



**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. 16/17

Date to Members: 21/04/2017

Member's Deadline: 27/04/2017 (5.00pm)

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

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

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

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

NOTES FOR COUNCILLORS - FORMAL ARRANGEMENTS

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

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

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

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

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

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

GUIDANCE FOR 'REFERRING' APPLICATIONS

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

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

CIRCULATED SCHEDULE - 21 April 2017

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	MODK17/0004	Approved Subject to	11 Berkeley Road Staple Hill South Gloucestershire	Staple Hill	None
2	PK16/5889/F	Approved Subject to	Kerr House Residential Home 50 Morley Road Staple Hill South Gloucestershire BS16 4QD	Staple Hill	None
3	PK16/6596/RVC	Approve	11 Berkeley Road Staple Hill South Gloucestershire	Staple Hill	None
4	PK16/6913/F	Approve with Conditions	Land At 97 North Street Oldland Common South Gloucestershire BS30 8TP	Oldland	Bitton Parish Council
5	PK17/0409/F	Approve with Conditions	178 Badminton Road Downend South Gloucestershire BS16 6NG	Downend	Downend And Bromley Heath Parish Council
6	PK17/0924/F	Approve with Conditions	35 Martins Road Hanham South Gloucestershire BS15 3EP	Hanham	Hanham Parish Council
7	PK17/0950/F	Approve with Conditions	20 Stanhope Road Longwell Green South Gloucestershire BS30 9AH	Longwell Green	Hanham Abbots Parish Council
8	PK17/0978/F	Approve with Conditions	34 Claypool Road Kingswood South Gloucestershire	Woodstock	None
9	PT16/6831/F	Approve with Conditions	46 Beach Avenue Severn Beach South Gloucestershire BS35 4PB	Pilning And Severn Beach	Pilning And Severn Beach Parish Council
10	PT17/0690/PDR	Approve with Conditions	174 Gorse Cover Road Severn Beach South Gloucestershire BS35 4NT	Pilning And Severn Beach	Pilning And Severn Beach Parish Council
11	PT17/0725/F	Approve with Conditions	17 Denny Isle Drive Severn Beach South Gloucestershire BS35 4PZ	Pilning And Severn Beach	Pilning And Severn Beach Parish Council

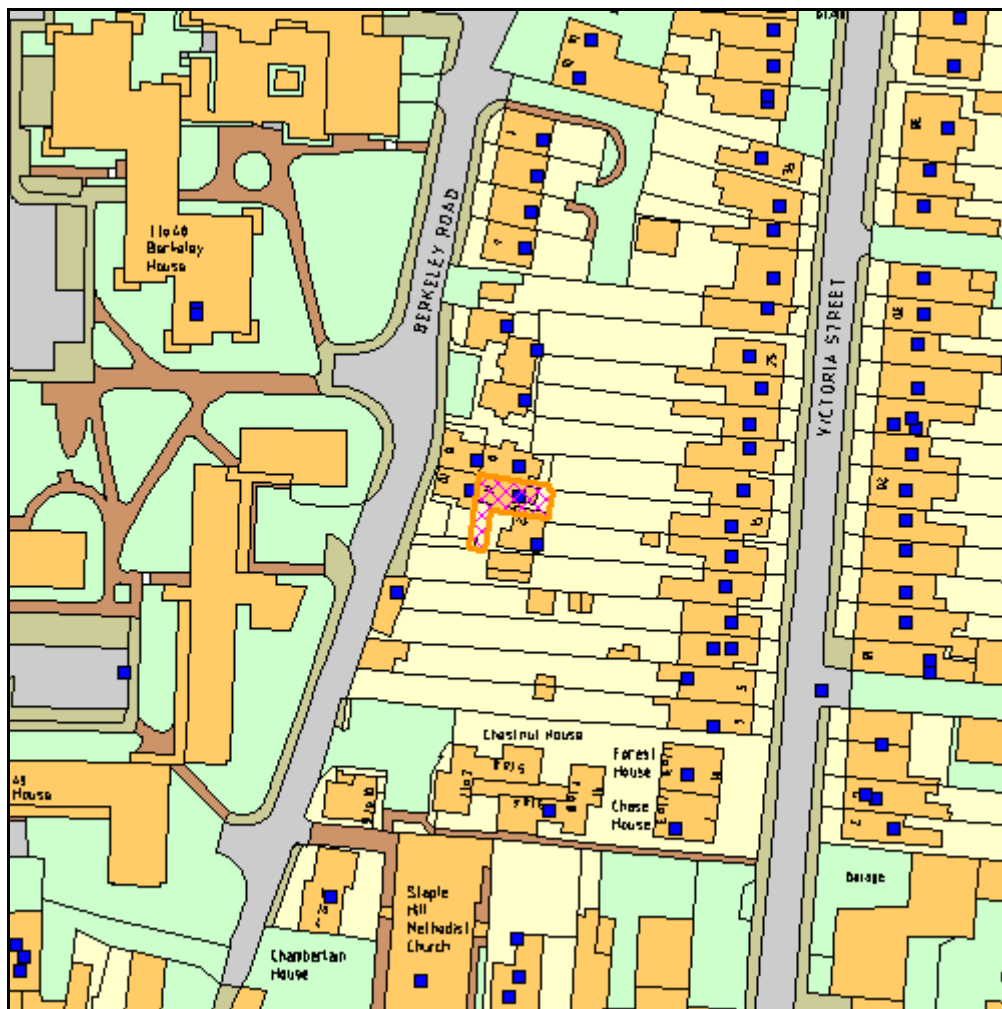
Dates and Deadlines for Circulated Schedule
During May Bank Holidays 2017

Schedule Number	Date to Members 9am on	Members Deadline 5.00PM
16/17 As Normal	Friday 21 April	Thursday 27 April
17/17	Thursday 27 April	Thursday 04 May
18/17 As Normal	Friday 05 May	Thursday 11 May
19/17 As Normal	Friday 12 May	Thursday 18 May
20/17 As Normal	Friday 19 May	Thursday 25 May
21/17	Thursday 25 May	Thursday 01 June

Please see changed deadlines in **RED**.
All other dates remain as usual

CIRCULATED SCHEDULE NO. 16/17 – 21 APRIL

App No.:	MODK17/0004	Applicant:	Mr Paul Bennett
Site:	11 Berkeley Road Staple Hill Bristol South Gloucestershire BS16 5JW	Date Reg:	9th March 2017
Proposal:	Modification of S52 Agreement attached to K5069/1 to remove the requirement for the occupiers of 11 Berkeley Road to be restricted to persons over the age of 60 years.	Parish:	None
Map Ref:	364865 176035	Ward:	Staple Hill
Application Category:		Target Date:	1st May 2017



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MODK17/0004

REASON FOR REFERRING THIS PROPOSAL TO THE CIRCULATED SCHEDULE

This proposal seeks to lift restrictions imposed by a section 52 legal agreement (the equivalent of section 106 agreements today). In accordance with the Council's constitution such proposed modifications are referred to the Circulated Schedule:

1. THE PROPOSAL

- 1.1 This application seeks an agreement for the Director of Environment and Community Services to instruct Legal Services to agree a Deed of Variation to the Section 52 legal agreement signed in 1987 to remove the age occupancy restriction under the consent K5069/1.

2. ANALYSIS OF PROPOSAL

- 2.1 Planning permission K5069/1 sought full planning permission for the erection of 8 no. retirement bungalows. The application was approved on 11 September 1987 following the signing of a Section 52 agreement dated 24 July 1987. The S52 agreement states that none of the retirement bungalows erected on the land shall be occupied by a person under the age of sixty years.
- 2.2 The planning merits of removing this restriction are set out in planning report reference PK16/6596/RVC as not only did this obligation appear in the legal agreement it also features as a planning condition. In short, the restriction was duplicated. National advice issued since 1987 in the National Planning Policy Framework makes it clear that restrictions should not be duplicated in this way; and wherever possible the restriction should be imposed using a planning condition.
- 2.3 The recommendation for PK16/6596/RVC is that such a restriction is unnecessary when tested against current planning policy and guidance. It is further unnecessary to have a legal agreement covering the same issue. It is therefore considered consistent with national guidance that the restriction on age imposed by the section 52 agreement is lifted by way of a deed of variation.

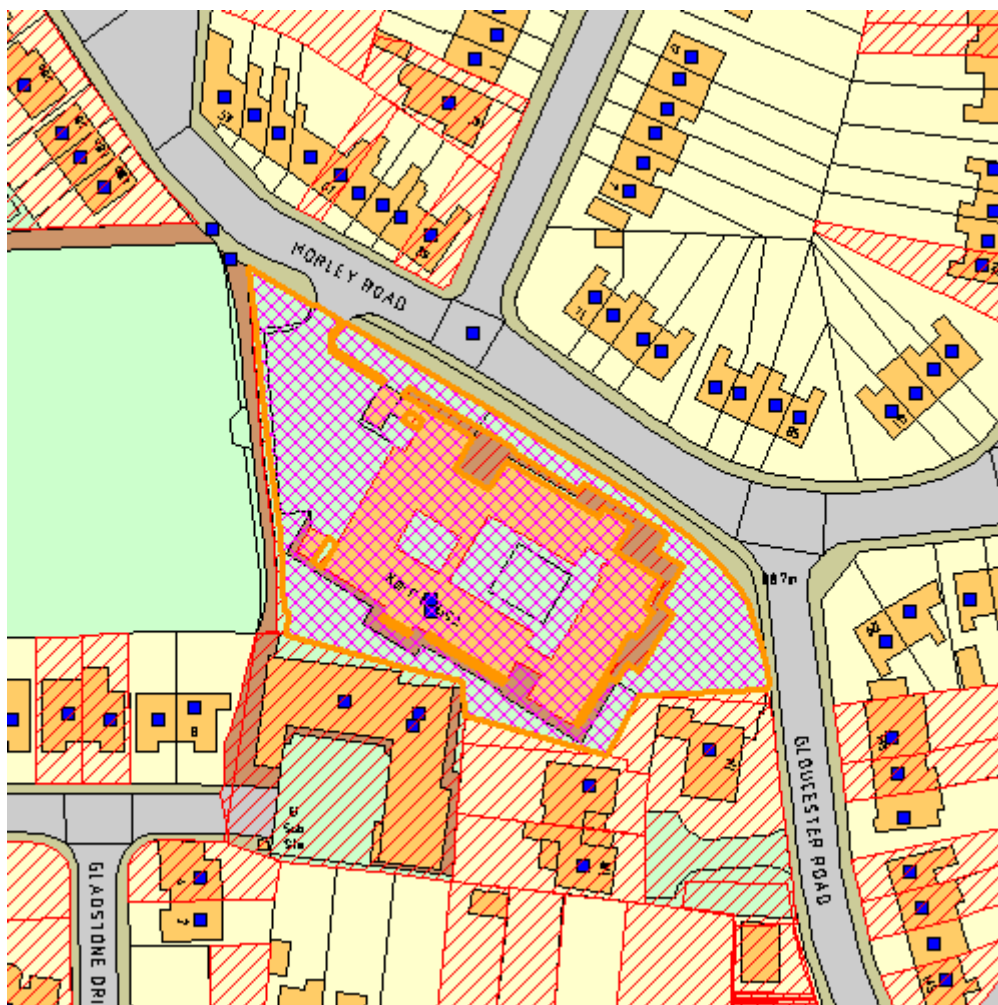
3. RECOMMENDATION

- 3.1 That authority is granted to the Director of Environment and Community Services to instruct Legal Services to execute a Deed of Variation to remove the age occupancy restriction from the section 52 agreement attached to planning consent K5069/1.

Contact Officer: Trudy Gallagher
Tel. No. 01454 862217

CIRCULATED SCHEDULE NO. 16/17 – 21 APRIL 2017

App No.:	PK16/5889/F	Applicant:	Knightstone Housing Association Knightstone Housing Association
Site:	Kerr House Residential Home 50 Morley Road Staple Hill South Gloucestershire BS16 4QD	Date Reg:	25th October 2016
Proposal:	Erection of 21no. dwellings with access, landscaping and associated works.	Parish:	None
Map Ref:	365086 175261	Ward:	Staple Hill
Application Category:	Major	Target Date:	19th January 2017



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PK16/5889/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Council's Circulated Schedule procedure following objections received from local residents which are contrary to the officer recommendation within this report.

1. THE PROPOSAL

- 1.1 This application proposes the erection of 21. new dwellings on the site of a former care home. The care home was demolished after no objection was raised to a Prior Notification of Demolition application in November 2015 (PK15/4500/PND).
- 1.2 The application site is situated within the East Bristol urban fringe, and there is a Public Right of Way running along the western boundary. There are known mine shafts within the site boundary, and the site contains two trees subject to Tree Protection Orders.
- 1.3 All of the units are proposed to be affordable housing, consisting of 6 no. one bedroom flats, 11 no. two bedroom houses, and 4 no. three bedroom houses.
- 1.4 During the course of the application, a number of amendments were sought to address issues relating to design, coal mining, residential amenity and landscaping to mitigate for the loss of trees. A period of re-consultation was carried out as a result of these changes on 15th February 2017. Additional changes to the landscaping scheme were received on 19th April 2017.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

- CS1 High Quality Design
- CS4A Presumption in favour of Sustainable Development
- CS5 Location of Development
- CS8 Improving Accessibility
- CS9 Managing the Environment and Heritage
- CS15 Distribution of Housing
- CS16 Housing Density
- CS17 Housing Diversity
- CS18 Affordable Housing
- CS23 Community Buildings

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

- EP4 Noise Sensitive Development
- T7 Cycle Parking

T12 Transportation

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

PSP1 Local Distinctiveness

PSP2 Landscaping

PSP3 Trees and Woodland

PSP8 Residential Amenity

PSP19 Wider Biodiversity

PSP37 Internal Space Standards for Affordable Housing

PSP43 Private Amenity Space

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist

South Gloucestershire Residential Parking Standards (adopted) December 2013

South Gloucestershire Waste SPD

Affordable Housing and Extra Care SPD

CIL and S106 SPD (Adopted) March 2015

3. RELEVANT PLANNING HISTORY

3.1 PK15/4500/PND No Objection 18/11/2015
Prior notification of the intention to demolish existing buildings.

3.2 PK15/3534/PND Withdrawn 26/08/2015
Prior Demolition of the intention to demolish existing buildings

4. CONSULTATION RESPONSES

4.1 Parish/Town Council
Un-parished area.

4.2 Other Consultees

Landscape Officer

Pre-grown hedge should front roadside, and dividing walls should be pulled back so that it is uninterrupted.

Sustainable Transport

No objection subject to legal agreement securing financial contribution towards the implementation of a traffic regulation order (TRO) for a waiting restriction and the provision of suitable crossing points as highlighted in the safety audit report or alternatively pay the Council a financial contribution towards the provision of such measures.

Highway Structures

If the application includes a structure that will support the highway or support the land above a highway. No construction is to be carried out without first

providing the Highway Structures team with documents in accordance with BD2/12 of the Design Manual for Roads and Bridges that will allow formal Technical Approval of the proposals to be carried out. The applicant will be required to pay the fees associated with the review of the submission whether they are accepted or rejected. If the application includes a boundary wall alongside the public highway or open space land then the responsibility for maintenance for this structure will fall to the property owner.

Avon Fire and Rescue

No comment received.

Police Community Safety

No comment received.

Arts and Development

No comment.

Lead Local Flood Authority

No objection subject to SUDS condition.

Waste Engineer

Waste storage and access is satisfactory and there is no objection.

Sustainability

No comment received.

Community Services

No comment received.

Ecology Officer

No objection subject to conditions and an informative.

Tree Officer

Initial objection to blanket removal of all trees across the site, particularly TPO tree to front of site, however replacement trees shown in landscaping scheme are sufficient.

Public Rights of Way

No objection subject to informatives.

Open Spaces Society

No comment received.

Urban Design

Shared space should be provided instead of extensive areas of tarmac and kerbs.

Environmental Protection

Investigation into contamination recommended but can be conditioned.

Housing Enabling

Notwithstanding the fact this scheme is for a 100% affordable housing scheme as it exceeds the urban threshold as set down under Policy CS18 of the Core Strategy, i.e 10 units or 0.33 hectares, the Council will secure 35% affordable housing as part of a Section 106 agreement.

35% of 21 units will generate a requirement for 7 homes. Tenure split of 73% social rent, 5% affordable rent and 22% intermediate housing, as identified by the Wider Bristol Strategic Housing Market Assessment (SHMA) 2015. As part of the proposed S106 mix 80% rent and 20% shared ownership split will be provided i.e. 6 affordable rent and 1 shared ownership. The proposed tenure mix allows for HCA funding into the scheme. The Affordable Housing Statement submitted with the planning application has confirmed that due to scheme viability it is not possible to deliver a policy requirement scheme of social rent tenure. Further information has been requested and Enabling confirms that no objection is raised regarding the proposed tenure mix. An additional 14 affordable homes over and above the 35% affordable housing policy requirement will be provided as shared ownership.

Planning Enforcement

No comment.

The Coal Authority

The Coal Authority therefore withdraws its objection to the proposed development subject to the LPA imposing a condition on any planning permission granted, to ensure that these works are undertaken on site prior to commencement of development or, in the case of the foundations to Plot 1, during development.

Children and Young People

No comment received.

Public Open Spaces

Off-site public open space contribution of £50,337.50 and maintenance contribution of £34,858.13.

Wales and West Utilities

Must not build over plant or enclose apparatus.

Wessex Water

Building over existing public sewers will not be permitted without agreement from Wessex Water and the applicant is advised to contact them.

Other Representations

4.3 Local Residents

Four letters of objection have been received stating the following:

- Want to build as many houses as they can in this small plot
- The adjacent allotments are quiet and peaceful, with no trouble. Don't want children from development gaining access
- Will the HA maintain a tidy pedestrian footpath along the west of the site?

- Hedges may be damaged to find a short cut to gain access – only one access in and out
- Hedgerow and trees bordering Slaughter Lane and Morley Road should be retained
- Gloucester Road is already a rabbit run with drivers speeding
- Will cause parking issues on Gladstone Drive and Morley Road, where public transport already struggles to get through

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The application site is located in the east fringe of the Bristol urban area where, under policy CS5, new development is directed. Therefore development on this site accords with the locational strategy of the development plan and is acceptable in principle.

