



**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. 08/17

Date to Members: 24/02/2017

Member's Deadline: 02/03/2017 (5.00pm)

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

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

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

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

NOTES FOR COUNCILLORS - FORMAL ARRANGEMENTS

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

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

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

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

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

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

GUIDANCE FOR 'REFERRING' APPLICATIONS

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

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

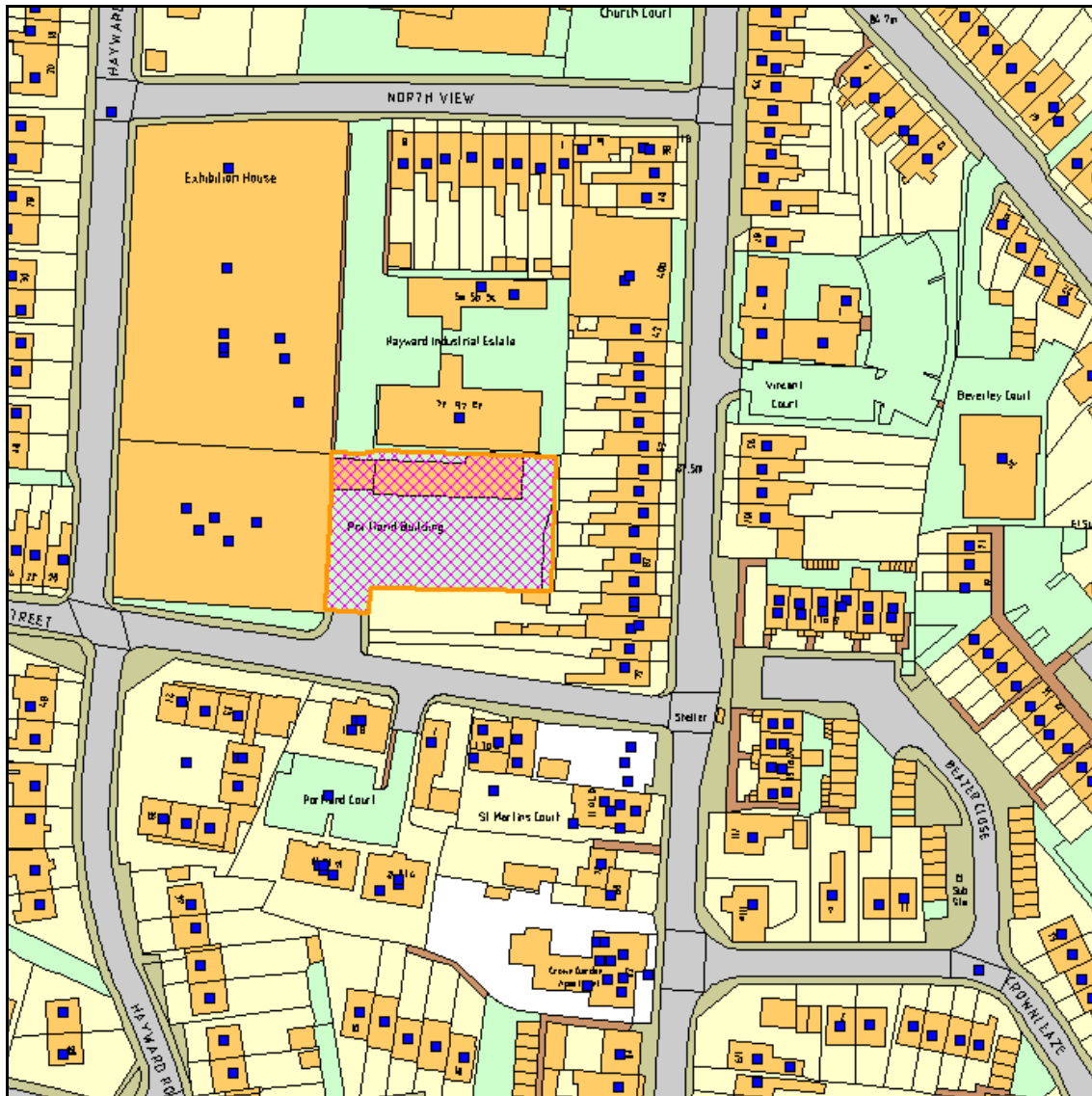
CIRCULATED SCHEDULE - 24 February 2017

ITEM NO.	APPLICATION NO.	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK16/5111/F	Approve with Conditions	Portland Building Portland Street Staple Hill South Gloucestershire BS16 4PS	Staple Hill	None
2	PK16/5398/F	Approve with Conditions	Allen And Harris 7 High Street Chipping Sodbury South Gloucestershire BS37 6BA	Chipping	Sodbury Town Council
3	PK16/5399/LB	Approve with Conditions	Allen And Harris 7 High Street Chipping Sodbury South Gloucestershire BS37 6BA	Chipping	Sodbury Town Council
4	PK16/6159/F	Approve with Conditions	Dyrham And Hinton Village Hall Dyrham Road Dyrham Chippenham South Gloucestershire	Boyd Valley	Dyrham And Hinton Parish Council
5	PK16/6298/F	Approve with Conditions	Premier Inn Westerleigh Road Emersons Green South Gloucestershire BS16 7AN	Emersons	Emersons Green Town Council
6	PK16/6495/F	Approve with Conditions	The Stables Mounds Court Farm Siston Hill Siston South Gloucestershire BS30 5LU	Siston	Siston Parish Council
7	PK16/6553/O	Refusal	Brookfield Farm Mill Lane Old Sodbury South Gloucestershire BS37 6SH	Cotswold Edge	Sodbury Town Council
8	PK17/0029/F	Approve with Conditions	Retail Unit 133 Bath Road Longwell Green South Gloucestershire BS30 9DD	Longwell Green	Oldland Parish Council
9	PK17/0072/F	Approve with Conditions	25 Mangotsfield Road Mangotsfield South Gloucestershire BS16 9JJ	Rodway	None
10	PK17/0101/CLP	Approve with Conditions	34 Lincombe Road Downend South Gloucestershire	Downend	Downend And Bromley Heath Parish Council
11	PT15/2350/RM	Approve with Conditions	Charlton Hayes Filton South Gloucestershire	Patchway	Patchway Town Council
12	PT16/5411/F	Approve with Conditions	8 Jekyll Close Stoke Gifford South Gloucestershire	Frenchay And Stoke Park	Stoke Gifford Parish Council
13	PT16/6043/F	Approve with Conditions	16 Knole Close Almondsbury South Gloucestershire	Almondsbury	Almondsbury Parish Council
14	PT16/6178/RVC	Approve with Conditions	Carrie Vinson Equestrian Redham Lane Pilning South Gloucestershire BS35 4HQ	Severn	Olveston Parish Council
15	PT16/6394/F	Approve with Conditions	8 School Way Severn Beach South Gloucestershire	Pilning And Severn Beach	Pilning And Severn Beach Parish Council
16	PT16/6535/F	Approve with Conditions	Land Off Redham Lane Pilning South Gloucestershire BS35 4HQ	Severn	Olveston Parish Council
17	PT16/6548/F	Approve with Conditions	The Chalet Thornbury Hill Alveston South Gloucestershire BS35 3LG	Thornbury South And	Alveston Parish Council
18	PT16/6715/F	Approve with Conditions	Aroundtoit 46A Wotton Road Charfield Wotton Under Edge South Gloucestershire GL12 8TG	Charfield	Charfield Parish Council
19	PT16/6764/PDR	Approve with Conditions	10 Kelbra Crescent Frampton Cotterell South Gloucestershire BS36 2TS	Frampton Cotterell	Frampton Cotterell Parish Council

ITEM NO.	APPLICATION NO.	RECOMMENDATION	LOCATION	WARD	PARISH
20	PT17/0073/F	Approve with Conditions	885 Filton Avenue Filton South Gloucestershire BS34 7AR	Filton	Filton Town Council
21	PT17/0108/CLP	Approve with Conditions	38 South View Crescent Coalpit Heath South Gloucestershire BS36 2LP	Westerleigh	Westerleigh Parish Council
22	PT17/0144/CLP	Approve with Conditions	48 Eastland Avenue Thornbury South Gloucestershire BS35 1DY	Thornbury North	Thornbury Town Council
23	PT17/0146/F	Approve with Conditions	1 Conifer Close Frampton Cotterell South Gloucestershire BS36 2AZ	Frampton Cotterell	Frampton Cotterell Parish Council
24	PT17/0167/ADV	Approve	Western Approach Distribution Park Severn Beach South Gloucestershire BS35 4GG	Pilning And Severn Beach	Pilning And Severn Beach Parish Council
25	PT17/0188/F	Approve with Conditions	107 Woodlands Road Charfield Wotton Under Edge South Gloucestershire GL12 8LT	Charfield	Charfield Parish Council
26	PT17/0332/TRE	Refusal	1 - 13 Warwick Place Thornbury South Gloucestershire BS35 1EZ	Thornbury North	Thornbury Town Council

CIRCULATED SCHEDULE NO. 08/17 – 24 FEBRUARY 2017

App No.:	PK16/5111/F	Applicant:	Mr A H Sheikh
Site:	Portland Building Portland Street Staple Hill South Gloucestershire BS16 4PS	Date Reg:	15th September 2016
Proposal:	Demolition of existing office building. Erection of 5 no. flats and 3 no. dwellings, parking and associated works.	Parish:	None
Map Ref:	364722 175435	Ward:	Staple Hill
Application Category:	Minor	Target Date:	8th November 2016



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 100023410, 2008. **N.T.S.** **PK16/5111/F**

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application has been 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 the demolition of the existing buildings on the site and the erection of 3 dwellings and 5 flats. The 3 dwellings would be situated on the eastern part of the site with 4 of the flats in a block along the northern boundary and the fifth as a coach house on the southern boundary.
- 1.2 The application site is a vacant building and car park located on Portland Street in Staple Hill. The existing building is roughly 2-storeys in height and situated towards the north of the site. The site falls within the Hayward Industrial Estate, safeguarded for economic development purposes under policy CS12(27).
- 1.3 To the north and west of the site are existing industrial uses; the south and east is residential in nature. The site is within the existing urban area of the east fringe of Bristol.
- 1.4 During negotiations on the development, the number of dwellings proposed has been reduced. The description of development has been amended accordingly.

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
CS9	Managing the Environment and Heritage
CS12	Safeguarded Areas for Economic Development
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

L1	Landscape
T7	Cycle Parking
T12	Transportation

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

PSP1	Local Distinctiveness
PSP8	Residential Amenity
PSP16	Parking Standards
PSP37	Internal Space Standards
PSP43	Private Amenity Space Standards

- 2.3 Supplementary Planning Guidance
Residential Parking Standard SPD (Adopted) December 2013
CIL Charging Schedule SPD (Adopted) March 2015

3. RELEVANT PLANNING HISTORY

- 3.1 PK08/0578/F Approve with Conditions 27/05/2008
Change of use from Offices (Class B1 & B2) with extensions to 10no. self-contained flats (Class C3) as defined in the Town & Country Planning (Use Classes Order) 1987 (as amended). Erection of 3no. terraced houses and 1no. detached dwelling with garages, parking and associated works.

4. CONSULTATION RESPONSES

- 4.1 Parish/Town Council
This area is unparished
- 4.2 Coal Authority
No objection: site of new development lies outside the high risk area
- 4.3 Highways Authority
No objection: request condition to address provision of off-street parking and turning area.
- 4.4 Housing Enabling
No objection; development is below the threshold to require an affordable housing contribution
- 4.5 Lead Local Flood Authority
No objection; request SUDS condition
- 4.6 Spatial Planning
None received

Other Representations

- 4.7 Local Residents
A detailed letter of objection from CSJ Planning has been received which raises the following matters:
- development would impact on the operation of the adjacent industrial unit, particularly goods received and dispatched;
 - development would impact on highway safety;

- previous permission for residential has expired;
- policy context has changed since previous residential permission;
- site is safeguarded for economic development – this has been designated after the residential permission was granted;
- application does not provide evidence as to how economic safeguarding policies are met;
- drawings accompanying the application do not indicate the location of openings into the industrial unit;
- vehicle tracking does not address need for larger commercial vehicles;
- a transport statement should be required;
- economic and residential uses may lead to safety issues;
- land ownership issues – right of access across the application site;
- development would affect the viability of the occupant of the industrial unit;
- introduction of residential uses may lead to amenity concerns

One further comment of objection has been received which raises the following matters:

- owner of adjacent property and other properties in the industrial estate;
- development would impact on a valued tenant of one of these buildings;
- development would impact on access arrangements to the industrial building – turning circle is not large enough;
- night work could affect residential amenity
- development would have an impact on the viability of the industrial area as a whole;
- area is industrial in nature and residential uses would have safety problems

5. **ANALYSIS OF PROPOSAL**

- 5.1 This application seeks permission to demolish the existing buildings and erect 5 flats and 3 dwellings at a site in Staple Hill.
- 5.2 Principle of Development
Under policy CS5, development is directed towards the existing urban areas and defined settlements. In terms of the broad locational strategy established by this policy, development on this site is acceptable.
- 5.3 However, under policy CS12 the site is safeguarded for economic purposes with a presumption against changes to non-economic uses unless the change of use would meet certain criteria.
- 5.4 Whilst there is a presumption against residential on this site, as it is a non-economic use there are 2 important factors which impact upon this. Firstly, planning permission under PK08/0578/F was granted for the change of use and extension of the existing buildings for use as residential. Whilst this permission was not implemented and the decision made against a different policy framework (the site was not safeguarded at the time) it is still a material consideration as the residential use of the site has, in principle, been accepted in the past.

5.5 The second factor is housing supply. At present, the local planning authority cannot demonstrate a 5-year supply of deliverable housing land. Therefore the policies in the development plan which act to restrict the supply of housing are out of date and applications for residential development should be assessed against the presumption in favour of sustainable development. The presumption in favour of sustainable development states that planning permission should be approved unless the adverse impacts of doing so significantly and demonstrably outweigh the benefits or specific guidance in the NPPF dictates permission should be resisted.

5.6 This application should therefore be determined against the analysis set out below, balancing the impacts of development against the benefits.

Potential Impact: Loss of Employment Land

5.7 Policy CS12 seeks to protect employment land to provide for economic development. For alternative uses to be permissible under this policy, it should be demonstrated that: the development would not prejudice the employment area as a whole; the proposal would contribute to a sustainable pattern of development; it would lead to an increase in the range and number of jobs; and, there is no suitable alternative in the development plan.

5.8 Clearly the current housing shortage in the district is highly material here as it demonstrates that the provisions made for housing supply in the development plan are not being met. Policy CS12 would therefore, by resisting residential development, act to restrict the supply of housing and should be considered out of date for the purposes of this application.

5.9 The existing building is not currently occupied. The safeguarded area is made up of a range of commercial activities ranging from those in B use classes but also some in a D use class (whether those benefit from planning permission is not for debate in this application).

5.10 Paragraph 22 of the NPPF resists the long-term protection of sites allocated for employment where there is no reasonable prospect of the site being used for that purpose. Paragraph 21 states that planning should recognise barriers to economic development such as poor environment, lack of infrastructure and services, and housing. Whilst the site was allocated for safeguarding in 2013, it is clear from the site inspection that the site has not been used extensively for some years. The contribution that the site therefore makes to the economic viability of the industrial area is questionable, particularly given the amount of floor space that would be lost. The site is also constrained by its context, in particular the compatibility with the existing surrounding residential uses, making it a desirable location for relatively few businesses. As employment areas go, the Haywards Industrial Estate is relatively small and the size of the unit may influence the viability of the site for economic purposes. The site is accessed through the existing urban area, and surrounded on 2 sides by existing residential development.

- 5.11 Taking into account housing need and economic growth, it is not considered that the loss of this site from an economic use would have a significant impact on sustainable development in the district. In terms of the presumption in favour of sustainable development, the loss of the site as an employment area is given limited harm.

Potential Impact: Design and Appearance

- 5.12 There is a mix of architectural styles around the application site, ranging from Victorian residential properties to those from the late twentieth and early twenty-first centuries sitting against large, monolithic industrial units and factories.
- 5.13 The building on the site to be replaced has a certain 1980s appearance to it and, with its generally domestic proportions, looks at odds attached to the industrial building to the west. It is not considered that the existing building is highly distinctive or makes a significant contribution to the character of the area.
- 5.14 A design is proposed which respects the massing of the current building. It includes a mix of materials such as brick, render and cladding. There is evidence of all these materials in the locality and the mix of materials is not considered to compromise the appearance of the resulting buildings.
- 5.15 It is not considered that the design of the buildings would result in harm to the character and appearance of the locality, which itself is varied. In terms of the presumption in favour of sustainable development, this is given neutral weight.

Potential Impact: Layout

- 5.16 During the course of the application, the design has been amended to separate the proposed residential units from the industrial uses to the west of the site. This includes alterations to the layout to ensure that vehicles servicing the industrial units can access the relevant parts of the site without effecting the new residential use.
- 5.17 To achieve this, the number of new flats was reduced. Although the residential units would be in close proximity to the industrial uses, the local planning authority has not previously objected to similar development on these grounds. The proposed layout provides access to both the residential and industrial uses and is acceptable. In terms of the presumption in favour of sustainable development, this is given neutral weight.

Potential Impact: Residential Amenity

- 5.18 There are residential properties along Soundwell Road to the east of the site and Portland Street to the south. Development should protect the existing properties from a prejudicial impact as well as providing an acceptable standard of living conditions to the future occupiers of the proposed properties.

- 5.19 Those properties most susceptible to harm are those bounding the site to the east. However, it should also be noted that there is a potential benefit to these dwellings as the proposal would reduce the proximity of these dwellings to the industrial uses, therefore leading to an improvement in the compatibility of the different uses. The proposed townhouses would be located between 19 and 20 metres from the existing dwellings; this is marginally closer than the 21 metres indicated on the plans associated with PK08/0578/F. Staple Hill is a tightly knit urban area with varying distances between buildings. For example, to the north of the site, the existing development is closer to the dwellings on Soundwell Road than the proposed townhouses. Whilst the development is less than ideal, the question is whether or not it would be out of character with the existing area and whether, if it is out of character, it would be harmful.
- 5.20 Within reasonable proximity of the application are a number of developments of townhouse style properties including on Portland Street and Morley Place to the east. The proposed development would not therefore be out of character with the area. The proximity to the existing dwellings is close and this would result in a moderate harm.
- 5.21 The local planning authority is looking to introduce a minimum standard for private amenity space through policy PSP43 of the Policies, Sites and Places Plan. This policy is yet to be adopted and therefore is subject to limited weight. The townhouses would benefit from between 30 square metres and 33 square metres of private outdoor amenity space, flat 3 would have a private amenity space of 45 square metres, and every unit in the development would have access to the 97 square metre communal garden in the northwest of the site.
- 5.22 Under the proposed standard, a 3-bedroom dwelling (such as the townhouses) should be provided with 60 square metres, and a 2-or-more bedroom flats should have access to 5 square metres plus private communal space.
- 5.23 It is clear that should this policy have full weight, the townhouses would not fully comply with the standard. However, access to the communal gardens should not be discounted. The proposed townhouses have an area of private garden space and the development as a whole have access to a communal area. It is considered therefore that the future occupiers would have good access to amenity space and therefore would benefit from an acceptable living conditions.

Potential Impact: Transport and Parking

- 5.24 The area is a mix of industrial and residential uses, however, the surrounding streets are mostly residential in character. Access to the site is provided from Portland Street. At 4.8 metres in width, the access is suitable for the intended use.
- 5.25 As a residential mix, three 3-bedroom houses, three 3-bedroom flats, and 2 two-bedroom flats are proposed. Against the Residential Parking Standard SPD this leads to a requirement for 15 parking spaces. In addition, 1 visitor parking space is required as the number of dwellings exceed 5. Therefore the development has an overall vehicular parking requirement of 16 spaces.

- 5.26 Plans indicate the provision of 15 spaces; therefore the development is 1 space short of complying with the Residential Parking Standard.
- 5.27 Objections have been received with regard to parking and access, in particular the rights of access to the adjacent business unit. Rights of access are a civil issue and are not managed through the planning system. Some provision has been made in the layout for access to the adjacent unit, however the grant of planning permission would not counteract any existing legal rights on or over the land subject to the permission.
- 5.28 Concern has also been raised with regard to the mix of residential and commercial traffic. The site constraints mean that traffic speed on the site would be low. Therefore any risk to safety is also low.
- 5.29 Although it is noted that the development fails to accord with the Residential Parking Standard, it is only by 1 space. It is not considered that the undersupply of parking on the site would lead to a significant or severe highway impact. Therefore whilst the minor shortage in parking spaces is noted, it is not considered to be harmful in the context of the presumption in favour of sustainable development.

Identified Benefit of Development

- 5.30 If permitted, the proposed development would lead to 8 new residential dwellings, by reusing previously developed land, in a sustainable location within the east fringe of Bristol. Given the scale of development it is likely that the dwellings could be provided within a period of 5 years and would therefore contribute towards reducing the current undersupply in the district.
- 5.31 The provision of housing contained within this application is given considerable weight in favour of granting planning permission.

Presumption in Favour of Sustainable Development

- 5.32 The presumption in favour of sustainable development states that planning permission should be granted unless the adverse impacts of doing so significantly and demonstrably outweigh the benefits of the proposal or specific guidance in the NPPF suggests permission should be resisted. The benefit of development is identified above. The proposal would lead to the formation of 8 additional dwellings within the district. The development would have an environmental benefit through the reuse of previously developed land and associated socio-economic benefits of housing provision and access to employment.
- 5.33 In terms of harms, there would be some limited harm as a result of the development through the loss of the employment site. There would be moderate harm to residential amenity through the proximity to the existing dwellings, however, it is not considered that the proposed arrangement is entirely out of keeping with the locality.

- 5.34 The harms identified as limited and moderate are not considered to significantly and demonstrably outweigh the benefits of the development. As such, the proposal benefits from the presumption in favour of sustainable development and it follows that planning permission should be granted.
- 5.35 Conditions on Planning Permission
To ensure that the development is of an acceptable standard, a number of matters require further information. This should be assessed through planning conditions.
- 5.36 A condition should be applied for a schedule of materials to ensure that those used as external facing materials assimilate into the existing environment. A condition should also be used to require the provision of the indicated vehicular and cycle parking.
- 5.37 As the site is within the urban area, opportunities should be taken to manage surface water runoff and therefore a SUDs scheme should be sought through condition. The site should also be landscaped; a landscaping scheme is therefore justified and should be secured through condition.
- 5.38 To protect residential amenity during construction works, the hours of working should be controlled by condition.
- 5.39 Other Matters
Most of the concerns raised in the consultation responses have been addressed in the analysis above. This section will cover those remaining.
- 5.40 Officers do not consider that a transport statement is necessary to accompany this application. Land ownership, rights of access, easements, and the suchlike are not given weight in the determination of this planning application. It is the developer's responsibility to ensure that this planning permission is lawfully implementable.

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 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).

2. Prior to the application of any external finish, a schedule of roofing and external facing materials proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

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

3. Prior to the relevant part of development a scheme of landscaping, which shall include: details of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection during the course of the development; proposed planting (and times of planting); boundary treatments; and, areas of hardsurfacing, shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed details. The planting agreed under this condition shall be carried out before the end of the first planting season follow the first occupation of any of the dwellings hereby approved.

Reason

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

4. Prior to the commencement of development drainage detail proposals incorporating Sustainable Drainage Systems SUDS and confirmation of hydrological conditions (e.g. soil permeability, watercourses, mining culverts) within the development shall be submitted for approval in writing to the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework. This is required prior to commencement to ensure appropriate drainage is achieved.

5. The off-street parking facilities (for all vehicles, including cycles) shown on plan 1619-10-A (Proposed Site Layout) hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason

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

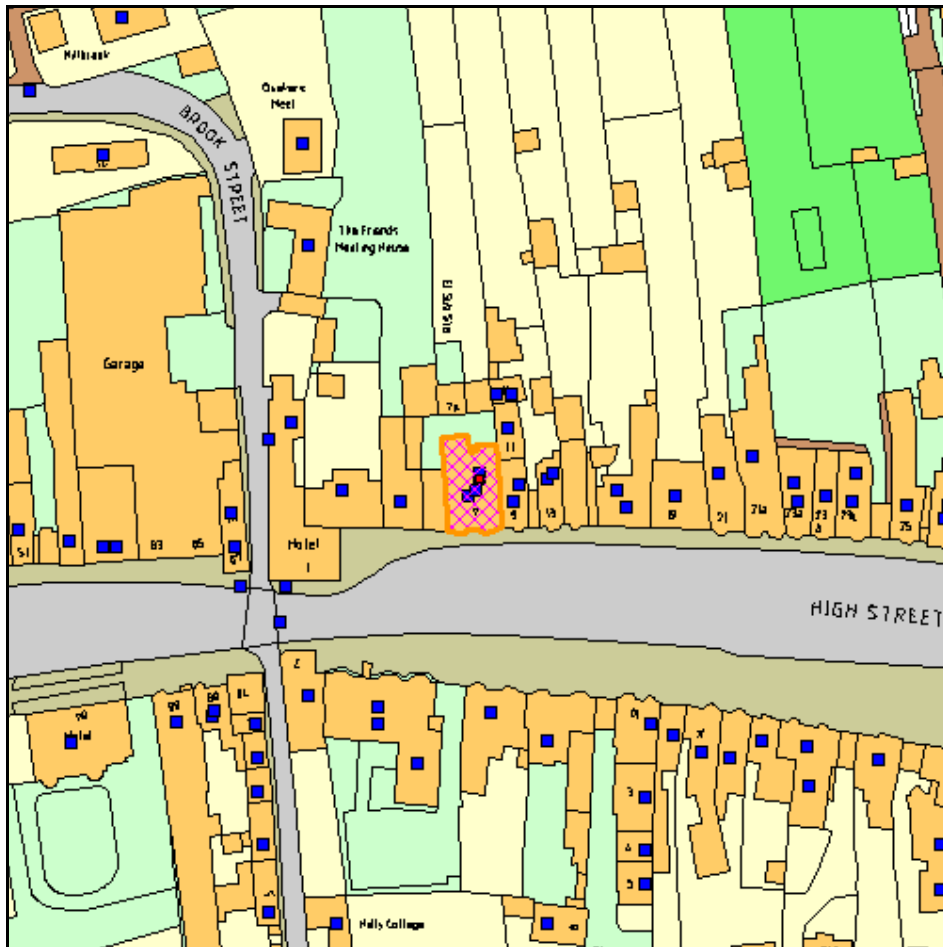
6. The hours of working on site during the period of construction shall be restricted to 0730 to 1800 Monday to Friday, 0800 to 1300 on Saturdays and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use 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 amenity enjoyed by those living in the locality during construction and to accord with the provisions of the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 08/17 – 24 FEBRUARY 2017

App No.:	PK16/5398/F	Applicant:	Sequence (UK) Limited
Site:	Allen And Harris 7 High Street Chipping Sodbury Bristol South Gloucestershire BS37 6BA	Date Reg:	11th October 2016
Proposal:	Installation of 1no. air conditioning unit on rear elevation	Parish:	Sodbury Town Council
Map Ref:	372603 182243	Ward:	Chipping Sodbury
Application Category:	Minor	Target Date:	1st December 2016



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REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application appears on the Circulated Schedule due to 2no objections from local residents. The application should be read in conjunction with a Listed Building Consent application PK16/5399/LB.

1. PROPOSAL AND SITE DESCRIPTION

- 1.1 This application seeks full planning permission for the installation of an air conditioning unit to the ground floor rear elevation of 7 High Street, Chipping Sodbury, which is currently occupied by 'Allen and Harris' estate agents at ground floor.
- 1.2 The application site is a Grade II listed building and is surrounded by other listed buildings. The site is located within the conservation area and settlement boundary of Chipping Sodbury. The main host building is formed of natural stone with some brick and render detailing. The air conditioning unit would be attached to a modern single storey flat roofed extension which adjoins the rear elevation of the main building. This element of the building forms part of a courtyard area which is accessed off High Street, through an historic archway directly to the east of No.7.
- 1.3 As a result of concerns expressed from Conservation Officers and Environmental Protection, revised plans and additional information have been supplied to the Case Officer. In light of this, the scheme is now considered acceptable.
- 1.4 This application is accompanied by an application for Listed Building Consent, which is also pending determination (planning ref. PK16/5399/LB).

2. POLICY CONTEXT

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

- 2.2 Adopted Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted December 2013)

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

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

L12 Conservation Areas
L13 Listed Buildings

2.3 Emerging Development Plan

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

PSP1 Local Distinctiveness

PSP8 Residential Amenity

PSP17 Heritage Assets and the Historic Environment

2.4 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) August 2007

South Gloucestershire SPD: Chipping Sodbury Conservation Area

3. RELEVANT PLANNING HISTORY

- 3.1 P93/2084 Approval 20.09.1993
Erection of single storey rear extension to provide kitchen. (In accordance with amended plans received by the council on 11/8/93 and 27/8/93)
- 3.2 P96/1182 Approval 03.06.1996
Erection of first floor rear extension to provide bathroom and bedroom
- 3.3 PK10/0892/LB Approve with Conditions 25.06.2010
Installation of replacement windows to front elevation.
- 3.4 PK12/4057/F Approve with Conditions 01.02.2013
Erection of single storey extension and conversion of existing detached garage/games room to form residential annexe.

4. CONSULTATION RESPONSES

- 4.1 Sodbury Town Council
No objection
- 4.2 Highway Structures
No comment
- 4.3 Lead Local Flood Authority
No objection
- 4.4 Sustainable Transport
No highway or transportation comments.
- 4.5 Conservation Officer
Original Proposal

“Although the element of the property to which the air conditioning unit is proposed to be attached is modern, this is only a modest single storey extension. The remaining building, and all of the neighbouring properties surrounding and attached are historic. The overall context is one of architectural and historic value. The elevation is not a private and unseen part

of the building, but one which is prominent to anyone visiting the courtyard and accessing number 7a.

The proposed air conditioning unit would be an unsightly modern intrusion within an otherwise pleasant and attractive space. It would harm the character and appearance of this part of the conservation area and the architectural and historic significance of the listed building and the setting of those surrounding listed buildings. The unit would provide a service for the occupants of number 7 however I don't believe that this constitutes a public benefit which outweighs the harm identified. Refusal is recommended."

Revised Proposal

Revised plans are now acceptable.

4.6 Environmental Protection

"I would recommend the applicant provides a basic acoustic report detailing how noise from the air conditioning unit may affect nearby residents"

Update

"Having read the acoustic report supplied by Philip Acoustics Ltd, we can confirm that the unit is most unlikely to cause a noise issue for nearby residents."

Other Representations

4.7 Local Residents

2no. objections were received from local residents which relate to noise related concerns following installation of the air conditioning unit.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

CS1 of the Core Strategy seeks the highest possible standards of design and states that the siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the application site and its context. In addition, the site is subject to a Grade II listing and located within the Chipping Sodbury Conservation Area. Policies L12 and L13 of the Adopted Local Plan and well as the emerging Policy PSP17 of the PSP Plan set out that development should preserve, and where appropriate, enhance the character or appearance of the Conservation Area. Furthermore, any works to a Listed Building will be expected to retain architectural and historic interest and where relevant, provide enhancement. Policy CS9 of the Core Strategy expects heritage assets to be conserved, respected and enhanced in a manner appropriate to their significance. The proposal accords with the principle of development subject to the consideration below.

5.2 Design and Heritage

In response to requests of the conservation officer the agent introduced a louvered screening device. This represents an improvement on the originally submitted plans which involved just the erection of the air conditioning unit. The existing building has seen a number of modern additions since it was originally

built, and the air conditioning unit would attach to a single storey flat roofed extension which is finished in render and sits at ground floor to the rear of property. As such, internal works involved in its installation would not impact the special historic or architectural interest of the building.

- 5.3 The air conditioning unit would, however, be introduced to an historic courtyard area to the rear of No.7 High Street, which sits between a number of listed and curtilage listed buildings. The louvered screening device is considered to lessen the impact of the unit on the historic courtyard area and alleviates the intrusion of further modern fabric.
- 5.4 In light of the proposed screening measures of the air conditioning unit and that it would adjoin a modern feature of the host building, the proposed works will not detrimentally impact the character, significance or setting of listed buildings. The proposal is therefore considered acceptable in terms of Policies CS1 and CS9 of the Core Strategy, as well as L12 and L13 of the Local Plan.
- 5.5 Residential Amenity and noise impacts
The air conditioning unit would be installed to a courtyard area which is adjacent to a number of residential properties. Local residents and colleagues in Environmental Protection raised concerns as to the potential noise impacts of the proposal. Accordingly, the agent submitted an acoustic report which assesses noise impacts as a result of the air conditioning unit. Environmental Protection have reviewed the report and have confirmed that the unit is 'most unlikely' to cause a noise issue for nearby residents. The case officer is therefore satisfied that the proposal would not lead to unreasonable disturbances to nearby occupiers and is deemed acceptable in relation to residential amenity. Overall therefore, the proposal is acceptable in terms of Policy H4 of the Local Plan (Adopted) January 2006.
- 5.6 Transport and Parking
The installation of an air conditioning unit to the rear of 7 High Street would not alter the existing access or parking at the site. Accordingly, no objection is raised in relation to highway matters.

6. CONCLUSION

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

7. RECOMMENDATION

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

Contact Officer: Lucy Paffett
Tel. No. 01454 863436

CONDITIONS

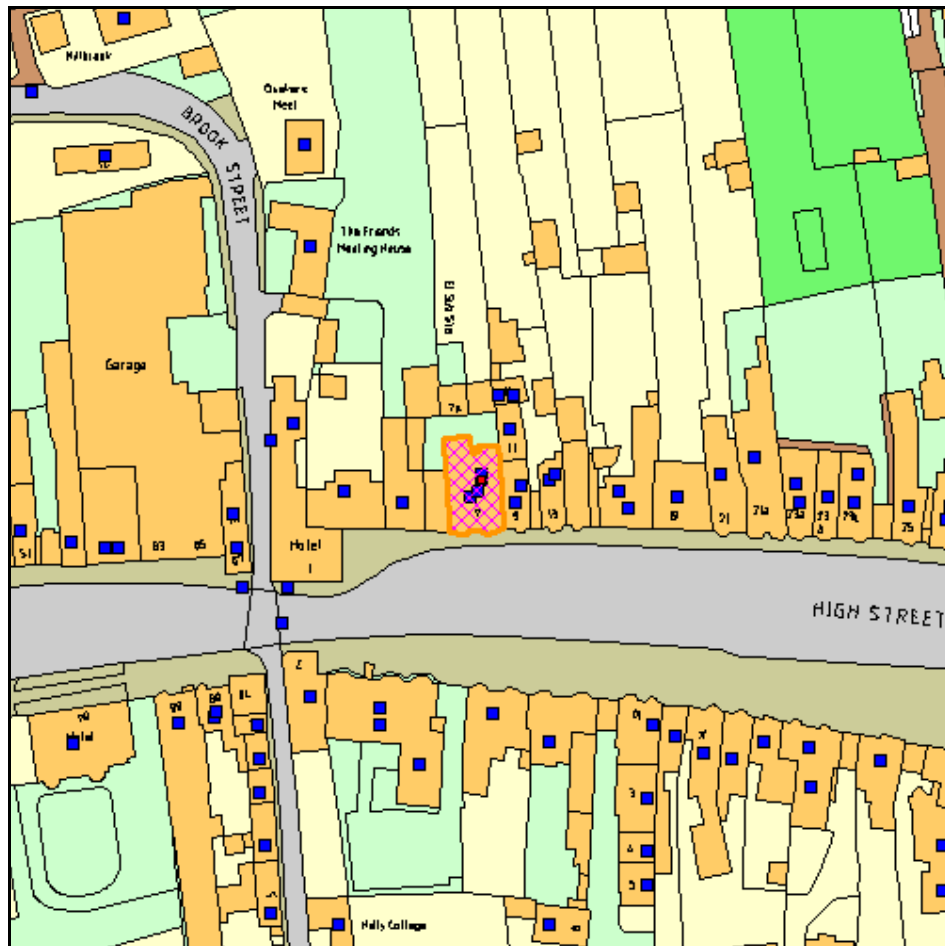
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 08/17 – 24 FEBRUARY 2017

App No.:	PK16/5399/LB	Applicant:	Sequence (UK) Limited Sequence (UK) Limited
Site:	Allen And Harris 7 High Street Chipping Sodbury Bristol South Gloucestershire BS37 6BA	Date Reg:	11th October 2016
Proposal:	Installation of 1no. air conditioning unit on rear elevation	Parish:	Sodbury Town Council
Map Ref:	372603 182243	Ward:	Chipping Sodbury
Application Category:	Minor	Target Date:	1st December 2016



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REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application appears on the Circulated Schedule due to 2no. objections from local residents. The application should be read in conjunction with a full application PK16/5398/F and although this is an application for listed building consent, it is felt necessary and for the sake of completeness, to include it on the circulated schedule as the two proposals are linked.

1. THE PROPOSAL

- 1.1 This application seeks listed building consent for the installation of an air conditioning unit to the ground floor rear elevation of 7 High Street, Chipping Sodbury, which is currently occupied by 'Allen and Harris' estate agents at ground floor.
- 1.2 The application site is a Grade II listed building and is surrounded by other listed buildings. The site is located within the conservation area and settlement boundary of Chipping Sodbury. The main host building is formed of natural stone with some brick and render detailing. The air conditioning unit would be attached to a modern single storey flat roofed extension which adjoins the rear elevation of the main building. This element of the building forms part of a courtyard area which is accessed off High Street, through an historic archway directly to the east of No.7.
- 1.3 As a result of concerns expressed from conservation officers with regard to the impact of the air conditioning unit on the Listed Building and associated historic fabric, revised plans have been received which now show screening would be erected surrounding the unit. On-going correspondence has led to an acceptable design approach.
- 1.4 This application is accompanied by an application for full planning permission which is also pending determination (planning ref. PK16/5398/F).

2. POLICY CONTEXT

- 2.1 National Guidance
 - Planning (Listed Buildings and Conservation Areas) Act 1990
 - Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended)
 - NPPF National Planning Policy Framework March 2012
 - PPG National Planning Proactive Guidance
- 2.2 Adopted Development Plans
 - South Gloucestershire Local Plan Core Strategy Adopted December 2013
 - CS1 High Quality Design
 - CS9 Managing the Environment and Heritage
 - CS34 Rural Areas

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

L12 Conservation Areas

L13 Listed Buildings

2.3 Emerging Development Plan

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

PSP1 Local Distinctiveness

PSP17 Heritage Assets and the Historic Environment

2.4 Supplementary Planning Guidance

Design Checklist SPD (Adopted) 2007

3. RELEVANT PLANNING HISTORY

3.1 Due to an extensive planning history at the site, the most relevant applications are included below.

3.2 N7220/2 Approve with Conditions 10.06.1982
Erection of extension at rear to provide W.C.s office and bed-sitting room

4. CONSULTATION RESPONSES

4.1 Sodbury Town Council

No objection

4.2 Conservation and Listed Building Officer

Original Proposal

“Although the element of the property to which the air conditioning unit is proposed to be attached is modern, this is only a modest single storey extension. The remaining building, and all of the neighbouring properties surrounding and attached are historic. The overall context is one of architectural and historic value. The elevation is not a private and unseen part of the building, but one which is prominent to anyone visiting the courtyard and accessing number 7a.

The proposed air conditioning unit would be an unsightly modern intrusion within an otherwise pleasant and attractive space. It would harm the character and appearance of this part of the conservation area and the architectural and historic significance of the listed building and the setting of those surrounding listed buildings. The unit would provide a service for the occupants of number 7 however I don't believe that this constitutes a public benefit which outweighs the harm identified. Refusal is recommended.”

