



**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. 41/17

Date to Members: 13/10/2017

Member's Deadline: 19/10/2017 (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:

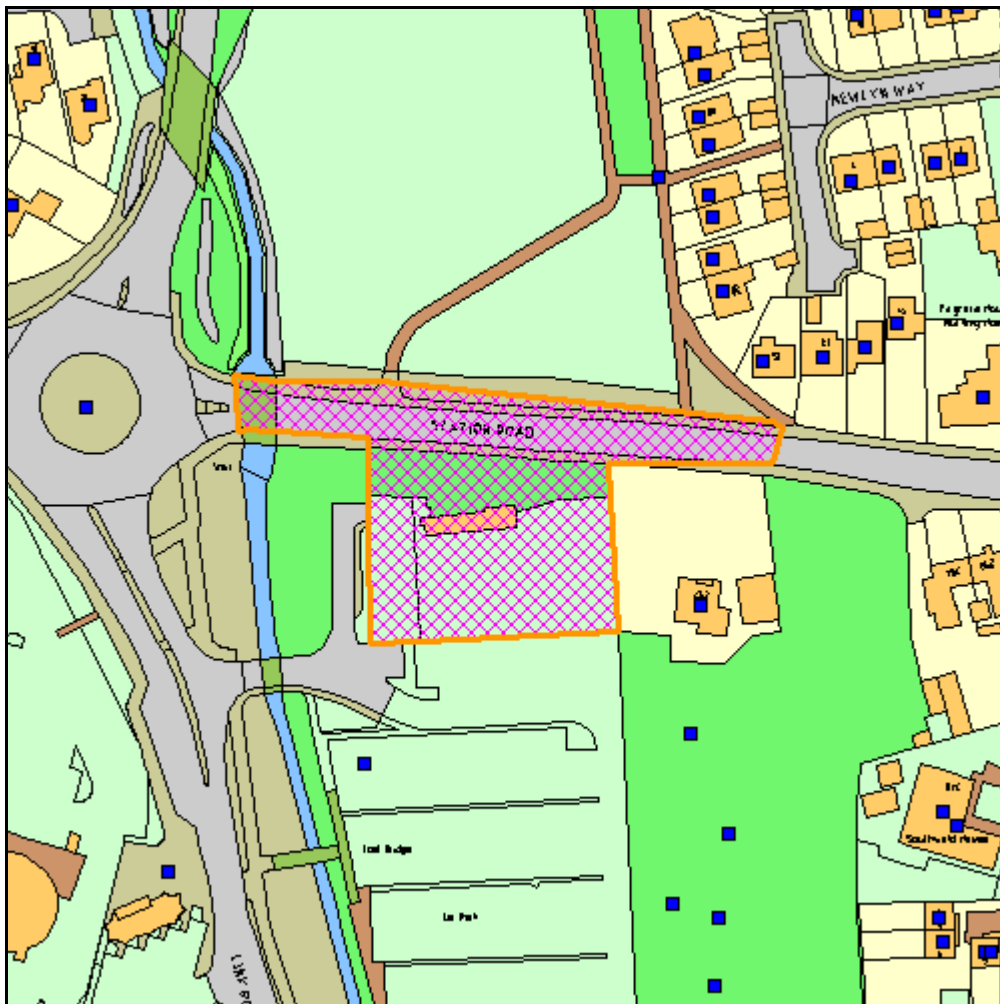
- Before referring an application always speak to the case officer or Area Planning Manager first to see if your concerns can be addressed without the application being referred.
- If you are considering referring in an application outside the ward you represent, as a courtesy, speak to the ward member(s)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

ITEM NO.	APPLICATION NO.	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK17/0213/F	Refusal	Disused Electric Substation Station Road Yate South Gloucestershire BS37 5HT	Yate North	Yate Town
2	PK17/2400/F	Approve with Conditions	Land To The Rear Of 218 North Road Yate South Gloucestershire BS37 7LQ	Ladden Brook	Iron Acton Parish Council
3	PK17/3117/F	Approve with Conditions	6 Harlech Way Willsbridge South Gloucestershire BS30 6US	Bitton	Oldland Parish Council
4	PK17/3712/F	Approve with Conditions	8 Ravenswood Longwell Green South Gloucestershire BS30 9YR		Oldland Parish Council
5	PK17/3880/TRE	Approve with Conditions	7 Wall Tyning Gardens Bitton South Gloucestershire	Bitton	Bitton Parish Council
6	PK17/3948/CLP	Approve with Conditions	31 Woodside Road Downend South Gloucestershire	Downend	Downend And Bromley Heath Parish Council
7	PK17/3964/F	Approve with Conditions	Land At Court Road Kingswood South Gloucestershire BS15 8PX	Woodstock	None
8	PT16/5668/F	Approve with Conditions	The Grange Green Lane Rangeworthy Wotton Under Edge South Gloucestershire GL12 8BD	Ladden Brook	Rangeworthy Parish Council
9	PT17/0496/F	Approve with Conditions	Fewsters Farm Kington Lane Thornbury South Gloucestershire BS35 1ND	Severn	Oldbury-on- Severn Parish Council
10	PT17/0973/RM	Approve with Conditions	Frenchay Hospital Phase 2 Frenchay Park Road Frenchay South Gloucestershire BS16 1LE	Frenchay And Stoke Park	Winterbourne Parish Council
11	PT17/2299/F	Approve with Conditions	Sandfords School Northwick Road Pilning South Gloucestershire BS35 4HE	Pilning And Severn Beach	Pilning And Severn Beach Parish Council
12	PT17/2332/F	Approve with Conditions	Cribbs Lodge Hotel Cribbs Causeway Almondsbury South Gloucestershire BS10 7TL	Patchway	Almondsbury Parish Council
13	PT17/2686/LB	Approve with Conditions	Sandfords School Northwick Road Pilning South Gloucestershire	Pilning And Severn Beach	Pilning And Severn Beach Parish Council
14	PT17/2939/CLP	Approve with Conditions	3 Maisemore Avenue Patchway South Gloucestershire BS34 6BT	Bradley Stoke Central And Stoke Lodge	Stoke Lodge And The Common
15	PT17/3361/F	Approve with Conditions	108 Beesmoor Road Frampton Cotterell South Gloucestershire BS36 2JP	Frampton Cotterell	Frampton Cotterell Parish Council
16	PT17/3453/F	Approve with Conditions	Tunis Ram Hill Coalpit Heath South Gloucestershire	Westerleigh	Westerleigh Parish Council

CIRCULATED SCHEDULE NO. 41/17 – 13 OCTOBER 2017

App No.:	PK17/0213/F	Applicant:	Demipower Group
Site:	Disused Electric Substation Station Road Yate South Gloucestershire BS37 5HT	Date Reg:	23rd February 2017
Proposal:	Erection of restaurant unit for flexible use within Class A3/A5, including drive through lane, new access arrangement, car parking, landscaping, and provision of associated plant.	Parish:	Yate Town Council
Map Ref:	370304 182541	Ward:	Yate North
Application Category:	Minor	Target Date:	19th April 2017



© South Gloucestershire Council 2007.all rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2008.

N.T.S.

PK17/0213/F

REASON FOR THIS APPLICATION APPEARING ON THE CIRCULATED SCHEDULE

This application is set to appear on the Circulated Schedule due to the receipt of a number of support comments from local residents, contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of restaurant unit for flexible use within Class A3/A5, including a drive-through lane, new access arrangement, car parking, landscaping and provision of associated plant. The proposed occupant of the restaurant would be KFC. The Gross Internal Floor Area would be up to 243.2 sqm.
- 1.2 The application site relates to a parcel of land to the south of Station Road, Yate. Access is currently taken from the access road into the newly developed Riverside Retail Park, which includes shops, restaurants and a cinema. The parcel of Brownfield land is occupied currently by an electrical substation, which has now been decommissioned. There is currently a vacant building on site.
- 1.3 The site is bound to the west by the River Frome and Link Road (B4059). Land to the west of Link Road comprises Yate Shopping Centre. The new Riverside Retail Park and associated car park extends Yate Shopping Centre eastwards and forms the sites southern boundary.
- 1.4 There are a number of residential dwellings to the east and north-east. The nearest neighbouring dwelling is No. 232 Station Road, which directly bounds the site, is a Locally Listed Building.
- 1.5 The River Frome is to the west of the site and is designated as a Site of Nature Conservation Interest (SNCI) for its open flowing water and bankside vegetation. The site lies partially within Flood Zone 2 and 3.
- 1.6 During the course of the application, the Officer has sought additional information and revised plans in order to address some of the concerns raised by internal consultees. The agent has submitted the additional information, including a revised proposed site plan, environmental noise assessment, flood risk assessment and transportation information. The application will be assessed based on the information and plans submitted to date.

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
CS2 Green Infrastructure
CS4A Presumption in Favour of Sustainable Development
CS5 Location of Development
CS6 Infrastructure and Developer Contributions
CS7 Strategic Transport Infrastructure
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS23 Community Infrastructure and Cultural Activity
CS30 Yate and Chipping Sodbury

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

L1 Landscape Protection and Enhancement
L9 Species Protection
RT8 Small Scale Retail Uses within the Urban Areas and the Boundaries of Settlements
EP6 Contaminated Land
T6 Cycle Routes and Pedestrian Routes
T7 Cycle Parking
T12 Transportation Development Control
E1 Proposals for Employment Development
E3 Employment Development within the Urban Area
LC3 Proposals for Sports and Leisure facilities within the existing Urban Area

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

PSP2 Landscape
PSP3 Trees and Woodland
PSP8 Residential Amenity
PSP10 Active Travel Routes
PSP11 Development Related Transport Impact Management
PSP 16 Parking Standards
PSP19 Wider Biodiversity
PSP20 Flood Risk, Surface Water and Watercourse Management
PSP21 Environmental Pollution and Impacts
PSP35 Hot Food Takeaways (including drive through takeaway facilities)

Supplementary Planning Guidance

South Gloucestershire Design Checklist SPD (Adopted) August 2007
CIL Charging Schedule and the CIL and s106 SPD (Adopted) March 2015
Shopfronts and Advertisement Design Guidance SPD (Adopted) April 2012
Waste Collection: Guidance for New Development SPD (Adopted) January 2015

3. RELEVANT PLANNING HISTORY

- 3.1 PK13/4116/F Demolition of existing buildings and erection of building for Retail (Class A1), Restaurant/Café (Class A3) and Cinema (Class D2) uses with car parking area, access, landscaping and associated works
Approved 25.07.14

4. **CONSULTATION RESPONSES**

4.1 Yate Town Council

Objection. Although the people of the town would like a KFC, we have to object as this is not the right place.

Objection on the following points:

- The additional crossing shown on the revised plans is on private property not controlled by the applicant and therefore cannot address the parking issues associated with this application;
- The existing street view photos on the revised plan submitted in June are wrong. They show the road as it was 18 months ago. The applicant needs to revise the photos to show the current position which includes the zebra crossing and associated zig zags;
- The idea of vehicle turning movements into this site, when the biggest cause of accidents in the past 5 years along that stretch of road is turning movements (see accident data), and the rest of it blind sighting people coming to the crossing, or causes backing up onto the crossing are real worries.

Reiterate comments made on original application:

- This is not part of an integrated strategy but piecemeal and outside of the primary retail zone;
- Within the flood zone and development would be the last resort;
- Ecology issues Kingfishers, bats;
- Amenity of adjoining property and immediate neighbours: Anti-social behaviour, noise, fumes and litter. Also if facing outwards, this falls outside the outside CCTV area;
- Highway issues, traffic queuing will overspill and back up to road both ways;
- Busy road, with congestion at peak hours;
- Accident statistics and data support that there are a high number of accidents at this location;
- Pedestrian and Cycle movements turning movements to close to pedestrian crossing. Opening hours no reference has been given to delivery hours;
- Noise - No reference to an acoustic assessment;
- Design is intrusive;

If consent is granted we would expect to see conditions covering at least the following:

- Closing 11pm.
- Loading and delivery hours limited e.g. 8am till 9.00pm.
- Acoustic assessment e.g. double skinned acoustic fence.
- Ecological assessment
- Improvements to traffic and pedestrian movements.
- Litter management.

- Limit to lighting overspill.
- A condition should be that the sewage pipes and River Frome Culvert are preserved.
- Consultation should be extended to Swan Field, Lyefield and Firgrove

4.2 Councillor Ruth Davis

Objection.

Whilst I support the addition of a KFC to the town centre I must object on the grounds of access and exit to the site from Station Rd. When Riverside was developed it was not allowed to have even an exit from its car park in to Station Rd. Station Rd at this point is subject to very heavy use and regularly suffers from queues, often going back to the Ridgewood traffic lights and beyond. Having traffic heading to Chipping Sodbury waiting to turn right in to the entrance, even with the additional lane, will effect the functioning of the roundabout and roads off it as well as traffic coming from Chipping Sodbury. There is also the issue of customers leaving and attempting to turn right as well, which they will do unless there is an actual barrier of some kind put in the way. At busy times we experience tailbacks into the entrance of the car park in Station Rd with people going to McDonalds. This plan has less space to Station Rd than that so could lead to queuing in Station Rd

4.3 Conservation

Objection.

Bungalow (no. 232) is a Locally Listed Building. Would agree with the Landscape Officer's comments that the site appears to be almost overdeveloped with little space given to opportunities to soften the development through planting.

The recent retail park development not only resulted in the demolition of a pair of Victorian villas, it has significantly urbanised the character of the locality. The site currently plays a role of providing a much needed visual break between the retail park and the new edge of the residential area of Station Road to the east, which includes the listed Union Workhouse. I could go on about the different land uses along Station Road all add to the interest and in contrast the new retail development has only brought a rather sterilising impact due to lack of frontage development and loss of historic buildings and landscaping, but the key issue is ensuring that any further development of the Yate retail park should help soften the transition between the retail use and the residential uses to the east. Although the site as noted above helps give the LLB bungalow a little breathing space, the currently situation is not a comfortable one with the setting of the LLB of 232 Station Road compromised due to the rather jarring relationship it has with its neighbour.

The proposed scheme would undoubtedly lead to the further urbanisation of this site. The boundary shared with the LLB would see a road running directly adjacent to it when on the grounds of good design; there should be some planting buffer. The land to the front would also be dominated by car parking with parking directly adjacent to the footway. With the road running to the rear

of the building, the proposed structure is reduced to an island within a sea of hardstanding. The cramped nature of the scheme is also betrayed by the alignment of the parking to the front. The building itself however is considered to be not too bad, although the use of stone could be increased. No flues are however not shown, which surely would be needed.

Overall it is difficult to see how this scheme would do anything but harm the character of the locality due to the unremitting sea of hardstanding and parked cars that would be cramped into this site with no relief provided through landscaping. This would in turn in my view result in further harm to the setting of the adjacent non-designated heritage asset.

The scheme is therefore considered poor design contrary to CS1 and CS9 in my view.

4.4 Ecology Objection.

An Ecological Appraisal has been submitted in support of the application by Aspect Ecology (September, 2016). The findings are detailed below:

Locally protected sites:

- River Frome SNCI – the River Frome SNCI lies approximately 20m from the site boundary. The site is an important corridor for wildlife within Yate. The stream is approximately 2m wide and up to a depth of 50m with steep earth banks and a relatively diverse flora, although there are signs of disturbance and nutrient enrichment by the presence of butterbur. Records for otter and kingfisher also exist for the Frome. Mitigation includes.....
- Goose Green Way SNCI – designated for wetland habitats, these notifying features are hydrologically connected to the River Frome 2km upstream providing a pathway for effect, should the river be contaminated. Mitigation includes....

Habitats:

- Hardstanding – almost all of the site is hardstanding, buildings and recolonising vegetation, with evidence of herbicide application;
- Scrub with trees – a line of scrub with trees of approximately 10m in length lines the northern boundary. Trees present include sycamore, hawthorn, elder, elm and bramble with a thick ivy cover. Notably, the nationally scarce ivy broomrape was present.
- Invasive species – Cotoneaster species were found

Species protected under the Conservation Regulations 2012 ('European Protected Species) as well as the Wildlife & Countryside Act 1981 (as amended):-

- Bats – the one building on site is single storey with a flat concrete roof and no external features suitable for roosting. There was no evidence of roosting bats so the building was considered to offer negligible roosting habitat. The trees are not of an age to present suitable roosting opportunities and therefore were considered to offer low or lower roosting potential for bats. The habitat is unsuitable for foraging on site, but the River Frome provides a

connective feature to the surrounding landscape. This habitat is already subject to artificial light spill from nearby roads;

Species protected under the Wildlife and Countryside Act 1981 (as amended):-

- Nesting birds – due to the location and quality of the site for birds, only common species are predicted to occur. Appropriate protection for birds during the removal of any vegetation will be put in place;
- Reptiles – habitats are considered unsuitable for reptiles.

Badger Act 1992:

- No evidence of badger was identified during the survey.

The report identifies that the River Frome SNCI is an important ecological feature that could be impacted upon by the development. Protective measures during construction have been proposed as well as the sensitive design of drainage and lighting schemes.

However, there is no mention of protection to the nationally scarce ivy broomrape. At present, this population will be removed to provide access to the proposed development. Ivy broomrape is scarce at a national level, although the Bristol area is a stronghold of the population.

Recommendation is that the application be refused until information is provided on the protection of ivy broomrape. This can be achieved by changing the access or translocating parasitized ivy to another area.

4.5 Economic Development

No objection.

The application, despite currently being on the outskirts of the recognised town centre, we believe, supports policy CS14 of the Core Strategy: “*Development in local centres/parades will be primarily to meet local needs only and of a scale appropriate to the role and function of the centre/parade and where it would not harm the vitality and viability of other centres.*”. Although the site does not currently fall within the recognised Town Centre, we understand that the Emerging Policies, Sites and Places Plan DPD plans to expand the Primary Shopping Area, and that the proposal will fall in this new area.

In conclusion, the team believes that this application will have a positive impact on the local economy within the Yate area, through the provision of a large number of jobs and services which we believe complement the existing nearby businesses/uses. We believe the proposal is fitting with the local business landscape, without having a detrimental impact on other Town Centres.

4.6 Environment Agency

Objection.

Proposed development is located within Fluvial Flood Zone 3a. Planning application has been submitted with an inadequate Flood Risk Assessment (FRA).

4.7 Environmental Protection

No objection.

Advise condition attached relating to potentially contaminated land.

Final comments:

Prior to commenting, I would like further information as detailed below. Without this information, I cannot make an informed decision.

4.8 Environmental Health

No objection.

Despite the figures suggesting that the development would not cause a noise nuisance and seem to come within the guideline values on our SGN1 noise document, the report doesn't not give any information about the proposed 3 meters barrier around the mechanical plant (was 4 metres in the previous report) and 3 meter barrier separating the "drive thru", such as the type of barrier that would be installed.

As an example:

- The fence should be solid construction, with good quality timber (no warping, knot, holes or damage) of at least 20mm (ideally 25mm) thickness in all places, including where the boards overlap.
- Boards should continue across the front of posts to minimise gaps and wide overlaps (minimum 25mm is recommended) allow for timber expansion and contraction whilst minimising the possibility of gaps appearing over time.
- The superficial mass of 25mm thickness of timber is approximately 10 to 15 kg/m², and this is sufficient to prevent a reduction in performance by noise leaking through the fence itself.

Also, I would like to have an indication of when they would be likely to take deliveries.

4.9 Asset Team (Highways Maintenance)

Objection.

The submitted Planning Statement under the Highways section claims that the new T-junction onto Station Road has been demonstrated to be safe and will operate with "no" impact on the through flow of traffic. This is bound to have an impact due to the nature of it being there. Also, we question traffic modelling figures produced.

Any alteration to this stretch of the network has a significant detrimental effect on the traffic flows.

4.10 Highway Structures

No comment received.

4.11 Landscape

Objection.

No landscape planting is proposed. The site seems too restricted for the proposed layout and unable to accommodate landscape buffer planting which would be contrary to SGC landscape and design policies including CS1.

The Tree Protection Plan appears not to properly depict the trees that are to be removed - T6 and T7.

The proposal appears to show the removal of almost two thirds of the existing stone boundary wall which is felt to be unacceptable and contrary to the LCA 8 Yate Vale landscape strategy.

In the event of consent being felt to be acceptable it is felt that the existing boundary security fencing could be upgraded and replaced by a higher quality fence.

It is queried whether the site could be accessed from the existing main car park rather than from Station Road. Also, whether the on-site car parking could be reduced by utilising the main car park. This could free up space for landscape buffer planting and enable retention of the stone boundary wall.

The site appears to be too restricted. The lack of proposed landscape planting and loss of characteristic stone wall is felt to be unduly harmful to landscape character.

4.12 Lead Local Flood Authority

No objection.

Final comments:

The EA in their response dated 22.03.17 raised an objection due to the submission of an inadequate FRA. It is imperative that the applicant overcomes this objection.

Recommended SUDS condition, should planning permission be approved.

4.13 Police Community Safety

No objection.

4.14 Sustainable Transport

Objection.

The proposal includes the construction of a new junction on the B4060 Station Road in close proximity to an existing roundabout. There are concerns about the proposed new access.

There are accessibility issues with the site. The scheme is designed to sit entirely separate and isolated from the rest of the shopping centre with no pedestrian/cycle link between this site and the adjoining Riverside Retail park.

In consideration of the site location and existing traffic issues on Station Road, it is not considered that the proposed development with access from Station Road is appropriate.

It is noted that the proposed road widening and new right-turn lane will likely impact on the existing trees/vegetation situated on the north side of Station Road.

4.15 Trees

Objection.

There are no objections in principal to this application or to the removal of some of the site trees in order to facilitate the development. There is, however a Sycamore tree growing adjacent to the boundary where T7 shows on the plan. It appears that the root protection area of this tree may conflict with the construction of the site in particular the vehicular access route for the drive-through.

The Arboricultural report will need to be updated to include this tree, add it to the tree protection plan, and if necessary provide an arboricultural method statement for works which conflict with the RPA.

Further comments:

My previous comment of the 15th March still applies. I also note that the applicant has not updated the arboricultural documents as per my request.

Further comments:

The road widening scheme will affect council owned trees opposite the proposed site. The trees are not showing on the impact assessment neither are they showing on the tree protection plan.

I would recommend refusal on the grounds of insufficient information and proposed works detrimental to the health of existing council owned trees.

Other Representations

4.16 Local Residents

A total of 97no. representations have been received;

A total of 62no. comments of objection have been received:

- Unsuitable site;
- Do not have the road infrastructure to accommodate this type of food retail business;
- Since Riverside development the roads are gridlocked, including Scott Way;
- Plenty of empty units in Yate Shopping Centre;
- Congestion;
- Litter;
- Noise;
- Potential anti-social behaviour;
- Smells of food cooking for over 12 hours of the day;
- Vehicle emissions from cars and lorries;
- Impact on quality of life;
- Pedestrian crossing would be seriously affected;
- Riverside development already breach planning conditions;
- Opening hours need to be restricted;
- Flooding from culverts under pressure;
- Not enough parking for shoppers and nearby residential streets becoming congested;
- No pedestrian footpath to be provided;

- Unsuitable entry and exit road;
- Power lines and sewerage run through neighbouring bungalow No. 232 to the site;
- De-value property (No. 232 Station Road);
- Ecologically affected since Riverside with fewer bird species visiting the area;
- Close to residential areas;
- Effect on gateway to Chilling Sodbury High Street
- Site of significant national and historic interest;
- This kind of development will blight the area;
- Traffic levels in area at saturation, particularly at weekends;
- No need for more fast food outlets;
- Loss of trees on Station Road and no suitable mitigation;
- Obesity crisis;
- Will attract vermin.

A total of 31 no support comments have been submitted:

- Will fit in well with the surrounding area considering all recent developments;
- Need popular high street stores to attract more;
- Good for the community;
- More jobs to the area;
- Need modernisation;
- Save travelling to other KFC branches;
- Traffic only bad in rush hour;
- Yate is expanding and needs to keep up with other towns by offering variety.

A total of 4 no. Mixed comments:

- Access should come from Riverside Car Park and not Station Road;
- Traffic management required;
- Will fill a niche and attract a lot of business;
- More practical to offer access via Riverside development.

5. ANALYSIS OF PROPOSAL

5.1 Planning permission is sought for the erection of restaurant unit for flexible use within Class A3/A5, including drive through lane, new access arrangement, car parking, landscaping and provision of associated plant. The application site is located The application site lies adjacent to Yate Town Centre and is within the defined settlement boundary.

5.2 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. Paragraph 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.

- 5.3 Policy CS1 of the adopted Local Plan (2013) seeks to secure good quality designs that are compatible with the character of the site and locality.
- 5.4 Policy RT8 of the adopted Local Plan (2006) states that outside of town centres, small scale proposals including Class A3 will be permitted within the existing urban area and settlement boundaries provided that:
- The development would not give rise to unacceptable levels of vehicular traffic or on-street parking to the detriment of the amenities of the surrounding area and highway safety; and
 - The development would not prejudice existing residential amenity; and
 - The character of the area would not be adversely affected; and
 - (in the case of proposals within a local centre) that the development would be consistent with that centre's scale and function; or
 - (in the case of proposals outside of a local centre) development would improve the range of services to a local community and not harm the vitality and viability of an existing local centre.
- 5.5 Policy CS30 of the adopted Core Strategy (2013) sets out the vision and priorities for Yate and Chipping Sodbury. Point 4 of the Policy sets out the aim to diversify the range of town centre uses in Yate Town Centre to encourage a more active and vibrant evening economy and provide further retail floor space.
- 5.6 The Council's Policies, Sites and Places DPD is set to be formally adopted in November 2017. Policy 35 will therefore hold significant weight. Policy 35 relates to food and drink uses (including drive through takeaway facilities). Proposals for food and drink uses will be acceptable provided that, individually and cumulatively, any impact would not harm the character of the area, residential amenity and/or public safety. The following matters will be taken into account:
- A harmful concentration of food and drink uses would be created; and
 - The number, distribution and proximity of food and drink uses, hot food takeaways, including those with an unimplemented planning permission; and
 - Noise, general disturbance, fumes, smells, litter and late night activity; and
 - The availability of parking and serving; and
 - Opening hours; and
 - Highway safety; and
 - The availability of refuse storage and disposal facilities; and
 - The appearance of any associated extensions, flues and installations.
- In addition to the above criteria, proposal(s) for drive through takeaways will be expected to avoid any harm to the ease of pedestrian and cycle movement, general vehicular circulation and available parking spaces.

- 5.7 The policy context for the application site clearly states that the site is outside the Yate Town Centre and not within the outlined Link Road site (now the Riverside development). Given the proposed development would be located outside of the Yate Town Centre and Riverside Retail development, the proposed location is considered to be contrary to policy. This proposal will be further assessed in detail below.
- 5.8 Design and Visual Amenity
The proposal seeks to demolish the existing redundant electricity substation and replace it with a single storey drive-through restaurant. Access will be from Station Road. The proposed restaurant would be located towards the southern boundary of the site, with the drive-through lane circumventing the building. Parking will be along the front of the building.
- 5.9 The proposed building is roughly rectangular in shape measuring approximately 29.4 metres in length, 13.7 metres wide narrowing to 10.8 metres and 5.2 metres in height. The Gross Internal Area would measure 243.2 sqm. The building would have glazing on the front elevation with stone and cladding detailing on all elevations. There would be external down lighting on the front and side elevations.
- 5.10 The proposed layout would create a new filter lane and access off Station Road. The site would be dominated by hardstanding and parking, with vehicles circulating the restaurant building. The proposed scheme offers a relatively attractive building, but one which would be viewed in isolation from the Riverside retail park. This factor is given neutral weight in the determination of the proposed development.
- 5.11 Non-designated heritage assets
The recent Riverside Retail Park development resulted in the demolition of a pair of Victorian villas, which has significantly urbanised the character of the locality. The neighbouring dwelling (no. 232) is a Locally Listed Building and currently provides the only visual break between the retail park and the new edge of the residential area of Station Road to the east, which includes the listed Union Workhouse. Given the local context of the application site, the bungalow no longer benefits from its setting, which has now been urbanised. The boundary shared with the bungalow would see a road running directly adjacent to it, without any planting buffer. The land to the front of the building would be dominated by car parking directly adjacent to the footway. With the drive-through road running around the building, the proposed structure would be an island within a sea of hardstanding effectively.
- 5.12 The application site is relatively modest and would be dominated by the road and parking within the site. Overall, the proposed building is considered to be of adequate design, with a decent mix of materials, although flues have not been shown on the proposed elevation plans. It should be noted that any signage/advertisements for the site will require separate advertisement consent and will have a further (and likely negative) impact on the appearance of the proposed building and setting of the site. The proposal includes little relief through landscaping, to the detriment of the neighbouring bungalow. Whilst this is considered to amount to further harm to the setting of the adjacent non-

designated heritage asset, it is not considered sufficient to warrant a refusal given the wider context of the site. This factor is attributed neutral weight in the determination of the proposed development.

5.13 Landscape/Trees

The application site is located within an urban location along Station Road, which leads to Chipping Sodbury. The front boundary of the site is bound by a low brick wall, with a number of trees and metal security fencing. The site is located east of the Yate shopping centre, with residential properties to the north-east and north-west. The site is flat and was previously used as an electricity substation. There is an embankment on the river Frome to the west.

5.14 The application proposes changes to the site in the form of the removal of tree groups and individual trees along the north of the site. The Arboricultural Impact Assessment Report (Eden Arboriculture) submitted considers these trees to be of low quality. The Tree Officer has no objection to the removal of the proposed trees within the application site. However, the Tree Officer has advised that the proposed road widening will affect Council-owned trees on the opposite side of Station Road. The affected trees are not shown on the impact assessment or the tree protection plan. The Tree Officer has not indicated the level of quality of these trees, but it is assumed that they are not worthy of a Tree Protection Order.

5.15 Whilst the existing vegetation on site is of relatively low quality and amenity value, the Landscape Officer has raised an objection on the basis that there is no planting proposed. The application site itself is restricted by the proposed layout and it appears that the result is that the site is unable to accommodate a landscape buffer of planting around the perimeter. It is also noted by both the Tree and Landscape Officers that trees to be removed are not properly depicted on the plan (T6 and T7, and Council-owned trees on Station Road). The Tree Officer has raised an objection on the grounds of insufficient information and proposed works detrimental to the health of existing Council-owned trees (as per para. 5.15).

5.16 The proposal would also remove almost two thirds of the existing stone boundary, which is an attractive feature of the site and the existing street scene along this section of Station Road. It is queried whether the site could be accessed from the existing main car park rather than from Station Road and whether the on-site car parking could be reduced by utilising the main car park. This could free up space for a landscape buffer planting and enable the retention of the stone boundary wall, which would improve the visual amenity of the site and street scene.

5.17 Overall, there are concerns about the lack of proposed planting within the site. This seems to be as a result of the intensive use of the site and amount of parking provided. The lack of proposed landscape planting and loss of characteristic stone wall is felt to be unduly harmful to landscape character. It is considered that this is a small scale site in comparison to the much larger and more imposing Riverside Retail Park to the south. Whilst some improvements to the scheme could be made, these could be added as a condition should planning permission be granted. In addition, the removal of the trees on the

opposite side of Station Road could also be prevented via condition. Some additional landscaping would aid to soften the proposed developments visual impact and soften its integration with the street scene, however the Officer does not consider this warrants refusal as conditions could be used to secure these improvements. This factor is given neutral weight in the determination of the proposed development.

5.18 Impact on Residential Amenity and Environmental Effects

There is one detached property that stands to be most affected by the proposed development; this is the bungalow at No. 232 Station Road. The proposed restaurant would operate between 10:30am to 11:30pm, seven days a week. By way of comparison, Riverside's opening hours are from 9am – 8pm Monday – Friday, with shorter opening hours at the weekend.

5.19 *Proposed building*

Given the proposed scale and positioning of the building, it is unlikely to impact on the nearest neighbouring occupiers in terms of overbearing impact. In terms of loss of privacy, there would be no windows facing the bungalow. It is acknowledged that the proposed use of the site will bring additional light (both on the building and signage), this could be controlled via a planning condition.

5.20 *Environmental Effects*

During the course of the application the agents submitted an updated Environmental Noise Assessment (dated 22nd May 2017) from an acoustic consultant. The Environmental Health Officer has advised that the figures suggest the proposed development would not cause a noise issue and would fall within the guideline values of the Council's noise document (SGN1). However, insufficient details have been submitted on the proposed 4 metre barrier around the mechanical plant and the 3 metre barrier separating the drive through from the existing bungalow. Matters such as the construction of the fence, materials to be used and the proposed delivery hours are also unknown. However, the Officer does acknowledge that these matters can be conditioned to increase the mitigation measures on site and reduce some of the potential harm.

5.21 It is acknowledged that the existing bungalow has been isolated by the Riverside development, and is likely to be further isolated by the proposed KFC restaurant. Concerns have been raised by the neighbouring occupiers about the proposed opening hours and the potential impact of the proposed development on their enjoyment of their property. The proposed opening hours would provide very little relief for the occupants of the bungalow (11 hours per day), coupled with the delivery times (currently unknown).

5.22 More importantly, the proximity of the proposed drive-through lane would mean that vehicles will be accessing and standing along the eastern boundary nearest to the bungalow. The site is constrained and this is evident in the lack of proposed landscaping or buffer around the boundary of the site. This is likely to have some impact on their residential amenity, with vehicle engines constantly running and being parked on the drive-through during busy peak periods. Whilst Officers acknowledge that this is near a town centre location and an urban area, the nearest neighbouring occupiers currently have the

application site as a buffer. The proposed activity on site would be intensive and would be open for over half the day.

5.23 *Other Environmental Concerns*

A number of concerns have been raised by local residents about litter, noise, anti-social behaviour, vermin and smells from food cooking 12 hours per day. The proposed plans do include a number of litter bins and the smells from cooking could be mitigated with the advice of the Environmental Health team and appropriate planning conditions. The proposed use is likely to create some noise, mainly from vehicles entering/exiting the site and engines running, which could be controlled by restricted opening hours and increased acoustic protection measures and planting. Due to the late night opening hours this could result in groups of people hanging around the site, and in this respect there is potential for anti-social behaviour. This would be dealt with by the Police. Overall, there is the potential that cumulatively these matters may impact on the quality of living conditions, but the majority of them can be controlled via appropriate planning conditions and through other legislation/authorities.

5.24 Having regard to the above, the proposal is considered to have a significant adverse impact on the residential amenity of No. 232 Station Road by reason of the proximity of the drive through lane and junction, additional standing vehicles within a relatively constrained site, and the proposed opening hours. It is considered that this factor is given significant weight in the determination of the proposed development.

5.25 Ecology

The application site currently consists of a small disused substation building and overgrown vegetation. The site is in the centre of Yate amongst retail and residential development. The site is bordered on the northern boundary by trees and the west boundary by the River Frome, which forms part of the River Frome SNCI, which is an important corridor for wildlife within Yate. An Ecological Appraisal has been submitted in support of the application by Aspect Ecology (September 2016). The findings include the nationally scarce ivy broomrape present within the site. There is no evidence of any protected species, such as bats roosting, reptiles or badgers.

5.26 Protective measures during construction have been proposed as well as the sensitive design of drainage and lighting schemes. However, there is no mention of protection to the nationally scarce ivy broomrape. At present, this population will be removed to provide access to the proposed development. Ivy broomrape is scarce at a national level, although the Bristol area is a stronghold of the population. The agents have confirmed that the ivy broomrape will be relocated, however no details have been submitted for consideration by the Council's Ecologist, although it is presumed that translocating parasitized ivy to another area is the only option given the access arrangements have not changed. There are considered to be no other concerns in respect of the ecology of the site. This factor is given neutral weight in the determination of the proposed development.

5.27 Flood Risk/Drainage

The application site lies within Flood Zone 3a. The application has been accompanied by a Flood Risk Assessment (FRA) by Pinnacle Consulting Engineers Ltd (March 2017). The flood risk vulnerability classification for this site is 'Less Vulnerable' land use based on Table 2 of the NPPF Technical Guidance. Table 3, Flood Risk Vulnerability and Flood Zone Compatibility in NPPF Technical Guidance, states that these land uses are compatible in Flood Zone 3 subject to the Sequential Test.

5.28 The aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding. However, where this is not possible it should be demonstrated that there are overriding principles as to why the development should be located in an area at higher flood risk. It is for the local planning authority to determine whether the proposal satisfies the sequential test.

5.29 Being mindful of the type of development proposed and its compatibility with a town centre location, careful consideration has been given as to whether there are any other sites at a lower risk of flooding that could adequately accommodate the proposed development. Given the proposed site is only 0.25 hectares in size and the links to the town centre, the Officer is satisfied that the sequential test has been passed. Whilst the proposed location is not considered to be suitable due to site constraints detailed in the Officers report, the proposed land use is considered compatible with the level of flood risk. Also, the Environment Agency has removed their objection to the proposed development following an amended FRA by the agents appointed consultant. This factor is given neutral weight in the determination of the proposed development.

5.30 Transportation Impacts

The application seeks to erect a hot food takeaway/drive through restaurant on the edge of Yate Town Centre. The proposed access would be from Station Road, a busy classified highway. Station Road forms part of an important east-west traffic corridor in Yate and is a dual single-lane highway. The proposal includes the widening of a section of Station Road from the roundabout to the site access, including a right turn lane for traffic turning into the site from Yate. There is a zebra pedestrian crossing approximately 30 metres to the east. To the west there is a roundabout junction. The proposed development would provide 23 standard parking bays, 2 disabled parking bays and 1 grill bay/large order for customers who have to wait for their order and to allow a free-flow of drive-through traffic.

5.31 *Accessibility*

The proposed access would be off Station Road, to the east of the proposed restaurant. The drive-through road would circulate around the proposed building clockwise, following the east, south and west boundaries of the site. Parking bays would be located north of the proposed building. There is a delivery bay located to the east of the building.

