



**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. 07/17

Date to Members: 17/02/2017

Member's Deadline: 23/02/2017 (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:

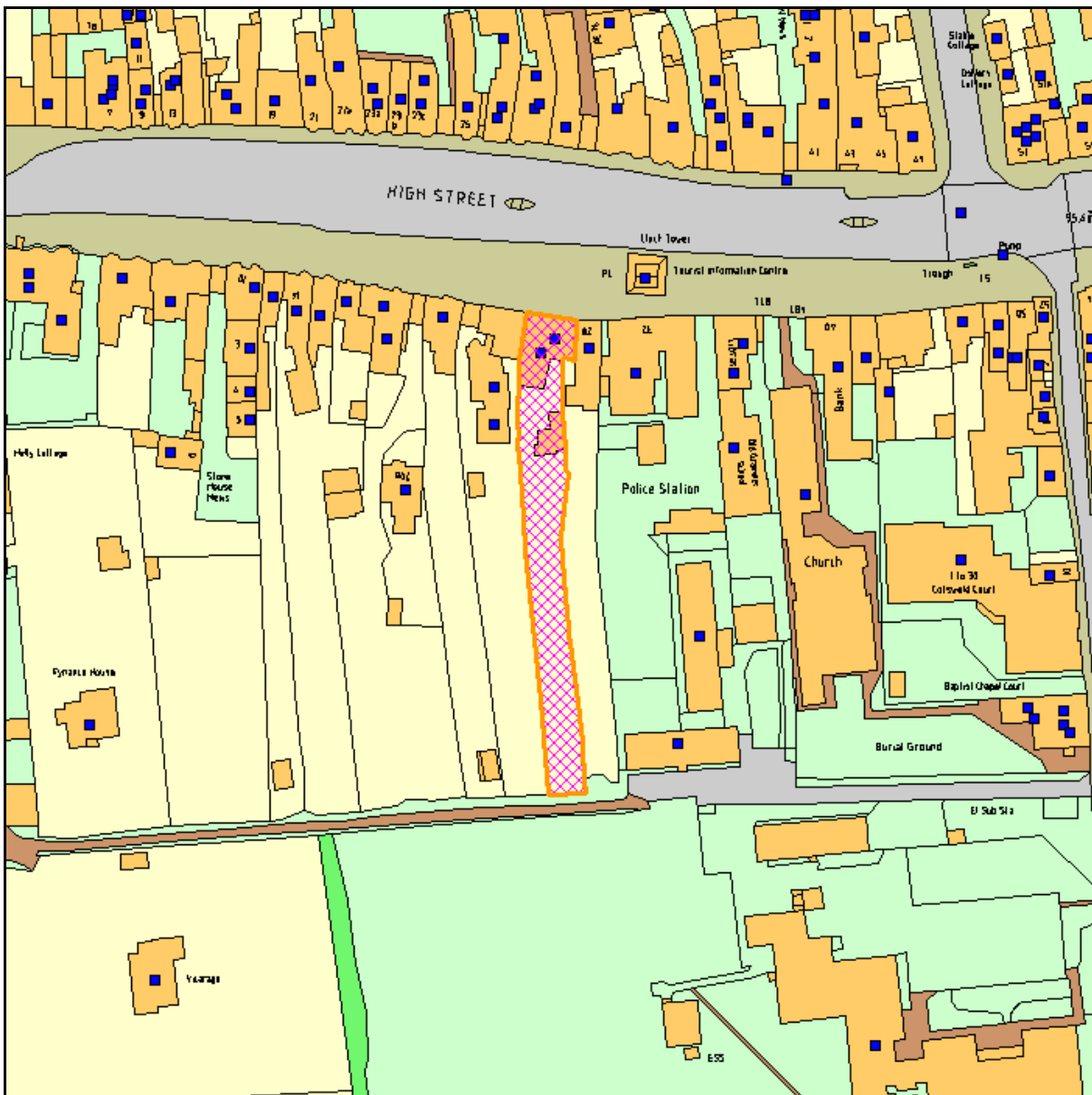
- Before referring an application always speak to the case officer or Area Planning Manager first to see if your concerns can be addressed without the application being referred.
- If you are considering referring in an application outside the ward you represent, as a courtesy, speak to the ward member(s) 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 - 17 FEBRUARY 2017

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK16/4832/F	Approve with Conditions	The Old Reading Rooms 26 High Street Chipping Sodbury South Gloucestershire BS37 6AH	Chipping	Sodbury Town Council
2	PK16/5656/F	Approve with Conditions	Boydwick Farm Barrow Hill Wick South Gloucestershire BS30 5RH	Boyd Valley	Wick And Abson Parish Council
3	PK16/6204/RV	Approve with Conditions	7A Oakdale Court Downend South Gloucestershire	Downend	Downend And Bromley Heath Parish Council
4	PK16/6312/F	Approve with Conditions	Wayside Cottage High Street Doynton South Gloucestershire BS30 5TF	Boyd Valley	Doynton Parish Council
5	PK16/6313/LB	Approve with Conditions	Wayside Cottage High Street Doynton South Gloucestershire BS30 5TF	Boyd Valley	Doynton Parish Council
6	PK16/6478/O	Approve with Conditions	Jorrocks House Westerleigh Road Westerleigh South Gloucestershire BS37 8QH	Westerleigh	Westerleigh Parish Council
7	PK17/0016/CLP	Approve with Conditions	53 Blackhorse Road Mangotsfield South Gloucestershire BS16 9BE	Rodway	Emersons Green Town Council
8	PK17/0145/F	Approve with Conditions	70 Middle Road Kingswood South Gloucestershire	Rodway	None
9	PT16/5748/RVC	Approve with Conditions	Highwood Road Linear Park Charlton Hayes Northfield Filton Aerodrome Patchway South Gloucestershire BS34 5DZ	Patchway	Patchway Town Council
10	PT16/6708/F	Approve with Conditions	Prospect House Knapp Road Thornbury South Gloucestershire BS35 2HQ	Thornbury North	Thornbury Town Council
11	PT16/6866/F	Approve with Conditions	23 Millfield Thornbury South Gloucestershire BS35 1JL	Thornbury North	Thornbury Town Council
12	PT16/6897/F	Approve with Conditions	34 Lower Chapel Lane Frampton Cotterell South Gloucestershire BS36 2RL	Frampton Cotterell	Frampton Cotterell Parish Council
13	PT16/6914/F	Approve with Conditions	Almondsbury Sports And Social Club 10 Gloucester Road Almondsbury South Gloucestershire BS32 4AG	Almondsbury	Almondsbury Parish Council
14	PT16/6918/F	Approve with Conditions	130 To 132 Gloucester Road North Filton South Gloucestershire BS34 7BQ	Filton	Filton Town Council

CIRCULATED SCHEDULE NO. 07/17- 17 FEBRUARY 2017

App No.:	PK16/4832/F	Applicant:	Sodbury Town Council
Site:	The Old Reading Rooms 26 High Street Chipping Sodbury Bristol South Gloucestershire BS37 6AH	Date Reg:	7th September 2016
Proposal:	Change of use of garden from burgage plot (Class B1) to community garden (sui generis) as defined in the Town and Country Planning (Use Classes) Order 1985 (as amended). Erection of 1.8 metre high fencing, 1no greenhouse and 1no wooden shed/workshop.	Parish:	Sodbury Town Council
Map Ref:	372694 182186	Ward:	Chipping Sodbury
Application Category:	Minor	Target Date:	1st November 2016



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application is referred to the Circulated Schedule owing to comments made by a local resident.

1. THE PROPOSAL

- 1.1 The application seeks permission for the change of use of the garden to the rear of the Sodbury Town Council offices from burgage plot (Class B1) to community use (sui generis) as defined in the Town and Country Planning (Use Classes) Order 1985 (as amended). The application also seeks permission to erect 1.8m high fencing, a greenhouse and a wooden shed/workshop on this land.
- 1.2 The application site relates to The Old Reading Rooms, No. 26 High Street, a historic two-storey mid-terrace building on Chipping Sodbury High Street. The Town Council buildings are all covered by the same listed building entry (Grade II* listed) and the entire site falls within the Chipping Sodbury Conservation Area. A Public Right of Way ref. LSO/16 runs west east adjacent the southern site boundary.
- 1.3 During the course of the application the description of development has been amended in order to accurately reflect the nature of the development proposal.

2. POLICY CONTEXT

2.1 National Guidance

NPPF National Planning Policy Framework March 2012
PPG Planning Practice Guidance

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
CS9 Managing the Environment and Heritage
CS11 Distribution of Economic Development Land
CS12 Safeguarded Areas of Economic Development
CS13 Non-Safeguarded Economic Development Sites
CS14 Town Centres and Retail
CS23 Community Infrastructure and Cultural Activity
CS24 Green Infrastructure, Sport and Recreation Standards
CS30 Yate and Chipping Sodbury

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

L12 Conservation Areas
L13 Listed Buildings

- RT1 Development in Town Centres
- T12 Transport Development Control Policy for New Development
- LC3 Proposals for Sports and Leisure Facilities within the Existing Urban Area and Defined Settlement Boundaries

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

- PSP8 Residential Amenity
- PSP11 Transport Impact Management
- PSP16 Parking Standards
- PSP17 Heritage Assets and the Historic Environment
- PSP21 Environmental Pollution and Impacts
- PSP31 Town Centre Uses
- PSP44 Open Space, Sport and Recreation

2.3 Supplementary Planning Guidance
Design Checklist SPD (Adopted) 2007

3. RELEVANT PLANNING HISTORY

- 3.1 PRE16/0262 09/05/2016
Advice needed to use their garden by Sodbury in Bloom. Erection of a 10 x 12 wooden shed and small greenhouse.
- 3.2 PK16/4833/LB Approved with conditions 10/11/2016
Display of 1no hanging sign and 1no wall sign.
- 3.3 PK16/4834/ADV Approved 10/11/2016
Display of 1no non illuminated hanging sign and 1no non illuminated wall sign
- 3.4 PK13/3559/LB Approved with conditions 19/11/2013
Internal alterations to facilitate conversion from offices to 1no. dwelling.
- 3.5 PK13/3557/F Approved with conditions 19/11/2013
Change of use from vacant office (Class B1) to 1no. dwelling (Class C3) as defined in Town and Country Planning (Use Classes) Order 1987 (as amended).
- 3.6 PK11/3456/ADV Approved 22/12/2011
Display of 1no. non-illuminated panel sign and 1no. non-illuminated hanging sign.
- 3.7 PK11/3450/LB Approved with conditions 22/12/2011
Display of 1no. non-illuminated panel sign and 1no. non-illuminated hanging sign.
- 3.8 PK11/2580/LB Approved with conditions 23/09/2011
Internal and external works to include replacement windows and door. Re render external walls.
- 3.9 P96/1808/L Refused 05/08/1996

	Resiting of letter box from window pane to front door		
310	N31/LBC	Approved	05/05/1977
	Renovation of existing building to provide caretakers flat.		
3.11	N3059/1	Approved with conditions	05/05/1977
	Change of use of building at rear of premises to provide dwelling for caretaker.		

4. CONSULTATION RESPONSES

4.1 Sodbury Town Council
No comment.

4.2 Other Consultees

Archaeology Officer
No objection.

Public Rights of Way
No objection.

Conservation Officer
No objection, subject to a condition securing details of the hardsurfacing around the raised beds.

Open Spaces Society
No comment.

Community Enterprise
No comment.

Sustainable Transport
No objection.

Historic England
No objection.

Other Representations

4.3 Local Residents
One comment has been received from a local resident. The concerns are outlined as follows:
- Loss of privacy

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development
The application seeks permission for the change of use of a garden to a community use and the erection of 1.8m high fencing, a greenhouse and a shed/workshop. The application stands to be assessed against policies CS1 and CS5 of the Core Strategy (Adopted 2013) and saved policies RT1 and LC3

of the SGLP (Adopted 2006). Saved policies RT1 and LC3 of the SGLP permits leisure facilities within town centres provided they do not detract from the vitality and viability of the centre; are consistent with the scale and function of the centre; would be accessible; would have acceptable environmental and transportation effects; and would not prejudice residential amenity. Other pertinent issues include the impact of the development on the heritage assets.

5.2 Change of Use

The proposed sui generis use is an acceptable use in a town centre location; it is included within the PPG's definition of main town centre uses. The proposal to change the use from B1 use to a sui generis use is therefore considered acceptable.

5.3 Design, Visual Amenity and Impact on Heritage Assets

The proposal involves Sodbury in Bloom using the Town Council's private garden to grow fruit, vegetables and plants. The proposal is considered to be a good use of this historic burgage plot associated with the grade II* listed building, No. 26 High Street. The garden, judging by aerial photographs, was historically used as allotments, later reverting to a plain, lawned garden. The proposed use of the site for a community garden associated with the Chipping Sodbury in Bloom would make a positive use of this space, and would also result in a wider public benefit and enhancement to the town centre. The structures proposed as part of the application are typical garden buildings that would not appear out of keeping in this context, and which are seen dotted throughout the other burgage plot gardens in the area. The woven willow hurdle fencing will provide a more traditional, rustic appearance compared to a modern weatherboard or lap panel fence. There are therefore no objections, subject to a condition securing the details of hard surfacing around the raised beds in order to protect the general character and appearance of the site.

5.4 Residential Amenity

The application site is between two residential properties: No. 24 High Street to the west and No. 28 to the east. The western boundary is currently marked by 1.8m weatherboard fencing and the eastern boundary by 1m post and mesh fencing.

5.5 The proposal would involve the erection of 1.8m woven willow hurdle fencing along the eastern boundary from the rear of the Snuggery to the end of the garden. Although the neighbouring occupiers at No. 28 have raised a concern over loss of privacy, Officers do not consider the new use of the garden would be fundamentally different to its current ancillary use and the boundary treatment proposed is considered sufficient to protect residential amenity given this area of neighbouring garden is not considered to be of the highest amenity value.

5.7 Environmental Effects

It is not considered that the proposal will have any environmental effects given its location and the nature of its use.

5.8 Transportation

No objections are raised with regards to this aspect of the application.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to **grant** permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 That the application is **APPROVED** subject to the following conditions.

Contact Officer: Helen Braine
Tel. No. 01454 863133

CONDITIONS

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

Reason

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

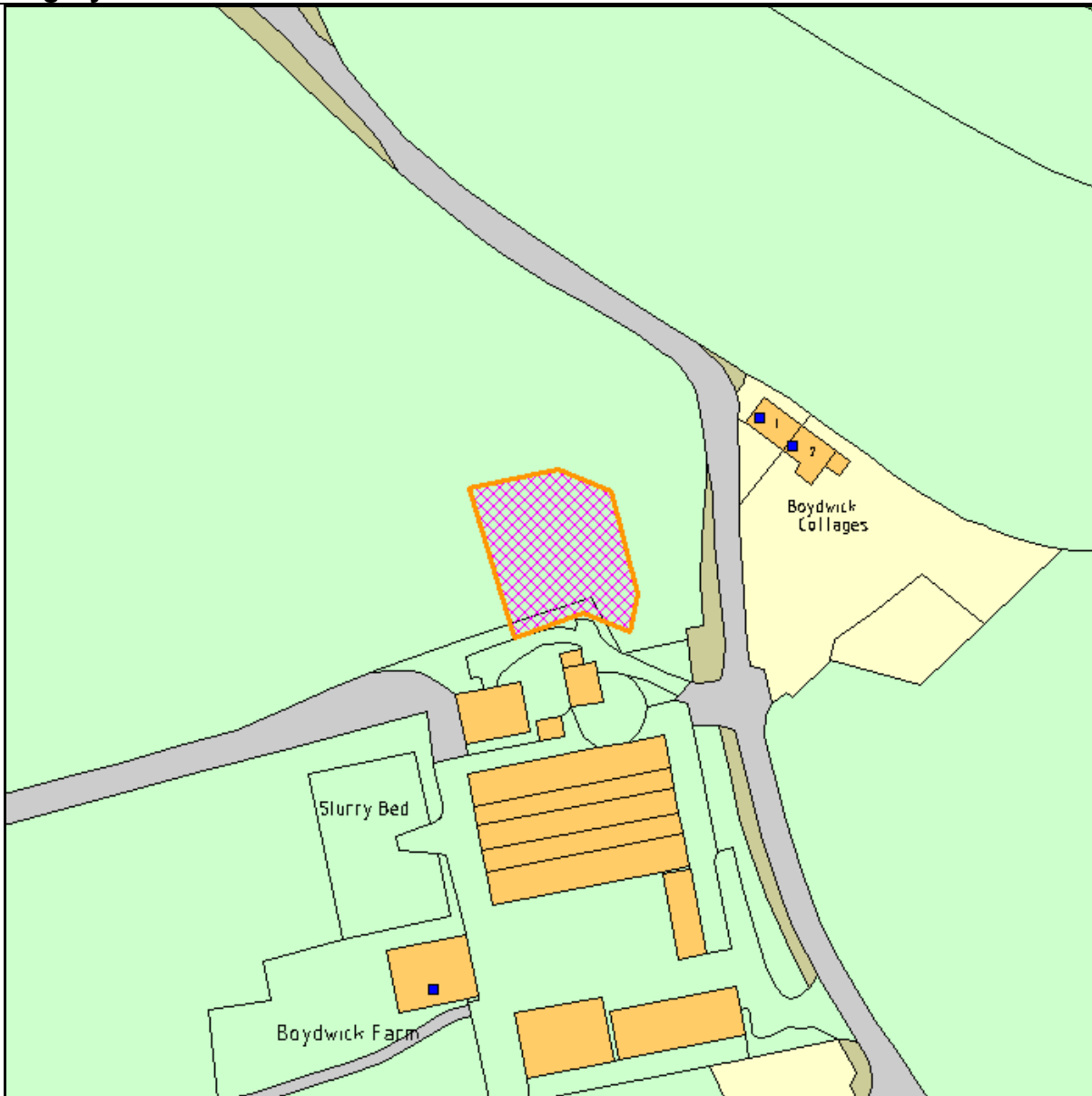
2. Hard surfacing materials
Prior to the commencement of the development, a scheme of landscaping, which includes details of hard surfacing materials shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed details.

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. These details are required prior to commencement in view of the heritage designations covering the site.

CIRCULATED SCHEDULE NO. 07/17 – 17 FEBRUARY 2017

App No.:	PK16/5656/F	Applicant:	Mr R Hargreaves Bodywick Farm
Site:	Boydwick Farm Barrow Hill Wick South Gloucestershire BS30 5RH	Date Reg:	19th October 2016
Proposal:	Erection of 1no agricultural worker dwelling and garage, with access and associated works.	Parish:	Wick And Abson Parish Council
Map Ref:	370287 172076	Ward:	Boyd Valley
Application Category:	Minor	Target Date:	9th December 2016



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This report is referred to the Circulated Schedule in accordance with procedure given that objections have been received which are contrary to officer recommendations.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of a permanent agricultural workers' dwelling and a detached double garage at Boydwick Farm, Barrow Hill Wick. During the course of the application, a revised scheme has been submitted to slightly change the location slightly and a public consultation has been carried out on the revised scheme. The proposed dwelling would have 4 no. bedrooms on the first floor, and kitchen, dining, office and drawing on the ground floor.
- 1.2 Boywick Farm is an established family farming business in operation, covering an area of 152 acres and has a dairy herd of approximately 170 dairy cows plus calves to the age of 6 weeks. The agent also submitted details regarding the farm enterprises to support the proposal.
- 1.3 The site would be located off Barrow Hill, It is situated within open countryside and the Bristol / Bath Green Belt. It is not within any high risk of flooding.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework (2012)
National Planning Practice Guidance

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 Environment and Heritage
CS34	Rural Areas

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

L1	Landscape Protection and Enhancement
L2	Cotswold AONB
L16	Protecting the Best Agricultural Land
T12	Transportation
H3	Residential Development in the Countryside

Emerging Policies, Sites and Places Development Plan Document June 2016

PSP41	Rural Workers Dwellings
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2.2 Supplementary Planning Guidance

South Gloucestershire Design Checklist SPD (Adopted) 2007
Residential Parking Standards SPD (Adopted) 2013
Development in Green Belt SPD

3. RELEVANT PLANNING HISTORY

- 3.1 P86/1921 Land St Boywick Farm, Wick. Erection of dwelling for agricultural worker (outline). Refused 22/10/1986
- Planning history of the adjacent farm house (Blackthorn Farm)
- 3.2 N1425 Erection of farmhouse and access. (Outline).
Refused 14.08.1975
- 3.3 N1425/1 Erection of farmhouse, construction of vehicular access and installation of septic tank.
Approved 18.08.1977
- 3.4 N1425/1AP Erection of farmhouse; construction of vehicular access and installation of septic tank.
Approved 18.08.1977
- 3.5 P98/4244/CL Application for Certificate of Lawfulness for removal of agricultural tie and for existing use of land for breeding and keeping of horses. Approved 03.08.1998

4. CONSULTATION RESPONSES

- 4.1 Wick and Abson Parish Council
Objection, inappropriate development within the green belt and out of character development.
- 4.2 Other Consultees
- Highway Drainage Engineer
The Drainage & Flood Risk Management team have no objection to this application.
- Highway Structures
Advised of the requirement for technical approval for any supporting structures above a public highway or supporting the land above a highway, and the owner's responsibility for maintenance if the boundary wall building alongside the public highway or open space.
- Landscape Officer
Objection as the proposed dwelling is situated within the Bristol / Bath Green Belt.
- Ecology Officer
No objection subject to conditions seeking a lighting design strategy for biodiversity, the location of two Schwegeler 2F bat boxes, and to retain the existing access.

Highway Officer

No objection

Other Representations

4.3 Local Residents

13 letters of objection have been received by the Council. The points are summarised as (full comments can be viewed from the Council website)

History and Farming business

- This is the third planning application by owners of this farmland. The first was West Barn for a farm workers along, this was approved, the owners subsequently moved into the barn and later sold the land. The new owner applied a new farm house, Blackthorn Farm, this approved. This owner subsequently sold the land to the family that now farm it, but kept the farmhouse with a small amount of land. Both the owners of West Barn and Blackthorn farm house later got the agricultural ties lifted. One did so on the bases that there was no market for the home locally.
- Planning permission was given for a farmhouse in the past, now named as Blackthorn Farm.
- Hargreaves family have occupation of a cottage opposite the application site and a further detached dwelling in the village.
- How many more houses this family will require to run this small farm?

Green Belt / Design / Visual Amenity

- The height and size of the new dwelling is not acceptable and diminish the special character
- restrict the current open views of Boydwick Cottage and Farm, which has a ridge height of 6.5 metres.
- Totally out of character
- Visible from both the lane and my house
- Encroachment onto the green belt
- It is in the Green Belt land, this should remain as it is and not for building on.
- Should be a small house or bungalow, should be built of the local stone
- Allowing this proposal will potentially open the flood gates for other properties being built in this precious land,
- ruining our countryside and wildlife habitats
- The size and facilities would make it liable to also become a target for sale as an expensive private home.
- Large dwelling and overshadows the small cottages
- The site does not have mature trees helping to conceal the proposed dwelling
- restrict the current open views from Boydwick Cottages. The proposal would not in line with Policy CS1 of the adopted Local Plan.
- The proposed dwelling is unimaginative in this situation.
- Totally insensitive to place this building where it will impact the other properties.

Amenity

- Adversely affect the outlook of Boydwick Cottage and neighbours
- Loss of existing views of Golden Valley, Bitton and Keynsham that has been enjoyed by many inhabitants of the cottages for over 175 years.
- The new dwelling will overlook my mother's home in Barrow Hill and will be clearly visible.
- The dwelling will be an invasion of our privacy
- Affect amenity and privacy of Boydwick Cottage

Other issues

- Not have received a consultation letter.
- A notification has not been posted for public inspection

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The National Planning Policy Framework makes a presumption in favour of sustainable development and has placed a strong emphasis in respect of supporting economic growth in rural areas. In particular the document sets out that planning policies should;

- support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development', and*
- promote the development and diversification of agricultural and other land-based rural businesses.*

5.2 Paragraph 55 of the National Planning Policy Framework states that new isolated homes in the countryside should be avoided unless there are special circumstances such as the essential need for a rural worker to live permanently at or near their place of work in the countryside. Policy CS5 of the South Gloucestershire Core Strategy is consistent with this setting out that in the open countryside development will be strictly limited.

5.3 Saved policy H3 of the South Gloucestershire Local Plan remains consistent with the requirements of the National Planning Policy Framework in respect of proposed agricultural workers dwellings and criterion A of the policy allows for the erection of permanent dwellings in the open countryside provided that such dwellings for agricultural or forestry purposes. On this basis, weight can be afforded to this policy.

