



**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. 26/17

Date to Members: 30/06/2017

Member's Deadline: 06/06/2017 (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 - 30 June 2017

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK16/6823/F	Approve with Conditions	The Old Station Yard Station Road Yate South Gloucestershire BS37 4PS	Yate Central	Yate Town
2	PK17/0049/F	Approve with Conditions	Barretine Group St Ivel Way Warmley South Gloucestershire BS30 8TY	Siston	Siston Parish Council
3	PK17/1021/F	Approve with Conditions	Little Green 25 Shortwood Road Pucklechurch South Gloucestershire BS16 9PL	Boyd Valley	Pucklechurch Parish Council
4	PK17/1111/F	Approve with Conditions	4 Tremes Close Marshfield Chippenham South Gloucestershire SN14 8TB	Boyd Valley	Marshfield Parish Council
5	PK17/1660/F	Approve with Conditions	288 Badminton Road Coalpit Heath South Gloucestershire BS16 6NT	Westerleigh	Westerleigh Parish Council
6	PK17/1807/CLP	Approve with Conditions	12 Fonthill Way Bitton South Gloucestershire BS30 6JY	Bitton	Bitton Parish Council
7	PK17/1836/F	Approve with Conditions	Land At Coombs End Old Sodbury South Gloucestershire BS37 6SQ	Cotswold Edge	Sodbury Town Council
8	PK17/2148/F	Approve with Conditions	2 Greenbank Road Hanham Bristol South Gloucestershire	Hanham	Hanham Parish Council
9	PK17/2297/F	Approve with Conditions	1 Turnpike Close Yate South Gloucestershire BS37 4JF	Yate Central	Yate Town
10	PK17/2365/RV	Approve with Conditions	Land Off Jenner Boulevard Jenner Boulevard Emersons Green South Gloucestershire	Boyd Valley	Emersons Green Town Council
11	PK17/2486/TRE	Approve with Conditions	8 Barnwood Close Kingswood South Gloucestershire BS15 4JA	Kings Chase	None
12	PT17/0811/R3F	Deemed Consent	Watermore Primary School Lower Stone Close Frampton Cotterell South Gloucestershire BS36 2LE	Frampton Cotterell	Frampton Cotterell Parish
13	PT17/1731/F	Approve with Conditions	Conygre House Conygre Road Filton South Gloucestershire BS34 7DD	Filton	Filton Town Council

1. THE PROPOSAL

- 1.1 This application seeks retrospective planning permission for the change of use of part of the existing yard to a car wash use (Sui generis) and for the siting of a metal container to provide storage and staff welfare facilities. The use would support the employment of 4 full time employees.
- 1.2 The site is situated to the east of Yate Railway Station and to the south of the A432 Station Road, and is accessed via a lane leading on to Westleigh Close, to the east. The site lies within the urban area as defined in the development plan and adjacent to the safeguarded employment area. To the south of the site lies Station Masters House, a residential property. The access from Westleigh Close is used by the occupants of this property, as well as by employees and visitors to Trade Interiors Ltd, a kitchen and bathroom manufacturing and installation company based in the Goods Shed, which is a Grade II Listed Building to the north of the application site. To the west of the site is a railway line and large steel processing works. The application site itself, which comprises an area of hardstanding, sits at a lower level than Station Road, and is bounded by mature trees to the south and east, which form part of the boundary of Yate Common.
- 1.3 During the course of the application the boundary for the car wash activity was greatly reduced and following an acoustic report an acoustic fence has been added to the proposal.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design

CS5 Location of Development

CS9 Managing the Environment and Heritage

CS13 Non safeguarded Economic Development sites

CS30 Yate and Chipping Sodbury

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

E3 Employment within the urban area

T8 Parking Standards

T12 Transportation

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

PSP8 Residential Amenity

PSP11 Transport Impact

PSP16 Parking standards

2.3 Supplementary Planning Guidance

3. RELEVANT PLANNING HISTORY

- 3.1 P97/2450 Sale of architectural antiques from good shed Approved 1997
- 3.2 PK/00/0947/F Variation of condition to allow display and sale of furniture Approved 2000
- 3.3 PK03/2675/F Change of use of land to class A3 with the stationing of a portacabin for use as a café refused 2003

4. CONSULTATION RESPONSES

4.1 Yate Town Council

Objection. Vehicle movements, drainage, hours of operation, noise and not in keeping with historical building.

4.2 Listed Building Officer

No objection

4.3 Environmental Protection

No objection. Prior to commenting the Environmental Protection team required further information in the form of an acoustic report in accordance with BS4142, detailing how noise from the proposed car wash may affect neighbouring properties.

Having considered the Acoustic Report produced by Ion a number of conditions have been proposed and discussed in more detail further in this report.

4.4 Drainage

Further clarity needed regarding run off from car washing area.

4.5 Transportation

No objection.

Other Representations

4.4 Local Residents

A total of 4 local residents have objected to the proposal and our summarised below:

- Amount of traffic entering and exiting the site, more vehicles enter than suggested by the applicant
- Dangerous and poor entrance to the site lack of width
- Noise from the car wash is very loud and affects residential amenity
- The site is a historic site with a Grade II listed building and would be detrimentally to the listed building

- Loss of privacy
- Hours of operation
- Risk of flooding

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Saved policy E3 states that proposals for employment uses within existing urban areas and settlement boundaries will be permitted provided development would not adversely affect the environment, would not give rise to unacceptable levels of traffic, would not prejudice existing residential amenity and adversely affect the character of the area. Policy CS5 states that development at Yate will look to improve the range and type of jobs, whilst policy CS13 seeks to prevent the loss of non-safeguarded employment land in settlement areas. Saved Policy T12 relates to highway safety.

5.2 The application site is within the curtilage of a Listed Building and therefore Saved Policy L13 and Policy CS9 should be considered when determining this proposal.

5.3 Residential Amenity

The proposed car wash area is close to the residential property Station Masters House. During the course of the application and following a noise report a revised plan was submitted showing a reduced boundary for the car wash and moving the car wash activity to the centre of the yard further from the residential boundary of Station House. The proposed car wash activity would operate between 9.00am and 18.00pm Monday – Saturday with no car wash activities on a Sunday or Bank Holidays.

5.4 Concern has been raised by local residents about the level of noise as a result of the pressure washer and general car wash operations. The Environmental Protection Officer recommended that an acoustic report be carried out and submitted for further assessment. A noise survey has been produced by Ion Acoustics and readings taken from the nearest residential property. The noise report advises that the car wash activity is moved and that a barrier needs to be erected in the form of existing shipping containers on site. Following further discussions with the applicant and Ion Acoustics it has been decided that an acoustic barrier in the form of an acoustic fence will be erected to the South of the site between the nearest residential property and the car wash. The result of this provides more robust screening and privacy and providing conditions are attached to the planning decision the Environmental Protection team have no objection to the development proposed. Details of the acoustic fence have already been submitted and will form part of a condition to ensure the acoustic fence is retained whilst the car wash use exist on the site.

5.5 Given the location of the site within the urban area and that it is already in commercial use for car parking and storage connected with the Retail use within the existing Goods Shed, and with the necessary conditions controlling

hours of operation and noise it is considered there will be no significant impact on residential amenity.

5.6 Design/Visual Amenity

The application proposes no operational development apart from one portable cabin that will be used for storage and welfare and the erection of an acoustic fence. The portable cabin will not be fixed to the ground and along with the acoustic fence could easily be removed should another use be proposed at a later date. The change of use to a car wash essentially remains a commercial use of part of an underused existing goods yard. Whilst the use would involve the erection of an acoustic fence and retention of a portable cabin these additions would not look out of place in the existing yard and would not create visual harm or harm the visual amenity of the surrounding area.

5.7 Transportation and Parking

Saved Policy T12 states that new development will be permitted provided it would not create or exacerbate traffic congestion or have an unacceptable impact on highway safety. The car wash is accessed via the same access lane that the existing business Trade Interiors use for deliveries and for external customers visiting the showroom. The existing yard is large and laid to hardstanding and at present underused and therefore there are no issues with parking and manoeuvring within the site.

- 5.8 The Councils Transportation Officer has raised no objection to the application as it makes use of an existing access and it is not proposed to change the existing access arrangements. This level of traffic is considered relatively small based on the information supplied and the officer is content that most if not all movements associated with this will be off-peak hour periods and as such, it will not give rise to unacceptable traffic impact or be detrimental to highway safety and is therefore in accordance with Policy T12.

5.9 Environment

Development will not be permitted if it has an unacceptable environmental impact. The Councils drainage and flood risk officer has required detailed information on how surface water run-off from washing areas is dealt with on site to ensure no pollution is caused by the car wash activity. The applicant has already agreed to an appropriate condition that would detail and control how the site's drainage system would operate, this would either incorporate a water-run off sealed collection system for re-use, or collection for discharging to the public foul sewer (subject to the prior permission of Wessex Water). Subject to an appropriate condition the development is considered not to have an unacceptable environmental impact.

- 5.10 At present no external lighting is used by the car wash and to protect the environment and surrounding area an appropriate condition will be added that no external lighting will be permitted.

- 5.11 The noise impact of the car wash use has already been discussed in detail earlier in the report. Subject to appropriate conditions regarding the erection of

an acoustic fence and a condition to ensure noise does not exceed the current background levels the development is considered not to cause a noise nuisance.

5.12 Setting of Listed Building

The car wash operates within the old station goods yard and is within the curtilage of the Listed Building, the Grade II listed Railways Good Shed that is presently occupied by Trade Interiors who manufacturer and fit kitchens, bathrooms and bedrooms. The character of this former station yard is one of a functional, commercial nature, which could be argued to be representative of its historic railway goods yard function. The Conservation Officer has no objection to the application and commented that the historic significance of the Grade II listed former railway goods building can be considered to be mainly derived from its fabric and functional form. Its setting however also makes an important contribution with the historic relationship with the railway still evident. The car wash use would not result in any physical works to the designated heritage asset. In the view of the Conservation Officer due to the character of the site, the car wash operation in this location is not visually intrusive, jarring or consequently harmful to the setting of the Grade II listed former railway goods shed. Advice from the Conservation Officer was that the original area applied for was overly large and during the course of the application the car wash area has been reduced in size reflected in the amended plans. The acoustic fence that will be erected is required to be stained green to reflect further comments from the Conservation Officer and this will be secured via a condition. Therefore the application is considered not to harm the setting and significance of the Grade II listed railway goods building.

5.13 Other Matters

It should be noted the application would bring 4no full time jobs. Policy CS5 states that development at Yate will look to improve the range and type of jobs, whilst Policy CS13 seeks to prevent the loss of non-safeguarded employment land in settlement areas. The application would re-use existing under deployed space within the yard area and would bring additional employment in a suitable location.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (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 conditions

Contact Officer: Kevan Hooper
Tel. No. 01454 863585

CONDITIONS

1. The use hereby permitted shall not be open to customers outside the following times 0900 to 1800 Monday to Saturday with no working on Sundays and Bank Holidays.

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy E3 of the South Gloucestershire Local Plan (Adopted) January 2006; and the provisions of the National Planning Policy Framework.

2. The level of noise emitted from the site shall not exceed the pre existing background level as set out in the acoustic report dated 28th April 2017 by 0 dB or more. The noise level shall be determined at the boundary of the site and the nearest noise sensitive premises (Station House). The measurement and assessments shall be made in accordance with the provisions of BS4142:2014.

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy E3 of the South Gloucestershire Local Plan (Adopted) January 2006; and the provisions of the National Planning Policy Framework.

3. Within 1 month drainage detail proposals incorporating how excess run off water will be dealt with within the development shall be submitted for approval in writing to the Local Planning Authority. Development shall be carried out in accordance with the approved details within 1 month of approval by the Local Planning Authority.

Reason

To minimise the effect of any flooding and contamination which may occur and to comply with Policy CS9 of the South Gloucestershire Local Plan: and Core Strategy (Adopted) December 2013; saved Policy E3 of the South Gloucestershire Local Plan (Adopted) 2006 and the National Planning Policy Framework.

4. Within one month of this decision notice an acoustic barrier will be erected as per the details submitted to the Local Planning Authority dated 23rd June 2017. The acoustic barrier will be painted green as per advice from the Councils Conservation Officer. The acoustic barrier will remain in place for the duration of the car wash use.

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy E3 of the South Gloucestershire Local Plan (Adopted) January 2006; and the provisions of the National Planning Policy Framework.

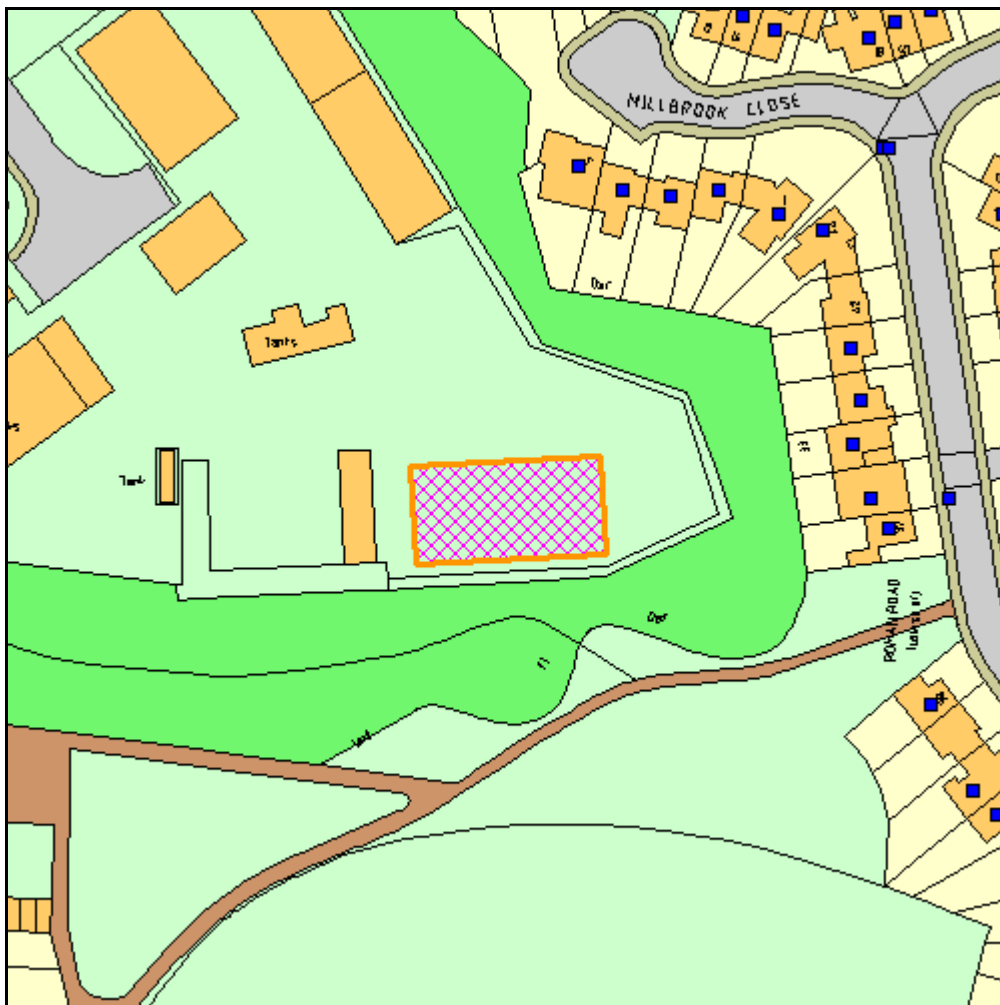
5. No external lightning shall be used without the prior written approval of the Local Planning Authority.

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy E3 of the South Gloucestershire Local Plan (Adopted) January 2006; and the provisions of the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 26/17 – 30 JUNE 2017

App No.:	PK17/0049/F	Applicant:	Barretine Group C/o Barretine Group
Site:	Barretine Group St Ivel Way Warmley Bristol South Gloucestershire BS30 8TY	Date Reg:	7th March 2017
Proposal:	Erection of storage building ancillary to B1(c) use.	Parish:	Siston Parish Council
Map Ref:	367260 172787	Ward:	Siston
Application Category:	Minor	Target Date:	27th April 2017



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 100023410, 2008. N.T.S. PK17/0049/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application has been referred to the Circulated Schedule due to the receipt of objection letters from local residents and the concerns raised by the Parish Councils.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a storage building ancillary to the wider B1c use of the site at Barretine Group St Ivel Way, Warmley. The applicant's supporting statement states that the purpose of the new unit is to create better storage conditions for both packaged goods and finished goods, all of which are currently already stored in the application area. The applicant also states that the packaging and finished goods are currently suffering due to the poor storage conditions and the fact that some are exposed to the elements / weather.
- 1.2 The entire business and the proposed building lies within the safeguarded employment area of Warmley. The proposed building is located at the southeast corner of the site, which is also situated within Flood Zone 2 and the defined Development High Risk Area due to the coal mining history of the site. A group of protected trees is growing on the adjacent public open space to the south. The historic aerial photos have reveals that the hard-standing area for the proposed building has been used for keeping shipping containers since 1999. This application is re-submission for a similar proposal under PK13/4140/F, which was withdrawn.
- 1.3 During the course of the application, a revised Flood Risk Assessment and a parking and storage areas plan have been submitted to address the officers concerns. The agent also confirmed that the floor area of the proposed unit is 720 sq metres and no toilet will be installed in the new unit. In the event that a toilet to be installed in future, it will connect to the existing foul sewerage system. These details have been considered to be acceptable.

2. POLICY CONTEXT

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

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS4A	Presumption in favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS12	Safeguarded Areas of Economic Development

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

E3	Criteria for Assessing Proposals for Employment Development within the Urban Area and Defined Settlement Boundaries
EP7	Unstable Land
T8	Parking Standards
T12	Transportation Development Control Policy for New Development

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

PSP22	Unstable Land
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3. RELEVANT PLANNING HISTORY

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

- 3.1 K911/38 Erection of industrial / warehousing building, alteration to existing access formation of loading, parking and manoeuvring area. Approved 18.02.1985
 - 3.2 K911/50 Erection of extension to form additional storage and new office accommodation. Approved 3.03.1996
 - 3.3 PK02/3547/F Erection of extension to factory for B2 use. Approved 11.04.2003
 - 3.4 PK13/4140/F Erection of 1 no. warehouse for B1(c) usages. Withdrawn. 16.01.2014
- Unit 2
- 3.5 PK07/3082/F Erection of shed for storage. Approved 29.11.2007
 - 3.6 PK11/1655/F Erection of extension to existing unit. Approved 30.08.2011, subject to conditions seeking contamination strategy and finished floor level not lower than the existing floor level. (no condition restricting the operating hours of the proposed extension)

4. CONSULTATION RESPONSES

4.1 Parish/Town Council

Siston Parish Council – no objection to the principle, but share the concerns of the nearby residents who will be overlooked by another large dark blue coloured building in a dominant position, especially during the winter months..

Bitton Parish Council – concern about the proposed new building, the positioning of which is very close to houses within Bitton Parish. They seek assurances that the hours of operation of the new building will be limited to avoid the possibility of any reduction in residential amenity of householders and that additional landscaping using semi-mature plants are included. Also, concerns are raised the existing parking problems in St Ivel Way and adjacent

roads and sought details of additional parking which must be identified on site to take account of any increase in the number of staff at the premises.