5.32 One of the primary concerns with the proposal is accessibility. The scheme, as designed, would sit entirely separate and isolated from the nearby Riverside Retail Park. One of the minor revisions included is a pedestrian access on the

western boundary of the site, through the Riverside development, across the Link Road and into Yate Town Centre. Whilst this is considered to be an important connection and would help the permeability between the two sites, the Officer remains concerned that this would offer only limited mitigation and would not fully meet the sustainability objectives of Policy CS8.

- 5.33 The width of the existing footway on Station Road outside the proposed site is considered inadequate. The plans show the existing width of the footway to be approximately 1.6 metres wide near the entrance to the site, which does not meet the Councils standards of 2 metre footway. The existing footway is considered inadequate for use by cyclists.
- 5.34 New development in the town centre is expected to be designed with good permeability for all user groups. Unfortunately, this scheme fails to provide such permeability and is considered to be divorced from the town centre and Riverside. This type of restaurant/proposal would be more suited as part of the Retail Park or Town Centre, rather than as a piecemeal and separate addition with no regards to the wider context.
- 5.35 *Proposed New Junction*
The proposal includes the widening of a section of Station Road and the construction of a new junction on the B4060 Station Road, in close proximity to the existing roundabout. The proposed new access raises a number of concerns for Officers. Station Road is part of a strategic traffic route between the Yate and Chipping Sodbury and is used by commuters and shoppers through-out the day and night. As is typical to many town centre situations, the roads near the centre of town are busy and more often congested. This section of Station Road is no exception and is often congested at peak times.
- 5.36 A Transportation Statement has been submitted to support the application and has been assessed by the Highway Authority. The agent has submitted the argument that some of the associated traffic to the site will already be on the highway network and as such, traffic movements in the area will not all be the result of new trips. From the Officer's point of view, all vehicular turning movements associated with the new access and proposed development will be new traffic as there is no existing vehicular access at this location. It is generally accepted that the proposed development in its own right is unlikely to generate high volumes of traffic in the morning peak hours. However, the overall daily flow and the anticipated vehicular movements to and from the site will be a material consideration particularly during the inter-peak (i.e. lunch time) and evening peak times. Officers in the Highway Maintenance team have also raised their concerns that this part of the road network would not be able to cope with such a proposal, given the road is already extremely busy and is through-way for public transport.
- 5.37 The plans submitted show that there is restricted manoeuvring area for larger service and delivery vehicles. In this context, the agent has suggested that servicing of the restaurant will take place during out of hour's periods only to avoid conflict.

- 5.38 Given the proximity of this new junction to the existing roundabout and pedestrian crossing, it is considered that additional traffic and turning movements in this location would adversely impact on the safe and free flow of traffic in the area, including the safe movement of pedestrians. The construction of a new junction at this location, in close proximity to an existing roundabout and pedestrian crossing, has the potential to cause conflict with the travelling public. In consideration of the proposed site location and existing traffic issues on Station Road, the Highway Authority the proposed vehicular access to be inappropriate as well as being unnecessary, particularly as there is an alternative and existing access to this site from Link Road. Therefore, the Highway Authority considers there is an in-principle objection to the formation of a new vehicular access at this location onto Station Road.
- 5.39 The agent has been advised of the highway objections and that they may be overcome if they are prepared to utilise the existing vehicular entrance that currently services the adjoining Riverside Retail Park off Link Road. The agent has not specifically responded to this suggestion and it is unclear to Officers why this is not a viable option, given the existing level of car parking and manoeuvring space at Riverside, and the improved pedestrian accessibility in the way of footpaths, zebra crossings and footbridge. The agents were also advised of the above at the pre-application enquiry stage, prior to the submission of this application. During the course of the application, the agents requested to submit additional information and revised plans, which were received in June and July; however the agent has failed to address the fundamental objection to the proposed new junction and access from Station Road. Officers consider this to be a missed opportunity to improve the proposal and address the highway concerns raised in March.
- 5.40 The combination of existing busy road network, roundabout, pedestrian crossing, inadequate footways with the proposed new junction are considered to disrupt the free flow of traffic, increase conflict of traffic movements and have an overall detrimental impact on highway safety. The proposed scheme would result in sub-standard traffic conditions on the adjoining local highway infrastructure. Officers consider that this would result in a severe highway impact. Officers do not consider that there are reasonable means of mitigation for this impact.
- 5.41 Paragraph 32 of the NPPF states that “*Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe*”. Officers consider the proposed scheme would have a severe impact on this locality and this impact weighs heavily against the proposed development.
- 5.42 On this basis, the proposal is considered to be contrary to local policy and national guidance contained in paragraph 32 of the NPPF and would result in a severe highway impact to the detriment of highway safety in this locality. This factor is given significant weight in the determination of the proposed development.

5.43 Economic Benefit and Local Support

The proposal for a 243 sqm hot food takeaway/drive through restaurant is proposed to create approximately 30 FTE and 20 PTE jobs on a currently disused site. The proposal would improve the evening economy of the area. Although the site does not currently fall within the recognised Town Centre, the Council's emerging Policies, Sites and Places Plan DPD plans to expand the Primary Shopping Area.

5.44 The Economic Development team supports this application as they believe it will have a positive impact on the local economy within the Yate area, through the provision of additional employment opportunities and services that will complement the existing nearby businesses/land uses.

5.45 The Economic Development Team have submitted their support and a number of similar support comments have been received from local residents stating that they feel the proposal will fit in well with the surrounding area, will continue to expand Yate, help attract more high street stores, will fill a niche, would be good for the community and bring more jobs to the area, The Officer acknowledges that the proposal would provide a number of new employment opportunities within the locality. It is considered that this does not override the earlier concerns raised in the Officers report, but will form part of the Officer's planning balance assessment. This factor is given moderate weight in the determination of the proposed development.

5.46 Other Matters

The residents of Yate have raised a number of concerns which I will deal with in turn in this section:

5.47 It has been queried why residents on nearby Swan Field, Lyefield and Firgrove had not been consulted about the application. As per the Council's adopted Statement of Community Involvement (SCI, 2015), all adjoining occupiers having a common boundary with the site and properties directly opposite are sent consultation cards. Any member of the public can comment on a planning application.

5.48 Concern has been raised that this kind of development will blight the area, there is no need for this type of development and there are plenty of empty units in Yate Shopping Centre. The application site is close to the Riverside development, but is currently proposed to be separate and isolated, which is a concern for Officers for various reasons. There is a McDonald's drive through, which is less than 0.5 miles from the site, as well as other various food outlets within Yate Town Centre. The merits of each planning application are assessed and it is not for the Officer to suggest a suitable location.

5.49 Non-planning issues relating to existing power lines and sewerage running through the neighbouring bungalows site to the application site has been raised. This would be a civil matter to be discussed between the applicant and the neighbour. Also, the de-valuation of a property is not a planning matter and limited weight is attributed this factor.

5.50 Planning Balance

In determining this application, the Officer has attributed weight to the issues discussed in this report. It is considered that the economic benefits to Yate and the re-use of a Brownfield site can be attributed moderate weight in favour of the proposed development.

5.51 There are a number of matters which the Officer has attributed neutral weight, which includes the proposed design, non-designated heritage assets, landscape and trees and flood risk.

5.52 However, officers attribute significant weight to the adverse impacts caused by the construction of a new access, the impact on local traffic movements, harm to highway safety. It is considered that these matters cannot be overcome by securing mitigation through appropriate planning conditions. The lack of accessibility from this site to the surrounding town centre is a negative factor that is also attributed significant weight. Officers note that the proximity of the drive-through lane and vehicular traffic on site, would result in a negative impact on the existing levels of residential amenity afforded to the neighbouring residents at No. 232 Station Road.

5.53 Given the above consideration, the Officer has concluded that a number of significant harms have been identified that would result from this proposed development, if it was approved. In this instance, it is concluded that the identified adverse impacts significantly and demonstrably outweigh the identified benefits of the proposed development. Accordingly, officers recommend that this planning application is refused.

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 **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 planning permission is **REFUSED**.

Contact Officer: Katie Warrington
Tel. No. 01454 864712

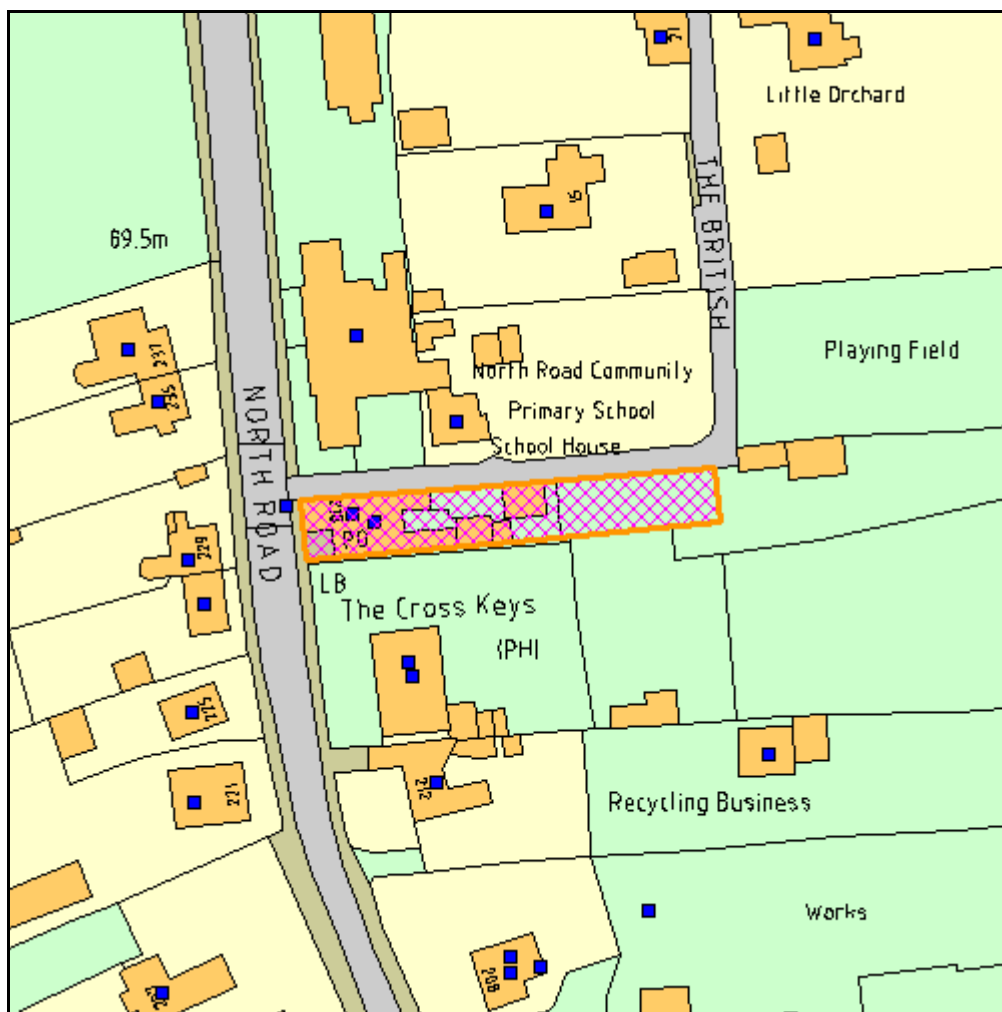
1. The proposal would result in the creation of a new vehicular access on to the B4060 Station Road, a busy classified highway. This would be in close proximity to an existing roundabout, junction and pedestrian crossing. The use of the proposed access and resulting additional vehicular turning movements would likely increase

conflict of traffic movements close to the existing roundabout, junction and pedestrian crossing. The proposal would increase hazards, interrupt the safe and free flow of traffic and local congestion and result in a severe highway safety impact. The proposal is therefore contrary to Policies CS1 and CS8 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013, Saved Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies), and the provisions of paragraph 32 of the National Planning Policy Framework (2012).

2. The proposed development sits in isolation and fails to sufficiently connect with the wider pedestrian network and Riverside Retail Park. The proposal fails to provide adequate permeability and would be divorced from the rest of the Town Centre and shopping areas. The proposal is an example of a piece-meal development that fails to take the opportunity to improve pedestrian and cycle connectivity in the locality. The proposal is therefore contrary to Policies CS1 and CS8 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013, Saved Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies), and the provisions of paragraph 32 of the National Planning Policy Framework (2012).
3. The creation of a Hot Food Takeaway, the proposed opening hours, proximity of the new junction and drive-through lane, additional vehicular movements, and insufficient mitigation measures are likely to materially and negatively impact on the nearest neighbouring residential property No. 232 Station Road. The proposal is considered to prejudice the residential amenity of neighbouring occupiers by reason of the proximity of the proposed activity and creation of unacceptable noise and disturbance. The proposal is therefore considered contrary to Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies); Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the provisions of the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 4117 – 13 OCTOBER 2017

App No.:	PK17/2400/F	Applicant:	Mr Ross And Hoy
Site:	Land To The Rear Of 218 North Road Yate South Gloucestershire BS37 7LQ	Date Reg:	14th June 2017
Proposal:	Partial demolition and alterations to existing shop to facilitate erection of 2no.dormer bungalows with access, parking and associated works.	Parish:	Iron Acton Parish Council
Map Ref:	369900 183734	Ward:	Ladden Brook
Application Category:	Minor	Target Date:	17th July 2017



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008. N.T.S. PK17/2400/F

This application appears on the Circulated Schedule in light of the officer recommendation being contrary to some of the representations received, including that of the Parish Council.

1. THE PROPOSAL

- 1.1 Full planning permission is sought to construct 2 additional dwellings within the curtilage of 218 North Road, Yate. No 218 is in mixed use with a ground floor shop unit and residential above. The shop unit is currently vacant having last been used as a Post Office. It is located adjacent to "The British" a narrow lane adjacent to the northern boundary of the site. Located on the other side of The British is North Road Community Primary School; to the south is the locally listed Cross Keys pub. Otherwise the area is largely residential in nature. It is located within the settlement boundary for Engine Common. The site is covered by an area wide Tree Preservation Order.
- 1.2 The proposal would see 2 x 3 bed dormer bungalows constructed behind no 218, with access onto The British. Each unit would have 2 parking spaces provided and a small rear garden. Four off street spaces are shown to serve No. 218.
- 1.3 This proposal follows a recent refusal for 2 new dwellings. This scheme differs in terms of the layout of the units, which will involve the demolition of part of the rear of the existing building; the level of off street parking provided with a passing place on The British in front of it; and the proposal to put a "build-out" into North Road to improve visibility.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS5 Location of Development
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS16 Housing Density
CS34 Rural Areas

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

T12 Transportation
L1 Landscape
L15 Locally listed buildings
RT11 Retention of Local shops

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
PSP21 Environmental Pollution and Impacts
PSP38 Development within existing Residential Curtilages, Including Extensions and New Dwellings
PSP43 Private Amenity Standards

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

3. RELEVANT PLANNING HISTORY

- 3.1 PK16/6886/F 2 detached dormer bungalows. Refused 28.4.16 for 4 reasons, namely inadequate provision of off street car parking; additional hazards to road users due to increased use of The British which has severely restricted visibility; lack of usable amenity space and poor outlook; and a cramped form of development.
- 3.2 PK16/2429/F Demolition of existing buildings. Erection of 1 detached dwelling and 2 semi-detached dwellings. Withdrawn 26.8.2016.
- 3.3 On site opposite: PK16/1490/F 1 detached house. The School House, The British. Approved.

4. CONSULTATION RESPONSES

- 4.1 Iron Acton Parish Council
Objection. The proposal will result in the increase use of a substandard narrow lane, which is too narrow with poor visibility. Given the proximity to the school this will cause danger to pupils.
- 4.2 Other Consultees
Tree Officer
No objections
- Highway Structures
General advice given with no specific recommendation made
- Conservation Officer
No objection, the proposal will not have significant or demonstrable impact upon the setting of the locally listed pub.
- Local Lead Flood Authority
No objection
- Sustainable Transport
No highway objection subject to recommended conditions.

Notwithstanding the highway objection to the previous scheme the layout plan for this proposal includes a footway building out at the junction with North Road and the removal of a small section of the frontage of the old Post office Building. 8 parking spaces are provided in two separate areas within the site, with the reversing area behind the parking spaces to be used as passing places for vehicles travelling along The British. The proposed dwellings are accessed by pedestrians from the parking area between the dwellings rather than directly from The British as previously proposed. These amendments would provide improved visibility between vehicles emerging and pedestrian and vehicles on North Road. Visibility splay in excess of the standard 2.4m x 43m for a 30mph speed limit road will be achieved. The building out will also have the benefits of having a traffic calming effect on vehicles travelling along North Road and providing additional width to the footway outside of the school. There has been 1 recorded incident on North Road in the last 5 years in the vicinity of the site which involved an elderly driver hitting a stationary car, and was unrelated to vehicles using the junction with The British. No accidents were recorded along The British in that time.

The British is still only wide enough for one car to pass at the junction with North Road, but the 2 parking areas provide two new opportunities for vehicles to pass one another and represent an improvement over the current situation. The two new dwellings would generate between 8-10 vehicle movements a day which can be safely accommodated with the proposed changes to The British. It is noted that the width of The British is such that it could be uncomfortable for some pedestrians to use at the same time as a car, but this section of The British is around 11m long with space wither end for pedestrians to wait if necessary. As the proposal only generates on extra vehicle movement during the busiest peak hour I do not believe this will be problematic.

Waste collection vehicles currently access The British and turn in a private turning area at the end of the road. If for some reason this was not possible in the future the proposal includes a waste collection area to the front of the old Post Office. The two dwellings would also be close enough to North Road for it not to be necessary for delivery vehicles to access The British.

Adequate off street parking is now shown. Whilst visibility into the parking areas is restricted because of the restricted width of the road speeds will be low enabling sufficient time to react. Cycle parking is proposed in sheds in garden areas which is acceptable.

A construction management plan condition is suggested; as is the provision of the footway build out and car and cycle parking.

Other Representations

4.3 Local Residents

6 letters of objection have been received – one of which is written on behalf of the North Road Primary school.

North Road Primary School

The proposal will face onto the outdoor classroom area used by the Foundation stage pupils. There will be a increase in car fumes which will not provide a clean environment for learning.

The remaining objectors made all or some of the following points

- The proposal will be a danger to highway safety. The British is narrow, and has poor visibility, with a 90 degree turn. Additional vehicle movements onto this road will be dangerous for the existing residents and especially the pupils at the adjacent primary school. This is in terms of the route to and from school, but also when they access their playing field.
- The proposal will increase the exhaust fumes that will impact upon the health of children at the school
- The British is too narrow to cope with the day to day deliveries associated with dwellings; and they tend to block the road for all other residents, and there is nowhere to turn safely.
- The proposed road improvements will not overcome the existing issues with The British sufficiently, which will remain a narrow road.
- The proposal is out of character with the area, and is too dense.
- There is no need for further housing, 1000s of houses are being built in the area.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The development plan policy supports the principle of additional residential development within the identified settlements such as Engine Common. Paragraph 14 of the NPPF states that development proposals that accord with the development plan should be approved without delay. It goes on to suggest that where the development plan is silent or relevant policies are out of date permission should be granted unless any adverse impact would significantly and demonstrably outweigh the benefits of the proposal. This is referred to as it is considered material in the light of the current housing supply position in South Gloucestershire. At present the Council is unable to show a 5 year housing supply, which adds more weight in favour of the principle of providing additional housing units. In this case the addition of 2 more units in a sustainable location weighs in favour of the proposal, albeit a modest contribution. Accordingly the principle is supported, but it is the impact from the development that must now be considered, especially in light of the specific impacts found to be unacceptable on a previous proposal for 2 units.

5.2 Transportation

The access, safety and parking arrangements are key considerations in relation to this proposal. They resulted in 2 refusal reasons in relation to a previous scheme, and are the main body of the objections received in relation to this current proposal. This stems from the suitability of The British which is a narrow lane, and its junction with North Road adjacent to a primary school. The transportation officer's comments are set out at some length in paragraph 4.2 which reflects the detail that these matters have been considered. Significant weight is given to the fact that the transportation officer no longer objects to the proposal on the revised layout, and indeed considers there to be some wider benefits from a footway build out; and passing opportunities within The British that would arise from the scheme. These are sufficient to address the impacts arising from the 2 dwellings, but also to improve the situation for others to some extent. Subject to conditions to secure these arrangements, and to cover the

construction period there is no highway objection raised. Sufficient off street parking which meets the standard is now shown for both cars and cycles.

5.3 Design

The dormer bungalows now proposed are a rather modest simple form with the principal elevations facing each other across the parking area proposed to serve them. This would mean it is the side elevation that presents to The British. This is would be directly onto the boundary for plot 2, but with planting along the side of plot 1. Materials are render and reconstituted stone with Double Roman roof tiles. The immediate context is somewhat mixed, with some older buildings in evidence. This layout and design would not compete with any of those, and would not be noticeable in views from North Road. The conservation officer is content that it will not harm the setting of the locally listed building. Whilst the layout is tight for 2 detached dwellings it is not considered to amount to a significant or demonstrable harm. This is in contrast to the previous layout – as additional room is gained by the demolition of some of outbuildings and land associated with No218.

5.4 Residential amenity

The positioning of the units and their principal windows is on an east/west axis. This means the greatest impact will be between the proposed units and No218 rather than on the wider context. It is not considered the dwelling permitted on the opposite site of the road will be affected by this layout.

The proposed units have small gardens, Unit 1 at 64sqm meets the emerging standards; but Unit 2 at 48sqm does not, and falls 12sqm short. The proposal would not leave the mixed use unit a 218 with outside amenity space either. Whilst this is an improvement on the previous arrangements (where only 25sqm of courtyard was proposed) it is nevertheless below the emerging standard which is given considerable weight given its advanced stage. This counts against the proposal – and is weighed in the balance below.

5.5 Trees

The proposal will result in the loss of the existing vegetation at the site, but this has not raised a concern with the tree officer notwithstanding the area wide tree preservation order. This is consistent with the previous decision.

5.6 Air quality

This has been raised by some objectors, understandably so given the increased national attention in relation to idling engines and the impact upon health (especially children). PSP21 refers specifically to air quality which covers development that has potential for significant emissions to the detriment of air quality or is adjacent an Air Quality Management Area (AQMA) will be expected to show mitigation. This scale of development is of a minor nature, and the area is not in or adjacent to an AQMA. Accordingly the balance of evidence at this level would not support resisting this development, as it is unlikely to make a significant difference to air quality over and above the existing environmental conditions.

5.7 Ecology

The ecology officer commented on the previous scheme that there was no objection, and it is not considered that matters are likely to have changed since then. However an informative in relation to bats is proposed.

5.8 Planning balance

The principle is supported in this location, and positive weight is given in favour of the contribution to housing supply in a sustainable location. In addition some opportunities to improve existing transportation issues can be secured which would have a wider benefit as well as addressing the impact from the proposal. Weighed against that is that the layout is somewhat tight still, which results in a smaller garden for Unit 2 than is advocated by emerging policy, with no amenity space provided for the mixed use unit. When weighed in the balance it is not considered that these amount to a significant and demonstrable harm that outweighs the overall benefit.

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 following planning conditions.

Contact Officer: Griff Bunce
Tel. No. 01454 863438

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 development a site specific Construction Environmental Management Plan (CEMP), shall be agreed in writing with the Local Planning Authority prior to commencement of work. The CEMP as approved by the Council shall be fully complied with at all times.

The CEMP shall address the following matters:

- (i) Measures to control dust from the demolition and construction works approved.
- (ii) Adequate provision for the delivery and storage of materials.
- (iii) Measures to control the safe movement of construction traffic on The British to include the use of a Banksman for all reversing movements.
- (iv) Deliveries shall only take place Monday to Friday between the hours of 09:30 to 15:00 (school term time) and 09:00 to 16:00 (outside of school term time) and 09:00 to 12:00 Saturday. No deliveries on a Sunday.
- (v) Details of how construction work is to be managed to ensure that The British is not obstructed.
- (vi) Details of how residents of The British and adjacent properties on North Road will be kept informed about the programme of works including the timing of large vehicle deliveries.
- (vii) Contact details for the Site Manager

Reason

In the interests of residential amenity and highway safety and to accord with policy T12 of the South Gloucestershire Local Plan (adopted) January 2006. The details are required prior to the commencement of development as they relate to the details of the construction period.

3. Prior to the first occupation of the units a scheme of landscaping, which shall include details of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection during the course of the development; proposed planting (and times of planting); boundary treatments and areas of hardsurfacing 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.

4. Prior to the commencement of development, engineering details of the proposed build-out shown on plan 2914/6 Rev A into North Road shall be submitted to and agreed in writing by the local planning authority. Prior to the first occupation of any dwelling hereby approved, the build-out into North Road shall be completed in full in accordance with the details so agreed.

Reason

In the interests of highway safety and to accord with policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies), and the provisions of the National Planning Policy Framework. The details of the build out are required to be agreed prior to commencement of development as this aspect of the proposal is critical in terms of the highway safety of the proposal, and as such needs to be secured at the earliest opportunity.

5. The off-street parking facilities (for all vehicles, including cycles) and associated passing place shown on the plan hereby approved (2914/6 Rev A) shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason

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

6. The development shall proceed in accordance with the following plans

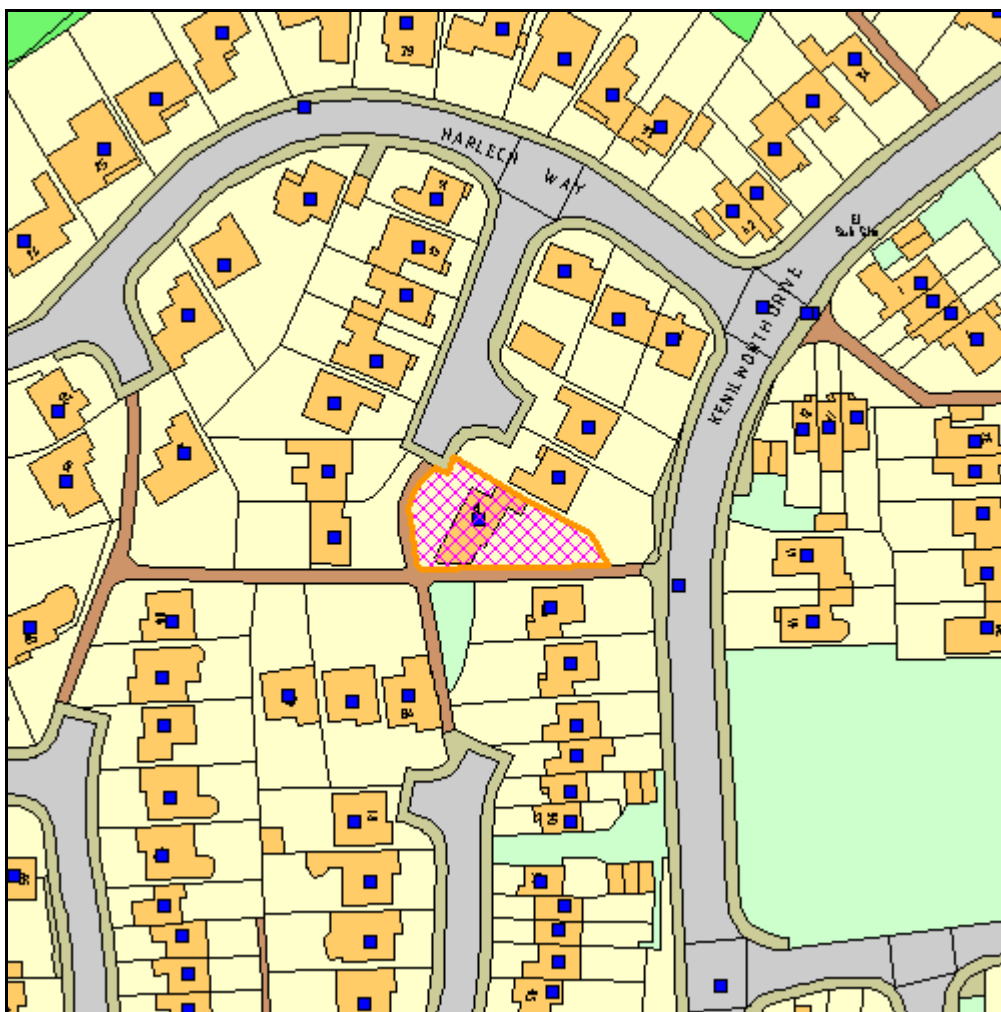
2914/1-5 and 7 received 22 May 2017; and 2914/6 Rev A received 20 July 2017.

Reason

In the interests of proper planning and the avoidance of doubt.

CIRCULATED SCHEDULE NO. 41/17 – 13 OCTOBER 2017

App No.:	PK17/3117/F	Applicant:	Mr & Mrs Wallis
Site:	6 Harlech Way Willsbridge Bristol South Gloucestershire BS30 6US	Date Reg:	18th July 2017
Proposal:	Erection of a two storey side and rear extension to provide additional living accommodation.	Parish:	Oldland Parish Council
Map Ref:	366733 170734	Ward:	Bitton
Application Category:	Householder	Target Date:	30th August 2017



© South Gloucestershire Council 2007. all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008. N.T.S. PK17/3117/F

REASONS FOR REPORTING TO CIRCULATED SCHEDULE

The application has been subject to representations contrary to the findings of this report. Under the current scheme of delegation it is required to be taken forward under the Circulated Schedule procedure as a result.

1. THE PROPOSAL

- 1.1 Planning permission is sought for the erection of a first floor side extension and two storey rear extension to provide additional living accommodation at no. 6 Harlech Way, Willsbridge.
- 1.2 The application site consists of a detached dwelling set within a moderately sized plot located towards the end of a cul-de-sac. The site is situated within the urban fringe area of Willsbridge. The main dwelling is finished in red brick, with a relatively large single storey extension projecting from the south-facing side elevation of the host dwelling.
- 1.3 During the application process the description of development was altered to more accurately reflect the development proposed. The description was changed from *'erection of a two storey side and rear extension...'* to *'erection of a first floor side and two storey rear extension...'* It is not considered that the change in description has altered the scope of the proposal, or disadvantaged any of the original consultees. On this basis, a period of re-consultation was not undertaken following the change of description.
- 1.4 Revised plans were received by the Local Planning Authority on 17th September 2017. The revisions involve the slight setting back of the front elevation, and the slight setting down of the ridge line of the proposed first floor extension.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Policy Guidance (2014)

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

H4 Development within Existing Residential Curtilages
T12 Transportation

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

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

The Proposed Submission Draft Policies Sites and Places Plan (PSP plan) is a further document that will form part of the South Gloucestershire Local Plan. The PSP plan will set out new planning policies for South Gloucestershire. Submission and Examination of this took place in February of 2017, and adoption is expected in November 2017. Accordingly, with regard to the assessment of this planning application limited weight is attached to the PSP plan as a whole at this time – although weight can be attributed to those policies which are not expected to be subject to modification.

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

3. RELEVANT PLANNING HISTORY

3.1 **PK14/3971/F**

Erection of front porch

Approved: 12.01.2015

3.2 **K5465**

SINGLE STOREY SIDE EXTENSION (Previous ID: K5465)

Approved: 03.07.1987

4. CONSULTATION RESPONSES

- 4.1 Oldland Parish Council
 No objection

4.2 Other Consultees

Sustainable Transport

The proposed development will not increase the number of bedrooms currently available. There is no proposal to alter the existing vehicular access and parking. On that basis, there is no transportation objection to the proposed development.

Other Representations

4.3 Local Residents

2 comments raising an objection to the proposed development have been received. The main concerns raised are outlined below:

- First floor windows will directly overlook front of neighbouring property, with potential to see in to upstairs bedrooms.
- Proposal will impact privacy at neighbouring living room and bedroom.
- Proposal will result in significant loss of natural daylight to neighbouring property.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application seeks permission for the erection of a first floor side extension and two storey rear extension. Policy H4 of the Local Plan permits extensions and alterations to existing dwellings within established residential curtilages subject to an assessment of design, amenity and transport. The development is acceptable in principle but will be determined against the analysis set out below.

5.2 Design and Visual Amenity

Policy CS1 of the Core Strategy and policy H4 of the Local Plan seek to ensure that development proposals are of the highest possible standards and design. This means that developments should have appropriate: siting, form, scale, height, massing, detailing, colour and materials which are informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context.

5.3 The majority of the proposed extension would be constructed above an existing single storey side extension. The first floor extension would follow the same footprint as the existing extension, which incorporates a fairly unusual design due to its 'cranked' south-facing side elevation. This approach is necessitated by the positioning of the dwelling within the plot and the proximity of the extension to the boundary of the site. As well as the proposed first floor extension, the proposal also seeks to extend the subject property to the rear, with a small two-storey portion projecting beyond the rear elevation of host dwelling.

5.4 The subject property is located at the end of a cul-de-sac. Due to its fairly discreet position within the street, as well as the siting of the proposed extension to the south of the host dwelling, it is not considered that the proposal would have a significant impact on the immediate streetscene. However it is recognised that the front, side and rear elevations of the property are visible from the pedestrian footpath which runs along the southern and eastern boundaries of the site. As these elevations are readily visible from public areas, it is considered that the proposed development would have some impact on the character, distinctiveness and amenity of the immediate locality.

Original Plans

5.5 The proposal as originally submitted sought to continue the existing building and ridge line. At its front elevation, the proposed extension was set to have a width of roughly 5.5 metres, increasing the width of the two storey dwelling from 7.5 metres to 13 metres. Due to the cranked nature of the extension, the width of the dwelling at its rear elevation would only increase by roughly 2.4 metres. It

was considered that the significant increase in width resulted in a visually dominant, disproportionate addition which detracted from the appearance and form of the original dwelling. It was suggested that the extension be reduced in width, and that either a step down in ridge height or a setting back of the front elevation be incorporated in order to create degree of subservience. It was however noted that a decrease in width may not be practicable due to the intention to construct above an existing structure.

Revised Plans

- 5.6 Whilst the overall width of the proposed extension has not been altered, the proposal has been slightly amended to incorporate a slight set down in the ridge line, as well as a slight set back at the front elevation. Whilst the proposed extension, particularly at its front elevation, would still appear as a visually prominent addition, it is considered that the amendments do create a small degree of subservience, and do improve the overall appearance of the extension when viewed alongside the host dwelling. Despite its fairly unusual appearance, which is largely caused by the footprint of the existing dwelling, it is not considered that any harm to visual amenity caused by the proposed first floor addition would be of such significance as to substantiate a reason for refusing the application.
- 5.7 With regard to the proposed two storey section to the rear, the applicant was made aware that despite being located to the rear, this projection did appear as a somewhat awkward addition which detracted from the overall appearance of the property. It was suggested that the two storey element be removed, or its depth reduced so that it was flush to the rear elevation of the main dwelling. However the applicant was not willing to further revise the scheme. Whilst the rear extension would detract from the appearance of the dwelling, it is not considered that the overall harm to visual amenity would be of such severity as to substantiate a reason for refusing the application.
- 5.8 Overall it is considered that the amendments made to the scheme do marginally improve the overall design of the extension, and increase the degree of subservience and proportionality between the extension and the host dwelling. Whilst design issues have been identified, it is not considered that the proposal conflicts with the provisions of policy CS1 of the Core Strategy and H4 of the Local Plan.
- 5.9 Residential Amenity
Policy H4 of the Local Plan explains that development will be permitted provided that it would not detrimentally impact the residential amenities of nearby occupiers and would not prejudice the retention of adequate private amenity space.
- 5.10 The concerns raised regarding increased overlooking and subsequent loss of privacy, as well as the loss of daylight to neighbouring windows, have been taken in to account.
- 5.11 The proposed extensions would project from the south-facing side elevation of the host dwelling, with a small portion projecting to the rear. On this basis, the main properties under consideration when assessing the potential impacts of

the development on residential amenity are no's 7 & 8 Harlech Road situated to the west of the site, and 85 Ludlow Close situated to the south of the site.

7 & 8 Harlech Way

- 5.12 The subject property is situated approximately 10 metres from the front elevation of no. 7. The two properties are separated by their respective front gardens, as well as a pedestrian footpath. Whilst the scale of the host dwelling would be increased, it is considered that any overbearing or overshadowing impacts are reduced by the degree of separation between the two properties. In terms of overlooking, it is recognised that a window-to-window distance of roughly 10 metres could result in an increased sense of overlooking in to neighbouring windows. However in this instance, due to the orientation of the host dwelling, the proposed first floor windows would not directly face no. 7. Furthermore, it is not considered that any sense of overlooking would be significantly greater than that already caused by existing first floor windows; with a degree of overlooking to be expected in relatively dense residential areas.
- 5.13 With regard to no. 8, due to the orientation of the subject property, the proposed front-facing first floor windows would directly face the neighbouring property. However given a window-to-window distance of roughly 20 metres, it is not considered that the erection and use of the proposed extension would result in a significant loss of privacy at the neighbouring property through overlooking. Any potential overbearing or overshadowing affects are also significantly reduced due to the separation distance of roughly 20 metres. On balance, it is not considered that the proposed development would have any unacceptable impacts on residential amenity enjoyed at properties to the west along Harlech Way.

85 Ludlow Close

- 5.14 No. 85 Ludlow Close is located approximately 10 metres to the south-east of the subject property. The two properties are separated by a pedestrian footpath, which runs along the southern boundary of the application site and connects a number of residential streets in the area.
- 5.15 Given the distance between the two properties and the separation of the two sites by an area of public land, it is not considered that the proposed extension would have any significant overbearing effects on the neighbouring property. It is also not considered that the proposed extension would result in a significant loss of outlook from neighbouring windows, or significantly reduce the levels of daylight entering neighbouring windows or projecting on to neighbouring amenity space.
- 5.16 With regard to overlooking, it is noted that the proposed rear-facing first floor window would face the front elevation of no. 85 Ludlow Close. However it is not considered that any sense of overlooking would be significantly greater than that already caused by existing rear-facing first floor windows. As such, the current situation would not be significantly worsened as a result of the proposed development. Furthermore, a degree of overlooking is to be expected in fairly dense residential areas. Overall, it is not considered that the proposed

development would significantly prejudice the residential amenity of the neighbour.