Revised Proposal

Revised plans are now acceptable.

4.3 Council for British Archaeology

No comments received

- 4.4 Georgian Group
No comments received
- 4.5 Twentieth Century Society
No comments received
- 4.6 Society For The Protection Of Ancient Buildings
No comments received
- 4.7 Victorian Society
No comments received
- 4.8 Ancient Monuments Society
No comments received

Other Representations

- 4.9 Local Residents
2no. objections were received from local residents which relate to noise related concerns following installation of the air conditioning unit.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
This is an application for listed building consent. This application stands to be assessed against National Planning Policy Framework March 2012 and Planning (Listed Buildings and Conservation Areas) Act 1990. As such, the only consideration is the impact of the proposed development on the special historic or architectural features of the property.
- 5.2 Assessment of Impact on Heritage Asset
In response to requests of the conservation officer the agent introduced a louvered screening device. This represents an improvement on the originally submitted plans which involved just the erection of the air conditioning unit. The existing building has seen a number of modern additions since it was originally built, and the air conditioning unit would attach to a single storey flat roofed extension which is finished in render and sits at ground floor to the rear of property. As such, internal works involved in its installation would not impact the special historic or architectural interest of the building.
- 5.3 The air conditioning unit would, however, be introduced to an historic courtyard area to the rear of No.7 High Street, which sits between a number of listed and curtilage listed buildings. The louvered screening device is considered to alleviate the impact of the unit and allows the existing buildings to retain their character. Having said this, should permission be granted a condition is recommended to ensure that the screening device is installed and thereafter retained as such in order to protect potential detrimental impacts.
- 5.4 In light of the proposed screening measures of the air conditioning unit and that it would adjoin a modern feature of the host building, the proposed works will not detrimentally impact the character, significance or setting of listed buildings.

The proposal is therefore considered acceptable in terms of Policies CS1 and CS9 of the Core Strategy, and L13 of the Local Plan.

5.5 Other matters

Concerns raised from local residents in relation to noise are understood and have been assessed. Such comments will be taken into account within the accompanying full planning application.

6. **CONCLUSION**

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

7. **RECOMMENDATION**

7.1 That the application be **approved** subject to the conditions outlined on the decision notice.

Contact Officer: Lucy Paffett
Tel. No. 01454 863436

CONDITIONS

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

Reason

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

2. The hereby approved air conditioning unit, shall be screened with a louvered screen in accordance with the following plans: Proposed Elevations (0212-01-02) as received by the Council 21st February 2017.

Reason

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

CIRCULATED SCHEDULE NO. 08/17 – 24 FEBRUARY 2017

App No.:	PK16/6159/F	Applicant:	Dyrham And Hinton Village Hall Trust
Site:	Dyrham And Hinton Village Hall Dyrham Road Dyrham Chippenham South Gloucestershire SN14 8HA	Date Reg:	10th November 2016
Proposal:	Construction of new vehicular access and installation of 3no. bollards.(Re submission of PK16/0228/F)	Parish:	Dyrham And Hinton Parish Council
Map Ref:	373321 176258	Ward:	Boyd Valley
Application Category:	Minor	Target Date:	2nd January 2017



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This report appears on the Circulated Schedule following a comment from a local resident.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the construction of a new vehicular access and the installation of 3 no bollards. The application is a resubmission of PK16/0228/F which was withdrawn on the basis of needing an arboricultural report.
- 1.2 The application site relates to Dyrham and Hinton Village Hall, Dyrham. The site lies outside the village and outside the conservation area of both Dyrham and Hinton and in the Bristol/Bath Green Belt. It is not listed however, it is located close to the grade II listed building, Talbot Farm.
- 1.3 Details included with the application declare that permission is not needed for the erection of the three bollards outside the existing wall. However, there is a difference of opinion between the LPA and the applicant regarding the ownership of this land. Details within this report will show there is some ambiguity over the ownership, but the balanced judgement of the case officer is that permission is required and as such the introduction of the three bollards is assessed within this report. Four other bollards within the site, two either side of the front entrance do not require planning permission as they can be regarded as falling under permitted development.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework (NPPF) March 2012
National Planning Policy Guidance
Planning (Listed Buildings and Conservation Areas) Act 1990
Managing Significance in Decision-Taking in the Historic Environment (GPA 2)
The Setting of Heritage Assets (GPA 3)

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)

L1 Landscape
L13 Listed buildings
T12 Transportation Development Control Policy for New Development

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

PSP1 Local Distinctiveness
PSP16 Parking Standards
PSP17 Heritage Assets and the Historical Environment

2.4 Supplementary Planning Guidance

South Gloucestershire Design Checklist SPD (Adopted) August 2007
South Gloucestershire SPD: Green Belt (Adopted) 2007

3. RELEVANT PLANNING HISTORY

- | | | |
|-----|-------------|---|
| 3.1 | P93/2512 | Demolition of existing meeting room and construction of new meeting room |
| | Approved | 22.12.93 |
| 3.2 | PK05/2835/F | Creation of new vehicular access. Installation of disabled access ramp to east elevation. |
| | Approved | 22.12.05 |
| 3.3 | PK16/0228/F | Construction of a new vehicular access and the installation of 3 no bollards |
| | Withdrawn | 25.2.16 |

4. CONSULTATION RESPONSES

- 4.1 Dyrham and Hinton Parish Council
No objection

- 4.2 Other Consultees

Tree Officer

No objection, provided that all works are in accordance with the submitted Arboricultural documents and are over-seen by the project Arboriculturalist as per the Arboricultural method statement.

Listed Building Officer

Concerns:

Bollards would be unsightly and should be removed from the scheme. The access to the north should be closed and the existing wall extended to the north from its current position.

Highway Drainage

No objection

Highway Engineer

No objection

Highway Structures

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

Other Representations

4.3 Local Residents

One letter of objection has been received from a local resident.

- I notice that there are bollards proposed for the front of the Village Hall to prevent vehicles driving across the front of the building. I use this to drop off my wife and her wheelchair so she can gain access to the hall. I find that the designated disabled parking space at the side of the hall is nearly always taken. What surface will be provided for car parking? If it is gravel it will be almost impossible to use a wheelchair

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application stands to be assessed against the above listed policies and all material considerations. Of particular importance is the appearance of the historic stone building and its proximity to a listed building and its rural location within the Bristol/Bath Green Belt (CS1, CS5, CS9, L12). The issue of impact on highway safety must also be taken into consideration (T12).

The proposed construction of a new vehicular access, facilitated by the removal of 2.25 metres of wall and the introduction of a dropped kerb, is considered acceptable in principle. The installation of 3no. bollards has been subject of some debate as to whether or not planning permission is required. This is on the basis of a query regarding ownership of that piece of land. This is discussed further in the report. The conservation officer has also expressed reservations and a balanced view is argued for the installation of the bollards.

5.2 Green Belt

Development in the Green Belt is limited to certain categories. Development which does not fall within the specified list is considered inappropriate and must be resisted unless very special circumstances can be put forward to support the proposal. Similarly, development that has an adverse impact on the openness of the Green Belt is considered harmful and is resisted. The proposal to alter the existing access (to widen and drop the kerb) is an engineering operation and as such is regarded as being an appropriate form of development. The proposal would entail removing part of the existing front wall and would not impact on the openness of the Green Belt. In these terms the proposal is acceptable. The installation of the bollards in front of this wall is similarly regarded as an engineering operation and on that basis acceptable.

5.3 Design and Visual Amenity

The Dyrham and Hinton Village Hall is not considered to be of any historic significance. The hall appears to have developed over two phases with the main gable roof 1 and ½ storey hall building and a modern single storey extension to the north-western corner. The building is oriented south-west to north-east with the north-east front gable addressing the lane.

5.4 With natural stone elevations under a double Roman tiled roof that features sprocketed eaves and other embellishments such as drip moulds over openings and leaded lights, although the hall may not be considered to be of any significant architectural interest, the main or original hall building does possess a degree of charm.

5.5 The hall is served by 2no. areas of car parking to either side of the building; the larger area is to the south of the hall. With the hall set back into its plot, vehicular access is gained via a dropped kerb to the north of the hall with vehicles having to drive past the front elevation to gain access. Enclosing the front boundary from a raised footpath is a low, natural stone wall. Details included in the application state that the wall was erected in 2012/13, is 0.6 metres high and currently stretches across the front for about 13 metres.

5.6 The proposed scheme would see the kerb dropped towards the southern end of the front boundary to enable direct vehicular access to the larger car parking area. This would also result in a loss of a section of the front boundary wall (about 2.25 metres). 3no. bollards would also be installed along the footpath directly in front of the stone wall.

5.7 The proposed development would see the hall having 2no. access points with the implication being an erosion of the existing stone boundary. The wall is considered a positive feature that contributes to the character of the locality. However, the wall is a fairly recent addition; aerial and street photographs in 2011 indicate its absence and written confirmation from the applicant endorses its recent construction. It therefore has no historic value. The benefit of the wider access point to the south of the building which would improve vehicular movements to and from the village hall attracts weight in its favour.

5.8 Impact on Listed Building

The village hall subject to this application lies between the settlements of Dyrham and Hinton and is located outside of either the conservation areas that cover both respective hamlets. The village hall is however located immediately to the north of Talbot Farm, of which the farmhouse is grade II listed. The proposed works therefore has the potential to impact on the setting of the adjacent grade II listed building.

5.9 The introduction of a second access point could be viewed as quite excessive for a building of such a modest size. The implications would firstly, be the erosion of the stone boundary and secondly, the introduction of the bollards across the front would be unsightly. Together these are considered to have a material adverse impact on the setting of the adjacent listed building. It has been suggested that the access to the north should be closed and the existing wall extended to the north from its current position.

This would ensure that the section of wall lost to create the access to the south would be replaced, thus helping to retain this feature rather than compromising its integrity. It was furthermore, suggested that the bollards be removed from the scheme.

5.10 The wall is a modern feature which only stretches across part of the front boundary of the site. The removal of a small part of the wall to allow better access to both car parking areas must therefore be weighed against the harm identified above. Safety of users has been cited as the reason for the new access, meaning the flow of traffic would no longer be across the main pedestrian entrance into the village hall. In addition, the intention of the proposed bollards is to prevent others parking outside the wall and again interfering with access to the hall. This matter is discussed in more detail below, but on balance the introduction of the second access and the introduction of the bollards would not have an adverse impact on the setting of the listed building sufficient to warrant a refusal of the scheme.

5.11 Residential Amenity

Given its position the proposal would not have an adverse impact on residential amenity.

5.12 Sustainable Transport

Details submitted in support of the application maintain that the area to the front of the existing boundary wall immediately adjacent to the road belongs to the Village Hall Trust. The applicant has cited OS maps as proof; but these maps cannot be relied on, being more of a representation rather than a precise depiction of what is on the ground. Officers have therefore checked the Council's Highway Records. These are documents which state the extent of legally adopted highway and confirm the status of roads. In this instance, once again the records cannot be relied upon to provide definitive proof of the extent ownership whether that be for the Council or a private party. One interpretation given to the case officer is that the existing hedge line to the north should be used. On this basis if the line of the hedge was to be extended across the front of the site the area in question would fall within highway land. Another interpretation is that if the line of the wall associated with the farm and the listed building to the south was extended across the front of the hall then the area of land would fall outside highway land ownership. The Land Registry records are blank and so Officers have been unable to make further checks.

5.13 Given the ambiguity of records, the best approach is to assume that the land is dedicated public highway. This does not necessarily mean the Council owns the land, but to make changes on this land permission of the appropriate party is required. In this case the Highway Officer raises no objection to the proposed bollards but prior to the commencement of works, permission would be required from the Street Care Team. Details on how to contact this department can be found in the attached informative.

5.14 With regards to the proposed visibility splay, the applicant's are correct in their statement that the visibility splay is sub-standard. However, given the very modest nature of the traffic flows both to and from the site, and those travelling along Dyrham Road, together with the generally constricted nature of the

carriageway which will act to inhibit vehicle speed, Officers concur with the applicant's statement that these present exceptional circumstances. On this basis, Officers do not object to the proposed new access.

5.15 Tree Officer

This application included an arboriculture report to determine the impact on the existing Horse Chestnut tree in the south east corner of the site. Officers are content that providing the works adhere to the Arboricultural survey, the Arboricultural impact assessment and the Arboricultural method statement dated October 2016 that the tree will be protected and there are no objections to the scheme.

5.16 Other matters

The comment from a local resident is noted. In response to these concerns should the materials for the parking area be gravel. The applicant states that no decision has been made but that it would likely be hard paving such as slabs or brick pavers. It is important that no loose materials spill out onto the road and as such a condition will be attached to the decision notice stipulating that the first 5 metres of the car park where the new access is created should be of a bound material.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Contact Officer: Anne Joseph
Tel. No. 01454 863788

CONDITIONS

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

Reason

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

2. The first five metres of hardstanding adjacent to the new access shall be of a permeable bound surface.

Reason

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

3. The works shall be carried out in accordance with the recommendations as set out in the submitted Arboricultural documents and shall be over seen by the project Arboriculturalist.

Reason

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

CIRCULATED SCHEDULE NO. 08/17 – 24 FEBRUARY 2017

App No.:	PK16/6298/F	Applicant:	Whitbread Group PLC
Site:	Premier Inn Westerleigh Road Emersons Green South Gloucestershire BS16 7AN	Date Reg:	18th November 2016
Proposal:	Erection of single storey community hall and two storey extension to south west elevation of existing hotel. Alteration to parking. Installation of plant enclosure containing 3 no. air conditioning units.	Parish:	Emersons Green Town Council
Map Ref:	366776 177808	Ward:	Emersons Green
Application Category:	Major	Target Date:	15th February 2017



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule due to the receipt of objection from a resident, which is contrary to the officers' recommendation.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for an erection of a single storey community hall, a two storey extension to the south west elevation of an existing hotel building to provide an additional 24 bedrooms (net gain), a number of alterations to the existing parking area and an installation of a plant enclosure for containing 3 no. air conditioning units at Premier Inn, Westerleigh Road, Emersons Green. The site is situated is to the south of the junction of Westerleigh Road and the Avon Ring Road.
- 1.2 During the course of the application, a revised landscaping plan has been submitted to address the consultee's concerns.
- 1.3 It should be noted that planning permission, PK14/4772/F, was granted in January 2015 for the erection of new community town hall with access and parking spaces to the south west of the existing hotel parking area. This planning permission has not been implemented. The main differences with the current scheme are that (i) the community hall is relocated closer to the existing vehicular access (ii) no new vehicular access is proposed and the parking area for the new community hall will be re-arranged.
- 1.4 The proposed extension to the existing hotel would measure approximately 29 metres by 16 metres with a height of 9.5 metre to the apex of the hipped roof. The external wall and roof materials would match those of the host building and the proposed extension would be located on the existing parking area.
- 1.5 The proposed community hall would be a single storey building and would measures approximately 11.4 metres by 12.6 metres with a height of 5 metres to the apex of the hipped roof. The building would have red roof tiles, faced in buff brick set on a red brick plinth. The site for the community hall is currently open grass land bounded by trees and a hedge and is situated on the eastern side of Westerleigh Road. To the immediate north-east of the site is the car park associated with the existing hotel.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012
National Planning Practice Guidance
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies)
LC4 Proposals for Education and Community Facilities
E11 Tourism including tourist accommodation
EP7 Unstable land

- T8 Parking standards
- T12 Highway Safety
- RT1 Development appropriate to town centres

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

- CS1 High Quality Design
- CS4A Presumption in favour of Sustainable Development
- CS1 Location of development
- CS8 Improving Accessibility
- CS9 Managing the Environment and Heritage
- CS11 Distribution of Economic Development Land
- CS12 Safeguarded Areas for Economic Development
- CS13 Non-Safeguarded Economic Development Sites
- CS14 Town Centres and Retail
- CS23 Community Infrastructure and Cultural Activity
- CS29 Communities of the East Fringe of Bristol Urban Area

3. RELEVANT PLANNING HISTORY

The site has been subject to a number of planning applications in the past, and the following are the most relevant to the determination of this application.

- 3.1 PK13/1855/F Erection of two storey extension to provided 16 no. additional bedrooms with associated works. Change of use of adjoining land to hotel grounds. Approved 29 July 2013
- 3.2 PK04/1769/F Erection of 2 storey extension to provide 28 additional rooms. Approved 20 September 2004.
- 3.2 K7825 Erection of restaurant, public house and hotel with associated car parking and landscaping and works to TPO trees. Approved 6 October 1995
- 3.4 PK14/4772/F Erection of new community town hall with access, car parking and associated works. Approved 14 January 2015

4. CONSULTATION RESPONSES

- 4.1 Emersons Green Town Council
No objection, and agreed to adopt the security measures recommended by the Avon and Somerset Constable
- 4.2 Other Consultees
 - Avon and Somerset Police
Concerns regarding the natural surveillance, suggests conditions on windows and doors, laminated glass, appropriate alarm system
 - Wessex Water
Advised the location of private foul sewers and surface water sewers.

Environmental Protection

No objection, advised the measures safeguarding the amenity of the area during the construction periods

The Coal Authority

No objection.

Landscape Officer

Concerns due to the inadequate replacement trees.

Ecology Officer

No objection subject to conditions seeking the implementation of the ecological measures which are suggested in the ecological report.

Highway Structures

Advised the responsibility and the maintenance on the highway structure.

Arts and Development

Seek a contribution for a public art programme.

Arboricultural Officer

No objection subject to condition seeking the implementation of the tree protection plan.

Highway Officer

No objection.

Drainage Engineer

No objection subject to condition seeking sustainable drainage system.

Urban Designer Officer

No objection, however the design of the proposal does not achieve the highest standards of design

Wales and West Utilities

Advises that there are utilities apparatus in the area

Environment Agency

No comments received.

Other Representations

4.3 Local Residents

One letter of objection received and the residents raise the following concerns: (Full comments can be viewed in the Council website).

- This seems a muddled application as it comprises the previous application for the community hall
- Have the issues regarding asbestos on the site been resolved?
- Increase in traffic and potential accidents
- Noise and light pollution from the existing car park and new bedrooms

- Adverse impact upon Howesmoor Lane, and the possible Green Spaces

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

There are two main elements in this proposal, i. the erection of two storey extension to the existing hotel, the re-configuration of the existing parking area and the installation of plant enclosure, and ii. The erection a community hall.

Two storey extension to the existing hotel

- 5.2 Paragraph 24 of the NPPF requires that sequential testing should be applied to planning applications for main town centre uses such as hotels, not in an existing centre and not in accordance with an up-to-date Local Plan. They should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre.
- 5.3 In South Gloucestershire, there are a number of town centres, such as, Bradley Stoke, Emersons Green, Kingswood, and other market towns, for example, Thornbury, Yate. Premier Inn currently operates seven other hotels in the wider Bristol wider area and some of them are located in the Bristol City Centre and each of them serves an individual market requirement. In this particular case, the applicant has indicated that the relocation of the proposed extension to other alternative locations would not meet the location-specific requirement of this site and would not address the requirement to support the existing hotel to serve the identified market. In addition, it would not be viable for Premier Inn to operate a standalone 24 bedroom facility in Emersons Green or the wider area given the location and demand found within the areas. Considerations have also been taken to the applicant's existing coverage in and around Bristol and the wider hotel provision in the area.
- 5.4 Although the proposed development is not situated within an existing town centre it is well connected to the nearest town centre of Emersons Green. Besides that, the proposed extension is situated within the ground of the existing hotel and the site is within a highly sustainable location. It is approximately 13 minutes walk to the Emersons Green Town Centre and 8 minutes walk to the Bristol and Bath Business Park. Also, it is situated within the proximity of bus stops, which provide public transport linking to town centres within South Gloucestershire and City of Bristol. Also, the site is well connected to the existing transport infrastructure the A4174 dual carriageway which links to the M4 and M32. It is considered that the applicant has provided sufficient information in order to pass the sequential test in this instance. The hotel proposal is intended as an extension to an existing facility rather than a standalone development.
- 5.5 Moreover, this proposal is considered to contribute directly and indirectly towards the economic growth by providing additional job opportunities in the local area.

- 5.6 As such, it is considered that the proposal is acceptable in principle subject to the following assessment against the saved policy E11 of the adopted Local Plan, which sets out the requirements for development proposals to meet, such as the environmental effects, residential amenity, transportation.
- 5.7 The erection a community hall.
Part of the proposed development is to erect a community hall and associated works. Planning permission has been granted in 2015 for a similar proposal. There is no material change from the planning policies perspective. Policy CS23 of the South Gloucestershire Local Plan Core Strategy indicates that the Council will work with partners to provide additional, extended or enhanced community infrastructure. The main differences of the proposal are that proposed community hall is relocated closer to the existing vehicular access, which would be utilised for the community building and there would not be any new vehicular access. As such the proposal is acceptable in principle.
- 5.8 Residential Amenity
The nearest residential properties would be those along Thomas Avenue to the south of Howsmoor Lane, and a local resident raises concerns regarding noise and light pollution, in particular, cars arriving late at night, levels of lighting within the current car park, and the illuminated bedrooms during night time.
- 5.9 Two storey extension to the existing hotel
Regarding the overlooking and overbearing impact, it is considered that such impact would not be significant given that the proposed two storey extension would be at least 20 metres from the rear elevation of the nearest neighbouring dwellings. Regarding the existing noise nuisance due to the late visitor's arrivals, it is considered that the proposed extension would not make the existing situation markedly worse as the extension would replace the existing parking area. Regarding the illumination issues, it is considered that the level of illumination from these new bedroom windows would not cause significant material adverse impact onto the neighbouring properties to be detrimental to the living conditions of the nearby residents. Regarding the proposed plant enclosure, officers and the Council Environmental Protection Team have no objection to the proposed plant given its modest scale and reasonable distance from the neighbouring properties.
- 5.10 Community Hall
The proposed community hall would be located to the southeast of the existing vehicular access. Additional parking spaces would be provided to the south west of the proposed building. The nearest residential properties would be those are situated on the opposite side of Westerleigh Road or those are located to the north of Hick Avenue. Given that there would be a reasonable distance between the proposed building and the neighbouring dwelling, it is considered that the impact would not be significant. Regarding the new parking area, whilst there would be a degree of noise or disturbance, such impact would not be significant to be detrimental to the neighbours' amenity given that there is an existing landscape buffer along Howsmoor Lane and a hedgerow along Westerleigh Road.

As such, it is not considered that the proposal would have an adverse impact upon the amenity of neighbouring residents or the hotel building. A condition is however imposed to restrict the construction hours to protect the amenity of the neighbouring occupiers.

5.11 Transportation

This planning application seeks to construct a 24 bedroom extension to the Premier Inn and a free standing 117 sq metre community hall in Westerleigh Road, Emersons Green. It is noted that the hotel has been extended in the past and it now has 82 bedrooms. The applicant submitted a Transport Statement to address transportation issues regarding the increased travel demand, the car parking provision and the proposed servicing arrangement.

- 5.12 Regarding the increased travel demand, the applicant has extracted estimates from the TRICS database for both hotel and restaurant related uses and community halls. The information extracted from this data indicates that the existing hotel will generate about 350 vehicular trips per day, of which around 30 take place in the AM peak and 65 in the PM peak, the proposed extension will generate about 30 additional vehicles daily and of which around 6 vehicles will travel in the AM and PM peak periods, and also suggested that the community hall will generate about 10 trips per day, of which only 1 will take place in either peak period. Therefore, the total daily increase in traffic movement will amount to just over 40 trips, of which less than 10 will take place in the peak periods. Whilst the applicant has not carried out an operational assessment of their access junction, the additional predicted movements at this location during the network critical peak periods is very small, as such, the Highway Officer considers that they are unlikely to create a problem at this junction, it is therefore considered that the proposed development will not create congestion issues at this junction or on the surrounding network.
- 5.13 Regarding the provision of car parking spaces for the proposed extension, the proposal shows that there are currently 127 car parking spaces. The submitted car parking survey indicates that the current maximum demand for the car parking at this location is approximately 100 vehicles and this suggests that there is adequate car parking to accommodate the existing demand at this site. The car parking standards set out in Policy T8 of the South Gloucestershire Local Plan set maximum standards, placing a limit of one extra car parking spaces for each new bedroom on the site, This equates to a limit of an additional 24 car parking spaces, and the proposal has demonstrated that the standard will be met within the site. In addition, it also provides sufficient disabled user and bicycle parking spaces to meet the Councils requirement.
- 5.14 Regarding the provision of car parking spaces for the community hall, the adopted Local Plan does not provide a standard for the community hall. The applicant has undertaken a parking accumulation assessment to determine whether or not there would be likely enough spaces for the users of the community hall. The assessment indicates that the hotel maximum demand will be around 120 vehicles, therefore, there are more than 30 spaces available to accommodate trips associated with the community hall. Therefore, the Highway Officer considers that such provision is adequate.

- 5.15 Regarding the service access arrangements, the applicant has indicated that the service access arrangement will remain unchanged as a result of this proposal. Although there is likely to be a very marginal increase in delivery requirement, it would probably be met without an increase in vehicle movements. As such, officers have no concerns on this element.
- 5.16 Conclusively, from the transportation perspective, there would be adequate spaces within the site for employees, guests and visitors. In addition, the proposal do not change the site access or servicing arrangement, and the proposed development is unlikely to materially alter the traffic patterns associated with this site, it is considered that the proposal would not cause significant impact on the local highway network, therefore there is no highway objection.
- 5.17 Arboricultural and Landscape Issues
The applicant submitted an arboricultural report including a tree protection plan to support the scheme. The trees proposed for removal are of poor quality and therefore there are no objections to their removal in order to incorporate the proposed development provided that the trees are protected in accordance with the submitted arboricultural report, tree protection plan. A planning condition is imposed to secure this.
- 5.18 The landscape planting around the existing hotel is well established and there are a number of hornbeam trees within the car parking area. The area for the proposed community hall is currently open space and is bounded by well-established hedge line, particularly on the southeast side and the roadside. There are also some well-established trees occupying the joint boundary with the existing car park, and it is considered that the roadside hedge is a significant landscape feature which contributes to the visual amenity of Westerleigh Road. Whilst the Landscape Officer has no objection in principle to the original scheme, there is a significant concern regarding the loss of trees including the ash tree T20 and the roadside hedgerow.
- 5.19 To the address the concerns, a revised landscaping scheme has been submitted to include four new trees along Westerleigh Road with a single species native hedges and this also ensure the community hall and car park is open to natural surveillance, which is raised by the Crime Prevention Officer. The applicant has however indicated that replacement tree planting cannot be accommodated within the car park due to the reduced visibility for cars and service vehicles. Although the proposal would result in a net loss of 8 no. trees as a result of this application particularly in the existing car parking area, your case officer considers the proposed landscaping scheme would improve the landscaping features along Westerleigh Road and enlarge the existing landscaped island at the entrance, as such it is considered that the proposal would not cause significant adverse impact upon the locality to warrant a refusal of this application.
- 5.20 A concern has also been raised regarding the impact upon the nature of Howsmoor Lane, which links to the nominated Green Space (LGSD189 – Pond and Open Space Area behind Blackhorse Garage).

The proposed two-storey extension, which would replace the existing car parking area, and would be situated further away from the proposed Green Space. Similarly, the proposed community hall would be situated adjacent to the existing access and set back from the proposed Green Space. Furthermore, the applicant also confirms that the existing trees and landscaping on Howsmoor Lane are outside the application site and will not be affected by the development and the existing landscape buffer will also be retained. It is therefore considered that the proposal would not cause an adverse impact upon the character of Howsmoor Lane and the surrounding green spaces. Therefore there is no landscape objection subject to condition seeking the implementation of the submitted landscape scheme.

5.21 Design and Visual Amenity

The proposed extension is of similar scale and appearance to the existing extensions. The proposed external wall and roof materials and the proposed windows and doors would match those of the existing. As such, it is considered that the proposed extension would not cause any adverse impact upon the character and the appearance of the host building.

5.22 Regarding the proposed community hall, the Urban Design Officer is concerned that the proposed roller shutters are a retrograde step and would act to undermine amenity of the area. Although the Urban Design Officer suggested that the hedge to the road frontage be removed and replaced with railings and a formal row of new street trees, it is considered that the existing hedges have intrinsic amenity value in their own right and they should be retained. The revised landscaping scheme, which proposes 4 no. additional trees along Westerleigh Road is a reasonable improvement. Regarding the design of the proposed building, whilst there is a lack of architectural feature, a similar design of the building has been previously recently approved and the building is relatively modest in scale.

5.23 From the security issues, the Town Council confirms that the windows of the community hall will be double glazed, performance of which will mitigate adverse noise levels from the adjacent highway and there will be full length electric metal shutters on all windows and doors. The building will also be alarmed for both intruders and fire and there will be CCTV coverage of the car park and external access points. The need for security is balanced against the likely impact in design terms. The proposals to have shutters is not such a significant feature that it renders the proposal unacceptable, albeit that there are misgivings about the impact on the street scene.

5.24 Based on the above discussion, officers consider that on balance the proposal would not cause an adverse impact upon the street scene and is acceptable.

5.25 Ground conditions

The application site falls within the defined Development High Risk Area for coal mining activity. The Coal Authority records indicate that there is a coal outcrop running along the eastern edge of the site and this may have been subject to historic unrecorded coal workings at shallow depth. The single storey community hall is located outside of the defined Development High Risk

Area with only a small part of the new extension proposed being within the High Risk designation.

- 5.26 The planning application is supported by a Phase 1 Geo-Environmental Investigation, dated February 2016 and prepared by JNP Group and a Geoenvironmental Investigation, dated September 2016 and prepared by JNP Group/GEO Environmental Engineering. The Geoenvironmental Investigation sets out details of the investigations carried out on site and their findings.
- 5.27 The Geoenvironmental Investigation Report states that a thin coal seam subcrops beneath the centre of the site and that this has been confirmed by the investigations carried out. The report notes that the coal was intact with no evidence that it has been worked. On this basis the report concludes that the site is not at risk of shallow coal mine workings and further works in this respect are not considered necessary. The Coal Authority considers that the content and conclusions of the Investigation Report are sufficient in demonstrating that the site is, or can be made, safe and stable for the proposed development and therefore there is no objection to the proposed development and it is considered that the proposal accords with Policy CS9 of the adopted Core Strategy and saved policy EP7 of the adopted Local Plan.
- 5.28 Art and Development
The NPPF states that the social role of the planning system should create a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being. Policy CS1 Point 7 states that where the scale, location and / or significance of the development proposal warrants it, it should embed public art within the public realm or in a location where it can be viewed from the public areas. Policy CS23 of the adopted Core Strategy also states the Council will work with partners to provide additional, extended or enhanced community infrastructure and encourage participation in cultural activity. Although the Arts and Development Officer suggests a condition should be imposed to seek a public art programme given its highly visible location and the public nature of the community hall, it is not considered that in this instance this would meet the tests for conditions, which are stated in Paragraph 206 of the NPPF. It states planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. It is accepted that this is a desirable objective, but primarily due to the minor nature of the proposal it is not considered that such requirement would be necessary and reasonable given its modest scale and site constraints. In addition weight is given to the fact that planning permission has already been granted for the community hall in a similar location, and it would be unreasonable to impose such condition, which was not previously attached.
- 5.29 Ecological Issues
A Preliminary Ecological Appraisal has been submitted in support of the proposed application by ADAS (July, 2016). The Appraisal includes the findings for the existing habitats and the survey results of the protected species within the site. It also recommends various mitigation, enhancement and compensation measures to prevent biodiversity loss, enable biodiversity gain

through the proposed development. Subject to condition seeking all recommendations to be carried out, therefore is no ecological objection to the proposal.

5.30 Drainage Issues

The Council Drainage Engineer has considered the proposal and raised no objection in principle to the proposal subject to a condition seeking details of sustainable drainage system.

5.31 Environmental issues

From the environmental perspective, the Environmental Protection Team has no objection to the proposal and advised of the precautionary measures during the construction period. A planning condition is therefore imposed to restrict the construction hours of the proposed development.

5.32 Other Issues

Regarding the asbestos on the site, which was raised by a resident, this matter is subject to separate more specific Regulations, and it will be the applicant's responsibility to ensure that an appropriate consent is obtained.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That planning permission is approved, subject to the 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. List of approved drawings

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

The following plans received on 16 November 2016

Site Location Plan CHQ.15.11384-L01

Existing Site Plan CHQ.15.11384-PL02

Existing Floor Plans CHQ.15.11384-PL03

Existing Elevations CHQ.15.11384-PL04

Proposed Floor Plans CHQ.15.11384-PL06

Proposed Elevations CHQ.15.11384-PL07

Community Town Hall Proposed Plans and Elevations CHQ.15.11384-PL08

The following plans received on 6 June 2017

Proposed Site Plan CHQ.15.11384-PL05A

Revised Planting Plan Whitbread-EG-L-001

Reason

To safeguard the amenity of the area and the neighbouring properties and to comply with the National Planning Policy Framework and the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies).

3. Drainage details (Pre-commencement condition)

Prior to the commencement of the development hereby approved, surface water drainage details including SUDS (Sustainable Drainage Systems e.g. soakaways if ground conditions are satisfactory), for flood prevention; pollution control and environmental protection shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

To reduce and manage the impact of flood risk, and to comply with Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and National Planning Policy Framework 2012. These details are required prior to the commencement of development in view of the nature of the drainage arrangements normally being amongst the first works undertaken on site.

4. Tree Protection Plan

The proposed development hereby approved shall be carried out in accordance with the submitted Arboricultural Planning Statement dated July 2016 including the Tree Protection Plan, Drawing No. WWA006/PE-CS14/TPP dated 18 July 2016.

Reason

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

5. Implementation of Landscaping Scheme

Prior to the first occupation of the proposed development hereby approved, the approved landscaping scheme shall be carried out at the first planting season, unless agreed otherwise by the Local Planning Authority, in accordance with the planting scheme Drawing No. Whitbread-EG-L-001 and a schedule of landscape maintenance for a minimum period of five years shall also be submitted to the Local Planning Authority for approval. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

Reason

To safeguard the landscape character of the locality and to accord with saved Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2003 and Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

6. Implementation of Ecology Appraisal

All construction-related activities undertaken as part of this planning application shall be completed in strict accordance with the recommendations made in Section 6 of the Preliminary Ecological Appraisal (ADAS, July 2016) for the entire duration of the development.

Reason

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

7. Construction Hours

The hours of working on site during the period of construction shall be restricted to 07.30am to 18.00pm Mondays to Fridays and 08.00am to 13.00pm 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 safeguard the amenity of the neighbouring properties and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

8. Provision of off-street parking facilities

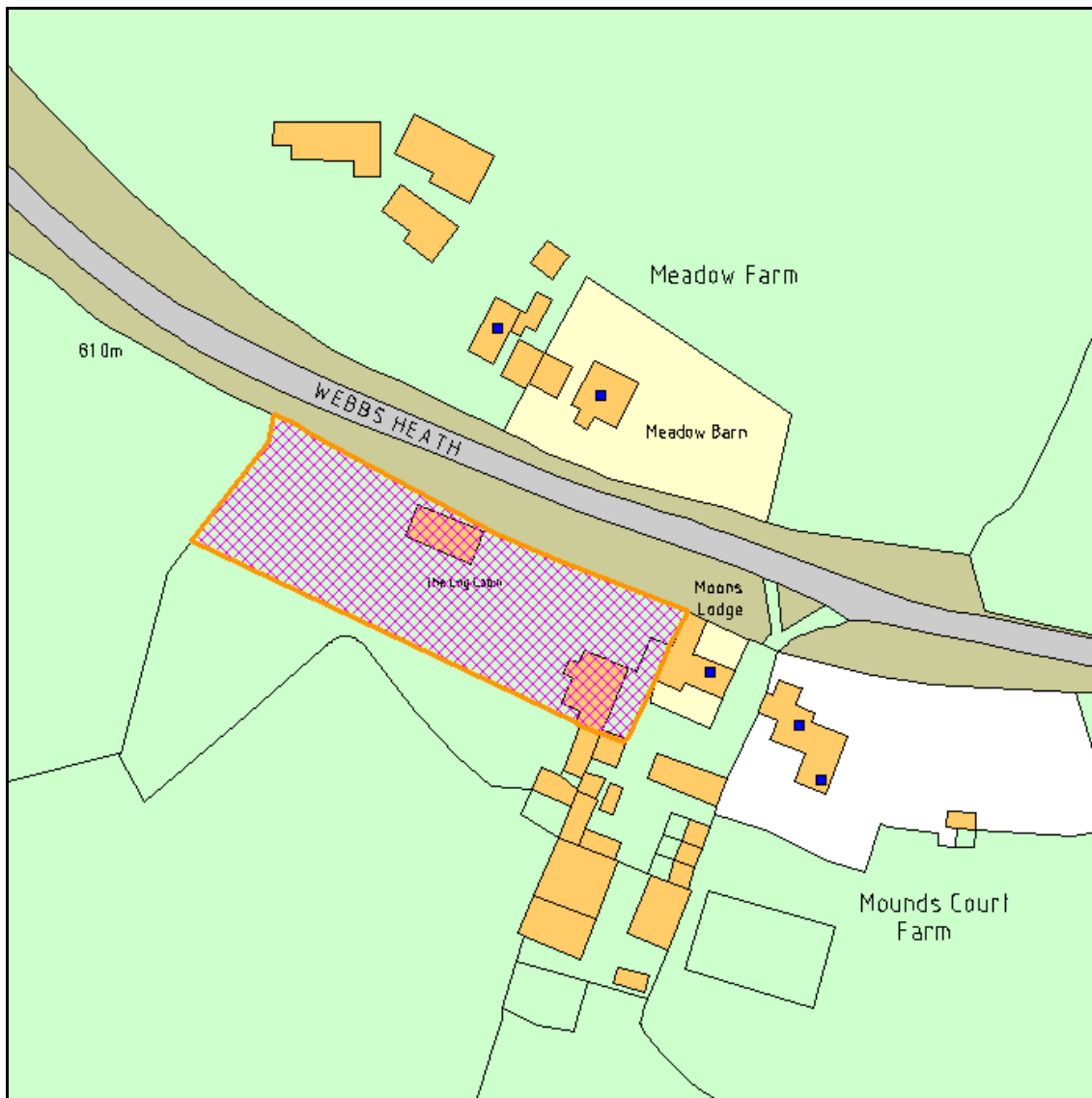
The off-street parking facilities (for all vehicles, including cycles) shown on the plan hereby approved shall be provided before the proposed community hall hereby approved is firstly occupied, and thereafter retained for that purpose.

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 Saved Policies T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006, and Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

CIRCULATED SCHEDULE NO. 08/17 – 24 FEBRUARY 2017

App No.:	PK16/6495/F	Applicant:	Mr Jack Davies
Site:	The Stables Mounds Court Farm Siston Hill Siston South Gloucestershire BS30 5LU	Date Reg:	7th December 2016
Proposal:	Erection of single storey rear extensions to provide additional living accommodation.	Parish:	Siston Parish Council
Map Ref:	367765 174049	Ward:	Siston
Application Category:	Householder	Target Date:	27th January 2017



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 100023410, 2008. **N.T.S.** **PK16/6495/F**

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule for determination to take into account the comment of objection received from the Parish Council.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of single storey extensions to the rear elevation of a converted barn at Mounds Court Farm. Mounds Court Farm is located outside of any defined settlement boundary as shown on the Local Plan proposals maps and is therefore considered to be in the open countryside. The site is also within the Bristol and Bath Green Belt. The barn itself is locally listed.
- 1.2 During the course of the application amended plans have been received following negotiations and consequently the description of development was amended (originally consent was sought for a two storey rear extension, but the applicant was informed that this would be refused). Re-consultation on these plans has taken place.