5.4 The emerging Policies, Sites and Places Development Plan Document June 2016 is currently subject to consultation and as such the policies contained in it carry limited weight at this stage. Policy PSP41 (Rural Workers Dwellings) is relevant to this application. The policy is consistent with the direction of the National Planning Policy Framework and would replace Policy H3(A) in respect of the assessment of development proposals for new dwellings in the open countryside for agricultural workers. Essentially, the policy is supportive of new rural workers dwellings where there is an established and functional need for the dwelling which cannot be met within the defined settlement boundaries or

- other existing rural building and other criteria relating to viability and siting. Although this policy currently carries limited weight, it is an indication of the approach that will continue to be taken in planning policy terms.
- 5.5 The recent site visits revealed the farm business that appears to be well functioning with a good number of cattle and the milking is also taking place in the existing buildings within the farm complex. Officers consider that in general terms, the provision of a dwelling at this site would facilitate a sustainable form of agricultural development for the benefit of the surrounding rural economy. On this basis the proposal to provide an agricultural worker dwelling is acceptable in principle subject to the following considerations.
- 5.6 Green Belt
Paragraph 89 of the National Planning Policy Framework states a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. One of the exceptions to this are new buildings for agricultural and forestry uses. Although the exception supports buildings for agriculture, given that the proposal is to provide an agricultural workers dwelling, not a building for agricultural purposes, the proposal would not meet this policy. In accordance with Paragraph 88 of the National Planning Policy Framework, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 88 of the NPPF states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very Special Circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
- 5.7 In this instance, the applicant submitted a planning statement and additional details regarding the farming enterprises to demonstrate there is a functional need for an agricultural workers dwelling on this particular farm. These details have been considered by the independent agricultural consultant and it has been concluded that there is a functional need to justify an agricultural workers dwelling on this site. It is considered that such need would constitute a very special circumstance to outweigh the potential harm to the Green Belt, by reason of inappropriateness. Given the nature of the proposed development, this application however needs to be advertised as a departure from development planning policies. However, it would not need to be referred to the Secretary of State given that it falls beneath the required threshold.
- 5.8 Further assessments regarding the need for the development are discussed as follow.
- 5.9 The Need for the Development
It is necessary to assess whether or not there is a genuine need to provide a dwelling on the site in order to support the agricultural business enterprise. The applicant has submitted a comprehensive appraisal in respect of the needs of the business along with financial information. Furthermore, in order to assist the assessment of this planning application, the Local Planning Authority has engaged an independent assessor to scrutinise the applicant's case and

provide advice accordingly. The independent assessor has also taken the previous planning history as mentioned in section 3 into consideration in their consideration of the scheme.

5.10 Business Description

The Hargreaves family have been running a farm business from Boydwick for the past 33 years. Trading as S & R Hargreaves, it is operated as a partnership between Stan Hargreaves and his son Robert. A third generation, Andrew, is employed in the business and in due course will join the partnership. The submitted details indicate that 102 hectares (252 acres) of land is available to the business. Of the total, 62 hectares (151 acres) is owner-occupied and 40 hectares (100 acres) of adjoining grass land is rented on a Farm Business Tenancy (FBT) arrangement. All grass, the land is used for grazing and conservation. Two cuts of clamped silage are taken typically in addition to some round bales.

5.11 The business is centred on a 170 cow dairy herd. Milking takes place twice a day under a supermarket's contract. Calving is all year round with all calves reared to 6 weeks of age and then sold. It has also been indicated that further investment is required in livestock building in order to improve the biosecurity of the business.

5.12 Buildings and Services

Existing facilities on the holding are detailed in the application documentation. Extending to a total of more than 2,000sq m of footprint, facilities include the milking parlour, tank room, cubicle housing for the milking cows, loose housing for the dry cows, calf housing, slurry storage (new tank and weeping wall storage) and silage clamp. New slurry storage are also recently provided in order to comply with NVZ regulations.

5.13 Labour

This is a family run business with full time input provided by all three members, although Stan Hargreaves (86) is seeking to downsize his day to day involvement in the running of the business. Contractors are used for muck spreading, silage making, hedge trimming etc, with all other work undertaken in hand. A labour calculation has been provided within the submitted documentation (2.32 FTE labour units) which is comparable with the actual situation.

5.14 Dwellings Available to the Business

It is noted that Mr Stan Hargreaves currently lives in a cottage opposite the site, and both Robert and Andrew Hargreaves live in a property in the nearby village of Wick. However neither of these properties is owned by the business or forms part of the agricultural holding. Aside from these, there are no other properties available to the business. In terms of history, planning permission was granted in 1977 for the construction of a farmhouse forming part of the holding at the time. The dwelling was subsequently sold off by previous owners in the 1980s, prior to the purchase of Boydwick Farm by the Hargreaves family. It is also noted that a planning application was submitted for an agricultural workers' dwelling in 1986 and refused. .

5.15 Evaluation of the Business in terms of Para 55 of the NPPF

The Government introduced the National Planning Policy Framework (NPPF) on 27th March 2012. The NPPF replaces all previous planning statements and is the principle guidance in this case. Paragraph 55 of the NPPF states: *To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as: the essential need for a rural worker to live permanently at or near their place of work in the countryside.*

5.16 Therefore the principle issue in relation to this application and the NPPF policy is whether there is an **essential need** for residential accommodation in association with the livestock business at Boydwick Farm. The development must also be considered to be **sustainable**.

5.17 Functional need

A functional test is needed to understand what it is about the running of the business that requires someone to be present most of the time. This need must relate to the business based on the stocking and cropping requirements and not the personal needs of those running the business. This is a well-established business with an existing functional need centred on the housed dairy cows and calves. The accepted need relates to a full time worker.

5.18 Security/Tenure

Given 60% of the total land holding is owner-occupied and all buildings are situated on the main farmstead at Boydwick, the Council's independent consultant is content with the long term security of the business. Also, given that the farm has been operated for more than 30 years and well-established, there is no clear evidence to suggest that the extent of the owner-occupied land will change.

5.19 Officers have also consider if a unilateral undertaking should be drawn up to tie the land to the dwelling (and holding). The planning history of the site has been noted particularly the partial disposal of the farm land and associated agricultural worker dwelling in the past previously. In order to limit the opportunity for part disposal of land, it is considered that a unilateral undertaking is required to secure this in addition to the normal agricultural occupancy condition.

5.20 Paragraph 204 of the NPPF states that planning obligations should only be sought where they meet all of the following tests:

- necessary to make the development acceptable in planning terms
- directly related to the development
- fairly and reasonably related in scale and kind to the development.

Given the planning history of the site and the sensitive location of the site, although an agricultural occupancy condition is imposed to restrict the occupancy of the proposed dwelling, it would not be tying the land to the proposed dwelling (and holding). As the proposed agricultural worker dwelling

is considered to be acceptable in principle based on the functional needs of the farm enterprises (holding), it is considered that the requirement of unilateral undertaking would meet the tests of paragraph 204 of the NPPF. The applicant has also voluntarily agreed to enter such undertaking as a means of protecting the farming business in addition to the agricultural occupancy condition.

5.21 Financial Viability

The Council's independent consultant has also reviewed the trading accounts for 2103, 2014, 2015 and 2016 (draft) and they showed that in each of those years an acceptable level of profit has been generated. The consultant is satisfied that the business is profitable and, despite challenges facing the dairy industry generally, it has every prospect of remaining profitable.

5.22 Other Accommodation

Whilst the present accommodation need is met by the two existing dwellings, these are not owned by the business or on land forming part of the holding. Furthermore, with the impending retirement of Stan Hargreaves, there will be no accommodation *within close proximity* or *within sight and sound* to meet the established functional need.

5.23 Siting of Proposed Dwelling

The access to the development will utilise the existing entrance to the farm. The location of the dwelling is situated on land adjacent to the farm buildings which is considered acceptable and within close proximity to need the established functional need.

5.24 Size of Dwelling

The size of the dwelling must be commensurate to the functional needs of the business. In terms of the internal layout, there would be 4 reasonable sized bedrooms and bathroom on the first floor and a dining/kitchen, office, drawing room, and boot room, utility room and larder on the ground floor. In this case the proposed dwelling would be approximately 190sq m which is considered acceptable as a principal dwelling. It is considered that the proposed dwelling is proportional in size. However, In order to ensure that the dwelling remains commensurate with the functional needs of the business, a planning condition is imposed to remove permitted development rights. The independent consultant also advised that the build cost and upkeep can be afforded by the existing farming enterprises.

5.25 Conclusion on the functional need and sustainability

Based on the above assessment, officers and the Council's Independent Consultant considered that the key test relating to functional need and sustainability are satisfied and as a result, the agricultural case for the proposed dwelling is justified.

5.26 Temporary Permission

When considering applications for agricultural workers dwellings, it is more 'standard' to grant a temporary permission first, so that the applicant is given the opportunity to prove that the farm unit is viable. In this instance, given the length of time the applicant has been farming the land (over 30 years) and

taken into consideration the advice received from the specialist rural property consultant, a temporary consent is not necessary in this instance.

5.27 Design and Visual Amenity

Residents raise concerns regarding the design, scale and height of the proposed dwelling. The proposed 4 bed dwelling would be 2-storey with a single storey to the side, and there would also be a detached double garage. The buildings have traditional architectural features and would be finished with nature stone and clay roof tiles, which are deemed to be acceptable for a rural location. Boundaries will be marked timber post and rail fence and the turning area will be of gravel.

5.28 Paragraph 60 of the National Planning Policy Framework has clearly stated that planning decisions should not attempt to impose architectural styles or particular tastes to conform to certain development form or styles. It is however proper to seek to promote or reinforce local distinctiveness. Although the proposed dwelling and garage would be different from other surrounding properties in terms of its height, scale, design and external materials, it is considered that the proposed dwelling represents a well proportion in terms of its fenestration and detailed design and finish with good quality traditional building materials. It is therefore considered that the dwelling has achieved the highest possible standards of quality as such it would not cause any unreasonable harm to the rural character of the area. Therefore there is no substantial reason to warrant a refusal of this application from the design and visual amenity perspective.

5.29 Landscape Character

The site is situated within the Bristol / Bath Green Belt, the Forest of Avon and on the edge of an Area of Outstanding Natural Beauty. The proposal is to erect 1 no. two storey detached dwelling and a double garage. The site is situated within the Golden Valley landscape character area, which is a steeply sloping broad agricultural valley, containing the meandering River Royd Visually enclosed by the Oldland Ridge and the much higher Ashwicke Ridge. The proposed development is to occupy a corner of a level agricultural field adjacent to Barrow Lane. The proposed entrance is off the farm track / drive which serves the Barrow Lane dips down to the north leaving the site elevated above the lane and separated from it by a high native field hedge.

5.30 No landscaping proposal has been submitted with the proposal and the Council Landscape Officer advises there is an in-principle objection due to its green belt location. As discussed above, there is a very special circumstance in this instance to outweigh the harm caused to the openness of the green belt, therefore the proposal can be supported subject to the restricted agricultural occupation condition. Regarding the potential impact upon the landscape character of the area, the proposed dwellings and garage would be located to the close proximity of the existing farm buildings and surrounding residential properties, as such the adverse impact would be insignificant. In additional, further trees or shrubs planting would be able to mitigate the potential adverse impact, upon the landscape of the locality, therefore it is considered that the proposal can be supported subject to a planning condition seeking an

appropriate landscaping scheme. Therefore, there is no landscaping objection to the proposal.

5.31 Residential Amenity

The site is located in open agricultural land. There are two cottages lying opposite Barrow Hill, and there is a dwelling to the south of Boydwick Farm. The frontage of the opposite cottage would be more than 25 metres from the application site boundary and they would also sit at an angle to the proposed dwelling. Given that there would be a reasonable distance between the proposed and the existing properties, it is considered that the proposed dwelling and detached garage would not cause significant overbearing impact or overlooking impact to be detrimental to the residential amenity of the neighbouring properties to warrant a refusal of this application. In respect of the proposed dwelling itself, there would be sufficient amenity area set aside for the occupants of the dwelling. Local residents raise concerns regarding the loss of extensive view, however, this would not be material planning consideration. On this basis, it is considered that the proposed development is acceptable in residential amenity terms.

5.32 Environmental and Drainage Issues

The application proposes the use of a septic tank as a solution to the disposal of foul water and the surface water will be discharged to soakaway. This is deemed to be acceptable in principle.

5.33 Transportation issues.

This planning application seeks to construct a new dwelling to be used as a farmhouse at Boydwick Farm, Barrow Hill, Wick. It will be accompanied by a new driveway and a double garage.

5.34 The Highway Officer is concerned that the isolated location of this site, outside easy walking distance to any facilities, will result in this development being highly car-dependent. A single new dwelling in a rural area will generally produce around 7 or 8 vehicular movements per 24 hour day. In this instance, it is considered that the proposed dwelling is unlikely to create a particularly large amount of new traffic and so the sites trip generation will not be significant, therefore officers consider that there would not be sustainable objection on this basis.

5.35 The site will continue to use the existing access onto Barrow Hill associated with the adjacent farm buildings and the applicant has indicated that the new driveway will be surfaced with gravel. There also appears to be adequate space for vehicles to turn round and so leave the site in forward gear. Given that the sites vehicular demand is likely to be small and Barrow Hill is otherwise lightly trafficked, Officers consider that the proposal is unlikely to raise any significant affect highway safety concerns either.

5.36 The proposed dwelling would have four bedrooms and the proposal would be able to provide two car parking spaces. As such, the proposal would comply with the Councils adopted domestic car parking requirements, as set out in the Residential Parking Standards SPD adopted in December 2013. Therefore there are no highway or transportation objections to the proposal.

5.37 Ecological Issues

A Preliminary Ecological Appraisal has been submitted in support of the proposal by Ecology by Design (June 2016). The findings are summarised:

- a. Habitats: The field is currently used for grazing cattle, there is species-rich intact hedgerow along the eastern boundary. hedgerow along the eastern boundary
 - b. Species protected: The site is within range of several confirmed bat roosts, however the application site was judged to offer poor foraging to bats, although grazed pasture could be suitable for greater horseshoe bats. The hedgerow provides some commuting and foraging habitat. There is no record of Hazel dormouse within 2km. The habitat on site is of low suitability to Great crested newt and the nearest pond to the site would be unlikely used by Great crested newt. The survey found that common bird species including Red-Listed and Schedule 1 species such as barn owl and peregrine falcon. Grass snake and slow-worm are also known from the area
 - c. Badger: A mammal track at the north-eastern corner of the site goes through the hedgerow where badger hair was found. Although no other signs, such as setts or latrines were observed, due to the low suitability of habitat for sett construction it is likely that badger just commute across the site on occasion.
 - d. European Hedgehog: No signs were observed although the hedgerows provide the most suitable habitat for hedgehogs.
- 5.38 The Council Ecology Officer has considered the submitted survey including the various mitigation, enhancement and compensation measures to prevent biodiversity loss, and enable biodiversity gain of the locality. It is considered that the submitted details are acceptable and there is no ecological objection to the proposal subject to conditions seeking a lighting design strategy for biodiversity, a protection of the existing hedgerow along the eastern boundary and an installation of bat boxes in an appropriate location.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to **grant** permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

6.3 The proposal represents a departure from the Development Plan as the recommendation for approval is made on the basis that very special circumstances have been demonstrated. The application has been advertised as a departure but it is not considered that a referral to the Secretary of State is necessary.

7. RECOMMENDATION

7.1 That authority be delegated to the Director of Environment and Community Services to grant planning permission, subject to the conditions set out below, the applicant first voluntarily entering into an unilateral agreement under Section 106 of the Town & Country Planning Act 1990 (as amended) to tying the land to the proposed development (and holding), and upon the expiry of the consultation period, i.e. 10th March 2017, the departure advertisement in a local newspaper.

Reason: There is a very special circumstance to justify the proposed agricultural worker dwelling at this particular location taking into consideration of the existing farm enterprises and to accord with Policy CS5 and CS34 of the South Gloucestershire Local Plan: Core Strategy Adopted December 2013, saved Policy L1, L2 and H3 of the South Gloucestershire Local Plan (Adopted) January 2016, and the National Planning Policy Framework.

7.2 That the Head of Legal and Democratic Services be authorised to check and agree the wording of the agreement.

7.3 Should the agreement not be completed within 3 months of the date of the committee resolution that delegated authority be given to the Director of Environment and Community Services to refuse the application.

Contact Officer: Olivia Tresise
Tel. No. 01454 863761

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 occupation of the dwelling shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependants.

Reason

The site is not in an area intended for development and the development has been permitted solely because it is required to accommodate a person working in a viable agriculture or forestry business, to accord with Policy CS5 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, the saved

Policy L1, L2 and H3 of the South Gloucestershire Local Plan Adopted January 2006, and the National Planning Policy Framework.

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

Reason

To ensure that the accommodation is limited to that commensurate with the established need, in the interests of the visual amenity of the area and to protect the openness of the Bristol / Bath Green Belt and to accord with Policy CS1, CS5 and CS34 of the South Gloucestershire Core Strategy (Adopted) December 2013 and saved policies L1, L2 and H3 of the South Gloucestershire Local Plan (Adopted) January 2006, the National Planning Policy Framework.

4. Landscaping scheme (Pre-commencement condition)

Prior to the commencement of development, a scheme of soft and hard landscape to be submitted for approval that 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. Development shall be carried out in accordance with the approved details.

Reason

To protect the character and appearance of the area to accord with policy CS1 of the South Gloucestershire Core Strategy (Adopted) December 2013 and saved policy L1 and L2 of the South Gloucestershire Local Plan (Adopted) January 2006. This is a pre-commencement condition to avoid any unnecessary remedial works in the future.

5. Sample panels of stonework

Sample panels of stonework, demonstrating the colour, texture and pointing are to be erected on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The approved sample panel shall be kept on site for reference until the stonework is complete. Development shall be carried out in accordance with the agreed sample.

Reason

To ensure a satisfactory standard of external appearance and to protect the character distinctiveness and amenity of the surrounding area and to accord with Policy CS1 of the South Gloucestershire Core Strategy (Adopted) December 2013.

6. Samples of roof tiles

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

Reason

To ensure a satisfactory standard of external appearance and to protect the character distinctiveness and amenity of the surrounding area and to accord with Policy CS1 of the South Gloucestershire Core Strategy (Adopted) December 2013.

7. Lighting design strategy for biodiversity

Prior to the first occupation of the proposed development hereby approved, a "lighting design strategy for biodiversity" for the proposed dwelling shall be submitted to and approved in writing by the local planning authority. The strategy shall:

a. identify those areas/features on site that are particularly sensitive for bats 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

b. 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 before the approved dwelling is firstly occupied, 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 interest of wildlife habitat and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and saved Policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006.

8. Details of bat boxes

Prior to the first occupation of the proposed development hereby approved, details of the location of two Schwegeler 2F bat boxes shall be submitted to and approved in writing by the local planning authority. The approved details shall be carried out before the approved dwelling is firstly occupied.

Reason

In the interest of wildlife habitat and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and saved Policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006.

9. Plan list

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

Revised site location plan, site plan and block plan, received by the Council on 17 November 2016.

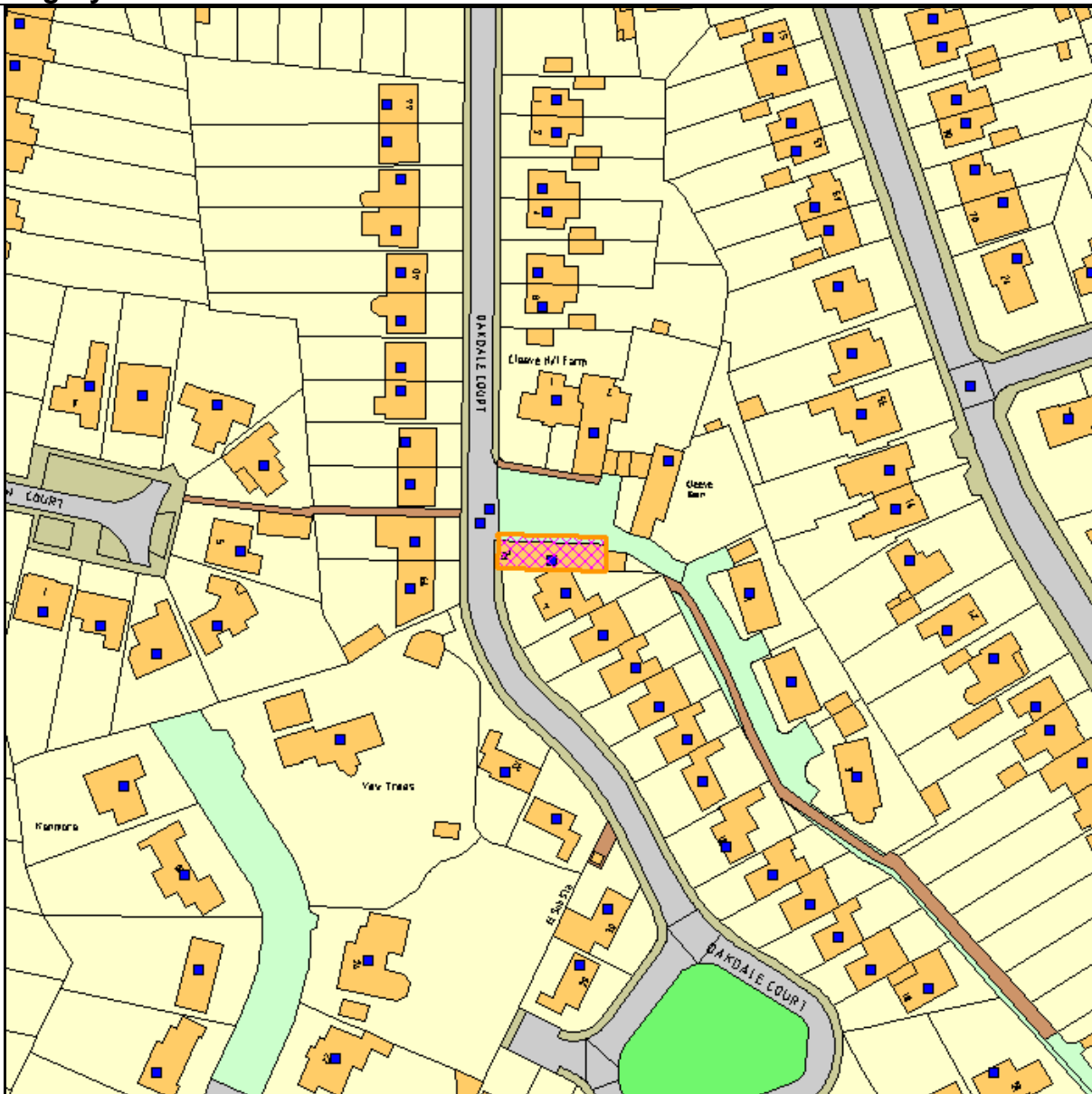
Proposed elevations and floor plan, received by the Council on 13th October 2016.

Reason:

The application has been assessed on the basis of the submitted plans and to safeguard the ecological and landscaping interests of the site, the amenity of the locality and the openness of the Bristol / Bath Green Belt, and to accord with Policy CS1, CS5 and CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013, saved Policy L1, L2, L9 and H3 of the South Gloucestershire Local Plan (Adopted) January 2006 and the provisions of the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 07/17 – 17 FEBRUARY 2017

App No.:	PK16/6204/RVC	Applicant:	Mr Peter Grosvenor
Site:	7A Oakdale Court Downend Bristol South Gloucestershire BS16 6DZ	Date Reg:	15th November 2016
Proposal:	Variation of conditions 3, 4 and 7 attached to planning permission PK06/0385/F to alter windows, bin and cycle store and parking.	Parish:	Downend And Bromley Heath Parish Council
Map Ref:	365013 177420	Ward:	Downend
Application Category:	Minor	Target Date:	5th January 2017



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application was pulled from the Circulated Schedule 5/17 due to referencing errors noticed in the Officers Report. These errors have now been amended.

1. THE PROPOSAL

1.1 The application is for the variation of conditions 3, 4 and 7 of planning application ref PK06/0385/F which granted permission for the 'conversion of a garage block to form 1 no. dwelling with associated works.'

1.2 Condition 3 of PK06/0385/F states:

"No windows other than those shown on the plans hereby approved shall be inserted at any time in the elevations of the property, unless the Local Planning Authority gives consent in writing to any variation.

Reason: To ensure a satisfactory standard of external appearance and to accord with Policy D1 and L13 of the South Gloucestershire Local Plan (Adopted) January 2006."

1.3 Condition 4 of PK06/0385/F states:

"Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any Order revoking or enacting that Order), the garage hereby permitted shall be retained as such and shall not be used for any purpose other than the garaging of private motor vehicles and ancillary domestic storage without the prior written consent of the Local Planning Authority

Reason: To ensure the garage is available for its prime purpose of providing parking for a domestic vehicle, to ensure that sufficient off-street parking is retained to serve the development in the interests of highway safety and to accord with Policies H5 and T8 of the South Gloucestershire Local Plan (Adopted) January 2006."

1.4 Condition 7 of PK06/0385/F states:

"The cycle parking facilities 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 T7 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

2. POLICY CONTEXT

2.1 National Guidance
National Planning Policy Framework March 2012

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

D1 Design

L13 Listed Buildings

H5 Re-Use of Buildings for Residential Purposes

T7 Cycle Parking

T8 Parking Standards

T12 Transportation Development Control Policy for New Development

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

2.3 Supplementary Planning Guidance

3. RELEVANT PLANNING HISTORY

3.1 PK06/0385/F – Conversion of garage block to form 1 no. dwelling with associated works – approved 24.04.2006.

3.2 PK16/6207/LB - Internal and external alterations to include balustrades, reconfiguration of dining room and new garage gates – received 10/11/2016 - pending consideration.

4. CONSULTATION RESPONSES

4.1 Downend and Bromley Heath Parish Council - No objection but as property is within a listed area discussion has already taken place between developer and South Gloucestershire Council, together with the owner.

4.2 Public Rights of Way – The proposed development is unlikely to affect the nearest public right of way reference MAY.22.10 which runs along the northern border of the development area.

4.3 Conservation Officer – Extensive comments were published online however in summary a slight reduction in rooflight size is suggested and as mitigation for further adding to the domestic character of the building, the rooflights should be set at the same heights within the roof plane and also the flue to the gable elevation should be removed as discussed above. If these issues could be addressed, there would be no objections.