Private Amenity Space

- 5.17 The proposal would largely consist of a first floor extension constructed above an existing single storey element. Whilst a small area of amenity space would be lost by virtue of the two storey projection to the rear, it is considered that sufficient space would be retained on-site following the implementation of the proposal.
- 5.18 Overall, it is not considered that the proposed development would have an unacceptable impact on the residential amenity of neighbours, or prejudice the retention of adequate levels of private amenity space. On this basis, the proposed development is considered to accord with policy H4 of the Local Plan.
- 5.19 Transport
The proposal does not seek to increase the number of bedrooms within the property. Furthermore, the existing access and parking arrangements would not be altered as part of the proposed development. On this basis, it is not considered that the proposal would have any impact on parking requirements or provisions. In addition to this, it is not considered that the proposed development would have any impact in terms of highway safety along Harlech Way.
- 5.20 Equalities
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.
- 5.21 With regards to the above this planning application is considered to have a neutral impact on equality.

6. CONCLUSION

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

Contact Officer: Patrick Jackson

Tel. No. 01454 863034

CONDITIONS

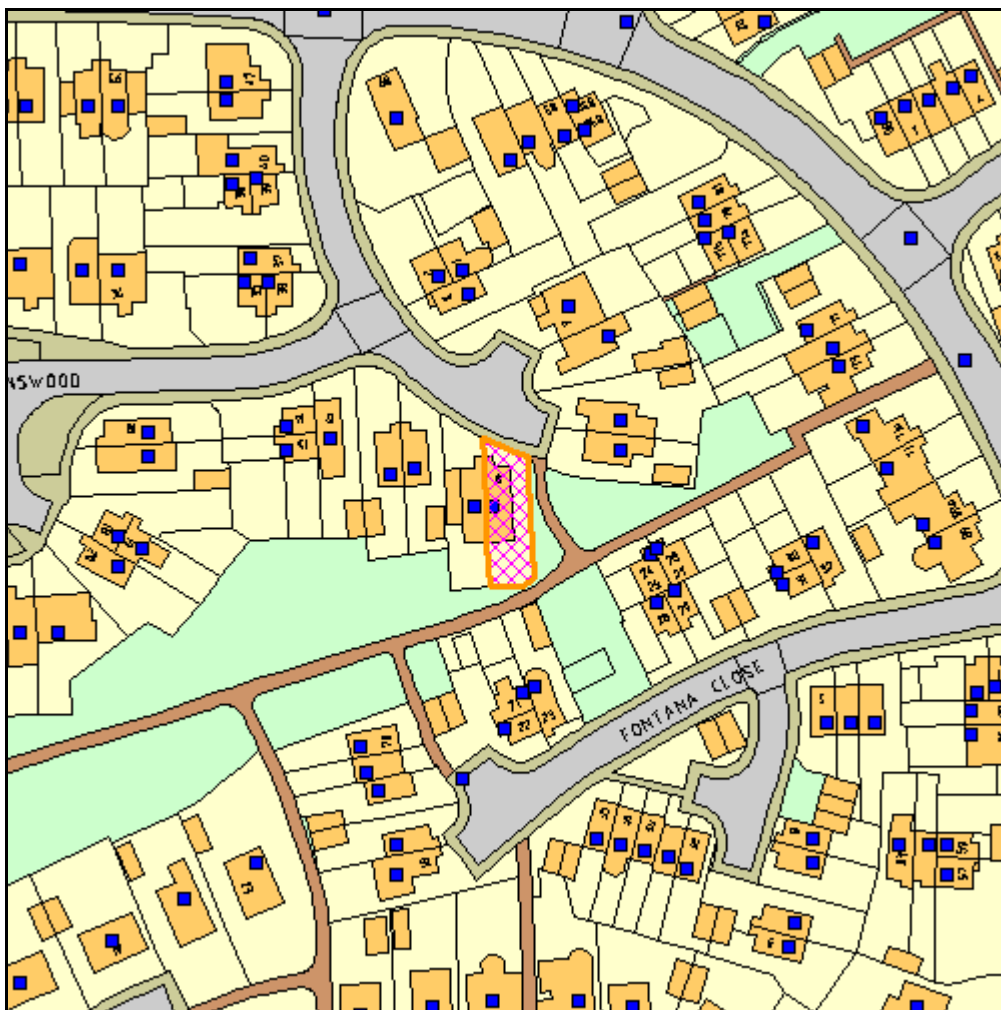
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 41/17 – 13 OCTOBER 2017

App No.:	PK17/3712/F	Applicant:	Mr Ian Elliott
Site:	8 Ravenswood Longwell Green Bristol South Gloucestershire BS30 9YR	Date Reg:	17th August 2017
Proposal:	Demolition of existing conservatory and erection of two storey side and single storey rear extensions to provide additional living accommodation.	Parish:	Oldland Parish Council
Map Ref:	366546 171192	Ward:	
Application Category:	Householder	Target Date:	2nd October 2017



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008. N.T.S. PK17/3712/F

REASONS FOR REPORTING TO CIRCULATED SCHEDULE

The application has been subject to representations contrary to the findings of this report. Under the current scheme of delegation it is required to be taken forward under the Circulated Schedule procedure as a result.

1. THE PROPOSAL

- 1.1 Planning permission is sought for the demolition of an existing conservatory and the erection of two-storey side and single storey rear extensions to provide additional living accommodation at no. 8 Ravenswood, Longwell Green.
- 1.2 The application site consists of a semi-detached property set at the end of a cul-de-sac. The site is situated within the established residential area of Longwell Green. The main dwelling is finished in facing brick, and incorporates a pitched, roman tiled roof.
- 1.3 The application is a re-submission of application PK17/2446/F. This application was withdrawn after objection was raised to the proposed parking arrangements.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

H4 Development within Existing Residential Curtilages
T12 Transportation

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

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

The Proposed Submission Draft Policies Sites and Places Plan (PSP plan) is a further document that will form part of the South Gloucestershire Local Plan. The PSP plan will set out new planning policies for South Gloucestershire. Submission and Examination of this took place in February of 2017, and adoption is expected toward the end of 2017. Accordingly, with regard to the

assessment of this planning application limited weight is attached to the PSP plan as a whole at this time – although weight can be attributed to those policies which are not expected to be subject to modification.

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

3. RELEVANT PLANNING HISTORY

3.1 **PK17/2446/F**

Demolition of existing conservatory and erection of two storey side and single storey rear extensions to provide additional living accommodation.

Withdrawn: 02.08.2017

3.2 **PK04/3885/F**

Erection of single storey side extension to form additional living accommodation.

Approved: 05.01.2005

3.3 **K1088/47**

ERECTION OF 27 DWELLINGHOUSES. ASSOCIATED GARAGES AND PARKING SPACES. (Previous ID: K1088/47)

Approved: 09.12.1980

4. CONSULTATION RESPONSES

4.1 Oldland Parish Council

The Parish Council objected to the previous application (PK17/2446/F) in respect of this property and the current application does not address the reasons for that objection. The Parish Council therefore continues to object on grounds of over-development and inadequate provision of off-street car parking spaces. The Parish Council supports the legitimate objections of local residents and the observations of South Gloucestershire Council's own officers. The Parish Council respectfully suggests that the application is called in by the local ward Councillors.

4.2 Other Consultees

Sustainable Transport

Planning permission has previously been sought to extend this dwelling (PK17/2446/F). Transportation objection was raised as all vehicular parking was to be removed. The planning application was withdrawn prior to determination.

This current submission again seeks to extend the dwelling. No increase in the bedrooms to the first floor are proposed and two will remain after development. The side extension includes a garage and a car port. The internal dimensions of the proposed garage do not comply with the Council's minimum requirements of 3m wide by 6m deep so cannot therefore be included as vehicular parking. However, the car port does provide vehicular parking for one vehicle. As the dwelling will remain as a two bed, one parking spaces complies with the Council's residential parking standards.

In light of the above, there is no basis for a transportation objection to this development.

Other Representations

4.3 Local Residents

A total of 6 comments objecting to the proposed development were submitted by local residents. The main concerns raised are outlined below:

Highway safety and parking provision

- Application is in narrowest part of cul-de-sac and would further congest area.
- There are existing issues with a lack of on-street parking at the head of the cul-de-sac with areas of dropped kerb.
- Vehicles parked on the road outside no. 8 block access to neighbouring driveway.
- Parking is limited within the very small cul-de-sac and on-street parking causes issues manoeuvring in and out of neighbouring driveways.
- Garage does not meet minimum size requirements for garage. This garage could be converted under permitted development, and permitted development rights at property should be removed.
- Wardrobe could be used as habitable bedroom, and minimum parking standard for 3 bed property would not be met. If application is approved, a condition should be added stating that the property should only be occupied as described in the plans.

Design and visual amenity

- Proposal would lead to over-developed site.
- Construction of extension would make end of cul-de-sac darker.

Other matters

- Siting of building materials may block access to neighbouring property.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application seeks permission for the erection of a two-storey side and single storey rear extension. Policy H4 of the Local Plan permits extensions and alterations to existing dwellings within established residential curtilages subject to an assessment of design, amenity and transport, with the potential transport impact the most pertinent issue in this case. The development is acceptable in principle but will be determined against the analysis set out below.

5.2 Transport

The previous application was withdrawn following objection to the amount of on-site parking to be provided. The application involved the construction of a two-storey side extension, which would be used to accommodate an additional bedroom at first floor level. This would have increased the total number of bedrooms within the property from 2 to 3. Only one on-site parking space was to be provided as part of the development. South Gloucestershire Residential Parking Standards SPD outlines that a 2-bed property must provide a minimum of one parking space, and that a 3- bed property must provide a minimum of 2 spaces. In order to count towards provision, a space must measure a minimum 2.4m x 4.8m. As such, the provision of parking proposed under the previous application was substandard by a total of one space.

5.3 Due to the location of the site within a hammerhead where competition for on-street parking is high, it was considered that the increase in bedroom number, without an associated increase in parking provision, would lead to further competition for on-street parking to the detriment of highway safety. The impact was considered to be of sufficient severity as to substantiate a reason for opposing the application, which was subsequently withdrawn.

5.4 The proposed two-storey extension would still be the same size as that proposed as part of the withdrawn application. Due to the limitations of the site, it would also still only be possible to provide one on-site parking space. However the revised plans indicate that the proposed two-storey extension would be used to accommodate a bathroom, an en-suite and wardrobes, and would not facilitate the creation of any additional bedrooms. As the number of bedrooms within the property would remain at a total of 2, the provision of one parking space meets the minimum parking requirement as set out in the Residential Parking Standards SPD. Whilst the concerns raised in relation to on-street parking provision and highway safety have been taken in to account, as the minimum requirement has been met, the on-site parking provision is considered to be acceptable. However in order to secure the minimum provision, a condition will be attached to any decision requiring the space to be provided prior to the first occupation of the extensions and thereafter retained for that purpose.

5.5 The comments submitted regarding the removal of permitted development rights and the conditioning of plans have been taken in to account. In this case, given the objection to the previous application in terms of lack of parking provision and subsequent highway safety implications, and the severity of the

issue identified, it is considered reasonable to attach a condition ensuring that the proposed development is carried out strictly in accordance with the approved plans.

- 5.6 With regard to permitted development rights, it should be noted that condition 'f' attached to application K1088/47 restricts the construction of any "...walls, fences or other structures of any kind" at the property without the prior consent of the District Planning Authority. Whilst this does restrict the construction of any further extensions at the property through permitted development, it would not restrict the conversion of the garage at a later date should only internal alterations occur. However the restriction on permitted development rights would restrict the replacement of the garage door with a window. This is considered to significantly reduce the likelihood of the garage being converted in to a bedroom at a later date without development occurring – with express planning permission therefore required due to the restriction on permitted development rights.
- 5.7 For the reasons outlined above and subject to the aforementioned condition, there are no concerns with regard to highway safety or parking provision. On this basis, the proposal is considered to comply with policy CS8 of the Core Strategy and T12 of the Local Plan, as well as the Residential Parking Standards SPD.
- 5.8 Design and Visual Amenity
Policy CS1 of the Core Strategy and policy H4 of the Local Plan seek to ensure that development proposals are of the highest possible standards and design. This means that developments should have appropriate: siting, form, scale, height, massing, detailing, colour and materials which are informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context.
- Two storey side*
- 5.9 The proposed two storey side extension would project from the east-facing side elevation of the property. The extension would incorporate a width of approximately 2.8 metres. The extension would follow the same building line, ridge line and eaves line as the existing dwelling. Part of the extension would be removed at ground floor level, with the first floor supported by a pillar. This is to facilitate the creation of a car port beneath the first floor of the extension. Due to its location to the side of the property, the proposed two-storey side extension would be visible from the public areas offered along the highway.
- 5.10 On balance, it is considered that the proposed extension sufficiently respects the host dwelling in terms of scale, design and external finish. It is noted that similar extensions have previously been approved and constructed in the immediate surrounding area. As such, the proposed extension would not appear as an incongruous addition within the streetscene. It is not considered that the proposed extension would have a negative impact on the setting of the property within the streetscene or the character, distinctiveness or visual amenity of the immediate surrounding area.

5.11 The concerns raised regarding the overshadowing impacts of the proposed extension on to the end of the cul-de-sac have been taken in to account. However given the scale of the extension and the fairly dense urban nature of the area, it is not considered that extending the property to the boundary would have a significant impact on the immediate area. It is not considered that any loss of light to the public areas to the east of the site would significantly prejudice any parties.

Single storey rear

5.12 Whilst the proposed rear extension would be partially visible from the pedestrian highway running to the side and rear of the site, it is not considered that its erection would have any significant impacts on the streetscene or the character of the immediate surrounding area. By virtue of its scale, design and finish, it is considered that the proposed extension would appear as a proportionate, appropriate addition to the host dwelling.

Cumulative impact

5.13 The design of the proposed extensions is considered acceptable. It is noted that due to the size of the site, the overall appearance would appear somewhat cramped. However it is not considered that this would significantly harm the immediate streetscene or the character, distinctiveness or amenity of the immediate locality. On this basis, the proposed development is considered to satisfy design criteria outlined in policy CS1 of the Core Strategy and H4 of the Local Plan.

5.14 Residential Amenity

Policy H4 of the Local Plan explains that development will be permitted provided that it would not detrimentally impact the residential amenities of nearby occupiers and would not prejudice the retention of adequate private amenity space.

Two storey side

5.15 Due to the levels of separation between the proposed two-storey side extension and any neighbouring properties, it is not considered that its erection would prejudice the residential amenity of neighbours through an increased sense of overbearing or overshadowing. It is acknowledged that two windows are to be inserted in to the side elevation of the extension at a first floor level. However given window to window distances and the fact that the windows would largely look on to a public highway, it is not considered that their insertion and use would result in a loss of privacy at neighbouring properties through an increased sense of overlooking.

Single storey rear

5.16 It is acknowledged that the proposed rear extension would be constructed in close proximity to the neighbouring boundary immediately to the west of the site. However it is considered that the single storey nature and relatively modest projection of the proposed extension sufficiently mitigates any potential overbearing or overshadowing impacts. Furthermore, there would be no line of sight from the proposed extension on to neighbouring land – reducing any potential loss of privacy.

5.17 In addition to the above, whilst outdoor private amenity space would be lost, it is considered that sufficient space would be retained following the implementation of the proposal. On this basis, there are no significant concerns in relation to impacts on residential amenity, and the proposal is considered to comply with policy H4 of the Local Plan.

5.18 Other matters

The potential impacts of the storage of construction materials is considered to be a civil matter, and does not form part of the assessment of this planning application. Notwithstanding this, given the scale of the development, it is not considered that the storage of construction materials would have a major impact on neighbouring residents.

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 included on the decision notice.

Contact Officer: Patrick Jackson
Tel. No. 01454 863034

CONDITIONS

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

Reason

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

2. The off-street parking facilities (for all vehicles, including cycles) shown on the plan (17/014 04) hereby approved shall make provision for the parking of a minimum of one vehicle (measuring at least 2.4m by 4.8m), and shall be provided before the extensions are 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.

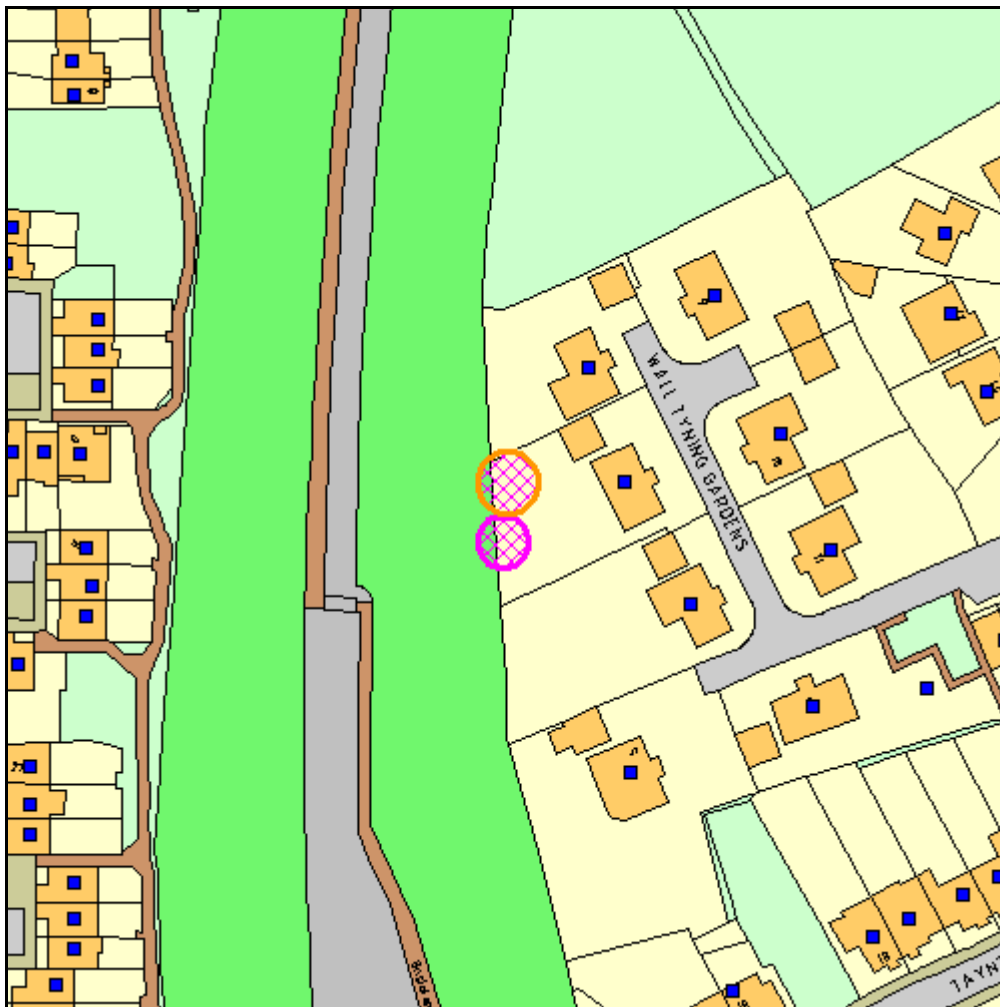
3. The development hereby permitted shall be carried out in accordance with the following plans: 17/014 01 Site Location Plan, 17/014/02 Combined Existing, 17/014 04 Combined Proposed, received 7th August 2017.

Reason

In the interests of clarity and proper planning, and to ensure that the internal layout as indicated on approved plans is implemented, in the interests of highway safety, and to accord with Policy CS8 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013; and the South Gloucestershire Residential Parking Standards SPD (Adopted) December 2013.

CIRCULATED SCHEDULE NO. 41/17 – 13 OCTOBER 2017

App No.:	PK17/3880/TRE	Applicant:	Mrs R Liyodbottom
Site:	7 Wall Tynng Gardens Bitton Bristol South Gloucestershire BS30 6AB	Date Reg:	13th September 2017
Proposal:	Works to thin crowns by 10% and reduce lateral overhangs by 3 metres of 1no Sycamore tree and 1no Oak tree covered by Tree Preservation Order SGTPO 15/04 dated 07/02/2005.	Parish:	Bitton Parish Council
Map Ref:	366977 170639	Ward:	Bitton
Application Category:		Target Date:	11th October 2017



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008. N.T.S. PK17/3880/TRE

1. THE PROPOSAL

- 1.1 Works to thin crowns by 10% and reduce lateral overhangs by 3 metres of 1no Sycamore tree and 1no Oak tree covered by Tree Preservation Order SGTPO 15/04 dated 07/02/2005.
- 1.2 The trees are in the rear garden of no.7 Wall Tynning Gardens, Bitton, Bristol, South Gloucestershire, BS30 6AB.

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 None relevant.

4. CONSULTATION RESPONSES

- 4.1 Bitton Parish Council has no objections subject to the views of the South Gloucestershire Council Tree Officer.

Other Representations

- 4.2 Local Residents

Comments have been received from a neighbour objecting to the proposal on the grounds the works would have a detrimental impact on the wildlife associated with the trees and their amenity.

5. ANALYSIS OF PROPOSAL

- 5.1 Proposed Works

Works to thin crowns by 10% and reduce lateral overhangs by 3 metres of 1no Sycamore tree and 1no Oak tree covered by Tree Preservation Order SGTPO 15/04 dated 07/02/2005.
- 5.2 Principle of Development

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 trees are situated at the top of the embankment to the east of the Bristol to Bath Railway Path. The trees were protected at the time of the Wall Tynning Gardens development.

- 5.4 The proposed works are not considered to be excessive and it is not felt that they will have the detrimental impact that the neighbour is concerned about. The works to thin the crown's by 10% will involve the removal of an even distribution of smaller branches from throughout the crowns of the trees. The pruning back of lateral branches that are growing towards the property is acceptable provided it is carried out to professional standards.
- 5.5 The work will not impact on the trees' capacity as a habitat for wildlife nor will it affect the normal natural processes of the trees.
- 5.6 The work will not have a detrimental impact on the trees' health nor on the amenity that they provide.

6. RECOMMENDATION

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

Contact Officer: Simon Penfold
Tel. No. 01454 868997

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.

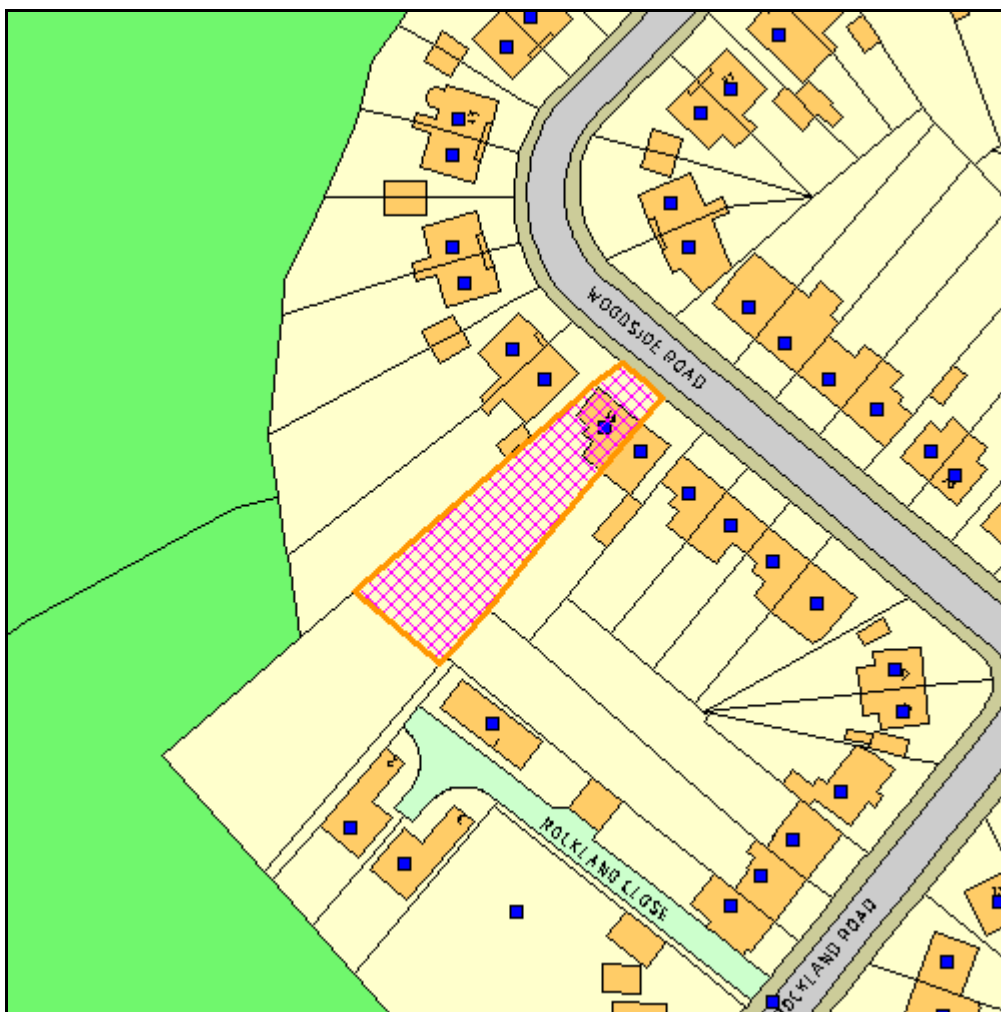
2. The works hereby authorised shall comply with British Standard 3998: 2010 - Recommendations for Tree Work.

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. 41/17 – 13 OCTOBER 2017

App No.:	PK17/3948/CLP	Applicant:	Mr L Snelling
Site:	31 Woodside Road Downend Bristol South Gloucestershire BS16 2SR	Date Reg:	15th September 2017
Proposal:	Certificate of Lawfulness Proposed to install rear dormer window and alter roof line to form loft conversion.	Parish:	Downend And Bromley Heath Parish Council
Map Ref:	364431 177346	Ward:	Downend
Application Category:		Target Date:	15th October 2017



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008. N.T.S. PK17/3948/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 installation of 1no rear and side dormer at no. 31 Woodside Road, Downend is lawful.
- 1.2 The application is a formal way of establishing whether the proposal requires planning permission or not. Accordingly there is no consideration of planning merit, the decision is based solely on the facts presented.

2. POLICY CONTEXT

- 2.1 National Guidance
Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 1, Class B.

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

3. RELEVANT PLANNING HISTORY

- 3.1 No relevant planning history

4. CONSULTATION RESPONSES

- 4.1 Downend and Bromley Heath Parish Council
No objection.

Other Representations

- 4.2 Local Residents
No comments received

5. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

- 5.1 Site Location Plan
Existing Plans
Proposed Plans

(Received by Local Authority 20th August 2017)

Materials Email

(Received by Local Authority 7th October 2017)

6. ANALYSIS OF PROPOSAL

6.1 Principle of Development

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

6.2 The key issue is to determine whether the proposal falls within the permitted development rights afforded to householders under Schedule 2, Part 1 of the GPDO 2015. It should be noted that there is no restriction on permitted development rights at the subject property. As such permitted development rights are intact and exercisable.

6.3 The proposed development consists of the installation of a 1no rear and side dormer. This development would fall within Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015, which permits the enlargement of a dwellinghouse consisting of an addition or alteration to its roof. This allows dormer additions and roof alterations subject to the following:

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

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

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

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

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

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

The proposal involves the installation of three roof lights to the front elevation of the dwelling. However the roof lights would not extend beyond the plane of the existing roof slope which forms a principal elevation of the dwellinghouse and fronts the highway. Furthermore, the proposed dormer windows would be located to the rear and side of the property, and as such would not extend beyond any existing roof slope which forms a principal elevation of the dwellinghouse and fronts a highway. As such the proposal meets this criterion.

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

The property is a semi-detached house and the proposal would result in an additional volume of no more than 40 cubic metres.

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

The proposal would include none of the above.

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

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

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

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

An email from the agent confirms that the proposed dormers would be of a similar appearance to those used in the construction of the exterior of the dwellinghouse.

- (b) the enlargement must be constructed so that –**
- (i) other than in the case of a hip-to-gable enlargement or an enlargement which joins the original roof to the roof of a rear or side extension –**

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

The rear and side dormers would be approximately 0.4 metres from the outside edge of the eaves of the original roof respectively. Additionally, the proposal does not protrude beyond the outside face of any external wall of the original dwellinghouse.

- (c) any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse must be –
 - (i) obscure-glazed, and
 - (ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

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

7. RECOMMENDATION

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

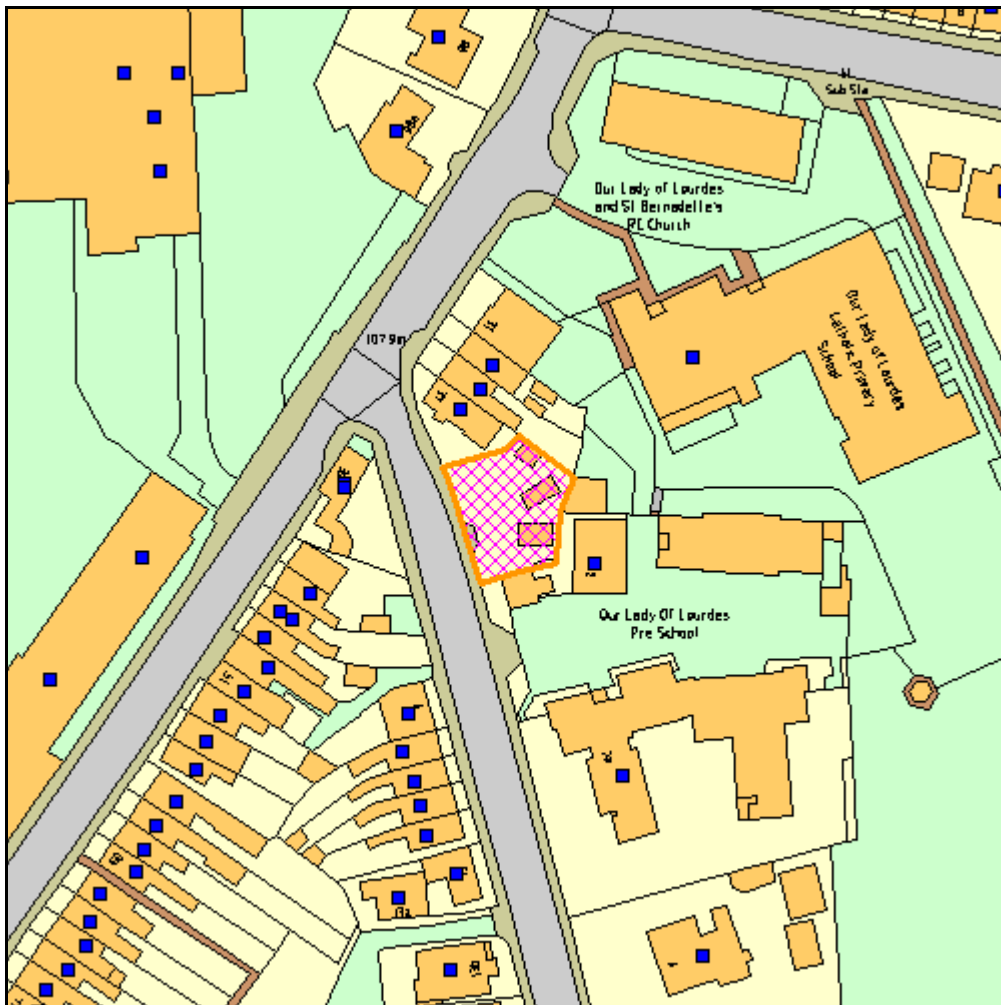
Contact Officer: Owen Hoare
Tel. No. 01454 864245

CONDITIONS

1. Evidence has been provided to demonstrate, on the balance of probabilities, that the proposed extension would fall within the permitted rights afforded to householders under Schedule 2; Part 1, Class B of the Town and Country Planning General Permitted Development Order 2015.

CIRCULATED SCHEDULE NO. 41/17 – 13 OCTOBER 2017

App No.:	PK17/3964/F	Applicant:	Mr ProsserGrandie Developments
Site:	Land At Court Road Kingswood Bristol South Gloucestershire BS15 8PX	Date Reg:	15th September 2017
Proposal:	Erection of 2no dwellings with access and associated works.	Parish:	None
Map Ref:	364956 173445	Ward:	Woodstock
Application Category:	Minor	Target Date:	16th October 2017



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008. N.T.S. PK17/3964/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The proposal seeks to erect 2no. dwellings with access and associated works within brownfield land on Court Road, Kingswood.
- 1.2 The host property is a plot that appeared to have once formed the curtilage of 37 Hanham Road and currently has garage structures on the site.
- 1.3 Access to the property is via Court Road and a dropped kerb vehicle crossover.
- 1.4 Pre-application discussions were held following two unsuccessful full applications. The proposal appears to have been amended in line with the advice of the respondent case officer.
- 1.5 The site is located within the built up residential area of Kingswood and an area occupied predominantly by late Victorian and early 20th century properties. To the rear is a residential care home/sheltered housing and nursery school.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

- CS1 High Quality Design
- CS4a Sustainable Development
- CS5 Location of Development
- CS8 Improving Accessibility
- CS9 Managing the Environment and Heritage
- CS15 Distribution of Housing
- CS16 Housing Density
- CS17 Housing Diversity
- CS18 Affordable Housing
- CS23 Community Infrastructure
- CS24 Open Space Standards

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

- H4 Development within Existing Residential Curtilages
- T12 Transportation

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

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

PSP39	Residential Conversions and Sub-Divisions
PSP42	Custom Build Dwellings
PSP43	Private Amenity Space Standards

- 2.3 Supplementary Planning Guidance
 Design Checklist SPD (adopted) August 2006
 Residential Parking Standards SPD (adopted) December 2013

3. RELEVANT PLANNING HISTORY

- 3.1 PRE17/0671 – Enquiry – 01/08/2017 – Construction of 2 no. 2 bedroom semi-detached dwellings
- 3.2 PK17/1677/F – Refusal – 31/05/2017 – Erection of 2no. dwellings with access and associated works (resubmission of PK16/6848/F)
Reason: “1. The proposal is considered a cramped form of development, which has attempted to shoe-horn in an excessive number of units into the application site. By virtue of the contrived design of the roof, the proposed dwellings have failed to achieve the highest possible standards of design and as a result would harm the character of the area. The proposal is therefore considered contrary to Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013, Policy H4 of the South Gloucestershire Local Plan (Adopted) 2006 Saved Policies, and the National Planning Policy Framework (2012).”
- 3.3 PK16/6848/F – Refusal – 16/02/2017 – Erection of 2no semi-detached dwellings, access and associated works.
Reasons: 1. “The proposal is considered a cramped form of development, which has attempted to shoe-horn in an excessive number of units into the application site. By virtue of the proposed dwellings orientation and the site layout, the proposal has failed to achieve the highest possible standards of design and as a result would harm the character of the area. The proposal is therefore considered contrary to Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013, Policy H4 of the South Gloucestershire Local Plan (Adopted) 2006 Saved Policies, and the National Planning Policy Framework (2012).”
 2. *“The proposal represents an over-development of the site which would result in a situation of overlooking over and above the existing situation. This is considered to be detrimental to the amenities of the occupiers of neighbouring residential properties to the north of the application site, in particular No 35 Hanham Road. The amount of natural daylight and the outlook of No. 37 Hanham Road would be detrimentally impacted by the close relationship to the boundary and orientation of Plot 1 of the proposed dwellings. The proposal is therefore considered to be contrary to Policy H4 of the South Gloucestershire Local Plan (Adopted) 2013 and the National Planning Policy Framework (2012).”*
 3. *“The proposed development would result in the loss of the existing garages and parking area. There is a lack of information relating to the ownership of the land and whether there would be any potential loss of off-street parking provision for neighbouring dwellings. The proposal would result in unsatisfactory turning and manoeuvring space on site, and could lead to an increase in standing and manoeuvring of vehicles on the public highway. The proposed access to the site would be widened to the entire width of the*

application site and as a result this would increase potential vehicle and pedestrian conflict. The proposal is considered to be contrary to Policy T12 of the South Gloucestershire Local Plan (Adopted) 2006 (Saved Policies), Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013 and the South Gloucestershire SPD: Residential Parking Standards (Adopted) 2013.”

4. CONSULTATION RESPONSES

4.1 Unparished area
No Comment Available

4.2 Other Consultees

Highway Structures
No Comment

Lead Local Flood Authority

No objection in principle. No development shall commence until surface water drainage details including SUDS (Sustainable Drainage Systems e.g. soakaways if ground conditions are satisfactory), for flood prevention; pollution control and environmental protection have been submitted and approved by the Local Planning Authority. A detailed development layout showing surface water and SUDS proposals is required as part of this submission.

Coal Authority

No objection subject to the appendage of standard advice.

Transport Officer

No objection subject to the appendage of the following conditions.

- Prior to occupation of any dwelling on site, provide off street parking as shown on submitted and approved plan and subsequently maintain them satisfactorily thereafter.
- Any work on the public highway and associated with vehicular access shall be completed in accordance with the Council standards of construction details with all the details first to be obtained from the Council Street-care department.

Other Representations

4.3 Local Residents

One comment received objecting to the proposal due to the highway impact of the proposal and the proposal not providing 4 car parking spaces. This is discussed in detail in the transport section of the report.

