos. 2a Counterpool Road and 96 Forest Road.
- Neighbours occupation may disturb future occupiers of bungalow
- Noise and disturbance during construction

Transport

- Development will increase on-street parking
- When No. 94 Forest Road was split into flats, it was stated that there was additional parking available at the rear of No. 94 with access from Counterpool Road. Will these spaces be made up elsewhere?

Other

- Thought new Government was putting a stop to planning permission for dwellings being built in back gardens
- Possible borehole on site
- No. 2a Counterpool Road's garage not shown on plans
- Land slopes upwards towards applicants' houses. Will a retaining wall be required?

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application stands to be assessed against the above listed policies and all material considerations. Of particular relevance are the previous applications and their refusal reasons which this application has sought to address. The agent/applicant has worked hard with Officers to make changes and produce an acceptable form of development.

- 5.2 It is acknowledged that South Gloucestershire Council does not have a five year land supply. As such, paragraph 49 of the NPPF is engaged and Policy CS5 is considered out of date. Paragraph 49 declares that housing applications should be considered in the context of the presumption in favour of sustainable development. Paragraph 14 of the NPPF goes on to state that proposals that accord with the development plan should be approved without delay, and where relevant policies are out-of-date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF. Notwithstanding the above, the adopted development plan remains the starting point for assessment.
- 5.3 Policy CS1 of the Core Strategy demands the 'highest possible standards of design and site planning'. A number of criteria compose high quality design which includes form, scale, massing, density and overall layout. Saved policy H4 is supportive of residential development within existing residential curtilages providing the scheme would not have an adverse impact on the character of the area, on the amenity of neighbours or have negative highway impacts which is also considered under saved policy T12.
- 5.4 The NPPF (2012) promotes sustainable development and great importance is attached to the design of the built environment. It emphasis this by stating *Good design is a key aspect of sustainable development and expects high quality and inclusive design for all development, including individual buildings. Amongst others, the NPPF expects development should add to the overall quality of the area... respond to local character and history, and reflect the identify of surroundings... [and be] visually attractive as a result of good architecture.* It goes onto state that *Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.*
- 5.5 The proposal being the creation of a new dwelling counts in its favour, but concerns from local residents regarding traffic generation and impact on amenity must be assessed and these are discussed in detail below.
- 5.6 Design and Visual Amenity
This proposal is for a single storey dwellinghouse to be positioned to the rear of the garden areas serving Nos. 92 and 94. These properties face onto Forest Road, but single detached garages for each are served by Counterpool Road running to the rear. Counterpool Road has a number of double storied houses of varying styles, materials and designs.
- 5.7 The applicant proposes a two-bed 'Z' shaped dwelling that would have a footprint of approximately 75 sq metres, achieve a height to eaves of about 2.3 metres and a ridge height of 4.8 metres. The main view of the new dwelling would be off Counterpool Road, but concrete panels and brick rendered walling with railings would somewhat screen the house.
- 5.8 The two-bed dwelling would have a gable and wing with two parking spaces in front. The front elevation would be traditional Bradstone walling and the other elevations would be 'K' rendered, buttermilk finish. Double roman concrete

Breckland Brown would finish the roof. It is acknowledged that the new house would differ in scale to its immediate neighbours, but given the proposal would be constructed in similar materials to its neighbour No. 2a Counterpool Road, it is considered that the new dwelling would not appear significantly different or out of place to such a degree as to warrant the refusal of the application. In terms of the overall design, scale and massing, it is therefore considered appropriate.

5.9 It is acknowledged that garden development is challenging and is rarely successful primarily due to impact on amenity and transport. In this case, the site benefits from an existing access off Counterpool Road and equally separated from neighbouring properties by an acceptable distance. It is acknowledged that this site has been subject to a couple of applications, always for a bungalow form. Officers have taken into consideration the local and national planning aims which encourage development both within existing residential gardens and within established built-up areas. Other bungalow forms were considered unacceptable, but this dwelling has overcome the issues raised by Officers and the proposal is now considered to accord with a sustainable type of development.

5.10 Residential Amenity

The closest property to the proposed new dwelling is to the front at No. 2a Counterpool Road. Concerns have been raised regarding privacy and proximity. It must be noted that the corner of the new bungalow would be only 50mm away, but it would be orientated at 45 degrees to this neighbour. This neighbour is set back some distance within their plot, partially screened by existing fencing so any impact on light entering the front garden is not considered to be significant. Likewise, a ground floor bathroom window is proposed in the side elevation facing this neighbouring front garden, but it is not considered that this would materially impact the existing levels of privacy afforded to the occupiers. The same neighbours also expressed concern that the use of No. 2a's driveway adjacent would disturb future occupiers and although there may be some limited disruption experienced, the expected volume would not be considered to give rise to any unacceptable noise or disturbance to the detriment of residential amenity.

5.11 Neighbours to the north at No. 90 Forest Road are currently screened existing high fencing. Where incomplete, 1.8 metre high fencing panels to match are proposed. A condition will be attached to ensure all new boundary treatment is completed before the dwelling is first occupied. One comment has stated there would be overlooking. Nevertheless, the distance between No. 90 and the proposed bungalow would be about 12.5 metres and thereby sufficient to not cause any adverse amenity issues for this occupier.

5.12 The host properties to the east, Nos. 92 and 94 Forest Road would be over 15 metres distant with new 1.8 metre high fencing separating them from the new single storey dwelling. The proposal is considered not to impact negatively on these occupiers.

5.13 Another property on Forest Road, No. 96, shares the southern boundary with the application site. Concerns have been raised that the proposal would result

in issues of inter-visibility or overbearing. The property benefits from a generous rear garden and would be at over 17 metres distant, screened by existing high fencing. Given the degree of separation, orientation and dividing boundary, it is considered that a single storey dwellinghouse would not give rise to overshadowing, loss of light or impact on privacy to these neighbours.

- 5.14 With regards to the proposed amenity space for the new dwelling, this would amount to well over 50 sq metres of usable, private amenity space which is considered necessary for a 2 bed dwelling. Sufficient garden space exceeding 70 sq metres would remain to serve each existing house.
- 5.15 Noise and disturbance during the construction phase has been cited as an objection reason. It is inevitable that development causes some noise and disturbance but a condition attached to the decision notice will ensure that the hours of construction are kept within reasonable times to minimise disruption to neighbours.
- 5.16 The proposed development is considered to not have a negative impact on the residential amenity of neighbouring dwellings and sufficient amenity space would be provided for the new and existing properties. However, in order to protect the amenities of other properties, permitted development rights will be restricted to prevent further windows or alterations to the roof. The proposal is, therefore, considered to accord with policy and can be recommended for approval.
- 5.17 Sustainable Transport
A similar application for one house on this site was refused by the Council in 2010 (ref. PK10/1307/F) although the refusal reasons did not include a highway one. That said, the layout of the proposed parking for this is somewhat different to what was submitted before in 2010.
- 5.18 By reference to the information submitted before, it is noted that the existing property No. 94 consists of two separate flats with separate parking areas – one parking area to the front and another to the rear. If implemented as proposed, concern was raised that the space for one of the existing flats may be lost as a result of the new development. Further clarification was, therefore, sought on this matter.
- 5.19 A Proposed Dwelling and Parking Arrangements plan (drwg no. 01P) was received showing a parking space is allocated to each flat within the curtilage of No. 94. The plan also indicates that the bungalow will be provided with two parking spaces. A suitable condition will be imposed to ensure that these are provided and maintained.
- 5.20 It remains unclear how many bedrooms each flat contains, but as it seems unlikely there will now be more than two, as approved in 2010, this proposal seems to conform to our Residential Parking Standards. Likewise, as there are only three individual dwellings on site, there would appear to be no requirement for separate provision for visitor parking. Under these circumstances, no objections on the basis of parking provision are raised.

- 5.21 Clarification was also sought with regards to the access arrangement. It appears that the access is currently or was formerly used at least by one, if not two, garages. Under these circumstances, this seems to be approximately the same situation as would pertain in the future i.e. access to two parking spaces. Therefore, it would be very difficult to sustain an objection on this basis.
- 5.22 Concern has been raised that the development will increase parking on the street and cause further congestion. The proposed development generates the demand for two parking spaces. It has been shown above that the application site can accommodate two vehicles on site and the access is acceptable. This clearly weighs in its favour. It is therefore considered that the provision of two parking spaces would meet the needs arising from the property and would not generate additional traffic to the extent it would create congestion on the highway network that a transportation objection could be raised or sustained. Planning has no jurisdiction with regard to where and how others use or misuse the highway.
- 5.23 Coal Referral Area
The application site falls within a defined Development High Risk Area. The Coal Authority had previously objected to the application due to the lack of a Coal Mining Risk Assessment. In response, the application submitted a Coal Mining Risk Assessment on 22/08/2016.
- 5.24 Having reviewed the available coal mining and geological information, the report identifies that there is a potential risk to the development from past coal mining activity. It, therefore, recommends that intrusive site investigations are carried out in order to establish the exact situation in respect of the coal mining legacy issues on the site.
- 5.25 The Coal Authority advises a condition is attached to the decision notice securing these intrusive site investigation works prior to commencement of development. The applicant should agree with The Coal Authority's Permitting team the nature and extent of the site investigations as part of the permissions process.
- 5.26 In the event that shallow mine workings are encountered, the findings of the site investigations should inform any remedial measures required to treat them to ensure the safety and stability of the proposed development. These will also be conditioned to ensure they are undertaken prior to the commencement of the development.
- 5.27 Other Matters
One commenter has stated that they thought Government did not support development in gardens. Changes have occurred in both national and therefore local planning policies since the previous refusals and they now encourage more efficient use of land and space in built-up areas. This has been as a general response to the housing shortage nationwide and South Gloucestershire is required to fill its quota by providing new homes. Clearly this must not be at the expense of important issues such as poor design, impact on amenity or impact on highway safety/on-street parking. The above assessment has concluded in each of the relevant sections that the proposal accords with

policy on each of the above stated areas and refusal on these grounds could not be substantiated in an appeal situation.

- 5.28 The matter of whether a borehole is on the application site has been raised. As a planning application, this assessment is only concerned with how the proposal accords with adopted national and local planning policy. Checking borehole records does not fall under this very specific remit.
- 5.29 Concern has been raised that the block plans do not depict No. 2 Counterpool Road's attached front garage. It appears that the block plans have been taken from a map that only depicts simple building outlines. However, at the site visit the integral garage was noted, but given the neighbouring property is set back from the beginning of the western boundary, it is not considered that the proposed single storey dwelling would appear dominant or intrusive for these occupiers. Revised plans, therefore, were not considered necessary.
- 5.30 Other properties to the east are set on higher ground than the application site. One commenter has asked whether a retaining wall will be built to maintain the difference in ground level and if their new fencing will be installed above. Construction and maintenance of boundary and retaining walls is not covered by planning permission or Building Regulations, but may be subject to the provisions of the Party Wall Act 1996.
- 5.31 Planning Balance
The above assessment has acknowledged that the new dwelling would be a positive addition to the housing supply shortage, but as a single dwelling this benefit can only be awarded minimal weight. It is considered that the proposed dwelling would be of a good design with materials to blend in with those at No. 2a Counterpool Road. High quality design and appearance is important and weight is awarded in favour for this reason. The scheme would not have a negative impact on the amenity of closest neighbours given the distance separating these respective properties and the consideration given to the position or room use in the new property. Again this counts in its favour. An acceptable access arrangement and sufficient off-street parking can be achieved on site for the new property which against counts in favour of this scheme. Finally, the risk to the development from past coal mining activity has been of great concern and the application has been willing to work with Officers to achieve a satisfactory Coal Mining Risk Assessment. In conclusion, the previously identified negative elements have been satisfactorily addressed under this application and the scheme can be recommended for approval.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to **grant** permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Local Plan Core Strategy

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

7. RECOMMENDATION

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

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. Pre-commencement condition - Coal investigation

Prior to the commencement of development, intrusive site investigation works to establish the coal mining legacy on the site shall be carried out. A scheme of intrusive site investigations shall be prepared, submitted and approved in writing by the local planning authority. The approved scheme of investigation shall then be carried out in full.

Reason

To ensure that the risk posed by the past coal mining activity in the area is adequately identified and where necessary mitigated and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 and the provisions of the National Planning Policy Framework. This is required prior to commencement to fully engage with the coal mining legacy.

3. Pre-commencement condition - Coal remediation

Following the site investigations required by Condition 2, and prior to the commencement of development, a report of the findings of the investigations shall be submitted to and approved in writing by the local planning authority. Should the report identify that remedial works are required, details of the proposed remediation shall be included within the submission to the local planning authority for approval in writing. The approved remedial works shall be carried out in full.

Reason

To ensure that the risk posed by the past coal mining activity in the area is adequately identified and where necessary mitigated and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 and the provisions of the National Planning Policy Framework. This is required prior to commencement to fully engage with the coal mining legacy.

4. **Boundary treatment**
The proposed boundary treatment shown on the plan Combined Plans (drawing no. 01; received 14/04/2016) shall be completed before the building is first occupied.

Reason

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006; and the National Planning Policy Framework.

5. **Parking**
The off-street parking facilities (for all vehicles, including cycles) shown on the plan Proposed Dwelling and Parking Arrangements (drwg no. 01P; received 29/06/2016) hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason

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

6. **Hours of operation**
The hours of working on site during the period of construction shall be restricted to 7:30 to 18:00 Monday to Friday and 8:00 to 13:00 on Saturdays; and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with saved Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006; Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013 and the provisions of the National Planning Policy Framework.

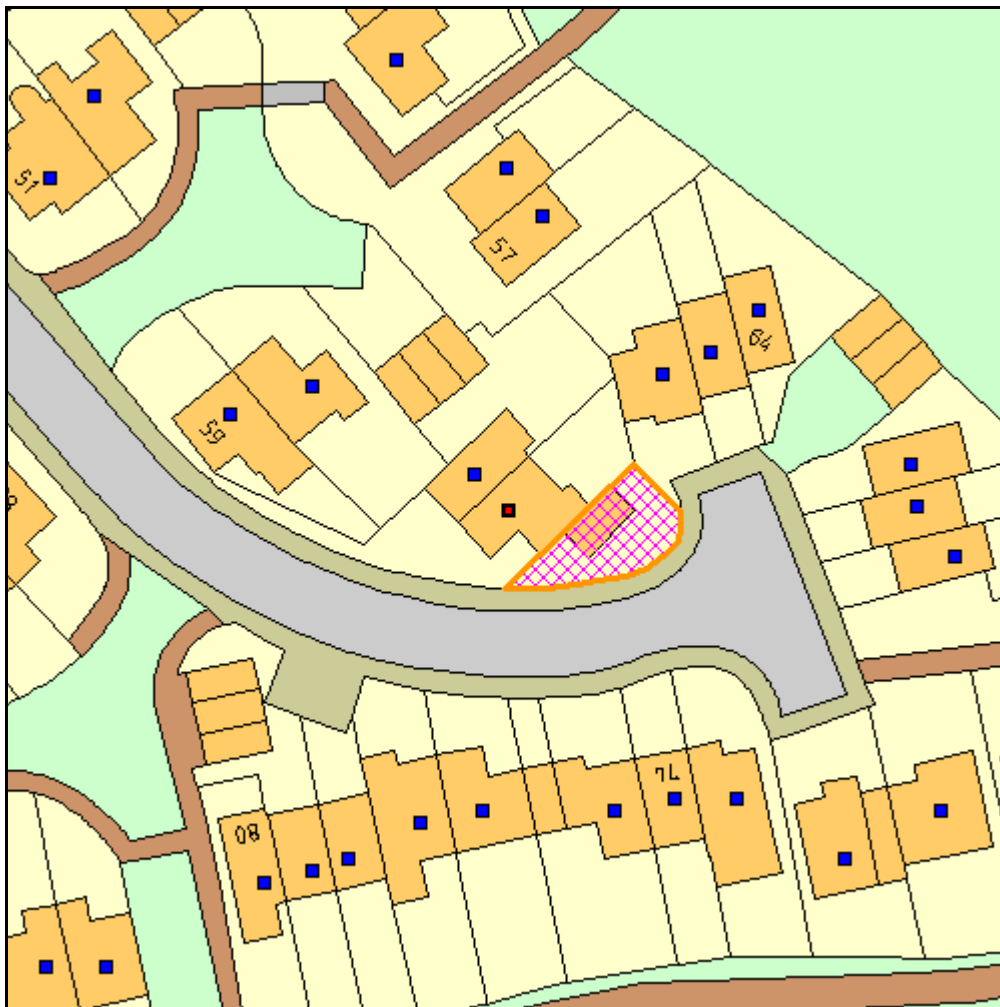
7. **Permitted development rights removal**
Notwithstanding the provisions of Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no development as specified in Part 1 (Classes A,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

Reason

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to protect the residential amenity of the neighbouring occupiers and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006; and the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 02/17 – 13 JANUARY 2017

App No.:	PK16/4507/F	Applicant:	Mr M Cooke
Site:	Land Adjacent To 61 Glanville Gardens Kingswood Bristol South Gloucestershire BS15 9WX	Date Reg:	2nd August 2016
Proposal:	Erection of extension and conversion of existing garage to form 1no. attached dwelling with associated works.	Parish:	None
Map Ref:	365337 173065	Ward:	Woodstock
Application Category:	Minor	Target Date:	22nd September 2016



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 100023410, 2008. N.T.S. PK16/4507/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The application is for the erection of an extension and conversion of existing garage to form 1 attached dwelling with associated works.
- 1.2 The site is situated in a relatively modern residential area between Kingswood and Hanham. The site consists of part of the side/corner plot adjacent to 61 Glanville Gardens. The site comprises a single garage attached to a single storey part of the main dwelling and the remainder of the plot beyond. No 61 is a relatively modern two storey semi detached dwelling.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
Planning Practice Guidance

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

T8 Parking Standards

T12 Transportation for New Development

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design

CS5 Location of Development

Emerging Plans:

South Gloucestershire Local Plan – Policies, Sites and Places Local Plan – Proposed Submission

PSP8 Residential Amenity

PSP16 Parking Standards

PSP43 Private Amenity Space Standards

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist – August 2007

South Gloucestershire Residential Parking Standards SPD

3. RELEVANT PLANNING HISTORY

- 3.1 PK03/3797/F Conversion and extension of garage to form a single storey self contained dwelling.
Refused 29.01.2004

Refusal reasons:

- 1) The proposed dwelling would result in a cramped development that would detract from the visual amenity of the area and would harm the character and identity of the locality.
- 2) The proposed single-storey building because of its height, width and appearance would be out of character with the adjoining buildings and the type of building in the area and as such would represent an incongruous feature in the street scene to the detriment of the visual amenity of the locality.

The application was subsequently dismissed at appeal on the basis that it would appear entirely incongruous, provide extremely limited curtilage, in contrast with the surroundings, would appear cramped or forced into an unsuitable space, with a harmful impact upon the character and appearance of the area

- 3.2 PK08/1235/F - Erection of 1 no. attached dwelling with associated works. Withdrawn.
- 3.3 PK09/0742/F - Erection of 1 no. attached dwelling with associated works. (Resubmission of PK08/1235/F). Refused 27.05.2009

Refusal reasons:

- 1)The proposed dwelling would represent a cramped form of development resulting in a crowded arrangement that would appear incongruous in its setting and detract from the character of the area.
- 2)The proposed dwelling because of its width, height, window arrangement, and appearance would be out of character with the adjoining buildings and would appear alien in the street scene. The addition of further extensions to the already staggered building would create an unbalanced building detracting from the visual amenity of the locality at a prominent position in the street.

- 3.4 PK12/3803/F - Demolition of existing garage to facilitate the erection of 1 no. dwelling with associated works (Resubmission of PK09/0742/F). Refused 18th January 2013

Refusal Reasons:

- (1) The proposed dwelling would represent a cramped form of development resulting in a crowded arrangement that would appear incongruous in its setting and detract from the character of the area. The application is therefore contrary to the requirements of Policies D1 and H2 of the Adopted South Gloucestershire Local Plan.
- (2) The proposed dwelling because of its width, height, design and appearance would be out of character with the adjoining buildings and would appear alien in the street scene. The addition of further extensions to the already staggered building would create an unbalanced arrangement detracting from the visual amenity of the locality at a prominent position in the street. The application is thus contrary to the requirements of Policies D1 and H2 of the Adopted South Gloucestershire Local Plan.

- 3.5 PK14/2535/F - Demolition of existing garage and erection of no.1 attached dwelling with access and associated works (Resubmission of PK12/3803/F). Refused 12th September 2014.

Refusal Reasons:

- 1) The proposed dwelling would represent a cramped form of development resulting in a crowded arrangement with no private amenity space that would appear incongruous in its setting and detract from the character of the area. The application is therefore contrary to the requirements of Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013.
- 2) The proposed dwelling because of its width, design and appearance would be out of character with the adjoining buildings and would appear alien in the street scene. The addition of further extensions to the already staggered building would create an unbalanced arrangement detracting from the visual amenity of the locality at a prominent position in the street. The application is thus contrary to the requirements of Policies CS1 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013.

4. **CONSULTATION RESPONSES**

- 4.1 Parish Council
No parish

The Drainage and Flood Risk Management Team
No objection

Highways Structures
No comment

Other Representations

- 4.2 Councillor Erica Williams
Considered that earlier proposals would be recommended for refusal based on design, not being in keeping with the street scene and cramped living conditions. The present application goes a long way to accommodate the concerns of the previous application, demonstrating better living space and the height of the conversion has been reduced, now fitting in with the street scene as there are garage conversions close by, also with bin space and adequate parking. It is hoped that approval is recommended

Local Residents

A total of 9 responses were received from local residents, 4 objecting to the proposals and 5 supporting them, raising the following issues:

The 4 letters of objection raised the following concerns:

- Would add to parking issues that already exist, parking associated with the host dwelling will be lost with insufficient alternatives
- Problems for emergency vehicles to get through already congested road
- Cramped development and out of place as the plot is very small and close to the corner
- Out of keeping with the character of the area which contains properties of similar design and scale
- Other local examples cited are not within the estate and in areas where there is a mix of housing
- The conversion of garage nearby are for extra living space to existing dwellings, not separate dwellings
- New dwelling would look forced into an inadequate space
- Dwellings are characterised by well proportioned front and rear gardens providing suitable amenity space, the proposals do not reflect this
- Future accessibility issues to the roof of no.61 in case of servicing
- Encroachment into the foundations of no.61 and resultant damage to the structure
- Overbearing and overshadowing of adjacent private garden
- Overlooking of neighbouring gardens
- Loss of light
- Devaluation of property going from semi detached to terraced dwellings
- On street parking is an issue and the proposal would resulting added pressure to this
- On street parking availability would be reduced due to additional dropped kerbs

5 responses expressed support to the application, as follows:

- Other people causing parking problems with too many vehicles too park in the associated space
- It is a small dwelling and has no visual impact
- It is about time the area was put to good use as it has been a dumping ground and over grown and scruffy
- Helps the need for affordable housing
- Would not block any views or light

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The site is considered at one stage to have formed part of the residential curtilage of no.61, the land and garage however is now in a separate ownership. In this respect as such the site is not within an existing residential curtilage. On this basis Policy H4 (Development within Existing Residential Curtilages) is less relevant than other policies in this particular instance. Policy H2 of the South Gloucestershire Local Plan (Residential Development within the Urban Area) has been referred to in previous reports on this site, however this has subsequently been superseded upon the adoption of the Core Strategy. In this respect therefore Policy CS1 is considered to be the most relevant policy applicable to the site and development. The principles in terms of assessing the quality and merits of the proposal are considered to remain

and Policy CS1 seeks a high standard in design and site planning, including siting, form, scale, height, massing, detailing, density and layout that respects, enhances and integrates with the existing area. The Policy, Sites and Places DPD is also now an emerging plan which, at its current stage of progress can carry limited weight.

5.2 Planning History

From the planning history section of this report it is clear that a number of attempts have previously been made to provide a dwelling within this application site. In 2003 an application for a single storey building in two staggered parts to provide a single studio dwelling was refused (PK03/3797/F). The refusal reasons related to over development, cramped layout and poor design. The subsequent appeal was dismissed. In dismissing the appeal, the Inspector raised concern in relation to poor design stating that,

'...whilst the extension would appear very modest, it would...create a most unwieldy and unbalanced building when considered as a whole'

Further,

'The addition of a further single storey projection to the already staggered projections in a particularly prominent position would....result in a visually most displeasing and rather rambled composition.'

Additionally,

'...the building would be read as a separate dwelling despite its attachment to the neighbour, and would appear entirely incongruous when seen alongside them. Its extremely limited curtilage would contrast with the more generous nature of surrounding houses and their plots and, as such, I agree with the Council that it would appear cramped or forced into an unsuitable space.'

The Inspector concludes,

'...the combination of the crowded arrangement and rambling form would appear incongruous in its setting. Accordingly.....it would have a harmful impact on the character and appearance of the area....'

- 5.3 A subsequent application was submitted in 2009 (ref: PK09/0742/F), which was also refused. The application was very similar in form to the 2003 refusal with slightly different footprint, but the same position attached to the side addition of no.61. This application had a raised eaves and ridge and provided accommodation in the roof. A dormer was provided at the front. The two refusal reasons (see par.3.3 above) were very similar to the 2003 refusal. Refusal reason 1 related to the cramped and crowded arrangement and reason 2, the incongruous relationship with the adjacent building and scattered arrangement.
- 5.4 A further application was submitted in 2012 (ref. PK12/3803/F) which again was similar in height, design and footprint, and was again refused for similar reasons.
- 5.5 A further application ref. PK14/2535/F for the demolition of the existing garage and erection of 1 attached dwelling with access and associated works

(essentially a resubmission of PK12/3803/F), was refused 12th September 2014, for the following reasons:

1) The proposed dwelling would represent a cramped form of development resulting in a crowded arrangement with no private amenity space that would appear incongruous in its setting and detract from the character of the area. The application is therefore contrary to the requirements of Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013.

2) The proposed dwelling because of its width, design and appearance would be out of character with the adjoining buildings and would appear alien in the street scene. The addition of further extensions to the already staggered building would create an unbalanced arrangement detracting from the visual amenity of the locality at a prominent position in the street. The application is thus contrary to the requirements of Policies CS1 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013.

5.6 Given the extensive planning history highlighted above, including appeal dismissal, the key issue for consideration is considered to be whether the current proposals satisfactorily address previous refusal reasons for the consideration of a dwelling at this site.

5.7 Design/Visual impact

The application site is situated at the end of a pair of two storey semi detached dwellings. The site is currently occupied by a modestly scaled single storey garage, which is attached, but with a staggered relationship to the side addition of no.61. The site projects out into the street and is open to highway on three sides. This has previously been considered to and continues to give the site a visual prominence in the street scene.

5.8 Whilst the precise design has again been amended to a degree, the proposal is similar in principle, scale and footprint to previous applications in that it again seeks to provide a very small dwelling on a very small corner plot. Previous applications were refused as explained above and a subsequent appeal to the 2003 refusal was dismissed. The current application now seeks to retain and convert the existing single garage to a split level development with bedroom in the roof area at a created first floor level and add a small single storey extension to the side, to provide additional living accommodation. The single storey extension provides a further staggered extension beyond this, necessary to maximise the use of the limited plot and the proposals again result in an elongated and rambling form of development protruding from the side of no. 61 on this prominent corner plot. Consistently in all of the previous decisions, the development was considered unacceptable due to the cramped and crowded layout and design and the incongruous relationship to the adjacent building in a visually prominent location. It is not considered that the current proposals satisfactorily address these matters. There has been no significant change in policy terms since these applications were refused sufficient to warrant an entirely different view. The scale, design and layout of the proposals are therefore contrived to fit into the size of the plot being sought to be developed.

- 5.9 The relationship of the proposal to the adjacent side addition of no.61 and the surrounding area would be poor and incongruous with the residential layout and density of the surrounding area. The proposal would appear incongruous in the street, creating visual harm to the street scene. This harm would be significantly compounded by the visual prominence of the site in the street scene. The design and layout of the site is severely compromised by the size and shape of the plot. On this basis, and considering the application on its own merits, the proposal would fail to respect and enhance the character, layout, design, distinctiveness and amenity of both the site and the locality and as such would fail to accord with Policy CS1.
- 5.10 The private amenity space associated with the current application is very small and this is again indicative of the cramped, small nature of the plot involved and unacceptable design contrived to fit within a plot which is too small for the development proposed. Whilst an emerging plan only, limited weight can be given to the proposed private amenity space standards of Policy PSP43. This seeks, for a 1 bedroom house, the provision of a minimum of 40 square metres of private amenity space. The space remaining around the proposed dwelling, after development, is awkward in shape in terms of useable space and falls far short of these requirements in terms of area. The overall layout and design of the site is very cramped and crowded and the dwelling which has again been designed to maximise the limited space available within the application site, has been squeezed into an awkwardly shaped space, demonstrated by the need to accommodate a vehicle in an off street parking space and a lack of amenity space. On this basis, and considering the application on its own merits, the design and layout would fail to respect and enhance the character, distinctiveness and amenity of both the site and the locality and as such would fail to accord with Policy CS1.
- 5.11 Whilst the Council cannot at this stage demonstrate a full 5 year land supply, the provision of one single additional dwelling would not outweigh the consideration of the harm caused by virtue of design, siting and layout of the development. The applicants have indicated that they consider there to be examples of developments within the general area that lend support to the proposals and provided photographs with addresses, although not planning references. Each site however comes with its own limitations, considerations and planning requirements which must be reviewed on an individual basis and the consideration of these other sites does not in this instance affect the implications of this site. In addition, the current condition of the existing site, whether overgrown/untidy or not does not override these policy considerations.
- 5.12 It is considered that the proposal has not satisfactorily overcome the previous refusal reasons and in principle concerns of the previous refused applications, and previous Inspectors concerns in dismissing previous appeals. As such the above concerns and related refusal reasons are entirely consistent with previous decisions on this site for very similar development.
- 5.13 Residential amenity
The proposal would extend to the south west from the side of an existing garage. As the proposal would project away from the nearest neighbours, to the north, and given the scale, it is considered that the proposed dwelling,

would not prejudice the amenity of neighbouring occupiers in terms of loss of daylight/sunlight, overshadowing, intervisibility or overbearing/bulky development to a significant or material degree.

5.14 Highways

It is considered that the provision of one off street parking space would be in accordance with the Councils current parking standards for the site. The requirement to provide off-street parking for a new dwelling, however further erodes the amount of land that is available for any new building, and contributes to a cramped plot, which is indicative of the constraints of the plot for the development sought.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The proposed dwelling would be a cramped and crowded layout and design with little private amenity space and with an incongruous and contrived relationship to the adjacent building and surrounding area in a visually prominent location contrary to Policy CS1 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013.
- 6.3 The recommendation to refuse permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 That the application be REFUSED for the reasons stated in the attached decision notice.

Contact Officer: Simon Ford
Tel. No. 01454 863714

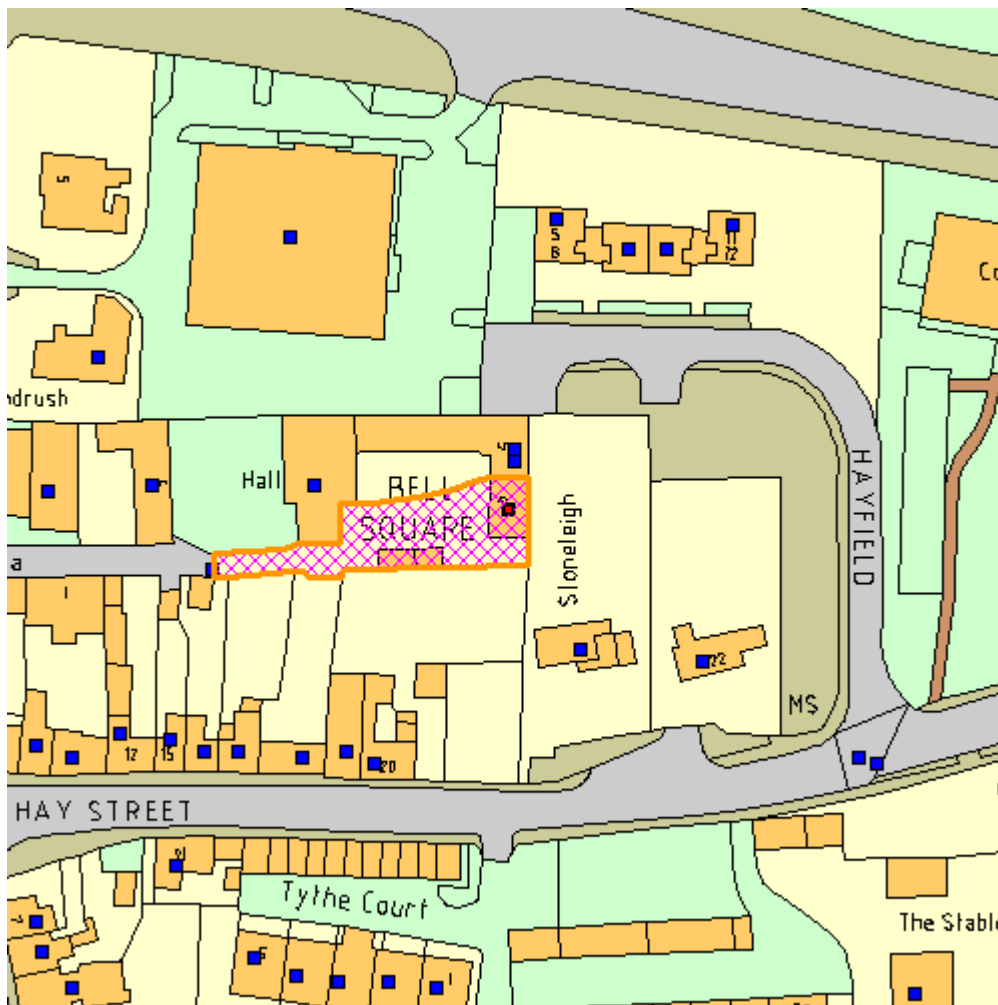
REFUSAL REASONS

1. The proposed dwelling would represent a cramped form of development resulting in a crowded arrangement with insufficient amenity space that would appear incongruous and contrived in its setting and detract from the character of the area. The application is therefore contrary to the requirements of Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013.
2. The proposed dwelling because of its width, design and appearance would be out of character with the adjoining buildings and would appear alien in the street scene. The addition of a further extension to the already staggered building would create an unbalanced arrangement detracting from the visual amenity of the locality at a prominent position in the street. The application is thus contrary to the

requirements of Policies CS1 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013.

CIRCULATED SCHEDULE NO. 02/17 – 13 JANUARY 2017

App No.:	PK16/5389/F	Applicant:	Mr David Rutherford
Site:	4 Bell Square Marshfield South Gloucestershire SN14 8HS	Date Reg:	9th November 2016
Proposal:	Erection of first floor and single storey side extensions to provide additional living accommodation.	Parish:	Marshfield Parish Council
Map Ref:	378190 173843	Ward:	Boyd Valley
Application Category:	Householder	Target Date:	2nd January 2017



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N.T.S.

PK16/5389/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The application seeks planning permission for the erection of a first floor side extension and single storey side extension to provide additional living accommodation at 4 Bell Square in Marshfield.
- 1.2 The dwelling is situated within the settlement boundary of Marshfield. The site has the following designations, it is situated within the Marshfield Conservation Area and Cotswold Area of Outstanding Natural Beauty. The site is also in close proximity to a number of Grade II listed buildings.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Policy Guidance 2014

2.2 Development Plans

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

H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings
L1 Landscape
L2 Cotswolds AONB
L12 Conservation Area
L13 Listed Buildings

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS4A Presumption in Favour of Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage

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

PSP1 Local Distinctiveness
PSP8 Residential Amenity
PSP16 Parking Standards
PSP17 Heritage Assets and the Historic Environment
PSP38 Development within Existing Residential Curtilages
PSP43 Private Amenity Standards

2.3 Supplementary Planning Guidance

Design Checklist Supplementary Planning Document (adopted) August 2007

3. RELEVANT PLANNING HISTORY

- 3.1 P87/1701/L Re-Roofing works
Conservation Area Consent 15.07.1987
- 3.2 N4061 Erection of single storey extension to the side to provide
kitchen and bathroom.
Approved 02.02.1978

4. CONSULTATION RESPONSES

- 4.1 Marshfield Parish Council
No objection to this planning application
- 4.2 Sustainable Transport
The proposed works will increase the number of bedrooms on the first floor to two. The block plan submitted shows there is an existing shared access to the property with no. 5 which is currently in the same ownership. A revised plan showing the parking layout for both dwellings is required before further comments can be made.
- 4.3 The Listed Building and Conservation Officer
No. 4 Bell Square is an unlisted building which once formed part of a larger group of buildings. The site is located within the Marshfield Conservation Area and is considered to contribute to the setting of a number of designated and non-designated heritage assets. The southern end of 4 Bell Square which is the part proposed to be extended is not considered to be prominent within the public realm with views being enclosed by substantial established planting and existing structures. Whilst parts of the southern gable are visible from Hay Street in principle the potential visual impact is not considered to be significant or intrusive by reason of siting and scale.
The proposal is not considered to harm the setting of the surrounding designated heritage and as such there are no objections subject to conditions.

Other Representations

- 4.4 Local Residents
Three letters of objection have been received from neighbouring residents raising the following issues and comments:
- The proposal is too large and will impact the privacy enjoyed by neighbouring properties and also create unnecessary light pollution;
 - Any permitted windows would need to be obscure glazed as per national planning guidance;
 - The east facing roof lights will impact the privacy afforded to neighbouring properties;

- The original south facing first floor windows were originally a much smaller size than they are now;
- The proposed roof lantern above the single storey side extension will create excessive light pollution to the Stoneleigh garden;
- The proposed south facing windows on the first floor will affect the privacy of properties on Hay Street;
- The south facing windows should be no larger than the original windows on the existing gable end and should be obscurely glazed.

5. ANALYSIS OF PROPOSAL

5.1 The application seeks planning permission for the erection of a first floor side and single storey side extension at 4 Bell Square to provide additional living accommodation.

5.2 Principle of Development

The proposal stands to be assessed against the above listed policies and all material considerations. Of particular relevance is how the proposal respects, conserves and enhances the heritage of the area (CS9); the overall design of the proposal and how it impacts the property and surrounding area (CS1) and the impact upon residential amenity (H4). The proposal is considered to accord with the principle of development subject to the consideration below.

5.3 Design, Heritage and Visual Amenity

The application site is a two-storey semi-detached dwelling in Marshfield. The property itself forms part of a square and is accessed from Tormarton Road in Marshfield. The application seeks planning permission for the erection of a first floor side and single storey side extension to provide additional living accommodation.

5.4 The proposed extensions will be located on the south elevation of the property. The proposed first floor side will have a gable roof to match the existing which will be subordinate to the original dwelling by being set down 0.5 metres from the existing ridge line. The proposed first floor extension would introduce two velux windows on the eastern roof slope, 3no. windows on the south elevation and 1no. window on the west (front) elevation. The scale and massing of the first floor side extension is considered to be discernible, however it is not considered to result in a significant visual impact upon the area. The materials proposed for the first floor side extension will include coursed rubble Cotswold stone for the elevations to match the existing, with Cotswold Stone roof tiles and painted timber windows to match the existing, to ensure the materials match conditions will be implemented.

5.5 The proposed single storey side extension will span the width of the existing property at 6 metres and span beyond the existing side elevation by 4.8 metres. The proposed single storey side extension will be used as an orangery and will have a flat roof with a hipped roof lantern. The total height of the orangery will be 3.6 metres. As well as the roof lantern there will be new patio doors on the western elevation. Similarly to the proposed first floor side extension the materials proposed will match those used within the existing

- dwelling; nevertheless conditions will be implemented to ensure the materials match and that the large scale details about the openings are submitted.
- 5.6 The application proposes the erection of a first floor side and single storey side extension the scale of which are considered to be appropriate with relation to the site. The materials that are proposed will match those found on the existing property, as advised by the Conservation and Listed Building Officer conditions will be implemented to control the materials and the large scale details. Overall, it is considered that the proposal is acceptable in terms of design and visual amenity and would comply with Policy CS1 of the Core Strategy. Furthermore, it is considered that the proposal would not harm the setting of surrounding designated heritage assets.
- 5.7 Residential Amenity
Saved policy H4 of the adopted Local Plan states that proposals for development within existing residential curtilages will only be permitted where they would not prejudice the amenity of nearby occupiers.
- 5.8 The applicant site is a two-storey semi-detached dwelling, the property adjoins no. 5 Bell Square and there is internal access between the dwellings. The applicant site is bound by 2.5 metre walls. It is noted that the proposed extensions will be constructed next to a shared boundary with properties to the east and south.
- 5.9 There have been a number of concerns expressed by neighbouring occupiers relating to the possible harms the proposal will have on their residential amenity. Comments have been received regarding the new windows proposed within the extensions and how they impact privacy. Officers acknowledge that within the proposed first floor extension there will be two velux windows on the eastern elevation, but do not consider them to result in an adverse impact regarding overlooking this is because of the angles they will be located at. Furthermore, comments also suggest the proposed windows in the south elevation will be overlooking and suggestions are made by objectors that these windows should be obscurely glazed, officers note that these windows are in a similar location to the existing windows and will be smaller than the existing windows, as the windows will serve a primary room within the dwelling it is not considered appropriate to make the windows obscurely glazed. Whilst there may be some overlooking it is considered that existing planting will help minimise overlooking, as a result the proposal is not considered to result in an adverse increase in overlooking.
- 5.10 Further comments have been expressed raising concern in relation to light pollution which will be created by the new windows in the first floor extension and the roof lantern within the single storey extension. However, because of the nature of the application officers do not consider that the proposed windows will result in an excessive amount of light pollution.
- 5.11 Given the assessment above, it is considered that the proposed development would not be detrimental to residential amenity and is judged to comply with saved policy H4 of the Local Plan (2006).

5.12 Highways

The proposed development will increase the number of bedrooms within the dwelling to two, the Council's Residential Parking Standards SPD requires a two bedroom dwelling to have one parking space within the site boundary. It is noted that the existing parking on the site is shared with no. 5 Bell Square which is currently in the same ownership as the host dwelling, within this shared parking there are spaces for four vehicles.

5.13 Whilst Officers note that a shared parking area is not ideal it is considered that one additional bedroom is not going to adversely impact the existing parking situation.

6. CONCLUSION

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

6.2 The recommendation to **grant** permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

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

Contact Officer: Fiona Martin
Tel. No. 01454 865119

CONDITIONS

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

Reason

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

2. Prior to their construction or installation, the detailed design including materials and finishes of the following items shall be submitted to and approved in writing by the Local Planning Authority:

- a. All new roof lights
- b. All new glazing and doors

The design and details shall be accompanied by elevations and section drawings to a minimum scale of 1:5. The works shall thereafter be implemented strictly in accordance with the agreed details.

Reason

To maintain and enhance the character and appearance of the Marshfield Conservation Area, and to accord with saved policies L12 of the South Gloucestershire Local Plan (Adopted) January 2006, policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013, and the provisions of the National Planning Policy Framework March 2012.

