



**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. 21/17

Date to Members: 25/05/2017

Member's Deadline: 01/06/2017 (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:

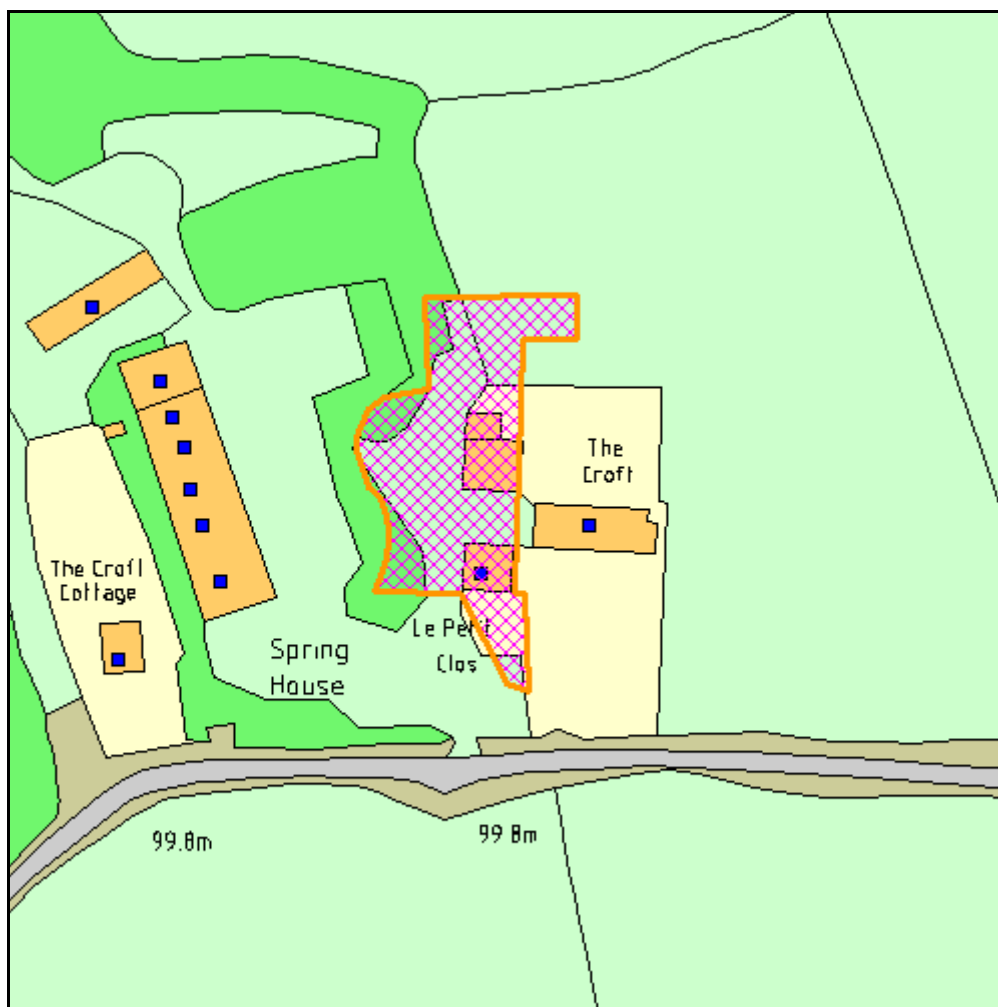
- Before referring an application always speak to the case officer or Area Planning Manager first to see if your concerns can be addressed without the application being referred.
- If you are considering referring in an application outside the ward you represent, as a courtesy, speak to the ward member(s) 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 25 May 2017

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK16/6032/CLE	Approve	Le Petit Clos Bury Hill Lane Yate South Gloucestershire BS37 7QN	Ladden Brook	Wickwar Parish Council
2	PK17/0619/MW	Approve with Conditions	Kingswood Transfer Station Carsons Road Mangotsfield South Gloucestershire	Siston	Siston Parish Council
3	PK17/0699/MW	Approve with Conditions	Yate Sort It Centre (Waste Transfer Station And Household Recycling Centre) Collett Way Great Western Business Park Yate South Gloucestershire BS37 5NL	Ladden Brook	Iron Acton Parish Council
4	PK17/0804/MW	Approve	Kingswood Transfer Station Carsons Road Mangotsfield South Gloucestershire	Siston	Siston Parish Council
5	PK17/1039/RV	Approve with Conditions	Longwell Green Community Centre Shellards Road Longwell Green South Gloucestershire BS30 9DU	Longwell Green	Oldland Parish Council
6	PK17/1241/F	Approve with Conditions	38 Long Handstones Cadbury Heath South Gloucestershire BS30 8AP	Parkwall	Oldland Parish Council
7	PK17/1348/F	Approve with Conditions	153 Burley Grove Mangotsfield South Gloucestershire BS16 5QF	Rodway	None
8	PK17/1485/F	Approve with Conditions	29 Deanery Road Kingswood South Gloucestershire	Kings Chase	None
9	PK17/1548/F	Approve with Conditions	Home Farm Gravel Hill Road Yate South Gloucestershire BS37 7BS	Yate North	Yate Town
10	PT15/4858/F	Approve with Conditions	The Beckspool Building (formerly Known As Burden Centre) Frenchay Park Road Frenchay South Gloucestershire BS16 1JB	Frenchay And Stoke Park	Winterbourne Parish Council
11	PT17/0946/F	Approve with Conditions	Tockington Court Upper Tockington Road Tockington South Gloucestershire	Severn	Olveston Parish Council
12	PT17/0987/F	Approve with Conditions	30 Clyde Road Frampton Cotterell South Gloucestershire BS36 2EE	Frampton Cotterell	Frampton Cotterell Parish Council
13	PT17/1065/F	Approve with Conditions	9 Newtown Charfield Wotton Under Edge South Gloucestershire GL12 8TF	Charfield	Charfield Parish Council
14	PT17/1507/F	Approve with Conditions	9 Denny Isle Drive Severn Beach South Gloucestershire BS35 4PZ	Pilning And Severn Beach	Pilning And Severn Beach Parish Council

CIRCULATED SCHEDULE NO. 21/17 – 25 MAY 2017

App No.:	PK16/6032/CLE	Applicant:	Mr Alex Whitfield
Site:	Le Petit Clos Bury Hill Lane Yate South Gloucestershire BS37 7QN	Date Reg:	4th November 2016
Proposal:	Application for a certificate of lawfulness for existing use of land as residential curtilage associated with a dwelling house known as Le Petit Clos (Class C3 as defined in the Schedule to the Town and Country Planning (Use Classes) Order 1987, as amended).	Parish:	Wickwar Parish Council
Map Ref:	372074 185580	Ward:	Ladden Brook
Application Category:		Target Date:	27th December 2016



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PK16/6032/CLE

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application is referred to the circulated schedule in accordance with the Council's scheme of delegation as it is for a certificate of lawfulness.

1. THE PROPOSAL

- 1.1 This application seeks a certificate of lawfulness for the use of land associated with Le Petit Clos (Class C3 as defined in Town and Country Planning (Use Classes) Order 1987). The area of land in question is the area predominantly to the north and west of the building.
- 1.2 The certificate of lawfulness is sought on the basis that the use of the land as part of the residential curtilage of Le Petit Clos is immune from enforcement action. The claim is made for 2 reasons: firstly, that the land in question has been used as residential for a period in excess of 10 years and under 171B(3) of the Town and Country Planning Act 1990 ("the Act") and therefore, in accordance with section 191(2), the use is lawful; secondly, that there was no material change of use when the land became associated with Le Petit Clos.

2. POLICY CONTEXT

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

3. RELEVANT PLANNING HISTORY

- 3.1 PK15/1891/CLE Approved 03/07/2016
Application for Certificate of Lawfulness for an existing use of The Little Croft (Le Petit Clos) as a separate and independent dwelling.
- 3.2 There is more extensive planning history but it is not considered relevant.

4. SUMMARY OF EVIDENCE IN SUPPORT OF THE APPLICATION

- 4.1 To support this application, the following have been submitted:
 - covering letter
 - statutory declaration of Alex Whitfield
 - statutory declaration of Natalie Welch

5. SUMMARY OF CONTRARY EVIDENCE

- 5.1 A comment has been received from Yate Town Council but it does not constitute evidence.
- 5.2 The local planning authority holds no contrary evidence of its own.

6. OTHER REPRESENTATIONS RECEIVED

6.1 Wickwar Parish Council
None received

6.2 Yate Town Council
“We accept that the majority of the site marked has been used as a residential curtilage; however there is an area at the north east of the site, which sticks out into the adjoining field to the north of the garden of the croft. That has been used in the same way as the rest of the large field to the north and east of The Croft, and has not been used as a residential curtilage. It is of course difficult to prove a negative, but having looked at for example aerial photos, we can see no evidence of residential use. The elaborate paths of the garden of the Croft have a clear end, which is co-terminus with where the fields adjoining the curtilage start and we cannot identify any evidence of the field being used such as to form part of the curtilage”

6.3 Local Residents
None received

7. EVALUATION

7.1 An application for a certificate of lawfulness is not a planning application: it is purely an evidential test and therefore should not be determined against planning policy or on planning merit. The test to be applied is whether the application has demonstrated, through precise and unambiguous evidence, that (in this instance) the existing use of the land as residential curtilage associated with Le Petit Clos is lawful.

7.2 Breach of Planning Control
In order to establish whether a particular development is lawful, a breach in planning control must usually first be identified. This is where this application is different from the usual applications for certificates. In this instance, a certificate is sought to confirm the extent of the curtilage associate with Le Petit Clos.

7.3 A breach of planning control would only be found had the land in question not had a residential use and a *change of use* had occurred. The local planning authority holds aerial photographs of the site dating back to 1991 with the latest edition dating from 2014. These photographs are not overly clear and do not definitively show one way or another what the use of the land was. However, what they do demonstrate is that, from above, the land appears similar in use throughout.

7.4 This is important as it confirms that there is no evidence to suggest that a change of use of the land has occurred recently. Therefore, any evidence presented in the statutory declarations accompanying the application on this matter can be given full and proper weight.

- 7.5 The evidence provided by Natalie Welch covers a longer period than the aerial photographs having intimate knowledge of the site dating from circa 1980. Ms Welch states that this land has ‘for many years’ formed part of the residential use of land associated with The Croft. Whilst this may suggest that there was at some point a change of use of the land, it is not clear as to when. Considering this in light of the aerial photographs, it can only be concluded that the land was in a residential use prior to 1991 and that when the residential use started is ambiguous although possible that it had always had a residential use.
- 7.6 Therefore, on the balance of probability, the land in question has – historically – and certainly for longer than the 10 year period required under s171B(3) to be lawful, be used for residential purposes. As such, this must be considered the lawful use of the land.
- 7.7 Given that the land in question has been concluded to be in a residential use, the next question is whether it can be lawfully be associated with Le Petit Clos in its own right as an independent residential dwelling.
- 7.8 Under certificate PK15/1891/CLE it was found that Le Petit Clos was an independent residential dwelling. As such it had a use within Class C3 of the schedule to the Use Classes Order. Given that the land in question was within a C3 use and the use of the land by Le Petit Clos would remain in a C3 use, there has been no material change of use and therefore no breach of planning control.
- 7.9 Summary
Certificates of lawfulness for existing uses are covered in section 191 of the Act. Section 191(2) states:
- For the purposes of this Act uses and operations are lawful at any time if -*
(a) no enforcement action may then be taken in respect of them (whether because they did not involve development or require planning permission or because the time for enforcement action has expired or for any other reason); [...]
- 7.10 Paragraph 17c-006-20140306 of the National Planning Policy Guidance states:
- In the case of applications for existing use, if a local planning authority has no evidence itself, nor any from others, to contradict or otherwise make the applicant’s version of events less than probable, there is no good reason to refuse the application, provided the applicant’s evidence alone is sufficiently precise and unambiguous to justify the grant of a certificate on the balance of probability.*
- 7.11 There is no evidence of any particular weight which would suggest that a change of use of the land has occurred since 1991 and evidence that would support the use of the land for a period from an earlier date. As the land is within a residential use, there is no material change of use and the use of the land in association with one dwelling or another does not require permission as it is not development (in terms of the definition contained within section 55 of the Act).

7.12 It is therefore considered that the use of the land as residential garden (Use Class C3 as defined in the Town and Country Planning (Use Classes Order) 1987 as amended) would be immune from enforcement action by virtue of section 171B(3) of the Act and under section 191(2) a certificate of lawfulness should be granted.

7.13 Other Matters

While the comments of Yate Town Council are noted in respect of this application, they are based on aerial photographs. For the purposes of determining this application for the reasons discussed above, aerial photographs are not sufficiently unambiguous to weigh against the applicant's version of events.

8 RECOMMENDATION

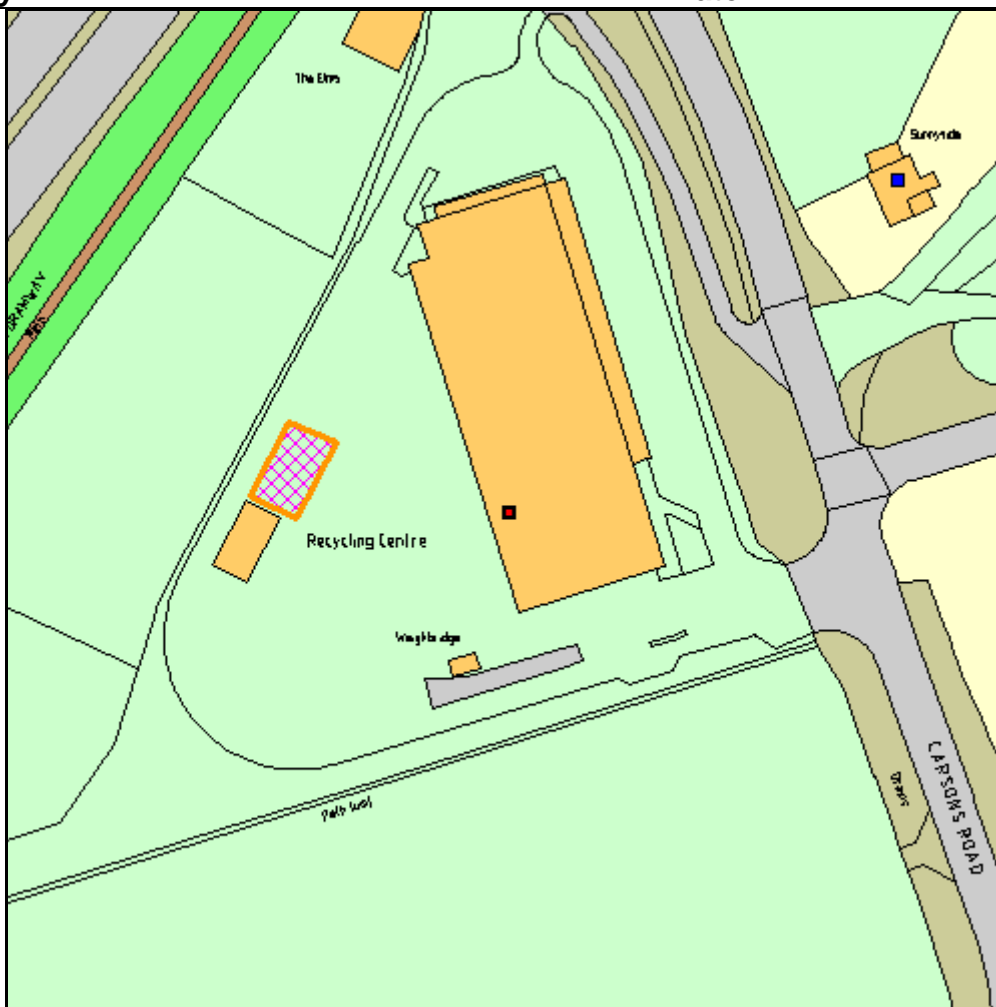
8.1 It is recommended that a Certificate of Lawfulness is GRANTED for the reason listed below.

Contact Officer: Griff Bunce
Tel. No. 01454 863438

On the balance of probabilities, the land in question has historically been used for residential purposes (Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, as amended). Therefore the use of the land in association with Le Petit Clos (rather than The Croft) would not constitute development within the terms of the definition of development within section 55 of the Town and Country Planning Act 1990. The use of the land as described above is therefore lawful by virtue of Section 191(2) of the Act.

CIRCULATED SCHEDULE NO. 21/17 – 25 MAY 2017

App No.:	PK17/0619/MW	Applicant:	Suez Recycling And Recovery Ltd
Site:	Kingswood Transfer Station Carsons Road Mangotsfield Bristol South Gloucestershire BS16 9LL	Date Reg:	20th February 2017
Proposal:	Variation of condition 2, 4 and 5 attached to permission PK16/4745/MW to allow the importation of material from and delivery of containers to other household recycling centres between 08.00 and 20.00 on Sundays and amendments to drainage provision.	Parish:	Siston Parish Council
Map Ref:	366756 174854	Ward:	Siston
Application Category:		Target Date:	16th May 2017



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PK17/0619/MW

INTRODUCTION

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

1. THE PROPOSAL

- 1.1 The application seeks consent for the variation of conditions 2, 4 and 5 attached to permission PK16/4745/MW to allow the importation of material from and delivery of containers to other household recycling centres between 08.00 and 20.00 on Sundays and amendments to drainage provision.
- 1.2 Application reference PK16/4745/MW was for the variation of condition 2 of planning permission PK14/0614/MW waste transfer station, to no operations between 06.00 and 18.00 Monday to Friday and 07.00 and 16.30 on Saturdays. No operations Sunday. No external tipping or loading between 07.00 to 17.00 Mondays to Friday 07.00 to 12.00 on Saturday and no time Sundays. To vary operating hours to allow the site to operate, including external works until 20.00 Monday to Friday.

A full breakdown of historic consents is provided in the planning history section below.

Condition 2 of the permission states:

'Except for the purposes of repair, maintenance or other emergency which shall be notified to the Council as soon as practicable:

- (a) no operations shall be carried out on the site in connection with the household waste recycling centre other than between the hours of 08.00 and 20.00, on any day;*
- (b) no operations shall be carried out on the site in connection with the waste transfer station other than between the hours of 06.00 and 20.00, Monday to Friday and 07.00 and 16.30 on Saturdays. No operations shall take place on Sundays.*
- (c) no external tipping or loading of materials shall be carried out other than between the hours of 07.00 to 20.00, Mondays to Fridays, 07.00 - 12.00 midday on Saturdays and at no time on Sundays*

Condition 4 of that permission states:

'There shall be no discharge of foul or contaminated drainage or trade effluent from the site into either groundwater or surface waters, whether direct or via soakaways.'

Condition 5 of that permission states:

'All foul drainage shall be connected to and contained within a sealed and watertight cesspool, fitted with a level warning device to indicate when tanks need emptying.'

- 1.3 In conjunction with application PK16/4745/MW, a separate planning application was approved in November 2016 for the development of 7 storage bays and a covered washdown area at the site, reference PK16/4749/MW, see below. The planning application included a revised drainage scheme and it has become apparent that this is in conflict with planning conditions 4 and 5 attached to PK16/4745/MW which regulate drainage from the site. This Section 73 application, therefore, seeks the amendment or removal of planning conditions 4 and 5 attached to permission PK16/4745/MW to ensure that it is compatible with the drainage scheme approved as part of permission PK16/4749/MW.
- 1.4 In addition to the above amendment, all of the South Gloucestershire Council Household Waste Recycling Centres (HWRC's) (also referred to as the 'Sort It Centres') operate on a Sunday. However, Mangotsfield (or Yate) Waste Transfer Stations have consent to operate on a Sunday, which means that neither site can accept skips from Little Stoke or Thornbury on a Sunday. As the HWRC's are required to segregate a greater range of materials and serve a greater number of households, Little Stoke and Thornbury do not have sufficient space to store full skips on a Sunday. In order to continue to offer a full recycling range to householders it is essential that these facilities can replace full containers on a Sunday, which is one of the busiest days of the week. This Section 73 application, therefore, seeks to amend planning condition 2 in order that Mangotsfield WTS can accept full skips from the HWRC's on a Sunday. The amendment to condition 2 would permit vehicles from other Little Stoke and Thornbury HWRC's to deposit full containers and deliver empty containers on a Sunday. This is only envisaged to result in approximately 6 Roll on Roll off (RoRo) vehicle movements over the course of the Sunday, which is less than one per hour. The proposed amendment to condition 2 would read as follows:

'Except for the purposes of repair, maintenance or other emergency which shall be notified to the Council as soon as practicable:

- (a) *no operations shall be carried out on the site in connection with the household waste recycling centre other than between the hours of 08.00 and 20.00, on any day;*
- (b) *no operations shall be carried out on the site in connection with the waste transfer station other than between the hours of 06.00 and 20.00, Monday to Friday and 07.00 and 16.30 on Saturdays. No operations shall take place on Sundays - with the exception of the import of materials from, and delivery of containers to, other South Gloucestershire household waste recycling centres, between the hours of 08:00 and 20:00.*

(c) *no external tipping or loading of materials shall be carried out other than between the hours of 07.00 to 20.00, Mondays to Fridays, 07.00 - 12.00 midday on Saturdays and at no time on Sundays*

1.5 The site itself is an existing waste transfer station as well as a civic amenity 'sort-it' centre, open to the public. The site is a triangular shaped parcel of land, approximately 0.9 hectares in area, comprising the waste transfer station/household waste recycling centre building, site office, weighbridge, hardstanding and access around the site. The site is accessed directly of Carson's Road, which connects directly to the A4174 ring road. There are few properties within the immediate vicinity of the site, however nearest residential properties are located along the opposite side of Carson's Road. The next nearest properties are located within a relatively modern housing development to the north west of the site, on the other side of the ring road. The site is located within the Green Belt.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework
National Planning Policy Guidance
National Waste Management Plan

2.2 Development Plans

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

West of England Joint Waste Core Strategy (Adopted) March 2011

Policy 1 – Waste Prevention
Policy 2 - Non-residual waste treatment facilities
Policy 11 – Planning Designations
Policy 12 – General Considerations

2.3 Supplementary Planning Guidance

Development in the Green Belt SPD 2006

3. RELEVANT PLANNING HISTORY

3.1 K2118 – Siting of skips for refuse collection, waste oil tank and timber hut on concrete hardstanding and erection of 6ft high security fence and alter existing vehicular and pedestrian access. Approved 9th March 1978.