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
CS9 Managing the Environment and Heritage
CS34 Rural Areas

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

L15 Buildings and Structures Which Make a Significant Contribution to the Character and Distinctiveness of the Locality
T12 Transportation
H4 Development within Existing Residential Curtilages

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

PSP7 Development in the Green Belt
PSP8 Residential Amenity
PSP11 Transport Impact Management
PSP16 Parking Standards
PSP17 Heritage Assets and the Historic Environment
PSP38 Development within Existing Residential Curtilages

- 2.3 Supplementary Planning Guidance
Development in the Green Belt SPD (Adopted) 2007

Design Checklist SPD (Adopted) 2007
Local List of Buildings SPD (Adopted) 2008
Residential Parking Standard SPD (Adopted) 2013

3. RELEVANT PLANNING HISTORY

- 3.1 PK16/4732/NMA Objection 14/10/2016
Non Material Amendment to planning permission PK13/0235/F to raise ridge height to dwelling; installation of new door, roof light and window; existing out building retained to be included within dwelling and change of 2no. external openings to allow for lifted cills.
- 3.2 DOC16/0082 DOC decided 04/04/2016
Discharge of conditions 7 (details of proposed bat roost) and 8 (precautionary inspection for bats) attached to planning permission PK13/0235/F. Demolition of existing buildings. Conversion of existing agricultural buildings to form 2 no. dwellings with associated works. (Re -Submission of PK11/3765/F)
- 3.3 PK15/1830/F Approved with conditions 29/07/2015
Construction of new vehicular access from Webbs Heath. Erection of detached outbuilding and 1.8m high boundary fence.
- 3.4 PK13/0235/F Approved with conditions 21/03/2013
Demolition of existing buildings. Conversion of existing agricultural buildings to form 2 no. dwellings with associated works. (Re -Submission of PK11/3765/F)
- 3.5 PK11/3765/F Refused 27/01/2012
Demolition of outbuildings and conversion of existing agricultural buildings to form 2no. dwellings and erection of 1no. detached dwelling with associated works.

4. CONSULTATION RESPONSES

- 4.1 Siston Parish Council
Update:
Objection:-
Becoming a separate and sizeable residential development in this open countryside setting.
Increasingly concerned that almost every permitted change to this site has served only to increase the amount of residential accommodation here. This, together with associated additional motor vehicle movement, brings about yet more detrimental change to the historic Commons.
- 4.2 Other Consultees

Conservation Officer
Update:-
No objection, subject to conditions requiring all external materials, detailing and finishes to match those of the main barn.

Archaeology Officer

No objection, subject to a condition requiring a watching brief.

Sustainable Transport

Update:-

No Objection

Other Representations

4.3 Local Residents

None received.

5. ANALYSIS OF PROPOSAL

5.1 This application seeks planning permission for single storey rear extensions to a property at Mounds Court Farm.

5.2 Principle of Development

Policy H4 of the Local Plan is generally supportive of extensions and alterations to existing dwellings subject to an assessment of design, amenity and transport. However, key issues include the site's location in the green belt where only limited categories of development will be permitted. Further, the barn is locally listed therefore any development must retain the building because it makes a significant contribution to the character and distinctiveness of the locality. The proposal is therefore acceptable in principle subject to the consideration of the issues set out below.

5.3 Green Belt

The site lies in the Bristol and Bath Green Belt. The government attaches great importance to green belts with the fundamental aim of keeping the land permanently open in nature. Inappropriate development within the green belt is by definition harmful to the green belt and should not be approved except in very special circumstances.

5.4 Development in the green belt is inappropriate unless it is listed in the exception categories as defined in paragraphs 89 and 90 of the NPPF. The extension or alteration of a building is an exception category provided that the development does not result in a disproportionate addition over and above the size of the original building.

5.5 The original building is the building as it stood on 1 July 1948 or as constructed if built after this date. To facilitate the conversion (ref. PK13/0235/F), granted in 2013, two rear extensions were demolished. Afterwards, the barn was about 914 cubic metres.

5.6 Part of the conversion included replacing a front extension. The existing front extension was approximately 94 cubic metres so its demolition offsets the new 101 cubic metre extension. At the time, the extra 7 cubic metres represented a 1% volume increase.

- 5.7 Under this proposal, another rear extension is to be replaced. This extension is about 49 cubic metres, but it will be replaced with two new extensions totalling 134 cubic metres, resulting in a further 85 cubic metres. This, together with the previous 7 cubic metre increase, equals 92 additional cubic metres and a total of 10% in cumulative terms.
- 5.8 Previously the extension was designed so that it would result in a two storey rear gable. The design has been amended so that the proposal reuses the footprint of the original additions with two single storey rear lean-to extensions either side the hipped central porch. By redesigning the proposal, the extensions have a lesser impact on the openness of the green belt.
- 5.9 The proposed extensions equate to a 10% increase in the volume of the dwelling over and above the volume of the original dwelling. Following the redesign of the proposed extension, the development is no longer considered to be disproportionate to the original dwelling as it reuses the previous form of the building. Therefore, the proposal falls within the exception categories of the NPPF and is not inappropriate development.
- 5.10 Design
The two storey gable originally proposed was considered to detract, rather than enhance, the character and interest of the barn.
- 5.11 A great deal of attention was paid to the original conversion scheme of this locally listed building to ensure that its traditional, agricultural character was protected and that the conversion was carried out in an unobtrusive and sympathetic way possible. The extensions approved as part of it were kept to a minimum, reusing the footprint of original additions and removing unsightly structures.
- 5.12 Following the Conservation Officer's original comments, the design of the proposal has been amended. The extension has been reduced from an imposing two storey wing to two smaller, lean-to structures either side of the central barn door. This replicates the lean-tos that existed prior to the commencement of the conversion. Extensions of this type are not uncommon on barns and subject to conditions securing all external materials, detailing and finishes to match those of the main barn, there is no conservation objection. Changes to the east elevation (rooflights and clay tiles in lieu of zinc) are also considered acceptable.
- 5.13 Residential Amenity
Development should not be permitted that has a prejudicial impact on residential amenities. This should be considered in terms of the impact on the application site and any nearby occupier.
- 5.14 It is not considered that the proposed extensions would impact on the living conditions of the application site. Sufficient garden space is retained to serve the property and the amenity level is preserved.

5.15 It is not considered that the proposed extensions would impact on the living conditions of nearby occupiers. All new windows would not overlook hitherto private areas and therefore privacy is retained. It is not considered that the proposed extensions would be overbearing on nearby occupiers.

5.16 Transport and Parking

The development would result in a four-bedroom dwelling. Under the Residential Parking Standard SPD, a four-bedroom dwelling requires two parking spaces. Revised plans identify a parking area to the north of the dwelling. This area is sufficiently sized to provide two parking spaces and the provision of parking is therefore acceptable.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 It is recommended that planning permission is **GRANTED** subject to the conditions listed below.

Contact Officer: Helen Braine
Tel. No. 01454 863133

CONDITIONS

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

Reason

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

2. Archaeological brief

The developer shall appoint an archaeological contractor not less than three weeks prior to the commencement of any ground disturbance on site, and shall afford him or other archaeologist nominated by the Local Planning Authority access at all reasonable times in order to observe the excavations and record archaeological remains uncovered during the work. This work is to be carried out in accordance with the attached brief.

Reason

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

3. Matching finishes

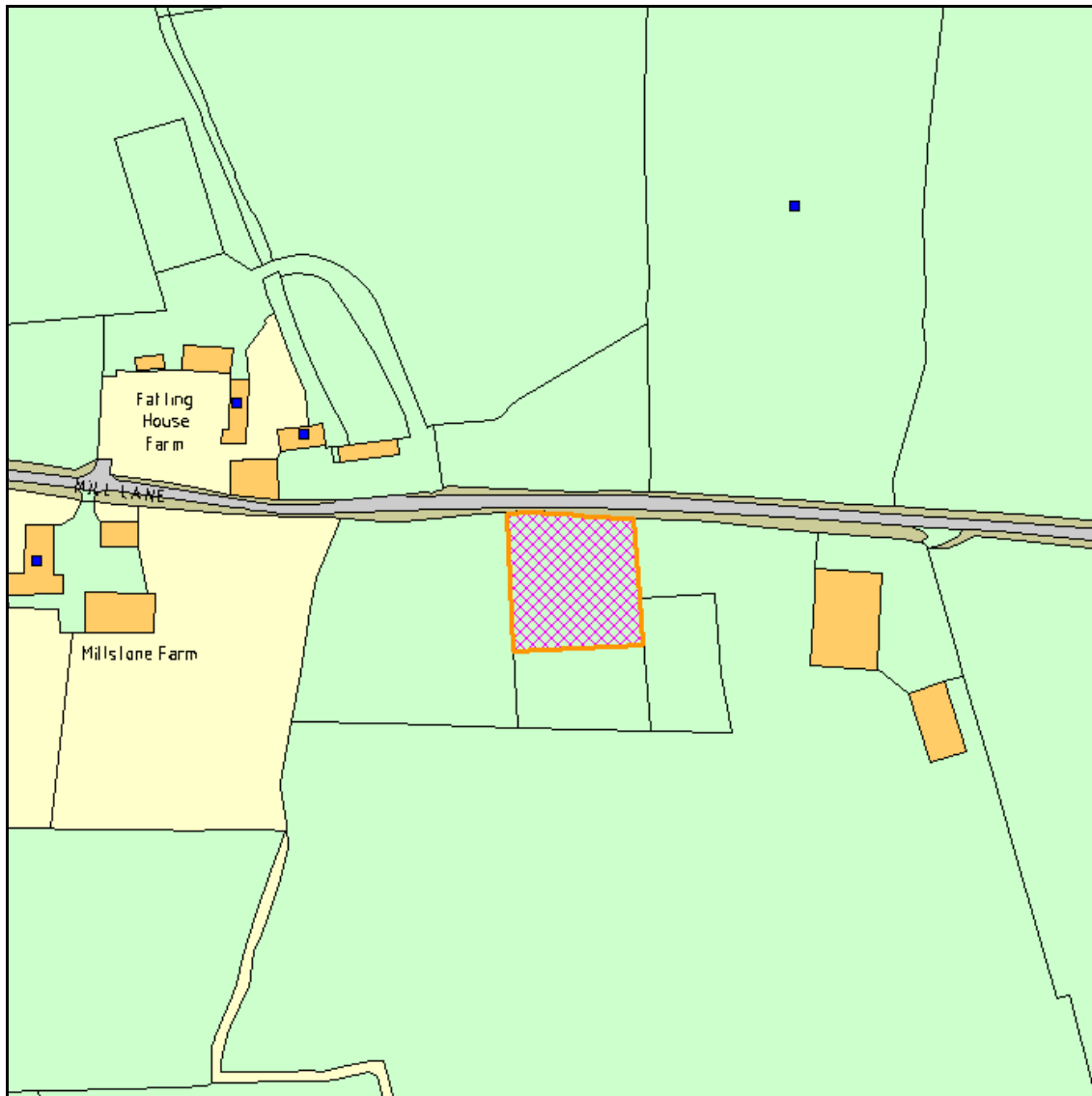
All new external and internal works and finishes, and works of making good, shall match the existing original building in respect of materials used, detailed execution and finished appearance, except where indicated otherwise on the drawings hereby approved.

Reason

To maintain and enhance the traditional, agricultural character and appearance of the locally listed building, and to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy L15 of the South Gloucestershire Local Plan (Adopted) January 2006; and the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 08/17 – 24 FEBRUARY 2017

App No.:	PK16/6553/O	Applicant:	Mr Steve Harker
Site:	Brookfield Farm Mill Lane Old Sodbury South Gloucestershire BS37 6SH	Date Reg:	13th December 2016
Proposal:	Erection of 1 no. agricultural workers dwelling (Outline) with all matters reserved. (Resubmission of PK16/0890/O).	Parish:	Sodbury Town Council
Map Ref:	373912 180934	Ward:	Cotswold Edge
Application Category:	Minor	Target Date:	1st February 2017



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100023410, 2008. **N.T.S.** **PK16/6553/O**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This report appears on the Circulated Schedule following a letter of support from a local resident contrary to Officer recommendation.

1. THE PROPOSAL

- 1.1 The applicant seeks outline planning permission for the erection of 1no. farmhouse with all matters reserved. This is a resubmission of a similar scheme PK16/0890/O. The application site relates to a field situated in open countryside, within the Bristol/Bath Green Belt and outside any settlement boundary.
- 1.2 This application follows a very similar application which was refused for the following reasons:
 1. The proposal for a new agricultural workers dwelling in the countryside is refused on the basis that insufficient information has been submitted in support of the development to demonstrate that there is an essential need for a rural worker to live permanently on the site. The proposal is therefore contrary to the provisions of Policy CS5 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework, paragraph 55 (2012). Furthermore, the proposal is not a sustainable form of development as the benefits do not demonstrably and significantly outweigh the identified harms and it therefore fails under paragraphs 7 and 14 of the NPPF (2012).
 2. The site is located within the Bristol/Bath Green Belt and the proposal does not fall within the limited categories of development normally considered appropriate within the Green Belt. The applicant has not demonstrated that very special circumstances apply, such that the normal presumption against development in the Green Belt should be overridden. The proposal is therefore contrary to the provisions of Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework, paragraph 55 (2012). Furthermore, the proposal is not a sustainable form of development as the benefits do not demonstrably and significantly outweigh the identified harms and it therefore fails under paragraphs 7 and 14 of the NPPF (2012).
- 1.3 Following that refused scheme this current application was submitted with more detail which warranted the commissioning of an independent rural surveyor. This report is based in part on those findings as well as current national and local planning policy.
- 1.4 During the course of the application as the applicant had made reference to other land in his supporting information, plans were requested to show the extent of these holdings/other land areas. These were duly received by the Council. In addition the applicant responded to comments made by the Landscape Architect to confirm the visibility splay could be achieved without loss of hedgerow.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework (2012)
National Planning Policy Technical Guidance (April 2016)
Town and Country Planning (Development Management Procedure) (England)
Order 2015 Regulation 5

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS4A Presumption in Favour of Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS9 Managing Environment and Heritage
CS34 Rural Areas

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

L1 Landscape Protection and Enhancement
L2 Cotswold AONB
L11 Archaeology
L16 Protecting the Best Agricultural Land
LC12 Major Recreational Route
T12 Transportation
H3 Residential Development in the Countryside

Emerging Policies, Sites and Places Development Plan Document March 2015

PSP42 Rural Workers Dwellings

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist SPD (Adopted) 2007
Residential Parking Standards SPD (Adopted) 2013
South Gloucestershire Landscape Character Assessment as adopted Aug
2005:- Area 6, Pucklechurch Ridge and Boyd Valley

3. RELEVANT PLANNING HISTORY

- | | | |
|-----|-------------------------------|--|
| 3.1 | P94/1619/P
Approved | Agricultural buildings
12.5.94 |
| 3.2 | PK02/3323/F
Approved | Change of use of land and building from agricultural
to the keeping of horses
12.12.02 |
| 3.3 | PK04/3128/PNA
Objection | Prior notification of intention to erect
agricultural building
13.10.04 |
| 3.4 | PK06/3703/PNA
No objection | Prior notification of the intention to erect Agricultural
Building.
22.1.07 |

- | | | | |
|-----|---------------|---|---------|
| 3.5 | PK08/0815/PNA | Prior notification of the intention to erect an agricultural building for the storage of agricultural machinery and equipment.
No objection | 23.4.08 |
| 3.6 | PK13/1550/PNA | Prior notification of the intention to alter an agricultural building for the purpose of housing up to 5000 no. chickens.
Application returned | |
| 3.7 | PK16/0890/O | Erection of 1no. agricultural workers dwelling
Refused | 1.6.16 |

4. CONSULTATION RESPONSES

- 4.1 Sodbury Town Council
Objection: Members considered there is insufficient information to determine whether the application is acceptable and in accordance with Policy.

4.2 Other Consultees

Landscape architect

Further clarification is required regarding the extent of any hedge removal to facilitate the visibility splay. If there is excessive hedge removal there would be a landscape objection to the proposed development. The track would need to be offset by 2m from the edge of the hedge.

In other respects if the dwelling is modest and suitably designed and agricultural justification is demonstrated there would not be a landscape objection with regards to Policy L1, CS1 and CS9. A landscape condition requiring the submission and approval of a plan showing tree and hedge planting should be attached to any permission.

Sustainable Transport

No objection in principle.

Lead Local Flood Authority

No objection in principle subject to a condition regarding SUDS and surface water. No details have been given regarding the method of foul water disposal and this would need to be clarified in any approval.

Other Representations

4.3 Local Residents

One letter of support has been received from a local resident. The points raised are as follows:

- Over the 30 years we have lived here we have seen two major farms that owned most of the fields in Mill Lane sell up to the horse fraternity – refreshing to see a genuine agricultural activity return to the lane

- The applicants have worked hard over many years rearing animals, attending them day and night and building up their business
- A dwelling on this site is the only way to expand the calf rearing for 24 hour attention
- Sad to see so many obstacles placed in the path of genuine farming by red tape when other so called countryside pursuits seem to get permission as a mere formality
- Unless the applicants are allowed to live on this site it will surely eventually fold as they will not be able to expand their enterprise
- The planning authority's decisions are forcing real farming out of this area and we are heading for a place predominantly filled with horses as they outnumber cattle in just this lane already
- We hope common sense prevails and that minor planning details do not force out yet another real farming enterprise.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application stands to be assessed against the above listed policies and all material considerations. Of particular importance is the principle of erecting new dwellings in the countryside. The National Planning Policy Framework makes a presumption in favour of sustainable development and has placed a strong emphasis in respect of supporting economic growth in rural areas. In particular the document sets out that planning policies should;

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

5.2 It is acknowledged that South Gloucestershire Council does not have a five year land supply and as such paragraph 49 of the NPPF is engaged and Policy CS5 is considered out of date. Paragraph 49 declares that housing applications should be considered in the context of the presumption in favour of sustainable development. Paragraph 14 of the NPPF goes on to state that proposals that accord with the development plan should be approved without delay, and where relevant policies are out-of-date planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF. In this instance the application is for a house in the open countryside and the Green Belt. The benefits of adding one dwelling to the housing supply must be balanced against the harm that would result from this sort of new development in this type of location.

5.3 Paragraph 55 of the National Planning Policy Framework states that new isolated homes in the countryside should be avoided unless there are special circumstances such as the essential need for a rural worker to live permanently at or near their place of work in the countryside.

Policy CS5 of the South Gloucestershire Core Strategy is consistent with this setting out that in the open countryside development will be strictly limited.

- 5.4 It is acknowledged that the emerging Policies, Sites and Places Development Plan Document has yet to be adopted. As such the policies contained in it carry limited weight, but Policy PSP42 (Rural Workers Dwellings) is consistent with the direction of the National Planning Policy Framework and is supportive of new rural workers dwellings where there is an established and functional need for the dwelling which cannot be met within the defined settlement boundaries or other existing rural building and other criteria relating to viability and siting. Although this policy currently carries limited weight, it is an indication of the approach to be taken in local planning policy terms.
- 5.5 The site is located in the Green Belt where new buildings are inappropriate development unless they meet the criteria within the exception list. The new building is for residential purposes and therefore does not appear on this list. By its very presence it would have an impact on the openness of the Green Belt and this is given significant weight against the proposal. These matters are covered in the below section.
- 5.6 This application for a new farmhouse has been submitted in outline format only. Under the Town and Country Planning (Development Management Procedure) (England) Order 2015 Regulation 5 Officers are able to request additional information to assist them assess an outline application. During the course of this application additional information regarding the extent of the land ownership and other land available to the applicant was requested and received.
- 5.7 Without strong justification to support a proposal, the introduction of new dwellings in the countryside is resisted by both national and local planning policies. This justification takes the form of a business case describing the enterprise along with the current buildings and services used. A financial appraisal establishes if the business is a profitable concern and one that is likely to continue in the future. Based on the information given, an assessment of functional need would be made to prove that a certain number of workers are needed on site and for 24 hours a day, for animal welfare reasons. These tests then lead on to establish if a farmhouse should be temporary or permanent. A planning assessment continues with regard to the location and appearance of the dwelling itself and its impact on the landscape, highways, residential amenity and other relevant matters.
- 5.8 Green Belt
The erection of new buildings in the Green Belt is considered as inappropriate development with exceptions. Para 89 of the NPPF listed these as:
- buildings for agriculture and forestry
 - Provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries
 - extension of an existing building
 - replacement of a building
 - limited infilling in villages

- limited infilling or the partial or complete redevelopment of previously developed site
- 5.9 The proposal for a new dwelling fails to meet any of the above and substantial weight is given against the proposal for this reason. As such a case of very special circumstance are needed to show how the harm of the inappropriate development could be outweighed. It is assumed that the Justification/Appraisal document and the Application Statement provided by the applicant are to be taken as presenting the case as a whole.
- 5.10 These documents along with the rural surveyor's site visit have been used to form a picture of the operation of the business. Taken as a whole, which they clearly must be, the conclusion of the assessment indicates that very special circumstances have not been proved, sufficient to outweigh the inappropriate development of the proposed new dwelling, which is by definition harmful to the Green Belt. This weighs against the scheme and as such the proposal cannot be supported.
- 5.11 Moving on, new farm houses are assessed under criteria which are used as benchmarks to test the appropriateness and the need for such a building. These are discussed below using the findings of the rural surveyor's report:
- 5.12 The Need for the Development
It is necessary to assess whether or not there is a genuine need to provide a dwelling on the site in order to support the agricultural business enterprise. Under this application the applicant has provided some information which describes the business, the farm buildings, the land holdings, labour requirement, the functional need and financial records. Given the potential complexity of these type of applications, it is the recognised practice for the Local Planning Authority to engage an independent assessor to scrutinise the applicant's case and provide advice accordingly. The findings of this independent assessment are summarised below.
- 5.13 Business Description
Brookfield Farm was purchased in 2003 by the applicant, initially as a block of 12.5 acres and set up a small suckler herd. In 2007 an additional 4.2 acres were purchased locally and another 16.5 acres at Earthcott in 2008. This 33.2 acres (13.42 ha) was supported by a further 32 acres (12.95 ha) of off-lying grass keep. By 2010 the overall holding was 65.2 acres (26.83ha), a 32 cow suckler herd and a calf rearing enterprise. The applicant was then involved in a serious car accident and due to health issues livestock numbers diminished. After much recuperation the decision was taken to continue with the farming venture in 2016.
- 5.14 Current numbers at the time of the rural surveyor's site visit were 15 suckler cows plus a few remaining store cattle, 1 bull and 35 bought in calves. It is stated that the intention is to continue the calf rearing based on a 70no. reared to 6 months of age per annum and 20 suckler cows with progeny reared on as stores to 12 months. This amounts to a total of 110 head over the 12 month period.

The land holding has also increased with an additional 36 acres (14.5 ha) of grass kept taken 3-4 years ago and a small parcel of land of 1 ac (0.4 ha) taken 3 years ago. The total farmed area is now 102 acres (41 ha).

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

Paragraph 55 of the NPPF states:

To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as:

- *the essential need for a rural worker to live permanently at or near their place of work in the countryside; or*
- *where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or*
- *where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting; or*
- *the exceptional quality or innovative nature of the design of the dwelling. Such a design should##;*
 - *be truly outstanding or innovative, helping to raise standards of design more generally in rural areas;*
 - *reflect the highest standards in architecture;*
 - *significantly enhance its immediate setting; and*
 - *be sensitive to the defining characteristics of the local area.*

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

5.17 Functional Need

Under the previous more prescriptive guidance (i.e. PPS7) a 'functional test' was required to establish if it was necessary for the proper functioning of the enterprise for one or more workers to be readily available at most times. Such a requirement might arise, for example, if workers are needed to be on hand day and night:

- (i) in case animals or agricultural processes require essential care at short notice;
- (ii) to deal quickly with emergencies that could otherwise cause serious loss of crops or products, for example, by frost damage or the failure of automatic systems.

5.18 The functional test considers both the nature and scale of the activities concerned based on the stocking and cropping requirements and not on the personal needs of those running the business. In this case, given the nature of the farming activities concerned, i.e. calving of suckler cows and the rearing of calves and other youngstock, there is a general functional need accepted

based on animal welfare grounds. Some weight can be given in favour of the scheme for this reason.

5.19 From the details submitted and from discussions with the rural surveyor this is a well-established business, operational since 2003. It has been explained in these details that due to a serious accident suffered by the applicant in 2010 the business has been significantly hindered, ultimately resulting in a reduction in cattle numbers. It is both the nature and extent of activities which determine whether the need justifies an on-site presence. The amount of labour required is closely associated and this matter is discussed below.

5.20 Labour

The rural surveyor has used a labour calculation as a guide to the scale of the enterprise and the livestock related figure of 0.43 labour units falls significantly below a full time labour unit. As such the overall need for on-site accommodation is not established. This weighs against the scheme in the overall balancing exercise.

5.21 Financial Viability

Confidential financial details were made available to the rural surveyor for the years 2010, 2015 and 2016 and a projection for 2017. Whilst there may be a small profit for the coming year, the figures indicated that the business has been operating at a small loss for the other years. As the application is for a permanent new agricultural workers dwelling, there must be some degree of certainty in the profitability and success of the business. The figures and performance unfortunately do not support this and as such the business fails to satisfy the financial test. This also weighs against the scheme.

5.22 Buildings and Services

During the site visit it was clear that there are barns on site housing cattle. No details of the condition of these buildings have been provided but the applicant has stated that the holding benefits from 7,000 sq ft of buildings. No other details of how these are arranged or precisely how they function have been given. It is also stated that a further 8,000 sq ft will be available through the prior notification process, however, Officers can find no reference to any current application. It may also be the case that some of these permissions/prior notifications have lapsed and new applications may be needed.

The lack of information weighs against the proposal.

5.23 Dwellings available to the business

It is acknowledged that there are no other dwellings on the site and the applicant's existing accommodation is about 3 miles away. The rural surveyor considers this to be too far away for the interests of animal welfare and furthermore, results in down time and inefficiency moving from one unit to another.

5.24 It is incumbent on an applicant to research the availability of other dwellings in the nearby area to demonstrate that there are no other suitable houses for sale as an alternative to building a new dwelling.

At the time of the rural surveyor's report there were 9 properties for sale within a 1 mile radius of the proposed site in the price range £250,000 to £1.2m. It has not been demonstrated that any of these are unsuitable as an alternative to a new build. The need for a new agricultural dwelling has therefore not been confirmed. Again this weighs against the proposal.

5.25 Security/tenure

The permanency of a business is sometimes questioned where all or part of a business is reliant on unsecured land i.e. land which is held on a short-term lettering or licence arrangement. These arrangements mean the occupier has no security of tenure and hence no assurance that the land will continue to remain available to the business on the long term basis. Details have indicated that the owner occupied land amounts to about 33 acres with a further 69 acres available for grass keep for hay making. It is stated that the 69 acres has regularly been taken for grass keep over the last 3-10 years on a non-tenancy agreement. This means that about 68% of the land offers no security in terms of tenure. However, it is considered that due to the nature and scale of the current business there is some scope to lose some of this rented land and as an alternative to buy in feed; but a likely consequence would be impact on the overall profitability. The security/tenure is therefore relevant but not significant in considering the merits of the proposal.

5.26 Temporary Permission

When considering applications for agricultural workers dwellings, it is more 'standard' to grant a temporary permission first, so that the applicant is given the opportunity to prove that the farm unit is viable. In this instance the financial records have indicated that the business has been operating under a small loss. A temporary consent is therefore not appropriate in this instance.

5.27 Siting of the Proposed Dwelling

Where a functional need has been accepted it is normal for the residential property to be sited 'within sight or sound' or 'close proximity' of the livestock buildings. In this case the proposed siting of the new farmhouse would be fairly close to the existing barns and the plan shows that the existing entrance to the holding would be used. The siting of the proposed dwelling could be deemed appropriate, but no functional need has been accepted and so this element is insufficient when taking into account that the rest of the criteria have not been met.

5.28 The above assessment has indicated that a need for a new dwelling at this precise location has not been justified. The report now moves on to discuss other matters such as design, landscape, residential amenity and transport.

5.29 Design and Appearance of the Dwelling

A brief design statement has been included with the submission. It states that the proposed dwelling would have a footprint of about 112 sq metres, of about 15 metres by 7.5 metres, set in a curtilage of 1000 sq metres. It would be a 1.5 storey building with the first floor set partially in the roof to minimise visual impact. Walls would be of concrete block with the front facing elevation to be faced with natural stone, rear elevations are to be roughcast render and coloured buff.

The roof would have a 40degree pitch and be of pan/roman clay tiles. The existing access into the site would be utilised by the new dwelling and a three point turning and parking area is proposed. Further planting and garden areas would be agreed with the Council. Sustainable systems such as solar panels and rainwater harvesting are also planned.

5.30 The scale and massing of the new dwelling is not untypical of farm dwellings. The overall height has not been determined but the proposed materials would not be out of place in the countryside setting. No drawings or indicative sketches have been included but these matters could be covered at a later date if the application had met the criteria for a new agricultural workers dwelling. Good quality design remains important and a quality dwelling would be required.

5.31 Landscape, Character and Visual Amenity

The surrounding area is in a sensitive Green Belt location and visible from the Major Recreational Route along Mill Lane and in medium distant views from the Cotswold Scarp in the AONB. The South Gloucestershire Landscape Character Assessment notes that "the Cotswold Scarp forms a prominent backcloth to this area in the east. Extensive open views of this significant landform are possible from a large extent of the area, greatly influencing its character. This character area is therefore important in providing the setting for the western edge of the Cotswold AONB. The scarp also provides panoramic views over this area."

5.32 The site is located along Mill Lane which has a hedgerow with standard trees on both sides and has an intact rural character. There are large farm buildings and storage associated to the east of the proposed location for the agricultural workers dwelling. There is a public footpath across the far corner of the field to the south which will have open views of the proposed dwelling. There are detached dwellings dispersed along Mill Lane to the east and west.

5.33 The surrounding landscape is level and consists of large regular shaped fields with a robust network of hedgerows containing many standard trees. The site is located just outside the AONB, the scarp slope is located to the east and the site will be visible in long distance views from this direction.

5.34 It is proposed to use the existing access for the agricultural building and run a track along the inside of the hedge. The visibility splay is indicated on a plan showing the access details which appears to show the hedge being removed and relocated. It was noted that further details would be required to clarify what length of hedge, if any, would need to be removed to provide the necessary visibility splay. A subsequently submitted letter confirmed that the hedge would not be removed. However, Highways colleagues would need to determine if any alterations to the existing entrance to the field would be required. Any excessive removal of hedge would be contrary to Policies L1, CS1 and CS9. The access track would need to be offset from the existing hedge by 2m.

5.35 The site is located within the open countryside in the Green Belt and unless it can be demonstrated that there is an agricultural justification for the dwelling there would be an in principal objection.

However if agricultural justification is demonstrated and if the dwelling was a modest size and its style and materials were in keeping with the vernacular of the area it would not have an unacceptable impact on the landscape character of the area.

- 5.36 Due to the distance, good network of intervening vegetation and association with existing farm buildings and dwellings the development would not have a significant impact on the landscape character of the AONB. A landscape condition would need to be attached to secure tree planting around the dwelling and a new native hedge on the southern boundary should permission be granted.
- 5.37 Notwithstanding that the dwelling could be screened by planting the issue remains it is by definition inappropriate development in the countryside and would impact on the openness of the countryside by its very presence. For this reason significant weight is awarded against the proposal.
- 5.38 Residential Amenity
The site is located in open agricultural land. The amount of residential curtilage proposed is indicated by the red edge on the plan. The area is about 33 metres by 30 metres. It is noted that other existing dwellings along Mill Lane benefit from good size gardens, consequently the amenity space proposed here would not be out of keeping with the general area. Should the application have been found acceptable then more details of the proposed treatment of the boundaries to include landscape/planting would have been required under the reserved matters.
- 5.39 Transportation Matters
From a highway and transportation point of view, the location of the proposed dwelling is considered to be distant from facilities and services. Its rural location means it is lacking regular a bus service and being characterised by narrow lanes it is also generally lacking footways. This set of circumstances can, of course be a cause of concern and can in certain cases be a reason to refuse planning applications for housing developments.
- 5.40 It is acknowledged that this particular development is for an agricultural dwelling and clearly these type of properties are located in the countryside can be remote from services. There is therefore no in principle objection in highway terms but this in itself is insufficient to overcome the other areas of concern identified above.
- 5.41 Environmental and Drainage Issues
No details of the proposed drainage system have been included in this outline application.
- 5.42 Other matters
Comments of support from a local resident are noted. The countryside and especially the Green Belt are afforded special protection in both national and local planning policy. New dwellings are therefore strongly resisted unless the case can be proven that there is an essential need for a new dwelling.

Due to the complexity of such applications, independent experts in the form of qualified rural surveyors are engaged to make an impartial assessment of the facts presented by applicants. The subsequent report forms the basis of the overall decision. In this case although there was sympathy with the applicant's situation, taking all the details into account, the case for a new agricultural workers dwelling was not proven in this case.

5.43 Overall Conclusion

The above has been an assessment of outline application (all other matters reserved) for an agricultural worker's dwelling situated in the countryside, the AONB and within the Bristol/Bath Green Belt. Isolated new homes in the countryside are resisted without special circumstances being proven and similarly, new homes in the Green Belt are inappropriate development without justification of very special circumstances to outweigh the harm to the Green Belt and its openness.

5.44 It is recognised that there is a presumption in favour of sustainable development as per paragraph 14 of the NPPF (2102) and Paragraph 7 lists the three dimensions to sustainable development as being economic, social and environmental. The most relevant element here would be that of economic benefit. However, the above assessment has shown that the proposal has failed to demonstrate how it would provide an economic benefit. The proposal therefore fails to meet the tests of sustainable development under paragraph 7 and paragraph 14 of the NPPF (2012).

5.45 As acknowledged above the Council has a lack of 5 year housing supply and it has further been acknowledged that this single new dwelling would contribute to the shortfall. But one dwelling can only be given a correspondingly small amount of weight in favour of its contribution to the deficit. This small benefit has to be balanced against the greater harm that would result from it being by definition, inappropriate development in the Green Belt and harmful to its openness. Significant weight is given against the proposal for this reason. The submitted information has failed to amount to a case of very special circumstances to outweigh the harm. Weight is awarded against the scheme for this reason. Furthermore and in addition, isolated homes in the countryside are not supported without special circumstances. The independent rural surveyor's report has concluded that the case for an agricultural workers dwelling on this site has not been proven. Again this weighs against the scheme. Aspects of the overall design and appearance would have been dealt with under reserved matters had the proposal been acceptable; as would landscape and transport issues. In the balancing exercise, the scales are fully weighted against this development and as such it must be refused.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That the application be **REFUSED**.

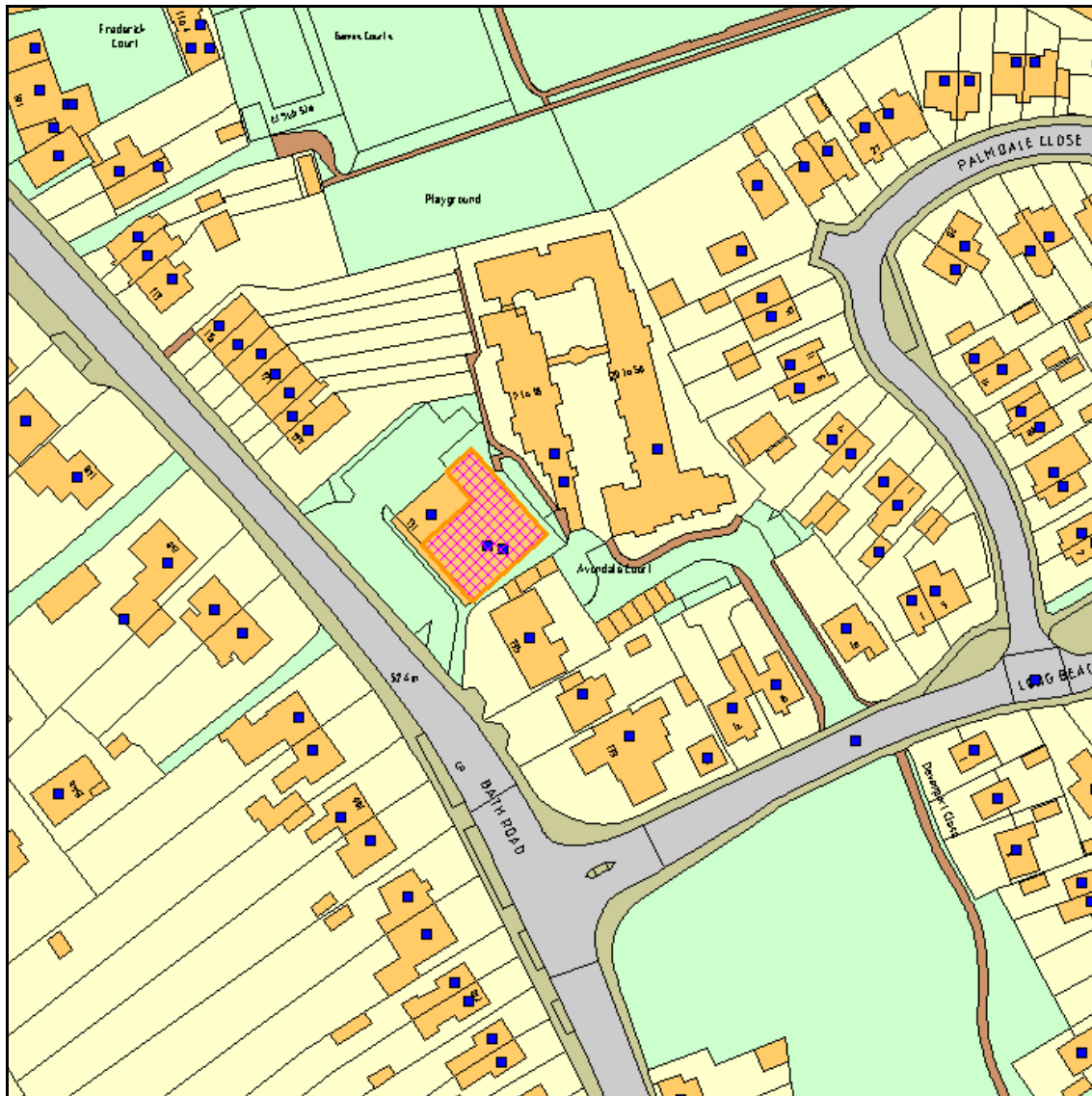
Contact Officer: Anne Joseph
Tel. No. 01454 863788

REFUSAL REASONS

1. The site is located within the Bristol/Bath Green Belt and the proposal does not fall within the limited categories of development normally considered appropriate within the Green Belt. The applicant has not demonstrated that very special circumstances apply, such that the normal presumption against development in the Green Belt should be overridden. The proposal is therefore contrary to the provisions of Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework, paragraph 55 (2012). Furthermore, the proposal is not a sustainable form of development as the benefits do not demonstrably and significantly outweigh the identified harms and it therefore fails under paragraphs 7 and 14 of the NPPF (2012).
2. The proposal for a new agricultural workers dwelling in the countryside is refused on the basis that the information submitted in support of the development along with the independent rural surveyor's report have failed to demonstrate that there is an essential need for a rural worker to live permanently on the site. The proposal is therefore contrary to the provisions of Policy CS5 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework, paragraph 55 (2012). Furthermore, the proposal is not a sustainable form of development as the benefits do not demonstrably and significantly outweigh the identified harms and it therefore fails under paragraphs 7 and 14 of the NPPF (2012).

