

**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. 11/17

Date to Members: 17/03/2017

Member's Deadline: 23/03/2017 (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.

Dates and Deadlines for Circulated Schedule
During Easter Bank Holiday 2017

Schedule Number	Date to Members 9am on	Members Deadline
14/17	9.00 am Thursday 06 April	5.00pm Wednesday 12 April
15/17	09.00am Wednesday 12 April	5.00 pm Thursday 20 April

Please see changed deadlines in **RED**.

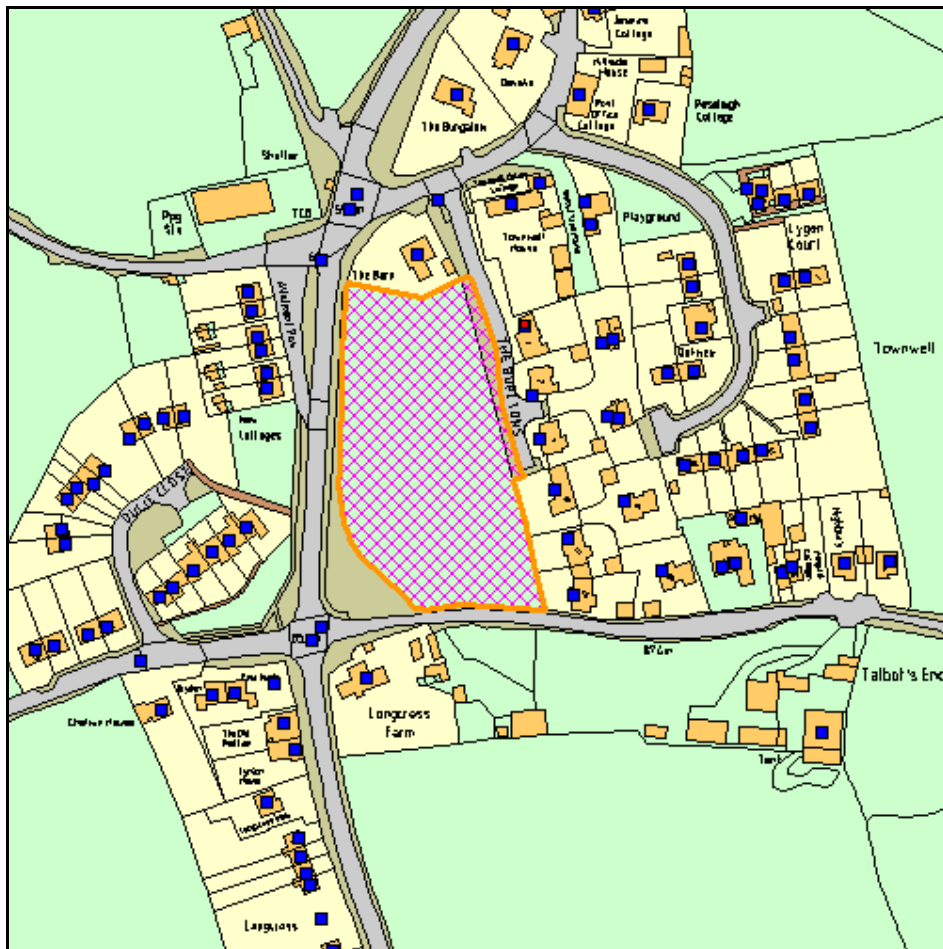
All other dates remain as usual until next Bank Holidays in May.

CIRCULATED SCHEDULE - 17 March 2017

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	MODT17/0003	Approve	Land West Of The The Burltons Cromhall Wotton Under Edge South Gloucestershire GL12 8BH	Charfield	Cromhall Parish Council
2	PK16/4133/F	Approve with Conditions	Warehouse And Premise Adjacent To 19 Common Road Hanham South Gloucestershire BS15 3LL	Hanham	Hanham Abbots Parish Council
3	PK17/0271/ADV	Refusal	Mitre Mews 3 27 High Street Chipping Sodbury South Gloucestershire BS37 6BA	Chipping	Sodbury Town Council
4	PK17/0370/RVC	Approve with Conditions	70 High Street Hanham South Gloucestershire BS15 3DS	Hanham	Hanham Parish Council
5	PT15/5491/F	Approve with Conditions	1 Gayner Road Filton South Gloucestershire BS7 0SP	Filton	Filton Town Council
6	PT16/6605/F	Approve with Conditions	139 Watleys End Road Winterbourne South Gloucestershire BS36 1QQ	Winterbourne	Winterbourne Parish Council
7	PT16/6895/CLE	Approve	Merry Heaven Farm Old Gloucester Road Alveston South Gloucestershire BS35 3LQ	Thornbury South And	Alveston Parish Council
8	PT16/6937/F	Approve with Conditions	8 Nightingale Close Thornbury South Gloucestershire BS35 1TG	Thornbury North	Thornbury Town Council
9	PT17/0307/F	Approve with Conditions	18 Gayner Road Filton South Gloucestershire BS7 0SW	Filton	Filton Town Council

CIRCULATED SCHEDULE NO. 17 – 17 MARCH 2017

App No.:	MODT17/0003	Applicant:	Projectpart Homes Ltd
Site:	Land West Of The The Burltons Cromhall Wotton Under Edge South Gloucestershire GL12 8BH	Date Reg:	10th February 2017
Proposal:	Modification of S106 Agreement attached to planning application PT13/0510/F	Parish:	Cromhall Parish Council
Map Ref:	369721 190666	Ward:	Charfield
Application Category:		Target Date:	5th April 2017



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REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application is referred to the circulated schedule as it relates to a modification of a planning obligation under section 106 of the Town and Country Planning Act 1990. Under the scheme of delegation, such matters need to be referred to the circulated schedule for Members' attention.

1. THE PROPOSAL

- 1.1 This application is made under section 106A of the Town and Country Planning Act 1990 (as amended). It is proposed to vary the section 106 agreement attached to planning permission PT13/0510/F dated 23 July 2014 in relation to public open space and affordable housing. Details of the variation are set out in detail later in this report however, as headline changes, the following variation is proposed:

Public Open Space

- Use of land designated as public open space as a construction compound

Affordable Housing

- Change to development standard
- Change in wording of agreement to comply with the requirements of the registered provider
- Change to conditions and clauses to meet requirements of registered provider.

- 1.2 As background, planning permission was granted under PT13/0510/F on 29 August 2014 for the erection of 11 dwellings, with landscaping to include a village green on land at The Burltons, Cromhall.
- 1.3 There is no change to the development itself or the percentage and make up of affordable homes provided. There is no change to the provision of public open space, an amendment is required for the use of the land as a compound during the build out of the development.

2. POLICY CONTEXT

2.1 Legislation

Town and Country Planning Act 1990 (as amended)
Community Infrastructure Levy Regulations 2010 (as amended)

2.2 National Guidance

National Planning Policy Framework March 2012
National Planning Practice Guidance

2.2 Development Plans

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

CS4A	Presumption in Favour of Sustainable Development
CS6	Infrastructure and Developer Contributions
CS18	Affordable Housing
CS24	Green Infrastructure, Sport and Recreation Standards

- 2.3 Supplementary Planning Guidance
 Affordable Housing and ExtraCare SPD (Adopted) May 2014
 CIL Charging Schedule and the CIL & S106 SPD (Adopted) March 2015

3. **RELEVANT PLANNING HISTORY**

- 3.1 PT13/0510/F Approved with Conditions 29/08/2014
 Erection of 11no. dwellings and garages with landscaping including village green, access and associated works.
- 3.2 PT12/044/SCR EIA Not Required 25/10/2012
 Screening Opinion - 11 no. dwellings

4. **ANALYSIS OF VARIATION**

- 4.1 This application seeks to make modifications to a planning obligation in relation to public open space and affordable housing.
- 4.2 Principle of Development
 There is no change to the development itself or the heads of terms of the S106 agreement. The proposed changes relate to technical clauses within the legal agreement itself. Therefore, in principle the proposed variation is acceptable.
- 4.3 Affordable Housing
 The proposed variation is sought to satisfy the registered provider who is to take on the affordable units. The proposed amendment is considered acceptable by the housing enabling team. Therefore Officers are content with the proposed amendments in relation to affordable housing.
- 4.4 The proposed amendments refer to two items. The first is the development standard definition which is considered a minor change. The second relates to mortgagee in possession and replaces the clause with a revised version which has recently been updated by the housing enabling team.
- 4.5 Public Open Space
 The original wording of the schedule on public open space prevented any of that space from being used as a construction compound. It is sought to vary the wording of the agreement so that land that would ultimately form public open space can temporarily be used as a construction compound.
- 4.6 Again, this is a minor technical change rather than a substantive change to the heads of terms of the agreement.
- 4.7 Summary
 The proposed amendments are considered acceptable and would not have a material impact on the provisions of the planning obligation.

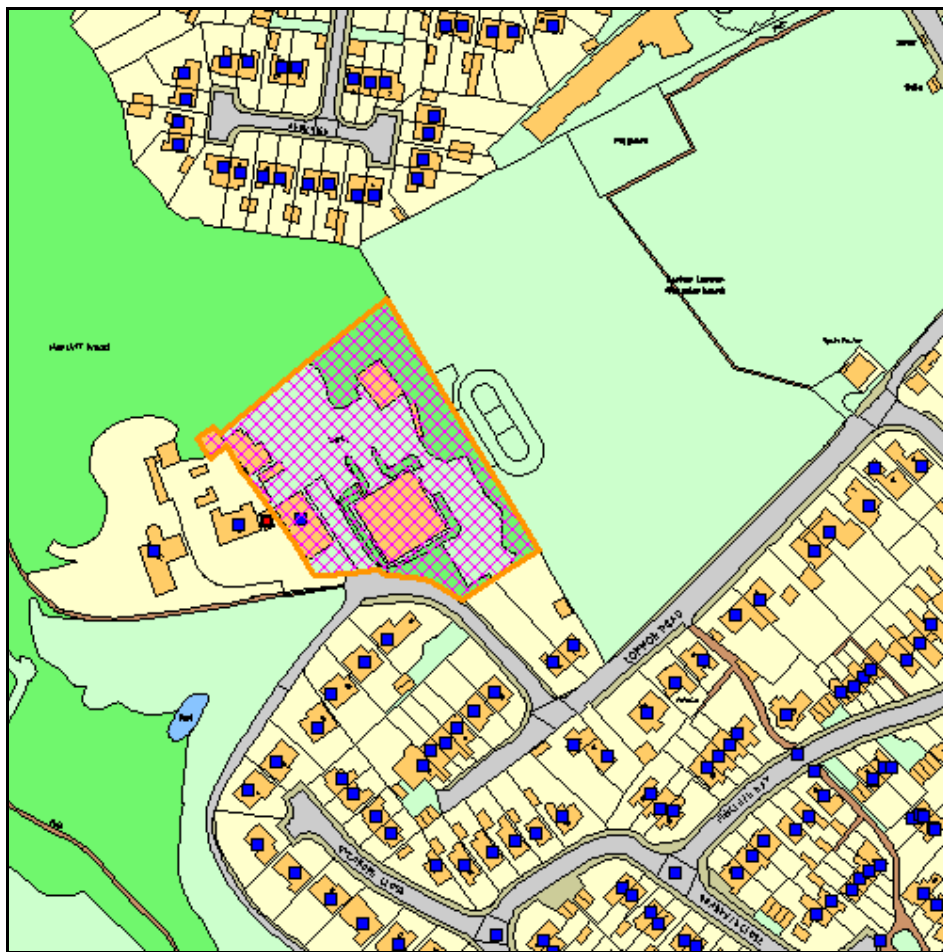
5. RECOMMENDATION

- 5.1 It is recommended that authority be delegated to the Director of Environment and Community Services and the Head of Legal and Democratic Services to vary the S106 agreement dated 23 July 2014 (associated with planning permission PT13/0510/F) to amend the definition of development standards, update the mortgagee in possession clauses, and allow for the temporary use of public open space as a construction compound.

Contact Officer: Griff Bunce
Tel. No. 01454 863438

CIRCULATED SCHEDULE NO. 11/17 – 17 MARCH 2017

App No.:	PK16/4133/F	Applicant:	Harvey Shopfitters Ltd
Site:	Warehouse And Premise Adjacent To 19 Common Road Hanham Bristol South Gloucestershire BS15 3LL	Date Reg:	27th July 2016
Proposal:	Erection of extension to existing workshop to create additional floor space.	Parish:	Hanham Abbots Parish Council
Map Ref:	363723 171203	Ward:	Hanham
Application Category:	Minor	Target Date:	15th September 2016



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is to appear on Circulated Schedule due to the receipt of two objections from local residents, contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 This planning application seeks planning permission for the erection of extension to existing workshop to create additional floor space.
- 1.2 The site is located in the open countryside, adjacent to the defined settlement boundary of Hanham and within the Bristol/ Bath Green Belt.. To the immediate south and west of the site are neighbouring residential properties.
- 1.3 The application site lies adjacent to Hencliff Wood to the north and north-west, and to the east is Hanham Common. The site is also bounded by tall established trees (many of which are covered by TPOs) on the north, east, and south boundaries.
- 1.4 The application site relates to an office building/design studio on the western boundary, a large industrial unit used as a workshop and a smaller industrial unit used for storage purposes in the north-eastern corner of the site. The workshop is constructed from brick and bottle green powder-coated profiled metal sheeting. The site on which the workshop is situated has been excavated such that the workshop building is positioned at a lower ground level to the highway. Within the site are associated storage and parking areas.
- 1.5 The site has been previously extended in various forms and there is an extensive planning history, the latest planning permission being in 2014. The site is currently occupied and owned by Harvey Shopfitters Limited. The site is used for the manufacture of timber and related components for shop, office and public house fittings, including ancillary office, storage uses and car parking (Class B2), as confirmed by a Certificate of Lawful Use in 2009.
- 1.6 During the course of the application, additional information was sought in respect of the existing mature trees on site. An Arboricultural Report was submitted in November 2016, followed by revised plans. Unfortunately the first set of revised plans also included a further extension to the office building. The Officer advised that the office/canteen extension be removed; subsequently further revised plans in December 2016. The proposed extension has been reduced in length, but increased slightly in height. The application is being assessed on the latest revised plans.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012
National Planning Policy Guidance 2015

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)

- E3 Criteria for Assessing Proposals for Employment Development within the Urban Area, Defined Settlement Boundaries and/or Permitted by Policies E4/E6/E7
- E6 Employment Development in the Countryside
- L1 Landscape Protection
- L8 Site of Regional and Local Nature Conservation Interest
- L9 Species Protection
- T8 Parking Standards
- T12 Transportation for New Development
- LC12 Recreational Routes