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 within the residential curtilage of existing dwellings. This support is subject to the proposal respecting the existing design of the dwelling and that it does not prejudice the residential and visual amenity; adequate parking provision; and has no negative effects on transportation.

5.2 The location of the site would be considered a suitable location for development and would be acceptable in principle. Consequently the main issues to deliberate are the design and appearance of the dwelling and the impact on the character of the area; the impact development may have on the amenities of neighbouring occupiers and the proposals impact on transport and parking provision. The proposal would represent a modest contribution to this housing land supply and is therefore a material consideration in the determination of this planning application. The proposal is subject to the consideration below.

5.3 Design and Visual Amenity

The proposal consists of the erection of 2no semi-detached dwellings with associated works and access. The proposal site is situated to the rear of no 37 Hanham Road and is believed to have once formed part of the curtilage. It appears at some point in recent years a screen fence has been put in behind the property. In the immediate vicinity of the property dwellings tend to be late Victorian or Early 20th century which utilise a combination of render and natural stone. The property with which the dwellings would be best associated is 37 Hanham Road, this has a stone front elevation, modest proportions and a rendered side elevation. The proposal would utilise similar materials and from the road would have a similar character. On this basis the proposal is considered to be in keeping with the general character of the area.

5.4 The existing structures on site will be cleared to facilitate the build of the new dwellings. These have no particular aesthetic interest and no objection is raised to their loss.

5.5 Pre-application discussions were held prior to the submission of this current application which followed two unsuccessful full planning applications (Ref. PK16/6848/F and PK17/1677/F). Under this advice it was found the scheme submitted would likely be found acceptable and had resolved the reasons for refusal under the earlier schemes. It is acknowledged that the catslide roof to the rear is slightly unusual and the rear bedroom being provided with only a single rooflight is less than ideal but these features are situated to the rear of the property in a discreet location and resolved other amenity issues. As a result small amount of negative weight will be attached to this consideration. The previous application had provided larger properties and this had resulted in a cramped form of development which would not only have a negative impact on the amenity of neighbours but the appearance of the area. This current proposal has been reduced in scale, providing larger separation distances

- between buildings while also reducing the bulk of the proposed dwellings. This has been considered to have overcome the previous refusal reason.
- 5.6 Overall, it is considered that the proposed development would not harm the character or appearance of the area and as such is considered acceptable in terms of visual amenity. Whilst some negative weight should be attributed to design considerations of the proposal this is considered to be outweighed by the benefit the proposal will be providing with regard to its contribution to housing. Therefore, it is judged that the proposal has an acceptable standard of design and is considered to largely accord with policies CS1 and H4 and 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.
- 5.8 Whilst it is acknowledged that the proposal site is separate from 37 Hanham Road, it does appear to have formed the former curtilage of the property. For the purposes of this report the land has been assessed as forming an existing residential curtilage and PSP40 and H4 have been used in assessing the proposal.
- 5.9 It has been noted that the reason for the previous refusals was in part the impact on residential amenity of nearby dwellings and the residential care home to the rear of the site. The proposal has subsequently been reduced in scale and reoriented further from the affected properties. The proposal has now been considered to be within acceptable parameters. This impact is not significant as the proposal would not directly face window openings with a blank elevation nor would there be windows that would result in deterioration of privacy. The first application was refused due to the potential overlooking and loss of outlook impacts as well as the overdevelopment and loss of parking spaces. These issues are now considered to have been resolved. Therefore the current proposal is considered to have an acceptable impact on the amenity of its neighbours.
- 5.10 The properties will be served by 81 and 83 m² of outdoor amenity space respectively. This is in excess of the requirements of the Policies Site and Places plan that is due to be adopted imminently. No objection is raised 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 will not result in an unacceptable detrimental impact on the residential amenity of its neighbouring occupiers, meaning the proposal is in accordance with saved policy H4 of the adopted Local Plan.
- 5.12 Sustainable Transport and Parking Provision

The proposal would see the replacement of the garages and hardstanding and the erection of 2 no 2 bedroom dwellings. New development must provide off-street parking in accordance with the Residential Parking Standards SPD (adopted) December 2013. A 2 bedroom property is required to provide 1 private parking space. As two new dwellings will be erected with 2 bedrooms, a total of 2 private car parking spaces must be provided on site 3 have been identified on the block plan. There is therefore no objection with regard to parking provision.

5.13 Comments have been received from a local resident concerned with the impact on the highway and local parking provision. The comments also suggest that at least 4 parking spaces are provided. It is acknowledged that 2 new dwellings will be provided, however these are in accordance with the parking standard and therefore no objection could be raised with regard to parking. An additional space will be provided to the second dwelling meaning the dwelling will exceed the requirements of the parking standard. Cycle parking is also being provided to the sides of the properties. On this basis it would be unreasonable to request additional spaces are provided.

5.14 Comments from the transport officer show that the additional pressure as a result of the new development is not considered to adversely impact safety as there is an existing residential use on the site. Given this consideration and professional opinion of the transport officer, the proposal is not considered to have any adverse impact on highway safety and is therefore acceptable in respect of saved policy T12 and the provisions of the South Gloucestershire Residential Parking Standards and the NPPF (2012).

5.15 Planning Balance

Some negative weight has been attributed to design considerations. The catslide design to the rear roof pitch and the rooflight are considered to have some negative impact with regard to design and the amenity of future occupiers. Nevertheless the proposal is for 2 new residential units. Currently South Gloucestershire are unable to provide an up to date 5 year housing land supply. Therefore according to paragraphs 14 and 49 of the NPPF, there is a presumption in favour of sustainable development, unless material considerations indicate otherwise and the negative impact of allowing development would significantly and demonstrably outweigh the benefit of allowing the development. The proposal site is within a defined settlement and would be considered a suitable location for residential development. Furthermore the proposal would represent a modest contribution to the housing land shortfall and positive weight would be attached to this. Overall the modest negative weight attached to the design and amenity considerations in this case have not been found to outweigh the benefit of permitting development.

5.5 Consideration of likely impact on Equalities

The application would have a neutral impact on equalities.

6. CONCLUSION

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

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

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

7. RECOMMENDATION

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

Contact Officer: Hanni Osman
Tel. No. 01454 863787

CONDITIONS

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

Reason

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

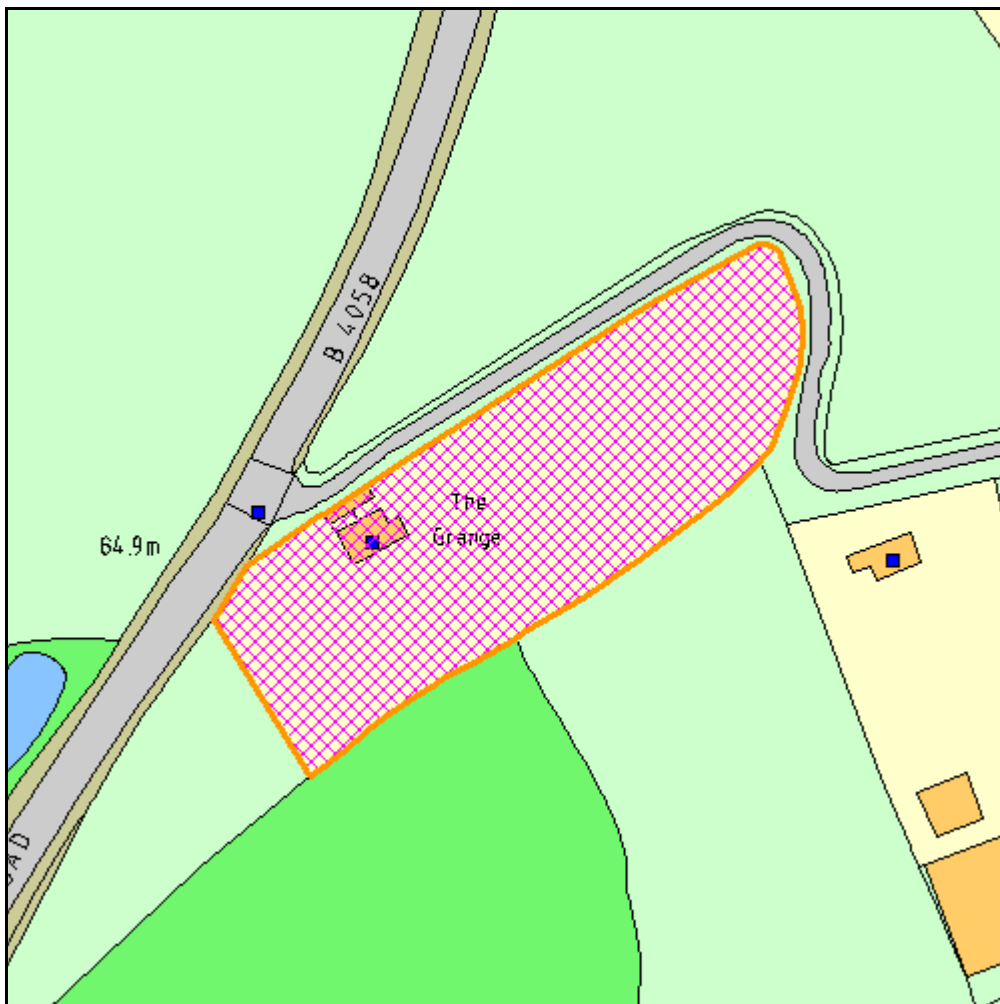
2. Prior to the occupation of either dwelling hereby approved, the off-street parking facilities (for all vehicles, including cycles) shown on the plan hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose.

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.

CIRCULATED SCHEDULE NO. 41/17 – 13 OCTOBER 2017

App No.:	PT16/5668/F	Applicant:	Mr And Mrs B Grandfield
Site:	The Grange Green Lane Rangeworthy Wotton Under Edge South Gloucestershire GL12 8BD	Date Reg:	19th October 2016
Proposal:	Demolition of existing detached garage. Erection of 3no. detached dwellings and a detached garage with associated works. Erection of detached garage to serve existing dwelling.	Parish:	Rangeworthy Parish Council
Map Ref:	369008 186597	Ward:	Ladden Brook
Application Category:	Minor	Target Date:	13th December 2016



© South Gloucestershire Council 2007.all rights reserved.
This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

REASON FOR APPLICATION REPORTING TO CIRCULATED SCHEDULE

This application is set to appear on the Circulated Schedule due to the receipt of an objection from Rangeworthy Parish Council and an immediate neighbour via the Parish Council, contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the demolition of existing detached garage, erection of 3no. detached dwellings and a detached garage with associated works, and erection of detached garage to serve existing dwelling.
- 1.2 The application site relates to the residential curtilage of The Grange, a large detached property located on the northern edge of Rangeworthy village. The residential curtilage is large and extends to the rear of the property, towards the north-east following the boundary of Green Lane. The site is located outside the Established Settlement Boundary of Rangeworthy. The boundary of the settlement is 60 metres to the south. Rangeworthy itself is a linear settlement, with a number of dispersed dwellings around the outskirts of the village. The site is not subject to any other statutory or non-statutory designations.
- 1.3 It is proposed to erect three detached two-storey houses to the north-east of the existing house The Grange. The existing detached garage will be demolished and replaced with a garage located nearer the main house. There is an existing vehicular access that serves the application site, which will continue to serve the new and existing dwellings.
- 1.4 This application follows the refusal of two larger schemes (Ref. PT16/1593/O and re-submission PT14/4172/O) for 10no. dwellings on an agricultural field. A subsequent appeal was dismissed for a total of 8no. reasons, which is referred to in the planning history section. A more recent appeal (Ref. PT16/1593/O) for 6no. dwellings on the same site. the appeal was dismissed on 6th September. The appeal site is located on Church Road, Rangeworthy, which is approximately 0.31km to the south-west of the application site and is located just off the main road B4058. The main issues were the effects on heritage assets, the effect on the settlement strategy for South Gloucestershire, the effect on landscape and countryside, and the effect on protected species.
- 1.5 During the course of this application revised plans have been submitted, as well as additional information in respect of an aboricultural report, and transport statement. It is important to note that the size of the site has been reduced and no longer includes the main house and associated garden as it is only the garage that will be affected. The application will be assessed based on the information submitted to date.

2. POLICY CONTEXT

2.1 National Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS4A Presumption in Favour of Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS15 Distribution of Housing
CS16 Housing Density
CS17 Housing Diversity
CS18 Affordable Housing
CS34 Rural Areas

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

L1 Trees and Landscape
L9 Species Protection
L13 Listed Buildings
T7 Cycle Parking
T12 Highway Safety
H3 Residential Development in the Open Countryside
H4 Development within Existing Residential Curtilages, including
Extensions and New Dwellings
LC12 Recreational Routes

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

PSP1 Local Distinctiveness
PSP2 Landscape
PSP3 Trees and Woodland
PSP8 Residential Amenity
PSP10 Active Travel Routes
PSP11 Development Related Transport Impact Management
PSP16 Parking Standards
PSP17 Heritage Assets and the Historical Environment
PSP21 Environmental Pollution and Impacts
PSP38 Development within Existing Residential Curtilages, Including
Extensions and New Dwellings
PSP40 Residential Development in the Countryside
PSP43 Private Amenity Standards

2.3 Supplementary Planning Guidance

South Gloucestershire Landscape Character Assessment (Adopted) August
2005

Trees on Development Sites SPG (Adopted) November 2005

South Gloucestershire Design Checklist SPD (Adopted) August 2007

Affordable Housing SPD (Adopted) September 2008

South Gloucestershire Council Residential Parking Standards SPD (Adopted)
March 2013
Waste Collection: guidance for new developments SPD (adopted) January
2015
Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide
SPD (Adopted) March 2015

3. **RELEVANT PLANNING HISTORY**

3.1 PT07/2364/F Installation of 2no. dormer windows to existing garage to facilitate conversion to granny annex
Approved 28.09.07

3.2 PT10/1904/EXT Installation of 2no. dormer windows to existing garage to facilitate conversion to granny annex
Approved 17.09.10

Relevant recent applications in Rangeworthy:

3.3 PT16/1593/O Land at Church Lane, Rangeworthy
Erection of 6no. dwellings (Outline) with access, layout, scale and appearance to be determined. Other matters reserved (Re-submission of PT14/4172/O)
Refused 05.05.15 for 7no. reasons:

- 1. The site lies outside the Established Settlement Boundary of Rangeworthy and therefore in the open countryside. The proposed dwellings do not constitute exceptions under saved Policy H3 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 for dwellings in rural areas. The proposal is unsustainable due to the site's location and the high degree of reliance on the motor car in the local vicinity. The proposal is contrary to policies CS5, CS8 and CS34 of the South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec. 2013 and the provisions of the National Planning Policy Framework.*
- 2. Rangeworthy Court and Holy Trinity Church are Grade II* Listed Buildings, the architectural and historic interest and setting of which it is desirable to preserve. The proposed development, by virtue of its location and scale would significantly reduce the open, landscape setting to Rangeworthy Court. It would also significantly reduce the tranquil and rural character which are important aspects of the setting of Holy Trinity Church. The development is therefore considered to harm the setting of both Listed Buildings, contrary to section 66(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out at the NPPF and Historic Environment Planning Practice Guide, Policy L13 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and Policy CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec. 2013.*
- 3. The proposal lies in the open countryside and would adversely affect the rural open landscape character of the site, which currently maintains views from Church Lane, of the large level open fields to the north, and visual separation with the building cluster of Rangeworthy Court and Holy Trinity Church, all contrary to*

Policy CS1 and CS9 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec. 2013 and saved Policy L1 of The South Gloucestershire Local Plan (Adopted) 6th Jan. 2006 and emerging policy PSP4 of The South Gloucestershire Local Plan Proposed Submission: policies, Sites and Places Plan June 2016.

4. *There is insufficient information to satisfactorily demonstrate that the development would not adversely impact upon protected species contrary to, Policy CS9 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec. 2013 and saved Policy L9 of the South Gloucestershire Local Plan (Adopted) 6th Jan. 2006.*
5. *In the absence of a Section106 legal agreement to secure affordable housing of a suitable tenure mix and unit types, the proposal is contrary to policy CS18 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 11th Dec. 2013 and West of England Strategic Housing Market Assessment (SHMA) 2009 and 2013 SHMA Addendum.*
6. *In the absence of a Section106 legal agreement to secure a contribution of £10,000 towards a Traffic Regulation Order and works within the highway, the proposal is contrary to policy T12 of the adopted South Gloucestershire Local Plan.*
7. *In the absence of a Section106 legal agreement to secure contributions towards community facilities required to service the proposed development, the proposal is contrary to Policies CS2, CS6, CS23 and CS24 of the South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec. 2013 and Policy LC1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.*

Appeal Dismissed 06.09.17

Main issues being the effects on heritage assets, the effect on the settlement strategy for South Gloucestershire, the effect on landscape and countryside, and the effect on protected species.

3.4 PT14/042/SCR EIA Screening Opinion
EIA not required 05.11.14

3.5 PT14/4172/O Land at Church Lane, Rangeworthy
Erection of 10no. dwellings (Outline) with
access, appearance, layout and scale to be
determined. Other matters reserved.
Refused 05.05.15 for 8no. reasons:

1. *The site lies outside the Established Settlement Boundary of Rangeworthy and therefore in the open countryside. The proposed dwellings do not constitute exceptions under saved Policy H3 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 for dwellings in rural areas. The proposal is unsustainable due to the site's location and the high degree of reliance on the motor car in the local vicinity. The proposal is contrary to policies CS5, CS8 and CS34 of the South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec. 2013 and the provisions of the National Planning Policy Framework.*

Furthermore the site was considered but not selected as a site to be allocated for small scale housing development, to meet local need in Rangeworthy, and is therefore contrary to Policy 44A of the emerging Policies, Sites and Places DPD. The scheme also fails to meet the criteria listed under Policy PSP36 of the emerging Policies, Sites and Places DPD.

- 2. Rangeworthy Court and Holy Trinity Church are Grade II* Listed Buildings, the architectural and historic interest and setting of which it is desirable to preserve. The proposed development, by virtue of its location and scale would significantly reduce the open, landscape setting to Rangeworthy Court. It would also significantly reduce the tranquil and rural character which are important aspects of the setting of Holy Trinity Church. The development is therefore considered to harm the setting of both Listed Buildings, contrary to section 66(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out at the NPPF and Historic Environment Planning Practice Guide, Policy L13 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and Policy CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec. 2013.*
- 3. The proposal lies in the open countryside and would adversely affect the rural open landscape character of the site, which currently maintains views from Church Lane, of the large level open fields to the north, and visual separation with the building cluster of Rangeworthy Court and Holy Trinity Church, all contrary to Policy CS1 and CS9 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec. 2013 and Policy L1 of The South Gloucestershire Local Plan (Adopted) 6th Jan. 2006.*
- 4. There is insufficient information to satisfactorily demonstrate that the development would not adversely impact upon Great Crested Newts (a European protected species) contrary to Regulations 53 & 56 of the Conservation of Species and Habitats Regulations 2010 ('the Habitat Regulations'), Policy CS9 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec. 2013 and Policy L9 of the South Gloucestershire Local Plan.*
- 5. The proposed vehicular access from Church Lane will result in an intensification of vehicle movements on a narrow lane creating conflicts from increased manoeuvres along a well-established Public Right of Way. The Jubilee Way is a Major Recreational Route and the limited opportunities for two-way vehicle movement will unacceptably impact upon road, pedestrian and cyclist safety. The proposal is, therefore, contrary to Policy CS8 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec. 2013 and Policies T12 and LC12 of the South Gloucestershire Council Local Plan (adopted) January 2006.*
- 6. In the absence of a Section 106 legal agreement to secure affordable housing of a suitable tenure mix and unit types, the proposal is contrary to policy CS18 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 11th Dec. 2013 and West of England Strategic Housing Market Assessment (SHMA) 2009 and 2013 SHMA Addendum.*

7. *In the absence of a Section 106 legal agreement to secure a contribution of £10,000 towards a Traffic Regulation Order and works within the highway, the proposal is contrary to policy T12 of the adopted South Gloucestershire Local Plan.*
8. *In the absence of a Section 106 legal agreement to secure contributions towards community facilities required to service the proposed development, the proposal is contrary to Policies CS6, CS23 and CS24 of the South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec. 2013 and Policy LC1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.*

A subsequent appeal APP/P0119/W/15/3133771 dismissed 14.12.2015 on the following grounds:

- The development would not be sustainable being highly car dependent and having significant harm on the character and appearance of the area and the setting of the Grade II* Listed Buildings all of which outweighs any benefits of the proposal.

The original refusal reasons 4, 6, 7 & 8 were overcome via the appeal by the submission of a Unilateral Undertaking and an Ecological Report.

4. CONSULTATION RESPONSES

4.1 Rangeworthy Parish Council

Objection. The development site is outside of the development boundary. Green Lane is a Grade 5 highway which leads into the Jubilee Way which is accessed by horse riders, walkers and cyclists. The development site has a predominantly rural aspect on the approach to the village of Rangeworthy. The Parish Council would draw South Gloucestershire Council's attention to their refusal of planning application PT16/1593/O specifically paragraphs 1 and 3 of the refusal notice.

Comments from the immediate neighbour submitted via the Parish Council:

- *The proposed development would greatly impinge on my way of life;*
- *Green Lane links to the Jubilee Way and is a much used bridle path with many riders on horseback and dog walkers using it. The proposal would impact on riders and walkers using the lane and alter the peaceful, country nature of the lane;*
- *Development would bring builders trucks and heavy machinery to the quiet lane over a prolonged period during building works;*
- *Additional traffic and noise of building works on neighbours would be disruptive and have a detrimental effect on my life at the neighbouring property;*
- *Additional traffic would be dangerous;*
- *We have a right to the peaceful enjoyment of our property;*
- *Privacy would be effected during building works and with the addition of new dwellings;*
- *Unlikely the trees at the back of the site will protect views and privacy;*
- *Proposed development would lose rural setting and quiet way of life;*

- *Additional bins and recycling left at end of the road. This would be increased by additional dwellings and would look awful;*
- *Development will change the environment to suburban;*
- *We hope the application will be refused.*

4.2 Conservation

No objection.

Recommend that if this development were approved, the use of clay tile and natural stone is conditioned, to respect the local vernacular.

Final comments following revised plan and additional information:

The revised plan appears only to differ in the identification of the red and blue site/ownership boundaries, not in the design of the proposal. If this is the case, I would refer back to the original comments in respect of the use of traditional, local materials.

4.3 Ecology

There is no ecological objection to this application.

A Bat Survey Report was submitted in support of the proposed application by Abricon (October, 2016). No bats were recorded emerging or re-entering the building during the subsequent emergence survey.

4.4 Highway Structures

No comment.

4.5 Housing Enabling

Affordable Housing is sought in line with policy CS18 of the Council's adopted Core Strategy Development Plan Document. This proposal is in a rural area where the threshold will be 5 or more dwellings or 0.20 hectares. The Affordable Housing and Extra Care Housing SPD provide further guidance on this policy. The Council require the affordable housing to be secured by way of an s.106 agreement to ensure that all relevant heads of terms are delivered.

Based on the proposed scheme of 3 dwellings, 1 dwelling (3no. bedroom house) should be provided as an affordable home.

Final comments following revised site plan:

No objection.

The applicant has recently submitted revised site plans and has stated the actual site size as 1960m² rather than the original 0.33 ha quoted and therefore the proposal falls under affordable housing threshold.

Enabling would advise that should planning permission be granted an informative or planning condition should be imposed advising that in the event any adjoining land as currently shown within the blue edged line comes forward at a later date for residential development that both sites will be considered as on for the purposes of assessing affordable housing under Policy CS18 of the adopted Core Strategy.

4.6 Landscape

Objection.

The proposed development has a modern and suburban character and a density which is out of character with the surrounding area. It would have a detrimental impact on the visual amenity and landscape character of the area and is contrary to Policies CS1 and L1.

Final comments following revised plan and additional information:

Objection upheld.

The application has not been amended so my previous comments will remain the same. I have had another look at the site from the footpath to the south, Green Lane to the east and B4058 to the north. My concern with the proposals is that the buildings have large footprints but relatively small garden areas. The inclusion of the two attached double garages and one detached double garage gives the scheme a more suburban feel. The openness of the front of the site and the similarities between the dwellings increase the suburbanising effect. In views from the footpath to the south the development will rely on the hedge along the southern boundary to screen and soften it. Whilst this hedge currently screens views into the site it is overgrown and gappy in places and is not being well maintained. In future it will either continue to grow out and possibly become a line of trees or it will need to be 'laid', and maintained at a maximum height of 2 – 3 m, reducing its screening effect considerably. It is not under the ownership or control of the applicant. There may be pressure from future residents to reduce and cut back the hedge which contains a number of ash trees and a large oak tree and will shade the gardens and dwellings and also reduce their outlook. The ash trees in the hedge are likely to die from a fungal infection known as ash die back within the next 10 – 20 years, also reducing the effectiveness of the hedge as a screen.

In views from the B4058, the main road through the village, the development will not be in keeping with the pattern of development within the village due to their regularity and density. The site is sensitive due to its location on the edge of the village and any development in this plot should aim to reinforce the semi-rural character.

4.7 Lead Local Flood Authority

No objection.

4.8 Public Rights of Way

Objection.

Green Lane is a strategic link in the traffic-free rural path network in the Rangeworthy area. Although a Class 5 highway, it has long been accepted as a non-vehicular through-route and is maintained by the Council for horse riders, cyclists and pedestrians.

It is accepted that there is established vehicular access for the 2 existing dwellings at the western end, and agricultural access for adjoining fields, but my concern is that another 3 dwellings would more than double the number of domestic, delivery and service vehicles, creating more hazardous conditions for recreational users on this section of the lane.

The proposal does not reflect an awareness of the importance of this recreational route and has not offered mitigation.

4.9 Spatial Planning

No objection.

4.10 Sustainable Transport

The site is just to the north of and outside the settlement of Rangeworthy, which has few facilities and access to higher level facilities at Yate and Thornbury, served by an infrequent bus service. The Appeal Inspectors report on the Councils refusal to grant permission for 10 dwelling at Church Lane Rangeworthy (PT14/4172) last year concluded that future occupiers would be highly dependent on private motor vehicles to access their day to day needs. This would not be consistent with the NPPF paragraph 34 or South Gloucestershire Council Core Strategy Policy CS8. The emerging Policies, Sites and Places Plan identifies a need for 20 dwellings in Rangeworthy, however this is at a location further to the south adjacent to New Road.

Access.

The site is accessed from Green Lane which joins the B4058 at an acute angle where there is restricted visibility to the south due to the close proximity of the hedge at the back edge of a narrow footway. No information has been submitted to demonstrate that vehicular traffic generated by the development can safely access Green Lane from the B4058 when approaching from the north and no information has been submitted to demonstrate that adequate visibility is available to the south of the junction. As such insufficient information has been submitted to demonstrate that the proposal accords with Local plan policy T12 and therefore a highway objection is raised.

The applicant could address this by showing the swept path of a Transit sized delivery vehicle turning left into Green Lane without crossing the centreline of the B4059. There is scope to widen the access and make it less acute within the existing highway boundary to accommodate the swept path.

Details of the visibility splay to the south also needs to be submitted. This should be 2.4m set back x 120m (for a 40mph road) to the nearside carriageway edge. It may be possible to reduce the 120m if a speed survey is submitted in accordance with the standards set out in the Design Manual for Roads and Bridges TA 22/81 which indicates lower approach speeds.

If this information is submitted and it satisfactorily addresses the above access issues I would also recommend a condition to surface Green Lane from the junction with the B4059 up to the site access, plus other standard conditions to secure visibility splays at the site access (2m x 20m) (this would not impact on the existing tree) and the submitted parking and turning arrangements which accord with the Council's standards.

Updated comments following submission of Transport Statement:

No objection, subject to conditions.

The submitted speed survey carried out between the 23rd February and the 1st March 2017 indicates that the average 85th%ile speed of northbound traffic approaching the access for dry weather conditions is 42.7 mph. The wet weather 85th%ile speed required to establish the sight stopping distance /

visibility splay is 40.2mph. This equates to a visibility splay y distance of 80m and an x (set back distance) of 2.4m.
The available forward visibility and visibility to the right is in excess of that required for the 40mph speed limit road.

The information submitted showing turning movements to and from the north is agreed as showing that these movements can be made.

4.11 Tree Officer

The applicant will need to submit an Arboricultural report with tree protection plan and Arboricultural method statement for the protection of an Oak tree adjacent to the site with a RPA root protection area that conflicts with the site.

Final comments:

Provided that all works are in accordance with the submitted Arboricultural report I have no objections to the application.

4.12 Wessex Water

No objection, subject to a condition.

Other Representations

4.13 Local Residents

One local resident has objected via the Parish Council (detailed above at para. 4.1).

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 importance is the location of the site within an existing residential curtilage and outside any settlement boundary. Policy CS5 of the adopted Core Strategy directs where development should take place and states that development within the open countryside will be strictly limited. Similarly Policy CS34 'Rural Areas' of the adopted Core Strategy aims to maintain settlement boundaries defined on the Policies Map around rural settlements.

5.2

A recent appeal decision for the refused scheme PT16/1593/O for the erection of 6no. dwellings, located to the south of the site, but outside of the settlement boundary, is also of relevance. That site related to a parcel of pastoral land near to listed heritage assets. Issues concerning the sustainability of the proposed site, effect on landscape and countryside and protected species were also raised. This was the second appeal, the first being for 10no. dwellings, both of which were refused on the above grounds. These decisions are material to the consideration of this proposal, but as will set out below can be distinguished from the proposal under consideration here.

Five Year Land Supply

5.3

The Council cannot demonstrate a five year housing land supply, meaning paragraph 49 of the NPPF is engaged. Paragraph 49 of the NPPF states that

housing applications should be considered in the context of the presumption in favour of sustainable development. The paragraph goes on to suggest that if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites then their relevant policies for the supply of housing should not be considered up-to-date. With reference to this proposal, policies CS5 and CS34 of the adopted Core Strategy are therefore considered not to be up-to-date for the purposes of the NPPF. On this basis, more weight is afforded to the NPPF than to defined settlement boundaries.

- 5.4 Nevertheless the starting point is the adopted development plan, namely policy CS5 Locational Strategy. This policy supports new residential development within the *existing urban area and defined settlements*. This site lies outside of the settlement boundary for Rangeworthy, and therefore on the face of it would be resisted in principle by the development plan policy. Policy CS5 states that *“in the open countryside, new development will be strictly limited”*.
- 5.5 Therefore, how much weight can policy CS5 attract given the NPPF advice, which is an important material consideration? The settlement boundary policy approach according to the NPPF advice is out of date, given the current land supply position. Accordingly, more weight is given to the paragraph 14 NPPF test which sets out the presumption in favour of sustainable development. This site is therefore considered on its own merits, notwithstanding that it is outside of the settlement boundary against the test in paragraph 14.
- 5.6 The proposal is for three new dwellings. The question remains whether this proposal would constitute sustainable development in terms of the NPPF advice. This is especially relevant given the recent appeal decisions in Rangeworthy referred to above, and by the Parish Council. It is clear that for the purposes of the adopted development plan Rangeworthy was considered to be sufficiently sustainable to have a settlement boundary (albeit this site lies outside of it). CS5 refers to small scale development within such settlements as being supported. It is considered that this proposal at 3 dwellings is small scale, and would save for the settlement boundary location fall within the type of development supported. By contrast the appeal schemes were larger at 10 and 6 dwellings respectively. They also encroached into land that is currently agricultural rather than as in this case building within an established residential curtilage. The appeal site also had other significant constraints to consider such as the listed buildings adjacent, which affects the application of the paragraph 14 test in the overall balance. That is not the case here, sustainable development should only be resisted if the adverse impacts would significantly and demonstrably outweigh the benefits.

It is acknowledged that there are limited services in Rangeworthy itself but the site is within walking distance of a primary school, local pub, restaurant, football club, hotel and bus stop (the nearest is near the Rose and Crown pub). Nevertheless it is clear that the Planning Inspector's in the recent appeal dismissals have given weight to their conclusion that the intended occupiers of those dwellings would still be largely reliant on the private car to access day to day facilities, and that this counted against the scheme. That is also true of this site, but more weight is given to emerging policy PSP11 Transport Impact Management which gives specific indicators of when

residential development might be acceptable in transportation terms. This policy has now reached an advanced stage of preparation and been through examination in public. It is a material consideration that did not feature in the previous appeal decisions. It states that residential proposals should be located within reasonable walking and cycling distance of key services and employment opportunities OR within 400m of a suitable bus stop which connects to a destination with key services and employment facilities. It is this latter criterion which this site would seem to comply with. Bus services 622 and 626 serve the nearest bus stop to the site with more frequent services to and from Yate. The journey time is under an hour with 7 or 8 services during the weekday, commencing prior to 9am and after 5pm; and there are at least 3 services at weekends. Weight is given to this policy in concluding the site is reasonably sustainable.

- 5.7 Regard has been given to paragraph 55 of the NPPF. This advises that isolated homes in the countryside should be avoided. It is not considered that the site is so remote that it could be called isolated development in the countryside. Planning applications have to be assessed on their own merits and this instance is no exception. The unique circumstances of this individual site are recognised and are considered sufficient to warrant awarding weight in favour of the proposal being within an existing residential curtilage, near a village setting. While appropriate weight is given in favour of the scheme for this reason, it must be recognised that three dwellings would provide a modest benefit to the local economy in terms of construction and the use of local businesses, as well as to the community in terms of its scale and social contribution. It therefore overall attracts limited weight in its favour for these reasons. Most weight however is given to the benefit to the overall housing supply from a small scale sustainable development.
- 5.8 In summary, there is an in principle objection to the development as set out in Policies CS5 and CS34 of the adopted Local Plan: Core Strategy. This is given less weight as these policies are out of date. Greater weight is given to the test set out in paragraph 14 of the National Planning Policy Framework. The remainder of the Officer's report will weigh the impact of the scheme and consider whether any are significant and demonstrable.

Design and Visual Amenity

- 5.9 The application site comprises an existing residential curtilage with a large detached house and garage. There is an existing vehicular access serving the site, which is proposed to be modified and used to serve the new and existing dwellings. The proposal is for a development of detached three and four bedroom dwellings, to be constructed in high quality natural materials including natural stone, render and clay roof tiles.
- 5.10 The proposed dwellings will have a traditional vernacular, being two storey in height, with pitched gable detailing above the first floor windows and front porches. Plot 1 would have a detached garage, whilst Plots 2 and 3 would have attached garages. Plots 1 and 2 are the larger four-bedroom family dwellings with an overall ground floor area of 128 sqm. A maximum ridge height of 7.6 metres and eaves height of 3.4 metres is proposed for Plot 1. Whereas Plots 2 and 3 would have a maximum ridge height of 7.9 metres and eaves height of

3.4 metres (Plot 2) and 4.9 metres (Plot 3) respectively. The layout has been designed to avoid any overlooking or overshadowing of existing dwellings. The new dwellings would be laid out in a row orientated to face north-westerly across Bagstone Lane and beyond. Concern has been raised that additional bins and recycling will be left at the end of the road and would be increased by the additional dwellings; however there is ample room to store the bins within the site and for the refuse lorry to access the site for collection purposes.

- 5.11 In terms of design, scale, massing and materials, the proposed two storey dwellings are considered acceptable.

Impact on Residential Amenity

- 5.12 Emerging policy PSP 43 gives suggested levels of residential amenity space according to the number of bedrooms in a property. The proposed units would be a mix of three and four bedrooms. For a three bed property the PSP suggested amount of residential amenity space is 60sqm of private, usable space and for a four bedroom property 70 sqm of residential amenity space. The four bedroom dwellings would have substantial rear gardens, with Plot 1 having 255 sqm and Plot 2 227sqm. The single three bedroom dwelling would have a private garden area of 125 sqm. The proposed amount of private amenity space is generous and accords with the rural setting and nearby neighbouring dwellings. Although the PSP policy has not yet been adopted and has little weight, the proposed amount of amenity space can be considered acceptable.
- 5.13 In considering the impact on the neighbouring properties, the nearest dwelling would be to the south-east of Plot 1, approximately 22 metres from the boundary to the neighbouring dwelling. Plot 1s single storey kitchen would be approximately 30 metres and the two storey part of the house 34 metres away from the neighbouring dwelling. Given there are existing trees along the southern boundary of the application site and there will be additional planting required (to be discussed in the Landscape section), it is unlikely that the proposed dwellings would have a significant or negative impact on the nearest neighbouring dwelling in terms of privacy or overlooking. It is acknowledged that there would be changes for the closest neighbours as currently there is an open garden and no solid built form, but given the distances there should be no issues of inter-visibility or overbearing impact.
- 5.14 Concern has been raised by the neighbouring resident about the additional noise caused during the construction period. It is a given that with new development there will be some additional noise for a period of time, but this should not be a barrier to new development.
- 5.15 The proposal is considered in terms of residential amenity impacts and is unlikely to have a harmful or negative impact on the nearest neighbouring dwellings.

Landscape

- 5.16 The application site is located on the edge of Rangeworthy, but amongst a number of other detached properties on the eastern side of the B4058 (Bagstone Road). The application site is surrounded by matured hedgerows

and trees, providing a high degree of privacy for the occupants and properties to the north-east and south-east.