3.2 K2118/4 – Erection of new waste reception and compactor building. Approved 2nd November 1983

3.3 K2118/6 – Continued use of waste transfer station, civic amenity site and waste incinerator . Approved 10th April 1992

- 3.4 K2118/7 – Provision of steel civic amenity storage bins, recycling bins, attendants office and associated internal traffic management system. Approved 15th February 1993.
- 3.5 PK03/1585/F – Redevelopment of existing waste transfer station and household waste recycling centre. Approved 25th September 2003.
- 3.6 PK07/2248/F – Engineering works to construct hardstanding. Approved 11th September 2007.
- 3.7 PK12/4158/MW - Variation of Condition 6(b) attached to planning permission PK03/1585/F to state no operations shall be carried out on the site in connection with the waste transfer station other than between 0700 and 1630 on Saturdays. No operations shall take place Sundays. Approved 14th March 2013.
- 3.8 PK14/0614/MW - Variation of Condition 8 attached to planning permission PK12/4158/MW to allow external storage of mixed plastics and waste wood delivered to site by members of the public. Approved 28th April 2014.
- 3.9 PK16/4749/MW – Erection of 7no. storage bays and covered washdown area, erection of relocated office building and installation of pit mounted weighbridge with associated works. Approved 2nd November 2016
- 3.10 PK16/4745/MW - variation of condition 2 of planning permission PK14/0614/MW waste transfer station, to no operations between 06.00 and 18.00 Monday to Friday and 07.00 and 16.30 on Saturdays. No operations Sunday. No external tipping or loading between 07.00 to 17.00 Mondays to Friday 07.00 to 12.00 on Saturday and no time Sundays. To vary operating hours to allow the site to operate, including external works until 20.00 Monday to Friday. Approved 11th November 2016.
- 3.11 PK17/0804/MW – Siting of two storey portakabin with external staircase. Currently under consideration.

4. CONSULTATION RESPONSES

- 4.1 Siston Parish Council
Members are greatly concerned at every such proposed increase in heavy vehicle visits to this site, knowing the approach roads from each direction have proven totally inadequate to accommodate regular weekend queuing.

Environmental Protection

No objection in principle, recommends that a limit on the number of ro-ro vehicle delivery/collections on a Sunday is stipulated. This will ensure that the activity does not intensify to a level that may cause adverse affects to nearby residents.

Landscape Officer

No comment

Public Rights of Way

No objection.

Lead Local Flood Authority

No objection in principle to this application subject to the following comments.

I don't believe the Drainage and Flood Risk Management Team were consulted in regards to the new proposed drainage strategy as presented on WE04220 C 102 Proposed Drainage Strategy submitted through PK16/4749/MW.

However, a Package Sewage Treatment Plant is preferable to a cesspool. The approved drainage strategy has removed the cesspool, and replaced it with a package sewage treatment plant which outfalls to the ditch/watercourse. There will no longer be a cesspool and so condition 5 can be removed. Note an environmental permit may be required from the Environment Agency in regards to the discharge from the package sewage treatment plant.

In regards to condition 4, a package sewage treatment plant provides levels of treatment to the effluent, treated effluent can be discharged to ground or surface waters. Condition 4 can be removed. Note an environmental permit may be required from the Environment Agency.

Highways Drainage

No comments

Other Representations

4.2 Local Residents

No comments received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The principle of the use of the site as a waste transfer station and civic amenity site is established. The site history section shows the numerous previous consents alluding to this. The principle of the sites use therefore is neither in question nor subject to this application. The proposal is a section 73 application to vary conditions restricting operational use. The issue for consideration is therefore whether these variations to condition to remove/alter drainage requirements and allow for flexibility to allow deliveries of and export of containers from other HWRC sites during Sundays, would in its own right give rise to any significant or material impacts over and above the existing site. In this respect it is considered that the main consideration would be that of local amenity.

5.2 Green Belt

The use of the site as a waste transfer station/civic amenity facility is well established and illustrated through previous consents. It is not considered the variation of condition for use within the existing operational site would have any additional impact upon the Green Belt context of the site.

5.3 Local Amenity

The site must be viewed in context with its existing use as an existing transfer station and civic amenity site. It is of note that the site is located immediately adjacent to the Avon Ring Road, and indeed this lies between the site and the main area of modern housing to the north west. The use of the site as a waste transfer station/civic amenity facility is well established and illustrated through previous consents. The issue for consideration is therefore the amenity impact associated with the proposed change to condition 2 i.e. to allow container deliveries and exports from and to other HWRC sites. The site itself is also a HWRC and as such is already operational on a Sunday. Sunday is also considered to be one of the busier days. It is not considered that the introduction of collection and delivery of containers as proposed and the anticipated levels of additional movements this would introduce any significant or additional material impact. On the basis of the above and taking into account the specific requirements and limits of the proposed variation, it is not considered a further specific limit on individual vehicle types is necessary or justified. It is not considered the variation of condition would have any significant or demonstrable material impact upon local amenity such as to warrant or sustain objection and refusal of the planning application.

5.4 Highways

Access to and use of the site for public vehicles and waste vehicles is well established. It is not considered that the anticipated level of movements associated with and limited to the proposed variation to Condition 2 is significant or would have a material or impact upon the local highway network.

5.5 Drainage

It is considered that given the existence of a newer, revised drainage infrastructure, beyond the measures to which the drainage conditions relate, the conditions are no longer necessary. Any discharge would require control through an Environmental Permit. There are no drainage objections to the proposals and it is considered that the conditions (4 and 5), relating to drainage can be removed.

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 principle of the site for use as a waste transfer station is already established. It is considered that given the nature of the variation proposed, the sites existing context, location and relationship with the surrounding area, that the proposed variations of condition would not give rise to any significant or

material amenity impacts and that they would accord with Policies 2, 11 and 12 of the West of England Joint Waste Core Strategy (Adopted) March 2011.

- 6.3 The recommendation to grant permission has been taken having regard to the policies and proposals in the West of England Joint Waste Core Strategy (Adopted) March 2011, set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 That planning permission is granted

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. Except for the purposes of repair, maintenance or other emergency which shall be notified to the Council as soon as practicable:

(a) no operations shall be carried out on the site in connection with the household waste recycling centre other than between the hours of 08.00 and 20.00, on any day;

(b) no operations shall be carried out on the site in connection with the waste transfer station other than between the hours of 06.00 and 20.00, Monday to Friday and 07.00 and 16.30 on Saturdays. No operations shall take place on Sundays - with the exception of the import of materials from, and delivery of containers to, other South Gloucestershire household waste recycling centres, between the hours of 08:00 and 20:00.

(c) no external tipping or loading of materials shall be carried out other than between the hours of 07.00 to 20.00, Mondays to Fridays, 07.00 - 12.00 midday on Saturdays and at no time on Sundays

Reason:

In the interests of the amenity of the area and to accord with Policy 12 of the West of England Joint Waste Core Strategy (Adopted) March 2011

3. All plant and machinery shall operate only in the permitted hours as approved under condition 2 above, except in emergency (to which the Local Planning Authority should be made aware as soon as is practicable), and shall be silenced at all times in accordance with the manufacturers recommendation

Reason:

To protect the amenities of the local area and to accord with Policy 12 of the West of England Joint Waste Core Strategy (Adopted) March 2011

4. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls with a capacity of at least 110% and there should be no working connections outside of the bund.

Reason:

To prevent pollution of the water environment and to accord with Policy 12 of the West of England Joint Waste Core Strategy (Adopted) March 2011.

5. No vehicles shall enter the public highway unless it's wheels and chassis are clean from dirt, waste and any other debris or dust.

Reason:

To prevent materials from being deposited on the highway, in the interests of highway safety, and to accord with Policy 12 of the West of England Joint Waste Core Strategy (Adopted) March 2011.

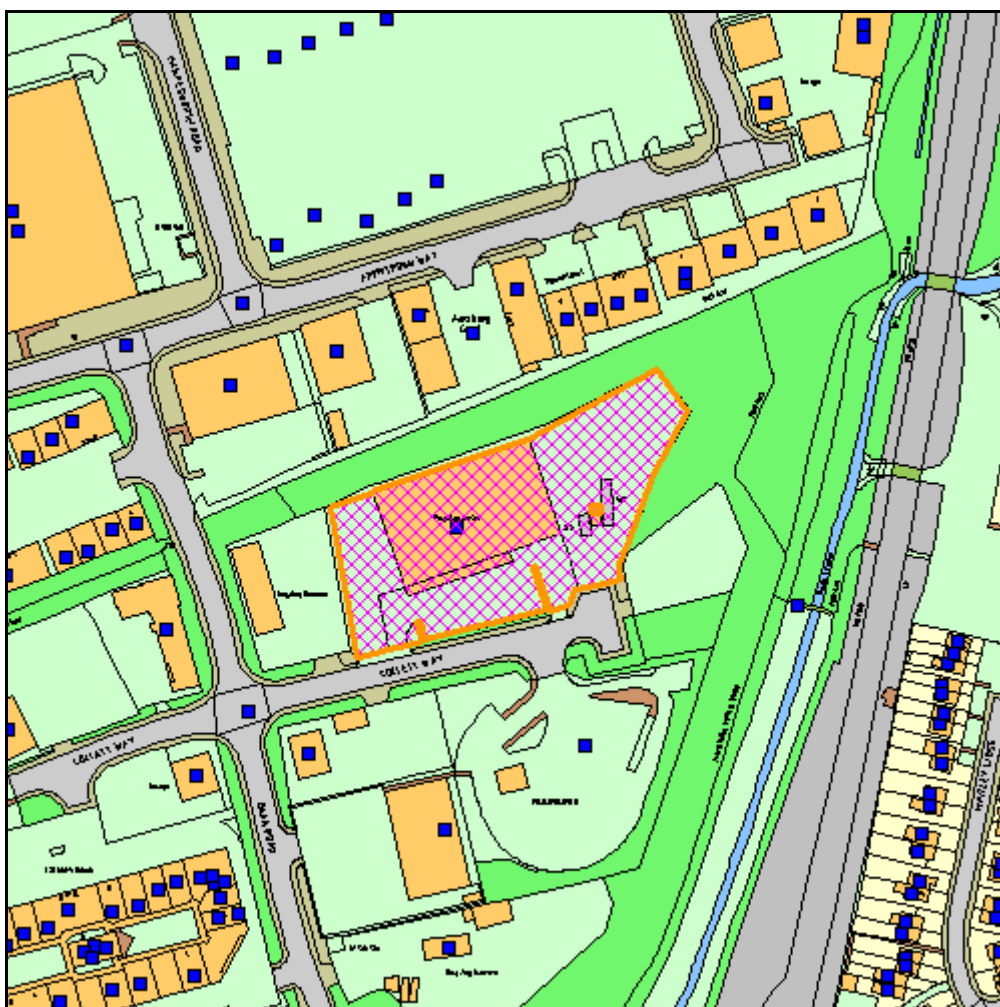
6. Other than as permitted by the approved plans, the subject of consent references PK03/1585/F and PK07/2248/F and PK14/0614/F, there shall be no outside storage of materials.

Reason:

In the interests of the visual amenity and safety of the area and to accord with Policies 11 and 12 of the West of England Joint Waste Core Strategy (Adopted) March 2011.

CIRCULATED SCHEDULE NO. 21/17 – 25 MAY 2017

App No.:	PK17/0699/MW	Applicant:	Suez Recycling And Recovery Ltd
Site:	Yate Sort It Centre (Waste Transfer Station And Household Recycling Centre) Collett Way Great Western Business Park Yate South Gloucestershire BS37 5NL	Date Reg:	22nd February 2017
Proposal:	Variation of condition 5(b) attached to planning permission PK01/2516/RM to allow operations between the hours of 0800 and 2000. (Retrospective).	Parish:	Iron Acton Parish Council
Map Ref:	370154 183249	Ward:	Ladden Brook
Application Category:	Major	Target Date:	19th May 2017



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PK17/0699/MW

INTRODUCTION

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

1. THE PROPOSAL

- 1.1 The application seeks consent for the variation of condition 5(b) attached to planning permission PK01/2516/RM to allow operations between the hours of 0800 and 2000. The application is retrospective.
- 1.2 Application reference PK01/2516/RM was for the erection of a waste transfer station and household waste recycling centre (Reserved Matters). A full breakdown of historic consents is provided in the planning history section below.

Condition 5 of the permission states:

Except for the purposes of repair, maintenance or other emergency which shall be notified to the Local Planning Authority as soon as practicable:(a) no operations shall be carried out on the site in connection with the household waste recycling centre except between the hours of 0800 to 2000 Monday to Sunday.(b) no operations shall be carried out on the site in connection with the waste transfer station except between the hours of 0600 to 1800 Monday to Saturday. No operations shall take place on Sundays.

- 1.3 The proposed variation to condition 5(b) is to allow Yate WTS (Waste Transfer Station) to receive containers of waste materials from, and deliver empty containers to, other South Gloucestershire Household Waste Recycling Centres (HWRC's), between the hours of 08:00 and 20:00 on Sundays. All of South Gloucestershire Council's HWRC's are permitted to operate on a Sunday between the hours of 08:00 and 20:00. Sundays are regularly one of the busiest days of the week for HWRC's in South Gloucestershire, and two of the HWRCs (Little Stoke and Thornbury) do not have sufficient space on site to store full skips on a Sunday for transportation to the WTS on Mondays. However, neither of the Council's two WTS's (Yate WTS and Mangotsfield WTS) are currently permitted to operate on a Sunday.

The proposed amendment to condition 5 would read as follows:

Except for the purposes of repair, maintenance or other emergency which shall be notified to the Local Planning Authority as soon as practicable:(a) no operations shall be carried out on the site in connection with the household waste recycling centre except between the hours of 0800 to 2000 Monday to Sunday.(b) no operations shall be carried out on the site in connection with the waste transfer station except between the hours of 0600 to 1800 Monday to Saturday - with the exception of the import of materials from, and delivery of containers to, other South Gloucestershire household waste recycling centres, between the hours of 08:00 and 20:00 on Sundays.

- 1.4 Yate HWRC, which operates on the same site at Yate WTS, is permitted to operate between 08:00 and 20:00 hours on a Sunday. At both Yate and Mangotsfield WTS's, the WTS and HWRC share the same shed and are permitted to operate under the same planning permission, with only the operating hours split into the two separate activities. Members of the public already therefore deposit household waste through openings in the building façade for HWRC activities on a Sunday until 20:00 at Yate and Mangotsfield HWRC's. Little Stoke and Thornbury HWRC's are smaller scale facilities and make use of skips and containers. When the containers are full, there is a need for Roll on Roll Off vehicles (RoRo vehicles) attend the site with an empty container and remove the full container to either Yate or Mangotsfield WTS's. Approximately, only 6 RoRo vehicles with waste material access the site and then leave with an empty container on a Sunday, a total of 12 vehicle movements (access and egress). This equates to approximately one vehicle movement per hour. The application is not proposing to operate the WTS beyond the currently permitted hours of operation of the HWRC. The activities proposed in this application relate only to the movement of HWRC waste. On a Sunday, waste will only be received with no bulking or onward transportation occurring. No other activities are proposed. It should be noted that there are a number of condition on the original consent, however a significant proportion relate to the design and construction stages pre-commencement of the use of the site from 2001, and are therefore no longer relevant. Where other conditions remain relevant they can be brought forward on any new decision.
- 1.5 The application site comprises a recycling centre, which is accessed off Collett Way within the Great Western Business Park. The site consists of a Household Waste Recycling Centre and a Waste Transfer Station with associated access roads, which are elevated above the street. The site is located within the defined Yate settlement boundary.
- 1.6 A belt of trees are located on the northern and eastern boundaries of the site. A railway line and residential properties are located further east; industrial development is located to the north, west and south of the site. A public right of way extends to the north.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework
National Planning Policy Guidance
National Waste Management Plan

2.2 Development Plans

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

West of England Joint Waste Core Strategy (Adopted) March 2011

Policy 1 – Waste Prevention

Policy 2 - Non-residual waste treatment facilities

Policy 11 – Planning Designations

Policy 12 – General Considerations

- 2.3 Supplementary Planning Guidance
Development in the Green Belt SPD 2006

3. RELEVANT PLANNING HISTORY

- 3.1 P99/2003, erection of buildings for processing and storage of recycling equipment and materials. External storage of waste materials and recycling equipment. Erection of building(s) for office and mess facilities, vehicle servicing/repairs and workshops. Associated parking of waste management and staff vehicles. (Outline), approval, 02/09/99.
- 3.2 PK01/2516/RM, erection of waste transfer station and household waste transfer station and household waste recycling centre (reserved matters), approval, 03/01/02.
- 3.3 PK14/0304/F – Installation of 2no cameras to existing column. Approved 3rd March 2014.

4. CONSULTATION RESPONSES

- 4.1 Iron Acton Parish Council
No comments received

Yate Town Council (neighbouring parish)
No objection

Sustainable Transportation

We note the proposal is to alter condition 5 of the 2001 application (PK01/2516/RM) to enable the Waste Transfer Station element of the facility to operate on Sundays: it would be limited to moving materials between other South Gloucestershire waste recycling centres, and would operate within the operational hours of the Household Waste Recycling Centre (08:00 to 20:00) element of the facility.

We note that the site is located within an industrial area in Yate to the west side of the main Bristol/ Birmingham railway line, with a large residential area to the west of the railway line. The highway network from the site leads either follows the railway south to the A432, or west, both away from the residential area. The supporting statement suggests that up to 12 HGV movements per Sunday are estimated (6 to, and 6 from the site), and at these levels will be significant to the operation of the highway network. The proposal could not be considered to have a severe impact in transport terms (ref para 32 of the NPPF), and we therefore have no objection to the proposed variation.

Environmental Protection

No objection, the condition proposed by Suez:

“no operations shall be carried out on the site in connection with the waste transfer station except between the hours of 0600 to 1800 Monday to Saturday, with the exception of the import of materials from, and delivery of containers to,

other South Gloucestershire household waste recycling centres, between the hours of 08:00 and 20:00 on Sundays.”

This is on the basis that there will be no other activities being undertaken such as bulking or onward transportation of the waste as per the supporting planning statement.

Other Representations

4.2 Local Residents

One letter of objection has been received, summarised as follows:

- there is already a great deal of noise from the sites and impacts upon nearby homeowners
- the smell that comes from there at times is totally disgusting to the point we have to avoid sitting in the garden and close windows
- any extended opening times on either Sita site would mean that noise and smell would be increased
- longer opening hours should definitely not be allowed.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The principle of the use of the site as a waste transfer station and civic amenity site is established. The site history section shows the numerous previous consents alluding to this. The principle of the sites use therefore is neither in question nor subject to this application. The proposal is a section 73 application to vary conditions restricting operational use. The issue for consideration is therefore whether these variations to condition to remove/alter drainage requirements and allow for flexibility to allow deliveries of and export of containers from other HWRC sites during Sundays, would in its own right give rise to any significant or material impacts over and above the existing site. In this respect it is considered that the main consideration would be that of local amenity. No other changes are proposed.

5.2 Local Amenity

The site must be viewed in context with its existing use as an existing transfer station and civic amenity site. The use of the site as a waste transfer station/civic amenity facility is well established and illustrated through previous consents. The issue for consideration is therefore the amenity impact associated with the proposed change to condition 5 i.e. to allow container deliveries and exports from and to other HWRC sites. The site itself is also a HWRC and as such is already operational on a Sunday. Sunday is also considered to be one of the busier days. It is not considered that the introduction of collection and delivery of containers as proposed between these times when the site as a whole is already in public use, and the anticipated levels of additional movements this would introduce would give rise to any significant or additional material local amenity impact. On the basis of the above and taking into account the specific requirements and limits of the proposed variation, it is not considered a further specific limit on individual vehicle types is necessary or justified. It is not considered the variation of condition would have

any significant or demonstrable material impact upon local amenity such as to warrant or sustain objection and refusal of the planning application.

5.3 Highways

Access to and use of the site for public vehicles and waste vehicles is well established. It is not considered that the anticipated level of movements associated with and limited to the proposed variation to Condition 5 is significant or would have a material or impact upon the local highway network.

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 principle of the site for use as a waste transfer station is already established. It is considered that given the nature of the variation proposed, the sites existing context, location and relationship with the surrounding area, that the proposed variations of condition would not give rise to any significant or material amenity impacts and that they would accord with Policies 2, 11 and 12 of the West of England Joint Waste Core Strategy (Adopted) March 2011.
- 6.3 The recommendation to grant permission has been taken having regard to the policies and proposals in the West of England Joint Waste Core Strategy (Adopted) March 2011, set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 That planning permission is granted

Contact Officer: Simon Ford
Tel. No. 01454 863714

CONDITIONS

1. Except for the purposes of repair, maintenance or other emergency which shall be notified to the Local Planning Authority as soon as practicable:(a) no operations shall be carried out on the site in connection with the household waste recycling centre except between the hours of 0800 to 2000 Monday to Sunday.(b) no operations shall be carried out on the site in connection with the waste transfer station except between the hours of 0600 to 1800 Monday to Saturday - with the exception of the import of materials from, and delivery of containers to, other South Gloucestershire household waste recycling centres, between the hours of 08:00 and 20:00 on Sundays.

Reason:

In the interests of the amenity of the area and to accord with Policy 12 of the West of England Joint Waste Core Strategy (Adopted) March 2011

2. No vibration type screens shall be used on the site for the purpose of the sorting or processing of waste material.

Reason:

In the interests of the amenity of the area and to accord with Policy 12 of the West of England Joint Waste Core Strategy (Adopted) March 2011

3. All plant and machinery shall operate only in the permitted hours as approved under condition 1 above, except in emergency, and shall be silenced at all times in accordance with the manufacturers' recommendations.

Reason:

In the interests of the amenity of the area and to accord with Policy 12 of the West of England Joint Waste Core Strategy (Adopted) March 2011

4. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls, details of which shall be submitted to the Local Planning Authority for approval. The volume of the bund compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, or the combined capacity of inter connected tanks, plus 10% or 25% of the total volume which could be stored at any one time, whichever is the greater. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground wherever possible and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards to the bund.

Reason:

To prevent pollution of the water environment and to accord with Policy 12 of the West of England Joint Waste Core Strategy (Adopted) March 2011.