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

- PSP1 Local Distinctiveness
- PSP2 Landscape
- PSP3 Trees and Woodland
- PSP7 Development in the Green Belt
- PSP8 Residential Amenity
- PSP16 Parking Standards
- PSP19 Wider Biodiversity
- PSP28 Rural Economy

2.3 Supplementary Planning Guidance

- South Gloucestershire Design Checklist SPD (August 2007)
- Development in the Green Belt SPD (June 2007)

3. **RELEVANT PLANNING HISTORY**

- | | | |
|-----|----------|--|
| 3.1 | P80/4281 | Erection of replacement workshop (Ref. K3248)
Approved 15.09.80 |
| 3.2 | P81/4204 | Erection of workshop and two storage buildings (Ref. K3248/1)
Approved 21.07.81 |
| 3.3 | P82/4093 | Erection of storage building (Ref. K3248/2)
Approved 02.04.82 |
| 3.4 | P84/4280 | Erection of a replacement dwelling (Ref. K3248/3)
Approved 18.02.85 |

- 3.5 PK05/0674/F Erection of single storey rear extension to form additional office accommodation and kitchen and cloakroom facilities
Refused 27.05.05
- 3.6 PK09/0006/F Construction of replacement roof
Approved 01.05.09
- 3.7 PK09/0904/CLE Application for a Certificate of Lawfulness for an existing use of site for manufacture of timber and related components for shop, office and public house fittings, including ancillary office/studio, storage uses and car parking (Class B2)
Approved 11.09.09
- 3.8 PK10/1294/F Erection of replacement design studio with single storey glazed link for Class B2 use as defined in Town and Country Planning (Use Classes Order) 1987 (as amended)
Approved 06.12.10
- 3.9 PK13/1173/TRE Works to 17no. trees as per attached schedule covered by Tree Preservation Orders KTPO 05/81 dated 16th November 1981 and KTPO 05/80 dated 14th April 1980
Refused 11.06.13
- 3.10 PK14/2890/F Raising of roof of existing workshop to facilitate installation of mezzanine floor. erection of extension to provide canteen.
Approved 22.12.14

4. CONSULTATION RESPONSES

- 4.1 Community Enterprise
No objection.
- 4.2 Ecology
No ecological objections.
- 4.3 Economic Development Officer
No objection.
- 4.4 Environmental Protection
No objection.
- 4.5 Hanham Abbots Parish Council
No objection.
- 4.6 Highway Structures
No comment.

- 4.7 Landscape
No objection.
- 4.8 Lead Local Flood Authority
No comment.
- 4.9 Open Spaces Society
No comment received.
- 4.10 Planning Enforcement
No comment received.
- 4.11 Public Rights of Way
No objection.
- 4.12 Sustainable Transport
No objection. The permitted development PK14/2890/F has a larger GFA than this Application, so subject to a suitable condition attached to the current Application preventing PK14/2890/F from being implemented in addition to this Application I have no Transport objections.
- 4.13 Tree Officer
No objection. Satisfied that the contents of the Hillside Trees' Report contains the information and recommendations necessary for the safeguarding of the retained trees. A detailed Arboricultural Method Statement and Landscape plan will need to be submitted as the proposal is in such close proximity to retained trees.

Other Representations

- 4.14 Local Residents
Two local residents have objected:
- Site located within the Green Belt and Hencliff Woods;
 - Development in recent years has intensified;
 - Site has become too small to cope with the use;
 - Cars forced to park in Common Road creating difficulties for delivery lorries manoeuvring;
 - Planning permission granted in 1981 with height limited to reduce impact of the workshop on the site. proposal seeks to increase the height of the workshop by 1.4 metres;
 - The footprint will reduce car parking space;
 - Majority of employees arrive by car;
 - Applicant indicates no tree and hedges on proposed development site;
 - Structure likely to damage trees. Permission refused in 2013 to remove trees overhanging the workshop;
 - Leylandii trees which border the site adjoining Common Road are very sparse and offers little screening from the Common;
 - Neighbouring property No. 18 Common Road is only approximately 20 metres away from the workshop;

- The only neighbouring property that won't be affected by the proposal is the bungalow to the west of the site;
- Additional 10 employees will increase amount of work undertaken, deliveries, parking etc;
- Traffic generated by the site is a danger to the public, walkers, children and families accessing the Common and Hencliff Woods;
- Where will the existing shipping containers be relocated within the site?
- Eight other businesses are shown to be using the Harvey Shopfitters address;

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The NPPF establishes a presumption in favour of sustainable development. The NPPF states the 12 core planning principles that should underpin both plan-making and decision making, including to proactively drive and support sustainable economic development to deliver business and industrial units taking account of the needs of the residential and business communities. Significant weight should be placed on the need to support economic growth through the planning system.

5.2 The NPPF's overarching aim is to contribute towards sustainable development by building a strong, competitive, responsive economy that supports the growth of business. The site lies within the Bristol/Bath Green Belt as defined in the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013. The NPPF continues to set out that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the most important attribute of Green Belts is their openness. Paragraph 89 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are *the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building*. The proposal is considered to fall within the list of exceptions.

5.3 The application sites lies outside the settlement boundary, but adjacent to it. Saved policy E6 of the Local Plan (Adopted) 2006 states that proposals for new employment uses outside of existing settlement boundaries will only be permitted where the proposal represents the conversion/re-use of an existing building, or the extension or intensification of existing employment generating uses *on sites not in the Green Belt* (criterion B). This proposal represents the intensification of an existing employment generating use in the Green Belt. Given Policy E6 is now over ten years old and the NPPF (2012) provides more updated national guidance on business development in the Green Belts. It is considered that policy E6 is afforded little weight in respect of criterion B. Paragraph 89 of the NPPF clearly states extensions to existing buildings are acceptable in the Green Belt, providing they are not disproportionate.

5.4 The most recent approval in 2014 granted permission for an increase in roof height and creation of a mezzanine floor to the front elevation of the workshop building. It has been discussed with the agent that this proposal is instead of

the 2014 approval and as such, should planning permission be granted a condition would be attached restricting the implementation of both permissions (i.e. only one could be implemented). The proposed extension would be slightly larger than the approved extension (Ref. PK14/2890/F) and would be sited in a more appropriate location in terms of its impact on the business. The proposed extension would not affect the access, turning areas and the main car parking area, and would be more effectively screened by existing vegetation. The existing workshop building is already set down lower than the ground level by approximately 2.4 metres. The proposed extension would be located on the south elevation and would be approximately 1.5 metres higher than the workshop building, which would not appear significant within the site context. The revised extension would be slightly smaller, removing the canteen area, and would include an archive store, store and loading dock. The additional storage facilities will accommodate the materials and equipment currently stored in the shipping containers on site; a condition will be attached to the decision notice requiring the removal of the shipping containers. It would be constructed in materials to match the existing building and would have a mono-pitched roof. The size of the proposed extension is similar to the 2014 approved extension.

5.5 It is considered that overall, the proposal would not result in a disproportionate addition to the original building given its siting within the site and the previous approval and would still comply with the NPPF and Green Belt policy. The proposed scale and position of the extension is such that the impact upon the openness of the Green Belt is limited. The proposed extension would be contained within the site boundary and would be discreetly located on the rear elevation of the building, with existing mature trees bounding the site. The proposal would support a long standing business, having wider economic benefits and assist the growth of a local business.

5.6 Design

The proposed extension would be attached to the south (rear) elevation of the workshop building. The design would be informed by the existing workshop building, being constructed in insulated profiled metal roofing sheeting, with colour to match existing. The ground level will be excavated to accommodate the proposed extension, but the height of the mono-pitched roof would exceed the existing workshop by approximately 2 metres. It is considered that whilst the height of the proposed extension would be higher than the existing building, the size, scale and siting of the extension are appropriate and ensures it would remain in keeping and subservient. On balance, the proposal would be shorter in length than the original proposal and smaller than the 2014 approved extension.

5.7 Visual Amenity

The site adjoins Hencliff Wood, the subject of a Tree Preservation Order (TPO) and a Site of Nature Conservation Interest (SNCI). The site is a former quarry and industrial buildings have existed on site since at least the early 1980s. In this respect, the openness of the Green Belt has already been compromised. The proposed works would be wholly located within the existing area of the site associated with the business use. The workshop is located towards the front of the site and is bounded by a mature screen of trees along the southern

boundary. It is important that these trees are retained in order to protect visual amenity; a condition will be attached as such.

- 5.8 The application site is contained by a significant amount of existing vegetation. The proposed extension is to an existing workshop building which is located within a complex consisting of a large warehouse and office buildings. There are trees within the area of the proposed extension and these will help screen the building, most crucially in views from Hanham Common. There is concern that the root protection zones of these trees could be damaged during the construction phase of the building; as a result, an arboricultural report has been commissioned and submitted.
- 5.9 The Tree Officer has confirmed that the Report contains the information and recommendations necessary for the safeguarding of the retained trees. A detailed Arboricultural Method Statement will need to be submitted as the proposal is in such close proximity to retained trees; this will form a condition. The trees that are to be lost as a result of the proposed extension are low quality. There has been an undertaking from the applicant to carry out replacement planting to mitigate for the removals. A further condition will be added requiring a landscape plan in order to enhance the screening of the new building when viewed from the Common.
- 5.10 Due to the context of the site as an established industrial site and the existing vegetation screening along the boundaries, it is considered that the proposal would not have any significant landscape character or visual amenity implications as a result of the works. It is therefore considered that the design of the proposal accords with Policy CS1 of the adopted Core Strategy, subject to the conditions described above.
- 5.11 Impact upon Residential Amenity
The nearest dwelling to the south (no. 18) to the workshop building is situated approximately 19 metres and more than 40 metres from the proposed canteen extension. This distance and the mature tree screen on all sides will ensure there is no prejudice to the amenity of the nearest neighbouring occupiers. The increase in the height of the roof and canteen extension is not considered to be detrimental to the amenity of the occupiers above and beyond the existing situation. Whilst the proposal would result in an estimated increase of 10no. employees, this is not considered to be a significant intensification of the existing business use. Officers are satisfied that there would be no adverse impact on residential amenity from overbearing impact, loss of visual amenity or increased disturbance.
- 5.12 Transportation
The proposal would continue to utilise the existing access off Common Road. The application site has an existing car parking for employees and visitors to the rear of the site. The site has existed since the early 1980s and the current access and parking arrangements will not alter as a result of the proposed development.
- 5.13 Concerns have been raised by local residents about the access to the site, existing/proposed levels of parking spaces, vehicles parking on Common Road,

employees driving to work and lorries blocking the entrance. The site access joins Common Road (an adopted highway), which varies in width. The application site entrance widens to 6 metres, is fairly straight and has good forward visibility. The road has the capacity to accommodate the proposed development traffic and is sufficiently wide enough to allow a HGV to pass another vehicle safely. Access inside the application site is considered wide enough to allow two cars to pass each other. Also, within the site and immediately next to the entrance there is a passing place. Overall, in highway design terms the existing access is considered acceptable and the road has good safety records. Whilst the proposal includes a small increase in the number of employees, the overall effect of the proposal is to reduce the number of deliveries to the site, thereby reducing the number of HGVs entering the site on a regular basis.

5.14 There is a reasonable sized parking and turning area located to the side and rear of the existing buildings. The applicant has advised that 34no. parking spaces are available on site; this figure complies with the Council's parking standards for business uses and is considered acceptable for the size of the site. Additional cycle parking on site would also be provided, providing a total of 20no. spaces. Concern has been raised by local residents that frequently visitors to the site park on the road because of the entrance being blocked by HGVs. Local on-street parking is available and un-restricted and falls outside of the control of this application. The Transportation DC Officer has advised that they are satisfied overall that the proposal would not lead to any significant additional traffic movements to and from this site. There are therefore no highway objections.

5.15 Other Matters

A concern has been raised about the registration of other businesses at the application site. On further investigation, this does not appear to relate or impact on the existing business or existing occupation of the offices. It is more likely related to existing owners/employees involved in other businesses and these being registered to the business address.

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

7. **RECOMMENDATION**

7.1 That planning permission is **APPROVED**, subject to the attached conditions.

Contact Officer: Katie Warrington
Tel. No. 01454 864712

CONDITIONS

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

Reason

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

2. The development hereby permitted shall be carried out as an alternative to the permission granted on 22nd December 2014 for 'Raising of roof of existing workshop to facilitate installation of mezzanine floor; Erection of extension to provide canteen' at 19 Common Road, Hanham, BS15 3LL (Reference PK14/2890/F), but not in addition to it, to the intent that the applicant may carry out one of the developments permitted but not both, nor parts of both developments.

Reason

To prevent the disproportionate extension of the building, and therefore inappropriate development, within the Bristol and Bath Green Belt. Such cumulative extension would need specific justification on Very Special Circumstances. To accord with policies CS1 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013, and the guidance contained in the NPPF (2012).

3. Prior to the commencement of development, a scheme of landscaping, which shall include details of all existing trees and hedgerows on the land and proposed tree planting (and times of planting) and landscaping; shall be submitted to the Local Planning Authority for written approval. The development shall be carried out in strict accordance with the agreed details.

Reasons

- a. In the interests of the character and visual amenity of the area, given the close proximity of the Common and Hencliff Wood. To accord with policy L1 of the South Gloucestershire Local Plan (adopted) January 2006 and policy CS1 of the Core Strategy (Adopted) December 2013.
 - b. This information is required as a pre-commencement condition because it is necessary to address the site specific issues and will be a working document that the site manager should refer to at all times, during the construction of the extension hereby approved.
4. Prior to the commencement of development, a detailed Arboricultural Method Statement shall be submitted to the Local Planning Authority for written approval. The works shall be carried out in strict accordance with the approved details.

Reasons

- a. In the interests of the character and visual amenity of the area, given the close proximity of the Common and Hencliff Wood. To accord with policy L1 of the South Gloucestershire Local Plan (adopted) January 2006 and policy CS1 of the Core Strategy (Adopted) December 2013.
 - b. This information is required as a pre-commencement condition because it is necessary to address the site specific issues and will be a working document that the site manager should refer to at all times, during the construction of the extension hereby approved.
5. Prior to the occupation of the extension, the three shipping containers located within the site shall be permanently removed from the land.

Reason

To ensure the satisfactory external appearance of the development in the interests of the visual amenity of the locality and the Green Belt, and to ensure the car parking and turning areas within the site are retained and free from obstruction. To accord with Policies CS1, CS8 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy T12 of the South Gloucestershire Local Plan (Adopted) 2006 (Saved Policies); and the National Planning Policy Framework (2012).