CIRCULATED SCHEDULE NO. 08/17 – 24 FEBRUARY 2017

App No.:	PK17/0029/F	Applicant:	Mr Andy Stallman
Site:	Retail Unit 133 Bath Road Longwell Green South Gloucestershire BS30 9DD	Date Reg:	12th January 2017
Proposal:	Installation of new shopfront and fire escape door to facilitate subdivision of existing retail unit into 2no. units.	Parish:	Oldland Parish Council
Map Ref:	365949 170971	Ward:	Longwell Green
Application Category:	Minor	Target Date:	8th March 2017



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REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application is referred to the circulated schedule as a comment of objection has been received; this is contrary to the officer's recommendation for approval.

1. THE PROPOSAL

- 1.1 The application seeks planning permission for external alterations to facilitate the subdivision of an existing retail unit to create 2 smaller units.
- 1.2 The application relates to Unit 2, No. 133 Bath Road in Longwell Green, within the urban area of the East Fringe of Bristol. The site currently consists of a single storey building split into 2 units with associated car parking, landscaping and vehicular access. Unit 1 is currently in use by an estate agents and Unit 2, although it was previously a convenience food store, is now vacant. Residential properties bound each side with a terrace to the northwest, a housing complex to the northeast and a chalet bungalow to the southeast. The site is within walking distance of the Longwell Green Parade Local Centre.
- 1.3 The existing unit provides 374 sq metres of floor space. This would be subdivided into 2 units: retail unit 2 of 212 sq metres in the middle and retail unit 3 of 160 sq metres at the end.
- 1.4 The proposed operation development includes removal of the existing cash machine and infilling, erection of a stone wall and installation of an aluminium glazed system to the front to improve the appearance of the retail terrace and installation of a fire escape at the side of the building providing access to and from the unit.

2. POLICY CONTEXT

2.1 National Guidance

NPPF National Planning Policy Framework March 2012
PPG Planning Practice Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS5 Location of Development
CS8 Improving Accessibility
CS14 Town Centres and Retail
CS29 Communities of the East Fringe

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

T7 Cycle Parking
T8 Parking Standards
T12 Transportation
RT8 Small Scale Retail Uses within Urban Areas

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

PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP21	Environmental Pollution and Impacts
PSP32	Local Centres Parades and Facilities

- 2.3 Supplementary Planning Guidance
Design Checklist SPD (Adopted) 2007
Shopfronts and Advertisements Design Guidance SPD (Adopted) 2012

3. RELEVANT PLANNING HISTORY

- 3.1 PK14/4356/F Approved with conditions 05/01/2015
Installation of ATM to front elevation, 2no. satellite dishes and 3no. external air conditioning units to side elevation and a refrigeration condenser within external plant area.
- 3.2 PK13/3429/F Approved with conditions 22/01/2014
Erection of single storey retail unit with new access and associated works.
- 3.3 PK11/0652/F Refused 16/05/2011
APP/P0119/A/11/2158980 05/12/2011
Allowed

4. CONSULTATION RESPONSES

- 4.1 Oldland Parish Council
No objection.

4.2 Other Consultees

Planning Enforcement
No comment.

Highway Structures
No objection.

Lead Local Flood Authority
No objection.

Sustainable Transport
No objection.

Hanham Abbots Parish Council
No comment.

Other Representations

4.3 Local Residents

2 comments (1 neutral; 1 objection) have been submitted from members of the public regarding this application; these are summarised below:

- Conditions relating to opening hours imposed on original planning approval must be respected.
- Existing layout only allows goods to be delivered to the northwest side, keeping noise away from nearby occupiers. The new layout seems to be only accessible from the front entrance meaning deliveries will take place near No. 135.
- Fire door siting would result in unpleasant activity taking place close to No. 135.

5. ANALYSIS OF PROPOSAL

5.1 This application seeks planning permission for the formation of two retail units through the subdivision of an existing larger retail unit. Planning permission is also sought for the installation of a new shop front and fire escape at the side of the building.

5.2 Principle of Development

The NPPF states that Local Planning Authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. However, the NPPF also promotes the provision of community facilities such as local shops to enhance the sustainability of communities and residential environments.

5.3 The Longwell Green Parade is designated as a local centre/parade within the Council's adopted Core Strategy. However, local centres do not have defined boundaries. Given the site is within walking distance of the Longwell Green Parade, which includes a number of local shops and services, the site is considered, albeit diffuse, to lie within the local centre. Accordingly, the proposal to create new retail facilities through subdivision within an existing centre is in accordance with the overall aims of the NPPF. Weight is also given to the fact that saved policy RT8 of the adopted Local Plan allows for small scale retail uses within the existing urban areas and the boundaries of settlements. Planning policies generally safeguard local centres and shops as they provide an essential and valuable serve to the community, particularly to those who do not have a car. Accordingly, the proposal represents an opportunity to consolidate the existing local centre by improving and providing an additional retail facility for the community. Policy CS14 of the Core Strategy states that development in local centres/parades will be to meet local needs only, of a scale appropriate to the role and function of the centre/parade, and where it would not harm the vitality and viability of other centres.

5.4 Consideration is therefore required as to whether the proposed development is of a scale that would meet local needs only and the effect on the viability and vitality of existing town centres. Reconfiguration of the existing internal layout will result in the existing unit having 212 sq metres of ground floor retail space and provision of a new separate retail unit of 160 sq metres.

Accordingly, it is considered that the new subdivided retail terrace will remain a scale that is consistent with the purpose of the local centre and would serve the needs of the local area only; it is not considered that there will be a significant adverse effect on the viability or vitality of existing town centres.

- 5.5 Given the sustainable location of the site, the fact that the proposal will help consolidate an existing local centre, and will provide small scale retail facilities for the local community, it is considered that the proposal represents sustainable development that is acceptable in principle. The main issues to consider are the appearance and form of the proposal, the impact on the character of the area, and the environmental, residential amenity and transportation effects.
- 5.6 Design
Development in the District is required to meet the highest possible standards of site planning and design. A couple of changes to the physical appearance of the building are proposed. At present, the single storey building displays an asymmetrical dual glazed shop frontage, broken up by stone walls, sitting under large overhanging gable roof. Render and stone finishes clad the other elevations.
- 5.7 It is proposed to replace the existing shopfront with a new aluminium glazing system providing access into both units. Another matching stone wall will divide them. The design of the signage and shopfront will form a separate application. The proposed replacement shopfront balances the terrace of shops. It maintains views into the building and brings the internal activity into the public realm. The shopfront is considered to be a positive addition to the design of the entire unit.
- 5.8 The other operational development involves the installation of a fire door on the side elevation. This does not play an active part of the public realm because the change would not be visible behind high boundary treatment. The external changes to the building are considered acceptable and appropriate to the character of the area and location in general.
- 5.9 Residential Amenity
Officers do not consider that the sought alterations would have a material impact on the amenity and living conditions of neighbours at No. 127 Bath Road or in the housing complex on Avondale Court.
- 5.10 To the south east, the closest property is 135 Bath Road. These neighbours have expressed concerns regarding operational effects. Deliveries are currently taken into the unit via a doorway on the northwestern elevation of the building. This proposal would see this maintained for unit 2 and deliveries taken into the new unit via the front. However, a scheme allowed on appeal in 2011 (ref. PK11/0652/F) affects the assessment on potential operational effects on adjoining properties. In this approved scheme, deliveries would have been taken into the side of the store via a narrow path adjacent the boundary with No. 135. The Inspector did not expect deliveries via the side passage to cause undue noise disturbance to these adjoining neighbours.

In light of the aforementioned, the proposed shopfront change would not impact the amenity enjoyed by nearby occupiers and therefore is acceptable, but Officers consider it reasonable to impose the previously approved hours to maintain existing levels of residential amenity. Furthermore, bearing in mind fire exits are normally only used in emergencies and planning has no jurisdiction to how they are used or misused, Officers do not consider this neighbouring property will be adversely affected.

5.11 Transport and Parking

The proposal seeks to reconfigure an existing retail unit so that it would be subdivided into three instead of two shops. Notwithstanding this, the overall floor area of this unit will remain unchanged. Likewise, it is not proposed to amend the site's other elements such as the parking provision or its access arrangements. Therefore, it is not considered that this proposal will materially alter the travel demand associated with this site. Consequently, there are no highways or transportation comments about this application.

5.12 Environmental Impacts

Given that the proposal would involve an existing retail unit which is already part of an existing local centre, it is considered that it would not give rise to any unacceptable environmental issues over and above those already existing.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Contact Officer: 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. Working hours

The uses hereby permitted shall not be open to customers outside the times of 0630 to 2200 hours. Hours for deliveries (with the exception of newspaper delivery) between Monday and Saturday inclusive shall be restricted to between 0700 and 2000 hours. All deliveries shall be completed and delivery vehicles departed by 2000 hours. Hours for deliveries on Sundays and Bank/Public Holidays shall be restricted to between 0800 and 2000 hours. All deliveries shall be completed and delivery vehicles departed by 2000 hours. No roll cage or pallet truck activity shall be permitted on the premises outside of these hours.

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy RT8 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 08/17 – 24 FEBRUARY 2017

App No.:	PK17/0072/F	Applicant:	Mr Ryan Davis
Site:	25 Mangotsfield Road Mangotsfield Bristol South Gloucestershire BS16 9JJ	Date Reg:	12th January 2017
Proposal:	Erection of two storey side and single storey rear extension to form additional living accommodation.	Parish:	None
Map Ref:	366032 175947	Ward:	Rodway
Application Category:	Householder	Target Date:	7th March 2017



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Council's Circulated Schedule procedure, following objections received from local residents to the contrary of the officer recommendation detailed in the below report.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a two storey side extension and a single storey rear extension at 25 Mangotsfield Road, Mangotsfield.
- 1.2 Permission is sought for the extensions to provide a larger kitchen/dining area at ground floor level, as well as a cloakroom, pantry, office and laundry room, and a master bedroom with an ensuite and dressing room at first floor level.
- 1.3 The application site is within the East Bristol urban fringe and is an established residential area.
- 1.4 An amended parking plan has been submitted at the request of officers and this was received on 7th February 2017. A period of re-consultation was not deemed necessary.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Practice Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS8 Improving Accessibility

South Gloucestershire Local Plan Adopted January 2006 Saved Policies

T12 Transportation
H4 Development within Existing Residential Curtilages

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

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

2.3 Supplementary Planning Guidance

- (a) South Gloucestershire Design Checklist (Adopted) August 2007
- (b) Residential Parking Standard (Adopted) December 2013

3. RELEVANT PLANNING HISTORY

3.1 There is no recent or relevant planning permission at the site.

4. CONSULTATION RESPONSES

4.1 Parish/Town Council
Un-parished area.

4.2 Other Consultees

Transport

Revised plan is requested.

Open Spaces Society

No comment received.

Public Rights of Way

There is no objection to this application in principle, but the applicant must be advised that the property may be affected by an un-extinguished public footpath MA12/10, which runs from Mangotsfield Road along the eastern boundary, where it turns to meet Charnhill Drive at the boundary between Nos. 6 and 12. (Also ref.KW1/20).

The applicant is advised to seek an extinguishment order under S.118 Highways Act 1980 - please contact the PROW Team for further advice.

Other Representations

4.3 Local Residents

Two letters of objection have been received from one individual making the following comments:

- Proposal is too intrusive and too near to no. 2 Charnhill Drive
- There is a long standing issue with the trees at the site, and we will agree to this development if the trees are cut down and the fencing is completed to prevent break ins
- Extension not in keeping with surroundings
- Conflicts with green living by overshadowing gardens and preventing growth of fruit, flowers and vegetables
- Building work has commenced, they have removed windows and replaced with breeze blocks
- Disc cutting should involve water spraying to prevent dust flying everywhere
- Prevents views to the neighbouring road

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Saved Policy H4 of the South Gloucestershire Local Plan is supportive in principle of proposals for alterations and extensions to existing dwellings within their curtilage, providing that the design is acceptable and in accordance with policy CS1 of the Core Strategy, and that there is no unacceptable impact on

residential and visual amenity, and also that there is safe and adequate parking provision and no negative effects on transportation. Therefore, the proposal is acceptable in principle but should be determined against the analysis set out below.

5.2 Design

The application site forms part of a pair of balanced, semi-detached dwellings with a hipped roof line, a hipped feature gable protruding to the front and a catslide roof creating a porch. The property has existing side and rear extensions at ground floor level, and it is proposed for these to be raised up to two storey height and the gap between the single storey elements to be infilled and extended further to the rear. The two-storey element is to be stepped back from the principal elevation and at a reduced ridge height from the main dwelling, enabling the property to still be viewed as a balanced pair with no. 27. Whilst no. 23 to the east is a dormer bungalow, it has a tall ridge height and so the proximity of the two-storey extension does not appear overly dominant. The chimney, which is a positive feature in the street scene, is being moved onto the new roof slope and retained.

5.3 With regards to the single storey element to the rear, a flat roof is proposed. Whilst usually a pitched roof would be preferable for design and maintenance reasons, in this instance there is already a single storey extension with a flat roof, so it is considered appropriate that the new addition continues the same roof line. Subject to a condition ensuring that the proposed materials match the existing dwelling, the development is considered to accord with policy CS1 of the Core Strategy (Adopted) December 2013.

5.4 Residential Amenity

The neighbour adjacent to the proposed extension is no. 23 Mangotsfield Road, situated immediately to the east. The property has a facing principal window at first floor level serving a bedroom, and this window will face onto the gable end of the two-storey extension proposed, at a distance of approximately 4 metres. The development would cause a poor outlook from this window, however given that the bedroom to which the window relates also benefits from another, larger window facing south, it is not considered to be detrimental to their residential amenity. Given the close proximity to this window, it would be appropriate to apply a working hours condition to the decision notice in the event the application is approved. The single storey rear extension may cause additional overshadowing to the rear garden of no. 23, although officers consider this will be minimal due to the low eaves height (3 metres) and is only likely to occur towards the end of the day.

5.5 An objection has also been received regarding the level of overlooking and loss of views that will occur to no. 2 Charnhill Drive, however due to the distance and angle of the garden from the proposed development, the impact is not considered to be significant. Some indirect views may be possible from the rear of no. 25 into the end of the garden serving no. 2, but this was an extant situation and is not detrimental to their residential amenity. Furthermore, the right to a private view is not something protected by the planning system; rather the likely impact on living conditions is assessed and it is concluded it would be reasonable in this case.

The properties are situated 25 metres apart which maintain a reasonable relationship, particularly as no. 2 is on higher ground. There is also a significant boundary treatment between the two properties which limits views from the proposed glazing at ground floor level.

5.6 Whilst the footprint of the dwelling is to remove some of the existing private amenity space, the property benefits from a large plot and officers consider that the garden which will remain following development is of ample size to serve the future occupiers. Overall, it is considered that the development is not harmful to residential amenity and is acceptable in terms of policy H4 of the Local Plan (Adopted) January 2006.

5.7 Transport

Following development, the property will increase from a three-bedroom to a four-bedroom dwelling, both of which require two off-street parking spaces to accord with the Residential Parking Standards SPD. The new garage does not meet the internal standards within the SPD so cannot be counted as a parking space, and the Transport officer requested a parking plan during the course of the application. This was received on 7th February 2017 and showed that four spaces could be accommodated within the site boundary. Furthermore, during the officer site visit, it was noted that the front of the site was already utilised as parking, so there is no transportation objection to the development.

5.8 Vegetation

An objection letter received from a neighbour has indicated that they would not object to the proposal if the owner of the property removed some trees near to the boundary of no. 2 Charnhill Drive. These trees are not affected by the development, nor would their removal be necessary to mitigate against harm caused by the development, and so the Council cannot insist that the trees are removed.

5.9 Other Issues

An objection letter has indicated that work has already started. It is apparent that work is being carried out within the site, however this appears to be internal and so the application is not considered to be retrospective.

5.10 Concerns have also been raised about the dust generated from the construction works necessary to carry out the development. Considering the scale of the proposal, the impact is not likely to be significant and will be temporary.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Contact Officer: Trudy Gallagher
Tel. No. 01454 862217

CONDITIONS

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

Reason

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

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

Reason

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

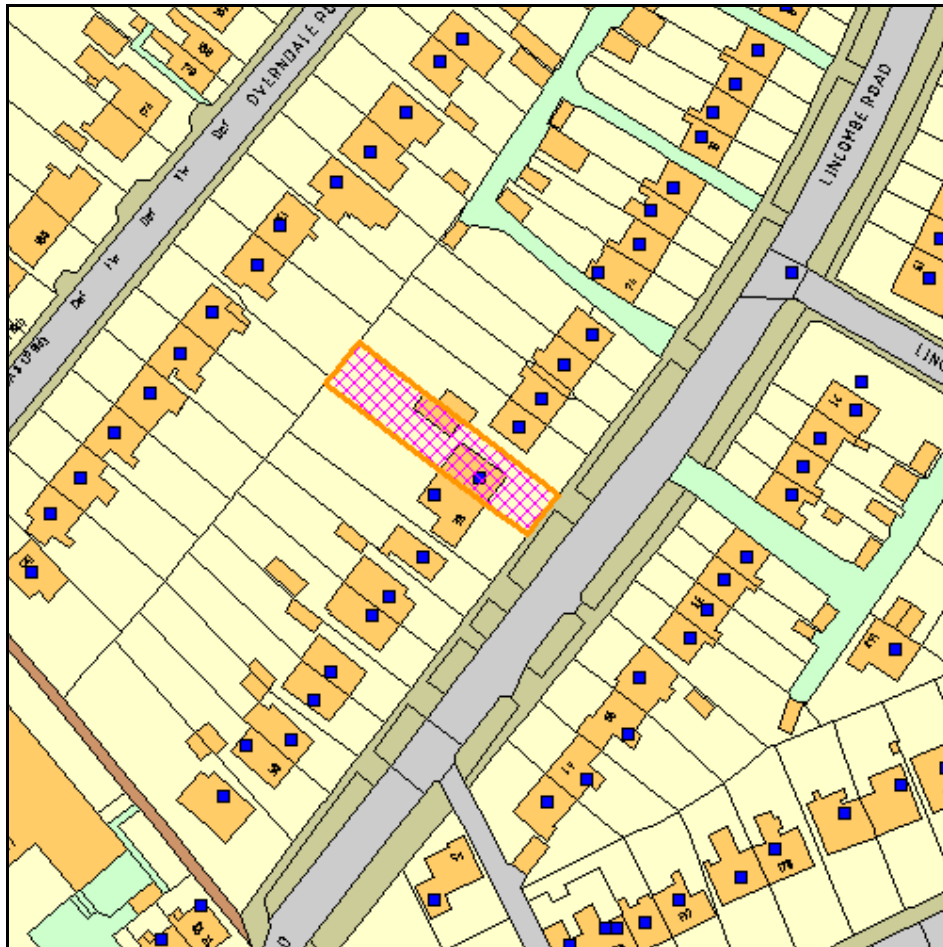
3. The hours of working on site during the period of construction shall be restricted to 07:30 - 18.00 Monday - Friday; 08:00 - 13:00 on Saturdays; and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the 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 amenity enjoyed by those living in the locality to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and the provisions of the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 08/17 – 24 FEBRUARY 2017

App No.:	PK17/0101/CLP	Applicant:	Mrs Terrie Downs
Site:	34 Lincombe Road Downend Bristol South Gloucestershire BS16 5UA	Date Reg:	12th January 2017
Proposal:	The proposed erection of a single storey rear extension	Parish:	Downend And Bromley Heath Parish Council
Map Ref:	364469 176562	Ward:	Downend
Application Category:		Target Date:	7th March 2017



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The applicant is seeking a formal decision as to whether the proposed single storey rear extension to 34 Lincombe Road, Downend would be lawful.
- 1.2 The application is a formal way of establishing whether the proposal requires planning permission or not. Accordingly there is no consideration of planning merit, the decision is based solely on the facts presented.

2. POLICY CONTEXT

2.1 National Guidance

Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 1, Class A.

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

3. RELEVANT PLANNING HISTORY

- 3.1 K7268 TWO STOREY SIDE EXTENSION (Previous ID: K7268)
Approved: 09.09.1992

4. CONSULTATION RESPONSES

4.1 Councillor

No comment received

4.2 Downend and Bromley Heath Parish Council

No objection

Other Representations

4.3 Local Residents

No comments received

5. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

- 5.1 Combined Plan (Drawing No. 1602 / 01_001)
(Received by Local Authority 10th January 2017)

6. ANALYSIS OF PROPOSAL

6.1 Principle of Development

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

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

6.3 The proposed development consists of a single story extension to the rear of property. This development would fall within Schedule 2, Part 1, Class A, which allows for the enlargement, improvement or other alteration of a dwellinghouse, provided it meets the criteria as detailed below:

Development is not permitted by Class A if –

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

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

(b) As result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);

The total area of ground covered by buildings (other than the original dwellinghouse) would be less than 50% of the total area of the curtilage.

(c) The height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;

The height of the rear extension would not exceed the height of the roof of the existing dwellinghouse.

(d) The height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;

The height of the eaves of the rear extension would not exceed the height of the roof of the existing dwellinghouse.

- (e) The enlarged part of the dwellinghouse would extend beyond a wall which—
 - (i) forms the principal elevation of the original dwellinghouse; or
 - (ii) fronts a highway and forms a side elevation of the original dwellinghouse;

The extension does not extend beyond a wall which fronts a highway or the principal elevation of the original dwellinghouse.

- (f) Subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and—
 - (i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or
 - (ii) exceed 4 metres in height;

The proposal does not extend beyond the rear wall of the original dwellinghouse by more than 4 metres, or exceed 4 metres in height.

- (g) Until 30th May 2019, for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and—
 - (i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or
 - (ii) exceed 4 metres in height;

Not applicable.

- (h) The enlarged part of the dwellinghouse would have more than a single storey and—**
 - (i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or**
 - (ii) be within 7 metres of any boundary of the curtilage the dwellinghouse opposite the rear wall of the dwellinghouse;**

The extension would be single storey

The enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed

The extension would be within 2 metres of the boundary, however the eaves would not exceed 3 metres in height.

- (j) The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would—**
 - (i) exceed 4 metres in height,**
 - (ii) have more than a single storey, or**
 - (iii) have a width greater than half the width of the original dwellinghouse; or**

The proposal does not extend beyond a side wall of the original dwellinghouse.

- (k) It would consist of or include—**
 - (i) the construction or provision of a verandah, balcony or raised platform,**
 - (ii) the installation, alteration or replacement of a microwave antenna,**
 - (iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or**
 - (iv) an alteration to any part of the roof of the dwellinghouse.**

The development would not include any of the above.

A.2 In the case of a dwellinghouse on article 2(3) land, development is not permitted by Class A if—

- (a) it would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles;**
- (b) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or**
- (c) the enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse.**

The application site does not fall on article 2(3) land.

A.3 Development is permitted by Class A subject to the following conditions—

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

The proposed plans indicate that the walls of the proposal will be finished in render and the roof finish will match existing. These materials are deemed to be sufficiently similar in appearance to the used in the construction of the exterior of the existing dwellinghouse to meet this criterion.

any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse must be—

- (i) obscure-glazed, and
- (ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed; and

Not applicable.

- (c) where the enlarged part of the dwellinghouse has more than a single storey, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse.

Not applicable.

7. **RECOMMENDATION**

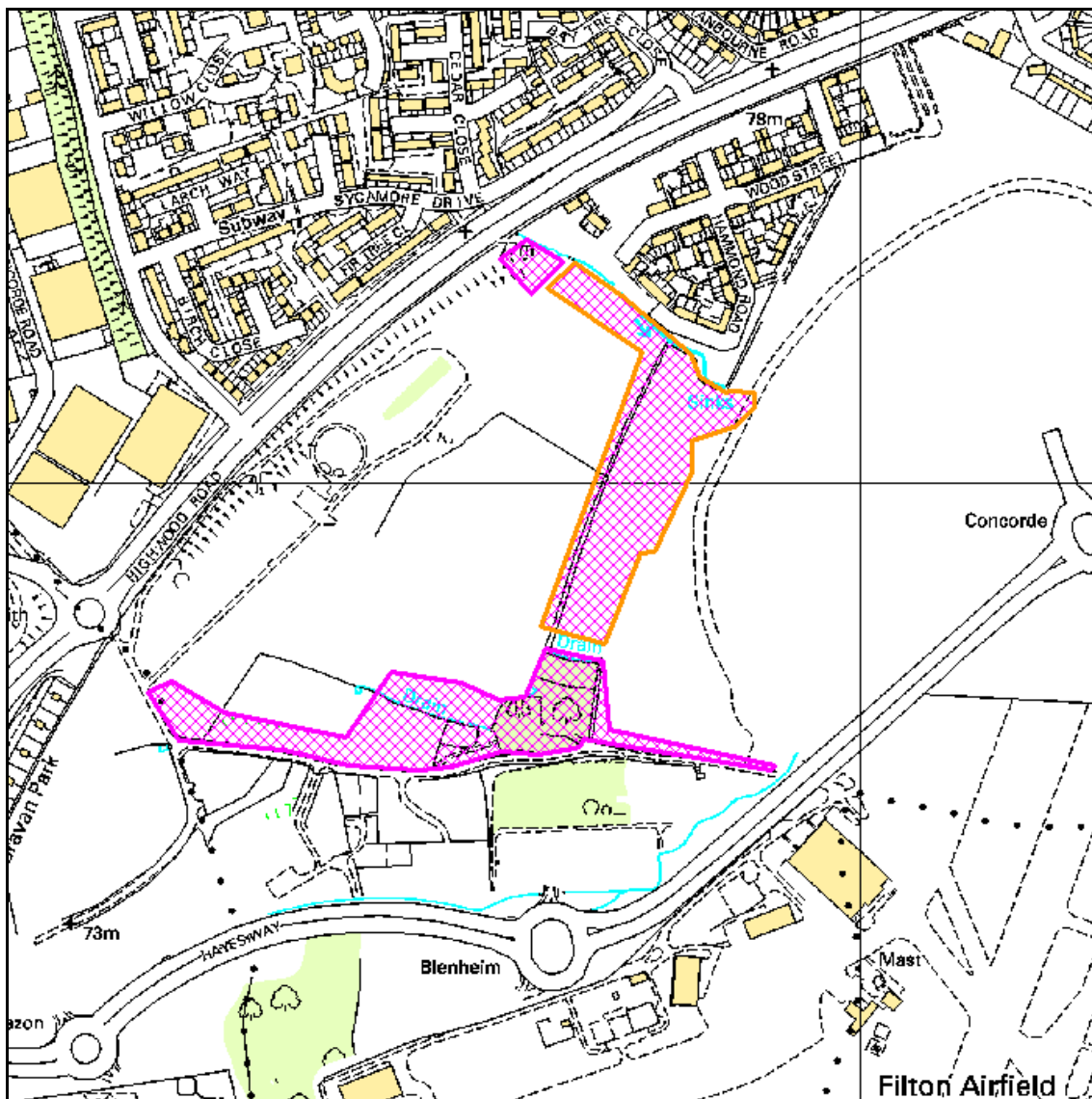
- 7.1 That a certificate of Lawfulness for Proposed Development is **granted** for the reasons listed below:

Evidence has been provided to demonstrate that the proposed extension would be allowed as it is considered to fall within the permitted rights afforded to householders under Part 1, Class A of the Town and Country Planning General Permitted Development Order 2015.

Contact Officer: Patrick Jackson
Tel. No. 01454 863034

CIRCULATED SCHEDULE NO. 08/17 – 24 FEBRUARY 2017

App No.:	PT15/2350/RM	Applicant:	Mr Dave Farley Bovis Homes SW
Site:	Charlton Hayes Filton South Gloucestershire	Date Reg:	25th June 2015
Proposal:	Laying out of the Central Green Spine including access, appearance and hard/soft landscaping (Approval of Reserved Matters to be read in conjunction with Outline Planning Permission PT03/3143/O).	Parish:	Patchway Town Council
Map Ref:	360446 181069	Ward:	Patchway
Application Category:	Major	Target Date:	22nd September 2015



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 100023410, 2008. N.T.S. PT15/2350/RM

REASON FOR REFERRAL TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule due to the receipt of one letter of objection from a local resident.

1. THE PROPOSAL

- 1.1 This application seeks Reserved Matters consent for the laying out of the Green Spine – the central band of open space to run through the centre of the Charlton Hayes Development. This application is to consider access, appearance and hard/soft landscaping. (Reserved Matters application to be read in conjunction with outline planning permission PT03/3143/O as amended).
- 1.2 The Design and Access statement approved through the original outline consent clarified that ‘the central green spine will have a strong influence on the character of the development and has a range of important roles as a landscape feature, ecological corridor and amenity space. A range of facilities are to be provided to ensure the space has an appeal to all age groups. The spine incorporates retained hedgerows and trees which will give the space an immediate impact.’
- 1.3 A Green Spine Design Brief (with addendum) was approved by the Council on 5th June 2015 against condition 7 of the original outline permission. The Green Spine must be bought forward in accordance with the approved design brief.
- 1.4 Amended plans were received during the course of the application to address a number of issues primarily relating to landscaping, public art and drainage. Amended plans were received to address the points raised and, where changes were deemed significant, the necessary re-consultation was carried out.

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 (Adopted) January 2006 (saved policies)

EP2 Flood Risk and Development
L1 Landscape Protection and Enhancement
L11 Archaeology
LC1 Provision for Built Sports, Leisure and Community Facilities
M1 Site 4 Major Mixed Use Development Proposals at Northfield
T12 Transportation Development Control Policy
T7 Cycle Parking

South Gloucestershire Local Plan Core Strategy Adopted December 2013

- CS1 High Quality Design
- CS2 Green Infrastructure
- CS5 Location of Development
- CS6 Infrastructure and Developer Contributions
- CS7 Strategic Transport Infrastructure
- CS8 Improving Accessibility
- CS9 Managing the Environment and Heritage
- CS15 Distribution of Housing
- CS16 Housing Density
- CS17 Housing Diversity
- CS18 Affordable Housing
- CS24 Green Infrastructure, Sport and Recreation Standards
- CS35 Communities of the North Fringe of Bristol Urban Area

2.3 Supplementary Planning Guidance

- Residential Parking Standards SPD (Adopted) 2013
- South Gloucestershire Design Checklist SPD (Adopted) 2007
- Waste Collection: Guidance for New Developments SPD 2015
- Affordable Housing SPD Adopted

3. RELEVANT PLANNING HISTORY

There is a long history to Charlton Hayes as a whole – the most relevant history affecting this Green Spine application is as follows:

- 3.1 PT03/3143/O Major mixed-use development across 81.25 hectares of land comprising 2,200 new dwellings, 66,000 sq m of employment floor space (B1, B2 and B8), 1,500 sq m of A1, A2, A3, A4 and A5 floor space: together with the provision of supporting infrastructure and facilities including; new vehicular and pedestrian accesses to Highwood Road, new link road, public open space, primary school, community building, hotel (C1) (Outline). Approved following signing of S106 agreement March 2008.
- 3.2 PT14/1765/RM Phase 2 and 3 infrastructure highway corridor including public realm design, landscaping, street furniture and highway engineering design. (Approval of Reserved Matters to be read in conjunction with Outline Planning Permission PT03/3143/O). Approved March 2015.

4. CONSULTATION RESPONSES

- 4.1 Patchway Town Council
No response received

- 4.2 Internal Consultees

South Gloucestershire Council Archaeology Officer
No comment

South Gloucestershire Council Lead Local Flood Authority
Raise no objection but ask queries about scour.

South Gloucestershire Council Conservation Officer
No Comment

South Gloucestershire Council 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.

South Gloucestershire Council Arts Officer
Is delighted to see the shelter and the standings stones included in the application and confirms that they fulfil the requirement for public art as part of the site.

South Gloucestershire Council Urban Design Officer
No comment

South Gloucestershire Council Landscape Officer
The Councils landscape officer has made various comments through the course of the application. Subject to the attachment of conditions, there are no objections to the final set of submitted plans.

South Gloucestershire Council Public Open Space Officer
The Councils public open space officer has made various comments through the course of the application. Subject to the attachment of a condition, there is no objections to the final set of submitted plans.

South Gloucestershire Council Tree Officer
The Councils tree officer has made various comments through the course of the application. Subject to the attachment of conditions, there is no objections to the final set of submitted plans.

South Gloucestershire Council Environmental Protection Officer
No Objection

4.3 External Consultees

Crime Prevention Adviser
No objection

Environment Agency
Makes no objection and defers to the Lead Local Flood Authority

Health and Safety Executive
No Objection

Other Representations

4.4 Local Residents

Three letters of objection have been received from Local Residents – two residents support the proposal and one resident objects. A summary of the main points raised is as follows:

- The green spine running along Wood Street has been vital to separate current residents for building work still underway. The resident seeks confirmation that this stretch of the green spine is retained so he doesn't have to move.
- Supports the scheme as children need facilities to play. Asks that the developer does not remove too much undergrowth
- Concerned that there is no fence or shrubbery dividing the green spine from the neighbour – concerns about safety and anti-social behaviour

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The principle of development has been established through the granting of the outline planning permission PT03/3143/O, and the approval of the amended phase 3 master plan and Design Codes (dated February 2014). The outline permission granted consent for a “Major mixed-use development across 81.25 hectares of land comprising 2,200 new dwellings, 66,000 sq m of employment floor space (B1, B2 and B8), 1,500 sq m of A1, A2, A3, A4 and A5 floor space: together with the provision of supporting infrastructure and facilities including; new vehicular and pedestrian accesses to Highwood Road, new link road, public open space, primary school, community building, hotel (C1) (Outline)”.

- 5.2 This application considers the Reserved Matters consent for the central Green Spine – the main green open space that will run right through the centre of the whole of the Charlton Hayes Development. The approved Green Spine design brief was secured through condition 7 of the outline planning consent PT03/3143/O. Sited between phases 2 and 3 of the development, linking the school site and The Woodlands, the Central Green Spine offers a unique opportunity to create a distinctive public open space. The design code confirms that the designs for the new park should be developed to provide play areas, spaces for informal recreation, habitat creation and a new watercourse which use the existing structure of mature trees and hedges to create a park which is respectful of its setting within the wider development.

5.3 Description of Proposal

In order to commence assessment of the scheme, it is first necessary to describe the layout. Starting from the most northern point (abutting Highwood Road) the majority of the existing vegetation sitting to either side of the ditch is to be retained. Although some basic undergrowth clearance will be undertaken and a few of the less substantial trees will be felled, this northern section is to retain a ‘wooded feel’ separating residential parcels H16 and H19. The trees in this area are primarily of a high quality and protected by Tree Preservation Orders – the retention of the large, substantial trees is important to the character of the area.

- 5.4 Moving further south, the green spine starts to open out into the widest part of the Green Spine. At this point, again most of the vegetation is to be retained with some clearance of shrubs and smaller tree species. In this location some drainage engineering works are necessary to allow for the movement of water from the north of the Green Spine down to the Southern End. This will include the construction of a clay bund and the installation of a perforated pipe. The perforated pipe will then run in a westerly direction through the centre of the spine. The canopies of selected trees may need to be lifted to facilitate construction of this bund but any such works would need to be agreed before works are undertaken.
- 5.5 The spine then starts to run in a south westerly direction in an almost straight line down towards The Woodlands. It is this central strip that offers the most play facilities and opportunities for outside recreation. The first feature is a large MUGA (Multi-use games area). This pitch will be surrounded by a two metre high fence at either end and one metre high fencing to the side with entrances of both side elevations. The MUGA will not be lit but will be drained and will offer year round recreation opportunities. Much of the existing planting surrounding the MUGA will be retained and will be supplemented with new tree planting where appropriate.
- 5.6 Just to the south of the Green Spine will be the teen shelter. The teen shelter is a bespoke, artist design axonometric structure that will not only serve as a shelter but also add visual interest to the area acting as a focal point. A great deal of care and attention has been paid to the design of the structure to ensure that it also performs a duty in contribution towards public art within the site. To the south of the teen shelter is a small LAP (Local area of play) with a seating bench and a few small items of play for smaller children. The cycle way and safe route to school will cut through the spine at this point.
- 5.7 The very central section of the green spine – between the safe route to school and the main access road will be the most ‘natural’ section of the spine. It will have the lowest amount of play features and will include planting along a drainage channel and a community orchard. It will offer good opportunity for informal play.
- 5.8 The southernmost section of the spine (between the main access road and Hayes Lane) will contain the largest play area set amongst existing and proposed trees. This area will contain a NEAP (Neighbourhood Area of Play) and another LAP (Local Area of Play) with an all-weather ball court and bench seating. This area will accommodate the largest pieces of play equipment to accommodate children of all ages. The area is currently heavily vegetated and the majority of this vegetation will remain. In accordance with good arboricultural practice, some clearance of trees and vegetation will be necessary in this area to allow the more substantial tree species to flourish.
- 5.9 At present, there are three pill boxes hidden within the landscaping in this area. Because of their condition, two of these will need to be removed but the third will be retained. The retained pill box will form part of the public art trail that is also found in this part of the site.

The public art (as secured through the S106 agreement associated with the original outline permission) takes the form of a series of 14 standing stones. These stones will weave between the existing vegetation and form an informal path through this part of the site leading towards the historic pill box. The stones will be arranged in random groupings and will vary in height from 8 feet to two feet. This public art is strongly supported by the Council's public art officer who confirms that the stones are suitable to fulfil the requirements of the S106 insofar as it relates to public art.

5.10 The southernmost section of the green spine runs parallel to Hayes Lane (details of which will be submitted via a separate planning application) and forms a green buffer between The Woodlands and parcels H3 and H5. Again this strip will be subject to scrub clearance removing overgrown scrub and brambles. At the very western tip of the spine a LEAP (Local Equipped Area of Play) will be located with a good and wide range of play equipment to serve all residents.

5.11 The final element of the scheme is the fitness trail. This trail runs the length of the green spine and includes a wide variety of fitness equipment for use by adults and older children. The principles of the trim trail are set out in the Green Spine design brief. The trim trail proposed offers a valuable outdoor experience with a good range of equipment and signage that complies with the requirements of the design brief.

5.12 Assessment

This application has been with the Council for over 20 months and during this time has been subject to extensive scrutiny by the planning, landscape, drainage, public open space and tree officers. During the course of the application, a series of amended plans have been received to address issues relating primarily to drainage, landscaping, play and public art. Cumulatively, as a result of negotiation both of behalf of the Council and on behalf of the applicant the final scheme has been produced that is acceptable to all parties. The scheme satisfies the requirements of the Green Spine design brief and will provide an attractive and useable environment for the benefit of all.

5.13 Neighbour Objection

One neighbour has raised concern that there is no form of barrier between the green spine and adjacent roads and private driveways/gardens. The objector advocates the use of shrubs or a knee rail to act as a barrier. It is true that there is no physical barrier between the green spine and the adjacent residential roads and this is to increase permeability. Where fencing is needed – for example around play areas, this is within the site rather than around the edges. The Police raise no objection to the proposal in terms of increased risk of crime as a result of freedom of movement.

5.14 Conditions

Historically there have been issues on the Charlton Hayes site where TPO'd trees have been damaged during the construction process. Because of this history, it is considered both necessary and reasonable to attach stringent conditions to this consent – perhaps more stringent than would be applied on other development sites.

The use of very strict conditions are considered to fully satisfy the six tests of a planning condition as set out in the NPPF. Conditions will relate primarily to tree protection and implementation of landscaping and will require regular monitoring and inspection.