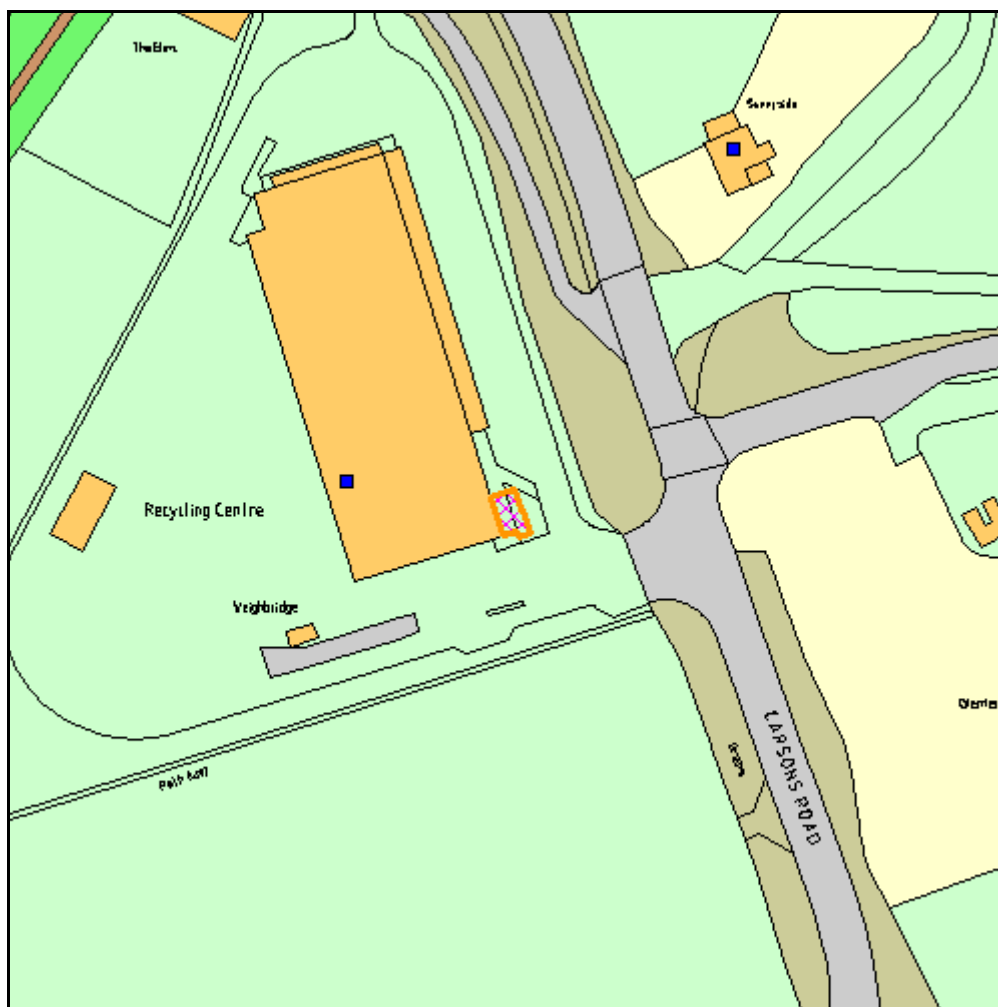
5. There shall be no discharge of foul or contaminated drainage or trade effluent from the site into either groundwater or any surface waters, whether direct or via soakaways.

Reason:

To prevent pollution of the water environment and to accord with Policy 12 of the West of England Joint Waste Core Strategy (Adopted) March 2011.

CIRCULATED SCHEDULE NO. 21/17 – 25 MAY 2017

App No.:	PK17/0804/MW	Applicant:	Suez Recycling And Recovery UK Ltd
Site:	Kingswood Transfer Station Carsons Road Mangotsfield Bristol South Gloucestershire BS16 9LL	Date Reg:	20th March 2017
Proposal:	Siting of two storey portakabin with external staircase. (Retrospective)	Parish:	Siston Parish Council
Map Ref:	366756 174854	Ward:	Siston
Application Category:	Minor	Target Date:	14th June 2017



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PK17/0804/MW

1. THE PROPOSAL

- 1.1 The application seeks permission for the siting of a two storey portakabin with external staircase for office and welfare use. This is located in the north west of the site, towards the entrance. The portakabin has now since been put on the site and the consideration in this respect is retrospective.
- 1.4 The site itself is an existing waste transfer station as well as a civic amenity 'sort-it' centre, open to the public. The site is a triangular shaped parcel of land, approximately 0.9 hectares in area, comprising the waste transfer station/household waste recycling centre building, site office, weighbridge, hardstanding and access around the site. The site is accessed directly of Carson's Road, which connects directly to the A4174 ring road. There are few properties within the immediate vicinity of the site, however nearest residential properties are located along the opposite side of Carson's Road. The next nearest properties are located within a relatively modern housing development to the north west of the site, on the other side of the ring road. The site is located within the Green Belt.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework
National Planning Policy Guidance
National Waste Management Plan
- 2.2 Development Plans
South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design
- West of England Joint Waste Core Strategy (Adopted) March 2011
Policy 1 – Waste Prevention
Policy 2 - Non-residual waste treatment facilities
Policy 11 – Planning Designations
Policy 12 – General Considerations
- 2.3 Supplementary Planning Guidance
Development in the Green Belt SPD 2006

3. RELEVANT PLANNING HISTORY

- 3.1 K2118 – Siting of skips for refuse collection, waste oil tank and timber hut on concrete hardstanding and erection of 6ft high security fence and alter existing vehicular and pedestrian access. Approved 9th March 1978.
- 3.2 K2118/4 – Erection of new waste reception and compactor building. Approved 2nd November 1983
- 3.3 K2118/6 – Continued use of waste transfer station, civic amenity site and waste incinerator . Approved 10th April 1992

- 3.4 K2118/7 – Provision of steel civic amenity storage bins, recycling bins, attendants office and associated internal traffic management system. Approved 15th February 1993.
- 3.5 PK03/1585/F – Redevelopment of existing waste transfer station and household waste recycling centre. Approved 25th September 2003.
- 3.6 PK07/2248/F – Engineering works to construct hardstanding. Approved 11th September 2007.
- 3.7 PK12/4158/MW - Variation of Condition 6(b) attached to planning permission PK03/1585/F to state no operations shall be carried out on the site in connection with the waste transfer station other than between 0700 and 1630 on Saturdays. No operations shall take place Sundays. Approved 14th March 2013.
- 3.8 PK14/0614/MW - Variation of Condition 8 attached to planning permission PK12/4158/MW to allow external storage of mixed plastics and waste wood delivered to site by members of the public. Approved 28th April 2014.
- 3.9 PK16/4745/MW – Variation of condition 2 of planning permission PK14/0614/MW waste transfer station, no operations between 06.00 and 18.00 Monday to Friday and 07.00 and 16.30 on Saturdays. No operations Sunday. No external tipping or loading between 07.00 to 17.00 Mondays to Friday 07.00 to 12.00 on Saturday and no time Sundays. To vary operating hours to allow the site to operate, including external works until 20.00 Monday to Friday. Approved 11th November 2016
- 3.10 Variation of condition 2, 4 and 5 attached to permission PK16/4745/MW to allow the importation of material from and delivery of containers to other household recycling centres between 08.00 and 20.00 on Sundays and amendments to drainage provision. Currently under consideration.

4. CONSULTATION RESPONSES

- 4.1 Siston Parish Council
No comments received

Environmental Protection
No adverse comments

Sustainable Transportation
No transport objections

Landscape Officer

It is felt that the proposal will not have a significant impact on the current landscape character of the location and the development will be largely screened by existing landscape boundary planting.

In order to help the proposed portakabins blend with the existing shed, and form a more cohesive group, it is recommended they be the same light grey colour.

Drainage

No objection

Other Representations

4.2 Local Residents

One letter of objection has been received on the basis of the following:

- the two storey portacabin is already in place?
- there has been an increase in noise over recent weeks, this is due to on site development
- there is a strong objection to the planned changes to the site and its operating hours being increased

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The principle of the use of the site as a waste transfer station and civic amenity site is established. The site history section shows the numerous previous consents alluding to this. The principle of the sites use therefore is neither in question nor subject to this application. The proposal is for the. The issue for consideration is therefore whether the development proposed would in its own right give rise to any significant or material impacts over and above the existing site.

5.2 Green Belt

Policy 2 of the JWCS states that planning permission for waste treatment facilities involving storage, transfer, recovery and processing activities, subject to development management policies, will be granted on previously developed land and at existing waste management sites. Policy 11 states that planning permission would not be granted for waste related development where this would have a significant adverse impact upon the Green Belt. The NPPF states that limited infilling or the partial or complete redevelopment of previously developed sites, which would not have greater impact upon the openness of the Green Belt and the purposes of including land within it than the existing development can be considered as appropriate within the Green Belt.

5.3 The use of the site as a waste transfer station/civic amenity facility is well established and illustrated through previous consents. The proposals would be entirely within the established site on areas of land currently used for waste purposes and the associated activity. It is not considered on the basis of the above, and in context with the existing site, that the proposals incorporating the addition of the portakabin, wholly within the existing operational site would have any additional or adverse impact upon the openness of the Green Belt.

5.4 Visual Amenity

The proposals would be wholly within an existing waste management facility. The proposed buildings would further house activity and waste

operations occurring within that site. Their addition, including design, scale and location would not be considered to give rise to material visual amenity or landscape impact at this location.

5.5 Local Amenity

The site must be viewed in context with its existing use as an existing transfer station and civic amenity site. It is of note that the site is located immediately adjacent to the Avon Ring Road, and indeed this lies between the site and the main area of modern housing to the north west. The use of the site as a waste transfer station/civic amenity facility is well established and illustrated through previous consents. The proposal the subject of this application is for a portakabin only, no other changes are proposed. Hours of operation for the site are controlled by other consents. A separate variation of condition to enable the site to accept and export skips during the sites 'Sort-It' public opening hours is being concurrently considered(ref.) see planning history above. It is not considered the proposals for a portakabin within the existing operational site would have any significant or demonstrable material impact upon local amenity.

5.6 Transportation/PROW

Access will remain as existing. It is not considered that the proposals within the site will materially impact upon highways issues or generate additional amounts of traffic.

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 principle of the site for use as a waste transfer station is already established. It is considered that given the nature of the proposals, the sites existing context, location and relationship with the surrounding area, that the proposed development would not give rise to any significant or material amenity impacts and that it would accord with Policies 2, 11 and 12 of the West of England Joint Waste Core Strategy (Adopted) March 2011.
- 6.3 The recommendation to grant permission has been taken having regard to the policies and proposals in the West of England Joint Waste Core Strategy (Adopted) March 2011, set out above, and to all the relevant material considerations set out in the report.

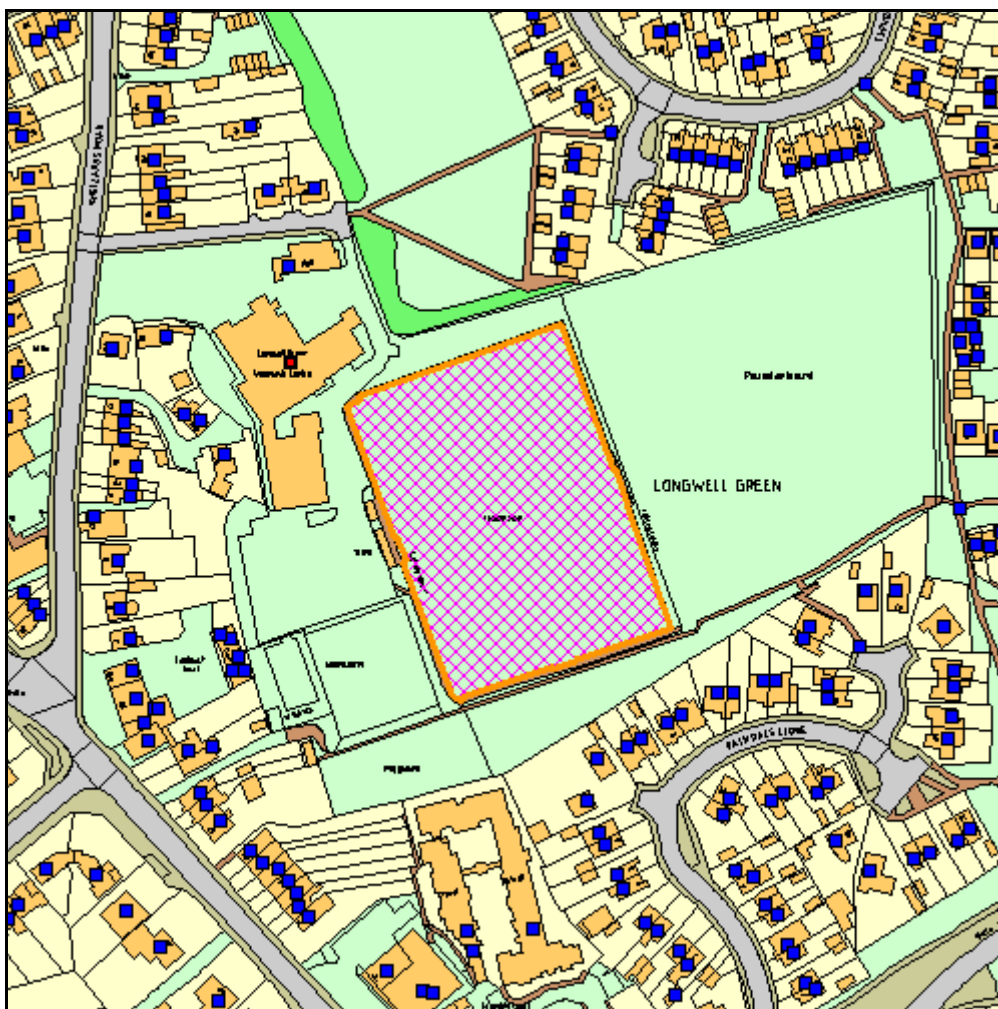
7. RECOMMENDATION

- 7.1 That planning permission is granted

Contact Officer: Simon Ford
Tel. No. 01454 863714

CIRCULATED SCHEDULE NO. 21/17 – 25 MAY 2017

App No.:	PK17/1039/RVC	Applicant:	Longwell Green Sports
Site:	Longwell Green Community Centre Shellards Road Longwell Green Bristol South Gloucestershire BS30 9DU	Date Reg:	21st March 2017
Proposal:	Application to remove condition 2 attached to planning permission PK12/3989/RVC to restrict the use of the floodlights for the sole use of the first team.	Parish:	Oldland Parish Council
Map Ref:	365905 171178	Ward:	Longwell Green
Application Category:	Minor	Target Date:	11th May 2017



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PK17/1039/RVC

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule in light of Objections which have been received, contrary to the Officers recommendation.

1. THE PROPOSAL

1.1 This application seeks planning permission to remove condition 2 of planning permission ref. PK12/3989/RVC. This application sought a variation of conditions 1 and 2 of permission ref. PK08/0170/RVC, of original permission ref. PK07/1215/F. The original conditions read:

- 1. The use of the floodlights hereby approved shall be restricted to the hours of 02.45pm - 5.30pm Saturdays or Bank Holidays and 06.30pm - 9.30pm Monday to Friday inclusive with no use on Sundays, any use outside these hours shall only be with the prior written consent of the Local Planning Authority.*

Reason

To minimise the effect of light spillage in the interests of residential amenity in accordance with Policies LC3 and EP1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

- 2. The floodlights hereby approved shall be for the sole use of Longwell Green Sports Football Club 1st Team League Matches only.*

Reason

To minimise the effect of light spillage in the interests of residential amenity in accordance with Policies LC3 and EP1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

1.2 The initial variation of condition application (PK08/0170/RVC) sought to extend the restriction of time to allow for a longer floodlit period to allow spectators and players to clear the area in the interests of health and safety. It was assessed that residential amenity would not be compromised and the condition was amended as follows:

- 1. The use of the floodlights hereby approved shall be restricted to the hours of 02.45pm - 5.30pm Saturdays or Bank Holidays and 06.30pm - 9.30pm Monday to Friday inclusive with no use on Sundays, any use outside these hours shall only be with the prior written consent of the Local Planning Authority.*

Reason

To minimise the effect of light spillage in the interests of residential amenity in accordance with Policies LC3 and EP1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

- 1.3 The subsequent variation of condition application (PK12/3989/RVC) sought for condition 1 to be further amended to allow illumination of the pitch in the event of extra time and penalties. The Case Officer also assessed that condition 2 would also need to be amended given that it restricted the use to 'league games' of the first team only. League games do not require extra time or penalties and therefore assumed that the application sought permission for use of the floodlights for all first team matches. The application concluded that the impact on residential amenity would be limited and both conditions were amended. The conditions at present are as follows:

1. *The use of the floodlights shall be restricted to the hours of 14.45 to 30 minutes after the end of the match on Saturdays or Bank Holidays and 18.00 to 30 minutes after the end of the match on weekdays, with no use on Sundays and no use between 2230 and 1800 on weekdays.*

Reason

To minimise the effect of light spillage in the interests of residential amenity in accordance with policies LC3 and EP1 of the South Gloucestershire Local Plan (adopted) 2006.

2. *The floodlights shall be for the sole use of the first team of Longwell Green Sports Football Club.*

Reason

To minimise the effect of light spillage in the interests of residential amenity in accordance with policies LC3 and EP1 of the South Gloucestershire Local Plan (adopted) 2006.

- 1.4 This current application, submitted under Section 73 of the Town and Country Planning Act 1990 (as amended), seeks permission for the removal of condition 2 to enable the Under 18s and Reserve teams to also use the floodlights. The floodlighting takes the form of cowled lights which are suspended by six monopoles, which direct downwards and towards the pitch. The ground is open and forms part of the larger Community Centre site. There are residential properties immediately to the north and south, as well as to the west, albeit some distance away. The application site is located in the built up area of Longwell Green and in part of the East Fringe of Bristol Urban Area.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012

2.2 Adopted Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

T12 Transportation Development Control

L1 Landscape Protection

LC3 Proposals for Sports and Leisure Facilities within the existing Urban Area and Defined Settlement Boundary

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS5 Location of Development
CS23 Community Infrastructure and Cultural Activity
CS29 Communities of the East Fringe of Bristol Urban Area

2.3 Emerging Development Plan

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

PSP1 Local Distinctiveness
PSP8 Residential Amenity
PSP44 Open Space, Sport and Recreation

2.4 Supplementary Planning Guidance

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

3. RELEVANT PLANNING HISTORY

- 3.1 PK07/1215/F Approve with Conditions 24.04.2007
Erection of 6 No. 16 metre high floodlights around enclosed football pitch.
- 3.2 PK08/0170/RVC Approve with Conditions 04.02.2008
Variation of condition 2 attached to planning permission PK07/1215/F to extend the use of the floodlights to the hours of 6.30pm - 9.30pm Monday to Friday and 2.45pm - 5.30pm Saturdays
- 3.3 PK12/3989/RVC Approve with Conditions 14.02.2013
Variation of condition 1 attached to planning permission PK08/0170/RVC to extend the use of the floodlights to the hours of 6.00 pm to 9.50 pm Monday to Friday, 2.45 pm to 6.15 pm Saturdays. Additionally to allow for the use of floodlights to continue for injury time or extra time and penalties in cup games and exceptionally up to 10.30 pm with penalties.

4. CONSULTATION RESPONSES

- 4.1 Hanham Abbots Parish Council
No comments received
- 4.2 Sustainable Transport
No objection.
- 4.3 Planning Enforcement
No comments received
- 4.4 Environmental Protection
No objections subject to ensuring that a condition is re-issued to reflect changes.
- 4.5 Oldland Parish Council
No objection

- 4.6 Lighting Engineer
No comments received

Other Representations

- 4.7 Local Residents
3no. objections from local residents were received. Comments as follows:
- Densely populated residential area
 - increased levels of light and noise disturbance
 - application is vague and could be misinterpreted to allow any game and the lights could be on 6 days a week
 - issues surrounding consultation which took place between applicant and local community.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

This application is made under section 73 of the Town and Country Planning Act 1990 (as amended). Applications made under this section seek to develop land without compliance with conditions previously attached to planning permissions. In this instance, the applicant seeks planning permission to remove condition 2 attached to PK12/3989/RVC.

- 5.2 It is necessary to consider whether there have been any relevant material changes in policy since the conditions were imposed (as part of PK12/3989/RVC). In addition, whether there have been any material changes in circumstances and whether the reasons for imposing the conditions are still relevant. Condition 2 attached to PK12/3989/RVC was issued to ensure protection of residential amenity in relation to light spillage. The pertinent issue to consider within this application is therefore the impacts on residential amenity. This is addressed below.

5.2 The Current Situation

At present, condition 2 is as follows;

The floodlights shall be for the sole use of the first team of Longwell Green Sports Football Club.

Reason

To minimise the effect of light spillage in the interests of residential amenity in accordance with policies LC3 and EP1 of the South Gloucestershire Local Plan (adopted) 2006.

This condition therefore limits the users of the floodlights to solely the first team of the Longwell Green Sports Football Club (LGSFC), within restricted time periods (as restricted by condition 1). The previous variation to condition 2 as part of PK12/3989/RVC resulted in the use of the floodlights for all first team games. Many of these are cup competitions which traditionally follow a 'knock out' format. As such it is not possible to place a definite number of matches that will take place at home per season. Having said this, the case officer notes from *scoresway.com* and *toolstationleague.com* that in the 2016/2017 season

approximately 25 games have been played at home. This equates to the majority Saturday games and under 10 mid-week games, over an 8 month season period.

5.3 Proposed Changes

This application seeks planning permission to remove condition 2 attached to PK12/3989/RVC. The applicant states that this is to ensure that the LGSFC Reserve and Under 18s teams can benefit from the use of the floodlights in addition to the first team. During the course of the application the case officer requested details of the likely maximum number of additional matches (and therefore possible use of floodlights) that would take place from Reserve and Under 18s teams. It was confirmed that the maximum additional number of matches would be 20. It should be noted that these teams also partake in 'knock out' competitions, and as such this number could decrease depending on results.

5.4 Material Changes in Policy

It is noted that since condition 2 was issued as part of PK12/3989/RVC, there has been the emergence of the South Gloucestershire Local Plan: Proposed Submission: Policies, Sites and Places Plan June 2016. This plan is currently undergoing Examination and as such is not given full weight. In any case, the emerging policies are not considered to form a material change with regard to the reasoning for condition 2. The officer has also had considerable regard to the sustained emphasis in national policy to closely scrutinise the need for conditions, and not to impose conditions unless they are justified against the 6 national policy tests.

5.5 Purpose and Need for Existing Conditions

5.6 *Condition 2*

Condition 2 of PK12/3989/RVC is issued to; '*minimise the effect of light spillage in the interests of residential amenity in accordance with policies LC3 and EP1 of the South Gloucestershire Local Plan (adopted) 2006*'.