5.2 At present the local planning authority cannot demonstrate a 5-year supply of deliverable housing land. Therefore paragraph 49 of the NPPF is engaged and policies in the development plan which act to restrict the supply of housing are out of date. As this proposal does not conflict with the locational strategy for housing within the development plan, and the policies which restrict the supply of housing are not applicable in this instance, it therefore falls to be determined against the adopted policies relating to design, residential amenity, transport, and other relevant policies which have been given full weight, as indicated by paragraph 14 of the NPPF. The provision of 21 additional units of housing would represent a net gain towards the supply of housing in the district, and this will also be given additional weight.

5.3 The development is being undertaken by Knightstone, a registered provider. As a result the development would provide 100% affordable housing (although the Authority would only be able to secure 35% as affordable housing under the remit of policy CS18). This would be in the form of 15 units for shared ownership, and 6 units for affordable rent. Therefore the benefit of the application is the provision of 21 affordable dwellings in a sustainable location within the urban area on previously developed land. This weighs heavily in favour of the grant of planning permission.

5.4 Loss of Community Building

Policy CS23 of the Core Strategy is relevant, which seeks to retain community uses such as elderly care unless the following can be demonstrated:

- The use has ceased and there is no longer a demand; OR
- The facility is no longer fit for purpose; AND
- Suitable alternative provision is available within easy walking distance to the required standard

5.5 The care home previously on the site was demolished in February 2016, however the extant lawful use of the site is for C2 purposes. As the building no longer exists, it can easily be argued that the facility is no longer fit for purpose.

There are also several alternative options in the vicinity, the closest of which is sited immediately to the south of the site at Gladstone House, Gladstone Drive. The proposal is therefore considered to be compliant with policy CS23 of the Core Strategy.

5.6 Design and Visual Amenity

The area is predominantly residential in character with a variety of architectural styles. To the south of the site is a cluster of small bungalows and a care home and to the west is a large expanse of public open space in the form of allotments. To the north is a large residential area, where the properties are mostly hipped and post war in appearance, however closest to the site there are also some semi-detached pairs with gables of multiple elevations, finished in red concrete tiles and render. There is also a terrace of stone properties in the vicinity of the site.

5.7 The application proposes three short terraces of three or four dwellings fronting Morley Road with a detached dwelling to the eastern side of the street scene, orientated at a perpendicular angle to the road. A terrace of flats and an attached dwelling are proposed to the rear of the site, as well as a semi-detached pair of dwellings. The scheme is high density however this is considered appropriate given the urban context of the site. None of the dwellings exceed two storeys in height. The style of dwellings is modern, combining steep pitches with brick detailing and grey windows to add interest. A condition requiring samples of materials to be submitted for approval will be attached to any permission granted. A landscaping scheme has been submitted and this will be discussed elsewhere within this report.

5.8 The Urban Design officer has requested that a shared surface approach is sought. Amendments have been received to show that the pavements have been removed to identify a central block paved area outside the frontages of plots 15-21. The car parking bays are permeable paved to provide surface drainage and margins around the car parking spaces are block paved. Overall the layout, scale, density and design are considered to accord with policy CS1 of the Core Strategy.

5.9 Coal Mining Legacy

The Coal Authority's information indicates that a thick coal seam outcrops at or close to the surface of the site and that historic unrecorded coal mining is likely to have taken place beneath the site at shallow depth. Records also indicate that two recorded mine shafts are also present within the application site. The Coal Authority initially objected to the proposal due to concerns that the applicant's supporting information did not provide any detail of the measures proposed to remediate the shafts present within the application site (which had already been located) or to stabilise any unrecorded coal mine workings which may be present beneath the site at shallow depth.

5.10 Further information (Craddys Drawing No. 9721-0015 Rev.B) has now been submitted by the applicant which confirms that the existing concrete plugs/caps to the identified mine shafts are to be removed and new reinforced concrete caps installed over the shaft mouths at rockhead. Drawing No. 9721-0015 Rev.B demonstrates that the shafts and their associated caps would be located

clear of the footprints of built development and indicates that the foundations of the dwelling at Plot 1 (positioned closest to the northernmost shaft) are to be deepened to ensure that no detrimental loading of the shaft cap will take place. The Coal Authority therefore withdraws its objection to the proposed development subject to the Council imposing a condition on any planning permission granted, to ensure that the remedial works (proposed by Craddys/Forkers supporting information) are undertaken on site prior to commencement of development or, in the case of the foundations to Plot 1, during development.

5.11 Landscaping and Vegetation

The application as originally submitted shows the removal of almost all vegetation within the site, include a group of birch trees to the rear of the site (G24), the Leyland Cypress near the proposed access (T4) and the established hedge fronting the site (H11). It should be noted that T4 is subject to a Tree Protection Order. Amendments were sought to show the retention of all or some of these trees, which the Tree Officer identified as having a positive impact on the visual amenity of the area, however this was not forthcoming.

5.12 The applicant has indicated that the retention of T4 would prevent the access from being adopted by the Highway Authority. The nature of schemes for 100% affordable housing are such that, should the access road not be adopted, there would be financial implications for the occupiers of the properties which would reduce their affordability. Furthermore, the relocation of the access is constrained by the location of the mine shafts, which cannot be built over or have highways over, and can only be utilised for parking or garden space. Instead, the applicant has chosen to leave the access in its current position and has submitted a landscaping scheme to show what officers consider to be adequate mitigation for the loss of T4. The landscaping scheme includes the planting of a semi-mature English Oak tree in a similar location to T4, albeit set back from the access proposed for adoption.

5.13 The loss of the small group of birch trees (G24) to the rear of the site and the hedge (H11) is regrettable, however the harm caused is unlikely to outweigh the benefits of the scheme identified within the Principle of Development section of this report. The loss of the hedge has been mitigated against by the planting of a 1m 'Mobilane' pre-grown hedge along the front boundary, incorporating security fencing within it. As well as T4, T21 is subject to a Tree Protection Order. This semi-mature silver birch tree is to be retained, and a condition on the decision notice will ensure development proceeds in accordance with the tree protection measure proposed on the Tree Protection Plan and within the Arboricultural Method Statement.

5.14 Residential Amenity

Privacy and overlooking is a primary factor in assessing the impact of development on residential amenity. The eleven properties fronting Morley Road and the single property fronting Gloucester Road have principal windows facing across the highway to the existing residential units on the opposite side of the road, and the distance between them is considered to be acceptable. Furthermore, all of these properties are set back from the edges of the site and will not cause overbearing or overshadowing.

- 5.15 The semi-detached pair of dwellings proposed to the rear of the site is close to the boundary to the garden of no. 116 Gloucester Road, however as the neighbour is directly south there is unlikely to be any loss of sunlight. A ground floor kitchen window serving unit 14 faces towards the adjacent garden however the plans indicate that this is to be obscure glazed. The first floor bathroom window also faces south, and a condition on the decision notice will ensure that this is obscure glazed also.
- 5.16 No 116 Gloucester Road has a principal ground floor window which directly faces the rear windows of plot 11 and 12, however at a distance of almost 70 square metres inter-visibility will not be possible. Plots 15-21 directly face Gladstone House to the south. Gladstone House has two main windows facing the site, however due to the change in topography and the boundary treatment, they will not overlook the proposed gardens or ground floor windows. There will however be some intervisibility between the first floor windows of the proposed units and the neighbouring windows, particularly plot 17. Amendments to plot 17 have been received to show an angled bay window serving the bedroom, with obscure glazing facing Gladstone House and clear glass facing east, preventing direct overlooking into the existing windows. Overlooking will also be possible into the first floor windows of proposed unit 15, however as these windows serve a bathroom and a bedroom which is served by another window, this is not considered to cause significant harm. The garden of unit 15 is likely to experience some overshadowing in the afternoon as the proposed apartments extend 4 metres further south than the rear elevation of the dwelling, however this is unlikely to be detrimental to their residential amenity.
- 5.17 Policy PSP43, which details the minimum space standards for private gardens, has undergone examination by the Planning Inspectorate but an Inspector's report is yet to be issued and it is not an adopted policy. It therefore carries little weight in the decision making process. The size of the areas of amenity space fall short of these standards in most cases, with the smallest garden being 35 square metres and serving a two bedroom property (two bedroom properties would require 50 square metres according to PSP43). This in itself is not considered to be a reason to resist development given the limited weight the policy can be afforded and the other identified benefits of the scheme – particularly given that the local planning authority cannot at this time demonstrate a 5-year supply of deliverable housing land. Furthermore, officers consider that each unit (with the exception of the first floor, one bedroom flats) has access to an adequate amount of private amenity space. The occupiers of the one bedroom flats have access to public open space at Page Park, a ten minute walk from the site, and the adjacent allotments.
- 5.18 Due to the close proximity to a number of residential properties, it is appropriate to include a condition restricting the hours of working at the site during the period of construction on any approval granted.
- 5.19 Transport and Waste
Morley Road is an unclassified local distributor road that links Gloucester Road with Soundwell Road in a north to south direction. It has a single carriageway and footways along both sides. There is residential development along the

- eastern side of the road opposite the development site and on-street parking currently occurs. The site access is just south of a slight left hand bend, as you travel from north to south. Morley Road is subject to 30mph speed limit and it is a two-way bus route.
- 5.20 The existing site access is to be slightly modified and used to gain entrance into the new development. The Transport officer has noted that there is on-carriageway parking currently occurring within the side road visibility splay that obstructs the visibility of oncoming vehicles for vehicles exiting the new development. The proposed layout of the new development also has the potential to create on street parking and this needs to be managed properly in order to maintain visibility splays or parking too close to the access/junctions.
- 5.21 A stage 1 safety audit report has been submitted with this application. This report highlights the issue with on street parking and recommends contributions towards the implementation of a Traffic Regulation Order for parking restrictions, in the form of double yellow lines along the site frontage. Additionally, Stage 1 safety audit report also refers to lack of crossing points adjoining to the development site. Dropped kerbs and tactile paving will be installed at three crossing point and an draft highway works plan indicates that one is likely to be on the easternmost corner crossing Gloucester Road and one across the proposed access, with the third still to be agreed with the Highways department. Both financial contributions are to be sought through a S106 legal agreement prior to the commencement of development, so that the Council can implement the works prior to occupation of the development.
- 5.22 The applicant has stated their preference for the access proposed to be adopted by the Local Planning Authority, however this is a separate procedure under a S38 agreement and an assessment on the suitability of the highway for adoption has not been made by the Planning Officer.
- 5.23 Parking for new development is to be assessed against the number of bedrooms in each property. According to the Councils' parking standards, parking requirement for one bed is one space, for a two-bed is 1.5 spaces and for a three-bed two spaces are required. Based on the proposed development for 21 dwellings, the applicant has proposed to provide a total of 36 spaces including visitors' parking on site. The proposed parking is considered adequate and it meets the Council's Residential Parking Standards SPD.
- 5.24 There is adequate turning space for a refuse vehicle on the access proposed, and each dwelling has access to bin storage which is easily accessible. The Council's Waste Engineer has no objection to the proposal. With regards to cycle parking, that has also been provided for each unit. A condition on the decision notice will ensure that parking, cycle parking and bin storage is implemented prior to first occupation of the new development.
- 5.25 Ecology
A Preliminary Ecological Appraisal has been submitted in support of the proposed application by Ecosulis (March, 2016). The ecological report recommend various mitigation, enhancement and compensation measures to prevent biodiversity loss, and enable biodiversity gain, through the proposed development, including a lighting design strategy to reduce the impact on bats

in the vicinity. Conditions on the decision notice will ensure that development commences in accordance with the recommendations of the appraisal.

5.26 Contamination

A soil assessment and a ground gas assessment has been carried out and the results submitted to support the application, however the Council's Environmental Health officer considers that further assessment is required. A condition on the decision notice will ensure that a further intrusive investigation and risk assessment into contaminants at the site is carried out prior to commencement of development.

5.27 Affordable Housing

As the development would exceed 10 dwellings and the site is within the urban area, an affordable housing contribution is triggered by policy CS18. In reality, the entire scheme will provide affordable housing as the development is being undertaken by Knightstone, a registered provider. However, under the provisions of policy CS18 the council can only secure 35% of the units to be provided as affordable housing.

5.28 Therefore 7 of the units should be secured through an appropriate legal agreement in order to comply with policy CS18. The provision of affordable housing weighs heavily in favour of the grant of planning permission.

5.29 Public Open Space

As a result of the proposed development, there would be a local population increase. It is reasonable to expect the future residents of the proposed development to require access to a range of open spaces. Public open space should, in the first instance, be provided on site. Given the size of the site and characteristics of the local area, it is considered that a higher density development makes the most efficient use of land in a sustainable location and therefore an off-site contribution would be appropriate.

5.30 In order to meet the need arising from the development, the following contributions would be required:

	Informal Recreational Open Space	Natural and Semi Natural Space	Outdoor Sports Facilities	Provision for Children and Young People	Allotments	Total
Open space needs arising from proposed development	528.75	675	720	101.25.	90	2,115
Open space needs of the previous care home residents	434.00sq.m.	465.00sq.m.	124.00sq.m.	0.00sq.m.	62.00sq.m.	1,085

Additional open space need generated by development	94.75	210	596	101.25	28	1,030
Land Enhancement Cost	£2,291.59	£2,814.53	£28,666.41	£16,318.00	£246.97	£50,337.50
Future Maintenance Cost	£4,039.33	£4,669.01	£8,676.39	£17,158.50	£314.90	£34,858.13
Total Cost	£6,330.92	£7,483.54	£37,342.80	£33,476.50	£561.87	£85,195.63

	Informal recreational open space	Natural & semi natural urban green space	Outdoor sports facilities	Provision for children & young people	Allotments
Average provision/enhancement cost per sq.m.	£24.1856	£13.4025	£48.0980	£161.1654	£8.8202
Average 15yrs maintenance cost per sq.m.	£42.6314	£22.2334	£14.5577	£169.4667	£11.2464

- 5.31 The applicant has indicated that a contribution towards public open space provision and enhancement would make the development unviable, given the 100% affordable housing scheme proposed. In order to formally consider the impact of the above financial contribution on the overall development viability, the application has submitted a viability appraisal. To provide an impartial assessment of the applicant's case, the appraisal was reviewed by the District Valuer.
- 5.32 A report by the District Valuer has been received. This indicates that the development is marginally viable prior to any requested contribution being made. On further discussion with the Valuer, they have indicated that BCIS costs have risen since their assessment and due to the mining abnormalities on this site, the provision of any contribution towards public open space would render the scheme unviable. It is clear that in progressing a contribution the local planning authority would be a risk of preventing development. Guidance in the NPPF states that planning obligations should be 'fairly and reasonably related in scale and kind to the development' and that local planning authorities should be sufficiently flexible to take into account market conditions. Officers therefore recommend that no contribution to public open space is sought, however the legal agreement being prepared will contain a clause to ensure that should less than 100% affordable housing be delivered on the site, the viability of the scheme will be reviewed.

5.33 Drainage

In order to ensure that satisfactory drainage is obtained following development, a condition to secure a SUDS scheme shall be attached to any planning permission granted. An informative shall be attached with regard to the proximity of the development to the Wessex Water infrastructure.

5.34 Other Issues

An issue raised during the consultation has not been addressed in the assessment above, which is concerns that children from the development will use the allotments. The allotments are outside of the site boundary and beyond the remit of this application, and so it is a civil issue and at the discretion of the landowner as to the persons permitted to enter the site.

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.
- 6.3 The recommendation to grant permission subject to the applicant first voluntarily entering into an obligation under section 106 of the Town and Country Planning Act 1990 has been taken having due regard to the provisions of the Community Infrastructure Levy Regulations 2010 (as amended). Under regulation 122, a planning obligation must be: necessary to make the development acceptable in planning terms; directly related to the development; and, fairly and reasonably related in scale and kind to the development.
- 6.4 Despite being developed by a registered provider, in order to secure affordable housing in perpetuity a legal agreement must be entered into; this agreement is therefore necessary, directly related to the development, fair and reasonable.
- 6.5 In order to provide a safe access, a legal agreement is required to secure highway works. These works are related solely to the development promoted and therefore would accord with regulation 122.

7. RECOMMENDATION

- 7.1 It is recommended that the authority be delegated to the Director of Environment and Community Services to grant planning permission subject to the conditions set out below and the applicant first voluntarily entering into an Agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:

(i) *Affordable Housing*

The provision of 35% on-site affordable housing in the form of:

- 6 no. 1 bed flat (affordable rent)
- 1 no. 2 bed house (shared ownership)

Reason

To secure affordable housing and to comply with policy CS6 and CS18 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

(ii) *Highway Improvements*

1) Pay the Council financial contribution toward implementation of traffic regulation order (TRO) for waiting restriction - estimated cost £10,000 and,

2) Pay the Council financial contribution towards provision of suitable crossing points as highlighted in the safety audit report in the form of tactile crossing points adjoining the site – estimated cost £12,000.

Reason

To ensure highway safety and to accord with policy CS1, CS6 and CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and, policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

7.2 It is recommended that that the Head of Legal and Democratic Services be authorised to check and agree the wording of the Agreement.

7.3 It is recommended that should the Agreement not be completed within 6 months of the date of the resolution to grant planning permission (obtained through the Circulated Schedule process), the application shall:

- (i) be returned to the Circulated Schedule for further consideration; or,
- (ii) that delegated authority be given to the Director or Environment and Community Services to refuse the application.

Contact Officer: Trudy Gallagher
Tel. No. 01454 862217

CONDITIONS

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

Reason

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

2. Development should proceed in strict accordance with the following plans:

Landscaping Scheme 758-02K; received 19th April 2017

Street Scene 2 of 2 Rev G, Site Plan 010 Rev G, Street Scene 1 of 2 Rev F, Proposed Apartment Unit Elevation 055 Rev E, Proposed Wide Unit Elevations 054 Rev D, Proposed Site Sections 035 Rev C, Proposed Apartment Floor Plan 045 Rev C Hard Landscape Layout 090 Rev A, Proposed Floor Plan 44 Rev B; received 12th April 2017.