Other Representations

- 4.4 Local Residents – Two objections have been received from members of the public. These raise concerns relating to over occupancy, lack of amenity space and unsympathetic design in relation to the setting of the listed building.

5. ANALYSIS OF PROPOSAL

Principle of Development

- 5.1 The principle of the conversion of the garage block to residential use is not the subject of this application or under review. Permission to grant conversion of the garage block was granted in 2006. No outside amenity space was provided in the original approval.
- 5.2 The proposal is a section 73 application to vary conditions applied to PK06/0385/F. The original conditions relied upon Policy D1 which was superseded by the Core Strategy on 11th December 2013; the remainder of the cited policies are saved. This report considers Policy CS1 as the policy that has replaced D1.

Design

- 5.3 Condition 3 was originally imposed to protect the external appearance of building. The applicant is proposing to add one additional rooflight in the north elevation. Amended plans were received in response to comments from the Conservation Officer which resulted in the proposed rooflight being reduced in size. It is considered that as a result of the amended plans, the proposed rooflight is modest in size and does not result in the proliferation of rooflights which maintains an appropriate external appearance in accordance with Policy CS1 of the South Gloucestershire Local Plan Core Strategy.
- 5.4 The applicant also proposes to insert an additional timber glazed screen in place of existing timber doors. These doors have been in situ for approximately ten years and show clear signs of decay. It is considered that whilst the glazed screen further adds to the domestic nature of the building, the panels are designed to match the existing and do not result in any widening of the opening, retaining present proportions. As a result it is considered that the proposed glazed panel does not significantly detract from the external appearance of the dwelling in accordance with Policy CS1 of the South Gloucestershire Local Plan Core Strategy.
- 5.5 Having considered the impact upon design it is recommended that condition 3 is amended to read:

“No windows other than those shown on plan 166/11 Revision A dated 18/10/16 hereby approved shall be inserted at any time in the elevations of the property, unless the Local Planning Authority gives consent in writing to any variation.”

Reason: To ensure a satisfactory standard of external appearance and to accord with Policy CS1 and L13 of the South Gloucestershire Local Plan (Adopted) January 2006.”

Highways

- 5.6 Condition 4 was applied to prevent the garage being used for any other purpose that parking or domestic storage to ensure that sufficient off-street parking is retained to serve the development in the interests of highway safety. In applying to vary condition 4, it is proposed to convert the existing garage into part study, part bin and cycle store.
- 5.7 The applicant proposes two parking spaces within a 3m strip to the front of the property which runs the entire length of the property. This is within the applicant's ownership and as a result under their control. The two spaces proposed are appropriate with regard to parking standards under Policy T8 of the South Gloucestershire Local Plan for a property that could potentially provide three bedrooms as this dwelling can. It is therefore considered that as the loss of the garage does not affect the ability of the applicant to provide two parking spaces, no objection is raised to this proposal. It is however considered necessary to vary the existing condition as follows to ensure that the parking proposed is always retained for this purpose in perpetuity.

“The parking areas identified on drawing number 166/10 Revision A dated 18/10/16 shall be retained on site for purposes of providing parking spaces in perpetuity.

Reason: To ensure that sufficient off-street parking is retained to serve the development in the interests of highway safety and to accord with Policies H5 and T8 of the South Gloucestershire Local Plan (Adopted) January 2006.”

- 5.8 Condition 7 sought to ensure that bicycle storage and refuse storage was in an allocated position to prevent loss of parking and any adverse impact of the surrounding amenity of the property. It is proposed to convert the existing bin and bike store into a dining room and move the store to a space in front of the proposed study behind timber doors. The doors to the new cycle store are to be replaced like for like which is being considered under PK16/6207/LB. It is considered that as the applicant has provided an area for bicycle and refuse storage which is integral to the dwelling, the original purpose of condition 7 to PK06/0385/F is still retained and highway safety and amenity of the area is retained.

Having had regard to the above, it is recommended that Condition 7 is varied to read: *“The cycle parking, refuse and recycling facilities shown on drawing number 166/10 Revision A dated 18/10/16 hereby approved shall be provided with three months of the date of this decision, and thereafter retained for that purpose.*

Reason: To ensure the satisfactory provision of parking facilities in the interest of highway safety and the amenity of the area, and to accord with Policy T7 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.”

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 conditions 3, 4 and 7 of PK06/0385/F are varied and that planning permission is granted.

Contact Officer: Sarah Jones
Tel. No. 01454 864295

CONDITIONS

1. No windows other than those shown on plan 166/11 Revision A dated 18/10/16 hereby approved shall be inserted at any time in the elevations of the property, unless the Local Planning Authority gives consent in writing to any variation.

To ensure a satisfactory standard of external appearance and to accord with Policy CS1 and L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

2. The parking areas identified on drawing number 166/10 Revision A dated 18/10/16 shall be retained on site for purposes of providing parking spaces in perpetuity.

To ensure that sufficient off-street parking is retained to serve the development in the interests of highway safety and to accord with Policies H5 and T8 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. The cycle parking, refuse and recycling facilities shown on drawing number 166/10 Revision A dated 18/10/16 hereby approved shall be provided with three months of the date of this decision, and thereafter retained for that purpose.

To ensure the satisfactory provision of parking facilities in the interest of highway safety and the amenity of the area, and to accord with Policy T7 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 07/17 – 17 FEBRUARY 2017

App No.: PK16/6312/F

Applicant: Nick Crew

Site: Wayside Cottage High Street Doynton
Bristol South Gloucestershire BS30 5TF

Date Reg: 22nd November 2016

Proposal: Erection of two storey rear extension to provide additional living accommodation (Re submission of PK16/3827/F)

Parish: Doynton Parish Council

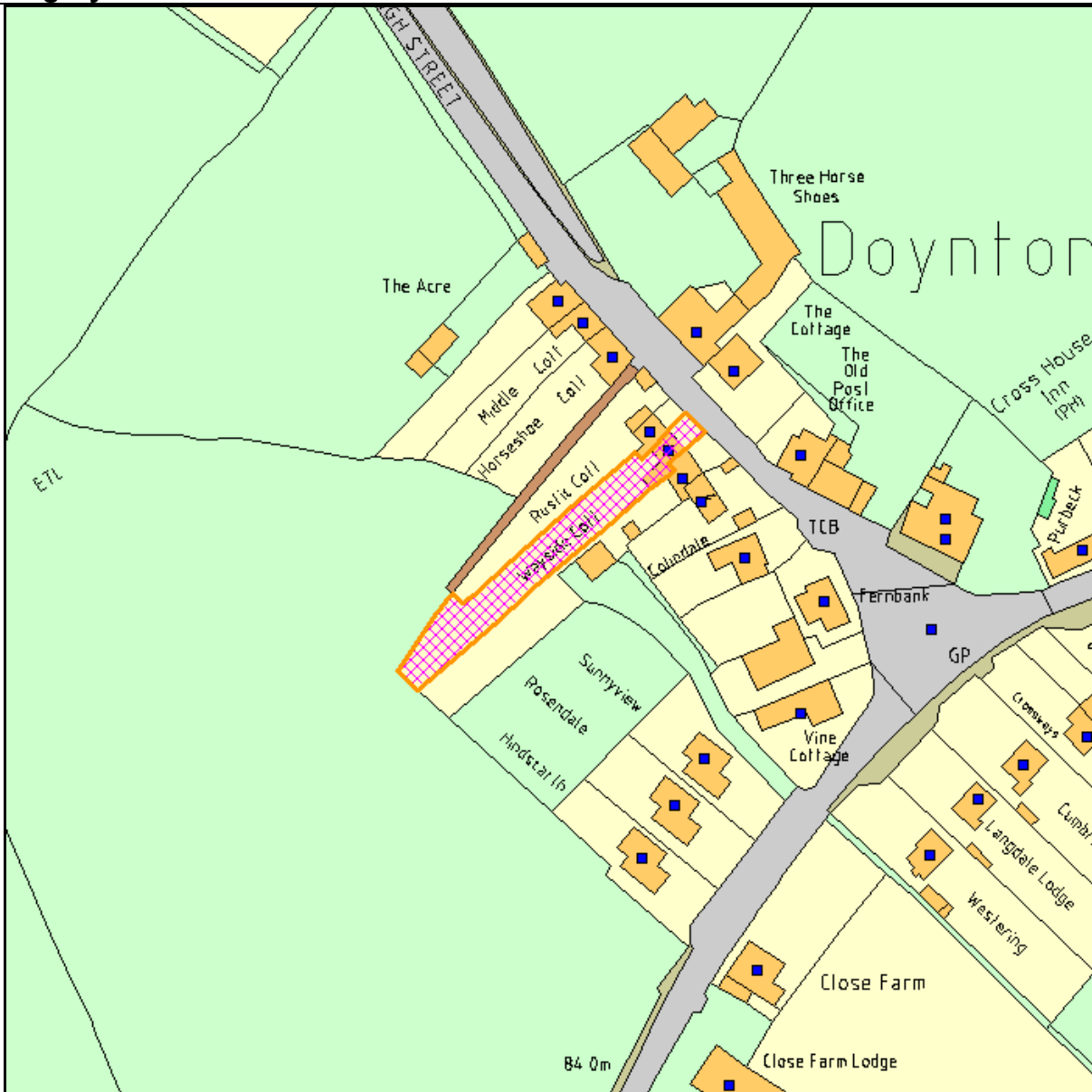
Map Ref: 371889 174035

Ward: Boyd Valley

Application Category: Householder

Target Date: 12th January 2017

Category:



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The application seeks Listed Building consent for the erection of a two storey rear extension to provide additional living accommodation (Resubmission of PK16/3827/LB). Conservation concerns raised regarding the previous application led to withdrawal.
- 1.2 Wayside Cottage and its neighbour Rustic Cottage are a pair of former workers cottages that are Grade II listed and located within the Doynton Conservation Area.
- 1.3 A separate Listed Building application to facilitate proposals, (ref. PK16/6313/LB), is also being considered concurrently.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006 (saved policies)
H4 Residential
L12 Conservation Areas
L13 Listed Buildings

South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design
CS9 Managing the Environment and Heritage

3. RELEVANT PLANNING HISTORY

- 3.1 PK16/3828/LB – Internal and external alterations to facilitate refurbishment and the erection of a two storey rear extension. Withdrawn 12th October 2016.
- 3.2 PK16/3827/F – Two storey extension to provide additional living accommodation. Withdrawn 12th October 2016.

4. CONSULTATION RESPONSES

- 4.1 Doynton Parish Council
No objection.

4.2 Conservation Officer

Material to the consideration of this application is the previous scheme which was withdrawn following an objection being received from the Council's Conservation Officer.

In the consideration of the previous scheme the following summarised points were raised:

- The subject building is one of a terrace of modest simply early 19th century workers cottages;
- The existing property features an existing modest single storey rear extension set to the right hand side (or east) of the rear elevation;
- The proposed substantial rear extension is unacceptable because it would require the demolition of much of the rear wall which would result in an unacceptable loss of historic fabric;
- The proposed substantial extension is also unacceptable by reason of its scale and detailing, which if approved, would cause unacceptable harm to this modest cottage;
- Taken together the proposals would cause substantial harm to the special character of this modest listed building and as such, paragraph 133 would apply and so the application can only be refused;
- With no public views of the rear, the effect on the conservation area would be neutral.

The previous objection can therefore be considered to have been based on the two separate matters of loss of historic fabric and the proposed scale/ detailing of the rear extension.

Consequently, for any favourable recommendation to be given to the amended scheme now proposed, both these matters would need to be addressed.

To address the loss of fabric, the rear elevation is to be retained with only single door access from the host building through to the extension: this can be considered to have addressed the first objection reason.

The scale and design of the extension however appeared to be the same as previously proposed.

To expand on the consideration of the proposals, the depth of the proposed extension still appeared to be driven by the depth of the existing single storey rear extension, although the difference in their comparative massing and the resultant impact on the character of the host building and the ability to read its historic scale and proportions were materially different.

It was therefore not considered that the depth of the existing single storey extension was precedential in regards to providing any justification for the depth of the proposed extension. The same view applied to the proposed width of the extensions, which remained excessive as a result.

By reason of scale, the existing rear elevation would have been entirely subsumed by the extension which was detrimental to the existing building's modest scale and proportions. The asymmetrical gable roof also appeared

ungainly and poorly related to the host building and having it set so the lower section spans across the neighbouring property also would distort the historic scale of the property. The siting of the existing extension and the relationship with the neighbouring properties was noted, but again there was a material difference in massing between the existing and proposed situations.

It was therefore advised that the previous objection had not be addressed and the proposed extension would still cause harm to the special character of this modest listed building.

Since the previous response was received, the proposals for a new side extension under a catslide roof has been reconsidered.

As noted indicated on drawing number 16/008 Rev.C “Proposed Plans & Elevations”, the proposed scheme would now see the existing single storey range largely retained with the two-storey side extension built into and over its. At ground floor level the side wall will be removed to create an open plan kitchen/diner the collective width of the new two-storey extension and existing range with the first floor providing a new bedroom. The removal or partial loss of the eastern wall of the outbuilding is not considered to be contentious.

The depth of the extension has also been pulled back to match the depth of the extension on the adjacent property.

With the extension now having a depth of 3.5m, it is considered to be far more in proportionate with the host dwelling.

5) Conclusion

Refusal was originally recommended on the grounds of the proposals remaining contrary to sections 16(2) and 66(1) of the Act (applicable to LB and planning application respectively), the provisions of the NPPF, policies CS1 and CS9 and policy L13 of the SGLP.

In light however of the amendments that have been made to the proposed scheme, the previous concerns about loss of historic fabric, loss of floorplan; loss of historic character and loss of historic scale have been addressed. The proposed scheme should therefore safeguard the considered special architectural or historic interest of this designated heritage asset.

The proposals will also have little or no impact on the character or appearance of the Doynton Conservation Area.

Planning permission and listed building consent can therefore be approved and granted.

Sustainable Transportation

Planning permission has previously been sought to extend this dwelling to provide additional living accommodation (PK16/3827/F). No transportation objection was raised but the application was withdrawn prior to its determination. This current application again seeks to extend the existing

dwelling to the rear. No change to the number of bedrooms is proposed and two bedrooms and a bathroom will be provided to the first floor after development. In light of the above, there is no transportation objection to the proposed development.

PROW

The proposed development is unlikely to affect the nearest public right of way reference LDN/12 which runs along the southern border of the development area

Other Representations

4.3 Local Residents

One letter of objection has been received, as follows:

'Kavanagh Cottage is the adjoining property which the existing single storey room on the rear of Wayside cottage is positioned partially on the rear of, which means any alterations will impact on us. The extension at two storey height for the entire length of it would have an overbearing impact because of its close proximity. It should be considered that the new build is only built double storey for the same length as the neighbouring properties.'

Upon resubmission of updated plans, a reconsultation was undertaken. No further comments were received in this respect.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the SGLP advises that proposals should respect the massing, scale, proportions, materials and overall design of the existing property and the character of the street scene and surrounding area, they shall not prejudice the amenities of nearby occupiers, and shall not prejudice highway safety nor the retention of an acceptable level of parking provision or prejudice the retention of adequate amenity space. The principles of the NPPF give great weight to the conservation of designated heritage assets. Policy L13 of the SGLP states that development will not be permitted unless the building and its setting would be preserved, features of architectural or historic interest would be retained and the character, historic form and structural integrity of the building would be retained. Policy CS9 of the Core Strategy similarly seeks to conserve, respect and enhance heritage assets. S66 of the Town and Country Planning Listed Building Act also requires special regard to be paid to the desirability of preserving the character of the Listed Building. The main issues are considered to be that of the impact upon the special historic and architectural character of this heritage asset and any amenity impact. Otherwise the principle of development generally is acceptable.

5.2 Listed Buildings/Conservation Issues

There were concerns with previous schemes and initial concerns regarding the early drafts of this resubmission that did not fully address previous concerns, on the basis of scale and design. Further to ongoing negotiation, resubmitted plans were received. The proposals have sufficiently reduced the scale and

depth of the scheme, and are now considered acceptable in Listed Building and Conservation Area terms.

5.3 Residential Amenity

The comments above, in reference to the original submitted plans are noted. The existing situation on the shared boundary consists of a single storey extension with pitched roof, sloping away from the neighbouring dwelling. The proposals for the two storey extension would be beyond this single storey extension, and further within the application site, and the only potential impact and visible element would be the roof slope continuing further from the shared boundary. The revised scheme is considered a further improvement with a reduction in scale ' length and bulk, and the length scale and location of the proposed extension is not considered to give rise to any material or significant overbearing impact such as to warrant objection or sustain refusal of the application

5.4 Transportation

The proposals would alter the existing parking or access arrangements and requirements and there are no objections in highways terms.

6. CONCLUSION

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

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

Contact Officer: Simon Ford
Tel. No. 01454 863714

CONDITIONS

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

Reason

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

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

Reason

To ensure a satisfactory standard of external appearance and to accord with Policies L12 and L13 of the South Gloucestershire local Plan (Adopted) January 2006, Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

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

Reason

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

CIRCULATED SCHEDULE NO. 07/17 – 17 FEBRUARY 2017

App No.: PK16/6313/LB

Applicant: Nick Crew

Site: Wayside Cottage High Street Doynton
Bristol South Gloucestershire BS30 5TF

Date Reg: 22nd November 2016

Proposal: Erection of two storey rear extension to provide additional living accommodation (Resubmission of PK16/3827/LB)

Parish: Doynton Parish Council

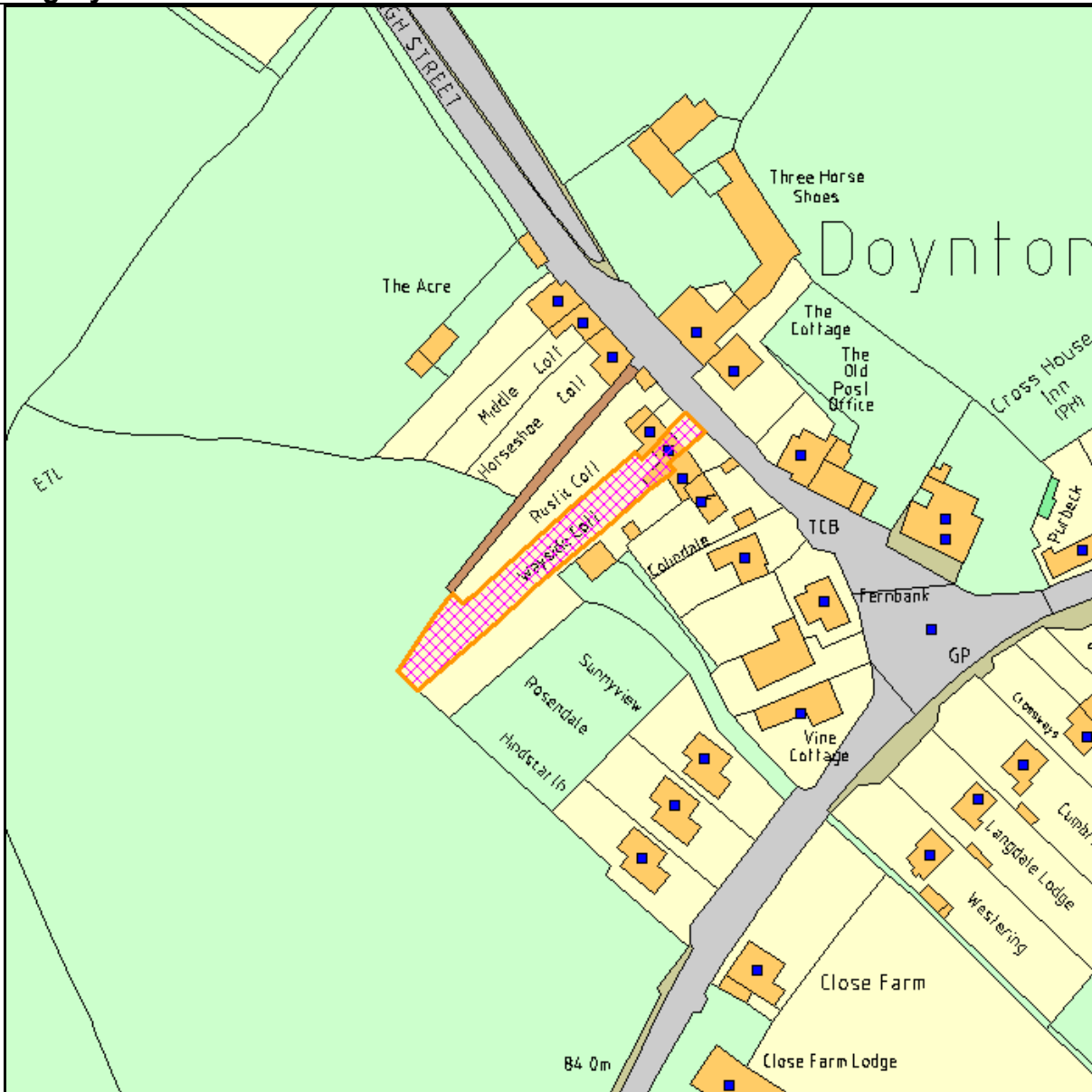
Map Ref: 371889 174035

Ward: Boyd Valley

Application Category: Minor

Target Date: 12th January 2017

Category:



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule as a concurrent full planning application for the extension has received a consultation comment contrary to Officer recommendation and also appears on the Schedule.

1. THE PROPOSAL

- 1.1 The application seeks Listed Building consent for the erection of a two storey rear extension to provide additional living accommodation (Resubmission of PK16/3827/LB). Conservation concerns raised regarding the previous application led to withdrawal.
- 1.2 Wayside Cottage and its neighbour Rustic Cottage are a pair of former workers cottages that are Grade II listed and located within the Doynton Conservation Area.
- 1.3 A separate full planning application to facilitate proposals, (ref. PK16/6312/F), is also being considered concurrently.

2. POLICY CONTEXT

2.1 National Guidance

Planning (Listed Building and Conservation Area) Act 1990
National Planning Policy Framework
National Planning Policy Guidance

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006 (saved policies)
L12 Conservation Areas
L13 Listed Buildings

South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design
CS9 Managing the Environment and Heritage

3. RELEVANT PLANNING HISTORY

- 3.1 PK16/3828/LB – Internal and external alterations to facilitate refurbishment and the erection of a two storey rear extension. Withdrawn 12th October 2016.
- 3.2 PK16/3827/F – Two storey extension to provide additional living accommodation. Withdrawn 12th October 2016.

4. CONSULTATION RESPONSES

4.1 Doynton Parish Council
No comments received

4.2 Conservation Officer

Material to the consideration of this application is the previous scheme which was withdrawn following an objection being received from the Council's Conservation Officer.

In the consideration of the previous scheme the following summarised points were raised:

- The subject building is one of a terrace of modest simply early 19th century workers cottages;
- The existing property features an existing modest single storey rear extension set to the right hand side (or east) of the rear elevation;
- The proposed substantial rear extension is unacceptable because it would require the demolition of much of the rear wall which would result in an unacceptable loss of historic fabric;
- The proposed substantial extension is also unacceptable by reason of its scale and detailing, which if approved, would cause unacceptable harm to this modest cottage;
- Taken together the proposals would cause substantial harm to the special character of this modest listed building and as such, paragraph 133 would apply and so the application can only be refused;
- With no public views of the rear, the effect on the conservation area would be neutral.

The previous objection can therefore be considered to have been based on the two separate matters of loss of historic fabric and the proposed scale/ detailing of the rear extension.

Consequently, for any favourable recommendation to be given to the amended scheme now proposed, both these matters would need to be addressed.

To address the loss of fabric, the rear elevation is to be retained with only single door access from the host building through to the extension: this can be considered to have addressed the first objection reason.

The scale and design of the extension however appeared to be the same as previously proposed.

To expand on the consideration of the proposals, the depth of the proposed extension still appeared to be driven by the depth of the existing single storey rear extension, although the difference in their comparative massing and the resultant impact on the character of the host building and the ability to read its historic scale and proportions were materially different.

It was therefore not considered that the depth of the existing single storey extension was precedential in regards to providing any justification for the

depth of the proposed extension. The same view applied to the proposed width of the extensions, which remained excessive as a result.

By reason of scale, the existing rear elevation would have been entirely subsumed by the extension which was detrimental to the existing building's modest scale and proportions. The asymmetrical gable roof also appeared ungainly and poorly related to the host building and having it set so the lower section spans across the neighbouring property also would distort the historic scale of the property. The siting of the existing extension and the relationship with the neighbouring properties was noted, but again there was a material difference in massing between the existing and proposed situations.

It was therefore advised that the previous objection had not be addressed and the proposed extension would still cause harm to the special character of this modest listed building.

Since the previous response was received, the proposals for a new side extension under a catslide roof has been reconsidered.

As noted indicated on drawing number 16/008 Rev.C "Proposed Plans & Elevations", the proposed scheme would now see the existing single storey range largely retained with the two-storey side extension built into and over its. At ground floor level the side wall will be removed to create an open plan kitchen/diner the collective width of the new two-storey extension and existing range with the first floor providing a new bedroom. The removal or partial loss of the eastern wall of the outbuilding is not considered to be contentious.

The depth of the extension has also been pulled back to match the depth of the extension on the adjacent property.

With the extension now having a depth of 3.5m, it is considered to be far more in proportionate with the host dwelling.

5) Conclusion

Refusal was originally recommended on the grounds of the proposals remaining contrary to sections 16(2) and 66(1) of the Act (applicable to LB and planning application respectively), the provisions of the NPPF, policies CS1 and CS9 and policy L13 of the SGLP.