5.7 Guidance in paragraph 206 of the NPPF states that 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'. The original planning permission (PK07/1215/F) considered that the light spill to nearby properties was minimal and therefore acceptable. The lights have been installed in accordance with the approved details. Accordingly, the element of the reasoning of the condition ie. '*minimise the effect of light spillage*' is not considered necessary. Rather, the pertinent issue is the increased use of the lights.

5.8 The application seeks permission to remove condition 2. However, environmental protection have raised concerns that this would give no limit to the use of floodlights and could be to the detriment of the residential amenity of nearby occupiers. These concerns were also expressed from local residents as part of the consultation on this application. Officers agree that it is necessary to control the use of the floodlights, however, such restrictions are in place as a result of condition 1. Furthermore, given that the original permission deemed

the light spillage from the floodlights to have an acceptable impact on residential amenity, it is not thought reasonable to issue a condition to restrict the use of such, above and beyond time restrictions.

5.9 Given the removal of condition 2 it is noted that nearby residents may notice an increase in use of the floodlights. However, it is not thought that this would be to an unacceptable degree especially given the time restrictions that are in place through condition 1. It is however noted that national guidance cautions against the use of personal conditions (of which condition 2 was a variant). It is unlikely to make a difference to local residents who is using the pitch – it is more a question of timing and intensity. It is considered that condition 1 addresses this issue sufficiently. Imposing named teams is considered to be burdensome, as it will be very likely to become out of date as time progresses, and is not justified against current national guidance in these circumstances.

5.10 *Condition 1*

Condition 1 which was issued as part of PK12/3989/RVC restricts the use of the floodlights to certain times, as follows:

1. *The use of the floodlights shall be restricted to the hours of 14.45 to 30 minutes after the end of the match on Saturdays or Bank Holidays and 18.00 to 30 minutes after the end of the match on weekdays, with no use on Sundays and no use between 2230 and 1800 on weekdays.*

It is felt necessary that this condition remains to protect nearby residents residential amenity particularly given the increase in teams that will likely be using the floodlights should this application be approved.

5.11 Having said the above, it is not felt that the condition is precise enough in its current form and therefore does not meet the tests as set out in paragraph 206 of the NPPF. It is therefore proposed that the condition is revised to read the following:

1. The use of the floodlights shall be restricted to the hours of 1445 to 30 minutes after the end of the match or 2230, whichever is the sooner, on Saturdays and Bank Holidays, and 1800 to 30 minutes after the end of the match on weekdays, with no use on Sundays and no use between 2230 and 1800 on weekdays.

5.12 The current reason for this condition is also to '*minimise the effect of light spillage in the interests of residential amenity in accordance with policies LC3 and EP1 of the South Gloucestershire Local Plan (adopted) 2006*'. Accordingly, and in line with paragraph 206 of the NPPF it is recommended that the reasoning of such should be altered to read '*To prevent unnecessary light pollution and to protect the residential amenity of the surrounding residents in accordance with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework*'.

5.12 *Condition 3*

Condition 3 of PK12/3989/RVC set out that a landscaping scheme should be submitted and approved by the Local Planning Authority within 3 months of the date of approval. This was carried forward from previous permissions; PK07/1215/F and PK08/0170/RVC. It is noted that this was not completed.

5.13 Nevertheless, this condition has been assessed against paragraph 206 of the NPPF. The case officer does not consider that the condition is compliant with such, it is not necessary in order for the development (ie. the erection of floodlights) to be approved. Particularly given that there is a degree of planting already surrounding the ground.

5.14 Other Issues

Local residents made comments regarding a consultation that took place between the applicant and local residents. This is not a matter relating to planning and therefore does not form part of the assessment of this application.

6. **CONCLUSION**

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

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

7. **RECOMMENDATION**

7.1 It is recommended that permission is GRANTED subject to the conditions listed on the decision notice.

Contact Officer: Lucy Paffett
Tel. No. 01454 863436

CONDITIONS

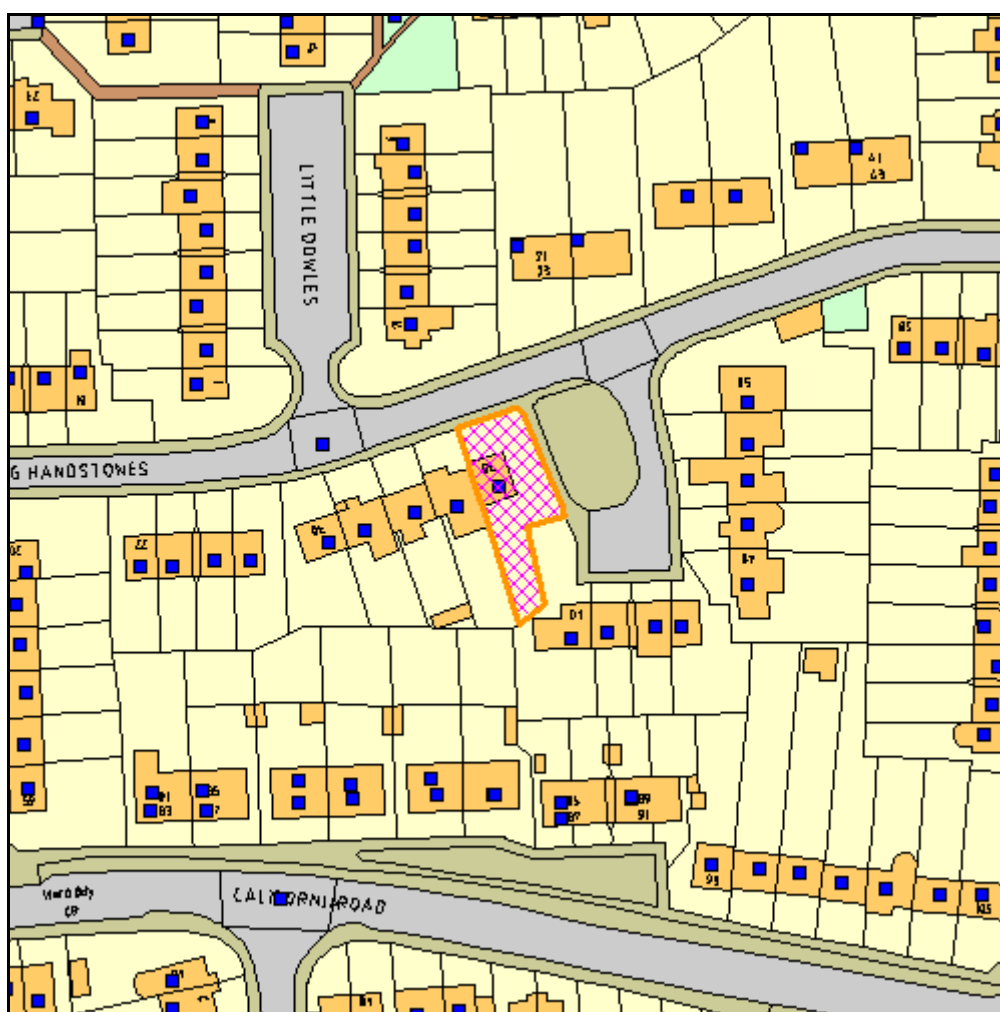
1. The use of the floodlights shall be restricted to the hours of 1445 to 30 minutes after the end of the match or 2230 whichever is the sooner on Saturdays or Bank Holidays and 1800 to 30 minutes after the end of the match on weekdays, with no use on Sundays and no use between 2230 and 1800 on weekdays.

Reason

To prevent unnecessary light and noise pollution and to protect the residential amenity of the surrounding residents in accordance with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 21/17 – 25 MAY 2017

App No.:	PK17/1241/F	Applicant:	Mr Shaun Brake
Site:	38 Long Handstones Cadbury Heath Bristol South Gloucestershire BS30 8AP	Date Reg:	27th March 2017
Proposal:	Erection of two storey side extension to form additional living accommodation. Erection of partial boundary fence to a height of 1.8m	Parish:	Oldland Parish Council
Map Ref:	366284 171558	Ward:	Parkwall
Application Category:	Householder	Target Date:	15th May 2017



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PK17/1241/F

INTRODUCTION

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

1. THE PROPOSAL

- 1.1 The application is for the erection of a two storey side extension to form additional living accommodation and the erection of partial boundary fence to a height of 1.8m. Original proposals were for a flat roof extension, however, following concerns raised regarding design and integration with the site and surrounding area, revised plans were subsequently submitted, illustrating a pitched gable for the side extension. The revisions were fully reconsulted.
- 1.2 The property is an end of terrace dwelling located on a residential road within Cadbury Heath.

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 Oldland Parish Council
'The Parish Council objects to this application on grounds that the proposed development is not in keeping with the area and is inherently unattractive. Furthermore the Parish Council objects in principle to a flat roof design and seeks clarification from South Gloucs Council that this style of design is contrary to planning policy.'

Upon reconsultation, no further comments were received

Sustainable Transportation

After development the dwelling will have four bedrooms to the first floor. The Councils residential parking standards state that a dwelling with up to four bedrooms provide a minimum of two parking spaces within its site boundary. The plans submitted show that it is proposed to extend the existing vehicular access along the whole frontage of the dwelling and the level of parking to be provided complies with the Councils residential parking standards.

On that basis, there is no transportation objection to the proposed development.

Upon reconsultation of the revised plans, the following comments were received.

The revised plans received do not alter the proposed parking arrangements for the dwelling or increase the number of bedrooms to be provided. On that basis, there is no transportation objection.

Other Representations

4.2 Local Residents

Three letters of objection were received on the initial proposals, summarised as follows:

- flat roof is out of keeping and unattractive
- the roof design looks out of place
- concern over disturbance from unsocial operating hours

The revised plans were fully reconsulted, however no further responses were 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

There was concern with regards to the original plans for a two storey flat roof extension. Whilst there is no policy specifically with regards to whether flat roofs are acceptable or not, there are design and visual amenity policies to be applied in each case. In this instance, taking into account the site and surroundings as well as the scale, design and location of the proposals, it was considered that they would be a prominent and an out of keeping feature, out of context with the existing building and the wider streetscene, and changes were therefore sought. The revised proposed extension, incorporating pitched gable, 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. The length of fencing proposed does not give rise to any significant issues of visual amenity and is also considered acceptable

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. The property does not immediately adjoin any other residential property on the eastern side and building works disturbance would therefore be minimised in this respect, it is not considered that a restrictive hours of operation condition is justified in this instance. Any significant additional noise nuisance would be a matter for environmental nuisance legislation.

5.4 Transportation

Sufficient off-street parking provision will remain at the site for the dwelling, in accordance with the Council's residential parking standards.

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

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 bricks to be used externally in the development hereby permitted shall match those of the existing building in colour and texture.

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.

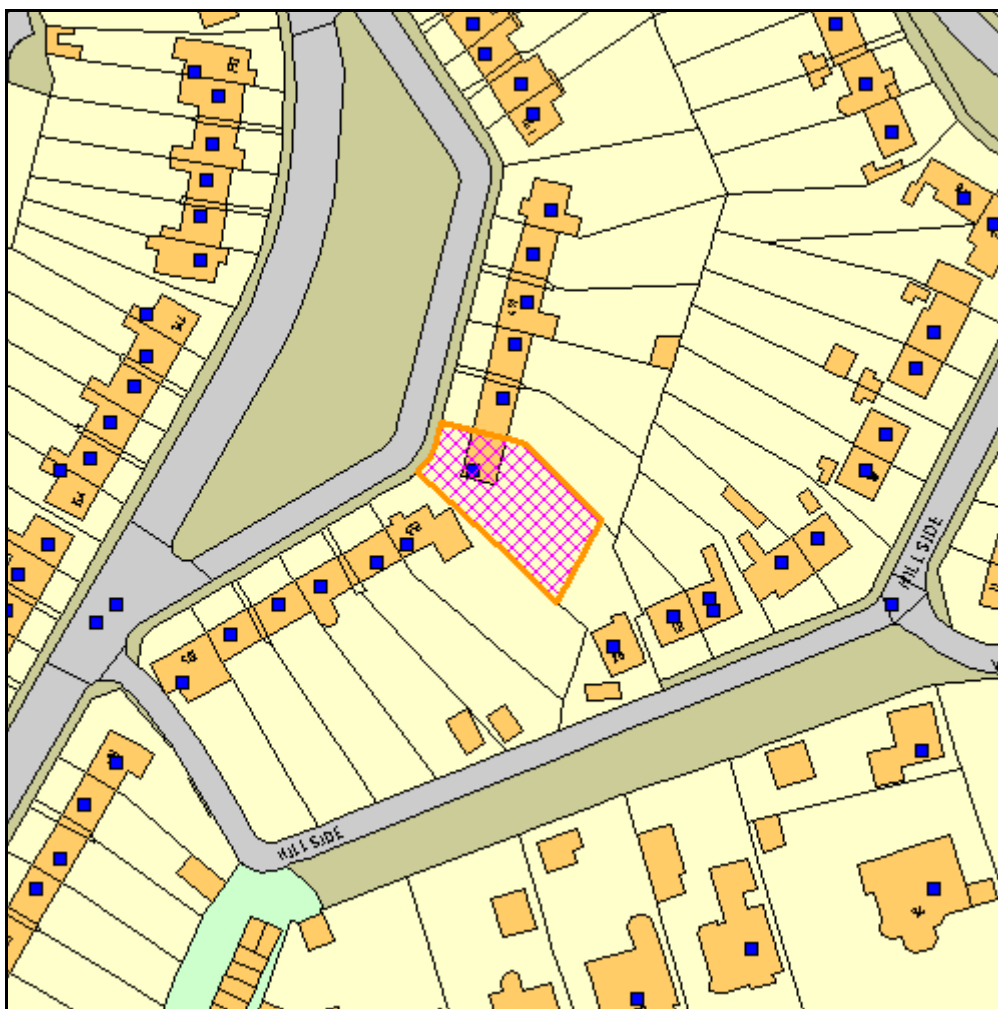
3. The tiles to be used in the development hereby permitted shall match those of the existing building in colour, texture and profile.

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. 21/17 – 25 May 17

App No.:	PK17/1348/F	Applicant:	Mr And Mrs Fox
Site:	153 Burley Grove Mangotsfield Bristol South Gloucestershire BS16 5QF	Date Reg:	30th March 2017
Proposal:	Lowering of existing ground levels to facilitate erection of two storey and single storey rear extension to form additional living accommodation. Erection of front porch and detached garage. (resubmission of PK17/0431/F)	Parish:	None
Map Ref:	365996 176084	Ward:	Rodway
Application Category:	Householder	Target Date:	18th May 2017



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PK17/1348/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Council's Circulated Schedule procedure, following comments received from the neighbour which is dealt with in the officer analysis.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a part two storey part single storey rear extension, a front porch and detached garage at 153 Burley Grove, Mangotsfield.
- 1.2 The rear extension is sought to remodel the downstairs and provide a new kitchen/dining room with two bedrooms above.
- 1.3 The application site is within the East Bristol urban fringe and is an established residential area.
- 1.4 This is a resubmission of a withdrawn application following concerns that the works were not wholly within the applicants' ownership. The site has been checked and the agent confirms that the works will all be sited wholly on the applicants land.

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

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

3. RELEVANT PLANNING HISTORY

- 3.1 PK17/0431/F Erection of two storey and single storey rear extension to form additional living accommodation. Erection of front porch and detached garage. Withdrawn to consider the groundworks required and to check boundary matters.

4. CONSULTATION RESPONSES

- 4.1 Parish/Town Council
Unparished area.

- 4.2 Other Consultees

Transport
No objection

Other Representations

- 4.3 Local Residents
One letter of objection was received
The neighbour will not be giving permission for 153 to come over her boundary and will not be giving permission for them to take down the boundary wall or allow any workmen to come on her land.

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 the end of a terrace of dwellings. All proposals are in keeping with the gable roofed house, having been designed with gabled roofs.
- 5.3 With regard to scale of each proposal the four metres deep rear extension is monopitched at the point close to the attached neighbour and this is considered to be an acceptable relationship, having no side windows on this eastern elevation, and prevents material harm. The extension would be visible from the front of the house but is considered acceptable in appearance. The 1.2m deep front porch is 3m wide. This limited depth is similar to others locally and overall the scale of the porch would reflect the form of the house without detriment to the street scene. The garage is set back alongside the non adjoined neighbour and their garage and its scale, cut into the rising garden is considered

acceptable. Over all the proposals are reasonably scaled and will require the setting back of the existing retaining walls within the garden. This is not considered to affect neighbours materially not affect the overall scale of the garden remaining for use by the household. 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 adjoining the host dwelling has raised boundary issues and does not want the works to be on their land or to offer passage to workmen. This is a matter between neighbours and not for the officer to adjudicate however some assessment of the location of the proposed extension has been undertaken to check that it is likely to be able to be constructed within the site. The rear extension is four metres deep and set approximately 0.15m away from an existing wall between the site and its attached neighbour. The applicants' garden narrows after the three metre long wall and as such the proposal would potentially touch the boundary but, according to the agent, not oversail. There is a little excavation to be done at this pinchpoint which will require the holding back of a small area of the neighbouring garden and 'eccentric foundations' can be used to ensure that foundations do not undersail the neighbours land. The planning officer is not a surveyor and has no authority to determine boundary disputes. However having considered this carefully on site your officer is satisfied that the agent's claim together with the signing of certificate A on the application form which advises that all works will be on the applicants land is likely to be correct in that the proposal will not encroach over the existing fence line. Any further assessment or dispute about the land or the wall located between the two properties is a matter which may need to be addressed under the Party Wall act. (Informative are proposed to be added to the decision notice).

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, which is required to provide two off-street parking spaces to accord with the Residential Parking Standards SPD. The new garage meets the internal standards within the SPD and two parking spaces are already available and are retained. As such there is no transportation objection 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 That planning permission is **GRANTED** subject to the conditions on the decision notice.

Contact Officer: Karen Hayes
Tel. No. 01454 863472

CONDITIONS

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

Reason

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

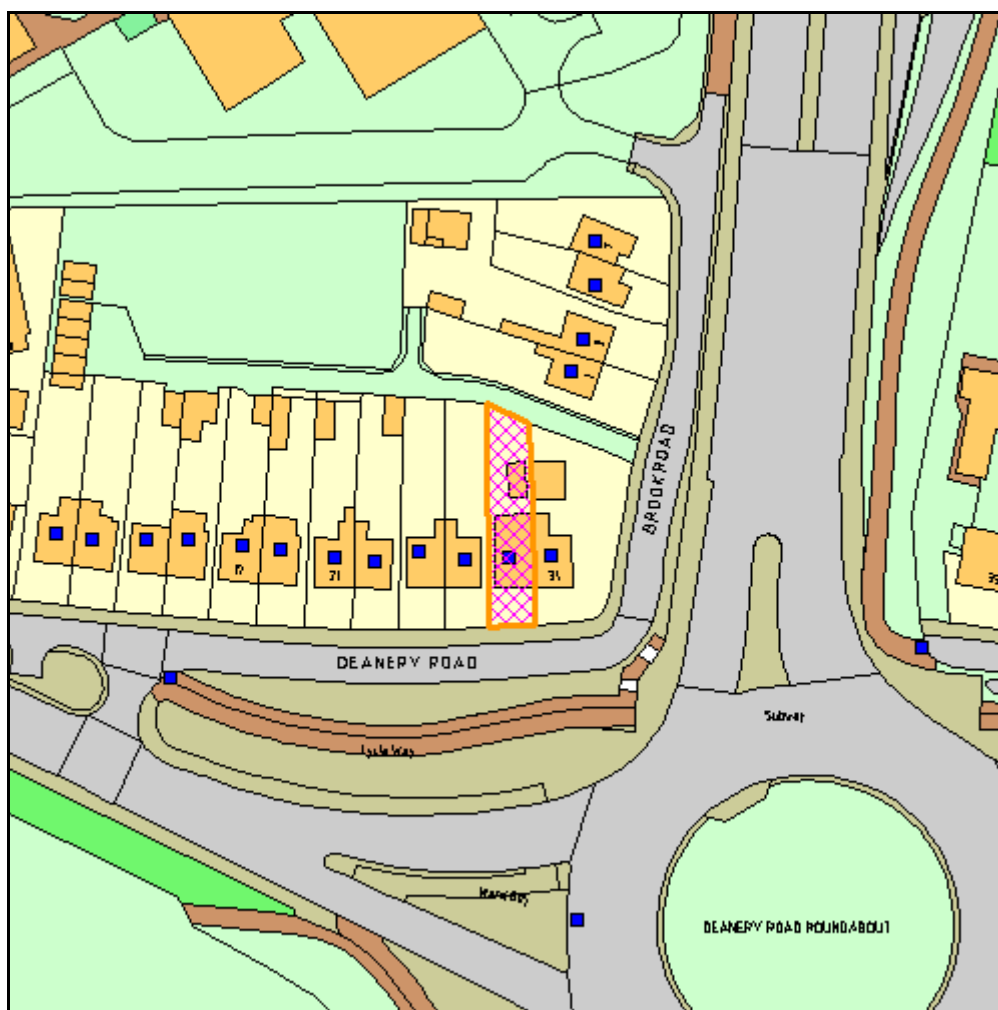
2. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason

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

CIRCULATED SCHEDULE NO. 21/17 – 25 MAY 2017

App No.:	PK17/1485/F	Applicant:	Mr Mike Tovey
Site:	29 Deanery Road Kingswood Bristol South Gloucestershire BS15 9JA	Date Reg:	5th April 2017
Proposal:	Demolition of existing garage to facilitate erection of detached double garage.	Parish:	None
Map Ref:	366540 173602	Ward:	Kings Chase
Application Category:	Householder	Target Date:	26th May 2017



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REASONS FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The proposal seeks to erect a detached garage to the rear of 29 Deanery Road, Kingswood.
- 1.2 The host dwelling is a mid-20th century semi-detached dwelling with rendered elevations and pitched hipped roof. The property has vehicular access to the front as existing and a detached garage to the rear of the property that is to be demolished.
- 1.3 The property within the built up residential area of Kingswood adjacent to the A4174 Link Road.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Policy Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS4a Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

H4 Development within Existing Residential Curtilages
T12 Transportation

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

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

2.3 Supplementary Planning Guidance

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

3. RELEVANT PLANNING HISTORY

No recent planning history specifically on site however the following application was for the adjoining property no.31 Deanery Road and included a detached double garage.

PK10/0873 – Approval – 04/06/2010 - Erection of single storey rear extension to form additional living accommodation. Erection of detached double garage.