Detailed Engineering Layout 004 Rev H; received 14th Feb 2017

Proposed Waste and Cycle Store 070, Proposed Elevations 052 Rev C, Proposed Elevations Corner Unit 053 Rev B, Proposed Elevation 051 Rev C, Proposed Elevations 050 Rev C, Proposed Floor Plan Corner Unit 043 Rev A, Proposed Floor Plan Terrace 042 Rev A, Proposed Floor Plans Terrace 041 Rev B, Proposed Floor Plans 3 Bed Wide Unit 040 Rev A; received 19th October 2016.

Reason

In the interests of clarity and proper planning.

3. Prior to the commencement of development, surface water drainage details including SUDS (Sustainable Drainage Systems e.g. soakaways if ground conditions are satisfactory), for flood prevention; pollution control and environmental protection shall be submitted to the Local Planning Authority for written approval. Development shall then proceed in accordance with the agreed details.

Reason

To ensure adequate drainage and prevent flooding and pollution, to comply with Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and National Planning Policy Framework 2012. This information is required prior to commencement due to the physical nature of flood water.

4. Prior to the commencement of development, a further scheme of detailed investigation shall be carried out by a suitable competent person to fully ascertain the extent, nature and risks the contamination may pose to the development in terms of human health, ground water and plant growth. A report to address those unacceptable risks identified shall be submitted prior to the commencement of the development for the written approval of the Local Planning Authority, and identify what mitigation measures are proposed to address unacceptable risks (Remediation Strategy). The resulting Remediation Strategy shall include a schedule of how the works will be verified (Verification Strategy). Thereafter the development shall proceed in accordance with any agreed mitigation measures.

Prior to occupation, where works have been required to mitigate contaminants (as indicated above) a report verifying that all necessary works have been completed satisfactorily shall be submitted to and agreed in writing by the Local Planning Authority.

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

Reason

In order to reduce the risk of contamination and pollution in accordance with policy CS9 of the South Gloucestershire Core Strategy (Adopted) December 2013 and the National Planning Policy Framework. This information is required prior to commencement to prevent remedial works later on.

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

Reason

To ensure a satisfactory standard of external appearance and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework. This information is required prior to commencement to prevent remedial works later on.

6. None of the units hereby approved shall be occupied until the Traffic Regulation Order for waiting restrictions along Morley Road and the tactile paving crossing points recommended within the safety audit report have been implemented.

Reason

In the interests of highway safety to accord with policy CS8 of the Core Strategy, policy T12 of the Local Plan and the National Planning Policy Framework.

7. Prior to first occupation of the development hereby approved, the vehicular parking, cycle parking and bin storage shown on the approved plans shall be implemented and thereafter retained for that purpose.

Reason

To ensure adequate parking and waste facilities and to encourage sustainable transport choices, in accordance with policy T7 and T12 of the Local Plan and policy CS8 of the Core Strategy, and the National Planning Policy Framework.

8. Prior to first occupation of the development hereby approved, a "lighting design strategy for biodiversity" for the proposed dwellings shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall:

- a. identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places

or along important routes used to access key areas of their territory, for example, for foraging; and

b. show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. No other external lighting shall be installed without prior written consent from the Local Planning Authority.

Reason

In order to prevent unnecessary harm to bats, a protected species, in accordance with policy L9 of the Local Plan (Adopted) January 2006 and the National Planning Policy Framework.

9. The works detailed within the Coal Mining Remedial Works 9721-0015 Rev B, Mineworkings Treatment Method Statement and Mine Shaft Cap Details (all received 14th February 2017) shall take place prior to the commencement of any other development, with the exception of works to the foundations of plot 1, which may take place during the development and complete prior to first occupation of any of the units.

Reason

In order to ensure the land is stable for development in accordance with policy CS9 of the Core Strategy and the National Planning Policy Framework.

10. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed in writing with the Local Planning Authority.

Reason

To mitigate against the trees removed in the interests of visual amenity, in accordance with policy CS1 of the Core Strategy and the National Planning Policy Framework.

11. Tree no. 21 on the Tree Protection Plan is to be protected during the period of construction in accordance with the measures in section 3.3 of the Arboricultural Impact Assessment, received on 19th October 2016.

Reason

To protect the health of the tree in the interests of visual amenity, and to accord with policy CS1 and CS9 of the South Gloucestershire Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

12. The hours of working on site during the period of construction shall be restricted to 07:30 to 18:00 Monday to Friday, 08:00 to 13:00 on Saturdays; and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or

other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site

Reason

To prevent noise pollution in the interests of residential amenity, in accordance with policy CS1 of the Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

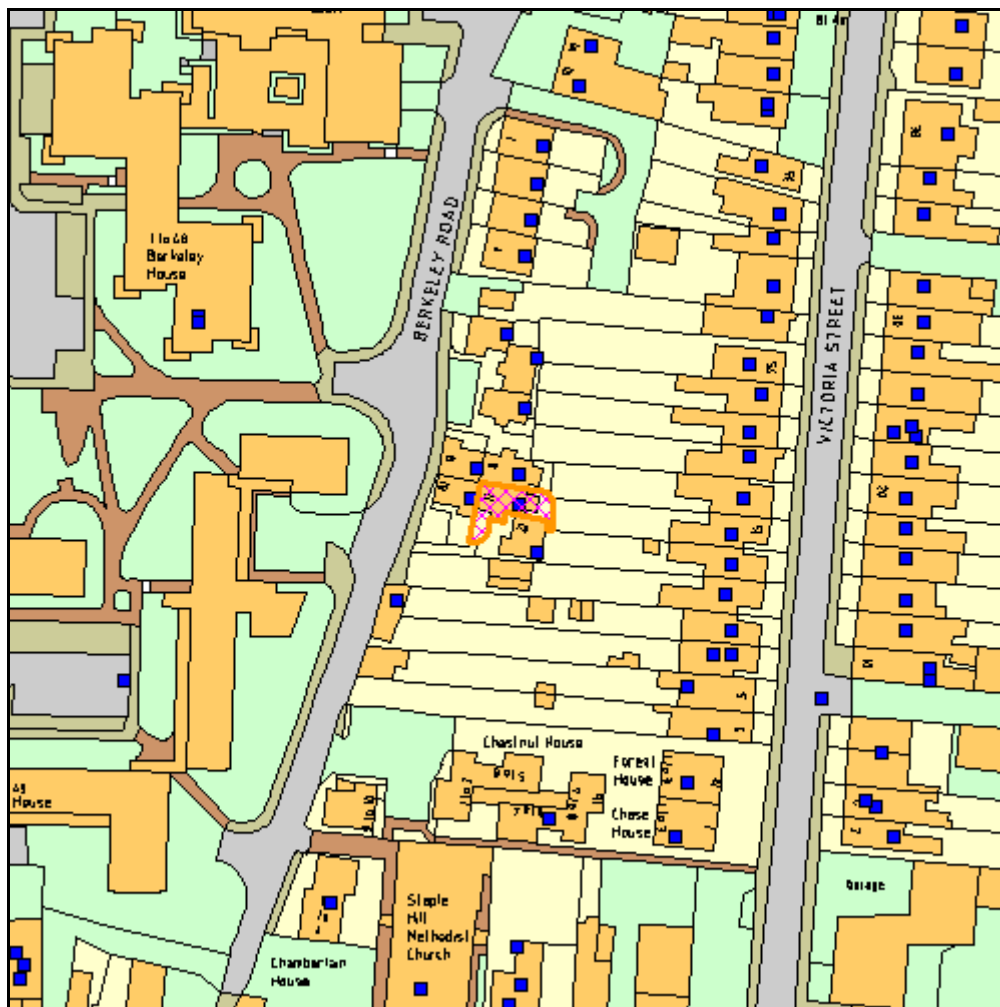
13. The windows shown to be obscure glazed on the approved plans shall be glazed with obscure glass to a level 3 standard or above with any opening part of the window being over 1.7 metres above the floor of the room it is installed within. In addition to this, the first floor bathroom window of plot 14 shall also be obscure glazed to the above standards. All obscure glazing shall be in place prior to first occupation and maintained as such thereafter.

Reason

To prevent overlooking in the interests of residential amenity, in accordance with policy CS1 of the Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 16/17 – 21 APRIL 2017

App No.:	PK16/6596/RVC	Applicant:	Mr Paul Bennett
Site:	11 Berkeley Road Staple Hill Bristol South Gloucestershire BS16 5JW	Date Reg:	22nd December 2016
Proposal:	Removal of condition C attached to planning permission K5069/1 to remove the requirement for the occupiers of 11 Berkeley Road to be restricted to persons over the age of 60 years.	Parish:	None
Map Ref:	364865 176035	Ward:	Staple Hill
Application Category:	Minor	Target Date:	13th February 2017



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PK16/6596/RVC

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application has been referred to the Circulated Schedule because there is an associated request to modify a section 52 legal agreement (MODK17/0004) relating to the same restriction. This application also appears on the Circulated Schedule in the interests of clarity.

1. THE PROPOSAL

1.1 The application concerns No. 11 Berkeley Road, Staple Hill, a bungalow located within an urban area of Staple Hill. It forms one of a small group of bungalows originally granted planning permission in 1987 under reference K5069/1. The consent was granted subject to conditions and section 52 legal agreement which restricted the occupancy of the bungalows to persons of 60 years and over. In addition to the clause in the legal agreement condition c) of the consent states that "The development hereby permitted shall only be occupied by persons as defined by Agreement dated 24 July 1987." The reason for this is stated as "In view of the restricted car parking the units are considered suitable only for this limited occupancy". It is considered that this condition duplicated a clause in the legal agreement.

2. POLICY CONTEXT

2.1 National Guidance
National Planning Policy Framework
National Planning Practice Guidance

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006
T12 Transportation Development Control Policy

South Gloucestershire Core Strategy (Adopted) December 2013
CS1 Design
CS8 Accessibility

2.3 Supplementary Planning Documents
Residential Parking Standards SPD

3. RELEVANT PLANNING HISTORY

3.1 K5069 Erection of retirement flats. Approved 09.06.86

3.2 K5069/1 Erection of 8 no. retirement bungalows. Approved 11.09.87

3.3 MODK17/0004 Modification of S52 agreement. Pending Consideration

4. CONSULTATION RESPONSES

4.1 Parish/Town Council

The site is not situated within a parished area.

4.2 Other Consultees

Highway Officer: No objection.

Other Representations

4.3 Local Residents

None received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application site lies within an established urban area, within which residential development is considered acceptable in principle subject to detailed development control criteria. When planning permission was granted for the original development of 8 bungalows it seems the parking standards then in force could not be achieved. It was further considered that persons over 60 years of age would have lower car ownership and as such the 7 parking spaces available to serve the 8 one bedroom bungalows would be acceptable on this basis. A Section 52 Agreement was agreed to restrict occupancy to the over 60's in order reduce the parking demand, and this was duplicated in the planning condition in question. The applicant seeks to lift this restriction in this variation of condition application (and simultaneously to seek a deed of variation to the legal agreement which is separately reported). The key issue in the determination of the acceptability of this application therefore relates to an examination of the reasons for the original condition, and what material changes there have been to planning policy since the decision in 1987 that might affect the applicability of the decision.

5.2 There have been considerable changes to national and local planning policies since 1987. As the original reason for imposing the condition related to parking standards, the relevant policy to assess the proposal against now would be policy CS8 of the Core Strategy, policy T12 of the Local Plan and the National Planning Policy Framework.

5.3 Highway issues

Assessing the proposal under the Residential Parking Standards set out in the SPD, which requires the one bedroom bungalow to have one off-street parking space, it is unlikely that a transportation objection could be sustained due to the absence of one space. The site is in a very sustainable location as it is within easy walking distance to Staple Hill shopping area and local facilities. The High Street in Staple Hill is approximately 150 metres walking distance to the application site and there is good access to bus services at this location. In addition Berkeley Road is subject to waiting restrictions. Directly outside the

application site, there are double-yellow lines, which prevent on street parking but some parking can still take place outside the restricted area.

- 5.4 The 1987 decision was also based on the assumption that persons over 60 generate lower car ownership. For small scale development such as the 1987 decision, it would be difficult to demonstrate that there would be a material impact arising from the age of the occupiers that would materially affect the parking arrangements in the locality. The Transport officer has no objection to the removal of the restriction. Having considered all the issues, officers consider that there are no substantial highway safety issues to justify the necessity of this condition.

5.5 Conditions

There were 5 conditions pertaining to planning permission K5069/1. In considering the variation to remove condition c) it is appropriate to consider whether the fresh decision should reiterate all the other conditions. One condition related to implementation which is no longer appropriate as the development has substantially complete for decades, and two related to the consideration of details prior to the commencement of the development which clearly no longer apply. Finally, one condition removed permitted development rights under the 1977 General Permitted Development Order because the council “wished to retain control” over permitted development rights due to the restricted nature of the development.

- 5.6 Aside from the fact that the 1977 General Permitted Development Order is no longer in force, it is appropriate to consider whether any fresh decision should seek to restrict permitted development rights afforded today under the General Permitted Development Order 2015. Permitted development rights should only be limited in exceptional circumstances. Such a condition would be regarded as unreasonable unless there is clear evidence that unless controlled there would be a serious adverse effect – and that the planning purpose of the condition was clear. The threshold for imposing such restrictions is materially higher than was the case in 1987. Upon reflection, it is not considered that any adverse impacts could be demonstrated here. Accordingly, it is not proposed to reiterate such a restriction in this decision.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning 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 vary the conditions on consent K5069/1 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.

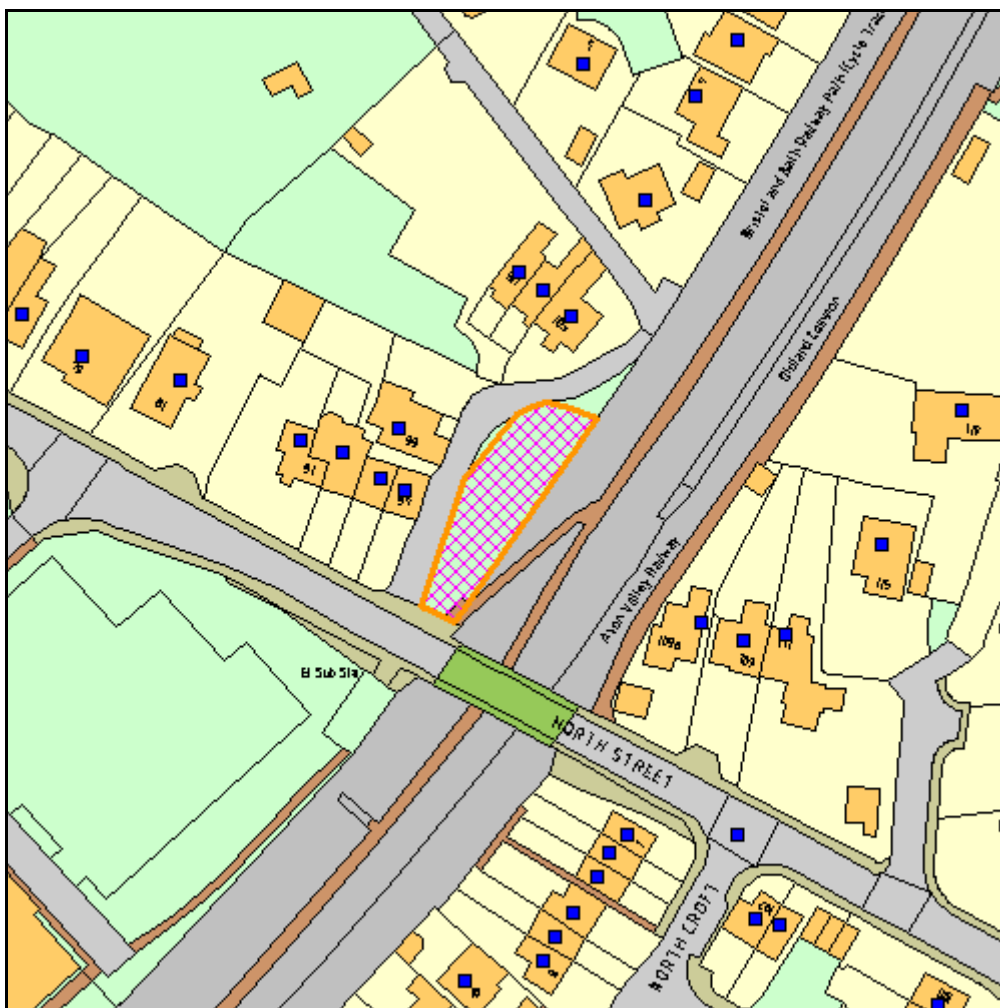
7. RECOMMENDATION

- 7.1 That consent is granted to vary the conditions associated with planning consent reference K5069/1 such that the limitations on occupancy and permitted development rights are removed.

Contact Officer: Trudy Gallagher
Tel. No. 01454 862217

CIRCULATED SCHEDULE NO. 16/17 – 21 APRIL 2017

App No.:	PK16/6913/F	Applicant:	John Dean Contractors
Site:	Land At 97 North Street Oldland Common Bristol South Gloucestershire BS30 8TP	Date Reg:	23rd December 2016
Proposal:	Erection of 1no dwelling with access and associated works. (re-submission of PK16/1718/F).	Parish:	Bitton Parish Council
Map Ref:	367547 171667	Ward:	Oldland Common
Application Category:	Minor	Target Date:	14th February 2017



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PK16/6913/F

1. THE PROPOSAL

1.1 This application seeks planning permission for the erection of 1 detached dwelling on a piece of land to the east of 97 North Street in Oldland Common. This is a re-submission planning application. The previous application, PK16/1718/F, was refused for the erection of 2 no. detached dwellings for the following reasons:

- *The proposed development, if permitted, would intensify the use of a substandard access by virtue of: inadequate visibility at the junction with the main road; unsuitability of the access lane for two-way traffic movements; poor forward visibility along the access lane; likelihood of conflicts between users of the access lane (and the resulting undesirable movements onto the main road due to the lack of passing places or turning areas). Furthermore, the development proposal fails to make sufficient provision for the access of service vehicles. As a result, movements resulting from the development would interrupt the safe and free flow of traffic on the public highway. The cumulative impact of the above is considered to have a severe detrimental impact to highway safety; the identified harm cannot be overcome through the use of planning conditions or legal agreements.*
- *The proposed development fails to reach the highest possible standards of design and site planning, as required by policy CS1, as: the appearance of the dwellings fail to be fully informed by or respect the historic context of the site established by the adjacent cottages due to the scale, massing and proportions of the proposal and the overall design and roof structures; the layout of the proposal is cramped and would result in the overdevelopment of the site; the relationship between the two proposed dwellings is poor; and, the layout fails to respect the character and amenity of the site and its context. The development, if permitted, would result in a significant and demonstrable harm to the visual amenity of the area and this harm would outweigh the benefit of the proposal.*
- *The proposed development would have a prejudicial impact on the residential amenity and living conditions of nearby occupiers, particularly through the relationship between the rear elevation of Plot 2 and the principal elevation of no.105 North Street which would lead to overlooking and a material loss of privacy.*
- *The proposal fails to adequately address landscape considerations, in particular, the trees surrounding the site. The application has not been supported by any arboricultural information. In the absence of sufficient information to demonstrate that the development would not have an adverse impact on important local landscape attributes, the local planning authority considers the potential harm that may result from the*

development to be significant and demonstrable which would outweigh the benefit of the proposal.