6. The hours of working on the site for the period of construction of the development hereby approved shall be restricted to the following:
Monday - Friday 07.30 to 18.00;
Saturday 08.00 to 13.00;
No working shall take place on Sundays or Public Holidays.

The term 'working's 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 the site. Any use of the site outside these hours shall have the prior written consent of the Local Planning Authority.

Reason

To protect the amenities of the occupiers of nearby properties, and to accord with Policy E6 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies), Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013; and the National Planning Policy Framework (2012).

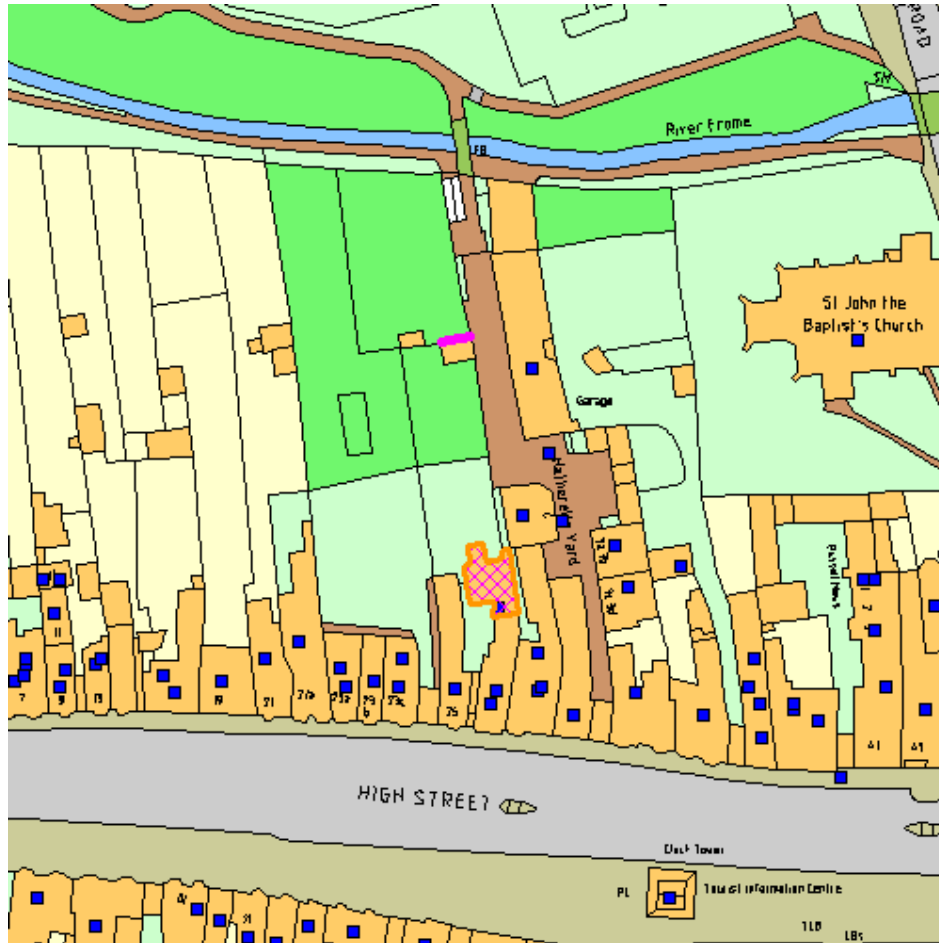
7. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

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.

CIRCULATED SCHEDULE NO. 11/17 – 17 MARCH 2017

App No.:	PK17/0271/ADV	Applicant:	Rachel Sims
Site:	Mitre Mews 3 27 High Street Chipping Sodbury South Gloucestershire BS37 6BA	Date Reg:	30th January 2017
Proposal:	Retention of 1no. non-illuminated directional sign.	Parish:	Sodbury Town Council
Map Ref:	372686 182253	Ward:	Chipping Sodbury
Application Category:	Minor	Target Date:	23rd March 2017



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been submitted onto the Circulated Schedule as a result of receiving a comment in support of the proposal.

1. THE PROPOSAL

- 1.1 This application seeks advertisement consent for the retention of 1 No. non-illuminated directional sign.
- 1.2 The proposal is retrospective in nature as the sign is already in situ.
- 1.3 The application site lies within the Chipping Sodbury Conservation Area and can also be considered to form part of the wider setting of a number of other designated heritage assets which include the Grade I listed St. John the Baptist Church. The sign's exact location is on the rear elevation of an outbuilding situated at the rear of 27 High Street. It is positioned to the west of the new link which connects the Barnhill redevelopment site to the High Street.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012

National Planning Practice Guidance – Conserving and Enhancing the Historic Environment

Planning (Listed Buildings and Conservation Areas) Act 1990

Planning (Listed Buildings and Conservation Areas) Regulations 1990

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

Historic England: The Setting of Heritage Assets (GPA 3)

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

Policy CS1 High Quality Design

Policy CS9 Managing the Environment and Heritage

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

Policy L12 Conservation Areas

Policy L13 Listed Buildings

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

PSP17 Heritage Assets and the Historic Environment

2.3 Supplementary Planning Guidance

The Chipping Sodbury Conservation Area SPD

3. RELEVANT PLANNING HISTORY

- 3.1 N496/LBC Incidental works of demolition to facilitate change of use of premises from toy shop to coffee shop, and installation of replacement window. **Approved with conditions.**
- 3.2 N3331/1 Change of use of premises from toy shop to coffee shop and installation of replacement window. **Approved with conditions.**
- 3.3 P86/1404 Change of use of rear part of shop to dog grooming parlour. **Approved.**
- 3.4 P90/1995 Alteration and extension of commercial store to form flat. (In accordance with the amended plans received by the council on 17th July 1990). **Approved.**
- 3.5 P90/2036/L Alteration and extension of commercial store to form flat (in accordance with the amended plans received by the council on 17th July 1990). **Approved.**
- 3.6 EK07/1762 Change of Use. **CMPLT.**

4. CONSULTATION RESPONSES

4.1 Sodbury Town Council
Members of Sodbury TC consider the signage detrimental to the character and appearance of the Conservation Area.

4.2 Other Consultees
Listed Building and Conservation Officer
Policy

The application site lies within the Chipping Sodbury Conservation Area. The application site can also be considered to form part of the wider setting of a number of other designated heritage assets which includes the Grade I listed St John the Baptist Church. The proposals should therefore be assessed in accordance with the following policies and guidance which seek to protect the significance of designated heritage assets and their settings: -

- Planning (Listed Buildings and Conservation Areas) Act 1990
- Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended)
- National Planning Policy Framework
- National Planning Practice Guidance – Conserving and Enhancing the Historic Environment;
- Managing Significance in Decision-Taking in the Historic Environment (GPA 2)
- The Setting of Heritage Assets (GPA 3)
- South Gloucestershire Local Plan Core Strategy (Adopted December 2013):
Policy CS1 High Quality Design
Policy CS9 Managing the Environment and Heritage.

- South Gloucestershire Local Plan (Adopted) January 2006 (saved policies):
Policy L12 Conservation Areas
Policy L13 Listed Buildings
- South Gloucestershire Local Plan: Proposed Submission: Policies, Sites and Places Plan June 2016:
PSP17 Heritage Assets and the Historic Environment
- The Chipping Sodbury Conservation Area SPD

Comments on the proposal

The signage is publically visible as it has been positioned to the west of the new link which serves to connect the Barnhill redevelopment site to the High Street. This also includes the retail units that comprise “Hatherell’s Yard”.

Although in views from the south the commercial nature of Hatherell’s Yard is evident, it was also intended to help open up views of the rear burgage plots along the north side of the High Street. This greater revealing of the verdant rear burgage plots has in my opinion helped enhance the historic character and identity of the town centre.

The application site was previously in poor condition and a former outbuilding structure required to be demolished both in the interests of public safety and appearance. Although a new stone boundary wall along the western boundary has been constructed, there was a clear opportunity to enhance the rear of the site to the betterment of the wider setting.

Instead a large panel sign has been erected to draw attention mainly in views from the south to existing commercial properties on the High Street.

In assessing the impact of the signage on the heritage significance of the locality, the test of any development within a conservation area is whether it can be considered to preserve or enhance the character or appearance of the conservation area.

In my view the proposed signage has only resulted in a sense of visual clutter which is also considered to be visually intrusive into the adjacent rear burgage plot landscape. There is a clear visual and character distinction between the newly formed commercial link and the adjoining burgage plot, but the signage and its proposed retention has and would only serve to blur the distinction.

Conclusion

The proposed retention of the signage would fail to preserve the character or appearance of the Chipping Sodbury Conservation Area and so advertisement consent should be withheld.

The signage has also served to detract from the wider heritage significance of the locality, which includes the setting of a number of listed buildings.

Transportation DC

No objection.

Other Representations

4.3 Local Residents

A local resident commented:

- Whilst they appreciate that consent is required to display the sign, they find it odd that it has attracted such debate;
- The landlord has allowed those occupying the business premises to advertise their location;
- Business owners should be allowed to advertise their existence in a reasonable way;
- The sign does not detract from the area and is more attractive than seeing air conditioning/ventilation and empty market stalls within the same vicinity;
- Other retailers such as Waitrose advertise in the same area;
- It's disappointing to see that despite the closure of several local shops and restaurants in the High Street over the past year, the Council feel the need to further trouble the independent traders who make Chipping Sodbury what it is;
- The Council should make an effort to attract business into the empty properties and support those who remain.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The Town and Country Planning (Control of Advertisements) (England) Regulation 2007 states that a local planning authority shall exercise its powers under these Regulations in the interest of amenity and public safety. Considering the National Planning Policy Framework (2012), it states that control over outdoor advertisements should be efficient, effective and simple in concept and operation. The guidance continues by re-iterating the points set out within the Regulations and maintains that advertisements should be controlled in the interests of amenity and public safety, whilst also taking account of any cumulative impacts. These directives are further amplified by the fact that the proposal site lies within the Chipping Sodbury Conservation Area.

5.2 Design, Visual Amenity and the Conservation

It is considered that the display of the advert within the Chipping Sodbury Conservation Area has a detrimental effect on the visual amenity of the locale. The display of the signage is considered visually intrusive into the adjacent rear burgage plot landscape and fails to preserve the character or appearance of the area. This viewpoint is supported by the comments submitted by the Listed Building and Conservation Officer, all of which can be seen above.

5.3 Public Safety

As evidenced by the consultation replies above, there are no public safety issues in relation to this proposal.

5.4 Other Matters – Consultee Objections / Comments

Although permission has been granted by the landowner for those occupying the premises to display the advert in relation to their businesses, advertisement consent is required for this proposal as it does not benefit from deemed advert consent. The Council agrees that it is important to support and encourage local businesses in the interest of local economic growth. However, each proposal must be considered within its own context. There must be a balance, and in this case development cannot be permitted by virtue of the detriment caused to the local heritage.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 That Advertisement Consent be REFUSED due to its failure to preserve the character of the Chipping Sodbury Conservation Area. The display of the advertisement has impeded the visual amenity of the locale and has had a detrimental effect on the character of the verdant rear burgage plot of No. 27 High Street. The sign clutters the burgage plot, and any visual distinction between it and the newly formed commercial link is blurred as a result. The display of the advertisement therefore detracts from the historic identity of the area.

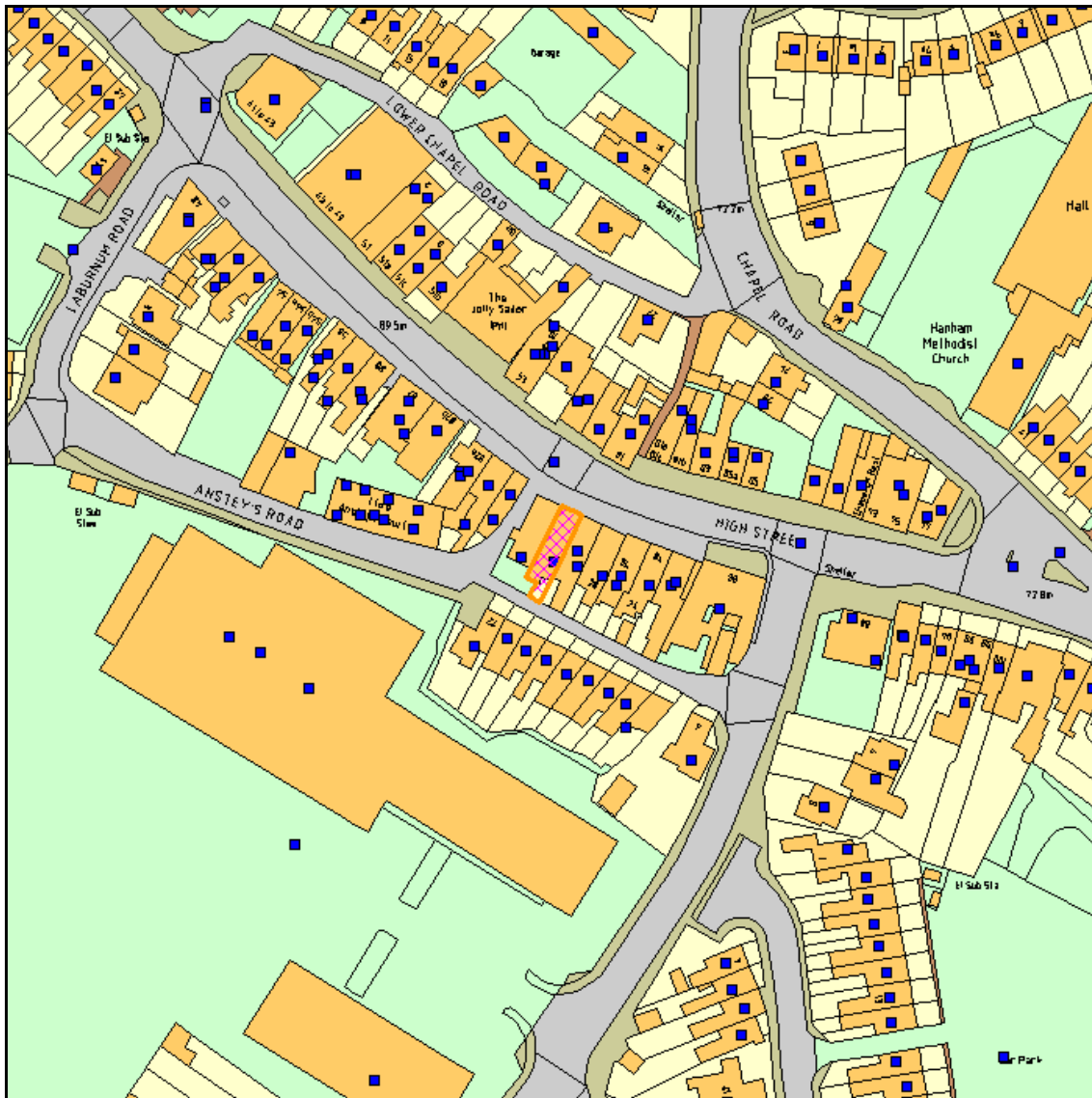
Contact Officer: Lisa Evans
Tel. No. 01454 863162

REASONS FOR REFUSAL

1. The proposed advertisements by reason of their size, location and appearance would detract from the visual amenity of the locality. The advertisement has failed to preserve the character of the Chipping Sodbury Conservation Area. Its display has impeded the visual amenity of the locale and has had a detrimental effect on the character of the verdant rear burgage plot of No. 27 High Street. The sign clutters the burgage plot, and any visual distinction between it and the newly formed commercial link is blurred as a result. The display of the advertisement therefore detracts from the historic identity of the area.