4. CONSULTATION RESPONSES

4.1 Unparished Area
No Comment Available

4.2 Other Consultees

Transport Officer
No Objection

Other Representations

4.3 Local Residents
Two comments received objecting to the proposal. Both of which question the height of the proposal and whether there are ulterior non-residential uses to be carried out within the structure. One of the comments also note that consent under the party wall act will be required for groundworks from a neighbour.

5. ANALYSIS OF PROPOSAL

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

5.2 Design and Visual Amenity
The proposal consists of the demolition of an existing single garage and erection of a double detached garage/workshop outbuilding to the rear of 29 Deanery Road, Kingswood. The proposal would replace an existing structure but be located further to the rear of the curtilage. The majority of properties nearby are served by a garage structure which tend to have a gabled roof.

- 5.3 The proposed garage is not considered to have a particularly unusual style of design and is similar to other structures nearby in appearance, however is of a larger scale than the majority of these nearby structures. One of the objection comments consider the proposal to be out of place due to the proposed height. It should be noted that there is a rank of garages to the end of the rear access lane that appears to have a gabled roof introduced that would be of a relatively similar height to that of the proposal and other larger structures within the local area. The proposal will be of a relatively large scale and larger than the majority of nearby examples; that said the proposal site is in a discreet location and the proposal would only be visible to others using the rear access lane and overall is seen to have an acceptable impact on the character of the local area.
- 5.4 The proposal has put forward materials with a similar appearance to the existing dwelling and there is no objection with regard to materials.
- 5.5 Overall, it is considered that the proposal would not harm the character or appearance of the area and as such is considered acceptable in terms of visual amenity. Therefore, it is judged that the proposal has an acceptable standard of design and is considered to accord with policies CS1 and H4 and conforms to the criteria in the adopted Local Plan.
- 5.6 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 Two objections have been lodged by neighbouring residents concerned with the height and in connection with this, the proposed use of the garage. Firstly with regard to the height of the proposal, the garage will be located further to the rear than the existing garage structure. This existing building has a gable end to the front and rear. The proposal will have side gable ends and consequently whilst the proposal would increase the height of the garage structure, the actual impact on the amenity of the host dwelling and its neighbours will be lessened as the distance from ridge to rear elevation is significantly further and outlook would not be impeded so severely. Furthermore, the existing garage structure in the adjoining garden screens the proposal from this neighbouring dwelling. Dwellings to the rear are oriented perpendicular to the host dwelling and do not have openings serving primary living accommodation oriented towards the proposal and therefore dwellings in this direction would not be adversely affected by the proposal. Lastly the host dwelling and its neighbours on Deanery Road have a north-south orientation, and given the path of the sun, the proposal has not been considered to result in a harmful impact on neighbours as a result of loss of light.
- 5.8 With regard to the proposed use of the garage, it appears to provide space for the parking of vehicles and ancillary domestic storage. As previously stated the comments received are concerned that there may be an alternative use in reality. Whilst it is not reasonable to speculate what this use may be, in order to prevent an alternative use being implemented it has been seen as reasonable

- to attach a condition to retain the structure for the storage of private motor vehicles and ancillary domestic storage for the use of the property known as 29 Deanery Road, Kingswood.
- 5.9 The proposal would be located to the rear of the curtilage and would occupy a proportion of the outdoor amenity space. The proposal would occupy a larger floor area than the existing structure, however following development a greater area of outdoor amenity space will be provided by virtue of the structure being against the rear boundary and the definition of what is considered to count towards the provision. i.e. areas for parking should not be considered to count towards private amenity space.
- 5.10 One of the objection comments note that permission is required from them under the party wall act to carry out the necessary works. While that may be true, such consideration takes place under different legislation and is therefore beyond the remit of the planning authority. It should be noted that you must obtain the prior written consent of the owner and occupier of any land upon which it is necessary for you to enter in order to construct, externally finish, decorate or in any other way carry out any works in connection with this development including future repairs/maintenance, or to obtain support from adjoining property. Your attention is also drawn to the Access of Neighbouring Land Act 1992 and Party Wall Act 1996.
- 5.11 The subject property is located within a built up residential area and given the scale and location of the proposed development will not result in an unacceptable detrimental impact on the residential amenity of its neighbouring occupiers, meaning the proposal is in accordance with saved policy H4 of the adopted Local Plan.
- 5.12 Sustainable Transport and Parking Provision
Currently the property has an area of driveway to the front of the property and a detached rear garage. The garage would provide parking for at least one vehicle and the driveway is thought to satisfy the minimum requirements given the size of the existing dwelling. Given the proposal will not include additional bedrooms, it will not require any additional parking space nor will it have a negative impact on highway safety or the retention of an acceptable level of parking provision, meaning the proposal is in accordance with saved policy T12 of the Local Plan (2006). The council and transport officer has no objection to the proposal in relation to highway safety or parking provision.
- 5.13 Comments have been received concerned with the suitability of the access. It is considered that the rear access lane is narrow and manoeuvring is likely to be difficult as it stands. The proposal would not significantly change the situation and due to the widening of the garage structure may actually improve manoeuvrability for a single vehicle accessing from the rear. It should be noted that the property is accessed via a dead end road that is not a classified highway. On this basis there is no requirement to access the highway in forward motion. Given this and the expected slow road speed the proposal is not likely to result in a highway safety issue and on this basis there is no objection with regard to parking provision or highway safety.

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).

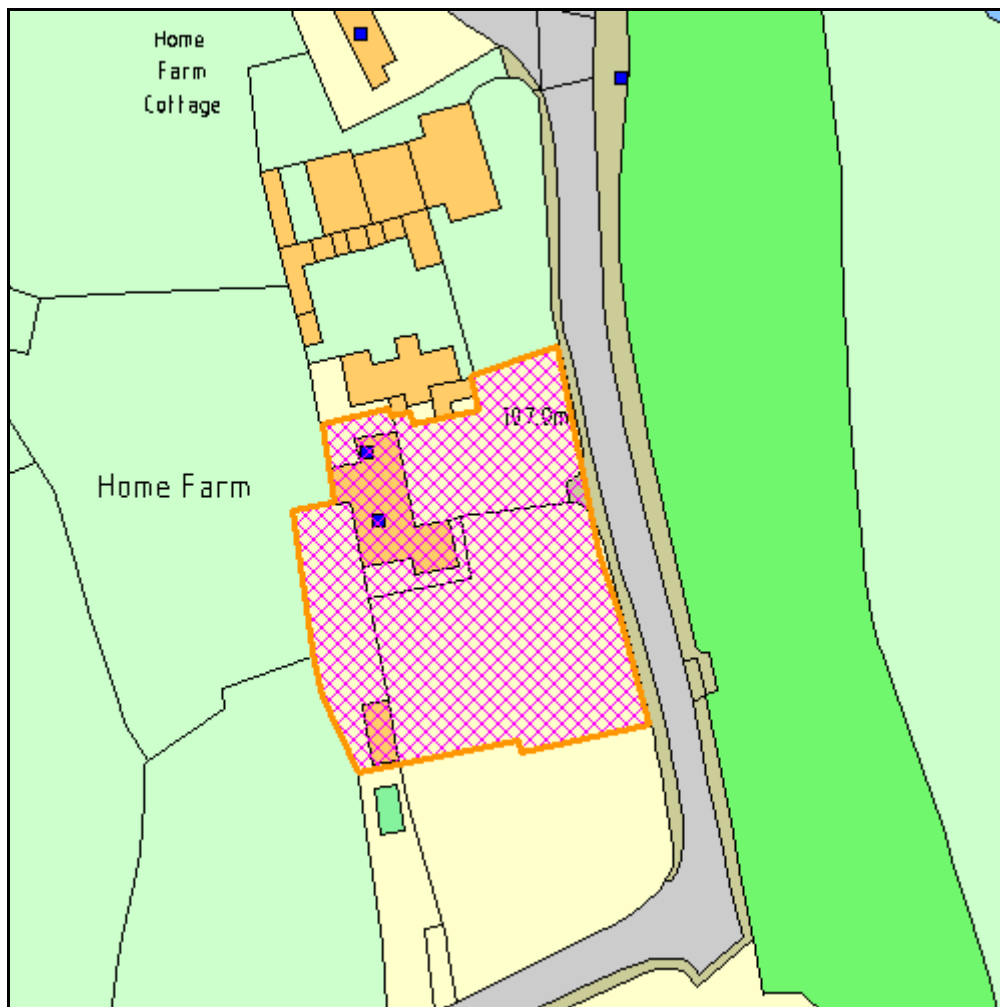
2. The garage outbuilding hereby permitted shall not at any point be used for anything other than storage of private motor vehicles and ancillary domestic storage for the property known as 29 Deanery Road, Kingswood.

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 and to ensure satisfactory parking provision in line with the Residential Parking Standards SPD (Adopted) December 2013.

CIRCULATED SCHEDULE NO. 21/17 – 25 May 2017

App No.:	PK17/1548/F	Applicant:	Mr Tom Worrall
Site:	Home Farm Gravel Hill Road Yate Bristol South Gloucestershire BS37 7BS	Date Reg:	21st April 2017
Proposal:	Extension of existing potting shed to create residential annex ancillary to main dwelling.	Parish:	Yate Town Council
Map Ref:	372129 184267	Ward:	Yate North
Application Category:	Householder	Target Date:	14th June 2017



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REASON FOR SUBMISSION TO THE CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The application seeks planning permission for the extension of an outbuilding to create a residential annex, ancillary to the main dwelling.
- 1.2 The host dwelling is a detached two-storey property located outside of a defined settlement boundary. The property is a locally listed stone built dwelling.
- 1.3 Amended drawings were received 19th May 2017 following correspondence with the Listed Building and Conservation Officer. The Conservation and Listed Building Officer was reconsulted following these amendments.

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 (Adopted) January 2006 (saved policies)

- H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings
- L1 Landscape Protection and Enhancement
- L13 Listed Buildings
- L15 Buildings and Structures Which Make a Significant Contribution to the Character and Distinctiveness of the Locality

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

2.3 Supplementary Planning Guidance

Design Checklist Supplementary Planning Document (adopted) August 2007
Residential Parking Standards Supplementary Planning Document (adopted) December 2013
The South Gloucestershire Local List Supplementary Planning Document (adopted) February 2008

3. RELEVANT PLANNING HISTORY

- 3.1 P89/1512 Approval Full Planning 31.05.1989
Erection of single storey extension to form kitchen, utility room and conservatory
- 3.2 PK15/5532/F Approve with Conditions 03.03.2016

Alteration to front entrance to include erection of oak framed double height glazed gable and first floor side extension to form additional living accommodation

4. CONSULTATION RESPONSES

4.1 Yate Town Council Objection.

Creation of new dwelling outside of the urban area, where there are highway issues.

If planning consent given suggest that a condition be put in place that it must at all times be occupied solely in connection with the main dwelling and not separately leased or sold

4.2 The Listed Building & Conservation Officer Initially the Listed Building and Conservation Officer is recommending refusal as the proposal diminishes the contribution that the building makes to the local area and its distinctiveness.

Following the revised drawings submitted the Listed Building and Conservation Officer now believes that the revised proposal respects the character of the outbuilding and supports it subject to conditions.

4.5 The Archaeology Officer Natural & Built Environment Team No objection.

4.6 Sustainable Transport The application is seeking permission to renovate and extend the existing building in order to create a dwelling to be used as annexed to the main residential property on site.

Whilst this has potential to generate some traffic on its own merit, it is considered that as annexed this will not result in any significant traffic to and from the site and as such its transportation impact cannot be considered to result in a severe impact to highway safety and hence no objection is raised on traffic ground. There is adequate space on site to provide off street parking and as such the proposal would not result in parking on the public highway.

In view of the above mentioned therefore, there is no highway objection to this application.

Other Representations

4.7 Local Residents No comments received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development The application seeks planning permission for the conversion of an existing outbuilding to form a residential annexe, ancillary to the main dwelling. Policy H4 of the adopted Local Plan permits this type of development in principle subject to criteria relating to residential amenity, highway safety and design.

5.2 Design/Visual Amenity

The application relates to a modest single storey dilapidated outbuilding. The application site is within a large garden, belonging to Home Farm. The outbuilding is not visible from the public realm and sits in the centre of the site.

5.3 The existing outbuilding is used for storage purposes. The existing outbuildings measure approximately 9 metres long by 4 metres wide (at its widest point), with a maximum ridge height of 4.5 metres. The proposed works would extend the building to approximately 19 metres in length, abutting the existing rear and front walls and ridge line.

5.4 The proposed layout would include a living room, two bedrooms, an open plan kitchen and dining area and a bathroom. It is considered, given the location of the outbuilding and that it will be used by elderly relatives, that it will remain ancillary to the host dwelling and a condition restricting its use will be attached.

5.5 There were concerns from the Listed Building & Conservation Officer in regards to the original plans. However, the design has been altered and is now considered appropriate. The materials used in the development would match the existing building. The existing door on the southside of the building would be blocked off in stone matching the existing building, and replaced with a window to match the existing windows. The extension would have three large glazed windows to the front, and no other windows. A flue would protrude from the northern end of the new extension.

5.6 The building would be simple in design, with a pitched roof and gable ends. It is considered that although the outbuilding would be slightly larger in footprint, the ridge height is not increasing, and the scale and proportions of the outbuilding would remain visually subservient to the host dwelling. Due to the outbuildings simple form, it would not appear adversely incongruous or out of keeping in its setting. The design and scale are therefore considered acceptable and would not harm the character of the site or the locality.

5.7 Impact on Residential Amenity

5.8 Given the proposed modest scale of the works to the outbuilding and the proximity of neighbouring dwellings, it is not considered that the proposal will have any negative impact on the existing levels of residential amenity. The outbuilding will remain single storey and will not increase in height and would not have a resulting overbearing impact. The majority of window openings will be located on the west elevation, looking out onto the garden. These are not considered to result in any unacceptable levels of overlooking. There is a single window on the southern elevation serving the proposed bedroom. Overall, the proposal is not considered to have any harmful impact on the existing levels of residential amenity afforded to the occupants nor the immediate neighbours.

5.9 Transportation/Parking

The application is seeking permission to renovate and extend the existing building in order to create a dwelling to be used as annexed to the main residential property on site.

5.10 Whilst this has potential to generate some traffic on its own merit, it is considered that as annexed this will not result in any significant traffic to and from the site and as such its transportation impact cannot be considered to result in a severe impact to highway safety and hence no objection is raised on traffic ground. There is adequate space on site to provide off street parking and as such the proposal would not result in parking on the public highway.

- 5.11 It is noted that Yate Town Council object to this proposal on transport grounds. However, it is the opinion of the highway officer that the proposal would not have a negative effect on the highway.
- 5.12 In view of the above mentioned therefore, there is no highway objection to this application.
- 5.13 Annexe Test
By definition an annexe must be ancillary to the main dwellinghouse and should have some form of physical and functional reliance upon it. In this case, the proposed annex has all the internal facilities required for independent living; i.e. a bedroom, a bathroom, kitchen and living space; and could therefore be occupied independently in the future.
- 5.14 That said the structure will not have access to a significant private garden or parking space meaning the annexe could not be independently occupied. Consideration has been given to the proximity of the proposal in relation to the dwelling, and due to the position of the annexe, it would share a close relationship with the host property. Further to this the proposal would be situated in what is a rear/side garden to the residential portion of the property. The application therefore demonstrates that the proposal will function as an annexe; a condition will be applied to ensure that it is not occupied other than for purposes ancillary to that of the existing dwellinghouse and that it will not be used as an independent dwelling.

6. CONCLUSION

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

7. RECOMMENDATION

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

Contact Officer: Owen Hoare
Tel. No. 01454 864245

CONDITIONS

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

Reason

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

2. The facing stonework shall match the existing original stonework in respect of colour, texture, coursing, jointing and pointing.

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

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

Reason

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

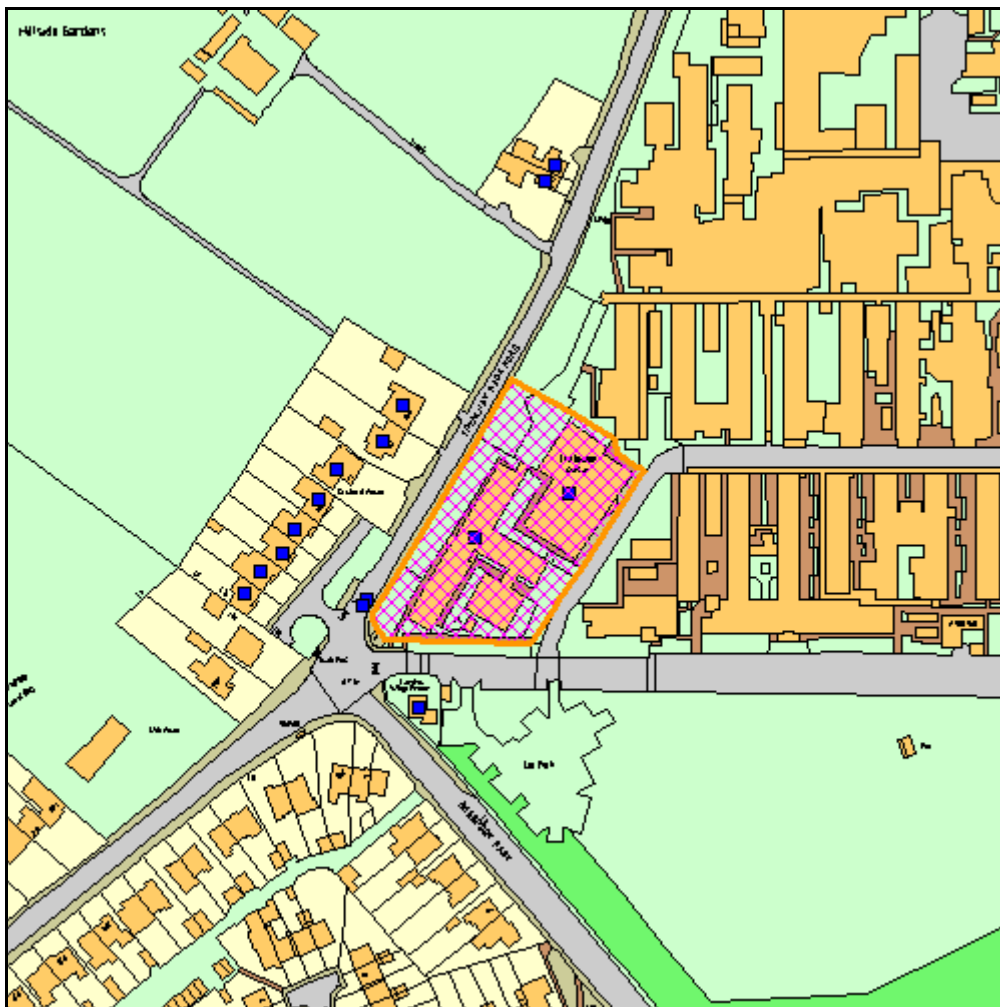
4. The annex hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Home Farm, Gravel Hill Road.

Reason

To prevent subdivision of the plot, in accordance with policy CS1, CS8 of the Core Strategy, and policy H4 and T12 of the Local Plan, and the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 21/17 – 25 MAY 2017

App No.:	PT15/4858/F	Applicant:	North Bristol NHS Trust North Bristol NHS Trust
Site:	The Beckspool Building (formerly Known As Burden Centre) Frenchay Park Road Frenchay South Gloucestershire BS16 1JB	Date Reg:	13th November 2015
Proposal:	Construction of a car park.	Parish:	Winterbourne Parish Council
Map Ref:	363414 177650	Ward:	Frenchay And Stoke Park
Application Category:	Minor	Target Date:	5th January 2016



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PT15/4858/F

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application is referred to the circulated schedule for determination as the comments by the parish council could be conceived as an objection.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the construction of a car park in association with the Beckspool Building on the former Frenchay Hospital site. The site has been cleared and is currently laid to stone chippings. The proposed car park would serve the remaining health facility and office building.
- 1.2 The application site is within the boundary of the urban area of Bristol. The Frenchay Conservation Area boundary skirts the southern boundary of the site. The former hospital site is nominally part of the curtilage of Frenchay Park House, a listed building, and its associated park and garden.
- 1.3 The application has been subject to negotiation to improve the layout in terms of its landscape impact and provision of parking spaces.

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
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS23	Community Infrastructure and Cultural Activity

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

L1	Landscape
L10	Historic Parks and Gardens
L11	Archaeology
L12	Conservation Areas
L13	Listed Buildings
T8	Parking Standards
T12	Transportation
LC4	Community Facilities within the Existing Urban Area

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

PSP2	Landscape
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Historic Environment

3. RELEVANT PLANNING HISTORY

- 3.1 PT13/0002/O Approved 05/12/2014
Redevelopment of hospital site to facilitate the construction of up to 490 residential units; a new health and social care centre and; a 1 form entry primary school, all with associated works. Outline application with access to be determined: all other matters reserved

4. CONSULTATION RESPONSES

- 4.1 Winterbourne Parish Council
No objection although concern car park is undersized and development may lead to additional parking on Beckspool Road.
- 4.2 Archaeology Officer
No objection
- 4.3 Conservation Officer
No objection in principle; specimen trees should be planted along Frenchay Park Road frontage and the lime avenue extended
- 4.4 Highway Structures
The application includes a boundary wall alongside the public highway/open space; the maintenance of this structure will fall to the property owner.
- 4.5 Landscape Officer
No objection in principle; additional tree planting should be secured
- 4.6 Lead Local Flood Authority
No objection; detailed drainage plans should be provided
- 4.7 Sustainable Transport
No objection
- 4.8 Tree Officer
No overall objection; an updated arboricultural report is required.
- 4.9 Wales and West Utilities
Applicant should contact Wales and West about this proposal

Other Representations

- 4.10 Local Residents
None received

5. ANALYSIS OF PROPOSAL

- 5.1 This application seeks planning permission for the construction of a car park to serve the Beckspool Building in Frenchay. The proposal is for a car park to

provide a total of 54 parking spaces (41 general parking; 7 allocated to Headway; 4 general parking disabled bays; and 2 disabled bays allocated to headway), motorcycle parking, a mini-bus bay, a drop-off zone, and a loading bay.

5.2 Principle of Development

The proposed car park will serve a health facility and health authority offices; this can be considered community infrastructure. There is a general presumption in favour of supporting the development of community infrastructure especially when it is located within the existing settlements and urban areas. This application is therefore acceptable in principle; however, the application must be determined against the provisions of the relevant policies. This includes an assessment of design, heritage and landscape impact, transport impact, and residential amenity, as set out in the analysis below.