Other Consultees

Environment Agency –

No objection, advised that the previous comments under PK13/4140/F regarding the conditions seeking the finished floor level and the remediation strategy if contamination not previously identified during the construction of the development would still be relevant to this application. It is advised to attach an informative regarding PPG22: Dealing with spills should planning permission be granted for the proposal.

The Coal Authority -

No objection

Contaminated Land Officer -

No objection subject to condition seeking additional risk assessment and details of remediation measure

Noise Officer -

No objection subject to condition restricting the rating noise levels of the proposed building not exceed the pre-existing LA90 Background Noise Level

Economic Development Officer -

No objection

Highway Structure -

No objection, advised of the requirement of Technical Approval if the proposal affects the public highway, and the responsibility of maintenance if the proposal is adjacent the public highway, and the required dimensions / weight of any abnormal load movement.

Drainage Engineer -

No objection subject to condition securing the finished floor level at least 300mm higher than the existing floor levels.

Ecology Officer –

No objection

Arboricultural Officer –

No objection subject to condition seeking a detailed arboricultural report including trees constraints plan, tree protection plan and method statement

Highway Officer –

No objection subject to condition securing the outside area to be free for vehicles parking and manoeuvring.

Other Representations

4.3 Local Residents

10 letters of objection letters have been received, and the residents' concerns are summarised as follows: (Full comments may be found in the Council website)

- Too close to our house and south facing garden
- Awful eyesore,
- Blocking sunlight
- Do not want a warehouse, which contains chemical so close to our house
- Noise nuisance
- Health and safety
- the Flood Risk Report refers to Unit 2, not Unit 3
- no mention what the unit will actually be used for
- no mention of what times the proposed unit will be operated
- overlooking
- not significant trees to screen the building
- decrease house value
- possible security lighting and cameras
- The site is full of containers and wooden pallets are stacked as high as my property
- Double storey would be imposing and dominating view from our house
- Restricting all views from our property
- Intrusive within a residential area
- Objects to the position and size of the proposed building
- So close to a local primary school
- Question whether the business within its current chemical capacity should be situated within a residential area

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The proposal is to extend the existing storage / office facilities within the well-established business on site. Saved Policy E3 of the adopted South Gloucestershire Local Plan advises planning permission will be granted for employment generating uses, subject to the satisfaction of criteria set out in relating to environmental impact, highway and parking provision, residential amenity, design and visual amenity. The application site is situated within a safeguarded economic site, which has been identified by Policy CS12 (14) Tower Road, Warmley, of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013. Given the location and the nature of the proposal, a significant weight is given to support the scheme as it would improve the storage facilities within an existing industrial use. Furthermore, the Council Economic Development Team also support this proposal. Hence, there is no objection to the principle of the proposed development and the following assessments are made in relating the impacts upon the locality.

5.2 A. **Development would not have unacceptable environmental effects; and**

The proposed warehouse is situated within the established industrial site on the hard-standing area to replace the temporary containers. A group for residential properties sit to the east and north of the proposed building at a distance of approximately 31 metres. There are also groups of mature trees adjacent to the eastern and southern boundary providing a buffer between the site and the nearby residential properties. Further to the south is a public open space and a school field of St Barnabas CoE Primary School. It should also be noted that the 1999 aerial photo shows that the existing shipping containers were already in-situ on application site.

i. Contaminated land

The proposed development is located on land that was previously a clay pit that has subsequently been used as a landfill. The applicant submitted a Geotechnical and Contaminated Land Report which dated June 2014. The Council Environmental Protection Officer considered the submitted details are acceptable and raised no objection to the proposal subject to a condition seeking an addendum report regarding the results of the chemical testing, the ground gas risk assessment, the gas protection measures, a further risk assessment preclude creating new pathways contaminated groundwater and the underlying aquifer and demonstrating any proposed ground improvement works not creating any new contaminant pathways, and a verification report regarding the installation of protected water supply pipes. Environment Agency has also considered the submitted details and raised no objection to the proposal. It is however advised that if there is delivery's to and from this site of materials of a polluting nature, this should be undertaken in a self-contained area where any spillage can be contained and dealt with. Therefore an informative regarding Pollution Prevention Guidelines will be attached, should planning permission be granted for the proposal.

ii. Unstable land due to the historic coal mining history

The Coal Authority has considered the proposal and confirmed that the application site falls within the defined Development High Risk Area. The applicant submitted an appropriate and up-to-date coal mining information for the proposed development site and has used this information to inform the Geotechnical and Contaminated Land Report, which was also informed by an intrusive site investigation, and concluded that coal was not encountered beneath the site with just non-engineered made ground underlying the footprint of the proposed building. The Authority considered the submitted details are acceptable and has no objection to the proposal.

iii. Noise

A number of concerns are raised regarding the existing and potential noise issue of the site and the proposed warehouse. The Council's Environmental Protection Officer has considered the proposal and also recently visited the site. Regarding the operating hours, the applicant confirms that the current operating hours of the business is typically

07.30 am to 17.30 pm, however, these hours would extend to between 07.00 am to 19.00 pm as well as on Saturday morning typically 08.00 am to 12.00 pm during the peak seasons. Due to its extant use of the site, the location and the use of the proposed warehouse, the Officers consider that the proposal would not cause an unreasonable noise nuisance upon the nearby residents and therefore raise no objection to the proposal subject to condition restricting the rating noise level of the proposed building.

Officers also consider if a condition would be necessary to restrict the operating hours of the proposed building. Given the proposed building would be ancillary to the existing established business B1c use and it is not proposed to create a separate planning unit within the site, therefore it would not be necessary to impose such condition.

Additionally, in order to protect the amenity of local residents during the period of construction, a condition is imposed to restrict the construction hours of the proposed building.

i.v. Drainage

The application site is situated within Flood Zone 2. The applicant submitted an up-to-date Flood Risk Assessment Report to address the residents and officers' concerns. The Report has been considered by Environment Agency and the Council's Drainage Engineer. In addition, the agent confirms the size of the proposed building is 720 sq metres and that no toilets to be installed in the proposed building. Should toilets be installed in the future, it would connect to the existing foul sewerage system. The Environment Agency and the Engineer consider that the submitted details are acceptable and have no drainage objection to the proposal subject to a condition securing that the finished floor levels shall be at least 300mm higher than the existing floor levels as stated in the Flood Risk Assessment (B0210/17) dated April 2017.

v. Arboricultural impact

It is noted that there are groups of trees growing on the adjacent public open space and there are two protected trees within the group. An arboricultural assessment has been submitted with the application. As the proposed warehouse would be located further away from the existing tree groups, the Council Arboricultural Officer has no objection to the principle of the development. However, a condition is required to seek a detailed arboricultural impact report including a tree constraints plan, tree protective plan and a method statement including the construction details of the proposed building. Subject to such condition, the proposal is considered acceptable from the arboricultural perspective.

vi. Ecological issues

The proposed warehouse is to replace the existing shipping containers and is located within the established industrial estate. The building would be constructed on the existing hard-standing area and would sit further away from the existing tree groups. Therefore, there is no objection from the ecological perspective. An informative is however

suggested to advise the applicant regarding the bird nesting seasons during the construction period.

5.3 **B. Adequate provisions is made for servicing and delivery requirements and development would not give rise to unacceptable level of vehicular traffic, especially heavy goods vehicles, or on street parking, to the detriment of the amenities of the surrounds area and highway safety; and**

The proposal is to erect a new warehouse to allow additional undercover storage for the existing business. Objections have been raised from the Parish Council with regards to further movements of heavy vehicles at this location and on street parking issues on nearby roads.

5.4 In address the officers' concerns, the applicant submitted a plan showing details of parking and storage area as a result of the proposal. Additionally, the agent submitted a supporting statement highlighting that the following elements:

- *The area for the proposed building currently houses a number of unsightly temporary shipping containers that are used for storage of packaging, and the area is also used for the storage of pallets and empty industrial bulk containers.*
- *All of the units on the site serve in effect one business operation and parking is managed separately to any of the units on the combined site.*
- *The business currently has approximately 50 parking spaces for staff. There is shared parking for all units in 2 areas. One area holds around 42 spaces the other area around 8 spaces. No new parking will be required as the existing staff will be using the proposed building.*
- *The new unit is primarily planned to improve the current storage area and facilities. Finished goods and packaging will be stored in the new unit.*

5.5 The Highway Officer considered that the submitted details have adequately addressed the concerns and therefore raised no highway or transportation objection provided that a condition is imposed to secure the remaining part of the yard (i.e. the green hatched area showing on the submitted parking and storage areas plan) will be maintained free from any outside storage in order to maintain access as well as manoeuvring area for commercial vehicles on site.

5.6 **C. Development would not prejudice existing residential amenities; and**

The application site is within a safeguarded employment site and the nearest residential properties to the proposed building would be approximately 31 metres, where there are groups of mature trees and shrubs separating the site boundary and the residential curtilage. As addressed above, it is considered that the proposal would not cause an unreasonable noise nuisance to the

nearby residents or occupiers subject to the condition restricting the noise level of the proposed development.

- 5.7 Residents raise concerns relating to the overlooking and overbearing. As there would be no windows on either side elevation on the proposed building, all new openings would be installed at the ground floor level or roof level, and there would not be any mezzanine floors within the new building, it is considered that the proposed building would not cause an unacceptable overlooking impact upon the nearby residents. Moreover, the proposed building would be located approximately 31 metres from the nearest residential curtilage, therefore the potential overbearing impact or loss of sunlight / daylight on the adjacent properties would not be so significant to be detrimental to the living conditions of the residents. Concerns relating to the restricting view from neighbouring properties however would not be planning material consideration.
- 5.8 There is a concern regarding the potential installation of security lighting and cameras. Currently, it is not proposed to install any security lighting. Given the proximity of the neighbouring properties, officers however consider that it would be reasonable to impose a condition restricting any floodlighting or external illumination on the proposed building. Regarding the installation of security camera, officers do not consider that it would be reasonable to restrict any use of security camera given its extant use of the site.

5.9 **D. The character of the area or settlement is not adversely affected**

The proposed building is situated adjacent to the south east corner of the industrial complex and would replace the existing containers, which currently providing some covered areas for keeping packaging and finished products. The proposed building would be approximately 20 metres by 36 metres and 7 metres to its ridge (5.3 metres to its eaves). The building would be finished with goosewing grey metal cladding under a Sargasso blue metal roof. Officers note the residents' concerns regarding the design and scale of the proposed building.

- 5.10 The proposed building would be visible from the adjacent public open space and the adjacent residential properties, in particular, during the winter months. Although the new building is large in scale, it would replace the existing unsightly shipping containers and the design and the proposed external materials of the new building would reflect the proposed use and the general character of this existing industrial unit. Officers therefore consider that the proposal has achieved its highest possible standards of design and site planning. Also, the proposed building would be partially screened by the existing mature tree groups, therefore there is no objection from design and visual amenity perspective subject to condition seeking the colour sample of the external materials. Parish Council suggests additional landscaping to be included. As the proposed warehouse would be located to the proximity to the site boundary, there would not be adequate space for additional trees or shrubs planning. Moreover, there are already some mature trees and shrubs abutting the site boundary. As such, it would not be necessary to seek additional landscaping scheme or trees planting to screen the proposed development.

5.11 E. **The maximum density compatible with the site's location, its accessibility and its surroundings is can be achieved and**

Given the scale of the proposed development in relation to the site, it is considered that it satisfies the above criteria.

5.12 F. **In the case of travel intensive B1 (office) development, the site is well served by public transport**

The proposed warehouse building would be ancillary to the main use of the site. The business is located within a sustainable location where there are bus stops along Tower Road, therefore there is no objection to the proposal from this perspective.

5.13 **Other matters**

Concerns are raised during the consultation of the application have been addressed in this report. Other concerns relating to the devaluation of the nearby residential properties would not be planning material consideration.

Concerns regarding the storage of chemical products on site and its storage are noted by the Officers. As the production and storage of chemical products is subject to separate health and safety legislations, therefore it would not be planning material consideration.

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 be granted subject to the following conditions:

Contact Officer: Olivia Tresise
Tel. No. 01454 863761

CONDITIONS

1. 3-year standard time limit for implementation

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. Mitigation Strategy for Contamination (Pre-commencement)

A. Prior to the commencement of the development hereby approved, an additional or addendum risk assessment report shall be submitted for written approval of the local planning authority. This shall address the comments above including updating the report in line with current guidance; updating the gas risk assessment, including a detailed scheme for installation of gas protection measures; a risk assessment with respect to groundwater; any necessary risk reduction measures during ground improvement works.

B. Prior to the first use of the proposed building hereby approved, the agreed remediation scheme shall strictly be implemented in full.

C. Prior to the first use of the proposed building hereby approved, a report on the verification of the installed remediation measures shall be submitted to the local planning authority for written approval. The gas protection measures shall be independently verified by a suitably qualified and experienced person.

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

Reason

This is a pre-commencement condition to avoid any unnecessary remedial work in the future and to protect the amenity of the nearby residents and occupiers and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the provisions of the National Planning Policy Framework.

3. Arboricultural Details (Pre-commencement condition)

Notwithstanding the submitted arboricultural assessment dated October 2016, prior to the commencement of the development hereby approved, a detailed arboricultural report including a tree constraint plan, a tree protective plan and a method statement including the construction details and method for the proposed building hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The agreed tree protective fence shall be installed prior to the commencement of the development and the fence shall not be removed until the entire construction has been fully completed and all building materials and waste have been removed from the site. The development shall be carried out in accordance with the approved details.

Reason

This is a pre-commencement condition to ensure that the protective measures will be in place prior to the construction of the development and to avoid any unnecessary inevitable damage to the existing trees. In the interests of the long term health of the tree, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

4. Colour sample of external materials

Prior to the construction of the relevant part of the proposed building hereby approved, a colour sample of the wall and roof materials shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed 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.

5. No outside storage

No outside storage of material/goods/waste or plant shall take place within the green hatched area shown on the submitted parking and storage areas plan (Unit 3 Proposed Building Block Plan), Drawing no. CO1901.01 PLu3, received by the Local Planning Authority on 10 May 2017.

Reason

To ensure the satisfactory provision of parking facilities and manoeuvring facilities at all times and to accord with saved Policy E3, T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006 and Policy CS8 of the South Gloucestershire Local Plan: Core Strategy Adopted December 2013.

6. Restricted use of building

The use of the building hereby authorised shall be limited to the storage of packaged goods and finished goods in connection with the wider B1(c) use of the existing building on site.

Reason

In the interest of highway safety and to limit commercial traffic movements and to accord with saved Policy E3 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006 and Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

7. Restricted Rating Noise Level

The Rating Noise Level shall not exceed the pre-existing LA90 Background Noise Level when measured and assessed at the proposed building hereby approved in accordance with the British Standard 4142 as amended.

Reason

To safeguard the amenity of nearby residents and to accord with saved policy E3 of the South Gloucestershire Local Plan (Adopted) January 2006.

8. Construction hours

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

Reason

To minimise disturbance to nearby residents and occupiers of St. Barnabas CoE Primary School and to accord with saved Policy E3 of the South Gloucestershire Local Plan (Adopted) January 2006, Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the provisions of the National Planning Policy Framework.

9. Finished floor level

The finished floor levels shall be at least 300mm higher than the existing floor levels as stated in the Flood Risk Assessment (B0210/17) dated April 2017.

Reason

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

10. No floodlighting nor external illuminations

No floodlighting nor external illuminations shall be installed at the proposed building hereby approved, unless the Local Planning Authority approved otherwise.

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.

11. No mezzanine floor

There shall be no mezzanine floor installed within the proposed building hereby approved.

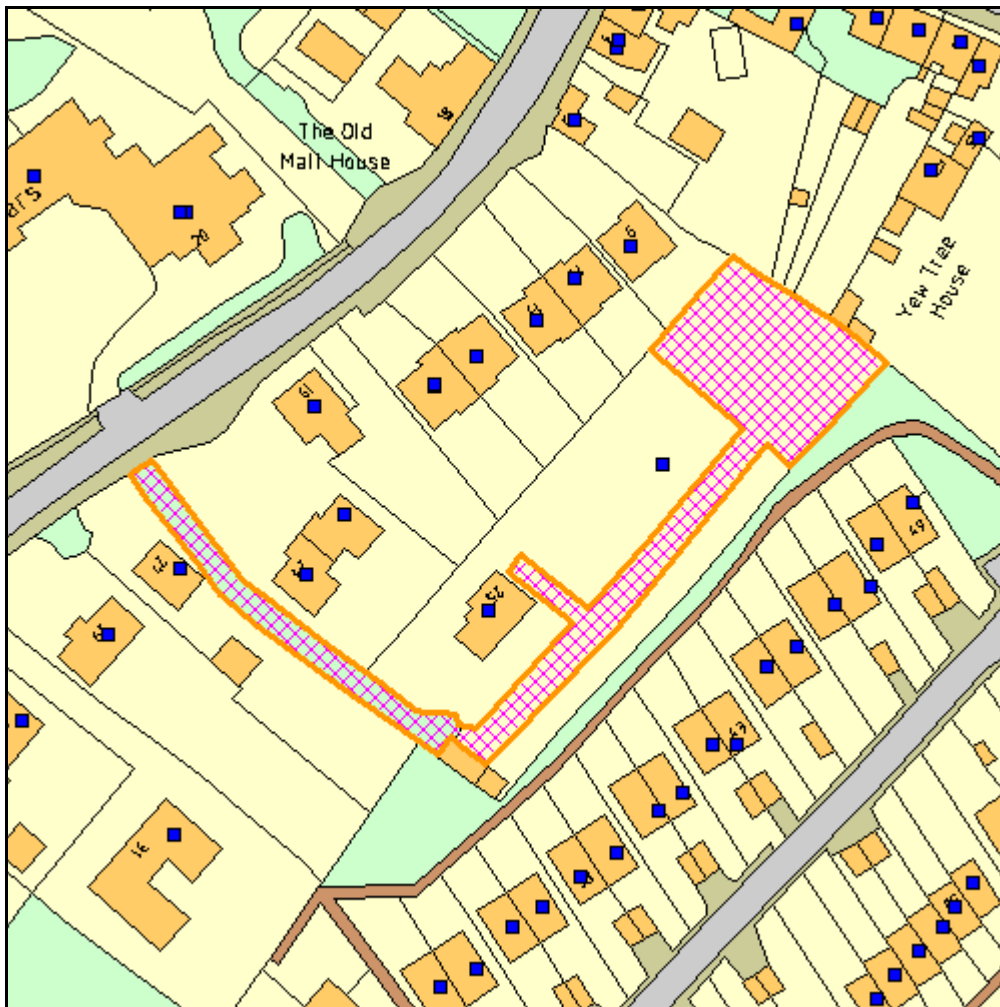
Reason

To protect the residential amenity of the neighbouring occupiers and to safeguard the public highway safety and to accord with Policy CS1 and CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; saved Policy

E3, T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006 and the provisions of the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 26/17 – 30 JUNE 2017