3. Prior to the commencement of the relevant part of the development samples of the roofing and external facing materials proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. The approved sample panels shall be kept on site for reference until the brickwork and roofing is complete. Development shall be carried out in accordance with the approved details.

Reason

To ensure a satisfactory standard of external appearance in the Marshfield Conservation Area, and to accord with and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

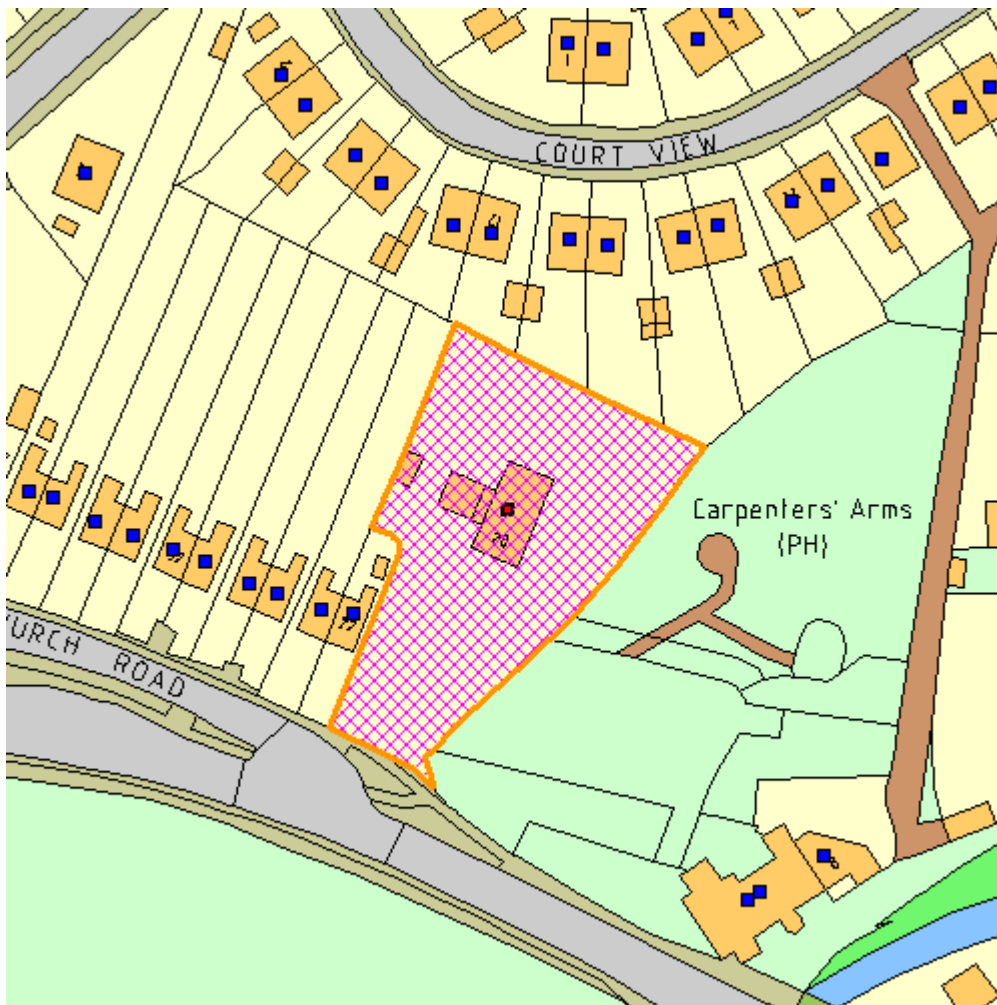
4. The hours of working on site during the period of construction shall be restricted to 7:30 to 18:00 Monday to Friday and 8:00 to 13:00 on Saturdays; and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with saved Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006; Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013 and the provisions of the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 02/17 – 13 JANUARY 2017

App No.:	PK16/5579/F	Applicant:	Home Orchard Developments Ltd
Site:	20 Church Road Wick South Gloucestershire BS30 5QL	Date Reg:	19th October 2016
Proposal:	Demolition of existing dwelling. Erection of 4no detached dwellings and associated works.	Parish:	Wick And Abson Parish Council
Map Ref:	370142 172912	Ward:	Boyd Valley
Application Category:	Minor	Target Date:	13th December 2016



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PK16/5579/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule following the receipt of objections from Wick and Abson Parish Council and local residents; the concerns raised being contrary to the officer recommendation. Furthermore, a new S106 Legal Agreement is also required to secure contributions to Affordable Housing.

1. THE PROPOSAL

- 1.1 The application site relates to a large, detached, two-storey dwelling, no.20 Church Road, Wick, and its garden, situated within the Established Settlement Boundary of Wick. The existing property is unoccupied and has a run down appearance. The 0.23ha plot is roughly triangular in shape and slopes generally from the north down to the eastern end of the Church Road cul-de-sac. The site is bounded to the west by the residential properties along Church Road; to the north by the residential properties along Court View and to the east by the car park and grounds of the Carpenters Arms Public House. Vehicular access to the site is via a gated access off Church Road. The wider location has a mixed residential and semi-rural character. The village of Wick is washed over by Green Belt.
- 1.2 The application seeks to demolish the existing property and associated outbuildings and erect 4no. detached; 4-bedroom houses. The existing access point and driveway would be utilised for vehicular and pedestrian access to the proposed houses.
- 1.3 The application is supported by the following documents:
 - Coal Mining Risk Assessment
 - Ecological Impact Assessment
 - Planning Statement

2. POLICY CONTEXT

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

- 2.2 Development Plans

The South Gloucestershire Local Plan Core Strategy (Adopted) 11 Dec. 2013

- CS1 - High Quality Design
- CS4A – Presumption in Favour of Sustainable Development
- CS5 - Location of Development
- CS6 - Infrastructure and Developer Contributions
- CS8 - Improving Accessibility
- CS9 - Managing the Environment and Heritage
- CS16 - Housing Density
- CS17 - Housing Diversity
- CS18 - Affordable Housing

- CS23 - Community Infrastructure and Cultural Activity
- CS24 - Green Infrastructure, Sport and Recreation Standards
- CS34 - Green Belt

The South Gloucestershire Local Plan (Adopted) 6th January 2006 – Saved Policies

- L1 - Trees and landscape
- L5 - Open Spaces
- L9 - Species Protection
- L11 - Archaeology
- EP2 - Flood Risk and Development
- EP4 - Noise Sensitive Development
- H4 - Development within Existing Residential Curtilages including Extensions and New Dwellings
- T7 - Cycle Parking
- T12 - Highway Safety
- LC1 - Provision for Built Sports, Leisure and Community Facilities (Site Allocations and Developer Contributions)
- LC2 - Provision for Education Facilities (Site Allocations and Developer Contributions)

2.3 The West of England Joint Waste Core Strategy Adopted March 2011.
Policy 1 – Waste Strategy

2.4 Supplementary Planning Guidance
Trees on Development Sites SPG (Adopted) Nov. 2005.
The South Gloucestershire Design Check List (SPD) Adopted Aug 2007.
Affordable Housing SPD Adopted Sept. 2008.
South Gloucestershire Council Residential Parking Standards (SPD) Adopted.
Waste Collection: guidance for new developments (SPD) Adopted Jan. 2015

2.5 Emerging Plan

Proposed Submission : Policies, Sites & Places Plan June 2016

- PSP1 - Local Distinctiveness
- PSP2 - Landscape
- PSP3 - Trees and Woodland
- PSP6 - Onsite Renewable & Low Carbon Energy
- PPS7 - Development in the Green Belt
- PSP8 - Residential Amenity
- PSP11 - Development Related Transport Impact Management
- PSP16 - Parking Standards
- PSP19 - Wider Biodiversity
- PSP20 - Flood Risk, Surface Water and Watercourses
- PSP22 - Unstable Land
- PSP43 - Private Amenity Space Standards

3. RELEVANT PLANNING HISTORY

- 3.1 N3794/1 - Erection of gate pillars approx. 7ft in height.
Approved 15 Sept. 1977

- 3.2 P89/2631 - Erection of first floor extension over existing garage to provide playroom.
Approved 27 Sept. 1989

4. CONSULTATION RESPONSES

4.1 Wick and Abson Parish Council

Objection due to the development being out of character. This land could potentially be used for low cost housing and Wick and Abson parish Council would like this noted. Please confirm whether the access is a 2 width land for vehicular access and also whether it is accessible for refuse vehicles. Please also note this development can be seen from the footpaths and bridleways

4.2 Other Consultees

Highway Structures

If the application includes a structure that will support the highway or support the land above a highway. No construction is to be carried out without first providing the Highway Structures team with documents in accordance with BD2/12 of the Design Manual for Roads and Bridges that will allow formal Technical Approval of the proposals to be carried out. The applicant will be required to pay the fees associated with the review of the submission whether they are accepted or rejected.

Or

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

Lead Local Flood Authority

No objection subject to a condition to secure a SUDS drainage scheme.

Transportation D.C.

No objection.

Landscape Officer

No objection subject to a condition to secure a landscape scheme.

Ecology Officer

No objection subject to conditions relating to protected species.

Housing Enabling

When considering affordable housing on sites, the Council must have regard to the application site in question and the affordable housing requirement as set out in Policy CS18. We have taken a reasonable approach in the application of CS18 by proposing that an off-site sum could be acceptable in this instance, instead of seeking on-site provision of one of the 4 bed homes proposed. The applicant needs to be aware that CS18 is underpinned by the evidence contained in the Wider Bristol SHMA, which sets out amongst other things, the tenure and type of affordable housing that is required in South Gloucestershire to meet housing need. Our highest need for affordable housing is 3 bed homes for social rent and therefore that is what we have based our requirements on.

We therefore seek the applicant's agreement to an off-site sum for affordable housing of £85,725.00p.

The applicant has now accepted this offer.

Other Representations

4.3 Local Residents

8no. letters/e-mails of objection have been received from local residents, the concerns raised are summarised as follows:

- Will result in additional traffic onto the busy A420.
- Will result in increased on-street parking.
- The layout and density is not in-keeping with the cul-de-sac.
- Loss of sunlight to the gardens of the nearest properties.
- Plot 4 will overlook the living room, kitchen, w.c. and landing window of no.22.
- Overlooking of nos.12 and 14 Court View.
- Overdevelopment.
- Plot 4 faces the wrong way and will be incongruous and overbearing on no.22.
- The proposed houses are too large.
- A boundary fence/wall to nos. 22 and 24 is required.
- Adverse impact during the construction phase.
- Will detract from the rural character of the location.
- Congestion at the junction with the A420.
- Loss of views.
- The site is visible from the PROW.
- There are protected species on the site.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Para. 14 of the NPPF states that decision takers should approve development proposals that accord with the development plan without delay; where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or
- specific policies in the Framework indicate development should be restricted.

5-Year Land Supply

5.2 The Council's Annual Monitoring Revue (AMR) reveals that the Council cannot currently demonstrate a 5-year housing land supply. As there is provision for windfall sites in the calculation, this weighs in favour of the proposal, which would make a positive contribution, to the housing supply within South Gloucestershire; as such para. 14 of the NPPF is therefore engaged.

- 5.3 The Policies, Sites & Places Plan is an emerging plan only. Whilst this plan is a material consideration, only limited weight can currently be given to most of the policies therein.
- 5.4 In accordance with para.187 of the NPPF, Core Strategy Policy CS4A states that; when considering proposals for sustainable development, the Council will take a positive approach and will work pro-actively with applicants' to find solutions, so that sustainable development can be approved wherever possible. NPPF Para.187 states that Local Planning Authorities should look for solutions rather than problems and decision-takers at every level should seek to approve applications for sustainable development where possible.
- 5.5 Chapter 4 of the NPPF promotes sustainable transport and states that development should only be prevented on transport grounds where the residual cumulative impacts of development are 'severe'.
- 5.6 Paragraph 50 of the NPPF sets out the importance of delivering a wide range of residential accommodation. This policy stance is replicated in Policy CS17 of the Core Strategy which makes specific reference to the importance of planning for mixed communities including a variety of housing type and size to accommodate a range of different households, including families, single persons, older persons and low income households, as evidenced by local needs assessments and strategic housing market assessments.
- 5.7 It is noted that the NPPF puts considerable emphasis on delivering sustainable development and not acting as an impediment to sustainable growth, whilst also seeking to ensure a high quality of design and good standard of amenity for all existing and future occupants of land and buildings. The NPPF encourages efficient use of land and paragraph 47 requires the need to 'boost significantly the supply of housing'.
- 5.8 Core Strategy Policy CS16 seeks efficient use of land for housing. It states that: Housing development is required to make efficient use of land, to conserve resources and maximise the amount of housing supplied, particularly in and around town centres and other locations where there is good pedestrian access to frequent public transport services.
- 5.9 Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) Dec 2013 seeks to secure good quality designs that are compatible with the character of the site and locality.
- 5.10 Policy L5 states that within the existing Urban Areas development will not be permitted where it would adversely affect the contribution that an open area makes to the quality, character, amenity and distinctiveness of the locality. Where a site contributes to local character and distinctiveness the council will seek to negotiate measures to enhance and manage these open areas.
- Green Belt Issues
- 5.11 Despite lying within the Established Settlement Boundary of Wick, the site lies within the Bristol & Bath Green Belt. Paragraph 79 of the NPPF states that the government attaches great importance to Green Belts. The fundamental aim of

- Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
- 5.12 Inappropriate development is by definition harmful to the openness of the Green Belt and should not be approved except in very special circumstances (para. 87).
- 5.13 The five purposes of including land within the Green Belt are listed at para. 80 of the NPPF and are as follows:
- To check the unrestricted sprawl of large built up areas;
 - To prevent neighbouring towns merging into one another;
 - To assist in safeguarding the countryside from encroachment;
 - To preserve the setting and special character of historic towns; and
 - To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 5.14 Para. 89 of the NPPF states that planning authorities should regard the construction of new buildings as inappropriate in the Green Belt but lists exceptions amongst which are the following:
- Limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or
 - Limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.
- 5.15 Taking the second bullet point first, the site is previously developed only in as much as the existing dwelling and its associated outbuildings are concerned. The NPPF Glossary of Terms does not include “private residential gardens” within the definition of ‘previously developed land’. The proposed 4no. houses would cumulatively be considerably larger than the existing dwelling and its associated outbuildings. This together with the proposed residential curtilages and associated hard-standings, turning areas, and domestic paraphernalia, would clearly have a greater impact on the openness of the Green Belt than the existing development, so this criterion is not met.
- 5.16 Moving to the first bullet point, officers consider that the issue of ‘limited infilling’, is key to the determination of this application. There is linear housing development along the front of the Church Road cul-de-sac but this is terminated by the application site where no. 20 is set well back into the site on higher ground between Church Road and the houses along Court View. Further east is the Carpenters Arms Public House and its elevated Car Park, beyond which is the pub garden, albeit that the garden is mainly open grasslands bounded to the east by a PROW. Open Green Belt land, more rural in character, lies to the south but on the opposite side of the A420.

- 5.17 Consideration must be given to what is meant by the term 'limited infilling' and in doing so it is noted that the supporting text at para. 8.162 to Policy H2 of The South Gloucestershire Local Plan (SGLP) defined the term as:

"..the filling of small gaps within built development, where it does not significantly impinge upon the openness of the Green Belt".

It is however acknowledged that the South Gloucestershire Local Plan: Core Strategy 2006-2027 was adopted in Dec. 2013 and Policy H2 was not a saved policy in the SGLP.

- 5.18 In the Core Strategy, Policy CS5 confirms at para. 6 (a) that, in the Green Belt, small scale infill development may be permitted within the settlement boundaries of villages shown on the policies map; this includes Wick. The Core Strategy Glossary of Terms defines 'infill development' as:

"The development of a relatively small gap between existing buildings, normally within a built up area."

- 5.19 Also of relevance is the Councils adopted SPD note "Development in the Green Belt" June 2007. Under the heading 'Infill Development' on pg5 the SPD states that:

"Infill development is development that is small in scale and which fits into an existing built up area in a defined settlement boundary, normally in-between existing buildings, in a linear formation."

Under this definition the proposal is not infill development because it does not lie within a gap within the linear development along Church Road but is more akin to a back-land development when viewed in relation to the houses along the Church Road cul-de-sac.

- 5.20 Given the Council's inability to currently demonstrate a 5-year housing land supply, para.14 of the NPPF is engaged. The NPPF allows for "*limited infilling within villages*" but does not define exactly what 'limited infilling' means.

- 5.21 A more recent appeal APP/P0119/A/13/2197733 relating to the refusal of housing in the Green Belt close to the village of Iron Acton (PK13/0839/O) was decided 17 Oct. 2013. Within his Decision Letter the Inspector broached the issue of whether or not the proposed development represented infilling or not. In so doing, the Inspector noted that:

"Because....the site, in its entirety, does not form a gap between existing buildings in linear formation, the proposal would not constitute an infilling opportunity in the context of the Framework..."

Clearly the Inspector has used the definition of infill development referred to in the 'South Gloucestershire Development in the Green Belt SPD (Adopted)'. Officers therefore consider that it reasonable to use this definition in the determination of this current proposal.

- 5.22 On this basis and for the reasons explained above, it is questionable as to whether the proposal technically meets the criteria listed at bullet point one above (para.5.14). In this case however a large dwelling house already stands on the site in a back-land location. This property has a number of outbuildings and paraphernalia already associated with it and under permitted development rights it would be permissible to develop up to half of the large residential curtilage; officers consider that this is a material consideration. Furthermore, whilst the scheme does not formally include an on-site affordable housing component, a contribution towards an off-site affordable housing provision, more suitable for local community needs (to which the Framework and the SPD, 'Development in the Green Belt', refer and is also desired by the Parish Council) would be secured by S106 Legal Agreement (see Affordable Housing section below); this is also a material consideration in assessing whether or not the proposal meets the first bullet point quoted above.
- 5.23 In assessing this matter, officers consider that in this case it is a very finely balanced judgment as to whether the requirements of the first bullet point are met but having regard to the above matters, officers conclude that in this case the proposal does represent limited infilling within a village, which would also secure affordable housing for the local community. Furthermore, the development would not represent encroachment into the countryside and would accord with the other purposes of including land within the Green Belt. The proposal is therefore not inappropriate development within the Green Belt and by definition would not be harmful to the openness of the Green Belt.

Analysis

- 5.24 South Gloucestershire Council cannot currently demonstrate that it has a five-year supply of deliverable housing land. As such, Paragraph 14 of the NPPF is the starting point for the consideration of this planning application. In this instance, the NPPF makes a presumption in favour of approving sustainable development provided that the benefits of doing so (such as the provision of new housing towards the 5yr HLS) are not significantly and demonstrably outweighed by adverse impacts. Notwithstanding this position, the site is located within the Established Settlement Boundary where new residential development is acceptable in principle.
- 5.25 On this basis, there is a presumption in favour of approving this application. However, it is necessary to consider the benefit of this proposal against any adverse impact and weigh these factors in the planning balance. The issues for consideration are discussed as follows:
- 5.26 Scale and Design
Core Strategy Policy CS1 only permits new development where "*the highest possible standards of site planning and design are achieved*". The Policy requires that siting, overall layout, density, form, scale, height, massing, detailing, colour and materials, are informed by, respect and enhance the character, distinctiveness and amenity of both the site and the locality.
- 5.27 The locality is characterised by a mix of properties of varying age, scale and design, there is no particular established architectural vernacular; the properties are each of their time. The houses as proposed are therefore

considered to be appropriate in both scale and design. The site layout is not cramped, with a net gain of only 3no. houses and a density of development of only 17.04 dwellings per hectare. Whilst the site layout would not follow the grain of development along the Church Road cul-de-sac or of Court View, the position of the existing property no.20 is already contrary to the established grain of development. Officers are satisfied that the proposed scale, layout and design are appropriate for the site and that given the constraints on development, the proposal makes the most efficient use of the land, which lies within the Settlement Boundary.

- 5.28 The siting of the detached dwellings would have a logical arrangement given the site's shape and characteristics. The dwellings would share a common design make-up, being two-storeys with articulated single and two-storey lower gabled additions. The houses would be constructed of Bradstone walling in Southwold colour to harmonise with the local stone, below a Breakland Brown double roman tiled roof.
- 5.29 The existing property appears somewhat anomalous and incongruous within the street scene; it has a very run-down appearance to the detriment of the visual amenity of the area and its loss is not resisted. The siting and design of the proposed buildings would be sufficiently in-keeping with the street scene and accords with Core Strategy Policy CS1.

Landscape

- 5.30 Policy L1 of the South Gloucestershire Local Plan (Adopted) 6th January 2006 seeks to conserve and enhance those attributes of the landscape, which make a significant contribution to the character of the landscape. Policy L5 resists development that would adversely affect the contribution that an open area makes to the quality, character, amenity and distinctiveness of the locality. Policy CS9 of the South Gloucestershire Local Plan Core Strategy expects new development to conserve and enhance the character, quality, distinctiveness and amenity of the landscape.
- 5.31 The site has no special landscape designation and there are no trees within the site worthy of protection by Tree Preservation Order; neither is the site within a Conservation Area. The site itself is relatively well enclosed by existing vegetation and boundary treatments and as such is not considered to be an open space that contributes significantly to the character of the area. Whilst the submitted plans show the hedgerow retained to the front of the site and a group of trees retained to the rear, officers consider it justified to impose a condition to secure a full landscape scheme, should planning permission be granted. The landscape scheme would ensure the enhancement of the setting of the development and contribute to the amenity of the wider landscape and public realm. Subject to this condition, officers are satisfied that on balance, the proposal would be acceptable in landscape terms.
- 5.32 Residential Amenity
Although bounded by residential dwellings to the north and west, these would all be a sufficient distance away, such that there would be no significant loss of amenity due to overbearing impact or overshadowing of the most usable areas of neighbouring gardens. Appropriate boundary treatments could be secured by

- condition; the submitted plans show 1.8m fencing on the west, east and northern boundaries. Whilst there may be some additional overlooking of neighbouring gardens from first floor windows, this would again be from a reasonable distance and some overlooking is only to be expected in built up areas.
- 5.33 The property most likely to be affected is no.22 which lies immediately adjacent to the driveway. Whilst this is an existing driveway, the amount of traffic using it would increase resulting in some increased disturbance. The driveway is however at a lower level than no.22 and is bounded to the west by a high wall. Traffic speeds along the drive would be slow, so on balance the level of disturbance would not be so great as to justify refusal of planning permission on this issue alone.
- 5.34 Officers are mindful that there are a series of windows in the eastern elevation of no.22, these however serve the landing, W.C. and kitchen respectively or are of a secondary nature serving a living room. There may well be some additional loss of privacy from inter-visibility with some of the windows of Plot 4 but this would to a large extent be countered by the boundary wall.
- 5.35 For future occupiers of the proposed dwellings, adequate amounts of amenity space would be provided for family occupation. Some concerns have been raised about loss of views but this is not material in the determination of planning applications. In visual amenity terms the appearance of the site would be enhanced and users of the nearby PROW should not be surprised to see residential dwellings within the Settlement Boundary.
- 5.36 There would be no significant adverse impact on residential amenity and the proposal is therefore considered to be in accordance with policy CS1 of the Core Strategy (Adopted) December 2013 and Local Plan Policy H4.
- 5.37 Transportation Issues
It is proposed to utilise the existing point of vehicular access to serve the proposed dwellings. The access opens onto the quiet cul-de-sac rather than directly onto the busy A420. Adequate visibility splay is already available at the access. The traffic generation from 4no. dwellings would not be high and there are adequate turning facilities within the site to allow all traffic to enter/egress in forward gear. Whilst the driveway would only be 4m wide, it would be only 30m from the access to the hammerhead within the site. Officers are satisfied that traffic on the A420 would not be impeded by traffic entering/exiting the site.
- 5.38 Each 4 bedroom property would be served by two parking spaces and a large garage, which more than satisfies the minimum parking standards listed in the South Gloucestershire Residential Parking Standards SPD. The garages would also be suitable for secure cycle parking. Adequate bin storage and recycling facilities would be provided for each dwelling. A purpose built bin collection facility would be provided near the access driveway's junction with Church Road. This would mean that bins would be collected from Church Road, as is already the case, rather than the bin lorry having to enter the site. The site lies in a relatively sustainable location with bus stops nearby and a range of shops and services within the village.

- 5.39 Given that the residual cumulative impacts of development are not 'severe' the proposal accords with the NPPF and Development Plan Policy, there are therefore no highway objections.

Environmental and Drainage Issues

- 5.40 Any increase in noise levels or anti-social behaviour, would be the subject of normal environmental health controls. Whilst there would inevitably be some disturbance for neighbours during the development phase, this could be adequately addressed by imposing a condition to restrict the hours of working. There are therefore no objections on environmental grounds. In terms of drainage, the site lies in Flood Zone 1 and the Council's Drainage Engineer has raised no objection to the proposal subject to a condition to secure a SUDS drainage scheme. The applicant has confirmed that the driveway and turning areas would be surfaced with a permeable material and this could be secured by condition.
- 5.41 The site does not lie within a Coal Referral Area, there are no objections relating to this issue.

Ecology

- 5.42 The site is not covered by any statutory or non-statutory nature conservation designations. It is considered that the application passes the three European Protected Species licensing tests and that consequently there are no ecological constraints to granting planning permission. Subject to a raft of conditions relating to bats, badgers, hedgehogs and glow-worms, there are no ecological objections to the proposal.

5.43 Affordable Housing

The proposal is for 4no. new 4-bed dwellings (net increase of 3) within the rural area. Based on Policy CS18 of the Core Strategy the council will seek to secure 35% affordable housing as the rural affordable housing threshold is triggered i.e. 5 or more dwellings or land measuring 0.20 hectares or more. As the site area exceeds 0.20ha an affordable housing contribution is required in this case.

- 5.44 Enabling officers acknowledge the Court of Appeal decision, 11th May 2016, to overturn the successful challenge made to planning policy regarding S106 obligations by West Berkshire DC and Reading DC in 2015. The wording of the Court of Appeal decision is such that, although a material consideration, officers consider that the affordable housing policy position sought through CS18 remains unchanged. This is due to the weight attached to the adopted Local Plan Policy CS18, and an up to date evidence base set out in the Wider Bristol Strategic Housing Market Assessment, which identifies local need for affordable housing. The Council recognises in CS18, the particular shortage of affordable housing in rural areas. The Council has determined its approach to the rural threshold, as it is accountable for its own evidence base and in this instance consider it has significant weight demonstrated by the up to date SHMA which reveals a high need for affordable housing across the district.

- 5.45 Since the Court of Appeal's decision earlier this year, there has been a change to the central government leadership team, and it is clear that government direction is supportive of increasing delivery of affordable housing across all tenures. The Autumn Statement announced additional funding to deliver 40,000 new affordable homes with a housing and infrastructure fund and an affordable housing programme. In addition, new emerging Plan Policy via the Joint Spatial Plan, sets out the challenge to deliver the amount of affordable housing identified in the SHMA to meet local need.
- 5.46 Having regard to Policy CS18 and the Affordable Housing and Extracare SPD, affordable housing should be provided on-site unless exceptional circumstances can be justified. In such cases off-site provision of a financial contribution of broadly equivalent value can be considered. Exceptional circumstances are considered according to the individual nature of the site in question, its development proposals and any problems delivering the affordable housing required.
- 5.47 In view of this application consisting of just 4 x 4 bed houses, a financial contribution for affordable housing could be considered. This would be on the basis of the limited number of affordable homes this site generates (1 home) and the tenure and type of affordable housing required to meet identified need (priority for 2-3 bedroom family homes for social rent).
- 5.48 Officers have sought prices and values for land, build costs and the price paid by an RP for the dwellings, in order to calculate the off-site financial contribution which is equivalent to the level of subsidy that would have been provided by the developer, had the affordable housing been delivered on site. A figure of £85,725.00p for the off-site sum, which is equivalent to 1x 3 bed affordable home, which would have been sought on this site, has been agreed with the applicant and this would be secured by S106 Legal Agreement.
- 5.49 Community Services
The proposal is for 4no. dwellings (net 3no. new) only, which is below the Council's threshold for contributions to Community Services.
- Community Infrastructure Levy (CIL)
- 5.50 The South Gloucestershire Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide SPD was adopted March 2015. The introduction of CIL charging commenced on 1st August 2015. In the event that a decision to approve this application is issued the scheme would be liable to CIL charging.

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 NPPF para. 49, is clear that housing applications should be considered in the context of the presumption in favour of sustainable development. According to the Framework, at paragraph 14, that means that when, as here, there is no

five-year housing land supply and relevant policies are out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework as a whole or specific Framework policies indicate that development should be restricted.

- 6.3 In this case there are some clear benefits to the proposal; in light of the Council's housing land supply situation the provision of 4no. new houses (net 3no gain) must carry weight in its favour, albeit that the net gain of 3no. houses would only represent a modest contribution to the 5-year housing supply. The economic benefits for local house builders and suppliers of building materials and for local services would be a further small benefit to which only moderate weight can be afforded. The proposal makes the most efficient use of land for housing within a Settlement Boundary which is a further benefit. The off-site contribution to affordable housing carries significant weight in favour of the scheme. The residual cumulative transportation impacts of the development, which are not considered to be 'severe' can only be afforded neutral weight in the final balance as this is expected of all developments.
- 6.4 Weighed against this would be the loss of the existing older property and its spacious garden which is a feature of the street scene, but given the dilapidated state of the property and level of mitigation proposed by the design and landscaping of the site any harm would be minimal. Whilst the proposed layout would not specifically conform to the established grain of development, in this case the harm is again not considered to be significant. Furthermore any adverse impact on residential amenity is considered to be of a limited nature only. Any harm would not be so great as to significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework as a whole or specific Framework policies
- 6.5 On balance therefore officers consider that in their judgement, the proposal is sustainable development that should be granted planning permission.
- 6.6 The recommendation to grant planning permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 (1) That authority be delegated to the Director of Environment and Community Services to grant planning permission, subject to the imposition of the conditions listed below and the applicant first voluntarily entering into an agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:
- a) An off site contribution of £85,725.00p towards the provision of affordable housing i.e. the equivalent of 1 x 3 bed affordable home. The off-site sum to be payable in full at the first occupation of any of the permitted dwellings; the sum to be index linked to RPI.

(2) The reason for this agreement is:

a) To help contribute towards the provision of affordable housing within the locality;

(3) That the Head of Legal and Democratic Services be authorised to prepare and seal the Section 106 Agreement.

7.2 If the Section 106 Agreement is not signed and sealed with 6 months of the determination date of this application, then authority be delegated to refuse the proposal or a report is forwarded via the Circulated Schedule for the reconsideration of the application.

Contact Officer: Roger Hemming
Tel. No. 01454 863537

CONDITIONS

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

Reason

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

2. Prior to the commencement of the relevant parts of the development hereby approved, details or samples of the roofing and external facing materials proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details.

Reason

To ensure a satisfactory standard of external appearance and to accord with Policies CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy H4 of The South Gloucestershire Local Plan (Adopted) 6th Jan. 2006 and the National Planning Policy Framework.

3. Prior to the first occupation of the new dwellings hereby approved, the access, off street vehicular parking facilities and turning areas shall be provided in accordance with the approved Proposed Site Plan Drawing No.6128W-02 Rev C and the parking and turning areas shall be maintained and used only for such purposes thereafter.

Reason

To ensure the satisfactory provision of access, car parking and turning facilities in the interest of highway safety and the amenity of the area, and to accord with Policy CS8 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013; Policies T12 and H4 of The South Gloucestershire Local Plan (Adopted) 6th Jan.

2006 and the South Gloucestershire Residential Parking Standards SPD (Adopted) December 2013.

4. Prior to the first occupation of the dwellings hereby approved, the proposed boundary/screen fences shall be erected in accordance with the approved Proposed Site Plan Drawing No.6128W-02 Rev C.

Reason

In the interests of residential amenity and to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and the requirements of the National Planning Policy Framework.

5. The hours of working on site during the periods of demolition and construction shall be restricted to 07.30 to 18.00 Mondays to Fridays, and 08.00 to 13.00 Saturdays and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

To minimise disturbance to neighbouring properties and to accord with Policy H4 of The South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and the provisions of the NPPF.

6. Prior to the first occupation of any of the houses hereby approved, the proposed bin/recycling enclosure shall be constructed in accordance with the approved Proposed Site Plan Drawing No.6128W-02 Rev C and retained as such thereafter.

Reason

To ensure the satisfactory provision of bin/recycling collection facilities in the interests of highway safety and the amenity of the area, and to accord with Policy CS8 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013 and Policies T12 and H4 of The South Gloucestershire Local Plan (Adopted) 6th Jan. 2006.

7. Prior to the first occupation of any of the houses hereby approved, the driveways and turning areas shall be surfaced with a permeable bound material in accordance with Proposed Site Plan Drawing No.6128W-02 Rev C and satisfactorily maintained as such thereafter.

Reason

To prevent stone scatter in the interests of highway safety and the amenity of the area to accord with Policy CS8 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013 and Policies T12 and H4 of The South Gloucestershire Local Plan (Adopted) 6th Jan. 2006.

8. Prior to the commencement of the development hereby approved, a Waste Management Audit shall be submitted to and approved by the Local Planning Authority in writing. The Waste Management Audit shall include details of:

- (a) The volume and nature of the waste which will be generated through the demolition and/or excavation process.
- (b) The volume of that waste which will be utilised within the site in establishing pre-construction levels, landscaping features, noise attenuation mounds etc.
- (c) Proposals for re-cycling/recovering materials of value from the waste not used in schemes identified in (b), including as appropriate proposals for the production of secondary aggregates on the site using mobile screen plant.
- (d) The volume of additional fill material which may be required to achieve, for example, permitted ground contours or the surcharging of land prior to construction.
- (e) The probable destination of that waste which needs to be removed from the site and the steps that have been taken to identify a productive use for it as an alternative to landfill.

The approved works shall subsequently be carried out in accordance with the agreed details.

Reason

To accord with Policy 1 of the West of England Joint Waste Core Strategy Adopted March 2011. This is a pre-commencement condition to ensure that a waste strategy is in place prior to any demolition taking place and to ensure that all waste is either re-used on site or disposed of in a sustainable manner.

9. Prior to the commencement of development, a scheme of soft and hard landscaping shall be submitted to and approved in writing by, the Local Planning Authority. The scheme shall include details of all existing trees and hedgerows on the land showing those to be removed and those to be retained, including measures for their protection during the course of the development. The drawing to show proposed planting including plant density and times of planting, boundary treatments and areas of hard-standing. Also specification notes covering topsoil depths, cultivation, planting, irrigation, and landscape maintenance covering a 5 year establishment period to help ensure the planting thrives. The development shall thereafter be carried out in accordance with the agreed details.

Reason

In the interests of visual amenity to accord with Policy CS1 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec. 2013 and Policies L1 and H4 of The South Gloucestershire Local Plan (Adopted) 6th Jan 2006. This is a pre-commencement condition to ensure the protection of retained trees.

10. No development shall commence until surface water drainage details including SUDS (Sustainable Drainage Systems e.g. soakaways if ground conditions are satisfactory), for flood prevention; pollution control and environmental protection have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in full accordance with the drainage details so agreed.

For the avoidance of doubt the drainage scheme should include the following:

- A detailed development layout showing surface water and SUDS proposals.
- A clearly labelled drainage layout plan showing the exact location of any soakaways.

Evidence to confirm that the ground is suitable for soakaways. Percolation / Soakage test results as described in Building Regs H - Drainage and Waste Disposal.

Evidence that the soakaway is appropriately sized in accordance with BRE Digest 365 Soakaway Design.

Soakaways must be located 5 Metres away from any structure including the Public Highway.

The method of foul water disposal.

Reason

To ensure the development can be adequately drained in the interests of SUDS principles and to accord with Policy CS9 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec. 2013 and Policy EP2 of The South Gloucestershire Local Plan (Adopted) 6th Jan. 2006. This is a pre-commencement conditions to ensure that the site can be adequately drained.

11. The development hereby approved shall be carried out in accordance with the bat and reptile mitigation and compensation measures described in Section 6 of the submitted Ecological Impact Assessment by Mantle Ecology (September 2016). Any deviation from the agreed recommendations must be approved in writing by the Local Planning Authority.

Reason

In the interests of protected species and to accord with Policy L9 of The South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

12. Prior to the first occupation of any of the houses hereby approved, a plan showing details for the provision of access between the new gardens for badger and hedgehog, and the designation of an area of vegetation to be uncut between June and September for glow-worm, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the first occupation of any of the approved dwellings and retained as such thereafter.

Reason

In the interests of protected species and to accord with Policy L9 of The South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

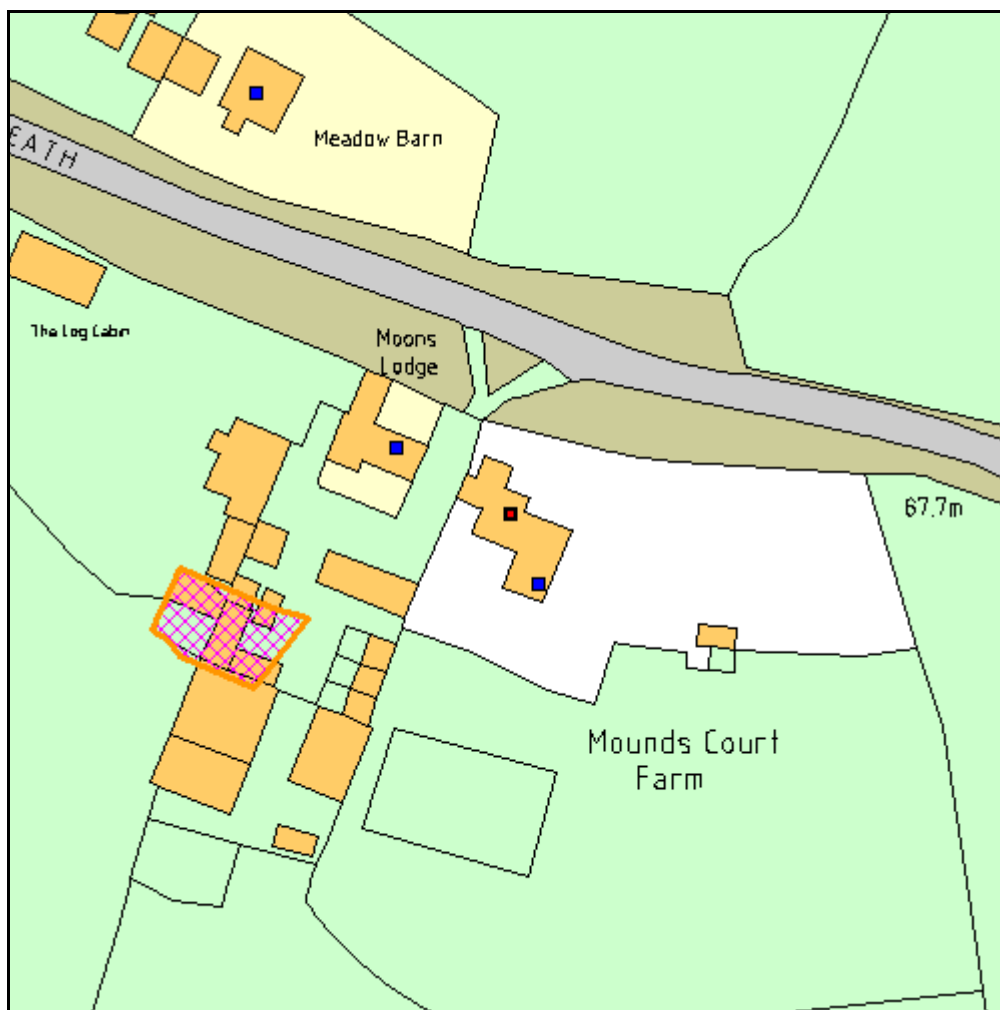
13. Prior to the first occupation of any of the dwellings hereby approved, details of a proposed bat and glow-worm friendly exterior lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme should include the location, intensity and timing of exterior lighting. Thereafter the lighting scheme shall be implemented in accordance with the details so agreed.

Reason

In the interests of protected species and to accord with Policy L9 of The South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

CIRCULATED SCHEDULE NO. 02/17 – 13 JANUARY 2017

App No.:	PK16/6042/F	Applicant:	Ms Justine Davies
Site:	Mounds Court Farm Siston Hill Siston Bristol South Gloucestershire BS30 5LU	Date Reg:	18th November 2016
Proposal:	Alterations to raise ridge height, install new door, rooflight and window. Existing outbuilding retained and change 2no. external openings to allow lifted cills. (Retrospective)	Parish:	Siston Parish Council
Map Ref:	367760 174061	Ward:	Siston
Application Category:	Householder	Target Date:	11th January 2017



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 100023410, 2008. N.T.S. PK16/6042/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This planning application is appearing on Circulated Schedule due to the receipt of an objection by Siston Parish Council, contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for alterations to raise the ridge height, install a new door, rooflight and window, retain an existing building and change 2no. external openings to allow lifted eaves (Retrospective).
- 1.2 The application relates to a group of buildings at Mounds Court Farm located in open countryside and Green Belt land to the south of Webbs Heath Lane. All buildings on site have been recently renovated or converted into residential dwellings, and are in separate ownership. The site is not within a Conservation Area, however the Farm House, Moons Lodge and stone barns are 'locally listed'. The original existing dwellings (Moon's Lodge and Farm House) are located to the north of the site.
- 1.3 Retrospective planning permission is sought for various alterations to one of the converted traditional barns known as South Barn. This application follows a Planning Enforcement complaint last year and the subsequent refusal of a non-material amendment application.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

- L15 Buildings and Structures Which Make a Significant Contribution to the Character and Distinctiveness of the Locality
- T12 Transportation Development Control
- H10 Conversion and Re-use of Rural Buildings for Residential Purposes

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

- PSP1 Local Distinctiveness
- PSP7 Development in the Green Belt
- PSP16 Parking Standards
- PSP40 Residential Development in the Countryside

PSP43 Private Amenity Standards

2.3 Supplementary Planning Guidance

Development in the Green Belt (Adopted) May 2007

Design checklist SPD (Adopted) August 2007

Local list of buildings SPD (Adopted) March 2008

Residential Parking Standards SPD (Adopted) December 2013

CIL Charging Schedule and the CIL and S106 SPD (Adopted) March 2015

3. **RELEVANT PLANNING HISTORY**

- 3.1 PK16/4732/NMA Non Material Amendment to planning permission
PK13/0235/F to raise ridge height to dwelling; installation
of new door, rooflight and window; existing outbuilding
retained to be included within dwelling and change of 2no.
external openings to allow for lifted cills
Objection 14/10/16
- 3.2 PK13/0235/F Demolition of existing buildings. Conversion of
existing agricultural buildings to form 2 no. dwellings with
associated works. (Re -Submission of PK11/3765/F)
Approved 21/03/13
- 3.3 PK11/3765/F Demolition of outbuildings and conversion of existing
agricultural buildings to form 2no. dwellings and erection of
1no. detached dwelling with associated works.
Refused 27/01/12 for the following reasons:
1. *The site is located within the Bristol/Bath Green Belt and the proposed new dwelling does not fall within the limited categories of development normally considered appropriate within the Green Belt. In addition, the applicant has not demonstrated that very special circumstances apply, such that the normal presumption against development in the Green Belt should be overridden. The proposal is therefore contrary to the provisions of PPG2 and Policy GB1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.*
 2. *No marketing exercise has been carried out for the existing buildings to be converted and as such all reasonable attempts have not been made to secure a suitable business re-use which is contrary to Policy H10(A) of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and PPS7.*
 3. *The proposed new dwelling in the open countryside is neither for an agricultural or forestry worker; or affordable housing on a rural exception site; or a replacement dwelling and as such is contrary to Policy H3 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and PPS7.*
 4. *The proposed design of the scheme is considered to adversely affect the character of the countryside and amenities of the surrounding area*

contrary to Policies H10 (D) and E7 (C) of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

5. *The proposed design of the conversions would be harmful to the character, significance and setting of the locally listed buildings contrary to Policy L15 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006, The South Gloucestershire Local List SPD Feb 2008 and PPS5.*

- 3.4 K7410 Change of use from barn to 1no. 4 bed detached dwelling.
Withdrawn 11/05/1993
- 3.5 PK03/1859/F Conversion of barn to dwelling.
Approved 17/11/03

4. CONSULTATION RESPONSES

4.1 Siston Parish Council
Having regard to this site and all buildings there being in a prominent Green Belt setting, as well as being protected under various approved policies, members object to all such unauthorised development.