In light however of the amendments that have been made to the proposed scheme, the previous concerns about loss of historic fabric, loss of floorplan; loss of historic character and loss of historic scale have been addressed. The proposed scheme should therefore safeguard the considered special architectural or historic interest of this designated heritage asset.

The proposals will also have little or no impact on the character or appearance of the Doynton Conservation Area.

Planning permission and listed building consent can therefore be approved and granted.

Historic England

No comments on the application. The application(s) should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

Other Representations

4.3 Local Residents

No comments received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The National Planning Policy Framework seeks to ensure the desirability of sustaining and enhancing the significance of heritage assets. Section 16(2) of the Planning (Listed building and conservation area) act 1990 states that when determining a listed building application the local planning authority shall have special regard to the desirability of preserving the building or its setting and any features of special architectural or historic interest which it possesses.

5.2 Listed Buildings/Conservation Issues

There were concerns with previous schemes and initial concerns regarding the early drafts of this resubmission that did not fully address previous concerns, on the basis of scale and design. Further to ongoing negotiation, resubmitted plans were received. The proposals have sufficiently reduced the scale and depth of the scheme, and are now considered acceptable in Listed Building and Conservation Area terms.

6. CONCLUSION

6.1 The recommendation to approve Listed Building Consent has been taken having regard to section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Government advice contained within the National Planning Policy Framework.

7. RECOMMENDATION

7.1 That Listed Building Consent is granted, subject to the conditions recommended.

Contact Officer: Simon Ford
Tel. No. 01454 863714

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. All new external and internal works and finishes, and works of making good, shall match the existing original building in respect of materials used, detailed execution and finished appearance, except where indicated otherwise on the drawings hereby approved.

Reason

To safeguard the special architectural and historic character of the building, and to accord with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990

CIRCULATED SCHEDULE NO. 07/17- 17 FEBRUARY 2017

App No.:	PK16/6478/O	Applicant:	Mr Newman
Site:	Jorrocks House Westerleigh Road Westerleigh Bristol South Gloucestershire BS37 8QH	Date Reg:	5th December 2016
Proposal:	Demolition of existing bungalow and erection of 3no. dwellings (Outline) with access, layout and scale to be determined. All other matters reserved.	Parish:	Westerleigh Parish Council
Map Ref:	369990 179974	Ward:	Westerleigh
Application Category:	Minor	Target Date:	25th January 2017



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule following the receipt of objections from Westerleigh Parish Council and a local resident; the concerns raised being contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 Jorrocks House is a single-storey residential dwelling located to the east of Westerleigh Road, within the Established Settlement Boundary of Westerleigh Village. The village is washed over as Green Belt. Vehicular access is from Westerleigh Road which is a Major Recreational Route. A garage business lies to the north and an Industrial Estate to the South; open countryside lies to the east; Brook Farmhouse to the south is a Grade II listed Building.
- 1.2 The proposal is to demolish Jorrocks House to facilitate the erection of 3no. two-storey (with living accommodation in the roof space) 4-bedroom detached dwellings, each with an attached single garage. The existing vehicular access from Westerleigh Road would be utilised and improved.
- 1.3 The application is in Outline form with only access, layout and scale to be determined at this stage; the appearance of the buildings and landscaping of the site would be the subject of a reserved matters application, should outline consent be granted.

2. POLICY CONTEXT

2.1 National Guidance

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

2.2 Development Plans

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

CS1 - High Quality Design

CS4A – Presumption in Favour of Sustainable Development

CS5 - Location of Development

CS6 - Infrastructure and Developer Contributions

CS8 - Improving Accessibility

CS9 - Managing the Environment and Heritage

CS16 - Housing Density

CS17 - Housing Diversity

CS18 - Affordable Housing

CS23 - Community Infrastructure and Cultural Activity

CS24 - Green Infrastructure, Sport and Recreation Standards

CS34 - Rural Areas

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

- L1 - Trees and landscape
- L5 - Open Spaces
- L9 - Species Protection
- L11 - Archaeology
- EP2 - Flood Risk and Development
- EP4 - Noise Sensitive Development
- H4 - Development within Existing Residential Curtilages including Extensions and New Dwellings
- T7 - Cycle Parking
- T12 - Highway Safety
- LC1 - Provision for Built Sports, Leisure and Community Facilities (Site Allocations and Developer Contributions)
- LC12 - Recreational Routes

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

2.3 Supplementary Planning Guidance

- Trees on Development Sites SPG (Adopted) Nov. 2005.
- The South Gloucestershire Design Check List (SPD) Adopted Aug 2007.
- Affordable Housing SPD Adopted Sept. 2008.
- South Gloucestershire Council Residential Parking Standards (SPD) Adopted.
- Waste Collection: guidance for new developments (SPD) Adopted Jan. 2015
- Development in the Green Belt SPD Adopted June 2007
- South Gloucestershire Landscape Character Assessment as adopted Nov. 2014.- LCA12: Westerleigh Vale and Oldland Ridge

2.4 Emerging Plan

Proposed Submission : Policies, Sites & Places Plan June 2016

- PSP1 - Local Distinctiveness
- PSP2 - Landscape
- PSP3 - Trees and Woodland
- PSP6 - Onsite Renewable & Low Carbon Energy
- PSP7 - Development in the Green Belt
- PSP8 - Residential Amenity
- PSP11 - Development Related Transport Impact Management
- PSP16 - Parking Standards
- PSP17 - Heritage Assets and the Historic Environment
- PSP19 - Wider Biodiversity
- PSP20 - Flood Risk, Surface Water and Watercourses
- PSP43 - Private Amenity Space Standards

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

4.1 Westerleigh Parish Council

Objection – Overdevelopment for the size of site which is in an elevated and dominant position. Area is already heavily congested and this proposed development will have a detrimental impact on the area.

4.2 Other Consultees

Lead Local Flood Authority

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

Transportation D.C

No objection

Environmental Protection

No objection subject to a condition to ascertain if there is any contamination of the site and mitigation measures should contamination be found.

Landscape Officer

In the event of permission being granted a landscape condition should be attached requiring the submission of a detailed planting plan and five year maintenance schedule.

Listed Buildings and Conservation Officer

No objection in principle but an alternative scheme is required that better respects and enhances the local vernacular.

Other Representations

4.3 Local Residents

1no letter/e.mail was received from a local resident objecting to the proposal. The concerns raised are summarised as follows:

- Out of character.
- Will dominate the skyline opposite the Green.
- Additional traffic and turning movements will be a highway hazard.
- There are no shops within walking distance.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

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

5-Year Land Supply

- 5.2 The Council's Annual Monitoring Review (AMR) reveals that the Council cannot currently demonstrate a 5-year housing land supply. As there is provision for windfall sites in the calculation, this weighs in favour of the proposal, which would make a positive contribution, to the housing supply within South Gloucestershire albeit a small one; as such para. 14 of the NPPF is therefore engaged and officers must in this case consider how much weight to give to this in determining this application. Whilst the lack of a 5-year housing land supply is a material consideration that would weigh in favour of the proposal, this would not in itself amount to a very special circumstance to outweigh harm to the Green Belt by reason of inappropriateness and any other harm. In this case the contribution that 3no. dwellings (net gain of 2no.) would make to the 5-year housing supply would be a benefit but only a small one, to which officers can only give modest weight.
- 5.3 The Policies, Sites & Places Plan is an emerging plan only. Whilst this plan is a material consideration, only limited weight can currently be given to most of the policies therein. It should be noted that the original policies relating to housing provision and settlement boundaries have now been removed from the PSP Plan and these will now be progressed through a separate plan.
- 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. Officers consider that they have more than adequately complied with this requirement.
- 5.5 Chapter 4 of the NPPF promotes sustainable transport and states that development should only be prevented on transport grounds where the residual cumulative impacts of development are 'severe'.
- 5.6 Paragraph 50 of the NPPF sets out the importance of delivering a wide range of residential accommodation. This policy stance is replicated in Policy CS17 of the Core Strategy which makes specific reference to the importance of planning for mixed communities including a variety of housing type and size to accommodate a range of different households, including families, single persons, older persons and low income households, as evidenced by local needs assessments and strategic housing market assessments.
- 5.7 Core Strategy Policy CS16 seeks efficient use of land for housing. It states that: *Housing development is required to make efficient use of land, to conserve resources and maximise the amount of housing supplied, particularly in and*

around town centres and other locations where there is good pedestrian access to frequent public transport services.

- 5.8 Core Strategy Policy CS5 6(C) requires proposals for development in the Green Belt to comply with the provisions of the NPPF. Policy CS8 (1) does not support proposals which are car dependant or promote unsustainable travel behaviour.
- 5.9 Impact on the Openness of the Green Belt
Paragraph 79 of the NPPF states that the government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
- 5.10 Inappropriate development is by definition harmful to the openness of the Green Belt and should not be approved except in very special circumstances (para. 87).
- 5.11 The five purposes of including land within the Green Belt are listed at para. 80 of the NPPF and are as follows:
- To check the unrestricted sprawl of large built up areas;
 - To prevent neighbouring towns merging into one another;
 - To assist in safeguarding the countryside from encroachment;
 - To preserve the setting and special character of historic towns; and
 - To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 5.12 Para. 89 of the NPPF states that planning authorities should regard the construction of new buildings as inappropriate in the Green Belt but lists exceptions amongst which are the following:
- The replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.
 - Limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or
 - Limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.
- 5.13 Although the scheme involves the demolition of the existing dwelling the scheme is not considered to be a replacement of this building as three new dwellings would be erected and the overall built form would be larger than the existing building and as such, the proposal would not meet the criterion listed at the first bullet point above.
- 5.14 Taking the third bullet point, it is proposed in part, to erect the dwellings on what is currently the private residential garden area serving the existing dwelling, but

the NPPF excludes such land from its definition of 'previously developed land' (see NPPF Annex 2 Glossary of terms).

- 5.15 Furthermore the proposed houses would cumulatively represent a considerably larger amount of built development than the existing bungalow. This together with the proposed residential curtilages and associated hard-standings, turning areas and domestic paraphernalia, would clearly have a significantly greater impact on the openness of the Green Belt than the existing development, so this criterion is not met either.
- 5.16 Moving to the second bullet point, officers consider that the issue of 'limited infilling', is key to the determination of this application in Green Belt terms. There is predominantly linear development along Westerleigh Road, interspersed with some commercial development extending further into the countryside e.g. the industrial estate to the south of the application site.
- 5.17 Consideration must be given to what is meant by the term 'limited infilling' and in doing so it is noted that the supporting text at para. 8.162 to Policy H2 of The South Gloucestershire Local Plan (SGLP) defined the term as:

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

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

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

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

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

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

Under this definition the proposal is considered to be infill development because it would lie within the gap, created in part by the demolition of Jorrocks House, within the linear development along this part of 'Westerleigh Road'.

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

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

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

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

5.22 On this basis and for the reasons explained above, the proposal meets the criteria listed at bullet point two above (para.5.12) and is therefore not inappropriate development within the Green Belt for the purposes of the NPPF.

5.23 Design and Conservation Issues

The NPPF promotes the highest standards of design, stating at para.56 that, *“The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.”* Core Strategy Policy CS1 only permits new development where good standards of site planning and design are achieved. The Policy requires that siting, overall layout, density, form, scale, height, massing, detailing, colour and materials, are informed by, respect and enhance the character, distinctiveness and amenity of both the site and the locality.

5.24 Core Strategy Policy CS9 expects new development to ensure that heritage assets are conserved, respected and enhanced in a manner appropriate to their significance. Policy L13 seeks to preserve the settings of Listed Buildings.

5.25 Officers noted during their site visit, that the northern part of Westerleigh comprises a mix of properties, that are predominantly residential but interspersed with an unusually high degree of commercial properties given this village location. The houses along Westerleigh Road are individual in character and range from older 19th C Pennant Sandstone houses and cottages to mid 20th C bungalows and detached two-storey houses. They are each of their time and there is no uniform vernacular that characterises the village or that needs in this case to be strictly adhered to.

5.26 ‘Jorrocks House’ is a modest bungalow that has no statutory protection from listing and neither is it locally listed; neither does it lie within a Conservation Area. The property has an unkempt appearance and is not in any way considered to be a heritage asset; its loss is not therefore resisted.

5.27 Some concerns have been raised about the scale and appearance of the proposed dwellings, especially in relation to the character of the location and

the proximity of the site to the Grade II Listed Brook Farmhouse and the green located directly opposite the application site.

- 5.28 It must in the first instance be stressed that the appearance of the dwellings as shown on the submitted plans is only indicative at this outline stage. It is acknowledged that the form of the proposed dwellings may differ somewhat from other dwellings along Westerleigh Road but given the mixed character of the existing dwellings, the proposed houses would not necessarily look out of place. They are not excessive in scale for 3 bed dwellings and there are larger buildings nearby e.g. Brook Farmhouse. Being built on a site that is elevated in relation to Westerleigh Road, the dwellings would be prominent in the street scene, but they would be set well back from the road frontage and with careful design and use of appropriate materials, there is no reason why the dwellings should look unsightly. Indeed, given the proximity of the neighbouring garage and industrial estate, together with the cluttered and run down appearance of the application site, the proposal has the potential to significantly enhance the appearance of this part of Westerleigh.
- 5.29 At present the site frontage is entirely open but with appropriate boundary treatments and landscaping, which could soften views of the dwellings from the public realm, there is in officer opinion, no reason why the proposed dwellings should not be visually acceptable. The Grade II Listed Brook Farmhouse also lies in an elevated position and is a prominent and dominant feature of the street scene. The proposed dwellings would not be located particularly close to this property, being separated from it by the westernmost part of the industrial estate and its parking areas to the front. On balance, the setting of the Listed Building would not be compromised by the scheme.
- 5.30 In terms of site layout, the dwellings would be logically located in a line, to continue the generally linear pattern of development along Westerleigh Road. There is sufficient space on the site to accommodate the dwellings, whilst at the same time making the most efficient use of the site within the Settlement Boundary; which is a requirement of the Core Strategy and NPPF.
- 5.31 Given that appearance is not to be determined at this outline stage and having regard to the above considerations, officers consider that on balance, the scheme is acceptable in design terms and would not cause harm to any heritage assets.

Landscape Issues

- 5.32 Policy L1 of the South Gloucestershire Local Plan (Adopted) 6th January 2006 seeks to conserve and enhance those attributes of the landscape, which make a significant contribution to the character of the landscape. Policy L5 states that within the existing urban areas and settlements as defined on the proposals map, development will not be permitted where it would adversely affect the contribution that an open area makes to the quality, character, amenity and distinctiveness of the locality.
- 5.33 The South Gloucestershire Landscape Character Assessment describes the village as follows; "Westerleigh is located below the Pucklechurch Ridge and

comprises a linear settlement with large Pennant stone houses and farms, brick terraces, and more recent reconstituted stone and rendered infill properties, built on the convergence of three roads, with the church and village green at its centre. The majority of the village is located on gently sloping ground, nestled below the Pucklechurch Ridge, with a more recent housing spur ascending the ridge, along Shorthill Road. The village is surrounded by agricultural fields, with a playing field to the south.”

- 5.34 The existing bungalow ‘Jorrocks House’ is currently set toward the back of the plot which, is approximately 3.5m higher than the Westerleigh Road. It is proposed to locate the new dwellings at the same elevated location set back from the road. There are single-storey buildings occupied by an MOT centre to the north and within the industrial estate to the south. On the opposite side of the road there is an open space, which has the appearance of a village green. A public right of way, designated as a restricted byway, approaches Westerleigh from the west and passes along the southern boundary of the open space almost directly opposite and with clear views of the application site. The restricted by way is used by the Yate to Bristol and Bath cycle route.
- 5.35 At present there is no vegetation of note within the application site and the front of the site is completely open, which currently makes it very prominent in views from the road and vantage points opposite. Concerns have been raised about the compatibility of the scheme with the existing character of the location but officers note that the ‘green’ is located on the opposite side of Westerleigh Road and has its own distinctive character, which is nothing like the more industrialised and elevated areas opposite. As previously stated, there is plenty of scope to introduce planting of shrubs and trees to the front of the proposed dwellings and with the careful design of appropriate boundary treatments and use of appropriate materials to construct the houses, there is no reason why the scheme should not integrate adequately within the existing street scene and wider landscape. Given that the landscaping of the site would be determined at the reserved matters stage, there are therefore no objections in purely landscape terms at this outline stage. The individual boundary treatments can be appropriately secured by condition. Given that landscaping details would be submitted at the outline stage, there is no justification for imposing a landscape condition on any outline consent.

5.36 Impact Upon Residential Amenity

The application site is flanked by commercial properties but there is a dormer bungalow to the north, located behind the garage/MOT centre. This property would however be situated a sufficient distance away as to not be affected by the scheme, as would also be the properties around the ‘Green’ on the opposite side of Westerleigh Road. Although located next to commercial properties, these are relatively low key uses, which should not have any adverse impacts for future occupiers of the proposed dwellings, especially given that ‘Jorrocks House’ and the bungalow to the north, as well as Brook Farmhouse, have survived so long in harmony with these uses.

- 5.37 Adequate areas of private amenity space would be provided to serve the family sized dwellings in the proposed rear gardens. There would be no issues of

overbearing impact or loss of privacy. The proposal is acceptable in terms of impact on residential amenity.

5.38 Transportation Issues

Sufficient numbers of parking spaces (2no. per house) would be provided within the site to satisfy the minimum Residential Parking Standards SPD. The size of the parking spaces and internal dimensions of the respective garages also satisfy the SPD standards. The parking spaces are accessible and sufficient turning area would be provided to allow the cars to enter/exit the site in forward gear. There would be adequate space for secure cycle parking (within the garages) and bin storage.

5.39 The existing single track access would be widened to provide a private shared access road. Whilst the proposal would increase traffic generation to the site, this would not be to a significant level. Westerleigh Road has a 30mph speed limit and the visibility splays at the proposed access would be above the minimum required for vehicles travelling at 30mph. There is some traffic calming on the road further south (Shorthill Road) and being heavily trafficked at peak periods, traffic speeds on Westerleigh Road are relatively low at those times.

5.40 There is a footpath on the western side of Westerleigh Road opposite the site and two bus stops within easy walking distance with regular services to Yate, Old Sodbury, Bath and Bristol. Whilst the only shop within the village appears to have closed, the village is well served by a Church, two pubs, a café and garages. There are employment opportunities within the industrial estate. Despite the application site's rural location, the main shopping area of Yate is relatively accessible and on balance the location is sufficiently sustainable.

5.41 In terms of waste collection, additional details have been provided at officer request. An area for refuse and re-cycling storage would be located next to the driveway, only 8.5m from the access onto Westerleigh Road. This would facilitate road side collection and this, as well as the gradient of the driveway (1 in 12), accords with the guidelines within the Waste Collection SPD. If needs be, a bin lorry could reverse up the drive to collect waste.

5.42 Having regard to all of the above, there are no transportation objections to the scheme, which complies with Core Strategy Policy CS1 and CS8, Local Plan Policy T7, T12 and LC12 and the SPD's relating to Parking and Waste.

5.43 Environmental and Drainage Issues

Any excessive increase in noise levels or anti-social behaviour, would be the subject of normal environmental health controls. Whilst there would inevitably be some disturbance for neighbours during the development phase, this could be adequately mitigated by imposing a condition to restrict the hours of working. Surface water would be disposed of to an existing Sustainable Drainage System and whilst the Council's Drainage Engineer has suggested a condition to secure this, these matters are now considered to be adequately addressed under Building Regulations; such a condition is therefore not

necessary and as such would not meet the test of imposing conditions as set out at NPPF para. 204.

5.44 The site lies in Flood Zone 1 and is not at high risk of flooding. The site does not lie within a Coal Referral Area.

5.45 Ecology

The site is not covered by any statutory or non-statutory nature conservation designations. There are no objections on ecology grounds

5.46 Affordable Housing

The proposal is for 3no. new dwellings only, which is below the Council's threshold for affordable housing provision.

5.47 Community Services

The proposal is for 3no. new dwellings only, which is below the Council's threshold for contributions to Community Services.

CIL Matters

5.48 The South Gloucestershire Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide SPD was adopted March 2015. CIL charging commenced on 1st August 2015 and this development, if approved, is likely to be liable to CIL charging.

Balancing Exercise

5.49 The NPPF para. 49, is clear that housing applications should be considered in the context of the presumption in favour of sustainable development. According to the Framework, at paragraph 14, that means that when, as here, there is no five-year housing land supply and relevant policies are out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework as a whole or specific Framework policies indicate that development should be restricted. However, this does not mean that all policies within the Development Plan are out of date or even where they are, that they carry no weight. Policy CS1 is a design policy and does not in officer view, equate to a policy relevant to the supply of housing. It closely aligns with the Framework requirement for good design and should accordingly be given full weight.

5.50 In determining whether the proposal would be a sustainable form of development, there are three dimensions to consider. The social dimension would be fulfilled by the provision of 3 (net gain 2) dwellings that would suit the needs of a variety of potential occupiers. The site lies in a reasonably sustainable location and the proposal would make efficient use of land, part of which is previously developed, in the Established Settlement Boundary. However, a net increase of 2 dwellings would make only a modest contribution to the 5-year housing land supply, and this to some extent limits the value of the development.

5.51 There would be economic benefits arising from the construction and occupation of the dwellings to which modest weight can also be attached. The residual cumulative transportation impacts of the development, which are not considered to be 'severe' can only be afforded neutral weight in the final balance as this is expected of all developments, although in this case there would be some enhancements to the access to result from the scheme. In terms of the environment, the scheme would result in some enhancements in terms of improving visual amenity and enhancing the landscaping of the site. On balance, the scheme is considered to be sustainable development that should be approved.

6. CONCLUSION

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

6.2 There are no adverse impacts of the scheme that would significantly and demonstrably outweigh the benefits; the proposal is therefore sustainable development.

6.6 The recommendation to approve 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 on the Decision Notice.

Contact Officer: Roger Hemming
Tel. No. 01454 863537

CONDITIONS

1. Approval of the details of the external appearance of the buildings and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason

This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

2. Plans and particulars of the reserved matters referred to in the condition above, relating to the external appearance of the buildings to be erected and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

Reason

This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

3. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

4. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

5. Prior to the relevant part of the scheme hereby approved, a plan indicating the positions, design, materials and type of boundary treatments to be erected shall be submitted to the Local Planning Authority for approval. The boundary treatments shall be completed before the first occupation of any of the dwellings hereby approved] or in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

In the interests of residential amenity and to accord with the provisions of the NPPF.

6. A) Previous historic use(s) of the site may have given rise to contamination. Prior to commencement of the development hereby approved, an investigation (commensurate with the nature and scale of the proposed development) shall be carried out by a suitably qualified person into the previous uses and contaminants likely to affect the development. A report shall be submitted for the written approval of the Local Planning Authority prior to the commencement of development.
B) Where potential contaminants are identified, prior to the commencement of development, an investigation shall be carried out by a suitably qualified person to ascertain the extent, nature and risks the contamination may pose to the development in terms of human health, ground water and plant growth. A report shall be submitted prior to commencement of the development for the written approval of the Local Planning Authority setting out the findings (presented in terms of a conceptual model) and identify what mitigation measures are proposed to address unacceptable risks. Thereafter the development shall proceed in accordance with any agreed mitigation measures.
C) Prior to occupation, where works have been required to mitigate contaminants (under section B) a report verifying that all necessary works have been completed satisfactorily shall be submitted to and agreed in writing by the Local Planning Authority.

D) If unexpected contamination is found after the development is begun, development shall immediately cease upon the part of the site affected. The Local Planning Authority must be informed immediately in writing. A further investigation and risk assessment should be undertaken and where necessary an additional remediation scheme prepared. The findings and report should be submitted to and agreed in writing to the Local Planning Authority prior to works recommencing. Thereafter the works shall be implemented in accordance with any further mitigation measures so agreed.

Note: An appropriate investigation is likely to include the following:

- i) A comprehensive desk study to identify all potential sources of contamination both arising on-site and migrating onto site from relevant adjacent sources.
- ii) A comprehensive ground investigation including sampling, to quantify the extent and nature of contamination.
- iii) An appropriate risk assessment to determine the scale and nature of the risks to human health, groundwater, ecosystems and buildings arising from the contamination. This will normally be presented in the form of a conceptual model.
- iv) A report detailing the remediation options including the final proposals for mitigating any identified risks to the proposed development.
- v) All works should be carried out with reference to the most relevant, appropriate and up to date guidance.

Reason

To ensure that adequate measures have been taken to mitigate against contaminated land to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 11th December 2013, Policy EP6 of The South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and the National Planning Policy Framework. This is a pre-commencement condition to ensure that all of the development site is free of contamination before works commence.

7. Prior to the first occupation of any of the new dwellings hereby approved, the access, off-street vehicular parking facilities and turning areas shall be provided in accordance with the approved plans and the parking and turning areas shall be maintained and used only for such purposes thereafter.

Reason

To ensure the satisfactory provision of access, car parking and turning facilities in the interest of highway safety and the amenity of the area, and to accord with Policy CS8 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013; Policy T12 of The South Gloucestershire Local Plan (Adopted) 6th Jan. 2006 and the South Gloucestershire Residential Parking Standards SPD (Adopted) December 2013.

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

Reason

To minimise disturbance to neighbouring properties and to accord with the provisions of the NPPF.