App No.:	PK17/1021/F	Applicant:	Mr Heaton Heaton Homes Ltd
Site:	Little Green 25 Shortwood Road Pucklechurch Bristol South Gloucestershire BS16 9PL	Date Reg:	10th March 2017
Proposal:	Erection of 1no detached dwelling and associated works.	Parish:	Pucklechurch Parish Council
Map Ref:	369917 176310	Ward:	Boyd Valley
Application Category:	Minor	Target Date:	2nd May 2017



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 100023410, 2008. N.T.S. PK17/1021/F

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application has been referred to the circulated schedule for determination as a number of objections have been received to the proposal which are contrary to the officer recommendation for approval.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of one detached dwelling on land to the northeast of 25 Shortwood Road in Pucklechurch. The site has a relatively complex planning history, as set out in section 3.
- 1.2 Planning permission was first sought for the erection of 3 dwellings on this site (PK14/1205/F); the application was withdrawn to address issues with the level of information submitted. Two concurrent applications were then submitted; one for 3 dwellings – in effect a resubmission of the earlier scheme (PK14/4166/F) and one for only a single dwelling (PK14/4164/F). A split decision was issued on the application for 3 dwellings which refused the houses but permitted the detached garage for no.25 itself (as this had an extant planning permission). Planning permission was granted for the single dwelling and in effect this formed ‘plot 2’ of the 3 dwellings. A planning application (PK15/2490/F) was then submitted for a single dwelling which would form ‘plot 1’ of the 3 dwelling scheme. An appeal was lodged against the non-determination of this planning application by the local planning authority (APP/P0119/W/15/3135284). A decision to dismiss the appeal was issued on 17 March 2016. The appeal was dismissed as the private drive serving the site was not considered adequate to provide safe access. Application PK16/5492/F was then submitted for consideration. This application provided mitigation to address the Inspector’s reasons for dismissing the appeal. The mitigation was considered sufficient by officers and planning permission was due granted. This resulted in permission for plots ‘1’ and ‘2’.
- 1.3 This application now seeks planning permission for ‘plot 3’; it would complete the original proposal under PK14/1205/F and PK16/4166/F. Given that development had only previously been resisted on the impact of the development on the private drive, this is the principal matter for consideration in the determination of this application.
- 1.1 The application site contains the original large, detached house set in extensive gardens. The site is set back from and concealed from the road as it is situated in land bounded by properties on Shortwood Road, Abson Road, and Birch Drive. The site is located within the defined settlement boundary for Pucklechurch as shown on the proposals maps. It is also adjacent to, but excluded from, the village’s conservation area. A number of trees surrounding the site are subject to Tree Preservation Orders. The site is visible from the public realm as a footway runs between Birch Drive and the application site.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

- CS1 High Quality Design
- CS4a Presumption in Favour of Sustainable Development
- CS5 Location of Development
- CS8 Improving Accessibility
- CS9 Managing the Environment and Heritage
- CS15 Distribution of Housing
- CS16 Housing Density
- CS17 Housing Diversity
- CS18 Affordable Housing
- CS34 Rural Areas

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

- L1 Landscape
- L5 Open Areas within Defined Settlement Boundaries
- L12 Conservation Areas
- T12 Transportation
- H4 Development within Existing Residential Curtilages

2.3 Supplementary Planning Guidance

- (a) South Gloucestershire Design Checklist (Adopted) August 2007
- (b) Residential Parking Standard (Adopted) December 2013
- (c) Pucklechurch Conservation Area (Adopted) July 2010
- (d) Affordable Housing and Extra Care Housing (Adopted) May 2014
- (e) Landscape Character Assessment (Adopted) November 2014
- (f) Waste Guidance for New Developments (Adopted) January 2015
- (g) CIL Charging Schedule and S106 (Adopted) March 2015

3. RELEVANT PLANNING HISTORY

- 3.1 PK16/5492/F Approved 22/12/2016
Erection of 1no. detached dwelling and garage with associated works.
(Resubmission of PK15/2490/F).

This application related to 'Plot 1' of the wider development site and directly relates to PK15/2490/F (see below)

- 3.2 PK15/2490/F Non-determination 21/12/2015
Erection of 1no. detached dwelling with detached garage and associated works.

Appeal reference: APP/P0119/W/15/3135284
Appeal decision: Dismissed
Decision date: 17/03/2016

This application related to 'Plot 1' of the 3 dwellings proposed under PK14/4166/F.

- 3.3 PK14/4166/F Split-decision 20/02/2015

Erection of 3no. detached dwellings and 3no detached garages with access and associated works. Erection of detached garage for existing dwelling. (Resubmission of PK14/1205/F).

Planning permission refused for the erection of 3 dwellings and garages; planning permission granted for the erection of replacement garage for existing dwelling. Should planning permission have been granted, cumulatively with the original dwelling this application would have resulted in a total of 4 dwellings on the site

3.4 PK14/4164/F Approved with Conditions 31/03/2015
Erection of 1no. detached dwelling and detached garage with access and associated works.

This permission would form 'Plot 2' of the 3 dwellings proposed under PK14/4166/F. Cumulatively with the original dwelling this permission resulted in a total of 2 dwellings on the site

3.5 PK14/1205/F Withdrawn 27/05/2014
Erection of 3no. detached dwellings and 3no detached garages with access and associated works. Erection of detached garage for existing dwelling.

4. CONSULTATION RESPONSES

4.1 Pucklechurch Parish Council
Objection: development of 3 properties previously refused; concerns over access still apply (including proposed materials)

4.2 Ecology Officer
No objection subject to condition

4.3 Highway Structures
Informative note should be attached to the decision notice

4.4 Housing Enabling
The development triggers an affordable housing contribution; this should be made as an off-site sum.

4.5 Lead Local Flood Authority
No objection

4.6 Sustainable Transport
No objection – the issues with regard to access have been resolved; no objection is raised to the level of parking provision

Other Representations

4.7 Local Residents
Six comments of objection have been received on the following:

- application should be determined by planning committee
- conflict with Human Rights Act

- environmental impact
- highway safety
- impact on amenity
- impact on protected trees
- land is not being maintained
- land is not suitable for development
- loss of outlook
- loss of privacy
- other highway issues not resolved
- overdevelopment of the plot
- overshadowing
- piecemeal development
- planning appeal previously dismissed
- pollution
- poor junction with Shortwood Road
- precedent for further infill development
- proposal would lead to the completion of the original proposal for 3 houses
- proximity to existing dwellings
- refuse collection point is too far from the houses
- third new house would be too many
- vehicular movements
- views of local residents have previously been ignored
- years of building work have effected local residents

5. **ANALYSIS OF PROPOSAL**

- 5.1 This application seeks planning permission for the erection of a dwelling on land at 25 Shortwood Road in Pucklechurch.
- 5.2 **Principle of Development**
The application site is located within the defined settlement boundary of Pucklechurch. Policy CS5 of the Core Strategy directs development to the existing urban areas and defined settlements and therefore the site is considered, in principle, suitable for development.
- 5.3 The planning history on this site is highly relevant. In brief, this proposal would complete the original proposals submitted in 2014 for three dwellings on the site. These were resisted on transportation grounds, specifically the access. An appeal for the second dwelling confirmed that the authority's concerns on this matter were severe. After amendments to the proposal, the impact was considered acceptable and planning permission granted for the second dwelling. The second dwelling was used as a test to identify where the level of harm would lie to restrict development. Was it the second house that would be harmful, or the third? The appeal found it was the second but the reasons for this have been resolved. As there are no further reasons as to why the original proposal for 3 dwellings was resisted, this also indicates that the proposal is acceptable in principle.

- 5.4 At present the local planning authority is unable to demonstrate a 5-year supply of deliverable housing land. Therefore policies in the development plan which act to restrict the supply of housing must be considered out of date and the application determined against the presumption in favour of sustainable development. In reality, the development plan policies do not restrict housing in this location and are not out of date but the application should nonetheless be determined against the presumption in favour of sustainable development.
- 5.5 Transport and Highways
Of weight is the decision made on planning application PK16/5492/F. That application was submitted to address the reasons why the appeal was dismissed. In doing so the width of the access was increased. This meant that the access was capable of accommodating two-way traffic and the highway officer assessment was that the development is acceptable.
- 5.6 Given that the access is considered capable of accommodating two-way traffic, there is no highway objection to the proposal. There would be a maximum of 4 dwellings served by the access and this level of development on this form of access is acceptable. Sufficient parking has been provided to meet the Residential Parking Standard SPD.
- 5.7 Affordable Housing
Affordable housing contributions in the rural areas are sought on schemes of 5 or more dwellings or where the site area exceeds 0.20 hectares. Under the first development proposals (PK14/1205/F and PK14/4166/F) the total site area was 0.32 hectares and as such an affordable housing contribution was triggered.
- 5.8 In the consideration of PK14/4166/F a viability case was presented as to why, on the circumstances of the case, an affordable housing contribution should not be sought. It was found that a contribution would render the scheme unviable and as a result an affordable housing contribution was not secured.
- 5.9 The Affordable Housing and ExtraCare SPD states that where a site is subdivided then the provision of affordable housing should be made. The approach to the overall development of this site should not be considered piecemeal – it has come forward in a particular way to address highway concerns. However, this proposal would complete the original development which had triggered affordable housing contributions. As a result a contribution is due. The consultation response from the housing enabling team has requested an off-site contribution of £85,725 which is considered to be the equivalent to the one affordable unit which would have been originally sought.
- 5.10 The applicant has indicated that this would make the scheme unviable and refers to the viability appraisal conducted in 2014/5. To strictly accord with policy CS18, a full viability appraisal should be undertaken. However, the original appraisal indicated that the scheme was significantly unviable and therefore a full viability appraisal was judged to be out of proportion with the development proposed. To address this issue, the applicant has submitted a summary of the economic conditions since viability was last considered. Since

it was concluded that the original development was unviable the following additional costs would be incurred.

- 5.11 CIL payments for plots 1 and now, under this application, plot 3 must be made; CIL was not charged when the original viability was undertaken and therefore is an additional cost. CIL on plot 1 was circa £25,000 with the CIL charge of plot 3 to be calculated should planning permission be granted. In order to address the issues related to the access, additional expenditure was required; this was in the region of £45,000 with further costs associated with works by statutory undertakers to be finalised. This is an additional cost not previously accounted for of at least £70,000 before any additional CIL payment is considered. Furthermore, the construction industry cost index has increased, on average, by 14% since 2014 which also has not been accounted for.
- 5.12 The additional cost must be off-set against any rise in property values. Data provided by the applicant from the Office of National Statistics indicates an average property value increase across South Gloucestershire of 16%. The average property in the district costs £258,000. A number of factors affect average house prices. Greater number of sales occur at the lower end of the property market. The shortage of properties in general, and more specifically at the lower end of the market (as evidenced by the government's drive towards 'starter homes'), has a greater impact on overall house prices. Whilst there has been a significant increase in house prices, this is in the lower end of the market. Changes to stamp duty, mortgage provision, and increase in inflation have reduced property sales and therefore price increases at the upper end of the market. Furthermore, any increase in value that has occurred over this period would only apply to those properties sold after any price increase. The other properties in the development have been sold and therefore the uplift in property value would only apply to this particular dwelling.
- 5.13 Therefore, officers consider that should a full viability exercise be undertaken it is highly likely that the development would return unviable, particularly given the conclusion of the last viability report. Using the flexibility of policy CS18 it is not considered that an affordable housing contribution can be justified in this instance.
- 5.14 Character and Design
Given the level of development that has occurred on the site, it can no longer be reasonably considered as an open area within the settlement. The development will not therefore result in the loss of open space or an adverse impact on the layout and character of the village.
- 5.15 The site sits on the boundary of the conservation area to the north and west. Along these boundaries, the site is screened from the conservation area by the existing built form and therefore the site adds little to the character of the conservation area.
- 5.16 The proposal consists of the erection of one detached dwelling and garage at the far end of the site. The proposed dwelling generally reflects the proportions and massing of the existing house on the site. The proposed dwelling stands at 2½ storeys in height, with living accommodation within the roof space. The proposed property is substantial and robust in appearance with a prominent

- roof. The proposed materials are acceptable as they have been used elsewhere on the site.
- 5.17 The past planning applications and appeal, have not raised objection to the design and appearance of the dwellings. Properties in the vicinity of the application site have a mixed palette of materials and a diverse general appearance. There are various styles of properties including chalet bungalows, detached houses and cottages. It is therefore not considered that the development, as proposed, would be harmful to the visual amenity of the area. It is not considered that the massing of the properties is out of character with other properties in the area or cannot be reasonably expected within an existing settlement. The proposed property is consistent in its design approach to the dwelling previous permissions. It is not considered that the development would result in harm from its design and appearance.
- 5.18 Trees, Landscape, and Environment
Details have been provided with regard to ecological mitigation and tree protection measures. These have previously been found to be acceptable. The development is not therefore considered to have an adverse impact on trees, landscape or the environment.
- 5.19 Residential Amenity
No objection to the proposed development has previously been raised on the basis of its impact on residential amenity. It is considered that the relationship between the proposed dwelling and the surrounding dwellings (including those both within the site and adjacent to it) is acceptable. The proposed dwelling would have access to sufficient private amenity space.
- 5.20 It is noted that there is local concern over the impact of the development of this site on residential amenity. However, the site is located within an existing settlement and therefore a certain amount of development, along with a reasonable associated impact, should be expected. The separation distance at over 25 metres to Birch Drive is acceptable and it is unlikely to result direct visibility into rooms of other houses. It is noted that there would be some overlooking of the adjacent gardens, however, within an established settlement this cannot be considered to be unreasonable. The distance from the proposed dwelling and the boundary mean that the proposed house is unlikely to be overbearing, despite its mass. It is not considered that the development would result in harm to the residential amenities or living conditions of nearby occupiers.
- 5.21 Presumption in Favour Sustainable Development
In terms of applying the presumption in favour of sustainable development, the harms of the proposal should be weighed against the benefits. It is true that harms associated with the development had previously been found. However, these have been resolved and there are no identified harms resulting from this development if approved.
- 5.22 The proposal has the benefit of one additional dwelling towards overall housing supply in the district in a location where housing development is supported.

- 5.23 In this instance the proposal accords with the development plan and planning permission should be granted. It therefore follows that the test set out in the presumption in favour of sustainable development is met.
- 5.24 Other Matters
Some matters raised as a result of the public consultation have not been addressed in the body of this report and shall be considered here.
- 5.25 Every planning application is assessed on its own merits and therefore it cannot be considered that if the planning application was granted this would necessarily set a precedent for other developments to also gain planning permission. Much concern has been raised with regard to waste collection. It is acknowledged that bins will need to be collected from a suitable location and this maybe beyond the distance set out in the manual for streets. If this is the public highway, then any inconvenience is temporary in nature being restricted to waste collection day. It is therefore given little weight in reaching a recommendation. A landscaping condition would be applied which would address concerns about the maintenance of the site.
- 5.26 Each application is assessed on its own merits. There is nothing to prevent a series of applications from being submitted on a development site and this on its own would not require the application to be determined by committee.
- 5.27 Planning law considers the impacts of developments and is therefore considered to be consistent with the provisions of the Human Rights Act. It is acknowledged that the planning process and building phase can impact on local residents. The referral to the circulated schedule is because of the public comments received and therefore residents have not been ignored.

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. The development shall be finished externally in accordance with the materials schedule A606 dated August 2016.

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 to accord with the provisions of the National Planning Policy Framework.

3. The development hereby approved shall be carried out in accordance with the scheme of landscaping associated with planning permission PK14/4164/F.

Reason

To protect the character and appearance of the area to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 and Policy H4, L1 and L5 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies).

4. The development shall be carried out in accordance with the mitigation strategy for avoiding killing or injuring slowworms or hedgehogs prepared by Crossman Associates reference 18082015.

Reason

To avoid harm to protected species and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 and Policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies).

5. The area for off-street parking shown on plan PL702 shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason

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

6. The development hereby approved shall be carried out in accordance with the Arboricultural Method Statement and Tree Protection Plan prepared by Hillside Trees Ltd dated August 2015

Reason

To protect the character and appearance of the area to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 and

Policy H4, L1 and L5 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies).

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

Reason

To protect the amenities of nearby occupiers during construction and to accord with the National Planning Policy Framework and Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies).

8. Prior to the first occupation of the dwelling hereby permitted, the demarcated pedestrian walkway, as indicated on plan PL-703, shall be provided in full and thereafter retained.

Reason

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

9. The dwelling hereby permitted shall not be occupied until the access drive is upgraded as shown on plan PL-703. The access shall thereafter be retained as upgraded.

Reason

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

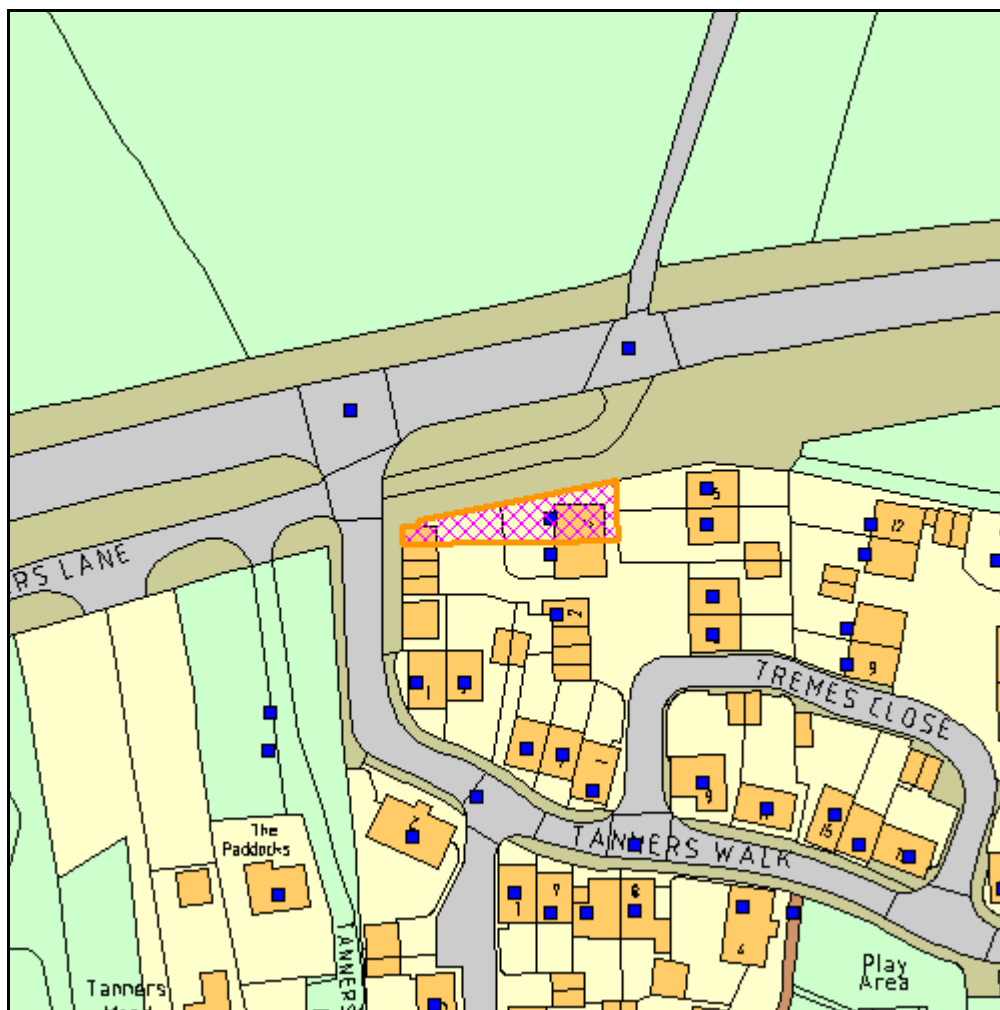
10. The development shall be carried out in accordance with the following plans: PL-701 Proposed Block Plan, PL-702 Proposed Site Layout Plan, PL-703 Proposed Access Details, PL-411 Proposed Floor Plans, PL-712 Proposed Elevations, and PL-713 Combined Proposed Garage Plans, received by the Council 7 March 2017.