Any proposed change to buildings at this Mounds Court Farm site should always first be subject to assessment and approval by Conservation officers leading to the strongly held local view this retrospective application be rejected.

4.2 Conservation
No objection.

4.3 Planning Enforcement
No comment received.

Other Representations

4.4 Local Residents
No comments received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development
Policy CS1 of the adopted Core Strategy states that all development will only be permitted where the highest possible standards of design and site planning are achieved. Proposals will be required to demonstrate that they respect and enhance the character, distinctiveness and amenity of the site and its context; is well integrated with existing and connected to the wider network of transport links; safeguards existing landscape/nature/heritage features; and contributes to relevant strategic objectives.

5.2 Policy CS9 seeks to protect and manage the environment and its resources in a sustainable way. New development will be expected to ensure that heritage assets are conserved, respected and enhanced in a manner appropriate to

their significance, and to conserve and enhance the character, quality, distinctiveness and amenity of the landscape.

5.3 Green Belt Policy Assessment

The site is located within the Bristol and Bath Green Belt. The NPPF allows for limited extensions to buildings within the Green Belt providing that they do not result in disproportionate additions over and above the size of the original building. Planning permission has already been granted in 2013 for the conversion of this traditional barn building to a single 3no. bedroom dwelling. The developers have already carried out the works outlined in this application, the most relevant to the Green Belt being the material increase in the ridge height of approximately 700mm. This minor increase allows additional head height in the first floor living rooms, in particular the living room.

5.4 The increase in the roof height is modest and does not have a harmful impact on the design and appearance of the converted barn or the neighbouring buildings. The proposed alteration to the roof is not regarded as being a disproportionate addition. The increase in the ridge height does not materially harm the openness of the Green Belt and is considered acceptable in Green Belt terms.

5.5 Design and Impact on Character of Locally Listed Building

The conversion of the barn has already been approved by the 2013 planning permission, and it is considered that the increase in the ridge height, additional door, rooflight, window, 2no. lifted cill openings and the retention of the existing outbuilding as a boiler/utility room do not harm the character of the barn. The Conservation Officer has been involved in the revised scheme last year as the result of a Planning Enforcement investigation. The Conservation Officer advised then on the revised scheme and sought the removal of unacceptable additions, such as further rooflights. Whilst this is a retrospective application, the works have already be assessed by a Conservation Officer last year and the scheme was amended at the time of the Planning Enforcement Investigation. This application is seeking the regularisation of the completed works.

5.6 The alterations collectively are relatively minor and do not affect the appearance of the traditional barn. It is considered that the alterations maintain the traditional character of the building and the wider historic setting.

5.7 Impact on Residential Amenity

The attached barn (north) is also being converted into a residential dwelling. To the immediate south are existing barns associated with Mounds Court Farm. There are other neighbouring detached dwellings to the norther-west and north-east, but they are all sufficient distance not to be affected by any of the alterations. Whilst the ridge height of the barn has been increased, this is not significant so as to result in any negative harm on the attached neighbouring dwelling. The increase in the ridge height does not result in an overbearing impact or loss of light as the resulting alteration is relatively modest when taken in the context of the existing building and neighbouring barns and dwellings. Overall, the alterations do not result in any harm to the exiting levels of residential amenity afforded to neighbouring occupiers.

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**.

Contact Officer: Katie Warrington
Tel. No. 01454 864712

CONDITIONS

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

Site Location Plan (047/101), Proposed Plans (047/110), received by the Council on 29th October 2016.

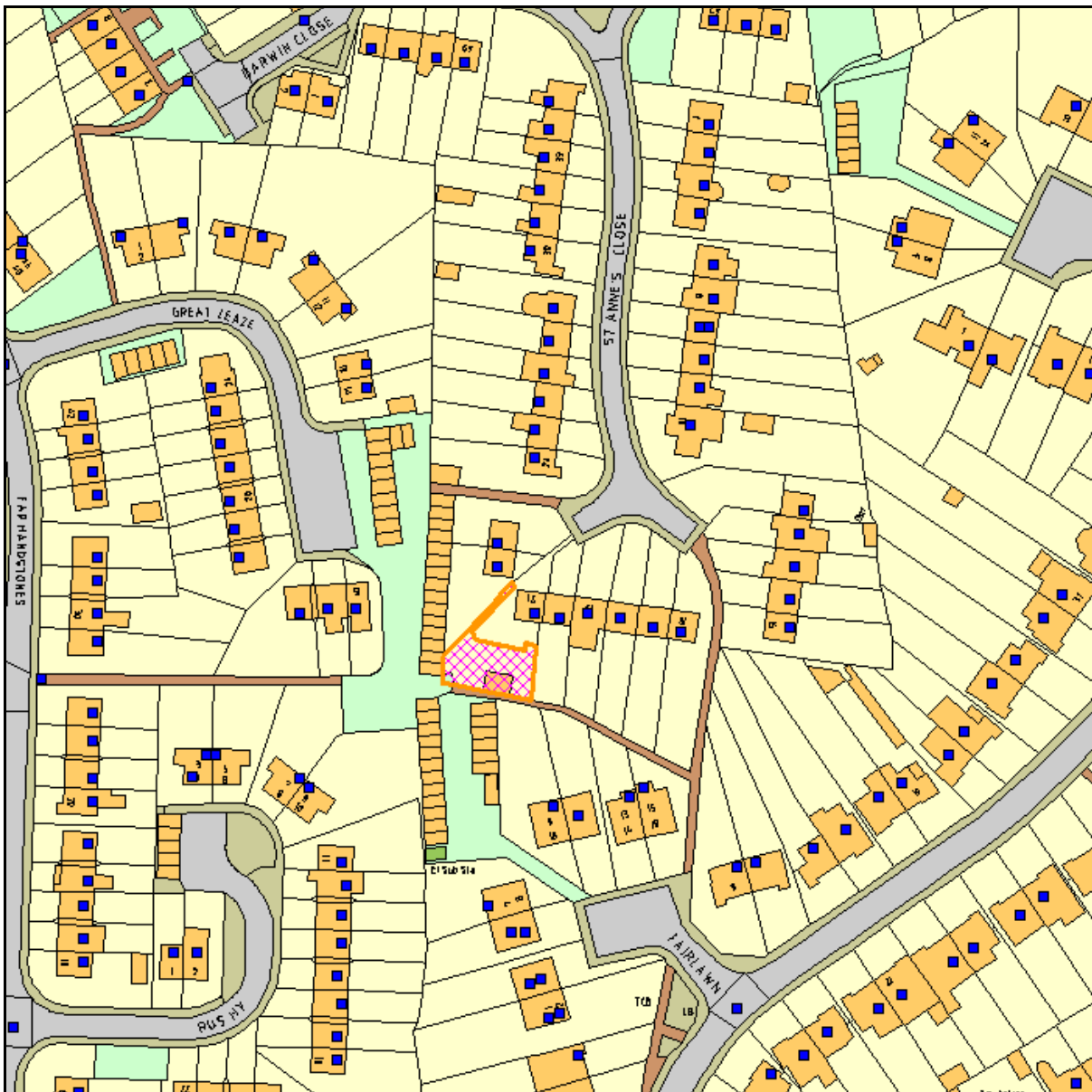
Proposed Block Plan (047/111), Existing Elevations (047/112), received by the Council on 17th November 2016.

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. To accord with Policy CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013.

CIRCULATED SCHEDULE NO. 02/17 – 13 JANUARY 2017

App No.:	PK16/6153/F	Applicant:	Mr And Mrs R Hamblin
Site:	Land To Rear Of 21 St Annes Close Cadbury Heath Bristol South Gloucestershire BS30 8EH	Date Reg:	8th November 2016
Proposal:	Erection of 1 no. detached bungalow with associated works. (Resubmission of PK15/2361/F).	Parish:	Oldland Parish Council
Map Ref:	366493 171612	Ward:	Parkwall
Application Category:	Minor	Target Date:	30th December 2016



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100023410, 2008.

N.T.S.

PK16/6153/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the circulated schedule due to consultation responses received, contrary to officer recommendation.

1. THE PROPOSAL

- 1.1 The application is for the erection of 1 no. detached dwelling with new access and associated works.
- 1.2 The site is situated on a residential estate in the area of Cadbury Heath. The site consists of the rear curtilage of 21 St Annes Close, incorporating rear private curtilage area and detached garage. The garage is located and accessed off Great Leaze in an area containing numerous garages serving properties of surrounding dwellings.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework

- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

T8 Parking Standards

T12 Transportation Development Control Policy for New Development

H4 Residential Development within Existing Residential Curtilages

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design

CS8 Improving Accessibility

CS16 Housing Density

CS17 Housing Diversity

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

3. RELEVANT PLANNING HISTORY

- 3.1 PK15/2361/F - Demolition of existing garage. Erection of 1 no. detached dwelling and associated works. Refused 27th July 2015.

Reasons for refusal:

1. The proposed new dwellinghouse by virtue of its siting, design, scale and massing is considered to result in a cramped and incongruous form of development in a location which does not respect or enhance the character of the area, is out of keeping with the surrounding estate and as such is not in accordance with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and does not achieve the highest possible

standards of design and site planning required by Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) 2013.

2. The proposed development by reason of its location, mass, height and design would have an overbearing and overlooking impact upon adjoining properties which would be to the detriment of residential amenity and would also be contrary to Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and Policy CS1 of the South Gloucestershire Core Strategy Adopted December 2013.
3. By virtue of inadequate off-street parking provision on site for the existing and the new house, the proposal would lead to an increase of on-street congestion thereby adding hazards faced by the travelling public. Additionally, the proposal would result in the creation of a new development to be served through a garage court [the sole means of access] which is considered substandard by reasons of inadequate surfacing for disable access and lack of turning area for service/ delivery and emergency vehicles all to the detriment of highway safety. The development is therefore contrary to Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006, CS1 of the South Gloucestershire Core Strategy Adopted December 2013 and the provisions of the South Gloucestershire Residential Parking Standards SPD.

4. CONSULTATION RESPONSES

4.1 Oldland Parish Council

No objection

4.2 Other Consultees

Highways Structures

No comment

Lead Local Flood Authority

no objection in principle to this application subject to informatives.

Relating to location and proximity to public sewers

Public Rights of Way

This development may affect the nearest recorded public right of way, footpath ref. POL17A/20 which runs adjacent to the southern boundary of the property. (Plan to follow.) No objection subject to a satisfactory method statement demonstrating how the safety of the public using the right of way will be maintained during construction.

Sustainable Transport

We note that this planning application seeks to construct a new single storey dwelling to the rear of 21 St Annes Close, Cadbury Heath. We understand that this application is a resubmission of similar one which had previously been refused (ref PK15/2361/F).

In response to the previous application, we had indicated that we considered the proposed access and parking arrangements to be inadequate, especially as the information provided by the applicant was not clear enough for us to fully determine their nature. We were very concerned about the proposed parking arrangements for the existing property. This is particularly important because the site of the new dwelling is historically occupied by the existing property's garage, although may now have been demolished.

Hence, we objected to the previous proposal on the basis that the off-street parking provision for the existing and the new house were inadequate would be likely to lead to an increase of on-street congestion and add to the local highway safety issues. We also considered that the creation of a new development with a sole means of access through a garage court was not acceptable by virtue of the inadequate surfacing and lack of turning area for service, delivery and emergency vehicles.

We note that the information provided by the applicant in support of the current application includes more detail of the off-street parking provision for the new house and so these are now considered to be adequate. Once again, however, they have not provided any information about the proposed parking arrangements for the existing property. Consequently, before we can come to a conclusion about this proposal we would wish to see this matter clarified.

Should this clarification not be forthcoming or be unsatisfactory in nature, then we would wish to object the current proposal as well. This is because we are still unable to determine whether it conforms to the requirements of Policies H4, T7 and T12 of the South Gloucestershire Local Plan (adopted) January 2006, Policy CS8 of the South Gloucestershire Local Plan Core Strategy (December 2013) and the requirements of the Council's Residential Parking Standards SPD also adopted in December 2013.

Upon receipt of further plans showing additional access and parking, and upon reconsultation of these plans the Highways Officer considers that, although the property would still be accessed from Great Leaze the applicants have now made provision for pedestrians to reach St Annes close, and there is not an objection to sustain.

Highways Structures

No comment

Other Representations

4.3 Local Residents

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

- concern over parking and noise, mainly associated with access and the garage area to the rear
- parking in the street is scarce, and this would make it worse
- concern over noise and access issues associated with building works
- the position of the bungalow is odd outlook would not be good
- concern over drainage/position of proposed soakways to the boundary line that may cause flooding issues

- it is not clear if right of access exists across the rear garage area
- would the location cause any access issues to emergency services
- concern over access and parking to existing property

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The NPPF emphasis is on sustainable growth, including boosting housing supply and building including through windfall development, except where the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policy framework. Policy H4 of the South Gloucestershire Local Plan establish that new residential development on sites within the urban area and the curtilage of dwellings are acceptable in principle, subject to the proposal satisfying other material considerations, such as density, design, residential amenity, and highway safety. Policies CS16 and CS17 of the Core Strategy seek to achieve an efficient use of land, maximise housing supplied at locations where there is good pedestrian access to frequent public transport services, and provide a mix of housing types.

5.2 Of note in this instance is the planning history for the site, which illustrates a previous refusal of consent for a dwelling. The reasons are highlighted above. The main issue for consideration therefore is whether the current application addresses these issues satisfactorily and is acceptable in its own right.

5.3 Design

The previous application was a larger two storey dwelling with greater scale and massing within the limited plot. The current application is for a more modest single storey bungalow. This is more in scale with the size of the plot and provides for a much smaller and less bulky form of development within the plot. At this elevation, due to the sites location to the rear of other dwellings and amongst areas where garaging exists, there is not a particularly strong streetscene or context. The proposed dwelling in this case is of an appropriate standard of design and has no material or significant impact upon the surrounding area. Materials used would be a render to match nearby finishes on St Annes Close, although it would not directly be associated with these properties. The roof would be interlocking farmhouse red double roman tiles. Materials are considered acceptable for the proposed dwelling. The proposals would be considered to adequately integrate within the context of site and surroundings. It is not considered that the streetscene would be unduly impacted given the site and location. The density of development at the site in this location is governed by the size, shape and location of the plot and the proposals are considered acceptable in this respect.

5.4 Local Amenity

There were concerns over the previous proposals for a two storey dwelling on the basis of overbearing impact and overlooking. The current proposals for a single storey bungalow reduce the bulk and impact of the proposals and also reduce issues of overlooking as all windows will be at ground floor level. Where close board boundary fencing would protect privacy. It is not therefore considered that the proposals would give rise to an unreasonable or material overlooking or overbearing impact and that the previous reasons for refusal are

satisfactorily addressed in this respect. A condition removing permitted development rights to restrict the potential for dormers to be constructed in the roof of the bungalow is recommended, as dormers could give rise to additional amenity impacts by virtue of overlooking, which would need to be considered.

5.5 Given the overall scale and design of the extension and its relationship with the host dwelling and surrounding properties it is considered that the proposal would be acceptable in terms of residential amenity. Limits on construction hours are also recommended. On this basis it is not considered that the dwelling would give rise to any significant or material amenity impact such as to warrant a refusal of the application.

5.6 There would be sufficient private amenity space to serve both the host dwelling and the new dwelling in the existing garden which would be subdivided with close board fencing.

5.7 Transportation

The level of off-street parking provision for the proposed dwelling is considered to meet the Council's requirements. No 21 St Annes Close, already utilises the access via Great Leaze for off street parking associated with the property. The principle of this existing access therefore already exists. Existing parking provision exists to the rear of 21 St Annes Close, for that property, within its boundary, and that would not change. The previous parking reasons for refusal are considered to have been addressed. Further to this existing private access rights would apply as a civil and legal matter and would not change under the terms of this application. Unlawful blocking of existing access rights would be a civil legal matter. Further to this the granting of planning permission would not grant rights to develop on enter use or access land not within the applicant's control. There are no sustainable transportation objections to the proposed development on this basis, conditions are however recommended to secure and retain the access and off-street parking provision as proposed.

5.8 Drainage

There is no objection in principle to the proposals in drainage terms and the proposals are therefore considered acceptable in this respect.

5.9 Public Rights of Way

A public right of way (POL17/A/20) exists immediately to the south of the site. It is recommended that this route is protected through condition during the construction period.

6. CONCLUSION

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

- 6.2 The proposed residential development would be situated within a residential area and within the curtilage of an existing dwelling and in this respect is considered acceptable in principle, in accordance with the provisions of Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006. The proposals are considered to be acceptable in terms of layout, form, scale, height and massing, in accordance with the principles of Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006. It is considered that the proposal would not result in material amenity impacts upon surrounding properties by virtue of overbearing impact, loss of privacy and inter visibility, the design is acceptable and adequate parking provision can be provided, in accordance with Policies T12 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and Policies CS1, CS16 and CS17 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, the South Gloucestershire Local Plan Core Strategy Adopted December 2013, 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 hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

2. The off-street access and parking facilities (for all vehicles, including cycles) and pedestrian access to St Annes Close, shown on the plan hereby approved (ref. 3616-2P Rev B) shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason

To ensure the satisfactory provision of access and parking facilities and in the interests of highway safety and the amenity of the area, and to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006, Policy CS8 of the South Gloucestershire Local Plan Core Strategy Adopted 2013 and the South Gloucestershire Residential Parking Standards SPD 9(Adopted) 2013.

3. The hours of working on site during the period of construction shall be restricted to 07.30 - 18.00 Mondays to Fridays; 08.00 - 13.00 on Saturdays and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006; and the provisions of the National Planning Policy Framework.

4. Prior to the commencement of the development hereby approved, a method statement demonstrating how the safety of the public using the right of way (footpath ref. POL17A/20 which runs adjacent to the southern boundary of the property) will be maintained during construction, shall be submitted to the Local Planning Authority for written approval and thereafter implemented in accordance with the approved details.

Reason

In the interests of safety of footpath users, and to accord with Policies CS1 and CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

This is a pre-commencement condition to ensure that any footpath access issues are considered and addressed at early stages of the development.

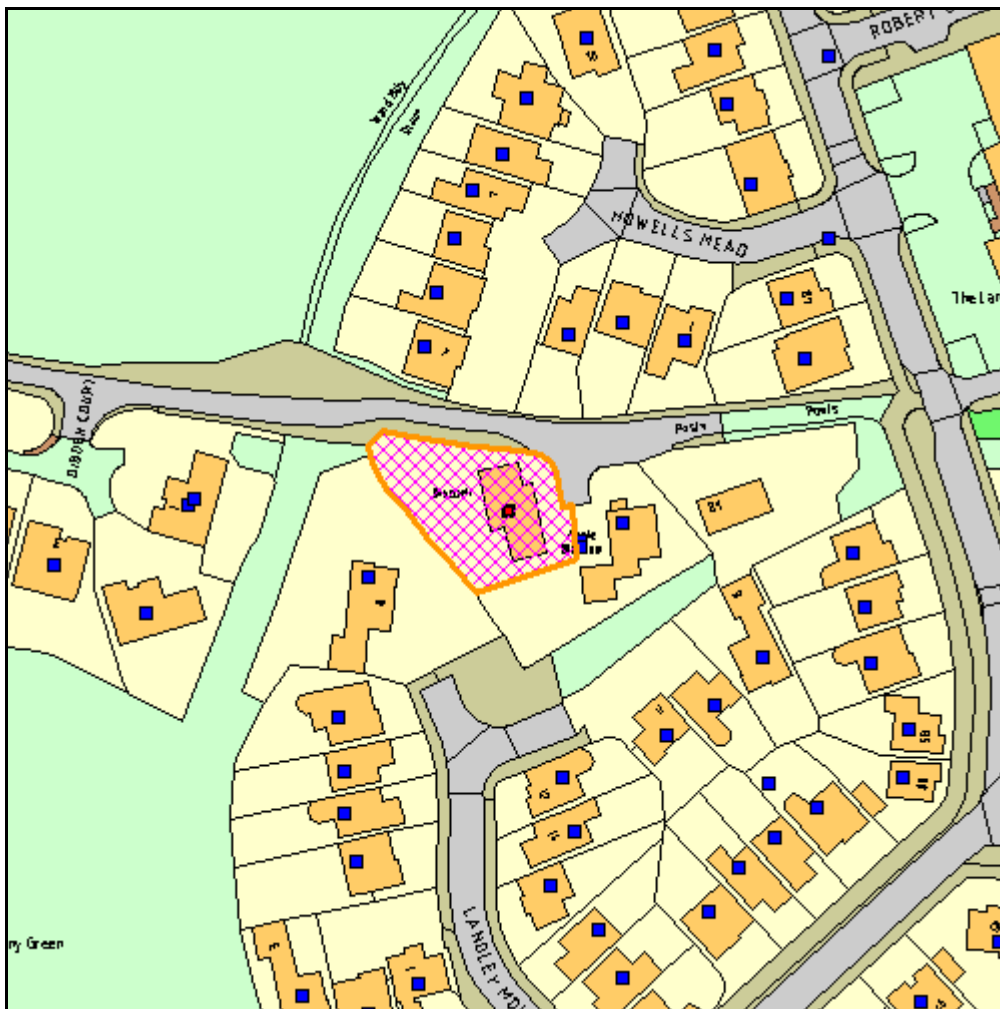
5. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no windows/dormer windows or rooflights shall be constructed.

Reason

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006; and the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 02/17 – 13 JANUARY 2017

App No.:	PK16/6249/F	Applicant:	Mr And Mrs P And L Bateman
Site:	Bluebell Dibden Lane Emersons Green South Gloucestershire BS16 7AF	Date Reg:	16th November 2016
Proposal:	Erection of a single storey rear extension to provide additional living accommodation. (Resubmission of PK16/1122/F)	Parish:	Emersons Green Town Council
Map Ref:	366627 177285	Ward:	Emersons Green
Application Category:	Householder	Target Date:	10th January 2017



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PK16/6249/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Council's Circulated Schedule list following an objection received from a local resident which is contrary to the officer recommendation detailed within this report.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a single storey rear extension at Bluebell, Dibden Lane, Emersons Green.
- 1.2 Permission is sought for the extension to provide an additional living room within the property.
- 1.3 A previous application for the same development was withdrawn (PK16/1122/F) in order for arboricultural advice to be sought, given the Tree Protection Order on the trees to the west (T1, T2 and T3).
- 1.4 A tree works application to prune the oak tree (T1) was approved on 6th January 2017 (PK16/5465/TRE).
- 1.5 The application site is within the East Bristol urban fringe area.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Practice Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS8 Improving Accessibility
CS9 Environment

South Gloucestershire Local Plan Adopted January 2006 Saved Policies

T12 Transportation
H4 Development within Existing Residential Curtilages

South Gloucestershire Policies Sites and Places Development Plan Document (Submission Draft) June 2016

PSP1 Location Distinctiveness
PSP3 Trees and Woodland
PSP8 Residential Amenity
PSP16 Parking Standards
PSP38 Extensions within Residential Curtilages
PSP43 Private Amenity Space Standards

2.3 Supplementary Planning Guidance

(a) South Gloucestershire Design Checklist (Adopted) August 2007

3. **RELEVANT PLANNING HISTORY**

- 3.1 PK16/5465/TRE Approve with conditions 06/01/2017
Works to 1no Oak tree to end weight, reduce lower limbs on property side only to achieve a 4m clearance from property. Covered by KTPO 03/91 dated 29 July 1991.
- 3.2 PK16/1122/F Withdrawn 11/04/2016
Erection of a single storey rear extension to form additional living accommodation.
Withdrawn following a request for arboricultural information.
- 3.3 PK10/2872/F Approved 19/09/2011
Erection of 2 no detached dwellings to include attached double garages, new access and associated works.

4. **CONSULTATION RESPONSES**

- 4.1 Emersons Green Town Council
The Planning Committee have no objection to the extension providing the adjacent protected trees suffer no harm during the build and are not compromised or damaged in the future by the development. The trees have already been the subject of reduction works, essentially the Town Council would like to ensure their continuing good health.
- 4.2 Other Consultees

Tree Officer
No objection subject to condition.

Other Representations

- 4.3 Local Residents
One letter of objection has been received raising the following points:
- Extension will have adverse visual impact
 - Additional noise and disturbance from extension once complete
 - 8 Langley Mow would be overlooked and overshadowed
 - High density of built form compared to size of garden, which is very small. Plots in area have large gardens so out of keeping
 - Adverse impact on protected trees – development is closer to trees that site plan implies
 - Arboricultural consultant appointed has vested interest in application being approved as they stand to receive further work from applicant
 - Wildlife in trees will be affected particularly bats, birds and squirrels
 - Ground movement caused by the impact of the extension on the roots of the trees may lead to requests to remove the trees in the future. Two applications to reduce trees already been submitted
 - Ground level has already been lowered to build the house – further lowering will pose risk to roots

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Saved Policy H4 of the South Gloucestershire Local Plan is supportive in principle of proposals for alterations and extensions to existing dwellings within their curtilage, providing that the design is acceptable and in accordance with policy CS1 of the Core Strategy, and that there is no unacceptable impact on residential and visual amenity, and also that there is safe and adequate parking provision and no negative effects on transportation. Therefore, the proposal is acceptable in principle but should be determined against the analysis set out below.

5.2 Design

The extension is proposed to infill the gap behind the existing double garage at the property and then extend beyond the rear elevation by approximately 1.3 metres. A pitched roof is proposed at a perpendicular angle to the gable roofline of the garage and the existing dwelling. An objection letter raises concerns that the density of the built form compared to the size of the site is excessive, however the footprint and volume of the extension is modest and is not considered to be out of keeping, particularly as there are a number of dwellings with modest gardens along Langley Mow. Subject to a condition ensuring the materials match the existing dwelling, the development is considered to accord with policy CS1 of the Core Strategy (Adopted) December 2013.

5.3 Residential Amenity

Residential amenity should not be harmed as a result of development. Amenity should be considered in terms of the application site and all nearby occupiers. The proposed development is shielded from the closest neighbour, Apple Blossom, by the existing double garage, so it is unlikely to impact on their amenities. Objections regarding inter-visibility between the proposed French doors and the property to the west have been received, however given the single storey nature of the proposal and the existing screening provided from vegetation and fencing, there is unlikely to be any overlooking. Given the distance to the boundary and the height of the proposal, it will not overbear on any neighbours. Comments have also been received raising concerns about increased noise levels from the use of the extension and the outside space, but officers do not consider that there will be any material change in noise levels as no intensification of the site is proposed.

5.4 It is acknowledged that there will be a reduction in the amount of private amenity space available to future occupiers of Bluebell, but it is considered that adequate garden space will remain to serve the property as the footprint of the extension is modest. There are no objections from a residential amenity perspective.

5.5 Vegetation

The trees identified as T1, T2 and T3 on the Tree Constraints and Protection Plan are subject to Tree Protection Orders. Pile and beam foundations for the extension are required to prevent harm to the trees, and section 8.1 of the Arboricultural Method Statement states that “ the ground beam (will be) set at

300mm depth". The Tree Officer has advised that this is not acceptable and that the beam should be set at or above ground level to prevent root damage. The applicant expressed a preference in a condition being applied requiring a hand dug investigation take place to discover the location of the roots, so that the beam can be set as low as is practicable without causing damage. This approach is considered to be acceptable by the Tree Officer and may negate the need for a ground level beam, which is less desirable from a visual amenity perspective. Subject to this condition, officers are satisfied the development will not damage the protected trees. Concerns were raised by an objector regarding damage to the wildlife habitat provided by the trees, however as the trees should not be harmed by the development, the habitat is to be retained.

5.6 Transport

The development will not increase the capacity of the dwelling, nor will it encroach onto existing parking areas. There is no transportation objection to the proposed development.

5.7 Other Issues

An objection received from the neighbour raises concerns that the proximity of the windows of the extension to the protected trees will lead to future requests to remove the trees. As the trees are protected, an application would be required to remove the trees, and this request would be assessed should the situation arise in the future.

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 is **GRANTED** subject to the conditions on the decision notice.

Contact Officer: Trudy Gallagher
Tel. No. 01454 862217

CONDITIONS

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

Reason

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

2. Notwithstanding section 8.1 of the Arboricultural Method Statement and prior to the commencement of development, details are to be submitted for an alternative beam location subject to the findings of a hand dug exploratory pit. The pit will be dug under the supervision of the project arboriculturist and a report of the findings, including photographs, will be submitted to the Local Planning Authority for written approval. Development shall then proceed in accordance with the agreed details.

Reason

In order to prevent damage to the root protection areas of the trees subject to Tree Protection Orders, in accordance with policy CS1 and CS9 of the South Gloucestershire Core Strategy (Adopted) December 2013 and the National Planning Policy Framework. This information is required prior to commencement in order to prevent unnecessary damage to tree roots and remedial works later on.

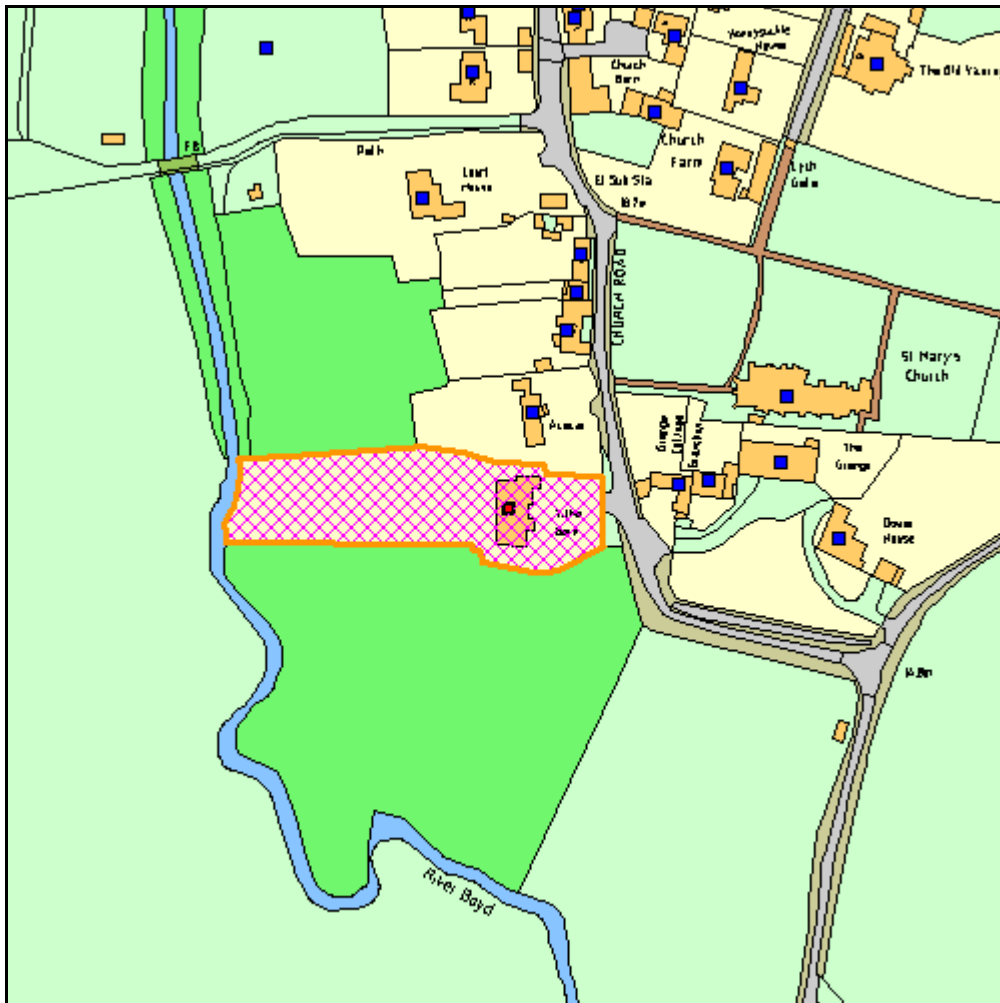
3. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

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.

CIRCULATED SCHEDULE NO. 02/17 – 13 JANUARY 2017

App No.:	PK16/6406/F	Applicant:	Mr Duncan Wilson
Site:	Tithe Barn Church Road Bitton Bristol South Gloucestershire BS30 6LJ	Date Reg:	25th November 2016
Proposal:	Replacement of existing window with sliding folding doors to south elevation.	Parish:	Bitton Parish Council
Map Ref:	368097 169296	Ward:	Bitton
Application Category:	Householder	Target Date:	17th January 2017



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PK16/6406/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This report appears on the Circulated Schedule following comments from Bitton Parish Council.

1. THE PROPOSAL

- 1.1 This application seeks permission to replace an existing window in the southern elevation with a sliding folding door.
- 1.2 The application site consists of a locally listed converted barn known as the 'Tithe Barn', fronting Church Road, situated within the Bitton Conservation Area. The property itself is not in the adopted Bath/Bristol green belt, but the rear garden is. The plot also backs onto the River Boyd, a Site of Nature Conservation, and lies within flood zones 2, 3 and 3b. There are a number of Tree Preservation Orders on site as well.

2. POLICY CONTEXT

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

- 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

South Gloucestershire Local Plan (SGLP) Adopted January 2006 (Saved Policies)

- H4 Development within Existing Residential Curtilages
- L1 Landscape
- L8 Sites of Regional and Local Nature Conservation Interest
- L12 Conservation Areas
- L15 Locally Listed Buildings
- EP2 Flood Risk and Development

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

- PSP1 Local Distinctiveness
- PSP2 Landscape
- PSP7 Development in the Green Belt
- PSP8 Residential Amenity
- PSP17 Heritage Assets and the Historic Environment
- PSP19 Wider Biodiversity
- PSP20 Flood Risk, Surface Water and Watercourse Management
- PSP38 Development within Existing Residential Curtilages

- 2.3 Supplementary Planning Guidance
Trees on Development Sites SPG (Adopted) 2005
Development in the Green Belt SPD (Adopted) 2007
Design Checklist SPD (Adopted) 2007
Local List SPD (Adopted) 2008

3. **RELEVANT PLANNING HISTORY**

- 3.1 PRE16/0899 03/11/2016
Amendments to the property

4. **CONSULTATION RESPONSES**

- 4.1 Bitton Parish Council
Objection:
Out of keeping with rest of house.

4.2 Other Consultees

Conservation Officer

Recommend design be amended to specify multi-paned glazing bar openings to doors to match dimensions and profile of existing.

Revised drawings received 15/12/2016.

Update

Amendments to bi-folding doors design address previous concerns.

Other Representations

- 4.3 Local Residents
None received.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of development

The application seeks permission to replace an existing window in the southern elevation of a locally listed building with bi-folding doors, situated within Bitton Conservation Area. Saved policy H4 of the SGLP (Adopted) 2006 allows for extensions to existing dwellings, subject to criteria relating to residential amenity, design and highway safety.

- 5.2 Saved policy L12 of the SGLP and policy CS9 of the Core Strategy seek to preserve and enhance the character and appearance of the Conservation Area, and policy L15 of the SGLP seeks to retain buildings which make a significant contribution to the character and distinctiveness of the locality.

5.3 Design, locally listed building and conservation

The Tithe Barn is a locally listed structure, located within the Bitton Conservation Area. The proposal relates to the replacement of a re-constituted stone 4-light window in the south elevation with a set of aluminium bi-folding

doors. In this instance, this element does not constitute permitted development and as such there is an opportunity to control the detailed design or quality of the replacement through this application. Initially, no objections in principle on conservation grounds were raised, but the Conservation Officer commented that the design of the proposed new doors should feature glazing bars to accord with every other window in this historic building. Without them the design appears somewhat discordant and would only serve to degrade the aesthetic character of the building.

5.4 Amendments have now been made to the design so they feature glazing bars, thus addressing the previous concerns raised. With large scale details also included, there are no objections and no non-standard conditions to be applied.

5.5 Residential Amenity

The proposed bi-folding doors would be in the location of an existing ground floor window and would not overlook any nearby occupiers to the detriment of mutual privacy.

5.6 Highway Safety

The application would not affect the existing parking provision and would not result in an increase in parking provision. There are, therefore, no concerns in terms of highway safety.

6. CONCLUSION

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

6.2 The recommendation to **grant** permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

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

Contact Officer: Helen Braine
Tel. No. 01454 863133

CONDITIONS

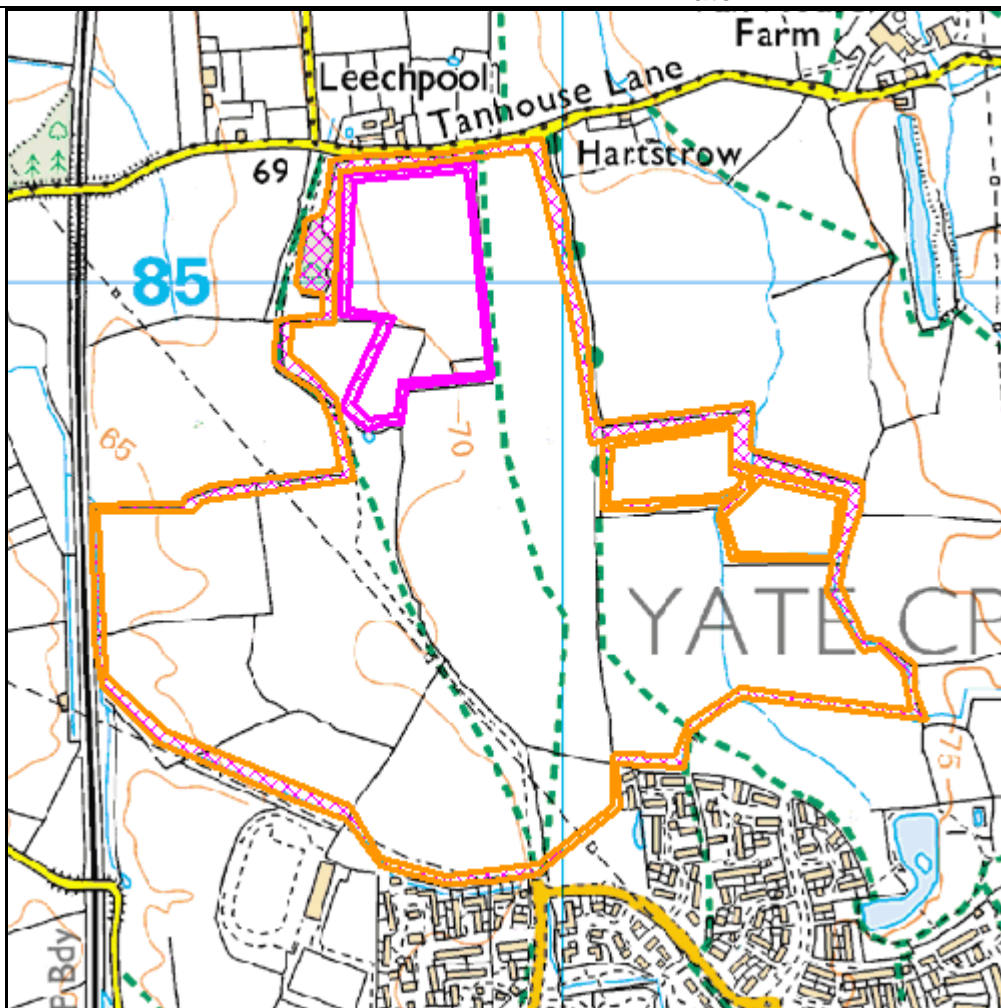
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 02/17 – 13 JANUARY 2017

App No.:	PK16/6511/TRE	Applicant:	Heron Land Developments
Site:	Land At Goose Green Farm Yate Bristol South Gloucestershire BS37 7YT	Date Reg:	30th November 2016
Proposal:	Works to coppice Goat Willow, Hazel, Elm, Field Maple, and Elder Trees and crown lift overhanging branches to a height of 4 metres on the field boundaries indicated on the plan. Covered by South Gloucestershire Tree Preservation Order 383 dated 16 September 1987.	Parish:	Yate Town Council
Map Ref:	371041 184144	Ward:	Yate North
Application Category:		Target Date:	20th January 2017



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REASON FOR REPORTING TO THE CIRCULATED SCHEDULE/COMMITTEE

This application is referred to the Circulated Schedule because comments have been received that are contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 Works to coppice Goat Willow, Hazel, Elm, Field Maple, and Elder Trees and crown lift overhanging branches to a height of 4 metres on the field boundaries indicated on the plan. Covered by South Gloucestershire Tree Preservation Order 383 dated 16 September 1987.
- 1.2 The trees are within hedgerows on land at Goose Green Farm, Yate, Bristol, South Gloucestershire, BS37 7YT.

2. POLICY CONTEXT

- 2.1 National Guidance
 - i. The Town and Country Planning Act 1990
 - ii. The Town and Country Planning (Tree Preservation) (England) Regulations 2012.

3. RELEVANT PLANNING HISTORY

- 3.1 PK16/0708/TRE, Site Address: Land To The North Of Randolph Drive And Eastfield Drive, Brimsham Green North, Yate, South Gloucestershire, BS37 7LB. Decision: COND, Date of Decision: 23-MAR-2016, Proposal: Works to various trees covered by SG Tree Preservation Order 08/09 dated 22/09/2009 to lift crowns to a height of 3 metres., CIL Liable:

4. CONSULTATION RESPONSES

- 4.1 Yate Town Council object strongly to this application. The application is not Goose Green Farm, but a blanket application for the whole area of the North Yate Development. There is no specific plan only a vague statement within this application. We need a more detailed plan, including details of how this relates to the Master Landscaping plan for the scheme. Some of the hedges are ancient unenclosed field boundaries

Other Representations

- 4.2 Local Residents
A member of the public strongly objects to the application on the grounds that the works may adversely affect wildlife.