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 Reserved Matters application submitted in accordance with conditions 1, 2, 3, 4 of the associated Outline Planning Permission reference PT03/3143/O dated 14th March 2008 shall be approved subject to the conditions on the decision notice.

Contact Officer: Marie Bath
Tel. No. 01454 864769

CONDITIONS

1. The development must be carried out and implemented in full, exactly in accordance with the following plans:

Received by the Council on 20th January 2017:
Arboricultural Method Statement
JBR2356_303_J - North Landscape Proposals

Received by the Council on 18th January 2017:
Fitness Trail Detail
Trim trail warm up position sign

Received by the Council on 3rd January 2017:
Teen Shelter Safety Review

Received by the Council on 21st October 2016:
Water Chute complied details
JBR2356_300_I - Advanced Planting
27840-1036-sk04_A - Clay bund detail

Received by the Council on 22nd September 2016:
1616.201 P4 - Standing Stones General Arrangement

Received by the Council on 16th August 2016:
2780-1036-sk03_D - Groundwater Diversion

Received by the Council on 19th July 2016:
JBR2356_307_E - South Landscape Proposal sheet 1 of 2
JBR2356_305_E - North Illustrative Sections
JBR2356_308_D - South Landscape Proposal sheet 2 of 2

Received by the Council on 13th July 2016:
LEAP detail
Woodland Arboricultural Method Statement
MUGA detail
LAP and NEAP detail
Teen Shelter Materials Document

Received by the Council on 16th March 2016:
Artists Job Sheet

Received by the Council on 15th March 2016:
JBR2356_310_B - South Illustrative Sections 2 of 2
JKK7987 01.04 - Tree Protection Plan
JKK7987 01.03 - Tree Protection Plan
JKK7987 01.06 - Tree Protection Plan
JKK7987 01.07 - Tree Protection Plan
JKK7987 01.01 - Tree Protection Plan
JKK7987 01.02 - Tree Protection Plan
JKK7987 01.05 - Tree Protection Plan
JBR2356_309_B - South Illustrative Sections
JBR2356_304_C - Plant Schedule and Specification
Shelter Proposals
JBR2356_311_B - South Existing Vegetation Retention and Removal Plan 1 of 2
JBR2356_323_C - Timber Footbridge Detail

Received by the Council on 29th May 2015:
JBR2356_302_A - Vegetation Retention and Removal Plan
JBR2356_312_A - Vegetation Retention and Removal Plan 2 of 2
JBR2356_315_A - Site Location Plan
JBR2356_316_A - Play area timber fence detail
JBR2356_317_A - Terraced Landscape Detail
JBR2356_319_A - Bow top railing detail
JBR2356_320_A - Entry Statement
JBR2356_321_A - Tree Pit Detail
JBR2356_322_A - Timber and steel trip rail

Reason

In the interests of completeness and to ensure that the scheme remain compliant with the Gree Spine Design Brief and Addendum secured through PT03/3143/O.

2. Tree protection must be carried out exactly in accordance with the Tree Protection Plans Drawing numbers JKK7987 - Figure 01.01 to Figure 01.07 and the Arboricultural Method Statements reference numbers JMK7987 dated 07.03.16 and 21.09.16. Upon commencement of development, a suitably qualified Arboriculturist (appointed and funded by the applicant) is to visit the site on a weekly basis to monitor the site and check compliance with the afore mentioned plans and statements. After each weekly visit, a written report with findings and recommendations will sent to the Local Planning Authority for review. Weekly visits shall continue at all times until the work is complete or until the Local Planning Authority confirms in writing that the weekly visits are no longer necessary, whichever is the sooner.

Reason

The trees on site are covered by a Tree Preservation Order. Protection and continual monitoring of the site is necessary given the site history and in the interests of the long term health of the trees, and to accord with The Town and Country Planning (Tree Preservation) (England) Regulations 2012 and in the interests of the visual amenity of the area Policy L1 of the South Gloucestershire Local Plan (Adopted).

3. All landscape works to be carried out in strict accordance with the approved hard and soft landscaping proposals and detailed planting plans listed in Condition 1. Planting is to be carried out within the earliest planting season following approval. The supervising landscape architect is required to notify the local authority upon the commencement and completion of the works, to allow compliance monitoring of the works to ensure they comply with the approved drawings.

Reason

To ensure details correspond to the approved layout and to accord with Policy CS1 South Gloucestershire Core Strategy (Adopted) and retained policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

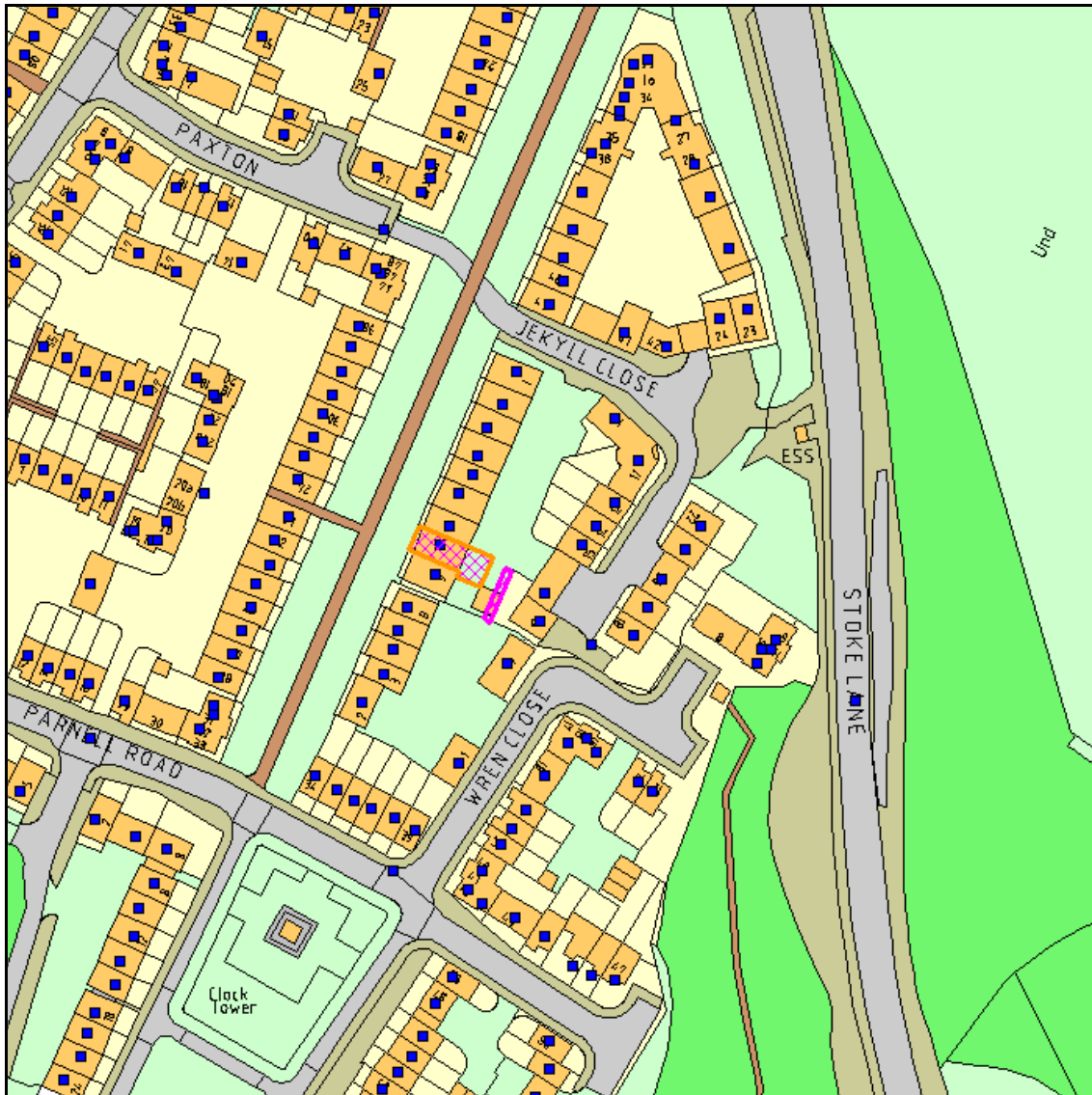
4. All plant material which fails to thrive within the first 5 years, shall be replaced with plant material of the same species and size as approved under the original planting scheme. All planting to be carried out and maintained in accordance with the approved Ecological and Landscape Management Plan for the site.

Reason

To ensure the successful establishment of the approved planting scheme and adequate mitigation for the development is achieved in accordance with the requirements of Policy L1 of the South Gloucestershire Local Plan (Adopted).

CIRCULATED SCHEDULE NO. 08/17 – 24 FEBRUARY 2017

App No.:	PT16/5411/F	Applicant:	Mr Ian Brisco
Site:	8 Jekyll Close Stoke Gifford Bristol South Gloucestershire BS16 1UX	Date Reg:	4th October 2016
Proposal:	Change of use from a 6no. HMO (Class C4) to an 8no. HMO (Sui Generis) as defined in the Town and Country Planning (Use Classes) order 1987 (as amended)	Parish:	Stoke Gifford Parish Council
Map Ref:	362350 177489	Ward:	Frenchay And Stoke Park
Application Category:	Minor	Target Date:	24th November 2016



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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 officer recommendation for approval.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the change of use of 8 Jekyll Close *from* a 6-bedroom House in Multiple Occupation ("HMO") (Class C4 as defined by the Town and Country Planning (Use Classes) Order 1987 (as amended)) *to* an 8-bedroom HMO (Sui Generis). A planning application is required as the proposed change of use does not benefit from permitted development rights.
- 1.2 The application site is a mid-terrace, 3 storey dwelling, situated towards the end of a small cul-de-sac forming part of Jekyll Close. The property was built in the early 2000s as part of the Stoke Park development. Stoke Park is a high-density housing development on a former hospital site. It is adjacent to the main Frenchay campus of UWE. The application site is located within the existing urban area of the North Fringe of Bristol.
- 1.3 In order to facilitate the change of use, the two existing bedrooms on the first floor would be subdivided, each into two rooms. No external alterations are required; however, it is noted from the submitted plans that the proposed dividing wall would intersect a window and that window would be blanked out (bedrooms 7 and 8) and a replacement French window would be required (bedrooms 5 and 6). Subject to there being no alterations to the fenestration, it is not considered that this would amount to a material change in the external appearance of the building, for which planning permission would be required.

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
CS17	Housing Diversity
CS25	Communities of the North Fringe of Bristol

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

T7	Cycle Parking
T12	Transportation
H5	Houses in Multiple Occupation

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

PSP11	Transport Impact Management
PSP16	Parking Standards
PSP39	Houses in Multiple Occupation

2.3 Supplementary Planning Guidance

- i. Residential Parking Standard SPD (Adopted) December 2013
- ii. Waste Collection SPD (Adopted) January 2015

3. RELEVANT PLANNING HISTORY

- 3.1 PT03/3107/RM Approve with Conditions 17/12/2003
Erection of 42 dwellings and associated works, resubmission of PT02/3703/RM. (approval of reserved matters associated with PT00/1897/O)
- 3.2 PT00/1987/O Approved with Conditions 11/12/2002
Residential development (Outline).

4. CONSULTATION RESPONSES

- 4.1 Stoke Gifford Parish Council
None received
- 4.2 Highway Structures
No comment
- 4.3 Lead Local Flood Authority
No objection

Other Representations

4.4 Local Residents

Two comments of objection have been received which raise the following points:

- 8-bed HMO is out of character with the area which is family orientated
- access for emergency services to the close is difficult; a larger HMO may compound this
- noise disturbance
- waste issues
- request that HMO is monitored to ensure landlord is meeting legal duties
- area subject to anti-social behaviour
- more objections would be received however Jekyll Close is not occupied in the majority by owner-occupiers
- development would lead to overcrowding
- insufficient parking, inconsiderate and illegal parking blocks access

5. ANALYSIS OF PROPOSAL

- 5.1 Planning permission is sought for the change of use of an existing House in Multiple Occupation ("HMO") in order to increase the number of bedrooms in the property.
- 5.2 Principle of Development
Policy H5 of the Local Plan specifically addresses HMOs and is therefore the starting point for determining this application. This policy is supportive of HMOs subject to an assessment of the impact on the character of the area, residential amenity, and off-street parking.
- 5.3 As part of the forthcoming Policies, Sites and Places Plan this policy is due to be replaced by PSP39. At its current stage of production, the policy holds limited weight. The plan has been submitted to the Secretary of State for Examination in Public and that examination is in progress. In addition to the criteria listed in H5, this policy would also require an assessment of waste storage and servicing.
- 5.4 Parking provision should be assessed against policy T12 (with regard to highway safety) and the Residential Parking Standard SPD (with regard to the number of spaces provided). In addition to the above, consideration must also be given to the provision of adequate bicycle storage to encourage sustainable and non-car based modes of transport.

Housing Supply

- 5.5 Before progressing to look at the proposal in more detail, it is worth addressing the position with regard to housing land supply. At present, the local planning authority is unable to demonstrate a 5-year housing land supply. Turning to how housing numbers are measured, if permitted this application would lead to the loss of 1 housing unit (Class C3/C4) and the gain of 1 house in multiple occupation (Sui Generis). Therefore, in terms of housing supply, this application would have a neutral impact and the current housing supply shortage is given little weight in the determination of this application.
- 5.6 Residential Amenity and the Impact on the Locality
Policy H5 indicates that proposals should consider the character of the area and the amenities of nearby occupiers. Proposals should also demonstrate that occupiers have access to adequate amenity space.
- 5.7 The site is a relatively dense residential estate in close proximity to a number of large employers and institutions. The occupation of properties within the estate as HMOs (Class C4) is lawful as permitted development. The difficulty comes in determining the level of harm that comes from a change of use to a Sui Generis larger HMO. The property is currently lawfully occupied as a HMO under Class C4 and this proposal would seek to increase the number of occupants by two. It should be noted that following planning permissions have been granted in Jekyll Close for changes of use to larger HMOs (Sui Generis):

- PT16/2817/F: 9 Jekyll Close (immediately adjacent): 8 bedroom

- PT16/0715/F: 43 Jekyll Close (opposite the access to nos.1 to 9 Jekyll Close): 8 bedrooms
- PT16/2665/F: 43 Jekyll Close: 9 bedrooms (allowed on appeal)

- 5.8 No external changes are proposed to the building itself; the additional bedrooms would be created through internal alterations only (however, it is noted that one of the proposed internal walls would intersect an existing window). The property has access to two small areas of amenity space, one to the front – which is the larger of the two – and one to the rear, which is limited to a small terrace. A bicycle storage building is proposed in the front garden; however, it is considered that this area would still be able to provide an amenity function when the bicycle store is included.
- 5.9 To the rear, the site abuts a green corridor which runs from Stoke Lane to the Dower House and from there onwards into Stoke Park parkland. At present the council does not have a minimum private amenity space standard; although one is proposed in the forthcoming Policies, Sites and Places Plan (PSP43). This policy states that proposals for the change of use must ensure that the minimum amenity space standard is met. In this instance that would be the provision of 70 square metres of amenity space. It would not be possible to provide this level of private amenity space at this location due to the existing layout and built form of the Stoke Park development. However, the proposed policy goes on to state that where developments in town centre locations are not able to provide amenity space on site, it should be demonstrated that suitable alternatives exist. Whilst Stoke Park is not a town centre location, the high density land use does prevent the formation of larger gardens. The proximity and convenience of open space, such as the green corridor and the Stoke Park parkland, is considered by Officers to mitigate against the low on-site provision and is likely to be sufficient to meet the needs of the occupiers of the property.
- 5.10 Whilst it is recognised that a HMO may generate higher levels of noise than a property in use as a single dwelling – and that this is raised as a concern in the public consultation responses – excessive noise would be a nuisance under environmental protection legislation. As such, it is not considered that this matter can be a constraint in determining planning permission.
- 5.11 Overall and on balance of the factors discussed above, it is considered that the site would be able to be occupied as a Larger HMO without prejudicial harm to the residential amenities of nearby occupiers or a significant impact on the character of the area.
- 5.12 Transport and Parking
Policy H5 states that an 'acceptable' level of off-street parking should be provided. The council has produced the Residential Parking Standard SPD to provide greater detail on expected parking provision. The SPD requires residential properties with 5 or more bedrooms to provide a minimum of 3 off-street parking spaces; however, there is no particular policy or guidance with regard to HMOs as the SPD states that each would be assessed on its own merits. This situation may change in the near future. Within the Policies, Sites and Places Plan currently under preparation, policy PSP16 requires the

provision of 0.5 parking spaces per bedroom in a HMO. This policy is yet subject to examination in public and therefore holds little weight at this time.

- 5.13 Taking the 0.5 spaces as a guide as to the level of parking that should be provided, this would lead to a requirement of 4 parking spaces. At present, the development provides 2 parking spaces: one off-street space and one within a carport. Therefore, the proposal is 2 spaces short.
- 5.14 A survey of on-street parking availability was undertaken to support the application. This is considered accurate and to reflect the current availability of parking in the locality. Officers therefore conclude that the local highway network can accommodate the parking generated by the proposal not provided for within the site itself without a severe impact to highway safety. The site has good access to sustainable travel options. It is walking distance to a number of major destinations for employment and education. It is also well served by bus routes which would include the Metrobus when it starts operations.
- 5.15 When first received, the applicant proposed to use the carport as secure cycle storage (by installing a door). This would have led to a deficit of 3 parking spaces. On these grounds the development was not considered to be acceptable. In order to secure the provision of 2 parking spaces, an alternative location for the cycle storage was required to ensure that the carport remain available for vehicular parking.
- 5.16 Revised plans have been received which indicate the provision of a cycle store in the front garden. Whilst the front garden is small, the proposed cycle store is light weight in appearance. It is also situated away from the building to ensure that outlook can be retained. The proposed store is open in nature. Normally such proposals would not be appropriate; however, an enclosed 'shed' would have a more significant impact and therefore the cycle shelter is considered acceptable as a compromise. Subject to the provision of 2 car parking spaces and the proposed bike rack, there is no transportation objection to the proposed development.
- 5.17 Other Matters
Some of the items raised through the public consultation have not been fully addressed in the main analysis of this report. This will be undertaken here for clarity.
- 5.18 Whilst policy H5 allows the 'character of the surrounding area' to be considered, the recent appeal decision at 43 Jekyll Close applied very little weight to this factor. Taking on board the Inspector's comments, it is not considered that the change of use could be considered to have a harmful impact on the character of the area.
- 5.19 Issue of anti-social behaviour, illegal or inconsiderate parking, waste management, and noise cannot be managed through this application and therefore are not given weight in decision taking. Concerns about the management of HMOs are considered through private sector housing legislation and not the planning system.

5.20 Whilst many of the properties in Jekyll Close may be occupied by tenants, consultation cards have been sent to those properties as described in the Statement of Community Involvement.

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 subject to the conditions set out below.

Contact Officer: Griff Bunce
Tel. No. 01454 863438

CONDITIONS

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

Reason

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

2. The off-street parking facilities, consisting of 2 vehicular parking spaces and the proposed bike rack as shown on the proposed block plan hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason

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

Reason

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

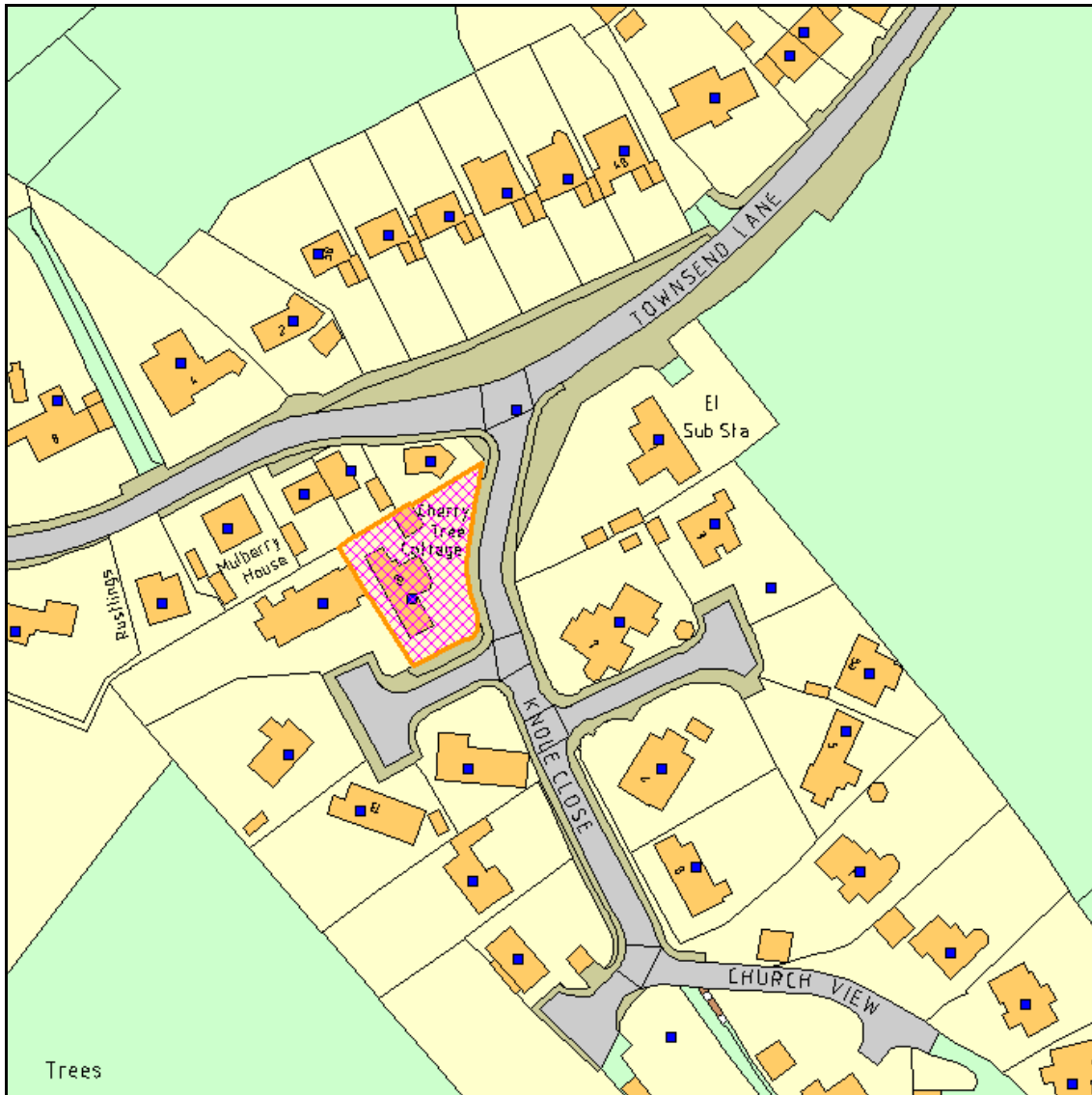
3. The Larger House in Multiple Occupation (Sui Generis) hereby approved shall not contain more than 8 bedrooms at any one time.

Reason

Greater levels of occupancy would constitute a material change of use for which further consideration would be required against policy CS5, CS8 and CS25 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and policy H5 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies).

CIRCULATED SCHEDULE NO. 08/17 – 24 FEBRUARY 2017

App No.:	PT16/6043/F	Applicant:	Mrs Jackie Hartley
Site:	16 Knole Close Almondsbury Bristol South Gloucestershire BS32 4EJ	Date Reg:	24th January 2017
Proposal:	Erection of single storey front, side and rear extensions to provide additional living accommodation.	Parish:	Almondsbury Parish Council
Map Ref:	359815 183863	Ward:	Almondsbury
Application Category:	Householder	Target Date:	20th March 2017



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application appears on the Circulated Schedule as there is an objection received from the local community, whilst the officer recommendation is approval.

1. THE PROPOSAL

- 1.1 The site is located within the Almondsbury Village Development Boundary and is washed over by the Green Belt. The site is occupied by a detached single storey dwelling and garage with a driveway accessed from Knole Close.
- 1.2 The proposed development consists of the erection of a single storey extension to the side of the existing dwelling. This is proposed to be position on the southerly elevation.

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 Sustainable Development

CS5 Location of Development

CS8 Improving Accessibility

CS34 Rural Areas

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

H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings

T12 Transportation

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

PSP1 Local Distinctiveness

PSP7 Development in the Green Belt

PSP8 Residential Amenity

PSP38 Development within Existing Residential Curtilages

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) August 2007

Residential Parking Standard SPD (Adopted) December 2013

Development within the Green Belt SPD (Adopted) June 2007

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

- 4.1 Almondsbury Parish Council
No comment has been received
- 4.2 Archaeology Officer
No Objection
- 4.3 Highway Authority
No comment received

Other Representations

- 4.4 Local Residents
One consultation has been received.

Objection is made in respect of the proposed application due to an incorrect submission of planning. The writer sets out that communications taken with Ordnance Survey have confirmed the current dwelling points are displaced and therefore under reference CS-06747-T0J6P0.

The writer sets out that Ordnance Survey have confirmed to the writer that the current application is incorrect due to wrong information and have informed the writer South Gloucester Council will have to re-apply for planning with the corrected information showing.

5. ANALYSIS OF PROPOSAL

- 5.1 The planning application seeks approval for the construction of an extension to an existing residential dwelling. The extension would be constructed entirely within the existing residential curtilage.
- 5.2 Principle of Development
Saved Policy H4 of the South Gloucestershire Local Plan is relevant to this application. The Policy indicates that the proposed development is acceptable in principle subject to the following considerations.
- 5.3 Green Belt
The site is located within the Almondsbury Village Development Boundary which is washed over by the Green Belt. Paragraph 89 of the National Planning Policy Framework sets out that Local Planning Authorities should regard the construction of new buildings within the Green Belt should be regarded as inappropriate development in the Green Belt. Exceptions to this position include the 'the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.
- 5.4 Whilst there is no recorded planning history relating to this dwelling, there is evidence that the existing dwelling has been extended beyond its original form. The extensions appear modest and consist of a conservatory addition to the East Elevation, a single storey extension to the North Elevation and a detached double garage positioned to the North of the existing garage.

However, it is noted that the other dwellings nearby include a single garage and it is likely that the existing double garage is an extension to the original.

- 5.5 Whilst the existing extensions to the dwelling are noted, these are relatively modest in scale. The proposed extension would amount to approximately 38% addition to the original dwelling. The earlier extensions increase this, however given that scale and form of those extensions officers are satisfied that the proposed development would not result in a disproportionate addition to the original building.
- 5.6 Furthermore, for the reasons set out below, officers are satisfied that the proposed development would be proportionate to the existing building in visual terms. On this basis, officers are satisfied that the proposed development is acceptable in Green Belt terms.
- 5.7 Design Considerations
The subject dwelling dates from the mid-20th Century. It stands amongst a group of similar dwellings constructed at the same time. The existing building is relatively long and narrow in proportion with a return gable element on its Northern elevation. The proposed extension would introduce a further return gable to the Southern Elevation and would effectively balance the architectural form of the existing building. The proposed extension would be consistent with the general proportion and scale of the existing dwelling.
- 5.8 It is noted that the dwelling and the proposed extension would be in a prominent corner location in the street scene. However, this does not detract from the above assessment. Officers are satisfied that the proposed development is acceptable in design terms.
- 5.9 Residential Amenity.
The existing dwelling is positioned such that it is close to the Western boundary of its curtilage. The existing dwelling includes a number of bedroom windows and a kitchen window/patio door that allow an element of overlooking across the curtilage of the adjacent dwelling to the West. The area of curtilage associated with the adjacent dwelling is front garden area with a driveway immediately adjacent to the subject property.
- 5.10 The proposed development would introduce a further window that would allow a similar view across the adjacent residential curtilage to that which is occurring at the existing dwelling. Given the existing relationship of the subject dwelling and the adjacent property officers are satisfied that there would be no material impact in respect of the amenity of the occupants of the adjacent dwelling and the subject dwelling. Officers are also satisfied that sufficient outdoor amenity space would be retained for the occupants of the existing dwelling. The proposed development is therefore acceptable in residential amenity terms.
- 5.11 Highway safety and Domestic Parking
The proposed development would increase the bedroom spaces in the subject dwelling from two to four. The existing curtilage has sufficient room to park in excess of two vehicles. This is compliant with the minimum standards required for residential dwellings.

The development would utilise the existing access onto Knole Close and as such would not result in a material impact in terms of highway safety. The proposed development is acceptable in highway safety and parking terms.

5.12 Other Matters

One local resident has raised objection to the proposed development. The objection is raised on the grounds that the application site appears on the Site Location Plan as 'Cherry Tree Cottage'. However, the objector sets out that this is an error, and is concerned that the site location plan is inaccurate and should not form the basis of the assessment of this application.

5.13 During the site visit, officers noted that 'Cherry Tree Cottage' is appearing over the subject property on the site location plan and that this does not accurately represent the situation on the ground. Indeed, officers note that 'Cherry Tree Cottage' is located adjacent to the North boundary of the application site. Effectively, on the Ordnance Survey Map the words 'Cherry Tree Cottage' are positioned just below that property, but within the property associated with 16, Knole Close. However, the dwelling subject of this application is correctly numbered on the Ordnance Survey Map and correctly described as 16, Knole Close in the planning application form.

5.14 Whilst the concern of the objector is noted, the incorrect position of the words 'Cherry Tree Cottage' is a mapping error linked directly to the Ordnance Survey Mapping data. However, the site location plan correctly shows the application site (enclosed in a red line) and as such the planning application is correctly submitted. Whilst it is noted that the Ordnance Data mapping information implies that the subject dwelling is called 'Cherry Tree Cottage' this does not make the planning application invalid and officers are satisfied that the application can be determined.

5.15 It is the responsibility of Ordnance Survey to correct the information held on the mapping data. The objectors comments imply that the objector has contacted Ordnance Survey to express the concern about the position of the words 'Cherry Tree Cottage' and that this is being investigated by Ordnance Survey. It is alleged by the objector that Ordnance Survey have acknowledged the error and that Ordnance Survey have indicated to the objector that the application should be resubmitted with the correct mapping. However, for the reasons set out above, officers are satisfied that this is not necessary.

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: Simon Penketh
Tel. No. 01454 863433

CONDITIONS

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

Reason

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

2. Hours of Working During Construction

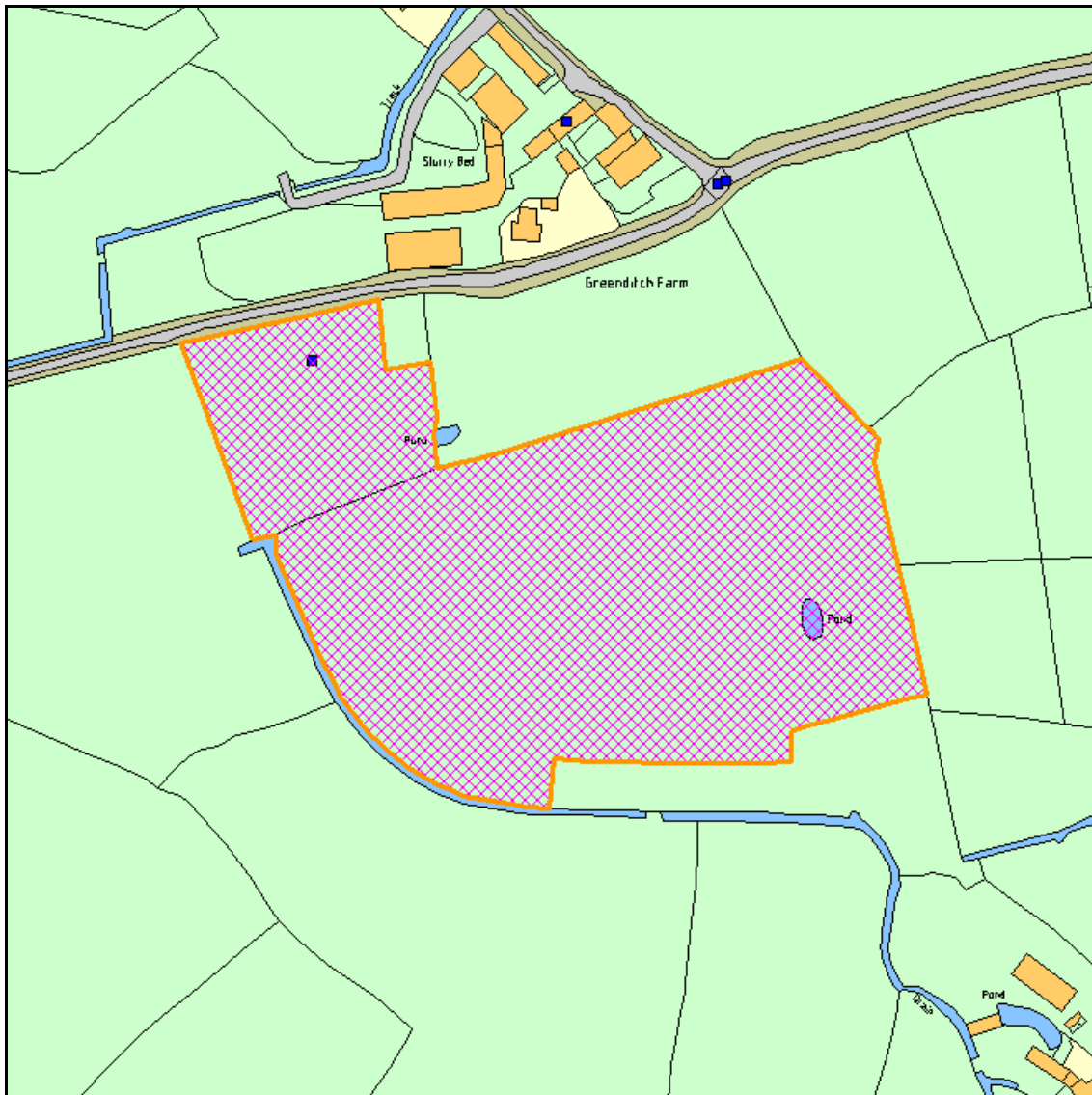
The hours of working on site during the period of construction shall be restricted to 07:30 to 18:00 Monday to Friday, 08:00 to 13:00 on Saturday; and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use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

Reason

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

CIRCULATED SCHEDULE NO. 08/17 – 24 FEBRUARY 2017

App No.:	PT16/6178/RVC	Applicant:	Carrie Vinson Equestrian
Site:	Carrie Vinson Equestrian Redham Lane Pilning South Gloucestershire BS35 4HQ	Date Reg:	2nd December 2016
Proposal:	Variation of condition 12 attached to planning permission PT15/0687/F to extend hours of opening to 18.00hrs.	Parish:	Olveston Parish Council
Map Ref:	357941 186122	Ward:	Severn
Application Category:	Major	Target Date:	28th February 2017



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REASON FOR REFERRING TO THE CIRCULATED SCHEDULE

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

1. THE PROPOSAL

1.1 The site is located immediately to the south of Redham Lane, Pilning. The application site lies in open countryside and forms part of the designated Bristol/Bath Green Belt. Vehicular access is from Redham Lane.

1.2 Planning permission PT15/0687/F was granted in Sept. 2015, albeit retrospectively, for the change of use of agricultural land to riding school (Use Class D2) and land for the associated keeping of horses with access including erection of 1.1m high gates, parking and associated works. Erection of 2no. stable blocks and 10,000 litre water tank.

1.3 Condition 12 attached to this permission reads as follows:

“The riding school hereby permitted shall not be open to customers outside the following times: 10.00hrs to 16.00hrs Mon to Sun. inclusive and on Bank Holidays.”

Reason

“In the interests of highway safety, to accord with Policies T12 and E10 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.”

1.4 The application seeks to vary the wording of Condition 12 to allow the riding school to be open until 18.00 hours.

2. POLICY

2.1 National Guidance

The National Planning Policy Framework (NPPF) March 2012
National Planning Practice Guidance (NPPG) 2014
Technical Guidance to the NPPF March 2012

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) 6th January 2006

L1 - Landscape Protection and Enhancement
L9 - Species Protection
L16 - Protecting the Best Agricultural Land
EP2 - Flood Risk and Development
E10 - Horse related development
T8 - Parking Standards
T12 - Transportation
LC5 - Proposals for Outdoor Sports and Recreation outside Existing Urban Area and Defined Settlement Boundary

LC12 - Recreational Routes

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

CS1 - High Quality Design

CS4A - Presumption in Favour of Sustainable Development

CS5 - Location of Development

CS8 - Parking and Accessibility

CS9 - Managing the Environment and Heritage

CS34 - Rural Areas

2.4 Emerging Plan

Proposed Submission : Policies Sites and Places Plan – June 2016

PSP2 - Landscape

PSP7 - Development in the Green Belt

PSP11 - Development Related Transport Impact Management

PSP16 - Parking Standards

PSP20 - Flood Risk, Surface Water and Watercourse Management

PSP21 - Environmental Pollution and Impacts

PSP30 - Horse Related Development

2.5 Supplementary Planning Guidance

The South Gloucestershire Design Checklist (SPD) – Adopted August 2007

Development in the Green Belt SPD – Adopted June 2007

3. RELEVANT PLANNING HISTORY

The Following application relates to neighbouring Willbeards Farm to which the application site was, until recently, part of.

- 3.1 PT01/0531/F - Change of use of land to equestrian. Erection of stable block and construction of access track, retention of manege and stationing of caravan for use as office.
Approved 17 August 2001
- 3.2 PT14/4049/F - Change of use of agricultural land to land for the keeping of horses with access including erection of 1.1m high gates, parking and associated works. Erection of 2no. stable blocks and storage container, siting of a static caravan for use as a site office. (Retrospective).
Withdrawn 9 Dec. 2014
- 3.3 PT15/0687/F - Change of use of agricultural land to riding school (Use Class D2) and land for the associated keeping of horses with access including erection of 1.1m high gates, parking and associated works. Erection of 2no. stable blocks and 10,000 litre water tank. (Retrospective). (Re-submission of PT14/4049/F)
Approved 1st Sept. 2015
- 3.4 PT15/0842/F - Construction of an outdoor equestrian arena. (Retrospective) (Re-submission of PT14/4048/F)
Approved 1st Sept. 2015

- 3.5 PT16/6535/F - Erection of extension to stable block to form office/store (retrospective)
Pending – appears elsewhere on this Circulated Schedule.

4. CONSULTATION RESPONSES

- 4.1 Olveston Parish Council
No response

- 4.2 Other Consultees

Transportation D.C.
No objection.

The British Horse Society
No response

Other Representations

- 4.3 Local Residents

1 no. response was received from a local resident who stated the following:

There was a reason for the original restriction placed on this planning consent being as follows: "Reason In the interests of highway safety, to accord with Policies T12 and E10 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006". Just because it does not fit with the applicants livery clients is not a suitable reason to override the existing condition which is based on highway safety and considering it is a narrow single track lane adding additional traffic at a busier time of day.

In addition I question why in the application they refer to livery clients when condition 1 of the original consent clearly states: "Apart from working livery in association with the riding school, at no time shall the land the subject of this permission be used for general public livery purposes whatsoever"

If this is allowed it would also cause additional noise and light pollution in particular in the winter months.

5. ANALYSIS OF PROPOSAL

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

- 5.2 In assessing this application it is necessary to consider whether or not the relevant condition (12) or any variations satisfy the requirements of planning conditions as set out in the National Planning Policy Framework (NPPF). The NPPF requires all planning conditions to pass three tests, these being that conditions should be: –
- i. Necessary to make the development acceptable
 - ii. Directly related to the development
 - iii. Fairly and reasonably related in scale and kind
- 5.3 Being mindful of the reason for attaching the condition (12) in the first place, when assessing this current application officers will consider whether the varied opening hours would undermine the objective of Policies T12 and E10 of the South Gloucestershire Local Plan (Adopted) to take account of the highway safety issues.