CIRCULATED SCHEDULE NO. 11/17 – 17 MARCH 2017

App No.:	PK17/0370/RVC	Applicant:	Ms Jayne Hathway
Site:	70 High Street Hanham Bristol South Gloucestershire BS15 3DS	Date Reg:	3rd February 2017
Proposal:	Variation of condition no. 2 attached to PK14/2458/F to alter hours of working to opening between 08.30 hours to 23.30 hours Monday to Friday and 08.30 hours to 23.30 hours Saturdays and 0900 hours to 22.00 hours Sundays	Parish:	Hanham Parish Council
Map Ref:	364183 172319	Ward:	Hanham
Application Category:	Minor	Target Date:	28th March 2017



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is referred to the Circulated Schedule in accordance with procedure given that objections as set out in Section 4.3 below have been received that are contrary to the Officer recommendation.

1. PROPOSAL

- 1.1 The application seeks consent to vary condition 2 attached to planning consent PK14/2458/F. The condition as attached to the decision:

The use hereby permitted shall not be open to customers outside the following times 07.30 hours to 2200 hours Monday to Friday and 0800 hours to 2200 hours Saturdays and 0800 hours to 1600 hours Sundays

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2014

- 1.2 The application relates to 70 High Street Hanham, a shop unit situated within a primary retail frontage situated on the southern side of the High Street which benefits from planning permission PK14/2458/F (change of use from a Hairdressers (Class A1) to Coffee shop/café). The property has operating as a café for some time and there has been a breach of the above condition hence the submission of the current application. The proposal was originally described as retrospective, however the Council Enforcement Officers have advised that at the time of completing this report the breach has ceased and thus the description has been changed. It should also be noted that complaints have been received and are currently under investigation by Environmental Protection Team, in relation to the installation of a extraction/ventilation equipment and overflowing/inappropriate waste storage.

- 1.3 The proposal is to vary the wording of the condition to read as follows:

The use hereby permitted shall not be open to customers outside the following times 08.30 hours to 2330 hours Monday to Friday and 08.30 hours to 23.30 hours Saturdays and 09.00 hours to 22.00 hours Sundays

- 1.4 In effect the revised wording of the condition would allow the café to be open for one less hour in the morning and one and a half hours more in the evening on Mondays to Fridays. The café would be open to customers half an hour less in the morning on Saturdays but open one and a half hours more in the evening. One Sundays the opening times would be reduced by one hour in the morning but increased by six hours (from 4pm to 10pm) in the evening.

2. POLICY CONTEXT

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

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted December 2013)

CS1	High Quality Design
CS5	Location of Development
CS8	Improving Accessibility
Cs14	Town Centres and Retail
CS23	Community Infrastructure and Cultural Activity

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

T8	Parking standards
T12	Transportation Development Control

Proposed Submission Policies Sites and Plans DPD June 2016

PSP9	Residential Amenity
PSP12	Transport Impact Management
PSP17	Parking Standards
PSP22	Environmental Pollution and Impacts
PSP33	Local Centres Parades and Facilities
PSP36	Food and Drink Uses (including drive through takeaway facilities).

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted 2007)

3. **RELEVANT PLANNING HISTORY**

- 3.1 PK14/2458/F Change of Use from Hairdressers (Class A1) to Coffee shop/café (Class A3) Approved with Conditions 15th August 2014
- 3.2 K2312 Change of use from private dwelling to hairdressing salon (Approve)

4. **CONSULTATION RESPONSES**

- 4.1 Hanham Parish Council
No objection

- 4.2 Other Consultees

Sustainable Transport

No objection. There is no transportation or highway safety reason to object to this application

Lead Local Flood Authority

No objection

Environmental Protection (summary)

The Planning Enforcement Team are currently involved in an investigation following complaints of odour and noise from a new kitchen flue/extraction equipment that was installed at the premises before it opened as Brownes. The Environmental Protection Team is involved with this investigation. A recent visit has confirmed that there appears to be no change to the equipment/ noise levels. I have concerns that currently the premises are open until 22:00 and residents are being disturbed until that time when the flue switches off. No proposals to reduce the noise has yet been supplied, and if this application is granted, then the noise will continue until later in the evening on a daily basis. This is not acceptable in my opinion.

Should you be minded to grant the application, I would recommend at least the following conditions to protect the residents from further noise disturbance: that the flue shall remain off at 22:00 and that the garden area to the rear of the premises is not used by customers after 21:00 (this would be consistent with other premises in the vicinity).

Alternatively, the premises must take action to ensure that the flue is not adversely affecting neighbouring residents, The following suggested conditions are consistent with the usual requirements for an extraction unit on a commercial premises, especially when operated late at night:

- Prior to the first use of the premises after 22:00, details of the ventilation system for the extraction and dispersal of cooking odours including details of the flue, method of odour control, noise levels and noise attenuation measures shall be submitted to and approved in writing by the Council. The approved scheme shall be implemented prior to the commencement of the use after 22:00 and be permanently maintained thereafter.
- The rating level of any noise generated by plant & equipment as part of the development shall be at least 0 dB below the pre-existing background level as determined by BS4142: 2014 Methods for rating and assessing industrial and commercial sound.

Please note, this consultation advice does not preclude the Environmental Protection Team investigating complaints and taking enforcement action under the Environmental Protection Act where a statutory nuisance exists.

Other Representations

4.3 Local Residents

Seven letters of objection has been received. The grounds of objection can be summarised as follows:

- The Council did not consult correctly either on the original planning application for the change of use to a café or the current application

- There is a large amount of waste stored outside which is not stored correctly to the detriment of the amenity of neighbours
- The extraction equipment installed is unsightly but also noisy and the odour control is not working
- The development results in parking difficulties and the extension in hours will exacerbate the problem
- The increase in opening hours will result in increased noise and disturbance (and cigarette smoke) particularly if the rear courtyard is to be used
- There is no need for the business to be open longer given the other premises of a similar nature in the vicinity

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

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.

In assessing this application it is necessary to consider whether or not the relevant condition (2) 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, these being 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

Being mindful of the reason for attaching the condition (2) in the first place, when assessing this current application officers will consider whether the varied opening hours would undermine the objective of Policy RT8 of the South Gloucestershire Local Plan (Adopted) to take account of the amenity of those living in the locality.

5.2 Analysis of Proposal

In considering this application, officers are mindful of the obligation as set out in the NPPF for local planning authorities to positively and proactively encourage sustainable economic growth.

In support of the application the applicant's agent has stated that the main reasons for the proposed increased hours of trading are due to increased customer demand.

The increase in opening hours would allow the unit to trade until 23.30 hours Monday to Saturdays and 2200 on Sundays (see 1.3 above) and as such would contribute towards the government's objective of achieving sustainable economic growth by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth.

The application falls to be determined under Policy RT8 of the South Gloucestershire Local Plan (Adopted) 6th January 2006, which permits small scale proposals for A1 - A5 uses within the urban areas but outside Town Centres. The key criteria being whether the development would give rise to unacceptable levels of vehicular traffic/ on-street parking or prejudice residential amenity issues that have been raised by a neighbouring occupier.

5.3 Impact on Residential Amenity and Environmental Issues

At the time of the original application, consent was given for what was a small scale operation café. At the time the Environmental Protection Team commented that:

As the change of use is only on a small scale it would not require full odour abatement measures. The applicant should be aware however, that should this change for example by cooking a wider variety of food or larger volume that may cause odours, it would not preclude us taking nuisance enforcement action at a later time.

It is abundantly clear that the café has proved to be a viable business evidenced by the request to extend the hours and it has developed beyond a small scale café. This fact is also clear however from the concern that has been raised by neighbouring occupiers not only to this proposal but separate enforcement action by Environmental Protection Officers as set out in Section 1 above.

As set out in 5.1 above, it is possible, in considering applications to vary planning conditions to add additional conditions providing they meet the criteria set out. At present aside from a restriction upon the opening times the use is unrestricted. The reason for this was the scale of the original use. As stated earlier however, the scale of the use has materially changed and would further intensify if the proposal operates for the additional hours applied for. Environmental Protection Officers advise that either the flu should not operate after 2200 supported through a condition or alternatively if consent is to be given then additional conditions should be added. This second approach is considered appropriate in this case. Conditions are therefore recommended to require the submission of full details of a ventilation and extraction system for approval prior to the first use during the extended hours and that system to be in place prior to the first use, that the noise level shall be limited to a specific level, that the courtyard is not used after 21.00 hours and that also prior to the first use of the premises during those hours full details of a system of refuse storage is submitted for approval and that it is in place prior to the first use within the extended hours.

The concerns raised are noted however it is considered that subject to the above conditions the use of the café is considered acceptable (the conditions would ameliorate aspects of the current operation), during the extended hours proposed. It is important to note that notwithstanding these conditions, the Environmental Protection Officers are investigating and taking appropriate action on these matters. This is important because the applicant may choose not to implement the consent currently under consideration and thus in those circumstances they would not have to comply with the condition.

Aside from the later finishing time of 23.30 Monday to Saturday, it is noted that the café will open later in the morning and will open for significantly longer hours on a Sunday. In summary however providing the correct technical equipment is in place and subject to the recommended conditions, Officers consider that hours of operation suggested are acceptable.

5.4 Transportation

Policy RT8 of the adopted Local Plan (saved policy) considers small scale retail uses within the existing urban areas and boundaries of settlements. It is considered that this would cover a proposal to extend the opening hours of an existing café. The policy indicates that such development should not give rise to unacceptable levels of vehicular traffic and/or on-street parking to the detriment of the amenities of the surrounding area and highway safety.

Concerns have been raised over the impact that the café has on available parking in the area.

It is considered that vehicular movements associated with a café shop use are generally low. Given the location within a mixed area of commercial, retail and residential uses it would be expected that some of the custom for the café would be local and thus would be from those accessing the premises on foot. This application is only looking at the impact of an extension to the opening hours thus whilst this may result in some extra movements, it is not considered to be significant and given the fact that there are less businesses open later in the evening then, traffic impact will be negligible.

It is important to note that parking on the High Street is heavily restricted by means of double yellow lines. These cover most of the High Street within the vicinity of the site. If therefore illegal parking takes place this would be controlled by other means. It is also important to note that site is located within 150 metres of a public car park that is accessed from Laburnum Road. This is a convenient and safe place to park and within three minutes walking time from the site. It is also worth noting that during the later hours proposed after 2200 there would be less businesses open and thus less spaces occupied in the public car park.

In summary, while the concerns are noted, it is not considered that the proposal is unacceptable in transportation terms.

5.5 Other Matters

A comment has been received that there are already sufficient properties opening extended hours in the area and thus there is no need for these premises to have their hours extended. Whether there is a need, is not a material planning consideration it is a business decision for the applicant to make.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Contact Officer: David Stockdale
Tel. No. 01454 866622

CONDITIONS

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

Reason

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

2. The use hereby permitted shall not be open to customers outside the following times 08.30 hours to 23.30 hours Monday to Friday and 08.30 hours to 23.30 hours Saturdays and 09.00 hours to 22.00 hours Sundays

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2014

3. Prior to the use of the premises after 22:00, details of the ventilation system for the extraction and dispersal of cooking odours including details of the flue, method of odour control, noise levels and noise attenuation measures shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the commencement of the use after 22:00 and be permanently maintained thereafter.

Reason

In order to protect the residential amenity of neighbouring occupiers and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and the provisions of the National Planning Policy Framework 2012.

4. At all times the rating level of the approved ventilation system shall be at least 0 dB below the pre-existing background level as determined by BS4142: 2014 Methods for rating and assessing industrial and commercial sound.

Reason

In order to protect the residential amenity of neighbouring occupiers and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and the provisions of the National Planning Policy Framework 2012.

5. The rear courtyard/garden of No.70 High Street Hanham shall not be used by customers between 21.00 hours and 9.00 hours

Reason

In order to protect the residential amenity of neighbouring occupiers and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and the provisions of the National Planning Policy Framework 2012.