- 1.2 The main differences of the proposal that the number of dwellings has been reduced to one, the design of the dwelling has been changed. Furthermore, a detailed arboricultural information has been submitted with the application. During the course of the application, a revised proposal was submitted to change the degree of roof pitch of the proposed dwelling.
- 1.3 The application site lies within the existing urban area of the east fringe of Bristol. It is not situated within a historic conservation area or any curtilage of listed buildings. There are three non-statutorily protected properties, No. 109, 111, and 119 North Road, locating to the east side of Avon Valley Railway. To the east of the site in a cutting runs the Avon Valley Railway and the Bristol and Bath Cycle Path and there is an overbridge to carry North Street over the railway close to the site. Opposite the site is Sir Bernard Lovell School. A pedestrian route onto the cycle path joins North Street immediately to the front of the site. The site is currently grassed with a hedge along the boundary with the access track. It is noted that the site is not situated within any ecological designations.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Practice

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS4A Presumption in Favour of Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS15 Distribution of Housing
CS16 Housing Density
CS17 Housing Diversity
CS29 Communities of the East Fringe of Bristol

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

L1 Landscape
L5 Open Areas
L9 Species Protection
T7 Cycle Parking
T12 Transportation
LC12 Recreational Routes

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) August 2007
Residential Parking Standard SPD (Adopted) December 2013

3. RELEVANT PLANNING HISTORY

- 3.1 PK16/1718/F Erection of 2 no. detached dwellings with new access and associated works. Refused 03.11.2016

4. CONSULTATION RESPONSES

- 4.1 Bitton Parish Council
Objection: Councillors noted the decrease in the number of dwellings proposed but still object to this application due to the inadequate and substandard access onto the lane outside the site and also onto North Street itself, and do not feel that the revised proposal address their points of concerns.
- 4.2 Highway Structures
No objection. Advised regarding the potential requirement of Technical Approval and the maintenance responsibility of boundary wall alongside the public highway or open space.
- 4.3 Lead Local Flood Authority
No objection.
- 4.4 Transportation
No objection subject to conditions seeking the final detailed design of the highway works and the provision of off-street parking.
- 4.5 Landscape Officer
Advised that the proposed development would have a significant adverse impact on the landscape character of the locality.
- 4.6 Arboricultural Officer
No objection. The revised arboricultural method statement has adequately addressed the concerns subject to condition securing the works to be carried out in accordance with the submitted details.
- 4.7 Ecology Officer
No objection to the principle of the proposal subject to a condition seeking an ecological enhancement strategy of the site and ensuring any removal of the existing hedges or trees to be carried out outside the bird nesting season. An informative should be attached regarding the precautionary approach if reptile is found during the construction period.

Other Representations

- 4.8 Local Residents
Eight letters of objection have been received and the concerns are summarised as follows (full detailed comments are available in the Council website)

Highway concerns:

- Increase in traffic
- Vehicles will be exiting on a blind corner of lane
- The height of the rear wall cannot provide a clear view for vehicles coming from the allotments and No. 107
- Who will be responsible for the upkeep of the proposed footpath
- Inadequate visibility for access to North Street
- The access is unsuitable for two-way traffic movements,
- Lack of pedestrian footpath
- Poor forward visibility along the access
- Traffic in village and especially in North Street continues to be a concern
- Poor visibility due to its narrow lane
- Increase the no. of cars parked in a hazardous position
- Only vehicular access to the allotments
- The site is adjacent to cycle track, which is a busy spot
- Substandard access lane
- Inadequate provision for the access of service and refuse vehicles

Design concerns:

- Encroach on some of the best examples of Oldland Common unique vernacular architecture based on its heritage of hat making and coal mining
- Spoil the situation of what is some the last vestige of the village of Oldland Common
- Diminish the attractiveness of the right-of-way access path to Bristol – Bath Cycle Path
- The development does not blend in with the cottages and would stand out, making it an eyesore
- Still too large, does not blend into the surroundings
- Spoils the village feel, views of some of Oldland's oldest and characterful properties
- The development represents a huge blot on an otherwise attractive view of some of the best character cottages in the area

Environmental / Residential Amenity concerns:

- Impact on wildlife habitat
- Impact upon the hedgerows and trees
- Existing drainage is unable to deal with even modest rainfall and additional drainage in the lane and resurfacing should be conditioned
- Has a persistent drainage problem
- Affecting the light available to the cottages at the bottom of the lane
- Limiting the outlook of the cottage 103 which has been enjoyed since the 1930.
- Loss of avian habitat and disturbance to other wildlife

Other concerns:

- Diminish view for the existing cottage
- Encroach on the front view

- Do not know where telegraph poles to be relocated to?

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

This application seeks planning permission for the erection of one dwelling on a piece of open land at Oldland Common within the urban area of the east fringe of Bristol. The application site is located in the existing urban area of the east fringe of Bristol where – under policy CS5 – development is directed. Therefore, the principle of development in this location is acceptable.

- 5.4 At present the local planning authority cannot demonstrate a 5-year supply of deliverable housing land. As a result, paragraph 49 of the NPPF is engaged and the policies in the development plan that restrict the supply of housing must be considered out of date. Policy CS5 of the adopted Core Strategy directs residential development within urban areas, as the proposed development is within an existing urban area, the development does not conflict with the council's strategic locational strategy for development, therefore, full weight is given to Policy CS5 of the adopted Core Strategy.

5.5 Access and Transport

The application site is accessed from a small restricted lane to the west. This lane serves a small number of residential properties and provides access to the allotments. The lane is a dead end and provides only limited opportunities for conflicting vehicles to pass one another. The route of the lane is winding and there are areas of limited forward visibility. There is no pedestrian footway along the lane nor a turning area for either service vehicles or private cars.

- 5.6 At the junction of the access lane with North Street, there is limited visibility due to the parapet of the nearby railway bridge and the alignment of the road. This junction is considered to be substandard in its current form and therefore without improvements would not support further development on the access lane.

- 5.7 Officers noted that the earlier planning application for the erection of two residential dwellings was refused, on the grounds of overdevelopment and poor access. The current application shows a number of changes to the previously refusal proposal. The main difference is that the number of dwelling has been reduced to one. Also there are some changes to the proposed access and parking. The issues are discussed as follows:

- 5.8 Access – As stated in above, the existing access lane is restricted and narrow. Part of this proposal is to widen the access lane by using part of the land within the applicant's site ownership. The proposed footway would be approximately 1.2 metres wide, although it would be narrower than the Council's standard 2 metre wide for footway. As such it would not be well suitable for wheelchair users. However, the officers consider that the proposed footway, provided that the road is maintained level surface across its full width and it is used as shared surfaced road, the proposed widening will improve the situation as

vehicles would be able to pass particularly near the junction with North Street and it will also help with pedestrian and cycle movements through at this location. The Highway Officer is also satisfied that the widening will improve forward visibility along the access lane. Therefore the proposed works regarding the access is considered to be acceptable subject to a condition securing the highway works.

- 5.9 Officers also noted that some local residents and Parish Council are objecting to this application and they have expressed concerns about visibility issues from the access lane onto the main road. The Highway Officer confirms that the visibility from the access lane is partially restricted due to the parapet of the railway bridge and partially due to the vertical alignment of the road. Notwithstanding this, it should be noted that there are traffic calming measures on North Street with 'speed cushions' either side of the railway bridge and the main road (North Street) is subject to 20mph speed limit. Having measured the visibility splays from 2m set back, the Highway Officer confirms that the visibility distance to the right and the left of the access road is 35m and 18m respectively. Within 20mph speed limit, the required visibility distance is generally expected to be 25m. In this instance, only the visibility to the left of the access would fall below the standards. As the proposal is only to create one dwelling, the Council Highway Officer considers that the impact would likely be one extra car in the morning peak hour and one car in the evening peak. Given the modest scale of the development and its modest impact, having regards to the existing traffic calming measures and low vehicular speed at this location, officers consider that the proposed development would not materially increase highway hazards at this location.
- 5.10 Parking - The proposal would provide 2no. parking spaces in front of the new dwelling and a detached single garage to the rear on the northern boundary. It is considered that the proposed arrangement is appropriate and acceptable for this new 4 bed dwelling.
- 5.11 Taking into consideration all matters above, officers, on balance, consider that the proposal would be acceptable from transportation and parking perspective provided planning conditions are imposed to secure the highway works and the parking provision.
- 5.12 Design and Layout
The site is broadly rectangular in shape; it has a narrow frontage to North Street and longer boundaries with the access lane and the railway path. The site has appeared as an open area bounded by cottages and the Mangotsfield and Bath Branch Line of the Midland Railway (completed 1869) on the 1880-1891 OS maps and has retained its open nature ever since. A field gate is situated at the each end of the site. Along the other boundaries run mature hedges and trees. The site is laid to grass.
- 5.13 Appearance - The proposed dwelling would be finished externally in natural rubble stone and render with a small lean-to structure to the front elevation. As it was mentioned in the previously refused application, North Street has a mix of architectural styles and properties of different ages and there is a cluster of

- historic cottages immediately adjacent to the site. Due to the location of the school opposite and its vegetated boundary and the railway bridge to the east the context of the site is defined by its immediate locality and in particular the cottages.
- 5.14 The cottages to the west of the site also appear on the 1880-1891 OS maps with some historic appearance through the fenestration and use of natural local material. It is noted that a number of properties with gables ends along North Street. Also, there are other examples of modern development nearby with a greater massing, scale and proportion than the cottages immediately adjacent to the application site.
- 5.15 Paragraph 60 of the National Planning Policy Framework states that planning policies and decision should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originally or initiative through unsubstantiated requirements to conform to certain requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce distinctiveness. Policy CS1 of the adopted Core Strategy is also relevant to all applications and it comply with the NPPF.
- 5.16 Policy CS1 requires development proposals to meet 'the highest possible standards of design and site planning'. Development proposals are therefore required to demonstrate that they are informed by, respect, and enhance the character, distinctiveness, and amenity of the site and its context through the siting, form, scale, height, massing, detailing, and materials used.
- 5.17 Concerns are raised regarding the design and scale of the proposed dwelling. Whilst the detailed design of the new dwelling does not entirely replicate those of the nearby cottages, the proposal does reflect some of the local distinctiveness in terms of the use of rubble stone, render, and a low pitched gable roof. As such, it is considered that the design of the proposed dwelling has achieved the highest possible standard and would be in harmony with the adjacent cottages subject to a condition seeking a sample of external materials. As such, it is considered that the proposed dwelling would not cause significant harm to the character and appearance of the locality.
- 5.18 Layout - The site would accommodate a dwelling with parking facility and outdoor amenity space. The primary front elevation of the new dwelling would not project beyond the front elevation of the adjacent cottage, No. 97 North Street to the west. The proposed layout would also provide a reasonable sized private garden for the future occupiers. For a 4-bedroom property PSP43 indicates the local planning authority would expect the minimum provision of 70 square metres of amenity space. This site would provide more than the suggested level of amenity space for the new dwelling. In addition, the siting of the new dwelling would retain a reasonable distance from the nearby cottages, as such, the proposal would not represent a cramped form development.
- 5.19 From the above analysis, the development is considered to have successfully achieved the highest possible standards of site layout. As such, the proposal would comply with the provisions of policy CS1 and the NPPF. It is considered

that the proposed development would not result in harm to the visual amenity of the locality.

5.20 Landscape

Around the site are hedges and trees, some of which are outside of the site boundary. The hedge along the access lane will be removed to facilitate the development in order to provide a 1.2 metres wide footway. To the east adjacent to the railway line are a number of trees. The trees along the railway cutting are considered to be an attractive part of the locality and contribute to the visual amenity of the area. Concerns are raised regarding the loss of the existing trees or hedges. To address the concerns, the applicant submitted a revised arboricultural details, including a tree protection plan. The Council Arboricultural Officer considers that the submitted details are acceptable and raises no objection the proposal subject to a condition securing the works to be carried out in accordance with the submitted details.

5.21 Although the existing hedges along the western boundary would be removed to facilitate the development, a new hedge planting is proposed along the rest of western boundary to enclose the outdoor amenity space for the new dwelling. Whilst the proposed development would cause a degree of adverse impact upon the landscape character of the locality, it is considered that the impact would not be such significant as the proposal would not adversely affect the existing trees/hedges along the public footpath / cycle track, and new hedge would be planted along the western boundary. Hence, it is considered that the proposal would not cause an unacceptable adverse impact upon the landscape character of the locality.

5.22 Residential Amenity

Development should not be permitted that has a prejudicial impact on residential amenity. The proposal is to erect one dwelling. As briefly discussed above, the proposed site layout is acceptable and would allow reasonable distance between the proposed dwelling and the nearby cottages.

5.23 The nearest cottages to the proposed dwelling would be No. 97, No. 99 and 105 North Street. The new dwelling would be located to the east side of No. 97 and 99 North Street. Although there would be some openings on the side west elevation of the new dwelling, they are very small in size and would only be looking over the existing access lane. Furthermore, given that there is an existing access lane between the existing cottages and the new dwelling, the potential overbearing impact upon these properties would not be significant. As such, it would not result in a material impact on residential amenity of these neighbouring properties.

5.24 The rear elevation of the proposed dwelling would be approximately 22 metres from the front elevation of No. 105 North Street, which is located to the north of the application site. Given the reasonable distance, it is considered that the proposed dwelling would not cause an unreasonable overlooking or overbearing impact to be detrimental to the living conditions of the residents of No. 105 North Street. Nevertheless, given the proximity of the nearby cottages, it is considered that it would be necessary to remove the householder permitted developments rights including the installation of dormers, windows and

rooflights to order to protect the residential amenity of the neighbouring properties. As such, the impact upon the residential amenity deem to be acceptable.

5.25 Drainage Issues

Concerns are raised regarding the existing and potential drainage issues. The Council Drainage Engineer has considered the proposed surface water and foul drainage methods are acceptable, therefore there is no objection to the proposal.

5.26 Ecological Impacts

Concerns are raised regarding the general impact upon the wildlife habitat of the site. The Council Ecology Officer has considered the submitted details. Officers noted that the site is not situated within any ecological designations. The area for the proposed development is currently an open grassed land and the new dwelling would be at a close proximity to the mature trees and hedges along the cycle track. Due to existing use and the location of the land, the Council Ecology Officer and your case officer considered that it would be necessary to impose a condition to seek an ecological mitigation and enhancement of the development. An informative is also suggested to ensure that any removal of hedges or trees would only be carried out outside bird nesting season and the precautionary measures if any reptiles (including slow worms) are found during the construction period.

5.27 Community Infrastructure Levy

Financial considerations can be material planning considerations. The proposed development is CIL liable. Should planning permission be granted and the development be implemented, a CIL payment would be due to the council. The financial gain to the council is moderate and should be considered a benefit of the proposal. However, in terms of the presumption in favour of sustainable development it is given little weight.

5.28 Presumption in Favour of Sustainable Development

If permitted, the proposal would have the benefit of the provision of one dwelling. The dwellings would be likely to be provided within a period of 5 years and therefore can be counted as a contribution to the current 5-year housing land supply shortfall.

5.29 Sustainable development has three strands: social, economic, and environmental. The economic benefit is noted. Although the proposal would cause a degree of harm upon the landscape character of the area, it is considered that such harm would not significantly and demonstrably outweigh the benefit of the proposal. As a result the proposal can be considered sustainable development and in accordance with the presumption in favour of sustainable development, planning permission should be granted.

5.30 Other Matters

Regarding the loss of view from the nearby cottages and the details of the relocation of the telegraph poles, they would not be planning materials consideration, therefore this is not considered to be a reason to resist the development.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 It is recommended that planning permission is granted with the following conditions:

Contact Officer: Olivia Tresise
Tel. No. 01454 863761

CONDITIONS

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

Reason

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

2. Removal of Permitted Development Rights

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

Reason

To protect the residential amenity of the neighbouring dwellings and to comply with the requirements of Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) and saved Policy H4 of the South Gloucestershire Local Plan (Adopted).

3. Restrictions on fenestration

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

Reason

To protect the privacy and amenity of neighbouring occupiers and to protect the character of the locality, and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and saved Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006; and the National Planning Policy Framework.

4. Details of highway works (Pre-commencement condition)

Prior to commencement of the proposed development, a final detailed design of the highway works indicating on submitted drawing no. 2788/101 rev A shall be submitted to and approved in writing by the Local Planning Authority. The said highway works shall be strictly carried out in accordance with the approved design and completed prior to first occupation of the development.

Reason

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

5. Boundary Treatment

Notwithstanding the submitted plans, details of boundary treatments and hedges planting along the western boundary shall be submitted to the Local Planning Authority for approval prior to the installation of any boundary treatment of the site. Development shall be carried out in accordance with the agreed details prior to the first occupation of the dwelling hereby approved.

Reason:

In the interests of the character of the site and to accord with Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the provisions of the National Planning Policy Framework.

6. External Materials

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

Reason:

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

7. Ecological Enhancement

Prior to the first occupation of the development hereby approved, details of the ecological enhancement strategy shall be submitted to and approved in writing by the Local Planning Authority, and the approved details shall be carried out prior to the first occupation of the approved development.

Reason:

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

8. Provision of the off-street parking spaces

Prior to the first occupation of the proposed development hereby approved, the proposed off-street parking shall be provided and shall be maintained as such thereafter.