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

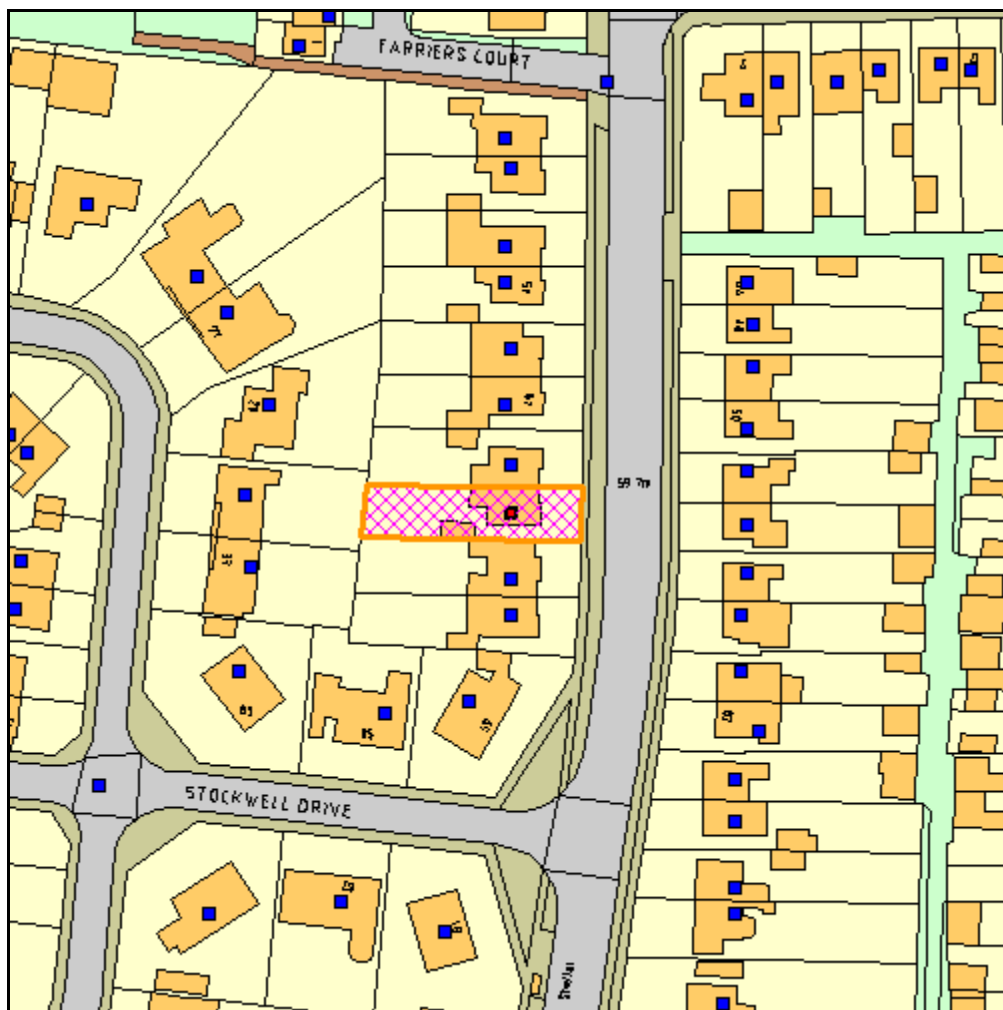
The approved works shall subsequently be carried out in accordance with the agreed details.

Reason

To accord with Policy EP1 of the South Gloucestershire Local Plan (Adopted) January 6th 2006 and Policy 1 of the West of England Joint Waste Core Strategy Adopted March 2011. This is a pre-commencement condition to ensure that a waste strategy is in place prior to any demolition taking place and to ensure that all waste is either re-used on site or disposed of in a sustainable manner.

CIRCULATED SCHEDULE NO. 07/ 17 – 17 FEBRUARY 2017

App No.:	PK17/0016/CLP	Applicant:	Mr Cole
Site:	53 Blackhorse Road Mangotsfield Bristol South Gloucestershire BS16 9BE	Date Reg:	5th January 2017
Proposal:	Application for a certificate of lawfulness for the proposed installation of a rear dormer to facilitate loft conversion	Parish:	Emersons Green Town Council
Map Ref:	366355 176975	Ward:	Rodway
Application Category:		Target Date:	1st March 2017



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The applicant is seeking a formal decision as to whether the proposed installation of a rear dormer to facilitate a loft conversion at No. 53 Blackhorse Road, Mangotsfield, would be lawful.
- 1.2 The application is a formal way of establishing whether the proposal requires planning permission or not. Accordingly there is no consideration of planning merit, the decision is based solely on the facts presented.

2. POLICY CONTEXT

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

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 PK16/2970/F Demolition of existing garage and erection of single storey side and rear extension to provide additional living accommodation. (retrospective).
Approved: 04.08.2016

4. CONSULTATION RESPONSES

- 4.1 Ward Councillors
No objection
- 4.2 Emersons Green Town Council
No objection

Other Representations

- 4.3 Local Residents
No comments received

5. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

- 5.1 Combined Plans (Drawing No. 16098_CLD10)
(Received by Local Authority 3rd January 2017).

6. ANALYSIS OF PROPOSAL

6.1 Principle of Development

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

- 6.2 The key issue is to determine whether the proposal falls within the permitted development rights afforded to householders under Schedule 2, Part 1 of the GPDO 2015.

- 6.3 The proposed development consists of the installation of a rear 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 dwelling house has been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use)**

The dwelling house 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 proposed dormer window and roof alteration would not exceed the highest part of the roof, and therefore 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 principle elevation of the dwelling house and fronts a highway;**

The proposed dormer would be located to the rear of the property, and as such would not extend beyond any existing roof slope which forms a principle elevation of the dwelling house and fronts a highway.

- (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 50 cubic meters (Approximately 22.3 cubic meters).

- (e) **It would consist of or include –**
- (i) **the construction or provision of a veranda, 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;**

The submitted plan (Combined Plans) indicates that the dormer will be finished in vertical hanging tiles. It is deemed that these materials are sufficiently similar to those used in the construction of the exterior of the existing dwelling house as to meet this criterion.

- (b) **the enlargement must be constructed so that –**
- (i) **other than in the case of a hip-to-gable enlargement or an enlargement which joins the original roof to the roof of a rear or side extension –**
 - (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 dormer would be approximately 0.2 metres from the outside edge of the eaves of the original roof and the proposal does not protrude beyond the outside face of any external wall of the original dwellinghouse.

- (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 include the insertion of any windows to a side elevation of the dwellinghouse.

7. RECOMMENDATION

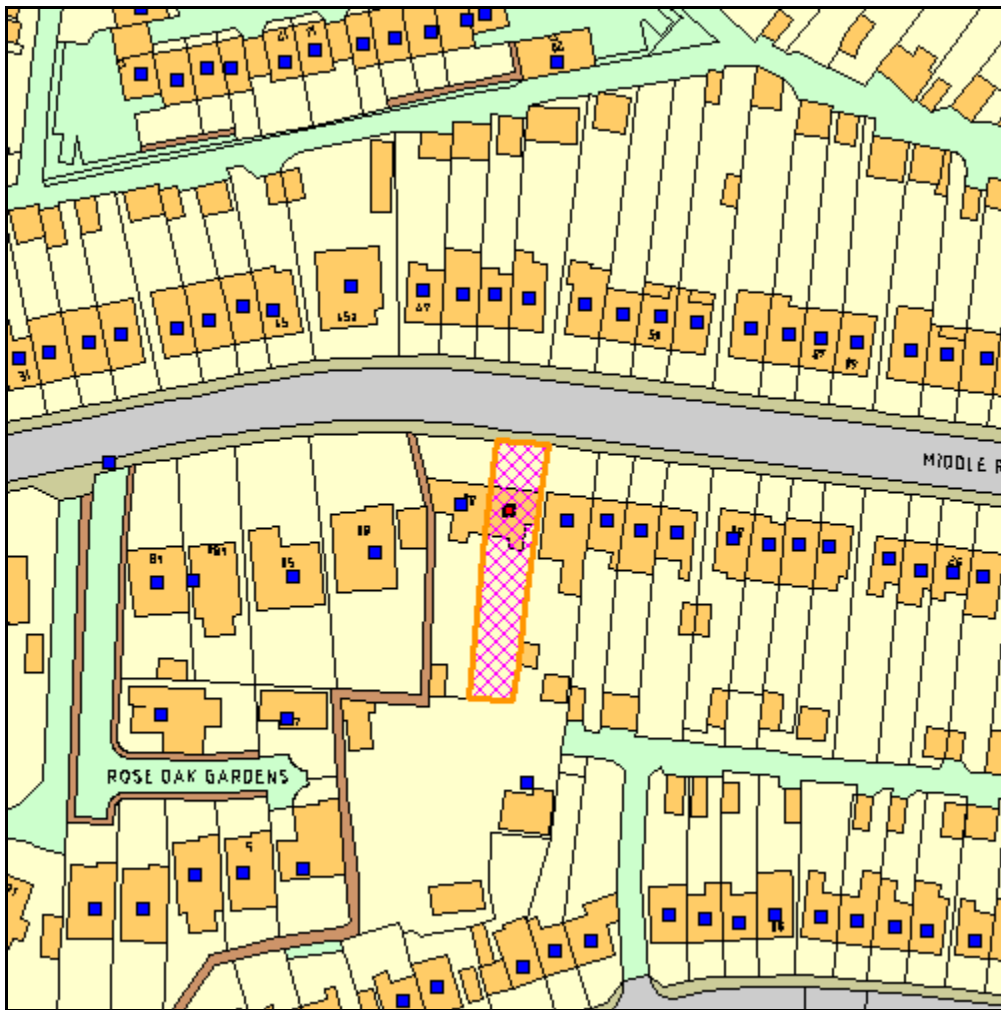
- 7.1 That a certificate of Lawfulness for Proposed Development is granted for the reasons listed below:

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

Contact Officer: Patrick Jackson
Tel. No. 01454 863034

CIRCULATED SCHEDULE NO. 07/17 – 17 FEBRUARY 2017

App No.:	PK17/0145/F	Applicant:	Mrs Stavroula Paraskevan/a
Site:	70 Middle Road Kingswood Bristol South Gloucestershire BS15 4XL	Date Reg:	16th January 2017
Proposal:	Erection of single storey side and rear extension to provide additional living accommodation.	Parish:	None
Map Ref:	365633 175286	Ward:	Rodway
Application Category:	Householder	Target Date:	10th March 2017



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REASON FOR REPORTING TO CIIRCULATED SCHEDULE

This application appears on the Circulated Schedule as a result of comments received raising concerns regarding the proposals.

1. THE PROPOSAL

- 1.1 The application is for the erection of a single storey side and rear extension to provide additional living accommodation.
- 1.2 The property is a semi-detached dwelling, within the residential area of Kingswood.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework
National Planning Policy Guidance
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
H4 Development within Existing Residential Curtilages, Including
Extensions and New Dwellings
T12 Transportation

South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design
CS8 Access/Transport
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) 2007.
South Gloucestershire Parking Standards SPD

3. RELEVANT PLANNING HISTORY

- 3.1 None relevant

4. CONSULTATION RESPONSES

- 4.1 Parish Council
No Parish

Sustainable Transportation

The proposed alterations to the ground floor will remove the existing garage from the site. Vehicular parking for a dwelling is assessed on the number of bedrooms available. No detail has been submitted on the existing layout of the first floor so it is difficult to assess the vehicular parking requirements for this dwelling. For information a dwelling with up to four bedrooms needs to provide a minimum of two parking spaces within its site boundary. The plan submitted shows that a driveway is available to the frontage of the site but does not show the existing vehicular access onto the public highway or the amount of parking

that is available. Before further comment can be made a revised to scale plan showing the layout of the first floor and the existing and proposed vehicular access and parking needs to be provided

Other Representations

4.2 Local Residents

One letter has been received from local residents raising points regarding drainage, requesting no additional connections to existing foul and surface water, citing drainage problems caused by the existing situation, and suggesting the drainage be connected elsewhere to a main drain.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan (Adopted) 2006 advises that proposals should respect the massing, scale, proportions, materials and overall design of the existing property and the character of the street scene and surrounding area, they shall not prejudice the amenities of nearby occupiers, and shall not prejudice highway safety nor the retention of an acceptable level of parking provision or prejudice the retention of adequate amenity space.

5.2 Design

The proposed extension is considered to be of an appropriate standard in design and is not out of keeping with the character of the main dwelling house and surrounding properties. It would essentially replace an existing attached side garage. The extension is of an acceptable size in comparison to the existing dwelling and the site and surroundings. Materials would match those of the existing dwelling.

5.3 Residential Amenity

The length, size, location and orientation of the proposals are not considered to give rise to any significant or material overbearing impact on adjacent properties. Further to this sufficient garden space remains to serve the property.

5.4 Transportation

The highways comments above are noted. It is subsequently confirmed that the property contains 3 bedrooms. The applicants have confirmed their intention to provide 2 off street parking spaces and following a site visit it is considered there is sufficient space to the front of the property to provide for this. This would be sufficient to meet the Councils current residential parking requirements. A condition is recommended.

5.5 Drainage

The comments received, relating to drainage are noted. Drainage connectivity issues would be address as part of the building regulations stages of building, in association with the relevant drainage body.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The proposals are of an appropriate standard in design and are not out of keeping with the main dwelling house and surrounding properties. Furthermore the proposal would not harm the amenities of the neighbouring properties by reason of loss of privacy or overbearing impact. Adequate parking can be provided on the site.. As such the proposal accords with Policies H4 and T12 of the South Gloucestershire Local Plan (Adopted) 2006 and CS1 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013.
- 6.3 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

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

Contact Officer: Simon Ford
Tel. No. 01454 863714

CONDITIONS

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

Reason
To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 (as amended).
2. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason
To ensure a satisfactory standard of external appearance and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.
3. The hours of working on site during the period of construction shall be restricted to 07.30 - 18.00 Monday to Friday; 08.00 - 13.00 Saturdays and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site

Reason

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

Prior to the commencement of development detailed plans showing the provision of off street parking provision for a minimum of 2 cars, in accordance with the standards set out in the Residential Parking Standards SPD (Adopted) December 2013, shall be submitted to the Local Planning Authority for approval. Thereafter, the development shall proceed in accordance with the agreed scheme, with the parking facilities provided prior to the first occupation of the building; and thereafter retained for that purpose.

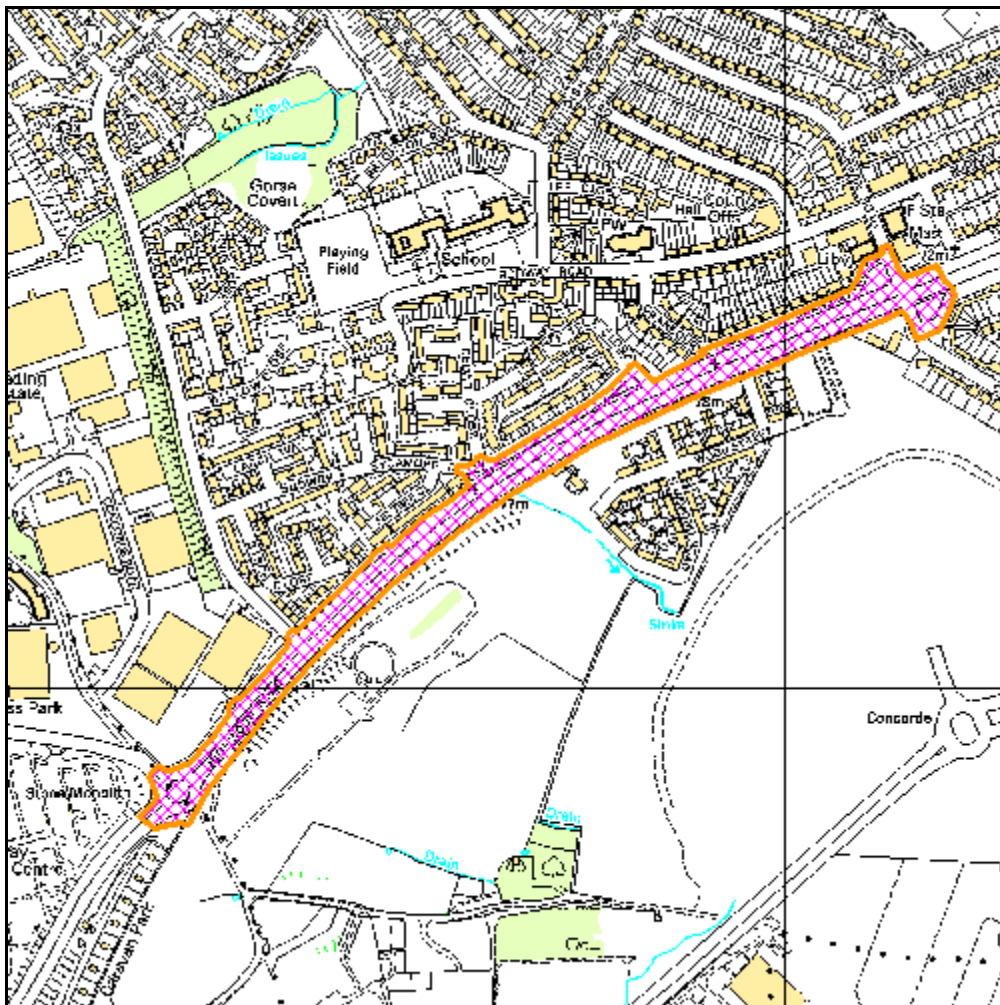
Reason

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.

This is a pre-commencement condition to ensure satisfactory parking provision exists for the site once developed.

CIRCULATED SCHEDULE NO. 07/17 – 17 FEBRUARY 2017

App No.:	PT16/5748/RVC	Applicant:	Bovis Homes South West Region
Site:	Highwood Road Linear Park Charlton Hayes Northfield Filton Aerodrome Patchway Bristol	Date Reg:	24th November 2016
Proposal:	Variation of condition 5 attached to planning application PT10/3159/RM to remove semi-ornamental shrubs, forming an existing hedgerow which have exceeded their aesthetic lifespan and the removal of the proposed hedging which divides the verge located to the South of the Highwood Road bus lane. To update the list of approved plans.	Parish:	Patchway Town Council
Map Ref:	359396 181133	Ward:	Patchway
Application Category:	Major	Target Date:	20th February 2017



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 100023410, 2008. N.T.S. PT16/5748/RVC

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule due to the receipt of three letters of concern from local residents.

1. THE PROPOSAL

- 1.1 This application seeks permission for the variation of a condition 5 attached to application PT10/3159/F (by virtue of non-material amendment application PT16/5109/NMA). Condition 5 lists the plans that were approved as part of the original planning approval reference PT10/3159/RM and states that the development should be built in accordance with those plans. This somewhat lengthy process is one method of obtaining 'minor amendments' to larger and more complicated applications. This is in line with Central Government advice that has identified this method in absence of any specific legislation to apply for minor amendments. This application seeks consent to vary the list of approved plans thereby allowing changes to the approved scheme.

Condition 5

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

All received by the Council on 17th November 2010:

General arrangement Section 1- dwg no: 20833/009/111P3

General arrangement Section 2- dwg no: 20833/009/112P3

General arrangement Section 3- dwg no: 20833/009/113P3

Linear Park Entrance Landscape Proposals- dwg no: ACJ5425 315B

Landscape Proposals Park Entrance to Sycamore Drive- dwg no: ACJ5425 321

Landscape Proposals Sycamore Drive crossing to H20- dwg no: ACJ5425 322

Landscape Proposals linear park approach- dwg no: ACJ5425 323 Landscape details -measures to deter nuisance parking-dwg no: ACJ 5425 324

Landscape proposals existing utilities overlay- dwg no: ACJ 5425 325

Landscape Proposals existing utilities overlay-dwg no: ACJ 5425 326

Landscape Proposals existing utilities overlay-dwg no: ACJ5425 327

Landscape Proposals existing utilities overlay-dwg no: ACJ5425 328

Landscape Proposals existing utilities overlay- dwg no: ACJ5425 329

Landscape Proposals existing utilities overlay- dwg no: ACJ 5425 330

Highwood Road cycle way typology- dwg no: ACJ5425 331

Highwood Road Tree Count -dwg no: ACJ5425 332

Highwood Road Location Plan- ACJ5425 333

Landscape Proposals -site sections-dwg no: ACJ5425 334

Landscape Proposals- site sections-dwg no: ACJ 5425 335

Landscape Proposals Linear Park Entrance Statement (West)- dwg no:ACJ 5425 336

All received by the Council on 13th September 2016:

Landscape Proposals Sheet 2 of 3- dwg no: ACJ5425 317F

Landscape Proposals Sheet 3 of 3 - dwg no: ACJ 5425 318F Reason In the interests of clarity and completeness.

The proposed revised wording would read as follows:

Condition 5

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

All received by the Council on 17th November 2010:

General arrangement Section 1- dwg no: 20833/009/111P3

General arrangement Section 2- dwg no: 20833/009/112P3

General arrangement Section 3- dwg no: 20833/009/113P3

Landscape Proposals linear park approach- dwg no: ACJ5425 323 Landscape details -measures to deter nuisance parking-dwg no: ACJ 5425 324

Landscape proposals existing utilities overlay- dwg no: ACJ 5425 325

Landscape Proposals existing utilities overlay-dwg no: ACJ 5425 326

Landscape Proposals existing utilities overlay-dwg no: ACJ5425 327

Landscape Proposals existing utilities overlay-dwg no: ACJ5425 328

Landscape Proposals existing utilities overlay- dwg no: ACJ5425 329

Landscape Proposals existing utilities overlay- dwg no: ACJ 5425 330

Highwood Road cycle way typology- dwg no: ACJ5425 331

Highwood Road Tree Count -dwg no: ACJ5425 332

Highwood Road Location Plan- ACJ5425 333

Landscape Proposals -site sections-dwg no: ACJ5425 334

Landscape Proposals- site sections-dwg no: ACJ 5425 335

All received by the Council on 13th September 2016:

All received by the Council on 7th February 2017:

Linear Park Entrance Landscape Proposals- dwg no: ACJ5425 315G

Landscape Proposals Sheet 2 of 3- dwg no: ACJ5425 317H

Landscape Proposals Sheet 3 of 3 - dwg no: ACJ 5425 318H

Landscape Proposals Park Entrance to Sycamore Drive- dwg no: ACJ5425 321C

Landscape Proposals Sycamore Drive crossing to H20- dwg no: ACJ5425 322D

Landscape Proposals Linear Park Entrance Statement (West)- dwg no: ACJ 5425 336C

- 1.2 In considering this application, it is essential to focus only on this condition and not to put attention in other matters not relevant to this RVC application. It is also necessary to focus attention on the reasons for attaching the condition in the first place. As an RVC decision has the effect of issuing a new planning permission, it is also necessary to check all conditions attached to the original application are still relevant and necessary and need following through to this new application.
- 1.3 The proposed changes from the original scheme are numerous but minor. The changes relate solely to the landscaping along Highwood Road and make no changes to pedestrian and vehicular infrastructure. Although individually many of the proposed changes could be agreed under the Non Material Amendment process, in the interests of clarity, all changes are to be agreed through this S73 application to change the condition listing the approved plans.

2. POLICY CONTEXT

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

2.2 Development Plans

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

L1 Landscape Protection and Enhancement
L9 Species Protection
T7 Cycle Parking
T12 Transportation Development Control
LC1 Provision for community facilities
LC2 Provision for education facilities

South Gloucestershire Local Plan Core Strategy (Adopted)

CS1 High Quality Design
CS4A Presumption in favour of sustainable development
CS5 Location of Development
CS6 Infrastructure and Developer Contributions
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS12 Safeguarded Areas for Economic Development
CS15 Distribution of Housing
CS16 Housing Density
CS17 Housing Diversity
CS18 Affordable Housing
CS24 Green Infrastructure, Sports and Recreation Standards
CS32 Thornbury

Supplementary Planning Guidance

South Gloucestershire Design Checklist – Adopted
Affordable Housing SPD (Adopted)
Residential Parking Standards SPD (Adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 PT16/5109/NMA Non material amendment to planning application
PT10/3159/RM - to remove semi-ornamental shrubs forming existing hedgerow
with meadow grass. Also to add the list of approved plans (as amended by this
NMA) as a condition.
No Objection September 2016
- 3.2 PT10/3159/RM Creation of 4.9ha of Linear Park comprising infrastructure,
highway design, landscaping, paving materials and street furniture. (Approval
of Reserved Matters to be read in conjunction with Outline Planning Permission
PT03/3143/O). Approved February 2011

4. CONSULTATION RESPONSES

4.1 Patchway Town Council

During the course of the application a site walkover was arranged with the planning officer, the applicant and representatives from Patchway Town Council. A number of locations were identified where vehicles were driving over pedestrian paths to access Highwood Road. The Town Council requested that bollards were added at the offending locations to prevent such vehicular access. Amended plans were received to address these points.

4.2 Transportation Development Control

No objection

4.3 Landscape Officer

No Objection

4.4 Archaeology Officer

No Objection

4.5 Environmental Protection

No Objection

4.6 Urban Design Officer

Supports the application

4.7 Tree Officer

No Objection

Other Representations

4.8 Local Residents

Three letters have been received from local residents. Two letters comment that foxes shouldn't be disturbed and the third letter queries whether the hedge outside the writer's property is being removed.

5. ANALYSIS OF PROPOSAL

5.1 The scope of a variation of condition application (section 73 application) is more limited than a full planning application. The Local Planning Authority may only consider the question of the conditions, and cannot revisit or fundamentally change the original permission. It may be decided that the permission should be subject to the same conditions as were on the original permission; or that it should be subject to different conditions; or that permission may be granted unconditionally. There is a right of appeal in the usual way against any conditions imposed.