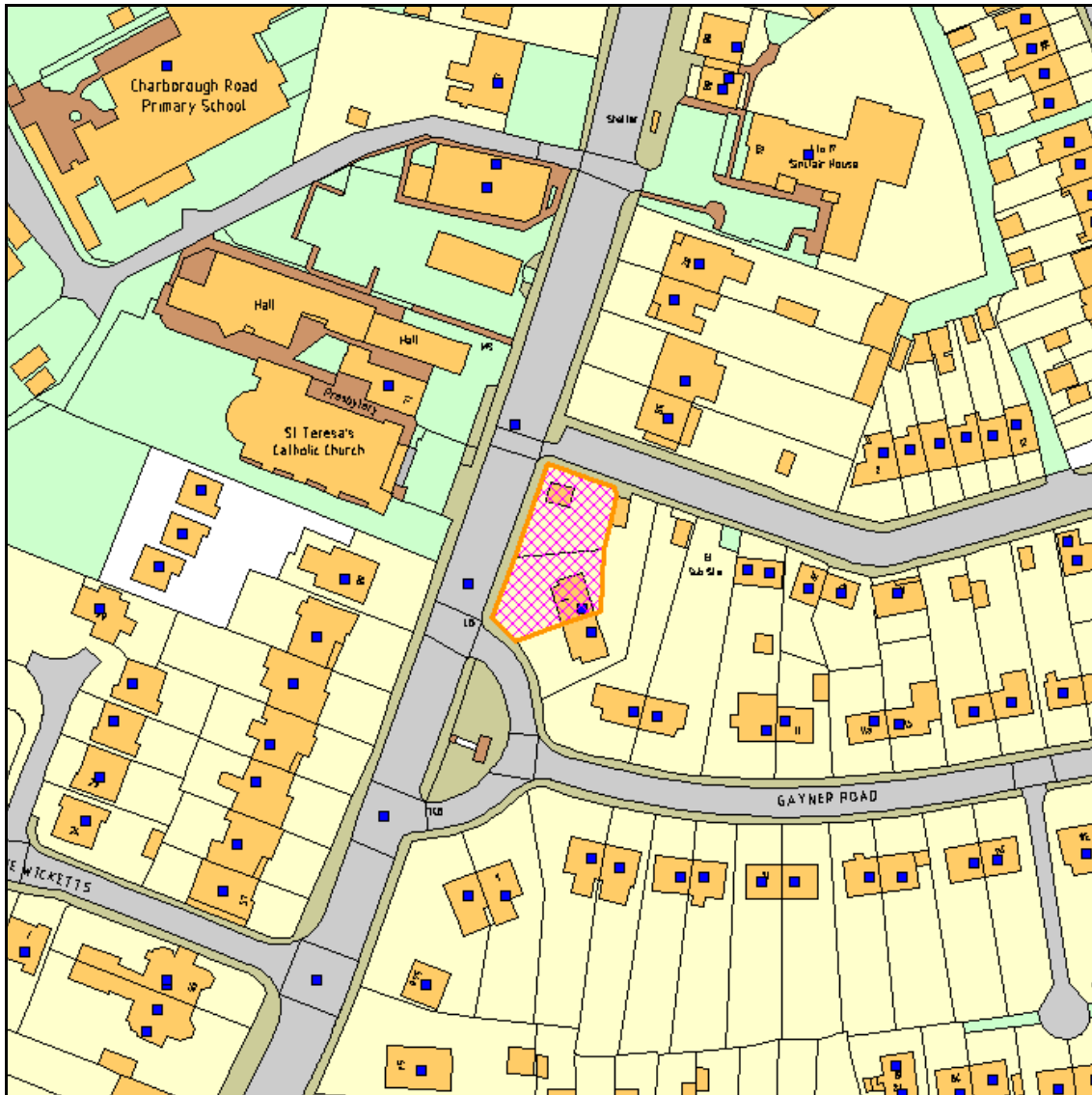
6. Prior to the use of the premises after 22.00 details of the refuse storage facilities shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the commencement of the use after 22:00 and be permanently maintained thereafter.

Reason

In order to protect the residential amenity of neighbouring occupiers and the amenity of the wider locality and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and the provisions of the National Planning Policy Framework 2012.

CIRCULATED SCHEDULE NO. 11/17 – 17 MARCH 2017

App No.:	PT15/5491/F	Applicant:	Mr S Cole
Site:	1 Gayner Road Filton Bristol South Gloucestershire BS7 0SP	Date Reg:	12th January 2016
Proposal:	Erection of single storey side extension to existing dwelling to facilitate conversion to 2no flats and erection of detached building to form 4no flats with associated works and access	Parish:	Filton Town Council
Map Ref:	360027 178534	Ward:	Filton
Application Category:	Minor	Target Date:	7th March 2016



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 100023410, 2008. N.T.S. PT15/5491/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

1.1 The application site is situated on the west side of Filton within a mainly residential suburb of Bristol. The site is situated on the east side of Gloucester Road North, one of the main transport routes into the city. The site is bounded by residential development to the south and east, Elm Park a one way street to the north, vehicular access onto Gayner Road to the south west and fronting onto Gloucester Road North to the west. The site comprises an ex Local Authority two storey semi detached dwelling with parking at the front (south west side) and large garden occupying the north half of the site.

A row of mature Lime trees line the west boundary of the site fronting onto Gloucester Road North. The trees are protected by Tree Preservation Order (TPO). The application site is situated within the urban area as defined in the adopted Local Plan.

1.2 This application for full planning permission proposes the erection of single storey side extension to existing dwelling to facilitate conversion to 2no flats and erection of detached building to form 4no flats with associated works and access

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
T8 Parking Standards
T12 Transportation for New Development
L1 Landscape Protection and Enhancement

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

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

Emerging Plans

Policies Sites and Place Plan (Proposed Submission) June 2016

PSP8 Residential Amenity
PSP16 Residential Parking Standards
PSP37 Internal Space and Accessibility Standards for Dwellings

PSP38 Development within Residential Curtilages
PSP39 Residential Conversions
PSP43 Private Amenity Space Standards

- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist – August 2007
South Gloucestershire Residential Parking Standards

3. **RELEVANT PLANNING HISTORY**

- 3.1 PT06/3389/O Conversion of existing semi detached dwelling to 2 no. flats and erection of 6 no. 2 bed apartments. (Outline) All matters to be reserved.
Refused 09.01.2007

Refusal reasons:

- 1) The proposal degrades the off street parking for the extant property and provides no parking for the new element. As a consequence there will be an increase in on street congestion in close proximity to a bus lane and junctions with a classified highway and commuter route. This will interrupt the safe and free flow of traffic adding to the hazards faced by the travelling public
- 2) The proposed new building by reason of its location and scale would result in a cramped development (providing no private amenity space for future occupiers), that would also appear unduly prominent and visually incongruous in the street scene and thus detrimental to the visual amenities of the area.
- 3) The proposed development by reason of its position relative to that of adjoining properties in Gayner Road would result in an unacceptable level of overlooking of these adjoining properties with a consequent loss of privacy

- 3.2 PT08/0533/F Erection of 3 no. dwellings with new access and associated works.
Refused 31.03.2008

Refusal reasons:

- 1) The proposed building by reason of its siting, in particular the flank elevation directly abutting Gloucester Road North, would result in a development wholly out of keeping with its surroundings. It would jut out into the street scene which is characterised by deep frontages, and would appear unduly prominent and visually incongruous within the streetscape to the detriment of the visual amenities of the immediate and wider locality.
- 2) The proposal represents an over-development of the site which would be cramped in appearance and detrimental to the visual amenities of the locality.
- 3) The proposal does not provide adequate private amenity space for the existing dwelling to the detriment of their residential amenity.
- 4) The proposed development fails to provide adequate off-street parking for the existing and proposed dwellings which would lead to increased on-street parking to the detriment of highway safety.

Appeal dismissed 06.01.2009

- 3.3 PT12/3193/F Erection of two storey extension to facilitate conversion of 1 no. dwelling to 2 no. flats and erection of three storey building to form 7 no. flats. Creation of new access with parking, bin and cycle stores and associated works.
Withdrawn
- 3.4 PT13/0754/TRE Works to pollard 6No. Lime trees to 9m, covered by Tree Preservation Order No. SGTPO 39/08 dated 9th July 2009.
Approved 24.04.2013
- 3.5 PT13/1629/F Erection of side porch and alterations to roof to facilitate conversion of 1no. dwelling to 3no. flats and erection of three storey building to form 6 no. flats. Creation of new access with parking, bin and cycle stores and associated works. (Resubmission of PT12/3193/F).
Refused 18th July 2013.

Refusal Reasons:

The proposed development by virtue of its position, height and scale would result in overdevelopment of the site and would have a detrimental impact on the residential amenity of local residents to the south and east by virtue of loss of privacy, overbearing impact and bulk. The proposal would therefore fail to accord with Policies H2, H4 and D1 of the adopted South Gloucestershire Local Plan (2006).

The proposed 6 unit block of flats by virtue of its bulk, scale, location and design would appear incongruous in the street scene and would result in an overdeveloped/cramped form and layout of development and would fail to respect or enhance the character, distinctiveness and amenity of both the site and the locality. The proposal would fail to accord with Policies H2, H4 and D1 of the adopted South Gloucestershire Local Plan (2006).

Insufficient information has been submitted to adequately assess the impact of the proposed development on the row of Lime trees adjacent to the front (west) boundary of the site, Gloucester Road North, specifically, the construction of the proposed hardstanding shown within the root protection area as shown on the proposed Site Plan. The proposal is therefore contrary to Policies D1 and L1 of the adopted South Gloucestershire Local Plan (2006).

In the absence of a section 106 legal agreement to secure a financial contribution towards primary school education provision the proposed development is contrary to policy LC2 of the South Gloucestershire Local Plan (Adopted) January 2006.

Appeal Dismissed: 15th May 2014

4. CONSULTATION RESPONSES

4.1 Filton Town Council

Concerns were raised over safety of access to the main road, namely entering the busy junction of Gloucester Road North.

4.2 Other Consultees

Sustainable Transportation

Adequate visibility is provided at the two proposed points of access onto Elm Park and Gaynor Road subject to a suitable condition to restrict the height of the wall on Old Gloucester Road adjacent to the Gayner Road access to 600mm for 10m from the access so that emerging vehicles can see approaching pedestrians and vehicles turning into Gayner Road . Parking. The car parking provision accords with the Councils standards of 1 space per 1 bed unit and 1.5 spaces for the 2 bed units. 9 cycle parking spaces should be provided. The submitted plan shows a double height storage unit for 8 cycles but the details are not clear. I recommend no transport objections subject to the recommended highway conditions and informatives relating to the provision of the specified access and parking arrangements, retention of visibility, cycle storage and reference to the need to apply for crossover/dropped kerb points and discharge of surface water.

Highways Structures

No comments

Lead Local Flood Authority

No objection

Tree Officer

A row of TPOd lime trees borders the site with Gloucester Road North and are the sole trees on site of any significance. A tree report and tree protection plan have been submitted to support the application. Although it is clear that the intention is to protect the trees there has been no tree schedule provided to show the calculated RPA of the retained trees. This is needed so that we can assess the level of protection proposed. If the proposed detached building encroaches into the actual RPA it may be necessary to relocate the building outside the RPA or explore the use of pile and beam foundations.

The 'no-dig' driveway is acceptable in principle but the method statement needs to detail how this will be constructed within the RPA to ensure the rooting area is not compacted and retained trees are not compromised. In order to protect the trees throughout the development either the driveway should be installed prior to any other development works or the fencing/ground protection should be erected to protect the RPA until the driveway is constructed. A phasing of works would be useful here to illustrate how the trees will be continually protected.

The tree report also refers to outdated British Standards which should be changed to BS5837:2012.

The classifications of trees are not consistent with BS 5837:2012.

Conclusions and Recommendations

In order to fully assess this application please provide a tree report to BS5837:2012 to include the following:

A tree survey

A tree protection plan in line with current BS5837:2012

An arboricultural implications assessment (AIE)

An arboricultural method statement (AMS)

The updated tree survey and protection plan are required prior to determination.

The AIE and AMS can be conditioned.

Further to these tree comments additional tree information was requested and subsequently received. Further Tree Officer comments were thereafter received.

There is no objection to the proposals on the basis of the information received, subject to conditions securing tree report/protection details and a schedule of arboricultural monitoring.

Other Representations

4.3 Local Residents

2 letters of objection have been received from local residents raising the following concerns:

- There has been a large amount of development in the area recently
- The quiet area is becoming overwhelmed by new builds
- This is impacting upon privacy and outlook, and further building will make this worse
- Double parking is a problem and there is not the capacity for further vehicles from 6 dwellings
- Traffic is already very busy and vehicles from the proposal would have to access this congested road, which also has a bus lane.
- Care needs to be taken to the preserved trees
- The density of building in this small block has reached its limit
- There is also impact upon local services to consider eg refuse collection
- The proposals would significantly affect the enjoyment of our garden
- It will be overbearing and leave gardens in shadow
- Access is very dangerous
- Not in line with other back garden developments in the area
- Inadequate number of off street parking spaces proposed and there are parking restrictions already in place on the main street
- Elm park to the rear has restricted width as a highway with no right turn onto Gloucester Road North making entry and exit

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

5.2 Of note in this instance is the planning history for the site, which illustrates previous refusals of various schemes for the site. The reasons are highlighted above. The scheme in this application reduces the scale and amount of units contained in the development. The main issue for consideration therefore is whether the current application addresses these issues satisfactorily and is acceptable in its own right.

5.3 Local Amenity

There were outstanding officer concerns over the previous proposals on the basis of residential amenity, particularly in terms of overbearing impact and loss of privacy. Those proposals provided for a three storey block of flats, with flat roof and rear facing windows to third floor level, towards other residential curtilages to the east. The current proposals are for an essentially two storey building with hipped roof and with habitable space in the roof area. There are no third floor windows in the rear elevation and velux windows to the front. The windows at two storey level consist of two relatively small bedroom windows and two bathroom windows. The rear of the proposed building for the flats and the associated windows is located further away from the curtilage boundary to the east than the existing host dwelling, this situation would overlook the neighbouring curtilage, although this would be at the bottom end of a relatively long curtilage area. Notwithstanding this it has been suggested that to reduce the potential for overlooking that angled windows are provided for the bedroom windows on the rear elevation. Revised plans have subsequently been received with angled windows viewing in a north easterly direction away from the neighbouring curtilage, towards Elm Park. This is considered to satisfactorily address any outstanding issues of potential overlooking from these windows. Further to this conditions are recommended for any remaining bathroom windows to be of obscure glazing and that no further windows or rooflights are inserted in this elevation.

5.4 The size of the proposed flats has been essentially been reduced, when compared to previous schemes, to a size, length and height reflecting the size, length and height of a pair of semi-detached dwellings. It is considered that the proposals reduce the bulk and impact of the proposals and also reduce issues of overlooking to a material degree. On the basis of the above, and taking into account the relative proximity and layout of existing dwellings and their

relationship with curtilage boundaries, and taking into account the size and orientation of the scheme, it is not considered that any additional impact of the proposals would be so significant or material in this instance such as to warrant objection or sustain refusal of the application on this basis. The conversion of the existing dwelling to two flats is not in its own right considered to give rise to additional amenity impacts. It is therefore considered that the previous reasons for refusal are satisfactorily addressed in this respect.

5.5 It is considered that there would be sufficient private amenity space within the plot to serve the combined flats.

5.6 Design

The previous application was a larger three storey block of flats with greater scale and bulk. The current application is for a more modest development with less units, less bulk and a pitched roof, more in keeping with the immediate site and surroundings. Materials would match those of the existing host dwelling. The proposed flats in this case is of an appropriate standard of design and has no material or significant impact upon the surrounding area. The layout and scale, taking into account the size of the plot and the surrounding area, is appropriate and in keeping. The proposals would be considered to adequately integrate within the context of site and surroundings and would not be out of keeping in the wider area, which contains a variety of types of building. It is not considered, taking into account the design proposed and the context of the surrounding area that the streetscene would be unduly impacted. The density of development at the site in this location is governed by the size, shape and location of the plot and the proposals is considered acceptable in this respect. It is not considered that the conversion of the existing dwelling to flats gives rise to any specific or material design issues.