Reason

In the interests of proper planning and for the avoidance of doubt.

CIRCULATED SCHEDULE NO. 26/17 – 30 JUNE 2017

App No.:	PK17/1111/F	Applicant:	Miss Mairead Drennan
Site:	4 Tremes Close Marshfield Chippenham South Gloucestershire SN14 8TB	Date Reg:	4th May 2017
Proposal:	Erection of single storey rear extension to provide additional living accommodation and 1no rear dormer to facilitate loft conversion	Parish:	Marshfield Parish Council
Map Ref:	377620 173915	Ward:	Boyd Valley
Application Category:	Householder	Target Date:	16th June 2017



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PK17/1111/F

REASON FOR APPEARING ON CIRCULATED SCHEDULE

This application has been submitted to the Council's Circulated Schedule procedure following objections received which are contrary to the officer recommendation detailed below.

1. THE PROPOSAL

- 1.1 This application seeks planning permission of the erection of a single storey rear extension and 1 no. rear dormer window and rooflight at 4 Tremes Close, Marshfield.
- 1.2 Permission is sought to provide a larger kitchen/diner at ground floor level and a fourth bedroom at second storey level.
- 1.3 The application site is within the Marshfield Conservation Area and the Cotswolds Area of Outstanding Natural Beauty.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Practice Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS8 Improving Accessibility
CS9 Environment and Heritage

South Gloucestershire Local Plan Adopted January 2006 Saved Policies

T12 Transportation
H4 Development within Existing Residential Curtilages
L12 Conservation Areas
L1 Landscape
L2 AONB

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

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

2.3 Supplementary Planning Guidance

- (a) South Gloucestershire Design Checklist (Adopted) August 2007
- (b) Residential Parking Standard (Adopted) December 2013
- (c) Marshfield Conservation Area SPD

3. RELEVANT PLANNING HISTORY

3.1 There is no relevant planning history.

4. CONSULTATION RESPONSES

4.1 Marshfield Parish Council
No objection.

4.2 Other Consultees

Sustainable Transport
No objection.

Listed Building Officer

No objection subject to matching materials being used in the construction of the elevations of the extension and dormer roof along with confirmation of the materials to be used for the windows/ doors framing and dormer, as the only reference I can find is on the application form which only refers to the windows being "double glazed". The glazed door and window frames should be constructed in timber, as should the dormer window frame.

Archaeology Officer
No objection.

Other Representations

4.3 Local Residents

Two letters of objection have been received from one neighbour. Their comments can be summarised as follows:

- Reduction in natural light to kitchen and living room at no. 3
- Disruption during construction period
- Red line boundary encompasses shared area and is outside of applicant's ownership. Parking is shown as proposed in this area
- Will reduce value

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The principle of an extension to a dwelling at this location is acceptable subject to an assessment with regards to design, residential amenity, impact on the Conservation Area and AONB, parking and highway safety.

5.2 Design and Heritage

The single storey rear extension is proposed to have a lean-to roof slope, and will be finished in materials which match the host property. This is considered to be acceptable and will not have an impact on the wider street scene or the Marshfield Conservation Area. A modest sized dormer window and rooflight is also proposed on the existing rear roof slope and the style of the dormer, with its steep roof pitch, is considered to be acceptable given the location with the conservation area. The Conservation officer has no objection subject to

windows being finished in timber rather than UPVC, and this will be conditioned on the decision notice in the event the application is approved.

5.3 Landscaping

Officers do not consider that there is any harm to the rural landscape of the Area of Outstanding Natural Beauty, as the proposal is for small extensions to an existing dwelling within the settlement boundary of Marshfield, and does not have an impact on the wider landscape.

5.4 Residential Amenity

All of the proposed windows face beyond the rear elevation, providing an indirect view into neighbouring gardens at a similar angle to the existing rear windows. Objection comments regarding the impact on day light levels within no. 3 have been received, however as this property is located immediately to the south it is unlikely there will be any overshadowing. Adequate private amenity space will remain following the development.

5.5 Transport

Following development, the number of bedrooms at the property will increase from three bedrooms to four bedrooms. As both three and four bedroom dwellings require two off-street parking spaces (in accordance with the Residential Parking Standards SPD) there would be no increase in the parking requirement, and the proposal does not encroach on existing parking provision. There is no transportation objection.

5.6 Other Issues

Comments have been received to advise that the red line boundary encompasses a shared area of the parking/access land to the rear of the property. This was queried with the applicant who confirmed that to the best of their knowledge the land was under their ownership. This is a civil issue and does not affect the determination of this planning application, however the decision notice will remind them that they cannot carry out works on land outside of their ownership.

5.7 Comments have also been received regarding the impact on house prices in the area. This is not a planning consideration and so has been given limited weight in the determination 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 planning permission is **GRANTED** subject to the conditions on the decision notice.

Contact Officer: Trudy Gallagher
Tel. No. 01454 862217

CONDITIONS

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

Reason

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

2. All proposed windows and doors, including the dormer window, shall be constructed in timber.

Reason

To preserve the character of the Conservation Area in accordance with policy CS9 of the South Gloucestershire Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 26/17 – 30 JUNE 2017

App No.:	PK17/1660/F	Applicant:	Mr Mark Atkinson
Site:	288 Badminton Road Coalpit Heath Bristol South Gloucestershire BS16 6NT	Date Reg:	
Proposal:	Erection of 3no. detached dwellings with parking and associated works (amendment to previously approved scheme PT16/5701/F)	Parish:	Westerleigh Parish Council
Map Ref:	365871 177980	Ward:	Westerleigh
Application Category:	Minor	Target Date:	5th June 2017



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REASON FOR APPEARING ON CIRCULATED SCHEDULE

This application appears on the Council's Circulated Schedule procedure following an objection from the Parish Council which is contrary to the officer recommendation within this report.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of 3 no. detached dwellings and associated works at 288 Badminton Road, Coalpit Heath.
- 1.2 This application is a resubmission of PT16/5701/F and PK15/4365/F, both proposing the erection of 2 no. dwellings. These planning permissions are both still extant, and the 2015 application is considered to have been partially implemented as it included the demolition of the existing bungalow on site, and the bungalow has been demolished.
- 1.3 This application site is situated within an established residential area and within the settlement boundary of Coalpit Heath. The site is within an area known to have been used for coal mining in the past.
- 1.6 During the course of the application, amendments were requested to improve the design of the two plots proposed to face onto Badminton Road. A period of re-consultation was carried out due to alterations to the layout proposed.

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
T7 Cycle Parking
T12 Transportation
EP7 Unstable Land

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 Environment and Heritage
CS15 Distribution of Housing
CS16 Housing Density
CS17 Housing Diversity
CS29 Communities of the East Fringe of Bristol Urban Area

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

3. RELEVANT PLANNING HISTORY

- 3.1 PT16/5701/F Approve with conditions 30/11/2016
 Erection of 2no. detached dwellings with associated works.
- 3.2 PT16/4653/F Refusal 04/10/2016
 Demolition of existing bungalow and erection of 2no. detached dwellings with associated works.

Refusal reasons:

1- The form, scale and massing of Plot 1 and the materials proposed for Plot 2 would, if approved, cause the development to appear incongruous and dominant within the street scenes visible along Badminton Road and Oakwood Gardens, and it is also considered that Plot 1 represents overdevelopment, as the density is not consistent with the adjacent units. The units therefore do not represent high quality design and the development is contrary to policy CS1 of the South Gloucestershire Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

2- Past mining activity is the main source of unstable land within South Gloucestershire, and the development includes the erection of a garage above what The Coal Authority believes to be a disused mine shaft. Developers should avoid unstable land unless appropriate mitigation or remediation measures can be taken, and given the layout proposed, it is not feasible that mitigation measures could be secured by condition. The development therefore poses a risk to property and the personal safety of the occupiers of site and its surroundings, and is contrary to policies CS1 and CS9 of the South Gloucestershire Core Strategy (Adopted) December 2013 and policy EP7 of the Local Plan (Adopted) January 2006 and the National Planning Policy Framework.

- 3.3 DOC16/0232 Pending Consideration
 Discharge of condition 4 (coal mining) attached to planning permission PK15/4365/F Demolition of existing bungalow and erection of 2no. detached dwellings with associated works. (Resubmission of PT14/3970/F)
Initial information submitted not sufficient to discharge condition. Amendments received in May 2017, pending consideration by The Coal Authority.
- 3.4 DOC16/0137 Discharge of Conditions Decided 04/10/2016
 Discharge of Conditions 2 (materials) and 3 (turning area) attached to planning permission PK15/4365/F. Demolition of existing bungalow and erection of 2no. detached dwellings with associated works. (Resubmission of PT14/3970/F).
- 3.5 PK15/4365/F Approve with conditions 09/02/2016
 Demolition of existing bungalow and erection of 2no. detached dwellings with associated works. (Resubmission of PT14/3970/F).

- 3.6 PT14/3970/F Withdrawn 27/11/2014
Demolition of existing bungalow, erection of 2no. detached dwellings and associated works.

4. **CONSULTATION RESPONSES**

- 4.1 Westerleigh Parish Council
Objection on the grounds of overdevelopment. Additional home will add to the parking issues and affect the street scene adversely.

4.2 Other Consultees

Highway Structures

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

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

Lead Local Flood Authority

Seek clarification on SUDS method.

Sustainable Transport

No objection.

The Coal Authority

No objection subject to conditions.

Archaeology Officer

Archaeological watching brief recommended.

Other Representations

4.3 Local Residents

- One letter of objection was received from a neighbour however this has now been withdrawn following the submission of revised plans.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The site lies within the established settlement boundary of Coalpit Heath and being residential curtilage, there is no in-principle objection to the development of the site for residential use. Accordingly, the relevant policies for the considerations of this application are primarily CS1 and CS5 of the South

- Gloucestershire Core Strategy (Adopted) December 2013, and policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006. Whilst these are permissive of proposals for new residential development, this is subject to considerations of design, residential amenity and highway safety whilst adequate amenity space should be provided for any new separately occupied dwelling. Furthermore, the principle of the erection of 2 no. new dwellings at the site has already been established by application reference PT16/5701/F which was approved with conditions and is still extant.
- 5.2 Currently South Gloucestershire Council cannot identify a five-year housing land supply. This proposal is for an additional unit to the extant permission, and therefore this weighs in favour of the scheme when considering the planning balance.
- 5.3 Design
The applicant proposes two detached dwellings (plot 1A and 1B) facing onto Badminton Road, with plot 2 reoriented back to the orientation approved under PK15/4365/F, also facing Badminton Road in a tandem formation. Amendments were requested during the course of the application to reduce the depth and increase the width and roof pitch of the dwellings so that they appear less incongruous in the street scene, and these were received on 6th June 2017.
- 5.3 The materials shown are as approved under condition application reference DOC16/0137, for the previously approved dwelling facing onto Badminton Road (plot 1 of PT16/5701/F). Now all the dwellings are proposed to be finished in the same materials now that plot 2 has been reoriented towards Badminton Road, and those finishes are to be natural stone, cheddar brick quoins, render to the side and rear, double roman tiles in 'Breckland Brown', timber doors and UPVC windows. This will enable it to blend sympathetically with the natural stone property to the north. A condition on the decision notice will ensure that these materials are used in the construction.
- 5.4 The Parish Council's comments regarding overdevelopment are noted, however the density of the plots are considered to be consistent with the properties on the opposite side of Badminton Road, as well as some of the smaller plots on Oakwood Gardens. Overall, the development is considered to accord with policy CS1 of the Core Strategy.
- 5.5 Residential Amenity
Plot 2 has been rotated to face towards Badminton Road, rather than overlooking an area of amenity land on Oakwood Gardens. Windows to the rear of plot 2 are at ground floor level only, and a condition removing permitted development rights will ensure that no further openings are installed to prevent overlooking the adjacent property on Oakwood Gardens to the east.
- 5.5 No. 290 Badminton Road has a principal window facing onto the proposed side elevation of plot 1A at a distance of 4 metres. It is apparent that the outlook of this window will be affected, however it is not the only window serving the room as there is also one on the rear elevation with a clear outlook, and so officers do not consider the residential amenities of no. 290 to be harmed. Views from

- the window into the proposed garden of plot 1A will be possible, however this will be at an indirect angle and is partially obscured by the new building proposed.
- 5.6 The proposed rear windows of plot 1A and 1B will allow for indirect views into the garden of 290 Badminton Road, as well as between the two proposed gardens, however this is a common occurrence in high density residential areas. The angle between the front windows of 286a and the proposed rear windows of plot 1B is not considered to allow for inter-visibility, and would be a similar outlook to plot 1 of the extant planning permission.
- 5.7 With regards to plot size, unit 1A and 1B benefit from over 60 square metres of private amenity space, which is adequate for three-bedroom properties. Plot 2 has a garden in excess of 70 square metres, which exceeds the requirements for a three-bedroom dwelling outlined within emerging policy PSP43 of the Policies Sites and Places Development Plan Document (Submission Draft) June 2016. In conclusion, and subject to the conditions mentioned above, the amendments to the previously approved development and the increase in the number of dwellings by one is not considered to be harmful to the residential amenities of the application site or the surrounding occupiers, in accordance with policy H4 of the Local Plan and policy CS1 of the Core Strategy.
- 5.8 Transport
The access to plot 1 was previously approved under application reference PT16/5701/F, and proposed improvements to the existing access to the now demolished bungalow from Badminton Road. The access arrangements for 1A and 1B are very similar, and the Transport officer has no objection. Plot 2 is proposed to have its own access from Oakwood Gardens, and the plans show that an adequate visibility splay is already in place due to the existing bend in the highway at the point the access is proposed. Following the removal of any garages across the site, it is recommended that a condition requiring details of covered and secure cycle parking for all plots is submitted for approval and implemented prior to first occupation. The required two parking spaces per dwelling have been shown on the proposed plans, and subject to a condition requiring the parking and access arrangements to be implemented prior to first occupation also, and maintained thereafter, there is no transportation objection.
- 5.9 Coal Mining
Subject to a condition requiring intrusive site investigations to be carried out prior to commencement of development, as well as any necessary mitigating measures to ensure the land was safe, the Coal Authority have not objected to this resubmission. Provided this information is secured by condition, the proposal is considered to accord with paragraph 120-121 of the NPPF and CS9 of the Core Strategy.
- 5.10 Archaeology
The Council's Archaeology Officer has stated that the site may have archaeological potential and that a watching brief should be conditioned on the decision notice. As the previous Archaeology officer did not raise any objections to the re-development of the site during application reference

PK15/4365/F, no such condition was imposed on the previous approval, and so it would be unreasonable to introduce the need for a watching brief now.

5.11 Drainage

The Council's Drainage Engineer has recommended a Sustainable Urban Drainage System is secured by condition, however given the scale of the development it is considered adequate for this issue to be addressed through the associated Building Regulations 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 planning permission is **GRANTED** subject to the conditions on the decision notice.

Contact Officer: Trudy Gallagher
Tel. No. 01454 862217

CONDITIONS

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

Reason

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

2. Development on plot 1A, plot 1B and plot 2 shall proceed in accordance with the materials agreed for plot 1 only under discharge of condition reference DOC16/0137.

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. Development shall proceed in accordance with the access and parking arrangements shown on the approved Site Plan Proposed (Rev A) received on 6th June 2017, and be maintained for such a purpose thereafter.

Reason:

In the interest of highway safety in accordance with policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. Prior to the commencement of any other development, the following shall be submitted to and approved by the Local Planning Authority, and then implemented in accordance with the approved details:
 - (a) The submission of a scheme of intrusive site investigations for approval;
 - (b) The undertaking of that scheme of intrusive site investigations;
 - (c) the submission of a report of findings arising from the intrusive site investigations;
 - (d) The submission of a scheme of remedial works for approval; and
 - (e) The implementation of those remedial works.

Reason:

To accord with policy EP7 of the South Gloucestershire Local Plan (adopted) January 2006 and the National Planning Policy Framework. Information is required prior to commencement to prevent remedial works later on.

5. Prior to first occupation, details of covered and secure storage for 2 no. cycles per approved dwelling must be submitted to the Local Planning Authority for written approval, and then implemented in accordance with the agreed details prior to first occupation any unit, and thereafter retained for that purpose.

Reason:

In order to encourage sustainable transport choices, in accordance with policy T7 of the South Gloucestershire Local Plan (Adopted) January 2006 and the National Planning Policy Framework.

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

Reason

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

7. Prior to the first occupation of the dwellings hereby approved, a landscaping scheme, 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.

Reason

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

8. During the period of construction, no machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the following times Monday to Friday 07.30 - 18:00, Saturday 08:00 - 13:00; nor at any time on Sunday or Bank Holidays.

Reason

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

CIRCULATED SCHEDULE NO. 26/17 – 30 JUNE 2017

App No.:	PK17/1807/CLP	Applicant:	Mr Geracitano
Site:	12 Fonhill Way Bitton Bristol South Gloucestershire BS30 6JY	Date Reg:	15th May 2017
Proposal:	Application for a certificate of lawfulness for the proposed erection of side porch and rear dormer to form loft conversion	Parish:	Bitton Parish Council
Map Ref:	367024 170514	Ward:	Bitton
Application Category:		Target Date:	7th July 2017



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PK17/1807/CLP

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The applicant is seeking a formal decision as to whether the proposed erection of a side porch; and erection of a rear dormer to facilitate a loft conversion would be lawful under the Town and Country Planning (General Permitted Development) (England) Order 2015.
- 1.2 The application is a formal way of establishing whether the proposal requires planning permission or not. Accordingly there is no consideration of planning merit; the decision is based solely on the facts presented.

2. POLICY CONTEXT

2.1 National Guidance

Town and Country Planning Act 1990 (as amended) 1990 section 192 Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) Schedule 2, Part 1, Class B and Class D.

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

3. RELEVANT PLANNING HISTORY

- 3.1 PK05/2815/F
Approve with conditions (26.10.2005)
Erection of rear conservatory.
- 3.2 K714/1
Approval (12.02.1976)
ERECTION OF 59 DWELLINGHOUSES WITH ASSOCIATED GARAGES & PARKING SPACES ON APPROXIMATELY 4.8 ACRES. CONSTRUCTION OF ESTATE ROADS & FOOTPATHS & PLAY SPACE. (Previous ID: K714/1)

4. CONSULTATION RESPONSES

- 4.1 Bitton Parish Council
No objection.

Other Representations

- 4.2 Local Residents
No comments received.