5.3 Transportation

There are two main areas to consider under this heading – highway safety and parking provision. In terms of highway safety, the access to the proposed car park would be from within the new housing development on the former hospital site. The level of traffic generation is not considered to be so significant that it would have a material effect on the operation of the local highway network given the former use of the site and the proposed residential development. Therefore, the development would not have a severe impact on highway safety and is acceptable.

5.4 In terms of parking provision, the authority currently has a maximum standard under policy T8 in order to encourage more sustainable means of transport. One of the difficulties in the application was determining the use of the building and its subsequent parking requirement. The first floor of the building would present mainly as an office which would be allowed a maximum of 1 space per 35 square metres of floor space. On the ground floor, the use as a clinic/health centre provides for a maximum provision of 3 spaces per consulting room, 1 space per duty medical professional, and 1 space per every 2 other staff.

5.5 Parking standards must be applied flexibly as it is clear that health centres and clinics can have varying parking requirements depending on the particular services which they offer.

5.6 An assessment of the level of parking that should be provided as a maximum under the provisions of T8 was undertaken. Concerns were raised as to the layout and design of the car park and a revised layout was requested. The level of parking provided as a whole within this layout is not considered to exceed the maximum level permissible under T8 while still being interpreted in a flexible to respond to the manner in which the site operates.

5.7 Concern has been raised that the car park is undersized. The size of the car park is partly determined by the availability of land within the site but also by other planning considerations such as design and appearance. A balance must be found between the opposing factors. In this instance a larger car park would be highly unlikely to be supported as it is doubtful that the requirement for good design would be met.

- 5.8 Overall, in terms of highway safety and parking provision, the proposal is acceptable and no objection on this basis should be raised.
- 5.9 Design (including Heritage and Landscape)
The site is an important site. It stands at the entrance and lime avenue to Frenchay Park House. It also now acts as a gateway to the redevelopment of the former hospital site. The design and layout must therefore reflect this and provide a positive entrance to both the historic environment and the new development.
- 5.10 Under the original plans, it was identified that there was too little opportunity for landscaping to soften the development. A revised scheme has been prepared which includes more opportunity for planting and which removes the over-engineered appearance of the car park.
- 5.11 Subject to conditions on the materials used, boundary treatments, planting, landscape maintenance, and works within the root protection areas of trees, the impact of the development is acceptable.
- 5.12 Residential Amenity
Development should not be permitted that has a prejudicial impact on residential amenity. The hospital site will be developed, mainly, for residential and there are a number of properties outside the former hospital grounds to the west. It is not considered that the proposal would have a harmful impact on the amenities of these dwellings or any future dwelling and therefore the proposal is acceptable in this regard.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 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 commencement of the relevant part of development details of the surfacing 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 commencement of development, a scheme of landscaping, (to include a schedule of maintenance for a period of 5 years) 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 with planting carried out by the end of the first planting season following the first use of the car park hereby permitted. For the avoidance of doubt, the schedule of maintenance shall include provision for the replacement of any plant or tree which becomes diseased, dies, or damaged within this period; provision should be made, where possible, for the inclusion of a lime tree.

Reason

To ensure a satisfactory standard of external appearance and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework. This is required prior to commencement to secure the landscape protection measures.

4. Prior to the commencement of development, a revised arboricultural report (including method statement) shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details. For the avoidance of doubt, the report shall make provision for the supervision of all works within the root protection areas of the Lime and Cherry trees by the project arboriculturalist.

Reason

To protect the long term health and appearance of the trees and to ensure a satisfactory standard of external appearance and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework. This is required prior to commencement to secure the tree protection measures.

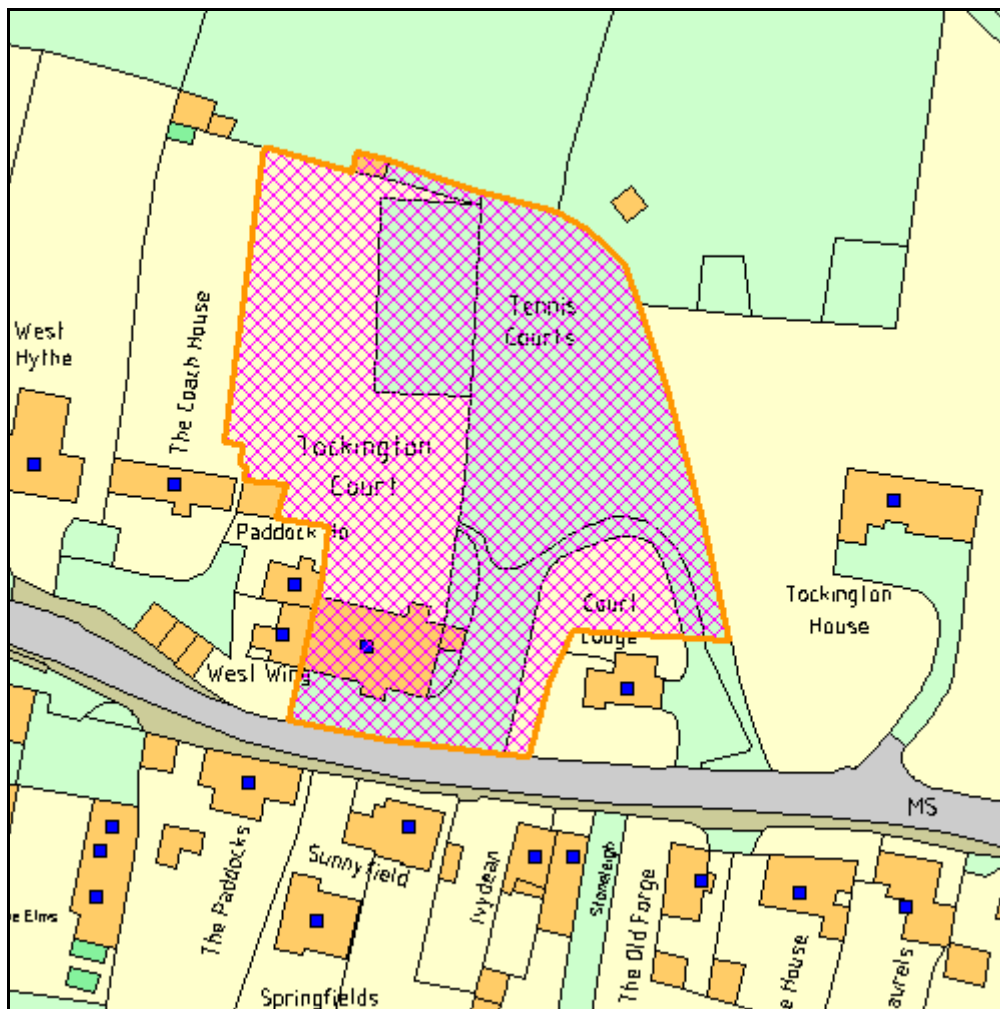
5. The development hereby approved shall be carried out in accordance with the following plans: 9233-3102-F Proposed Layout Plan, and 9233-3151-B Proposed Drainage Plan, received by the Council 17 March 2017.

Reason

For the avoidance of doubt.

CIRCULATED SCHEDULE NO. 21/17 – 25 MAY 2017

App No.:	PT17/0946/F	Applicant:	Mr Nigel Poulton
Site:	Tockington Court Upper Tockington Road Tockington Bristol South Gloucestershire BS32 4LQ	Date Reg:	13th March 2017
Proposal:	Single storey rear extension	Parish:	Olveston Parish Council
Map Ref:	360670 186603	Ward:	Severn
Application Category:	Householder	Target Date:	3rd May 2017



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PT17/0946/F

1. PROPOSAL AND SITE DESCRIPTION

- 1.1 This application seeks full planning permission for the erection of a single storey rear extension to form a sun room at Tockington Court, Tockington.
- 1.2 The application site relates to a semi-detached manor house which is set within an extensive plot. The property is formed of natural stonework elevations with brick detailing. Access is off Upper Tockington Road and is shared with the neighbouring 'Court Lodge'.
- 1.3 The application site is located within part of the Bristol and Bath Green Belt, the Tockington Conservation Area and defined settlement boundary. There are a number of protected trees on the wider site.

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
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS34 Rural Areas

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

H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings
L12 Conservation Areas
T12 Transportation

2.3 Emerging Development Plan

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

PSP1 Local Distinctiveness
PSP7 Development in the Green Belt
PSP8 Residential Amenity
PSP17 Heritage Assets and the Historic Environment
PSP38 Development within Existing Residential Curtilages

2.4 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted 2007)
Residential Parking Standard SPD (Adopted) December 2013
South Gloucestershire Green Belt SPD (Adopted 2007)
Tockington Conservation Area SPD (1995)

3. RELEVANT PLANNING HISTORY

- 3.1 PT17/0948/F Withdrawn
Erection of detached outbuilding to form garage and residential annexe ancillary to main dwelling.

4. CONSULTATION RESPONSES

- 4.1 Olveston Parish Council
No objection
- 4.2 Conservation Officer
No objection in principle. Comments as follows;
- Rear elevation should be retained and enclosed by extension.
- Narrower width would be beneficial to the character of building
- 4.3 Archaeology Officer
No objection
- 4.4 Tree Officer
No comments received

Other Representations

- 4.4 Local Residents
1no. objection was received from a neighbouring resident. Comments as Follows:
- poor design on historic building in conservation area
- comments regarding saleable price of house.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
The NPPF states in paragraph 79 that the aim of the Green Belt is to prevent urban sprawl by keeping land permanently open; the essential characteristics of the Green Belts are their openness and their permanence. It also sets out that the construction of new buildings could be considered appropriate providing it does not form a disproportionate addition in comparison with an associated original building.
- 5.2 Saved Policy H4 of the South Gloucestershire Local Plan (Adopted) 2006 and the emerging Policy PSP38 of the PSP1 Plan (June 2016) allow the principle of extensions within residential curtilages, subject to considerations of visual amenity, residential amenity and highway safety. Furthermore, CS1 of the Core Strategy seeks that the siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the application site and its context.

- 5.3 As the application is located within the Tockington Conservation Area it would be assessed against policies L12, CS9 and PSP17. These policies seek to preserve and where possible enhance Heritage Assets, including Conservation Areas. The proposal accords with the principle of development subject to the consideration below.
- 5.4 Green Belt
The Development in the Green Belt SPD (2007) sets the disproportionate test, indicating that an increase in volume of under 30% over and above that of the original property is considered acceptable, an increase of between 30 and 50% could be appropriate and that exceeding 50% is likely to be considered in excess of a reasonable definition of a 'limited extension'. It also emphasises that the disproportionate test will be assessed on a case-by case basis, and will depend upon individual circumstances of the site. In particular, the location, siting, design and scale of the extension in relation to the size of the plot, as well as the associated boundary treatments relating to the development.
- 5.5 The application was not supported by volume calculations, but it is estimated that proposal would comprise a volume increase of under 30% over and above the original property. Accordingly, the Green Belt SPD sets out that such an increase would likely be acceptable subject to an assessment.
- 5.6 The extension would be enclosed within the existing built form to the rear of the property and its neighbour, and is unlikely to be visible from the surrounding landscape. The host property is extensive and the proposed extension represents a modest addition. Accordingly, given the above, it is considered that the development would not appear disproportionate in the context of the site or cause harm to the Green Belt.
- 5.7 Design, Visual amenity and impact on the Conservation Area
The host dwelling is a large manor house and given its age and appearance can be regarded as a non-designated heritage asset. This application seeks permission for the erection of a single storey extension to part of its rear elevation. It would provide the property with a modest, unashamedly modern addition to the historic aesthetic of the main house.
- 5.8 Plans show that the extension would match the rear building line of the adjoining 'Paddock House'. It would extend by a depth of 4 metres and would have a width of 5.1 metres. It would have a lean to roof with a maximum height of 3.2 metres to the ridge and 2.8 metres to the eaves. The extension would introduce some stonework to match the existing, and would also introduce a lead roof, as well as aluminium glazing and sliding doors. It is noted that not all materials would not match those on the existing property and as such those comments from local residents are understood. However, it is felt that they would not result in detrimental impacts to the design of the property. Having said this, it is felt necessary in the interests of high quality design to recommend a condition to ensure that the materials will be approved in writing by the Local Planning Authority prior to the relevant stage of development.

- 5.9 The application site is located in the Tockington Conservation Area. By virtue of its location and scale it is not felt that the extension would negatively impact the conservation area. The Policy Objectives of the Tockington Conservation Area SPD sets out that individual buildings and groups of buildings should be preserved and it is felt that the proposal would not compromise such.
- 5.10 It is noted that the conservation officer suggested a number of amendments to improve the design of the proposal. These were forwarded to the applicant, however, no revised plans were received to reflect these changes. Whilst these alterations would be beneficial to the development it is not thought that the proposed design is detrimental to the property or surrounding area.
- 5.11 Given all of the above, it is considered that on balance the proposal would not have an adverse impact on the character of the host dwelling or adjacent buildings, and would preserve the setting of the Conservation Area. Accordingly, the proposal is deemed to comply with Policies CS1 and CS9 of the Core Strategy (Adopted) December 2013 and the emerging Policies PSP1 and PSP17 of the PSP Plan (June 2016).
- 5.12 Residential Amenity
This application proposed a modest extension which would adjoin to the neighbouring 'Paddock House'. Whilst the extension may be visible at points, given the scale of the development it is unlikely that the extension would result in detrimental impacts to surrounding occupiers.
- 5.13 The host benefits from a large plot a following construction of the development a large amount of garden amenity space would remain. Overall, it is considered that the proposed development would not be detrimental to residential amenity and is deemed to comply with saved Policy H4 of the Local Plan (2006) and the emerging Policy PSP8 of the PSP Plan (June 2016).
- 5.14 Transport and Parking
No additional bedrooms are proposed as a result of the development, and it would not impinge on existing parking provision or access at the site. Consequently, no objection is raised in relation to highway matters.
- 5.15 Trees
It is noted that there are a number of protected trees sited within the wider site. Having said this, there appear to be none immediately surrounding the proposed location of the extension. However, the applicant will be advised of the presence of protected trees on the decision notice.
- 5.16 Other Matters
Comments have been received regarding the saleable price of the host dwelling. This is not a matter for planning and therefore has not been taken into consideration as part of the assessment of this application.

6. CONCLUSION

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

7. RECOMMENDATION

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

Contact Officer: Lucy Paffett
Tel. No. 01454 863436

CONDITIONS

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

Reason

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

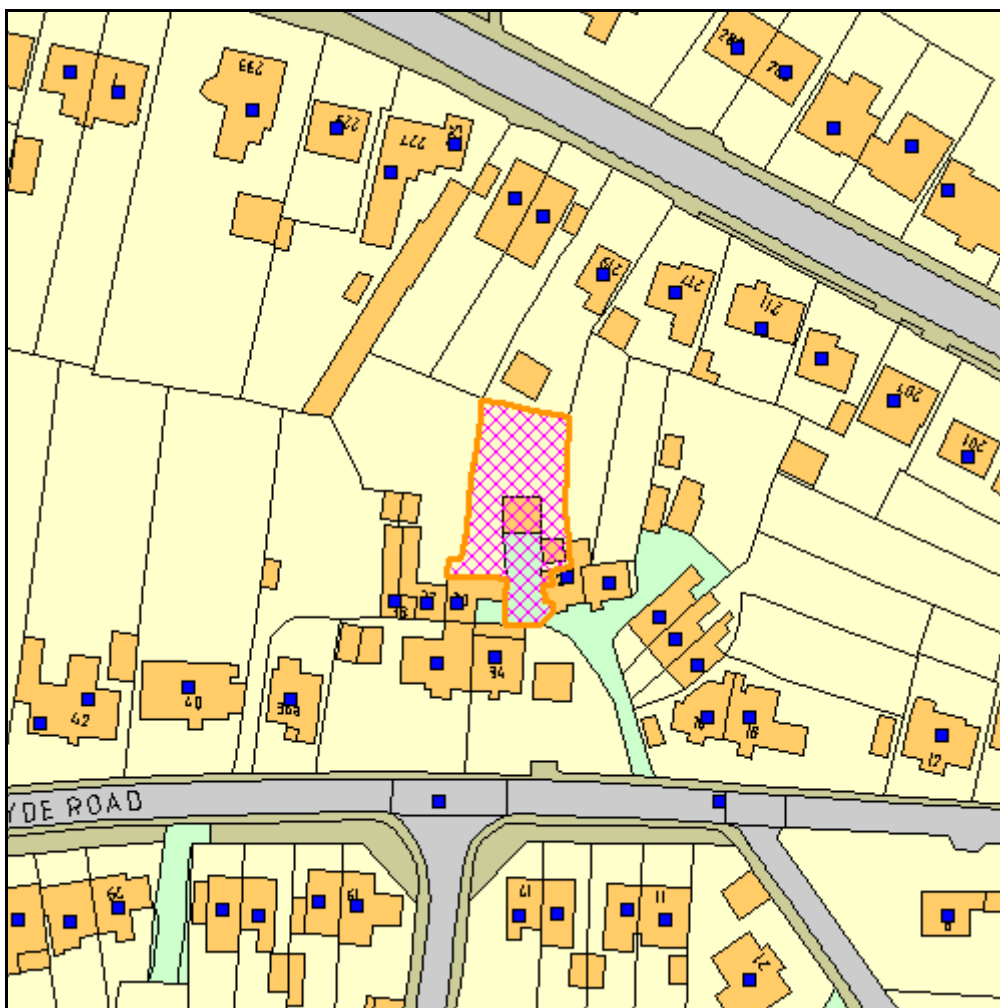
2. Prior to the relevant stage of development details and samples of the roofing and external facing materials proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

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

CIRCULATED SCHEDULE NO. 21/17 – 25 MAY 2017

App No.:	PT17/0987/F	Applicant:	Mr Scott Cameron
Site:	30 Clyde Road Frampton Cotterell Bristol South Gloucestershire BS36 2EE	Date Reg:	8th March 2017
Proposal:	Demolition of existing garage and store and erection of 1no detached dwelling and associated works (re-submission of PT16/4044/F)	Parish:	Frampton Cotterell Parish Council
Map Ref:	366952 181723	Ward:	Frampton Cotterell
Application Category:	Minor	Target Date:	28th April 2017



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100023410, 2008.

N.T.S.

PT17/0987/F

Reasons for Referring to the Circulated Schedule

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

1. THE PROPOSAL

- 1.1 The application site is for most part located in the rear garden of no.30 Clyde Road, Frampton Cotterell although a small area of the garden of neighbouring no.32 is also now part of the development site. The existing property no.30 is a small 2-bedroom cottage enclosed by a cluster of dwellings all served by a narrow shared access and driveway off Clyde Road. Located at the end of the driveway is a single garage and lean-to car-port located in the garden of no.30.
- 1.2 The application seeks full planning consent for the demolition of the existing garage and car-port as well as a small outbuilding used as a store; and the erection of a 2no. bedroom, detached bungalow.
- 1.3 A previous application PT16/4044/F, for a very similar proposal, was refused and a subsequent appeal dismissed (see para. 3.2 below). The appeal decision is a material consideration of significant weight in the determination of this current application. This current revised proposal merely seeks to overcome the reasons for refusal outlined in the appeal Decision Letter.

2. POLICY CONTEXT

2.1 National Guidance

The National Planning Policy Framework 27th March 2012.
The National Planning Practice Guidance 2014

2.2 Development Plans

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

CS1 - High Quality Design

CS4A – Presumption in Favour of Sustainable Development

CS5 - Location of Development

CS6 - Infrastructure and Developer Contributions

CS8 - Accessibility

CS9 - Managing the Environment and Heritage

CS17 - Housing Diversity

CS18 - Affordable Housing

CS23 - Community Infrastructure and Cultural Activity

CS24 - Green Infrastructure, Sport and Recreation Standards

South Gloucestershire Local Plan (Adopted) January 2006

L1 - Landscape Protection and Enhancement

L5 - Open Spaces

L9 - Species Protection

EP2 - Flood Risk and Development

EP4 - Noise-sensitive development

H4 - Development within Existing Residential Curtilages including Extensions and New Dwellings
T7 - Cycle Parking
T12 - Transportation Development Control Policy for New Development
LC1 - Provision for Built Sports, Leisure and Community Facilities (Site Allocations and Developer Contributions)

2.3 Supplementary Planning Guidance

Trees on Development Sites SPG (Adopted) Nov. 2005.
The South Gloucestershire Design Check List (SPD) Adopted Aug 2007.
Affordable Housing SPD Adopted Sept.2008.
South Gloucestershire Council Residential Parking Standards (SPD) Adopted.
South Gloucestershire Council Waste Collection guidance for new developments SPD (Adopted) Jan. 2015
The Frampton Cotterell & Coalpit Heath Village Design Statement

2.4 Emerging Plan

Proposed Submission: Policies, Sites & Places Development Plan June 2016

PSP1 - Local Distinctiveness
PSP2 - Landscape
PSP3 - Trees and Woodland
PSP5 - Undesignated Open Spaces within Urban Areas and Settlements
PSP6 - Onsite Renewable & Low Carbon Energy
PSP9 - Residential Amenity
PSP12 - Development Related Transport Impact Management
PSP17 - Parking Standards
PSP20 - Wider Biodiversity
PSP21 - Flood Risk, Surface Water and Watercourses
PSP22 - Environmental Pollution and Impacts
PSP44 - Private Amenity Space Standards

3. RELEVANT PLANNING HISTORY

- 3.1 N7580 - Change of use of domestic garage to shop for the sale of fruit, vegetables, plants and groceries.
Refused 23 July 1981
- 3.2 PT16/4044/F - Demolition of existing garage and store and erection of 1no. detached dwelling and associated works.
Refused 10th Oct. 2016 for the following reasons:

1. *The proposal would retain inadequate private or usable amenity space, to serve the existing 2-bedroom family dwelling no.30 Clyde Road. Furthermore the scheme would result in loss of privacy for future occupants of the existing and proposed dwellings due to inter-visibility between habitable room windows located in close proximity to each other. As the scheme would not provide good standards of site planning and amenity for future occupants, it would be contrary to Policy CS1 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec. 2013, Policy H4 of The South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and the requirements of the NPPF (para. 17).*

2. *The erection of an additional dwelling, if permitted, would intensify the use of a substandard access by virtue of inadequate width at the junction with the public highway. The proposed access is unsuitable for two-way traffic movements and lacks a pedestrian footway. Insufficient evidence has been submitted to prove that adequate visibility can be achieved from the site access on to the public highway, which potentially increases the risk of conflicts between users. Movements to and from the site would interrupt the safe and free flow of traffic on the public highway. The proposal fails to make adequate provision for the access of service and emergency vehicles. The cumulative impact of the above is considered to be severe in relation to the scale of development proposed and detrimental to highway safety and cannot be overcome through the use of appropriate planning conditions. This amounts to significant and demonstrable harm. The proposed development is therefore contrary to Policies CS1 and CS8 of the South Gloucestershire Local Plan Core Strategy (Adopted) 11th December 2013 and Policies T12 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies) and Para. 32 of the NPPF.*

A subsequent appeal ref: APP/P0119/W/16/3161985 was dismissed 17 Feb. 2017 on the grounds that the development would not achieve acceptable standards of design and layout.