5.7 Transportation

It is considered that adequate visibility exists from the two points of access to the site for the proposed development. In addition to this the proposed off-street parking provision meets the Councils residential parking standards. There are no transportation objections to the proposals on this basis. Conditions and informatives are recommended relating to the provision of the specified access and parking arrangements, retention of visibility, cycle storage and reference to the need to apply for crossover/dropped kerb points and discharge of surface water.

5.8 Trees

There have been previous continued concern and lack of information associated with the trees within the site which are subject to TPO's. Additional detail and information has now been provided in support of this application. This is considered acceptable in principle, subject to conditions securing the implementation of the protection measures and a schedule of monitoring during works.

5.9 Drainage

There are no objections to the proposals on drainage grounds.

5.10 Community Infrastructure Levy

The planning application would be CIL liable. Information regarding the Council's approach to CIL is available on the Council's website, also included is the CIL and s.106 Planning Obligations SPD:

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That this application 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 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.

4. The development shall not be occupied until the car parking and access arrangements have been completed in accordance with the submitted details. The car parking and access arrangements shall thereafter be retained as approved.

Reason

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

5. Any boundary wall erected alongside of Old Gloucester Road shall not exceed a height of 0.6m for the first 10m from the access onto Gayner Road.

Reason

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

6. The development shall not be occupied until details of covered and secure cycle parking spaces for 9 cycles shall be submitted to the Local Planning Authority for approval prior to the occupation of any part of the development approved. The approved details shall thereafter be implemented prior to the occupation of the development and thereafter retained.

Reason

To promote sustainable transport choices and to encourage means of transportation other than the private car, to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

7. Prior to the commencement of the development hereby approved a schedule of arboricultural monitoring shall be submitted to the Local Planning Authority for approval. Such details shall thereafter be implemented as approved.

Reason

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

This is a pre-commencement condition to ensure the arboricultural monitoring is integrated into the development at an early stage.

8. The details of the Tree Report and Tree Protection Plan, hereby approved, shall be implemented at all time during development.

Reason

In the interests of the long term health of the trees, and wider quality of the overall design and context; and to accord with policy CS1 of the South Gloucestershire Local Plan; Core Strategy (adopted) December 2013.

9. No windows or rooflights other than those shown on the plans hereby approved shall be inserted at any time in the east elevation of the property. For the avoidance of doubt the angled window designs shown on drawing COL/741/PL/03/17/001 H shall be installed and retained as shown.

Reason

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

10. Prior to the use or occupation of the development hereby permitted, and at all times thereafter, the proposed bathroom windows on the east elevation shall be glazed with obscure glass to level 3 standard.

Reason

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

CIRCULATED SCHEDULE NO. 11/17 – 17 MARCH 2017

App No.:	PT16/6605/F	Applicant:	Christy Hobden
Site:	139 Watleys End Road Winterbourne South Gloucestershire BS36 1QQ	Date Reg:	15th December 2016
Proposal:	Erection of two storey rear extension to form additional living accommodation	Parish:	Winterbourne Parish Council
Map Ref:	365956 181470	Ward:	Winterbourne
Application Category:	Householder	Target Date:	6th February 2017



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This report appears on the Circulated Schedule following comments from the parish council.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a two-storey rear extension at a two-storey semi-detached property on Watleys End Road in Winterbourne. The proposed extension would provide two bedrooms at first floor level and an extended kitchen/family room on the ground floor. The extension would project up to 5m from the rear elevation at ground floor and 4.3m at first floor. Materials have been indicated to match those used in the existing dwelling.
- 1.2 The application is situated within the settlement boundary for Winterbourne. No further land use designations cover this site.
- 1.3 During the course of the application a couple of issues were raised with the agent: These included:
- anomaly regarding the extension footprint on the Site and Block Plan
 - extent of No. 137A Watleys Road not shown on the Site and Block Plan

Revisions addressing both points have been negotiated.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework
Planning Policy Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

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

H4 Residential Development within Existing Residential Curtilages
T12 Transportation Development Control Policy for New Development

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

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

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

3. RELEVANT PLANNING HISTORY

- 3.1 No site planning history, but relevant adjacent development at No. 137A Watleys Road includes:
- 3.2 PT16/6528/NMA No objection 19.01.2017
Non material amendment to PT15/1687/F to change the roof tile type.
- 3.3 DOC16/0359 DOC decided 27.10.2016
Discharge of conditions 3 (SUDS) 8 (Boundary Fence) and 9 (Boundary Treatment) attached to planning permission PT15/1687/F for Demolition of existing garage to facilitate the erection of 1no. single storey detached dwelling with access and associated works. (Resubmission of PT13/3973/F)
- 3.4 PT15/1687/F Approved with Conditions 20.07.2015
Demolition of existing garage to facilitate the erection of 1no. single storey detached dwelling with access and associated works. (Resubmission of PT13/3973/F)
- 3.5 PT13/3973/F Approved with Conditions 18.07.2014
Demolition of existing garage to facilitate the erection of 1no. single storey detached dwelling and associated works.

4. CONSULTATION RESPONSES

- 4.1 Winterbourne Parish Council
Objection:
Overdevelopment of site with limited parking.

4.2 Other Consultees

Sustainable Transport
No objection.

Frampton Cotterell Parish Council
No comment.

Other Representations

- 4.3 Local Residents
None received

5. ANALYSIS OF PROPOSAL

- 5.1 This application seeks planning permission for the erection of a two-storey rear extension at a two-storey semi-detached dwelling in Winterbourne.

5.2 Principle of Development

Extensions and alterations to existing properties are managed by policy H4 of the Local Plan. This policy is generally supportive of development subject to an assessment of design, amenity and transport. Therefore the proposal is acceptable in principle but should be determined against the analysis set out below.

5.2 Design

Policy H4 requires development to respect the character and appearance of existing dwellings. The existing dwelling is a historic symmetrical semi-detached rendered cottage with a chimney in each gable end. However, Watleys End Road provides an eclectic mix of house types, styles and designs. The application site itself is bound on either side by similar styled cottages. Opposite are detached later infill bungalows and two-storey properties.

5.3 It is not considered that, if permitted, the development would result in overdevelopment of the site. The house sits in a relatively long plot and is surrounded by dwellings of various sizes and styles. Given the extension is to the rear, the proposed development would not significantly alter the appearance of the building; it would only be seen from the entrance of the neighbour's private drive. It is therefore not considered that the extended dwelling would look out of place or have a detrimental impact on the visual amenity of the area or the street scene.

5.4 Residential Amenity

Development should not be permitted that has a prejudicial impact on residential amenity. The assessment of this should include both the amenities of the application site and all nearby occupiers.

5.5 It is not considered that the proposal would adversely affect the amenities of the application site. The extension is mostly built over existing extensions and therefore the additional size of the building would be limited. Furthermore the property benefits from a reasonably sized garden and adequate private amenity space would be retained.

5.6 It is more likely that the development would have an adverse impact on the amenities of nearby occupiers, particularly Nos. 137, 137A and 141. The projection of 5 metres is not insignificant. However, it is considered that the stepped, hipped roof design and the separation distances between the extension and neighbouring properties is sufficient to prevent a prejudicial impact on residential amenity.

5.7 New openings are proposed at ground and first floor level in the west south side elevation in the form of new bathroom windows and a new window serving the kitchen. The bathroom windows would need to be obscure glazed and non-opening below a certain height to ensure the privacy of neighbours and this will be secured by condition. The kitchen window would overlook a new path to the proposed bungalow to the rear. New fencing would mark the boundary opposite to protect the privacy of No. 137. Given the proposed outlook and boundary treatment to be in place, the level of potential harm to the living conditions of nearby occupiers is reduced.

5.8 No. 137A is currently being constructed, but once finished they will be to the north west of the application site. Although the building will be 5 metres nearer this new property, there remains adequate distance between the respective dwellings.

5.9 Transport

For householder development, the most significant transport related considerations are access and parking. The proposed development would increase the number of bedrooms serving the property to 4. The Council's residential parking standards state that a dwelling with up to four bedrooms requires a minimum of two parking spaces to be provided within the site boundary. Submitted plans show that two parking spaces are available to the front of the property. As such, the parking is considered acceptable.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That the application be **APPROVED** subject to the conditions written below.

Contact Officer: Helen Braine
Tel. No. 01454 863133

CONDITIONS

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

Reason

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

2. Obscure glazing

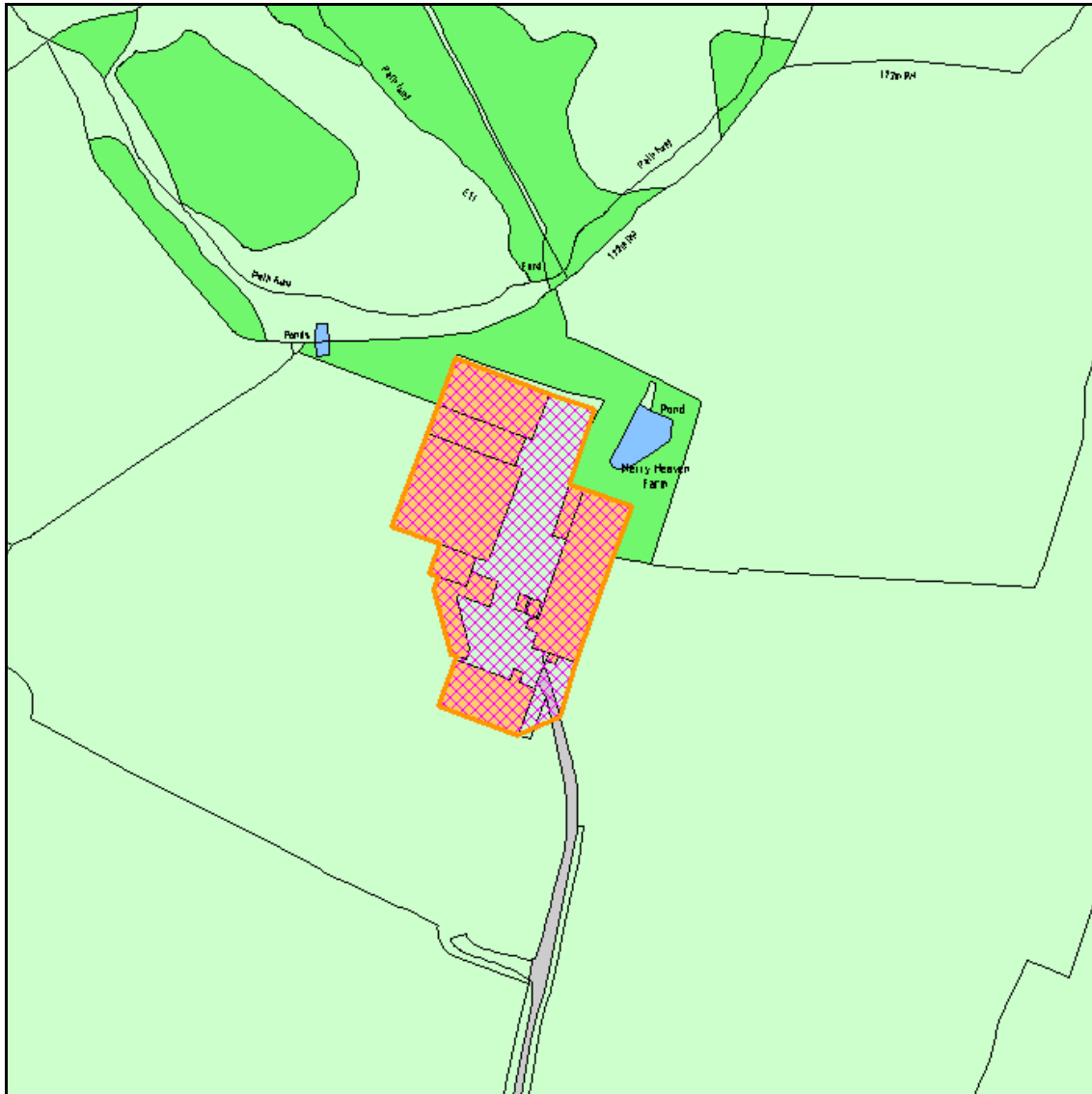
Prior to the use or occupation of the extension hereby permitted, and at all times thereafter, the proposed bathroom and en-suite windows in the southwest side elevation shall be glazed with obscure glass to level 3 standard or above with any opening part of the windows being above 1.7m above the floor of the rooms in which they are installed.

Reason

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

CIRCULATED SCHEDULE NO. 11/17 – 17 MARCH 2017

App No.:	PT16/6895/CLE	Applicant:	Mr And Mrs C G And D Heal
Site:	Merry Heaven Farm Old Gloucester Road Alveston South Gloucestershire BS35 3LQ	Date Reg:	6th January 2017
Proposal:	Application for a certificate of lawfulness for the existing use of Buildings 1 - 8 as commercial units for the blending and storage of animal feed. (Use Class B2).	Parish:	Alveston Parish Council
Map Ref:	363575 188416	Ward:	Thornbury South And Alveston
Application Category:	Certificate of Lawfulness	Target Date:	2nd March 2017



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REASON FOR REFERRAL TO CIRCULATED SCHEDULE

This application is for a Certificate of Lawfulness, and as such, under the current scheme of delegation, is to be determined under the Circulated Schedule procedure.

1. THE PROPOSAL

- 1.1 The application is for a Certificate of Lawfulness for the existing use of Buildings 1-8 as commercial units for the blending and storage of animal feed associated with Merry Heaven Farm, Old Gloucester Road, Alveston. The application therefore seeks to demonstrate that the buildings have been used as such for a period in excess of 10 years prior to the date of submission (5.1.17).
- 1.2 The site consists of a number of large agricultural style and scale buildings of metal construction. The site is accessed off Old Gloucester Road where a single track lane of some length leads down to the area of Merry Heaven Farm where the commercial enterprise takes place. The applicant claims the buildings have been used as a commercial enterprise for a continuous period since 21/9/94. The site lies outside the settlement of Alveston and within the Bristol/Bath Green Belt.