5. **SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION**

5.1 Block Plan 1:1250
Received by the Council on 18th April 2017

Proposed and Existing Combined Floor, Elevation and Layout Plans
DRG NO. 001 REV a DATE Apr '17
Received by the Council on 27th June 2017

6. **ANALYSIS OF PROPOSAL**

6.1 Principle of Development

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

6.2 The first issue is to determine whether the proposed erection of a side porch falls within the permitted development rights afforded to householders under Schedule 2, Part 1, Class D of the GPDO 2015; which permits the erection or construction of a porch outside any external door of a dwellinghouse provided it meets the criteria set out below:

D.1 **Development is not permitted by Class D if –**

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

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

(b) **The ground area (measured externally) of the structure would exceed 3 square metres;**

As shown on the Proposed and Existing Combined Floor, Elevation and Layout Plans, the ground area would be 1.8 square metres.

(c) **Any part of the structure would be more than 3 metres above ground level; or**

The maximum height of the structure would be 3 metres.

(d) **Any part of the structure would be within 2 metres of any boundary of the curtilage of the dwellinghouse with a highway.**

The proposed porch would not be within 2 metres of any boundary of the curtilage of the dwellinghouse with a highway.

- 6.3 The second issue is to determine whether the proposed rear dormer falls within the permitted development rights afforded to householders under Schedule 2, Part 1, Class B of the GPDO 2015; which permits the enlargement of a dwellinghouse consisting of an addition or alteration to its roof; provided it meets the criteria set out below:

D.2 Development is not permitted by Class B if –

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

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

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

The height of the proposed dormer would not exceed the highest part of the roof.

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

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

- (h) **The cubic content of the resulting roof space would, as a result of the works, exceed the cubic content of the original roof space by more than –**

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

The property is a semi-detached house. Volume calculations extrapolated from the Proposed and Existing Combined Floor, Elevation and Layout Plans show the increase in roof space to be 15.7 cubic metres.

- (e) **It would consist of or include –**

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

The proposal does not include the construction or provision of a verandah, balcony or raised platform.

(f) **the dwellinghouse is on article 2(3) land**

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

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

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

Submitted plans indicate that the proposed dormer will be finished in materials to match the finish of the existing roof. The roof and windows of the proposed dormer will be finished in materials to match those used in the external finish of the main dwelling.

(b) **the enlargement must be constructed so that –**

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

The rear dormer would be approximately 0.8 metres from the outside edge of the eaves of the original roof and the proposal does not protrude beyond the outside face of any external wall of the original dwellinghouse. The eaves are maintained.

(c) **any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse must be –**

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

The proposal does not involve the insertion of any windows to the side elevation of the dwellinghouse.

7. RECOMMENDATION

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

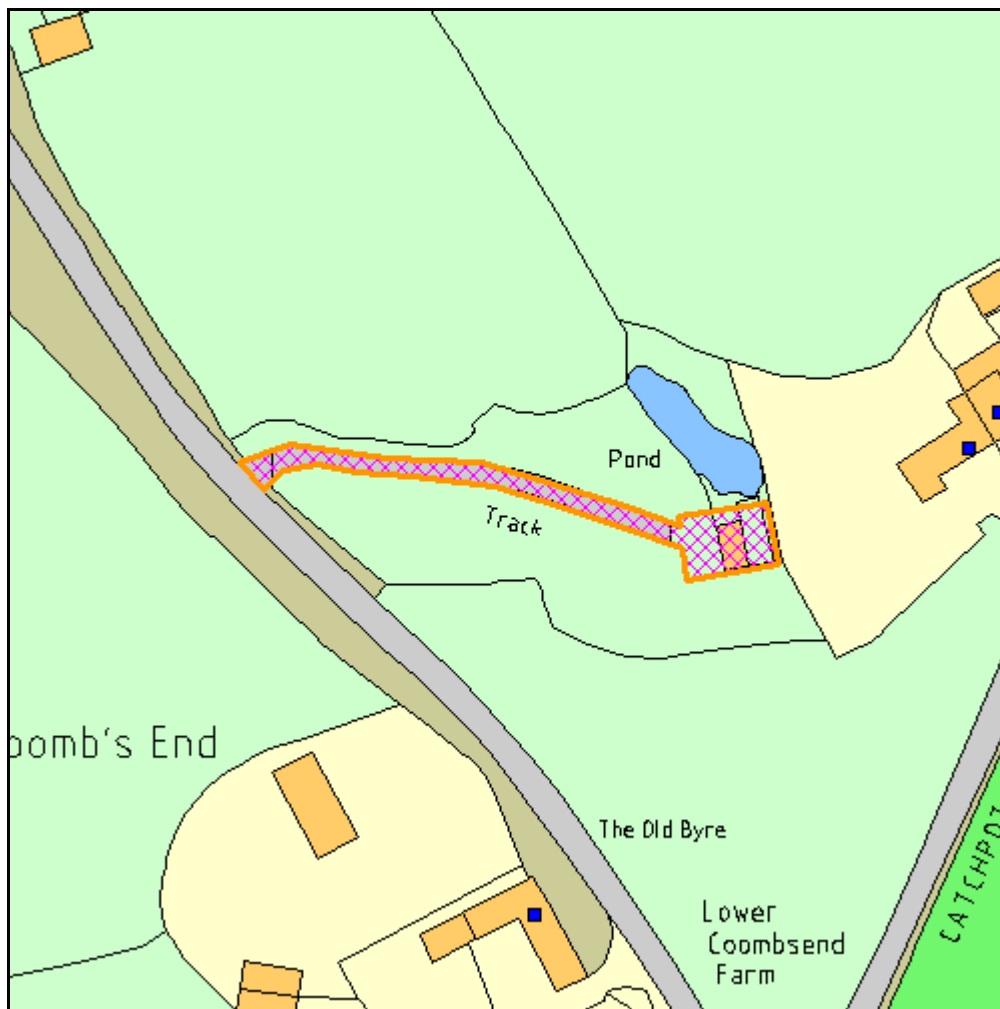
Evidence has been provided to demonstrate that on the balance of probabilities the proposed erection of a side porch does fall within the permitted rights afforded to householders under Schedule 2, Part 1, Class D of the Town and Country Planning General Permitted Development Order 2015.

Evidence has been provided to demonstrate that on the balance of probabilities the proposed installation of a rear dormer to form a loft conversion does fall within the permitted rights afforded to householders under Schedule 2, Part 1, Class B of the Town and Country Planning General Permitted Development Order 2015.

Contact Officer: David Ditchett
Tel. No. 01454 863131

CIRCULATED SCHEDULE NO. 26/17 – 30 JUNE 2017

App No.:	PK17/1836/F	Applicant:	Mr A J Hendy
Site:	Land At Coombs End Old Sodbury Bristol South Gloucestershire BS37 6SQ	Date Reg:	
Proposal:	Change of use of existing stable block to 1no. holiday cottage (Class C3)	Parish:	Sodbury Town Council
Map Ref:	375250 180796	Ward:	Cotswold Edge
Application Category:	Minor	Target Date:	10th July 2017



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 100023410, 2008. **N.T.S.** **PK17/1836/F**

CIRCULATED SCHEDULE

This report appears on the Circulated Schedule following objection comments received from local residents.

1. THE PROPOSAL

- 1.1 The application relates to an existing stable block situated in a meadow in Old Sodbury identified in the application details as Lands at Coombs End. The application seeks a full planning permission for the conversion of these stables into a holiday cottage.
- 1.2 The building is situated in the open countryside outside any settlement boundary, in the Cotswold Area of Outstanding Natural Beauty and within the Bristol/Bath Green Belt.

2. POLICY CONTEXT

2.1 National Guidance

The National Planning Policy Framework
The Planning Practice Guidance 2014
Planning (Listed Building and Conservation Areas) Act 1990
Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended)
Managing Significance in Decision-Taking in the Historic Environment (GPA 2)
The Setting of Heritage Assets (GPA 3)

2.2 Development Plans

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

CS1 High Quality Design
CS4a Presumption in favour of Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS9 Managing The Environment and Heritage
CS15 Distribution of Housing
CS17 Housing Diversity
CS34 Rural Areas

South Gloucestershire Local Plan (Adopted) 6th January 2006.

L1 Landscape Protection and Enhancement
L2 Cotswold AONB
L9 Species Protection
L11 Archaeology
L13 Listed Buildings
EP2 Flood Risk and Development
EP4 Noise Sensitive Development
E7 Conversion and Re-Use of Rural Buildings
E11 Tourism
T7 Cycle Parking
T12 Transportation Development Control Policy for New Development

H3 Residential Development in the Countryside
H10 Conversion and Re-use of Rural Buildings for Residential Purposes
LC12 Recreational Routes

Emerging Plan

Draft Policies, Sites & Places Plan

PSP1 Local Distinctiveness
PSP2 Landscape
PSP3 Trees and Woodland
PSP7 Development in the Green Belt
PSP8 Residential Amenity
PSP11 Development Related Transport Impact Management
PSP16 Parking Standards
PSP17 Heritage Assets and the Historic Environment
PSP19 Wider Biodiversity
PSP20 Flood Risk, Surface Water and Watercourse Management
PSP28 Rural Economy
PSP36 Residential Development in the Countryside
PSP40 Residential Development in the Countryside
PSP43 Private Amenity Standards
PSP44 Outdoor Sport and Recreation Outside Settlement Boundaries

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (SPD) Adopted 23rd Aug 2007
South Gloucestershire Council Residential Parking Standards (Adopted)
South Gloucestershire Landscape Character Assessment (Adopted) Nov. 2014
– LC4 Cotswold Scarp

3. RELEVANT PLANNING HISTORY

- 3.1 PK14/0428/F Approved 7.4.14
Erection of stable block, part amendment to previously approved scheme PK10/1968/F to re-design stable block. (Retrospective)
- 3.2 PK10/1968/F Approved 28.9.10
Change of use of land from agricultural to land for the keeping of horses. Erection of stable block. Retention of access track.
- 3.3 PK08/1314/F Refused 9.6.08
Change of use of land from the keeping of horses and erection of single storey extension to facilitate the change of use of stables to 1 no. holiday let (Class C1) as defined in the Town and Country Planning (Use Classes Order) 1987 (as amended). Construction of new vehicular access.
Refusal reasons:
1. The site is located within the Bristol/Bath Green Belt. The development as proposed by reason of its increased size and associated works/facilities would have a materially greater impact upon the openness of the Green Belt. In addition the works required to facilitate the development amount to major reconstruction, such that the building is tantamount to a new structure. As such

the proposal does not fall within the limited categories of development normally considered appropriate within the Green Belt. In addition, the applicant has not demonstrated that very special circumstances apply, such that the normal presumption against development in the Green Belt should be overridden. The proposal is therefore contrary to the provisions of PPG2, Policy GB1 and E11 of the South Gloucestershire Local Plan (Adopted January 2006).

2. The proposed development, by reason of the scale of alterations proposed is tantamount to the erection of a new building and is not considered to fall with the definition of a conversion. As such the proposed development is considered to be contrary to Policy E6 and E7 and H10 of the South Gloucestershire Local Plan (Adopted)

3. The proposed development is considered out of keeping with its surroundings in terms of its form, design and character and would be detrimental to the visual amenity of the locality contrary to Policy E7 and D1 of the South Gloucestershire Local Plan (Adopted).

4. The proposal would introduce additional vehicle movements onto the local highway network which by virtue of its geometry is not considered suitable to accommodate the increase. The proposal is therefore contrary to Policy T12 of the South Gloucestershire Local Plan (Adopted).

- 3.4 PK07/3332/F Refused 10.12.07
Change of use of land for the keeping of horses to residential curtilage. Erection of single storey extension to facilitate the change of use of stables to Mixed Residential (Class C3 and Film Editing suite (Class B1) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). Creation of new access.

4. CONSULTATION RESPONSES

- 4.1 Sodbury Town Council
No objection although the accuracy of plans is questionable and trust Officers will be satisfied that they are correct as submitted.

4.2 Other Consultees

Conservation Officer

Objection:

The treatment of the access and curtilage, the scheme represents a harmful intrusion into the landscape that would erode the quality of the existing landscape character.

Updated comments:

No objections following revised plans

Landscape Officer

No visual landscape objection regarding the building. There are concerns about additional fencing, driveway, parking, domestic paraphernalia and pond

Updated comments:

Removal of the fence, the relocation of the parking and the reduction of the domestic curtilage are considered acceptable. No objection subject to a condition attached to the decision notice.

Sustainable Transport

Holding objection for details of the visibility splay to be submitted.

Updated comments:

Following the receipt of additional information there are no objections as it has been demonstrated that there is adequate visibility from the site's access.

Ecology

No objections subject to conditions relating to nests and bat boxes and reference to the Burrows Ecological report and an informative regarding nesting times.

Other Representations

4.3 Local Residents

6 letters of objection have been received from local residents. The points raised are summarised as:

- Planning history shows both office use and holiday lets have been refused in the past
- Unauthorised access. Concerns regarding the access and its effect on a narrow and single track lane
- Traffic has increased in the area due to the development of the Dodington Estate
- Stone clad building was not built to approved plans – long term intention to make a dwelling
- Only been used as a stable for a few weeks over last 4 years
- Land has historically supported horses and as the size has not changed how is it no longer sufficient grazing to support a stable
- No services connected to the site
- The land is in the AONB. Adjacent to a common and not in-keeping with development. Area becoming a built-up suburb
- Concerns about possible light pollution and noise from a commercial holiday let. This is a business venture and not in-keeping with the AONB
- Will have an effect on the reasonable enjoyment of our house and neighbours
- This would set a dangerous precedent for the surrounding area. What will the rest of the land be used for – another bungalow or two?
- No notice has been posted and no neighbours have been notified by post
- Documents labelled constraints are unavailable on the website – all documents should be available for review

5. **ANALYSIS OF PROPOSAL**

5.1 **Principle of Development**

The proposal is for the change of use of an existing stable and the creation of a residential curtilage to facilitate a holiday let and associated works. The application stands to be assessed against the above listed policies and all other material considerations.

5.2 Holiday lets fall under Class Use C3 – residential. The following assessment will reflect this class use. The NPPF declares that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites. It is acknowledged that South Gloucestershire Council does not have a five year land supply and as such Policy CS5 and CS32 are out of date. The NPPF states that where this is the case then paragraph 14 of the NPPF will take precedence. This section declares there to be a presumption in favour of sustainable development and for *decision takers this means (unless material considerations indicate otherwise)... permission should be granted for development unless:*

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

5.3 Footnote 9 of the NPPF is relevant here as it specifically mentions land designated as Green Belt.

5.4 **Green Belt**

The application is located in the Bristol/Bath Green Belt where development is restricted to that falling within criteria listed in the NPPF. Development not on this list is considered inappropriate development and inappropriate development is harmful by definition and requires very special circumstances to demonstrate that the harm can be outweighed by other considerations.

5.5 The application is the change of use of the existing building from a stable into a residential use. The NPPF lists *the re-use of buildings provided that the buildings are of permanent and substantial construction* as one of the acceptable criteria provided they preserve the openness of the Green Belt. A residential curtilage is proposed around the building. Negotiations have secured a reduction in the amount of residential curtilage and the removal of any boundary walls/hedges. The area will therefore be quite tight around the building and marked out by a change in materials rather than a physical boundary. Given that permitted development for the change of use of agricultural buildings to residential dwellings allows for a small amount of residential curtilage notwithstanding a Green Belt location, then it is considered reasonable that this curtilage be treated in the same way. As such it has not been necessary to advertise this very small area of land as a departure as it is associated with the existing building and its change of use. A condition will limit the curtilage to the area shown on submitted plans. The change is likely to

introduce domestic paraphernalia such as washing lines, but these could be positioned to the rear of the property away from full view. Furthermore, the residential curtilage has been kept to a minimum and these additions would not be allowed on the larger area of field the authorised use of which remains for the keeping of horses. In this way there would be no unacceptable adverse impact on the openness of the Green Belt. In addition permitted development rights for the property will be removed which will further protect the Green Belt and the character of the area in general.

- 5.6 Details have been submitted to show that the existing building has not been used for the stabling of horses for some time. A comment from a local resident has implied that, apart from a short period of time, the land has not been used for horses and so it follows that the building has not been used as stables either. Its re-use would therefore be acceptable provided it would preserve the openness of the Green Belt and would not conflict with the purposes of including land in the Green Belt.
- 5.7 Concern has been expressed by local residents regarding the rest of the site and its potential for development, but new dwellings in the countryside are strictly controlled and furthermore, protected by its special Green Belt location where new buildings are inappropriate. Any such proposals would be considered on their merits against the prevailing policy in force at that time.
- 5.8 In this instance the building exists and the application is only considering the appropriateness of the change of use of the structure and the land immediately around it. Although the proposed The proposal is considered to accord with Green Belt policy and **weight** can be given in its favour for this reason.
- 5.9 **Other policy considerations**
The NPPF seeks to significantly boost the supply of housing and para. 55 seeks to promote sustainable development in rural areas including development which would re-use redundant or disused buildings and lead to enhancement of the immediate setting. Paragraph 28 of the NPPF states that to promote a strong rural economy support should be given to :
- the expansion of all types of businesses in rural areas, through the conversion of existing buildings and well-designed new buildings
 - the diversification of agricultural businesses
 - the support of sustainable rural tourism and leisure developments that benefit business in rural areas/communities but which respect the character of the countryside. The support of tourist facilitates in appropriate locations where identified needs are not met by existing facilities; and
 - where development promotes the retention of local services
- 5.10 As a conversion or re-use of an existing building the proposal accords with paragraph 55 and **weight** is given in its favour for this reason. It is not required that the proposal should meet all the tests set out in paragraph 28 but it would be a conversion; would be the diversification of an existing business (as explained in the Design and Access Statement); would support rural tourism and by association other nearby businesses in the area. In this way the

proposal is considered to meet the tests set out in paragraph 28 and **weight** can be given in favour for this reason.

- 5.11 Saved Policy E11 specifically deals with proposals for tourist facilities and Saved Policy E7 deals with the conversion and re-use of existing buildings for employment uses. Saved Policy H10 relates to the conversion and re-use of rural buildings for residential purposes. These policies are relevant here but hold limited weight, especially Policies E11 and H10 as these directly relate to the supply of housing.
- 5.12 Although the criteria under Policy E7 do not match exactly those set out under para 28 of the NPPF, the intention is considered to be very similar and some **weight** can be allocated within this assessment. Although no structural survey has been supplied it is considered that the building appears to be in good condition and would require minimal work to convert it into habitable accommodation. The existing building is already in-keeping with its surroundings and the introduction of windows would not have a harmful effect on the character of the area.
- 5.13 Policy E11 requires that new development should not have any unacceptable environmental effects and; would not prejudice the amenities of neighbouring residential occupiers and; would not give rise to unacceptable levels of traffic access and parking arrangements would not prejudice highway safety and; in the case of new buildings outside the urban areas they are well related to existing groups of buildings.
- 5.14 Again, it is recognised that the above criteria do not match exactly those set out under the relevant NPPF paragraphs. However, as a saved policy of the local plan some **weight** can still be attributed to it. Issues relating to ecology and landscape are fully discussed below but the development would not have an unacceptable impact in these terms; the site is adjacent to a row of cottages situated above the site on Cathchpot Lane. Impact on the amenity of these houses is discussed in more detail below but its change to residential use is not considered to have an unacceptable impact on these properties. The increase in traffic created by one holiday let would not give rise to severe adverse impacts and the proposed access and parking arrangements would again not cause such concern as to warrant refusal of the application. The proposal would meet the criteria and weight can be given in its favour for this reason.
- 5.15 With regards to saved Policy H10 **some weight** can still be given to the criteria as an emerging Policy Sites and Places SPD under PSP40 seeks to roll forward many of the criteria set out under Policy H10.
- 5.16 The saved policy states this type of development will not be permitted outside the existing urban areas and the boundaries of settlements unless all reasonable attempts have been made to secure a suitable business re-use or the conversion is part of a scheme for business re-use; and the buildings are of permanent construction and structurally sound and capable of conversion without major or complete reconstruction and; the buildings are in keeping with their surroundings in terms of character, form, bulk and overall design; and development, including any alterations, extensions or the creation of a

residential curtilage would not have a harmful effect on the character of the countryside or the amenities of the surrounding area; and the building is well related to an existing settlement or other groups of buildings.