Reason

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

9. Construction hours

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

Reason

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

10. Arboricultural works

The proposed development hereby approved shall be strictly carried out in accordance with the submitted Arboricultural Method Statement Reference No. D.1712 and Tree Protection Plan, Drawing No. BHA_019_02 dated 14/3/2017.

Reason

In the interests of the long term health of the tree, and to accord with CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, saved Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

12. List of approved plans

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

Site location plan Drawing No. 2788/103 received on 22 December 2016,

Revised Proposed Block Plan Drawing No. 2788/101 Rev A

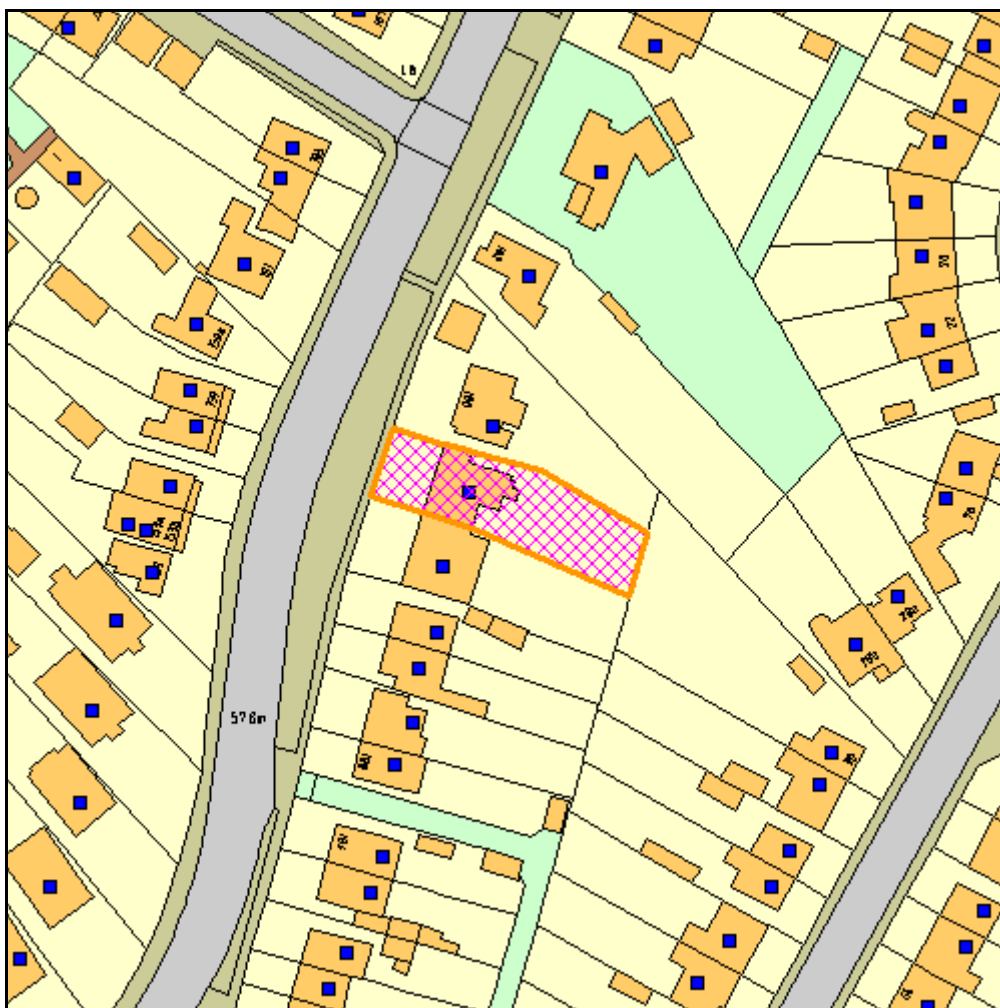
Proposed Elevations and Floor Plans Drawing No. 2788/102 Rev A, received by the Council on 9 February 2017.

Reason:

The application has been assessed on the basis of the submitted plans and to safeguard the amenity of the locality, and to accord with Policy CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013, and the provisions of the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 16/17 – 21 APRIL 2017

App No.:	PK17/0409/F	Applicant:	Ms Christine Millman
Site:	178 Badminton Road Downend Bristol South Gloucestershire BS16 6NG	Date Reg:	10th February 2017
Proposal:	Erection of single storey rear extension and alteration to roofline to form loft conversion and additional living accommodation.	Parish:	Downend And Bromley Heath Parish Council
Map Ref:	365379 177468	Ward:	Downend
Application Category:	Householder	Target Date:	6th April 2017



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PK17/0409/F

REASON FOR REFERRING THIS PROPOSAL TO THE CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of a single storey rear extension to form additional living accommodation. In addition alterations to the roofline to form a loft conversion are also proposed.
- 1.2 The application site relates to a single storey semi-detached dwelling situated within the established residential area of Downend.
- 1.3 Comments had been received citing the application as missing plans and drawings. After further investigation, it was discovered that some of the plans had not been made available to the public. Officers have now checked that all the information needed to assess the application has been provided and the documentation has been published on the public website for comment. A 21 day re-consultation was also sought.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
Planning Practice Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
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

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

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

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) 2007
Residential Parking Standards SPD (Adopted) 2013

3. RELEVANT PLANNING HISTORY

3.1 No planning history for the application site.

4. CONSULTATION RESPONSES

4.1 Downend and Bromley Heath Parish Council

Update:

No objection. Suggest comments from the neighbour are taken into consideration.

4.2 Other Consultees

Sustainable Transport

No objection.

Other Representations

4.3 Local Residents

Two letters (1 neutral; 1 objection) have been received by the Council. The points raised are:

- New window overlooks No. 180 Badminton Road.
- Velux windows overlook surrounding gardens.
- Garage wall is a shared boundary with No. 180.
- No elevations of proposal provided.
- Where is Section A-A on plan? Suggest a Section B-B through the new bedroom is provided.
- Will the proposal require a new sewer connection between Nos. 180 and 178? If so, arrangements would need to be put into place if the sewer has to be severed for an additional connection.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application stands to be assessed against the above listed policies and all material considerations. Of particular relevance is the impact of the design on the character of the area and the appearance of the host property (CS1), the impact on the residential amenity of neighbouring properties and the application site itself (H4) and the impact on highway safety (T12; SPD: Residential Parking Standards).

5.2 The proposal is considered to accord with the principle of development and this is discussed in more detail below.

5.3 Design and Visual Amenity

The application site is set back some distance off the busy main road. It is part of a residential area of area of mixed style and design which includes single storey and double storey detached and semi-detached houses. It is proposed to increase the size of the footprint by means of a single storey rear extension

- and to furthermore create a first floor element with the introduction of a dormer window to the side elevation.
- 5.4 The property is flanked to the north by a single storey dwelling and attached to another to the south. The property is within a good size plot and the increase in footprint, change in style and the introduction of rooms in the roof would not be out of keeping with the mixed character of the area. In terms of design, scale, massing and materials the proposal is considered appropriate, to accord with Policy CS1 and is therefore acceptable.
- 5.5 Residential Amenity
To the rear it is noted that a planning application for a detached bungalow in the garden of 30 Sutherland Avenue (ref. PK16/5673/F) has been recently approved. The proposal includes the installation of 4 rooflights to the eastern roofslope. These rooflights are all positioned approximately 1.4 metres above floor level. 1 rear rooflight would provide light to an office and the other 2 a new master bedroom. It is important to consider the angle of the roof pitch and the function of the rooflights when considering whether they will materially harm the residential amenity of any nearby occupiers.
- 5.6 When shut the rooflights would not result in a material loss of privacy or any overlooking, this is due to the angle at which the rooflights are in the roof, such an angle would mean that any indirect views from the rooflights would not be materially harmful. Should a person within the aforementioned roofs in the converted loft be sufficiently tall and minded to look out of an open rooflight, such a person would get indirect views across the rear gardens of a small number of dwellings to the east. However, there is a distance of at least 20m plus between all the sites. Given the circumstance in which such views would occur is relatively low in probability, Officers do not consider the rooflights would constitute a material loss of privacy to any nearby occupiers. Further to this, such views are fairly common in urban areas, which Badminton Road represents being in Downend.
- 5.7 Concern has been expressed regarding the potential for overlooking neighbours at No. 180 where none exists at the moment. As such it is considered reasonable to attach a condition to the decision notice to ensure that the new and moved openings in the north elevation serving an en-suite and bathroom be of obscure glazing.
- 5.8 Attached neighbours at No. 176 to the south would be unaffected by the single storey addition in terms of overbearing as this would extend out to a similar degree to their own single storey rear addition. Furthermore, given the location of openings to the east only and the existing boundary treatment there would be no adverse impact with regards to inter-visibility from the new development.
- 5.9 Following the development sufficient amenity space would remain to serve the host property. Given this and the above assessment the proposal is considered to accord with policy and can be recommended for approval.
- 5.10 Sustainable Transport

The proposed development will not increase the number of bedrooms currently available in the property. The existing vehicular access and parking are also unaffected by the proposal. The level of parking available complies with the Council's residential parking standards. In light of the above, no transportation objection is raised to the proposed development.

5.11 Other matters

One neighbour has commented that the garage wall is in shared ownership and not solely the applicant's. After reviewing the red line on the site plan, Officers are satisfied that all the land necessary to carry out the proposed development has been included. However, some of the work proposed may be covered by the Party Wall etc. Act 1996. The Act is separate from obtaining planning permission. The Party Wall etc Act 1996 provides a framework for preventing and resolving disputes in relation to party walls, boundary walls and excavations near neighbouring buildings. Building owners proposing work covered by the Act must give adjoining owners notice of their intentions in the way set down in the act. Adjoining owners can agree or disagree with what is proposed. Where they disagree, the Act provides a mechanism for resolving disputes.

5.12 Disruption caused by a new sewer connection has been given as a matter of concern. To connect to a public sewer, the applicant will need to first contact and secondly obtain the formal consent of the sewerage authority, which is Wessex Water.

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 proposed development is **APPROVED** subject to the conditions written on the decision notice.

Contact Officer: Helen Braine
Tel. No. 01454 863133

CONDITIONS

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

Reason

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

2. Obscure glazing

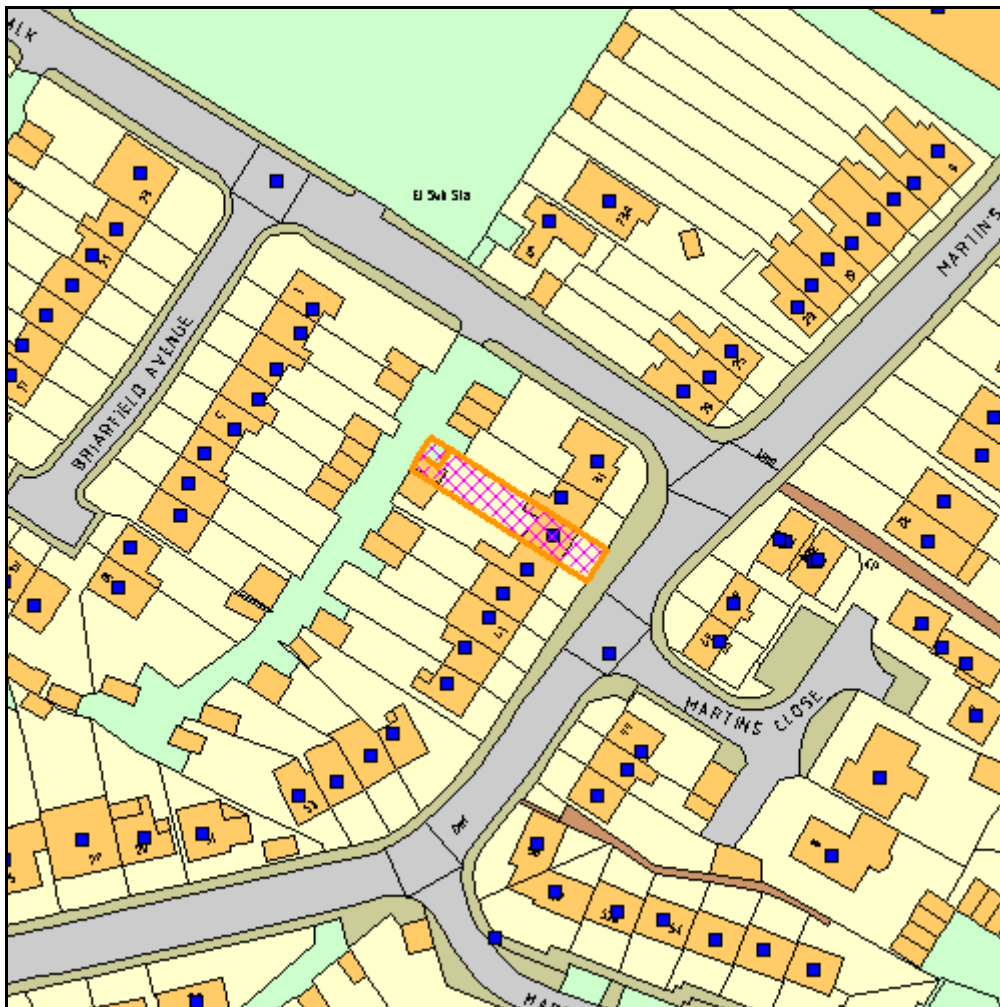
Prior to the occupation of the extensions hereby permitted, and at all times thereafter, the proposed ground floor bathroom window and first floor en-suite dormer window both in the north elevation shall be glazed with obscure glass to level 3 standard or above.

Reason

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

CIRCULATED SCHEDULE NO. 16/17 – 21 APRIL 2017

App No.:	PK17/0924/F	Applicant:	Mr B Mckeigue
Site:	35 Martins Road Hanham Bristol South Gloucestershire BS15 3EP	Date Reg:	16th March 2017
Proposal:	Erection of a single storey extension to form additional living accommodation	Parish:	Hanham Parish Council
Map Ref:	364082 172121	Ward:	Hanham
Application Category:	Householder	Target Date:	8th May 2017



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REASON FOR SUBMISSION TO THE CIRCULATED SCHEDULE

This application has been submitted to the Council's circulated schedule procedure as comments received have been contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 The proposal seeks to erect an extension to the rear of 35 Martins Road, Hanham.
- 1.2 The host dwelling is a post-war terraced house. The property has rendered elevations and a tiled roof. The existing extension to the rear of the property would be demolished.
- 1.3 The extension would span the full width of the main structure, extending 4m from the rear of the dwelling.
- 1.4 The property is situated within the built up residential area of Hanham.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012

National Planning Policy Guidance 2014

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design

CS4a Sustainable Development

CS5 Location of Development

CS8 Improving Accessibility

CS9 Managing the Environment and Heritage

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

H4 Development within Existing Residential Curtilages

T12 Transportation

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

PSP1 Local Distinctiveness

PSP8 Residential Amenity

PSP16 Parking Standards

PSP38 Development within Existing Residential Curtilages

PSP43 Private Amenity Space

2.3 Supplementary Planning Guidance

Design Checklist SPD (adopted) August 2006

Residential Parking Standards SPD (adopted) December 2013

3. RELEVANT PLANNING HISTORY

No Relevant Planning History

4. CONSULTATION RESPONSES

4.1 Hanham Parish Council

No objection

Hanham Abbots Parish Council

No comments received.

Other Representations

4.3 Local Residents

One objection received. Concerns include:

- Overshadowing concerns
- Overbearing visual impact
- Concerns relating to lowered house value as a result of works

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 a single storey rear extension to provide additional living accommodation. The property has a small existing rear extension, although no planning history could be located for this. There are rear extensions to the majority of nearby properties and the proposal's size and scale would not be considered out of keeping with the character of the area.

5.3 The existing dwelling is constructed with rendered elevations and a tiled roof. The proposal would utilise similar materials. Therefore, there is no objection to the proposed material palette. The design also incorporates three rooflights. These is not considered to negatively effect visual amenity.

- 5.4 The proposal would have a lean-to style roof the rear projection. This is not considered to be an unusual choice of design for the type of development proposed and is considered acceptable in this situation.
- 5.5 Overall, it is considered that the proposed extension would not harm the character or appearance of the area or the existing dwelling; as such is viewed as acceptable in terms of visual amenity. Therefore, it is judged that the proposal has an acceptable standard of design and is considered to accord with policies CS1 and H4 and conforms to the criteria in the adopted Local Plan.
- 5.6 Residential Amenity
Policy H4 of the adopted Local Plan gives the Council's view on new development within existing residential curtilages. Proposals should not prejudice the residential amenity (through overbearing, loss of light and loss of privacy) of neighbouring occupiers as well as the private amenity space of the host dwelling.
- 5.7 It is noted that a neighbour has objected on the grounds of overshadowing, overbearing design and lowered house price.
- 5.8 The gardens of the properties in the terrace are west-northwest facing. Given the relatively low height of the extension, and the position of the sun, it is not considered that the extension would cause a materially significant loss of light to the neighbouring property.
- 5.9 The proposed extension will replace the existing extension and would extend 4m from the rear of the property. The extension would be 3.8m at its highest point. Given the relatively small scale, the proposal is not considered to be overbearing.
- 5.10 It is noted that the neighbour has concerns regarding their house value. This is not a material consideration in regards to this planning application.
- 5.11 The subject property is located within the built up residential area and given the scale and location of the proposed development, is not considered to result in an unacceptable detrimental impact on the residential amenity of its neighbouring occupiers, meaning the proposal is in accordance with saved policy H4 of the adopted Local Plan.
- 5.9 Sustainable Transport and Parking Provision
The extension will not impact on the parking arrangement and 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.