5. ANALYSIS OF PROPOSAL

- 5.1 Proposed Works
Works to coppice Goat Willow, Hazel, Elm, Field Maple, and Elder Trees and crown lift overhanging branches to a height of 4 metres on the field boundaries

indicated on the plan. Covered by South Gloucestershire Tree Preservation Order 383 dated 16 September 1987.

5.2 Principle of Proposal

The only issues to consider are whether the proposed works would have an adverse impact on the health, appearance, or visual amenity offered by the tree to the locality and whether the works would prejudice the long-term retention of the specimen.

5.3 Consideration of Proposal

The proposed works are, in fact, minimal and much of the vegetation subject to the application is below the size for inclusion on an order. As noted by Yate Town Council, the scale of the application appears to be significant. A large part of the work, however, is already consented through the existing planning permission on the site. A South Gloucestershire Council Tree Officer walked the site and looked at the proposed works with the applicant's agent and found them to be reasonable and appropriate.

5.4 The crown lifting works is necessary to allow movement around the site and, where necessary, to facilitate the erection of tree protection fencing.

5.5 Coppicing of unmanaged hedges often results in thicker, healthier growth and, consequently, an improved hedgerow with all the biodiversity benefits that this brings.

5.6 Impact on wildlife is not a direct consideration of this report but there is an informative attached to the decision notice that reinforces the contents of the Wildlife and Countryside Act 1981 pertaining to timings of works in relation to bird nesting.

5.7 The proposed works will be beneficial in the long term and will have little effect on amenity, even in the short term.

6. **RECOMMENDATION**

6.1 That consent is GRANTED subject to the conditions on the decision notice.

Contact Officer: Phil Dye
Tel. No. 01454 865859

CONDITIONS

1. The works hereby authorised shall be carried out within two years of the date on which consent is granted.

Reason

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

2. The works hereby authorised shall comply with British Standard 3998: 2010 - Recommendations for Tree Work.

Reason

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

CIRCULATED SCHEDULE NO. 02/17 – 13 JANUARY 2017

App No.:	PK16/6554/FDI	Applicant:	Linden Homes Western
Site:	Golden Valley Mill Mill Lane Bitton Bristol South Gloucestershire BS30 6HL	Date Reg:	2nd December 2016
Proposal:	Diversion of footpath PBN61/20, PBN61/30, PBN61/40 and PBN62/10	Parish:	Bitton Parish Council
Map Ref:	368191 169827	Ward:	Bitton
Application Category:		Target Date:	24th January 2017



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PK16/6554/FDI

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

Under the Council's scheme of delegation, footpath diversion orders are required to be determined through the Circulated Schedule process.

1. THE PROPOSAL

- 1.1 This application is made under Section 257 of the Town and Country Planning Act 1990. Under this application, consent is sought to divert footpaths PBN61/20, PBN61/30, PBN61/40 and PBN62/10 to enable development; the development to which the application relates is the redevelopment of the Golden Valley Mill site in Bitton.
- 1.2 The diversion will see paths PBN61/20, PBN61/30 and PBN61/40 diverted on a meandering route through the new open space from Mill Lane to the bridge over the River Boyd. Path PBN62/10 will be diverted at its western end to link to Mill Lane.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
Town and Country Planning Act 1990: Section 257
Circular 01/09: Rights of Way

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS9 Managing the Environment and Heritage
CS34 Rural Areas

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

T12 Transportation
LC12 Recreational Routes

3. RELEVANT PLANNING HISTORY

- 3.1 PK15/0532/F Approve with Conditions 18/10/2016
Mixed use development on 7.4 hectares of land comprising up to 115no new dwellings; change of use of the Gatehouse to commercial use (Use Class B1); change of use of existing 'canteen' building to commercial and community uses (Use Classes B1/D1); engineering works to raise the raise the existing ground levels; associated landscaping and the retention of Ash House and Heather House in residential use (Use Class C3)

4. CONSULTATION RESPONSES

- 4.1 Bitton Parish Council
No objection

4.2 Conservation Officer

No comment

4.3 Public Rights of Way

The proposed realignments satisfy the legal tests of S257 of the Town and Country Planning Act 1990

Other Representations

4.4 Local Residents

None received

5. ANALYSIS OF PROPOSAL

5.1 This application seeks to divert the route of existing footpaths to facilitate the redevelopment of the Golden Valley Mill site.

5.2 Principle Matters

The diversion of a public right of way is not development as defined in the Town and Country Planning Act. A diversion Order for a public right of way can therefore only be considered through the planning system when the diversion of the right of way is considered necessary to allow the implementation of a planning permission. In considering making a diversion to a right of way, the local planning authority must be satisfied that the proposed alternative route is suitable, that the diversion is reasonably necessary and relates to the planning permission, and that the amenity of the right of way is maintained.

5.3 Diversion of Right of Way

The existing route of PBN61 runs partly over a private driveway and partly through an area of overgrowth; it does not link to the public highway or PBN62. From the weir to the north, the proposed route of PBN62 will utilise an area of hardstanding before meandering through an area of public open space to a designated safe crossing point on what will become an adopted highway.

5.4 With regard to PBN62, the western end of this route will be realigned to accommodate the proposed parking areas. The new route will link the path to Mill Lane.

5.5 The proposed rerouting has been assessed by the Council's Public Rights of Way team. The officer has concluded that the proposed diversion passes the legal test of Section 257 of the Town and Country Planning Act 1990 and raise no objection to the new alignment.

5.6 The proposed diversion is therefore acceptable.

6. CONCLUSION

6.1 The recommendation to raise no objection the proposed footpath diversion 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 including Circular 01/09 and Policy LC12.

- 6.2 The proposal is considered satisfactorily meet the tests of a footpath diversion and the amenity and utility of the route would be maintained.

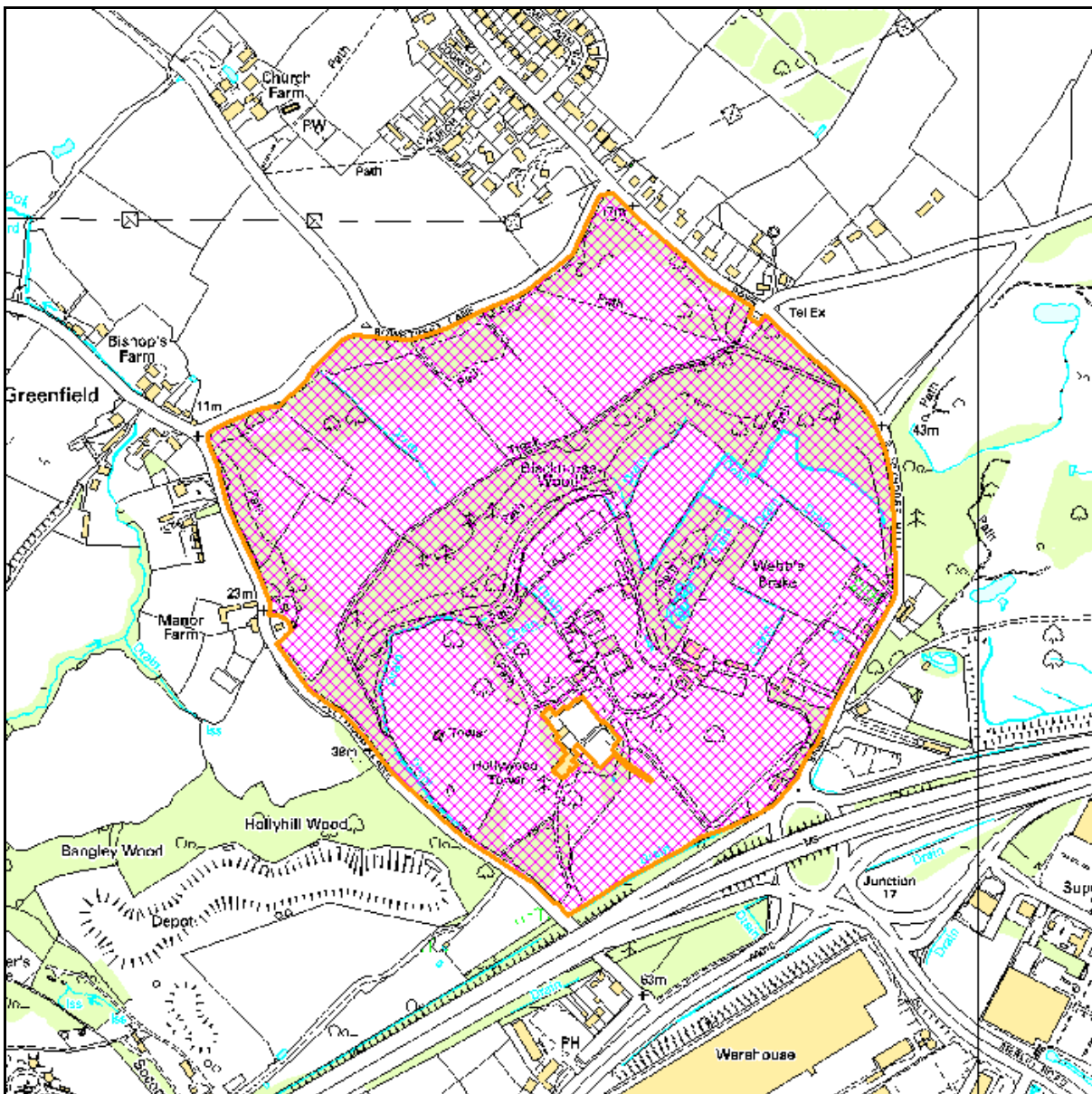
7. RECOMMENDATION

- 7.1 It is recommended that NO OBJECTION be raised to the proposed diversion, as shown on the accompanying plans.
- 7.2 It is recommended that the Head of Legal and Democratic Services be instructed to and delegated the authority to make an Order under Section 257 of the Town and Country Planning Act 1990 for: the diversion of PBN61/20, PBN61/30 and PBN61/40; and PBN62/10 as shown on plan 127-A 'Drawing Overlay – JBR2361_126 + Planning Layout + Visibility Splays', received by the Council 1 December 2016.

Contact Officer: Griff Bunce
Tel. No. 01454 863438

CIRCULATED SCHEDULE NO. 02/17 – 13 JANUARY 2017

App No.:	PT16/4420/RVC	Applicant:	National Wildlife Conservation Trust
Site:	Hollywood Lane Easter Compton South Gloucestershire BS10 7TW	Date Reg:	5th August 2016
Proposal:	Variation of condition 39 attached to planning permission PT14/4573/RVC to substitute plans.	Parish:	Almondsbury Parish Council
Map Ref:	357443 181391	Ward:	Almondsbury
Application Category:	Major	Target Date:	17th November 2016



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 100023410, 2008. N.T.S. PT16/4420/RVC

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application appears on the Circulated Schedule as there is a comment received raising objection to the proposed development. The officer recommendation is approval.

1. THE PROPOSAL

- 1.1 The application relates to land associated with the Hollywood Tower Estate located due North and Northeast of Junction 17 of the M5 Motorway.
- 1.2 Planning Permission (PT08/2900/F) was granted on 23rd July 2010 for the development of a major new visitor attraction on the site that would provide buildings, structures exhibits and associated parking and infrastructure on the land used as zoological gardens under planning permission SG.8742. Essentially, the planning permission allows the development of a new visitor attraction on the site referred to as 'The National Wildlife Conservation Park (NWCP)'.
- 1.3 Subsequently the initial planning permission referred to above, has been varied under section 73 of the Town and Country Planning Act (planning permission PT14/4573/RVC) so as to enable the approved development to be implemented in phases (phase one and future phases). 'Phase One' of this planning permission has now been implemented and as such the whole of the planning consent remains extant. Essentially, 'phase one includes parking and access provision. Future phases are to come forward later and cannot be implemented until specific details in relation to those phases are submitted to, and agreed by the Local Planning Authority.
- 1.4 That planning consent has secured a master plan by condition (PT14/4573/RVC condition 39) which provides the broad scope for the future development of the site beyond its first phase (Phase One). In addition, details plans relating to zoological exhibit E7 (Congo Tropical Forest) was also secured as part of that planning consent under condition 39.
- 1.5 This application seeks to vary planning permission PT14/4573/RVC such that the 'Base Case Master Plan' secured under condition 39 of that planning permission is replaced with a revised version of the plan showing an alternative Giraffe and Zebra zoological exhibit in place of the Congo Tropical Forest Exhibit.
- 1.6 In addition, full details of the proposed Giraffe and Zebra exhibit are submitted so as to enable the exhibit to be implemented as a 'future phase' consistent with the requirements of the extant planning consent. The application also includes details pursuant to the discharge of certain planning conditions related to that exhibit.
- 1.7 During the course of this application, the applicant submitted additional drawings showing changes to the approved car parking areas approved as 'Phase One' development and have requested that these changes are also considered under this s73 application.

- 1.8 The assessment of this application cannot revisit the principle of the development. However, in considering the proposal to vary the conditions, the Local Planning Authority can vary and add conditions as appropriate and this would not result in a fundamental change in the principle of the approval.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework
Planning Policy Guidance

2.2 Development Plans

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

T12	Transportation Development Control Policy for New Development
L1	Landscape Protection and Enhancement
L8	Sites of Local and Regional
L9	Species Protection
L10	Historic Parks and Gardens
L11	Archaeology
EP2	Flood Risk and Development

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
CS25	Communities of the North Fringe of Bristol
CS26	Cribbs/Patchway New Neighbourhood
CS34	Rural Areas

- 2.3 Supplementary Planning Guidance
Development in the Green Belt (adopted) 2007
South Gloucestershire Design Checklist (adopted) 2007

3. RELEVANT PLANNING HISTORY

- 3.1 There is a varied planning history relating to the Hollywood Tower Estate. The most relevant history, in that it is related to the use of the land and associated buildings for zoological gardens/attraction are listed below;
- 3.2 SG.8742 Change of Use from Agricultural Estate to Zoological Gardens

Approved with conditions (2nd March 1967)
- 3.3 PT04/3101/F Use of land for stationing of porta-cabin to provide office and staff rest-room for plant nursery. (Resubmission of PT04/1983/F)

Approved (12th October 2004)

- 3.4 PT06/0339/F Construction of new roundabout junction at Hollywood Tower Estate with alterations to existing access and associated works.
Approved with conditions (28th March 2008)
- 3.5 PT07/0764/CLP Certificate of Lawfulness for a Proposed Use or Development relating to the Estate for its use as Zoological Gardens subject to the conditions attached to planning permission SG.8742 dated 2 March 1967.
Certificate of Lawfulness issued (14th March 2007)
- 3.6 PT08/2839/LB Internal and external alterations, including partial demolition of curtilage Grade II listed Model Farm buildings.
Approved with conditions (11th December 2008)
- 3.7 PT08/2900/F Erection of built facilities, fencing, enclosures and other ancillary facilities pursuant to planning permission SG8742 (Change of Use from Agricultural Estate to Zoological Gardens). Part full application and part outline application with the following matters reserved: appearance, landscaping, layout and scale.
Approved with conditions and subject to a s106 agreement (23rd July 2010)
- 3.8 PT09/5657/FDI Diversion of Footpath No. OAY79 in association with proposed development of the National Wildlife Conservation Park.
Footpath Diversion Order confirmed (24th August 2010)
- 3.9 PT10/1048/F Planning consent for a porta-cabin to provide staff facilities in a temporary building. Consent was previously granted for a 5 year period but has now expired (PT04/3101/F).
Approved (2nd July 2010)
- 3.10 PT11/3846/LB Internal and external alterations, including partial demolition of curtilage Grade II listed Model Farm buildings.
Approved (24th January 2012)
- 3.11 PT13/0156/CLE Application for Certificate of Lawfulness for the retention of four animal shelters/buildings.
Approved (5th July 2013)
- 3.12 PT13/0772/LB Minor internal and external works to Model Farm buildings.
Approved (3rd May 2013)
- 3.13 PT14/4573/RVC Variation of Conditions for PT08/2900/F no. 7, 8, 9, 10, 13, 14, 15, 18, 19, 20, 21, 22, 25, 26 and 29

Approved (11th March 2015)

- 3.14 PT15/1686/RVC Variation of condition 1 attached to planning permission PT10/1048/F to retain the building for a further five years.

Approved (16th June 2015)

- 3.15 MODT15/0004 Deed of Variation of S106 Agreement attached to planning application PT14/4573/RVC.

Resolved to be approved (Circulated Schedule 19th February 2016). The exact wording of the Deed of Variation is currently being finalised.

- 3.16 PT16/1657/F Development of a temporary zoological exhibit including erection of two single storey buildings, play areas, landscaping, groundworks, access, and associated infrastructure.

Approved (28th June 2016)

- 3.17 PT16/5444/F Erection of 10no glamping pods and associated works.

This application is under consideration at the time of compiling this report.

4. CONSULTATION RESPONSES

- 4.1 Almondsbury Parish Council
No response has been received
- 4.2 Highway Authority
No Objection
- 4.3 Archaeology Officer
No comment.
- 4.4 Landscape Officer
No comment.
- 4.5 Ecology Officer
No Objection in principle. Conditions applied to the original consent should apply to this proposal.
- 4.6 Lead Local Flood Authority
No Objection.
- 4.7 Conservation and Listed Building Officer
No objection.
- 4.8 Avon and Somerset Police Crime Prevention Officer
No objection

- 4.9 Natural England
Confirm that they do not wish to make comment
- 4.10 Highways England
No objection
- 4.11 Esso Petroleum Company
No objection.
- 4.12 National Air Traffic Services
No objection

Other Representations

- 4.13 Local Residents
One objection has been received. The matters raised are summarised as follows;

The development would result in traffic congestion with no mitigation

The development will increase the levels of noise as a result of increased vehicular movements, people and animals.

The amphitheatre may result in pressure to hold concerts resulting in a detrimental impact to residential amenity as a result of music.

Nothing has been done to stop illegal raves taking place at the Hollywood Estate.

The development will result in a detrimental impact on bird life as a result of disturbance.

The Safari Park should not go ahead as it would result in disruption to local residents in the local area around Easter Compton

5. ANALYSIS OF PROPOSAL

- 5.1 The effect of this application to vary the existing planning consent held under PT14/4573/RVC so as to replace approved drawings with alternative drawings showing amendments to the approved development.

- 5.2 Principle of Development
The development of the site as a major new zoological visitor attraction, associated buildings, structures, exhibits and associated infrastructure is established by the extant planning permission as varied under PT14/4573/RVC.

- 5.3 Town and Country Planning (Environmental Impact Assessment) Regulations 2011.
The extant planning permission was subject to an Environmental Impact assessment under the previous EIA regulations (1999 and amended in 2007).

The Environmental Statement (dated September 2008) was found to be sound for the purpose of assessing the 2008 planning application. This application is supported by the same Environmental Statement. However, an addendum to the Environmental Statement is also submitted for consideration which provides an update in respect of the transport matters covered in the Environmental Statement in relation to the alternative exhibit and changes to the car-park being developed under 'phase one'.

- 5.4 It is noted that the original Environmental Statement found that the Transportation Effects (both operational and during construction) were negligible at the time of the original planning application. The addendum addresses the impact of the alternative exhibit and finds that there is not a materially greater impact when compared to the extant approval and that the alterations relating to the car parking area are also not material in terms of the impact of them.
- 5.5 Officers concur with the above and The South Gloucestershire Highways Authority has confirmed that from a transport perspective, there would be no material impact resulting from the change. It is also noted that Highways England have not raised objection to the proposed change. Accordingly, officers consider that the ES remains sound for the purpose of assessing this application.
- 5.6 In all other respects, the proposed changes would not alter the scope of that approval. The applicant argues that there would be no significant environmental effects arising from the change. Officers concur with this view and it is considered that the Environmental Statement remains sound for the purpose of assessing this application.
- 5.7 Green Belt
The site is located within the Green Belt and within the open countryside. Under normal circumstances, the provisions of new buildings within the Green Belt is not appropriate development as set out under paragraph 89 of the National Planning Policy Guidance. However, for the reasons set out below, officers consider that the proposed development as an ancillary part of a zoological attraction in this Green Belt location, is established and as such is appropriate in this location.
- 5.8 The effect of this proposal is that an approved zoological exhibit would be replaced with an alternative exhibit. In that respect, the scope of the planning permission would not change. The approved exhibit (E7) would provide associated buildings and re-create a 'Congo Tropical Forest' environment. The alternative exhibit now proposed would provide modest buildings to accommodate Giraffe and Zebra. These buildings are similar in scale to the existing Giraffe house in this area of the zoological park and would be lesser in scale than the currently approved exhibit.
In respect of the changes to the car parking area, these are generally below ground works and would not have any material impact.
- 5.9 Accordingly officers conclude that the proposal would have no greater impact than the approved development upon the openness of the Green Belt or the

purposes of including the land within it. On this basis the proposal complies with Policy CS5 and CS34 of the South Gloucestershire Local Plan, Core Strategy and the provisions of the National Planning Policy Framework.

5.10 Landscape, Visual Impact and Listed Building Considerations

The site is within the former park land associated with the Hollywood Towers Estate which includes listed buildings. Again, the proposal is to provide an alternative zoological exhibit. Given the scale and location of the exhibit officers conclude that the impact of the change would not have a materially greater impact in respect of the character and visual amenity of the landscape or the setting of nearby listed buildings.

5.11 In respect of the changes to the car parking area, these are generally below ground works and would not have any material impact. As such, the proposed development is acceptable in that regard.

5.12 Arboricultural Considerations

No trees are affected by the proposed development and on this basis, the development is acceptable in Arboricultural terms.

5.13 Ecological Considerations

The Ecology Officer has confirmed that the proposed development would not have any significant implications for the ecological value of the site or the surrounding locality.

5.14 In this instance, there are specific conditions contained within the extant consent (PT14/4573/RVC) that require further ecological information prior to the commencement of the 'future phases' of the development.

5.15 The subject zoological exhibit would represent a 'future phase'. As such, the applicant has included specific information related to the exhibit in order to comply with those conditions relating to ecology. The ecology officer is satisfied that the information is acceptable. In the event that this application is approved, compliance conditions can be imposed to secure the required ecological mitigation.

5.16 Archaeology

There are no archaeological constraints relating to this application.

5.17 Drainage Issues

The Lead Local Flood Authority has confirmed that there are no objections to the proposed development in drainage terms.

5.18 Residential Amenity

The site is located in a relatively isolated position well away from existing residential dwellings. On this basis, it is considered that there would be no material impact in respect of the residential amenity and privacy of the occupants of surrounding dwellings.

5.19 It is noted that a local resident has raised concern about the impact of the NWCP development upon the residential amenity of the surrounding dwellings.

As set out earlier in this report, the NWCP development is established and has been implemented. It is not possible to revisit the principle of the development at this stage. The impact on residential amenity was considered acceptable at the time that the original application was approved. This proposal would not materially alter the scope of the approval in that regard and as such remains acceptable.

5.20 Transportation and Highway Safety

Access to the site would utilise the existing visitor parking and access arrangements associated with the 'Wild Places' visitor attraction and also implemented in connection with the development of the National Wildlife Conservation Park (NWCP). In this instance, the applicant has indicated that two temporary coach parking spaces will be provided in the 'phase one' car parking area ahead of the implementation of a permanent coach parking facility (for 21 coaches) as part of the 'future phases' of the development so approved. This is considered acceptable in the interim and relates more to the provision of coach parking for the 'Wild Places' development. The Highway Authority finds that the proposal would not have a material impact in Transportation and highway Safety terms; and Highways England do not object to the proposed development.

5.21 Given the scope of the proposal, which would provide an alternative zoological exhibit, there would be no material impact resulting from the change.

5.22 It is noted that a local resident has raised concern about the impact of the NWCP development upon the highway network surrounding dwellings. As set out earlier in this report, the NWCP development is established and has been implemented. It is not possible to revisit the principle of the development at this stage. The impact on the highway network was considered (in considerable detail) and found to be acceptable at the time that the original application was approved. It should be noted that the planning consent is linked to a s106 legal agreement which requires that specific highway improvement and transport measures are provided at the point when visitor numbers exceed a specific trigger level. This proposal is unlikely to result in visitor numbers that would trigger the requirements of the s106; and, this proposal would not materially alter the scope of the approval in that regard and as such remains acceptable.

5.23 Planning Conditions

Planning Permission PT14/4573/RVC contains specific conditions relating to the 'future phase' of development that would come forward as the National Wildlife Conservation Park as it is developed out in the longer term. These conditions should be retained in any approval of this application in order that these requirements remain in place throughout the build out of the approved development.

5.24 However, it is noted that specific ecological information, construction vehicle routing information and temporary coach parking has been submitted to support the development of the Giraffe and Zebra Exhibit as a 'future phase' development. Accordingly, this information will be secured by specific compliance conditions in addition to those conditions included in the extant planning permission.

5.25 The extant condition 39 would also be adjusted to account for the removal of the Congo Tropical Rain Forest exhibit in favour of the Giraffe and Zebra Exhibit.

5.26 Subject to the imposition of the above suggested conditions, it is considered that the proposed development is acceptable.

5.27 Section 106 Legal Agreement

As set out earlier in this report, the proposed alteration to condition 39 and the provision of an alternative zoological exhibit does not alter the scope of the extant planning consent. Accordingly, the s106 agreement allows for such variation to occur and as such the approval of this application would not undermine the scope and principles of the s106 legal agreement.

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 PT14/4573/F is varied subject to the following conditions.

Contact Officer: Simon Penketh
Tel. No. 01454 863433

CONDITIONS

1. The development hereby permitted shall commence no later than 23rd July 2015 other than in compliance with condition 6 below in relation to reserved matters.

Reason

To ensure that development commences before the expiration of five years from the date of planning permission PT08/2900/F; and to comply with the requirements of Section 91 of the Town & Country Planning Act 1990 (as amended).

2. At least 28 days written notification shall be given to the Local Planning Authority of each subsequent phase or phases (other than Phase One) of the development opening to the public.

Reason

To allow the Local Planning Authority to adequately monitor the phasing of the development in order to certainty in relation to conditions 10, 20 and 38 of this planning permission.

Outline Element of Permission

3. No development shall commence post phase 1 (as identified in condition 8 below) until the details of the layout, scale and appearance of the building(s), and the landscaping of the site relating to the elements of the development as shown on drawing number 10104001_001H (Masterplan) (as received by the Council on 19th April 2009) (hereinafter called "the reserved matters") is agreed in writing by the Local Planning Authority.

Reason

These elements of this consent are approved in outline permission and the reserved matters shall be made to the Local Planning Authority

4. Plans and particulars of the reserved matters referred to in condition 3 of this planning permission, and shown on drawing number 10104001_001H (Masterplan) (as received by the Council on 19th April 2009) shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the agreed details.

Reason

These elements of this consent are approved in outline permission and the reserved matters shall be made to the Local Planning Authority

5. Application for approval of the reserved matters shall be made to the Local Planning Authority no later than 23rd July 2015.

Reason

To ensure that reserved matters are submitted before the expiration of five years from the date of planning permission PT08/2900/F; and to comply with the requirements of Section 91 of the Town & Country Planning Act 1990 (as amended).

6. The development hereby permitted shall commence no later than 23rd July 2015, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason

To ensure that reserved matters are submitted before the expiration of five years from the date of planning permission PT08/2900/F; and to comply with the requirements of Section 91 of the Town & Country Planning Act 1990 (as amended).

7. Application for the approval of the reserved matters shall be in accordance with the parameters described in the Design and Access Statement hereby approved.

Reason

To accord with policy CS1 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013

Phase One

8. Phase One Plan

Phase one of the development hereby permitted shall be implemented in accordance with the Phasing Plan (drawing numbered 192301M_PL102 (rev A) as received on 20th February 2015 and 2673.03C as received on 10th March 2015). No development shall take place on the area of the site shown as 'Future Phases' as identified on the agreed Phasing Plan until a further phasing plan or plans for this area of the site has been submitted to and agreed in writing by the Local Planning Authority.

Reason

To ensure that future phasing of the development is properly considered by the Local Planning Authority and is undertaken in a co-ordinated manner and to comply with Policy CS1 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013 and saved Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006

9. Construction Vehicle Routing

Phase 1 of the development (as identified in Condition 8 of this planning permission) hereby approved shall be implemented strictly in accordance with the agreed Construction Vehicle Routing Strategy prepared by Peter Evans Partnership dated November 2014 and received by the Council on 26th November 2014.

Reason

In the interests of highway safety, to accord with Policy CS1 and CS8 of the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013 and saved Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

10. Phase One Car Park Plan

Phase 1 of the development (as identified in Condition 8 of this planning permission) hereby approved shall be implemented strictly in accordance with the agreed Detailed Car Park Plan (drawing Numbered 2673.03C) dated 10th March 2015. For the avoidance of doubt the phase 1, shall be completed prior to any subsequent phase or phases of the development become operational (as confirmed with the Local Planning Authority under condition 2 above) and shall include at least 40 cycle spaces for visitors and 10 cycle spaces for staff in accordance with the agreed Detailed Car Park Plan (drawing Numbered 2673.03C) dated 26th November 2014.

Reason

To ensure adequate parking for all modes of transport is available on site and in the interests of highway safety, to accord with Policy CS1 and CS8 of the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013 and saved Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006

11. Planting/Landscaping Phase One

The planting and landscaping shown on the Detailed Car Park Plan (drawing Numbered 2673.03C) dated 10th March 2015 shall be implemented in the first available planting season following the commencement of the car parking area and associated ground works. Any plants which die or are removed within first three years following the planting being provided shall be replaced as soon as possible and by no later than the next available planting season.

Reason

In the interests of the visual amenity of the site and the surrounding locality and to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan; Core Strategy (adopted) December 2013; and, saved Policy L1 of the South Gloucestershire Local Plan (adopted) January 2006.

12. Ecological Mitigation Strategies

Phase 1 of the development (as identified in Condition 8 of this planning permission) hereby approved shall be implemented strictly in accordance with the agreed Great Crested Newt Mitigation Strategy, Reptile Mitigation Strategy, Hedgehog Mitigation Strategy, Grass Land Mitigation Strategy, Bat Roost Mitigation Strategy and Ecological Monitoring Strategy as detailed in the statement by Wessex Ecological Consultancy (as received by the Council on 26th November 2014).

Reason

To protect the wildlife and the ecological interests of the site in accordance with Policy CS1 and CS9 of the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013 and saved Policies L8 and L9 of the South Gloucestershire Local Plan

13. Phase One Trees Protection

Phase 1 of the development (as identified in Condition 8 of this planning permission) hereby approved shall be implemented strictly in accordance with the agreed Arboricultural Report by Silverback Arboricultural Consultancy Ltd (as received by the Council on 26th November 2014).

Reason

To protect the character and appearance of the area to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan, Core Strategy (Adopted) December 2013 and saved Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006

14. Phase One Drainage

Phase 1 of the development (as identified in Condition 8 of this planning permission) hereby approved shall be implemented strictly in accordance with the agreed Sustainable Drainage System (as shown on drawing numbers 2069-001 and 2069-002) as received by the Council on 21st January 2015. Thereafter the phase 1 development shall be retained as such and maintained in accordance with the Operation and Maintenance Strategy for the Sustainable Drainage System as received by the Council on 21st January 2015.

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with policy CS1 and CS9 of the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013 and saved policies EP2 of the South Gloucestershire Local Plan (Adopted) January 2006

15. External Lighting

No external lighting shall be installed at any time within phase one of the development hereby approved.

Reason

To protect the visual amenity of the site and the residential amenity of the residents of nearby dwellings; and to protect the ecological value of the site and the surrounding locality and to accord with Policy CS1 and CS9 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013 and saved policies L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

16. Phase One Archaeology

No development in relation to phase 1 of the development (as identified in Condition 8 of this planning permission) shall commence until the developer has appointed an archaeological contractor. For the avoidance of doubt the archaeological contractor shall be appointed by the developer not less than three weeks prior to the commencement of any ground disturbance in relation to phase one of the development, and shall afford him or other archaeologist nominated by the Local Planning Authority access at all reasonable times in order to observe the excavations and record archaeological remains uncovered during the construction of the development.

Reason

In the interest of archaeological investigation or recording, and to accord with Policy CS1 and CS9 of the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013 and saved policy L11 of the South Gloucestershire Local Plan (Adopted) January 2006.

Future Phases

17. Future Phasing Plan

No development shall commence post phase 1 (as identified in condition 8 above) until a further phasing plan or plans relating to the future phase or phases of the development hereby approved has been submitted to and agreed writing by the local planning authority. Development thereafter shall accord with the phasing plan so approved.

Reason

To ensure that future phasing of the development is properly considered by the Local Planning Authority and is undertaken in a co-ordinated manner and to comply with to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan, Core Strategy, saved policies L1, L8, L9, L10, L11, L13, EP2 of the South Gloucestershire Local Plan, Policy One of the Joint Waste Core Strategy and saved policy 37 of the South Gloucestershire Waste Local Plan.

18. Detailed Construction Vehicle Routing Plan

No development post phase 1 shall commence until a Construction Vehicle Routing Strategy for the future phase or phases (as identified in condition 17 above) has been submitted to and approved in writing by the Local Planning Authority. There after the development shall be implemented in accordance with the agreed details and retained as such.

Reason

In the interests of highway safety, to accord with Policy CS1 and CS8 of the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013 and saved Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006

19. Detailed Car Parking

No development post phase 1 shall commence until a detailed car park plan, including a future phasing plan for creation of post phase 1 car parking for each future phase or phases (as shown on drawing Numbered 2673.03C dated 10th March 2015) has been submitted to and approved in writing by the Local Planning Authority. There after the development shall be implemented in accordance with the agreed details and retained as such.

Reason

To ensure adequate parking for all modes of transport is available on site and in the interests of highway safety, to accord with Policy CS1 and CS8 of the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013 and saved Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006

20. Coach Parking Phasing Plan

Prior to the approved development first opening to the public details showing the phasing of the introduction of coach parking to serve the development (in accordance with Condition 17 above) shall be submitted to and agreed in writing by the Local Planning Authority. For the avoidance of doubt, there shall be a minimum of 21 coach parking spaces made available to serve the development prior to the opening of the final phase of development to the general public (as confirmed with the Local Planning Authority under condition 2 above) in accordance with the details shown on the drawing numbered 2673.03C (inset named Proposed Car Park Phasing). Thereafter the development shall be retained in accordance with the agreed details

Reason

To ensure adequate parking for all modes of transport is available on site and in the interests of highway safety, to accord with Policy CS1 and CS8 of the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013 and saved Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

21. Sustainable Drainage System

No development post phase 1 shall commence until detailed proposals incorporating Sustainable Drainage Systems (SUDS) and confirmation of hydrological conditions (e.g. soil permeability, watercourses, mining culverts) for each subsequent phase or phases (as identified in condition 17 above) of development within the site has been submitted to and approved in writing by the Local Planning Authority. Development for each phase shall be carried out in accordance with the approved details and thereafter retained as such.

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with policy CS1 and CS9 of the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013 and saved policies EP2 of the South Gloucestershire Local Plan (Adopted) January 2006

22. Waste Audit

No development post phase 1 shall commence until detailed until a Site Waste Audit has been submitted to and approved in writing by the Local Planning Authority for each subsequent phase or phases (as identified in condition 17 above). Thereafter, the development shall be implemented thereafter in accordance with the approved Site Waste Audit.

Reason

To ensure that the proposals include satisfactory waste management and accord with Policy One of the Joint Waste Core Strategy (adopted) 2012 and saved policy 37 of the South Gloucestershire Waste Local Plan (adopted) 2002

23. Blackhorse Wood

No development post phase 1 shall commence until a woodland management plan, to cover Blackhorse Wood ancient woodland and SNCI (and any other adjoining woodland landholdings) shall be submitted and approved in writing by the Local Planning Authority. Thereafter the development shall proceed in accordance with the agreed woodland management plan.

Reason

To protect the wildlife and the ecological interests of the site in accordance with Policy CS1 and CS9 of the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013 and saved Policies L8 and L9 of the South Gloucestershire Local Plan (adopted) January 2006.

24. Great Crested Newts

No development post phase 1 shall commence until a mitigation strategy for Great Crested Newts for each subsequent phase or phases (as identified in condition 17 above) has been submitted to and agreed in writing by the Local Planning Authority. For the avoidance of doubt, the Great Crested Newt mitigation strategy shall include details of any and all works subject to European species licensing provisions under Regulation 44 of the Habitat Regulations 1994. Thereafter the development shall proceed in accordance with the Great Crested Newt Mitigation Strategy for each phase of development and shall be retained as such.

Reason

To protect the wildlife and the ecological interests of the site in accordance with Policy CS1 and CS9 of the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013 and saved Policy L9 of the South Gloucestershire Local Plan (adopted) January 2006.

25. Reptiles

No development post phase 1 shall commence until a mitigation strategy for reptiles (grass snakes and slow-worms) for each subsequent phase or phases (as identified in condition 17 above) has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall proceed in accordance with the agreed reptile mitigation strategy.

Reason

To protect the wildlife and the ecological interests of the site in accordance with Policy CS1 and CS9 of the South Gloucestershire Local Plan, Core Strategy (adopted)

December 2013 and saved Policy L9 of the South Gloucestershire Local Plan (adopted) January 2006

26. Hedgehogs
No development post phase 1 shall commence until a mitigation strategy for hedgehogs for each subsequent phase or phases (as identified in condition 17 above) has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall proceed in accordance with the agreed hedgehog mitigation strategy.

Reason

To protect the wildlife and the ecological interests of the site in accordance with Policy CS1 and CS9 of the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013 and saved Policy L9 of the South Gloucestershire Local Plan (adopted) January 2006.

27. Tree Top Walkway and Boardwalk
No development for the treetop walkway (exhibit E6) and boardwalk (exhibit E4) shall commence until a working methodology statement has been submitted to and agreed in writing by the Local Planning Authority in respect of those exhibits. For the avoidance of doubt a sample section of timber walkway and tree-top walkway shall be erected in accordance with the approved methodology statement within the woodland for written approval by the Local Planning Authority prior to the full construction of the walkways in exhibits E6 and E4. The agreed sample section shall be retained for reference purposes for the duration of the relevant works. Thereafter the development shall proceed in accordance with the agreed working methodology.

Reason

To protect the wildlife and the ecological interests of the site in accordance with Policy CS1 and CS9 of the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013 and saved Policies L8 and L9 of the South Gloucestershire Local Plan (adopted) January 2006.

28. Grass Land Strategy
No development post phase 1 shall commence until a grassland strategy has been submitted to and agreed in writing by the Local Planning Authority. For the avoidance of doubt the grassland strategy shall demonstrate the method of establishing new areas of species-rich grassland (lowland hay meadows) on the pasture surrounding the Hollywood tower monument (in accordance with document NWCP SNCI Management & Offset forming part of PT08/2900/F) and to include details of the working methodology (seed mix, soil type and preparation etc) and the grassland management regime. Thereafter the development shall proceed in accordance with the agreed grassland creation strategy.

Reason

To protect the wildlife and the ecological interests of the site in accordance with Policy CS1 and CS9 of the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013 and saved Policies L8 and L9 of the South Gloucestershire Local Plan (adopted) January 2006.

29. Scrubland Strategy (exhibit E4)

No development relating to exhibit E4 shall commence until a strategy to create an area of scrubland within exhibit E4 (that part adjoining the emergency access and eastern site boundary and in accordance with document NWCP SNCI Management & Offset forming part of PT08/2900/F) has been submitted to and agreed in writing by the Local Planning Authority. For the avoidance of doubt the strategy shall include a native shrub species mix and planting plan. Thereafter the development shall proceed in accordance with the agreed scrubland creation strategy and retained as such.

Reason

To protect the wildlife and the ecological interests of the site in accordance with Policy CS1 and CS9 of the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013 and saved Policies L8 and L9 of the South Gloucestershire Local Plan (adopted) January 2006

30. Bat Roosts

No development post phase 1 shall commence until a strategy for creating a series of purpose-built bat roosts for each phase or phases in accordance with condition 17 above has been submitted to and agreed in writing by the Local Planning Authority. For the avoidance of doubt the strategy should include details of the design and siting of the roost(s), the timing of construction and materials used. Thereafter the development shall proceed in accordance with the agreed bat roost creation strategy

Reason

To protect the wildlife and the ecological interests of the site in accordance with Policy CS1 and CS9 of the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013 and saved Policies L8 and L9 of the South Gloucestershire Local Plan (adopted) January 2006

31. Ecological Monitoring Strategy

No development post phase 1 shall commence until an ecological monitoring strategy and programme of all species/ecological works for each subsequent phase or phases in accordance with condition 17 above be submitted to and agreed in writing by the local planning authority. For the avoidance of doubt the monitoring strategy shall identify the method for the continued review of the monitoring strategy and the frequency of the monitoring to take place and monitoring shall be carried out for a minimum period of 5 years following completion of phase. Thereafter the development shall proceed in accordance with the agreed ecological monitoring strategy.

Reason

To protect the wildlife and the ecological interests of the site in accordance with Policy CS1 and CS9 of the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013 and saved Policies L8 and L9 of the South Gloucestershire Local Plan (adopted) January 2006

32. Foul Drainage Exhibit E4

No development shall commence in relation to Exhibit E4 (British Ancient Woodland) until a working methodology statement for the construction of the foul drain within exhibit E4 has been submitted to and agreed in writing by the Local Planning Authority to safeguard the ancient woodland/SNCI habitat (Blackhorse Wood). Thereafter the development shall proceed in accordance with the agreed details.

Reason

To safeguard the ancient woodland/SNCI habitat (Blackhorse Wood) in the interests of the wildlife and the ecological interests of the site in accordance with Policy CS1 and CS9 of the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013 and saved Policies L8 and L9 of the South Gloucestershire Local Plan (adopted) January 2006.

33. Enclosures and Fencing E4 and E8

No development shall commence in relation to Exhibit E4 (British Ancient Woodland) and E8 (Sumatra Rain Forest) until a working methodology statement for the construction of the enclosures/exhibit fencing and buildings of the exhibits E4 and E8 has been submitted to and agreed by the Council in writing. Thereafter the development shall proceed in accordance with the agreed details.

Reason

To protect the wildlife and the ecological interests of the site in accordance with Policy CS1 and CS9 of the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013 and saved Policies L8 and L9 of the South Gloucestershire Local Plan (adopted) January 2006.

34. Tree/Hedgerow Protection

No development post phase 1 shall commence for each subsequent phase or phases (as identified in condition 17 above) until full details of protective fencing for all retained trees, hedges and any other vegetation within each subsequent phase of development has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, all protective fencing shall accord with BS5837 and the agreed fencing shall be retained during the relevant construction period of each phase of the development post phase 1.

Reason

To protect the character and appearance of the area to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan, Core Strategy (Adopted) December 2013 and saved Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006

35. Archaeology

No development post phase 1 shall commence for each subsequent phase or phases in accordance with condition 17 above until the developer has appointed an archaeological contractor. For the avoidance of doubt the archaeological contractor shall be appointed by the developer not less than three weeks prior to the commencement of any ground disturbance associated with each future phase of the development, and shall afford him or other archaeologist nominated by the Local Planning Authority access at all reasonable times in order to observe the excavations and record archaeological remains uncovered during the construction of the development.