5.2 In assessing this application it is necessary to assess whether the relevant condition, or any variations satisfy the requirements of planning conditions as set out in the National Planning Policy Framework (NPPF). The NPPF requires all planning conditions to pass three tests – that conditions should be:

- i. Necessary to make the development acceptable
 - ii. Directly related to the development
 - iii. Fairly and reasonably related in scale and kind
- 5.3 Being mindful of the reason for attaching the conditions in the first place, when assessing this application your officer will consider whether the landscape alterations would undermine the objectives of the policies listed in the reason for the condition.
- 5.4 Analysis of Proposal

Application PT10/3159/RM granted approval for the detailed landscaping plans for the length of the 'bus-only' section of Highwood Road. The approved scheme has been only partly implemented – and only with partial success. This S73 application seeks consent to simplify the approved landscaping scheme by removing sections of overgrown shrub comprised of a mix of Lonicera/Berberis and Cotoneaster. After removal, the emergent trees growing within the shrubbery will be assessed and those of a suitable quality will be retained – those towards the end of their useful life span or of poor form will be removed. The ground beneath the shrubs will be weed controlled to eradicate mares tail, bramble and other pernicious weeds before being re-planted with summer flowering wildflower mix.
- 5.5 The amended plans now for consideration also show a simplification of the landscaping scheme towards the eastern end of Highwood Road. Sections of ornamental hedge will be removed and replaced with a far simpler and more traditional scheme of trees growing in meadow grass. Not only will the revised scheme be simpler to maintain, it is your officers opinion that it will offer a higher level of visual amenity to Highwood Road than the consented scheme.
- 5.6 During the site walkover undertaken in conjunction with the Town Council, it was noted that in places vehicles appear to exit Charlton Hayes by driving on pedestrian only routes to access Highwood Road. Not only is this unsafe, but it also damages the existing landscaping. The revised scheme will overcome this current problem by adding additional bollards and landscaping at the problem locations.
- 5.7 One of the main objectives of the revised landscaping scheme is to increase the level of overlooking over Highwood Road to improve safety. The amended scheme will reduce the tunnelling effect currently created at the Western end of the bus-only section greatly improving usability and visual permeability. The area would retain a high level of aesthetic quality and all vegetation that contributes positively to the character of the area would be retained. The proposed amendments would have no material impact on the functionality or quality of the park and as such, there is no objection to the removal of the affected sections of shrub. Officers therefore support the revised landscaping scheme.
- 5.8 Foxes

It has been raised in two letter of objection that two foxes live on Highwood Road - foxes are not a protected species. It is also noted that foxes are not very selective when it comes to dens and will readily use other animal setts,

used or un-used buildings or garden sheds and can live either above or below ground. There is no sound reason to believe that the landscaping alterations proposed will have any detrimental impact on the health or longevity of foxes.

5.9 Other Relevant Conditions

4 conditions were attached to the original reserved matters consent – one relating to surface materials, one confirming that a rose species shall be set back from the public footpath, one requiring details of external illuminations and one requiring a construction management plan. Given the advanced stage of the development, none of these conditions need to be carried forward to this S73 application. Instead, a condition requiring replacement planting will be attached in the event that any of the newly planted landscaping fails.

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

7. RECOMMENDATION

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

Contact Officer: Marie Bath
Tel. No. 01454 864769

CONDITIONS

1. The development shall be implemented strictly in accordance with the following plans:
All received by the Council on 17th November 2010:
General arrangement Section 1- dwg no: 20833/009/111P3
General arrangement Section 2- dwg no: 20833/009/112P3
General arrangement Section 3- dwg no: 20833/009/113P3
Landscape Proposals linear park approach- dwg no: ACJ5425 323 Landscape details
-measures to deter nuisance parking-dwg no: ACJ 5425 324
Landscape proposals existing utilities overlay- dwg no: ACJ 5425 325 Landscape
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ACJ5425 329 Landscape Proposals existing utilities overlay- dwg no: ACJ 5425 330
Highwood Road cycle way typology- dwg no: ACJ5425 331
Highwood Road Tree Count -dwg no: ACJ5425 332
Highwood Road Location Plan- ACJ5425 333

Landscape Proposals -site sections-dwg no: ACJ5425 334
Landscape Proposals- site sections-dwg no: ACJ 5425 335

All received by the Council on 7th February 2017:

Linear Park Entrance Landscape Proposals- dwg no: ACJ5425 315G

Landscape Proposals Sheet 2 of 3- dwg no: ACJ5425 317H

Landscape Proposals Sheet 3 of 3 - dwg no: ACJ 5425 318H

Landscape Proposals Park Entrance to Sycamore Drive- dwg no: ACJ5425 321C

Landscape Proposals Sycamore Drive crossing to H20- dwg no: ACJ5425 322D

Landscape Proposals Linear Park Entrance Statement (West)- dwg no: ACJ 5425 336C

Reason

In the interests of completeness

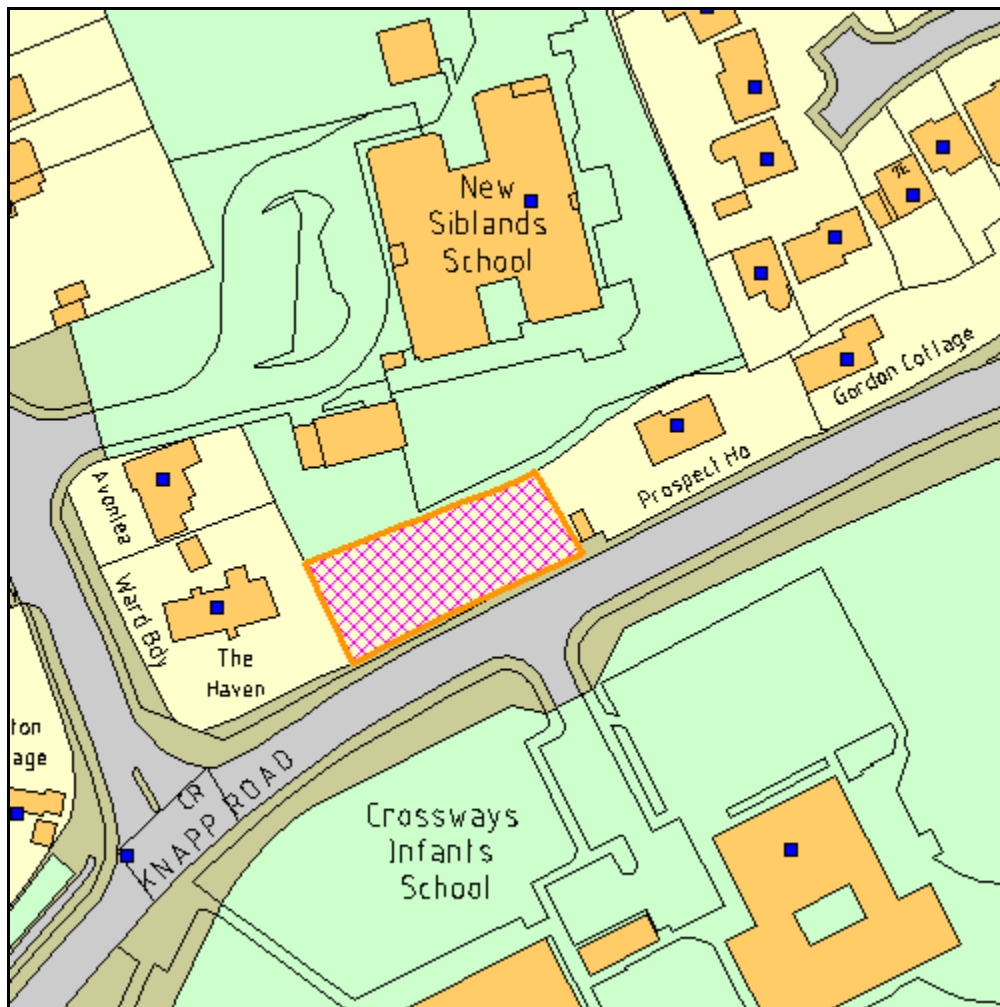
2. Any vegetation that fails is dying or is removed in the first five years following planting shall be replaced in the next available planting season.

Reason

In the interests of 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. 07/17 – 17 FEBRUARY 2017

App No.:	PT16/6708/F	Applicant:	Mr And Mrs Graham And Marlene Lanfear
Site:	Prospect House Knapp Road Thornbury Bristol South Gloucestershire BS35 2HQ	Date Reg:	14th December 2016
Proposal:	Erection of 2no. detached dwellings with access and associated works.	Parish:	Thornbury Town Council
Map Ref:	364799 190281	Ward:	Thornbury North
Application Category:	Minor	Target Date:	3rd February 2017



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 100023410, 2008. N.T.S. PT16/6708/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule following the receipt of objections from local residents, the concerns raised being contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The application site relates to an area of open 'garden' land to the side of a large modern (2009), detached dwelling i.e. 'Prospect House', located within the Established Settlement Boundary of Thornbury. The site lies to the north of Knapp Road, opposite Crossways Infant and Junior School; a school i.e. New Siblands School also lies to the rear of the site. The location is residential in character but does not lie within the Thornbury Conservation Area. The site has an area of 703sq.m. and is bounded to the front and side (west) by a mature hedgerow and 1.8m fence to the rear, but is generally open in aspect when viewed from the public domain. As well as the main access/driveway serving 'Prospect House', there is a separate 5-bar gated access with dropped kerb, to the west that currently serves the garden areas.
- 1.2 It is proposed to erect 2 x 4-bed houses on the site with new double garages alongside and new accesses off Knapp Road. The existing 5-bar gated access would be retained to serve the remaining garden area of 'Prospect House'.

2. POLICY CONTEXT

2.1 National Guidance

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

2.2 Development Plans

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

CS1 - High Quality Design

CS4A – Presumption in Favour of Sustainable Development

CS5 - Location of Development

CS6 - Infrastructure and Developer Contributions

CS8 - Improving Accessibility

CS9 - Managing the Environment and Heritage

CS16 - Housing Density

CS17 - Housing Diversity

CS18 - Affordable Housing

CS23 - Community Infrastructure and Cultural Activity

CS24 - Green Infrastructure, Sport and Recreation Standards

CS32 - Thornbury

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

L1 - Trees and landscape

L5 - Open Spaces

L9 - Species Protection

L11 - Archaeology
EP2 - Flood Risk and Development
EP4 - Noise Sensitive Development
T7 - Cycle Parking
T12 - Highway Safety
LC1 - Provision for Built Sports, Leisure and Community Facilities
(Site Allocations and Developer Contributions)

2.3 Supplementary Planning Guidance

Trees on Development Sites SPG (Adopted) Nov. 2005.

The South Gloucestershire Design Check List (SPD) Adopted Aug 2007.

Affordable Housing SPD Adopted Sept. 2008.

South Gloucestershire Council Residential Parking Standards (SPD) Adopted.

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

2.4 Emerging Plan

Proposed Submission : Policies, Sites & 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 - Development Related Transport Impact Management

PSP16 - Parking Standards

PSP19 - Wider Biodiversity

PSP20 - Flood Risk, Surface Water and Watercourses

PSP43 - Private Amenity Space Standards

3. RELEVANT PLANNING HISTORY

3.1 PT08/2826/F - Demolition of existing dwelling and erection of 1no. dwelling with associated works.
Withdrawn November 2008

3.2 PT08/3006/F - Demolition of existing dwelling to facilitate erection of 1no. dwelling and garage with associated works. (Resubmission of PT08/2826/F).
Approved 19th Dec. 2008

4. CONSULTATION RESPONSES

4.1 Thornbury Town Council
No objection.

4.2 Other Consultees

Highway Structures

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

Or

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

Lead Local Flood Authority

No objection

Historic Environment (Archaeology)

The site lies within an area of archaeological potential therefore it is recommended that an archaeological watching brief is undertaken during all ground works. The brief should be in accordance with a written scheme of investigation to be submitted to and approved by the Archaeology Officer, prior to the commencement of development.

Transportation D.C.

I note the number of objections on this application, particularly in relation to parking etc. Whilst there is no transportation objection to this proposal, I have been asked to look at this proposal to see if anything can be done to improve (from a transportation perspective) the application and help address some of the concerns.

In looking at this application I am mindful that the access points are excessively wide and could be narrowed quite considerably. I would suggest that a maximum width of 5m rather than the 7.7m would be more than appropriate. In addition to this, there is a street light in the middle of the proposed access to the smaller of the proposed dwellings, which would need moving in the event of an approval. I would therefore suggest that this property is handed so that the two driveways are adjacent to each other, thus avoiding moving the street light, this would also have the added benefit of taking out the 'island' of footway between the dwelling accesses and maximising the on-street car parking in the vicinity.

Revised plans were subsequently submitted that incorporate the above.

Other Representations

4.3 Local Residents

31no. local residents have objected to the proposal. The concerns raised are summarised as follows:

- Overlooking and loss of privacy for occupants of Avonlea, Easton Hill Rd.
- Adverse impact on street scene due to uneven spacing of houses and proximity to existing dwellings.

- The dwellings would be located directly opposite the access to Crossways School.
- Increased traffic in already congested area, especially at times of the School Run will adversely affect safety of children crossing the road.
- Will sterilise on-street parking near the school.
- There are other schools in close proximity i.e. First Step Pre-School x 2, New Siblands School and Christ the King Primary School.
- Disruption during the development phase.
- The additional accesses will cause highway hazards opposite school access.
- Excess on-street parking at School times.
- No need for more houses, there are enough being built on the outskirts of Thornbury.
- The proposed houses are not affordable.
- Loss of green space.
- The site is on a main Bus Route.
- The traffic logs taken on Knapp Road should be used.
- Loss of established hedge.
- The existing 5-bar gate and access is being retained to garden of Prospect House which sterilises a parking space.

Head Teacher of Crossways Infant and junior School

As the Head Teacher of both Crossways Infant and Junior Schools which are situated opposite of the proposed dwellings, I am writing on behalf of the school communities at Crossways. We do not object to the dwellings being proposed or their location. Our only concern is the size of the entrance/exit to both driveways, which are double width. Whilst we have no issue with a large garage and driveway with parking issues in this area, a double width entrance/exit seems unreasonable. The issues with parking may be increased due to the zebra crossing that will be installed by then if the planned size of entrance/exits are allowed. We would suggest that the plans are changed to a single width entrance/exit for both dwellings. It would also be important for the safety of the children to have clear conditions during the construction of the dwellings i.e. around delivery times not being allowed during school drop off/pick up times. We would like these conditions to be part of the planning agreement.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or

- specific policies in the Framework indicate development should be restricted.

5-Year Land Supply

- 5.2 The Council's Annual Monitoring Revue (AMR) reveals that the Council cannot currently demonstrate a 5-year housing land supply. As there is provision for windfall sites in the calculation, this weighs in favour of the proposal, which would make a positive contribution, to the housing supply within South Gloucestershire; as such para. 14 of the NPPF is therefore engaged.
- 5.3 The Policies, Sites & Places Plan is an emerging plan only. Whilst this plan is a material consideration, only limited weight can currently be given to most of the policies therein.
- 5.4 In accordance with para.187 of the NPPF, Core Strategy Policy CS4A states that; when considering proposals for sustainable development, the Council will take a positive approach and will work pro-actively with applicants' to find solutions, so that sustainable development can be approved wherever possible. NPPF Para.187 states that Local Planning Authorities should look for solutions rather than problems and decision-takers at every level should seek to approve applications for sustainable development where possible.
- 5.5 Chapter 4 of the NPPF promotes sustainable transport and states that development should only be prevented on transport grounds where the residual cumulative impacts of development are 'severe'.
- 5.6 Paragraph 50 of the NPPF sets out the importance of delivering a wide range of residential accommodation. This policy stance is replicated in Policy CS17 of the Core Strategy which makes specific reference to the importance of planning for mixed communities including a variety of housing type and size to accommodate a range of different households, including families, single persons, older persons and low income households, as evidenced by local needs assessments and strategic housing market assessments.
- 5.7 It is noted that the NPPF puts considerable emphasis on delivering sustainable development and not acting as an impediment to sustainable growth, whilst also seeking to ensure a high quality of design and good standard of amenity for all existing and future occupants of land and buildings'. The NPPF encourages efficient use of land and paragraph 47 requires the need to 'boost significantly the supply of housing'.
- 5.8 Core Strategy Policy CS16 seeks efficient use of land for housing. It states that: Housing development is required to make efficient use of land, to conserve resources and maximise the amount of housing supplied, particularly in and around town centres and other locations where there is good pedestrian access to frequent public transport services.
- 5.9 Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) Dec 2013 seeks to secure good quality designs that are compatible with the character of the site and locality.

- 5.10 Policy L5 states that within the existing Urban Areas development will not be permitted where it would adversely affect the contribution that an open area makes to the quality, character, amenity and distinctiveness of the locality. Where a site contributes to local character and distinctiveness the council will seek to negotiate measures to enhance and manage these open areas.

Analysis

- 5.11 South Gloucestershire Council cannot currently demonstrate that it has a five-year supply of deliverable housing land. As such, Paragraph 14 of the NPPF is the starting point for the consideration of this planning application. In this instance, the NPPF makes a presumption in favour of approving sustainable development provided that the benefits of doing so (such as the provision of new housing towards the 5yr HLS) are not significantly and demonstrably outweighed by adverse impacts. Notwithstanding this position, the site is located within the Thornbury Settlement Boundary where new residential development is acceptable in principle.
- 5.12 On this basis, there is a presumption in favour of approving this application. However, it is necessary to consider the benefit of this proposal against any adverse impact and weigh these factors in the planning balance. The issues for consideration are discussed as follows:
- 5.13 Scale and Design
Core Strategy Policy CS1 only permits new development where “*the highest possible standards of site planning and design are achieved*”. The Policy requires that siting, overall layout, density, form, scale, height, massing, detailing, colour and materials, are informed by, respect and enhance the character, distinctiveness and amenity of both the site and the locality.
- 5.14 The northern side of Knapp Road in this location is characterised by a mix of dwelling ages, scales and designs. The older properties and more rustic designs are concentrated to either side of Prospect House and ‘Prospect House’ itself was designed with this character in mind. The properties ‘The Haven’, ‘Prospect House’, ‘Gordon Cottage’ and ‘Stonors Cottage’ are all quite large, 2-storey, detached, family style dwellings set within generous sized plots. The dwellings are all set back from the road frontage and there is a reasonably well established building line to which any new houses on the application site need to conform.
- 5.15 The proposed dwellings are appropriately scaled for this location and their location conforms to the established building line along the northern side of Knapp Road. Both properties would have a similar form and appearance to Prospect House and would be constructed of materials throughout to match those of Prospect House. Officers are satisfied that both the proposed scale and design are appropriate for the site and that given the character of the area and constraints on development, the proposal makes the most efficient use of the land, which lies within the Settlement Boundary. The siting of the proposed buildings would be in keeping with the street scene and accords with Core Strategy Policy CS1.

Landscape

- 5.16 Policy L1 of the South Gloucestershire Local Plan (Adopted) 6th January 2006 seeks to conserve and enhance those attributes of the landscape, which make a significant contribution to the character of the landscape. Policy L5 resists development that would adversely affect the contribution that an open area makes to the quality, character, amenity and distinctiveness of the locality. Policy CS9 of the South Gloucestershire Local Plan Core Strategy expects new development to conserve and enhance the character, quality, distinctiveness and amenity of the landscape.
- 5.17 The site has no special landscape designation and there are no trees of significance within the site, which is mostly grassed over. The site is not considered to be an open space that contributes significantly to the character of the area although it does to some extent, make a positive contribution to the overall street scene. Nevertheless, the proposed houses would be reasonably spaced to retain a sense of spaciousness. The proposal retains for most part, the hedgerow along the front boundary with Knapp Road and western boundary of the site; some additional planting is also shown on the site plan as proposed for the gardens. Officers are satisfied that on balance the proposal would be acceptable in landscape terms.
- 5.18 Residential Amenity
Although lying within a predominantly residential area, the nearest houses and for that matter neighbouring school buildings, would all be a sufficient distance away, such that there would be no significant loss of amenity due to overbearing impact or overshadowing. Whilst there may be some additional overlooking of neighbouring gardens from first floor windows, this would again be from a reasonable distance and some overlooking is only to be expected in densely populated locations such as Thornbury, especially if the government requirement to make the most efficient use of land is to be met.
- 5.19 Some concerns about loss of privacy from overlooking were raised by the occupant of 'Avonlea' but this property lies to the north-west in Easton Hill Road and is not even directly behind the proposed dwellings. Furthermore, it is noted that the only windows proposed for the facing side elevation of the nearest proposed dwelling would be an obscurely glazed W.C. window. There are no first floor side elevation windows proposed.
- 5.20 In terms of private amenity space provision, the proposed dwellings would have 89sq.m. and 78sq.m. of private rear garden space respectively, which given this sustainable location, would be sufficient to serve the family sized dwellings. The existing property 'Prospect House' would retain more than adequate amenity space.
- 5.21 There would be no significant adverse impact on residential amenity and the proposal is therefore considered to be in accordance with policy CS1 of the Core Strategy (Adopted) December 2013 and the NPPF.

Transportation Issues

- 5.22 Given the proximity of several schools and pre-schools to this site; the location of the access to Crossways School directly opposite; the existing constraints on on-street parking and resultant congestion most notably during the times of the school run; officers consider that the transportation issues are key to the determination of this application.
- 5.23 In the first instance, the level of parking provision for each of the proposed dwellings meets the minimum standards listed in the South Gloucestershire Residential Parking Standards SPD and sufficient parking would be retained to serve the existing property 'Prospect House'. Adequate bin storage and cycle parking would be provided. The site lies in a sustainable location with a bus stop right outside the site and a range of shops and services within relatively easy walking distance.
- 5.24 The existing property is served by an existing access to its driveway and garage, as well as a secondary gated access serving the garden area; these access points have dropped kerbs and would be retained in the proposed scheme.
- 5.25 Concerns have been raised about the location and width of the proposed new accesses as shown on the originally submitted plans and the resultant sterilisation of existing on-street parking as a result. In order to address these concerns, revised plans have been submitted such that the internal layout of the scheme has been revised to facilitate the re-location of the two new accesses next to each other, with the overall width of access significantly reduced, thus reducing the length of on-street parking that would be sterilised as a result. Adequate turning facilities would be provided for each dwelling within the respective plots, thus allowing cars to enter and exit in forward gear.
- 5.26 Regarding the insertion of the new accesses and for that matter the retention of the existing secondary access, officers are mindful that Knapp Road is not a classified road and as such, access points could be introduced under permitted development rights. There are therefore no objections to the access arrangements either existing or as proposed.
- 5.27 Many of the concerns raised relate to safety of children crossing the road at both school drop-off and pick-up times but this issue is already to be addressed by the insertion of a zebra crossing planned to be located to the west of the application site and within reasonable distance of Crossways School.
- 5.28 Further concern has been raised about the impact of construction traffic and possible conflicts with children during the school drop-off and pick-up times. Officers are satisfied that these concerns can be adequately addressed by the imposition of a condition to secure a Construction Management Plan to include times of delivery of materials and construction traffic to/from the site.
- 5.29 Given that the residual cumulative impacts of development are not considered to be 'severe' the proposal accords with the NPPF and Development Plan Policy, there are therefore no highway objections.

Environmental and Drainage Issues

5.30 Any increase in noise levels or anti-social behaviour, would be the subject of normal environmental health controls. Whilst there would inevitably be some disturbance for neighbours during the development phase, this could be adequately addressed by imposing a condition to restrict the hours of working. There are therefore no objections on environmental grounds. In terms of drainage, the site lies in Flood Zone 1 and the Council's Drainage Engineer has raised no objection to the proposal; drainage matters are now adequately covered under building regulations.

5.31 The site does not lie within a Coal Referral Area, there are no objections relating to this issue.

5.32 Affordable Housing

The proposal is for 2no. new dwellings only, which is below the Council's threshold for affordable housing provision.

5.33 Community Services

The proposal is for 2no. new dwellings only, which is below the Council's threshold (10) for contributions to Community Services.

Community Infrastructure Levy (CIL)

5.34 The South Gloucestershire Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide SPD was adopted March 2015. The introduction of CIL charging commenced on 1st August 2015. In the event that a decision to approve this application is issued the scheme would most likely be liable to CIL charging.

Planning Balance

5.35 The NPPF para. 49, is clear that housing applications should be considered in the context of the presumption in favour of sustainable development. According to the Framework, at paragraph 14, that means that when, as here, there is no five-year housing land supply and relevant policies are out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework as a whole or specific Framework policies indicate that development should be restricted.

5.36 In this case there are some clear benefits to the proposal; in light of the Council's housing land supply situation the provision of 2no. new houses must carry weight in its favour, albeit that the net gain of 2no. houses would only represent a modest contribution to the 5-year housing supply. The economic benefits for local house builders and suppliers of building materials and for local services would be a further small benefit to which only moderate weight can be afforded. The proposal makes efficient use of land for housing in the Urban Area which is a further benefit. The residual cumulative transportation impacts of the development, which are not considered to be 'severe' can only be afforded neutral weight in the final balance, as this is expected of all developments.

5.37 Weighed against this would be the loss of the open area which is a feature of the street scene, but given the level of mitigation proposed by the design and landscaping of the site and retention of most of the existing boundary hedge, any harm would not be so great as to significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework as a whole or specific Framework policies.

5.38 On balance therefore officers consider that in their judgement, the proposal is sustainable development that should be granted planning permission.