- 5.17 The Landscape Officer has raised a number of concerns that the proposed development has a modern and suburban character, and a density that is out of character with the surrounding area, which would impact on the visual amenity and landscape character of the area, and overall objects to the proposal. It is considered that the site can accommodate the number of proposed dwellings and this is an acceptable density. The front of the site would remain open and the existing hedgerows and trees would be retained. The Landscape Officer considers the existing hedge to currently screen views into the site but is 'gappy' in places and not well maintained and not under the ownership or control of the applicants.
- 5.18 It is considered pertinent to the setting of the proposed dwellings, the rural location and neighbouring property to the south-east that some form of hedgerow and planting are retained. It is considered that a condition could be attached to implement additional planting within the curtilage of the Plots to reinforce the existing planting and maintain the degree of privacy and reduce some of the visual impact in the long term. In contrast to the appeal site, this proposal is not considered to encroach into pastoral land which was considered to be a significant harm in that case. It will impact on the appearance of the existing residential curtilage, but mitigation measures can be introduced such that this does not amount to a significant and demonstrable harm.
- 5.19 Trees
As per the request of the Tree Officer, the agent has submitted an Arboricultural report with a tree protection plan and Arboricultural method statement for the protection of an Oak tree adjacent to the site. The above information has been submitted. The Tree Officer has advised that a condition should be attached to ensure the works are in accordance with the submitted report.
- 5.20 Sustainable Transport
The application site is just to the north of the settlement of Rangeworthy, which is only 60 metres to the south and is accessible by a public footpath that runs from the end of Green Lane into the village centre. The site is situated five miles south-east of Thornbury and eleven miles north-east of Bristol. The site is accessed from Green Lane which joins the B4058 (Bagstone Road) at an acute angle where there is restricted visibility to the south due to the close proximity of the hedge at the back of the footway. It is acknowledged that the nearest village of Rangeworthy has limited facilities and access to a bus service. There are other dwellings located to the north and east of the site. Rangeworthy is served by bus services and has community facilities such as a school, village hall and pub. The proposal is located within an existing residential curtilage, and therefore weight is awarded accordingly.
- 5.21 It is relevant that the lane and access is already used by two dwellings. The existing vehicular access will continue to serve the existing and proposed new dwellings. As part of the proposal, the existing access will be widened to allow access for two cars and increase visibility. These improvements have been agreed following the submission of additional information, including a speed

- survey from the agent. The information submitted showing turning movements to and from the north is agreed as showing that these movements can be made. The Transportation Officer has indicated that the widening of the access, increased visibility, and the re-surfacing of Green Lane from the junction to the site access would be adequate improvements to support the proposal.
- 5.22 Given the above agreed works would be carried out to the highway and on land outside of the control of the Applicant, the works will be secured by way of Grampian conditions (no's 7, 8 and 9) relating to the necessary visibility splay implementation, re-surfacing of part of Green Lane and construction of vehicle parking and manoeuvring areas have been attached to the decision notice. The necessary highway works will need to be completed in accordance with the submitted and agreed details, prior to the occupation of the new dwellings. It is considered that the proposed works to the visibility splay at the entrance of Green Lane, widening of the lane and re-surfacing to make the proposed development acceptable in highway safety terms meets the above tests. As such, there are no outstanding highway safety concerns from the Transportation DC Officer.
- 5.23 An objection from a neighbouring resident has been made that the development would bring builders trucks and heavy machinery to the quiet lane over a prolonged period, during the construction of the dwellings. Whilst it is acknowledged that there will be vehicles associated with the construction of the dwellings, they would only be using the entrance part of Green Lane and there is ample room to park within the site. These additional vehicles would be during the construction period, which would be for a temporary period. The impact arising therefore whilst harmful would not be significant.
- 5.24 The proposed dwellings would have their own driveways and garages for off-street parking provision, as well as a turning head next to Plot 1. The existing garage serving The Grange will be demolished and re-built nearer to the property. There would be sufficient off-street parking provision for all dwellings within the site, including The Grange. There is sufficient room for visitor parking and suitable manoeuvring space to allow vehicles to access and egress the site in forward gear. In view of this, there are no highway objections to the scheme subject to conditions regarding the widening and re-surfacing of Green Lane.
- 5.25 Public Right of Way
There are no adopted footpaths within the application site. However, the Public Rights of Way team have advised that Green Lane itself is considered to be a strategic link in the traffic-free rural path network in the Rangeworthy area. Although it is a Class 5 highway, it has long been accepted as a non-vehicular through-route and is maintained by the Council for horse riders, cyclists and pedestrians.
- 5.26 It is accepted that there is established vehicular access for the two existing dwellings, as well as agricultural access for adjoining fields. The PROW Officer is concerned that an additional three dwellings will increase domestic, delivery and service vehicles and create hazardous conditions for recreational users of the lane. The Officer acknowledges that there may be some increase in vehicles using the lane, but this would largely relate to the entrance of Green

Lane which is approximately a 40 metre section. In this respect, the agent has suggested mitigation measures in the form of additional signage and this will be included as a condition.

Housing Enabling

5.27 Initially, Affordable Housing was sought in line with policy CS18 of the Council's adopted Core Strategy Development Plan Document. The proposal is in a rural area where the threshold will be 5 or more dwellings or 0.20 hectares. The Affordable Housing and Extra Care Housing SPD provide further guidance on this policy. Based on the proposed scheme of 3 dwellings, 1 dwelling (3no. bedroom house) should be provided as an affordable home. However, in June 2017 the agent submitted a revised red edge plan removing The Grange from the application site. The revised site size is now 1960m² rather than the original 0.33 ha quoted, and therefore the proposal falls under the affordable housing threshold.

5.28 Officers are satisfied that the revised site plan is acceptable and is not an attempt to remove the Affordable Housing requirement. However, an informative will be added to the decision notice advising that in the event any adjoining land as currently shown within the blue edged line comes forward at a later date for residential development, that both sites will be considered as for the purposes of assessing affordable housing under Policy CS18 of the adopted Core Strategy.

5.29 Ecology

A bat survey report was submitted in support of the application and confirmed that no bats were recorded on site. As such, there is no ecological objection to this application.

5.30 Conservation

Officers have no objection to the proposal and have recommended that the use of clay tile and natural stone is considered, to respect the local vernacular.

5.31 Drainage

It is proposed that foul drainage will be disposed of via a package treatment plant. The Council's Drainage Officer's have advised that there are no objections to the proposed development in drainage terms, subject to a SUDS condition.

5.32 Wessex Water have advised that the proposal is located in a groundwater flood risk area where there is a high risk of foul sewer inundation during periods of prolonged wet weather leading to sewer flooding. Planning applications in these high risk areas are assessed on a site by site basis. Wessex Water has confirmed that they raise no objection, subject to a condition. The applicants are advised to contact Wessex Water directly for further information and an informative has been attached to the decision notice.

5.33 Equalities

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty

came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.

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

5.35 Overall Planning Balance

It is acknowledged that South Gloucestershire does not have a five year housing land supply and the introduction of three new dwellings would assist the current shortfall. Weight is attributed to the proposal for this reason. Similarly, given the supply of housing situation, greater weight is given to the NPPF policy presumption in favour of sustainable development than to the settlement boundary housing policies in the adopted Local Plan and Core Strategy. These are for the purposes of the NPPF considered out of date. This promotes sustainable development unless significant and demonstrable harm can be shown to result from the proposal. In this instance, the scheme has been acceptable in terms of design, impact on residential amenity and highway safety. Some harm to the visual amenity of the landscape has been identified but this can be overcome by appropriate conditions. However these have been assessed as not being significant or demonstrable to warrant a refusal.

5.36 Overall, the planning balance is in favour of the scheme and it is 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 **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 the application be **APPROVED**, subject to the attached conditions.

Contact Officer: **Katie Warrington**
Tel. No. **01454 864712**

CONDITIONS

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

Reason

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

2. The development shall be implemented strictly in accordance with the following plans:

Plot 1, Plot 2 and Plot 3 Plans Elevations; Detached Garages; Combined Existing Plans; received by the Council on 13th October 2016.

3D Illustration (1, 2 and 3), received by the Council on 25th October 2016.

Bat Surveys Report (Abricon, 20/10/2016), received by the Council on 25th October 2016.

Transport Statement by Mark Baker Consulting Limited (Technical Report 29615/1, May 2017), received by the Council on 24th May 2017.

Aboricultural Report by Silverback Aboricultural Consultancy Ltd (March 2017), received by the Council on 24th May 2017.

Revised Site and Location Plan (002 Rev B), received by the Council on 8th June 2017.

Junction Visibility Splays (29615/100 Rev B), received by the Council on 4th August 2017.

Reason

For the avoidance of doubt.

3. The materials to be used in the construction of the external surfaces of the dwellings hereby permitted shall be natural stone and clay roof tiles.

Reason

To ensure a satisfactory standard of external appearance and to respect the local vernacular. To accord with Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

4. 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 any to be retained; proposed planting (and times of planting) along the north, east and southern boundaries of the site shall be submitted to the Local Planning Authority for approval. Development shall be carried out strictly in accordance with the agreed details and completed before the dwellings are occupied.

Reason

To protect the character and appearance of the rural setting and to protect the amenities of the neighbouring dwelling. To accord with Policy L1 of the South Gloucestershire Local Plan (Adopted) December 2006 (Saved Policies); Policies CS1 and 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 is considered important that additional planting is completed prior to the occupation of the dwellings.

5. The development shall be strictly carried out in accordance with the submitted Arboricultural report (Silverback Arboricultural Consultancy Ltd, March 2017) , received by the Council on 24th May 2017.

Reason

To protect the character and appearance of the rural setting and the existing trees, to accord with Policy I1 of the South Gloucestershire Local Plan (Adopted) December 2006 (Saved Policies); Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

6. Prior to the commencement of development, details of the cautionary signage to be displayed along the entrance of Green Lane shall be submitted to the Local Planning Authority for approval. The details shall include the number, design and location(s) of the signage and shall highlight to visitors to the site that the lane is used by pedestrians, cyclists and horse riders as a recreational route and that care should be taken by drivers of vehicles on Green Lane. The agreed details shall be implemented prior to the commencement of development along the lane and permanently retained thereafter.

Reasons

In the interests of highway safety and amenity, to accord with Policies LC12 and T12 of the South Gloucestershire Local Plan (Adopted) December 2006 (Saved Policies); Policies CS8 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) January 2013; and the National Planning Policy Framework.

This condition is pre-commencement as it is important that cautionary signage is erected before the development commences on site and additional construction vehicles use the lane.

7. No dwelling shall be occupied until the 2.4m x 80m visibility splay to the nearside carriageway edge and the north side junction radius of Green Lane and B4058 have been improved in accordance with the agreed plan Junction Visibility Splays (29615/100 Rev B, received by the Council on 4th August 2017). The works shall be carried out strictly in accordance with the agreed plan and permanently retained thereafter.

Reason

In the interest of highway safety and the users of Green Lane. To accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies); Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

8. No dwelling shall be occupied until the details of the proposed re-surfacing and necessary drainage of Green Lane from the junction with B4058 up to the development site access are submitted to the Local Planning Authority for written approval. The works shall be implemented strictly in accordance with the approved details.

Reason

In the interest of highway safety and the users of Green Lane. To accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies); Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

9. No dwelling shall not be occupied until the associated vehicle parking areas and manoeuvring areas have been provided strictly in accordance with the approved plan Revised Site and Location Plan (002, RevB, received by the Council on 8th June 2017). The facilities provided shall be permanently retained 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 T12 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies); CS8 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013; the South Gloucestershire Residential Parking Standards SPD (Adopted) December 2013; and the National Planning Policy Framework.

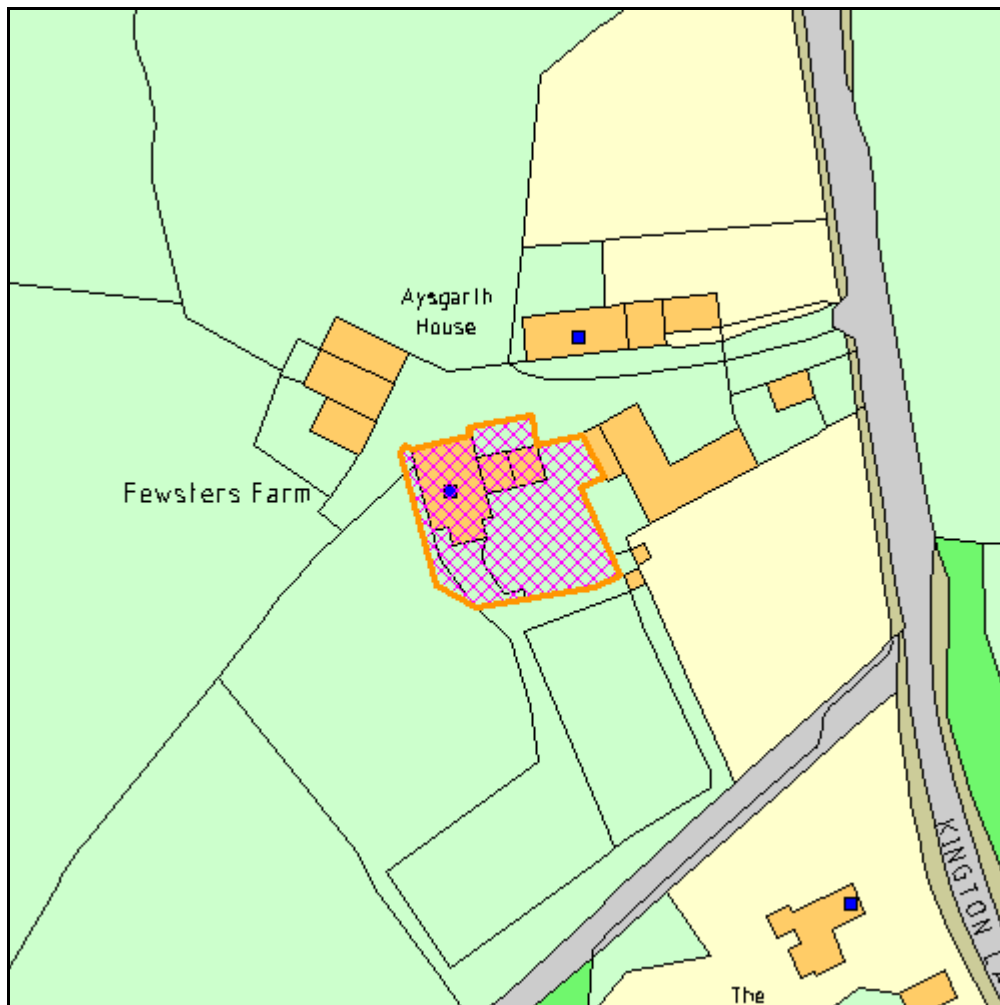
10. The development hereby approved shall be constructed to provide a sealed system of foul water drainage.

Reason

To ensure a satisfactory means of pollution control is achieved on site and to prevent groundwater infiltration into the foul sewer network affecting service levels to public sewer systems locally, to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and National Planning Policy Framework 2012.

CIRCULATED SCHEDULE NO. 41/17 – 13 OCTOBER 2017

App No.:	PT17/0496/F	Applicant:	Mr Simon Morton
Site:	Fewsters Farm Kington Lane Thornbury Bristol South Gloucestershire BS35 1ND	Date Reg:	17th February 2017
Proposal:	Conversion of existing stables to include the erection of a ground floor extension to form 1no. detached dwelling with associated works. Demolition of monopitch roofed structure.	Parish:	Oldbury-on-Severn Parish Council
Map Ref:	361974 190344	Ward:	Severn
Application Category:	Minor	Target Date:	12th April 2017



© South Gloucestershire Council 2007.all rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2008.

N.T.S.

PT17/0496/F

REASON FOR CIRCULATION

The application is circulated as a result of the concerns of a neighbour

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the conversion of and alterations to this existing building which has previously been used as a stable block, to a residential dwelling.
- 1.2 The building is at the rear of the site when viewed from the road and would gain access via the existing route from Kington Lane through the existing farmyard gate. Parking spaces are being provided directly adjacent to the barn..
- 1.2 The proposal is in open countryside and Green Belt. The site is located directly adjacent to the grade II listed Fewsters Farmhouse and is within its curtilage.

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

Planning (Listed Buildings and Conservation Areas) Act 1990

Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended)

National Planning Practice Guidance – Conserving and Enhancing the Historic Environment;

Managing Significance in Decision-Taking in the Historic Environment (GPA 2)

The Setting of Heritage Assets (GPA 3)

Para 116, ODPM Circular 06/05

2.2 Development Plans

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

L1 Landscape protection and enhancement.

L13 Listed Buildings

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
PSP20	Wider Biodiversity
PSP40	Residential development in the Countryside
PSP43	Private amenity standards
PSP17	Heritage Assets and the Historic Environment

- 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

3. RELEVANT PLANNING HISTORY

- 3.1 P88/2853 Change of use of 2.13 acres of agricultural land and existing agricultural building totalling 200 square metres (2160 sq ft) to form stables and riding school. (In accordance with the applicants letter received by the council on 3RD October 1988). This permitted up to 14 horses to be stabled and for use as a riding school.
- 3.2 PK16/1196/PNGR
 Approved

4. CONSULTATION RESPONSES

- 4.1 Oldbury on Severn Parish Council
 No comment
- 4.2 Other Consultees
Highways

Some concern about visibility but as the extant use is that of a riding school no objection is raised.

Conservation officer

Concern was initially raised to the conversion of the whole building but a revised scheme has been negotiated which removed the closest and most modern part of the stabling such that with careful detail the setting of the listed farmhouse can be preserved.

Highway structures

No objection

Lead Local Flood Authority

No objection

Ecology

There are no ecological constraints to granting planning permission. No objection subject to bat mitigation and enhancement plan.

Landscape officer

No objection but suggest a landscape condition.

Archaeology Officer

No objection

Other Representations

4.3 Local Residents

One resident from the adjoining property raises the following matters:

- boundary ownership issues as there is curtilage in the form of parking and access belonging to Aysgarth house with the site boundary. (your officer notes that the land referred to is not in the redline boundary but in the 'other land' in the control of the applicant and is referred to later in the report).
- Increase traffic caused by the vehicles now accessing the now four properties using the difficult and dangerous access to the road.

5. **ANALYSIS OF PROPOSAL**

5.1 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. The NPPF seeks to be proactive in relation to development and this building is no longer in use as a riding school. Whilst the owner has two horses they are reared outdoors by a natural horsemanship method and the stable has no function. The new dwelling would be read amongst the main house and its barn which is undergoing conversion to a

house under permitted development (PK16/1196/PNGR) and the nearby curtilage listed Aysgarth House. The re-use of buildings in the green belt is one of the forms of development which is acceptable within paragraph 90 of the NPPF. The existing parking and utility area would provide space for domestic garden and parking for the new house which would not affect the openness of the greenbelt.

The reuse of the barn would provide an environmental role in the retention of an old building and the proposal could be said to have an economic role in that the building would be put back into a useful purpose. Whilst there are other concerns regarding conservation of the setting of the listed building 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.

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.

- 5.2 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 proposal would enhance the setting of the listed building and its curtilage listed building by extending the amount of separation between the stables and the other buildings and by improvements to the materials. As such some weight can be given to this.
- 5.3 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.

Policy PSP40 is however the emerging policy for conversion of buildings to residential use and seeks:

- i. To ensure that the building is of permanent and substantial construction and
- ii. It would not adversely affect the operation of the rural business or working farm
- iii. Any extension as part of the conversion or subsequently is not disproportionate to the original building and

- iv. If the building is redundant or disused the proposal would also need to lead to an enhancement of its immediate setting.

These criteria will be looked at below.

5.4 Suitability of the building for conversion

Policy H10 is the lead policy when considering barn conversions. 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.

- 5.5 The barn is within an existing group of buildings, is in a good state of repair and the building is capable of conversion to a domestic dwelling. The buildings is not in economic use as riding stable or farm use and as such there is no harm to a rural business as a result of the conversion.

- 5.6 Whilst there is no need to extend the building the modest extension replaces a larger removed element which is considered by officers to be beneficial to the setting of the listed buildings. The current materials are also a detracting feature of the buildings and as such the renovation of the building which includes adding different finished is also considered as enhancement to the its immediate setting.

5.7 Green Belt

The re-use of a building in Green Belt is appropriate development subject to the building being of permanent and substantial construction. As such this application is acceptable in principle and in addition the proposal would not have a detrimental impact on the openness of the greenbelt. Given the that the site is within the curtilage of the listed building no means of enclosure are permitted without a formal application to the planning authority and the new domestic curtilage is that already (previously) used as a riding stables. As such the proposal does not harm the green belt.

5.7 Impact on Heritage assets

- 5.8 When determining this application the local authority should pay particular attention to the *Planning (Listed Buildings and Conservation Areas) Act 1990*, section 66 (1) in which "the local authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest".
- 5.9 Although located within its curtilage, the subject building is considered to be a post- 1948 structure and so is not considered to be curtilage listed and so it not afforded any statutory protection.
- 5.10 The subject building is a barn used to house livestock (most recently horses), with internal evidence of this use intact. The main part of the building is of concrete block construction under a pitched roof with gable ends and has a utilitarian appearance. To the east side elevation is a projecting mono-pitched

attached range which is used as a car-port and store. There is also a small shallow pitched roofed addition to the southern gable end which houses in part a tack room.

- 5.11 There was initial officer concern that the initial design and scale of resultant building would visually intrude into the setting of the Grade II listed Fewsters farmhouse. Along with the residential unit currently under construction, the proposed conversion of this building, would on its own and cumulatively, erode the historic and functional relationship the farmhouse has with its rural setting, removing the appropriate hierarchy of buildings evidence at the site. However an attempt has been made to mitigate the loss of the utilitarian setting of the proposal by the removal of the most modern spur to the building which separates the proposal more visually from the listed farm house. This distance is now proposed to be 19m and this important mitigation would need to be secured by condition prior to occupation. *The external treatment of the building has also been revised along with the hard and soft landscaping plan. The subordinate extension is also to be removed but is being replaced by a simple modest extension to the main part of the building and as such does not require a formal condition for its removal.*
- 5.12 *The elevational treatment proposed is to clad the external blockwork walls with vertical timber cladding to soften the current appearance with a material more commonly associated agricultural buildings and to be complementary to the adjacent on going barn conversion; to alter the openings on the building and replace the black metal windows and with wooden windows to complement the timber cladding; replace the existing asbestos roof with a metal roof of agricultural appearance matching the adjacent barn conversion; use conservation rooflights (4 No.) only where required to provide natural light into internal spaces.*
- 5.13 *Overall the scale of the building and the design of the elevational treatment is now considered to be far more compatible with its setting and context and is acceptable subject to details and specific materials and large scale detail of the proposal, being agreed. The form of parking court and landscaping also appears to be improved, but details on planting species and densities should be provided.*
- 5.14 *Although the converted building would remain an intrusive feature that would impinge on the immediate setting of the listed building, when considered in the context of the existing situation, then the setting of the Grade II farmhouse would be preserved.*
- 5.15 *Consent is therefore recommended subject to the above conditions ensuring the demolition of the existing spur car-port structure, materials and windows (including reveal depth), vents, flues, eaves verges and ridges.*
- 5.16 Impact on Landscape
The stable block is visible from Kington Lane behind Fewster Farmhouse which is a listed building. It is also visible from the public footpath which runs in an east/west orientation to the north. The existing building in its current form is a

utilitarian agricultural building with no architectural merit. Due to the constraint of the site it will not be possible to screen the building but a post and rail fence and hedge are considered appropriate means of securing the resultant residential curtilage. It is considered that whilst the building is utilitarian in appearance but overall the changes to that buildings are considered an improvement on the existing situation.

5.17 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 permitted development rights should be removed to safeguard the landscape character from unsympathetic developments within the domestic curtilage.

5.18 Transportation and Highway Safety

The proposed 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 new dwelling 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 new housing 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. The barn is accessed via the existing farm access and through the farm yard. This is considered acceptable and four parking spaces are provided which adequately meets the Councils parking standards. A modest cycle store should also be provided in order to facilitate other means of travel and to secure garden equipment. This can be secured by condition.

5.23 Lead Local Flood Team

The site is not at risk of flood, being in flood zone one and no objection to the proposal is raised by the LLFA. They do however advise that the preferred method for foul sewage disposal is to connect to a public foul sewer. If this is not economically viable by gravity or pumping, a Package Sewage Treatment Plant is required which may also require an environmental permit from the Environment Agency.

5.28 Ecology

The site is not covered by any statutory or non-statutory nature conservation designations. Ecological issues are those of bats or birds, no bats were found in the Ecological Appraisal and it is considered that provided that the conversion is carried out in accordance with the Ecological appraisal no harm to wildlife will occur. In view of the Councils policies to increase biodiversity a scheme for bird and bats boxes should be submitted.

5.29 Ownership

The neighbour has raised concern that the site outline set out by the agent on the submission is erroneous as it includes a fence and parking area belonging to Aysgarth House. This area of land is in fact located within the blue line demoting other land in the control of the applicant and whilst it may not be fully

accurate it is not included in the red line site area nor does it restrict movement to the red lined site area. As such this apparent error is not seen as having a material impact on the amenity of the application or neighbouring sites. An informative is placed on the recommended decision notice to indicate that permission does not imply right to enter other persons land.

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 Overall the reuse of the barn is considered to be appropriate development in the Green belt and the overall separation of the building as a result of demolition and better external materials creates a modest improvement to the site in terms of the impact on the setting of the listed building. Matters of ecology and visual amenity can all be enhanced by conditions.
- 6.3 The recommendation to GRANT permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 That planning permission is GRANTED 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

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

2. Prior to the commencement of development a scheme of hard and soft landscaping, which 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.

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.

This is a pre commencement condition as later fulfilment could affect the retention of relevant landscaping.

3. Prior to the relevant part of the project, the detailed design of the following items shall be submitted and approved in writing by the local planning authority.
 - a. All new windows and fixed glazing (including cill, head, reveal and glass details)
 - b. Rooflights (which for the avoidance of doubt should be "conservation" rooflights)
 - c. All new doors (including frames and furniture)
 - d. All new vents and flues
 - e. Eaves (including rainwater goods), verges and ridges

The details shall be submitted via elevation and section drawings at a scale of 1:10, and the development shall be completed strictly in accordance with the agreed details.

Reason:

In light of the above details not being submitted at determination stage for consideration and approval, this condition is necessary in order to ensure that the works serve to preserve the architectural and historic interest of the listed building, in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out at the NPPF and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013).

4. 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, G and H), or any minor operations as specified in Part 2 (Class A), other than such development or operations indicated on the plans hereby approved, shall be carried out without the prior written consent of the Local Planning Authority.

Reason

To maintain and enhance the character and setting of the listed building, and to accord with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and policy CS9 of the South Gloucestershire Local Plan: Core Strategy adopted December 2013.

5. Prior to the commencement of development details/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 be carried out in accordance with the approved details.

Reason

To maintain and enhance the character and setting of the listed building, and to accord with Section 16(2) of the Planning (Listed Buildings and Conservation Areas)

Act 1990 and CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy adopted December 2013.

6. All development shall be carried out in strict accordance with the recommendations made in Section 4 of the Ecological Appraisal by Wild Service dated January 2017.

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.

7. Prior to development commencing, a scheme for the provision of at least 4No artificial swallow nest boxes and artificial (Schwegler or Habibat) bat boxes to include details of their type and location be drawn up and agreed with the Council in writing. All works are to be carried out in accordance with said scheme prior to occupation of the building and thereafter maintained as such.

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.

8. The carport and store shall be removed and the building made good as per the approved plans prior to first occupation of the building.

8. Reason

To ensure a satisfactory standard of external appearance and to accord with Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

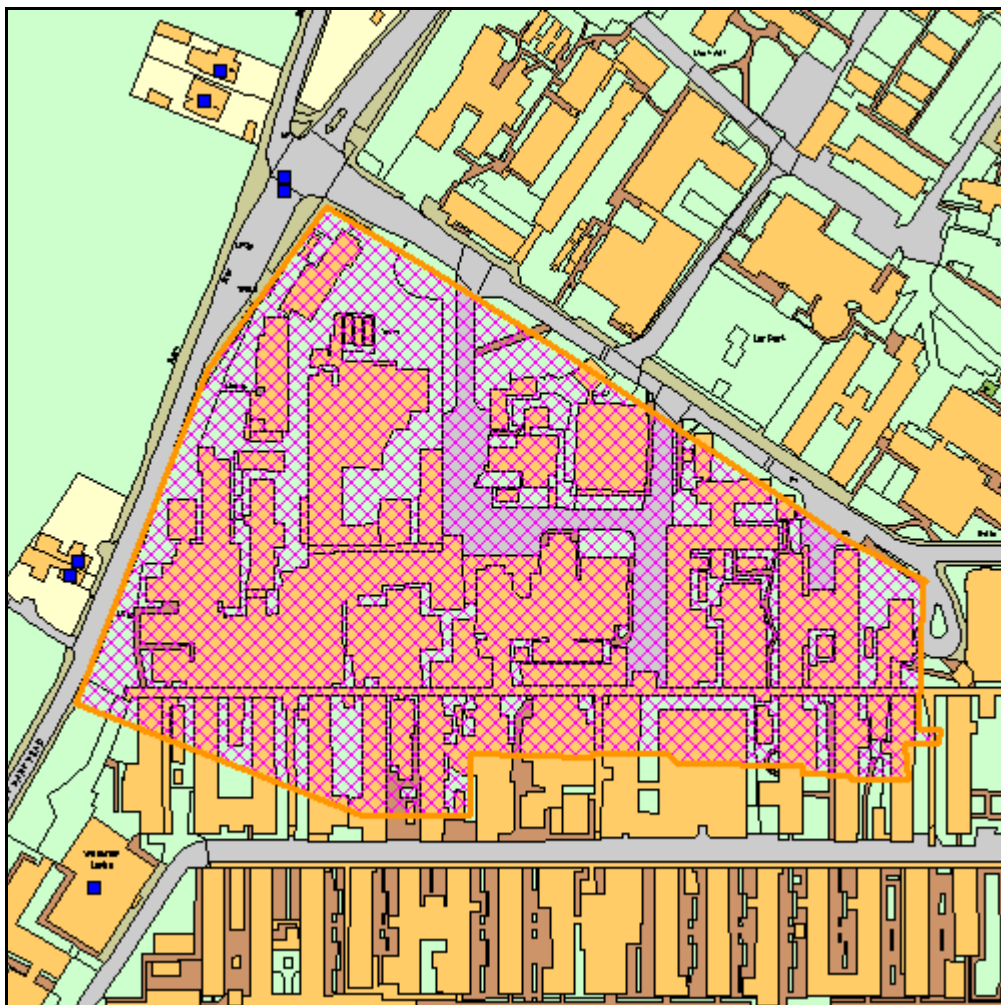
9. The development shall proceed in accordance with the development and demolition shown on the submitted plans:
1664_E-001 and
1664_E002 both received 3/2/2017
1664_P-001 rev C received 4/9/2017

Reason

In the interests of clarity and to secure the mitigating demolition of the scheme.

CIRCULATED SCHEDULE NO. 41/17 – 13 OCTOBER 2017

App No.:	PT17/0973/RM	Applicant:	Redrow Homes (South West)
Site:	Frenchay Hospital Phase 2 Frenchay Park Road Frenchay Bristol South Gloucestershire	Date Reg:	10th March 2017
Proposal:	Erection of 127no. dwellings with public open space and ancillary supporting infrastructure. (Approval of Reserved Matters to be read in conjunction with outline planning permission PT13/0002/O).	Parish:	Winterbourne Parish Council
Map Ref:	363383 177635	Ward:	Frenchay And Stoke Park
Application Category:	Major	Target Date:	5th June 2017



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008. N.T.S. PT17/0973/RM

INTRODUCTION

This application has been referred to the Circulated Schedule due to an objection to the scheme being received from a local resident as part of the public consultation process that relates to an issue of design.

1. THE PROPOSAL

- 1.1 This application concerns 'Phase 2' of the Frenchay redevelopment. This detailed reserved matters application seeks consent for those matters that were reserved by reason of condition 2 of outline planning permission PT12/0002/O, specifically matters relating to appearance, landscaping, layout and scale.
- 1.2 Outline consent for the redevelopment of the Frenchay Hospital site was granted in 2014 with the hospital finally decommissioned in 2015. Since the closure demolition works have cleared the site of all buildings bar the water tower and the 1930s observation ward and Phase 1 has been approved and is currently under construction.
- 1.3 The hospital use of the site can be traced back to the 1920s when Frenchay Park House was acquired by the Corporation of Bristol for use as a sanatorium and orthopaedic hospital for tubercular children. The healthcare facilities were expanded through the 1930s prior to the evacuation during the Second World War when the site was used as an American Army hospital.
- 1.4 The Frenchay Hospital site covers an area of 29 hectares with the residential development being largely contained within the existing footprint of the hospital to ensure the remnants of the former parkland are preserved. The area of the housing site is approximately 12 hectares with a further 2 hectares safeguarded for a new health and social care facility to the north of the site.¹ To the eastern edge of the site on land that was formally one of the hospital's main car parks, a new one-form entry school is to be provided on a 1 hectare site.
- 1.5 Frenchay Park House (also known as Sisters' House) and its associated stable block are grade II listed. The remnant of its former parkland to the south and east of the site are also designated as an historic park and garden of local importance under policy H10 (SGLP) and these areas are also recognised within the adopted Frenchay Conservation Area SPD as open space to be protected under policy L5 (SGLP).
- 1.6 Phase 2 seeks detailed approval for 127no. dwellings that will form part of the "Suburban Character Area" (as defined within the DAS tied to the outline) which is located to the north-west of the site with a frontage onto Frenchay Park/ Bristol Road. The DAS has established a number of key design principles which should inform any RM application.
- 1.7 Since submission the proposed scheme has been revised to ensure compliance with the design, layout, form and materials that are required by the DAS. Therefore although some of Redrow's "Heritage Collection" will be utilised across the site, care has been taken to ensure the frontages of the scheme

reflect the 'instances' of the modern interpretation of a traditional suburban typology specified within the DAS.

2. **POLICY CONTEXT**

2.1 National Guidance

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

2.2 Development Plans

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

L1	Landscape Protection and Enhancement
L5	Open Areas within the Existing Urban Areas and Defined Settlements
L9	Species Protection
L10	Historic Parks and Gardens.
L11	Archaeology
L12	Conservation Areas
L13	Listed Buildings
L14	Demolition of Listed Buildings
EP2	Flood Risk and Development
EP6	Contaminated Land
T12	Transportation Development Control Policy for New Development
E1	Proposals for Employment Development and Mixed Use Schemes including Employment Development
LC1	Provision for Built Sports, Leisure and Community Facilities
LC2	Provision for Education Facilities
LC3	Proposals for Sports and Leisure Facilities within the Existing Urban Area and Defined Settlement Boundaries.
S2	Proposals for Health Provision.

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

CS1	High Quality Design
CS3	Renewable and Low Carbon Energy
CS5	Location of Development
CS6	Infrastructure and Developer Contributions
CS7	Strategic Transport Infrastructure
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Density
CS18	Affordable Housing
CS23	Community Infrastructure and Cultural Activity
CS25	Communities of the North Fringe of Bristol Urban Area

Proposed Submission: Policies, Sites & Places Plan June 2016

PSP1	Local Distinctiveness
PSP2	Landscape

PSP3	Trees and Woodland
PSP8A	Settlement Boundaries
PSP8B	Residential Amenity
PSP10	Development Related Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP19	Wider Diversity
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP21	Environmental Pollution and Impacts
PSP39	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

Frenchay Conservation Area SPD
 Design Checklist SPD
 Waste SPD
 Residential Parking Standards SPD
 Statement of Community Involvement

3. RELEVANT PLANNING HISTORY

- 3.1 PT13/0002/O: Redevelopment of hospital site to facilitate the construction of up to 490 residential units; a new health and social care centre and; a 1 form entry primary school, all with associated works. Outline application with access to be determined: all other matters reserved. Approved 5th December 2014.
- 3.2 PT15/5412/RM: Erection of 88no. dwellings with the provision of public open Space and ancillary supporting infrastructure. (Reserved Matters application to be read in conjunction with outline planning permission PT13/0002/O in regards to scale, appearance and layout). Approved 17th August 2017.

4. CONSULTATION RESPONSES

- 4.1 Winterbourne Parish Council
 No objection although it was noted that the houses proposed are very uninspiring and do not reflect Frenchay.
- 4.2 Other Consultees
- 4.2.1 External Consultations
- Highways England
 No objection
- Historic England
 No comment
- 4.2.1 Internal Consultations
- Archaeology
 No comments.

Affordable Housing

No objections but seen comments under this heading within the main analysis of the report.

Conservation

No objection subject to compliance with the prescribed design principles set out within the DAS.

Other Representations

4.3 Local Residents

1no. consultation response was received from a local resident which expressed the following summarised view:

The street scenes are a joke and these houses could be anywhere in the country and fail to reflect the styling cues considered to be present within Frenchay.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application seeks consent only for those matters that were reserved by reason of conditions 1 and 2 of outline planning permission PT13/0002/O,; specifically matters relating to siting, design and external appearance of buildings and the landscaping for the proposed development. It is appropriate to deal with the outstanding reserved matters under the main headings of layout and appearance (which will include building design) and transportation.

5.2 Density, Layout and Appearance

As noted within the introduction of this report, since submission the design of the scheme has been amended through a number of iterations to improve its compliance with the requirements of the DAS and improve the overall coherence and appearance of the development. This has resulted in the layout being simplified into a more robust street pattern. The density of the development is also considered to be acceptable and compliant with the density set out within the DAS which allows up to 40 dwellings per hectare.

5.3 The DAS as approved at outline stage identified Phase 2 (along with Phase 1) as being within the 'suburban character' area. Along with listing a number of design principles, indicative elevations contained within the DAS also provided a commentary on what would be expected or how the design principles would come together. The illustrative designs of the units included within the DAS can be considered to represent a modern interpretation of a traditional suburban dwelling which can be characterised by a strong sense of verticality both in the fenestration and the external treatment.