Reason

In the interest of archaeological investigation or recording, and to accord with policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013 and saved policy L11 of the South Gloucestershire Local Plan (Adopted) January 2006.

36. Archaeology (exhibits E2 and E12)

No development shall commence in relation to Exhibits E2 and E12, including associated infrastructure, paths, drainage and services, until a detailed survey of the surviving remains of the historic garden features has been carried out and submitted to and agreed in writing by the Local Planning Authority. For the avoidance of doubt the survey information shall include a scheme of mitigation for the impacts of the proposed development upon Exhibits E2 and E12 and shall include detailed drawings and sections showing Exhibits E2 and E12 and the necessary infrastructure. Plans at a scale of no less than 1: 100 should show the historic garden features in relation to the proposed development including infrastructure and services runs and associated areas of ground disturbance. Thereafter the development shall proceed in accordance with the agreed details.

Reason

In order to ensure the adequate protection of historic garden remains, and to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan, Core Strategy and saved Policies L10 and L11 of the South Gloucestershire Local Plan (Adopted) January 2006.

37. External Lighting

No development post phase 1 shall commence until details of any floodlighting and external illuminations relating to each future phase or phases (as identified in condition 17 above) of the development, including measures to control light spillage; or confirmation that no such lighting is to be installed in relation to each future phase have been submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall proceed in accordance with the agreed details.

Reason

To minimise disturbance to nearby occupiers and to accord with Policy CS1 of the South Gloucestershire Local Plan, Core Strategy (Adopted) December 2013.

38. Opening Hours

The standard opening hours of the Development hereby approved shall be between the hours of 1000 and 1800 between the months of March and October and between the hours of 1000 and 1630 between the months of November and February.

Reason

To protect the visual amenity of the site and the residential amenity of the residents of nearby dwellings; and to protect the ecological value of the site and the surrounding locality and to accord with Policy CS1 and CS9 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013 and saved policies L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

39. Future Phase Giraffe and Zebra Exhibit (E7)

Construction Vehicle Routing Strategy.

The 'future phase' Giraffe and Zebra Exhibit as shown on drawings

Giraffe House Floor Plan - dwg no: 26251/001 Rev F
Giraffe House Elevs - dwg no: 26251/002 Rev D

as received by the Local Planning Authority on 25th July 2016

Basecase Master Plan - dwg no: 193201R_MP_001 Rev B LR
Phase 1 and 2 Detailed Car Park Plan - dwg no: 2673.05D Rev B

as received by the Local Planning Authority on 28th October 2016

shall be implemented strictly in accordance with the Construction Vehicle Routing Strategy (by Peter Evans Partnership) as received by the Local Planning Authority on 22nd July 2016.

Reason

In the interests of highway safety, to accord with Policy CS1 and CS8 of the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013 and saved Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006

40. Ecological Strategies

The 'future phase' Giraffe and Zebra Exhibit as shown on drawings

Giraffe House Floor Plan - dwg no: 26251/001 Rev F
Giraffe House Elevs - dwg no: 26251/002 Rev D

as received by the Local Planning Authority on 25th July 2016

Basecase Master Plan - dwg no: 193201R_MP_001 Rev B LR
Phase 1 and 2 Detailed Car Park Plan - dwg no: 2673.05D Rev B

as received by the Local Planning Authority on 28th October 2016

shall be implemented strictly in accordance with the Ecological Report and Mitigation Strategies identified in the document 'Giraffe House, The Wild Place Project - Phase 2 Ecological Condition 12 (prepared by Wessex Ecological Consultancy) as received by the Local Planning Authority on 22nd July 2016.

Reason

To protect the wildlife and the ecological interests of the site in accordance with Policy CS1 and CS9 of the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013 and saved Policies L8 and L9 of the South Gloucestershire Local Plan

41. Woodland Management Plan

The 'future phase' Giraffe and Zebra Exhibit as shown on drawings

Giraffe House Floor Plan - dwg no: 26251/001 Rev F
Giraffe House Elevs - dwg no: 26251/002 Rev D

as received by the Local Planning Authority on 25th July 2016

Basecase Master Plan - dwg no: 193201R_MP_001 Rev B LR

Phase 1 and 2 Detailed Car Park Plan - dwg no: 2673.05D Rev B

as received by the Local Planning Authority on 28th October 2016

shall be implemented strictly in accordance with the Woodland Management Plan (Forestry Commission) as received by the Local Planning Authority on 22nd July 2016.

Reason

To protect the wildlife and the ecological interests of the site in accordance with Policy CS1 and CS9 of the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013 and saved Policies L8 and L9 of the South Gloucestershire Local Plan (adopted) January 2006.

42. Bat Survey and Mitigation

The 'future phase' Giraffe and Zebra Exhibit as shown on drawings

Giraffe House Floor Plan - dwg no: 26251/001 Rev F

Giraffe House Elevs - dwg no: 26251/002 Rev D

as received by the Local Planning Authority on 25th July 2016

Basecase Master Plan - dwg no: 193201R_MP_001 Rev B LR

Phase 1 and 2 Detailed Car Park Plan - dwg no: 2673.05D Rev B

as received by the Local Planning Authority on 28th October 2016

shall be implemented strictly in accordance with the Bat Mitigation Strategy Rev 2 (Clark Webb Ecology Limited) as received by the Local Planning Authority on 22nd July 2016.

Reason

To protect the wildlife and the ecological interests of the site in accordance with Policy CS1 and CS9 of the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013 and saved Policies L8 and L9 of the South Gloucestershire Local Plan (adopted) January 2006.

43. Arboricultural Report

The 'future phase' Giraffe and Zebra Exhibit as shown on drawings

Giraffe House Floor Plan - dwg no: 26251/001 Rev F

Giraffe House Elevs - dwg no: 26251/002 Rev D

as received by the Local Planning Authority on 25th July 2016

Basecase Master Plan - dwg no: 193201R_MP_001 Rev B LR

Phase 1 and 2 Detailed Car Park Plan - dwg no: 2673.05D Rev B

as received by the Local Planning Authority on 28th October 2016

shall be implemented strictly in accordance with the Arboricultural Report (Silverback Arboricultural Consultancy Ltd) as received by the Local Planning Authority on 22nd July 2016.

Reason

To protect the character and appearance of the area to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan, Core Strategy (Adopted) December 2013 and saved Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

44. Drainage Strategy

The 'future phase' Giraffe and Zebra Exhibit as shown on drawings

Giraffe House Floor Plan - dwg no: 26251/001 Rev F

Giraffe House Elevs - dwg no: 26251/002 Rev D

as received by the Local Planning Authority on 25th July 2016

Basecase Master Plan - dwg no: 193201R_MP_001 Rev B LR

Phase 1 and 2 Detailed Car Park Plan - dwg no: 2673.05D Rev B

as received by the Local Planning Authority on 28th October 2016

shall be implemented strictly in accordance with the Drainage Strategy(Fenton Halloway) as received by the Local Planning Authority on 22nd July 2016.

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with policy CS1 and CS9 of the South Gloucestershire Local Plan, Core Strategy (adopted) December 2013 and saved policies EP2 of the South Gloucestershire Local Plan (Adopted) January 2006

45. Plans

Plans

The development shall proceed strictly in accordance with the following plans;

Site location plan

Existing topography

Topographic Survey Drawing 1 of 2

Topographic Survey Drawing 2 of 2

Topography survey 1 of 5- dwg no: BRISTOLZOO-B.DWG B

Topography survey 2 of 5- dwg no: BRISTOLZOO-B.DWG B

Topography survey 3 of 5- dwg no: BRISTOLZOO-B.DWG B

Topography survey 4 of 5- dwg no: BRISTOLZOO-B.DWG B

Topography survey 4 of 5- dwg no: BRISTOLZOO-B.DWG B

Topography survey 5 of 5- dwg no: BRISTOLZOO-B.DWG B

Surface Water Attenuation Area A- dwg no: 122218 CX-SK-20 02

Surface Water Attenuation Area B- dwg no: 122218 CX-SK-21 02

Existing Surface Water Layout- dwg no: 122218 CX-SK-02 03
Ground Investigation Layout- dwg no: 122218 CX-SK-03 02
Existing Services Layout- dwg no: 122218 CX-SK-01 04
Proposed Escarpment Drainage Layout- dwg no: 122218 CX-SK-22 02
Proposed Escarpment Foul Drain Profile and Cross Sections: dwg no: 122218 CX-SK-23 02
Proposed Foul Water Drainage Layout- dwg no: 122218 CX-SK-04 04
Proposed Surface Water Catchment Areas: dwg no: 122218 CX-SK-05 05
Proposed Surface Water Drainage Layout- dwg no: 122218 CX-SK-06 05
Proposed Overland Flood Routes- dwg no: 122218 CX-SK-07 05
Proposed Drainage Details Sheet 1- dwg no: 122218 CX-SK-24 02
Proposed Drainage Details Sheet 2 -dwg no: 122218 CX-SK-25 02
Proposed Drainage Details Sheet 3- dwg no: 122218 CX-SK-26 01
Escarpment Road Layout- dwg no: 122218 CH-SK-002 05
Escarpment Road Vertical Alignment and Cross Sections- dwg no: 122218 CH-SK-003 03
Main Park Access Roads Layout- dwg no: 122218 CH-SK-0Q4 01
Typical Cross Sections Through Access Roads and Swales- dwg no: 122218 CX-SK-08 03
Proposed Electricity Supply Network: dwg no: 122218 CX-SK-09 04,
Proposed Heating Cluster Network- dwg no: 122218 CX-SK-11 04
Proposed Communications Network- dwg no: 12218 CX-SK-13 04
Proposed Fire Fighting Strategy and Water Supply Network- dwg no: 122218 CX-SK-15 02
Masterplan Landscape Framework- dwg no: 10104001_02 Rev D
Landscape Infrastructure Components Access and Parking Zone- dwg no: 10104001-101
Landscape Infrastructure Components Visitor Village and Corporate Zones- dwg no:10104001-102
Landscape Infrastructure Components Upper Plateau- dwg no: 10104001-103
Landscape Infrastructure Components Lower Slopes West- dwg no: 10104001-107 A
Landscape Infrastructure Components Woodland Exhibits- dwg no: 10104001-106 A
Landscape Infrastructure Components Woodland Conservation Zone- dwg no:10104001-105A
Landscape Infrastructure Components Lower Slopes East- dwg no: 1014001-108
Landscape Infrastructure Finishes Key Plan and Typical Sections- dwg no:10104001_005 B
Landscape Infrastructure Components Historic Landscape Zone- dwg no: 10104001-104
Landscape Infrastructure Visitor Node Details- dwg no: 10104001-006 B
E1 Arrival Drive Through General Arrangement- dwg no: 10104001-E01A
E1 Arrival Drive Through Elevations- dwg no: 10104001-302
E2- Georgia Wetlands- Timber Walkway Masterplan-dwg no: 6135 AD 0104
E2 Georgia Wetlands- Crane Reach Buildability Masterplan-dwg no: 6135 AD 0105
E2 Georgia Wetlands- Section AA- dwg no; 6135 AD 0201
E2-Georgia Wetlands- Section BB- dwg no: 6135 AD 0202
E2 Georgia Wetlands Existing Layout Masterplan- dwg no: 6135 AD 0102
E2 Georgia Wetlands Existing vs New Water Masterplan- dwgno: 6135 AD 0103
E3 Costa Rica Elevations Masterplan-dwg no: E3/KEA2748/ELEV/21
E3 Costa Rica Internal Views Basecase- dwg no: E3/KEA2748A/IEW/20
E3 Costa Rica Elevations Masterplan-dwg no: E3/KEA2748/ELEV/19 A

E3 Costa Rica Exhibit Plan Masterplan-dwg no: E3/KEA2748/PLAN/18 A
E3 Costa Rica Site/Roof Plan Masterplan- dwg no: E3/KEA2748/PLAN/17 A
E3 Costa Rica Sketch Section Basecase- dwg no: E3/KEA2748/SECTION/14
E3 Costa Rica Entrance View Basecase- dwg no: E3/KEA2748/3DVIEW/16
E3 Costa Rica Internal Circulation Basecase- dwg no: E3/KEA2748/PLAN/12 A
E4- Ancient British Woodland Existing GA Basecase/Masterplan- dwg no: 6136 AD 0106
E4- Ancient British Woodland Drainage Landscape Proposals Basecase- dwg no: 6136 AD 0105
E4- British Ancient Woodland Exhibit Sections- dwg no: 6136 AD 0201
E4 British Ancient Woodland Exhibit Roof GA Basecase- dwg no: 6136 AD 0102
E4- British Ancient Woodland Tree Protection Barrier Detail- dwg no: 6136 AD 0402
E4 British Ancient Woodland- Ranger Station Landscape Proposals Plan- dwg no: 6136 BD 0101
E4 British Ancient Woodland- Ranger Station Sections AA and BB -dwg no: 6136 BD 0201 A
E4 British Ancient Woodlands Ranger Stations Elevations- dwg no: 6136 BD 0301
E4 British Ancient Woodland Tree Protection Plan-dwg no: 6136 BD 0102
E4 Ancient British Woodland Ranger Station Basecase- dwg no: 6136 BD 0103
E4 British Ancient Woodland Ranger Station Montage- dwg no: 6136 BD 0502
E4 British Ancient Woodland Montage 2-dwg no: 6136 BD 0503
E4 British Ancient Woodland Basecase Bear and Wolf House Plans-dwg no: 6136 CD0101
E4 British Ancient Woodlands Bear and Wolf House Sections- dwg no; 6136 CD 0201
E4 British Ancient Woodlands Animal Houses Type 2 Wolf- Elevations- dwg no: 6136CD 0301
E4 British Ancient Woodland Animal Houses Type 1 Bear-Elevations- dwg no; 6136CD 0302
E4 British Ancient Woodland Timber Walkway Section Bear and Wolf Enclosures-dwg no: 6136 DD 0201
E4 British Ancient Woodland Timber Walkway Sections Bear and Wolf Enclosures dwg no: 6136 DD 0202
E4 British Ancient Woodland Raised Viewing Hide Section and Elevations Bear and Wolf Enclosure -dwg no: 6136 DD 0203
E4 British Ancient Woodland Timepod- dwg no; 6136 DD 0205
E4 British Ancient Woodland Ground level path Section- dwg no: 6136 DD 0206
E4 British Ancient Woodland Raised Hide Montage- dwg no: 6136 DD 0501
E4 British Ancient Woodland Keepers Facilities Plan and Section -dwg no: 6136 ED 0101
E4 British Ancient Woodland Keeper's Facilities Elevations- dwg no; 6136 ED 0301
E6 Forest Walkway Basecase Tower C Foundation General Arrangement- dwg no: 6138 AD 0103 A
E6 Forest Walkway Basecase Tower C Foundation General Arrangement- dwg no; 6138 AD 0104
E6 Forest Walkway Basecase West Elevation- dwg no; 6138 AD 0301
E6 Forest Walkway Basecase East Elevation- dwg no; 6138 AD 0302
E6 Forest Walkway North Elevation dwg no. 6138 AD 0303
E6 Forest Walkway Montage1 dwg no: 6138 AD 0502
E6 Forest Walkway Montage 2-dwg no: 6138 AD 0503
E6 Forest Walkway 3D CAD Model- dwg no: 6138 AD 0504
E6 Forest Walkway Montage- dwg no: 6138 AD 0505

E6 Forest Walkway Tower ABC Foundation General Arrangement- dwg no; 6138 AD 0105 A
 E8 Sumatra Rainforest Tree Protection Plan Exhibit GA Basecase- dwg no: 6140 AD 0105 A
 E8 Sumatra Rainforest Basecase Landscape Proposal Plan- Exhibit GA Basecase dwg no: 6140 AD 0106
 E8 Sumatra Rainforest Existing Basecase-dwg no: 6140 AD 0107
 E8 Sumatra Rainforest Ranger Station Exhibit Sections- dwg no: 6140 AD 0201
 E8 Sumatra Rainforest Photomontage 1- dwg no: 6140 AD 0501
 E8 Sumatra Rainforest Ranger Station plan Basecase -dwg no: 6140 BD 0101
 E8 Sumatra Rainforest Ranger Station Roof Plan Basecase- dwg no: 6140 BD 0102
 E8 Sumatra Rainforest Ranger Station Sections Basecase- dwg no: 6140 BD 0201
 E8 Sumatra Rainforest Ranger Station Elevations Basecase- dwg no: 6140 BD 0302
 E8 Sumatra Rainforest Exhibit GA Basecase- dwg no: 6140 AD 0101
 E8 Sumatra Rainforest Exhibit GA Roof plan Basecase -dwg no: 6140 AD 0103
 E8 Sumatra Rainforest Lar Gibbon House Basecase- dwg no: 6140 CD 0101
 E8 Sumatra Rainforest Lar Gibbon Roof Plan Basecase- dwg no: 6140 CD 0102
 E8 Sumatra Rainforest Lar Gibbon House Section Basecase- dwg no: 6140 CD 0201
 E8 Sumatra Rainforest Lar Gibbon House Elevations Basecase -dwg no: 6140 CD 0303
 E8 Sumatra Rainforest Tapir House Plan Basecase- dwg no: 6140 DD 0101
 E8 Sumatra Rainforest Tapir House Roof Plan Basecase- dwg no: 6140 DD 0102
 E8 Sumatra Rainforest Tapir House Section Basecase- dwg no: 6140 DD 0201
 E8 Sumatra Rainforest Tapir Hose Elevations Basecase- dwg no: 6140 DD 0301
 E8 Sumatra Rainforest Tiger House Plan Basecase- dwg no: 6140 ED 0101
 E8 Sumatra Rainforest Tiger House Roof Plan Basecase- dwg no: 6140 ED 0102
 E8 Sumatra Rainforest Tiger House Section B Basecase -dwg no: 6140 ED 0203
 E8 Sumatra Rainforest Tiger House Elevations Basecase- dwg no: 6140 ED 0303
 E8 Sumatra Rainforest Exhibit GA Masterplan -dwg no: 6140 AD 0102 A
 E8 Sumatra Rainforest Orang-utan House Ground Floor Plan Masterplan-dwg no:6140 FD 0101
 E8 Sumatra Rainforest- Orang-Utan House Photomontatge 1- dwg no: 6140 FD 0502
 E8 Sumatra Rainforest Section Organ-Utan context section- dwg no: 6140 FD 0202
 E8 Sumatra Rainforest Orang-Utan House Elevations- dwg no: 6140 FD 0301
 E8 Sumatra Rainforest Orang-Utan 1st Floor Plan Masterplan - dwg no: 6140 FD 0102
 E8 Sumatra Rainforest Orang-Utan House Roof Plan Masterplan- dwg no: 6140 FD 0103
 E8 Sumatra Rainforest Tree Protection Barrier Detail- dwg no: 6140 AD 0402
 E9 Tanzania Savannah Sections A and B- dwg no: 6141 AD 0201
 E9 Tanzania Savannah Tree Protection Barrier Detail- dwg no: 6141 AD 0402
 E9 Tanzania Savannah Exhibit Layout- dwg no: 6141 AD 0101
 E9 Tanzania Savannah Masterplan Existing -dwg no: 6141 AD 0102
 E10 Nepal Grasslands Exhibit General Arrangement Masterplan- dwg no: 6142 AD 0101
 E10 Nepal Grasslands Masterplan Existing-dwg no: 6142 AD 0102
 E10 Nepal Grasslands Masterplan Sections A and B- dwg no: 6142 AD 0201
 E10 Nepal Grasslands Tree Protection Barrier Detail -dwg no: 6142 AD 0402
 E11 Indian Oceans Site Context Plan Basecase-dwg no: E11/KEA2748/PLAN/1020 B
 E11 Indian Oceans Site Plan Basecase-dwg no: E11/KEA2748/PLAN/1038
 E11 Indian Oceans Elevations Basecase- dwg no: E11/KEA2748/ELEV/1039

E11 Indian Oceans Upper Level (Ground) Plan Basecase- dwg no:
 E11/KEA2748/PLAN/1021 B,
 E11 Indian Oceans Lower Level (Basement) Plan Basecase- dwg no:
 E11/KEA2748/PLAN/1 022 B
 E11 Indian Oceans Elevations in Context of Treescape Basecase- dwg no:
 E11/KEA2748/ELEV/1023 B
 E11 Indian Oceans 3D View-dwg no: E11/KEA/2748A/IEW/1025
 E11 Indian Oceans 3D View-dwg no: E11/KEA/2748A/IEW/1026
 E11 Indian Oceans Landscape- dwg no: E11/KEA/2748/LAND/1027
 E11 Indian Oceans Landscape- dwg no: E11KEA/2748/LAND/1028
 E11 Indian Oceans Landscape-dwg no: E11KEA/2748/LAND/1029
 E11 Indian Oceans Landscape -dwg no: E11KEA/2748/LAND/1030
 E11 Indian Oceans Landscape- dwg no: E11KEA/2748/LAND/1031
 E11 Indian Oceans Section Showing Appearance and Proposed Materials
 Basecasedwg no: E11/KEA2748/SECTION/1024 B
 E12 British Habitats Elevations- dwg no: 01014001-312
 E12 British Habitats General Arrangement- dwg no: 1Q104001-E12 A
 E13 China Montane Forest Exhibit Layout Masterplan- dwg no: 6143 AD 0101
 E13 China Montane Forest Exhibit Sections- dwg no: 6143 AD 0201
 E13 China Montane Forest Tree Protection Barrier Detail- dwg no: 6143 AD 0401
 E14 Conservation Breeding Centre Exhibit Layout Masterplan- dwg no: 6144 AD 0101
 E14 Conservation Breeding Centre Existing Basecase and Masterplan- dwg no: 6144
 AD 0102
 E14 Conservation Breeding Centre- Elevation and Section Masterplan- dwg no: 6144
 AD 0201
 E14 Conservation and Breeding Centre Tree Protection Barrier Detail- dwg no: 6144
 AD 0402
 E16 Animal Hospital Sections Basecase and Masterplan-dwg no: 6131 AD 0201
 E16 Animal Hospital Photomontage 1- dwg no: 6131 AD 0504
 E16 Animal Hospital Photomontage 2- dwg no: 6131 AD 0505
 E16 Animal Hospital Photomontage 3-dwg no: 6131 AD 0506
 E16 Animal Hospital Elevations Basecase- dwg no: 6131 AD 0303
 E16 Animal Hospital General Arrangement Masterplan-dwg no: 6131 AD 0105
 E16 Animal Hospital General Arrangement Roof Masterplan- dwg no: 6131 AD 0106
 E16 Animal Hospital GA Roof Plan Basecase- dwg no: 6131 AD 0108
 E16 Animal Hospital General Arrangement Basecase -dwg no: 6131 AD 0110
 E16 Animal Hospital Elevation Masterplan-dwg no: 6131 AD 0302
 E16 Animal Hospital Existing Plan - dwg no: 6131 AD 0111
 E18b Forest Activities General Arrangements- dwg no: 10104001- E18 A
 E18B Forest Activities Elevations- dwg no: 10104001-322 B
 E21 Amphitheatre Sections Basecase- dwg no: E21/KEA2748/SECTION/2023 B
 E21 Amphitheatre Basecase Elevations -dwg no: E21/KEA2748/ELEV/2022 B
 E21 Amphitheatre Roof Plan Basecase- dwg no: E21/KEA2748/PLAN/2021 B
 E21 Amphitheatre Site Plan Basecase -dwg no: E21/KEA2748/PLAN/2020 B
 E21 Amphitheatre 3D Views -dwg no: E21KEA/2748/VIEW/2019
 E21 Amphitheatre Sections Masterplan-dwg no: E21/KEA2748/SECTION/2018 B
 E21 Amphitheatre Elevations Masterplan-dwg no: E21/KEA2748/ELEV/2017 B
 E21 Amphitheatre Roof Plan Masterplan-dwg no: E21/KEA2748/PLAN/2016 B
 E21 Amphitheatre Site Plan Masterplan-dwg no: E2iyKEA2748/PLAN/2015B
 E21 Amphitheatre Basecase Elevations -dwg no: E21/KEA2748/ELEV/2026
 E21 Amphitheatre Elevations Masterplan-dwg no: E21/KEA2748/ELEV/2025

E21 Amphitheatre Landscape- dwg no: E21KEA/2748/LAND/2024
E23 Model Farm and Rural Crafts Existing Site Plan-dwg no: E23-QD-E-11
E23 Model Farm Buildings Survey Ground Floor Plan-dwg no: E23-QD-E-20
E23 Model Farm Buildings Survey First Floor Plan- dwg no: E23-QD-E-21
E23 Model Farm Buildings Existing GF Plan Area A-dwg no: E23-QD-EA-22
E23 Model Farm Buildings Existing GF Plan Area B- dwg no: E23-QD-EB-23
E23 Model Farm Buildings Existing GF Plan Area C-dwg no:E23-QD-EC-24
E23 Model Farm Buildings Existing GF Plan Area D- dwg no: E23-QD-ED-25
E23 Model Farm Buildings and Rural Crafts- Existing GF Plan Area E- dwg no: E23-QD-EE-26
E23 Model Farm Buildings and Rural Crafts- Existing GF Plan Area F- dwg no: E23-QD-EF-27
E23 Model Farm Buildings Existing FF Plan Area B-dwg no: E23-QD-E8-28
E23 Model Farm Buildings and Rural Crafts Existing FF Plan Area F-dwg no: E23-QDEF-29
E23 Model Farm Area A Proposed GA Plans- dwg no: E23-QD-PA-22
E23 Model Farm Area B Proposed GA Plans-dwg no:E23-QD-PB-23
E23 Model Farm Buildings Proposed GF Plan Area C- dwg no; E23-QD-PC-24
E23 Model Farm Area D Proposed GA Plans-dwg no: E23-QD-PD-25
E23 Model Farm Buildings and Rural Crafts Proposed GF Plan Area E- dwg no: E23-QD-PE-26
E23 Model Farm Buildings and Rural Crafts Proposed GF Plan Area F-dwg no: E23-QD-PF-27
E23 Model Farm Buildings Proposed FF Plan Area B-dwg no: E23-QD-PB-28
E23 Model Farm Buildings and Rural Crafts Proposed FF Plan Area F- dwg no: E23-QD-PF-29
E23 Model Farm Buildings Existing Section -dwg no: E23-QD-E-60
E23 Model Farm Buildings Proposed Section-dwg no: E23-QD-P-60
E23 Model Farm Buildings Existing Elevation 1- dwg no: E23-QD-E-70
E23 Model Farm Buildings Existing Elevation 2-dwg no: E23-QD-E-71
E23 Model Farm Buildings and Rural Crafts Existing Elevation 3- dwg no: E23-QD-E-72
E23 Model Farm Buildings and Rural Crafts Existing Elevation 4- dwg no: E23-QD-E-73
E23 Model Farm Buildings and Rural Crafts Existing Elevation 5- dwg no: E23-QD-E-74
E23 Model Farm Buildings and Rural Crafts Existing Elevation 6-dwg no: E23-QD-E-75
E23 Model Farm Buildings Existing Elevation 7 -dwg no: E23-QD-E-76
E23 Model Farm Buildings Existing Elevation 8a- dwg no: E23-QD-E-77
E23 Model Farm Buildings Existing Elevation 8b -dwg no: E23-QD-E-78
E23 Model Farm Buildings Existing Elevation 9-dwg no: E23-QD-E-79
E23 Model Farm Buildings Existing Elevation 10-dwg no: E23-QD-E-80
E23 Model Farm Buildings Existing Elevation 11- dwg no: E23-QD-E-81
E23 Model Farm Buildings Existing Elevation 12- dwg no: E23-QD-E-82
E23 Model Farm Buildings Existing Elevation13a -dwg no: E23-QD-E-83
E23 Model Farm Buildings Proposed Elevation13b- dwg no: E23-QD-P-84
E23 Model Farm Buildings Proposed Elevation 1- dwg no: E23-QD-P-70
E23 Model Farm Buildings and Rural Crafts Proposed Elevations 2- dwg no: E23-QDP-71

E23 Model Farm Buildings and Rural Crafts Proposed Elevations 3- dwg no: E23-QDP-72
E23 Model Farm Buildings and Rural Crafts Proposed Elevation 4-dwg no: E23-QD-P-73A
E23 Model Farm Buildings and Rural Crafts Proposed Elevation 5-dwg no: E23-QD-P-74
E23 Model Farm Buildings and Rural Crafts Proposed Elevation 6-dwg no: E23-QD-P-75
E23 Model Farm Buildings and Rural Crafts Proposed Elevation 7-dwg no: E23-QD-P-76
E23 Model Farm Buildings and Rural Crafts Proposed Elevation 8a-dwg no: E23-QDP-77
E23 Model Farm Buildings and Rural Crafts Proposed Elevation 8b-dwg no: E23-QDP-78
E23 Model Farm Buildings and Rural Crafts Proposed Elevation 9-dwg no: E23-QD-P-79
E23 Model Farm Buildings and Rural Crafts Proposed Elevation 10-dwg no: E23-QDP-80
E23 Model Farm Buildings and Rural Crafts Proposed Elevation 11 -dwg no: E23-QDP-81
E23 Model Farm Buildings and Rural Crafts Proposed Elevation 12-dwg no: E23-QDP-82
E23 Model Farm Buildings and Rural Crafts Proposed Elevation 13a-dwg no: E23-QDp-83
E23 Existing Farm House First Aid Room Existing Details- dwg no: E23-QD-EA-100
E23 Existing Farm House First Aid Room Details -dwg no: E23-QD-PA-100
E23 Alterations to Existing Granary Granary Roof Details -dwg no: E23-QD-PB-101
E23 Alterations to Existing Granary Granary Window Detail- dwg no: E23-QD-PB-102
E23 Alterations to Existing Granary Granary Door Detail -dwg no: E23-QD-PB-103
E23 Alterations to Existing Open Side Barn Boiler Room Doors Details- dwg no: E23-QD-PD-104
C5 Tanzania Outlook Tree Protection Barrier Detail- dwg no: 6136 AD 0402
C5 Tanzania Outlook Restaurant Ground Floor Plan- dwg no: 6145 AD 0101
C5 Tanzania Outlook Restaurant Basement Floor Plan -dwg no: 6145 AD 0102
C5 Tanzania Outlook Restaurant Roof Plan -dwg no: 6145 AD 0103
C5 Tanzania Outlook Restaurant Landscape Proposal Plan GF- dwg no: 6145 AD 0105
C5 Tanzania Outlook Restaurant Existing Masterplan- dwg no: 6145 AD 0106
C5 Savannah Outlook Restaurant Section -dwg no: 6145 AD 0201
C5 Tanzania Outlook Restaurant North Elevation -dwg no: 6145 AD 0302
C5 Savannah Outlook Restaurant Photomontage 1- dwg no: 6145 AD 0502
C5 Savannah Outlook Restaurant Photomontage 2- dwg no: 6145 AD 0503
Administration and Vocational Learning Centre Ground Floor Plan- dwg no: M04/E19-QD-P-20 B
Administration and Vocational Learning Centre First Floor Plan -dwg no: M04/E19-QDP-21 B
Administration and Vocational Learning Centre Roof Plan -dwg no: M04/E19-QD-P-90B
Animal Food Preparation, Central Store Floor Plan- dwg no: M05/M05A-QD-P-20 B
Animal Food Preparation, Central Store Roof Plan- dwg no: M05/M05A-QD-P-90 B
Administration and Vocational Learning Facilities, Animal Food Preparation, Central

Store Sections- dwg no: M04/E19-M05/M05A-QD-P-60B
Administration and Vocational Learning Facilities Animal Food Preparation Central
Store Elevations- dwg no: M04/E19-M05/M05A-QD-P-70 B
Administration and Vocational Learning Facilities Elevations- dwg no: M04/E19-QD-P-
71A
Animal Food Preparation Central Store Elevations -dwg no: M05/M05A-QD-P-71A
Amenity Pavilion (1) C03, E17, E18A, E20-dwg no: C03+QD-P-20A
Amenity Pavilion C03, E17, E18A, E20- dwg no: C03+-QD-P-21A
Amenity Pavilion Sections- dwg no: C03+QD P-60A
Amenity Pavilion C03, E17 E18A, E20 Elevation 04 -dwg no: C03+-QD-P-70A
Amenity Pavilion C03, E17, E18A, E20 Elevation 05-dwg no: C03+-QD-P-71A
Amenity Pavilion C03, E17, E18A, E20 Elevation 6, 7 Section BB- dwg no: C03+-
QDP-72A
British Habitats Ranger Station- dwg no: 6146 AD 0101
British Habitats Roof Plan -dwg no: 6146 AD 0102
British Habitats Ranger Station -dwg no; 6146 AD 0201
Conservation Gift Centre Plan- dwg no: C01-QD-P-20A
Conservation Gift Centre Section -dwg no: C01-QD-P-60A
Conservation Gift Centre Elevation 01- dwg no: C01-QD-P-70A
Conservation Gift Centre Elevation 02&03 -dwg no: C01-QD-P-71A
Operations Circulation Strategy -dwg no: 10104001JD04 G
Visitor Circulation Strategy- dwg no: 101 04001_003 F
Hazardous Compound Store Plans, Sections and Elevations- dwg no: M02A-QD-P-
20A
Garage, Energy Centre- Plans, Sections, Elevations -dwg no: M02/M03-QD-P-20A
Composter Plans Section Elevations- dwg no: M03A-QD-P-20A
Operations Area View 1- dwg no: M00-QD-P-85
Operations Area View 2- dwg no: M00-QD-P-86
Maintenance, Vocational Training and Administrative Area Massing Studies - dwg no:
M00-QD-P-87 A
Operations Area Massing Studies- dwg no: M00-QD-P-88A
Nursery and Greenhouses Existing Floor Plans- dwg no: M01-QD-E-2
Nursery and Greenhouses Existing Sections, Elevations- dwg no: M01-QD-E-60
Nursery and Greenhouses Existing Roof Plan- dwg no: M01-QD-E-90
Nursery and Greenhouses Floor Plans-dwg no: M01-QD-P-20 A
Nursery and Greenhouses Sections, Elevations- dwg no: M01-QD-P-60A
Nursery and Greenhouses Roof Plans- dwg no: M01-QD-P-90A
Nursery and Greenhouses Plans, Sections and Elevations- dwg no: M01-GD-P-21A
Park Restaurant Elevations -dwg no: C04-QD-P-70A
Park Restaurant Elevations-dwg no: C04-QD-P-71A
Park Restaurant Building Sections -dwg no: C04-QD-P-61A
Park Restaurant Site Sections- dwg no: C04-QD-P-60A
Park Restaurant Floor Plan- dwg no: C04-QD-P-20A
Park Restaurant Roof Plan -dwg no: C04-QD-P-90A
Park Restaurant Planting/Landscaping -dwg no: C04-QD-P-17A
Park Restaurant Proposed Site Plan -dwg no: C04-QD-P-10A
Park Restaurant Existing Site Survey- dwg no: C04-QD-E-02A
Park Restaurant Drawing Locations Plan-dwg no: C04-QD-P-03A
Park Restaurant Landscape Detail Sketch- dwg no: C04-QD-P-100
Park Restaurant Landscape Detail Sketch- dwg no: C04 QD-P-101
Park Restaurant Restaurant View -dwg no: C04-QD-P-80

Park Restaurant Restaurant View -dwg no: C04-QD-P-81
Park Restaurant Massing Studies View of 3D Model- dwg no: C04-QD-P-83A
Park Restaurant Elevation Extract and Materials- dwg no: C04-QD-P-85
Operations Area Existing Site Survey- dwg no: M00-QD-E-02A
Operations Area Photographs of existing site -dwg no. M00-QD-E-80
Operations Area Drawing Locations Plans- dwg no: M00-QD-P-03 B
Operations Area Proposed Siteplan- dwg no:M00-QD-P-10B
Operations Area Proposed Site plan -dwg no; M00-QD-P-11 B
Operations Area Levels -dwg no: MOO-QD-P-15 B
Operations Area Planting/Landscaping -dwg no: MOO-QD-P-17 B
Operations Area Site Section -dwg no: MOO-QD-P-60 B
Operations Area Roof Plan- dwg no: M00-QD-P-90B
Village Area Roof Plan- dwg no: V00-QD-P-90A,
Village Area Sections- dwg no: V00-QD-P-60A,
Village Area Planting and Boundaries- dwg no: VOO-QD P- 17 B
Village Area Proposed Levels -dwg no: VOO-QD-P-15A
Village Area Basecase Roof Plan- dwg no: V00-QD-P-1 1A,
Village Area Proposed Site Plan -dwg no: V00-QD-P-10A
Village Area Drawing Location- dwg no: V00-QD-P-03A
Village Area- Existing Site Survey- dwg no: V00-QD-E-02A
Visitor Village Landscape detail 1- dwg no: V00-QD-P100
Visitor Village Landscape detail 2- dwg no: V00-QD-P101
Visitor Village view on entrance to visitor village- dwg no: V00-QD-P85
Visitor Village View on approach to enabling pavilion -dwg no: V00-QD-P86
Village Area Massing Studies Views of 3D Model -dwg no. V00-QD-P-87A
Planning Supporting Statement
Arboricultural report on development in the woodland
Sustainability Statement
Employee Travel Plan
Visitor Travel Plan
Surface Water Management Strategy (Stage 2)
Integrated Conservation Management Plan (Interim)
Consultation Statement
Transport and Highways Statement
Design and Access Statement
Environmental Statement- Volume 1 Text
Environmental Statement- Volume 2 Figures
Environmental Statement - Volume 3 Appendices

As received by the Council on 31st October 2008

Schedule of Trees Revised

As received by the Council on 8th April 2009

Infrastructure Boundary Treatments Key Plan- dwg no: 10104001__008 Rev C
E2 Georgia Wetlands Exhibit Layout Masterplan -dwg no: 6135 AD 0101 D
E4- Ancient British Woodland Exhibit Roof GA Masterplan- dwg no: 6136 AD 0103 C
E4 Ancient British Woodland Basecase Exhibit GA -dwg no: 6136 AD 0101 C
E8 Sumatra Rainforest Existing Masterplan-dwg no: 6140 AD 0108 D
E6 Forest Walkway Exhibit GA Basecase dwg no: 6138 AD 0102 C

E6 Forest Walkway Exhibit GA Masterplan-dwg no: 6138 AD 0101 C
Site Wide Vegetation Retention/Removal Sheet 5 of 6-dwg no: 10104001-205 C
Site Wide Vegetation Retention/Removal Sheet 6 of 6 -dwg no: 10104001-206 C
Ancient Boundary Woodlands and E4, E6 and E8 Boundaries- dwg no: 10104001-012B
E13 China Montane Existing Masterplan- dwg no: 6143 AD 0102 C
Landscape Infrastructure Boundary Treatments Typical Details- dwg no: 10104001-009 B
E16 Animal Hospital Tree Protection Plan Masterplan-dwg no: 6131 AD 0109 C
Masterplan Site Sections-dwg no; 10104001_011 A
Landscape Infrastructure Masterplan Car Park Sections -dwg no: 1014001_f 09
Site Wide Vegetation Retention/Removal Sheet 2 of 6- dwg no: 1014001-202 C
Site Wide Vegetation Retention /Removal Sheet 3 of 6- dwg no: 10104Q01_203 C
Site Wide Vegetation Retention/Removal Sheet 4 of 6-dwg no: 10104001-204 C
Addendum to Design and Access Statement- Section of Foul Drain Route down the Escarpment
Hedgerow Survey (to replace Appendix 11.4 of the Environmental Statement (Volume 3))
External Lighting Strategy (REP/120/09)
External Lighting Strategy Landscape, Visual and Ecological Impact Assessment Summary (10104001R)
Environmental Statement -response to queries arising through consultation (10104001N)
Environmental Statement -Response to queries arising through consultation (10104001N)

As received by the Council on 1st July 2009

Site Wide Vegetation Retention/Removal Sheet 1 of 6-dwg no: 10104001-201 D
E9 Tanzania Savannah Masterplan Existing -dwg no: 6141 AD 0102 D
E9 Tanzania Savannah Exhibit Layout Masterplan- dwg no: 6141 AD 0101 C
E9 Tanzania Savannah Masterplan Sections A and B- dwg no: 6141 AD 0201 A
Received 1/9/2009
Update of Badger Survey (August 2009) - Supplement to Appendix A11.9 of the Environmental Statement
British Ancient Woodland E4 Exhibit Management Plan, August 2009 -Addendum to the Integrated Conservation Management Plan (Interim) March 2008
Ecological Mitigation Strategy
Breakdown of exhibit and other development in the ancient woodland
Received 1/10/2009
Historic Garden Features Supplementary Statement- Addendum to Environmental Statement
Management and Offset of Impact of the Blackhorse Wood SNCI (September 2009)

As received by the Council on 21st August 2009

Site Location Plan - dwg no: 26251/004 Rev E
Phasing Plan - dwg no: 193201R/PL102 Rev B
Zebra House Floor Plan - dwg no: DW060
Zebra House Elevations - dwg no: DW061
Phase 2 - Giraffe and Zebra House, Location of Temporary Coach Parking - dwg no: 2846 01

as received by the Local Planning Authority on 22nd July 2016

Giraffe House Floor Plan - dwg no: 26251/001 Rev F
Giraffe House Elevs - dwg no: 26251/002 Rev D

as received by the Local Planning Authority on 25th July 2016

Basecase Master Plan - dwg no: 193201R_MP_001 Rev B LR
Phase 1 and 2 Detailed Car Park Plan - dwg no: 2673.05D Rev B

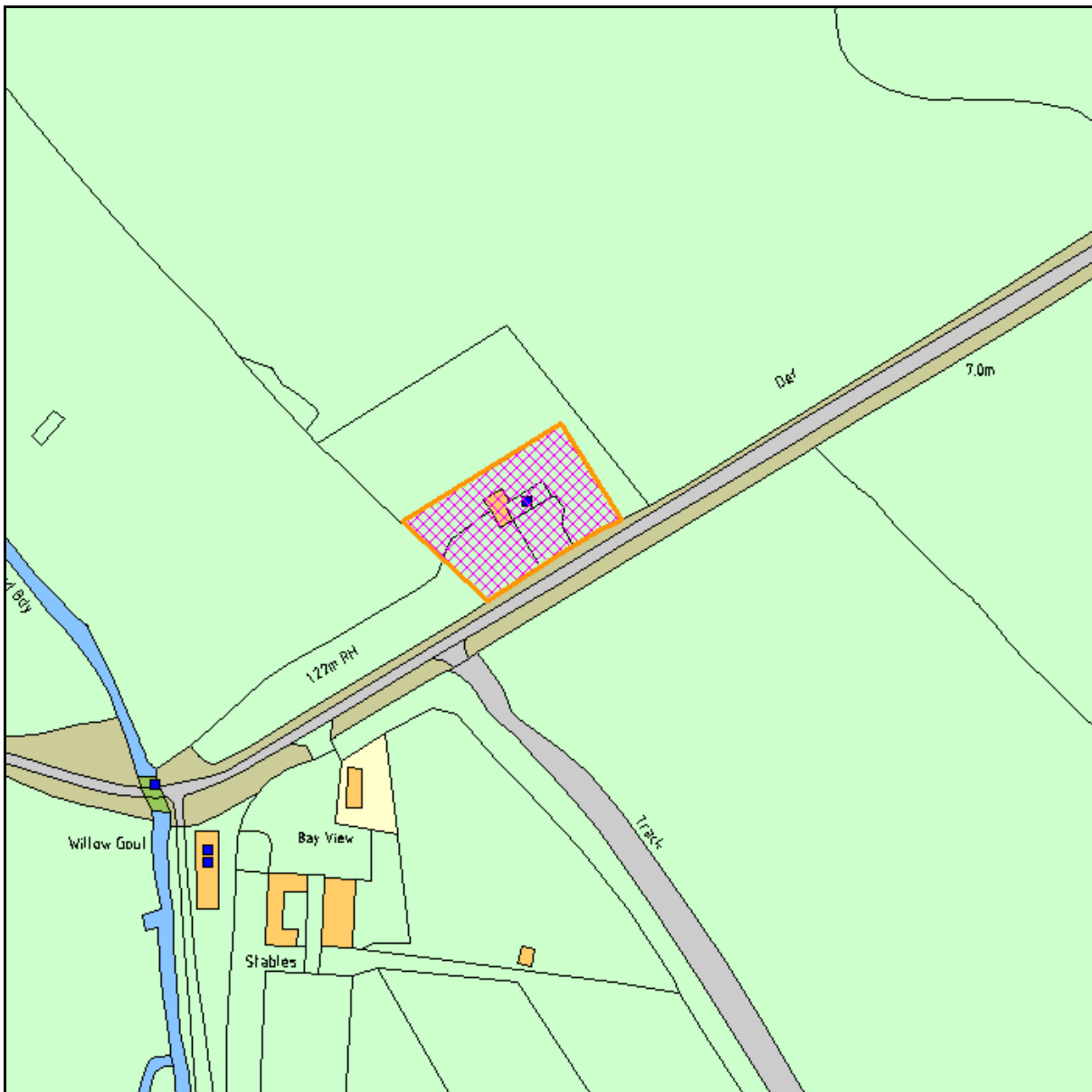
as received by the Local Planning Authority on 28th October 2016

Reason

In the interest of proper planning.