The following are applications relating to nearby properties that are considered material in the determination of this application.

24 Clyde Rd

PT10/1494/F - Erection of 1no. detached bungalow with associated works and erection of garage for existing dwelling.

Refused 1st Sept. 2010 on grounds of:

- Restricted access
- No provision for service vehicles
- Insufficient turning area on site.

Appeal dismissed 21 June 2011 for same reasons.

26 Clyde Rd

PT14/2190/F - Erection of two-storey rear and first floor side extension to form additional living accommodation.

Approved 1 Aug. 2014

32 Clyde Rd

PT14/2178/F - Demolition of existing single-storey extension. Erection of single-storey extension and new staircase to north elevation to form additional living accommodation.

Approved 1 Aug. 2014

4. CONSULTATION RESPONSES

4.1 Frampton Cotterell Parish Council

The Parish Council objects, this is overdevelopment. The Parish Council reiterates its previous observation that the proposed dwelling is out of keeping with the existing street scene and does not comply with the Parish's Visual Design Statement.

4.2 Other Consultees

Lead Local Flood Authority

Query what method of SUDS would be used for surface water disposal.

Sustainable Transport

Planning permission (PT16/4044/F) has previously been sought to demolish existing outbuildings to facilitate the erection of a new dwelling. This development was refused and the decision appealed which was then dismissed by the Inspector. Although visibility at the access and parking were sited as refusal reasons, these were not upheld by the Inspector in his decision.

This current planning application seeks to erect a two-bed bungalow on garden land attached to No 30 Clyde Road. Parking spaces are proposed together with a turning area which will allow vehicles to enter and leave the site in forward gear. The level of parking available complies with the Council's residential parking standards.

In light of the above, there is no transportation objection to the proposed development, subject to a condition that the parking area is provided prior to commencement of the new dwelling and then permanently maintained thereafter.

Highways Structures

No comment

Other Representations

4.3 Local Residents

1no. letters/e.mail of objection has been received from the occupant of no. 40 Clyde Road. The concerns raised are summarised as follows:

- The plans shown online do not show all the most recent extensions etc. to neighbouring houses (e.g. at numbers 32 and 26). The proposed new house will therefore be closer to existing dwellings than the plans show.
- The plots will be hemmed in by fencing round small areas, making for an oppressive atmosphere looking out from the existing houses, as well as from the proposed new one.
- The addition of a new house immediately in front of number 30 will make the existing cottage a much less attractive place to live, leaving it with only a tiny, very dark, north-facing garden, unsuitable for anything much. Its view will be restricted to the front of a new house and effectively a car park.

- Increased on-street parking and congestion.
- The proposal does almost nothing to increase housing provision in the area while at the same time being detrimental to the old character of the cluster of cottages down that little side lane. Allowing another house to be built there sets a precedent for even more building on back gardens in the area, changing the character of the village and downgrading existing housing stock.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

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

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

5-Year Land Supply

- 5.2 The Council's Annual Monitoring Revue (AMR) reveals that the Council cannot currently demonstrate a 5-year housing land supply. As there is provision for windfall sites in the calculation, this weighs in favour of the proposal, which would make a positive contribution, to the housing supply within South Gloucestershire; as such para. 14 of the NPPF is therefore engaged.
- 5.3 The Policies, Sites & Places Plan is an emerging plan only. Whilst this plan is a material consideration, only limited weight can currently be given to most of the policies therein.
- 5.4 In accordance with para.187 of the NPPF, Core Strategy Policy CS4A states that; when considering proposals for sustainable development, the Council will take a positive approach and will work pro-actively with applicants' to find solutions, so that sustainable development can be approved wherever possible. NPPF Para.187 states that Local Planning Authorities should look for solutions rather than problems and decision-takers at every level should seek to approve applications for sustainable development where possible.
- 5.5 Chapter 4 of the NPPF promotes sustainable transport and states that development should only be prevented on transport grounds where the residual cumulative impacts of development are 'severe'.
- 5.6 Paragraph 50 of the NPPF sets out the importance of delivering a wide range of residential accommodation. This policy stance is replicated in Policy CS17 of the Core Strategy which makes specific reference to the importance of planning for mixed communities including a variety of housing type and size to accommodate a range of different households, including families, single

persons, older persons and low income households, as evidenced by local needs assessments and strategic housing market assessments.

- 5.7 Core Strategy Policy CS16 seeks efficient use of land for housing. It states that: *Housing development is required to make efficient use of land, to conserve resources and maximise the amount of housing supplied, particularly in and around town centres and other locations where there is good pedestrian access to frequent public transport services.*

5.8 Density

The submitted proposed plans show a modest detached 'L' shaped property with a footprint measuring approx. 11.0m x 10.m max. The proposed density of development would be commensurate with that of the locality and is considered to make efficient use of the land in what is a relatively sustainable location, in the heart of Frampton Cotterell. In this respect the proposal accords with government guidelines and in terms of its density alone, the development is not considered to be an overdevelopment of the site. Officers consider it inconceivable that more houses than that proposed could be realistically accommodated on the site.

5.9 Scale and Design

Core Strategy Policy CS1 only permits new development where good standards of site planning and design are achieved. The Policy requires that siting, overall layout, density, form, scale, height, massing, detailing, colour and materials, are informed by, respect and enhance the character, distinctiveness and amenity of both the site and the locality. Local Plan Policy H4 permits new dwellings within residential curtilages where inter alia, they respect the massing, scale, proportions, materials and overall design and character of the existing property and the character of the street scene and surrounding area.

- 5.10 It is noted that the Parish Council have objected to the proposal on the grounds that the proposed dwelling would not be in-keeping with the existing street scene and is contrary to the parish's Village Design Statement.

- 5.11 Officers are however mindful that in a recent appeal decision relating to a very similar proposal at nearby no.24 Clyde Road (see para. 3.1 above) the Inspector broached this very issue at paras 4 & 5 of his appeal decision letter, noting the following:

"The proposed dwelling would be sited behind the street frontage but this part of Clyde road is already characterised by irregular building lines and development in depth. Nos 20-24 form a terrace set back from the road at an angle and the lane that provides access to them also serves Nos. 26 and 28; a pair of modern, semi-detached properties built on a 'back-land' site. The new dwelling would not therefore represent a significant breach in the character of the surrounding area."

- 5.12 Officers, having visited the site on more than one occasion and noted the similarities between this and the now proposed scheme, concur with the Inspector's view and consider that even taking account of the Village Design Statement, an objection on design grounds cannot be reasonably substantiated

in this case. Furthermore, the inspector for the appeal against refusal of PT16/4044/F also raised no objection on this issue. On balance therefore, and given the similarities between the previous and current schemes, officers have no objections on design grounds.

5.13 Landscape

Policy L1 of the South Gloucestershire Local Plan (Adopted) 6th January 2006 seeks to conserve and enhance those attributes of the landscape, which make a significant contribution to the character of the landscape. The application site is in a 'back-land' location not forming part of the Clyde Road street scene and is part of a residential garden, but being enclosed by existing buildings, walls and high vegetation, it does not represent an open space worthy of retention under Local Plan Policy L5 or paras. 48 & 53 of the NPPF. Overall, the character of the landscape would be sufficiently conserved.

Impact Upon Residential Amenity

- 5.14 Notwithstanding the requirements of Core Strategy Policy CS1 to provide the highest standards of design and site planning, saved Local Plan Policy H4 only permits new dwellings within residential curtilages where inter alia they would not prejudice the amenities of nearby occupiers and would not prejudice the retention of adequate private amenity space; and adequate private amenity space is provided for any new separately occupied dwelling.
- 5.15 Given the location and modest scale of the proposed bungalow, there would be no issues of overbearing impact or overshadowing for neighbouring occupiers. For the previously submitted scheme (PT16/4044/F) the inspector for the appeal raised concerns about inter-visibility and loss of privacy due to the proximity of the proposed kitchen window to the rear bedroom window of no. 30. Concern was also raised about the new dwelling's main bedroom being overlooked at even closer range from the first floor window of No. 26 Clyde Road.
- 5.16 The scheme as now submitted has taken account of these concerns such that the building has been set further back into the site by approximately 1 metre and the internal layout of the proposed dwelling has been revised. In the internal layout now proposed, only non-habitable room windows i.e. serving a bathroom, a toilet and hall, would now be situated in the front elevation of the proposed dwelling; these windows could easily be obscurely glazed without seriously compromising the amenities of future occupiers; this can be secured by condition. Furthermore, the window serving bedroom 2 has been re-located from the front elevation to the side elevation where it would not be overlooked by the first floor window of no.26.
- 5.17 Subject to a condition to secure obscure glazing to the front windows of the proposed dwelling, officers are now satisfied that the previous concerns about loss of privacy due to inter-visibility and overlooking have been adequately addressed in the revised scheme and there are no longer any objections relating to this matter.

- 5.18 Moving to the issue of amenity space; the existing garden to no.30 is relatively generous in size. In the previously refused scheme (PT16/4044/F) whilst sufficient private amenity space would have been provided to serve the proposed bungalow, only two small areas would have been made available to no.30, which is a two bedroom property capable of family occupation. Officers observed that the existing area of garden located immediately adjacent to no.30 and served by a new patio door, would be only 19.3sq.m. and hemmed in on three sides by existing buildings. The applicant's agent confirmed that this area would be further enclosed by a high fence to the driveway side. This area of amenity space was in officer opinion considered to be of little use as a recreational area, being so small and enclosed. The area, being sunken below the level of the adjacent driveway would be unlikely to receive much sunlight and as such would be quite oppressive for use as a sitting-out area. The inspector for the subsequent appeal concurred with this view.
- 5.19 The second area of amenity space proposed in PT16/4044/F was to be located between no.30 and the proposed bungalow. This area would have been only some 23sq.m. in area and more open than the other area. It would however have been somewhat divorced from no.30, being separated from it by the pedestrian access serving both no.30 and adjoining no. 32. Despite its back-land location, this area of amenity space was not considered to be very private, being directly overlooked by the kitchen window of the proposed bungalow and by people accessing no.32. Furthermore it lay adjacent to the parking areas serving no.30 and the proposed bungalow.
- 5.17 Officers did not consider that this arrangement of amenity space would provide a good living environment for the occupiers of no.30, as required by the NPPF (see core planning principles listed under para. 17) or Development Plan Policies CS1 and H4.
- 5.18 It was also noted that although Policy PSP44 was not yet adopted, it required a minimum of 50sq.m. private amenity space to serve a 2 bedroom dwelling. The total area of the proposed amenity space to be retained for no.30 would have been only 42.3sq.m. and as such would not have satisfied the Council's aspirations for amenity space provision as reflected in the PSP44 standards. Furthermore the small areas were not considered practical for use as private amenity space suitable to family living. Officers therefore considered this matter to result in a significant and demonstrable adverse impact on residential amenity.
- 5.19 The inspector for the subsequent appeal concurred with this assessment.
- 5.20 In order to overcome this problem, the applicant has now negotiated the acquisition of additional land from his neighbour at no. 32. This would be in exchange for the provision of a parking space for no.32; this was in fact at the suggestion of the neighbour.
- 5.21 This new arrangement would allow a garden area of 63sq.m. to be located immediately adjacent to no.30 which in terms of both area and location is a far better design solution to that previously proposed, where the garden area was small and separated from the existing dwelling. The revised layout would

necessitate the re-location of the right-of-way to no32, further north, but this is considered a logical approach as it would provide direct access from the rear of no.32 to its new parking space (no.4) located to the front of the new dwelling. The retained garden for no.30 would be made private by the erection of close board fencing which would not be oppressive given the increased size of the garden. For no.32 a more than adequate garden area would be retained.

- 5.22 In the arrangement now proposed, adequate private amenity space would be provided to the rear of the new bungalow and notwithstanding the small size of the patio garden to the side of no.30, more than enough private amenity space, to meet the standards of PSP44, would be provided for the existing 2-bedroom dwelling (no.30). On this basis officers are now satisfied that an objection on the grounds of lack of amenity space can no longer be substantiated.

Transportation Issues

- 5.23 In addition to the requirements of NPPF Chapter 4, Core Strategy Policy CS8 requires that car parking and vehicular site access should be well integrated so as to not compromise highway safety. Local Plan Policy H4 only permits development where it would not prejudice highway safety; and Policy T12 only permits new development where it provides adequate and safe access capable of accommodating the motorised traffic generated by the proposal.
- 5.24 Officers are satisfied that parking spaces of an appropriate size and number i.e. one for no.30 and two for the proposed bungalow and now an additional space for no.32, would be provided in accordance with the Council's Residential Parking Standards SPD. Furthermore, there would be adequate turning space to allow cars to access and egress the site in forward gear. Traffic generation from one small bungalow would be light and in terms of numbers alone would not adversely impact on the local highway network.
- 5.25 Moving to the issue of access, (which remains as previously proposed under PT16/4044/F), it is noted that it is again proposed to utilise the existing access and driveway off Clyde Road. The access and driveway are currently shared with a number of neighbouring dwellings. The driveway is narrow and single-track over a distance of approximately 20 metres; it also bends sharply where it enters no.30.
- 5.26 In PT16/4044/F, officers, having regard to the 2011 appeal decision relating to 24 Clyde Rd (see PT10/1494/F) raised an objection to this access arrangement and sited the following as an additional refusal reason:

The erection of an additional dwelling, if permitted, would intensify the use of a substandard access by virtue of inadequate width at the junction with the public highway. The proposed access is unsuitable for two-way traffic movements and lacks a pedestrian footway. Insufficient evidence has been submitted to prove that adequate visibility can be achieved from the site access on to the public highway, which potentially increases the risk of conflicts between users. Movements to and from the site would interrupt the safe and free flow of traffic on the public highway. The proposal fails to make adequate provision for the access of service and emergency vehicles. The cumulative impact of the above is considered to be severe in relation to the scale of development proposed and detrimental to highway safety and cannot be overcome through the use of appropriate planning conditions. This amounts to significant and demonstrable

harm. The proposed development is therefore contrary to Policies CS1 and CS8 of the South Gloucestershire Local Plan Core Strategy (Adopted) 11th December 2013 and Policies T12 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies) and Para. 32 of the NPPF.

- 5.27 The Inspector for the subsequent appeal however took a different view stating the following:

Where the short cul-de-sac serving the appeal site meets the main carriageway of Clyde Road, the junction is sub-standard in terms of visibility, especially to the east. Also, in the narrow section between Nos. 28 and 30 Clyde Road, vehicles cannot pass and there is the possibility that one might have to reverse out.

However, Clyde Road is not heavily trafficked, and although the same cul-de-sac section already serves about half a dozen other properties, there is no evidence of any significant accident record. The new dwelling now proposed would generate some additional traffic movements, and thus would slightly increase the existing risks. But the number of such movements to and from a single new dwelling would be small. I also note that, whatever its other shortcomings, the proposed layout would provide sufficient parking and would allow vehicles to turn within the site.

On balance therefore, comparing the proposed development with the present situation, it seems to me that the increased risks resulting from the scheme would be fairly low. As such, the development would not conflict with the relevant provisions relating to highway safety in Local Plan Policies H4 or T12.

I have had regard to the 2011 appeal decision relating to another proposed dwelling nearby (24 Clyde Rd.) which was dismissed on grounds of highway safety. But that decision came before the publication of the NPPF, which requires, in paragraph 32, that permission should only be refused on transport grounds where the impact would be severe.

In the present case, for the reasons explained, the effects of the proposal on highway safety would not be such as to justify refusal.

- 5.24 On this basis officers do not consider that a refusal reason on highway grounds could reasonably be substantiated in relation to the current proposal. Whilst it is acknowledged that the access would serve an additional parking space that has been introduced for No.32, the amount of additional traffic movements would be minimal and this is counter-balanced by the reduction of on-street parking as a result of the additional parking space. There are therefore no highway objections to the proposal.

5.25 Environmental and Drainage Issues

Any increase in noise levels or anti-social behaviour, would be the subject of normal environmental health controls. Whilst there would inevitably be some disturbance for neighbours during the development phase, this could be adequately mitigated by imposing a condition to restrict the hours of working. In terms of drainage, the means of foul disposal would be to the public foul mains located nearby, surface water would be disposed of to a sustainable drainage

system. The site lies in Flood Zone 1 and is not therefore at high risk of flooding. Drainage matters are considered to be adequately covered under Building Regulations. The site does not lie within a Coal Referral Area. There would be adequate space within the site for bin storage.

5.26 Ecology

The site is not covered by any statutory or non-statutory nature conservation designations. There are no ecological constraints to developing the site.

5.27 Affordable Housing

The proposal is for 1no. new dwelling only, which is below the Council's threshold for affordable housing provision.

5.28 Community Services

The proposal is for 1no. new dwelling only, which is below the Council's threshold for contributions to Community Services.

CIL Matters

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

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

6.3 In this case there are some benefits to the proposal; in light of the Council's housing land supply situation the provision of 1no. small bungalow must carry weight in its favour, albeit that 1no. house would only represent a very modest contribution to the 5-year housing supply. The economic benefits for local house builders and suppliers of building materials and local services would be a further small benefit to which only moderate weight can be afforded.

6.4 Weighed against the benefits of the proposal would be the residual cumulative transportation impacts of the development, but these are not considered to be 'severe' and as such do not weigh very heavily against the proposal.

- 6.5 On balance therefore officers consider that in their judgement, the identified harm, such as it is, for the reasons given above, would not be sufficient to significantly and demonstrably outweigh the benefits of the development. As such the proposed development is regarded as sustainable as required by the NPPF. The application should therefore be approved.
- 6.6 The recommendation to grant planning permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 That planning permission is GRANTED subject to the conditions listed on the Decision Notice.

Contact Officer: Roger Hemming
Tel. No. 01454 863537

CONDITIONS

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

Reason

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

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

Reason

To protect the amenity enjoyed by those living in the locality to accord with the provisions of the NPPF.

3. Prior to the commencement of the development hereby approved, a scheme of landscaping, which shall include details of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection during the course of the development; proposed planting (and times of planting) plus a 5-year maintenance schedule, boundary treatments, screen fencing/walls and areas of hard-surfacing shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed details. All screen fencing/walls shall be erected prior to the first occupation of the dwelling hereby approved.

Reason

To protect the landscape character in general and residential amenity of existing and future occupiers; to accord with Policies L1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006, Policy CS1 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11 Dec. 2013 and the provisions of the NPPF. This is a prior to commencement condition to ensure that those trees/hedgerows to be retained are adequately protected for the whole duration of the development.

4. Prior to the first occupation of the dwelling hereby approved, the car parking provision for the existing and proposed dwellings shall be implemented in accordance with the approved Planning Layout Drawing No. PL01 Rev C and retained thereafter for that purpose.

Reason

To ensure the satisfactory provision of car parking facilities and in the interests of highway safety and the amenity of the area, and to accord with Policy T12 of The South Gloucestershire Local Plan (Adopted) 6th Jan. 2006, Policy CS8 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec. 2013 and The South Gloucestershire Residential Parking Standards SPD (Adopted) Dec. 2013.

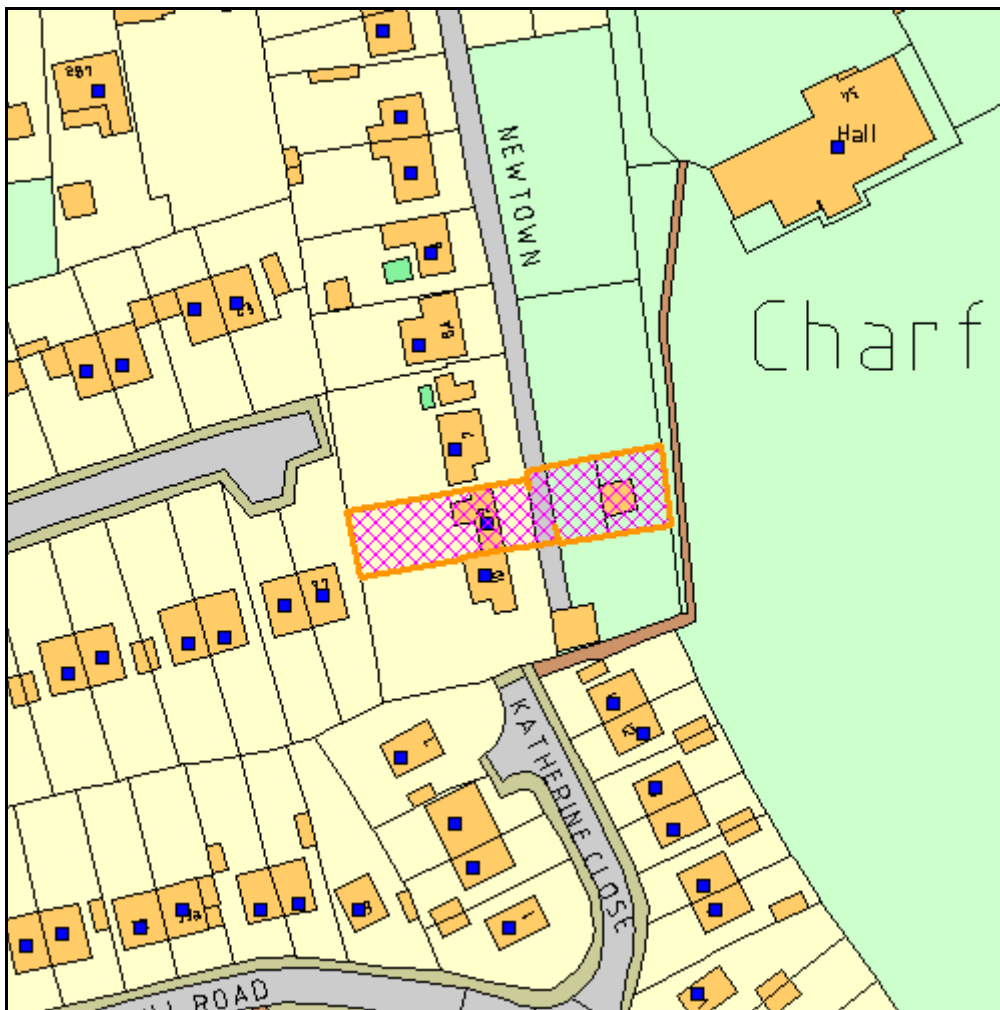
5. Prior to the use or occupation of the dwelling hereby permitted, and at all times thereafter, the proposed windows on the front elevation shall be glazed with obscure glass to level 3 standard or above with any opening part of the window being above 1.7m above the floor of the room in which it is installed'.