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: Owen Hoare
Tel. No. 01454 864245

CONDITIONS

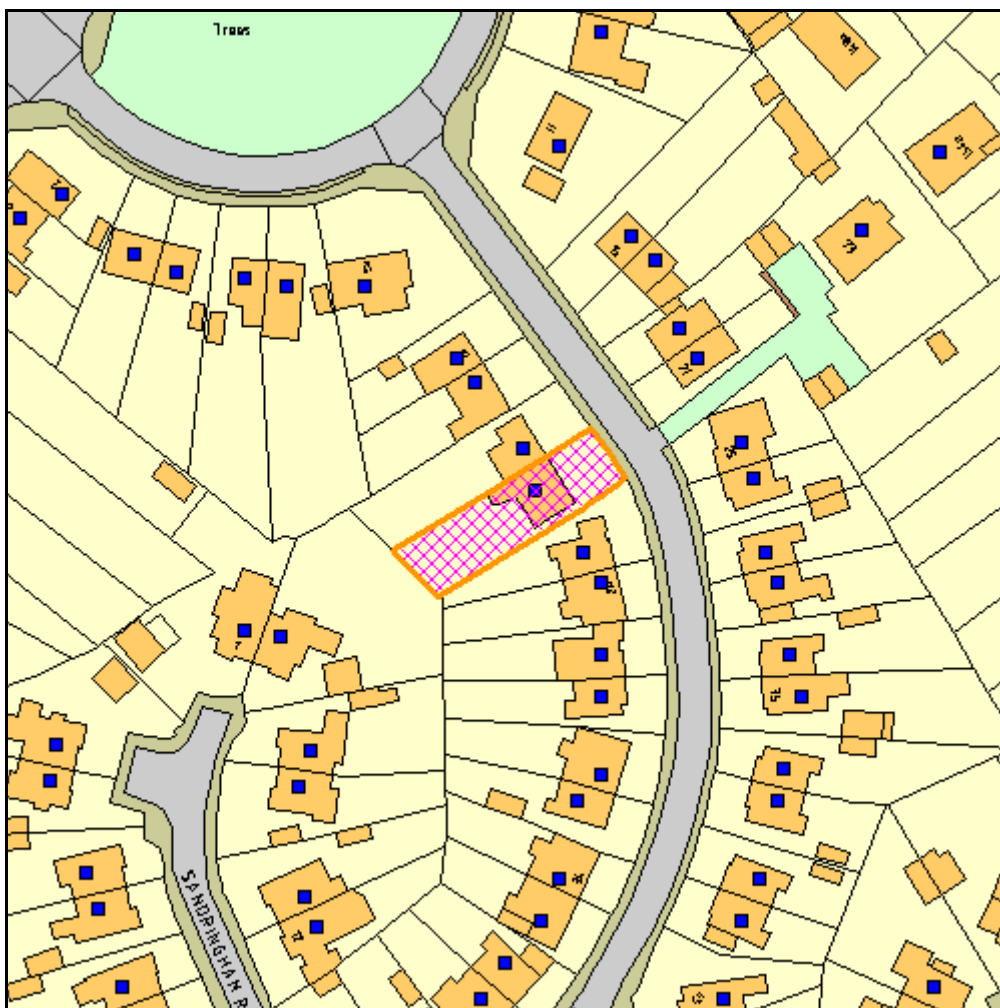
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 16/17 – 21 APRIL 2017

App No.:	PK17/0950/F	Applicant:	Mr Alec Pedrick
Site:	20 Stanhope Road Longwell Green Bristol South Gloucestershire BS30 9AH	Date Reg:	7th March 2017
Proposal:	Erection of two storey side extension to provide additional living accommodation.	Parish:	Hanham Abbots Parish Council
Map Ref:	365791 170862	Ward:	Longwell Green
Application Category:	Householder	Target Date:	27th April 2017



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PK17/0950/F

REASONS FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of a two storey side extension to provide additional living accommodation at no. 20 Stanhope Road, Longwell Green.
- 1.2 The application site consists of a post-war, semi-detached property set within a moderately sized plot. The property is set within the urban fringe area of Longwell Green. The main dwelling is finished in pebble-dash render with areas of brickwork. The dwelling incorporates a pitched, concrete tiled roof. A small, flat roof garage and single storey, pitched roof extension are attached to the south-east facing side elevation of the property. A conservatory is attached to the rear of the property. The immediate surrounding area is characterised by similar semi-detached properties, demonstrating some variation in terms of external finish.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

- H4 Development within Existing Residential Curtilages
- T12 Transportation

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

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

The Proposed Submission Draft Policies Sites and Places Plan (PSP plan) is a further document that will eventually form part of the South Gloucestershire Local Plan. The PSP plan will set out new planning policies for South

Gloucestershire. Submission and Examination of this took place in February of 2017, and adoption is expected toward the end of 2017. Accordingly, with regard to the assessment of this planning application limited weight is attached to the PSP plan as a whole at this time – although weight can be attributed to those policies which are not expected to be subject to modification.

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

3. RELEVANT PLANNING HISTORY

3.1 **K3418/1**

SINGLE STOREY SIDE EXTENSION (Previous ID: K3418/1)

Approved: 30.01.1992

3.2 **K3418**

ERECTION OF SINGLE STOREY REAR EXTENSION (Previous ID: K3418)

Approved: 05.11.1980

3.3 **PK03/0229/F - 16 Stanhope Road**

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

Approved: 20.02.2003

3.4 **PK00/2321/F - 25 Stanhope Road**

Erection of two storey side extension.

Approved: 26.10.2000

4. CONSULTATION RESPONSES

4.1 Hanham Abbots Parish Council

No objection

4.2 Other Consultees

Sustainable Transport

The proposed development will remove an existing garage to facilitate the extension of the dwelling to provide additional living accommodation. After development the bedrooms within the dwelling will increase to five.

The site currently has an existing single width vehicular access onto Stanhope Road and it is proposed to widen this to approximately 7.5m to allow three cars to park across the front boundary of the site. Prior permission of the Councils Development Implementations Team is required before any works on the public highway.

There is no transportation objection to the proposed development, subject to the following conditions:-

1. Prior to commencement of the development, the applicant to obtain the permission of South Gloucestershire Councils Development Implementations Team for extend the dropped kerb onto Stanhope Road, Longwell Green.
2. To ensure adequate parking is always available, the proposed parking spaces (three) to be provided prior to commencement of the side extension.
3. The proposed parking areas to have a permeable bound surface and be satisfactorily maintained as such thereafter.

Other Representations

4.3 Local Residents

One comment of objection with associated photographs has been submitted to the Council. This has raised the following concerns:

1. Proposed extension will bring side elevation closer to boundary, and impact living conditions in terms of light and overbearing impact. Existing gap is 1475mm, proposal would reduce this to 901mm. Two storey extension would have overbearing/overshadowing effect on side kitchen/landing windows.
2. Please check 25 degree angle test against side kitchen window with proposed side elevations.
3. Maintaining existing gap of 1475mm would lessen impacts.
4. Keen that any work does not impact in terms of construction materials or equipment on neighbouring land.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application seeks permission for the erection of a two storey side extension. Policy H4 of the Local Plan permits extensions and alterations to existing dwellings within established residential curtilages subject to an assessment of design, amenity and transport. As well as the criteria of policy

H4, the proposal will be considered with regards to design against policy CS1 of the Core Strategy. The development is acceptable in principle but will be determined against the analysis set out below.

5.2 Design and Visual Amenity

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

5.3 The proposed side extension would be visible from the public areas offered along Stanhope Road. As such it is acknowledged that the proposed extension would have some impact upon the streetscene and the character and distinctiveness of the immediate surrounding area. As such the extent to which the proposal respects the character of the area, as well as the character and proportions of the host dwelling, will be assessed.

5.4 The proposed extension would incorporate an overall width of 3.6 metres, and a length of roughly 7.75 metres. The proposed extension would be set flush to the rear elevation of the dwelling, and the front elevation of the dwelling at ground floor level. However the extension would be set slightly back from the front elevation of the existing dwelling at a first floor level. The eaves of the proposed extension would be set at the same level as the eaves of the existing dwelling, with the ridge level slightly set down. The materials to be used in the external finish of the proposed extension would match those used in the external finish of the host dwelling.

5.5 Overall, it is considered that the proposed extension would appear as a proportionate addition to the existing dwelling. The slight reduction in ridge height, and the stepping-back of the front elevation at a first floor level also increase the levels of subservience between the proposed extension and the host dwelling. It is also noted that similar two storey extensions have previously been granted planning permission, and implemented at nearby neighbouring properties. As such it is considered that the proposed extension would appear as an appropriate addition within the immediate streetscene. Overall, it is considered that the design, scale and finish of the proposed extension results in an addition that sufficiently respects the character and distinctiveness of the host dwelling and its immediate context. As such, the proposal is deemed to satisfy design criteria outlined in policy CS1 of the Core Strategy and H4 of the Local Plan.

5.6 Residential Amenity

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

5.7 When considering the impacts of the proposal on the residential amenity currently enjoyed by the occupiers of neighbouring properties, the main

property under consideration is the adjacent property to the south-east at no. 22 Stanhope Road. As the proposed extension would protrude from the south-east facing side elevation of the subject property, it is not deemed that its erection would impact upon residential amenity at the adjoining property to the north-west at no. 18 Stanhope Road. Furthermore, due to levels of separation, it is not deemed that the proposal would impact upon residential amenity at properties directly to the front or rear of the application site.

- 5.8 It is recognised that the proposed extension would represent the encroachment of a two-storey structure towards the boundary with no. 22. The severity of any potential overbearing, overshadowing or overlooking effects, and the overall impact the proposed extension may have on the residential amenity of neighbours, will therefore be assessed.
- 5.9 At present the gap between the subject property and the boundary to the adjacent property to the south-east is roughly 1.5 metres. As a result of the proposed extension, this gap would be reduced to roughly 0.9 metres. However it should be noted that whilst the gap to the boundary would be reduced, the two properties would still be separated by several metres.
- 5.10 It is deemed that the proposed extension would most greatly impact upon the windows situated at the north-facing side elevation of no. 22. At a ground floor level, this provides a side-facing kitchen window, and at a first floor level, a window serving a landing area. Other side-facing windows appear to serve a first floor bedroom, and a ground floor garage. However due to the location of no. 22 in relation to the subject property, these windows are set significantly forward of the subject property. As such, any potential overbearing or overshadowing effects caused by the extension are significantly reduced. In addition to this, Stanhope Road slopes in a downwardly direction from south to north. As such, no.22 to the south holds a slightly elevated position in relation to the subject property. It is acknowledged that the elevation of the two properties slightly reduces the extent to which the proposed two storey side extension may impact upon residential amenity in terms of overbearing and overshadowing.

Overbearing effects

- 5.11 It is recognised that the encroachment of a two storey structure towards the boundary with no. 22 would result in an increased sense of overbearing on to the aforementioned side-facing windows. However as these windows form a side-facing kitchen and landing window, it is not deemed that the increased sense of overbearing would have such a significant impact on living conditions as to substantiate a reason for refusing the proposed development. Due to the orientation of the subject property, it is not considered that the erection of the two storey extension would have an overbearing effect on to the rear garden of no. 22.

Overshadowing effects

- 5.12 It is recognised that the proposal would result in the loss of some natural light to the aforementioned kitchen and landing windows. It is also recognised that the proposed extension would fail the 25 degree test of unobstructed daylight, when measuring from the side-facing kitchen window at no. 22. However it is

considered that this test would also be failed given the present situation, by virtue of the location of south-east elevation of the subject property in relatively close proximity to the window. Whilst any existing overbearing impacts would be exacerbated by the addition of the proposed extension, it is not deemed that the impacts on residential amenity would be so severe as to substantiate a reason for refusal. Due to the location and orientation of the proposed extension in relation to neighbouring properties, it is not deemed that the erection of the extension would have any significant overshadowing effects on to the rear garden of no.22.

Overlooking effects

- 5.13 The proposal involves the insertion of a first floor window to the south-east side elevation of the proposed extension. However this window would serve a first floor bathroom, and would be obscurely glazed. As such, despite directly facing the neighbouring property at no. 22, it is not deemed that the insertion and usage of this window would result in a loss of privacy through overlooking. Whilst the proposed rear-facing first floor window would slightly increase overlooking on to neighbouring rear gardens, it is not deemed that the impacts would be significantly greater than any overlooking caused by existing rear windows.
- 5.14 The implementation of the proposal would result in the loss of a small area of outdoor private amenity space at the site. However it is deemed that sufficient space would still be provided to the rear of the property. Overall, whilst it is recognised that the proposal would have some impact upon residential amenity, it is not deemed that the impacts would be of such severity as to substantiate a reason for refusal. Overall, with regard to impacts on residential amenity, the proposal is deemed to be compliant with criteria set out in policy H4 of the Local Plan.

Working hours

- 5.15 It is noted that the proposed development would result in construction taking place in close proximity to a neighbouring boundary. In the interests of protecting residential amenity, a condition will be attached to any decision, restricting working hours during the period of construction.

5.16 Transport

As a result of the proposal, the total number of bedrooms at the property would increase from 3 to 5. South Gloucestershire Residential Parking Standards SPD outlines that 5+ bed properties must make provision for a minimum of 3 parking spaces, each measuring a minimum of 2.4m x 4.8m. A submitted block plan indicates that 3 parking spaces, each measuring 2.4m x 4.8m will be provided to the front of the main dwelling. Whilst the creation of additional parking to the front of the property is not considered ideal in terms of impacts upon the streetscene, it is noted that this is an alteration that has previously been carried out at neighbouring properties.

- 5.17 Overall, the proposed parking arrangements at the site are considered to be acceptable. However a condition will be attached to any decision, securing the provision of 3 parking spaces as part of the proposal. Furthermore, as the creation of additional parking space would involve the laying down of a large

area of hardstanding, a condition will be attached to any decision requiring the proposed parking areas to have a permeable bound surface and be satisfactorily maintained as such thereafter. Additionally, an informative will be attached to any decision outlining that the Council's Streetcare department must be contacted before any works to the designated highway are implemented.

5.18 Due to the residential nature of Stanhope Road, it is not deemed that the creation of additional parking spaces and access to the front of the property would pose a significant risk to highway safety. In light of the above, and subject to the aforementioned conditions, the proposal is deemed to comply with policy T12 of the Local Plan, as well as standards set out in the Residential Parking Standards SPD.

5.19 Objection Comments

It is deemed that points 1-3 of the submitted objection comment are sufficiently addressed in the 'Residential Amenity' section of this report. With regard to construction materials or equipment affecting neighbouring land, this is deemed to be a civil matter that cannot be addressed within the remit of this planning application. However it should be noted that as a Certificate A of ownership has been submitted as part of the application, any decision would only authorise works to be carried out within the residential curtilage of land under the ownership of the applicants.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Contact Officer: **Patrick Jackson**
Tel. No. **01454 863034**

CONDITIONS

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

Reason

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

2. The hours of working on site during the period of construction shall be restricted to 0730 - 1800 on Mondays to Fridays and 0800 - 1300 on Saturdays; and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

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

3. The off-street parking facilities (for all vehicles, including cycles) shown on the plan (705-P4) hereby approved shall make provision for the parking of a minimum of 3 vehicles (measuring at least 2.4m by 4.8m), and shall be provided before the extension is first occupied, and thereafter retained for that purpose.

Reason

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

4. The proposed parking area shall either be made of bound, permeable materials, or provision shall be made to direct water run-off from the bound hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse.

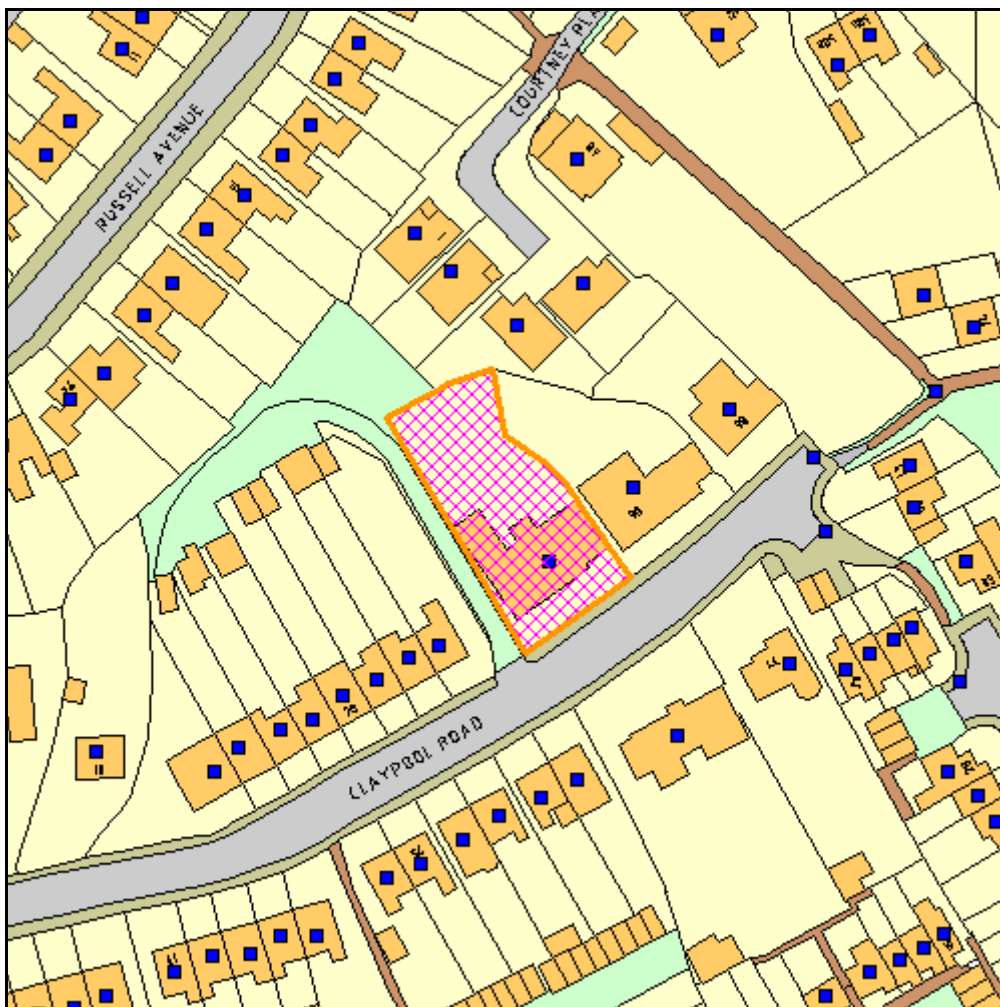
Reason

1. To minimise the effect of any flooding which may occur and to comply with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

2. To prevent any materials from being transferred on to the designated highway due to vehicular movements and to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006 and Policy CS8 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013

CIRCULATED SCHEDULE NO. 16/17 – 21 APRIL

App No.:	PK17/0978/F	Applicant:	Milestones TrustMilestones Trust
Site:	34 Claypool Road Kingswood Bristol South Gloucestershire BS15 9QH	Date Reg:	8th March 2017
Proposal:	Change of use from Dwelling House (Class C3) to Residential Care Home (Class C2) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended)	Parish:	None
Map Ref:	365140 173153	Ward:	Woodstock
Application Category:	Minor	Target Date:	28th April 2017



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REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application is referred to the circulated schedule for determination as comments of objection have been received. These are contrary to the recommendation for approval.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for a change of use *from* the use as a dwellinghouse (Class C3, as defined in the Town and Country Planning (Use Classes) Order 1987 as amended) *to* the use as a care home (Class C2). A planning application is required as the proposed change of use does not benefit from a deemed consent under the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.
- 1.2 The application site is an extended detached single storey mid-century bungalow on Claypool Road in Kingswood. The care home would provide 4 bedrooms which would be a decrease from the 5 bedrooms in the dwelling. There are no proposed external alterations, this application is purely looking at the proposed use.
- 1.3 Located in the east fringe of Bristol, the site is within the existing urban area. The site falls just outside of but borders the coal referral area; in any case, such designation would not affect this application as there is no operational development. There are no further land designations which would impact on the development proposal.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

- CS1 High Quality Design
- CS4a Presumption in Favour of Sustainable Development
- CS5 Location of Development
- CS8 Improving Accessibility
- CS23 Community Infrastructure
- CS29 Communities of the East Fringe of Bristol

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

- T7 Cycle Parking
- T8 Parking Standards
- T12 Transportation
- LC4 Educational and Community Facilities

3. RELEVANT PLANNING HISTORY

- 3.1 PK06/0767/F Approve with Conditions 21/04/2006
Erection of single storey rear extension to form dependant relative annexe
- 3.2 PK04/2196/F Approve with Conditions 12/08/2004
Erection of single storey side extension to form new garage and utility with rear access ramp

4. CONSULTATION RESPONSES

- 4.1 Parish/Town Council
This area is unparished
- 4.2 Environmental Protection
No objection; suggest working hours condition
- 4.3 Housing Enabling
No requirement for affordable housing
- 4.4 Sustainable Transport
None received

Other Representations

- 4.5 Local Residents
Two comments of objection have been received which raise the following points:
- increase in traffic
 - insufficient parking
 - existing parking problems experienced in the locality

5. ANALYSIS OF PROPOSAL

- 5.1 This application seeks planning permission for the change of use of an existing residential dwelling (Class C3) in Kingswood to a residential care home (Class C2).
- 5.2 Principle of Development
A care home is listed in the supporting text to policy CS23 as community and cultural infrastructure. Policy LC4 manages development affecting community facilities within the existing urban areas. This policy is generally supportive of development subject to an assessment of sustainability, residential amenity, and transport impacts. Therefore the proposed development is acceptable in principle but should be determined against the analysis set out below.