CIRCULATED SCHEDULE NO. 02/17 – 13 JANUARY 2017

App No.:	PT16/4570/F	Applicant:	Mr Greg North c/o North & Letherby Ltd
Site:	The Bothy Ingst Hill Olveston South Gloucestershire BS35 4AP	Date Reg:	4th August 2016
Proposal:	Conversion of existing derelict building to form 1no. residential dwelling with associated works	Parish:	Aust Parish Council
Map Ref:	357613 187358	Ward:	Severn
Application Category:	Minor	Target Date:	26th September 2016



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 100023410, 2008. N.T.S. PT16/4570/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application is circulated as a result of the objection from Aust Parish Council.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the renovation of this derelict dwelling and conversion of the attached cattle shed building for residential purposes to be used as one dwelling. The application defines a modest garden around the whole building (dwelling and barn). The proposal also shows land being utilised as a cider apple orchard. The proposal includes the reroofing of the building and provision of three parking spaces to the front of the property, accessed from the existing vehicular access.
- 1.2 The proposal is in open countryside and Green Belt. The site is also located in flood zone three.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012

- Section 1 Building a strong, competitive economy
- Section 3 Supporting a prosperous rural economy
- Section 6 Delivering a wide choice of high quality homes
- Section 7 Requiring good design
- Section 9 Protecting Green Belt Land
- Section 10 Meeting the challenge of climate change, flooding and coastal change
- Section 11 Conserving and enhancing the natural environment.

Technical guidance to the NPPF

2.2 Development Plans

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

- L1 Landscape protection and enhancement.
- L15 Buildings and structures which make a significant contribution to the character and distinctiveness of the locality.
- E7 Conversion and re-use of rural buildings.
- EP2 Flood Risk and Development
- H3 Residential Development in the Countryside
- H10 Conversion and Re-use of Rural Buildings for Residential Purposes
- L9 Species Protection
- T12 Transportation Development Control Policy for new Development

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
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity

South Gloucestershire Local Plan: Proposed submission : Policies Sites and places Plan June 2016

PSP1	Local distinctiveness
PSP2	Landscape
PSP7	Development in the Green Belt
PSP8	Residential amenity
PSP16	Parking Standards
PSP17	Heritage assets and the historic environment
PSP19	Wider biodiversity
PSP20	Flood risk, surface water and watercourse management
PSP40	Residential development in the countryside
PSP43	Private amenity space standards

2.3 Supplementary Planning Guidance

SG Landscape Character Assessment.

South Gloucestershire Design Checklist (Adopted) 2007

Para 116, ODPM Circular 06/05 –biodiversity

SG Parking Standards SPD adopted Dec 2013

SG Development in the Green Belt SPD

SG Lower Severn Forgotten Landscape Project.

3. RELEVANT PLANNING HISTORY

3.1 P93/1922 conversion of barn and former dwelling to one dwelling; alteration to existing vehicular and pedestrian access. Refused for requiring major works of rebuilding tantamount to the erection of a new building in the Green belt and contrary to North Avon Rural Areas Local Plan. 10/11/1993 It is noted that no structural survey was received during this application.

3.2 COM/11/1096/OD Works to barn – works stopped case closed

4. CONSULTATION RESPONSES

4.1 Aust Parish Council

The council opposes it for the following reasons:

- the building is derelict and has not been used as a dwelling for many years, and there is no evidence that the part which is a ruined house has been used for agricultural purposes.
- What is proposed is effectively the construction of a new dwelling. This is in the green belt and none of the indications that would permit the building in the green belt is satisfied.

- The site is in an area of serious flood risk. In 2007 - which was a very wet summer - this area was covered in water for many months

4.2 Other Consultees

Olveston Parish Council (adjoining parish)

No comment received

Pilning and Severn Beach Parish Council (adjoining parish)

No comment received

Building Control

Further to consideration of the structural report it appears that the buildings can be converted.

Highways

No objection

Highway structures

No comment

Lead Local Flood Authority

No objection subject to details of location of the Package treatment plant and suds condition

The necessary flood mitigation / resilience information has been provided and accepted however the applicant will need to submit an Flood Emergency Plan in relation to safe access and egress routes which will need to be accepted and/or approved by the LPA'S Emergency Planning Unit.

Ecology

There are no ecological constraints to granting planning permission.
No objection subject to a condition requiring a bat box.

Landscape Architect

There is no landscape objection to the proposal but more detail will be required in due course.

Environment Agency

No response

Archaeology Officer

The site which is bounded by a medieval field systems and close to area where Roman material has been recovered. Recommend a watching brief be undertaken on all ground works, specifically including the provision of services to the site such as the sewerage treatment unit.

Other Representations

- 4.3 Local Residents
None received

5. ANALYSIS OF PROPOSAL

5.1 Abandonment of use of the derelict house as a dwelling

Whilst the derelict house has not been lived in for many years this is not the only test of abandonment in planning law. The four tests of abandonment are;

- 1) the physical condition of the building;
- 2) the length of time for which the building had not been used;
- 3) whether it had been used for any other purposes; and
- 4) the owner's intentions.

These are very high tests to prove and looking at these briefly the house appears to have been unused for around fifty years and its roof has deteriorated such that it is now fully removed. However the walls remain intact and, further to assessment later in the report, remain substantial such that the dwelling can be converted without need for major reconstruction. There is no evidence to show that any other use has been undertaken in the dwelling, which is noted in the Parish Council comments, and attempts have been made to renovate the building in the past, showing intent to retain the building in residential use. The refusal of the planning application in 1993 under reference P93/1922 fell short of stating that the building had been abandoned and it is noted that no structural survey was submitted at that time. By contrast this application does have a supporting structural survey which shows that the walls remain structurally sound. It is understood that the last of the remaining roof and the staircase were removed for safekeeping in 2011 when works to repair/secure the house and re-use the barn were commenced. At least some of those works to the barn would have required planning permission. The Council's building regulations officer has agreed that the building could be converted rather than being rebuilt. As such officers determine that on balance the residential use of the derelict house is not abandoned for the purposes of this report and the two elements of the proposal are considered independently below (ie the derelict house and the derelict agricultural building).

5.2 Derelict house

Derelict house -Principle of Development

The derelict house is not considered to be abandoned and as such repair to it is not considered to be development which requires planning permission. There is no proposed extension to the house and as such the re-use of the house does not require permission under this application. The application indicates an area of curtilage which officers consider reasonable.

5.3 Derelict house -Green Belt

The extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building are appropriate under paragraph 89 of the NPPF. No extension is proposed and

the renovation works do not affect the openness of the Green Belt. Repairs and renovation of the house do not extend the house and as such this part of the proposal is appropriate development in Green Belt.

5.4 Derelict house -Flood Risk

The dwelling is located in a Defended Flood Zone 3 area and the NPPF states at paragraph 103 that when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment following the Sequential Test, and if required the Exception Test. In respect of the house no sequential or exception test is required as there is no change of use. However flood risk is considered further in respect of the change of use of the agricultural building.

5.5 Derelict agricultural building

Derelict agricultural building -Principle of Development

The NPPF sets a presumption in favour of sustainable development. This means that development proposals that accord with the development plan should be approved and where relevant policies are absent, silent or out-of-date, permission should be granted unless – any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies within the NPPF taken as a whole. This site is located in the open countryside and in Green Belt. The NPPF generally seeks to be proactive in relation to development and re-use of buildings provided that the buildings are of permanent and substantial construction. With regard to green belt, only certain types of development are considered appropriate but the re-use of buildings in the green belt is one of the forms of development which is appropriate and therefore acceptable in principle within paragraph 90 of the NPPF. This application proposes re-use of an agricultural building as residential accommodation. Other aspects of Green Belt policy are considered further on in the report.

Re-use of the barn would provide an environmental role in the retention of an historic yet non-designated building and the proposal could be said to have an economic role in that the building would be put back into a useful purpose which provides employment during conversion. Whilst there are other concerns regarding flood risk which will be considered later in the report the proposal is considered sustainable development for which there is a presumption in favour of development which stands to be tested further in relation to the policies of the local plan and further input on specific uses from the NPPF.

5.6 The NPPF at paragraph 17 states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

5.7 Section 6 of the NPPF seeks to deliver a ‘wide choice of high quality homes’. Paragraph 55 states that isolated homes in the countryside should be avoided unless, for example it would re-use redundant or disused buildings and lead to enhancement of the immediate setting. The conversion would facilitate enlargement of the existing house, without extending the volume of buildings

on site and maintain a traditional building in appropriate stone and clay tiles and as such some weight can be given to this.

- 5.8 Policy H10 deals with the conversion and re-use of existing buildings for residential purposes outside of the existing urban areas and boundaries of settlements and states that conversion will not be permitted unless:
- A all reasonable attempts have been made to secure a business re-use or the conversion is part of a scheme for business re-use; and
 - B the buildings are of permanent construction and structurally sound and capable of conversion without major or complete reconstruction, and
 - C the buildings are in keeping with their surroundings in terms of character, form, bulk and overall design, and
 - D development, including any alterations, extensions or the creation of a residential curtilage would not have a harmful effect on the character of the countryside or the amenities of the surrounding area ; and
 - E the building is well related to an existing settlement or other group of buildings.

Emerging Policy PSP40 has similar criterion.

These criteria will be looked at below.

5.9 Derelict agricultural building -Green belt

The proposal seeks re-use of a building located in the Green belt. Paragraph 90 of the NPPF says that one of the forms of development which is not inappropriate in the green belt is 'the re-use of buildings provided that the buildings are of permanent and substantial construction'. The buildings are considered to be of permanent and substantial construction such that they can be converted in accordance with paragraph 90 of the NPPF. The structural integrity of the building is considered further below.

- 5.10 The land currently associated with the building is a mix of agricultural land and land previously associated with the house as domestic curtilage although this is largely indistinguishable. The proposal is to use a revised domestic area from that previously associated with the derelict dwelling. The proposal defines a modest domestic curtilage tightly confined around the new dwelling as a whole. The boundary is proposed to be hedged in native hedgerow and the scale of the garden proposed around the converted barn is considered to be limited and therefore acceptable in scale and extent. This hedge will help to screen the inevitable domestic characteristics of the new dwelling from the surrounding fields.

5.11 Derelict agricultural building - Flood Risk

The site is located in a Defended Flood Zone 3 area and the NPPF states at paragraph 103 that when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment following the Sequential Test, and if required the Exception Test, it can be demonstrated that:

- within the site, the most vulnerable development is located in areas of lowest flood risk unless there are overriding reasons to prefer a different location; and
- development is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed, including by emergency planning; and it gives priority to the use of sustainable drainage systems.

5.12 Paragraph 104 goes on to state that ‘Applications for minor development and changes of use should not be subject to the Sequential or Exception Tests but should still meet the requirements for site-specific flood risk assessments’.

5.13 “The aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. The Strategic Flood Risk Assessment will provide the basis for applying this test. A sequential approach should be used in areas known to be at risk from any form of flooding.”

5.14 “If, following application of the Sequential Test, it is not possible, consistent with wider sustainability objectives, for the development to be located in zones with a lower probability of flooding, the Exception Test can be applied if appropriate. For the Exception Test to be passed:

- it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared; and
- a site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

Both elements of the test will have to be passed for development to be allocated or permitted”.

5.15 In this case the barn is within Defended Flood Zone 3 on the EA maps which signifies a lower risk of flooding as a result of the defences in place. The FRA denotes the risk of flooding is between 0.5% (1 in 200) chance of flood from the sea or a 1% (1 in 100) chance of flood from a river each year. It is therefore unlikely that this site will flood and as the risk of flooding is likely to be as a result of overtopping defences, which would occur during a high tide with a surge, this is likely to be a predictable floodrisk where notice of flood can be spread by the EA to residents.

5.16 The proposal is classified as ‘more vulnerable’ in table 2 of the NPPG category of Table 2 and as such Table 3 requires that an exception test is carried out. However the notes to this section advise that “The Sequential and Exception Tests do not need to be applied to minor developments and changes of use, except for a change of use to a caravan, camping or chalet site, or to a mobile

home or park home site". Minor development is defined for the purposes of the NPPF as householder schemes, non-residential extensions of less than 250m² and other development which does not increase the size of buildings.

The proposal is a change of use of a building to a dwelling which would be householder development. As such the proposal is not considered to need a sequential test.

- 5.17 Notwithstanding that a sequential test is not necessary it remains clear that the site could flood at some point and in order to limit the damage potentially caused by flooding the FRA proposes to raise the floor level of the building by 30cm to allow for insulation and flood risk and they will register with the Environment Agency's Floodline Warnings Direct, and will monitor Met Office information for weather warnings and will adhere to agreed flood plans
- 5.18 Additionally the agent advised that the resultant dwelling will be finished in a resilient form to include:
- domestic drainage systems will include non-return valves, where appropriate, to prevent a backflow of water in case of flooding.
 - Building materials that are resistant to water damage
 - Fittings and fixtures will be selected in light of potential flood threat and adjusted accordingly to ensure maximum safety and minimum damage in the event of a flood to ensure they are above possible flooding levels.
 - All water piping and the header tank for the boiler system will also be positioned at an elevated height.
 - In the event of a flood, the residents will retreat to the first floor, only in extreme circumstances. Otherwise it will be recommended that residents do not stay within the property, but seek higher ground in Ingst, to the north, at an agreed meeting point, in Flood Zone 1. This will allow access to emergency and evacuation services in case of extreme events.

The above measures are set out in more detail in the applicant's Flood Risk Assessment.

- 5.19 The Lead Local Flood Authority do not object to the proposal subject to detail of the proposed drainage solution and notes that the necessary flood mitigation / resilience information has been provided and accepted however they require the applicant to submit a Flood Emergency Plan in relation to safe access and egress routes which will need to be accepted and/or approved by the LPA'S Emergency Planning Unit.
- 5.20 The Lead Local Flood Authority request that the applicant/developer submits a Flood Emergency Plan in relation to safe access and egress routes for acceptance by the Emergency Planning Team (EPT) is justified but in reality the EPT do not approve such documents, rather the submission of the document shows that the developer has considered the implications of the location and the developer and the occupants are ready to take action if necessary.
- 5.21 Overall this is a family home which could be affected by flooding in an area where emergency services are not likely to prioritise the risk to property and

living conditions of remote properties. Weighed against this however is the set of precautions set out in the Applicants Flood Risk Mitigation Report and self awareness brought about by the compilation of a Flood Warning and Evacuation Plan, there is not likely to be a loss of life. As such the flood risk status is not sufficient to refuse the change of use and minor works proposed in this application. Conditions are proposed to ensure that the identified flood mitigation measures suggested in the FRA, and otherwise required by the EA form, and a Flood Warning and Evacuation Plan are carried out.

5.22 Derelict agricultural building -Suitability of the building for conversion

Policy H10 is the lead policy when considering rural buildings for use as residential. The tests of policy H10 part A have been weakened by the emergence of the NPPF as the NPPF seeks only that such development would 're-use redundant or disused buildings and lead to an enhancement to the immediate area'. This element has been further weakened by Part MB of the GPDO in allowing certain barn conversions. Policy PSP40 also seeks an enhancement to the immediate area and for the building to be of a permanent and substantial construction.

5.23 The applicant has set out reasons why a business use is unlikely to be successful including the expected return rate for a B1 property in the area and the lack of take up of other sites, totalling 1897 square metres, within seven miles of this site. The derelict house may also be affected by a business use.

5.24 The structural survey has been checked by the Council buildings regulation team and they advise that the structure is capable of conversion. Whilst the property has no roof at present, the stonework walls of the building are in a good state of repair and capable of being converted. Conversion to a domestic dwelling can be achieved using the open front of the building and although there are four small rooflights and a new door to the rear elevation, these would have little impact on the limited public view of the property. The building is of traditional construction materials, isolated from the other buildings locally and together with the attached house forms a building which whilst not listed is not wholly without interest. The alterations required for the conversion are sympathetic and the manner of fenestration reflects the building's history as both house and barn. In terms of being in keeping with its surroundings the re-use proposed and its car parking spaces will be discretely located behind a hedge fronting the highway lane and will not have a harmful effect on the character of the countryside. The hedged garden proposed is a sensible means of enclosing a modest area for domestic use whilst also enhancing biodiversity. This is considered further in landscape below.

5.25 Overall the proposal is considered to accord with H10.

5.26 Conclusion of principle of development

Over all it is your officer's view that the house is not abandoned and can be renovated without planning permission. The works to the agricultural building together with its reasonable domestic curtilage would not impact adversely on openness and is appropriate development under current green belt policy. Further given the domestic curtilage proposed and the use of the barn to facilitate additional domestic space it is considered reasonable, to withdraw

- permitted development rights to extend or alter the resultant dwelling or create new accesses onto the lane.
- 5.27 Impact on Landscape
The landscape officer has considered the proposal and raises no objection to the proposal subject to a full and detailed scheme being worked up. This is can be secured by a condition.
- 5.28 The changes to the building are modest and in keeping with the buildings existing character in that the works replace the roofs to the building without extension in height from its initial scale and there is no extension to the buildings footprint. Generally the openings of the existing structure are used without alteration although a back door and four rooflights are proposed on the north of the single storey part of the barn which faces away from the road and two rooflights in the rear of the derelict house.
- 5.29 Potentially the greatest visual impact resulting from the development is the creation or definition of a domestic garden. An area of orchard (agricultural use) is also proposed which will benefit biodiversity and will have a rural character. This appears from aerial photography dating back to 1991 to have been the old garden area and it is noted that there were and are no buildings in that area. The definition of a small residential curtilage is considered a sensible scale for the site and its boundary will be hedged with a native mix of species and protected with stock proof fencing. This will enclose the domestic paraphernalia associated with the house and from wider views for the property. This hedging is considered most appropriate form of boundary treatment and further details of this hedge, orchard and gates shall be sought by an appropriately worded condition. The location of car parking is discretely located close to the front boundary hedge.
- 5.30 As such it is considered that the application will be in accordance with the planning policies L1 and CS1. However in the event of permission being granted for the conversion of the derelict dwelling and barn to one dwelling permitted development rights should be removed to safeguard the landscape character from unsympathetic developments within the domestic curtilage.
- 5.31 Transportation and Highway Safety
The resultant enlarged dwelling would be reliant on the private car given the sites rural proximity. A farm building is expected to be located in the countryside where as a residential use is better located where the occupiers have the option of using more sustainable modes of travel including walking, cycling and public transport. Whilst it is worth noting that the location of the site is remote and residential development would not be appropriate here, it is noted that the development plan encourages the reuse of existing redundant buildings and this building is re-used without major rebuilding or extension and as such no sustainability objection is sustained. Moreover it is concluded here that the derelict house is not abandoned and as such this is an extension to an existing house to bring it back into use. The barn is accessed via the existing vehicular access. This is considered acceptable and three parking spaces are provided. A modest cycle store/shed should also be provided in order to facilitate other means of travel. These can be secured by condition.

5.32 Ecology

A Protected Species Building Assessment was provided (Just Ecology, dated March 2016). It recommended that further surveys for bats be completed due to the potential of the building to provide roosting opportunities. A second report (Bat Surveys, Just Ecology, October 2016) was submitted with the results.

5.33 Bats are a species protected under the Conservation Regulations 2012 (as amended), known as European Protected Species, and Wildlife & Countryside Act 1981 (as amended) and the preliminary bat inspection found that the internal walls of the building had moderate potential to support roosting bats. Two very old droppings were found on a window sill. Two further surveys were completed and found no bat roosts within the building.

5.34 As such no European Protected Species licence is required however, should Permission be granted details regarding the location and type of a bat box that will be installed within or on the property, as recommended in Bat Surveys report (Just Ecology, October 2016) must be submitted to the council for approval.

5.35 Archaeology

The site is bounded by medieval field systems and close to area where Roman material has been recovered. It follows therefore that there is archaeological potential at the site which could be unearthed by the ancillary works to the conversion. It is therefore reasonable to require an archaeological watching brief is undertaken on all ground works, specifically including the provision of services to the site such as the sewerage treatment unit. This is achieved by the attached condition.

5.36 Planning Balance

In weighing up the planning merits of the site the reuse of the derelict house is not considered to be development and the re-use of the agricultural building is considered to be appropriate development in the Green Belt together with a limited curtilage. The building is suitable for conversion under policy H10. The proposal is therefore acceptable in principle. Matters of floodrisk, drainage, ecology, archaeology and visual amenity can all be mitigated against such that they do not significantly and demonstrably outweigh the benefits of the conversion of this barn to a dwelling.

6. CONCLUSION

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

6.2 The recommendation to GRANT permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 That planning permission is GRANTED for the reasons set out in the decision notice.

Contact Officer: Karen Hayes
Tel. No. 01454 863472

CONDITIONS

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

Reason

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

2. Prior to the commencement of development details regarding the location and type of bat box that will be installed within or on the property, as recommended in Bat Surveys report (Just Ecology, October 2016) must be submitted to the council for approval in writing and the agreed bat facility then installed prior to first human occupation of the dwelling.

Reason

In order to mitigate for the changes to the building in the interests of the ecological value of the site to accord with Policy CS9 of the South Gloucestershire Local Plan Core strategy (Adopted) December 2013 and the provisions of the National Planning Policy Framework.

3. Prior to the commencement of development drainage detail proposals incorporating the following matters shall be submitted to and agreed in writing by the Local Planning Authority:

- Sustainable Drainage Systems SUDS
- the Package Treatment plant proposed together with its location and the method of irrigation for the effluent overflow,
- relevant percolation test for discharge to a soakaway if necessary.
- Assessment details satisfying paragraph 6 of DETR Circular 03/99
- Confirmation from the Environment Agency as to whether a 'Discharge

Consent' is required and production of a copy if required.

The scheme shall then be carried out as agreed prior to first occupation of the dwelling.

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework. This is a pre-commencement condition as it goes to the heart of the decision.

4. Prior to commencement of the development the applicant shall prepare a Flood Warning and Evacuation Plan which shall include recommendations from the Environment Agency and South Gloucestershire Emergency Planning section of the Council. Prior to first occupation of the dwelling a copy of the document shall be submitted to the Local Planning Authority for retention on the file, for future public reference and another copy shall be held at the property for future inhabitants. It shall be noted within the plan that South Gloucestershire Emergency Planning Team recommend that in the event of a flood warning the property is evacuated prior to flooding occurring.

Reason

In order to highlight and prepare the future inhabitants for the potential flooding issues and to comply with policy CS1 (9) and (11) of the South Gloucestershire Local Plan Core Strategy Adopted December 2013. This is a pre-commencement condition as it goes to the heart of the decision.

5. Prior to the commencement of development a scheme of landscaping, which shall include details of all existing trees and hedgerows on the land and details of those to be retained, together with measures for their protection during the course of the development; proposed planting (and times of planting); boundary treatments , details of a small cycle shelter/shed suitable for two cycles and areas of hard surfacing shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed details.

Reason

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

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

Reason

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

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

Reason

To 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.

8. Prior to the commencement of development a programme of archaeological investigation and recording for the site, relating to all ground disturbance, including the provision of services and sewerage, shall be submitted to and approved by the Local Planning Authority. Thereafter, the approved programme shall be implemented in all respects, unless the Local Planning Authority agrees in writing to any variation.

Reason

In the interest of archaeological investigation or recording, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

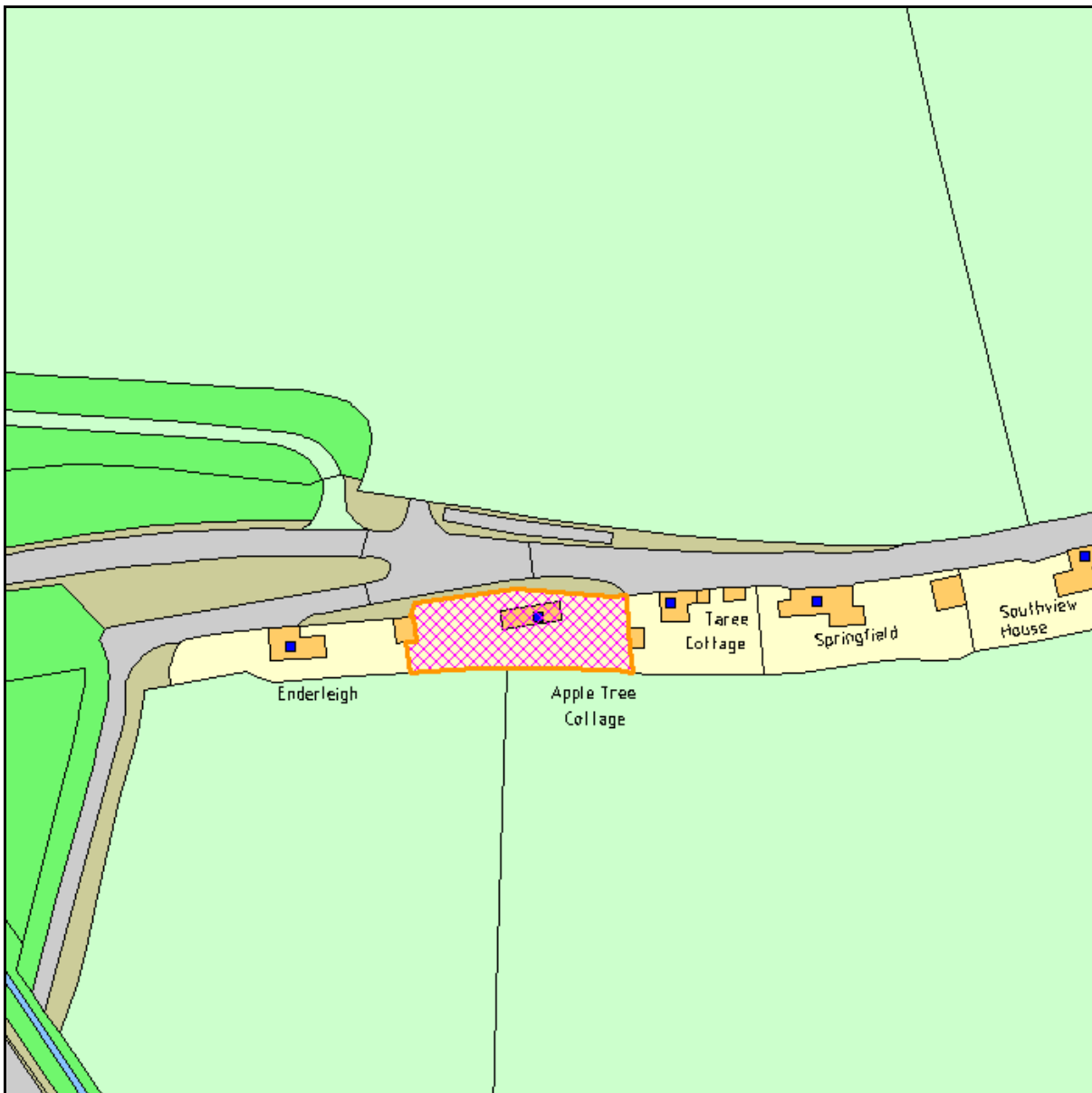
9. The application shall be carried out in accordance with the plans listed below:
1346/16/001 Rev B received 1 August 2016.

Reason

For the avoidance of doubt.

CIRCULATED SCHEDULE NO. 02/17 – 13 JANUARY 2017

App No.:	PT16/5424/F	Applicant:	Mr Gavin Purchase
Site:	Apple Tree Cottage Catherine Hill Olveston Bristol South Gloucestershire BS35 4EN	Date Reg:	11th October 2016
Proposal:	Erection of two storey rear extension to provide additional living accommodation.	Parish:	Olveston Parish Council
Map Ref:	359603 186550	Ward:	Severn
Application Category:	Householder	Target Date:	1st December 2016



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100023410, 2008.

N.T.S.

PT16/5424/F

REASONS FOR REPORTING TO CIRCULATED SCHEDULE

The application is for inappropriate development in the greenbelt and as such is a departure from the policies that comprise the Local Development Plan. Furthermore the proposal requires the formation of a unilateral undertaking under the provisions of Section 106 of the Town and Country Planning Act 1990 (as amended). As a result under the current scheme of delegation the application is required to be taken forward under circulated schedule.

1. THE PROPOSAL

- 1.1 The proposal seeks to erect a two storey extension to the rear elevation of the dwelling to provide additional living accommodation.
- 1.2 The subject property is a detached modest vernacular cottage set over two storeys. The property has a pitched gabled roof and rendered elevations, a single storey rear extension and a two storey side extension. The property is situated on a steep gradient sloping away from the road and is located within the Bristol/Bath Greenbelt.
- 1.3 The application is a resubmission of the application PK15/5079/F which was refused due to it being considered inappropriate development in the greenbelt and no case of Very Special Circumstances supported the application.
- 1.4 The subject property is adjacent to a number of other residential uses with a linear arrangement, and is nearby but outside the development boundary for the Village of Olveston.
- 1.5 This application has been advertised as a departure from the local plan and a case of Very Special Circumstances has been put forward. This is discussed in detail below.
- 1.6 The case of Very Special Circumstances put forward is summarised as follows:

By virtue of the extant certificate of lawfulness the property is permitted to erect extensions far in excess of the guidelines with regard to the greenbelt. Whilst this certificate would provide the needed additional living accommodation it is not considerate to the character of the landscape and the greenbelt in general.

The applicant is willing to forgo the development of the certificate and the permitted development rights of the property in order to provide additions that are sensitive to the design of the existing dwelling.

The proposal will have a low impact on visibility in the landscape due to the location and height of the proposed extension whilst having no impact on the landscape to the south.

The extension will be subordinate to the original dwelling in depth and height.

The existing mature gardens and views to the south and from the south will be minimally impacted as a result of the proposals.

The property being at a lower level than the highway assists in assimilating the house into the well-established setting.

The neighbouring properties along Catherine Hill are all significantly larger than Apple Tree Cottage.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Policy Guidance 2014

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS4a Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS34 Rural Areas

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

L1 Landscape
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 Greenbelt
PSP8 Residential Amenity
PSP16 Parking Standards
PSP17 Heritage Assets and the Historic Environment
PSP19 Wider Biodiversity
PSP20 Flood Risk
PSP38 Development within Existing Residential Curtilages
PSP43 Private Amenity Space

2.3 Supplementary Planning Guidance

Design Checklist SPD (adopted) August 2006
Residential Parking Standards SPD (adopted) December 2013
Development in the Green Belt SPD (Adopted 2007)

3. RELEVANT PLANNING HISTORY

- 3.1 PT16/0781/CLP – Approval – 12/04/2016 – Certificate of Lawfulness Proposed for front porch, single storey side extension, two storey rear extension and two incidental outbuildings.
- 3.2 PT15/5079/F – Refusal – 18/02/2016 – Erection of two storey front extension and veranda to rear to provide additional living accommodation and installation of chimney – refused due to inappropriate development in the greenbelt and the design of the proposal resulting in a negative impact on the character of the dwelling.

- 3.3 P90/2690 – Approval – 28/11/1990 – Erection of two storey side extension to form lounge with bedroom over.

4. CONSULTATION RESPONSES

- 4.1 Olveston Parish Council
No Comment Received

- 4.2 Other Consultees

Sustainable Transport
No Objection

Archaeological Officer
No Objection

Lead Local Flood Authority

No objection, although the applicant should consider updating any held emergency flood plans in relation to safe access & egress due to the proximity to a Flood Zone

Other Representations

- 4.3 Local Residents

One comment received in support of the application but note the area around their garage is not represented correctly on a number of the plans provided.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development

Development within the Greenbelt would be considered acceptable subject to assessment to elucidate whether they would constitute appropriate development. The NPPF (2012) states that inappropriate development in the Greenbelt is by definition harmful and should not be approved except in very special circumstances but certain forms of development are considered acceptable. The South Gloucestershire Development within the Green Belt SPD states that specific types of development can be allowed. This includes limited extensions that do not result in disproportionate additions over and above the size of the original building; and limited infilling which is small in scale and that fits into an existing built up area. The proposal is not considered to fall into one of the limited categories of appropriate greenbelt development and would be considered to fail the principle of development. The proposal is subject to the consideration below.

- 5.2 Greenbelt

The subject site is located within the Bristol/Bath Greenbelt and would therefore be assessed against the South Gloucestershire Development in the Greenbelt SPD (Adopted 2007), Policy CS5 of the Core Strategy and the NPPF (2012). These indicate limited development is permitted in the greenbelt subject to an assessment of its impact. The South Gloucestershire Development within the

Green Belt SPD states that any additions resulting in a volume increase of between 30%-50% will be subject to careful consideration and assessment. Any proposed development over and above 50% of the volume of the original building would likely be considered in excess of any reasonable definition of 'limited extension'. With regard to this test the subject property was subject to a two storey side extension in 1990 that represented an addition in the region of 45%. As a result of the proposal the cumulative volume of additions would exceed the 50% guideline provided for under the test. The proposal would represent an addition in the region of 135%. Due to the volume increase the addition has been judged to fail the disproportionate test and is therefore inappropriate development. A case of Very Special Circumstances has been put forward by the applicant, this is discussed below.

5.3 Very Special Circumstances

The NPPF (2012) para.87 states that inappropriate development is by definition, harmful to the greenbelt and should not be approved except in very special circumstances. Para.88 continues to say that substantial weight should be given to any harm to the greenbelt and very special circumstances will not exist unless the potential harm is clearly outweighed by other considerations. According to the Development in the Greenbelt SPD (2007), these circumstances are not common and are unique 'one-offs'. With regard to this the applicant has put forward a case of 'Very Special Circumstances'.

5.4 It is first necessary to assess the amount of harm resulting from the proposed addition. In relation to the consideration of greenbelt policy, regard should be taken to three points – it is not disproportionate; it is of a size and design that complements the character of the property and that it does not harm the openness of the greenbelt. The assessment for what is considered a disproportionate addition is made up of three parts: the increase in volume; the appearance – (it should not be out of proportion with the scale and character of the dwelling); and any existing extensions and outbuildings should all be taken into account. In respect of the three tests the proposal does fail the first test as it would be viewed as a disproportionate addition, cumulatively being in excess of 50% of the volume of the original dwelling. However, with respect of the other tests, it fares well as the proposal is respectful of the character and scale of the existing dwelling and would not result in significant encroachment onto the openness of the greenbelt.

5.5 Greenbelt policy, according to the NPPF (2012), serves five purposes:

- *“To check the unrestricted sprawl of large built up areas;*
- *To prevent neighbouring towns merging into one another;*
- *To assist in safeguarding the countryside from encroachment;*
- *To preserve the setting and special character of historic towns; and*
- *To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.”*

5.6 The applicant has put forward a case of Very Special Circumstances in accordance with Paragraph 88 of the NPPF (2012). The statement acknowledges that the proposal would not fall within any of the categories of appropriate development set out in the NPPF (2012) but that circumstances

exist that would outweigh the notional harm that would otherwise be caused. The central arguments for very special circumstances identified in the statement are as follows:

- *By virtue of the extant certificate of lawfulness the property is permitted to erect extensions far in excess of the guidelines with regard to the greenbelt. Whilst this certificate would provide the needed additional living accommodation it is not considerate to the character of the landscape and the greenbelt in general.*
- *The applicant is willing to forgo the development of the certificate and the permitted development rights of the property in order to provide additions that are sensitive to the design of the existing dwelling.*
- *The proposal will have a low impact on visibility in the landscape due to the location and height of the proposed extension whilst having no impact on the landscape to the south.*
- *The extension will be subordinate to the original dwelling in depth and height.*
- *The existing mature gardens and views to the south and from the south will be minimally impacted as a result of the proposals.*
- *The property being at a lower level than the highway assists in assimilating the house into the well-established setting*
- *The neighbouring properties along Catherine Hill are all significantly larger than Apple Tree Cottage.*

5.7 The main point made in the VSC statement is identifying the fall-back position were permission not granted. The host property is subject to a Certificate of lawfulness provided for under the Town and Country Planning (General Permitted Development) Order 2015 for the erection of a front porch, a single storey side extension, a two storey rear extension and for the erection of two detached incidental outbuildings. Whilst the fact the property has its permitted development rights intact is not in itself unique, the applicant will forgo permitted development, relating to volumetric additions under Schedule 2 Part 1, in order to allow the development to occur. With regard to this, the proposal will be of a significantly smaller volume and footprint than that permitted by the certificate. Furthermore due to the location of development it would have a far less harmful impact on the openness of the greenbelt. Existing site conditions, including planning permissions, development rights or certificates of lawfulness related to land are viewed to be material considerations which can be attributed weight in the determination of this planning application. The amount of weight attached to a fall-back position is a matter of fact and degree, however it is generally accepted that the weight to be given depends on the real likelihood of any fall-back actually being exercised in the event of refusal.

5.8 The applicant has submitted that the extant certificate of lawfulness under the application PT16/0781/CLP should be afforded weight as the fall-back position for the site. Site visits and communication from the applicant show this development has not yet been implemented. However there is no material change in the policy/legislation context since the certificate has been granted. Officers therefore conclude that were planning permission not approved, the works under PT16/0781/CLP in all likelihood would be implemented.

5.9 The applicant suggests the fall-back position will not be implemented if permission were granted, however there is no reason why the permitted works except the porch cannot be implemented; as the proposed development would not physically restrict the development of the substantive elements of the certificate. With this in mind officers have considered the mechanisms available to restrict these works. These are assessed below:

- *Officers considered removing the properties permitted development rights by condition if permission was to be granted. This would be considered to pass the tests of paragraph 206 but would not prevent the applicant from building out the development found lawful under PT16/0781/CLP prior to the implementation of planning permission under this application. In short the applicant could built out their permitted development rights, then implement the other development the subject of this planning application.*
- *Further to the use of conditions, officers considered the possibility of utilising a legal agreement to restrict development of PT16/0781/CLP through the use of a planning obligation in the form of a Unilateral Undertaking. Officers find that such an agreement could be an acceptable and effective means of preventing the works under the certificate from being implemented.*

5.10 The development permitted under PT16/0781/CLP would fail the disproportionate test as set out within the Green Belt SPD as well as other design criteria by virtue of its significant volume, footprint and sprawling arrangement. Officers accept the associated volume and footprint of PK15/3969/CLP is larger than that of the proposed development and that in terms of its design and layout would fare worse in terms of the tests set out in the SPD. The development proposed under this application retains the scale and character of the original dwellinghouse and is significantly smaller in volume than the approved certificate. That said officers question whether works permissible under permitted development should weigh in favour of inappropriate development in the Green Belt. Permitted development rights are not restricted in the Green Belt by the GPDO, and the aforementioned certificate of lawfulness simply confirms that the side extension, rear two storey extension and two incidental outbuildings are permitted development (and therefore lawful). That said the applicant is willing to forgo these permitted development rights and the implementation of the earlier certificate in favour of a development with a better standard of design and impact on landscape.

5.11 With reference to the final test for what may be viewed a proportionate addition, existing extensions and outbuildings should be considered. As earlier mentioned the host dwelling has been granted a certificate of lawfulness for the erection of a two storey extension to the rear of the property, single storey side extensions and for the erection of two detached incidental outbuildings under the application PT16/0781/CLP. These can be built out without the requirement for planning permission. This has been identified as the fall-back position if permission was not granted for this current development. One of the aims of the greenbelt is to prevent sprawl and retain openness. The works found lawful under PT16/0781/CLP while considered to be appropriate development, would have a more harmful impact on the openness of the greenbelt.

In addition to this the lawful development would require the removal of a number of large trees and the loss of some of the mature gardens. In comparison the development proposed would only require the removal of a small hedge and the proposal would consolidate the volume of the additional accommodation within a much smaller footprint. As a result the proposal would have a far less harmful impact on local ecology and the visual amenity of the site and the dwelling in general.

- 5.12 With regard to the other circumstances put forward the siting of the property does provide a relatively unique situation. The proposal should be assessed in the context of its impact on views, apparent height and visibility in the landscape. The extension will be situated between the elevation facing the road and the highway itself. Due to the topography of the site the property sits at a lower elevation than the highway and the fields on the other side of the road. Whilst there is open countryside over the road the subject property is in a linear formation with the surrounding dwellings and views will not be obstructed by the proposal, furthermore the proposal wouldn't exceed the height of the verges at the boundary of the fields or the host dwelling and would not be visible from elsewhere. Lastly the proposal is subservient in scale to the original dwelling and would not result in any further interruption of views across the site.
- 5.13 Similar proposals have been tested at appeal where the fall-back position stemming from a certificate of lawfulness is considered to be more harmful to the openness and visual amenity of the greenbelt than the proposed development. Specifically within South Gloucestershire an appeal was allowed for a two storey rear extension under the application PK12/0745/F – Canary Cottage, Iron Acton. The inspector found that due to the extant Certificate there is a 'reasonable prospect' of the fall-back being implemented and that this must form a material consideration in the assessment of the application. Other appeal cases including Pine Trees, Codsall (APP/C3430/A/09/2101770) and Old Warwick Road, Solihull (APP/73725/A/11/2155908) form similar conclusions. Review of more recent appeal cases indicate where the fall-back position is more harmful to the openness of the greenbelt, the general consensus is that very special circumstances have been found to apply. This was the case in Station House, Station Lane, Mickle Trafford, Chester (APP/A0665/D/15/3134313) decided on 21/12/2015. Again in this case it was found that the fall-back position would be significantly more harmful than the development proposed and thus the fall-back position represented very special circumstances; the application was subsequently approved. It is therefore concluded that the appeal examples confirm the applicant's assertion that the fall-back position can carry significant weight to balance the notional harm to the greenbelt.
- 5.14 In the above-mentioned appeal cases there was no requirement to create a legal agreement to prevent implementation of the lawful development as the proposal would physically restrict the implementation of the works subject of the appeal. The format for preventing implementation of a certificate already found lawful is to agree to a unilateral undertaking.