6. CONCLUSION

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

6.2 The recommendation to grant 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 on the Decision Notice.

Contact Officer: Roger Hemming
Tel. No. 01454 863537

CONDITIONS

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

Reason

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

2. Prior to the first occupation of the new dwellings hereby approved, the off street vehicular and cycle parking facilities, turning areas and bin stores shall be provided in accordance with the approved Site Plan Drawing No. 3117 PL03 Rev B and maintained for such purposes thereafter.

Reason

To ensure the satisfactory provision of car, cycle parking, turning and bin storage facilities in the interest of highway safety and the amenity of the area, and to accord with Policies CS1 and CS8 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013; Policy T7 of The South Gloucestershire Local Plan (Adopted) 6th Jan. 2006 and the South Gloucestershire Residential Parking

Standards SPD (Adopted) December 2013 and Waste Collection : guidance for new developments SPD (Adopted) Jan. 2015.

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

Reason

To minimise disturbance to neighbouring properties and to accord with the provisions of the NPPF.

4. All hard and soft landscape works and boundary treatments shall be carried out in accordance with the approved details shown on the approved Site Plan Drawing No. 3117 PL03 Rev B. The works shall be carried out prior to the first occupation of any part of the development or in accordance with a programme agreed with the Local Planning Authority.

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, Policy L1 of The South Gloucestershire Local Plan (Adopted) 6th Jan. 2006 and the National Planning Policy Framework.

5. Prior to the commencement of development hereby approved, 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, 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 destroyed prior to being recorded.

6. Prior to the commencement of the development hereby approved, a Construction Management Plan shall be submitted to and approved in writing by, the Local Planning Authority. Thereafter the development shall be carried out in strict accordance with the Construction Management Plan approved. For the avoidance of doubt, the Construction Management Plan should include details of all times of delivery of materials, plant and construction traffic to/from the site, proposed routing of vehicles and position of storage compounds.

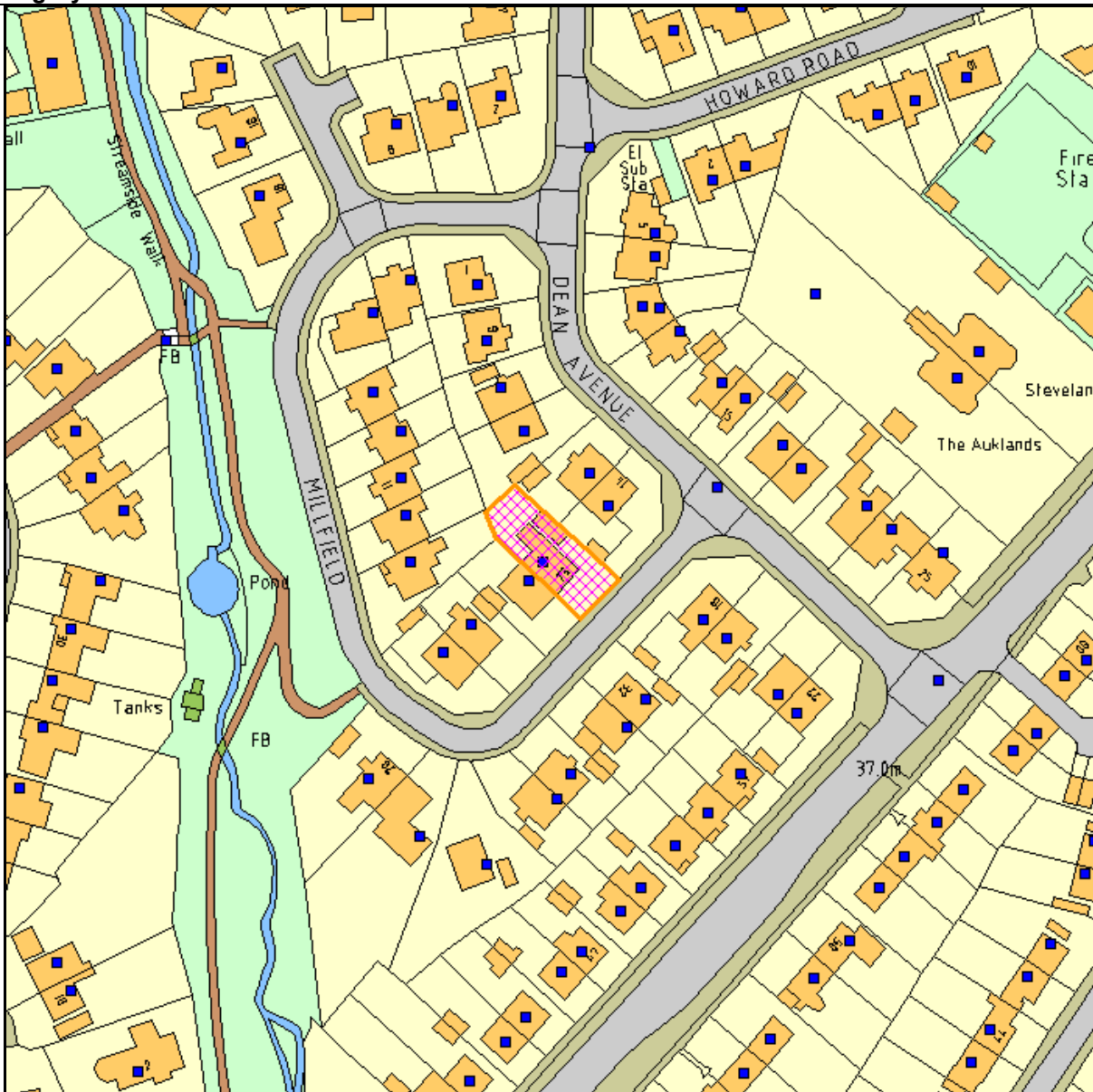
Reason

In the interests of highway safety having particular regard to the proximity of schools to the site and the limited on-street parking opportunities in the vicinity; to accord with

Policy CS8 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11th December 2013 and Policy T12 of The South Gloucestershire Local Plan (Adopted) 6th Jan. 2006. This is a prior commencement condition to ensure that the entire development can be carried out safely in highway terms.

CIRCULATED SCHEDULE NO. 07/17 – 17 FEBRUARY 2017

App No.:	PT16/6866/F	Applicant:	Mr R Boyd
Site:	23 Millfield Thornbury Bristol South Gloucestershire BS35 1JL	Date Reg:	30th December 2016
Proposal:	Erection of a single storey side and rear extension to form garage and additional living accommodation, replacement hip roof over existing flat roof rear extension, and installation of 1no. rear dormer windows to facilitate loft conversion. (Re-submission of PT16/4322/F)	Parish:	Thornbury Town Council
Map Ref:	364071 190726	Ward:	Thornbury North
Application Category:	Householder	Target Date:	17th February 2017



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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 the application must be referred to circulated schedule as a result.

1. THE PROPOSAL

- 1.1 The proposal seeks to erect a single storey side and rear extension to form garage and to introduce a box dormer window to the rear elevation of 23 Millfield, Thornbury.
- 1.2 The application is a resubmission of the application PT16/4322/F which was refused on design and residential amenity considerations. The revision to the proposal has meant there is no longer a first floor side extension proposed; this was the structure that resulted in the refusal under the previous application.
- 1.3 The subject property is a two storey late-20th century semi-detached bungalow with a pitched gabled roof and tile covering. To the rear is a single storey extension to the side is a linked garage with a flat roof. Boundary treatments are 1.6metre closed panel timber fences to the rear.
- 1.4 The site is located within the built up residential area of Thornbury.
- 1.5 The permitted development rights of the property are intact and therefore exercisable. It is considered that subject to some minor amendments the proposed rear dormer could conform to the provisions of Class B to Schedule 2 Part 1 of the Town and Country Planning (General Permitted Development) Order 2015.

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
- CS9 Managing the Environment and Heritage

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

- H4 Development within Existing Residential Curtilages
- T12 Transportation

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

- PSP1 Local Distinctiveness
- PSP8 Residential Amenity
- PSP16 Parking Standards

- PSP38 Development within Existing Residential Curtilages
PSP43 Private Amenity Standards
- 2.3 Supplementary Planning Guidance
Design Checklist SPD (adopted) August 2006
Residential Parking Standards SPD (adopted) December 2013

3. **RELEVANT PLANNING HISTORY**

N2015 – Approval – 09/10/1975 – Erection of lean-to garden shed.

PT16/4322/F – Refusal – 27/09/2016 – Erection of side extension to form garage and additional living accommodation, replacement pitched roof over existing flat roof rear extension, and installation of 2no. rear dormer windows to facilitate loft conversion.

Refusal reasons:

- 1. The proposed extension would be out of keeping with the existing dwellinghouse and other nearby properties, to the detriment of the streetscene and the balanced nature of the semi detached bungalows prevalent in the vicinity, representing an incongruous addition to the site and surroundings that would detract from the visual amenities of the locality, contrary to Policies H4 of the South Gloucestershire Local Plan (Adopted) January 2006, and CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, and the provisions of the NPPF.*
- 2. The proposed extension, by reason of its location, size and design would have a detrimental and overbearing effect on the amenities of the occupiers of the adjoining dwellinghouse. The proposal is therefore considered contrary to Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.*

4. **CONSULTATION RESPONSES**

4.1 Thornbury Town Council
Objection – consider the proposal to be out of keeping with the surrounding area.

4.2 Other Consultees

Transport Officer
No comments on the revised scheme

Archaeological Officer
No Objection

Other Representations

4.3 Local Residents
One comment received objecting to the proposal due to concerns over privacy and the arrangement being different to other dormer alterations in the area.

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. The proposal accords with the principle of development subject to the consideration below.

5.2 Design and Visual Amenity

The proposal consists of the erection of a rear dormer window in order to provide additional living accommodation and the introduction of a single storey rear/side extension to serve as garage space and additional living accommodation. The proposal also seeks to alter the roof to the existing rear extension. Dormer conversions are an extremely common feature in the area and a significant number of nearby properties have been subject to similar alterations.

5.3 Comments have been received from both Thornbury Town Council and a neighbour objecting to the proposed design. The previous refused permission was considered. The report found that "It is considered that the dormers, of which there are similar examples in the immediate vicinity and the addition of a pitched roof over the existing flat roof are acceptable in design terms." Whilst the dormers have been changed from a gable design to a 'box dormer', the predominant style of dormer conversions in the area tend to have a box design and the current proposal would be seen as better in keeping with the character of the locality and would therefore be in accordance with the provisions of CS1, H4 and the design checklist. Furthermore virtually identical examples can be seen at nos.16 - 20 Millfield which sit directly opposite the front elevation of the host dwelling in a more prominent location.

5.4 Site history indicates that there is no restriction on the permitted development rights of the subject property. Rear dormer windows are allowed under the provisions of the Town and Country Planning (General Permitted Development) Order 2015 Schedule 2 Part 1 Class B without the need for express planning permission. In this case the proposal would require permission as the dormer will be within 20cm of the existing eaves of the dwelling, however in the opinion of the authority, subject to minor amendments, the proposal could be provided by permitted development without the need for express planning permission. On this basis it is considered unreasonable to refuse the proposal on these grounds.

- 5.5 The dormer will have tile cladding to match the existing roof and the proposed extension will have external materials of a similar appearance to those in the existing dwelling and there is no objection with regard to materials.
- 5.6 Overall, it is considered that the proposed alterations would not harm the character or appearance of the area or the subject property 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, conforming to the criteria in the adopted Local Plan.
- 5.7 Residential Amenity
Policy H4 of the adopted Local Plan gives the Council's view on new development within existing residential curtilages. Proposals should not prejudice the residential amenity (through overbearing, loss of light and loss of privacy) of neighbouring occupiers as well as the private amenity space of the host dwelling.
- 5.8 Objection has been received from a neighbouring occupier concerned that the rear dormers would afford unobstructed views of their living accommodation. It should be noted that the host property has no properties directly rear of its rear elevation; dwellings in this direction are oriented around 80 degrees perpendicular to the host property. Given this angle of incidence the proposal is not viewed to create an unacceptable degree of direct inter-visibility to the dwelling in question. In addition, as previously mentioned, a rear dormer can be provided on the host dwelling without the express consent of the planning authority; this would have the same material impact on amenity as that of the proposal and consequently this amenity consideration is not viewed to substantiate a reason for refusal.
- 5.9 An extension will be introduced to the front of the existing garage elevation. This will be of a similar height to the existing garage but will incorporate a slight pitch to the roof in place of the existing flat roof. The dwelling to the north-east of the boundary has a detached garage located to the rear and side of their plot; this will screen a significant proportion of the proposal from this dwelling and consequently this part of the proposal is not viewed to have any negative impact on the amenity of this dwelling.
- 5.10 The subject property is located within a built up residential area and given the modest scale and the 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.
- 5.11 Sustainable Transport and Parking Provision
Currently the property has an area of hardstanding to the front of the property and a linked garage to the side and rear of the property. The proposal will include an additional bedroom bringing the total to 3 including the 'study'. Part of the proposal would result in the loss of the existing garage space and the creation of a new garage in line with the front elevation of the dwelling. Properties are required to provide private parking spaces in accordance with

the Residential Parking Standards SPD (adopted) December 2013. For a 3 bedroom house, 2 spaces are required, the existing hardstanding is considered sufficient and the proposal will create a garage space, meaning the proposal is in accordance with saved policy T12 of the Local Plan (2006). There is no objection to the proposal in relation to highway safety or parking provision.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Contact Officer: Hanni Osman
Tel. No. 01454 863787

CONDITIONS

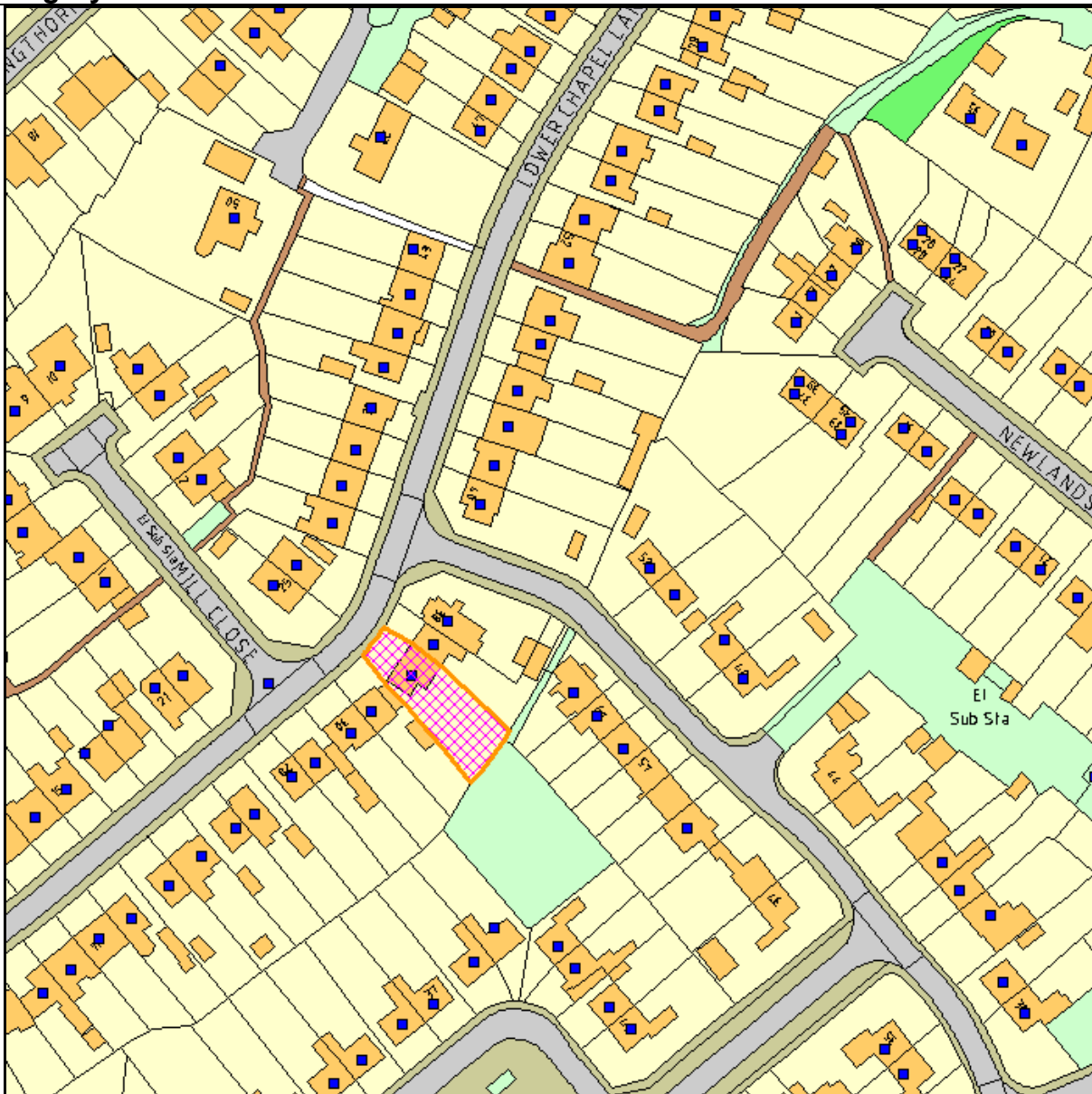
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 07/17 – 17 FEBRUARY 2017

App No.:	PT16/6897/F	Applicant:	Mr D Yates
Site:	34 Lower Chapel Lane Frampton Cotterell Bristol South Gloucestershire BS36 2RL	Date Reg:	29th December 2016
Proposal:	Erection of two storey and single storey side and rear extension to form additional living accommodation	Parish:	Frampton Cotterell Parish Council
Map Ref:	367135 181015	Ward:	Frampton Cotterell
Application Category:	Householder	Target Date:	15th February 2017



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

Representations contrary to the findings of this report have been received. Under the current scheme of delegation the application must be referred to circulated schedule as a result.

1. THE PROPOSAL

- 1.1 The proposal seeks to erect a two storey and single storey side and rear extension to form additional living accommodation.
- 1.2 The subject property is a late-20th Century two storey end-terrace dwelling with a pitched gabled roof, attached garage and a single storey side and rear extension. To the rear is a box dormer. During the site visits it was established that the existing rear and side extension would not be permitted development and should also be included in the assessment of the planning application.
- 1.3 A first floor will be introduced over the existing garage and to the rear retrospective permission is sought to retain the existing single storey lean-to.
- 1.4 The subject property is situated in the built up residential area of Frampton Cotterell.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Policy Guidance 2014

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

H4 Development within Existing Residential Curtilages
T12 Transportation

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

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

2.3 Supplementary Planning Guidance

Design Checklist SPD (adopted) August 2006
Residential Parking Standards SPD (adopted) December 2013

3. RELEVANT PLANNING HISTORY

No Relevant Planning History

4. CONSULTATION RESPONSES

4.1 Frampton Cotterell Parish

Objection – states the proposal is overdevelopment and that the proposal is bigger than that shown on the plans, also that works had commenced without permission.

4.2 Other Consultees

Transportation DC

Requested revised parking details – this has been provided and consequently there is no objection to the proposal.

Other Representations

4.3 Local Residents

No Comments Received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy CS1 ‘High Quality Design’ of the South Gloucestershire Core Strategy (adopted December 2013) states development proposals will only be permitted where the highest possible standards of design and site planning are achieved. Proposals should demonstrate that they; enhance and respect the character, distinctiveness and amenity of both the site and its context; have an appropriate density and its overall layout is well integrated with the existing development. Saved Policy H4 of the South Gloucestershire Local Plan (adopted 2006) is supportive in principle of development with the residential curtilage of existing dwellings. This support is subject to the proposal respecting the existing design of the dwelling and it does not prejudice the residential and visual amenity; adequate parking provision; and has no negative effects on transportation. The proposal accords with the principle of development subject to the consideration below.

5.2 Design and Visual Amenity

The proposal consists of a two storey side extension to form additional living accommodation and for the retrospective permission for the erection of a single storey lean-to to the rear of the property, there are a number of other similar extensions nearby and to the same housing type. Consequently the proposal is viewed as in keeping with the general character of the area.

5.3 Objection has been received from the Parish Council on the basis that the proposal “is bigger than stated in the application”. It is not understood how this conclusion has been come to but the plans have been assumed to be accurate. These show a proposal that is subservient in scale to the existing dwelling with a slightly lower ridge height and slightly stepped back from the primary elevation. On this basis the proposal would be considered to accord with

adopted design policy including CS1 and the Design Checklist SPD. Furthermore due to the presence of other very similar developments nearby, it is considered to be respectful of and in keeping with the general character of the area. The parish council have also objected on the basis that the development was taking place without consent being granted. At the site inspection a discussion was held with the applicant who was under the assumption that the rear extension was permitted development and would not require express planning consent. It was established at that point that, whilst their permitted development rights were intact the proposal would constitute a side and rear extension, in excess of half the width of the original dwelling and permission would be needed for its construction. The description of development was then changed to reflect this. It should be made clear that it is possible to retrospectively apply for planning permission and enforcement action would not normally take place until permission for the retrospective application is refused.

- 5.4 The parish council have also considered the proposal to be overdevelopment of the subject site. It has been considered that the proposal will not have a much larger footprint than the existing as it will extend upward from the existing single storey side extension and on this basis has not been viewed by the case officer to constitute overdevelopment. This is also established by the precedent cases nearby.
- 5.5 The character of the area is relatively uniform with the majority of buildings being constructed in the mid to late 20th century. This has a typical suburban atmosphere. The buildings in the area are constructed predominantly with a combination of render and brick elevations and have gabled roofs. The existing dwelling is constructed with these same design features and materials; the proposal has put forward materials that are similar in appearance to the existing dwelling and would be considered to have been informed by the host dwelling and its context. There is no objection with regard to materials.
- 5.6 The rear extension will project as far as the existing extension at the adjoining dwelling but would span the majority of the rear elevation of the host property. A number of other properties have rear lean-to extensions spanning the full width of the property and there is no objection with regard to this.
- 5.7 Overall, it is considered that the proposed extensions would not harm the character or appearance of the area and as such are considered acceptable in terms of visual amenity. Therefore, it is judged that the proposal has an acceptable standard of design and is considered to be 'in keeping' with policies CS1 and H4 and conforms to the criteria in the adopted Local Plan.
- 5.8 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.

- 5.9 The subject property is situated in line with the adjacent dwellings. The proposal will project towards the side elevation of the neighbouring dwelling to the South. This dwelling is not served by any openings within primary living accommodation oriented towards the proposal and consequently will not be negatively impacted by the proposed side extension.
- 5.10 The properties forward of the front elevation are set a reasonable distance from the host property and separated by Lower Chapel Lane and driveways. There are no dwellings directly to the rear and consequently the proposal will not impact dwellings in this direction.
- 5.11 The dwelling is not subject to any restriction of their permitted development rights and on this basis it is assumed that a rear extension of up to 3 metres could be introduced without the requirement for express planning permission. This would have the same impact as the proposal and consequently it seems unreasonable to resist the application on this basis.
- 5.12 The property has a reasonable sized garden and it is thought sufficient amenity space would remain following development.
- 5.13 Comments from the Parish council suggests that bonfires are taking place on a daily basis. No such fires were taking place at the time of the site visit meaning it is not possible to establish what was being burned, whatever the case this is any issue outside the remit of the planning department. An informative will be put forward providing information on operation of building sites, however as an issue outside the remit of the planning department it would be unreasonable to refuse the development on this basis.
- 5.14 The subject property is located within a built up residential area and given the scale and location of the proposed development, the proposal will not result in an unacceptable impact on the residential amenity of its neighbouring occupiers, meaning the proposal is in accordance with saved policy H4 of the adopted Local Plan.
- 5.15 Sustainable Transport and Parking Provision
The proposal would result in the creation of 2 additional bedrooms. Currently the property has an area of hardstanding to the rear of the property and an detached single garage. The proposal would retain the existing garage, however it will be shortened by the introduction of a utility and insufficient space will remain for the storage of a vehicle. According to the residential Parking Standards SPD a 5 bedroom property would be required to provide 3 private parking spaces. This requirement is satisfied by the existing area of hardstanding to the front of the property. Comments from the transport officer requested revised plans which have been provided identifying the correct level of off-street parking provision. There is therefore no objection to the proposal with regard to parking provision. The proposal would not require any additional parking spaces nor will it have a negative impact on highway safety or the retention of an acceptable level of parking provision, meaning the proposal is in accordance with saved policy T12 of the Local Plan (2006). The council has no objection to the proposal in relation to highway safety or parking provision.