5.4 As with Phase 1, Redrow proposed to express this character area through the deployment of their 'Heritage Collection' house type, which draws heavily on a number of Arts and Crafts influences. However, it was considered that the frontage along Bristol Road and the southern side of the primary route through

the site should be characterised by 'contemporised' versions of a number of Redrow's standard housing types. For the primacy access road, the southern side of within Phase 2 will mirror the designs approved along the northern side of the primary route as approved within Phase 1. Although the principles of this approach were agreed from the outset, extensive discussions with the applicant have taken place to improve the design and appearance of a number of units to ensure the potential quality of development as approved at outline stage is secured. The units along the Frenchay Park Road in particular a case in point, where improvements to elevational treatments and reduction in the massing of the apartments that bookend the run of terraced townhouse were secured.

- 5.5 Overall and as with Phase 1, what has been secured is considered an acceptable compromise and the effect would be that the objectives of the DAS would be achieved from the main public realm.
- 5.6 Along with the design, as noted previously, the layout has also been rationalised to produce a more coherent layout and avoid any conflict with existing landscape features.
- 5.7 In response to the comments from a local resident in regard to the development not reflecting the character of the village, the outline application carefully considered this issue and there is a phase that is intended to reflect the character, scale and forms of the historic village which is located to the eastern side of the site, closest to the common and the village. Phases 1 and 2 were intended to reflect the more modern suburban area of Frenchay in a positive way. The quality of the designs have also been improved and whilst the comment has been taken into consideration the reserved matters submission does reflect the parameters of the outline approval in that the development of the former hospital site will come forward that will see a number of different character areas development.

Landscaping/ Public Open Space

- 5.8 Through a number of iterations the landscaping scheme has been improved with increases in tree planting secure, with the number of trees to private gardens in particular increased.

Residential Amenity

- 5.9 There are no concerns regarding the impact on the amenities of the existing neighbouring residential properties. With regard to the amenities of the prospective residents, it is considered that windows distances, levels of overlooking and inter-visibility along with garden sizes should ensure the residents of the development are afforded with an acceptable level of amenity. Issues regarding hours of construction are picked up by the Construction Environment Management Plan approved at outline staged.

Environmental Protection

- 5.10 Issues of contamination are not relevant for this application as this issue will be addressed by conditions tied to the outline consent (conditions 9 to 10 of the outline consent).

- 5.11 Following some initial concerns regarding compliance, a revised noise assessment report was submitted which is considered acceptable.

Affordable Housing

- 5.12 Following clarification of a number of issues, the overall quantum and specification of affordable housing is considered to be acceptable and compliant with the affordable housing schedule. The only outstanding issue is that for the wheelchair units, internal access could be improved through the removal of an internal partition and so a condition will be added to secure this amendment.

Transportation

- 5.13 Parking provision is considered to be acceptable and compliant with the parameters set out within the DAS and SPD. Following revisions to the layout to ensure refuse lorries can safely track around the development, the only outstanding matter is the design of the road and footpath to the front of parking area to adjacent to Plot 2106 and this will be addressed by condition. The design of the cycles stores also needs to be amended and this is to be addressed by condition to ensure they provide both safe and secure cycle parking facilities.

Drainage

- 5.14 As submitted a number of issues were raised in relation in regard mainly to the discharge of surface water sewers. Confirmation has however been received that Phase 2 will look to drain into Phase 2 with a flow rate agreed. The extent of adoption has also been agreed with Wessex Water adopting the concrete culverts and storage tanks under a S104 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 reserved matters detailed approval has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 That the Reserved Matters submitted in accordance with condition 2 and 3 associated with outline planning permission PT13/0002/O dated 5th December 2014 be APPROVED subject to the following conditions.

Contact Officer: Robert Nicholson
Tel. No.

CONDITIONS

1. The application has been approved on the basis of the list of the following submitted documents.

Design and Access Statement
Sustainability and Energy Statement
Environmental Noise Assessment
Management and Maintenance Scheme (Landscape)
Landscape and Ecological Management Plan
General Landscape Specification (Revision E)

Location Plan - Phase 2 (dwg no. LPP2.01 Rev.A)
Site Layout - Phase 2 (dwg no. SLP2.01 Rev.M)
Coloured Site Layout - Phase 2 (dwg no. CSLP2.01 Rev.F)
Materials Layout - Phase 2 (dwg no. MLP2.01 Rev.H)
Affordable Housing Layout (dwg no. AHLP2.01 Rev.F)
Storey Heights Layout - Phase 2 (dwg no. SHP2.01 Rev.F)
Bin Collection Strategy - Phase 2 (dwg no. BCSP2.01 Rev.F)
Adoption Layout - Phase 2 (dwg no. ALP2.01 Rev.H)
Parking Allocation Layout (dwg no. PALP2.01 Rev.G)
Movement Strategy Layout (dwg no. MSLP2.01 Rev.F)
Boundary Details - Phase 2 (dwg no. BDP2.01 Rev.A)
Detailed Public Open Space Landscape Proposals (drg no. R_0395_12 Rev.D)
Detailed On-Plot Soft Landscape Proposals Sheet 1 of 2 (drg no. R0395_11 Rev.D)
Detailed On-Plot Soft Landscape Proposals Sheet 2 of 2 (dwg no. R0395_11 Rev.D)

Street Elevations / Site Sections - Phase 2 Sheet 1 (dwg no. SEP2.01 Rev.D)
Street Elevations / Site Sections - Phase 2 Sheet 2 (dwg no. SEP2.02 Rev.A)

Housetype - Amberley Plans & Elevations (dwg no. HT.AMBY.pe Rev.B)
Housetype - Amberley RVT Plans & Elevations (dwg no. HT.AMBY-RVT.pe1 Rev.C)
Housetype - Amberley RVT2 Plans & Elevations (dwg no. HT.AMBY-RVT2.pe2 Rev.C)
Housetype - Amberley RVT3 Plans & Elevations (dwg no. HT.AMBY-RVT3.pe3 Rev.D)
Housetype - Cam Plans & Elevations (dwg no. HT.CAM.pe Rev.B)
Housetype - Grantham RVT Plans (dwg no. HT.GRAN-RVT.p Rev.C)
Housetype - Grantham RVT Elevations (dwg no. HT.GRAN-RVT.e Rev.C)
Housetype - Lancaster RVT V1 Plans Sheet 1 (dwg no. HT.LANC-RVT V1.p1 Rev.B)
Housetype - Lancaster RVT V1 Plans Sheet 2 (dwg no. HT.LANC-RVT V1.p2 Rev.B)
Housetype - Lancaster RVT V1 Elevations Sheet 1 (dwg no. HT.LANC-RVT V1.e1 Rev.B)
Housetype - Lancaster RVT V1 Elevations Sheet 2 (dwg no. HT.LANC-RVT V1.e2 Rev.C)
Housetype - Ludlow Plans (dwg no. HT.LUDL.p Rev.B)
Housetype - Ludlow Op 1 Elevations (Render) (dwg no. HT.LUDL.e1 Rev.C)
Housetype - Ludlow RVT Plans (dwg no. HT.LUDL-RVT.p Rev.D)
Housetype - Ludlow RVT Elevations (dwg no. HT.LUDL-RVT.e Rev.D)

Housetype - Marlow+ RVT Plans & Elevations	(dwg no. HT.MARW+.-RVT.pe Rev.A)
Housetype - Moreton RVT V1&V2 Plans	(dwg no. HT.MORE-RVT.p Rev.B)
Housetype - Moreton RVT V1&V2 Elevations	(dwg no. HT.MORE-RVT.e Rev.B)
Housetype - Severn Op2 Plans & Elevations	(dwg no. HT.SEVE.pe2 Rev.B)
Housetype - Severn Op3 Plans & Elevations	(dwg no. HT.SEVE.pe3 Rev.B)
Housetype - Severn Op4 Plans & Elevations	(dwg no. HT.SEVE.pe4 Rev.A)
Housetype - Severn 3 Op2 Plans & Elevations	(dwg no. HT.SEVE3.pe2 Rev.B)
Housetype - Severn 3 Op3 Plans & Elevations	(dwg no. HT.SEVE3.pe3 Rev.A)
Housetype - Sherbourne Plans & Elevations	(dwg no. HT.SHER.pe Rev.B)
Housetype - Shaftsbury Plans & Elevations	(dwg no. HT.SHAF-RVT.pe Rev.A)
Housetype - Warwick Plans & Elevations	(dwg no. HT.WARW.pe Rev.C)
Housetype - Warwick RVT Plans & Elevations	(dwg no. HT.WARW-RVT.pe Rev.B)
Housetype - Wye Plans & Elevations	(dwg no. HT.WYE.pe Rev.B)
Housetype - York RVT Plans Rev.B)	(dwg no. HT.YORK-RVT.p Rev.B)
Housetype - York RVT Elevations	(dwg no. HT.YORK-RVT.e Rev.B)
Single Garage - Brick & Render	(dwg no. GAR.01.pe Rev.C)
Twin Garage SO - Brick & Render	(dwg no. GAR.02.pe Rev.B)
Cycle Store	(dwg no. GAR.04 Rev.B)
Sub Station	(dwg no. GAR.05 Rev.A)
Single Garage (Contemporary)	(dwg no. GAR.06.pe Rev.B)
Twin Garage (Contemporary)	(dwg no. GAR.07.pe Rev.A)
Triple Garage (Contemporary)	(dwg no. GAR.08.pe Rev.A)
Plots 2001-2002 Plans	(dwg no. P2001-2002.p Rev.A)
Plots 2001-2002 Elevations Sheet 1	(dwg no. P2001-2002.e1 Rev.A)
Plots 2001-2002 Elevations Sheet 2	(dwg no. P2001-2002.e2 Rev.A)
Plots 2016-2023 Plans	(dwg no. P2016-2023.p Rev.A)
Plots 2016-2023 Elevations	(dwg no. P2016-2023.e Rev.A)
Plots 2030-2039 Plans	(dwg no. P2030-2039.p Rev.B)
Plots 2030-2039 Elevations	(dwg no. P2030-2039.e Rev.B)
Plots 2048-2057 Plans	(dwg no. P2048-2057.p Rev.A)
Plots 2048-2057 Elevations	(dwg no. P2048-2057.e Rev.A)
Plots 2062-2065 Plans	(dwg no. P2062-2065.p Rev.A)
Plots 2062-2065 Elevations	(dwg no. P2062-2065.e Rev.A)
Plots 2070-2073 Plans	(dwg no. P2070-2073.p Rev.A)
Plots 2070-2073 Elevations Sheet 1	(dwg no. P2070-2073.e1 Rev.A)
Plots 2070-2073 Elevations Sheet 2	(dwg no. P2070-2073.e2 Rev.A)
Plots 2084-2087 Plans	(dwg no. P2084-2087.p Rev.A)
Plots 2084-2087 Elevations Sheet 1	(dwg no. P2084-2087.e1 Rev.A)
Plots 2084-2087 Elevations Sheet 2	(dwg no. P2084-2087.e2 Rev.A)
Plots 2090-2091 Plans	(dwg no. P2090-2091.p Rev.A)
Plots 2090-2091 Elevations	(dwg no. P2090-2091.e Rev.B)
Plots 2107-2114 Plans	(dwg no. P2107-2114.p Rev.A)
Plots 2107-2114 Elevations	(dwg no. P2107-2114.e Rev.A)
Plots 2120-2125 Plans & Elevations	(dwg no. P2120-2125.pe Rev.A)
Housetype - Marlow+ RVT Plans & Elevations	(dwg no. HT.MARW+.-RVT.pe Rev.A)
Housetype - Moreton RVT V1&V2 Plans	(dwg no. HT.MORE-RVT.p Rev.B)
Housetype - Moreton RVT V1&V2 Elevations	(dwg no. HT.MORE-RVT.e Rev.B)

Housetype - Severn Op2 Plans & Elevations	(dwg no. HT.SEVE.pe2 Rev.B)
Housetype - Severn Op3 Plans & Elevations	(dwg no. HT.SEVE.pe3 Rev.B)
Housetype - Severn Op4 Plans & Elevations	(dwg no. HT.SEVE.pe4 Rev.A)
Housetype - Severn 3 Op2 Plans & Elevations	(dwg no. HT.SEVE3.pe2 Rev.B)
Housetype - Severn 3 Op3 Plans & Elevations	(dwg no. HT.SEVE3.pe3 Rev.A)
Housetype - Sherbourne Plans & Elevations	(dwg no. HT.SHER.pe Rev.B)
Housetype - Shaftsbury Plans & Elevations	(dwg no. HT.SHAF-RVT.pe Rev.A)
Housetype - Warwick Plans & Elevations	(dwg no. HT.WARW.pe Rev.C)
Housetype - Warwick RVT Plans & Elevations	(dwg no. HT.WARW-RVT.pe Rev.B)
Housetype - Wye Plans & Elevations	(dwg no. HT.WYE.pe Rev.B)
Housetype - York RVT Plans Rev.B)	(dwg no. HT.YORK-RVT.p Rev.B)
Housetype - York RVT Elevations	(dwg no. HT.YORK-RVT.e Rev.B)
Single Garage - Brick & Render	(dwg no. GAR.01.pe Rev.C)
Twin Garage SO - Brick & Render	(dwg no. GAR.02.pe Rev.B)
Cycle Store	(dwg no. GAR.04 Rev.B)
Sub Station	(dwg no. GAR.05 Rev.A)
Single Garage (Contemporary)	(dwg no. GAR.06.pe Rev.B)
Twin Garage (Contemporary)	(dwg no. GAR.07.pe Rev.A)
Triple Garage (Contemporary)	(dwg no. GAR.08.pe Rev.A)

The development shall proceed exactly in accordance with the above approved documents.

Reason:

To ensure that the development is carried out in accordance with the approved plans in order to comply with relevant policy requirements set out within the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013), the saved policies of the South Gloucestershire Local Plan (Adopted January 2006) and the policies of the emerging South Gloucestershire Local Plan: Policies, Sites and Places Plan (Submission Draft June 2016).

2. Prior to the commencement of relevant parts of the development, details and/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 be carried out in accordance with the approved details.

Reason

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

3. The off-street parking facilities (for all vehicles, including cycles) shown on the plan hereby approved to serve each residential unit shall be provided before the each respective 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.

4. Prior to the commencement of the relevant works, details confirming window colour and depth of reveal for the openings shall be submitted to the local planning authority for writing approval and then the development shall proceed exactly in accordance with the approved details. For the avoidance of doubt, for the "modern units" along the frontage, the windows should be grey in colour and the reveals should be no less than 100mm in depth.

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.

5. Prior to the commencement of the relevant works, a revised movement strategy site plan is to be submitted to show the footpath to the front of the car parking area adjacent to plot 2092 and to the front of plot 2118 to the opposite side of the carriageway built out to follow the radius of the road.

Reason

To ensure the satisfactory provision of pedestrian safety, in the interest of highway safety and the amenity of the area which will 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. Prior to the commencement of the development of the identified 2no. bedroom wheelchair units, a revised floor plan is to be submitted to show the removal of the partition between the hall and the lounge to improve accessibility.

Reasons:

In the interests of the amenity of the potential users of the units and to comply with Policy CS18 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013

7. Prior to the occupation of the first unit of the development hereby approved, a management and maintenance strategy is to be submitted for the local authority and approved in writing. The development shall then proceed actually in accordance with the approved management and maintenance strategy.

Reason.

To comply with Policies CS6 and CS23 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013)

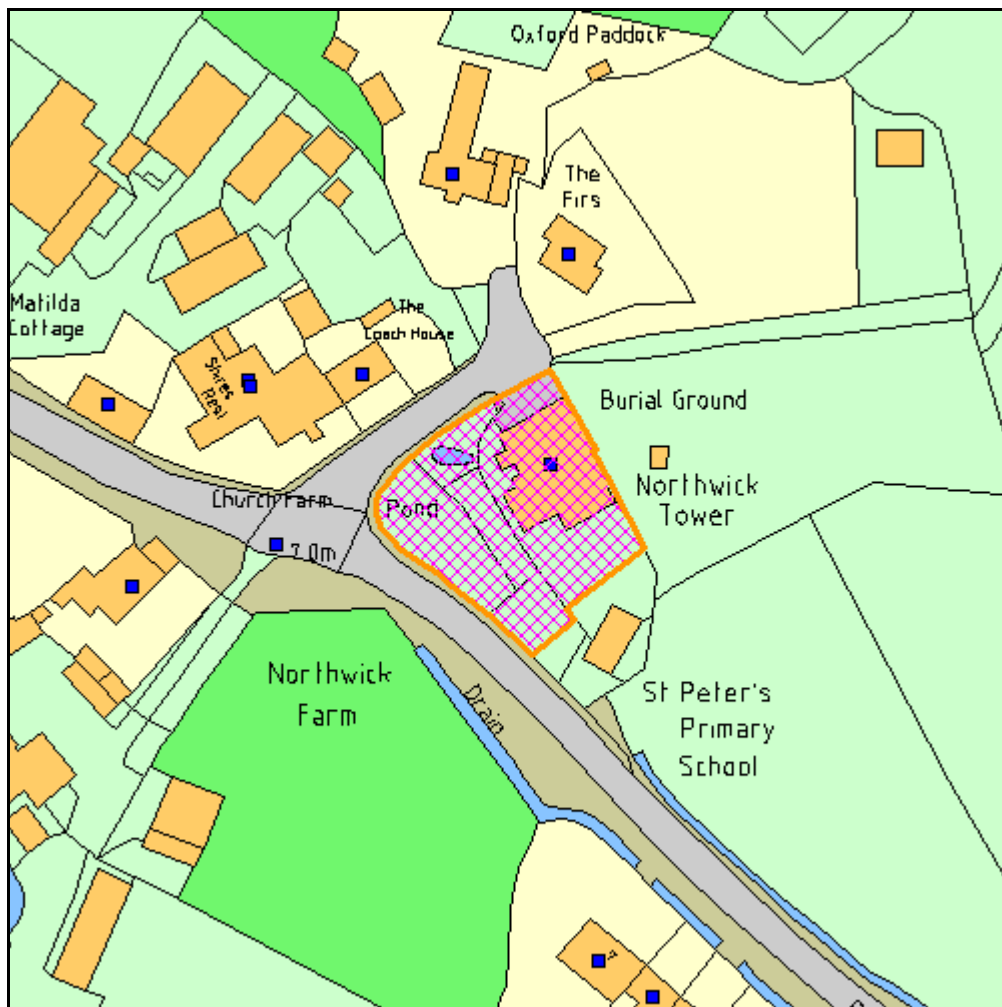
8. Prior to the construction of the relevant works, revised details for the proposed cycles stores are to be submitted to the Local Planning Authority for written approval which show the structures provided with enclosed sides in the interests of security.

Reason.

To ensure the satisfactory provision of cycle 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. 41/17 – 13 OCTOBER 2017

App No.:	PT17/2299/F	Applicant:	Mr Peter Brown
Site:	Sandfords School Northwick Road Pilning South Gloucestershire BS35 4HE	Date Reg:	23rd June 2017
Proposal:	Change of use of former school (Class D1) to residential dwelling (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) including alterations to fenestration.	Parish:	Pilning And Severn Beach Parish Council
Map Ref:	355953 186749	Ward:	Pilning And Severn Beach
Application Category:	Minor	Target Date:	10th August 2017



© South Gloucestershire Council 2007. all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008. N.T.S. PT17/2299/F

This application is referred to the Circulated Schedule as the Parish Council comments have been interpreted as an objection, and the recommendation is one of approval.

1. THE PROPOSAL

- 1.1 Planning permission is sought to change the use of a former primary school at Northwick (class D1) to a single dwelling (class C3). The primary school closed in 2006 following a new build primary school in Pilning, since then the building at Northwick has been vacant. It is currently boarded up. It is a Grade II listed building. It is within the settlement of Northwick, but this does not have a settlement boundary identified in the local plan.
- 1.2 The site is in the Green Belt. It is also within Flood Zone 3 – at highest risk of flooding.
- 1.3 During the course of the application revised plans were received in relation to the original comments of the Conservation officer. It was not considered that the changes necessitated a further round of consultation.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Policy Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS5 Locational Policy
CS8 Improving Accessibility
CS9 Managing the environment and heritage
CS23 Community Infrastructure and cultural activity
CS34 Rural areas

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

L1 Landscape
L9 Protected Species
L13 Listed Buildings
T12 Transportation
H10 Conversion of rural buildings

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

PSP7 Development in the Green Belt
PSP8 Residential Amenity
PSP16 Parking Standards
PSP19 Wider Biodiversity
PSP20 Flood Risk

PSP39 Residential Conversions
PSP43 Private Amenity space standards

- 2.3 Supplementary Planning Guidance
Development in the Green Belt SPD (2007)
Residential Parking Standards SPD (2013)

3. **RELEVANT PLANNING HISTORY**

- 3.1 There is incremental planning history relating to the former use as a school – which is not considered to have particular relevance to this proposal.
There is however a concurrent listed building application PT17/2686/LB.

4. **CONSULTATION RESPONSES**

- 4.1 Pilning and Severn Beach Parish Council
No objection in principle, but raise concerns about windows on the boundary overlooking public land. The Parish Council own the land adjacent which is a cemetery.
- 4.2 Other Consultees
Conservation Officer
Originally raised a number of detailed concerns and recommendations. As a result revised plans were submitted. The updated comments raise no objection to the revised plans subject to a number of conditions.

Ecology

No objection based on the survey submitted. Conditions are suggested to mitigate for potential impact on bats and other species.

Tree Officer

No objection subject to a condition for tree protection.

Landscape Officer

No objection subject to condition for planting scheme and maintenance.

Lead Local Flood Authority

No objection, but consideration should be given to the introduction of new family into flood zone 3. The Flood Risk Assessment has resilience measures included.

Highway Structures

General advice given

Highway Authority

No objection, largely based on the previous use as a school this proposal would result in a reduction of traffic movements.

Archaeology Officer

No objection

Other Representations

4.3 Local Residents

None received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Whilst some physical work is proposed the main issue here is whether the loss of the school (use class D1) and creation of a dwelling (class C3) is acceptable. The location within the Green Belt is also a consideration.

5.2

When the decision to close the primary school was taken around 2005/6 this was in the context of an appropriate new replacement primary school of a suitable size being constructed in Pilning. Since that date the building has remained empty. Policy CS23 of the Core Strategy generally seeks to protect “community” uses unless it can be demonstrated that the use has ceased and there is no longer a demand; or suitable alternative provision has been made. This is the case in relation to the provision of primary education. The building is a modest one, and located in a small settlement such that it is unlikely to lend itself to community purposes. It is more suited to a dwelling use as it is of a domestic scale – as indeed it probably originally was such before becoming a Victorian charity school. As such there is no objection in principle to the loss of the school use.

5.3

The proposal would furthermore contribute modestly to the overall housing supply in South Gloucestershire which weighs in its favour. Furthermore, changes of use of existing buildings are considered appropriate in the Green Belt. Paragraph 90 states the reuse of buildings is appropriate provided that the buildings are of permanent and substantial constructions. That is the case here. The proposals by way of the moderate physical alterations would not result in any significant impact upon openness.

5.4

Finally, weight is given to the proposal in that it would secure the long term future of a listed building into a suitable use. The site is currently vacant which if it were to continue makes historic buildings more vulnerable to decline and damage.

5.5 Design, Landscape and Heritage

The proposals do include a series of physical alterations and internal refurbishments. These are considered in more detail in the accompanying listed building consent application. In terms of the scope of this planning application, the external alterations are considered acceptable, and the original concerns of the conservation officer have been addressed through revisions to the plans. The detailed conditions he has recommended are included in the recommendation for the listed building consent. It is not considered that they need to be duplicated here.

The thoughts of the Parish Council are noted but there is no specific planning harm that is attributed to a window overlooking public land, including cemeteries – which is reasonably common. However, it is considered that the impact and massing on the adjacent cemetery has been considered as part of the overall impact and picked up in the revisions to the scheme as requested by the Conservation officer. The proposal is acceptable in design terms. Consideration has been given as to whether it is necessary to remove the permitted development rights afforded to dwellinghouses – both from a heritage and green belt perspective. However, it is not considered that this case is so exceptional as to warrant that. National advice states that such permitted development rights should only be restricted in exceptional circumstances – and they already are limited for listed buildings. Overall, the proposal is likely to benefit from the change of use in terms of overall appearance. It is considered appropriate to impose a condition to secure an appropriate hedgerow boundary planting scheme and tree protection measures.

5.6 Flood Risk

The building is located within an area at highest risk of flooding. As it relates to the change of use of an existing building this does not require the development to pass the Sequential test. Furthermore, as the building exists it will not exacerbate or increase flood risk elsewhere. Measures should be taken however to show that the development is safe for the lifetime of the proposal. The Local Lead Flood Authority are satisfied with the resilience measures set out in the Flood Risk Assessment submitted. These will be conditioned.

Residential Amenity

It is not considered the proposal will have a harmful impact upon nearby residents, and will result in a reduction of transportation movements when compared to the previous use. The resulting dwelling will have high quality living conditions with sufficient private amenity space.

Ecology

An ecological survey has been submitted as part of the proposal. This noted some very modest activity from Pipistrelle bats. Subject to conditions to mitigate for this, and other species no objection is raised.

Transportation

This will result in a reduction of transport movements, and is located within a small settlement. It is however recognised that the occupier is still likely to rely on the private car. Sufficient parking provision is available.

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 below.

Contact Officer: Griff Bunce
Tel. No. 01454 863438

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 development, a method statement for the protection of bats during construction shall be submitted to the local planning authority for approval in writing. This will form the basis of a licence application (derogation) under Regulation 53 of the Habitat Regulations 2010. The development shall be carried out in accordance with the method statement so agreed.

Reason

In the interests of safeguarding a protected species in accordance with 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. This information is required prior to the start of commencement as it relates to ensuring protection measures are in situ prior to construction starting.

3. Prior to occupation, the following shall be submitted to and agreed in writing with the Local Planning Authority.
 - a) A bat sensitive lighting scheme for the development
 - b) The location and type of three bird nest boxes, (as set out in the Ecological Appraisal (TG, July 2017)

The development should proceed in accordance with the details so agreed, and otherwise in accordance with the recommendations made in Section 5 of the Ecological Appraisal (TG, July 2017). This includes bat sensitive lighting, avoiding disturbance to nesting birds and bats, avoiding disturbance to reptiles and amphibians, installing bat tiles and bird boxes and restoring the pond.

Reason

In the interests of safeguarding biodiversity and protected species in accordance with policy L9 of the South Gloucestershire Local Plan (adopted) January 2006; and policy

CS9 of the South Gloucestershire Local Plan: Core Strategy (adopted) December 2013.

4. Prior to the commencement of development an arboricultural report in accordance with BS:5837:2012 shall be submitted to and agreed in writing by the Local Planning Authority. This shall include a Tree constraints plan, tree protection plan and an arboricultural method statement for all works within the root protection areas of the existing trees. The development shall thereafter proceed in accordance with the agreed details.

Reason

In the interests of the long term health of the trees to accord with policy L1 of the South Gloucestershire Local Plan (adopted) January 2006. The details are required prior to commencement to ensure that protection measures are in place prior to construction starting.

5. The development shall proceed in accordance with the flood resilience measures set out in the submitted Flood Risk Assessment (Hydrock received 12 May 2017).

Reason

In the interests of minimising risk from flooding to accord with policy CS9 of the South Gloucestershire Local plan; Core Strategy (Adopted) December 2013.

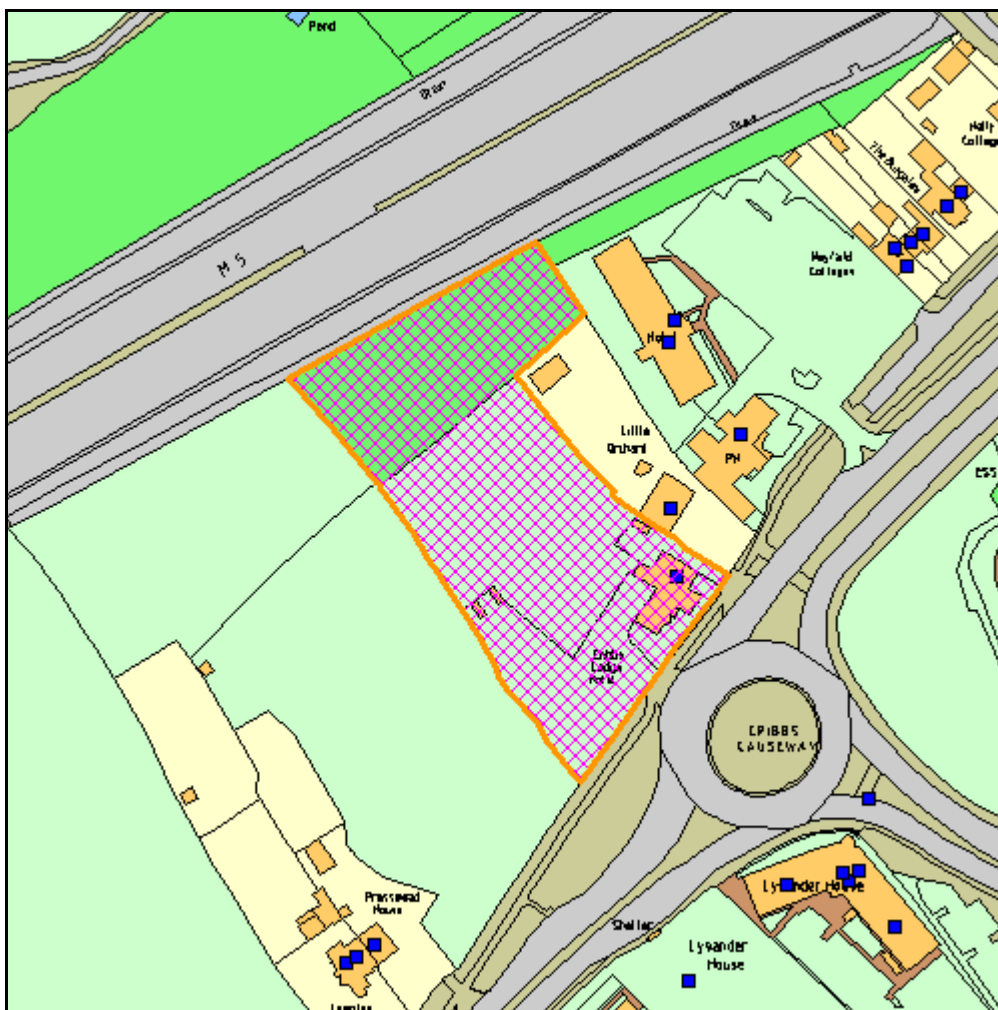
6. Prior to the first occupation of the dwelling a plan indicating the planting (and any other proposals) to be used along the boundary treatment(s) shall be submitted to and agreed in writing by the Local Planning Authority. The details submitted should include proposals for a hedgerow boundary treatment, times of planting and details of its maintenance for the first 5 years. Development shall be carried out in accordance with the approved 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.

CIRCULATED SCHEDULE NO. 41/17 – 13 OCTOBER 2017

App No.:	PT17/2332/F	Applicant:	Coplan Estates (Bristol) Ltd
Site:	Cribbs Lodge Hotel Cribbs Causeway Almondsbury Bristol South Gloucestershire BS10 7TL	Date Reg:	7th June 2017
Proposal:	Demolition of existing hotel buildings and erection of 123 bedroom motel and standalone diner with access, parking, landscaping and associated works	Parish:	Almondsbury Parish Council
Map Ref:	357407 180904	Ward:	Patchway
Application Category:	Major	Target Date:	14th August 2017



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008. N.T.S. PT17/2332/F

Reason for Referring to the Circulated Schedule

This application has been referred to the Circulated Schedule following the receipt of an objection from a neighbouring occupier; the concerns raised being contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The application site comprises the former Cribbs Lodge Hotel and grounds, which is located in Patchway and is bounded by the M5 to the North and the A4018 Cribbs Causeway to the South. Access to the site is directly off Cribbs Causeway. Much of the site is flat and open with clusters of trees along the boundaries and a wall to the front. The existing building is neither Listed nor Locally Listed but having its origins in the C18th is considered to be a non-designated heritage asset.
- 1.2 The site lies in an area of mixed development. To the North of the site is a residential property, "Little Orchard" immediately to the North of which is a 'Harvester' restaurant; between the 'Harvester' and the M5 is a Travelodge. To the South on the opposite side of Cribbs Causeway is a distribution centre, an office building, a restaurant and a Premier Inn Hotel.
- 1.3 The application site is bounded on its Western edge by the Cribbs Urban Village plot, which forms part of the Cribbs Patchway New Neighbourhood which includes a range of new facilities including housing, a school and community facilities, public realm and woodland planting. An Outline application for a mixed use development, including up to 1,000 new houses, as well as an associated scheme for landscaping and ecological improvements along the northern M5 boundary, are currently still pending.
- 1.4 It is proposed to demolish the existing Cribbs Lodge Hotel building and erect two replacement buildings, comprising a restaurant at the site frontage, with a 123 bed motel behind, together with new access, parking and landscaping. The proposed restaurant is to have an ancillary drive- thru and takeaway function.
- 1.5 The proposed end user of the proposed buildings would be 'Mollies', a new brand concept which aims to redefine the roadside rest and refreshment sector, through two interrelated uses, which place customer experience and design quality at their forefront.
- 1.6 The development of the site has been the subject of pre-application discussions with the Council. The application is supported by the following documents:
 - Design and Access Statement
 - Planning Statement
 - Daylight/Sunlight Assessment
 - Noise Assessment
 - Energy and Sustainability Assessment
 - Transport Statement/Travel Plan/Delivery Servicing and Management Plan
 - Retail Statement

- Ventilation and Odour Report
- Ecology Assessment
- Flood Risk Assessment
- Landscape Strategy
- Tree Survey/Tree Constraints Plan/Tree Protection Plan/Impact Assessment
- External Lighting Assessment and Layout
- Odour Assessment
- Extended Phase 1 Habitat Survey & Preliminary Building Assessment
- Sustainability Appraisal
- Bat Survey
- Stage 1 Road Safety Audit

2. **POLICY CONTEXT**

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Practice Guidance 2014

Regional Guidance

West of England Joint Waste Core Strategy – Policy 1

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS4a Presumption in Favour of Sustainable Development
CS5 Location of Development
CS6 Infrastructure and Developer Contributions
CS7 Strategic Transport Infrastructure
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS14 Town Centres and Retail
CS24 Green Infrastructure, Sport and Recreation Standards
CS25 Communities of the North Fringe of Bristol Urban Area
CS26 Cribbs Patchway New Neighbourhood (CPNN)

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

L1 Landscape Protection and Enhancement
L4 Forest of Avon
L5 Open Areas within the Existing Urban Areas and Defined Settlements
L9 Species Protection
L11 Archaeology
EP2 Flood Risk and Development
EP4 Noise Sensitive Development
T7 Cycle Parking
T8 Parking Standards
T12 Transportation Development Control Policy for New Development
E3 Criteria for Assessing Proposals for Employment Development within the Urban Area

The Minerals and Waste Local Plan 2002
Policy 37

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP5	Undesignated Open Spaces within Urban Areas and Settlements
PSP6	Onsite Renewable & Low Carbon Energy
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP31	Town Centre Uses
PSP35	Food and Drink Uses (including drive through takeaway facilities).

2.3 Supplementary Planning Guidance

Cribbs/Patchway New Neighbourhood Development Framework (SPD) March 2014

Trees on Development Sites SPG (Adopted) Nov. 2005

South Gloucestershire Council Residential Parking Standards (SPD) Adopted Dec. 2013

Waste Collection: guidance for new developments (SPD) Adopted Jan. 2015

Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide.

The South Gloucestershire Landscape Character Assessment Adopted Nov. 2014 – LCA 18 Severn Ridges

3. RELEVANT PLANNING HISTORY

3.1 PT03/3840/F - Change of Use of first floor from residential use to hotel accommodation Class (C1). Change of use of ground floor from Class (C1) hotel to Class (A3) food and drink.
Approved 16 Feb. 2004

3.2 P88/1260 - Erection of two-storey extension to existing hotel to provide an additional twenty bedrooms (outline).
Refused 20 April 1988

4. CONSULTATION RESPONSES

4.1 Almondsbury Parish Council
No response

4.2 Other Consultees

Landscape Officer

If consent is felt to be acceptable then, prior to determination, a landscape scheme should be submitted that enhances the setting of the development and contributes to the amenity of the wider landscape and public realm. The scheme should follow relevant SGC planning policy in relation to landscape, the strategic landscape recommendations of the South Gloucestershire Landscape Character Assessment, the above comments and accommodate SUDS.

Highway Structures

No objection subject to standard informative.

Wessex Water

No objection.

Wales and West Utilities

Gas pipes should not be built over or apparatus enclosed.

Lead Local Flood Authority

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

Health and Safety Executive (HSE)

No objection

Avon Fire and Rescue

No response

Police Community Safety Officer

No objection

Economic Development Officer

Support the application.

Public Art Officer

No objection subject to a condition to secure a public art programme.

Environmental Policy Officer

No objection

Environmental Protection Officer (EHO)

No objection subject to a condition to secure details of the odour abatement system.

Environmental Protection (Air Quality)

No objection.

The Environment Agency

No response

Urban Design Officer

No response

Historic Environment (Archaeology) Officer

A standard HC11 condition should be imposed to secure a programme of archaeological work..

Ecology Officer

No objection subject to conditions relating to hedgerow removal, lighting design, method statement relating to protected species and protection of bats.

Tree Officer

No response

Transportation Officer

No objection subject to conditions to secure a Construction Environmental Management Plan (CEMP), access, parking and servicing arrangements, cycle parking and a Travel Plan.

Listed Building and Conservation Officer

If approved, a condition is required to secure an Historic Building Record.