- 5.15 Overall whilst the proposal would result in significant harm by virtue of the definition of inappropriate development, when considering the fall-back position and the unique opportunity to prevent this from being built out there are clear benefits to allowing the development proposed; as the fall-back position is potentially more harmful than the development proposed. Significant weight has been given to the design and scale of the proposal. Furthermore reasonable weight has been given to the location and setting considerations, as it would not require the loss of mature trees and gardens, whilst also resulting in minimal impact on views into and from the open countryside. This means that while against policy the preferred option from a planning perspective is to allow the development; as it would prevent a far worse development from taking place. Due to the weight attached to each harm and benefit of the proposal and the unique situation of the property, very special circumstances have been found to apply. The cumulative weight of the benefit of granting permission has been found to outweigh the significant harm caused by inappropriate development in the greenbelt and the proposal is therefore considered acceptable.
- 5.16 Design, Landscape and Visual Amenity
The proposal consists of a two storey rear extension. There are a number of other extensions to properties in the area and the design of the proposal is sensitive to the character of the existing dwelling. This application is a resubmission of an application that was refused largely due to its impact on the greenbelt. This application has addressed the greenbelt considerations and has been subject to a number of amendments following officer recommendations. This current proposal is subservient in scale and form to the existing dwelling and has retained its defining characteristics such as the gable roof and its relatively blank elevation. Furthermore the proposed openings have been informed by the existing property in terms of their size, design and spacing. Given this consideration the proposal will be subordinate to the original dwelling and would be seen as appropriately proportioned with regard to the size and design of the existing dwelling.
- 5.17 The proposal should be assessed in the context of its impact on views, apparent height and visibility in the landscape. The proposals will be situated between the elevation facing the road and the highway itself. Due to the topography of the site the property sits at a lower elevation than the highway and the fields on the other side of the road. Whilst there is open countryside over the road the subject property is in a linear formation with the surrounding dwellings and views will not be obstructed by the proposal, furthermore the proposal would be a similar height to the verges at the boundary of the fields and smaller than the existing dwelling and consequently would not be visible from elsewhere.
- 5.18 The proposed design gives a double apex gabled roof. This is a common feature of dwellings of a similar era within the area and as a result is considered to be in keeping with the general character of the area.
- 5.19 The remainder of the residential curtilage is formed of mature gardens and trees. The proposal would not project into this space and as result the majority of the properties vegetative surroundings will be retained.

- 5.20 The subject property has off white rendered elevations and a tiled roof. The proposal has put forward materials of a similar appearance and there is no objection with regard to materials.
- 5.21 One comment was received in support of the application. This did not indicate the reason for supporting the proposal but it does note that some of the plans provided did not accurately identify the area around their garage. Whilst this may be the case the Site plan is correct and Officers are happy that the applicant has provided sufficient evidence to support the extent of ownership; and therefore that the correct notice/certificate has been served. It should be made clear that it is beyond the remit of the planning department to establish ownership. Furthermore planning permission shall not be construed as granting rights to carry out works on, or over, land not within the ownership, or control, of the applicant and the prior written consent of the owner and occupier of any land upon which it is necessary for you to enter in order to construct, externally finish, decorate or in any other way carry out any works in connection with development including future repairs/maintenance, or to obtain support from adjoining property. Planning permission does not authorise anyone to take such action without first obtaining such consent. Your attention is also drawn to the Access of Neighbouring Land Act 1992 and Party Wall Act 1996. It should be noted that the proposal will not have any impact on the property the subject of this comment, nor will it require the use of the land in question to carry out development.
- 5.22 Overall, it is considered that the proposed extension would not harm the character or appearance of the area and as such is 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 accord with policies CS1 and H4 and conforms to the criteria in the adopted Local Plan.
- 5.23 Residential Amenity
Policy H4 of the adopted Local Plan gives the Council's view on new development within existing residential curtilages. Proposals should not prejudice the residential amenity (through overbearing, loss of light and loss of privacy) of neighbouring occupiers as well as the private amenity space of the host dwelling.
- 5.24 The subject property is a detached dwelling situated at the top of a slope. The development is proposed to take place between the elevation of the dwelling facing the road and the highway itself. Dwellings on Catherine Hill are organised in a linear arrangement with elevations set on or near the highway. The proposal would result in the host dwelling matching the perceived building line of surrounding properties and due to the location of the development and neighbouring properties would not result in a negative impact on the amenity of any of its neighbouring occupiers.
- 5.25 The proposal will extend from the dwelling towards the road and towards the north. The subject site has its private amenity space located to the sides and south of the existing property. As a result the proposal will not result in the loss of a sufficient amount of outdoor amenity space and is considered acceptable in this respect.

5.26 The subject property is located within a built up residential area outside the development boundary of Olveston and amongst a cluster of other buildings. Given the scale and location of the proposed development, the proposal will not result in a 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.

5.27 Permitted Development Rights

The proposal site is situated in the Bristol/Bath Greenbelt and given the rights afforded by the Town and Country Planning (General Permitted Development) Order 2015, the cumulative impact of further development upon the Green Belt would not be considered under the procedure. Therefore it is seen as appropriate to impose a condition to remove these rights so as to safeguard against the abuse of the permitted development rights; such that proper consideration of the impact upon the Green Belt is not circumvented. This is only relevant to volumetric additions and the relevant classes would be Schedule 2, Part 1 Classes A, B, D and E. A condition will be appended to the decision notice to that effect. It should be made clear that the purpose of such a condition is to ensure appropriate assessment takes place were any additional development proposed and not to outright prevent further development.

5.28 Sustainable Transport and Parking Provision

The proposal will not impact on the current parking arrangement. The proposal includes additional bedrooms and would require the provision of at least 2 parking spaces in total. The existing arrangement satisfies this requirement and the proposal would not require any additional parking spaces nor will it have a negative impact on highway safety or the retention of an acceptable level of parking provision, meaning the proposal is in accordance with saved policy T12 of the Local Plan (2006). The council has no objection to the proposal in relation to highway safety or parking provision.

5.29 Planning Obligations

As mentioned earlier in the report due to the development proposed not physically restricting the implementation of the development found lawful under the application PT16/0781/CLP and the use of a condition to restrict this development not being sufficient; a legal agreement is required to prevent both developments being implemented. The terms of this agreement should prevent the development of the works found lawful under PT16/0781/CLP if the development proposed is implemented and vice versa.

5.30 Officers did consider the use of a condition to restrict permitted development rights and reducing the normal 3 year time limit for implementation of the proposal. While this could be appropriate to prevent permitted development from taking place in the future it does not prevent the development already found lawful from being built out before the implementation of the subject of this application. The condition could prevent the implementation of the lawful development however would only bite at the point at which the development under this application is implemented. Consideration has been given to the fact the application is being managed by the applicant.

Reducing the time period for implementation would reduce the risk of both developments coming forward; however in order for this risk to be small enough

to be acceptable this implementation period would be a year or less. As the project is being run by the applicant this time period is potentially too restrictive. Furthermore, the use of a section 106 agreement could remove any material risk of both developments being implemented. Given this consideration the proposed Unilateral Undertaking is seen as fairly and reasonably related in scale and kind to the development proposed.

5.31 The Community Infrastructure Levy Regulations 2010 set out the limitations of the use of Planning Obligations (S106). Essentially the regulations (regulation 122) provide 3 statutory tests to be applied to Planning Obligations and sets out that a planning obligation may only constitute a reason for granting planning permission for a development if the obligation is;

- a) Necessary to make the development acceptable in planning terms;
- b) Directly related to the development; and
- c) Fairly and reasonably related in scale and kind to the development.

5.32 In this instance, it is considered that the planning obligations are required to ensure that the development permitted under PT16/0781/CLP is not implemented if the development the subject of this application is and vice versa and to accord with the provisions of the NPPF (2012), CS5 of the Core Strategy (adopted) December 2013, the Development in the Greenbelt SPD (adopted) June 2007 and is consistent with the CIL Regulations (Regulation 122).

5.33 According to paragraph 203 of the NPPF planning obligations should not be used unless it is not possible to address the concern through the use of a planning condition. As aforementioned this mechanism is found to be appropriate with regard to Section 203 of the NPPF and the provisions of S106 of the Town and Country Planning Act 1990 (as amended).

5.34 Planning Balance

The proposal is considered to result in harm as a result of the introduction of an extension that is cumulatively far in excess of the guideline limits for appropriate development in the greenbelt. The NPPF requires that significant weight should be attributed to this harm and development should only be permitted if a case of Very Special Circumstances is put forward; and the benefits of granting permission clearly outweigh the potential harm. By virtue of the case put forward the proposal is not considered to be inimical to the aim of the greenbelt policy; which seeks to retain openness. Due to the weight attached to each harm and benefit of the proposal and the unique situation of the property, very special circumstances have been found to apply. The cumulative weight of the benefits has been found to outweigh the significant harm caused by inappropriate development in the greenbelt.

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 authority be delegated to the Director of Environment and Community Services to grant planning permission, subject to the conditions set out below and the applicant first voluntarily entering into a Unilateral Undertaking under Section 106 of the Town & Country Planning Act 1990 (as amended) to secure the following;

- i) If the works considered lawful under the application for lawful development (PT16/0781/CLP) are implemented the development the subject of this application is not.
- ii) If the works identified in this application are implemented the works subject of PT16/0781/CLP are not built out.

Reason

In order to ensure that both developments are not implemented. Furthermore the proposal is found to be inappropriate development in the greenbelt and is supported by a case of Very Special Circumstances in accordance with paragraph 88 of the NPPF (2012). This fall-back position forms the basis for the argument for these Very Special Circumstances. Failure to prevent implementation of PT16/0781/CLP would wholly undermine the case for such circumstances.

7.2 Should the agreement not be completed within 6 months of the date of the circulated schedule resolution that delegated authority be given to the Director of Environment and Community Services to refuse the application.

Contact Officer: Hanni Osman
Tel. No. 01454 863787

CONDITIONS

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

Reason

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

2. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall be of a similar appearance to 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.

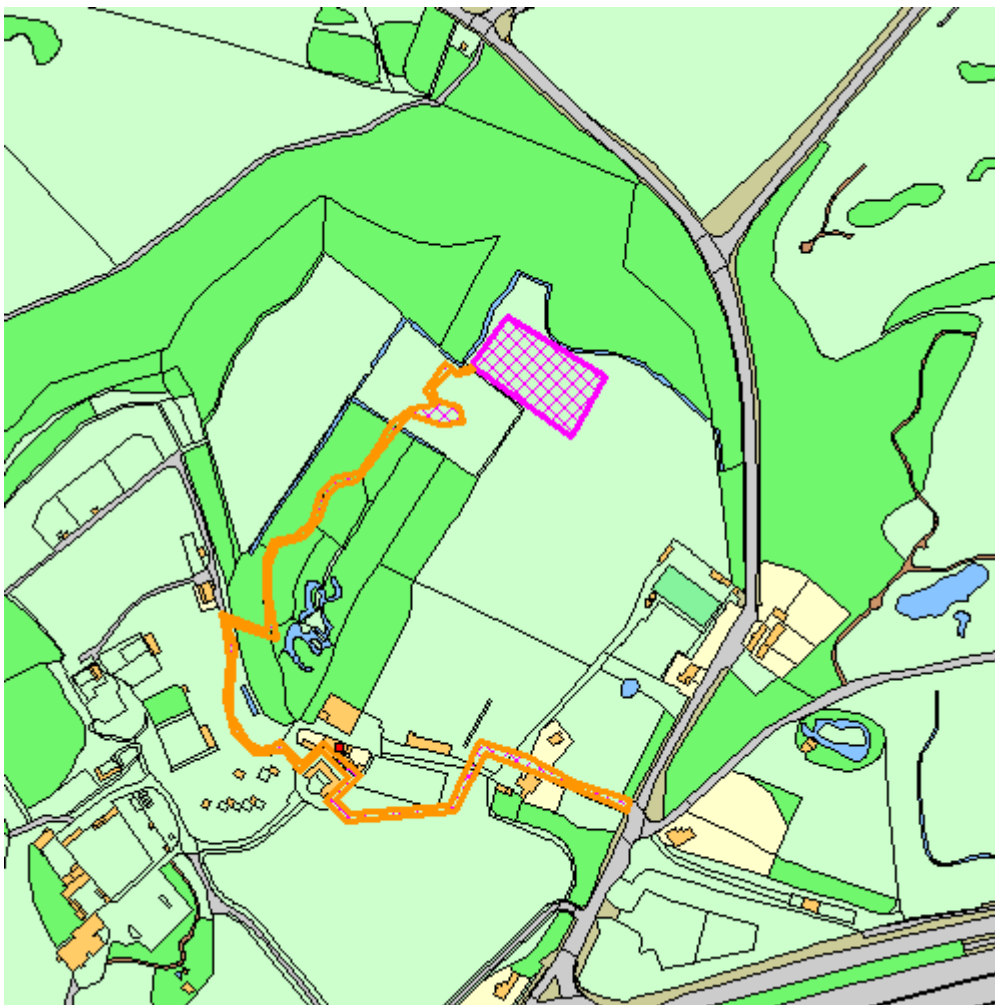
3. Notwithstanding the provisions of Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no development as specified in Part 1 (Classes A, B, D and E,) other than such development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

Reason

In order to safeguard against the abuse of the permitted development rights; such that proper consideration of the impact upon the Green Belt is not circumvented.; to accord with Policy CS5 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 and the provisions of the NPPF (2012).

CIRCULATED SCHEDULE NO. 02/17 – 13 JANUARY

App No.:	PT16/5444/F	Applicant:	Clifton And West Of England Zoological Bristol,
Site:	Wild Place Blackhorse Hill Easter Compton South Gloucestershire BS10 7TP	Date Reg:	17th October 2016
Proposal:	Erection of 10no glamping pods and associated works.	Parish:	Almondsbury Parish Council
Map Ref:	357620 181486	Ward:	Almondsbury
Application Category:	Minor	Target Date:	30th November 2016



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N.T.S.

PT16/5444/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application appears on the Circulated Schedule as there is a comment received raising objection to the proposed development. The officer recommendation is approval.

1. THE PROPOSAL

- 1.1 The application details the construction of ten 'Glamping Pods' and associated landscaping and infrastructure to be used for holiday type accommodation in association with the 'Wild Places' visitor attraction. The site located within the general area accommodating the 'Wild Places' visitor attraction and the wider planning permission associated with the National Wildlife Conservation Park (NWCP) as detailed in section 3 of this report. The subject area is located to the Northeast of the woodlands known as Webbs Brake and adjacent to existing zoological exhibits. Access to the facility would be on foot from the main public access to the whole park. Parking and general public access from the surrounding highway network would utilise existing facilities.
- 1.2 The proposed 'Glamping Pods' are 10 in number and include a pod to be used by a member of staff (a Ranger). The pods are light weight timber construction and would sit on top off light foundations. In this respect, the structures can be easily removed from the site. The pods are approximately 2½ metres high and tunnel shaped. 9 pods would accommodate up to 36 guests and these would have an overall length of 4.7 metres and a width of 4 metres. These pods provide simple sleeping and sitting accommodation with a small toilet/wash facility. The 'Ranger' pod is larger and is approximately 7 metres long. This pod includes a small kitchenette and desk. The pods are arranged in a crescent shape within a landscaped area. Pedestrian only access to the area is from the main zoological gardens. There is no parking or vehicular access directly associated with the pods. Drainage for the facility utilises a small package treatment plant for foul waste and soakaway for surface water.
- 1.3 The NWCP planning permission represents a phased development over a larger site for the provision of zoological gardens and associated development. For clarity, the first phase of the development approved under PT14/4573/RVC has been implemented and as such the planning permission is extant. Further submissions are anticipated representing the 'future phases' of that planning permission/development. These may trigger planning obligations required under that planning permission. However, for the avoidance of doubt, this application is not submitted as a 'future phase' of the development approved under PT14/4573/RVC and is a stand alone planning application which would effectively add ancillary facilities to the existing zoological gardens permitted under planning permission SG.8742 (approved in 1967) and as such would not trigger any of the planning obligations required under planning permission PT14/4573/RVC.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012

Planning Policy Guidance

2.2 Development Plans

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

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design

CS5 Location of Development

CS34 Rural Areas

2.3 Supplementary Planning Guidance

South Gloucestershire Development within the Green Belt (Adopted)

3. RELEVANT PLANNING HISTORY

3.1 There is a varied planning history relating to the Hollywood Tower Estate. The most relevant history, in that it is related to the use of the land and associated buildings for zoological gardens/attraction are listed below;

3.2 SG.8742 Change of Use from Agricultural Estate to Zoological Gardens

Approved with conditions (2nd March 1967)

3.3 PT04/3101/F Use of land for stationing of porta-cabin to provide office and staff rest-room for plant nursery. (Resubmission of PT04/1983/F)

Approved (12th October 2004)

3.4 PT06/0339/F Construction of new roundabout junction at Hollywood Tower Estate with alterations to existing access and associated works.

Approved with conditions (28th March 2008)

3.5 PT07/0764/CLP Certificate of Lawfulness for a Proposed Use or Development relating to the Estate for its use as Zoological Gardens subject to the conditions attached to planning permission SG.8742 dated 2 March 1967.

Certificate of Lawfulness issued (14th March 2007)

3.6 PT08/2839/LB Internal and external alterations, including partial demolition of curtilage Grade II listed Model Farm buildings.

Approved with conditions (11th December 2008)

3.7 PT08/2900/F Erection of built facilities, fencing, enclosures and other ancillary facilities pursuant to planning permission SG8742 (Change of Use from Agricultural Estate to Zoological Gardens). Part full application and part outline application with the following matters reserved: appearance, landscaping, layout and scale.

- Approved with conditions and subject to a s106 agreement (23rd July 2010)
- 3.8 PT09/5657/FDI Diversion of Footpath No. OAY79 in association with proposed development of the National Wildlife Conservation Park.
- Footpath Diversion Order confirmed (24th August 2010)
- 3.9 PT10/1048/F Planning consent for a porta-cabin to provide staff facilities in a temporary building. Consent was previously granted for a 5 year period but has now expired (PT04/3101/F).
- Approved (2nd July 2010)
- 3.10 PT11/3846/LB Internal and external alterations, including partial demolition of curtilage Grade II listed Model Farm buildings.
- Approved (24th January 2012)
- 3.11 PT13/0156/CLE Application for Certificate of Lawfulness for the retention of four animal shelters/buildings.
- Approved (5th July 2013)
- 3.12 PT13/0772/LB Minor internal and external works to Model Farm buildings.
- Approved (3rd May 2013)
- 3.13 PT14/4573/RVC Variation of Conditions for PT08/2900/F no. 7, 8, 9, 10, 13, 14, 15, 18, 19, 20, 21, 22, 25, 26 and 29
- Approved (11th March 2015)
- 3.14 PT15/1686/RVC Variation of condition 1 attached to planning permission PT10/1048/F to retain the building for a further five years.
- Approved (16th June 2015)
- 3.15 MODT15/0004 Deed of Variation of S106 Agreement attached to planning application PT14/4573/RVC.
- Resolved to be approved (Circulated Schedule 19th February 2016). The exact wording of the Deed of Variation is currently being finalised.
- 3.16 PT16/1657/F Development of a temporary zoological exhibit including erection of two single storey buildings, play areas, landscaping, groundworks, access, and associated infrastructure.
- Approved (28th June 2016)
- 3.17 PT16/4420/RVC Variation of condition 39 attached to planning permission PT14/4573/RVC to substitute plans.

This application is under consideration at the time of compiling this report. The application details the submission of alternative plans so as to replace an approved zoological exhibit with an alternative zoological exhibit.

4. CONSULTATION RESPONSES

4.1 Almondsbury Parish Council

Objection – the Parish Council comment that the application contradicts the original concept of a zoo and that the proposal shows future ideas of becoming a commercial enterprise. The Parish Council go on to comment that the proposal looks like a campsite that would result in a change of use and that they have very strong views about Green Belt land being developed.

4.2 Historic England

The organisation have confirmed that that it is not necessary for this application to be notified to Historic England. No objection is raised by historic England.

4.3 Archaeology Officer

No Objection

4.4 Landscape Officer

No Objection in principle. The proposed development is well screened from outside views by woodland to the north and northeast.

However, the Landscape Officer suggests that the proposed ornamental planting is not appropriate and it is suggested that this be amended to native species only. The proposed 'comma shaped' layout of the planting belt is rather formal in design and the applicant may wish to consider a more informal scattered arrangement.

4.5 Ecology Officer

No Objection in principle subject to conditions relating to ecological enhancement and lighting

4.6 Lead Local Flood Authority

No Objection in principle

4.7 Highway Structures

Wish to make no comment

4.8 Highway Authority

No Objection

4.9 Arts Co-ordinator

Wish to make no comment

4.10 Urban Design Officer

Wish to make no comment

Other Representations

4.11 Local Residents

No Comments have been received

5. ANALYSIS OF PROPOSAL

5.1 The proposed development consists of the provision of 10 'Glamping Pods' and associated landscaping and infrastructure. The site is located within an established Zoological Gardens use.

5.2 Principle of Development

The site is located within the boundary of the 'Wild Places' visitor attraction providing zoological exhibits and related attractions. This proposal is submitted as a stand-alone planning application to provide a further holiday accommodation in the form of 10 'Glamping Pods' which includes a pod for use by an employee (Ranger). It is also noted that an extant planning permission (PT14/4573/RVC) for a further, much larger scale zoological attraction (National Wildlife Conservation Park (NWCP)) is also established. This position has established the use of the site for zoological development.

5.3 The applicant sets out that the proposed 'glamping' facilities would be used as an ancillary element of the wider existing zoological gardens and would not operate as a 'stand-alone' campsite or holiday attraction. The applicant explains that the facilities would offer visitors an enhanced experience similar to other popular zoological attractions such as Whipsnade Zoo (Bedfordshire) that offers lodges and Bristol Zoo which offers a guest apartment. Accordingly, the applicant argues that this proposal would represent ancillary facilities to be used in conjunction with the primary use of the land as a zoological attraction. Given the modest scale of the development and its direct relationship with the existing zoological attraction officers concur with the applicant's position and consider that the proposed development would be ancillary in nature. On this basis, officers are satisfied that development would not represent a 'change of use of land'.

5.4 Accordingly, consider that the proposed development is acceptable in principle subject to the following considerations.

5.5 Green Belt

The site is located within the Green Belt and within the open countryside. Under normal circumstances, the provisions of new buildings within the Green Belt is not appropriate development as set out under paragraph 89 of the National Planning Policy Guidance. However, for the reasons set out below, officers consider that the proposed development as an ancillary part of a zoological attraction in this Green Belt location, is established and as such is appropriate in this location.

5.6 In this instance, the applicant argues that the proposed development should be considered in the context of the existing zoological land use and the associated exhibits/development. As set out above, officers are satisfied that the proposal would amount to ancillary activities associated with the existing/established

zoological gardens (Wild Places). As such the development of these facilities as part of the existing use on this site is established in principle. As set out earlier in this report, the area of land on which the application site is located is located within the site covered by extant planning permission PT14/4573/RVC (the National Wildlife Conservation Park). This carries significant weight in the assessment of this planning application. Indeed, this particular location would accommodate 'exhibit E11' (the Indian Ocean Coral Reef exhibit) and the development of this exhibit is approved under the extant planning permission. This exhibit is would be larger in scale than that which is proposed under this application. On this basis, officers concur with the applicant that the provision of the proposed glamping facilities on this site (as part of the National Wild Life conservation Park) is established. It is logical to conclude that the impact of providing such development in this Green Belt location is considered acceptable. Given that the proposed development is more modest in scale than the extant officers conclude that the proposed development would not have any greater impact than development otherwise approved in respect of the openness of the Green Belt. Accordingly officers conclude that the proposal would not conflict with the purposes of including the land within the Green Belt and as such complies with Policy CS5 and CS34 of the South Gloucestershire Local Plan, Core Strategy and the provisions of the National Planning Policy Framework.

5.7 Landscape, Visual Impact and Listed Building Considerations

The applicant indicates that the proposed 'Glamping Pods' would complement the experience of the Wild Places Zoological Gardens as a visitor attraction. The existing exhibits on the Wild Places site, have a 'theme' representative of the environment associated with the animal to be exhibited. This approach is also being taken with the proposed glamping pods and its associated area. The general theme is one of a 'safari' type appearance and this is further complimented by specific activities on offer exclusively to the guests staying in the facility. The development would be landscaped and would include bamboo planting to provide screening.

5.8 The location of the proposed development is such that it is well screened from views from within the zoological park and from outside the site. Given the relatively modest scale of the development and its low overall height, it is considered that there would be no significant impact in landscape terms. The landscape officer has suggested that the type and pattern of the proposed planting is revised to be less 'formal' in appearance. However, given the context of the zoological gardens and the nature of 'themed' exhibits nearby and across the park generally; and the relatively secluded siting of the proposed facility, overall officers are satisfied that the planting proposed is consistent with its context.

5.9 Officers acknowledge that the site is within the former park land associated with the Hollywood Towers Estate which includes listed buildings. As set out above, the proposed development is well screened from the listed buildings such that there would be very minimal impact upon the setting of those buildings. As such, the proposed development is acceptable in that regard.

- 5.10 Arboricultural Considerations
No trees are affected by the proposed development and on this basis, the development is acceptable in Arboricultural terms.
- 5.11 Ecological Considerations
The Ecology Officer has confirmed that the proposed development would not have any significant implications for the ecological value of the site or the surrounding locality. However, it is considered that the opportunity to enhance the ecological value of the site should be taken along-side measures to ensure protected species (such as Bats) are not harmed. On this basis, the Ecology officer suggests that any approval of this application is subject to conditions to secure a scheme to provide artificial bat boxes and bird nest boxes and details/implementation of a 'bat friendly' lighting scheme.
- 5.12 Officers note that the extant planning permission for the National Wildlife Conservation Park (PT14/4573/RVC) does include specific and detailed conditions relating to Ecology within the park. However, as this is a stand-alone application it is appropriate to add conditions relating to ecology as this development would not trigger the requirement to comply with conditions on the wider planning permission. Officers are satisfied that the suggested conditions are appropriate and should be imposed in the event that planning permission is granted.
- 5.13 Archaeology
There are no archaeological constraints relating to this application.
- 5.14 Drainage Issues
The Lead Local Flood Authority has confirmed that there are no objections to the proposed development in drainage terms. The development would contain its own waste water package treatment plan. This is subject to a licence ('consent to discharge') held under environmental legislation controlled by the Environment Agency. The applicant has indicated that the use of the system is confirmed by the Environment Agency.
- 5.15 Residential Amenity
The site is located in a relatively isolated position well away from existing residential dwellings. On this basis, it is considered that there would be no material impact in respect of the residential amenity and privacy of the occupants of surrounding dwellings.
- 5.16 Transportation and Highway Safety
Access to the site would utilise the existing visitor parking and access arrangements associated with the 'Wild Places' visitor attraction and also implemented in connection with the development of the National Wildlife Conservation Park. There would be no direct vehicular access or parking provided with the glamping pods. Given the scale of the proposed development and its position within the existing zoological attraction, it is not considered that the proposed development would result in a materially greater impact over and above the existing visitor numbers to the site generally. On this basis, it is considered that the proposed development would not materially impact upon the highway safety, capacity or amenity of the surrounding highway network.

5.17 Economic Considerations

The Parish Council has raised some concern that the existing zoological gardens are becoming more commercial in nature through the proposed development. As set out above, officers are satisfied that the development would not act to change the use of the land subject of the application and the proposed 'Glamping Pods' would be ancillary to the wider zoological gardens as a visitor attraction. Accordingly, it is not considered that the development would alter the character of the existing development. It is clear that for the development to continue to be economically viable, it must operate on a commercial basis. In this instance the proposed development is relatively modest in scale but it would facilitate an improvement to the overall attraction of the 'Wild Places' project; and in turn would contribute to the positive economic nature of the attraction as a whole. On this basis, officers consider that the proposed development would represent positive and sustainable economic development in South Gloucestershire.

5.18 Planning Conditions

Officers have considered the use of a planning condition to make the 'glamping pods' a temporary element of the zoological gardens in the context of the wider planning consent for the National Wildlife Conservation Park (NWCP). However, the proposed development represents a stand-alone feature and in the event that planning permission is granted, it would not supersede the implementation of future exhibits associated with the NWCP. Indeed, the future implementation of exhibits on this location in the NWCP would require the removal of the development proposed under this application. Given the temporary nature of the glamping pods this would be easily achievable. On this basis, officers are satisfied that such a condition is not necessary.

5.19 Other conditions relating to ecology have been addressed earlier in this report.

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 is GRANTED subject to the conditions on the decision notice.

Contact Officer: Simon Penketh
Tel. No. 01454 863433

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. Bat Boxes and Bird Nesting Boxes

The development shall not be occupied until details of the provision/locations of Bat Boxes and Bird Nesting Boxes within or immediately around the site have been submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the details so agreed and retained as such.

Reason

In the interests of the protection of woodland and hedgerow habitat and the ecological value of the site and surrounding area 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.

3. External Lighting

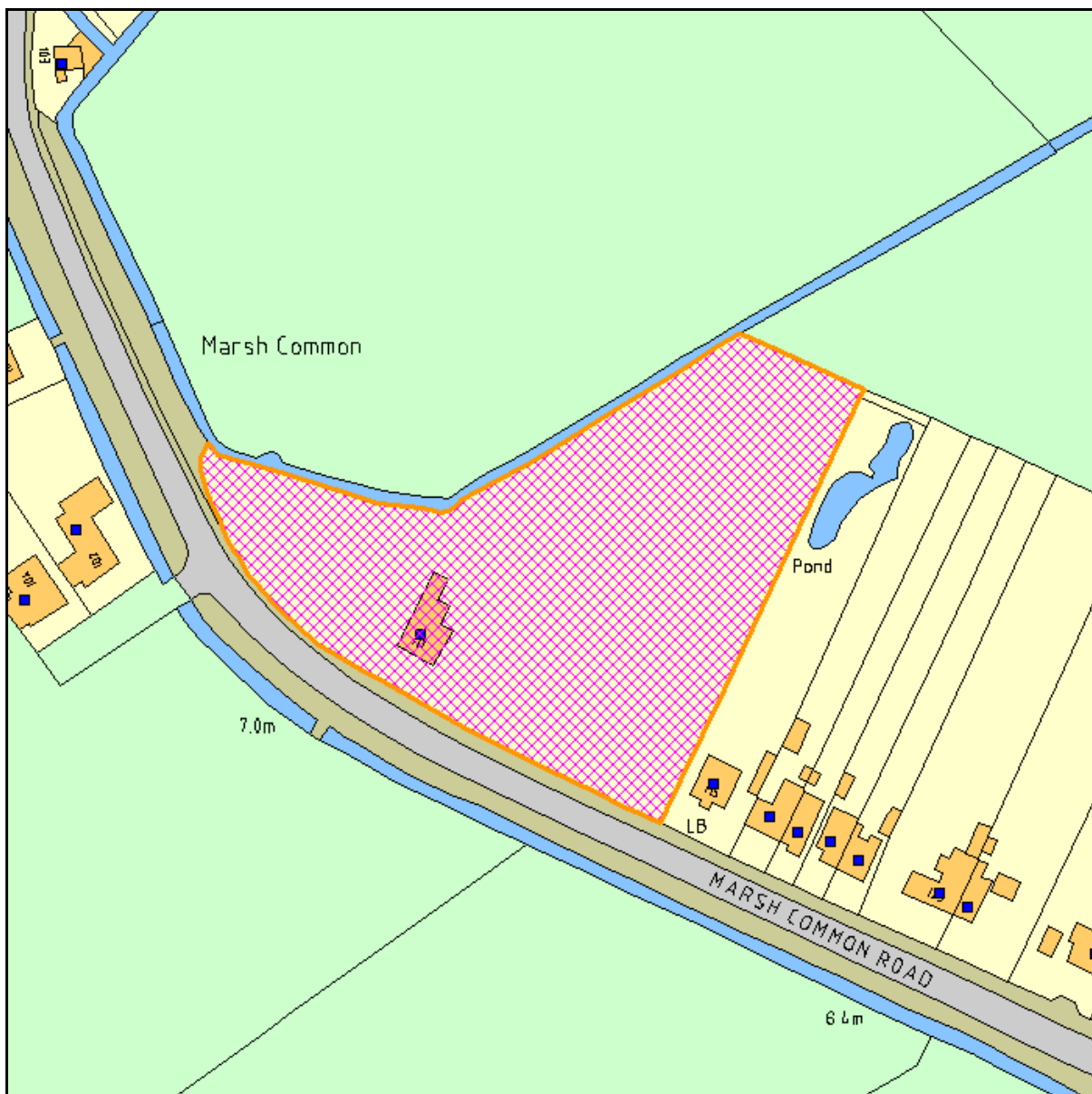
No external lighting shall be installed within the development hereby approved until details of the external lighting have been submitted to and agreed in writing by the Local Planning Authority. There after the development shall be implemented in accordance with the details so agreed and retained as such. For the avoidance of doubt the external lighting shall be designed so as to minimise the impact of the development on habitat used by Bats.

Reason

In the interests of the protection of woodland and hedgerow habitat and the ecological value of the site and surrounding area 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.

CIRCULATED SCHEDULE NO. 02/17 – 13 JANUARY 2017

App No.:	PT16/6094/CLP	Applicant:	Mr Terry Whittingham
Site:	Homeland Cottage 111 Marsh Common Road Pilning Bristol South Gloucestershire BS35 4JU	Date Reg:	5th December 2016
Proposal:	Application for certificate of lawfulness for the proposed erection of 3no. domestic outbuildings	Parish:	Pilning And Severn Beach Parish Council
Map Ref:	356285 183522	Ward:	Pilning And Severn Beach
Application Category:	Certificate of Lawfulness	Target Date:	25th January 2017



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PT16/6094/CLP

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 3 no. domestic outbuildings at Homeland Cottage, 111 Marsh Common Road, Pilning, would be lawful under the Town and Country Planning (General Permitted Development) (England) Order 2015.
- 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 E

3. RELEVANT PLANNING HISTORY

- 3.1 PT14/1086/CLP Approved 02/05/2014
Application for certificate of lawfulness for the proposed erection of a detached swimming pool building.
- 3.2 PT12/3227/CLE Approved 10/05/2013
Application for Certificate of Lawfulness for existing alterations and extensions to property and garage, not in accordance with planning permission PT06/2521/F.
- 3.3 PT06/2521/F Approve with conditions 06/10/2006
Partial demolition of existing dwelling to facilitate two storey and single storey extension to form additional living accommodation, including conservatory. Complete demolition of outbuildings to facilitate erection of detached garage and workshop.

4. CONSULTATION RESPONSES

- 4.1 Pilning and Severn Beach Parish Council
The site is in a flood risk area and the Parish Council suspect this is a way in which the applicant may try to develop the site for housing. Should the Council approve this application then a condition should be placed on the approval preventing the outbuildings from ever being lived in.

Other Representations

- 4.2 Local Residents
None received.

5. SUMMARY OF EVIDENCE RECEIVED TO SUPPORT THE APPLICATION

- 5.1 The application is supported by the following drawings: Site Location Plan 001; Proposed Site Plan 300; Proposed Plans and Elevations Building 1 ref 301; Proposed Plans and Elevations Building 2 ref 302; Proposed Plans and Elevations Building 3 ref 303; all received 30th November 2016.

6. ANALYSIS OF PROPOSAL

- 6.1 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 decision is based on the facts presented. The submission is not a planning application and thus the Development Plan is not of relevance to the determination of this application. If the evidence submitted demonstrates that the proposed development is lawful, on the balance of probabilities, the Local Planning Authority must grant a certificate confirming this.
- 6.2 The key issue is to determine whether a proposal falls within the permitted development rights afforded to householders under Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (GPDO). Schedule 2, Part 1, Class E of Town and Country Planning (General Permitted Development) Order 1995 (As Amended) allows for the provision within the curtilage of the dwelling house of:- 'any building or enclosure...for a purpose incidental to the enjoyment of the dwellinghouse'. The site did have its permitted development rights removed under application number PT06/2521/F, however this approval no longer stands following a Certificate of Lawfulness issued in 2013 for existing alterations and extensions to the property and garage, not in accordance with the planning permission previously approved. Therefore, the permitted development rights of the property remain intact.
- 6.3 The proposal is for 3 no. outbuildings. Building 1 is shown to contain a workshop and a garage large enough for 3 no. vehicles, as well as a small toilet. Building 2 consists of a gym, sauna, shower room, toilet and a home cinema to seat ten people. Building no. 3 will contain a snooker room, a bar, a wine cellar, a toilet and a playroom. The buildings are to be situated towards the north-eastern part of the site, with the closest proposed outbuilding being over 40 metres away from the existing dwelling, on the site of a large tennis court at the property. Aerial photographs of the site over the years show the area on which the buildings are proposed to have been used in the following manner:

1991	Agricultural in appearance with barn structure to south
1999	Agricultural, barn still in situ. More overgrown than 1991
2005	Barn removed. Land fenced off separately from house, grassed. Divided from residential curtilage which has trampoline visible on it.
2006	Land fenced off separately from house, small building on land. Overgrown. Divided from residential curtilage which has trampoline visible on it.
2008	Fence removed, tennis court on site, path leading from newly installed swimming pool in residential curtilage to south-west
2014	Tennis court retained on site.

No planning application to change the area from agricultural to residential curtilage has been received or approved by the Council, and it is unclear what point between 2006 and 2008 the change took place. For a change of use to become lawful due to the passage of time, it must have been in use continuously as residential curtilage in excess of ten years, and a Certificate of Lawfulness for the use of the land would be required to demonstrate this. As it stands, the Local Planning Authority cannot be sure that the area on which the proposed outbuildings are to be sited is lawfully residential curtilage, and therefore the permitted development rights are not applicable.

- 6.4 Notwithstanding the above, it is appropriate to comment on the likelihood of a Certificate of Lawfulness being granted should the site be deemed lawful residential curtilage. Officers consider that all of the uses could be defined as ‘a purpose incidental to the enjoyment of the dwellinghouse,’ however the scale, distance from the property, and some uses which could be accommodated within the dwellinghouse and its existing outbuildings that suggests otherwise.
- 6.5 The combined floor space of the outbuildings is excessive at 320.7 square metres compared to the 116 square metres occupied by Homeland Cottage, and the outbuildings are between 40 metres and over 60 metres away from the property to which they relate. This is a significant distance, and the relationship between the proposed playroom and Homeland Cottage is particularly distant given the supervision you would expect due to the nature of the use. The applicant has cited the recent case at Woodlands, Ram Hill (APP/P0119/X/16/3145326) whereby the Inspector allowed the appeal against South Gloucestershire Council’s decision to refuse to grant a Certificate of Lawfulness for two incidental outbuildings based on their scale and the distance from the dwellinghouse, however this proposal is materially different as the floor space of the outbuildings are much larger in comparison to the dwelling and the distance between the two is much greater than the previously allowed Woodlands appeal.
- 6.6 In the *Emin v Secretary of State for the Environment and Mid-Sussex County Council*, QBD, 1989, 58 P&CR judgement, Sir Graham Eyre QC refers to the need to address “*the nature of the activities to be carried on in the proposed building to ensure that they are incidental or conducive to the very condition of living in the dwellinghouse.*” He explains that the scale of those activities is an important matter and “*in that context the physical sizes of buildings could be a relevant consideration in that they might represent some indicia as to the nature and scale of the activities.*” “*When a matter is looked at as a whole, size*

may be an important consideration but not by itself conclusive.” Whilst it is a matter primarily for the occupier to determine what incidental purposes they propose to enjoy, an objective test of reasonableness should be applied having regard to the circumstances of a particular case. Whether a building is required for a purpose associated with the enjoyment of the dwellinghouse “*cannot rely on the unrestrained whim of he who dwells there.*” It was considered that the test to be applied is whether the use of the proposed buildings, when considered in the context of the planning unit, are intended to be, and will remain, incidental or subordinate to the main use of the property as a dwellinghouse. The scale of the three buildings hereby proposed are not subordinate and the distance from the dwellinghouse prevents them from being considered incidental.

- 6.7 It should also be noted that there is a games room in the existing outbuilding to the front of the site, and so the provision of a ‘snooker room’ in addition to this is considered to equate to the ‘*unrestrained whim*’ of the occupier, as identified by the Emin case detailed above. Similarly, the garage proposed for a ‘car collection’ could be accommodated within the existing double garage, and no justification for the additional space has been provided. On the balance of the evidence therefore the proposal would not fall within the remit of Class E given that it is not accepted that they would be incidental to the enjoyment of the dwellinghouse.
- 6.8 It is noted that PT14/1086/CLP, which is not yet built, also contained a gym in addition to the one proposed in building no. 2, however the applicant does not intend to implement both buildings. In the event that the Certificate of Lawfulness is granted, and later implemented, this would represent a material change as discussed in section 172 of the Town and Country Planning Act 1990, and would therefore prevent the Certificate of Lawfulness of PT14/1086/CLP coming into force, and vice versa, so only one gym could be implemented at any one time.
- 6.9 The remainder of the report is primarily in the interest of fullness of information in order to show that had the proposed outbuildings considered to be incidental to the enjoyment of the host dwelling, and the area of land was proven to be lawful residential curtilage, both buildings would otherwise have fallen within the remaining criteria of Part 1 Class E of the Town and Country Planning (General Permitted Development) Order 2015.
- E.1 (a) The total area of ground covered by buildings, enclosures and containers within the curtilage (other than the original dwelling house) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwelling house);**
The application property is shown to be set within a large plot, and so the existing and proposed buildings (excluding the original dwellinghouse) would not exceed 50% of the total area of the curtilage. The application therefore meets this criterion.
- (b) Any part of the building, enclosure, pool or container would be**

situated on land forward of a wall forming the principal elevation of the original dwelling house;

In establishing the 'principal elevation' the Government's Permitted Development for Householders Technical Guidance (2013) states the following:

In most cases, the principal elevation will be that part of the house which fronts the main highway serving the house (the main highway will be the one that sets the postcode for the house concerned). It will usually contain the main architectural features such as main bay windows or a porch serving the main entrance to the house. Usually but not exclusively the principal elevation will be what is understood to be the front of the house.