- 5.3 It should be noted that there is no operational development proposed and therefore design considerations are limited.
- 5.4 Sustainability
Located in the existing urban area of the east fringe of Bristol, the site is in a sustainable location. A sustainable location is important for residential care homes for reasons twofold. Firstly it is important that good access is provided to local goods and services for the residents and secondly because a care home is also a place of employment.
- 5.5 The site is within reasonable distance of Kingswood town centre which provides shops and services. Given the distance this is commutable either on foot, by bicycle, or on public transport. The site is therefore considered to be a sustainable location for a care home. Given the size of the proposed home, a residential location is appropriate as it ensures that community facilities are embedded within local communities.
- 5.6 Residential Amenity
There is no operational development to increase the size of the building and therefore the proposed development would have little impact on residential amenity. The resulting unit would operate along similar lines to a residential dwelling falling within Class C3 and therefore the use is also considered to have little impact on residential amenity.
- 5.7 Transport Impacts
For development of this nature, there are several areas of transport to consider. The aspect which is most likely to have the greatest impact is staff commuting and parking. Parking is managed by policy T8. This is a maximum parking standard with the aim of restricting parking provision to promote sustainable transport. Whilst maximum parking standards were generally accepted when the Local Plan was adopted, more recently there has been a move away from maximum parking standards. In the meantime, the maximum parking standard still applies. Under the policy, parking levels are restricted at a certain level. This does not preclude the provision of lower levels of parking and there is no minimum parking standard for this type of development (as there is for general residential in Class C3).
- 5.8 As part of the development, 2 off-street parking spaces are provided – one within the garage and one on the drive (there are some lines on the plans submitted which dissect the garage; the applicant has confirmed that these are overhead steel beams and do not affect access to the garage). The unit would be staffed by 4 full-time-equivalent staff members. Policy T8 would allow the maximum provision of one parking space per two members of staff. The development complies with this level of parking provision. As such, staff parking cannot be considered to result in a severe impact to highway safety and no objection is raised.
- 5.9 Turning next to parking for residents, policy T8 would require the provision of 1 parking space per every 6 bedrooms in addition to that required for staff parking. The proposed home would have 4 bedrooms and therefore one further parking space would be permissible. The 2 spaces within the site would

therefore equate to a lower level of parking provision than the maximum permitted under policy T8, which in this case would be 3. In this instance it is not considered that the maximum level of parking provision should be provided. The reasons why it need not be are as follows. The site operator provides supported living; in other words the residents may be generally more active than many who live in care homes. This means residents are out and about during the day supported by the centre's staff. This therefore reduces the need for parking. Furthermore policy T8 is a maximum parking standard designed to encourage more sustainable transport patterns. Provision below the standard is acceptable except where it would lead to a severe highway impact through increase on-street parking. Claypool Road is a residential cul-de-sac and some on-street parking would not be harmful. Given the location of the site, there are various alternatives to the private car and therefore parking provision below the parking standard is acceptable. Finally, the site is within a residential setting and the retention of this setting is desirable. The provision of additional parking within the curtilage of the property would have a detrimental impact on the character and appearance of the building and the streetscene.

- 5.10 Concern has been raised by local residents over the potential of additional on-street parking. Whilst it is recognised that there may be some additional on-street parking resulting from this development, including that of any visitors to the site, the level of parking is directly related to the size of the development. The size of the care home is small and therefore any resulting parking is likely to be low. It is not considered that this could be considered harmful and therefore no objection is raised.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to grant/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 It is recommended that planning permission is GRANTED subject to the conditions listed below.

Contact Officer: Griff Bunce
Tel. No. 01454 863438

CONDITIONS

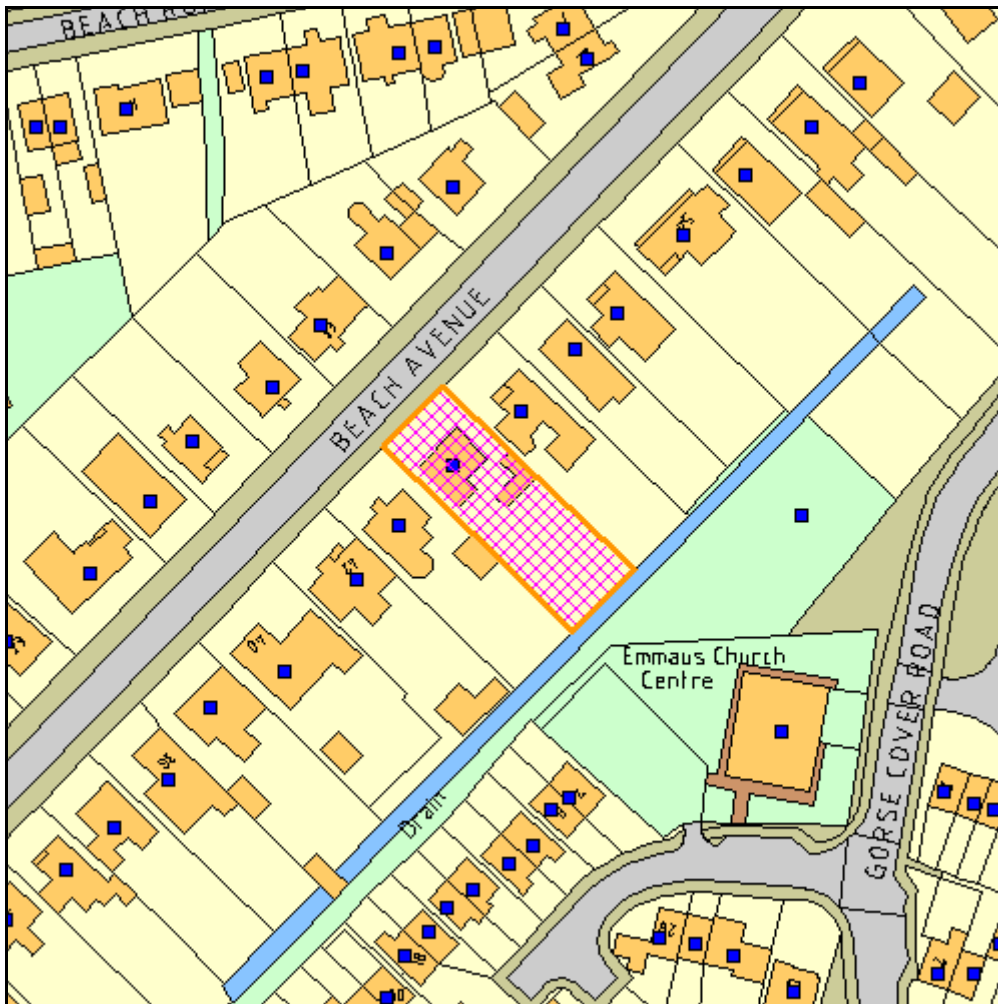
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 16/17 – 21 APRIL 2017

App No.:	PT16/6831/F	Applicant:	Mr Keith Pritchard
Site:	46 Beach Avenue Severn Beach Bristol South Gloucestershire BS35 4PB	Date Reg:	29th December 2016
Proposal:	Demolition of existing bungalow and erection of 1no replacement bungalow.	Parish:	Pilning And Severn Beach Parish Council
Map Ref:	354156 185228	Ward:	Pilning And Severn Beach
Application Category:	Minor	Target Date:	15th February 2017



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PT16/6831/F

REASON FOR SUBMITTING TO CIRCULATED SCHEDULE

This application appears on the Council's Circulated Schedule list following a consultation reply from the parish council to the contrary of the officer recommendation detailed within this report.

1. THE PROPOSAL

- 1.1 This application seeks planning permission to demolish an existing bungalow at No. 46 Beach Avenue, Severn Beach, and replace it with 1 no. bungalow with an integral garage and associated works.
- 1.2 The application site is inside the defined settlement boundaries of Severn Beach and is within Flood Zone 3.
- 1.3 An amendment was received during the course of the application to address the design issues, to reduce the overall height of the dwelling. A period of re-consultation was carried out with the relevant consultees.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Practice Guidance 2014

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS5 Location of Development
CS8 Improving Accessibility
CS9 Managing Environment and Heritage
CS16 Housing Density
CS17 Housing Diversity
CS34 Rural Areas

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

L1 Landscape Protection and Enhancement
L9 Protected Species
H4 Development within Existing Residential Curtilages
EP2 Flood Risk and development

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) 2007
Residential Parking Standards SPD (Adopted) 2013

3. RELEVANT PLANNING HISTORY

- 3.1 There is no planning history at the site.

4. CONSULTATION RESPONSES

4.1 Pilning and Severn Beach Parish Council

Strongly object to the first proposal for the following reasons:

- The proposed development is elevated and will thus displace over 150,000 litres of water in the event of flooding. By definition this will increase the risk of flooding to other properties contrary to the NPPF and should not be permitted unless the applicant agrees to use a hollow substructure or building on stilts
- The proposed development is sited too near the boundary so not allowing for adequate car parking or turning space within the plot.
- The roof design is too imposing on the neighbouring properties (the floor of the building will be 675mm higher than the present, and the roof will be substantially higher as it is spanning a much larger building).
- The road is made up of single story dwellings so this dwelling is not in keeping with the others in the road.

The Parish Council has no comments to the revised proposal.

4.2 Other Consultees

Sustainable Transport

No objection.

Environment Agency

No comments.

Lead Local Flood Authority

No objection.

Highway Structures

No comment.

Lower Severn Drainage Board.

No objection. Advised that the applicant will require land drainage consent if they are making any new drainage connections to any local watercourses.

Other Representations

4.3 Local Residents

No comments received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Location of Development

Policy CS5 and CS34 of the adopted Core Strategy supports proposals within the defined settlement boundary of the rural settlements. As the application is situated within the settlement boundary of Severn Beach and the proposal is to demolish the existing bungalow and replace it with a new bungalow on a site,

which is situated within the established residential area of Severn Beach. As such, there is no objection in principle to the proposed dwelling at this particular location.

5.2 *Flood Risk*

The application site falls within Flood Zone 3a, which is identified as being at a high risk of flooding. Moreover, a dwelling is identified as a 'highly vulnerable' form of development as detailed within the National Planning Practice Guidance.

The Parish Council raised concerns regarding the risk of flooding to the locality. To address the potential flooding issues, the applicant submitted Flood Risk Assessment dated December 2016. The Council Drainage Engineer is satisfied with the submitted details and the proposed surface water disposal and the Lower Severn Internal Drainage Board also no objection to the proposed scheme.

5.3 As set out by the National Planning Policy Framework, (para. 100) inappropriate development in areas at risk of flooding should be avoided. As such, where a proposal for residential development in an area of high flood risk is considered, it is necessary to firstly satisfy the requirements of the 'sequential test'. As set out in the National Planning Policy Framework, the aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding. 'Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding' (para 101, NPPF). A sequential test has not been received, however as the proposal is to replace 1 no. existing residential unit with another, and all of the site is within flood zone 3, it is not possible to move the development to an area with the lowest flood risk. Whilst the proposed dwelling is larger in scale, in terms of flood risk there is no intensification of the site.

5.4 Following the passing of the Sequential Test it is necessary to move onto the Exception Test. For the Exception Test to be passed:

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

5.5 Both elements of the test will have to be passed for development to be allocated or permitted' (para 102 NPPF). The existing dwelling currently classed as 'More vulnerable' in the NPPG, and the replacement dwelling would offer a modest improvement on the current situation as the new bungalow would be constructed on a slightly higher ground level. It is therefore considered to meet the first criteria.

- 5.6 To address the second part, a Site Specific Flood Risk Assessment (SSFRA) has been submitted by the applicant, and the Environment Agency has made no comments on the proposal. Officers therefore consider that the proposal would not cause an unacceptable flooding risk to the locality subject to a planning condition seeking the implementation of the mitigation strategy including flood resilience, flood warning and evacuation plan indicated in the FPA. The proposal is therefore considered to pass the Exception Test.
- 5.7 Design and Heritage
An objection from the parish council have been received as they consider the original roof design is too imposing and the proposed dwelling would be out of keeping with other single storey dwellings.
- 5.8 To address this particular concerns, a revised proposal has been submitted to reduce the overall height of the proposed dwelling. It should be noted that the area is characterised by a group of different styles, scale and design of bungalows. Therefore the proposed dwelling would not be entirely out of keeping with the general character of the area. In addition, the overall height of the proposed dwelling has been reduced and the proposed street scene shows that the proposed dwelling would not have significant difference in height comparing those of the adjacent bungalow. The proposed dwelling would have a gable roof and would be finished with render under smooth grey double roman roof tiles, which are considered to be appropriate materials. The development is considered to represent high quality design and is acceptable in terms of policy CS1 of the Core Strategy.
- 5.9 Residential Amenity
The nearest residential properties to the proposed dwelling are No. 44 and No. 48 Beach Avenue. The replacement dwelling would largely utilise the footprint of the existing dwelling and garage. It would slightly set back from the north eastern boundary and it would be immediately adjacent to the south western boundary. Although it would project beyond the rear elevation of the adjacent properties, No. 44 and 48, it is considered that the new dwelling would not cause significant overbearing impact upon the nearby residents given that it would be single storey structure.
- 5.10 There would be a kitchen window on the south side elevation. Given that a 2metre high boundary wall or fence could be erected along the boundary and it would be adjacent to the neighbouring's driveway, it is considered that the potential overlooking impact would not be so significant to be detrimental to the living conditions of the residents of the neighbouring property, no. 44.
- 5.11 A small bath window is proposed on the side north elevation and it is considered that this window would not cause an unacceptable overlooking give its nature.
- 5.12 The proposed three bedroom dwelling will benefit from adequate private amenity space following the implementation of the development. There is no objection from a residential amenity perspective.

5.13 Transportation

A concern is raised regarding the parking and turning space within the plot.

- 5.14 The proposal is to replace an existing bungalow located at 46 Beach Avenue, Severn Beach with a new, more up-to-date version. The submitted drawings indicate that both the old and the new property would have three bedrooms. It is considered that it is essentially a like for like replacement and so would not generate significant additional travel demand. Likewise, the proposal would provide a garage plus two parking spaces. Hence, it conforms to the Councils minimum domestic car parking standards, as set out in the Residential Parking Standards SPD adopted in December 2013. It is noted that these parking spaces are located side-by-side at the front of the property and that the applicants acknowledge this will require additional drop kerbs to be provided. They also state that this will be carried in full consultation with the Council. As this is domestic driveway, the proposed re-arrangement would not create any material safety concerns. Therefore there is no highways or transportation objection to the proposal.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 That planning permission is **GRANTED** subject to the following conditions:

Contact Officer: Olivia Tresise
Tel. No. 01454 863761

CONDITIONS

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

Reason

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

2. Development must be implemented in strict accordance with the Flood Resilience, Flood Warning and Evacuation Plan, stated in paragraph 3.21 to 3.31 of the Flood Risk Assessment prepared by Cole Easdon Consultants Limited dated December

2016. Any deviation from this plan must be submitted to the Local Planning Authority for written approval.

Reason

To minimise the effect of any flooding which may occur and to comply with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

3. No windows shall be installed on the first floor side elevation of the proposed dwelling hereby permitted at any time.