Analysis of Proposal

- 5.4 In considering this application, officers are mindful of the obligation as set out in the NPPF for local planning authorities to positively and proactively encourage sustainable economic growth. The modest increase in opening hours would allow the riding school to operate for two hours longer Mon. to Sun. inclusive and on Bank Holidays therefore contributing positively towards the government's objective of achieving sustainable economic growth by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth.
- 5.5 In support of the application, the applicant has stated that the main reasons for the proposed increased hours of trading are to enable her to give riding lessons between 16.00hrs and 18.00hrs primarily to working livery owners who keep their horses at the riding school.
- 5.6 The application falls to be determined under Saved Policy T12 of The South Gloucestershire Local Plan (Adopted) 6th Jan 2006, which states that new development will be permitted provided that in terms of transportation the proposal:
- A. Provides adequate safe, convenient, attractive and secure access and facilities for pedestrians, cyclists, and people with disabilities; and
 - B. Provides safe access capable of accommodating the motorised traffic generated by the proposal; and
 - C. Would not create or unacceptably exacerbate traffic congestion, or have an unacceptable effect on road, pedestrian and cyclist safety; and
 - D. Would not generate traffic which would unacceptably affect residential amenity or other environmentally sensitive areas in terms of noise, vibration and air quality; and
 - E. Incorporates traffic management/calming measures where improved safety and environmental enhancement are required as a result of the development; and
 - F. Provides for or contributes to public transport and pedestrian and cycle links – the extent of provision or contribution will be determined by the need

arising from the development and will be related in scale and kind to the development; and

- G. In commercial developments, provides for safe, secure and convenient on-site loading, unloading and waiting facilities; and
- H. Provides for or does not obstruct existing emergency vehicle access.

5.7 Furthermore Policy E10 of the South Gloucestershire Local Plan reinforces the view that '*proposals for horse related development... will be permitted outside the urban boundaries of settlements*', subject to the following criteria being met:

- A. Development would not have unacceptable environmental effects; and
- B. Development would not prejudice the amenities of neighbouring residential occupiers; and
- C. Adequate provision is made for vehicular access, parking and manoeuvring and would not give rise to traffic conditions to the detriment of highway safety; and
- D. Safe and convenient access to bridleways and riding ways is available to riders; and
- E. There are no existing suitable underused buildings available and capable of conversion; and
- F. The design of buildings, the size of the site and the number of horses to be accommodated has proper regard to the safety and comfort of horses.

5.8 It is also noted that the NPPF at Chapter 4 states that development should only be prevented on transport grounds where the residual cumulative impacts of development are '*severe*'.

The analysis of the proposal in relation to these criteria is considered below.

Transportation Issues

5.9 The riding school which has now become established, is relatively small and its use is controlled by a number of conditions attached to the original planning permission PT15/0687/F. Condition 1 prevents general public livery use of the site but allows working livery in association with the riding school. Condition 2 restricts the number of horses kept on the site to only 8no.

5.10 In the course of determining PT15/0687/F it was established that the access and parking facilities at the site are acceptable for its use as a Riding School. Having regard to the narrowness of the rural lanes in the vicinity of the site and to address concerns raised about possible impact on highway safety, condition 12 was imposed to control the hours that the Riding School would be open to customers.

5.11 Since then the Riding School has operated apparently without mishap. Whilst it is acknowledged that there have been a few breaches of planning control along the way, these matters have been investigated by the Council's Enforcement Officer. This current application must be considered on its individual merits. It remains at the Council's discretion as to how expedient it is to serve enforcement notices. In this case there are ongoing investigations and negotiations between the Council's Enforcement Officer and the applicant and

it is understood that the matters have either been resolved or are in hand and should not prejudice this application, which has been invited by the Enforcement Officer.

- 5.12 The Council's Transportation Officer has considered the proposal to extend the hours of opening and considers that, due to the small size of the Riding School, the extended hours would not have a material effect on highway safety and would for the purposes of the NPPF not result in cumulative residual impacts that would be *severe*. On balance therefore there are no transportation objections.
- 5.13 Officers have considered whether to restrict lessons during the extended hours to those having working liveries at the Riding School but given the finite number of horses on the site and the difficulty of enforcing such a condition (one person having a riding lesson looks much the same as another) such a restriction is considered neither necessary or enforceable and as such would not meet the tests of a condition laid out in the NPPF.

Impact on Residential Amenity and Environmental Issues

- 5.14 Concerns have been raised by a local resident about increased noise and light pollution, particularly in the winter months. Officers consider however that if noise levels are currently considered to be acceptable an increase in hours of use would not generate increased noise levels as the use remains the same. The use of the site would continue later into the afternoon, but the use is not a noisy one and considering the small scale of the Riding School, the well enclosed nature of the site and the sparsity and distance to residential properties, there are no objections on residential amenity issues.
- 5.15 The site is not served by any floodlighting so the likelihood is that no such activities would take place after dark anyway during the Winter.
- 5.16 Other Relevant Conditions
In terms of all the other conditions that were attached to the permission PT15/0687/F; a number have already been discharged. All that is required is to re-word these conditions to ensure that the approved details secured under the original conditions are either maintained in the future or implemented within an appropriate timescale. Only the relevant conditions would be carried forward.

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 existing authorised use is small in scale and appropriately restricted by conditions. The proposed small increase in hours of opening would make a positive contribution to the viability of this rural business without resulting in cumulative residual highway impacts that would be *severe*. Furthermore there would be no significant impacts for residential amenity or the environment.

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

7. RECOMMENDATION

- 7.1 That planning permission be approved and condition 12 (now Condition 10) of planning permission PT15/0687/F varied as follows and all other relevant conditions carried forward as listed on the decision notice:

“The riding school hereby permitted shall not be open to customers outside the following times: 10.00hrs to 18.00hrs Mon to Sun. inclusive and on Bank Holidays.”

Reason

“In the interests of highway safety, to accord with Policies T12 and E10 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.”

Contact Officer: Roger Hemming
Tel. No. 01454 863537

CONDITIONS

1. Apart from working livery in association with the riding school, at no time shall the land the subject of this permission be used for general public livery purposes whatsoever.

Reason 1

To protect the character and appearance of the Green Belt and landscape in general, and to accord with Policy L1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006, Policies CS5 and CS34 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013 and the requirements of The National Planning Policy Framework March 2012 and the South Gloucestershire Council SPD - 'Development in the Green Belt' June 2007.

Reason 2

In the interests of highway safety, and to accord with Policies E10 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

2. The number of horses kept on the site edged in red on the plans hereby approved, shall not exceed 8.

Reason 1

In the interests of the welfare of horses, to accord with the guidance of the British Horse Society; and Policy E10 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

Reason 2

To protect the amenities of the occupiers of the nearby dwellings, and to accord with Policy E10 of the South Gloucestershire Local Plan (Adopted) January 2006.

Reason 3

In the interests of highway safety, and to accord with Policies E10 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. Other than those shown on the plans hereby approved, no jumps, fences, gates or other structures for accommodating animals and providing associated storage shall be erected on the land.

Reason

To protect the character and appearance of the Green Belt and landscape in general, and to accord with Policy L1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006, Policies CS5 and CS34 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013 and the requirements of The National Planning Policy Framework March 2012 and the South Gloucestershire Council SPD - 'Development in the Green Belt' June 2007.

4. Any temporary jumps erected on the land shall be stored away to the side of the associated stable, immediately after use.

Reason

To protect the character and appearance of the Green Belt and landscape in general, and to accord with Policy L1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006, Policies CS5 and CS34 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013 and the requirements of The National Planning Policy Framework March 2012 and the South Gloucestershire Council SPD - 'Development in the Green Belt' June 2007.

5. At no time shall horse boxes, trailers, van bodies and portable buildings or other vehicles be kept on the land other than for the loading and unloading of horses.

Reason

To protect the character and appearance of the Green Belt and landscape in general, and to accord with Policy L1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006, Policies CS5 and CS34 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013 and the requirements of The National Planning Policy Framework March 2012 and the South Gloucestershire Council SPD - 'Development in the Green Belt' June 2007.

6. At no time shall there be any burning of foul waste upon the land the subject of the planning permission hereby granted.

Reason

To protect the amenities of the occupiers of the nearby dwellings, and to accord with Policy E10 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. All works will be subject to and carried out in strict accordance with the provisions of the Ecological Mitigation and Enhancement Plan approved 30th December 2015.

Reason

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

8. The drainage scheme shall be implemented in accordance with the details approved 30th December 2015 and to a programme to be agreed with the Local Planning Authority.

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with Policy EP2 of The South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and Policies CS1 and CS9 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013.

9. The car parking and turning arrangements (shown on the Proposed Block Plan) and approved 30th December 2015 shall be permanently retained.

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 Policies E10, T8 and T12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and The South Gloucestershire Council Parking Standards SPD (Adopted) 2014 and Policy CS8 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013.

10. The riding school hereby permitted shall not be open to customers outside the following times: 10.00hrs to 18.00hrs Mon to Sun. inclusive and on Bank Holidays.

Reason

In the interests of highway safety, to accord with Policies T12 and E10 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

11. The scheme of additional screen planting, including proposed planting (and times of planting) and a 5 year maintenance plan as approved 30th December 2015 shall be carried out in accordance with the agreed details.

Reason

To protect the character and appearance of the Green Belt and landscape in general, and to accord with Policy L1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006, Policies CS5 and CS34 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013 and the requirements of The National Planning Policy Framework March 2012 and the South Gloucestershire Council SPD - 'Development in the Green Belt' June 2007.

CIRCULATED SCHEDULE NO. 08/17 – 24 FEBRUARY 2017

App No.:	PT16/6394/F	Applicant:	Ms Wendy Kelloway
Site:	8 School Way Severn Beach Bristol South Gloucestershire BS35 4QA	Date Reg:	26th January 2017
Proposal:	Demolition of existing garage and erection of single storey side extension to provide additional living accommodation.	Parish:	Pilning And Severn Beach Parish Council
Map Ref:	354343 184557	Ward:	Pilning And Severn Beach
Application Category:	Householder	Target Date:	20th March 2017



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule due to comments received, raising concerns about parking provision.

1. THE PROPOSAL

- 1.1 The application is for the demolition of existing extensions and outbuildings and the erection of a single storey side and rear extension to provide additional living accommodation.
- 1.2 The property is a detached bungalow style dwelling located on a residential road, containing similar properties, within Severn Beach.

2. POLICY CONTEXT

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

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

3. RELEVANT PLANNING HISTORY

- 3.1 N4508 – Two storey side extension. Approved 25th May 1978

4. CONSULTATION RESPONSES

- 4.1 Pilning and Severn Beach Parish Council
Pilning & Severn Beach parish council would like South Glos. Council to give consideration to the parking issue that demolishing the garage in this location will pose to the road. There is no objection to the extension but the plan should include a garage instead of additional ground floor accommodation.

Sustainable Transportation

Insufficient information has been provided to enable me to assess the transportation impact of this development. The proposed development will remove an existing attached garage to provide additional living accommodation. Only the ground floor plan has been provided which shows that one additional bedroom will be provided.

No increase is proposed to the first floor but no layout plan has been provided. The Council assesses the parking requirements for a dwelling on the number of bedrooms available. A dwelling with up to four bedrooms should provide a minimum of two parking spaces and a dwelling with five or more bedrooms three parking spaces. Each space should measure 2.4m wide by 4.8m deep but if parking is to be provided directly in front of the building then at least 5.3m should be allowed to avoid vehicles hanging over into the public highway. No detail has been included on the block plan to show the existing or proposed vehicular access and parking. Before further comment can be made, revised details need to be submitted addressing the above.

Lead Local Flood Authority

No objection in principle.

Other Representations

4.2 Local Residents

No comments received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

5.2 Design

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

5.3 Residential Amenity

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

5.4 Transportation

Whilst the comments above are noted the application as submitted is for the demolition of the existing garage and erection of an extension for additional residential accommodation. The applicants have confirmed that the property has 3 bedrooms and the proposed extension would create a fourth. A site visit established that there is a purpose built hardstanding area in front of the existing garage and dwelling and associated dropped kerb, providing 2 off street parking spaces. This level of provision meets with the Council's residential parking requirements.

5.5 Drainage

The development lies within Flood Zone 3. A Flood Risk Assessment Flood risk details have been submitted and flood mitigation measures in accordance with the standing advice have been specified. The Drainage and Flood Risk Management Team approves the flood risk mitigation measures.

6. CONCLUSION

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

6.2 The proposals are of an appropriate standard in design and are not out of keeping with the main dwelling house and surrounding properties. Furthermore the proposal would not harm the amenities of the neighbouring properties by reason of loss of privacy or overbearing impact. Adequate parking can be provided on the site. As such the proposal accords with Policies H4 and T12 of the South Gloucestershire Local Plan (Adopted) 2006 and CS1 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013.

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

7. RECOMMENDATION

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

Contact Officer: Simon Ford
Tel. No. 01454 863714

CONDITIONS

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

Reason

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

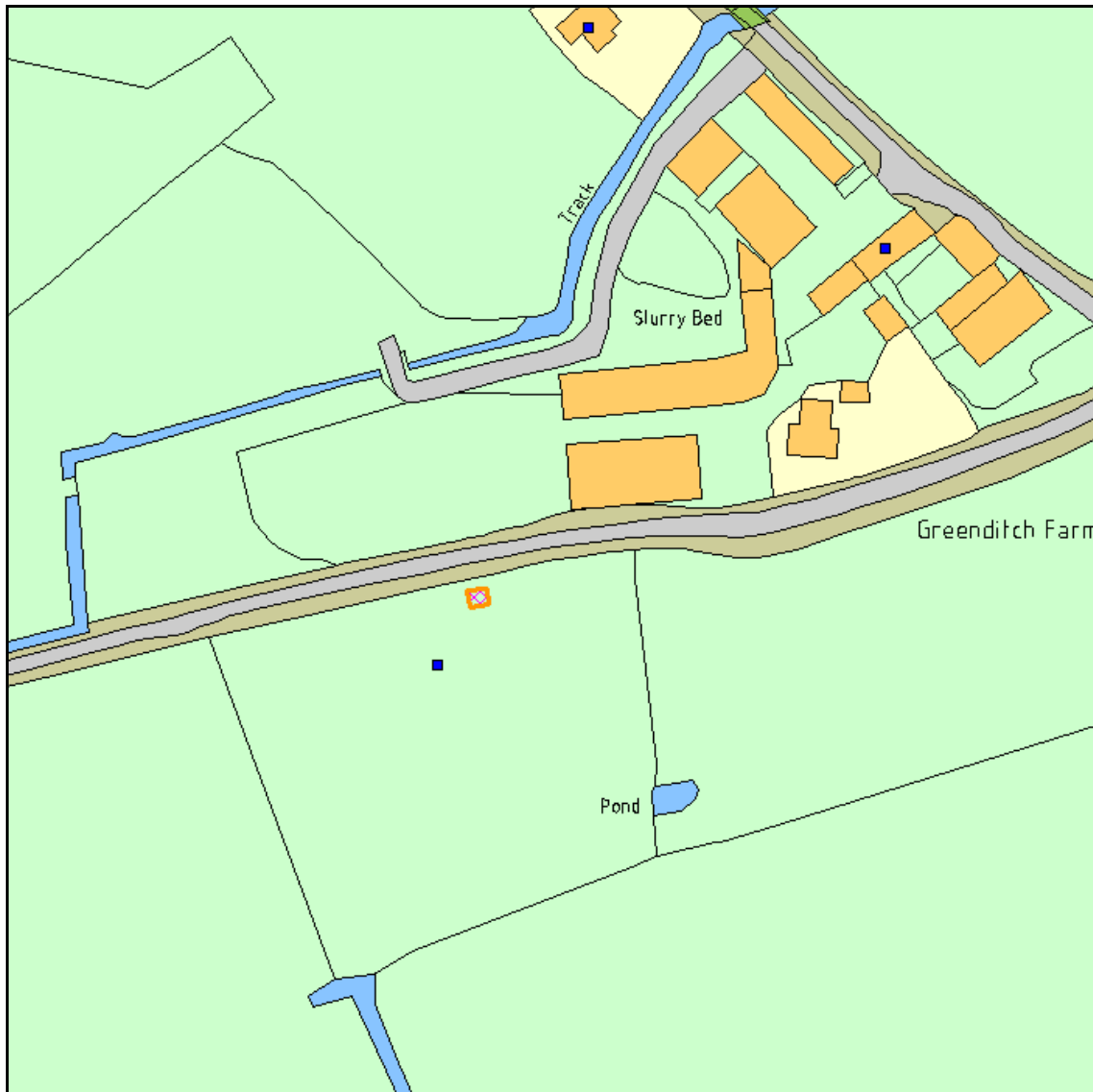
2. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason

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

CIRCULATED SCHEDULE NO. 08/17 – 24 FEBRUARY 2017

App No.:	PT16/6535/F	Applicant:	Carrie Vinson Equestrian
Site:	Land Off Redham Lane Pilning South Gloucestershire BS35 4HQ	Date Reg:	9th December 2016
Proposal:	Erection of extension to stable block to form office/ store (retrospective)	Parish:	Olveston Parish Council
Map Ref:	357941 186122	Ward:	Severn
Application Category:	Minor	Target Date:	1st February 2017



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REASON FOR REFERRING TO THE CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule following the receipt of an objection from Olveston Parish Council; the concerns raised being contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The site is located immediately to the south of Redham Lane, Pilning. The application site lies in open countryside and forms part of the designated Bristol/Bath Green Belt. Vehicular access is from Redham Lane.
- 1.2 Planning permission PT15/0687/F was granted in Sept. 2015, albeit retrospectively, for the change of use of agricultural land to riding school (Use Class D2) and land for the associated keeping of horses with access including erection of 1.1m high gates, parking and associated works. Erection of 2no. stable blocks and 10,000 litre water tank.
- 1.3 It has transpired that an extension to the previously approved stable block, to provide a small office/store, has been erected in breach of planning control. The Council's Enforcement Officer has invited the current application, which seeks to regularise this breach of planning control.

2. POLICY

2.1 National Guidance

The National Planning Policy Framework (NPPF) March 2012
National Planning Practice Guidance (NPPG) 2014
Technical Guidance to the NPPF March 2012

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) 6th January 2006

L1 - Landscape Protection and Enhancement
L9 - Species Protection
L16 - Protecting the Best Agricultural Land
EP2 - Flood Risk and Development
E10 - Horse related development
T8 - Parking Standards
T12 - Transportation
LC5 - Proposals for Outdoor Sports and Recreation outside Existing Urban Area and Defined Settlement Boundary
LC12 - Recreational Routes

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

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

CS34 - Rural Areas

2.4 Emerging Plan

Proposed Submission : Policies Sites and Places Plan – June 2016

PSP2 - Landscape

PSP7 - Development in the Green Belt

PSP11 - Development Related Transport Impact Management

PSP16 - Parking Standards

PSP20 - Flood Risk, Surface Water and Watercourse Management

PSP21 - Environmental Pollution and Impacts

PSP30 - Horse Related Development

2.5 Supplementary Planning Guidance

The South Gloucestershire Design Checklist (SPD) – Adopted August 2007

Development in the Green Belt SPD – Adopted June 2007

3. RELEVANT PLANNING HISTORY

The Following application relates to neighbouring Willbeards Farm to which the application site was, until recently, part of.

- 3.1 PT01/0531/F - Change of use of land to equestrian. Erection of stable block and construction of access track, retention of manege and stationing of caravan for use as office.
Approved 17 August 2001
- 3.2 PT14/4049/F - Change of use of agricultural land to land for the keeping of horses with access including erection of 1.1m high gates, parking and associated works. Erection of 2no. stable blocks and storage container, siting of a static caravan for use as a site office. (Retrospective).
Withdrawn 9 Dec. 2014
- 3.3 PT15/0687/F - Change of use of agricultural land to riding school (Use Class D2) and land for the associated keeping of horses with access including erection of 1.1m high gates, parking and associated works. Erection of 2no. stable blocks and 10,000 litre water tank. (Retrospective). (Re-submission of PT14/4049/F)
Approved 1st Sept. 2015
- 3.4 PT15/0842/F - Construction of an outdoor equestrian arena. (Retrospective) (Re-submission of PT14/4048/F)
Approved 1st Sept. 2015
- 3.5 PT16/6178/RVC - Variation of condition 12 attached to planning permission PT15/0687/F to extend hours of opening to 18.00hrs.
Pending – appears elsewhere on this Circulated Schedule.

4. CONSULTATION RESPONSES

4.1 Olveston Parish Council

Olveston Parish Council object to this application for the following reasons:

Over recent years several applications have been made for this site (PT14/4048/F, PT14/4049/F, PT15/0687/F, PT15/0842/F, PT15/4827/F as well as DOC15/0297 & DOC 15/0298). All of these applications have been made retrospectively to cover work already done. Not surprisingly this application is again retrospective and Olveston Parish Council would like to know how many applications this particular applicant requires before they begin to acknowledge the 'Planning Process' and request permission before they start further development. Olveston Parish Council strongly recommend that South Glos District Council enforce the Planning Process and insist that reinstatement is made before any decision is made concerning the application. Olveston Parish Council continue to question whether the site is suitable given the poor access along Redham Lane which is a narrow single-track road, and the low lying nature of the Land with its associated flooding and drainage issues. The scale of the development so far appears to exceed the number of horses allowed to be kept there and the Council already questions whether there is sufficient land for the number of horses requiring to be kept there.

4.2 Other Consultees

Highway Structures

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

Or

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

Lead Local Flood Authority

No objection

Transportation D.C.

No objection.

The British Horse Society

No response

Historic Environment (Archaeology)

No objection

Other Representations

- 4.3 Local Residents
No responses

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

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

- 5.3 The Policies, Sites & Places Plan is an emerging plan only. Whilst this plan is a material consideration, only very limited weight can currently be given to the policies therein.

- 5.4 In accordance with para.187 of the NPPF, Core Strategy Policy CS4A states that; when considering proposals for sustainable development, the Council will take a positive approach and will work pro-actively with applicants to find solutions, so that sustainable development can be approved wherever possible. NPPF Para.187 states that Local Planning Authorities should look for solutions rather than problems and decision-takers at every level should seek to approve applications for sustainable development where possible.

- 5.5 Chapter 4 of the NPPF promotes sustainable transport and states that development should only be prevented on transport grounds where the residual cumulative impacts of development are severe.

- 5.6 Saved Policy LC5 of The South Gloucestershire Local Plan (Adopted) 6th Jan 2006, states that proposals for outdoor sports and recreation outside the urban area and defined settlement boundaries will be permitted, subject to a number of criteria being met.

- 5.7 Furthermore Policy E10 of the South Gloucestershire Local Plan reinforces the view that *‘proposals for horse related development... will be permitted outside the urban boundaries of settlements’*, subject to the following criteria being met:

- A. Development would not have unacceptable environmental effects; and
- B. Development would not prejudice the amenities of neighbouring residential occupiers; and
- C. Adequate provision is made for vehicular access, parking and manoeuvring and would not give rise to traffic conditions to the detriment of highway safety; and

- D. Safe and convenient access to bridleways and riding ways is available to riders; and
- E. There are no existing suitable underused buildings available and capable of conversion; and
- F. The design of buildings, the size of the site and the number of horses to be accommodated has proper regard to the safety and comfort of horses.

The acceptance of the use of this site as a riding school has previously been established with the grant of PT15/0687/F. The analysis of the current proposal in relation to the above criteria is considered below.

5.8 Impact on the Openness of the Green Belt and Landscape Issues

Paragraph 79 of the NPPF states that the government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

5.9 Inappropriate development is by definition harmful to the openness of the Green Belt and should not be approved except in very special circumstances (para. 87).

5.10 Para. 89 of the NPPF states that planning authorities should regard the construction of new buildings as inappropriate in the Green Belt but lists exceptions which include "*provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.*" The proposal seeks to retain a small extension to the existing stable block to be used as an office/store in conjunction with the existing riding school. The office/store is considered to be an entirely appropriate facility for a riding establishment of this nature, which is a recreational pursuit. The proposal is not therefore inappropriate development and by definition is not harmful to the openness of the Green Belt. Officers consider it justified in this case to impose a condition to ensure that the office/store is used only in conjunction with the use of the site as a riding school.

5.11 Landscape Issues

The extension is tacked onto the eastern end of the stable block and measures only 12ft x 12ft. In general landscape terms, due to the flat topography and network of hedgerows, the visual impact would be to a very limited area. Given its nature and location, the extension is inconspicuous and does not have a significant adverse impact on the landscape in general and as such accords with Policy L1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

5.12 Ecology

The land has no special ecological designation. Horses previously grazed the land. It lies within 2.25km south-east of the Severn Estuary, which is a Ramsar site, a Special Area of Conservation and a Site of Special Scientific Interest. The site supports no species or habitats associated with these designations, and so the Severn Estuary will not be adversely affected by the proposal.

An Ecological appraisal of the site has previously been submitted to officer satisfaction. The appraisal demonstrated that no protected species, including newts, are present on the site. There are therefore no ecological constraints on the proposal. An Ecological Mitigation and Enhancement Plan was secured via the previous planning permission for the riding school. There are no objections on ecological grounds.

- 5.13 E10: Would the development have unacceptable Environmental Impacts?
The Council's Drainage Engineer has previously stated that the site lies in Flood Zone 3b which is an area at 'high risk' of flooding as defined in the NPPF Table 1, however, it is noted that the site lies within an area protected by flood defences and there are a significant network of rhines and ditches within the vicinity of the site. The Lower Severn Internal Drainage Board manages water levels within the district to ensure that flood risk is reduced.
- 5.14 The Environment Agency were consulted on the previous application for the stables but did not offer to comment; stables are generally considered by the EA to be water compatible development. A Flood Risk Assessment was previously submitted to officer satisfaction. The development will not require personnel to be present at the site during any potential period of flooding. The site is located within a flood warning area so any personnel would be informed of the flood warning and would evacuate the site as appropriate (including movement of livestock if applicable) to land within Flood Zone 1 located 1.2km to the east of the site.
- 5.15 Table 2 of the NPPF Technical Guidance sets out a schedule of land uses based on their vulnerability to flooding. The proposed development is considered to fall into the category of outdoor sports and recreation which is listed as 'water compatible development'. Referring to Table 3 of the Technical Guidance 'water compatible' land uses are considered appropriate within flood zone 3b without the need for the Exception Test, the Sequential Test should still be applied.
- 5.16 In this instance, the land has previously been granted for horse keeping uses and there are no sequentially preferable sites within the immediate vicinity of the site (i.e. land within Flood Zones 2 or 3) or within the ownership of the applicant. The development is therefore considered to pass the Sequential Test on flooding. It is therefore considered that this criterion of policy E10 is met.
- 5.17 E10: Impact on Residential Amenity
The only residential property likely to be affected is Greenditch Farmhouse, which lies some 80/90m from the office/store, on the opposite side of the road and behind a substantial boundary hedge. Given the rural location of the site, the previous approval for equestrian use, the small scale of the office/store and the surrounding agricultural uses, it is considered that the retention of the extension would be acceptable in terms of impact on residential amenity. It is therefore considered that the proposal accords with this criterion of policy E10.

- 5.18 E10: Vehicular access, Parking and Highway Safety
The office/store serves an existing use and would not generate additional traffic to the site. The existing parking and access facilities would be utilised. This aspect of the proposal is considered to accord with policy E10.
- 5.19 E10: Access to Bridleways
There are no direct links from the site to bridleways, however a manege has already been constructed on the adjacent land and was the subject of a separate application (see PT15/0842/F) to secure its retention. Given that the site is an existing riding school it would be difficult to substantiate a refusal reason for this current application on the grounds of lack of bridleways. It is considered that the situation as proposed is sufficiently satisfactory to accord with this criterion of policy E10.
- 5.20 E10: Preferred use of other existing buildings on the site
This criterion is not relevant to this proposal, there being no other buildings in the field other than a goat shed, which is due to be removed from the site. An unauthorised caravan was previously stationed on the site and used as an office but this has since been removed.
- 5.21 Welfare of Horses
The applicant is experienced in equestrianism. The office/store does not directly relate to the welfare of the horses but allows a more efficient running of the riding school.
- 5.22 Other Issues
Notwithstanding the retrospective nature of the application and the comments of the Parish Council the application must be considered on its individual merits. It remains at the Council's discretion as to how expedient it is to serve enforcement notices. In this case there are ongoing investigations and negotiations between the Council's Enforcement Officer and the applicant and it is understood that the outstanding matters referred to by the Parish Council have either been resolved or are in hand.

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 retention of this small extension to the stable block provides an office and storage facility that allows the Riding School to operate more efficiently and provides a secure space for storage of more valuable items which have recently been the target of thieves. The proposal is not inappropriate development within the Green Belt and positively contributes to the viability of this rural enterprise.

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

7. RECOMMENDATION

7.1 That retrospective planning permission be GRANTED subject to the condition listed on the Decision Notice.

Contact Officer: Roger Hemming
Tel. No. 01454 863537

CONDITIONS

1. The use of the office/store hereby approved shall be used only in conjunction with the use of the site as a riding school.

Reason

Having regard to the location of the site within the Green Belt and to accord with PolicyCS5 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11th December 2016; The Development in the Green Belt SPD (Adopted) June 2007 and the requirements of the NPPF.

CIRCULATED SCHEDULE NO. 08/17 – 24 FEBRUARY 2017

App No.:	PT16/6548/F	Applicant:	Mrs Paddon
Site:	The Chalet Thornbury Hill Alveston South Gloucestershire BS35 3LG	Date Reg:	15th December 2016
Proposal:	Demolition of 2no. storage buildings and erection of 1no. replacement storage building (sui generis).	Parish:	Alveston Parish Council
Map Ref:	363584 188590	Ward:	Thornbury South And Alveston
Application Category:	Minor	Target Date:	6th February 2017



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 100023410, 2008. **N.T.S.** **PT16/6548/F**

REASON FOR REPORTING 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 This application seeks planning permission to demolish 2no. existing storage buildings in order to erect 1no. replacement storage building (sui generis). The application site is known as 'The Chalet' and is a large dwelling set within well-maintained gardens. The proposed building will be utilised for the storage of equipment for the maintenance of the gardens associated with The Chalet. The buildings to be demolished currently provide storage for equipment utilised in the maintenance of the gardens associated with The Chalet.
- 1.2 The application site is located off Thornbury Hill in Alveston. The site is within the open countryside and green belt, it should be pointed out at this stage that the proposed building is not within an area considered to be part of the residential curtilage of the host dwelling, The Chalet.
- 1.3 In 2016 planning permission was permitted to convert existing outbuildings at the site into a residential dwelling, this planning permission is yet to be implemented but remains extant (planning ref. PT16/1881/F). There is also a planning application at the site in relation to this planning permission in order to facilitate a number of external alterations (planning ref. PT17/0327/F). This application has no material impact on this development due to considerable distance between the proposed building and the buildings subject to planning refs. PT16/1881/F and PT17/0327/F.
- 1.4 The application site has two access from Thornbury Hill.

2. POLICY CONTEXT

2.1 National Guidance

NPPF	National Planning Policy Framework March
PPG	Planning Practice Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS3	Renewable and Low Carbon Energy Generation
CS4a	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS34	Rural Areas

South Gloucestershire Local Plan Adopted January 2006 Saved Policies

L1	Landscape Protection and Enhancement
L9	Species Protection
T12	Transport Development Control Policy for New Development

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP8	Residential Amenity
PSP11	Development Related Transport Impact Management
PSP16	Parking Standards
PSP38	Development within Existing Residential Curtilages

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 plan is currently in process, scheduled adoption is expected in 2017. Accordingly, with regard to the assessment of this planning application limited weight is attached to the policies within the PSP plan at this time – weight grows as the plan progresses.

2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist SPD (Adopted) August 2007

3. RELEVANT PLANNING HISTORY

PT17/0327/F	Pending Determination	
Erection of single storey extensions and alterations to facilitate conversion of 2no. barns to form 1no. dwelling with associated works. (amendment to previously approved scheme PT16/1881/F).		
PT16/1881/F	Approve with Conditions	16/06/2016
Erection of single storey extensions and alterations to facilitate conversion of 2no. barns to form 1no. dwelling with associated works.		
PT03/0031/F	Refusal	12/02/2003
Erection of buildings to form design studios.		
PT02/1126/F	Approve with Conditions	20/05/2002
Erection of single storey rear extension to form indoor swimming pool.		
PT01/3110/F	Approve with Conditions	19/12/2001
Erection of ground and first floor extensions and alterations including conversion of existing garage block to pool room and living accommodation with erection of first floor bedroom accommodation over and erection of double garage/workshop.		
PT01/0574/F	Approve with Conditions	05/04/2001
Erection of two storey extension and minor alterations.		
N1372/3	Approve with Conditions	11/12/1975
Conversion of existing house in multiple occupation into 2 self-contained units.		
N1372	Refusal	10/07/1975

Change of use from dwellinghouse, grounds and agricultural land (approximately 25.7 acres) to Country Club.

4. CONSULTATION RESPONSES

- 4.1 Alveston Parish Council
None received.
- 4.2 Sustainable Transport
No objection.
- 4.3 Lead Local Flood Authority
No objection.
- 4.4 Ecological Officer
No objection subject to two informative being appended to any decision notice, and a condition requiring the development to accord with the submitted ecological mitigation plan.
- 4.5 Thornbury Town Council
Objection, the concerns of the Landscape Officer are echoed – please note this comment is in relation to the original comments of the landscape officer.
- 4.6 Landscape Officer
No objection. The officer originally objected to the application but then withdrew such comments in the face of a landscape plan being submitted.
- 4.7 Archaeology Officer
No objection.
- 4.8 Tree Officer
No objection, subject to contents of the submitted and amended arboricultural report being conditioned.
- 4.9 Highway Structures
No comment.

Other Representations

- 4.10 Local Residents
None received.

5. ANALYSIS OF PROPOSAL

- 5.1 This application seeks planning permission for the demolition of 2no. existing storage buildings in order to facilitate the erection of 1no. storage unit. The applications site is within the open countryside and green belt.

5.2 Principle of Development

Paragraph 89 of the NPPF permits the replacement of a building, provided that the new building is in the same use and is not materially larger than the one it replaces. The case of *Tandridge District Council v Secretary of State for Communities and Local Government 2015* acknowledged that 'building' can refer to either a singular or multiple structures on a site. Accordingly, this case establishes that a number of buildings can be replaced by a singular building in the context of paragraph 89 of the NPPF. The proposed building will replace two closely related buildings in a similar location and footprint to the buildings which it will replace. Accordingly, provided the replacement building is not materially larger than the buildings it will replace, the development will be considered to be acceptable in the context of the green belt.

5.3 Policies CS5 and CS34 of the adopted Core Strategy are largely silent on the erection of storage buildings outside of settlement boundaries or urban area, although generally resist development outside of such areas. However, given the development is replacing two existing buildings and will be required in ancillary manner to the gardens in which it is located, officers find the development to be acceptable provided it has an acceptable impact on the amenity of the area.

5.4 Green Belt Considerations

The key assessment to make is whether the proposed building is materially larger than the buildings it will replace. In such cases officers find it useful to consider the volume of the existing buildings and the proposed building. The proposed building represents a volume increase of 22.3% above that of the existing buildings. Although this is an increase in the size of the buildings, officers are aware that buildings can be extended within the green belt, provided such extensions/alterations are not considered to be a disproportionate over and above the original building. An increase of 22.3% is considered to represent a proportionate addition when considering the existing buildings. Further to this, officers are aware that the proposal will result in the net loss of one building within the green belt. Overall, officers find that the development is acceptable in green belt terms.

5.5 Design and Landscape Considerations

Both the existing barns are in poor condition and do not contribute overly positively to the visual amenity of the application site. Whilst the buildings themselves are within the grounds of The Chalet, they are visible from a public footpath to the north and north east of the site through filtered views. As such the proposed building will also be partially visible. The proposed replacement building is of a substantial scale being over 6 metres in height and having a length of over 14.5 metres. Whilst large, the scale of the development is not considered to be unacceptable, especially as a comprehensive landscaping scheme is proposed meaning it is unlikely that the building itself would be overly visible from outside of the application site – it is recommended that the landscaping scheme is subject to a condition to ensure implementation.

5.6 As well as this, a relatively large agricultural barn was permitted to the west of the proposed building (planning ref. PT14/3396/PNA), meaning the proposed building, if visible, would be seen in the context of this barn.

- 5.7 The building is proposed to be finished in brick walls with a slate roof which is consistent with one of the barns which the development will replace.
- 5.8 Overall, the proposed building is considered to have an acceptable design and will likely result in an improvement to the setting of the area, especially given the landscaping proposal.
- 5.9 Arboricultural Considerations
There are a number of trees within the immediate vicinity of the proposal, as such the applicant has submitted a tree survey. The Council's Arboricultural Officer has reviewed the proposal together with the submitted tree survey and has found that the submitted tree survey provides adequate protection measures to ensure that the trees on site will not be materially harmed. Accordingly, a condition is recommended that requires the development to be undertaken in accordance with the submitted tree survey.
- 5.10 Ecological Considerations
The applicant has submitted an ecological report which the Council's Ecologist has reviewed. Based on this assessment, the Council's Ecologist has found no ecological objection to the application, subject to a condition ensuring that the development is carried out in accordance with the recommendations of the ecological report. Officers agree and recommend such a condition. Further to this, two informative notes regarding birds and bats will be added to the decision notice in the case of approval.
- 5.11 Residential Amenity Considerations
The Chalet is a residential dwelling and there is also a residential unit permitted to the south west of the application site which is under construction – planning ref. PT12/2206/F. The proposal is unlikely to materially harm the residential amenity of the occupiers of The Chalet, or the potential future occupiers of the permitted dwelling to the south west due to distance and intervening features. Accordingly, there are no objections with regard to residential amenity.
- 5.12 Use and Scale
Officers are aware of the scale of the development and that a previous ambition of the applicant was to convert the existing barns on the site to form a residential unit. However, there is a clear need for a building to provide storage for gardening equipment at the site given the scale of the gardens at the site. As well as this, two existing barns on the site are no longer available for storage given planning ref. PT16/1881/F, and the two barns this development would replace are in a poor structural condition. Accordingly, officers find it reasonable for the applicant to propose such a building given the extensive grounds which The Chalet sits within. A condition is recommended that restricts the building to only be used for the storage of equipment for the maintenance of the grounds associated with The Chalet.
- 5.13 Highway Safety Considerations
The proposal will not materially increase traffic generation associated with the wider site, and the development will not impact upon parking provision at the site. Accordingly, there are not highway safety objections to 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** subject to the conditions listed below/on the decision notice.

Contact Officer: Matthew Bunt
Tel. No. 01454 863131

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 proposed landscape works shall be carried out in accordance with the approved details on the New Storage Barn - Landscaping Plan (date: 20/02/17). The proposed planting will be implemented at the first available planting season after the commencement of development.

Reason

In the interest of the landscaping in the area and the rural character of the area and to accord with Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006; and Policies CS1, CS9 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, and the provisions of the National Planning Policy Framework.

3. The development hereby permitted shall accord with the measures included within the submitted Arboricultural Impact Assessment ref. TS5837/426 prepared by Tender Leaf Tree Services, dated 23/05/2016.

Reason

In the interest of the health of the affected trees and the landscaping and rural character of the area and to accord with Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006; and Policies CS1, CS9 and CS34 of the South

Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, and the provisions of the National Planning Policy Framework.