The principal elevation of the dwellinghouse is identified as the elevation facing Marsh Common Road – the south west elevation. It exhibits the typical features of a principal elevation such as a front door and prominent windows to habitable rooms. Other houses on the street have the same road facing principle elevation. It is however noted that there are other entrances which, due to their closer proximity to the drive way, will be used as the main entrance by the occupiers most often. Notwithstanding this, the large door on the south east elevation was not part of the original dwellinghouse, as seen in plans of the existing dwellinghouse as it stood in May 2004 in application number PT06/2521/F. It is the elevation facing the road that sets the postcode for the dwelling.

In conclusion, it is considered that the south west elevation facing Marsh Common Road is, for the purpose of the GDPO, the 'principal elevation'. The three proposed outbuildings would not be forward of this elevation and as such the application meets this criterion.

(c) The building would have more than one storey;

The proposed buildings would be single storey.

(d) The height of the building, enclosure or container would exceed-

- (i) 4 Metres in the case of a building with a dual-pitched roof,**
- (ii) 2.5 metres in the case of a building or enclosure or container within 2 metres of the boundary of the curtilage of the dwelling house, or**
- (iii) 3 metres in any other case;**

The buildings are not within two metres of the boundary to the site and do not exceed four metres. As the buildings are proposed to have a hipped roof, they are considered to meet this criterion.

(e) The height to eaves of the building would exceed 2.5 metres;

The eaves height of the proposed building would not exceed 2.5 metres.

(f) The building, enclosure, pool or container would be situated within the curtilage of a listed building;

The dwelling is not a listed building.

(g) It would include the construction or provision of a veranda, balcony or raised platform;

The plans do not indicate that a veranda, balcony, or raised platform are proposed.

(h) It relates to a dwelling or microwave antenna; or

No microwave antenna is proposed.

(i) The capacity of the container would exceed 3,500 litres.

Not applicable.

E.2 In the case of any land within the curtilage of the dwelling house which is within-

(a) A World Heritage Site,

(b) A National Park,

(c) An Area of Outstanding Natural Beauty, or

(d) The Broads,

Development is not permitted by Class E if the total area of ground covered by buildings, enclosures, pools and containers situated more than 20 metres from any wall of the dwelling house would exceed 10 square metres.

The application site is not located within any of the above.

E.3 In the case of any land within the curtilage of the dwelling house which is article 1(5) land, development is not permitted by Class E if any part of the building, enclosure, pool or container would be situated on land between a wall forming a side elevation of the dwelling house and the boundary of the curtilage of the dwelling house.

The application site is not located on article 1(5) land.

6. RECOMMENDATION

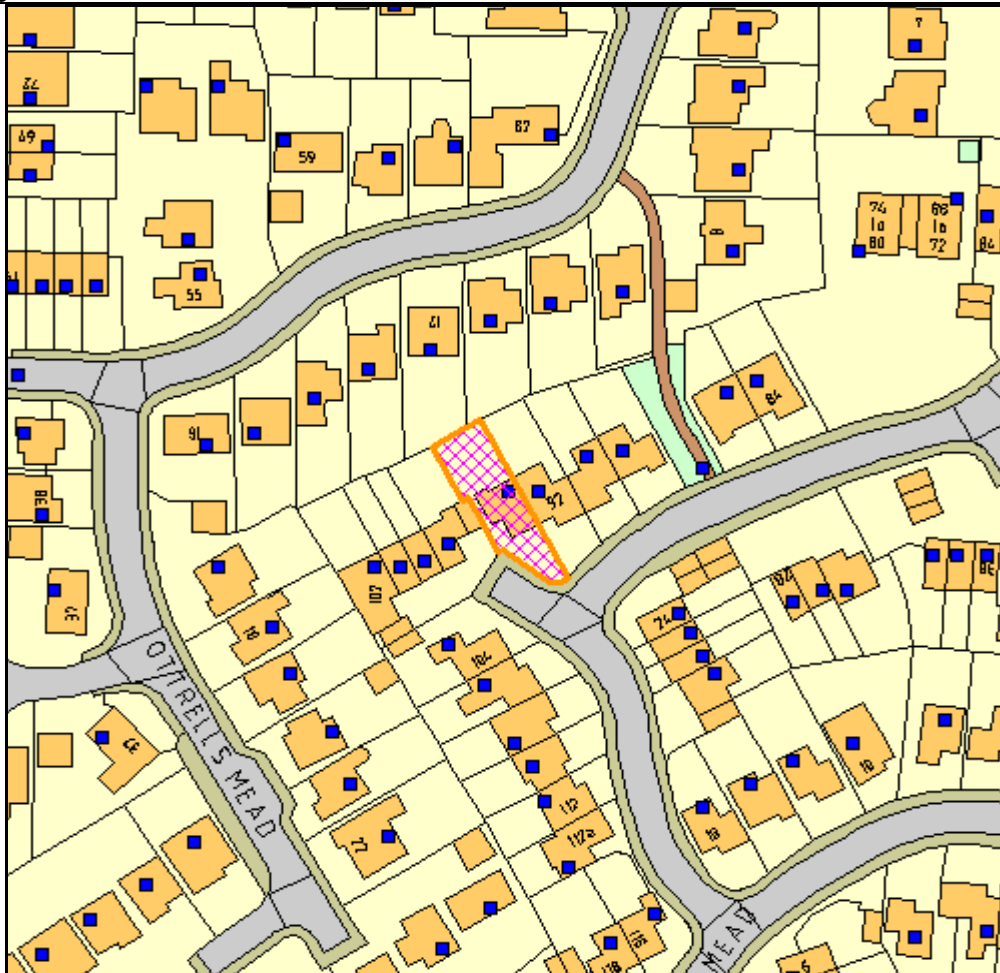
6.1 That a Certificate of Lawfulness for Proposed Development is **REFUSED** for the following reasons:

1. It is concluded that the development is proposed on land outside of the residential curtilage of the dwellinghouse (Homeland Cottage). Accordingly, the development would not constitute permitted development within Part 1 Class E of the Town and Country Planning (General Permitted Development) Order 2015.
2. It is concluded that, on the balance of probabilities, the proposed development could not reasonably be described as for purposes incidental to the enjoyment of the dwellinghouse (Homeland Cottage) due to their scale and location. The likely uses in relation to the modest size of the dwellinghouse would go beyond that which may be considered incidental. Accordingly, the development would not constitute permitted development within Part 1 Class E of the Town and Country Planning (General Permitted Development) Order 2015.

Contact Officer: Trudy Gallagher
Tel. No. 01454 862217

CIRCULATED SCHEDULE NO. 02/17 – 13 JANUARY 2017

App No.:	PT16/6212/F	Applicant:	Mr And Miss Simon And Lucy Pillinger And Wilcox Simon Andrew Pillinger and Lucy Claudette Wilcox
Site:	94 Apseleys Mead Bradley Stoke Bristol South Gloucestershire BS32 0BG	Date Reg:	16th November 2016
Proposal:	Erection of a single storey side extension to form additional living accommodation.	Parish:	Bradley Stoke Town Council
Map Ref:	361312 183015	Ward:	Bradley Stoke North
Application Category:	Householder	Target Date:	6th January 2017



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This report appears on the Circulated Schedule following a comment from the Parish Council.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of a single storey side extension to form additional living accommodation. The application site relates to 94 Apseleys Mead, Bradley Stoke.
- 1.2 During the course of the application confirmation was requested that there would be sufficient parking to the front of the property to accommodate two parking spaces following the development.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework
Planning Policy Guidance

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

- CS1 High Quality Design
- CS4A Presumption in Favour of Sustainable Development
- CS5 Location of Development
- CS8 Improving Accessibility
- CS9 Managing the Environment and Heritage

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

- H4 Residential Development within Existing Residential Curtilages
- T12 Transportation Development Control Policy for New Development

- 2.3 Emerging policy: South Gloucestershire Local Plan: Proposed Submission: Policies, Sites and Places Plan June 2016

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

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

3. RELEVANT PLANNING HISTORY

- 3.1 P88/0020/69 Residential development on approximately 2.8 hectares (6.96 acres) to include erection of 115 dwelling units with associated garages and boundary walls. Construction of estate roads and car parking

areas (in accordance with the amended plans received by the council on 30th March 1988 and 14th April 1988) (to be read in conjunction with P84/20/1)
Approved 20.4.88

4. **CONSULTATION RESPONSES**

4.1 Bradley Stoke Town Council

Objection:

Insufficient information relating to the use of the garage and parking

4.2 Other Consultees

Sustainable Transport

Objection:

More information required as to the number of bedrooms

Updated comments:

Four bedrooms confirmed so 2 parking spaces required. No objection subject to a condition regarding the parking

Other Representations

4.3 Local Residents

None received

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The application stands to be assessed against the above listed policies and all material considerations. Of particular relevance is the impact on the character of the area and the host property in terms of appearance, the impact on the amenity of the existing house and that of its neighbours and the impact on highway safety and on-street parking.

The proposal is considered to accord with the principle of development and this is discussed in more detail below.

5.2 Design and Visual Amenity

The application site is a two-storey semi-detached property likely to have been built in the 1980s. It is part of a development comprising properties of similar style and appearance. The property benefits from a single attached garage which would be converted and extended to accommodate the proposed development.

5.3 Following the development the ground floor accommodation would comprise a utility room and other living accommodation facilitated by changing the pitch across the length of the new structure, thereby raising the existing roofline by about 18cm. The number of bedrooms at first floor would remain unchanged at 4. The proposed extension would be to the front of the existing garage and would follow the building line created by the main dwelling. It would

measure about 4 metres in length and 1.4 metres in width. The height to ridge would be approximately 4.3 metres. The existing garage door would be replaced by a window.

5.4 In terms of the design, scale, massing and materials proposed the development is considered acceptable and appropriate to the host property and character of the area in general.

5.5 Residential Amenity

The proposed extension would be along the southwest elevation. Closest neighbours to the west are separated by their own attached garage which is set back from the main building lines. Although the proposed extension would be forward of this garage given that the neighbouring dwelling is further to the west it is considered that there would be no adverse impact in terms of overshadowing or overbearing from this single storey addition. The rear garden of the application site would be unaffected and as such sufficient amenity space would remain to serve the occupants. The proposal is considered to accord with policy and can be recommended for approval.

5.6 Sustainable Transport

During the course of the application confirmation was requested from the applicant to demonstrate that the required amount of parking could be achieved on site. As the property would remain a four bed house, two off-street parking spaces are required to meet the adopted residential parking standards. It was noted that the proposed block plan showed two parking spaces to the front but these did not conform to the standards which state that each space must achieve a measurement of 4.2 x 2.4 metres. However, given that this level of parking could be achieved in the front garden a condition is to be attached to the decision notice declaring that this amount of parking must be provided prior to the extension being occupied. This is considered reasonable.

6. CONCLUSION

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

6.2 The recommendation to **grant** permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

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

Contact Officer: Anne Joseph
Tel. No. 01454 863788

CONDITIONS

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

Reason

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

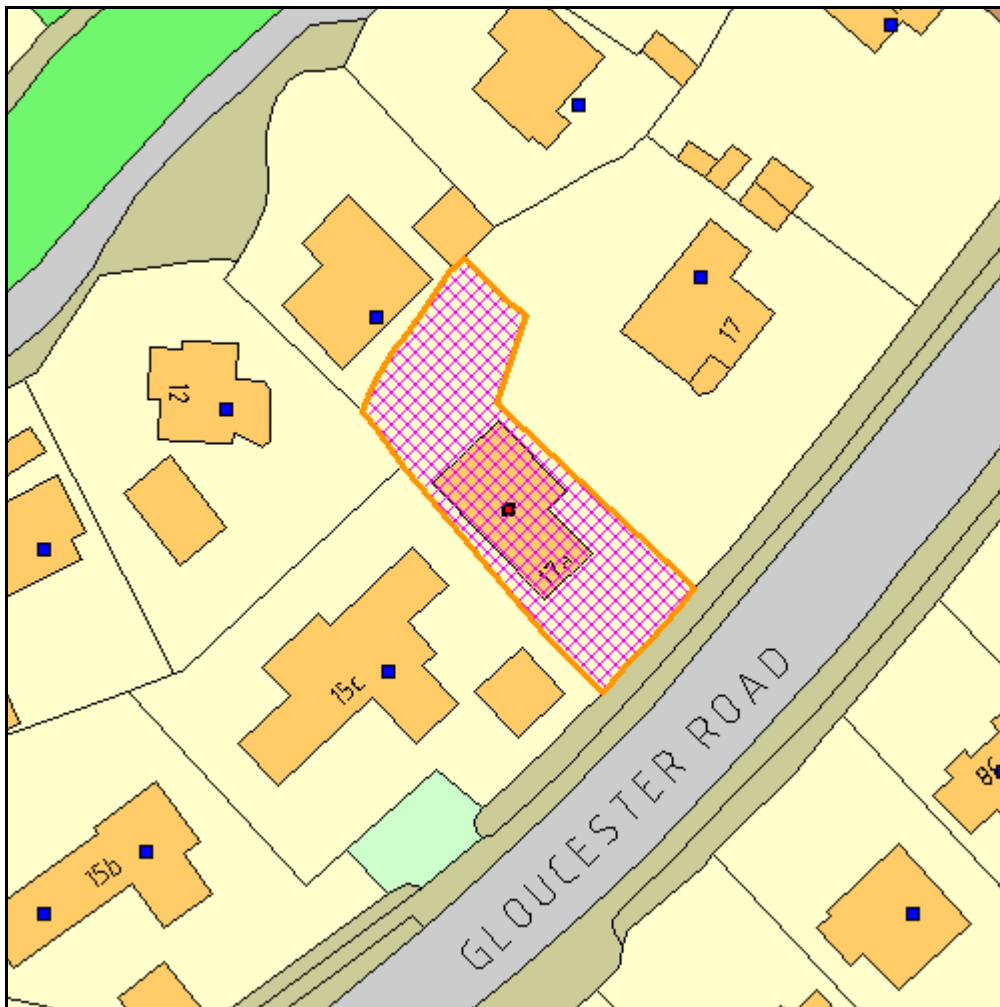
2. Prior to the first occupation of the extension, two off-street parking spaces each measuring 2.4x4.8 metres shall be provided within the site boundary and thereafter retained for that purpose. The parking area is to be of a permeable bound surface and be maintained as such thereafter.

Reason

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

CIRCULATED SCHEDULE NO. 02/17 – 13 JANUARY 2017

App No.:	PT16/6232/F	Applicant:	Mr Pearson
Site:	17A Gloucester Road Almondsbury South Gloucestershire BS32 4HD	Date Reg:	17th November 2016
Proposal:	Erection of detached double garage/workshop	Parish:	Almondsbury Parish Council
Map Ref:	360813 184212	Ward:	Almondsbury
Application Category:	Householder	Target Date:	10th January 2017



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REASONS FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The application seeks planning permission for the erection of a detached double garage with a workshop above at 17A Gloucester Road Almondsbury.
- 1.2 The host dwelling is a detached two storey property located within a defined settlement boundary. The applicant site is 'washed over' by the Bristol/ Bath Green Belt.
- 1.3 Following concerns raised by the Officer revised plans were received on 3rd January 2017 showing the alterations from dormer windows to velux roof windows. Additionally it was agreed that the description of the proposal would be changed to read '*Erection of detached double garage with workshop*' officers did not deem it necessary to offer a period of reconsultation.
- 1.4 It should be noted that the comments received from Almondsbury Parish Council were received four weeks after the end of consultation period.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Policy Guidance 2014

2.2 Development Plans

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

H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings
T12 Transportation

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS4A Presumption in Favour of Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage

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

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

- 2.3 Supplementary Planning Guidance
Design Checklist Supplementary Planning Document (adopted) August 2007
Residential Parking Standards Supplementary Planning Document (adopted)
December 2013
Development in the Green Belt Supplementary Planning Document (adopted)
June 2007

3. **RELEVANT PLANNING HISTORY**

- 3.1 PT11/2689/RVC Variation of condition 2 attached to planning permission
PT09/0581/F to omit details of tree survey and to provide details of
replacement tree covered by Tree Preservation Order.
Approved with Conditions 24.10.2011
- 3.2 PT09/0581/F Erection of 1 no. detached dwelling new vehicular access
and associated works. (Re-Submission of PT08/2628/F)
Approved with Conditions 22.05.2009
- 3.3 PT08/2628/F Erection of 1 no. detached dwelling and integral garage.
Construction of new vehicular and pedestrian access.
Withdrawn 13.11.2008
- 3.4 PT05/2816/O Erection of dwelling on 0.06 hectares of land and formation
of new vehicular access. (Outline). (Resubmission).
Refused 05.12.2005
- 3.5 PT05/0307/O Erection of new dwelling on 0.06 hectares of land. (Outline)
Refused 09.08.2005

4. **CONSULTATION RESPONSES**

- 4.1 Almondsbury Parish Council
Objection- the level of the roofline will be raised too high and the carport looks
more like a dwelling. There are also concerns over where the storm water will
run.
- 4.2 Sustainable Transport
The proposed car port possesses solid walls on three sides so must be
considered as a garage and as such it needs to conform to the Council's
required minimum internal dimensions. On examination the proposal conforms
to the Council's minimum dimensions as set out in the residential parking
standards SPD; as such, there are no highways or transportation comments
about this application.
- 4.3 The Tree Officer
Original comments highlighted the need for an Arboricultural report with a tree
constraints and protection plan and a method statement. However following
correspondence from the agent regarding the original construction of the
dwelling the tree officer confirms that a tree report will no longer be required.

- 4.4 The Archaeology Officer
No objections to the proposal on archaeological grounds.

Other Representations

- 4.5 Local Residents
Two letters of objection have been received from local residents. The comments raised are as follows:
- Loss of amenity and privacy to our main family garden recreation area;
 - The proposed dormer windows and external staircase will have unobscured views into our family garden and family room window.
 - The proposal is overbearing and is out of proportion with the size of the plot and existing properties in the area;
 - The proposal is outside of the existing build line of adjacent properties;
 - The proposed build is likely to enhance the site but depress the adjacent properties;
 - Granting permission would set a precedent for future development of this site.

5. ANALYSIS OF PROPOSAL

- 5.1 The application seeks planning permission for the erection of a detached double garage with a workshop above in Almondsbury.

- 5.2 Principle of Development
The principle of the proposed development will be assessed against Sections 9 (Green Belt) of the National Planning Policy Framework; as well as policy CS5 of the Core Strategy (adopted December 2013). Because of the site's location the Green Belt the Development in the Green Belt Supplementary Planning Document (adopted June 2007) will also be a material consideration.

- 5.3 Additionally, Saved Policy H4 of the South Gloucestershire Local Plan (adopted January 2006) and emerging Policy PSP38 of the PSP Plan (June 2016) are supportive of development within the residential curtilage of existing dwellings providing there are no negative effects on residential amenity, transport and visual amenity. Additionally, Policy CS1 of the Core Strategy exists to make sure developments enhance and respect the character, distinctiveness and amenity of the site and its context.

- 5.4 Green Belt
The application site is situated within the Bristol/ Bath Green Belt. The Green Belt is of great importance to the Government, the aim of Green Belt policy is to keep land permanently open. When assessing the proposal it should be considered whether the proposed development is an inappropriate development for the Green Belt in relation to the NPPF, whether the development causes any other harm and whether the development requires special circumstances necessary to justify development. Furthermore as stated within the Development in the Green Belt Supplementary Planning Document (adopted June 2007) additions to existing dwellings should only be considered acceptable if the proposal is not disproportionate; the proposed development compliments the existing character and it does not harm the openness of the

- Green Belt. Disproportionality is assessed on a case-by-case basis, but ideally house extensions should not exceed 30%.
- 5.5 From the information accessible to the Local Planning Authority it is understood that when permission was originally granted for the dwelling it was considered that an additional dwelling was not considered to significantly impinge upon the openness of the Green Belt. The proposed garage will increase the volume of the dwelling by approximately 24%, this is considered to be an acceptable addition.
- 5.6 Design and Visual Amenity
The applicant site is a two-storey detached dwelling located within an established residential area of Almondsbury. The site itself slopes downwards at the rear resulting in the property being set down from the highway and built on split levels. The application seeks planning permission for the erection of a detached double garage with a workshop above, the proposed garage will be located between the front elevation of the host dwelling and the highway.
- 5.7 The proposed garage will measure 4.9 metres in width, 6.3 metres in length and will have a total height of 4.7 metres (2.6 metres to the eaves). The proposed garage would incorporate a hipped roof and because of the topography of the site only circa 2.7 metres of the garage will be visible from the highway. Whilst it is noted that the proposed garage will have some impact on the current views the impact is not considered to be adverse because the property will be set down and because the proposed garage continues an existing building line of garages. Officers note an objection comment which suggests the proposal is outside of the existing building line; officers disagree with this comment as there are detached garages in similar locations for both no. 15B and 15C located to the southwest of the host dwelling.
- 5.8 The proposed garage will be finished in cedar cladding for the elevations and slate tiles for the roof. Amended plans show velux windows will be used rather than dormer windows, officers consider this an improvement in relation to design. Additionally, there will be an external staircase on the northwest elevation providing access between the host dwelling and the garage and workshop.
- 5.9 It is judged that the proposal complies with policy CS1 of the adopted Core Strategy. As whilst it will be visible from the streetscene and result in some change to the appearance of the area it is not considered to result in an adverse visual harm to the site of surrounding area.
- 5.10 Residential Amenity
Saved policy H4 of the adopted Local Plan aims to ensure that residential development within established residential curtilage does not prejudice the residential amenity of any neighbouring occupier.
- 5.11 The applicant site is located within the settlement boundary of Almondsbury. The host dwelling is a detached two-storey property which is set down from Gloucester Road because of the topography of the site. The application seeks planning permission for the erection of a detached double garage with a

- workshop above. The garage will be located on land forward of the principal elevation.
- 5.12 A number of objection comments have been received highlighting potential issues to the residential amenity of neighbouring residents. Amendments have been made to the proposal to reduce the potential impacts on privacy by replacing the dormer windows that were to be located on the south elevation with velux roof lights; as a result it is considered that whilst the proposal may result in some degree of overlooking it is not considered to be adverse. Concern has been raised because the external staircase will also have an unobscured view into a neighbour's main family room and garden, however officers do not consider the impact to be adverse because of the nature of the proposal. Nevertheless a condition will be implemented to ensure the proposed garage and workshop remains incidental to the host dwelling. Further comments suggest that the proposal will be overbearing, however officers do not consider to be adversely overbearing towards neighbouring residents because of the topography of the site and distance from neighbouring residents.
- 5.13 Overall the proposal would not result in any adverse impacts on the residential amenity of neighbouring occupiers or future occupiers. As such the proposal is considered acceptable in terms of saved policy H4 of the Local Plan (adopted) 2006.
- 5.14 Highways
The application seeks planning permission for the erection of a detached double car port and workshop, although following these comments the description of the proposal has been changed to a double garage. The Council's Sustainable Transport Officer advises that because the proposal has solid walls on three sides it should be considered as a garage and as a result it is required to conform to the Council's minimum internal dimensions.
- 5.15 On examination of the proposed development is considered to satisfy the Residential Parking Standards Supplementary Planning Document (adopted) December 2013. As such, there are no transportation objections to the proposal.
- 5.16 Arboriculture
The Tree Officer for South Gloucestershire Council originally advised that an Arboricultural report with a tree constraints and protection plan and a method statement would be required. However during the course of the application the agent has advised that during original works the foundations for the boundary wall which runs between the applicant site and the protected tree were dug down and connected with the underlying rock surface. Further to this information the Tree Officer advises that a tree report will no longer be required.
- 5.17 Other Matters
There have been two other issues raised by objectors of the proposal that are not considered to be planning matters. Firstly an objector has suggested that the proposal is likely to enhance the site but depress the adjacent properties.

Secondly an objector suggests that granting permission would set a precedent for future development of this site. Additionally, Almondsbury Parish Council have raised concerns about the drainage at the site, this is not a planning consideration and is covered by other legislation.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to **grant** permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

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

Contact Officer: Fiona Martin
Tel. No. 01454 865119

CONDITIONS

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

Reason

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

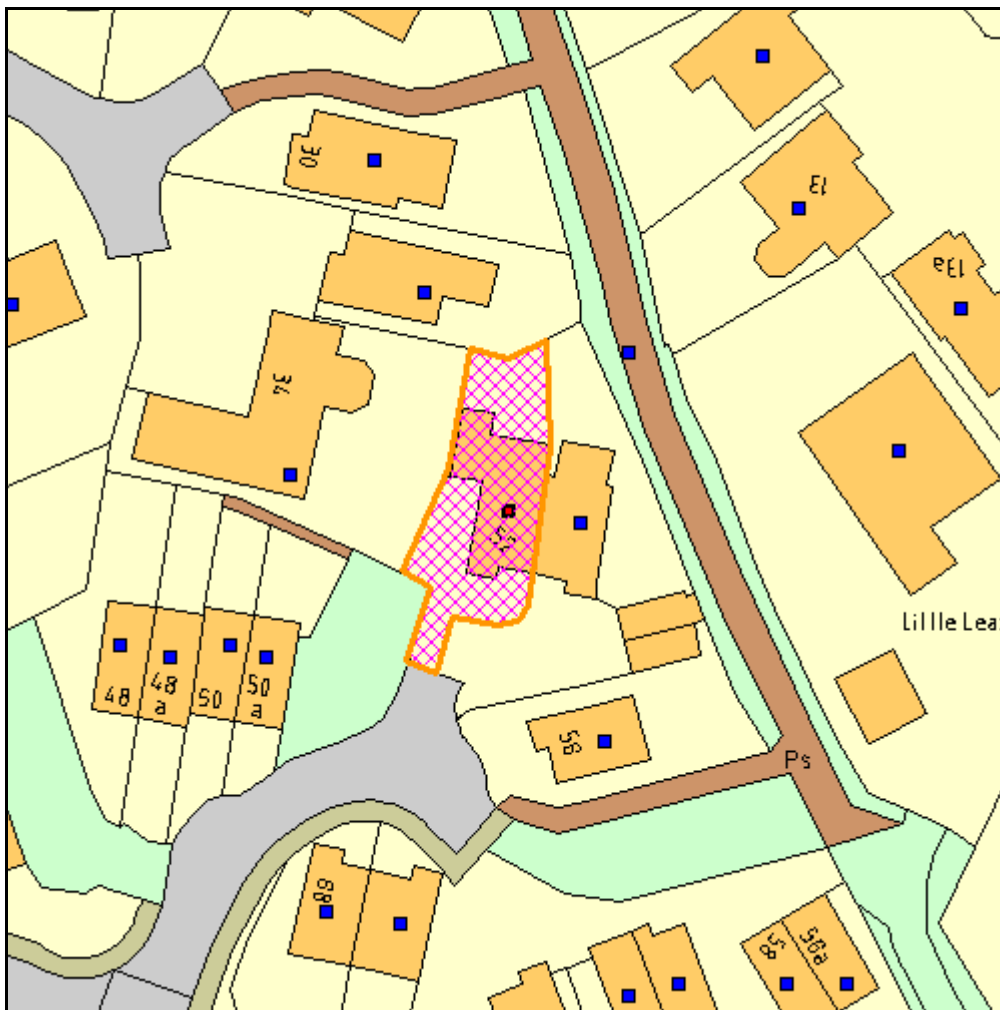
2. The development hereby permitted shall remain as part of the same planning unit as the dwelling known as 17A Gloucester Road, Almondsbury, South Gloucestershire, BS32 4HD and shall be used for purposes incidental to it.

Reason

To protect the residential amenity of neighbouring occupiers, and to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006; and the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 02/17 – 13 JANUARY 2017

App No.:	PT16/6247/F	Applicant:	Mr And Mrs French
Site:	52 Watch Elm Close Bradley Stoke Bristol South Gloucestershire BS32 8AN	Date Reg:	16th November 2016
Proposal:	Erection of two storey and first floor side extension to form additional living accommodation	Parish:	Bradley Stoke Town Council
Map Ref:	362323 180722	Ward:	Stoke Gifford
Application Category:	Householder	Target Date:	9th January 2017



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REASONS FOR REPORTING TO CIRCULATED SCHEDULE

A comment was received from the Town Council holding no objection to the proposal, subject to an arboricultural report being provided. The agent has confirmed that the trees (that would be the subject of the report) are to be felled and therefore no arboricultural report is necessary. The Council's next planning meeting is the 23rd of January 2017 and a revised comment could not be received until after the meeting. Consequently the original comment has been lodged as an objection of sorts and under the current scheme of delegation would be required to be taken forward under circulated schedule as a result.

1. THE PROPOSAL

- 1.1 The proposal seeks to erect a two storey and first floor side extension at 52 Watch Elm Close, Bradley Stoke in order to provide additional living accommodation.
- 1.2 The subject property is a late-20th Century two storey semi-detached dwelling with a pitched gabled roof and single storey front extension forming porch. To the side and rear of the property is an attached garage.
- 1.3 The proposal would extend over the existing garage to the side and will be stepped back from the existing front elevation and just subservient in height to the host property.
- 1.4 The subject property is situated in the built up residential area of Bradley Stoke.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Policy Guidance 2014

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

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
PSP3 Trees and Woodland
PSP8 Residential Amenity
PSP16 Parking Standards
PSP38 Development within Existing Residential Curtilages
PSP43 Private Amenity Space

- 2.3 Supplementary Planning Guidance
Design Checklist SPD (adopted) August 2006
Residential Parking Standards SPD (adopted) December 2013

3. RELEVANT PLANNING HISTORY

PT10/1114/F – Approval – 01/07/2010 – Erection of rear conservatory.
P91/0020/296 – Approval – 13/11/1991 – Residential development on 0.80 acres of land to include the erection of 14 no. 1, 2 and 3 bed roomed houses with associated garages; construction of estate roads and parking areas (in accordance with the amended layout plan received by the council on 29th October 1991).

P89/0020/165 – Approval – 04/10/1989 – Residential development on 3.29 acres of land including the erection of 48 dwellings and associated estate roads, garages, parking areas and boundary treatments. (In accordance with the amended plans received by the council on the 14th September 1989).

P88/0020/71 – Approval – 27/04/1988 – Residential development on some 2.6 ha (6.3 acres) of land to include erection of 65 dwellings with associated garages and boundary walls. Construction of estate roads and car parking areas (in accordance with the letter and plans received by the council on 29th and 30th March 1988)

P84/0020/1 – Approval of Outline – 03/12/1986 – Residential, shopping & employment development inc. roads & sewers and other ancillary facilities on approx.1000 acres of land.

4. CONSULTATION RESPONSES

4.1 Bradley Stoke Town Council
No objection subject to an arboricultural report being carried out.

4.2 Other Consultees

Transport Officer
No Objection

Tree Officer
Had requested an arboricultural report but following discussion with the agent and the indication of the intention to fell the trees, no longer sees this as necessary. There is no longer any objection to the proposal.

Other Representations

4.3 Local Residents
One comment received in support of the application. The comment has no objection to the extension but questions the third parking space as it could potentially obstruct the driveways of the adjacent dwellings.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy CS1 'High Quality Design' of the South Gloucestershire Core Strategy (adopted December 2013) states development proposals will only be permitted where the highest possible standards of design and site planning are achieved. Proposals should demonstrate that they; enhance and respect the character, distinctiveness and amenity of both the site and its context; have an appropriate density and its overall layout is well integrated with the existing development. Saved Policy H4 of the South Gloucestershire Local Plan (adopted 2006) is supportive in principle of development with the residential curtilage of existing dwellings. This support is subject to the proposal respecting the existing design of the dwelling and it does not prejudice the residential and visual amenity; adequate parking provision; and has no negative effects on transportation. The proposal accords with the principle of development subject to the consideration below.

5.2 Design and Visual Amenity

The proposal consists of a two storey and first floor side extension to form additional living accommodation. The character of the area is relatively uniform, consisting almost entirely of late 20th Century and early 21st Century dwellings. The area has a typical sub-urban atmosphere. There are a number of similar extensions to properties in the area and consequently the proposal is not seen as out of keeping with the character of the area.

5.3 The proposal will extend over the existing garage to the side. The extension will be recessed from the principal elevation of the property and the ridge height will be just subservient to that of the existing dwelling.

5.4 The proposal will be constructed using materials of a similar appearance with regard to the roof and elevations and there are no objections to the proposed material palette.

5.5 The subject site and the neighbouring garden are bounded by a number of mature evergreen trees and a eucalyptus. Due to the proximity of these trees they could either pose a risk to the development proposed or could be damaged by the works themselves and deteriorate the visual amenity of the area. Following site inspection and the identification of the concern, one of the Council's tree officers was consulted. The Tree officer and Town Council had requested an Arboricultural report but confirmation has been received stating the trees are to be removed. The Tree Officer has since provided revised comment noting that there is no requirement to provide an Arboricultural report as a result. The Local Planning Authority holds no control over the trees and they do not warrant protection in the form of Tree Preservation Order, therefore no permission is required for their removal. Furthermore the trees appear to have caused damage to the driveway of the host dwelling due to root growth, while the canopies create significant overshadowing of the neighbouring properties. Given this consideration there is no objection to the loss of the trees from either the Case Officer or Tree Officer. It should be made clear that permission from the neighbour would be required for any works on or near their land (including the proposed removal of the trees). An informative will be

- included to that effect. It is also advised that a building engineer is consulted with regard to the foundations as the removal of trees can lead to ground heave, particularly in the colder months.
- 5.6 Overall, it is considered that the proposed extension would not harm the character or appearance of the area and as such is 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
Policy H4 of the adopted Local Plan gives the Council's view on new development within existing residential curtilages. Proposals should not prejudice the residential amenity (through overbearing, loss of light and loss of privacy) of neighbouring occupiers as well as the private amenity space of the host dwelling. The subject property forms half of a semi-detached pair. As the proposal is subservient to the existing roof pitch and I is not considered to have an impact on the amenity of the adjoining occupier. The dwelling to the west of the proposal is located in the region of 12 metres from the side elevation as proposed. This is in accordance with technical guidance with regard to overbearing and loss of light and consequently the proposal is not viewed to result in an unacceptable impact on this dwelling.
- 5.8 Dwellings to the south are separated by the estate road and parking. Given this separation, the proposal is considered to have an acceptable impact on the amenity of dwellings in this direction.
- 5.9 Dwellings to the rear of the subject property are oriented perpendicular to the host dwelling. As the proposed side extension will not project back towards these dwellings the development is considered to have an acceptable impact on dwellings in this direction.
- 5.10 The proposal will not require the loss of any private amenity space and as a result a sufficient level of amenity space will be retained and there is no objection with regard to this.
- 5.11 The subject property is located within a built up residential area and given the scale and location of the proposed development, the proposal will not result in an unacceptable impact on the residential amenity of its neighbouring occupiers, meaning the proposal is in accordance with saved policy H4 of the adopted Local Plan.
- 5.12 Sustainable Transport and Parking Provision
The proposal would result in the creation of an additional bedroom. Currently the property has an area of hardstanding to the side and front of the property and an attached single garage to the side/rear. According to the residential Parking Standards SPD a 4 bedroom property would be required to provide 2 private parking spaces. This requirement is satisfied by the provision of one space within the garage and an additional space to the front of it. The proposal would not require any additional parking spaces nor will it have a negative impact on highway safety or the retention of an acceptable level of parking

provision, meaning the proposal is in accordance with saved policy T12 of the Local Plan (2006). The council has no objection to the proposal in relation to highway safety or parking provision.

- 5.13 One comment has been received supporting the application. This comment whilst not objecting to the extension, indicates concern over the third parking space as it could obstruct vehicles exiting the driveways of 54 and 56 Watch Elm Close. The comment suggests that this area in discussion forms part of the public highway. The plans provided in support of the application and information available to officers indicate that this is not the case and the area in question is in fact within the curtilage of the host dwelling. Furthermore, were a car parked in the location it is thought there would still be sufficient room to manoeuvre out of the obstructed driveways. While potentially a car could be parked in the location the required level of parking is met by the space within the garage and the first space forward of it and therefore it would be unreasonable to refuse the application on this basis.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to **grant** permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

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

Contact Officer: Hanni Osman
Tel. No. 01454 863787

CONDITIONS

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

Reason

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

CIRCULATED SCHEDULE NO. 02/17 – 13 JANUARY 2017

App No.:	PT16/6552/F	Applicant:	BBH Ltd
Site:	Land Off Baden Hill Road Tytherington Wotton Under Edge South Gloucestershire GL12 8UG	Date Reg:	5th December 2016
Proposal:	Construction of new access drive (Retrospective) (Re submission of PT16/4627/F)	Parish:	Tytherington Parish Council
Map Ref:	367195 188481	Ward:	Ladden Brook
Application Category:	Minor	Target Date:	25th January 2017



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule following objections from local residents to the contrary of the officer recommendation detailed within this report.

1. THE PROPOSAL

- 1.1 This application seeks retrospective planning permission for an access drive that has been installed across a strip of amenity land on Baden Hill Road, Tytherington.
- 1.2 The site is situated within Tytherington Conservation Area, and is adjacent to the grade II listed property known as The Grange, on Duck Street to the west.
- 1.3 The application is a resubmission of a previous application (PT16/4627/F), which was withdrawn when officers raised concerns about the poor detailing and crude construction of the access, which neither preserved nor enhanced the special character of the Tytherington Conservation Area. This submission shows a reduction in the amount of tarmac, proposing to replace it with 'gopla grass' reinforcements.
- 1.4 The works have been undertaken in order to provide quicker access to the converted barns at The Grange (PT14/3061/F and PT14/3062/LB) which are currently under construction. It was also intended to provide access to a dwelling proposed to the rear of Underhill however this planning application has now been refused (PT16/3281/F).
- 1.5 Amendments were received on 10th January 2017 to clarify that the curtilage listed wall to the south-west of the access would only be repaired, not rebuilt as the plans originally stated, as a re-build would require listed building consent.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012
National Planning Practice Guidance
- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006 (saved policies)
T12 Transportation Development Control Policy for New Development
L13 Listed Buildings
L12 Conservation Area

South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design
CS8 Improving Accessibility
CS9 Environment and Heritage
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist SPD (Adopted) August 2007

3. **RELEVANT PLANNING HISTORY**

- 3.1 PT16/3281/F Refusal 25/08/2016
Erection of 1no dwelling with vehicular access and associated works.
Relates to Underhill

Reason for refusal:

1- The proposed scheme would result in a form and density of development that is regarded as being out of character and incongruous with the prevailing street pattern and plot layout. The relationship between the proposed dwelling and its existing host would also be one of a cramped and contrived nature. For these reasons the proposed scheme would be harmful to the character of the area and so it would fail to either preserve or enhance the character or appearance of the Tytherington Conservation Area. The proposed scheme is therefore considered contrary to section 72(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policies CS1 and CS9 of the adopted SG Core Strategy; saved Policy L12 of the adopted SGLP and the adopted Tytherington Conservation Area, and the relevant provisions of the NPPF.

- 3.2 PT16/4627/F Withdrawn
Construction of new access drive (retrospective)
- 3.3 PT14/3061/F / PT14/3062/LB Approve with conditions 26/02/2015
Conversion of existing outbuilding to form 2no. dwellings with associated works
(Resubmission of application PT14/0354/F)

4. **CONSULTATION RESPONSES**

- 4.1 Tytherington Parish Council
No comment received.

- 4.2 Other Consultees

Conservation Officer

No objection, subject to clarification on the works proposed to the listed wall.

Sustainable Transport

No comment, however comments from PT16/4627/F are still applicable.

Highway Structures

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

Drainage

No objection.

Other Representations

- 4.3 Local Residents
Two letters of objection have been received, stating the following:

- Planning permission is retrospective and makes a mockery of the planning process – should not set a precedent
- Reports of a further breach within the Grange – three protected walls have been demolished
- Cherished corner of Tytherington will have all its charm and character removed

One letter of support has been received stating the following:

- Whilst objections were previously raised to the development at The Grange and Underhill, now that they have been approved this access is preferable and will prevent heavy traffic passing Rock and Barn cottages.
- Grass bank is not of historic importance
- Baden Hill Road is subject to a 30mph limit and therefore the entrance is not more hazardous than other entrances along the road
- Revised application includes protection of the grass bank

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The two most pertinent issues relate to highway safety and the impact on the Conservation Area and adjacent heritage asset. Policy T12 of the Local Plan and policy CS8 of the Core Strategy allow for new development provided it does not impact upon highway safety. Policy CS9 of the Core Strategy and policy L12 and L13 seek to ensure that development does not harm the special character of listed buildings and Conservation areas, and seeking to preserve or enhance their significance. The proposal is considered to accord with the principle of development, subject to the assessment below.

5.2 Highway Safety

Given the restricted width and rural nature of Baden Hill Road, vehicular speeds are limited, and therefore the visibility possible when egressing from the access is acceptable. It is considered that the proposal actually represents an improvement in highway safety terms, as it removes the need for vehicles to negotiate the acute junction adjacent to Rock House. There is also access available to The Grange and its converted outbuilding from Duck Street. The development is acceptable in terms of policy T12 of the Local Plan and CS8 of the Core Strategy.

5.3 Design and Impact on Heritage

Baden Hill Road is a quiet leafy lane flanked by trees, green spaces and well-preserved stone walls, and is an important part of the Conservation Area. The previously withdrawn application consisted of the crude construction of a wide strip of tarmac hardstanding across one of the green verges, which is considered to contribute positively to the visual amenity of the area. This proposal now shows the removal of some tarmac areas and the edge of the access will be reinforced with 'Gopla Grass' which will prevent the unsightly expansion of the drive across the verge. Subject to a condition ensuring that the changes to the access shown on the Proposed Site Plan are implemented within three months of the decision date, then there is no longer an objection and the development is considered to preserve the character of the Tytherington Conservation Area.

The impact on the Listed Building known as The Grange is not considered to be harmful, as there is a degree of visual separation between the two.

5.4 Other Issues

It is worth noting that the applicant does not own the land across which the access has been installed. Certificate D has been submitted and an advertisement has been put in the newspaper to try and find the owner, however no responses to this have been received. The Council does not own this land and the Land Registry shows the land as unregistered.

5.5 Comments have been received stating that planning permission should not be granted due to the retrospective nature of the access, which is already in situ. The application has been assessed in the same manner as an application which is not retrospective, and the fact that the development has already taken place does not weigh in favour of approval.

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 is **GRANTED** subject to the conditions on the decision notice.

Contact Officer: Trudy Gallagher
Tel. No. 01454 862217

CONDITIONS

1. Within three months of the decision date, the removal of the areas of existing tarmac finish and the installation of the Gopla Grass reinforcement shall be implemented as shown on plan ref 2441/200 Rev B (received 10th January 2017).

Reason

In order to preserve the special character of the Tytherington Conservation Area, in accordance with policy L12 of the South Gloucestershire Local Plan (Adopted) January 2006, policy CS1 and CS9 of the South Gloucestershire Core Strategy (Adopted) December 2013, and the National Planning Policy Framework.