2. POLICY CONTEXT

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

3. RELEVANT PLANNING HISTORY

- 3.1 **Building 1 as identified on the plan:**
P87/1139 Erection of extensions to existing agricultural building to provide an additional 771 sq. Metres of floorspace (8300 sq. Feet).
Approved 11.3.87
- 3.2 **Building 5 as identified on the plan:**
P97/2260/P Erection of grain store
No decision recorded
- 3.3 **Building 8 as identified on the plan:**
PT02/3176/PNA Erection of agricultural building for chemical storage and wash room.
No objection 11.11.02
- 3.4 **Building 9 – not part of this certificate application**
PT12/3387/PNA Prior notification of the intention to erect an agricultural building for the storage of machinery.
No objection 8.11.12

- 3.5 **Building 9 – not part of this certificate application**
PT15/1057/PNA Prior notification of the intention to erect an extension to existing agricultural building.
No objection 7.4.15

4. CONSULTATION RESPONSES

- 4.1 Alveston Parish Council
No Comment has been received
- 4.2 Highway Officer
This application relates to Certificate of Lawfulness which involves determination of facts about existing use on the site and it is a test of legal issues. As such, there are no transportation comments on this application.

Other Representations

- 4.3 Local Residents
None received

5. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

- 5.1 In support of the application,
- i) Statutory declaration by Christopher Gough Heal.
 - ii) Exhibit 1:
Land Registry certificate showing ownership and red edge plan showing boundary of ownership
 - iii) Exhibit 2:
Red edge plan showing the buildings subject to this certificate: Buildings are labelled 1, 2, 3, 4, 5, 6, 7a, 7b and 8. Buildings 9a and 9b are excluded from the site plan, being agricultural in use.
 - iv) Exhibit 3:
Three aerial photographs dated 1999, 2005 and 2006 showing the increase in the amount of built form on site over that time
 - v) Exhibit 4:
Set of tables of figures showing *KW Blending Plant Production* for the period 7th January 2006 to 11th November 2016; and table showing *KW dry blending tonnages by year* from January 2006 to November 2016
 - vi) Exhibit 5:
Letter dated 26.6.95 from *Alternative Feeds* confirming agreement to use facilities to manufacture moist and dry blends for KW Agriculture for a period of 3 years; a signed Manufacturing and Supply Agreement between AB Agriculture and CG & D Heal Ltd to manufacture dry

blends, soda wheat and storage of feed materials from July 213 for a period of 3 years unless otherwise terminated.

- vii) Exhibit 6:
A table showing tonnage by month from January 2007 to May 2013 of bread, cereal, sugar cakes, noodles, chocolate, biscuits and dough
- viii) Exhibit 7:
Signed and dated letter from SugaRich confirming that CG & D Heal Ltd processed recycled bread continuously for the company for the period 1994 and July 2013 supplied by the Procurement Director of SugaRich.
- ix) Exhibit 8:
List of dates when sugar beet products stored on site. The period 2014-2015 is missing its data
- x) Exhibit 9:
Transport movements at Merry Heaven from 2000 to 2015 as recorded at the weighbridge
- xi) Exhibit 10;
Certificates of Conformity to confirm that CG & D Heal Ltd complied with TASSC (Trade Assurance Scheme for Combinable Crops) for Stores 1 and 2 at Merry Heaven Farm for years:
2000 – 2004 but no address has been given
2004- 2011, address given as Latteridge Green Farm
2012, no address given
2013 – address given as Latteridge Green Farm
2014– several address given Latteridge Green Farm, Merry Heaven Farm, Vattingstone Site and Horthan Farm Site
2016 -2017– addresses given as Folly land, Hortham Farm, Vattingstone Site, Merry Heaven Farm, Lodge Farm
Details for 2015 are missing
- xii) Exhibit 11:
Certificate of Conformity from 2001 to 30/9/17
- xiii) Exhibit 12:
Product Authentication International, Assessment Report from 2005 to 2012
- xiv) Exhibit 13:
Capacity road weighbridge inspection from 9/7/07 to 24/5/16
- xv) Exhibit 14:
Two letters from employees:
 - a. Signed and dated (21.11.16) letter from Logistics Controller employed by CG & D Heal Ltd from December 1998 confirming that from that time until 2013 the company undertook: wet mixing and dry blending for KW; Bread processing for SugaRich and the Storage of sugarbeet for Trident. The SugaRich operation ceased in 2013 but

it is stated that works for KW and Trident has taken place continually since 1998 and is still in operation.

- b. Signed and dated (29/11/16) letter from worker who processed and stripped bread products and blended cattle feed for KW Feeds from 1994 until 1999 at Merry Heaven Farm, Alveston

6. SUMMARY OF CONTRARY EVIDENCE

- 6.1 The Local Planning Authority has no contrary evidence to submit.

7. EVALUATION

- 7.1 The application for a Certificate of Lawfulness is not a planning application and is purely an evidential test. The test of evidence to be applied is whether or not the case has been shown on the balance of probability. As such the applicant needs to prove precise and unambiguous evidence.
- 7.2 In this instance it must be proven that the buildings in question have been used for commercial purposes for a period 10 years (or more) prior to the date of this application.
- 7.3 Assessment of Evidence
The application is supported by evidence in the form of 16 separate pieces of information including a sworn statement, company spreadsheets, various certificates of inspection and certificates of conformity. It is noted that where there may be a short gap in some of the evidence, for example, one type of certificate, but this is shored up by other evidence during that time and taken as a whole the entire period from 2000 to November 2016 can be said to be covered. The agent has explained that the head office is based at Latteridge Green Farm which is why some of the certificates of conformity list this address rather than the site address in their details.
- 7.4 Summary of Statutory Declaration given by Christopher Gough Heal. Merry Heaven Farm was purchased in 1986. The two buildings to the north of the farmstead were in poor condition, considered unsuitable for modern farming, and demolished and over the course of 30 years have been replaced by modern steel portal frame buildings. Details of the approximate years the buildings were erected starting with Building 1 in 1986 are listed and the submitted aerial photographs show the progression of development. The use of the buildings began in 1994. The site has been used for the blending and storage of animal feed under contracts with SugaRich and KW Feeds (a subsidiary of AB Agri Holdings). Up to 13 different ingredients are delivered to the site and stored, rolled and blended in various buildings.
- 7.5 KW Feeds is responsible for collecting the blended animal feed and distributing it to farms in South West and South Wales. Payment is based on the quantity of feed collected and so all vehicles are weighed on entry and after loading to obtain the figures. Details of the amount of feed produced for KW Feeds between Jan 2006 and November 2016 are shown in exhibit 4.

- 7.6 Between October 2000 and August 2013 organic feed was produced in Building 1 for KW Feeds, and this contract was taken over by Prime Organic during the period November 2013 to April 2015.
- 7.7 Contracts between the applicant and KW Feeds have been included dating from 26.6.95 each for a period of three years with the latest contract commencing in July 2013, also for a period of three years. The process of blending and storing of animal feed for KW Feeds continues today.
- 7.8 Waste cakes and bread sourced from bakeries in Avonmouth and South Wales were recycled for SugaRich and a schedule of tonnage of ingredients received and blended between Jan 2007 and May 2013 is included in Exhibit 6.
- 7.9 The combined activities on the site have generated significant traffic movements. These have been analysed and recorded in a schedule of Traffic Movements recorded at the weighbridge between 2000 and 2016 and submitted as Exhibit 9. Overall these indicate the estimated vehicle movements over this period ranged between a minimum of 8,000 per year and a maximum of 11,500

Conclusion

- 7.10 The evidence provided by the applicant is considered to demonstrate the continuing use of buildings 1-8 for the purposes of blending and storage of food and other products related to the animal feed business during the 10 year period preceding this application. No contrary evidence has been provided by third parties and similarly the Local Planning Authority has no evidence that the buildings have not been used for the stated purposes for that time frame. On this basis, officers consider that on the balance of probability, the buildings have been used for the purposes of commercial business for a period in excess of ten years; and as such are lawful.

8. CONCLUSION

- 8.1 Having regard to the above, sufficient evidence has been submitted to prove that, on the balance of probability, the commercial buildings 1-8 subject of this application have been used for the purposes of blending and storage of animal feed for a continuous period in excess of ten years.

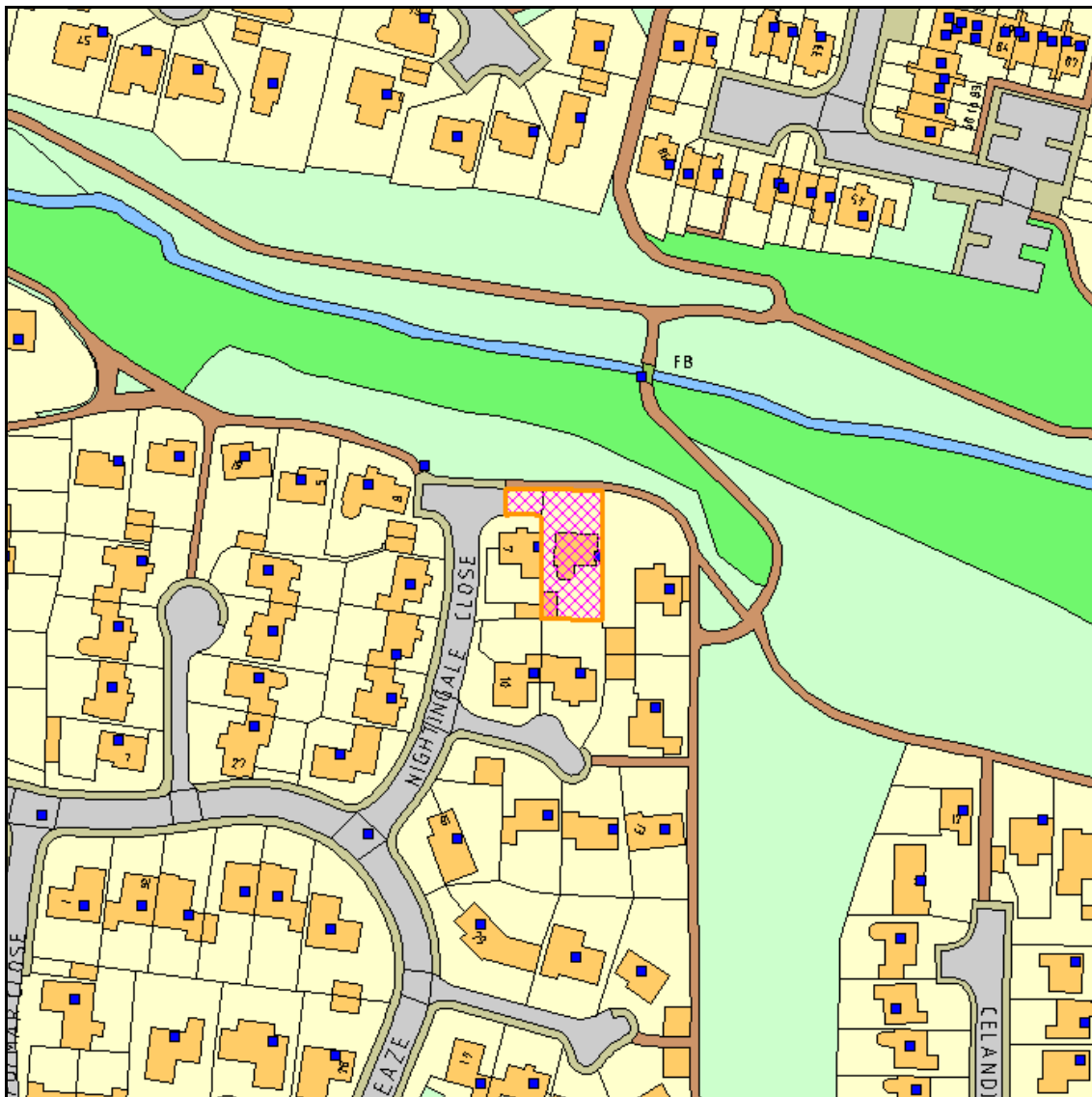
9. RECOMMENDATION

- 9.1 The Certificate of Existing Lawful Use be approved.

Contact Officer: Anne Joseph
Tel. No. 01454 863788

CIRCULATED SCHEDULE NO. 11/17 – 17 MARCH 2017

App No.:	PT16/6937/F	Applicant:	Mr Phil Stephens
Site:	8 Nightingale Close Thornbury Bristol South Gloucestershire BS35 1TG	Date Reg:	30th December 2016
Proposal:	Demolition of existing conservatory. Erection of a two storey front, two storey rear and single storey side and rear extensions to provide additional living accommodation.	Parish:	Thornbury Town Council
Map Ref:	364639 190952	Ward:	Thornbury North
Application Category:	Householder	Target Date:	17th February 2017



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REASON FOR SUBMISSION TO THE CIRCULATED SCHEDULE

This application appears on the Circulated Schedule due to 1no objection from a local resident, contrary to the Officer recommendation

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for a number of alterations, including; the demolition of an existing conservatory, the erection of a two storey front, two storey rear extensions as well as single storey side and rear extensions at 8 Nightingale Close, Thornbury.
- 1.2 The application site relates to a relatively modern, detached, two storey property which sits within the built up residential area and settlement boundary of Thornbury. The host is formed of brick and render elevations with UPVC windows and a tiled roof. The property sits within a trio of properties at the end of a cul-de-sac, and immediately front faces an area of open space and woodland. Houses in the vicinity of the dwelling are modern, but generally, design and scale vary.
- 1.3 The agent has submitted revised plans (received by the Council 10th March 2017), which seek to rectify concerns raised by Officers and local residents.

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
CS32 Thornbury

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

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

Emerging Plan

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

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

PSP43 Private Amenity Space Standards

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

3. **RELEVANT PLANNING HISTORY**

- 3.1 PT03/0699/F Approve with Conditions 10.04.2003
Erection of rear conservatory.

4. **CONSULTATION RESPONSES**

- 4.1 Thornbury Town Council
No objection

- 4.2 Sustainable Transport
"The applicant seeks to demolish the existing conservatory, erect two storey front and rear and single storey side and rear extensions to provide additional living accommodation. A four bed dwelling requires 2 off street parking spaces. Both of the existing off street parking spaces are to be retained, as such there are no transportation objections."

- 4.3 Archaeology Officer
No objection

Other Representations

- 4.4 Local Residents
1no. letter of objection and 1no. letter of support were received by local residents

Objections as follows:

- Overdevelopment of site
- Excessive scale which would be obtrusive and overbearing.
- Windows to first floor and Juliette balcony would create obtrusive overlooking to rear property.

- 4.5 *Please note these comments are in response to the original proposal, the agent has submitted revised plans (10th March 2017).*

5. **ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development
Saved Policy H4 of the South Gloucestershire Local Plan (Adopted) 2006 and the emerging Policy PSP38 of the PSP Plan (June 2016) allow the principle of extensions within residential curtilages, subject to considerations of visual amenity, residential amenity and highway safety. Furthermore, CS1 of the Core Strategy seeks that the siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the application site and its context.

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

5.2 Design and Visual Amenity

This application proposes a number of alterations to the existing property, these involve the erection of a two storey front extension, two storey rear extension as well as single storey side and rear extensions.