4. The development hereby approved shall proceed in strict accordance with the recommendations made in bold in Section 4 of the submitted Ecological Impact Assessment (Version: V1) prepared by Burrows Ecological Consultants, dated 14/11/2016.

Reason

In the interest of promoting biodiversity and ensuring adequate species protection and to accord with Policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006; and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, and the provisions of the National Planning Policy Framework.

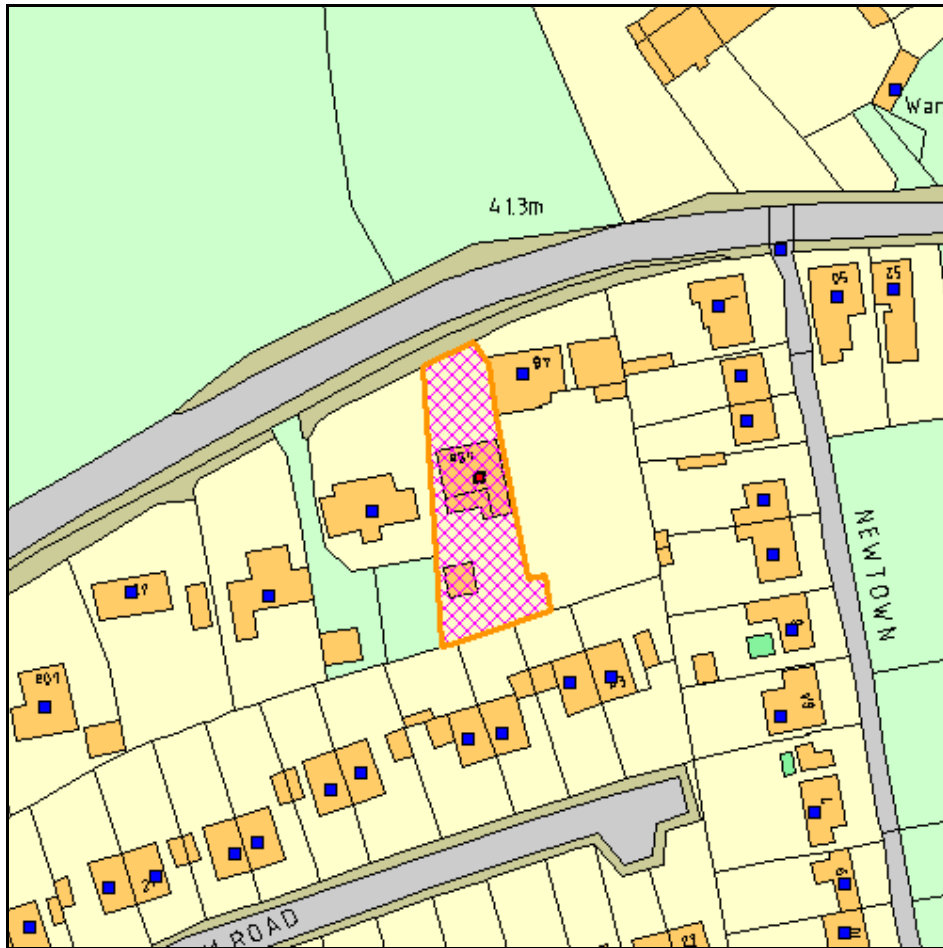
5. The development hereby approved shall only be used for storage of equipment for the maintenance of the grounds associated with The Chalet.

Reason

In order to provide the Local Planning Authority with an opportunity to review any future uses of the building hereby approved, and to accord with Policies CS5 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the provisions of the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 08/17 – 24 FEBRUARY 2017

App No.:	PT16/6715/F	Applicant:	Mr David Evans
Site:	Aroundtoit 46A Wotton Road Charfield Wotton Under Edge South Gloucestershire GL12 8TG	Date Reg:	6th January 2017
Proposal:	Erection of a first floor side and rear extension to provide additional living accommodation. Installation of balcony.	Parish:	Charfield Parish Council
Map Ref:	372164 192231	Ward:	Charfield
Application Category:	Householder	Target Date:	3rd March 2017



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 100023410, 2008. N.T.S. PT16/6715/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 first floor side and rear extension, and the installation of a rear balcony, to provide additional living accommodation at No. 46A Wotton Road, Charfield.
- 1.2 The application site consists of a modern detached dwelling, situated on the southern side of Wotton Road within the defined settlement boundary of Charfield. The subject property is set centrally within a relatively large plot. The main dwelling is finished in facing brick, with a concrete tiled roof. A single storey element with a lean-to roof wraps around the front and east-facing side of the property, and protrudes to the rear. The immediate surrounding area is characterised by detached properties incorporating a range of architectural styles and external finishes.

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

2.3 Supplementary Planning Guidance

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

3. **RELEVANT PLANNING HISTORY**

- 3.1 PT06/2656/F Erection of rear conservatory
Approved: 12.10.2006
- 3.2 P88/1399 Erection of detached dwelling, construction of vehicular access (approval of reserved matters) (to be read in conjunction with P87/1805).
Approved: 20.04.1988
- 3.3 P87/1805 Erection of detached dwelling; alterations to existing vehicular access (outline) (in accordance with the revised plan received by the council on 10TH august 1987).
Approved: 23.09.1987

4. **CONSULTATION RESPONSES**

4.1 Charfield Parish Council
No observations

4.2 Other Consultees

Sustainable Transport
No objection

Archaeology
No objection

Other Representations

4.3 Local Residents

Two comments of objection were submitted by local residents. The concerns raised in the comments are outlined below:

- Proposed balcony extension will invade privacy and will overlook on to rear garden and lounge of property to rear.
- The close proximity to neighbouring boundary wall would cause considerable loss of daylight to living space, both inside and outside to property to east.
- The new window in the proposed plans on the front elevation will look directly into neighbouring kitchen, conservatory, rear bedroom and outdoor living space at property to east.
- The proposed balcony to the rear of the extension, due to its elevated position will mean that both immediate neighbouring garden and surrounding properties will be overlooked, compromising privacy.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application seeks permission for the erection of a first floor side and rear extension, and the installation of a rear balcony. 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 first floor extension would be located to the side of the main dwelling, and would also protrude to the rear; constructed above existing single storey side and rear elements. As such, the proposed extension would be visible from the public areas offered along Wotton Road to the front (north) of the main dwelling. The proposed extension would also be partially visible at its rear elevation, when viewed from the public areas offered along Durham Road to the rear (south) of the application site. However the rear of the host property is largely screened from view by existing properties along this residential street. It is therefore considered that the proposal would have some impact upon the streetscene and character of the immediate surrounding area. The extent to which the scale, massing, design and finish of the proposal respect the both character and distinctiveness of the immediate surrounding area and the host dwelling will therefore be assessed.

Front elevation

5.4 At its front elevation, the proposed extension would be built above an existing attached, lean-to garage. At its front elevation the proposed extension would have the same width as the garage at approximately 2.5 metres. The proposed first floor extension would be significantly set back (by approximately 2.5 metres) from the first floor of the front elevation of the existing dwelling. The ridge of the proposed extension would also be significantly set down (by approximately 1 metre), from the ridge of the main dwelling. The materials to be used in the external finish of the proposed extension would match those used in the external finish of the main dwelling.

5.5 It is deemed that an extension of this nature would not appear out of keeping with the immediate locality. Wotton Road is characterised by a variety of properties, and does not demonstrate a distinctive streetscene. It is also noted that the stepping back and down of the proposed extension reduce the prominence of the extension, and any potential impacts on the immediate streetscene.

Furthermore it is considered that the scale, design and finish of the proposed extension would allow for it to appear subservient to, and in keeping with the host dwelling. It is noted that the construction of a first floor above the lean-to garage roof does result in a somewhat contrived design. However it is not considered that any other solutions are practicable, and that the impact on the character of the dwelling and area are not so significant as to substantiate a reason for refusal. At its front elevation, the design of the proposed first floor extension is deemed to be acceptable.

Rear Elevation

- 5.6 At its rear elevation, the proposed first floor extension would form a first floor gable with hipped roof. The extension would be built above an existing single storey side and rear element, forming the existing attached garage and utility room. As such the proposed extension would have an overall depth of approximately 8.8 metres; 4.9 metres of which would protrude beyond the rear of the main dwelling, above the existing single storey rear element. At its rear elevation the proposed first floor extension would have a greater width than at its front elevation, of approximately 4.3 metres.
- 5.7 Two storey gables are not prevalent in the immediate surrounding area. However due to screening effects of properties to the rear of the application site, it is not considered that the construction of a two storey gable would significantly impact upon the character and distinctiveness of the immediate surrounding area.
- 5.8 At present, a single storey hipped gable protrudes to the rear of the main dwelling. The proposal seeks to 'double-up' this element. Whilst the addition of a first floor would increase the prominence of the gable, it is considered that the design sufficiently respects the design of the existing rear element, and that of the host dwelling in general. The ridge of the proposed first floor gable would also be set down from the ridge of the host dwelling by approximately 1 metre. Additionally all materials used in the external finish would match materials used in the external finish of the host dwelling. Overall, at its rear elevation, it is deemed that the scale, massing, design and finish of the proposed first floor extension would allow for it to appear subservient to, and sufficiently in keeping with the host dwelling.
- 5.9 Overall, it is considered that the proposed first floor extension sufficiently respects the character and distinctiveness of the immediate surrounding area and the host dwelling. As such, it is deemed that the proposal satisfies design criteria outlined in policy CS1 of the Core Strategy and H4 of the Local Plan.
- 5.10 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.
- 5.11 When considering the impacts of the proposed first floor extension on the residential amenity currently enjoyed by the occupiers of neighbouring properties, the main properties under consideration are the adjacent properties

to the east and west at No. 48 and No. 46 Wotton Road respectively, and properties to the rear of the application site at Durham Road.

No. 48 Wotton Road (east)

- 5.12 The property at No. 48 comprises a two storey dwelling set towards the front of a relatively large plot. Due to its location within the plot, the front elevation of No. 48 is set forwards of the front of the subject property by approximately 15m, and the rear elevation of No.48 is set forwards of the front of the subject property by approximately 5m.
- 5.13 It is recognised that the construction of the proposed first floor extension would result in the addition of a two storey element built up to the boundary with No.48. When applying the 45 degree rule from a rear-facing window of No. 48, it is noted that due to the set-back nature of the subject property, the majority of the proposed extension would be visible when viewed from this window. As such it is considered that the proposal would have some overbearing impacts on the neighbouring property. However it is considered that the 10 metre gap between the dwelling at No. 48 and the proposed extension, as well as the step-down in height of the proposed first floor extension from that of the host dwelling, reduces the overbearing effects.
- 5.14 It is also recognised that the proposed first floor extension would have some overshadowing effects on the area of rear garden at No. 48 offering the highest amenity value. Due to its siting, the subject property already results in some overshadowing effects on to this area of garden. It is noted that the proposed extension would represent a modest increase in this overshadowing effect. However due to the south-facing nature of the garden of No. 48, it is considered that the garden would still benefit from natural sunlight during the majority of the daytime; and that any loss of sunlight caused by the proposed extension would not be so significant as to represent a harm to residential amenity.
- 5.15 Overall, it is not considered that the potential impacts on residential amenity currently enjoyed at No. 48, through the overbearing or overshadowing effects of the proposed extension, would be so significant as to substantiate a reason for refusal.
- 5.16 With regard to loss of privacy through overlooking, no east-facing first floor side windows are proposed. However it is considered that the insertion of a window at this elevation would result in significant overlooking on to No. 48. As such, a condition will be attached to any decision, restricting the insertion of a first floor window at the east-facing side elevation of the proposed extension.
- 5.17 It is noted that the proposed rear-facing Juliet balcony would provide an outlook on to the rear garden of No. 48. However it is not deemed that the resultant sense of overlooking would be significantly greater than any sense of overlooking caused by existing first floor rear windows. As the proposed balcony would be a Juliet balcony, it would not provide external access. As such the impacts of the Juliet balcony would be more similar to those of a window as opposed to those of a balcony.

- 5.18 However it is considered that the proposed front-facing first floor window would result in an unacceptable loss of privacy at No. 48 through overlooking in to first floor and ground floor rooms at this property. However it is considered that this is an issue that can be overcome through a condition ensuring that the window be obscurely glazed and that any opening part of the window be a minimum of 1.7m above the floor of the room in which it is installed. As the window would serve a first floor hallway area, it is not considered that the obscure glazing of the window would detriment residential amenity at the subject property.

No. 46 Wotton Road (west)

- 5.19 The property at No. 46 consists of a bungalow set centrally within a relatively large plot. The subject property has been constructed largely in line with the neighbouring property at No. 46.

- 5.20 The proposed first floor extension would be located towards the eastern side of the subject property, and would be a minimum of 10 metres away from the boundary with No. 46. As such, it is not considered that its construction would result in any significant overbearing or overshadowing effects on the neighbouring property to the west at No. 46.

- 5.21 With regard to any loss of privacy through overlooking, it is not considered that the proposed rear facing Juliet balcony would result in any loss of privacy at this property. However the proposal also involves the insertion of a first floor window to the west-facing side elevation of the proposed extension. This window would directly face No. 46, and would look out on the area of rear garden directly to the rear of the property; which offers the highest amenity value. As such, it is considered that the insertion of this window would result in a significant loss of privacy at the neighbouring property through overlooking. In light of this, a condition will be attached to any decision, requiring this first floor west-facing window to be obscurely glazed and any opening part of the window to be a minimum of 1.7m above the floor of the room in which it is installed. Whilst this window does serve primary living accommodation in the form of a bedroom, sufficient outlook and another source of natural light is provided by the proposed rear facing Juliet balcony; also serving this bedroom. As such it is not considered that the obscure glazing of this window would detrimentally effect residential amenity at the subject property.

Properties to rear

- 5.22 Due to the levels of separation, it is not considered that the proposed first floor extension would have any overbearing or overshadowing effects on properties to the rear of the application site. It is noted that the insertion of a rear-facing Juliet balcony would result in a new first floor window located in closer proximity to properties to the rear. However due to levels of separation (approximately 19m from the rear gardens of these properties – and 27m from the properties themselves), it is not considered that the new first floor rear-facing Juliet balcony would result in a significant loss of privacy through overlooking.

Amenity space

- 5.23 Due to its construction above an existing single storey element, the proposed first floor extension would not result in any loss of outdoor private amenity space at the site.

5.24 In light of the above, whilst it is acknowledged that the proposal would have some impact on the residential amenity of neighbouring occupiers, it is considered that the most substantial impacts can be addressed by planning condition. It is not considered that any other impacts on residential amenity would be so significant as to substantiate a reason for refusal. On balance, subject to the aforementioned conditions, it is considered that the proposal conforms to residential amenity criteria outlined in policy H4 of the Local Plan.

5.25 Transport

Following the implementation of the proposal, the number of bedrooms at the property would increase from a total of 3 to 4. South Gloucestershire Residential Parking Standards SPD outlines that both 3 and 4-bed properties must make provision for a minimum of 2 parking spaces each measuring a minimum of 2.4m x 4.8m. During a site visit it was noted that an area of hardstanding to the front of the property could provide parking space for several vehicles. However for the avoidance of doubt, a condition will be attached to any decision requiring a minimum of two parking spaces to be provided prior to the first occupation of the extension, and thereafter retained for that purpose.

5.26 It is not deemed that the proposed extension would have any impact on highway safety. Subject to the aforementioned condition, it is not deemed that the proposal would give rise to any transport related issues.

5.27 Objection Comments

A number of concerns have been raised relating to the impacts of the proposal on the residential amenity of neighbouring occupiers through overlooking and overshadowing effects. It is considered that these concerns are sufficiently considered and addressed in the 'Residential Amenity' section of this report.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That 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. No windows other than those indicated on submitted plans shall be inserted at any time at first floor level in the side elevations of the extension hereby approved.

Reason

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

3. Prior to the first use or occupation of the extension hereby permitted, and at all times thereafter, the proposed first floor windows on the front (north) and west-facing side elevations shall be glazed with obscure glass to level 3 standard or above with any opening part of the window being a minimum of 1.7m above the floor of the room in which it is installed.

Reason

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

4. The off-street parking facilities at the site (for all vehicles, including cycles) shall make provision for the parking of a minimum of two 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.

CIRCULATED SCHEDULE NO. 08/17 – 24 FEBRUARY 2017

App No.:	PT16/6764/PDR	Applicant:	Mr And Mrs West
Site:	10 Kelbra Crescent Frampton Cotterell Bristol South Gloucestershire BS36 2TS	Date Reg:	30th December 2016
Proposal:	Conversion of integral garage to provide additional living accommodation.	Parish:	Frampton Cotterell Parish Council
Map Ref:	366861 180882	Ward:	Frampton Cotterell
Application Category:		Target Date:	23rd February 2017



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100023410, 2008. **N.T.S.** **PT16/6764/PDR**

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 conversion of an integral garage to provide additional living accommodation at No. 10 Kelbra Crescent, Frampton Cotterell.
- 1.2 The application site consists of a modern detached dwelling located along Kelbra Crescent, within the settlement boundary of Frampton Cotterell. The main dwelling is finished in yellow and red brick with white render and a brown concrete tiled roof. A dormer window is located to the front elevation of the property. An attached garage is located to the western side of the property.
- 1.3 As the proposed works would not materially affect the external appearance of the building, they would not constitute development as defined in Section 55 of the Town and Country Planning Act 1990. However as Condition 7 of application ref. P96/2971 restricts the conversion of the garage, the permission of the Local Planning Authority is required.

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

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

2.3 Supplementary Planning Guidance

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

3. **RELEVANT PLANNING HISTORY**

- 3.1 PT16/5550/PDR Demolition of existing conservatory. Erection of a single storey rear extension to provide additional living accommodation.
Approved: 08.11.2016
- 3.2 PT04/1797/F Erection of rear conservatory
Approved: 18.06.2004
- 3.3 P96/2971 Erection of 197 residential houses including 40 affordable houses, village green, public open space, estates roads and associated works.
Approved: 27.10.1997

This application restricted permitted development rights at the property under conditions 5, 6 & 7:

(5) "Notwithstanding the provisions of the Town and Country General Development Order 1995, as amended (or any Order revoking and re-enacting that Order), no walls, fences, or other means of enclosure shall be erected, positioned or placed in front of a wall of a dwelling which fronts onto a highway unless it is in accordance with the following guidelines".

(6) "Notwithstanding the provisions of the Town and Country Planning General Development Order 1988, as amended, (or any Order revoking and re-enacting that Order), the dwellinghouses shall not be extended without the prior permission of the Local Planning Authority".

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

4. **CONSULTATION RESPONSES**

4.1 Frampton Cotterell Parish Council

Observations:

1. The drawing does not reflect the permission requested.
2. The Parish Council does not believe that this is permitted development.

Comment:

No objection subject to the escape window being opaque.

4.2 Other Consultees

Sustainable Transport
No objection

Other Representations

4.3 Local Residents No comments received

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The application seeks permission for the conversion of an integral garage to provide additional living accommodation. 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 only external alteration proposed is the insertion of a side facing escape window at a ground floor level. This window would not be visible from public areas. As such it is not deemed that the proposal would have any impact on the streetscene, or the character and distinctiveness of the host dwelling or the immediate surrounding area. As such the proposal is deemed to satisfy design criteria outlined in policy CS1 of the Core Strategy and H4 of the Local Plan.

5.4 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.

5.5 When considering the impacts of the proposal on the residential amenity of neighbouring properties, the main property under consideration is the neighbouring property to the west at No. 12 Kelbra Crescent.

5.6 The proposed garage conversion would not have any impacts on the residential amenity currently enjoyed at No. 12 through overbearing or overshadowing impacts. Concerns were initially raised that the proposed side escape window could result in a loss of privacy at No.12, through overlooking in to the neighbouring conservatory.

However following correspondence with the agent and the submission of supporting photos, it has been confirmed that any inter-visibility between the proposed escape window and conservatory is entirely blocked by a 1.8 metre boundary fence. It is therefore not deemed that the proposal would result in any loss of privacy through overlooking. Overall, with regard to impacts on residential amenity, the proposal is deemed to satisfy criteria set out in policy H4 of the Local Plan.

5.7 Transport

As part of the proposal, the property would remain a 3-bed property. South Gloucestershire Residential Parking Standards SPD outlines that a 3-bed property must make provision for a minimum of two parking spaces. The plans submitted show that two parking spaces are available to the frontage of the site. This level of parking complies with the Council's residential parking standards for the size of the dwelling, and the provision of parking is therefore deemed acceptable. However as the proposal would result in a loss of an internal parking space, a condition will be attached to any decision requiring a minimum of two parking spaces to be provided prior to the first occupation of the converted garage and thereafter retained for that purpose.

5.8 Additionally it is not considered that the proposal would have any impact upon highway safety. As such, subject to the aforementioned condition, it is not deemed that the proposal would give rise to any significant transport related issues.

5.9 Parish Council Observations

It is considered that the drawings submitted sufficiently reflect the permission requested.

5.10 It is noted that were it not for Condition 7 attached to P96/2971, the proposal would not constitute permitted development as it would not constitute development (as defined in Section 55 of the Town and Country Planning Act 1990). However as Condition 7 restricts the conversion of the garage, the permission of the Local Planning Authority is required.

5.11 As there would be no inter-visibility between the proposed escape window and the neighbouring conservatory, and the window would not result in any other sense of overlooking, a condition requiring this window to be obscurely glazed is not considered necessary.

6. CONCLUSION

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

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

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

7. RECOMMENDATION

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

Contact Officer: Patrick Jackson

Tel. No. 01454 863034

CONDITIONS

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

Reason

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

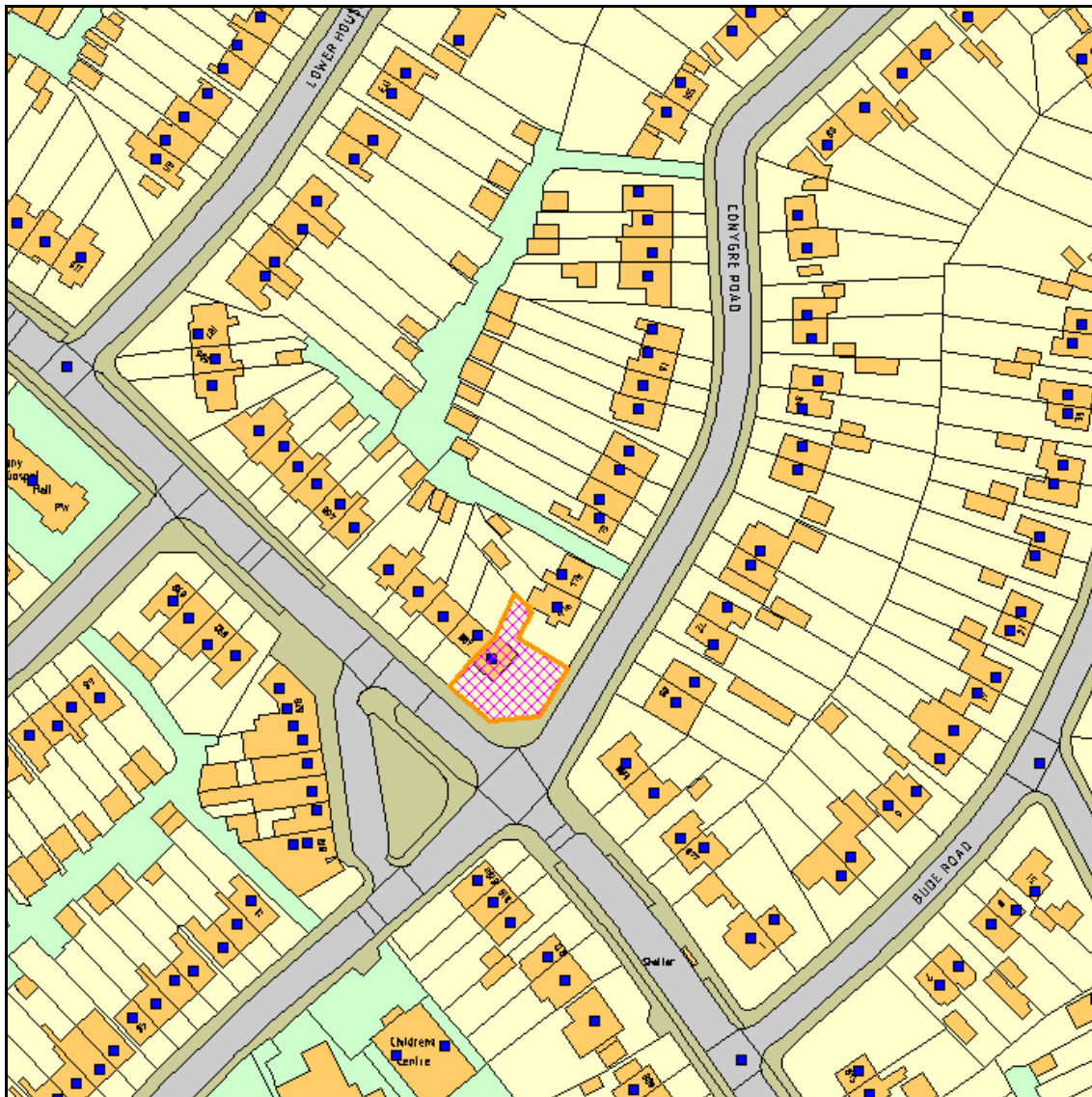
2. The off-street parking facilities (for all vehicles, including cycles) shown on the plan (Block Plan) hereby approved shall make provision for the parking of a minimum of 2 vehicles (measuring at least 2.4m by 4.8m), and shall be provided before the converted garage is first occupied, and thereafter retained for that purpose.

Reason

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

CIRCULATED SCHEDULE NO. 08/17 – 24 FEBRUARY 2017

App No.:	PT17/0073/F	Applicant:	Mr Daniel Ross
Site:	885 Filton Avenue Filton Bristol South Gloucestershire BS34 7AR	Date Reg:	10th January 2017
Proposal:	Erection of a two storey front extension to provide additional living accommodation. (Resubmission of PT16/4773/F).	Parish:	Filton Town Council
Map Ref:	360790 179502	Ward:	Filton
Application Category:	Householder	Target Date:	6th March 2017



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 100023410, 2008. N.T.S. PT17/0073/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Council's Circulated Schedule procedure, following an objection from a local resident which is contrary to the officer recommendation detailed below.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a two-storey front extension at 885 Filton Avenue, Filton. This application is the resubmission of application PT16/4773/F, which was withdrawn following concerns about design and amenity.
- 1.2 Permission is sought for a two-storey side extension to provide a large lounge, kitchen and dining area at ground floor level, as well as a new utility room, and two additional bedrooms with an en-suite at first floor level.
- 1.3 The application is within the North Bristol urban fringe and is also an area of archaeological potential.
- 1.4 During the course of the application, amendments were made to the internal floor plan by the applicant to address amenity issues.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Practice Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS8 Improving Accessibility
CS9 Environment and Heritage

South Gloucestershire Local Plan Adopted January 2006 Saved Policies

T12 Transportation
H4 Development within Existing Residential Curtilages
L5 Open Areas Within Settlement Boundaries
L11 Archaeology

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

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

2.3 Supplementary Planning Guidance

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

3. **RELEVANT PLANNING HISTORY**

- 3.1 PT16/4773/F Withdrawn
Erection of two-storey front extension to provide additional living accommodation

4. **CONSULTATION RESPONSES**

- 4.1 Filton Parish Council
No comment.
- 4.2 Archaeology
Condition recommended.
- 4.3 Transport
No objection provided consent is sought to drop the kerb onto Conygre Road.

Other Representations

- 4.4 Local Residents
Two letters of objection have been received from the same individual stating the following:
- Will have an overbearing impact
 - Development is for a side extension not a front extension
 - No 77A front windows will be cast into darkness and will look out over a brick wall.
 - There are discrepancies on the 25 degree drawing, window is only 1.1 metres from ground level but measurement has been taken from 2 metres?
 - 77A is square on to the property and not at an angle as shown on drawing D9

5. **ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development
Saved Policy H4 of the South Gloucestershire Local Plan is supportive in principle of proposals for alterations and extensions to existing dwellings within their curtilage, providing that the design is acceptable and in accordance with policy CS1 of the Core Strategy, and that there is no unacceptable impact on residential and visual amenity, and also that there is safe and adequate parking provision and no negative effects on transportation. Therefore, the proposal is acceptable in principle but should be determined against the analysis set out below.
- 5.2 Design
The application site relates to an end terrace property with a gable roofline which has its principal elevation facing onto Conygre Road. The property currently acts as a 'book-end' to the rest of the terrace facing onto Filton Avenue.

The proposed extension is also to have a gable roofline, which is shown at full ridge height to mirror the rest of the terrace, and this is welcomed and enables the extension to appear as though it is part of the original terrace. The previously withdrawn application showed a larger extension with a reduced roof pitch, causing the extension to appear rather squat, which was in contrast to the remainder of the terrace. The existing porch is to be demolished to facilitate the extension, however a porch of the same design will be reinstated to the front of the extension, creating a new principal elevation. The proposed openings are of similar size and style to the existing and, subject to a condition ensuring that the materials match the existing dwelling, the development is considered to be acceptable in terms of policy CS1 of the Core Strategy.

5.3 Amenity

Residential amenity should not be harmed as a result of development. Amenity should be considered in terms of the application site and all nearby occupiers. The proposed development will have little impact on the amenity of the application site. The area on which the extension is proposed does form part of the garden for no. 885, however this area of garden is open to the street scene and is not private currently. The area of private amenity space, which is situated to the rear of the dwelling, will not be affected by the development and will be available for future occupiers to use.

5.4 The only windows proposed in the extension face towards Conygre Road, and do not overlook any neighbouring properties. Two new windows are proposed in the north-east elevation of the existing dwelling; one at ground floor level serving a dining room and one at first floor level serving an office. Both of these windows directly face the principal elevation of no. 77A Conygre Road, and whilst the dining room window is screened by an existing wall, the office window allows for inter-visibility between the two properties. The applicant has submitted an amended plan showing the window to be obscure glazed, and as the window serves a secondary bedroom/office this is considered to be acceptable. A condition on the decision notice will ensure that the obscure glazing is installed and maintained.

5.5 Concerns have been raised that the extension will be overbearing on 77A Conygre Road. Drawing D9 demonstrates that the extension is not overbearing by illustrating the 25 degree test from 2 metres above ground level from the centre of the nearest principal window at no. 77A. The loss of a view has also been raised as an issue in a letter from an objector, however the right to a view is not a planning issue provided that the outlook is not harmful to residential amenity, and officers do not consider that there is harm in this instance. Overall, the development is considered acceptable in terms of policy H4 of the Local Plan (Adopted) January 2006.

5.6 Transport

Following development, the dwelling will increase in capacity from a three bedroom property to a five bedroom property (assuming that the office could be utilised as a bedroom by future occupiers). Three off-street parking spaces have been shown within the site boundary which are accessed from Conygre Road, which is a non-classified highway.

The Transport officer has no objection to this subject to the applicant obtaining permission from Street Care to drop the kerb, and the applicant has provided evidence to demonstrate that permission was sought and granted in 2015. A condition on the decision notice will ensure that the parking spaces are implemented prior to first occupation of the extension in the event the application is granted.

5.7 Other Issues

Concerns have been raised by an objector regarding discrepancies within the plans, however officers consider that the plans match the records held by the Council and the position of the existing buildings on site currently.

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 to **GRANT** planning permission subject to the conditions listed on the decision notice.

Contact Officer: Trudy Gallagher
Tel. No. 01454 862217

CONDITIONS

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

Reason

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

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

Reason

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

3. The three off-street parking spaces for vehicles shown on the plan hereby approved 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.

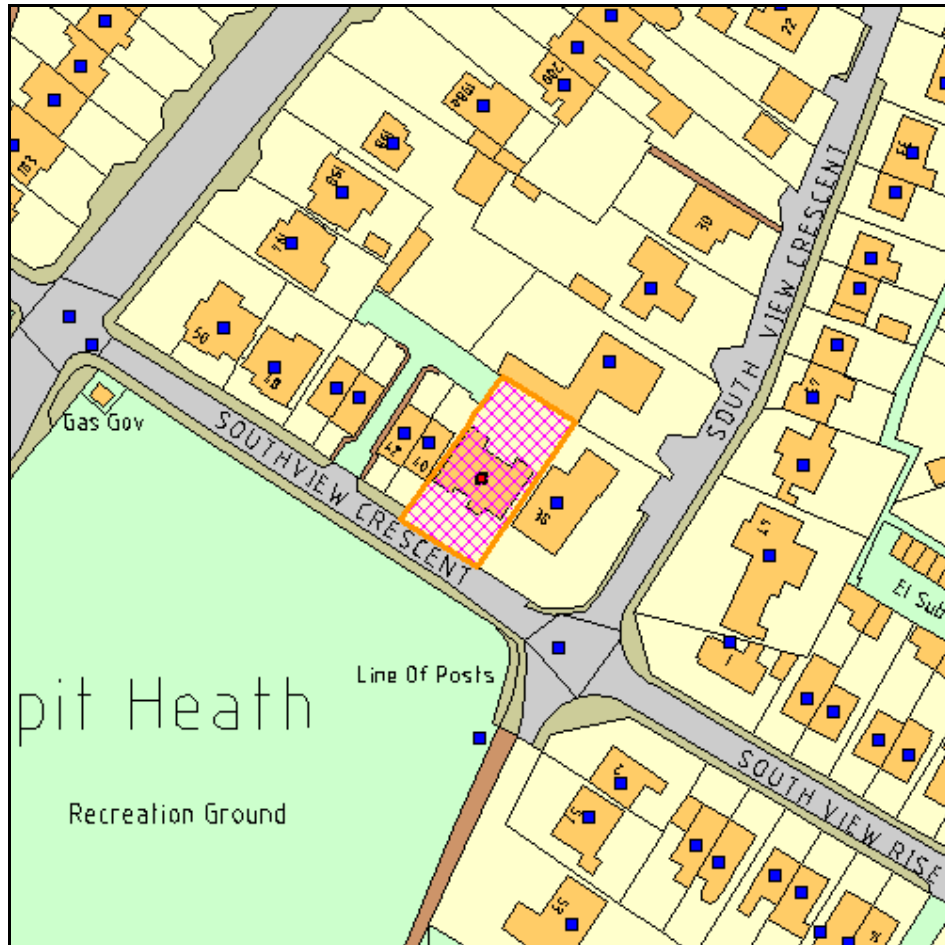
4. Prior to the use or occupation of the extension hereby permitted, and at all times thereafter, the proposed first floor window on the north-east elevation (office) of the original dwellinghouse (serving proposed office) shall be glazed with obscure glass to level 3 standard or above with any opening part of the window being above 1.7m above the floor of the room in which it is installed.

Reason

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

CIRCULATED SCHEDULE NO. 08/17 – 24 FEBRUARY 2017

App No.:	PT17/0108/CLP	Applicant:	Mr Jeff Glanville
Site:	38 South View Crescent Coalpit Heath Bristol South Gloucestershire BS36 2LP	Date Reg:	12th January 2017
Proposal:	The proposed erection of a single storey rear extension	Parish:	Westerleigh Parish Council
Map Ref:	367510 180738	Ward:	Westerleigh
Application Category:		Target Date:	7th March 2017



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The applicant is seeking a formal decision as to whether the proposed single storey rear extension to 38 South View Crescent, Coalpit Heath would be lawful.
- 1.2 The application is a formal way of establishing whether the proposal requires planning permission or not. Accordingly there is no consideration of planning merit, the decision is based solely on the facts presented.

2. POLICY CONTEXT

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

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

3. RELEVANT PLANNING HISTORY

- 3.1 PT02/1025/F Erection of two storey side extension to form garage and study with bedrooms over.
Approved: 24.05.2002
- 3.2 P92/1745 Erection of front entrance porch.
Approved: 14.06.1992
- 3.3 P87/2673 Erection of detached domestic garage and installation of dormer windows in roof space to form four bedrooms and bathroom.
Approved: 18.11.1987

4. CONSULTATION RESPONSES

- 4.1 Councillor
No comment received
- 4.2 Westerleigh Parish Council
No comment received

Other Representations

- 4.3 Local Residents
No comments received

5. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

- 5.1 Site Location and Block Plan (Drawing No. 38SVC.JAN17.LP.BP.1)
Combined Existing (Drawing No. 38SVC.OCT16.E.1)
Proposed Floor Plans (Drawing No. 38SVC.OCT16.P.1)
Proposed Elevations (Drawing No. 38SVC.OCT16.P.2)
(Received by Local Authority 10th January 2017)

6. ANALYSIS OF PROPOSAL

6.1 Principle of Development

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

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

- 6.3 The proposed development consists of a single story extension to the rear of property. This development would fall within Schedule 2, Part 1, Class A, which allows for the enlargement, improvement or other alteration of a dwellinghouse, provided it meets the criteria as detailed below:

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

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

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

- (b) As result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);**

The total area of ground covered by buildings (other than the original dwellinghouse) would be less than 50% of the total area of the curtilage.

- (c) The height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;**

The height of the rear extension would not exceed the height of the roof of the existing dwellinghouse.

- (d) The height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;**

The height of the eaves of the rear extension would be set at the same height as the eaves of the roof of the existing dwellinghouse, and as such would not exceed it.

- (e) The enlarged part of the dwellinghouse would extend beyond a wall which—**
- (i) forms the principal elevation of the original dwellinghouse; or**
 - (ii) fronts a highway and forms a side elevation of the original dwellinghouse;**

The extension does not extend beyond a wall which fronts a highway or the principal elevation of the original dwellinghouse.

- (f) Subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and—**
- (i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or**
 - (ii) exceed 4 metres in height;**

The proposal does not extend beyond the rear wall of the original dwellinghouse by more than 4 metres, or exceed 4 metres in height.

- (g) Until 30th May 2019, for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and—**
- (i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or**
 - (ii) exceed 4 metres in height;**

Not applicable.

- (h) The enlarged part of the dwellinghouse would have more than a single storey and—**
- (i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or**
 - (ii) be within 7 metres of any boundary of the curtilage the dwellinghouse opposite the rear wall of the dwellinghouse;**

The extension would be single storey.

- (i) The enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres;**

The extension would be within 2 metres of the boundary, however the eaves would not exceed 3 metres in height.

- (j) The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would—**

- (i) exceed 4 metres in height,**
- (ii) have more than a single storey, or**
- (iii) have a width greater than half the width of the original dwellinghouse; or**

The proposal does not extend beyond a side wall of the original dwellinghouse.

- (k) It would consist of or include—**
 - (i) the construction or provision of a veranda, balcony or raised platform,**
 - (ii) the installation, alteration or replacement of a microwave antenna,**
 - (iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or**
 - (iv) an alteration to any part of the roof of the dwellinghouse.**

Submitted plans indicate that the development would include either the installation of a new; or alterations to an existing boiler flue. This is not permitted development under the provisions of Schedule 2, Part 1, Class A. However the alterations to the boiler flue are permitted development under the provisions of Schedule 2, Part 1, Class G, providing it meets certain criteria. This is assessed in more detail at the end of this section.

A.2 In the case of a dwellinghouse on article 2(3) land, development is not permitted by Class A if—

- (a) it would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles;**
- (b) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or**
- (c) the enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse.**

The application site does not fall on article 2(3) land.

A.3 Development is permitted by Class A subject to the following conditions—

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

The proposed plans indicate that the walls of the proposal will be finished in render to match the existing and the roof finish will be finished in similar concrete tiles to existing. These materials are deemed to be sufficiently similar in appearance to those used in the construction of the exterior of the existing dwellinghouse to meet this criterion.