5.17 Overall, the proposal for the conversion of the stables to residential is considered to meet the principles set out in national and emerging local policy, which it must be noted differ from Policy H10 as they do not require any marketing exercise for a business re-use. Being more up-to-date these policies hold more weight. With regards to impact on the countryside and its location to other groups of buildings these matters are discussed further below.

5.18 **Landscape**

The existing stable building sits on raised ground above the junction of Chapel Lane and Catchpot Lane. The field is bounded by a well maintained mixed native hedge and is visible from the Cotswold Way which runs along Catchpot Lane to the east of the site

5.19 The South Gloucestershire Landscape Character Assessment declares:

“The Cotswold Scarp landscape character area is a distinct and prominent landform running approximately north-south, defining the western edge of the Cotswolds Area of Outstanding Natural Beauty in the eastern part of South Gloucestershire”. LCA 4

In summary the aims of the LCA 4 landscape strategy is to:

- *Protect tranquility including dark skies*
- *Restore drystone walls and hedgerows*

5.20 The Cotswolds AONB Landscape Strategy and Guidelines identifies the character type as Escarpment (2) (lower slopes). Here landscape sensitivity is described as:

The escarpment is a distinctive and dramatic landscape. The combination of its elevation, and the steep slopes rising from the lowlands, make it a highly visible feature and is therefore very sensitive to change, particularly where this would introduce built elements within the otherwise agricultural landscapes, or interrupt the balance of rough grassland, species rich calcareous grassland and broadleaved woodland on the upper escarpment slopes.

The undulating lower escarpment slopes, at the junction of the vale, are visually less prominent than the upper escarpment slopes and generally more widely settled”.

5.21 As the proposal is the conversion of an existing building with no additions, there is no visual landscape objection. Initial plans showed a fence to enclose residential curtilage and car parking close to the building. The fence was considered to introduce an unnecessary element into the landscape and the parking an unacceptable intrusion in the landscape. Revisions which include the removal the fence and relocation of the parking close to the field entrance were welcomed and accepted.

- 5.22 In addition further details suggested that a new native hedgerow would be introduced around the curtilage, a low level Cotswold stone wall to delineate the access path, two traditional pedestrian 'foopath' style gates to enclose the curtilage and a new copse to screen the parking. Although the proposed copse planting next to the parking area was accepted, the other elements listed above were not with the wall and the hedge and gates being regarded as unnecessary intrusions into the landscape. It was however considered that strategically placed informal tree planting and orchard planting would be acceptable and a **condition** will secure a landscape scheme is submitted for written approval.
- 5.23 Given the length of the track it is considered important that any improvements or changes be appropriate and respectful of the site. A **condition** will be attached to the decision notice for the driveway to be designed as a compacted Cotswold stone farm track with a central grassy strip.
- 5.24 The elevated position is noted and as such domestic paraphernalia will be very visible. It is recommended that this be controlled by condition or design. As mentioned in the Green Belt section, the residential curtilage is small and close to the building. The use of the rest of the land is still for the keeping of horses and therefore residential paraphernalia must not spill out into the field.
- 5.25 On balance the scheme is considered acceptable and can be supported subject to a landscape **scheme** being submitted for approval.
- 5.26 **Public Right of Way**
The nearest recorded public right of way with reference LSO 69 runs to the south of the site outside the site boundary. The development would therefore not impact on this established route.
- 5.27 **Transport matters**
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'.
- 5.28 The proposal to convert an existing building into a holiday cottage would be expected to have a traffic generation pattern similar to an equivalent sized dwelling. There is some concern that given the isolated location of the site, outside easy walking distance to any facilities, the development will largely be car dependent. Research suggests that a single new dwelling in a rural area will generally produce around 7 or 8 vehicular movements per 24 hour day. Consequently, this development is unlikely to create a particularly large amount of new traffic and so the site's trip generation cannot be considered to be severe. An objection on this basis could therefore not be sustained.
- 5.29 It is understood that the property has two bedrooms and so to comply with the Council's adopted residential car parking requirements, it must be provided with at least one car parking space. Plans indicate that two spaces have been provided and that there would be sufficient room for vehicles to turn around and leave in forward gear, the scheme is considered acceptable in these terms.

- 5.30 It is understood that the site will continue to use the access arrangements onto Chapel Lane currently associated with the existing building. Although it appeared highly probable that the proposed access meets the required visibility standards additional information to confirm this was requested of, and provided by, the agent and indicated that there would be adequate visibility from the site's access. The proposal is therefore acceptable in transport terms.
- 5.31 **Access track**
Comments have been received stating the existing access track has been introduced unlawfully. However, planning application PK10/1968/F regularised the access track and as such there can be no objection to its continued use across the field to the building.
- 5.32 **Design and Visual Amenity**
The application relates to an existing stone and clay tiled stable block in a meadow in Old Sodbury. The 'L shaped building has a footprint of about 55 sq metres. This proposal is to change the barn to create a two-bed property for tourist accommodation. No external alterations are considered necessary other to facilitate the change of use as the existing openings would be utilised. Revised plans received during the course of the application indicate that there will be no physical boundary to mark out the residential curtilage and the existing access track will be used for pedestrian access given the parking would be next to the existing gateway.
- 5.33 Comments have been received stating the proposal would not be in-keeping with the area. However, regard must be had to the fact that this is an existing stable block and approval was given for an extension to this structure. Observations have been made that it was not built according to approved plans. However, planning application PK14/0428/F was a retrospective application to regularise works and on this basis it must be assumed that the building is lawful.
- 5.34 The proposal is considered not to raise any adverse issues regarding design and as such there are no objections in these terms.
- 5.35 **Conservation**
The stable block can be considered to contribute to the wider setting of the Grade II listed Lower Coombsend Farmhouse and its curtilage listed farmstead structures located to the west. The sites are however about 100 metres apart and separated by the road and by an area of common land and by mature tree planting around the site edge. A row of cottages Catchpot Cottage, Hub Cottage and Hammerdown Cottage are to the east of the site. Although not listed, due to their siting, appearance and the topography of the surrounding area, this prominent terrace of cottages (which appears on the first OS map) can be considered to make a significant and positive contribution to the character and identity of the immediate context.
- 5.36 One of the characteristics of the immediate context is the grouping of buildings, as can be seen at Lower and Upper Coombsend Farms and the terrace of cottages to the east. In contrast the stables is an isolated structure that appears on the first OS map set within an extensive orchard. An important

consideration is that these visual and spatial relationships between the historic buildings groups are preserved and not weakened by increasing the prominence of the stables.

- 5.37 In regards to the setting of the listed building, overall in light of the separation distances, existing structures and levels of planting, it is not considered that there are significant levels of inter-visibility between the listed farmhouse and the stable building, although any diminution in landscape quality will impact on its wider setting. The greatest concern however is how the proposed conversion could result in a level of visual intrusion that erodes the quality of the landscape which then detracts from the setting of the cottages identified above.
- 5.38 Given the prominent and sensitive site context, the treatment of the access and creation of curtilage needs to be carefully considered to ensure the impact is as neutral as possible. A sympathetic and thoughtful approach to the conversion is therefore required.
- 5.39 Revised plans are considered to address the above issues and conditions attached to the decision notice will ensure the size of the curtilage, materials for the driveway, the position of the parking and proposed landscaping. The residential curtilage will not be defined by a boundary treatment. On this basis the proposal is considered acceptable and not to result in unacceptable harm to the character of the area in general.
- 5.40 **Impact Upon Residential Amenity**
Closest neighbours to the existing building are at Hammerdown Cottage. This end of terrace two-storey dwelling benefits from a large garden to the side. The land here slopes down to the west where it is adjacent to the application site boundary. Openings in this opposing elevation of the existing building would comprise two full-height French doors to serve the two proposed bedrooms. Plans indicate the two properties would be separated by a distance of around 28 metres.
- 5.41 Although there would be some changes for Hammerdown Cottage it is considered that given the position, orientation and topography of the proposed holiday let in relation to the nearest dwelling, there would be no significant issues of loss of privacy, no issues of over-look or inter-visibility. The closest property to the south would be around 60 metres distant. Concern has been expressed with regard to noise and or light pollution. However the scale of the development must be acknowledged and it is considered that one dwelling would not create significant levels of noise or pollution given its domestic use.
- 5.42 In light of the above there would therefore be no significant adverse impact on residential amenity to result from the scheme.
- 5.43 **Ecology Issues**
There are no ecological objections to this application. The Preliminary Inspection For Bats and Nesting Birds (Burrows Ecological May 2017) recommends various mitigation, enhancement and compensation measures to prevent biodiversity loss, and enable biodiversity gain, through the proposed

development. This is considered appropriate and conditions will be attached to the decision notice to secure these measures.

5.44 Other matters

Neighbours have commented that they were not originally consulted on the proposal. The Council's Statement of Community Involvement (2015) sets out who and when people are consulted on planning applications. In this case the correct neighbours were consulted, those sharing a common boundary and following comments a site notice was posted to allow wider publicity.

One comment has stated that the constraints and site history document is not available to view on the website. Officers have tested this by accessing the public website and this document is freely available.

One comment has mentioned lack of drainage but as there are other dwellings in the vicinity it is reasonable that drainage details could be secured by condition.

5.45 Balancing exercise

The above proposal has assessed the change of use of existing stables to a residential dwelling, albeit that the description of development states it would be a holiday let. The assessment has indicated that the scheme meets policy tests and weight has been awarded accordingly. The proposal for the re-use of a building in the Green Belt is considered appropriate development as it complies with the NPPF criteria. The residential curtilage has been kept to a minimum and the removal of permitted development rights will help to protect the openness of the area. The proposal is therefore appropriate in Green Belt terms and considerable weight is given in favour of the scheme. The proposal would add one new dwelling to the housing shortfall and a modest amount of weight is given in its favour for this reason. Regard must be given to it being an existing building and that change of use permitted development rights allow for such changes even though its rural location has been noted. The transport assessment has concluded that the proposal would be unlikely to generate large vehicle movements and is acceptable. Neutral weight is given for this reason. Conservation and landscape matters have been assessed and, following amendments, the scheme is considered to have neutral impact and can be supported. Changes to the amenity of the closest neighbouring dwelling resulting from the change of use from stables to a residential property has been acknowledged but given the distance and topography these are not regarded as being unacceptable or to substantiate a refusal of the scheme. Overall the positives outweigh the negatives and the proposal is recommended for approval.

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** 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) 11th Dec. 2013 set out above, and to all the relevant material considerations set out in the report.

7. **RECOMMENDATION**

7.1 The recommendation is to **APPROVE** subject to conditions attached to 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. Notwithstanding the provisions of Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no development as specified in Part 1 (Classes A, B, D, E, F, G and H) (* delete/add substitute as necessary), or any minor operations as specified in Part 2 (Class A), other than such development or operations indicated on the plans hereby approved, shall be carried out without the prior written consent of the Local Planning Authority.

Reason

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to protect the Green Belt and the AONB and area in general and to protect the residential amenity of the neighbouring occupiers and to accord with saved Policy L1, L2 and L13 of the South Gloucestershire Local Plan (Adopted) 2006, Policies CS1, CS9 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; the National Planning Policy Framework and the South Gloucestershire SPD: Green Belt (Adopted) 2007.

3. Prior to the first occupation of the building the location and type of artificial swallow nest, and one bat box (as set out in the Preliminary Inspection For Bats and Nesting Birds (Burrows Ecological May 2017) should be submitted to the local planning authority for approval in writing. The development shall proceed in accordance with the approved details.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of the habitats of protected species and to accord with Policy L9 of the South Gloucestershire Local Plan (Adopted) 2006; CS9 of the South Gloucestershire Local

Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

4. The development should proceed in accordance with the recommendations made in The Preliminary Inspection For Bats and Nesting Birds (Burrows Ecological May 2017). This includes bat sensitive lighting, avoiding disturbance to nesting birds, avoiding damage to the hedge and vigilance with respect to bats.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of the habitats of protected species and to accord with Policy L9 of the South Gloucestershire Local Plan (Adopted) 2006; CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

5. Prior to the commencement of development a scheme of landscaping, which shall include details of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection during the course of the development; proposed planting of the copse and other trees (and times of planting); boundary treatments and areas of hardsurfacing and details of the proposed driveway shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed details.

Reason

This is a pre-commencement condition to avoid any unnecessary remedial action in future and to protect the character and appearance of the AONB and Green Belt and area in general to accord with saved Policy L1, L2 and L13 of the South Gloucestershire Local Plan (Adopted) 2006 Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework and the South Gloucestershire SPD: Green Belt (Adopted) 2007.

6. The proposed residential curtilage associated with the building shall be limited to the area close to the building as indicated on approved Block plan received by the Council on 16th June 2017.

Reason

To protect the character and appearance of the AONB and the Green Belt and to accord with saved Policies L1, L2 and L13 and Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework and the South Gloucestershire SPD: Green Belt (Adopted) 2007.

7. The building shall not be occupied until two on-site car parking spaces have been provided and made available for use by occupants. The parking shall be implemented according to the approved Block plan received on 16th June, and retained for the use of the building thereafter.

Reason

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

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

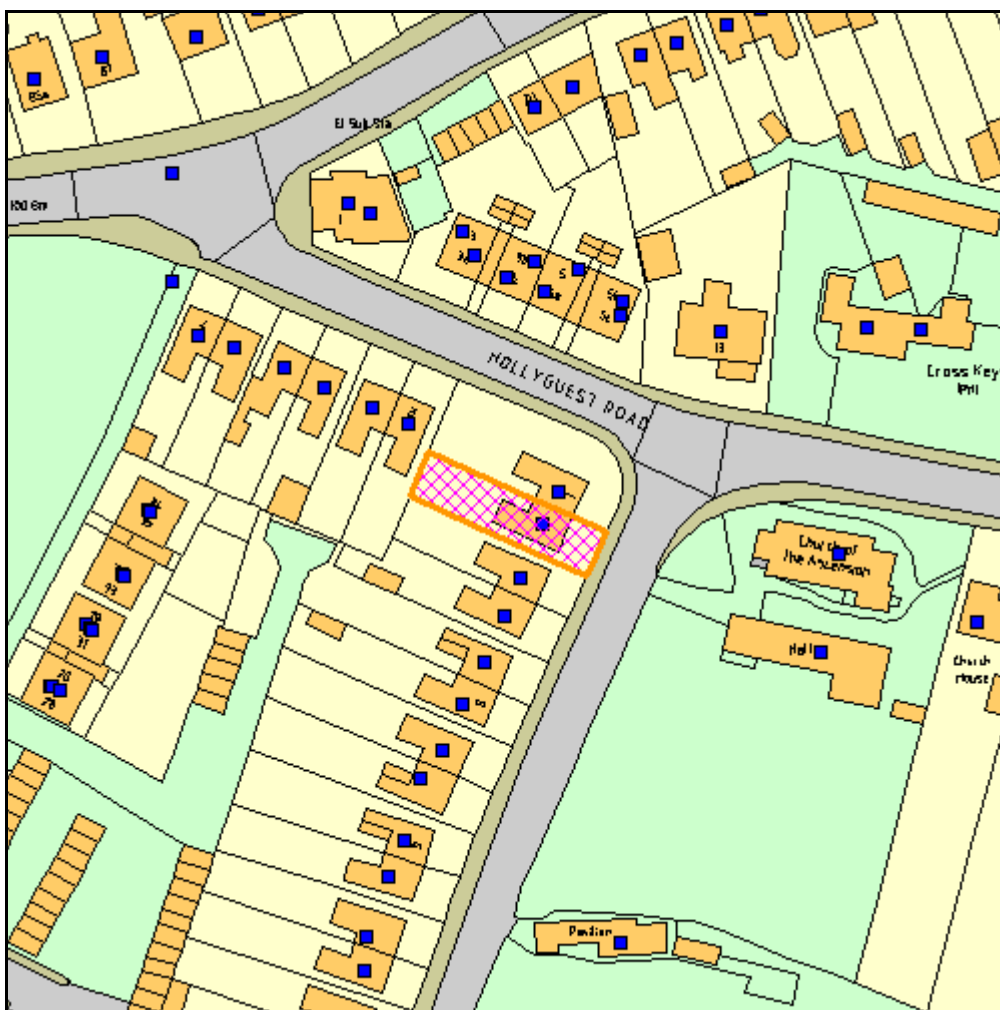
8. Prior to the commencement of development drainage detail proposals incorporating Sustainable Drainage Systems SUDS and confirmation of hydrological conditions e.g. soil permeability, watercourses, mining culverts) within the development shall be submitted for approval in writing to the Local Planning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

Reason

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

CIRCULATED SCHEDULE NO. 26/17 – 30 JUNE 2017

App No.:	PK17/2148/F	Applicant:	Mr And Mrs Merrett
Site:	2 Greenbank Road Hanham Bristol South Gloucestershire BS15 3RX	Date Reg:	25th May 2017
Proposal:	Erection of single storey rear extension to form additional living accommodation and installation of rear dormer to facilitate loft conversion.	Parish:	Hanham Parish Council
Map Ref:	364912 172540	Ward:	Hanham
Application Category:	Householder	Target Date:	30th June 2017



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PK17/2148/F

REASON FOR REFERRING TO CIRCULATED SCHEDULE

This application appears on the circulated schedule due to objections received from the parish council which are contrary to officer recommendation.

1. PROPOSAL AND SITE DESCRIPTION

- 1.1 The application seeks full planning permission for the erection of a single storey rear extension to form additional living accommodation and installation of a rear dormer at 2 Greenbank Road, Hanham.
- 1.2 The application site relates to a two-storey, semi-detached property which has render elevations which are accompanied by UPVC windows and a tiled roof. It is located in a the built up residential area of Hanham and within part of the East Fringe of the Bristol Urban Area. Properties in the vicinity are also semi-detached and of a similar design.
- 1.3 The dormer window which is proposed as part of this development constitutes permitted development. It meets criteria as set out in the Town and Country Planning (General Permitted Development) (England) 2015.