5.3 *Two storey front extension*

The property currently has a small canopied area to the ground floor of the front elevation, this application proposes to erect a two storey front extension to the centre of the front elevation. It would form a small front facing gable feature and would provide additional living accommodation to the occupiers. Plans show that it would not extend beyond the existing canopy; it would have a depth of 1 metre. The extension would have a width of 2.5 metres and a maximum height of 6 metres.

5.4 Whilst the property does not have an existing front facing gable feature, such features are evident in the surrounding area, and as such the extension is not considered out of character in this instance. The case officer is also mindful that this part of the property is enclosed and not generally visible from the wider public realm.

5.5 *Two storey rear extension*

As a result of Officer and local resident concerns, the agent has submitted revised plans. These show a reduction in height, depth and overall scale, as well as excessive glazing and a Juliette balcony omitted from the first floor of the extension.

5.6 This revised proposed two storey element of the proposal would be introduced to part of the rear elevation of the property. It would have a cat slide roof design and would introduce a modest dormer window to the roof slope at first floor to enable a fourth bedroom. The development would have a depth of 4.1 metres and a width of 5.2 metres. The cat slide roof would have a maximum height of 5.2 metres, and an eaves height of 3 metres. It would introduce first floor windows and glazed double doors to the ground floor.

5.7 The revised design of the two storey rear extension is considered considerably less bulky and represents improvements with regard to integration with surrounding properties.

5.8 *Single storey rear extension*

A single storey extension is proposed to the rear of the property, which would be adjoined to the proposed two storey rear extension. This extension would also have a cat slide roof with a maximum height of 5.2 metres and an eaves height of 3.5 metres. It would have a width of 4 metres and a depth of 4.2 metres. Plans show that it would introduce a large window to the ground floor.

5.9 *Single storey side extension*

A small single storey side extension would be introduced to the west elevation of the property, which would facilitate a small lobby area and W.C. The extension would have a pitched roof with a maximum height of 4.1 metres to the ridge and 2.5 metres to the eaves. It would be set back from the main front building line of the property by 4.1 metres, and would have a depth of 5.5 metres. It would have a width of 1.8 metres. The extension would introduce 1no. door and 1no. rooflight to the rear elevation as well as 1no. rooflight to the front elevation.

5.10 *Cumulative impact*

Following submission of revised plans, the development has been reduced in scale and is considered more in-keeping with the property and surrounding area. It is acknowledged that the revised proposal still represents large additions to the property, and as such comments from local residents with regard to overdevelopment of the site are understood, however, a sufficient amount of residential amenity space would remain and the proposal is considered acceptable in this instance.

5.11 Given the above, it is not considered that the proposal would appear out of character with the property or surrounding area, especially given the proposed matching materials. Accordingly, the development is considered acceptable with regard to design and visual amenity, and overall, would comply with Policy CS1 of the Core Strategy as well as the emerging Policy PSP1 of the PSP Plan

5.12 Residential Amenity

The hosts nearest neighbour is No.7 Nightingale Close which sits immediately to the west. This property is also detached, and Officers noted on a site visit that it has some single storey rear additions. The introduction of extensions subject of this application is likely to result in some change to the existing situation. However, given the revised cat slide roof design and orientation of these properties, it is not considered that the development would have a material overbearing impact or result in loss of light to these occupiers. Furthermore, it is noted that 1no. double casement window would be introduced to the west (side) elevation of the host. This window would directly face the east (side) elevation of No.7. Given its location and proximity to this neighbour, it is not considered that it would give rise to detrimental overlooking impacts.

5.13 Officers acknowledge comments from local residents with regard to the original proposal and the impact on properties to the rear. Revised plans show that the amount of glazing has been reduced and a Juliette balcony omitted. As such, it is not considered that the revised proposal would give rise to material overlooking to those properties directly to the rear.

5.14 Overall and considering the assessment above, the proposed development would not be detrimental to residential amenity and is deemed to comply with saved Policy H4 of the Local Plan (2006) and the emerging policy PSP8 of the PSP Plan.

5.15 Highway Safety

Plans show that the development would introduce an additional bedroom to the property, increasing the total number of bedrooms to 4. The Councils Residential Parking SPD sets out for a property with this number of bedrooms, 2 off-street parking spaces should be provided. Plans show that a sufficient number of parking spaces would remain following the development. Colleagues in transportation were consulted and have raised no concerns, as such, no objection is raised in relation to highway matters.

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: Lucy Paffett
Tel. No. 01454 863436

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.

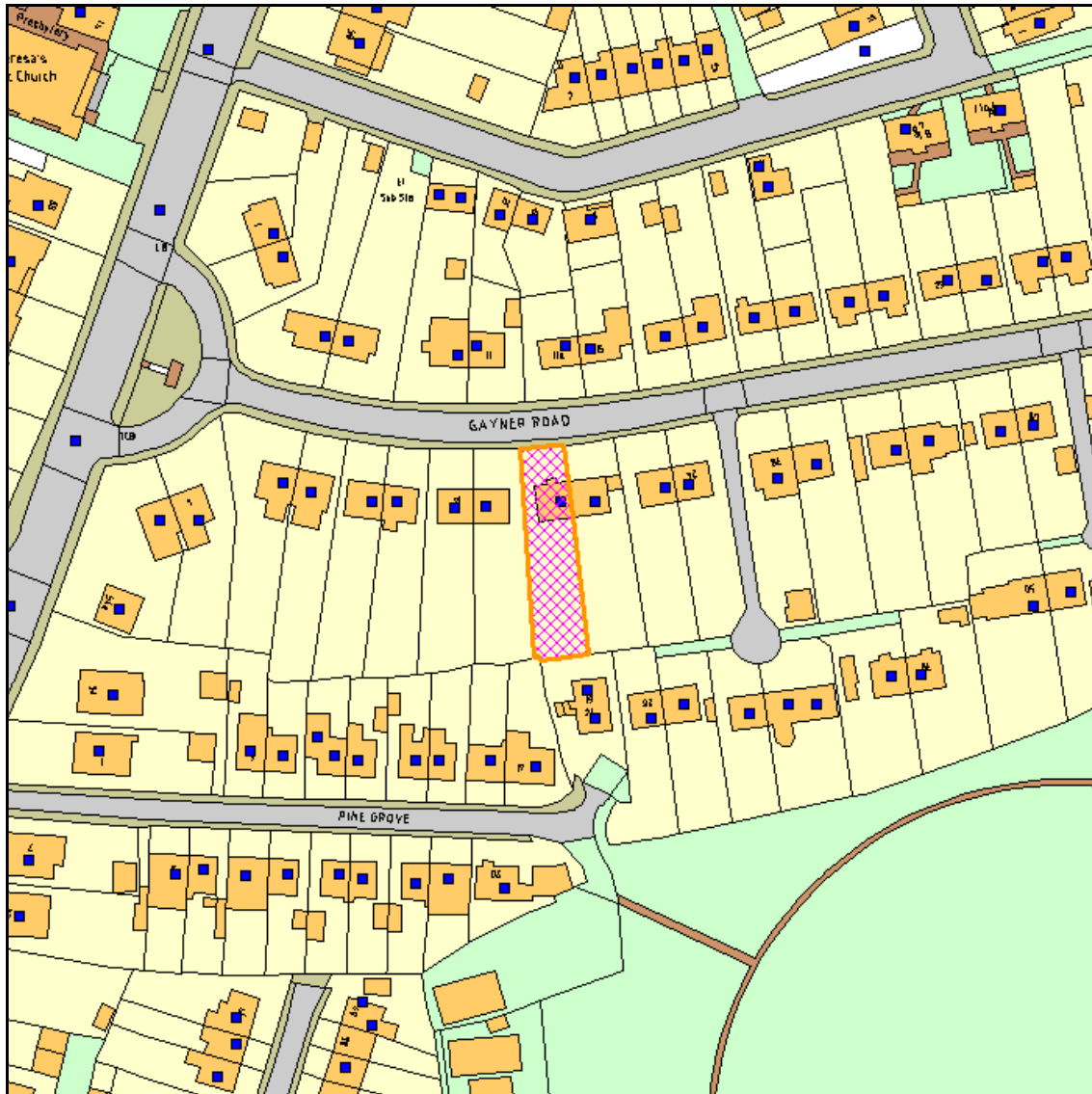
3. No windows other than those shown on the plans hereby approved shall be inserted at any time in the western elevation of the property.

Reason

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

CIRCULATED SCHEDULE NO. 11/17 – 17 MARCH 2017

App No.:	PT17/0307/F	Applicant:	Mr Martin Thomas
Site:	18 Gayner Road Filton Bristol South Gloucestershire BS7 0SW	Date Reg:	1st February 2017
Proposal:	Erection of detached rear double garage (Retrospective)	Parish:	Filton Town Council
Map Ref:	360088 178477	Ward:	Filton
Application Category:	Householder	Target Date:	24th March 2017



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REASONS FOR REFERRING TO CIRCULATED SCHEDULE

The application has been subject to a representation contrary to the findings of the following report. Under the current scheme of delegation it is a requirement the proposal is taken forward under the circulated schedule procedure.

1. THE PROPOSAL

- 1.1 The proposal seeks to erect a detached garage to the rear of 18 Gayner Road, Filton in order to provide ancillary domestic storage and secure vehicular parking.
- 1.2 The host dwelling is a semi-detached two storey mid-20th century dwelling with front porch and rear single storey extension, rendered elevations and pitched hipped roof.
- 1.3 The property has vehicular access to front and around the side of the property.
- 1.4 The application is part retrospective and at the time of the site inspection the walls were in place. The garage is similar to that approved under the application PT14/0035/F.
- 1.5 The property within the built up residential area of Filton.

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
CS8 Improving Accessibility

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

H4 Development within Existing Residential Curtilages
T12 Transportation

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

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

2.3 Supplementary Planning Guidance

Design Checklist SPD (adopted) August 2007
Residential Parking Standards SPD (adopted) December 2013

3. RELEVANT PLANNING HISTORY

PT17/0169/CLE – Approval – 27/02/2017 – Application for a certificate of lawfulness for existing 2.3 to 2.4 m high boundary fence.

PT14/0035/F – Approval – 17/02/2014 – Erection of detached double garage and erection of rear conservatory.

PT04/3740/F – Approval – 25/01/2005 – Erection of detached double garage.

4. CONSULTATION RESPONSES

4.1 Filton Parish Council
No Comment Received

4.2 Other Consultees

Drainage Officer

No objection in principle but notes that there does not appear to be evidence of condition 2 attached to permission PT14/0035/F being discharged. The officer also queries whether a soakaway would be suitable as a distance of 5 metres from any structure is required.

Transport Officer

No Objection

Other Representations

4.3 Local Residents

Two comments have been received, however one of which is anonymous, meaning it does not conform to the requirements of the Statement of Community Involvement and will not be given weight in the consideration contained within the report.

The objection comment suggests that the velux windows to the rear roof pitch would overlook the boundary. The comment also questions whether the boundary fences themselves can be maintained due to the proximity of the garage structure. Lastly the comment asks that the structure is used as a domestic garage.

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 detached garage outbuilding to the rear of 18 Gayner Road, Filton. The proposed garage structure is very similar to that approved under the application PT14/0035/F but due to small changes requires a new permission. The proposal only appears to differ as it does not include a central pedestrian access to the front elevation and has a number of additional windows to the side and rear elevations. The proposal is also slightly narrower and deeper.

5.3 The proposal has put forward materials with a similar appearance to the approved proposal and there is no objection with regard to materials.

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

5.5 Residential Amenity

Policy H4 of the adopted Local Plan gives the Council's view on new development within existing residential curtilages. Proposals should not prejudice the residential amenity (through overbearing, loss of light and loss of privacy) of neighbouring occupiers as well as the private amenity space of the host dwelling. The proposal will be situated a significant distance from the rear of properties along Gayner Road and is not thought to impact properties in line with the host dwelling.

5.6 There would be potential for the garage to impact properties to the rear of the boundary, however the nearest property is situated perpendicular to the structure and no windows serving primary living accommodation are oriented towards the proposal. In addition the permitted 2.4 boundary fences screen a significant proportion of the proposal and given the path of the sun, the garage is not considered to result in a harmful impact on dwellings in this direction due to overbearing or loss of light.

5.7 Objection comments suggest that velux windows would overlook the boundary fences, however it is noted that there does not appear to be any rooflights proposed. Windows proposed would fall below the height of the boundary and would not result in any direct inter-visibility or loss of privacy. Furthermore the comments question whether the boundary fences can be maintained. These are located around a metre from the garage and it is thought this is sufficient to maintain the fences from within the host property.

5.8 Lastly the objection asks that the proposal is used as a domestic garage. During site inspection it was noted that there were 2 sports cars situated within the unfinished structure, so it is thought there is a requirement for secure vehicle storage. It has however been considered necessary to include a condition restricting the use to uses incidental to the dwellinghouse.

5.9 Sustainable Transport and Parking Provision

Currently the property has an area of driveway to the front and side of the property. Access to the proposed garage will be via a driveway. The garage would provide parking for two vehicles and does not affect the existing arrangement, which is considered sufficient. Given the proposal will not include additional bedrooms, it will not require any additional parking space nor will it have a negative impact on highway safety or the retention of an acceptable level of parking provision, meaning the proposal is in accordance with saved policy T12 of the Local Plan (2006). The council has no objection to the proposal in relation to highway safety or parking provision.

5.10 Drainage and Flood Risk

The application is an amended proposal from a previously approved scheme. Under this earlier application a condition was included requiring the submission of surface water drainage details. Given the topography of the site it is not thought the proposal would create any significant issues, however it is seen how there could be potential for some small drainage issues if not properly controlled. As the structure is nearly built it is not thought suitable to attach a pre-commencement condition, however a condition requiring the submission of such details prior to occupation will be attached.

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 set out below.

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 garage structure hereby permitted shall be used only for purposes incidental to the dwelling known as no.18 Gayner Road, Filton and for no other purposes without the prior permission of the Local Planning Authority.

Reason

To minimise disturbance to occupiers of No.18, 16 and 20 Gayner Road, No.19 and 21 Pine Close and to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and the provisions of the National Planning Policy Framework.

3. The garage hereby approved shall not be occupied until surface water drainage details including SUDS (Sustainable Drainage Systems e.g. soakaways if ground conditions are satisfactory), for flood prevention; pollution control and environmental protection have been submitted and approved by the Local Planning Authority. The approved scheme shall therefore be implemented prior to the first occupation of the garage.

Reason

To comply with South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 Policy CS1 and the National Planning Policy Framework 2012.