- (b) Any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse must be—**
 - (i) obscure-glazed, and**
 - (ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed; and**

Not applicable.

- (c) **Where the enlarged part of the dwellinghouse has more than a single storey, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse.**

Not applicable.

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

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

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

- (b) **The height of the chimney, flue or soil and vent pipe would exceed the highest part of the roof by 1 metre or more; or**

The height of the boiler flue would not exceed the highest part of the roof by 1 metre or more.

- (c) **In the case of a dwellinghouse on article 2(3) land, the chimney, flue or soil and vent pipe would be installed on a wall or roof slop which –**
- i) fronts a highway, and**
 - ii) forms either the principal elevation or a side elevation of the dwellinghouse.**

The application site does not fall on article 2(3) land.

7. RECOMMENDATION

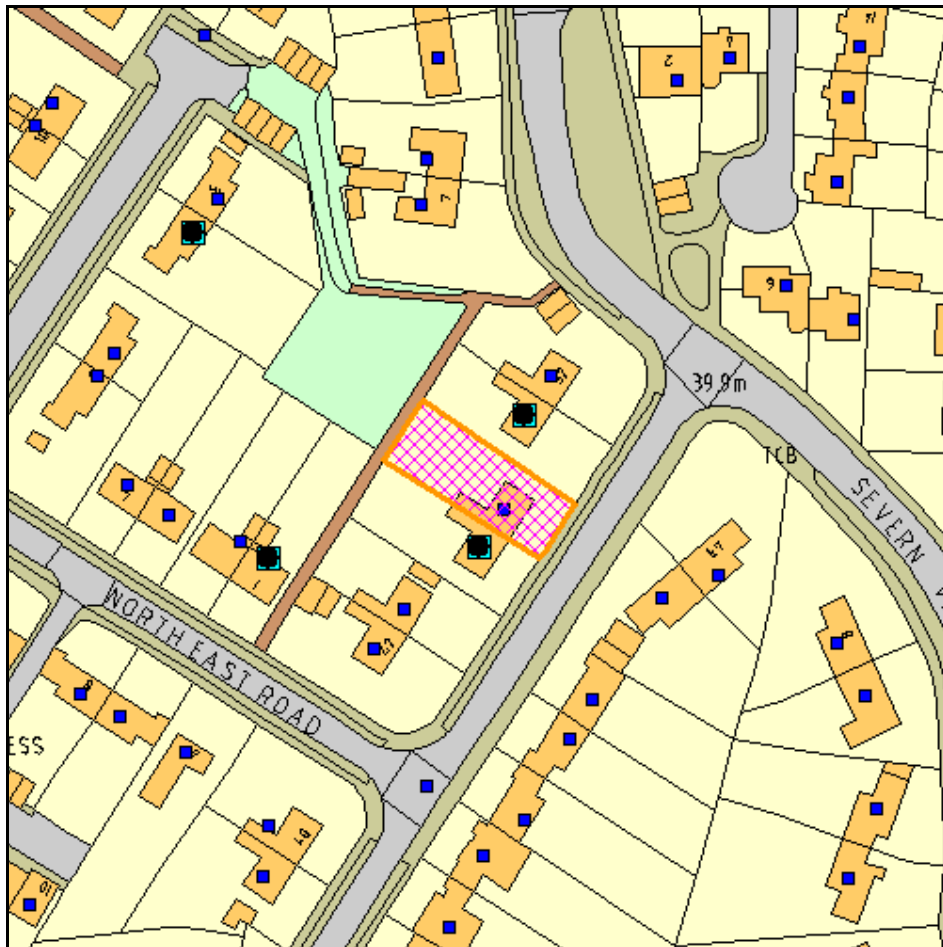
- 7.1 That a certificate of Lawfulness for Proposed Development is granted for the reasons listed below:

Evidence has been provided to demonstrate that the proposed extension would be allowed as it is considered to fall within the permitted rights afforded to householders under Part 1, Class A and Class G of the Town and Country Planning General Permitted Development Order 2015.

Contact Officer: Patrick Jackson
Tel. No. 01454 863034

CIRCULATED SCHEDULE NO. 08/17 – 24 FEBRUARY 2017

App No.:	PT17/0144/CLP	Applicant:	Carey Robson
Site:	48 Eastland Avenue Thornbury Bristol South Gloucestershire BS35 1DY	Date Reg:	19th January 2017
Proposal:	Application for a certificate of lawfulness for the proposed installation of a rear dormer with 2no roof lights, 2no rear windows and a Juliet balcony. Installation of a new roof to existing conservatory to include 4no roof lights.	Parish:	Thornbury Town Council
Map Ref:	364413 190811	Ward:	Thornbury North
Application Category:		Target Date:	15th March 2017



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 100023410, 2008. **N.T.S.** **PT17/0144/CLP**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

1.1 The applicant is seeking a formal decision as to whether the proposed erection of a rear dormer with 2no. rooflights, 2no. rear windows and a Juliet balcony and alterations to the existing rear extension at 48 Eastland Avenue, Thornbury would be lawful development. This is based on the assertion that the proposal falls within the permitted development rights normally afforded to householders under the Town and Country Planning (General Permitted Development) (England) Order 2015.

1.2 The application is formal way of establishing whether the proposal requires planning permission or not. Accordingly there is no consideration of planning merit, the decision is based on the facts presented.

2. POLICY CONTEXT

2.1 National Guidance
National Planning Policy Framework March 2012
Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO)

3. RELEVANT PLANNING HISTORY

No Relevant Planning History

4. CONSULTATION RESPONSES

4.1 Thornbury Town Council
Objection – Design not in keeping with the area

4.2 Other Consultees
None Received

Other Representations

4.3 Local Residents
None Received

5. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

5.1 Application Form; Existing Plans; Existing Elevations; Proposed Plans; Proposed Elevations; Site Location and Block Plan

5.2 Principle of Development

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

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

5.4 The proposed development consists of the introduction of a rear dormer and 2no front rooflights, Juliet balcony and 2no. rear windows to facilitate a loft conversion. This development would be within Schedule 2, Part 1 Class B of the GPDO (2015), which allows additions etc to the roof of a dwellinghouse provided it meets the criteria detailed below:

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

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

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

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

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

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

The proposal will be situated to the rear elevation and does not front a highway.

(d) The cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than –

- (i) 40 cubic metres in the case of a terrace house, or**
- (ii) 50 cubic metres in any other case**

The proposal would be in the region of 28.59 m³.

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

The proposal includes a 'Juliet Balcony' this, as defined by the 'Permitted Development for Householders Technical Guidance', would not constitute a balcony. The site is not on article 1(5) land and accordingly the extension of the SVP would be in line with the provisions of Schedule 2 Part 1 Class G of the act.

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

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

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

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

The materials used will be of a similar appearance.

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

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

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

Not applicable.

6.5 The proposal also seeks to introduce a new roof to existing conservatory in order to provide 4no. rooflights. This part of the proposal would be covered by the provisions of Class A; in this case the only consideration relevant to the proposal is the materials. In the case of a conservatory the materials used need not be of a similar appearance to those in the existing dwelling. Accordingly the proposed rear extension alterations are considered to be lawful development.

7. RECOMMENDATION

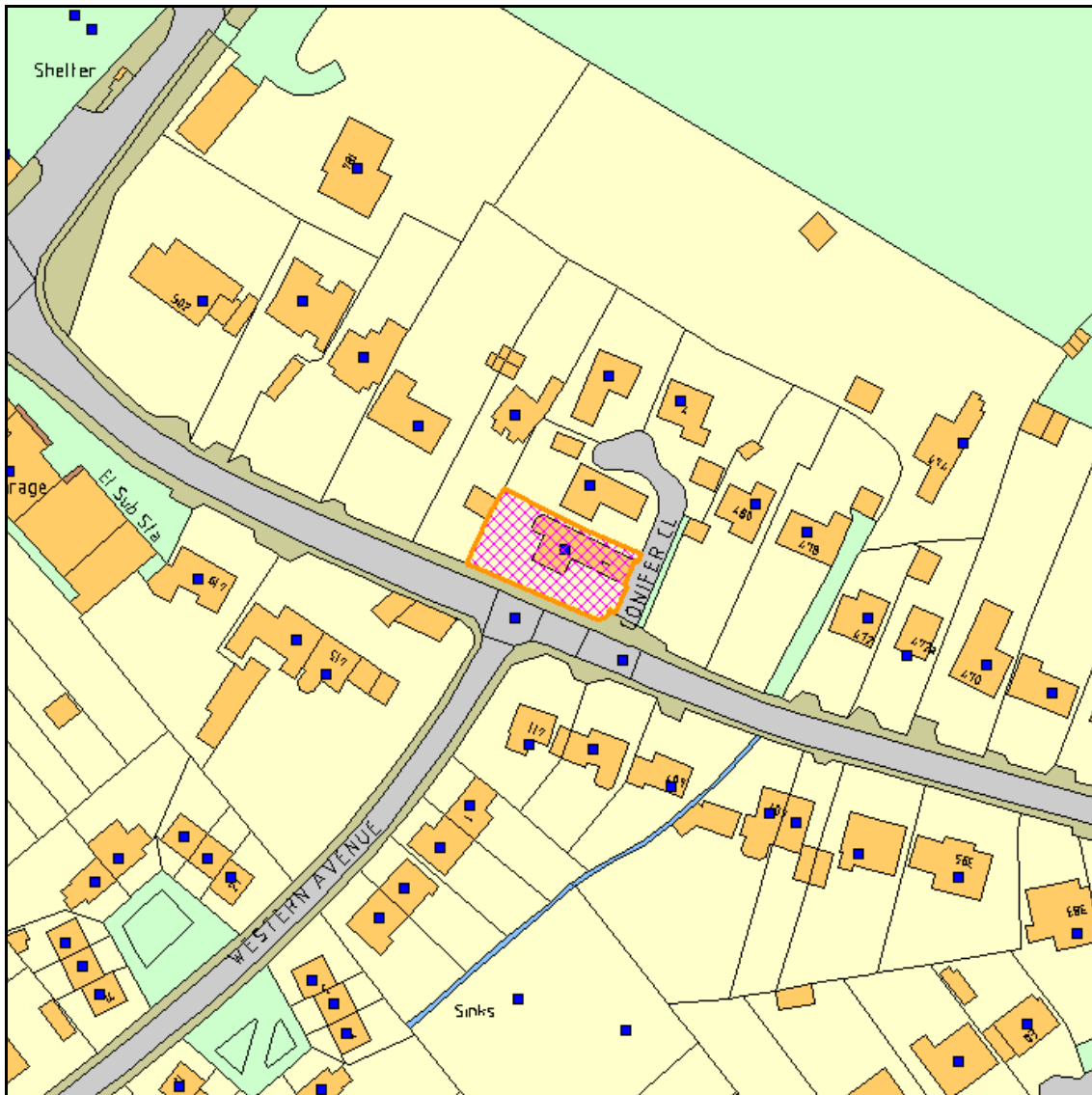
7.1 That a certificate of Lawfulness for Proposed Development is **granted** for the following reason:

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

Contact Officer: Hanni Osman
Tel. No. 01454 863787

CIRCULATED SCHEDULE NO. 08/17 – 24 FEBRUARY 2017

App No.:	PT17/0146/F	Applicant:	Mrs J Ambrose
Site:	1 Conifer Close Frampton Cotterell South Gloucestershire BS36 2AZ	Date Reg:	16th January 2017
Proposal:	Erection of first floor front extension to provide additional living accommodation (re-submission of previously approved scheme PT12/0675/F)	Parish:	Frampton Cotterell Parish Council
Map Ref:	366153 182115	Ward:	Frampton Cotterell
Application Category:	Householder	Target Date:	9th March 2017



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REASONS FOR REPORTING TO CIRCULATED SCHEDULE

The application has been referred to circulated schedule following comments being received contrary to the findings of this report.

1. THE PROPOSAL

- 1.1 The proposal seeks to erect a first floor front/side extension to provide additional accommodation as a resubmission of the application PT12/0675/F which has not been implemented.
- 1.2 The subject property is a detached late 20th Century dwelling with a part hipped and part gabled roof with tile covering that has been extended over two storeys to the side forming integral garaging and first floor living accommodation. The dwelling has part brick and part reconstituted stone elevations.
- 1.3 The host dwelling was extended in breach of planning control and enforcement action has been taken on a number of occasions. The proposal is a resubmission of an approved scheme that was never built out and has now lapsed due to the passage of time.
- 1.4 The subject property is situated within the built up residential area of Frampton Cotterell.
- 1.5 The in situ property has been extended in breach of planning control where permission was refused on two separate occasions; the latter refused application was retrospective and was also dismissed at appeal.

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
PSP38 Development within Existing Residential Curtilages
PSP43 Private Amenity Space Standards

- 2.3 Supplementary Planning Guidance
Design Checklist SPD (adopted) August 2006

3. RELEVANT PLANNING HISTORY

- 3.1 PT12/0675/F – Approval – 02/05/2012 – Erection of first floor front extension to provide additional living accommodation.
- 3.2 PT09/5980/F – Refusal – 20/01/2010 – Erection of first floor front extension to provide additional living accommodation.
- 3.3 PT05/0549/F – Approval – 14/04/2005 – Erection of first floor side extension to form bedroom with en-suite facilities.
- 3.4 PT04/3922/F – Refusal – 13/01/2005 – Erection of first floor side extension to form master bedroom with en-suite.
- 3.5 PT04/1942/F – Refusal – 12/07/200-4 – Erection of first floor side extension to form master bedroom with dressing room and en-suite facilities.
- 3.6 N17142/1 – Refusal – 29/04/1982 – Erection of 4 houses and garages and construction of private driveway.
- 3.7 N7142 – Approval – 05/03/1981 – Erection of three detached dwellings and garages and construction of vehicular and pedestrian access (in accordance with the revised plans received by the Council on 7th January 1981).
- 3.8 N1389/2 – Approval of Outline – 14/05/1981 – Residential development and formation of vehicular access.
- 3.9 N1389/1 – Refusal of Outline – 10/07/1975 – Erection of detached bungalow and garage (outline).

4. CONSULTATION RESPONSES

- 4.1 Frampton Cotterell Parish Council
Objection – finds the plans confusing and notes enforcement action is underway.
- 4.2 Other Consultees
None Received

Other Representations

- 4.3 Local Residents
None Received

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Policy CS1 'High Quality Design' of the South Gloucestershire Core Strategy (adopted December 2013) states development proposals will only be permitted where the highest possible standards of design and site planning are achieved. Proposals should demonstrate that they; enhance and respect the character, distinctiveness and amenity of both the site and its context; have an appropriate density and its overall layout is well integrated with the existing development. Saved Policy H4 of the South Gloucestershire Local Plan (adopted 2006) is supportive in principle of development with the residential curtilage of existing dwellings. This support is subject to the proposal

respecting the existing design of the dwelling and it does not prejudice the residential and visual amenity; adequate parking provision; and has no negative effects on transportation.

5.2 In this case the application is a resubmission of a previously approved scheme that has lapsed as it has not been implemented. It has been identified that the subject site is currently in breach of planning control following the refusal of a retrospective application for a larger first floor side/front extension that is in situ. The proposal is identical to the previously approved scheme in all respects. It should be made clear that the application solely relates to the proposal and cannot seek to address matters concerning enforcement action in respect of works that have not been approved.

5.3 Design and Visual Amenity

As mentioned above the application is identical to the previously approved scheme. The application site is currently in breach of planning control as a retrospective application was refused. The Parish Council are confused over the plans provided. It is thought this is because it shows a reduction in form from the existing to proposed plans. The council also object on the basis of the enforcement action on the property. This is an application in its own right and it should be established that each application is assessed under its own merits; this proposal cannot seek to address the matters concerning enforcement action in respect of the unapproved works.

5.4 The proposal would see a proportion of unapproved works removed. This would mean the extension would take the same form of that approved under the application PT12/0675/F. The proposal appears identical in all respects and therefore material weight has been given to the existence of this historic approval. No objection was raised to the design of this proposal and the context of the site has not changed significantly since this time. Furthermore whilst additional policy instruments have been adopted, the basic policy context remains the same, as at the time of the decision the Core Strategy was emerging and was at a post submission stage. Material weight would have been attached to considerations under this policy.

5.5 Overall, it is considered that the proposed alterations would not harm the character or appearance of the area and as such is considered acceptable in terms of visual amenity. Therefore, it is judged that the proposal has an acceptable standard of design and is considered to be consistent 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 The proposal would remove a proportion of unpermitted works that was refused, in part, as it was considered to have an unacceptable impact on the amenity of neighbouring occupiers. This extension has previously been deemed acceptable under application PT12/0675/F and this was not considered to have an unacceptable impact on the amenity of neighbouring occupiers with regard to overbearing and loss of light or privacy; therefore consent should be granted based on the same assertions.
- 5.8 The subject property is located within a built up residential area and given the scale and location of the proposed development, the proposal will not result in any further harm, over that of the previously approved scheme, 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 proposal would not impact the current parking arrangement. The proposal would not require any additional parking spaces nor will it have a negative impact on highway safety or the retention of an acceptable level of parking provision, meaning the proposal is in accordance with saved policy T12 of the Local Plan (2006). The council has no objection to the proposal in relation to highway safety or parking provision.

6. CONCLUSION

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

7. RECOMMENDATION

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

Contact Officer: Hanni Osman
Tel. No. 01454 863787

CONDITIONS

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

Reason

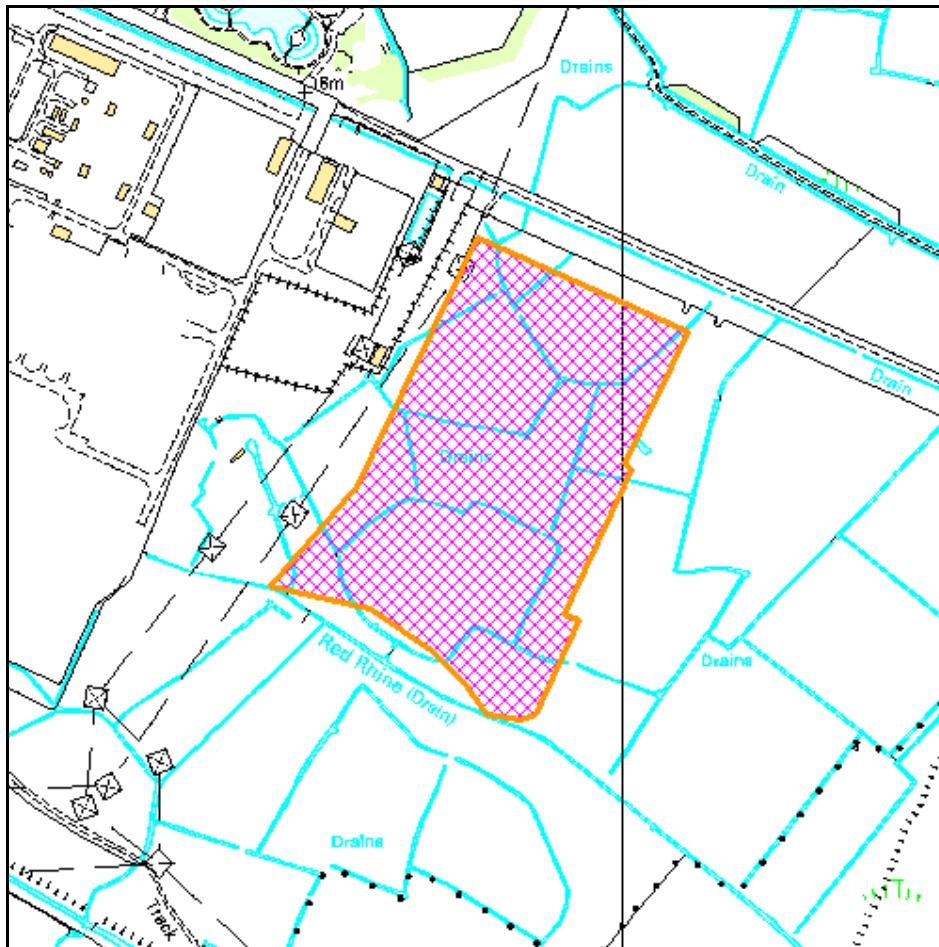
To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 (as amended).

2. The development shall proceed strictly in accordance with the plans received by the Local Planning Authority on 12th January 2017 - Site and Block Plans; Existing Plans; Proposed Floor Plans; Existing Elevations; Proposed Elevations.

For the avoidance of doubt.

CIRCULATED SCHEDULE NO. 08/17 – 24 FEBRUARY 2017

App No.:	PT17/0167/ADV	Applicant:	CDS Superstores International Ltd
Site:	Western Approach Distribution Park Severn Beach South Gloucestershire BS35 4GG	Date Reg:	15th February 2017
Proposal:	Display of 1no. internally illuminated totem sign and 6no. internally illuminated fascia signs.	Parish:	Pilning And Severn Beach Parish Council
Map Ref:	354935 183937	Ward:	Pilning And Severn Beach
Application Category:	Minor	Target Date:	20th March 2017



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is referred to the Circulated Schedule in accordance with procedure given that an objection has been received that is contrary to the officer recommendation

1. THE PROPOSAL

1.1 The application seeks advertisement consent for 6 no. internally illuminated fascia signs and 1 no. internally illuminated totum at The Range distribution depot.

1.2 In terms of the dimensions, they are as follows:

5 signs (2 on east elevation, 1 on south elevation, 1 on west elevation and 1 on north elevation) – 18m by 4.5m (internally illuminated)

1 sign on southern elevation 1.05 m by 0.150m

1 totum sign located at the entrance to the park adjoining the building. 5 metres high by 2.7m.

1.3 The application site relates to a large industrial unit with a storage and distribution use.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
The Town and Country Planning (Control of Advertisements) (England) (Amendment) Regulations 2007

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006 (saved policies)
T12 Transportation Development Control Policy for New Development

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

2.3 Supplementary Planning Guidance

Shopfronts and Advertisements SPD (Adopted April 2012)

3. RELEVANT PLANNING HISTORY

3.1 P97/1990 Development within Class B1, B2 & B8 of the Town & Country Planning (Use Classes) Order 1987 as amended together with associated Approved subject to conditions)

4. CONSULTATION RESPONSES

4.1 Pilning and Severn Beach Parish Council

Pilning & Severn Beach parish council urge South Glos. Council to refuse this application due to the unnecessarily large size and brightness of illumination in the context of the landscape. This is a very flat landscape (ie the Severn Levels) so these signs will be visible over a vast distance.

that the signs need to be proportionate to what is a truly enormous building, but their height needs to be limited to what is needed for their purpose, ie identifying the building. This is not a retail establishment so competitive advertising is not needed. It would seem that the aim here is to take advantage of the proximity of the M49 and advertise to the passing public. This itself must constitute a distraction to the passing motorist. As a minimum a condition on maximum size and maximum luminescence must be imposed.

Sustainable Transport

We have now reviewed this planning application and note that it seeks to display a number of illuminated signs on or adjacent to The Range warehouse, which is located on the Western Approach Distribution Park at Severn Beach. We do not believe that these signs will create any highways or transportation issues and we have no comments about this application.

Other Representations

4.2 Local Business Owners/Occupiers No comment

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The National Planning Policy Framework states that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements that will clearly have an appreciable impact on a building or their surroundings should be subject to the Local Planning Authorities detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

5.2 Visual Amenity

The application site consists of a very large industrial unit situated within Western Approach Distribution Park, which is characterised by large scale warehouses and industrial units with associated linking highways, open spaces and landscaping.

The concerns of the parish are noted in terms of the impact of the signs. 5 no. of the signs attached to the building itself are without doubt large. The width of 18 metres would however as the parish acknowledge be seen against the

backdrop of a building which has elevations of 480 metres and 220 metres (perhaps one of the largest buildings in the entire district within an estate of similar buildings). Read against the context of the host building and within the context of the area dominated by very large purpose built commercial units the signage is not considered out of place and would not detract from visual amenity, indeed within this context this signage is of a form and scale that would be expected.

In summary The simple design and relatively small scale nature of both the illuminated and non illuminated signs are considered appropriate for the industrial style of the building and the street scene. There are several examples of similarly designed signage in the locality and as such, it is considered that the proposal would not have a negative impact on the character of the area. In accordance with guidance contained within the NPPF and the Town and Country Planning (Control of Advertisements) (England) (Amendment) Regulations 2007, there are no objections on grounds of visual amenity.

5.3 Public Safety

All of the proposed advertisements would be visible from a public highway in particular those located on the southern elevation, thus public safety is particularly relevant under the Town and Country Planning Control of Advertisements) (England) (Amendment) Regulations 2007. The comments of the parish are noted however given the simplicity of the signage and the positioning away from any detailed road signs, it is not considered that the signage would obscure or hinder the interpretation of any traffic sign, neither would they obscure nor hinder the operation of any surveillance or security equipment. Clearly the signs would be visible to drivers however it is not considered given their location that they would provide a distraction and no objection is raised by transportation officers

As such, there are no objections on the grounds of public safety.

5.4 Cumulative Impact

The proposal has been considered cumulatively within the locality. Although the proposed signage would add additional signage it is not considered that this would be cumulatively detrimental, largely due to the industrial nature of the application site.

6. CONCLUSION

6.1 In accordance with Section 220 of the Town and Country Planning Act 1990 and Regulation 4 of the Advertisement Regulations 1992, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.

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

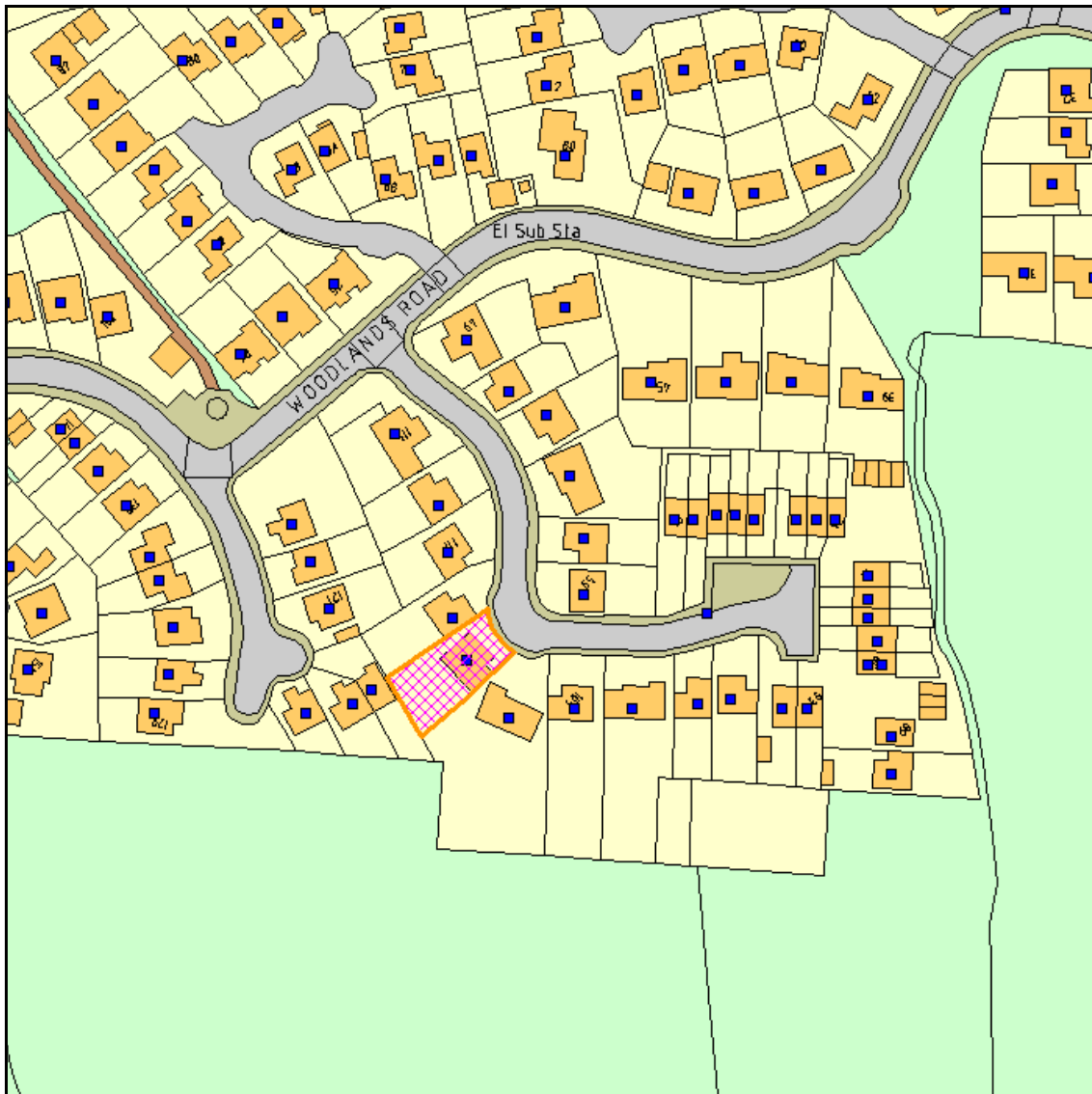
7. RECOMMENDATION

7.1 That advertisement consent be granted.

Contact Officer: David Stockdale
Tel. No. 01454 866622

CIRCULATED SCHEDULE NO. 08/17 – 24 FEBRUARY 2017

App No.:	PT17/0188/F	Applicant:	Mr And Mrs Stainthorpe
Site:	107 Woodlands Road Charfield Wotton Under Edge South Gloucestershire GL12 8LT	Date Reg:	18th January 2017
Proposal:	Erection of a first floor side, single storey and two storey rear extension to provide additional living accommodation. Installation of a raised platform area.	Parish:	Charfield Parish Council
Map Ref:	372416 191714	Ward:	Charfield
Application Category:	Householder	Target Date:	14th March 2017



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule due to consultation responses received, contrary to Officer recommendation.

1. THE PROPOSAL

- 1.1 The application is for the erection of a first floor side, single storey and two storey rear extension to provide additional living accommodation. And the installation of a raised platform area.
- 1.2 The property is a relatively modern, volume built dwelling located on a cul-de-sac, within the residential area of Charfield, containing other similar detached properties.

2. POLICY CONTEXT

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

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

3. RELEVANT PLANNING HISTORY

- 3.1 None relevant

4. CONSULTATION RESPONSES

- 4.1 Charfield Parish Council
No objection

Sustainable Transportation

The applicant seeks to erect a first floor side, single storey and two storey rear extension to provide additional living accommodation. The proposals would increase the number of bedrooms to 4. Two off street parking spaces are provided and as such there are no transportation objections.

Archaeology
No objection

Other Representations

4.2 Local Residents

One letter has been received, as follows:

'Having looked at the plans, I just have a couple of questions concerning the design of the proposed extension - impact on the side window of my front bedroom - impact on privacy of my back garden from the second storey extension.'

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

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

5.2 Design

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

5.3 Residential Amenity

The comments above are noted. The adjacent properties in this respect are set at an angle to each other. The side element of the extension would be in relative proximity to neighbouring property, however the top of the pitched roof is already relatively close to the neighbouring property, including a first floor window angled directly at the side application property. There are additional windows to the front of the neighbouring dwelling that give a less restricted view and would remain unaffected. An addition of an extension above the garage would not be considered to give rise to significant additional or material impact upon the existing situation at the side of the dwelling. The extension to the rear would extend the rear building line at two storey level and this would be along the shared boundary. There is a proposed window at two storey level, however given the relative angles of the properties and the orientation and relationship of the two dwellings the window would not directly overlook the adjacent garden. The scale and length of the extension itself would similarly not be considered to give rise to significant or material overbearing impact. The length, size, location and orientation of the proposals are not considered to give rise to any significant or material overbearing impact on adjacent properties such as to sustain an objection and warrant refusal of the application on these grounds. Further to this sufficient garden space remains to serve the property.

5.4 Transportation

Adequate off street parking spaces are available and this would be sufficient to meet the Councils current residential parking requirements. There are no transportation objections on this basis.

6. CONCLUSION

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

6.2 The proposals are of an appropriate standard in design and are not out of keeping with the main dwelling house and surrounding properties. Furthermore the proposal would not harm the amenities of the neighbouring properties by reason of loss of privacy or overbearing impact. Adequate parking can be provided on the site.. As such the proposal accords with Policies H4 and T12 of the South Gloucestershire Local Plan (Adopted) 2006 and CS1 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013.

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

7. RECOMMENDATION

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

Contact Officer: Simon Ford
Tel. No. 01454 863714

CONDITIONS

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

Reason

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

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

Reason

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

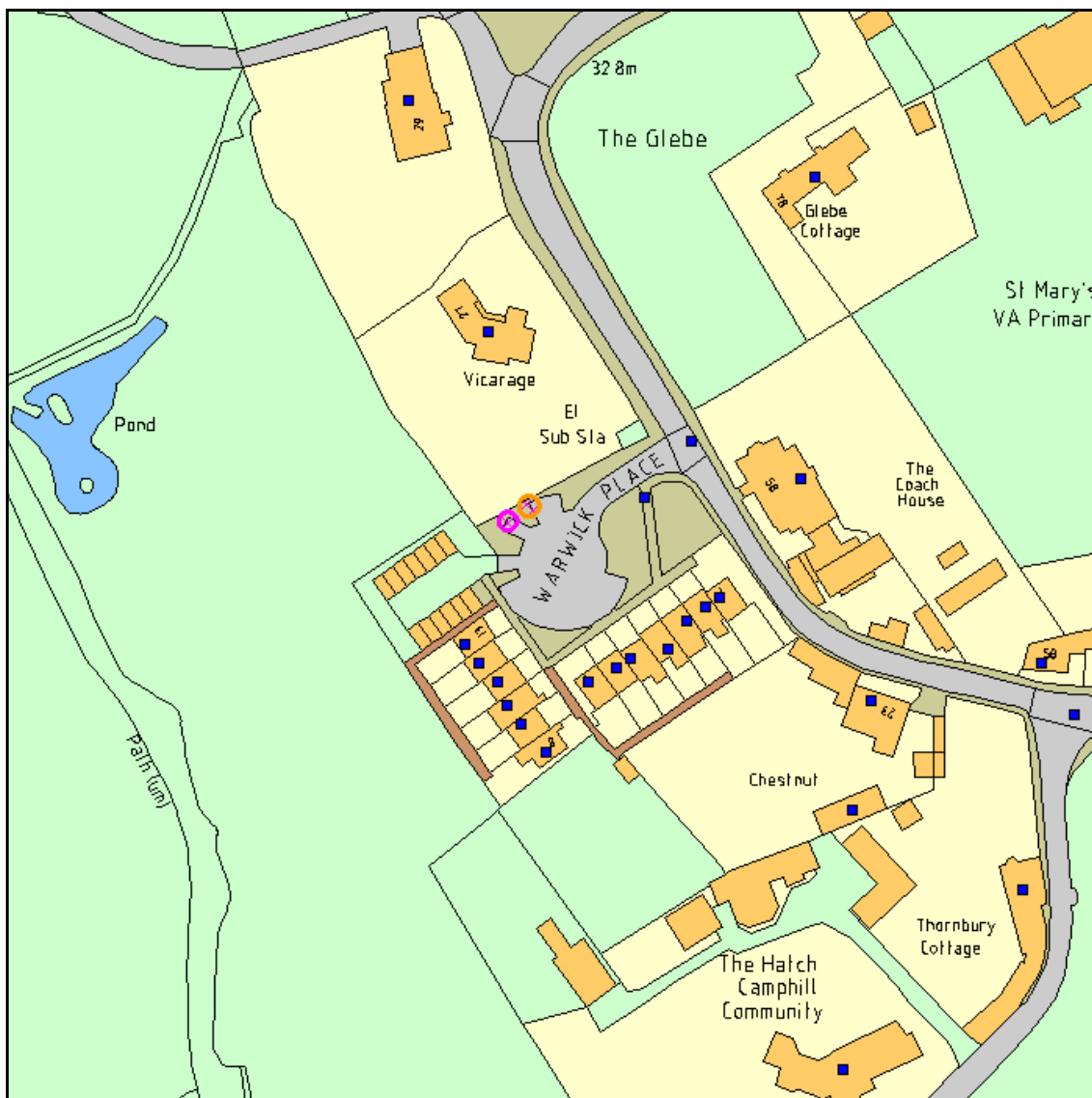
3. The hours of working on site during the period of construction shall be restricted to 07.30 - 18.00 Mondays to Fridays; 08.00 - 13.00 Saturdays and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use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

Reason

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

CIRCULATED SCHEDULE NO. 08/17 – 24 FEBRUARY 2017

App No.:	PT17/0332/TRE	Applicant:	Ms Lyn Thomas
Site:	1 - 13 Warwick Place Thornbury South Gloucestershire BS35 1EZ	Date Reg:	30th January 2017
Proposal:	Works to reduce crown to 1 no. Sycamore to a height of 50m and lateral spread of 20m and 1 no. Sycamore to a height of 50m and lateral spread of 25m as stated on the application form all covered by TPO no. 39 dated 14th December 1971	Parish:	Thornbury Town Council
Map Ref:	363412 190457	Ward:	Thornbury North
Application Category:		Target Date:	22nd March 2017



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 100023410, 2008. **N.T.S.** **PT17/0332/TRE**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

Comments of support have been received which are contrary to the officer's recommendations. Therefore this application is being referred to the circulated schedule.

1. THE PROPOSAL

- 1.1 Works to reduce crown to 1 no. Sycamore to a height of 50m and lateral spread of 20m and 1 no. Sycamore to a height of 50m and lateral spread of 25m as stated on the application form all covered by TPO no. 39 dated 14th December 1971

2. POLICY CONTEXT

2.1 National Guidance

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

3. RELEVANT PLANNING HISTORY

- 3.1 PT05/2688/TRE, Site Address: Warwick Place Thornbury BRISTOL South Gloucestershire, Decision: COND, Date of Decision: 13-OCT-2005, Proposal: Works to eight trees covered by Gloucestershire County Council (Thornbury House, Castle Street, Thornbury) Tree Preservation Order 1971 and situated within Thornbury Conservation Area, CIL Liable:

4. CONSULTATION RESPONSES

- 4.1 Thornbury Town Council
No objections

Other Representations

4.2 Local Residents

A comment of support has been received from a local resident stating the importance of managing and maintaining trees of this size.

5. ANALYSIS OF PROPOSAL

- 5.1 Works to reduce crown to 1 no. Sycamore to a height of 50m and lateral spread of 20m and 1 no. Sycamore to a height of 50m and lateral spread of 25m as stated on the application form all covered by TPO no. 39 dated 14th December 1971

5.2 Principle of Development

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

5.3 Consideration of Proposal

The subject trees are situated on a bank adjacent to the boundary wall of the vicarage. They are healthy, mature specimens and contribute well to the local landscape. The trees have not been previously crown reduced.

5.4 It is considered that a crown reduction would be detrimental both to the health of the trees and the amenity they offer to the locality.

5.5 To address the comment received by a neighbour stating the importance of managing large trees, it should be noted that crown reductions, although appropriate in a few circumstances, is not beneficial to the tree. It opens new pathways to fungal pathogens which in turn can result in crown dieback and the production of deadwood. Reductions also promote vigorous regrowth with larger leaves, thus exacerbating any issues of leaf fall or shading. The regrowth is also more weakly attached to the tree and so prone to failure. As there are cars parked below the trees this could result in damage. The trees are not in need of maintenance and so in this situation the correct course of management is not to prune.

6. RECOMMENDATION

6.1 That permission is REFUSED

Contact Officer: Phil Dye
Tel. No. 01454 865859

REFUSAL REASONS

1. The proposed works would be detrimental to the appearance of the tree and the visual amenity of the locality.

Reason

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