Other Representations

4.3 Local Residents

1no. letter of objection was received from the occupant of neighbouring Little Orchard, who raised the following concerns:

- Increased noise disturbance – Motel open 24 hours.
- Already a licensed restaurant and Motel to one side.
- Security risk to house and garden from proposed car park.
- Loss of privacy from car park.
- Loss of value of home.

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.

5.2 The South Gloucestershire Local Plan: Core Strategy was adopted by the council on 11th December 2013. By virtue of Section 38(6) of the Planning and Compulsory Purchase Act, the starting point for determining any planning decision will now be the Core Strategy, as it forms part of the adopted Development Plan and is generally compliant with the National Planning Policy Framework 2012 (NPPF). The “saved” policies of the South Gloucestershire Local Plan (adopted 2006) also form part of the extant Development Plan.

5.3 The Policies, Sites & Places Plan is an emerging plan which is now at an advanced stage and nearing adoption. This plan is a material consideration and considerable weight can now be given to 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 Policy E3 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 permits employment uses within the existing urban areas subject to criteria that are discussed below. 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.
- 5.7 The site lies within the Urban Area and within an area that has been removed from the Green Belt and is now earmarked for significant redevelopment, to provide a new residential community and a mix of associated commercial uses and services. As such the site is located within the Cribbs/Patchway New Neighbourhood (CPNN) which is covered by Policy CS26 of the South Gloucestershire Local Plan Core Strategy. This policy is supported by the adopted Cribbs/Patchway New Neighbourhood Development Framework (SPD) March 2014.
- 5.8 The site lies just within Area 2 (Haw Wood) as shown on the CPNN Framework Diagram, but close to the western edge of Area 4. Area 2 (Haw Wood) is earmarked for the provision of housing on 85ha of land with the associated community/social infrastructure including a local centre. Adjoining areas 1 and 4 are allocated for more mixed use development, however the uses listed for the 4 areas are not exhaustive and it is accepted that in policy terms there is some flexibility regarding the development of these areas where development would meet other policies of the Local Plan and the provision of necessary utilities. Nevertheless, the development of the Cribbs Lodge Hotel site should complement the development of the Haw Wood site and the wider development across the CPNN generally.
- 5.9 The proposed development would improve the areas service status and also serve the new neighbourhood. The overarching policy for the area encourages a range of uses, including hotel and leisure and the CPNN SPD encourages restaurant uses in the Haw Wood Area. Hotel and food and drink uses have previously been approved on this site. There is therefore no in-principle objection to the proposed development.
- 5.10 Retail Impact and Sequential Test
The site is 'out of centre' where policy CS14 of the South Gloucestershire Local Plan, Core Strategy is relevant. The Policy is consistent with the scope of the National Planning Policy Framework. In broad terms, planning policy seeks to protect and enhance the vitality and viability of existing centres (including new emerging centres associated with residential areas permitted under Policy CS26 (CPNN)) in recognition of their retail, service and social functions. In

effect, the scope of policy is to direct 'town centre uses' of an appropriate scale to town centres, district centres and local centres and parades. Accordingly, any development of the Cribbs Hotel Site can only be acceptable where it can be demonstrated that the 'sequential test' is passed and that the impact of such development (through appropriate impact assessment) would not have an unacceptable impact upon the viability and vitality of existing/emerging centres.

- 5.11 To this end, the applicant has submitted a Commercial Leisure Assessment and Sequential Assessment. The report acknowledges that the proposed motel and diner are 'main town centre uses' as defined by Annex 2 of the NPPF.
- 5.12 The report is considered to provide a comprehensive assessment of the development proposals against relevant town centre policies contained within both the local and national planning policy frameworks. As an 'out-of-centre' commercial leisure development, specific consideration has been given to the 'impact' and 'sequential' tests of the NPPF and South Gloucestershire Core Strategy.
- 5.13 As regards the 'sequential test' officers concur with the report's conclusion that the sequential assessment has demonstrated that there are no sequentially preferable development sites within or on the edge of Bradley Stoke, Filton and Westbury-on-Trym Town Centres or Patchway, Crow Lane (Henbury) and Arneside Road (Southmead) District Centres which could realistically accommodate the scale and form of the leisure development proposed. Accordingly, it is considered that there are no more suitable and available more centrally located sites for the scale and form of the proposal and compliance has therefore been demonstrated with the sequential approach to site selection as set out in Paragraph 24 of the NPPF and Policy CS14 'Town Centres and Retail' of the South Gloucestershire Core Strategy (2013).
- 5.14 Moving to the impact assessment, Paragraph 26 of the NPPF and Core Strategy Policy CS14 set out the impact considerations which 'main town centre uses' (not in a centre and not in accordance with an up-to-date local plan) should be assessed against. As the application site occupies an 'out-of-centre' location it is necessary to assess the proposal against these criteria.
- 5.15 Paragraph 27 of the NPPF states that where an application is likely to give rise to a 'significant adverse impact' it should be refused. The implication being that an impact which is merely 'adverse' is not a direct reason for refusal and is capable of being weighed against positive social, economic, and environmental impacts in the overall planning balance. Indeed, Paragraph 14 of the NPPF confirms a presumption in favour of sustainable development and is clear that planning permission for development should be granted unless: "any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when considered against the policies in this document as a whole".
- 5.16 Through the impact assessment required by local and national policies, it is necessary to demonstrate that there would be no 'significant adverse' impact in two main regards. The first is on existing, committed and planned public and private investment in a centre, whilst the second is on town centre vitality and

viability including local consumer choice and trade in the town centre and wider area.

- 5.17 Officers consider that the report has demonstrated that the anticipated trade diversion of the proposed motel and diner would not result in a 'significant adverse' impact on any surrounding centre and as such their vitality and viability would remain unaffected. This is principally because any impacts that do arise would fall largely upon existing comparable budget hotels and family restaurants within and immediately surrounding Cribbs Causeway. By virtue of their out-of-centre location, it is important to emphasise that these leisure facilities do not benefit from any form of town centre policy protection and as such any impact upon them can be viewed as largely beneficial to consumers in terms of increasing choice and competition in Cribbs Causeway's overnight-accommodation and 'eating-out' sectors.
- 5.18 The impact analysis has also drawn upon Local Authority evidence which shows that the health of surrounding centres is not underpinned by either their overnight accommodation or restaurant offers. Accordingly, in the unlikely event that the proposed development did result in modest impacts upon these individual uses it could not be said that this would have a 'significant adverse' impact upon the centre as a whole. Further, Bradley Stoke, Filton and Patchway are evidently successfully fulfilling their respective roles within the local retail hierarchy in meeting the day-to-day needs of the local resident population. This will no doubt continue irrespective of the application proposals. No conflict is therefore anticipated with the impact on vitality and viability element of Paragraph 26 of the NPPF or Policy CS14 of the South Gloucestershire Core Strategy (2013).
- 5.19 Finally, in terms of the impact of the commercial leisure development on 'existing, committed and planned in-centre investment' - having regard in particular to the six closest defined town and district centres to the application site – the report has not been able to identify any such schemes which might be adversely affected by the proposed motel and diner development. Accordingly, no conflict with this element of Paragraph 26 of the NPPF is anticipated or indeed the relevant part of Policy CS14 of the South Gloucestershire Core Strategy (2013).
- 5.20 Officers are satisfied that the assessment is a robust one that has adequately demonstrated that the diner and motel proposed on the site of the former Cribbs Lodge Hotel are compliant with the relevant town centre policies contained within both the local and national planning policy frameworks. Given this evidence, it is not considered that planning permission for the proposed development should be withheld on town centre policy grounds.

Scale and Design

- 5.21 The existing hotel is one of four large buildings forming an informal group on Cribbs Causeway, sitting behind a natural stone boundary wall. The location exhibits no special local architectural distinctiveness that needs to be adhered to, although the existing Hotel building does have some historical elements (see heritage section below). Most of the buildings are modern, being of varying uses, scales and designs. In the vicinity of the site, there are a range of

building heights, including the 4/5 storey premier inn to the southwest, 3-storey offices to the south and the 3-storey restaurant to the east. As such, the proposed 3-storey motel building is not out of character with the area, which also features a range of building styles and materials.

- 5.22 The proposed Diner would be located to the front of the site and would be in the style of an American Diner, being single-storey but with a higher mono-pitch roof and timber cladding to the exterior to provide a rural character.
- 5.23 The motel element would be located towards the centre of the site, away from the roads to the rear and front and in the form of an 'H' block. As with the Diner; the motel would take some cues from agricultural buildings, utilising dark timber cladding, with pitched roofs to the two wings. It would be located between existing dense, mature vegetation which runs down both the eastern and western site boundaries, reducing views of the building from the neighbouring properties. The lower linking element would provide the motel entrance and reception area. The link building would be single-storey in height, with the two wings rising to 3-storeys with pitched roofs, accommodating 123 bedrooms.
- 5.24 The access road would run down the eastern side of the motel, to the parking area to the rear. The motel entrance would be located at the eastern side, with a car drop off point and landscaped forecourt area.
- 5.25 In terms of building heights, the existing hotel rises to 3-storeys in part, plus roof. The proposed motel would rise to 3-storeys, plus roof and whilst having a wider footprint than the current hotel, would be set back away from the road and partially obscured by the Diner, so would not have a dominant impact within the street scene. The Diner itself would be single-storey, but the roof element means it would appear as a two-storey building. In terms of width, height and location, the new Diner would not present a dissimilar frontage to the current situation.
- 5.26 The 'H' block form of the motel element includes a lower central link building, providing entrance and reception, with two x 2-storey wings to either side, accommodating a total of 123 rooms. This layout reduces the impact of the building, retaining openness and views through the site from east to west, with two main wings surrounding an open courtyard garden area, rather than providing a single bulk of development.
- 5.27 Officers consider that the proposed layout would successfully retain a satisfactory degree of openness and natural character. The surrounding tree buffer is to be retained where possible and strengthened to reduce potential visual and noise impacts. Officers are satisfied that the proposed scale and design of the proposed development would be well integrated within the current street scene and design vernacular.

Heritage and Archaeological Issues

- 5.28 At officer request a full Built Heritage Assessment has been submitted for consideration. The existing building is neither listed nor locally listed, but it does have its origins in the C18th. Whilst the building has been extensively altered and extended in the C20th it does still exhibit some historic features and as

such, is considered to be a non-designated heritage asset. However, the composition as seen today is roughly 50% original building and 50% modern addition. The building has a degree of prominence due to its positioning next to the roundabout on Cribbs Causeway and it contributes to the character of the locality, but the architectural and heritage significance of the building has been eroded by the later additions and alterations and as such would have to be considered as low.

- 5.29 The development would therefore result in the total loss of a non-designated heritage asset of low significance. Under para 135 of the NPPF, a balanced judgement is required having regard to the scale of loss and the low significance of the heritage asset. In this case it is considered that the loss of the heritage asset could not be reasonably resisted, given the nature of the proposed development and low significance of the heritage asset. Subject therefore to a condition to secure a Historic Building Record, there are no objections on heritage grounds.
- 5.30 The site is situated between two putative Roman Roads and within a wider area of archaeological potential. The application is supported by a Desk Based Assessment which concluded that there is no requirement for additional penetrative work at this stage. Subject to a condition to secure a programme of archaeological work, the Council's Archaeologist raises no objection to the proposed development.

Landscape Issues

- 5.31 The South Gloucestershire Landscape Character Assessment LCA18 seeks a landscape strategy for The Severn Ridges landscape, within which the site lies, to include:
- The active management of the hedgerow framework.
 - Enhancement of traditional orchards.
 - Reinforcement of public facing boundary treatments.
- 5.32 Landscaping details have been provided as part of the D&A Addendum. A tree Survey has been undertaken for the whole site. The report identified that there are no trees of merit within the site, however trees and hedgerows to the West and North boundaries provide important screening. The trees along the western boundary are covered by a blanket TPO which covers the neighbouring site. The accompanying Tree Constraints Plan identifies that all the trees on the site are either Grade B or Grade C. The Design and Access Statement details the landscaping strategy for the site, including species to be incorporated into the overall scheme. The majority of the dense screen buffer to the rear of the site would be retained and strengthened, blocking views and reducing noise from the motorway, whilst providing a green and natural setting for the development.
- 5.33 Planting along the site frontage would soften the appearance of the new building and provide an attractive setting, whilst retaining the openness of the frontage and views into the site. Boundary planting along the eastern boundary with Little Orchard would be strengthened and the boundary

fence retained. On the western side, towards the front of the site, the diner car park has been reconfigured to minimise its size, pulling it away from the western boundary. This allows for the significant strengthening of this boundary in this area, in line with the TPO designation that runs along the boundary.

- 5.34 Whilst some vegetation would need to be removed to accommodate the service bay for the motel, there would be an overall increase in planting, with compensatory planting introduced to improve existing landscaped areas. Further planting would be introduced around buildings and within the parking areas. High quality paving and shared surfaces would be laid out across the site, as detailed in the Design and Access Statement.
- 5.35 Concerns were raised by the Council's Landscape Architect about the loss of the boundary wall to the front of the site, but the wall is a more recent rubble feature constructed in the late 20th century. Removal of the wall allows for enhanced landscaping at the site frontage, providing a green setting for the proposed development.
- 5.36 Officers raise no objection to the landscape principles but consider that given the amount of information now submitted a condition to secure a full and detailed landscape scheme is no longer justified in this instance.

Transportation Issues

- 5.37 The transportation issues relating to this application have been the subject of considerable negotiation both at pre-application stage and during the life of the current application. Revised plans have been submitted and the application is now supported by a Transport Assessment, Travel Plan and a Road Safety Audit.

Access.

- 5.38 Access is proposed to be in-only directly off the roundabout at the location of the access to the existing hotel. Exit from the site is proposed just to the north of the roundabout at a point where all vehicles must turn left towards junction 17. Through the Pre-Application process officers agreed with the Applicant's Agent the general access arrangement which has subsequently been subjected to a Road Safety Audit. The Auditor identified two minor issues.
1. The signing and lining at and on the approaches to the access should be reviewed at the detailed design stage.
 2. The shared use footway / cycleway across the site frontage should be realigned to the back edge of the grass verge to provide more time for pedestrians and cyclists to judge the speed of approaching vehicles. This has subsequently been addressed by the Applicant and a revised drawing 2016/3234/001 Rev E has been submitted.

Access for pedestrians and cyclists would be via separate footway/cycleways adjacent to the vehicle accesses.

Impact of traffic generated by the Development.

- 5.39 Vehicle trip rates for the combined Hotel and Restaurant have been predicted by using the TRICS national database and verifying the results with surveys of a local hotel and restaurant (The Premier Inn and Redwood Farm restaurant on Cribbs Causeway opposite the Development). The number of vehicle trips generated by the Development amounts to a maximum of about 2.3% on any one arm on top of the 2017 baseline flows and as such the impact on the operation of the junction and the surrounding network in general is insignificant and does not require any capacity or safety improvements.

Accessibility.

- 5.40 Although the site is currently some distance from major residential areas, this will change when the committed developments at Haw Wood, Fishpool Hill and Catbrain Hill are built out. A shared cycle/ footpath runs across the site frontage and connects to Henbury some 1.5km to the south, the Cribbs Causeway retail and leisure areas 1km to the east and Charlton Hayes some 2km to the east.
- 5.41 There are a number of bus services which pass the site providing a frequency of at least 10 minutes during the day to destinations including Bristol City Centre, Henbury, Southmead, Westbury and Cribbs Causeway. The northbound bus stop is around 100m from the site access. There is no shelter here as this stop is mainly used for setting down. The southbound stop is on the opposite side of Cribbs Causeway and does have a shelter and real time passenger information. This stop is accessed either via the uncontrolled crossing points on Cribbs Causeway north of the roundabout and across Lysander Road or via the controlled crossing on Cribbs Causeway to the south adjacent to The Laurels. The uncontrolled crossing would be difficult to use during peak times because of the volume of traffic. The longer access route via The Laurels crossing results in a walking distance of around 600m. Having regard to the frequency of service this is not considered to be excessive when compared to the recommended appropriate distances of 400m for general bus services and 800m for Metrobus services set out in the emerging PSP policy 11.

Travel Plan (TP)

- 5.42 The Travel Plan has been updated to address earlier concerns. It now represents a more positive and pro-active approach and its implementation should be secured with a suitable condition.

Internal Layout.

- 5.43 The servicing and delivery areas have been revised and retested with swept path track plots to address officer concerns over conflict with pedestrians, and the layout now submitted provides safe servicing areas on both sides of the restaurant. A Delivery Service Management Plan has been submitted. This should be secured with a suitable condition.

Parking

- 5.44 The maximum Council policy parking standard is for 163 car spaces. The proposal is to provide 132 spaces based on dual use and parking surveys at comparable sites. Upon checking the maximum parking accumulation at similar

hotel / restaurant sites on the TRICS national database, 132 spaces will be sufficient to meet the predicted demand for parking; 8 of these spaces would be designated for disabled use and 7 would be made available for electronic vehicle charging; 4 of these would be fitted up for use from occupation of the site with the remaining 3 brought into use if required. These proposed parking arrangements accord with Council parking policies.

- 5.45 There is no provision for coach parking and the further information states that bookings for coach parties would not be accepted however arrangements would be made on site for visitors to be dropped off should a coach arrive without prior arrangement. Longer coach parking is available at The Mall should this be required. This arrangement has been incorporated into the Delivery Service Management Plan.
- 5.46 The 18 cycle parking spaces comply with the Council's standard. They are shown as covered on the revised layout plan. A suitable condition would ensure an appropriate design for the stands and cover.

Summary.

- 5.47 The development proposal would be provided with a safe and suitable access for all modes of travel and the traffic generated would be safely accommodated on the highway network. The site is in a location accessible by walking, cycling and public transport. Subject to the aforementioned conditions, there are no transportation objections.

Ecology

- 5.48 An Extended Phase 1 Habitat Survey and Bat Survey Report have been submitted in support of the proposed application by WYG (April and June 2017 respectively). The building is being used by low numbers of common pipistrelle bats during the summer. Both the survey and mitigation/compensation measures are acceptable and would result in the favourable conservation status of common pipistrelle and the roosting opportunities being maintained. Other ecological features include great crested newt, reptiles and birds, all of which would be protected during construction by detailed method statements using current best practice.
- 5.49 Subject to conditions relating to hedgerow removal, lighting design, method statement for Great Crested Newts and other protected species and protection of bats; there is no ecological objection to this application.

Environmental Issues

Flood Risk

- 5.50 The site lies in Flood Zone 1 and as the site area exceeds 1ha, a Flood Risk Assessment has been submitted. The proposed use of the site would be deemed a 'more vulnerable' use in accordance with table 2 of the flood Risk and coastal change section of the NPPG. It however confirms that the development is appropriate for flood zone 1. The Council's Drainage Engineer raises no objection, subject to a condition to secure a SUDS drainage scheme.

Noise

5.51 A noise report has been produced by WYG dated April 2017 as part of this application. The report has considered the impact of noise from the existing noise sources on the proposed development, and also the potential impact of noise from the Diner and Motel on existing receptors, including the residential property i.e. 'Little Orchard' adjacent to the site. The conclusions of the report suggest that noise from the proposed use will not exceed background and will therefore have no adverse impact on existing receptors.

5.52 It does however make the following statement:

“Assessments of operational noise have shown that noise from deliveries and noise associated with the drive-through Diner are not expected to significantly exceed background noise levels at existing properties, or increase existing ambient noise levels during the daytime and night-time periods. It is understood that proposed properties to the south-west of the development site will need to benefit from a scheme of noise mitigation to ensure that noise from night-time and early morning deliveries will not have a significant adverse impact.”

5.53 Late night and early morning deliveries will occur to the west of the Diner, within the car park area, and a secondary service bay has been identified in this area to facilitate this. Motel guests will generally be parked towards the northern end of the site, but there will be sufficient room to exit the diner car park on the rare occasion that hotel guests using this southern car park need to exit in the early hours of the morning whilst servicing is occurring.

5.54 Whilst there is an outline proposal for largescale residential development on land to the west of the application site, currently being considered by the Council, this is only in outline and is yet to be determined, despite it being submitted a few years ago. Given that this current application PT17/2332/F is at a more advanced stage than the residential scheme, it is justified that the neighbouring scheme needs to consider the potential impact of this application, and mitigate appropriately, if it reaches reserved matters stage.

Odour

5.55 An odour report has been submitted by WYG dated April 2017 as part of this application. The report has considered the impact of cooking odours from the proposed Diner on existing receptors. WYG have risk assessed the likelihood of odour impact on existing receptors as being High and therefore in line with the DEFRA guidance “Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems, January 2005”, a High level of odour abatement needs to be installed. This can however be secured by condition prior to the first occupation of the development.

Lighting

5.56 An External Lighting Impact Assessment has been submitted by an appropriately qualified consultancy. The report concludes:

“The illuminance spill from the external lighting is mostly kept within the site boundaries ensuring that it has a negligible impact on the motorway and local amenities by careful selection and positioning of luminaires. The level of

upwards directed light would be minimal only arising from reflectance's therefore maintaining the dark sky and improving the quality of the sky view. The design of the external lighting and the selection of the luminaires will be finalised during the technical design - RIBA Stage 4 ensuring compliance with this report is achieved."

Air Quality

- 5.57 The proposed development is located approximately 0.5km from the Cribbs Causeway Air Quality Management Area (AQMA), although the nitrogen dioxide concentrations are currently below the annual mean objective within this AQMA. With this taken into consideration, the scale and size of the proposed development would be unlikely to give rise to an exceedance within the AQMA on the basis of the information given in respect of vehicle movements in the Transport Assessment. Air quality monitoring (for nitrogen dioxide) in the vicinity would also indicate that exceedances of the objectives for this pollutant would be unlikely at nearby receptors.
- 5.58 For the operational phase, a comprehensive travel plan has been submitted, which includes the provision of seven electric vehicle charging points (EVCPs), with the proposal for 4 'active' spaces ready for use immediately and 3 'passive' spaces where infrastructure would be in place for future provision. It is stated that the demand for EVPC's would then be assessed through an appropriate Travel Plan/Parking Management Strategy to be secured by way of a condition.
- 5.59 For the construction phase, a site specific mitigation scheme to minimise the risk of dust emissions during the demolition and construction phases should be identified in line with recognised guidance produced by the Institute of Air Quality Management (IAQM); "Guidance on the Assessment of dust from demolition and construction" (Feb 2014). The mitigation scheme should be incorporated into a Dust Management Plan (DMP) and/or a Construction Environmental Management Plan (CEMP). This would be secured by the condition requested by the Transportation Officer.

Impact on Residential Amenity

- 5.60 At present only one residential property is likely to be affected by the proposal, this being 'Little Orchard' located immediately to the East of the site. The property is somewhat anomalous within the street scene, being located amongst the mixed uses of the immediate location. At present, 'Little Orchard' is flanked to the east by the Harvester and Travel Lodge whilst to the west is the existing Cribbs Lodge Hotel.
- 5.61 The occupier of 'Little Orchard' has raised a number of concerns which are listed at para. 4.3 above. A concern has been raised about loss of house value but this is currently not a material consideration in determining planning applications.
- 5.62 In terms of increased noise disturbance, the fact that there is a licensed restaurant and motel to the north is an existing situation that cannot be controlled through this planning application. It is however acknowledged that the use of the application site will intensify if this application is approved, albeit that there is an existing but dormant hotel/restaurant use on the site.

- 5.63 Whilst the site is allocated for comprehensive redevelopment, forming part of the CPNN, the scheme has been designed to minimise the noise impacts on 'Little Orchard'. The impact of noise and odour has already been addressed in the Environmental Section above, the conclusion being that noise from the proposed use would not exceed background and would not therefore have any adverse impact on existing receptors. Odour impacts can be adequately controlled by condition. Boundary planting would be strengthened and specific measures have been proposed to ensure that servicing towards the eastern side of the Diner would only occur at sociable hours, with out of hours servicing occurring on the western side of the Diner (see Delivery Servicing & Management Plan).
- 5.64 Whilst the Motel element would open 24 hours, the communal facilities would be very minimal. The applicant has confirmed that there would be no bar, restaurant or conference facilities within, so the lobby area would not be an area for congregation or noise emission. Speed limits within the site would be limited to reduce vehicle noise. The opening hours of the Diner would be appropriately conditioned. The communal garden area for the Motel would be located on the western side, away from 'Little Orchard'. Whilst there would be some disturbance during the development phase, this would be on a temporary basis only and working hours would be the subject of an appropriate condition.
- 5.65 In terms of security, the current boundary between the two properties is dark and not overlooked and can be easily breached. The proposed development would enhance the boundary and the development would have CCTV in operation at the site. On balance therefore the scheme would not increase the opportunity for crime.
- 5.66 The Motel has been orientated to ensure no loss of privacy between the two properties and windows would not be provided in the eastern elevation of the building. The windows proposed for the southern elevation of the Motel would not afford views of the rear elevation of 'Little Orchard', given the orientation of the building. The enhanced dense vegetation on the boundaries of the site would screen any views at ground floor level. The proposed low level lighting scheme has been developed to ensure light spill does not occur outside of the development site.
- 5.67 Given the aforementioned conditions together with those requested by the Transport and Environmental Health Officers, any adverse impact on residential amenity would not be sufficient to justify the refusal of the application.

Planning Balance

- 5.68 Paragraph 14 of the NPPF states that local planning authorities should approve development proposals that accord with the development plan without delay and where the development plan is absent, silent or relevant policies are out-of-date; grant permission 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.

5.69 Notwithstanding the fact that the scheme appears to accord with the development plan, the only possible harm identified would be from additional disturbance to the nearest neighbours i.e. the occupiers of 'Little Orchard', at times earlier in the day, later at night and on Sundays and Bank Holidays. This must be balanced against the improved choice for consumers and provision of appropriate facilities within the emerging Cribbs Patchway New Neighbourhood. Officers are mindful of the NPPF support for sustainable economic development and the need to boost the economy. The scheme is supported by the Council's Economic Development Officer and would provide full-time employment for 55 persons. Any concerns can be adequately addressed by condition and on balance any harm would not in this case, significantly or demonstrably outweigh the benefits of the scheme.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Contact Officer: Roger Hemming
Tel. No. 01454 863537

CONDITIONS

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

Reason

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

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

Site Location Plan Drawing No. A-00-001 received 10th May 2017

Motel Elevations North East & South West Drawing No. A-01-001 received 10th May 2017

Existing Site Plan Drawing No. A-00-002 received 10th May 2017

Motel Elevations South East & North West Drawing No. A-01-002 received 10th May 2017

Proposed Masterplan Drawing No. A-00-003 Rev D received 20th July 2017

Diner Proposed Elevations Drawing No. A-01-003 received 10th May 2017

Motel GA 01 Drawing No. A-00-011 received 10th May 2017

Motel GA 02 Drawing No. A-00-012 received 10th May 2017

Diner Proposed Ground Floor Plan Drawing No. A-00-014 received 10th May 2017

Existing Site Elevations Drawing No. A-01-100 received 10th May 2017

Reason

For the avoidance of doubt.

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

Reason

To protect the residential amenity of the neighbouring occupiers and to accord with the requirements of the NPPF.

4. Prior to the commencement of development (including demolition works) 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 recycling/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.

Development shall be carried out in accordance with the agreed details.

Reason

In accordance with Policy 37 of the South Gloucestershire Minerals and Waste Local Plan (Adopted) 2002, and Policy 1 of the West of England Joint Waste Core Strategy

(Adopted) March 2011. This is a pre-commencement condition because the audit is necessary to establish prior to the demolition of the existing building.

5. Notwithstanding the landscape details already submitted and prior to the commencement of the development hereby approved, a scheme of landscaping, which shall include details of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection during the course of the development; proposed planting (and times of planting); boundary treatments and areas of hardsurfacing shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed details.

(The scheme should follow relevant SGC planning policy in relation to landscape and the strategic landscape recommendations of the South Gloucestershire Landscape Character Assessment).

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. These details are required pre-commencement to ensure that the details are secured at the earliest opportunity as part of the proposal.

6. The Development shall not be brought into use until the accesses, car parking and servicing arrangements have been completed in accordance with the revised Layout Plan drawing no. A-00-003 Rev D. and retained thereafter for that purpose.

Reason

To ensure the satisfactory provision of access, turning and parking facilities and in the interest of highway safety and the amenity of the area, and to accord with saved Policies T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006 and Policy CS8 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec.2013.

7. Prior to the commencement of work on the site, including demolition, a site specific Construction Environmental Management Plan (CEMP), shall be agreed in writing with the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved plan.

The CEMP shall address the following matters:

- (i) Measures to control the tracking of mud off-site from vehicles.
- (ii) Measures to control dust from the demolition and construction works approved.
- (iii) Adequate provision of fuel oil storage, landing, delivery and use, and how any spillage can be dealt with and contained.
- (IV) Adequate provision for the delivery and storage of materials.
- (V) Adequate provision for contractor parking.
- (vi) Temporary access arrangements for construction traffic incorporating a left in left out arrangement at the same locations as the permanent access and egress.

- (vii) Details of the Main Contractor including membership of Considerate Constructors scheme.
- (viii) Site Manager contact details.
- (ix) Processes for keeping local residents and businesses informed of works being carried out and dealing with complaints.

Reason

In the interests of residential amenity and highway safety and to accord with saved Policy T12 of the adopted South Gloucestershire Local Plan and Policy CS1 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec.2013 and the provisions of the NPPF. This is a prior to commencement condition to ensure that all works including demolition are carried out appropriately.

8. The development shall not be brought into use until cycle parking has been provided at the locations shown on drawing A-00-003- Rev D complete with hoop type stands and shelters in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason

To promote sustainable transport choices and to accord with South Gloucestershire Council Local Plan policy T7.

9. The submitted Travel Plan issued by rgp ref. JDF/16/3234/TP01 10th April 2017 shall be implemented and monitored in accordance with the details and timetable therein.

Reason

In order to deliver sustainable transport objectives including a reduction in single occupancy car journeys and the increased use of public transport, walking & cycling and to accord with Policy CS8 of the South Gloucestershire Local Plan Core Strategy (Approved) 11th Dec. 2013.

10. Prior to the commencement of the development hereby approved, 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 shall be submitted to and approved in writing by the Local Planning Authority.

For the avoidance of doubt the following details should be submitted:

- o A clearly labelled drainage layout plan showing the pipe networks and attenuation features (tanks).
- o Updated drainage calculations to show there is no flooding on site in 1 in 30 year storm events; and no flooding of buildings or off site in 1 in 100 year plus 40% climate change storm event.
- o Where attenuation forms part of the Surface Water Network, calculations showing the volume of attenuation provided, demonstrating how the system operates during a 1 in 100 year plus 40% climate change storm event.
- o The drainage layout plan should also show exceedance / overland flood flow routes if flooding occurs and the likely depths of any flooding.
- o The plan should also show any pipe node numbers referred to within the drainage calculations.

- o A manhole / inspection chamber schedule to include cover and invert levels.
- o Ownership and/or responsibility, along with details of the maintenance regime in relation to the Surface Water Network and any components such as Attenuation/Infiltration features and Flow Control Devices where applicable.

Reason

To comply with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and The National Planning Policy Framework 2012. These details are required prior to commencement in view of the nature of drainage matters being implemented at the earliest phase of development.

11. Prior to the commencement of development a programme of archaeological investigation and recording for the site shall be submitted to and approved in writing 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, saved Policy L11 of The South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and the National Planning Policy Framework. This is a prior to commencement condition to ensure that archaeological remains are not sterilised or lost without having first been recorded.

12. Prior to the first occupation of the development for the uses hereby approved, full details of the proposed extraction and odour abatement system should be submitted to and approved in writing by, the Local Planning Authority. Thereafter the odour abatement system shall be implemented in full compliance with the details so approved and maintained as such at all times.

1. The submitted details should include details on the specification and location of all fans, filters, plant and flues, including a detailed schematic diagram of the ventilation system and its location inside and outside the building. The plan should also show scaled details of where the flue will terminate in relation to adjoining premises (residential and commercial). To ensure dispersion and dilution of odours, it is recommended that the flue should not terminate less than 1m above the roof ridge of any building within 20m of the building housing the commercial kitchen, and discharge vertically upwards. If this cannot be complied with for planning reasons, then the extracted air shall be discharged not less than 1m above the roof eaves or dormer window of the building housing the commercial kitchen and additional odour control measures may be required. If neither of these can be complied with for planning reasons, then an exceptionally high level of odour control will be required.

2. A maintenance/cleaning schedule of the proposed extraction and odour abatement system, written in accordance with the manufacturers' instructions and recommendations should be incorporated as part of the application.

3. In addition to information on odour abatement, details should be provided on predicted noise levels from the extraction system (fan and air movement, through and leaving the ducting). Flues should be well insulated and sited to minimise the effects of vibration transmission and noise to any adjacent building. It may be necessary to install anti vibration mounts, flexible couplings, silencers etc. Full details should be

provided to show how any potential noise nuisance will be prevented through the design.

Reason

To protect the amenity enjoyed by those living in the locality to accord with Policy CS1 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec. 2013 and Policy E3 of the South Gloucestershire Local Plan (Adopted) January 2006, and the provisions of the National Planning Policy Framework.

13. Prior to any site clearance works relating to the development hereby approved, there shall be no removal of hedgerows, trees or shrubs between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests. Thereafter and prior to site clearance, written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site shall be submitted to the local planning authority for approval in writing.

Reason

To protect nesting birds and in the interests of the ecology of the site and to accord with saved Policy L9 of The South Gloucestershire Local Plan (Adopted) 6th Jan. 2006 and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework. This is a prior to commencement condition to ensure that nesting birds are not harmed.

14. Prior to the first occupation of the development for the purposes hereby approved and notwithstanding the details already submitted, a "lighting design strategy for biodiversity" for the development shall be submitted to and approved in writing by the local planning authority. The strategy shall:
- o Identify those areas/features on site that are particularly sensitive for bats (specifically common pipistrelle) and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - o Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.
- All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason

In the interests of protected species (Bats) and to accord with saved Policy L9 of The South Gloucestershire Local Plan (Adopted) 6th Jan. 2006 and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

15. Prior to the commencement of development (including any demolition, ground works, site clearance) a method statement to take account of great crested newts, reptiles, birds and badgers shall be submitted to and approved in writing by the local planning authority. The content of the method statement shall include the:

- o Purpose and objectives for the proposed works;
- o Detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
- o Extent and location of proposed works shown on appropriate scale maps and plans;
- o Timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- o Persons responsible for implementing the works;
- o Initial aftercare and long-term maintenance (where relevant);
- o Disposal of any wastes arising from works.

The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

Reason

In the interests of protected species and to accord with saved Policy L9 of The South Gloucestershire Local Plan (Adopted) 6th Jan. 2006 and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework. This is a prior to commencement condition to ensure that protected species are not endangered for the entire period of development.

16. Prior to the commencement of the development (including demolition) hereby approved, a method statement for the protection of bats during construction/demolition shall be submitted to and approved in writing by, the local planning authority. (This will form the basis of a licence application (derogation) under Regulation 53 of the Habitat Regulations 2010).

Reason

In the interests of protected species (Bats) and to accord with saved Policy L9 of The South Gloucestershire Local Plan (Adopted) 6th Jan. 2006 and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework. This is a prior to commencement condition to ensure that protected species (bats) are not endangered for the entire period of development.

17. Prior to the first occupation of the building(s) for the purposes hereby approved, details of a scheme of Public Art (including timescales) to be implemented within the development site shall be submitted to the Local Planning Authority for approval in writing. For the avoidance of doubt the submission shall be prepared in line with recommendations in the Council's Art and Design in the Public Realm - Planning Advice Note and to take account of the public art strategy and supporting documents for the Cribbs Patchway New Neighbourhood. Thereafter the artwork shall be installed in accordance with the details and timescales so agreed.

Reason

To protect the character, distinctiveness and visual amenity of the site and the surrounding locality; and to accord with Policies CS1 and CS23 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013. Such plans to be produced prior to commencement to ensure that public art is considered at the outset of design to develop a scheme which is fully integrated into the site.

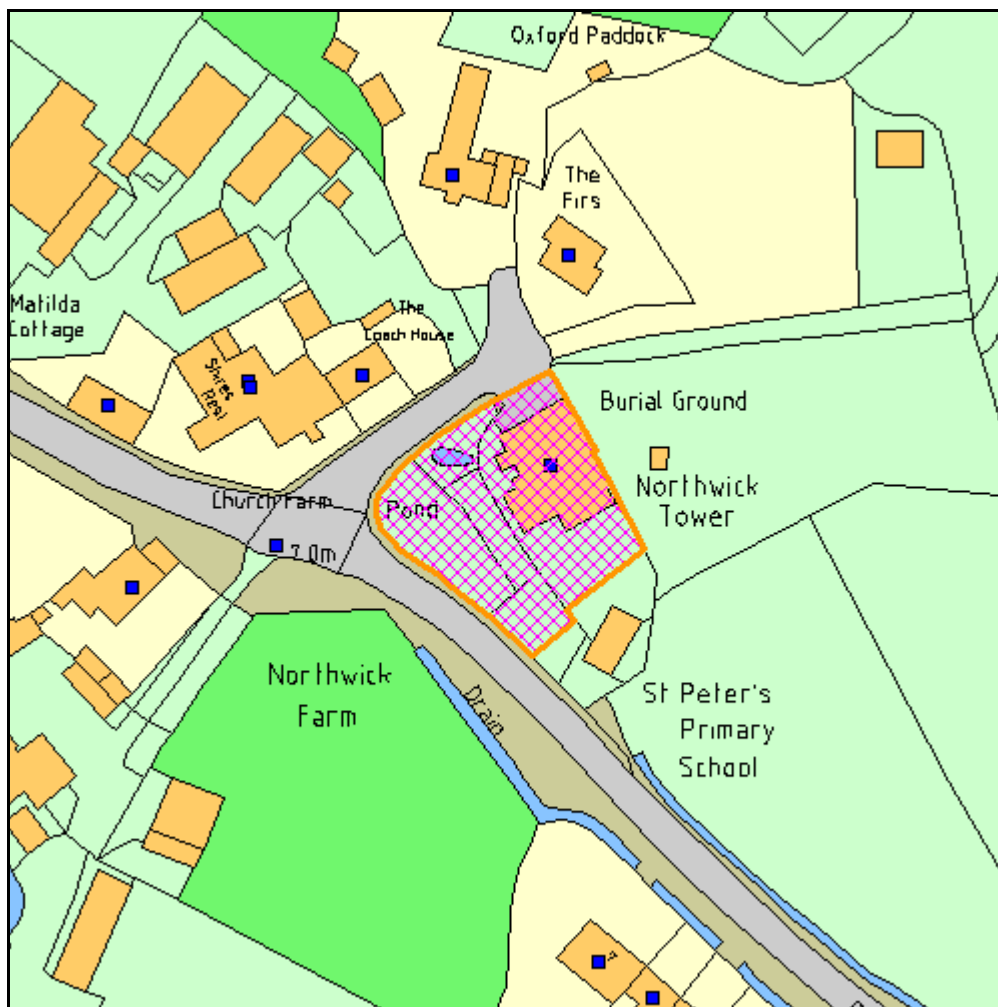
18. The use of the Diner hereby permitted shall not be open to customers outside the following times 07.00hrs - 00.00hrs (midnight) Mon-Sun incl.