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. The hours of working on site during the period of construction shall be restricted to 07:30 - 18:00 Monday to Friday; 08:30 - 13:00 Saturdays; and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site

Reason

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

CIRCULATED SCHEDULE NO. 07/17 – 17 FEBRUARY 2017

App No.:	PT16/6914/F	Applicant:	Almondsbury Sports And Social Club
Site:	Almondsbury Sports And Social Club 10 Gloucester Road Almondsbury Bristol South Gloucestershire BS32 4AG	Date Reg:	4th January 2017
Proposal:	Erection of single storey extension to changing rooms to provide treatment room. hospitality room and toilets.	Parish:	Almondsbury Parish Council
Map Ref:	360503 183454	Ward:	Almondsbury
Application Category:	Minor	Target Date:	28th February 2017



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PT16/6914/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 application seeks full planning permission for the erection of a single storey extension to changing rooms to provide a treatment room, hospitality room and toilets at Almondsbury Sports and Social Club, Almondsbury.
- 1.2 The application site consists of a sports and social club, located on the eastern side of the A38, to the south of the defined settlement boundary of Almondsbury. The application site consists of a main building providing several facilities, playing fields used as football pitches and cricket pitches, several tennis courts, and a main football pitch. The main football pitch is located at the eastern side of the site. The application relates to a modern single storey building currently used as the changing room, located to the north of this football pitch. The building is finished in brick with a pitched, tiled roof, and currently provides both home and away, as well as referees changing rooms.
- 1.3 The football pitch and associated changing rooms, stand and floodlights form the home ground for Almondsbury UWE FC; who play in the Toolstation Western League Division One.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

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

- LC5 Sports and Leisure Facilities Outside of the Existing Urban Areas
- LC9 Protection of Open Space and Playing Fields
- L1 Landscape Protection and Enhancement

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

3. RELEVANT PLANNING HISTORY

- 3.1 PT09/1425/F Retention of 1 no. portacabin to be used as rest area (retrospective).
Approved: 17.09.2009
- 3.2 PT07/3162/F Importation of inert sub soils to raise existing level of football pitch area. Installation of new drainage system and formation of new pitch.
Approved: 11.06.2008
- 3.3 PT05/3136/F Erection of 6 no. 15 metre columns for floodlighting to existing sports field.
Approved: 24.02.2006
- 3.4 PT05/0110/F Retention of existing sports stand and adjoining walls.
Approved: 11.07.2005
- 3.5 P98/2670 Erection of single storey detached building to form changing rooms with removal of existing temporary accommodation.
Approved: 23.12.1998
- 3.6 P86/1097 Use of land for stationing of portable building for use as changing rooms.
Approved: 26.02.1986

4. CONSULTATION RESPONSES

- 4.1 Almondsbury Parish Council
Objection - The Council Object strongly to this application because whoever has submitted this application has not consulted the owners of the land. Please request permission of the owner before considering any application for this address.

4.2 Other Consultees

Sustainable Transport
No comments

Highway Structures
No objection

Drainage
No objection

Archaeology

No objection

Other Representations

- 4.3 Local Residents
No comments received

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Policy LC5 of the Local Plan allows for the expansion or improvement of outdoor sports and recreation facilities subject to a detailed assessment of the impact of the proposal. However, as the site is located within the Green Belt, any development must also accord with the principles of Green Belt policy to be acceptable.
- 5.2 Green Belt
National planning policy states that great importance is attached to green belts. In order to preserve the openness of Green Belt land, development within the Green Belt is strictly controlled. Development within the Green Belt is generally considered inappropriate. However, there are limited categories of development within the Green Belt that are not considered to be inappropriate. One of these is the provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it, as is set out in Paragraph 89 of the NPPF.
- 5.3 As such, the main considerations when assessing whether or not the proposal constitutes inappropriate development in the Green Belt is whether or not the proposal comprises the provision of appropriate facilities for outdoor sport and recreation, and whether the proposal preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.
- 5.4 Appropriateness
The proposal comprises of the extension of the existing changing rooms to provide a treatment room, hospitality room and toilets. It has been confirmed by the agent that the hospitality room will generally be used by any sponsor of a team during a football match. These uses are considered to be appropriate for a club playing at the level that Almondsbury UWE FC are currently playing at. The proposed treatment room and hospitality room would both be modestly sized; which is deemed to correspond with the requirements of an amateur football team. Additionally, due to the distance between the football pitch and the main building at Almondsbury Sports and Social Club, it is considered that the siting of these facilities in close proximity to the football pitch (as an addition to the existing changing rooms), is appropriate. As such the proposal is considered to constitute appropriate facilities for outdoor sport and recreation.
- 5.5 Openness of the Green Belt
The proposal would involve the addition of a single storey extension to the west-facing side elevation of the existing building. The proposed extension would be of simple design, and would appear as a continuation of the existing

- building through maintaining the existing building, ridge and eaves line. The volume of the existing building is approximately 265m³. The resultant volume of the building were planning permission to be granted would be approximately 420m³. As such the total volume increase would be 155m³, a volume percentage increase of 58%.
- 5.6 A test of proportionality (outlined in the South Gloucestershire Supplementary Planning Document: Development in the Green Belt (Adopted) 2007) is used as a means of assessing whether or not an addition to a dwelling can be considered proportionate to the original dwelling. This test outlines that additions resulting in a volume increase of more than 50% are likely to be considered in excess of any reasonable definition of 'limited extension'; and therefore may be disproportionate in nature. It is noted that this application does not relate to an addition to a dwelling. However the test is considered to be an appropriate means of assessing the impact of the proposal on the openness of the Green Belt.
- 5.7 In this instance, whilst the proposed extension would result in an overall volume increase of more than 50%, it is not deemed that its erection would significantly impact upon the openness of the Green Belt. It is considered that the retention of the single storey nature of the structure significantly reduces any potential impacts on the openness of the Green Belt. It is also considered that the continuation of the existing building, ridge and eaves line also reduces the massing of the structure. Were the proposed extension to be sited at a different elevation of the existing building, thus creating either an 'L' or a 'T' shape, it is considered that the resulting structure would be more prominent, and would have a greater impact on the openness of the Green Belt.
- 5.8 Overall, due to its siting, scale, massing and design, it is considered that openness of the Green Belt would be preserved following the implementation of the proposal, and that the proposal would not conflict with the purposes of including land within the Green Belt. As such the proposal is not deemed to constitute inappropriate development in the Green Belt.
- 5.9 Design and Visual Amenity
Policy LC5 of the Local Plan outlines that proposals for the development, expansion or improvement of outdoor sports and recreation outside the existing urban area and the boundaries of settlements will be permitted provided that: Development would not itself, or when considered with other recent or proposed sports and recreation developments in the immediate locality, have an unacceptable effects on the character and diversity of the landscape.
- 5.10 It is deemed that the design, scale and massing of the proposed extension would allow for it to blend sympathetically in to the surrounding landscape. The areas to the north and east of the subject building comprise open fields, and the areas to the south and west comprise a football pitch and playing fields. Due to the maintaining of the building, ridge and eaves line, as well as the usage of the same external materials as the existing, it is not deemed that the proposed extension would significantly impact upon the character and diversity of the landscape. As such the proposal is deemed to conform to design criteria set out in policy LC5 of the Local Plan.

5.11 Residential Amenity

Policy LC5 of the Local Plan outlines that proposals for the development, expansion or improvement of outdoor sports and recreation outside the existing urban area and the boundaries of settlements will be permitted provided that: development would not prejudice residential amenities.

5.12 The subject building is single storey in nature, and is not located in close proximity to any residential properties. The proposed extension would retain this single storey nature, and would not result in any significant encroachment towards any nearby properties. As such, it is not deemed that the proposal would have any impact upon residential amenities, and as such satisfies this criterion of policy LC5.

5.13 Parking, Highway Safety, Transportation and Environmental Effects

Policy LC5 of the Local Plan outlines that proposals for the development, expansion or improvement of outdoor sports and recreation outside the existing urban area and the boundaries of settlements will be permitted provided that: Development would not have unacceptable Environmental or Transportation effects, or; Development would not give rise to unacceptable levels of on street parking to the detriment of the surrounding area and highway safety.

5.14 Due to the relatively minor nature of the development, It is not deemed that the extension of the changing rooms would have any unacceptable environmental effects. It is also not considered that the extension of the changing rooms to provide a treatment room, a hospitality room and toilets would result in a significant increase in traffic entering and exiting the site, or vehicles parking at the site. The existing parking arrangements at the sports and social club are deemed sufficient, and as such it is not considered that the proposal would result in any increase of on street parking. Overall, it is deemed that the proposal satisfies this criterion outlined in policy LC5 of the Local plan.

5.15 Objection Comments

Following objection comments raising concern over consultation with the owners of the land, a Certificate B of ownership was submitted; a copy of which is available in the electronic file for the application. Following the submission of this certificate of ownership and the declaration that the owners of the land have been notified of the application, it is considered that the correct documentation has been submitted, and that the application can be fully assessed. Whether or not the applicant has the consent of the owner of the land to implement any planning permission is a civil matter, and is not a factor within the remit of this planning application. This point is elaborated upon by informatives attached to the decision notice.

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. 07/17 – 17 FEBRUARY 2017

App No.:	PT16/6918/F	Applicant:	Prestige Property Developments Ltd
Site:	130 To 132 Gloucester Road North Filton Bristol South Gloucestershire BS34 7BQ	Date Reg:	29th December 2016
Proposal:	Change of use of part ground floor from Solicitors Office (Class A2) to Retail (Class A1), erection of two storey rear extension, installation of rear dormer and change of use of first floor from solicitor's office (Class A2) to form 1 no. residential unit as HMO (Class C4) as defined in Town and Country Planning (Use Classes Order) 1987 (as amended). (Resubmission of PT16/4609/F).	Parish:	Filton Town Council
Map Ref:	360242 179090	Ward:	Filton
Application Category:	Minor	Target Date:	15th February 2017



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 100023410, 2008. **N.T.S.** **PT16/6918/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been submitted to the Council's Circulated Schedule procedure, following objections from the Town Council which are contrary to the officer recommendation within this report.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the change of use of part of the ground floor from a solicitors office (Use Class A2) to retail (Use Class A1) and the erection of a two-storey rear extension to facilitate a change of use to form 1 no. four bedroom residential unit as student accommodation (C4) at 130-132 Gloucester Road North, Filton.
- 1.2 The application site is within the North Bristol Urban Fringe, and forms part of a primary retail frontage.
- 1.3 The front half of the ground floor at no. 132 is currently a sandwich shop (A1) and will remain as such following development.
- 1.4 This application is a resubmission of PT16/4609/F which proposed a 6 no. bedroom residential unit instead, which was refused for the following reasons:

1- The development suffers from a lack of adequate waste and refuse collection and storage facilities, which if approved, would lead to the inappropriate placement of bins arounds the vicinity of the site whereby space is limited, to the detriment of vehicle access to the adjacent units, and would also be detriment to highway safety. This is contrary to policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006, policy CS8 of the Core Strategy (Adopted) December 2013, the South Gloucestershire Waste SPD and the National Planning Policy Framework.

2 - The cramped nature of the layout means that there is insufficient room to make adequate and convenient provision for waste refuse collection and storage facilities, and any private or communal amenity space for the number of intended occupants. This would be contrary to policy CS1 of the South Gloucestershire Core Strategy (Adopted) December 2013 which requires the highest quality standards of design, as well as RT9, RT12 and H5 of the South Gloucestershire Local Plan (Adopted) January 2006. Furthermore, this does amount to a significant and demonstrable harm that outweighs the benefits of the proposal as the scheme will not achieve a good level of residential amenity as required by paragraph 17 of the NPPF which is a core planning principle.

- 1.5 The application is also a resubmission of PT16/1557/F which proposed two residential units instead of one, and was refused for the following reasons:

1- The proposed residential parts of the scheme would result in unacceptably poor living conditions for the future occupants. This is because of the cumulative impact arising from the following issues; a cramped layout, most units have single aspect windows with a poor outlook, some units are served

only by roof lights, some principal windows will only attract limited daylight. The cramped nature of the layout means that there is insufficient room to make adequate and convenient provision of suitable vehicular and cycle parking for occupants, waste refuse collection and storage facilities, and any private or communal amenity space or internal communal space for the number of intended occupants. This would be contrary to policy CS1 of the South Gloucestershire Core Strategy (Adopted) December 2013 which requires the highest quality standards of design, as well as RT9, RT12 and H5 of the South Gloucestershire Local Plan (Adopted) January 2006. Furthermore, this does amount to a significant and demonstrable harm that outweighs the benefits of the proposal as the scheme will not achieve a good level of residential amenity as required by paragraph 17 of the NPPF which is a core planning principle.

2- The development suffers from a lack of car and cycle parking as well as waste and refuse collection and storage facilities, which if approved, would lead to inappropriate parking and the placement of bins around the vicinity of the site whereby space is limited to the detriment of vehicle access to the adjacent units, and would also be detrimental to highway safety and would discourage sustainable transport choices, contrary to policies T7, T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006, policy CS8 of the Core Strategy (Adopted) December 2013, the South Gloucestershire Waste SPD, the Residential Parking Standards SPD and the National Planning Policy Framework.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Practice Guidance

2.2 Development Plans

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

L11 Archaeology
EP4 Noise Sensitive Development
T7 Cycle Parking
T12 Transportation Development Control Policy
E3 Criteria for Assessing Proposals for Employment within the Urban Area
H5 Residential Conversions, Houses in Multiple Occupation and re use of Buildings for Residential Purposes
RT9 Change of Use of Retail Premises within Primary Shopping Frontages of Town Centres
RT12 Use of Upper Floors in Town Centres

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS5 Locations of Development
CS8 Accessibility
CS9 Environmental and Heritage
CS14 Town Centres
CS15 Distribution of Housing

CS16 Housing Density
CS17 Housing Diversity
CS25 North Bristol Urban Fringe

- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist
Residential Parking Standards SPD

3. **RELEVANT PLANNING HISTORY**

- 3.1 PT16/4609/F Refusal 17/11/2016
Change of use of part ground floor from Solicitors Office (Class A2) to Retail (Class A1), erection of two storey rear extension and change of use from solicitor's office (Class A2) to form 1no. residential units as student accommodation (C4) as defined in Town and Country Planning (Use Classes Order) 1987 (as amended).

Refusal reasons:

1- *The development suffers from a lack of adequate waste and refuse collection and storage facilities, which if approved, would lead to the inappropriate placement of bins arounds the vicinity of the site whereby space is limited, to the detriment of vehicle access to the adjacent units, and would also be detriment to highway safety. This is contrary to policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006, policy CS8 of the Core Strategy (Adopted) December 2013, the South Gloucestershire Waste SPD and the National Planning Policy Framework.*

2 - *The cramped nature of the layout means that there is insufficient room to make adequate and convenient provision for waste refuse collection and storage facilities, and any private or communal amenity space for the number of intended occupants. This would be contrary to policy CS1 of the South Gloucestershire Core Strategy (Adopted) December 2013 which requires the highest quality standards of design, as well as RT9, RT12 and H5 of the South Gloucestershire Local Plan (Adopted) January 2006. Furthermore, this does amount to a significant and demonstrable harm that outweighs the benefits of the proposal as the scheme will not achieve a good level of residential amenity as required by paragraph 17 of the NPPF which is a core planning principle.*

- 3.2 PT16/1557/F Refusal 31/05/2016
Change of use of part ground floor from Solicitors Office (Class A2) to Retail (Class A1), erection of two storey rear extension and change of use from solicitor's office (Class A2) to form 2no. residential units as student accommodation (C4 and sui generis) as defined in Town and Country Planning (Use Classes Order) 1987 (as amended).

Refusal reasons:

1- *The proposed residential parts of the scheme would result in unacceptably poor living conditions for the future occupants. This is because of the cumulative impact arising from the following issues; a cramped layout, most units have single aspect windows with a poor outlook, some units are served*

only by roof lights, some principal windows will only attract limited daylight. The cramped nature of the layout means that there is insufficient room to make adequate and convenient provision of suitable vehicular and cycle parking for occupants, waste refuse collection and storage facilities, and any private or communal amenity space or internal communal space for the number of intended occupants. This would be contrary to policy CS1 of the South Gloucestershire Core Strategy (Adopted) December 2013 which requires the highest quality standards of design, as well as RT9, RT12 and H5 of the South Gloucestershire Local Plan (Adopted) January 2006. Furthermore, this does amount to a significant and demonstrable harm that outweighs the benefits of the proposal as the scheme will not achieve a good level of residential amenity as required by paragraph 17 of the NPPF which is a core planning principle.

2- The development suffers from a lack of car and cycle parking as well as waste and refuse collection and storage facilities, which if approved, would lead to inappropriate parking and the placement of bins around the vicinity of the site whereby space is limited to the detriment of vehicle access to the adjacent units, and would also be detrimental to highway safety and would discourage sustainable transport choices, contrary to policies T7, T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006, policy CS8 of the Core Strategy (Adopted) December 2013, the South Gloucestershire Waste SPD, the Residential Parking Standards SPD and the National Planning Policy Framework.

- 3.3 PT15/5300/PNRR Refusal 01/03/2016
Prior notification of a change of use of part ground floor and first floor from Solicitors Office (Class A2) to Residential (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended)

Refusal reasons:

- 1- The proposed ground floor unit (Unit 1) would represent a cramped form of overdevelopment, resulting in a poor level of living accommodation for potential future occupiers of the unit and it would fail to meet the core planning principles of the National Planning Policy Framework. This is contrary to Class M.2 (1)(e) and Paragraph W.10(b) of Part 3 of the Town and Country Planning (General Permitted Development) Order 2015.*
- 2- It would be undesirable for the building to change to a C3 use as it is located on a primary shopping frontage within Filton Town Centre as identified in the South Gloucestershire Local Plan (adopted) January 2006 and, if approved, the development would have a negative impact on the sustainability of that shopping area, contrary to Class M.2 (1) (d) (ii) of Part 3 of the Town and Country Planning (General Permitted Development) Order 2015.*

- 3.4 PT15/4455/F Approve with conditions 08/12/2015
Erection of two storey office building (Class B1a) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) with integral garage, parking and associated works.

- 3.5 PT15/4132/PNOR Refusal 13/11/2015

Prior notification of a change of use of part of the ground floor from Offices (Class B1a) to 2no. flats (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended)

Refusal reason:

1- The proposed development does not meet the criteria outlined under paragraph O.1 of Schedule 2, Part 3, Class O of the General Permitted Development Order 2015 and is therefore not considered to be permitted development.

- 3.6 PT15/3508/F Withdrawn 02/10/2015
Erection of detached coachhouse incorporating 1no. flat with 3no. garages, cycle parking and bin storage and associated works

4. CONSULTATION RESPONSES

- 4.1 Filton Town Council
Objection – refuse due to insufficient access, site visit suggested.

4.2 Other Consultees

Public Rights of Way
No objection.

Open Spaces Society
No comment received.

Community Enterprise
No comment received.

Sustainable Transport
No objection subject to conditions.

Archaeology
No objection.

Other Representations

- 4.3 Local Residents
No comment received.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
The aim of Core Strategy Policy CS14 is to protect the vitality and viability of centres, protecting against the loss of retail uses and encouraging a range of appropriate development types, including retail, commercial and leisure. The policy states that proposals for the loss of retail use must demonstrate that they will not be detrimental to the continued vitality and viability of the centre.

5.2 In this instance the proposed change of use falls to be determined under saved Policy RT9 of the South Gloucestershire Local Plan (Adopted) Jan 2006, as it proposes a partial change of use from A2 to residential. The other partial change of use from A2 (solicitor's office) to A1 (retail) is acceptable in principle, as no. 130-132 are on a primary shopping frontage. Policy RT9 does not permit the change of use of existing retail premises within primary shopping frontages in town centres unless criteria A or B, and C are met.

A. The premises could not be retained in a viable retail use; OR

No information has been submitted to demonstrate this, so it is assumed the applicant intends to apply for the change of use under the alternative, criteria B. It is noted however that the unit has been empty for some time (since at least 2015, where the officer made a site visit for the previously withdrawn proposal PT15/3508/F).

B. The proposed use would make a positive and complementary contribution to the vitality and viability of the centre, and would not undermine the retail function of the frontage, or part of it; AND

The change of use of the first and seconds floors to a six bedroom house of multiple occupation (Use Class C4) falls to be considered under policy RT12, which recognises that residential use is the first choice for existing premises above ground floor level within the traditional centres, and is therefore acceptable, subject to environmental, transport and amenity issues being assessed, which will be discussed later within this report. The partial change of use of unit 130 from A2 to A1 is acceptable on a primary retail frontage, as this was the previous use of the site when the row was designated as such, and is considered a benefit of the scheme, as is the retention of the sandwich shop at unit 132.

The previous application was refused in part due to the lack of rear access to either of the retail units, which was considered to undermine their proper function with regards to deliveries and the management of waste. No rear access could have been created, as the entire rear of the site was required for parking, in order to meet the Residential Parking Standards SPD criteria for a six bedroom House of Multiple occupation (HMO). As part of this resubmission, the number of bedrooms have been reduced to four, reducing the demand for parking by one space. This enables a rear access to the shops to be provided, enabling them to function smoothly and accept deliveries to the rear and take waste out the rear exit into the service yard if required. It also provides additional storage for waste, reducing the risk that bins would litter the site creating highway safety hazards and having a negative impact on visual amenity. It is therefore considered that the previous refusal reason has been overcome following a reduction in the number of bedrooms, and vitality and viability of the centre would not be affected.

C. The proposed use would not result in unacceptable environmental or transportation effects, and would not prejudice residential amenity

5.3 Environmental Impacts

The Local Planning Authority is not aware of any environmental issues at the site which would prevent an A1 or residential use.

5.4 Transport

The Town Council have objected on the grounds of insufficient access, however the Transport officer considers that the access is adequate, and is indeed an extant situation. The Council have minimum car parking standards for residential accommodation, and whilst there is no specific parking standard for HMOs, a house of four bedrooms would require two off-street parking spaces. This is also consistent with the view that the number of parking spaces for a HMO should be half the number of bedrooms. A condition requiring that development takes place in accordance with the approved floor plan will prevent further subdivision in the future. Cycle parking has been provided within the blue ownership boundary to the rear of the existing office, approved under PT15/4455/F and recently implemented, however it is noted that both the cycle parking and car parking are some distance from the entrance to the residential property. Whilst this is not ideal, it is not considered to have a severe impact. Furthermore, there are strict parking restrictions to the front of the property and in the surrounding area so on-street parking is unlikely to be used by occupiers as a more convenient alternative. The Transport officer has indicated that the cycle parking shown is not sufficient, so additional cycle parking will be sought by condition prior to first occupation.

5.5 Residential Amenity

The side elevations of the two-storey rear extension are stepped in from the full width of the two units, reducing the impact on neighbouring first floor windows, some of which appear to be utilised as dwellings. The previous application was recommended for refusal following concerns regarding the living standards of future occupiers of the development due to inadequate waste storage for the HMO and the two retail units, however the provision of additional waste storage and rear access to the units has overcome these concerns. Two dormer windows provide adequate lighting for the two bedrooms on the upper floor.

5.6 One concern which has not been overcome is the lack of private or communal amenity space for the occupiers. Whilst it is preferred that amenity space is provided, currently the Council does not have an amenity space standards policy. There is an emerging policy within the Policies Sites and Places Development Plan Document which indicates a four bedroom property should have 50 square metres of outdoor space, however this policy is out for consultation and can only be afforded limited weight. Furthermore, the residential unit is a HMO (use class C4) and so is unlikely to be utilised as a family dwelling, and instead will be occupied by four individuals. Given the location of development within an urban area, and the increase in communal living space inside the unit compared to the previous applications, it is not considered that the lack of a garden would represent significant and demonstrable harm on its own, however it will weigh against the scheme when considering the planning balance.

5.7 Design

When considering visual amenity, the proposed two storey rear extension must comply with policy CS1 of the Core Strategy, which requires the highest quality standards of design must be achieved. Other two storey rear extensions can be seen along the terrace, and it is considered that the pitched roof design is acceptable, and is subservient to the ridge height of the main building. The materials chosen are acceptable and will match the appearance of the existing building, and a condition will ensure that this is implemented. The development is therefore considered to be acceptable in terms of policy CS1 of the Core Strategy.

5.8 Drainage

The Council's Drainage Engineer has previously requested that a Sustainable Urban Drainage System be conditioned in the event the previous application is approved. Officers consider that as the site is already developed and due to the scale of the extensions proposed, the drainage can be adequately dealt with as part of the associated Building Regulations application, and therefore the condition will not be applied.

5.9 The Planning Balance

South Gloucestershire Council's 2015 Authority's Monitoring Report published the five year housing land supply figure for the district as being 4.28 years, concluding that the Council does not currently have a five year housing land supply and therefore paragraph 49 of the NPPF is currently engaged. Housing applications should be considered in the context of the presumption in favour of sustainable development, and that the Local Planning Authority should grant planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. When considering whether or not HMO dwellings count towards the five year housing land supply, the Council uses the CLG definition of a dwelling contained within the Housing Flows Guidance document, which states '*non-self contained household spaces at the same address should be counted together as a single dwelling*'. Of course, this only applies for new build HMOs; a conversion from a self-contained unit to a HMO would not be counted.

5.10 This development will add 1 no. residential unit to the housing land supply, with a total of four bedrooms. It is noted that the residential unit does not have any private or communal outdoor amenity space, and whilst this weighs against the scheme it is considered that the slight harm is outweighed by the benefits of an additional residential unit, and the retail units being brought back into use.

6. CONCLUSION

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

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

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

7. RECOMMENDATION

7.1 That planning permission is **GRANTED** subject to the conditions on the decision notice.

Contact Officer: Trudy Gallagher
Tel. No. 01454 862217

CONDITIONS

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

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

2. Prior to the first occupation for the development hereby approved, details of 6 no. covered and secure cycle parking spaces must be submitted to the Local Planning Authority for written approval. The development shall not be occupied until the approved details have been implemented.

Reason

To encourage sustainable modes of travel, in accordance with policy T7 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason

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

4. Development shall proceed in strict accordance with Proposed Floor Plan 2637/202 Rev F received on 8th February 2017.

Reason

To prevent further subdivision which would require assessment under policy T12 and RT9 of the South Gloucestershire Local Plan (Adopted) January 2006 and policy CS1 and CS8 of the Core Strategy (Adopted) December 2013, and the National Planning Policy Framework.

5. Prior to first occupation of the development hereby approved, the car parking arrangements shown in Proposed Site Plan 2637/201 Rev E (received 8th February 2017) shall be implemented and maintained as such thereafter.

Reason

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