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

CS29 Communities of the East Fringe of Bristol Urban Area

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

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

T12 Transportation Development Control Policy for New Development

2.3 Emerging Development Plan

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

PSP1 Local Distinctiveness

PSP8 Residential Amenity

PSP16 Parking Standards

PSP38 Development within Existing Residential Curtilages

PSP43 Private Amenity Space Standards

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

3. **RELEVANT PLANNING HISTORY**

- 3.1 No relevant planning history

4. **CONSULTATION RESPONSES**

4.1 Hanham Abbots Parish Council

Objection. Comments as follows:

- Strong concerns over design of the rear dormer loft conversion. Not in keeping with neighbouring residential properties. Not clear if the windows will be obscured.

4.2 Sustainable Transport

"The site plan does not show the existing or proposed vehicular access or parking for the dwelling. 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. Each space must measure a minimum of 2.4m by 4.8m but 5.3m should be allowed to ensure vehicles do not hang over into the public highway. Before further comment can be made a revised site plan showing the above needs to be submitted."

Other Representations

4.3 Local Residents

No comments received

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

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

5.2 Dormer Window

As part of the development shown on the plans, a rear dormer window would be introduced to facilitate a loft conversion at the property. Comments of the parish council in relation to its impact on the street scene are understood. However, the dormer window does constitute permitted development under criteria as set out in the Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 1, Class B. Accordingly, this element of the proposal could proceed in any event.

The agent has confirmed that the window in the side elevation would be obscure glazed, and would therefore meet condition B.2 (c) of this class.

5.3 Design and Visual amenity

Plans show that the property has an existing single storey rear extension, it appears that this would be demolished and a larger single storey extension would be introduced to the rear elevation to form an enlarged kitchen/diner area. The extension would run along the entire rear elevation of the property with a maximum width of 6 metres, and would have a depth of 4.9 metres. Plans show that it would have a pitched roof and would form a rear facing gable. It would have a maximum height of 4.3 metres to the ridge and 2.5 metres to the eaves.

5.4 The development would introduce 2no. rooflights to the roof of the extension as well as sliding doors to the rear elevation. It is proposed that all materials would match those on the existing property. As such, overall it is not thought that the development would have a detrimental impact on the host or the surrounding area. Accordingly, the proposal is deemed to comply with Policy CS1 of the Core Strategy (Adopted) December 2013 and the emerging Policy PSP1 of the PSP Plan (June 2016).

5.5 Residential Amenity

The property sits adjacent to No.1 Greenbank Road and together they form a semi-detached pair. The case officer noted on a site visit that this property has an existing similar extension. Given the appropriate shared boundary treatment and that the development would not introduce any windows facing these occupiers, it is not thought that it would result in any detrimental impacts to residential amenity.

5.6 An appropriate amount of amenity space would remain following the proposal and overall, it is considered the proposed development would be acceptable with regard to residential amenity and is therefore deemed to comply with saved Policy H4 of the Local Plan (2006) and the emerging Policy PSP8 of the PSP Plan (June 2016).

5.10 Highways

Following comments from transportation colleagues the case officer requested further parking details. Following the development the property would have a total of 4 bedrooms. The residential parking SPD sets out that for a property with 4 bedrooms; 2 parking spaces should be provided on site. Revised plans submitted show that 2no. car parking spaces would be provided to the front of the property. Accordingly, parking provision at the site is considered acceptable, however, a condition is recommended to ensure that it is provided prior to occupation of the extension. The applicant will also be advised of the need to contact the Council's street care team in the event of installing a dropped kerb.

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 first occupation of the development hereby approved, the construction of the vehicular parking must be completed in accordance with the submitted Proposed Site Plan dwg no. 17/04/PL/02A, and retained as such thereafter. For the avoidance of doubt: the car parking area must be formed of a permeable and bound material.

Reason

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

CIRCULATED SCHEDULE NO. 26/17 – 30 JUNE 2017

App No.:	PK17/2297/F	Applicant:	Mr Gary Bartlett
Site:	1 Turnpike Close Yate Bristol South Gloucestershire BS37 4JF	Date Reg:	1st June 2017
Proposal:	Erection of 2no front dormer windows to facilitate loft conversion.	Parish:	Yate Town Council
Map Ref:	371334 182631	Ward:	Yate Central
Application Category:	Householder	Target Date:	6th July 2017



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INTRODUCTION

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

1. THE PROPOSAL

- 1.1 The application is for the erection of 2no front dormer windows to facilitate a loft conversion.
- 1.2 The property is a relatively modern detached dwelling located on Turnpike Close, facing the main Station Road, within the built up area of Yate.

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 Yate Town Council
Objection on the following grounds:
Highway safety, parking, loading and turning and over development

Sustainable Transportation

The proposed development will provide two additional bedrooms within the loft conversion making a total of five after development. The Councils residential parking standards state that a dwelling with five or more bedrooms provide a minimum of three parking spaces within its site boundary. The plans submitted show that the garage will remain after development but no other details on parking and access have been submitted.

Revised details addressing the above needs to be submitted.

Other Representations

- 4.2 Local Residents
No comments received

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Policy H4 of the South Gloucestershire Local Plan (Adopted) 2006 advises that proposals should respect the massing, scale, proportions, materials and overall design of the existing property and the character of the street scene and surrounding area, they shall not prejudice the amenities of nearby occupiers, and shall not prejudice highway safety nor the retention of an acceptable level of parking provision or prejudice the retention of adequate amenity space.
- 5.2 Design
The proposed dormers are considered to be of an appropriate standard in design and are not out of keeping with the character of the main dwelling house and surrounding properties. The dormers are of an acceptable size in comparison to the existing dwelling and the site and surroundings. Materials would match those of the existing dwelling.
- 5.3 Residential Amenity
The length, size, location and orientation of the dormers are not considered to give rise to any significant or material overbearing impact on adjacent properties.
- 5.4 Highways
Whilst the comments above are noted, it is clear from visiting the site that space, inclusive, of the garage is available to provide a minimum of 3 off street spaces. A condition is recommended to ensure the retention/provision of 3 spaces and on this basis the proposals are considered satisfactory in this respect.

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. As such the proposal accords with Policies H4 of the South Gloucestershire Local Plan (Adopted) 2006 and CS1 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013.

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

7. RECOMMENDATION

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

Contact Officer: Simon Ford
Tel. No. 01454 863714

CONDITIONS

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

Reason

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

2. The 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.

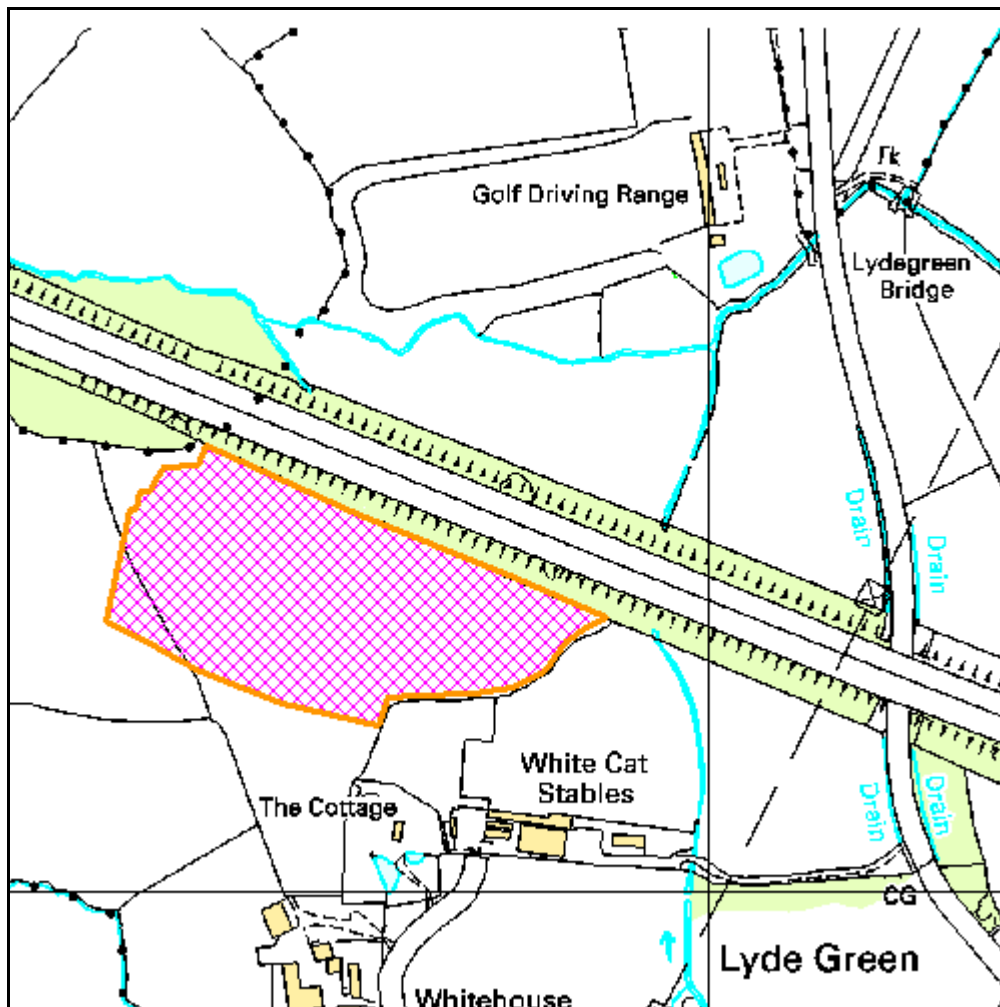
3. A minimum of three off street parking spaces shall be retained for the dwelling at all times.

Reason

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

CIRCULATED SCHEDULE NO. 26/17 – 30 JUNE 2017

App No.:	PK17/2365/RVC	Applicant:	Stoford Properties Ltd
Site:	Land Off Jenner Boulevard Jenner Boulevard Emersons Green South Gloucestershire BS16 7HX	Date Reg:	1st June 2017
Proposal:	Variation of condition 14 attached to PK16/1047/RM (added by non-material amendment PK17/0389/NMA) to substitute approved drawings with those received by the council on 17th May 2017.	Parish:	Emersons Green Town Council
Map Ref:	367361 178242	Ward:	Boyd Valley
Application Category:	Major	Target Date:	16th August 2017



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PK17/2365/RVC

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application is referred to the circulated schedule because a single letter of objection has been received from a neighbouring residential occupier.

1. THE PROPOSAL

- 1.1 This application seeks a variation of condition 14 of planning permission PK16/1047/RM to substitute approved drawings with amended drawings (minor material amendment). The changes include the enclosure of a customer car parking area with a 2.4 metre high paladin fence and alterations to the layout of the customer parking area. Condition 14, which lists the approved plans, was added to the consent by virtue of a non-material amendment.
- 1.2 The application site is approximately 3.75 hectares in area and is located at the northern end of the Lyde Green development site within a safeguarded employment area. The previously approved scheme was for a large storage and distribution warehouse (Use Class B8) set behind a landscape screen. The development is nearing completion. The M4 motorway is located immediately adjoining the northern (rear) boundary and elevated above the site; undeveloped employment land abuts the east and west boundaries; residential parcels 12 and 16 are located to the south (front) of the site on the opposite side of the spine road. Parcel 12 has been built out; no details have been received in respect of parcel 16.

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
CS2 Green Infrastructure
CS4a Presumption in Favour of Sustainable Development
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS29 Communities of the East Fringe of Bristol Urban Area

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

L1 Landscape Protection and Enhancement
L9 Species Protection
L11 Archaeology
L13 Listed Buildings
T7 Cycle Parking
T8 Parking Standards
T9 Car Parking Standards for People with Disabilities
T12 Transportation Development Control Policy for New Development
M2 Site 5 Major Mixed use Development at Emerson's Green East
EP2 Flood Risk and Development

E3 Proposals for Employment Development within the Urban Area and Defined Settlement Boundaries

2.3 Supplementary Planning Guidance

The South Gloucestershire Design Checklist SPD (adopted)

The Waste Collection: Guidance for New Developers SPD (adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 PK04/1965/O - Urban extension on 99 hectares of land comprising of :- Residential development of up to 2550 dwellings; up to 100,000m² of B1, B2, B8 and C1 employment floorspace. Up to 2,450 m² of small scale A1, A2, A3, A4 and A5 uses. One, 2 - form entry primary school, a land reservation for a second 2 - form entry primary school and a land reservation for a secondary school. Community facilities including a community hall and cricket pavillion (Class D1) and health centre. Transportation infrastructure comprising connections to the Folly roundabout on Westerleigh Road and the Rosary roundabout on the Ring Road and the construction of the internal road network. A network of footways and cycleways. Structural landscaping. Formal and informal open space. Surface water attenuation areas. (Outline) with means of access to be determined.
Approved 14th June 2013.
- 3.2 Development Control East Committee on 15th February 2013 approved the Detailed Masterplan associated with outline planning permission PK04/1965/O at Emersons Green East.
- 3.3 Environmental Impact Assessment was carried out for the Outline planning permission for this development and officers can confirm that the current RM application does not raise any issues that would call into question the EIA conclusions.
- 3.4 PK14/0727/RM - Construction of roads 4 and 5 (Approval of Reserved Matters to be read in conjunction with Outline Planning Permission PK04/1965/O), approval, 11/09/14.
- 3.5 PK14/2705/RVC, Variation of Condition 17 attached to approved application PK04/1965/O to increase the volume of Class B employment floorspace occupied prior to the construction of a 'tiger-tail' diverge at Junction 1 of the M32, from 3,000sqm to 15,000sqm, approval, 24/10/14.
- 3.6 PK14/4110/F (Parcel 12), Erection of 99 dwellings with garaging, parking, landscaping and associated works. (Reserved Matters to be read in conjunction with outline planning permission PK04/1965/O, approval, 31/03/15.
- 3.7 PK15/1404/RM (ALD Office Building), Erection of a three storey office building with appearance, landscaping, layout, scale and associated development including road infrastructure. (Approval of reserved matters to be read in conjunction with Outline planning permission PK04/1965/O), approval, 17/07/15.

- 3.8 PK15/4232/RVC, variation of condition relating to trigger for construction of Tiger Tail on M32 attached to approved outline application, approval, 09/05/16.
- 3.9 PK16/1047/RM, Erection of a parcel delivery distribution facility (Use Class B8) providing 6,642sqm of floor space with details of appearance, landscaping, layout and scale with associated development. (Approval of Reserved Matters to be read in conjunction with Outline Planning Permission PK04/1965/O). Approved on 09/06/16

4. CONSULTATION RESPONSES

- 4.1 Emersons Green Town Council
No objection
- 4.2 Transportation DC Officer
No comment or objection from a highway perspective
- 4.3 Environmental Protection Officer
No adverse comments

Other Representations

- 4.3 Local Residents
The following objection has been received from a local resident.

"No working weekends! I have had enough of being woken up by the workman already. We objected to this being built but there were not enough people living there at the time to have a voice hopefully the people will be heard this time. Don't look forward to lorries coming & going at all hours of the day & night & random alarms going off at ungodly hours. Considerate contractors, I don't think so!"

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
The proposal is to amend condition 14 to allow a minor material amendment to be made to the previously approved scheme. The amendment sought primarily relates to the layout and enclosure of a customer parking area. Section 73 of the Town and Country Planning Act relates to the determination of applications to develop land without compliance with conditions previously attached. Paragraph 2 sets out that when dealing with such applications, a Local Planning Authority can consider only the question of the conditions subject to which planning permission should be granted. It can either approve planning permission subject to varied conditions, or, if it considers that the original conditions should apply, refuse planning permission.
- 5.2 Accordingly, the principle of the development is not an issue to be considered under this application. Given the amendments proposed, the main issue to consider is the impact on the agreed landscaping scheme and visual amenity.

5.3 Landscaping/Visual Amenity

Alterations to the parking layout, including the relocation of bicycle shelters, has resulted in the loss of a strip of landscaping consisting of three Sorbis aria trees to the south of the customer parking area. The Local Planning Authority has requested that they be reinstated adjacent to the disabled parking area to soften views in the interests of visual amenity. The applicant has acceded to this request and submitted revised plans accordingly. The proposed fence to enclose the customer parking area bisects a narrow strip of woodland planting. Therefore, to provide a more effective screen, the strip has been supplemented with additional woodland planting. An electrical substation has been relocated from the rear of the customer parking area to a far more prominent location adjacent to the spine road at the front of the site. Although this would have a greater visual amenity impact than the approved scheme, the Planning Officer considers that the substation at 2.8m wide, 2.8 metres long and 2.25 metres high and a volume of 17.64m³ is 'permitted development' and is outside of the remit of planning control.

5.4 The plans indicate that the finished floor level of the building, and consequently the apex, eaves and door heights of the building are 20cm higher than the approved scheme. It is not considered that this change would have a material impact in respect of visual amenity or residential amenity.

5.5 The objection from a local resident is noted; however, it is not considered that the minor amendment proposed would have a materially greater impact in respect of noise/disturbance or traffic than the previously approved scheme. The Council's Transportation Officer has raised no objections to the proposal. It is not considered that there would be a material change in respect of ecology or drainage/flooding.

5.6 Review of Conditions

Consideration has been given to the conditions from the previously approved scheme. Conditions 4 (sample of materials), 5 (lighting details), 8 (compensatory flood storage), 10 (sandstone samples) and 12 (noise details) require re-wording as the conditions have either been discharged or partially discharged. Condition 11, which required several plans to be updated is no longer required and will not therefore, be copied over to the new consent. Condition 14, which lists the approved plans will be updated to reflect the latest plans submitted.

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 Reserved Matters Consent is GRANTED subject to the following conditions.

Contact Officer: Jonathan Ryan
Tel. No. 01454 863538

CONDITIONS

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

Reason

In the interests of the amenities of the area and highway safety and to accord with Policy T12 of the South Gloucestershire Local Plan (adopted) January 2006; and Policy CS8 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

2. The bin storage shown on the drawings hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason

In the interests of the amenities of the area and to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013

3. The development shall be carried out in accordance with the approved Occupier Travel Plan prepared by Key Transport Consultants and dated February 2016 received by the Council on 7th March 2016.

Reason

In order to promote more sustainable methods of travel to accord with policy T8, T12 of the South Gloucestershire Local Plan (adopted) January 2006; and policy CS8 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

4. The development shall be carried out in accordance with the external material samples approved by the Local Planning Authority on 31st March 2017.

Reason

To ensure an adequate standard of external appearance and to accord with policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

5. The development shall be carried out in accordance with the external lighting details approved by the Local Planning Authority on 12th June 2017.

Reason

To ensure an adequate lighting design in the interests of the amenities of the area and to accord with policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

6. A landscape bund and an acoustic fence with a minimum density of 10kgm² that is continuous to ground level with no significant gaps in the construction shall be provided at the site in accordance with the drawings "Landscape Masterplan no. 508P20C" and "Site Sections no. P0003B" in the first planting season following commencement of the development and retained at all times thereafter. For the avoidance of doubt, if the commencement of the development is within a planting season, then this is the trigger for carrying out the landscape works.

All other hard and soft landscape works shall be carried out in accordance with the approved details within the first planting season prior to the first occupation of the building or in accordance with a programme to be agreed in writing by the Local Planning Authority.

Reason

In the interests of the character and visual amenity of the area and to accord with policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

Reason

To provide adequate noise mitigation from operational noise generated by the use and in the interests of the residential amenity of neighbouring occupiers and to accord with policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

7. The development approved shall be carried out in accordance with the approved Flood Risk Assessment (FRA) dated November 2015 by Wardell Armstrong (and updated information i.e. Drawing no. 12-5187-001 Rev. T3) and the following mitigation measures detailed within the FRA:

1. Provision of compensatory flood storage on and in the vicinity of the site to a 1% Annual Exceedance Probability (AEP).