Reason

To protect the amenity enjoyed by those living in the locality to accord with Policy CS1 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec. 2013 and Policy E3 of the South Gloucestershire Local Plan (Adopted) January 2006, and the provisions of the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 41/17 – 13 OCTOBER 2017

App No.:	PT17/2686/LB	Applicant:	Mr Peter Brown
Site:	Sandfords School Northwick Road Pilning South Gloucestershire	Date Reg:	23rd June 2017
Proposal:	External and internal alterations to include alteration to roofline and removal of chimneys to facilitate change of use of former school to residential dwelling and associated works.	Parish:	Pilning And Severn Beach Parish Council
Map Ref:	355953 186749	Ward:	Pilning And Severn Beach
Application Category:	Minor	Target Date:	10th August 2017



© South Gloucestershire Council 2007.all rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2008.

N.T.S.

PT17/2686/LB

This application is referred to the Circulated Schedule as the Parish Council comments have been interpreted as an objection, and the recommendation is one of approval.

1. THE PROPOSAL

- 1.1 Listed Building consent is sought for the associated works necessary to facilitate a change the use of a former primary school at Northwick (class D1) to a single dwelling (class C3). The primary school closed in 2006 following a new build primary school in Pilning, since then the building at Northwick has been vacant. It is currently boarded up. It is a Grade II listed building. It is within the settlement of Northwick, but this does not have a settlement boundary identified in the local plan.
- 1.2 The site is in the Green Belt. It is also within Flood Zone 3 – at highest risk of flooding.
- 1.3 During the course of the application revised plans were received in relation to the original comments of the Conservation officer. It was not considered that the changes necessitated a further round of consultation.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Policy Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS5 Locational Policy
CS8 Improving Accessibility
CS9 Managing the environment and heritage
CS23 Community Infrastructure and cultural activity
CS34 Rural areas

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

L1 Landscape
L9 Protected Species
L13 Listed Buildings
T12 Transportation
H10 Conversion of rural buildings

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

PSP7 Development in the Green Belt
PSP8 Residential Amenity

PSP16 Parking Standards
PSP19 Wider Biodiversity
PSP20 Flood Risk
PSP39 Residential Conversions
PSP43 Private Amenity space standards

- 2.3 Supplementary Planning Guidance
Development in the Green Belt SPD (2007)
Residential Parking Standards SPD (2013)

3. **RELEVANT PLANNING HISTORY**

- 3.1 There is incremental planning history relating to the former use as a school – which is not considered to have particular relevance to this proposal. There is however a concurrent planning application PT17/2299/F.

4. **CONSULTATION RESPONSES**

4.1 Pilning and Severn Beach Parish Council

No objection in principle, but raise concerns about windows on the boundary overlooking public land. The Parish Council own the land adjacent which is a cemetery.

4.2 Other Consultees

Conservation Officer

Originally raised a number of detailed concerns and recommendations. As a result revised plans were submitted. The updated comments raise no objection to the revised plans subject to a number of conditions.

Ecology

No objection based on the survey submitted. Conditions are suggested to mitigate for potential impact on bats and other species.

Tree Officer

No objection subject to a condition for tree protection.

Landscape Officer

No objection subject to condition for planting scheme and maintenance.

Lead Local Flood Authority

No objection, but consideration should be given to the introduction of new family into flood zone 3. The Flood Risk Assessment has resilience measures included.

Highway Structures

General advice given

Highway Authority

No objection, largely based on the previous use as a school this proposal would result in a reduction of traffic movements.

Archaeology Officer

No objection

Public Rights of Way Team

No objection

Other Representations

4.3 Local Residents

None received

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development & Impact on the listed building

The only consideration in a listed building consent application is what impact the proposals will have upon the special architectural and historic character of the building.

The proposal relates to a grade II listed former school building comprising the original 1842 single storey school house with the later 20th century rear school rooms (central pitched gable roof and single storey flat roof wings). The original 19th century school is in a dilapidated condition and it is understood that repairs were underway prior to the building being put up for auction.

The proposed scheme would see the former school building converted into a 4no. bed residential unit.

To facilitate the conversion and increase floor space at first floor, the rear central pitched gable extension would be remodelled with the main roof extended to encapsulate the existing lean-to wing on the north-eastern side. The flat roof wing to the other side would be retained and reused. Along with increasing the span of the main central roof, its height to apex would be increased. Therefore although this is referred to within the description of development as "alterations to roofline", what is being proposed is in effect a new roof to the rear extension of a greater scale and massing to what is currently in situ. The proposals would also see a new bedroom inserted within the roof space to the western end of the historic school building. Although the trusses would be left in place, removal of struts would be required.

The building has been left vacant for a number of years and like all historic buildings, providing it with sustainable use should be a primary objective. However any such use has to be compatible with the character of the building and so although some compromises could be considered as part of facilitating its re-use, any scheme of conversion should not compromise what is left of the building's heritage significance otherwise along with causing demonstrable harm to a designated heritage asset, the benefits of its reuse and sustaining this historic structure would be undermined.

Sandford's School can be considered to comprise of two key elements: (1) the original 1842 school and (2) the 1950s extension.

Externally the original school building has suffered from neglect and is showing signs of weathering. The condition of the rainwater goods and copings are perhaps the most evident signs of this, along with weather drip moulds. Although boarded up, the windows do appear to have survived.

Internally the original school building has largely been stripped of internal finishes and fittings. The fireplace, trusses (with panelling), floor boards and windows do however make a positive and important contribution to the aesthetic character of the building.

The scale of the internal volume of the original building can also be considered to make an important contribution to its character and significance as it helps retain the memory of its former use.

The original proposals to subdivide this space would therefore be intrusive and ultimately harmful to its character and historic significance. Accordingly the revisions made to address this are welcomed.

The roof of the original building is also to be insulated and details of this should be provided or conditioned to enable an assessment to be made on the impact on the roof structure. There also needs to be a greater understanding of the significance of the existing ceiling prior to works commencing. Other matters of detail also need to be agreed, but these can be conditioned.

In regards to the rear extension, internally there is clear flexibility as the extension is not considered to be of any architectural or historic significance.

The external alterations originally proposed were of greater concern, and revisions have been received to address the design of openings, scale and massing.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 That listed building consent is granted subject to the conditions below.

Contact Officer: Griff Bunce
Tel. No. 01454 863438

CONDITIONS

1. The works hereby permitted shall be begun before the expiration of three years from the date of the consent.

Reason

As required by Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) to avoid the accumulation of Listed Building Consents.

2. Prior to the commencement of the relevant works, a method statement is to be submitted to the local planning authority to written approval detailing the scope and specification of repairs to be undertaken to the historic windows on the north west and south west elevations. The repairs shall be then completed strictly in accordance with the agreed scope of refurbishment.

Reason:

In light of the above details not being submitted at determination stage for consideration and approval, a pre-commencement condition is necessary in order to ensure that the works serve to preserve the architectural and historic interest of the listed building, in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out at the NPPF and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013).

3. Prior to the commencement of development, the detailed design of the following items shall be submitted and approved in writing by the local planning authority.
 - a. All new windows and fixed glazing (including cill, head, reveal and glass details)
 - b. All new vents and flues
 - c. Eaves (including rainwater goods), verges and ridges
 - d. All new joinery (for the historic school building only)

The details shall be submitted via elevation and section drawings at a scale of 1:10, and the development shall be completed strictly in accordance with the agreed details.

Reason:

In light of the above details not being submitted at determination stage for consideration and approval, a pre-commencement condition is necessary in order to ensure that the works serve to preserve the architectural and historic interest of the listed building, in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out at the NPPF and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013).

4. Prior to commencement of development full details of the proposed floors, wall and ceiling finishes shall be submitted and agreed in writing by the local planning authority. The development shall thereafter be carried out strictly in accordance with the agreed details.

Reason:

To ensure that the details are appropriate to the building, which is listed as being of architectural or historic interest, thereby preserving the special architectural or historic interest which it possesses in accordance with section 16(2) of the Planning (Listed

Buildings and Conservation Areas) Act 1990, national guidance set out at the NPPF and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013).

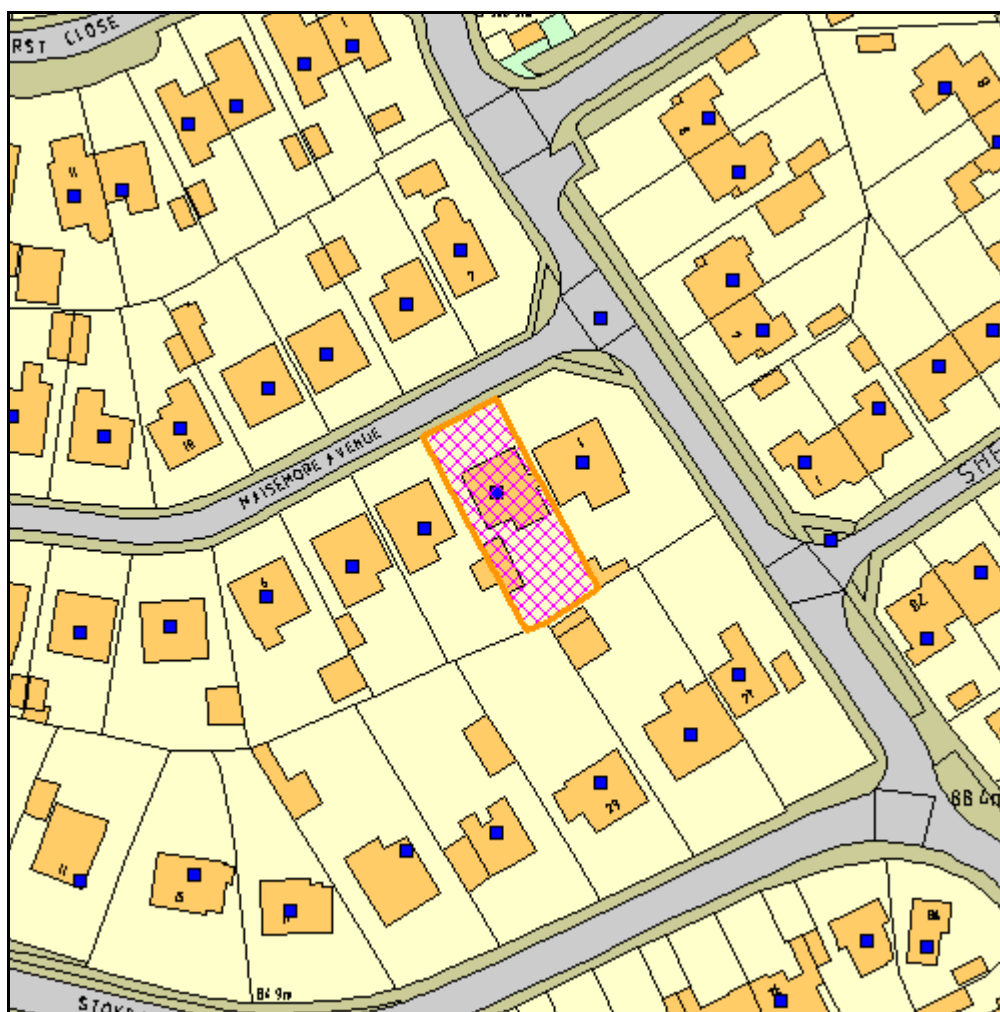
5. Prior to the commencement of development details of the roofing and external facing materials proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

To ensure that the details are appropriate to the building, which is listed as being of architectural or historic interest, thereby preserving the special architectural or historic interest which it possesses in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out at the NPPF and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013).

CIRCULATED SCHEDULE NO. 41/17 – 13 OCTOBER 2017

App No.:	PT17/2939/CLP	Applicant:	Mr And Mrs Steve And Tracey Ashe
Site:	3 Maisemore Avenue Patchway Bristol South Gloucestershire BS34 6BT	Date Reg:	7th July 2017
Proposal:	Application for a certificate of lawfulness for a proposed loft conversion.	Parish:	Stoke Lodge And The Common
Map Ref:	360944 182061	Ward:	Bradley Stoke Central And Stoke Lodge
Application Category:		Target Date:	22nd August 2017



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008. N.T.S. PT17/2939/CLP

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is for a Certificate of Lawfulness and as such according to the current scheme of delegation it 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 loft conversion at 3 Maisemore Avenue Patchway would be lawful development. This is based on the assertion that the proposal falls within the permitted development rights normally afforded to householders under the Town and Country Planning (General Permitted Development) (England) Order 2015.
- 1.2 The application is formal way of establishing whether the proposal requires planning permission or not. Accordingly there is no consideration of planning merit, the decision is based 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)

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

3. RELEVANT PLANNING HISTORY

- 3.1 PT06/2724/F Erection of single storey rear extension to form lounge. Approved 17.11.2006.

4. CONSULTATION RESPONSES

- 4.1 Stoke Lodge and the Common Parish Council
No comments received
- 4.2 Councillor Boyer
No objection, we are pleased to see the roof line has been retained in line with it's neighbours.

Other Representations

- 4.3 Local Residents
None Received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application for a Certificate of Lawfulness is purely an evidential test and is a formal way of establishing whether or not the proposed development can be implemented lawfully, without the need for planning permission. Accordingly there is not consideration of planning merit, the application is based on the facts presented. This submission is not an application for planning permission and as such the development plan is not of relevance to the determination of this application; the decision rests upon the evidence that has been submitted. If the evidence submitted demonstrates that the proposed use is lawful, on the balance of probabilities, the Local Planning Authority must grant a certificate confirming that the proposed development is lawful.

5.2 The key issue in this instance is to determine whether the proposal falls within the permitted development rights afforded to the householders under Schedule 2, Part 1 Class B of the GPDO (2015).

5.3 The proposed development consists of the introduction of a side and rear dormer. This development would be within Schedule 2, Part 1 Class B of the GPDO (2015), which allows additions etc to the roof of a dwellinghouse provided it meets the criteria detailed below:

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

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

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

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

The proposal would not exceed the height of the highest part of the existing roof.

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

The proposed roof extension will be situated to the rear elevation and would not extend beyond a principal elevation fronting a highway.

(d) The cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than –
(i) 40 cubic metres in the case of a terrace house, or

(ii) 50 cubic metres in any other case

The agent submitted a volume calculation to demonstrate that the proposal would in result in approximately 32 cubic metres. Notwithstanding the submitted calculation, officers checked the details of the submitted drawings and considered that the proposal would result in less than 50 cubic metres, therefore, it would meet the above criterion.

(e) It would consist of or include —

- (i) the construction or provision of a verandah, balcony or raised platform, or**
- (ii) the installation, alteration or replacement of a chimney, flu or soil and vent pipe;**

It is noted that there would be a Juliet balcony at the rear elevation, however it is not considered a 'balcony' in accordance with the Permitted Development Rights for householder Technical Guidance.

(f) The dwellinghouse is on article 2(3) land.

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

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

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

The materials used will be of a similar appearance.

- (b) the enlargement must be constructed so that —**

- (i) other than in the case of a hip-to-gable enlargement or an enlargement which joins the original roof to the roof of a rear or side extension —**

(aa) the eaves of the original roof are maintained or reinstated; and

(bb) the edge of the enlargement closest to the eaves of the original roof is, so far as

practicable, not less than 0.2 metres from the eaves, measure along the roof slope from the outside edge of the eaves; and

- (ii) other than in the case of an enlargement which joins the original roof to the roof of a side or rear extension, no part of the enlargement extends beyond the outside face of any external wall of the original dwellinghouse; and**

The submitted section shows that the proposal would be greater than 0.2 metres from the outside edge of the eaves of the original roof and does not protrude beyond the outside face of any external wall of the original dwellinghouse.

- (c) **any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse must be-**
- (i) **Obscure-glazed, and**
 - (ii) **Non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is to be installed.**

During the course of the application, a revised plan has been submitted. A number of rooflights are proposed to the side elevations of the host dwelling. The submitted section drawings show these proposed rooflights would be installed at 1.5 metres above the floor level, however these rooflights would be non-opening rooflight with obscured glazing. Therefore the proposal would meet this criteria.

6. RECOMMENDATION

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

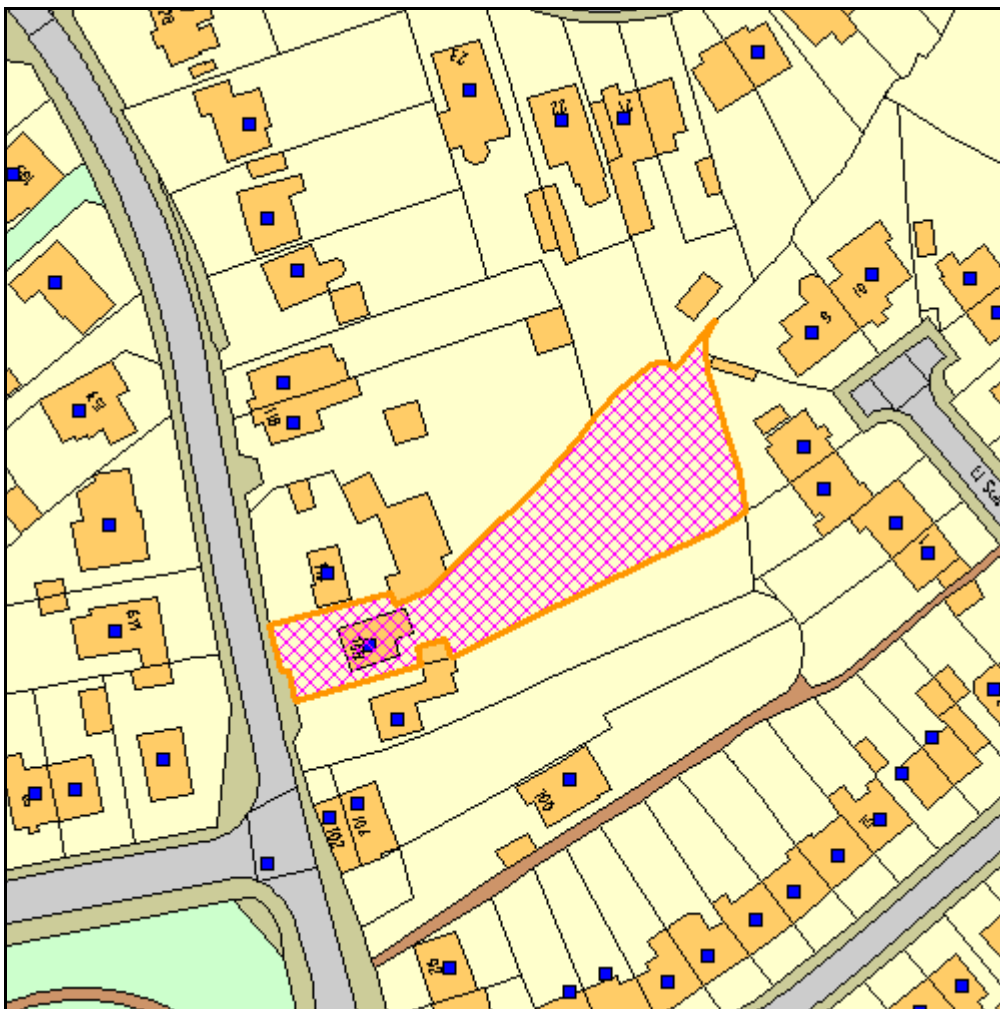
Evidence has been provided to demonstrate that on the balance of probabilities, the proposed loft conversion would be allowed as it is considered to fall within the permitted rights afforded to householders under Schedule 2; Part 1, Class B of the Town and Country Planning General Permitted Development Order 2015.

Contact Officer: Olivia Tresise
Tel. No. 01454 863761

CONDITIONS

CIRCULATED SCHEDULE NO. 41/17 – 13 OCTOBER 2017

App No.:	PT17/3361/F	Applicant:	Mr Phillip Stone
Site:	108 Beesmoor Road Frampton Cotterell Bristol South Gloucestershire BS36 2JP	Date Reg:	7th September 2017
Proposal:	Erection of single storey side and rear extension to form additional living accomodation (part retrospective).	Parish:	Frampton Cotterell Parish Council
Map Ref:	366977 181019	Ward:	Frampton Cotterell
Application Category:	Householder	Target Date:	30th October 2017



© South Gloucestershire Council 2007.all rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2008.

N.T.S.

PT17/3361/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been referred to the Circulate Schedule due to the receipt of objection from Frampton Cotterell Parish Council. As such this application must be taken forward under the Circulated Schedule procedure.

1. THE PROPOSAL

- 1.1 The application seeks planning permission for the Erection of single storey side and rear extension at 108 Beesmoor Road, Frampton Cotterell. However, the application is partly retrospective as work has already begun on site.
- 1.2 The subject property is situated in the built up residential area of Frampton Cotterell.
- 1.3 The host dwelling is a two-storey, detached property finished in brick and render, the property benefits from large front and rear gardens, as well as generous parking and a detached garage. The immediate surrounding area is of mixed character, properties in the immediate vicinity vary in size, design and character.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

H4 Development within Existing Residential Curtilages
T12 Transportation

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

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

The Proposed Submission Draft Policies Sites and Places Plan (PSP plan) is a further document that will eventually form part of the South Gloucestershire Local Plan. The PSP plan will set out new planning policies for South Gloucestershire. Submission and Examination of this took place in February of 2017, and adoption is expected toward the end of 2017. Accordingly, with regard to the assessment of this planning application limited weight is attached

to the PSP plan as a whole at this time – although weight can be attributed to those policies which are not expected to be subject to modification.

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

3. RELEVANT PLANNING HISTORY

- 3.1 PT05/2900/F - Approved - 02.11.2005
Demolition of existing rear conservatory to facilitate erection of replacement conservatory.

4. CONSULTATION RESPONSES

- 4.1 Frampton Cotterell Parish Council
No Objection to proposal, however objects to the building work having commenced without permission.

4.2 Other Consultees

Archaeology
No Comments

Other Representations

- 4.3 Local Residents
No Comments Received

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
The application seeks permission for the erection of a two storey side extension. Policy H4 of the Local Plan permits extensions and alterations to existing dwellings within established residential curtilages subject to an assessment of design, amenity and transport. As well as the criteria of policy H4, the proposal will be considered with regards to design against policy CS1 of the Core Strategy. The development is acceptable in principle but will be determined against the analysis set out below.
- 5.2 Design and Visual Amenity
Policy CS1 of the Core Strategy and policy H4 of the Local Plan seek to ensure that development proposals are of the highest possible standards and design. This means that developments should have appropriate: siting, form, scale, height, massing, detailing, colour and materials which are informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context.
- 5.3 The proposal consists of the erection of a single storey side and rear extension to form additional living accommodation. The proposed side extension would

be set back 1.4 metres from the principal elevation with a maximum height of 3.7 metres, the proposed side extension will have a pitched roof with materials that match the existing property. The proposed rear extension will replace the existing conservatory and extend beyond the rear wall by 7.9 metres, consisting of a flat roof that features a roof lantern with a maximum height of 3.6 metres.

The design is considered to be acceptable, and would not negatively affect the visual amenity of the dwelling, or the surrounding street scene.

- 5.4 It is considered that the proposed alteration would not be detrimental to the character of the property or its context. Additionally, it is of an acceptable standard of design. Thus, the proposal is acceptable in terms of design and visual amenity, and would comply with policy CS1 of the Core Strategy.
- 5.5 Residential Amenity
Policies H4 of the adopted Local Plan (2006) and PSP38 of the emerging PSP Plan (2016) sets out that development within existing residential curtilages should not prejudice residential amenity through overbearing; loss of light; and loss of privacy of neighbouring occupiers.
- 5.6 The extension would occupy a proportion of the side and rear garden however sufficient private amenity space would remain following development and there is no objection in this regard
- 5.7 When considering the existing boundary, combined with the siting and scale of the proposal. The proposal would not appear overbearing or such that it would prejudice existing levels of outlook or light afforded to neighbouring occupiers. Therefore, the development is not considered to be detrimental to residential amenity and is deemed to comply with saved Policy H4 of the Local Plan (2006) and PSP38 of the emerging PSP Plan (2016).
- 5.8 Sustainable Transport and Parking Provision
The proposed development does not affect bedroom numbers, access or current parking provision. Therefore, there are no objections on highways grounds.
- 5.9 Equalities
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.

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

5.10 Other Concerns

During a site visit, it was evident work had already commenced. The retrospective nature of the application does not have a bearing on the assessment of the merits of this application, and the case officer would have recommended approval had the application been put in prior to the development taking place.

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 included on the decision notice.

Contact Officer: Westley Little
Tel. No. 01454 867866

CONDITIONS

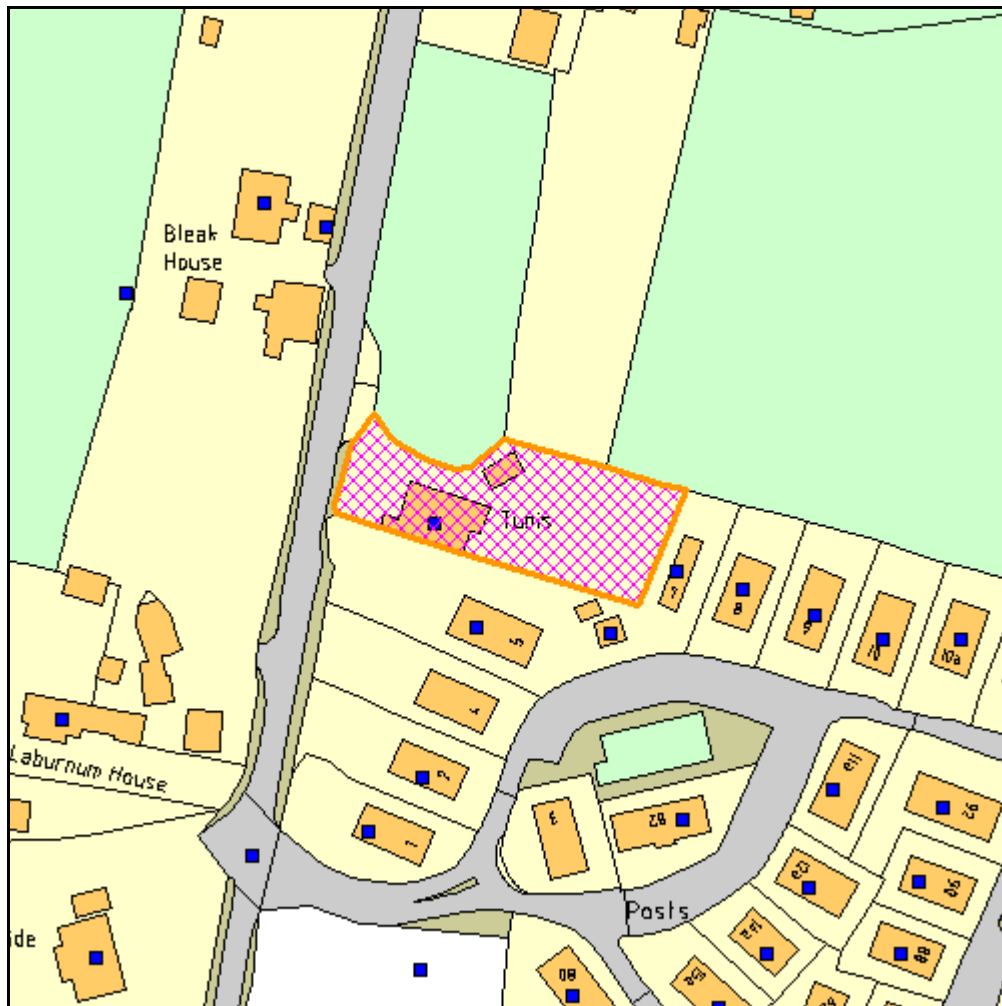
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 41/17 – 13 OCTOBER 2017

App No.:	PT17/3453/F	Applicant:	Mr & Mrs Gregory
Site:	Tunis Ram Hill Coalpit Heath Bristol South Gloucestershire BS36 2TZ	Date Reg:	9th August 2017
Proposal:	Erection of a single storey side extension. Alterations to raise existing roofline and a hip to gable enlargement that includes the installation of 2no front dormer windows in order to provide additional living accomodation.	Parish:	Westerleigh Parish Council
Map Ref:	367866 180089	Ward:	Westerleigh
Application Category:	Householder	Target Date:	15th September 2017



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008. **N.T.S.** **PT17/3453/F**

REASONS FOR REPORTING TO CIRCULATED SCHEDULE

The application has been subject to representations contrary to the findings of this report. Under the current scheme of delegation the application must be referred to circulated schedule as a result.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a two storey and single storey side extensions, to raise the roofline and to install new dormer windows in order to provide additional living accommodation at Tunis, Ram Hill, Coalpit Heath.
- 1.2 Pre-application advice was sought prior to the submission of this planning application. The proposal was amended following advice and has subsequently been amended since the submission of the formal application.
- 1.3 The footprint of the property will now remain almost identical to that of the existing but the roof design will be amended from a hip to a gable and a balcony will be introduced above the ground floor portion.
- 1.4 The application site is situated within the Bristol/Bath Green Belt outside of the defined settlement boundary.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Policy Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS4a 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)

T12 Transportation
H4 Development within Existing Residential Curtilages
L1 Landscape

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

PSP1 Local Distinctiveness
PSP7 Greenbelt
PSP8 Residential Amenity
PSP16 Parking Standards
PSP38 Development within Existing Residential Curtilages

- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) August 2007
Residential Parking Standards (Adopted) December 2013
Development in the Green Belt SPD (Adopted) June 2007

3. **RELEVANT PLANNING HISTORY**

- 3.1 P94/2687 – Approval – 14/02/1995 – Use of building for the manufacture of timber windows (renewal).
- 3.2 P92/2468 – Approval – 09/12/1992 - Use of building for the manufacture of timber windows (renewal of temporary consent)
- 3.3 P91/2381 – Approval – 13/11/1991 - Use of buildings for manufacture of timber windows renewal of temporary consent
- 3.4 P84/2475 – Approval – 07/11/1984 - Erection of single storey side extension.
- 3.5 N7153 – Approval – 05/01/1981 - Erection of a dormer extension to provide bedroom in roof space.

4. **CONSULTATION RESPONSES**

- 4.1 Westerleigh Parish Council
Note concerns over land ownership. This is discussed in detail in the other matters section of the report.

4.2 Other Consultees

Transport Officer
No Objection

Other Representations

- 4.3 Local Residents
A number of comments have been received from one individual objecting to the proposal. The comments indicate concern over the ownership of land between the dwelling and the adjacent caravan park. In addition the comments have raised concerns over the loss of privacy as a result of the proposed balcony.

5. **ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development
Development within the Green Belt would be considered acceptable subject to assessment to elucidate whether it would constitute a disproportionate addition. The NPPF (2012) 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. 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'. In addition limited infilling can also be permitted within villages.

- 5.2 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 within the residential curtilage of existing dwellings. This support is subject to the proposal respecting the existing design of the dwelling and that it does not prejudice the residential and visual amenity; adequate parking provision; and has no negative effects on transportation. The proposal is subject to the consideration below.
- 5.3 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.
- 5.4 The host property is a modest sized bungalow that has been subject to a number of alterations and extensions. The existing dwelling has been calculated to have a volume in the region of 365m³ with the original volume being around 225 m³. Consequently the existing property would be in excess of the guidelines of what is considered a 'limited extension'. This was an issue raised during pre-application discussions and the submitted application had reduced the volume of the additions. Nevertheless the original submitted application was still considered to fail greenbelt policy and a revision was requested. This current submission is very limited in scope and does not involve any material increases in floor area/building footprint. The proposal would see the replacement of the hipped roof with a gabled roof with a slightly higher ridge level. This, except the rise in ridge level and very limited extension, is a development normally permitted by the provisions of Class B to Schedule 2 Part 1 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended). Material weight has been attached to the fact that a very similar development would be permitted under the provisions of the act. For a detached property additions over the original roof volume of 50m³ is permitted and the lawful development would have the same material impact on the greenbelt as that proposed. In consideration of retaining permitted development rights, the proposal would replace the original roof and consequently after development no further works could take place without express planning permission. Therefore it has not been considered necessary to remove the Class B (Roof alterations) permitted development right. Furthermore additional ground floor extensions or extensions which incorporate a balcony cannot be permitted under the order and again no such condition will be attached to the decision notice.

- 5.5 It should be noted that the purposes of including land within the greenbelt are to check the unrestricted sprawl of built up areas, as well as safeguarding the countryside from encroachment. The proposal would extend beyond the existing limits of the building, but this is by a very limited amount and on that basis is not considered to result in further encroachment onto the countryside, furthermore the proposal is situated within a relatively built up area and the property will remain within the limits of the developed area and largely within the limits of the existing footprint of the property. On this basis the proposal is considered to be consistent with the aims of protecting the greenbelt and no objection is raised with regard to this. Given the above consideration and the permitted development rights available for the property, the proposal has been found to be proportionate and therefore appropriate development in the greenbelt.
- 5.6 Design and Visual Amenity
The host dwelling is a mid to late 20th century detached bungalow with rendered elevations and a hipped roof. As previously mentioned a hip to gable conversion can be permitted through the provisions of the General Permitted Development Order and this would have the same material impact on the external appearance of the dwelling and its context as that proposed. Therefore no objection is raised with regard to the gable roof design.
- 5.7 The proposal also seeks to introduce a porch to the front of the property with a cat-slide roof, this is not seen to have an unusual style of design and no objection is raised to the proposed porch design.
- 5.8 The proposal would bring some uniformity to the building and the proposed changes to fenestration and openings ties the various parts of the property together and would be seen to improve the general appearance of the otherwise inconsistent dwelling.
- 5.9 Overall, it is considered that the proposed extensions 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 accord with policies CS1 and H4 and the adopted Local Plan.
- 5.10 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.
- 5.11 The subject property is detached but is located in relatively close proximity to a static caravan in residential use to the south of the site. Objection has been raised by the occupier concerned with the loss of privacy as a result of the proposed balcony. The first revision had included a large balcony which would have close and direct views into the neighbouring land and would likely have had an unacceptable impact on the amenity of the property as a result.

Guidance and emerging PSP policy suggests that where there is a close relationship between properties, an angle of at least 45 degrees between primary living accommodation, balconies and windows is retained. In this case there is a kitchen window relatively central to the northern elevation that would have been adversely impacted by the previous revision. A subsequent revision has been provided which gives obscured glazing to a height of 1.8 metres on this southern side of the balcony. As a result the angle exceeds 45 degrees from this window and therefore the proposal is considered to be within acceptable parameters. Nevertheless a condition will be attached requiring this screening to be permanently maintained.

- 5.12 Given the scale and location of the proposal, and the pathway of the sun the proposal is not considered to have a harmful impact on the amenity of any neighbouring occupiers as a result of overbearing or the associated loss of light.
- 5.13 The subject property is located within a relatively built up area and given the scale and location of the proposed development, the proposal is not considered to result in an unacceptable detrimental impact on the residential amenity of its neighbouring occupiers, meaning the proposal is in accordance with saved policy H4 of the adopted Local Plan, guidance and the emerging PSP8.
- 5.14 Transport
The proposal would result in the creation of an additional bedroom as well as a study room that could be used as bedroom accommodation without any operational development. Accordingly this room has been included in assessment of parking provision. The proposal would be seen to be provided with 4 bedrooms for the purpose of this assessment. There is a large area of hardstanding to the front and side of the property as well as a detached garage, the proposal would not impact this existing arrangement which is seen to satisfy the requirements of the residential parking standard. The proposal is therefore in accordance with saved policy T12 of the Local Plan (2006) and the provisions of the Residential Parking Standards SPD (2013). The council has no objection to the proposal in relation to highway safety or parking provision.
- 5.15 Other Matters
The objecting comments suggest that the boundary to the south with the adjoining property is incorrect and that development would encroach across the boundary and access would be onto land not owned by the applicant. It is not within the remit of the planning department to establish property ownership, only that the correct notice has been served. A title plan has been provided by the applicant. This is consistent with the site plan, on this basis the case officer is satisfied the correct notice has been served and the extent of the applicants ownership appears to be correctly identified.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Contact Officer: Hanni Osman
Tel. No. 01454 863787

CONDITIONS

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

Reason

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

2. Prior to the use or occupation of the extension hereby permitted, and at all times thereafter, the proposed glazing to the balcony on the southern elevation shall be glazed with obscure glass to level 3 standard and at least 1.8 metres in height from the level of the floor of the proposed balcony.

Reason

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