Reason

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

CIRCULATED SCHEDULE NO. 17/21 – 25 MAY 2017

App No.:	PT17/1065/F	Applicant:	Mr And Mrs P Garside
Site:	9 Newtown Charfield Wotton Under Edge South Gloucestershire GL12 8TF	Date Reg:	13th March 2017
Proposal:	Erection of a single storey rear and two storey rear extension to form additional living accommodation.	Parish:	Charfield Parish Council
Map Ref:	372228 192160	Ward:	Charfield
Application Category:	Householder	Target Date:	3rd May 2017



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PT17/1065/F

CIRCULATED SCHEDULE

Members may recall this application appeared on last week's Circulated Schedule but due to a period of re-consultation, additional comments have been received. So that all the comments can be taken into consideration the amended report now appears on this week's list.

1. THE PROPOSAL

- 1.1 The applicant seeks outline planning permission for the erection of a single storey rear and two storey rear extension to form additional living accommodation. The application site relates to No. 9 Newtown, a two-storey detached property situated with the village of Charfield.
- 1.2 During the course of the application additional plans to demonstrate that off street parking in line with adopted policy could be accommodate within the application site were requested and received. In addition revised plans were received which reduced the depth of the proposed two-storey element of the extension and the removal of the proposed first floor side window.

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
CS9	Environmental Resources and Built Heritage

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

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

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

3. RELEVANT PLANNING HISTORY

- 3.1 No planning history

4. CONSULTATION RESPONSES

- 4.1 Charfield Parish Council
No objection

4.2 Other Consultees

Sustainable Transport Officer

Request for plan to show 3 off street parking spaces can be within the site boundary.

Updated comments:

Following further details, there are no highway objections

Other Representations

4.3 Local Residents

Two letters of objection has been received. The points raised are summarised as:

Residential impact:

- window on side elevation will look directly onto our property, invade privacy and give unwanted illumination
- bedroom window on side elevation will overlook and invade privacy and restrict natural light
- two-storey extension will reduce amount of light in my kitchen, sitting room and patio. Would agree to a single storey extension
- side window in single storey will look directly into our dining area and oversee our social space

Design:

- the two storey structure extends far beyond the building line of existing buildings on either side – we were advised in 1979/80 by a planning officer that we would not get permission to build beyond the building line
- we would be happy for a single storey extension to the left side and for the kitchen to be built 1.5 metres away from our party wall with the removal of the side window
- extension would be more than 5 metres beyond original house building line

Other matters:

- potential to undermine our foundations
- structure could not be maintained without coming onto our property
- plans are incorrect
- concerns regarding passageway access by builders must not be restricted by building equipment
- Party Wall Act 1996 - we have not been notified of any proposed building work near our shared property boundary
- discussion with applicant in February implied no drawings available feel this a deliberate attempt to frustrate and circumvent planning rules

Additional comments received not included in the above list:

- Smells and toxins from the proposed mechanical ventilation and air vent
- Site plan does not accurately represent the existing building layouts or boundary lines

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application stands to be assessed against the above listed policies and all other material considerations. Adopted policy is supportive of extensions within existing residential curtilages provided the development would not have an adverse impact on residential amenity or on highway safety and parking standards (H4 and T12 and SPD: Residential Parking Standards) and importantly, that is it of an appropriate design standard that reflects the character of the host property and area in general.

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

5.2 Design and Visual Amenity

The application site is a two-storey extended semi-detached property situated close to the head of a small cul-de-sac in Charfield. It is understood that the property was originally two cottages which have been knocked into one. The property benefits from having been previously extended by a substantial flat roof extension which runs the entire length of the rear of the property. It must be noted however that the LPA holds no records of these alterations and it is therefore assumed that they are of some age. In addition existing single storey additions are also noted and again no planning history can be found for these structure but given they have been in place for some time and would be replaced by this proposal, no further action is needed. At present the rear of the house is stepped with single storey extensions of about 1.2 metres, 2.8 metres and 4.8 metres running along the rear from the north to the south.

5.3 Revised plans have reduced the depth of the two storey rear extension to 3.8 metres. A single storey ground floor extension would be attached to this and then stretch across the entire rear elevation – in its entirety the new addition would square up the rear elevation. It noted that this would be an extension to an existing extension. The structure would extend out from the existing building line by 5 metres. It is noted that this would be a large extension to the cottage but given the presence of a number of ad-hoc single storey additions this would consolidate the built form to the rear of the property.

5.4 At first floor level the proposed two-storey addition would provide a fifth bedroom whilst at ground floor this would create a very large study area. At ground floor level the single storey extension accompanied by other internal reconfigurations would create a large open plan dining/area plus separate utility room. Openings in the proposed ground floor element would be mostly to the rear including a bank of full-height bi-fold doors, plus high level windows to the southern elevation. At first floor level the new bedroom would have one opening to the rear - the originally proposed new window in the first floor south elevation having been removed in revised plans. With regards to the proposed materials these would be to match the existing rendered cottage.

- 5.5 In terms of the overall appearance, the proposal would result in a large extension to this cottage but given that the alterations would be to the rear there would be no adverse impact on the character of the area and changes to existing properties of the type proposed are not unusual. The existing situation of ad-hoc additions to the rear of this property is noted and therefore, in terms of its visual appearance the proposal would be seen as an improvement to the existing situation. Overall in terms of the design, scale and massing the proposal is considered acceptable.
- 5.6 Residential Amenity
- Original objection comments with regards to the potential for overlooking from the southern first floor window have been addressed by its removal, but a condition will ensure that no new openings are inserted in the first floor elevations to preserve neighbour privacy. Other proposed high level windows in the southern elevation will remain in the ground floor addition. Neighbours have expressed their concerns regarding overlooking from this proposed high level window. However, it must be noted that an existing single storey rear extension already has glazing in this side. Given the existing boundary treatment of fencing and walling and that the high level windows would be non-opening, it is considered these would not have an adverse impact on the amenity of close neighbours to the south over and above the existing situation. Other comments have declared that smells from the proposed ventilation system would adversely affect their living conditions. However, it must be remembered that this is a domestic extension for one family not a commercial enterprise and so the amount of, for example, cooking odours would be proportionate to the size of the family and would not be unacceptable in this setting.
- 5.7 A new small window is proposed in the north elevation close to the side of No. 7. Comments have been received objecting to this window but a site visit has confirmed that this window would be directly opposite the side wall of this neighbouring property. Views into the garden of No. 7 would be extremely limited. In addition it is considered that the first floor window of the two-storey rear extension would have no adverse impact over and above the existing situation.
- 5.8 Comments have been received indicating that the proposed extension would affect the amount of light entering the neighbouring property. Although it is acknowledged that there would be changes for this neighbour, it must be noted that the closest built form to the application site is a single storey addition to this neighbouring property. The proposed two-storey extension would be stepped in from the boundary by about 1.2 metres and the overall depth of this element has been reduced and as such the proposed impact on the neighbour to the north would not be unacceptable in this row of properties in a village location.
- 5.9 Following the development sufficient amenity space would remain to serve the property. The proposal is considered to accord with adopted policy i

5.10 Sustainable Transport

Off street parking provision for the dwelling is to the front of the property on the other side of the access road. Most of the houses along this lane have their curtilage bisected in this manner. The application site benefits from a large garage plus off-street parking to the front and side of this structure. As a five bedroom property 3 off-street parking spaces are required to comply with adopted policy and this provision can be achieved within the curtilage of No .9 Newtown. On this basis there are no highway objections to the scheme.

5.11 Other matters

A number of other matters have been raised by concerned local residents including citing historic advice given in 1978/80; the need for a party wall agreement; the use of a shared passageway; potential to undermine foundations and discussions between the parties. None of these are planning matters that can be discussed in this report. Some are civil issues which are to be discussed between the relevant parties and others may be covered under Building Regulations. Comments have been made that the submitted plans do not accurately show the boundary line between properties and there is some discrepancy in the building layouts of the adjoining cottages. Following a site visit Officers are content that the lines on the site plans and boundary plans sufficiently reflect the positions of the buildings. Although the position of the chimney may not be precise, the plans showing the proposed extension are correct in relation to the host property and the neighbours, and a full assessment has been made.

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 hours of working on site during the period of construction shall be restricted to 7:30 to 18:00 Monday to Friday and 8:00 to 13:00 on Saturdays; and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site

Reason

To 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.

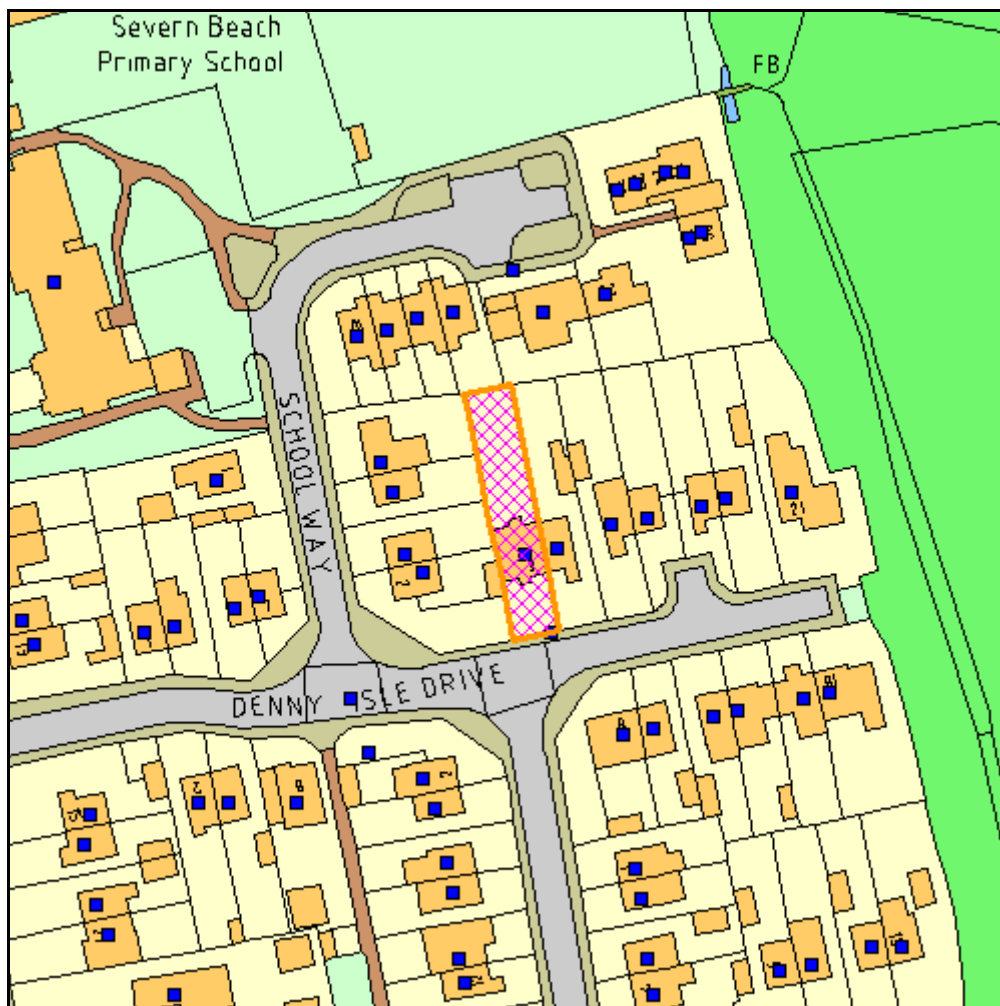
3. No windows other than those shown on the plans hereby approved shall be inserted at any time in the first floor elevations of the property.

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 CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013 and the provisions of the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 21/17 - 25 MAY 2017

App No.:	PT17/1507/F	Applicant:	Mr Lee Edwards
Site:	9 Denny Isle Drive Severn Beach Bristol South Gloucestershire BS35 4PZ	Date Reg:	12th April 2017
Proposal:	Erection of a single storey front, a two storey side and a single storey rear extension to form additional living accommodation.	Parish:	Pilning And Severn Beach Parish Council
Map Ref:	354367 184542	Ward:	Pilning And Severn Beach
Application Category:	Householder	Target Date:	7th June 2017



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REASONS FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 Planning permission is sought for the erection of a single storey front, two storey side and single storey rear extension to form additional living accommodation at no. 9 Denny Isle Drive, Severn Beach.
- 1.2 The application site consists of a semi-detached property set towards the front of a long, narrow plot. The site is situated within the defined settlement boundary of Severn Beach. The application site is located within EA Flood Zone 2. The main dwelling is finished in facing brick, with a pitched, tiled roof. A small pitched roof porch projects from the front of the dwelling, with a flat roof single garage attached to the west facing side elevation of the property. The immediate streetscene consists of similar semi-detached properties. However the properties in the wider area demonstrate a greater degree of variation in terms of architectural style and external finish.

2. POLICY CONTEXT

2.1 National Guidance

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

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

H4 Development within Existing Residential Curtilages
T12 Transportation
EP2 Flood Risk and Development
L9 Species Protection

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

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

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

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

3. RELEVANT PLANNING HISTORY

- 3.1 There is no planning history associated with the site.

4. CONSULTATION RESPONSES

- 4.1 Pilning and Severn Beach Parish Council
No objection

- 4.2 Other Consultees

Sustainable Transport
No objection

Lead Local Flood Authority

No objection - A Flood Mitigation Form has been submitted and accepted, however the applicant should consider updating any held emergency flood plans in relation to access & egress.

Ecology
No comments

Other Representations

- 4.3 Local Residents
3 comments of objection were received. The main concerns raised are outlined below:
- Two storey extension will impinge on light in to rear gardens and internal rooms of neighbouring properties.
 - Two storey extension will create increased sense of enclosure.
 - Windows to side and rear would look directly in to neighbouring property, negatively impacting on privacy.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application seeks permission for the erection of a single storey front, two storey side and single storey rear extension. Policy H4 of the Local Plan permits extensions and alterations to existing dwellings within established residential curtilages subject to an assessment of design, amenity and transport. 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 Due to their location to the front and side of the property, the proposed single storey front and two storey side extensions would be visible from the public areas offered along Denny Isle Drive. As such it is acknowledged that the addition of these elements to the property would have some impact on the setting of the property within the streetscene, as well as the character and distinctiveness of the immediate surrounding area. The proposed rear extension would not be visible from public areas, with any potential impacts on the streetscene therefore significantly reduced.

Single storey front

5.4 The proposed single storey front extension would form a front porch, as well as the front portion of a proposed garage. The proposed extension would incorporate a lean-to roof, with a maximum ridge height of roughly 3.8 metres, and the eaves level set at roughly 3 metres. The proposed extension would measure approximately 5 metres in width, and would protrude from the front of the existing property by roughly 2 metres. The proposed front extension would be finished in facing brick to match the external finish of the existing dwelling.

5.5 The proposed porch would be of a similar scale and design to an existing front porch. It is not considered that the stepping forward of the proposed garage, so that it appears flush with the front porch, would have a significant impact on the appearance of the property. It is also noted that front porches are commonplace within the immediate surrounding area. Overall, it is considered that the scale and design of the proposed front extension would allow for it to sufficiently respect the character of the area, as well as the character and proportions of the host property.

Two storey side

5.6 The proposed two storey side extension would be constructed in place of an existing flat roof garage, and would form part of a newly proposed garage and utility room at ground floor level, and a proposed bedroom and en-suite at first floor level. The proposed extension would protrude from the west-facing side elevation of the property, and would have an overall width of roughly 2.5 metres. The two storey element would be slightly stepped back from the front and rear elevation of the main dwelling, with an overall depth of roughly 6.9 metres (compared to the 8.1 metre depth of the host dwelling). The ridge line of the proposed extension would be set at approximately 7.1 metres, and would be stepped down from that of the host dwelling by roughly 0.3 metres. The eaves would be set at the same level as that of the host dwelling, at approximately 5.1 metres. The materials proposed would match those used in the external finish of the host dwelling.

5.7 It is acknowledged that the ridge line of the proposed extension has been stepped down from that of the main dwelling. It is considered that this allows for the two storey extension to appear as a subservient addition to the host dwelling. It is also considered that this design approach reduces any potential unbalancing of the semi-detached pair. During a site visit it was noted that two storey side extensions have previously been implemented at neighbouring properties. Overall, whilst the proposed side extension would unbalance the semi-detached pair to some degree, it is considered that the modest width and stepping down of ridge line sufficiently mitigates any impact on the streetscene. Furthermore it is considered that the scale, design and finish of the proposed extension allow for it to appear subservient to, and in keeping with the host dwelling.

Single storey rear

5.8 The proposed single storey rear extension would incorporate a lean-to roof, with a ridge height of roughly 3.8 metres and eaves set at approximately 2.8 metres. The addition would extend across the width of the rear of the property, as well as the rear of the proposed side extension. The proposed extension would have a maximum depth of roughly 4 metres, and would be finished in materials to match the external finish of the host dwelling.

5.9 As is previously outlined, due to its location to the rear, the erection of the proposed rear extension would not significantly impact on the streetscene or character of the area. Additionally, it is considered that the scale, design and finish of the proposed extension would allow for it to appear in keeping with, and proportionate to the host dwelling.

Cumulative impact

5.10 On balance, it is not considered that proposed additions would harm the setting of the property within the streetscene, with the three elements considered to be of a design that sufficiently respects the character and distinctiveness of the immediate surrounding area. It is also considered that the scale, design and finish of the proposed additions would allow for them to appear proportionate to, and in keeping with the host dwelling. Furthermore, it is considered that the site can sufficiently accommodate the level of development proposed without appearing cramped or contrived. Overall, the proposed development is

considered to comply with design criteria set out in policy CS1 of the Core Strategy and H4 of the Local Plan.

5.11 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.

5.12 When considering the impact of the proposal on the residential amenity currently enjoyed by the occupiers of neighbouring properties, the main properties under consideration are the adjoining property to the east at no. 11 Denny Isle Drive, and the row of properties backing on to the application site to the west along School Way.

Two storey side

5.13 Due to its location to the west of the host dwelling, it is not considered that the erection of the two storey side extension would impact upon residential amenity at no. 11 Denny Isle Drive to the east.

5.14 It is noted that the construction of the extension would result in the encroachment of a two storey structure towards the boundaries to the west, separating the application site from the rear gardens of properties along School Way. It is also noted that the proposed extension would have some overbearing and overshadowing impacts on to the rear gardens of the neighbouring properties. However it is considered that the modest width of the proposed extension, as well as the stepping-down in ridge height, reduce these potential impacts. Sun calculations indicate that the proposed extension would only have the potential to block out sunlight to neighbouring properties/rear gardens for a very short period of the day.

5.15 It is also noted that the erection of the extension would have some impact on outlook from the east (rear) facing windows at the aforementioned properties. However it is not considered that the impact on outlook would be significantly greater than the current situation, with regard to the impacts of the subject property on outlook from these windows. Overall, whilst it is acknowledged that the proposed extension would have some overshadowing and overbearing impacts on neighbours, it is not considered that the overall impact on residential amenity would be so significant as to substantiate a reason for refusing the application.

5.16 As no first floor side facing windows are proposed, there would not be any first floor windows directly facing properties to the west. It is noted that the proposal would involve the insertion of new first floor front and rear facing windows. However due to orientation and levels of separation, it is not considered that the insertion and use of these windows would impact the privacy of neighbouring occupiers through an increased sense of overlooking.

Single storey front and rear

- 5.17 Due to their single storey nature, it is not considered that the proposed front and rear extensions would significantly impact the residential amenity of neighbours through an increased sense of overbearing, overshadowing or overlooking. It is noted that these additions would increase the overall footprint of the building, and would result in the loss of outdoor private amenity space at the site. However it is considered that sufficient space would be retained following the implementation of the proposal.

Cumulative impact

- 5.18 Overall, it is not considered that the proposed development would significantly impact upon the residential amenity of neighbours. However it is recognised that implementing the proposal would involve a relatively long period of construction. Given the proximity of the proposed extensions to neighbouring boundaries, a condition will be attached to any decision restricting the hours of working during the construction period. Subject to this condition, the proposal is considered to satisfy criteria relating to impacts on residential amenity, as set out in policy H4 of the Local Plan.

5.19 Transport

As a result of the proposed development, the number of bedrooms at the property would increase from a total of three to four. South Gloucestershire Residential Parking Standards outlines that both three and four bed properties must make provision for a minimum of 2 parking spaces, each measuring a minimum of 2.4m x 4.8m. A block plan has been submitted, indicating that sufficient parking is to be provided to the front of the property. However this provision will be secured by condition. Furthermore, it is not considered that the proposal would have any impact in terms of highway safety.

5.20 Flood Risk

A Flood Mitigation Form was completed and returned to the Council by the applicants. This form was confirmed as being acceptable by a Council Drainage Technician. Following the submission of this form, there is not considered to be any issue relating to flood risk.

5.21 Ecology

The application site is located within a Site of Nature Conservation Interest. However a Council Ecologist raised no concern with the proposed development. Notwithstanding this, an informative will be attached to any decision, outlining that care should be taken during all phases of construction to avoid any interference with any bats that may be present at the site.

5.22 Objection Comments

It is considered that the concerns raised are sufficiently addressed in paragraphs 5.14 – 5.16 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. The hours of working on site during the period of construction shall be restricted to 0730 - 1800 on Mondays to Fridays and 0800 - 1300 on Saturdays; and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

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

3. The off-street parking facilities (for all vehicles, including cycles) shown on the plan (Drawing no. 8) 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 extensions are first occupied, and thereafter retained for that purpose.

Reason

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policy CS8 of the South

Gloucestershire Local Plan; Core Strategy (Adopted) December 2013; and the South Gloucestershire Residential Parking Standards SPD (Adopted) December 2013.