Reason

In order to prevent overlooking and to accord with Policy CS1 of the Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

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

Reason

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

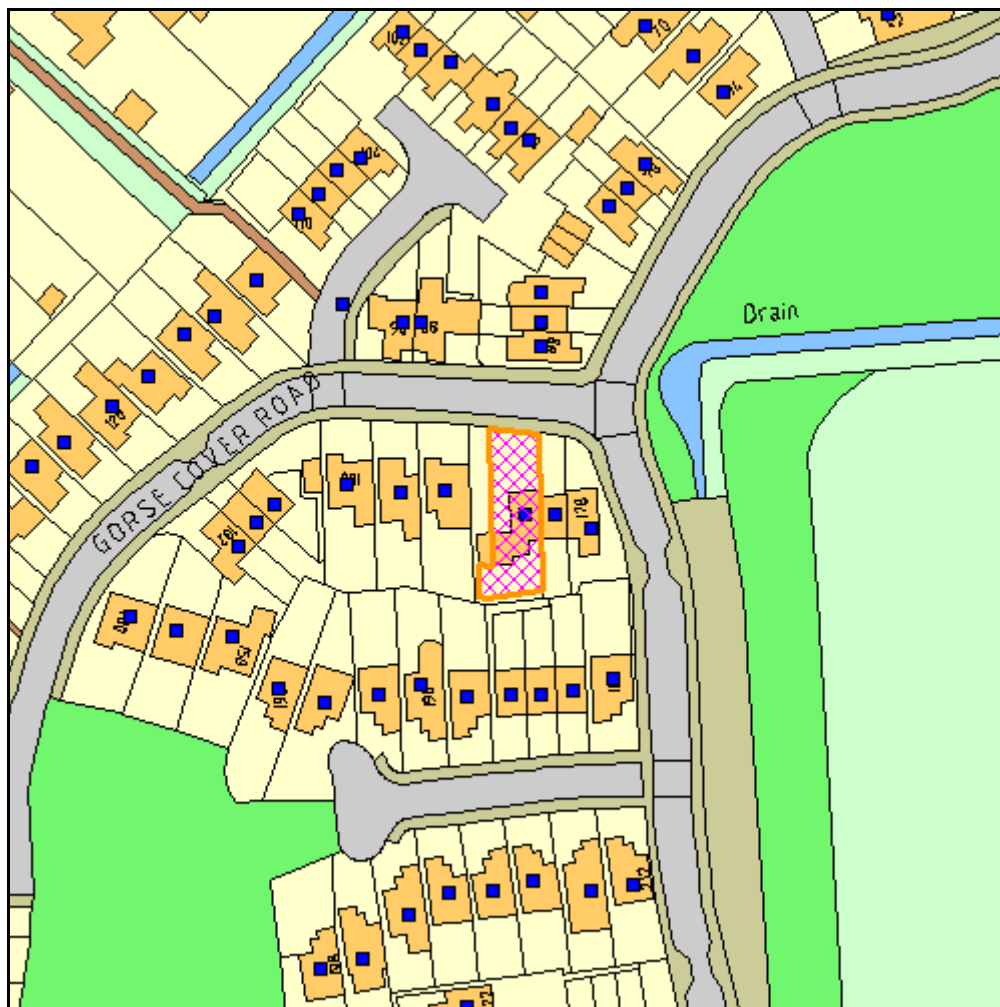
5. Prior to the commencement of the relevant part of the development hereby approved, the external facing materials proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

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

CIRCULATED SCHEDULE NO. 16/17 – 21 APRIL 2017

App No.:	PT17/0690/PDR	Applicant:	Mr Bushell
Site:	174 Gorse Cover Road Severn Beach Bristol South Gloucestershire BS35 4NT	Date Reg:	20th February 2017
Proposal:	Conversion of existing garage to form additional living accommodation.	Parish:	Pilning And Severn Beach Parish Council
Map Ref:	354106 185013	Ward:	Pilning And Severn Beach
Application Category:	Householder	Target Date:	13th April 2017



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PT17/0690/PDR

REASONS FOR REPORTING TO THE CIRCULATED SCHEDULE

A comment was received from the Parish Council contrary to the findings of this report. Under the current scheme of delegation it is required to be taken forward under circulated schedule as a result.

1. THE PROPOSAL

- 1.1 The proposal seeks to convert the garage into additional living accommodation.
- 1.2 The host dwelling is an end terrace late-20th century dwelling with part brick and part rendered elevations, a pitched gabled roof and a front porch. To the side is the attached garage to be converted.
- 1.3 The property within the built up residential area of Severn Beach.
- 1.4 The property has a restriction to its permitted development rights and consequently full planning permission is required.

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
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
PSP16 Parking Standards
PSP38 Development within Existing Residential Curtilages
PSP43 Private Amenity Space Standards

2.3 Supplementary Planning Guidance

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

3. RELEVANT PLANNING HISTORY

- 3.1 P98/1150 – Approval of Reserved Matters – 27/03/1998 – Erection of 523 dwellings and associated works.

- 3.2 P97/1935 – Approval – 29/08/1997 - Application to vary time limits for the submission of reserved matters - Condition 01 (B) attached to outline planning permission P87/2377.
- 3.3 P97/1609 – Approval of Reserved Matters – 16/10/1997 – Erection of 122 dwellings and associated works.
- 3.4 P91/2064 – Refusal - 21/08/1991 – Residential development on 7.2 acres of land to include the erection of 146 dwellings. Construction of associated roads and car parking areas and provision of public open space.
- 3.5 P91/1015 – Refusal – 19/06/1991 – Residential development on 7.2 acres of land to include the erection of 146 dwellings; construction of associated roads and car parking areas and provision of public open space. (In accordance with amended layout plan received by the council on 9th April 1991).
- 3.6 P89/1719 – Approval of Reserved Matters – 16/11/1989 – Residential development on 14.4 acres of land including the erection of 199 dwellings, construction of new estate and access roads and associated car parking, landscaping and open space provision (to be read in conjunction with P87/2377) (in accordance with the revised layout plan received by the council on the 13th November 1989)
- 3.7 P87/2377 – Approval – 05/04/1989 – Residential and ancillary development on approximately 5.9 hectares (14.5 acres) (outline) (in accordance with the applicant's letter and plans received by the council on 27th October 1987).
- 3.8 N1201 – Refusal – 15/05/1975 – Use of seasonal caravan site as permanent residential caravan site. (Approx. 4 acres).

4. CONSULTATION RESPONSES

- 4.1 Pilning and Severn Beach Parish Council
Objection – The application should be refused unless adequate parking for the host property and others sharing the forecourt is demonstrated.

4.2 Other Consultees

Transport Officer

No objection to the revised plans.

Other Representations

4.3 Local Residents

No Comments Received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy CS1 'High Quality Design' of the South Gloucestershire Core Strategy (adopted December 2013) states development proposals will only be permitted where the highest possible standards of design and site planning are achieved. Proposals should demonstrate that they; enhance and respect the character, distinctiveness and amenity of both the site and its context; have an appropriate density and its overall layout is well integrated with the existing development. Saved Policy H4 of the South Gloucestershire Local Plan (adopted 2006) is supportive in principle of development 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 conversion of the existing garage to form additional living accommodation. The proposal will replace the garage door with a window. There is no objection to this minor change to the front elevation of the garage.

5.3 No additional built form is proposed and the proposal is seen to be in keeping with the character of the host property and its context and is therefore acceptable.

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 accord 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.

5.6 Given the modest scope of the proposal and its location in relation to surrounding occupiers it is not considered to have a detrimental impact on the residential amenity of its neighbouring occupiers, meaning the proposal is in accordance with saved policy H4 of the adopted Local Plan.

5.7 Sustainable Transport and Parking Provision

Currently the property has an area of driveway to the side and an attached garage. The proposal would result in the loss of the existing garage space. The existing hardstanding in the forecourt would provide parking for two vehicles and as a result the existing arrangement is thought to satisfy the minimum requirements given the size of the existing dwelling. Furthermore the proposal would not adversely impact the neighbours parking arrangement. 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) and the Residential Parking Standards SPD.

- 5.8 Objection was received from the Parish Council stating the proposal should be refused unless adequate parking for the host property and its neighbours sharing the forecourt is demonstrated. A revised plan was received which established the proposal would have acceptable arrangement. A revised comment was sought but the Parish are still concerned with the impact on other users of the parking area.

6. CONCLUSION

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

7. RECOMMENDATION

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

Contact Officer: Hanni Osman
Tel. No. 01454 863787

CONDITIONS

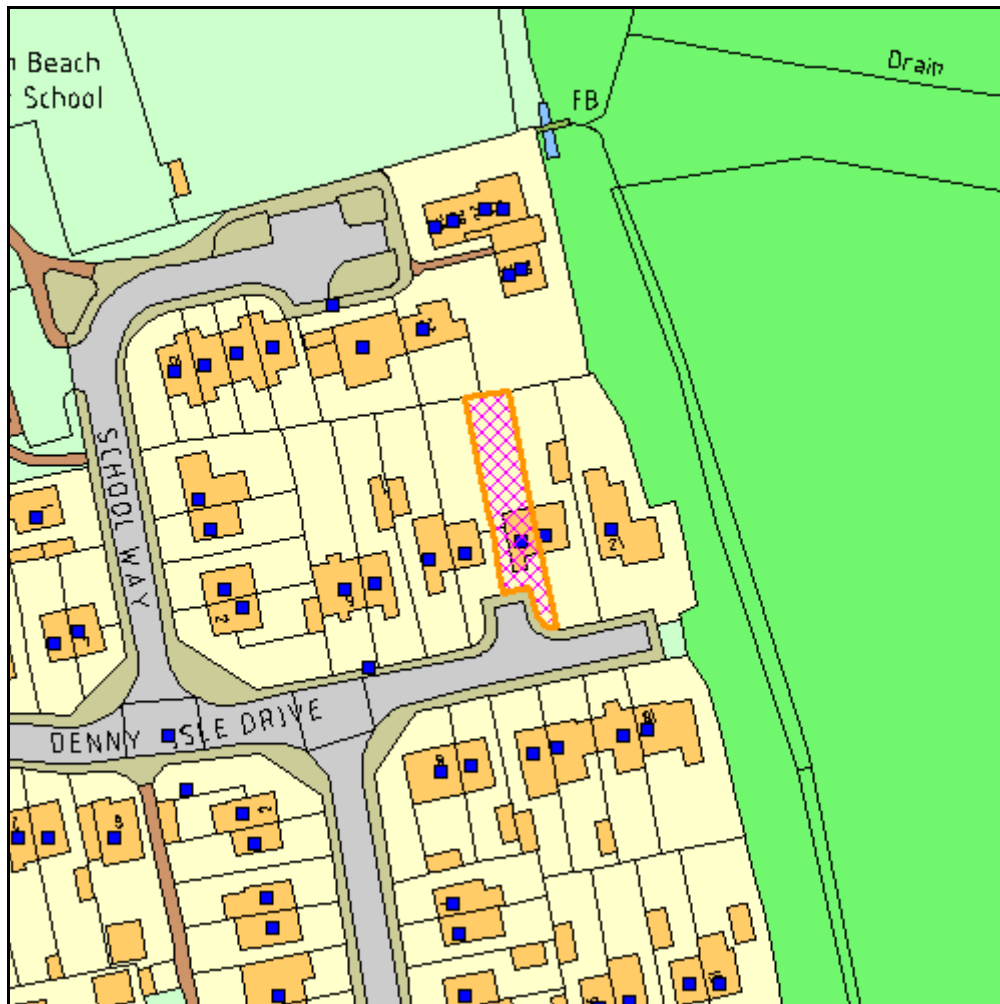
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 16/17 – 21 APRIL 2017

App No.:	PT17/0725/F	Applicant:	Mr Dean Hodson
Site:	17 Denny Isle Drive Severn Beach Bristol South Gloucestershire BS35 4PZ	Date Reg:	21st February 2017
Proposal:	Demolition of existing rear conservatory. Erection of two storey rear extension to form additional living accommodation	Parish:	Pilning And Severn Beach Parish Council
Map Ref:	354396 184550	Ward:	Pilning And Severn Beach
Application Category:	Householder	Target Date:	17th April 2017



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PT17/0725/F

REASONS FOR REPORTING TO CIRCULATED SCHEDULE

Comments have been received contrary to the findings of this report. Under the current scheme of delegation it is required to be taken forward under circulated schedule as a result.

1. THE PROPOSAL

- 1.1 The proposal seeks to erect a two storey extension to form additional living accommodation to the rear of 17 Denny Isle, Severn Beach.
- 1.2 The subject property is a late-20th Century dormer bungalow with a pitched gabled roof and a single storey detached garage to the rear. The property is on level ground. Boundaries are formed predominately of 1.8 metre closed panel timber garden fences.
- 1.3 The proposal would effectively create an additional dormer to the rear that would project as far as the existing conservatory and extend over a new ground floor extension.
- 1.4 The subject property is situated within the built up residential area of Severn Beach. The property is located within an area at risk of flooding from rivers and the sea. There are no other statutory or non-statutory designation which affect the determination of this planning application.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

- CS1 High Quality Design
- CS4a Sustainable Development
- CS5 Location of Development
- CS8 Improving Accessibility
- CS9 Managing the Environment and Heritage
- CS35 Severnside

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

- H4 Development within Existing Residential Curtilages
- T12 Transportation

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

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

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

3. **RELEVANT PLANNING HISTORY**

- 3.1 PT16/3728/F – Refusal – 15/07/2016 – Erection of first floor extension to garage (Resubmission of PT16/0875/F).
- 3.2 PT16/0875/F – Refusal – 22/04/2016 – Erection of first floor extension to existing detached garage to form playroom and installation of external spiral staircase.
- 3.3 PT07/1162/F – Approval – 15/06/2007 – Erection of front porch.

4. **CONSULTATION RESPONSES**

- 4.1 Pilning and Severn Beach Parish Council
Objection – the proposal be detrimental to the amenity of neighbours.
- 4.2 Other Consultees

Lead Local Flood Authority

No objection in principle but requires submission of flood risk mitigation measures – this has been provided.

Other Representations

- 4.3 Local Residents
One comment received concerned with the impact of water runoff from the property as existing and proposed. In addition the comments question the impact on residential amenity and ask that a condition is attached restricting working hours during construction.

5. **ANALYSIS OF PROPOSAL**

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

5.2 Design and Visual Amenity

The proposal seeks to erect a two storey rear extension to form additional accommodation. The works would also require the demolition of an existing conservatory in order to facilitate the extension. The first floor portion of the development would extend as far as the existing limits of the conservatory but would be set further westwards and would replace a proportion of an existing rear dormer. At ground floor the property will be extended almost the full width of the rear elevation with a lean to roof design. This ground floor extension would project around a metre further than the existing conservatory. Rear dormers and ground floor extensions are a common characteristic in the area given the proposal would give a gable to match the main roof pitch of the dwelling there is no objection to the design of the proposed first floor or ground floor extensions. In addition the proposal would replace an existing lean-to conservatory which has no particular architectural merit, with a structure that would be better in keeping with the appearance of the existing dwelling.

5.3 A comment was received from the adjoining occupier concerned with the impact due to rain water runoff from the existing structure and the proposal. According to the comment historically the gutter to the rear of the property had been linked and was directed towards the same storm drain. Subsequently a new downpipe was introduced in a central location that causes a build-up of water on the boundary during rainfall that causes dampness to property. It should be noted that no detail of the proposed water runoff mechanisms have been included on the plans provided. In addition it is thought that building regulations would control such impacts and were water runoff over the boundary to occur, this would be a civil matter outside the remit of the planning department.

5.4 The proposal has put forward similar materials to those in the existing structure. There is no objection with regard to materials.

5.5 Overall, it is considered that the proposed structure would not result in harm to the character and appearance of the area. Therefore it is viewed that the proposal has an acceptable standard of design and is considered to accord with policies CS1 and H4 of the adopted Local Development Plan.

5.6 Residential Amenity

Policy H4 of the adopted Local Plan gives the Council's view on new development within existing residential curtilages. Proposals should not prejudice the residential amenity (through overbearing, loss of light and loss of privacy) of neighbouring occupiers as well as the private amenity space of the host dwelling.

5.7 Comments were received from the Parish Council and a neighbour concerned with the impact on neighbouring properties. The development has been designed to accord with the Technical advice with regard to residential amenity; in that there will be a minimum angle of 45 degrees maintained from neighbouring windows serving primary living accommodation. In addition the proposal will be located to the northern elevation of the property and as a result

of the path of the sun the impact on loss of light will be minimal. The comment received from the adjoining occupier was also concerned with the impact due to rain water runoff from the existing structure and the proposal. According to the comment historically the gutter to the rear of the property had been linked and was directed towards the same storm drain. Subsequently a new downpipe was introduced in a central location that causes a build-up of water on the boundary during rainfall that causes dampness to property. It should be noted that no detail of the proposed water runoff mechanisms have been included on the plans provided. Building regulations would control the design of surface water runoff. Runoff over the boundary is a civil matter outside the remit of the planning department.

- 5.8 The proposal will not project significantly further than the limits of the existing structure and consequently is not considered to result in a harmful impact as a result of overbearing. Properties directly to the rear are separated by gardens and due to this distance of separation are not thought to be adversely affected by the proposal.
- 5.9 The host property has a relatively large area of garden to the rear. It is not thought that the proposal would result in the loss of sufficient outdoor amenity space and is acceptable in this regard.
- 5.10 The subject property is located within a built up residential area and given the scale and location of the proposed development, will not result in an unacceptable detrimental impact on the residential amenity of its neighbouring occupiers, meaning the proposal is in accordance with saved policy H4 of the adopted Local Plan.
- 5.11 Sustainable Transport and Parking Provision
Currently the property has an area of hardstanding to the front and side of the dwelling and a detached garage. The proposal would retain the existing garage and parking arrangements. The extensions do not include any additional bedrooms therefore the proposal would not require any additional parking spaces nor will it have a negative impact on highway safety or the retention of an acceptable level of parking provision, meaning the proposal is in accordance with saved policy T12 of the Local Plan (2006). The council has no objection to the proposal in relation to highway safety or parking provision.
- 5.12 Flood Risk
The proposal site has been identified as being within Flood Zone 3. In accordance with flood risk prevention procedure a Flood Mitigation Measures form has been filled out and returned. The Lead Local Flood Authority has no objection to the proposal in principle. The site is level and the floor levels of the proposal will be no lower than that of the existing dwelling. On this basis the proposal is not thought to increase flood risk at the host dwelling or nearby and is therefore acceptable in this regard.

6. CONCLUSION

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

7. RECOMMENDATION

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

Contact Officer: Hanni Osman
Tel. No. 01454 863787

CONDITIONS

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

Reason

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

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

Reason

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