2. Finished floor levels are set no lower than building 50.800mAOD (as per Drawing no. 12-5187-001 Rev. T2) and service yard 49.836m above Ordnance Datum (AOD).

Reason

To ensure that the development is safe from the risk of flooding and does not increase the risk of flooding elsewhere and to accord with policy EP2 of the South Gloucestershire Local Plan (adopted) January 2006.

8. The development shall be carried out in accordance with the compensatory flood storage scheme approved by the Local Planning Authority on 4th November 2016.

Reason

To ensure that the development is safe from the risk of flooding and does not increase the risk of flooding elsewhere and to accord with policy EP2 of the South Gloucestershire Local Plan (adopted) January 2006.

9. Glazed curtain walling shall be installed using a secure glazing retention system. The method of retaining the glass shall include one or more of the following:

Security glazing tape

Dedicated security sealant or gasket
A secure mechanical fixing system

Reason

In the interests of crime prevention and to accord with policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

10. The development shall be carried out in accordance with the approved sandstone pier sample panel approved by the Local Planning Authority on 31st March 2017.

A sample of sandstone paving to be used in the landscape feature area next to the main road shall be submitted to and approved in writing by the Local Planning Authority within 3 months of the date of this consent. Development shall be carried out in accordance with the approved sample prior to the first occupation of the building.

Reason

To ensure an adequate standard of external appearance and to accord with policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

11. The development shall be carried out in accordance with the Noise Impact Assessment approved by the Local Planning Authority on 23rd June 2017.

Reason

To ensure that neighbouring residential occupiers are not adversely affected by noise and to accord with policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

13. No vehicle with a reversing alarm rated at a level greater than SWL 102 db shall operate at any time at the site.

Reason

To ensure that neighbouring residential occupiers are not adversely affected by noise and to accord with policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

14. The development shall be carried out in accordance with the following plans:

Site sections, P0003 D
Site layout external finishes, P0010 C
Planting masterplan, P20 E
Received on 14th June 2017

External works, 12-5187-001 C
Location plan, P0001 B
Site plan cycle shelter plans, P0008 B
Site layout fence layout, P0009 A
Masterplan context plan, P0012 A
Received on 17th May 2017

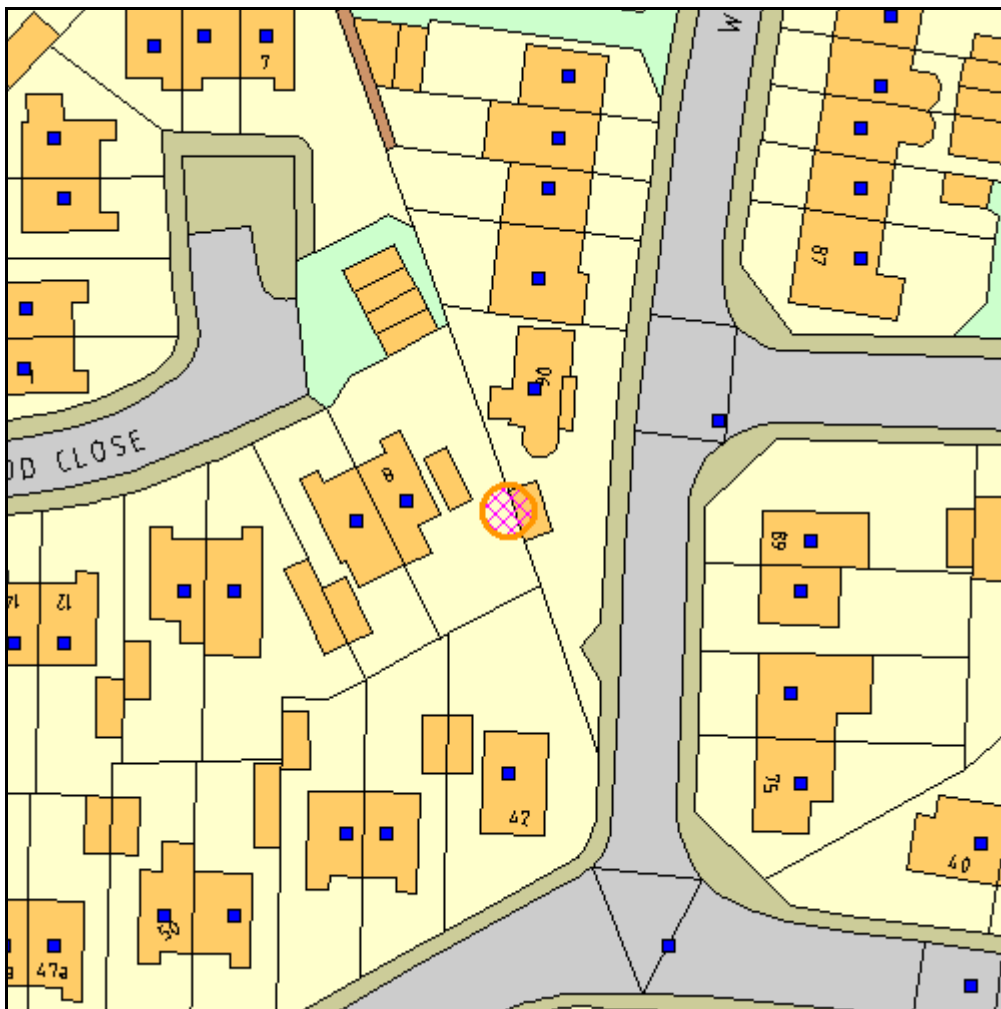
Feature acoustic fence details, 14030_P00013
Additional landscape details, 508 P 21
Received on 25th May 2016

External lighting layout, 1000 P1
Received 04/05/16

Elevations and sections, 14030 P0006
Building layout, 14030 P0004
Roof layout, 14030 P0007
Main office layout, 14030 P0005
Received 07/03/16

CIRCULATED SCHEDULE NO. 26/17 – 30 JUNE 2017

App No.:	PK17/2486/TRE	Applicant:	Mr Hurst
Site:	8 Barnwood Close Kingswood Bristol South Gloucestershire BS15 4JA	Date Reg:	1st June 2017
Proposal:	Works to reduce height by 2.5m and 2m laterally 1 no. Walnut tree covered by TPO SG/TR no. 199 dated 13th December 1972	Parish:	None
Map Ref:	365836 173884	Ward:	Kings Chase
Application Category:		Target Date:	25th July 2017



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REASON FOR REPORTING TO THE CIRCULATED SCHEDULE/COMMITTEE

This application is referred to the Circulated Schedule as comments have been received that are contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 Works to reduce height by 2.5m and 2m laterally 1 no. Walnut tree covered by TPO SG/TR no. 199 dated 13th December 1972.
- 1.2 The tree is in the rear garden of no.8 Barnwood Close, Kingswood, Bristol, South Gloucestershire, BS15 4JA.

2. POLICY CONTEXT

- 2.1 National Guidance
 - i. The Town and Country Planning Act 1990
 - ii. The Town and Country Planning (Tree Preservation) (England) Regulations 2012.

3. RELEVANT PLANNING HISTORY

- 3.1 PK00/2483/TRE, Site Address: 8 Barnwood Close, Kingswood, South Gloucestershire, BS15 4JA, Decision: COND, Date of Decision: 06-NOV-2000, Proposal: Reduce crown by 20%, remove dead wood, and brace 1no. walnut (T3). CIL Liable
- 3.2 PK04/2204/TRE, Site Address: 8 Barnwood Close South Gloucestershire BS15 4JA, Decision:COND, Date of Decision: 02-AUG-2004, Proposal: Work to reduce crown by 25% and remove dead wood of Walnut Tree covered by South Gloucestershire Tree Preservation Order SG/TR199 dated 24th October 1972., CIL Liable
- 3.3 PK07/1697/TRE, Site Address: 8 Barnwood Close Kingswood BRISTOL South Gloucestershire BS15 4JA, Decision: COND, Date of Decision: 20-JUL-2007, Proposal: Works to prune and reduce crown by a maximum of 25% of Walnut Tree covered by South Gloucestershire Tree Preservation Order SG/TR199 dated 24th October 1972., CIL Liable:
- 3.4 PK12/1614/TRE, Site Address: 8 Barnwood Close, Kingswood, Bristol, South Gloucestershire, BS15 4JA, Decision: COND, Date of Decision: 26-JUN-2012, Proposal: Works to 1no. walnut tree to reduce crown by a maximum of 1m covered by Tree Preservation Order SG/TR99 dated 24th October 1972, CIL Liable:
- 3.5 PK13/2460/TRE, Site Address: House To Rear Of 90 Walnut Crescent, Kingswood, Bristol, South Gloucestershire, BS15 4JA, Decision: COND, Date of Decision: 29-AUG-2013, Proposal: Works to 1no. Walnut tree to prune back to previous pruning points covered by South Gloucestershire Tree Preservation Order no 199 (Honey Hill, Kingswood) dated 13th December 1972, CIL Liable:

4. CONSULTATION RESPONSES

4.1 This is a non-parished area.

Other Representations

4.2 Local Residents

A comment objecting to the proposal has been submitted by a neighbour. They are concerned that the squirrels will have no nuts for the winter if the tree is cut back too much.

4.3 A comment in support of the proposal has been submitted by a member of the public stating that they do not think the proposal will have a detrimental effect on wildlife.

5. ANALYSIS OF PROPOSAL

5.1 Proposed Works

The proposal is to reduce the height by 2.5m and the lateral spread by 2m of 1 no. Walnut tree.

5.2 Principle of Development

The only issues to consider are whether the proposed works would have an adverse impact on the health, appearance, or visual amenity offered by the tree to the locality and whether the works would prejudice the long-term retention of the specimen.

5.3 Consideration of Proposal

As can be seen by the Planning history this tree has been pruned on many occasions in the past. This application is for the ongoing maintenance of this tree which is in reasonably close proximity to property.

5.4 The Pruning work will reduce the crown away from buildings and reduce stresses at the branch unions.

5.5 The tree will continue to produce fruit and it is not considered that the work will impact on wildlife in general and on squirrels in particular.

5.6 The work will not have a detrimental impact on the long term health of the tree nor on the amenity that it provides.

6. RECOMMENDATION

6.1 That consent is GRANTED subject to the conditions on the decision notice.

Contact Officer: Simon Penfold
Tel. No. 01454 868997

CONDITIONS

1. The works hereby authorised shall be carried out within two years of the date on which consent is granted.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of the health and visual amenity of the tree(s), and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

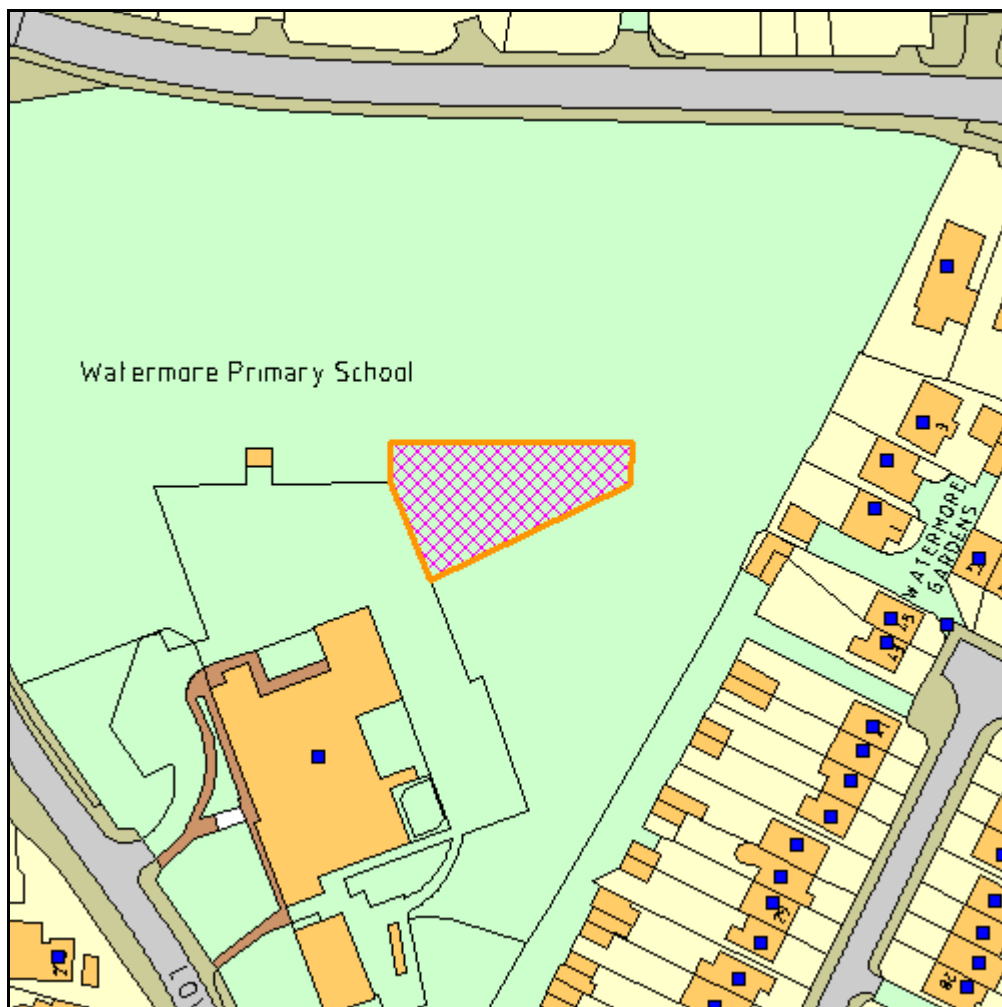
2. The works hereby authorised shall comply with British Standard 3998: 2010 - Recommendations for Tree Work.

Reason

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

CIRCULATED SCHEDULE NO. 26/17 – 30 JUNE 2017

App No.:	PT17/0811/R3F	Applicant:	South Gloucestershire Council
Site:	Watermore Primary School Lower Stone Close Frampton Cotterell South Gloucestershire BS36 2LE	Date Reg:	6th March 2017
Proposal:	Erection of Elliott building to form 2 no. classrooms with ramp and associated works	Parish:	Frampton Cotterell Parish Council
Map Ref:	367407 181533	Ward:	Frampton Cotterell
Application Category:	Minor	Target Date:	26th April 2017



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application site is owned by South Gloucestershire Council and as such the application is a Regulation 3 submission, which under the Council's current scheme of delegation, must appear on the Circulated Schedule.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of a building to provide 2no classrooms with ramped access and associated works at the Junior Site of Watermore Primary School in Frampton Cotterell.
- 1.2 Watermore Primary School comprises a main school building and 2 separate classroom buildings which are accompanied by a tarmacked playground area, a large playing field and a woodland area. There is also an area of car parking which is accessed off Lower Stone Close. The wider site is bounded by a large number of mature trees. The school sits between Church Road, Lower Stone Close and Watermore Close; a built up residential area within the settlement boundary of Frampton Cotterell.
- 1.3 During the course of the application revised plans were submitted following an objection received from Sport England. These plans show an alternate siting of the building and as such, the case officer undertook a period of re-consultation.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Practice Guidance

2.2 Adopted Development Plans

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

T8 Parking Standards

T12 Transportation Development Control Policy for New Development

LC4 Proposals for Educational and Community Facilities within Existing Urban Areas and defined settlement boundaries

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 Buildings

CS34 Rural Areas

2.3 Emerging Development Plans

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

PSP1 Local Distinctiveness

PSP8 Residential Amenity

PSP16 Parking Standards

- 2.4 Supplementary Planning Guidance
The South Gloucestershire Design Checklist SPD (adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 P96/1857 Approval 15.07.1996
Use of land for the stationing of an Elliott classroom block measuring 75.5 square metres.
- 3.2 PT02/1020/R3F Deemed Consent 15.07.2002
Retention of existing Elliott temporary classroom. (Lapsed temporary consent).
- 3.3 PT03/1246/R3F Deemed Consent 28.07.2003
Formation of tarmac play area.

4. CONSULTATION RESPONSES

- 4.1 Frampton Cotterell Parish Council
No objection

Revised Plans
No objection

- 4.2 Arboriculture Officer
"I have no objection to the siting of the two buildings and some poor quality, woodland edge trees have been felled to accommodate for this.

I visited site yesterday to look at the proposal for getting an electrical supply to the new buildings with the project Arboriculturist – Chris Wright. I am of the opinion that the route proposed for this would cause a disproportionate amount of root damage for what is to be a temporary project. There must be a number of alternative routes that would not impact on any trees. Another option is to lay an armoured cable on the ground along the proposed route."

Revised Plans
Revised service route is considerably better than the previous proposal.

- 4.3 Children and Young People
No comments received

Revised Plans
No comments received

- 4.4 Ecology Officer
No objection

Revised Plans
No comments received

4.5 Lead Local Flood Authority

Query size of application site. FRA will need to be submitted if area is over 1 hectare.

Update

Confirmation that the proposed development area is only 587m² therefore a FRA is not required.

Revised Plans

Comments as before.

4.6 Sustainable Transport

"We note this application is for a new (to this site) Elliott modular building which will add capacity for two classrooms at the combined infant and junior school. The current number of classrooms is not clear from the application but appears to be 10 from the schools website, implying the new building will provide a 20% increase in classrooms. The increase in internal space reported in the application form is 150m² which is an additional 14%. No additional staff or parking is stated in the application form.

As a local facility, aimed at local use, with distances that are attractive for walking and cycling journeys, the additional capacity is not considered to generate a significant increase in vehicle numbers and therefore there is no objection in transportation terms"

Revised Plans

The revised plans do not alter the proposals in transportation terms. No additional comments and no objection.

4.7 Sport England

Objection. The playing field loss proposed would impact the existing playing pitch and sport in general. The proposal is located on usable sporting playing field land. In light of the above Sport England objects to the application as it is not considered to accord with any of the exceptions to Sport England's Playing Fields Policy or with Para.74 of the NPPF.

Revised Plans

No objection. The two buildings have been moved further south and the proposed location will not affect the existing playing pitched and their safety margins. Therefore Sport England are satisfied that the proposed development broadly meets the following Sport England Policy exception: *E3 - The proposed development affects only land incapable of forming, or forming part of, a playing pitch, and does not result in the loss of, or inability to make use of any playing pitch (including the maintenance of adequate safety margins), a reduction in the size of the playing area of any playing pitch or the loss of any other sporting/ancillary facility on the site.*

Other Representations

4.7 Local Residents

No comments received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The National Planning Policy Framework (NPPF) sets out in para. 72 that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. It also goes on to state that great weight should be given to the need to create, expand or alter schools. The applicant has provided information indicating that there is a need for additional school places in the Frampton Cotterell area. Significant weight is therefore given to the fact that the proposal will help meet identified demand.

Policy LC4 of the South Gloucestershire Local Plan (adopted) January 2006 (saved policy) allows for proposals for the development, expansion or improvement of educational facilities within the existing urban area and defined settlement boundaries. The proposal is considered to represent a sustainable form of development. The main issues to consider are the appearance/form of the proposal and the effect on the visual amenity of the area in accordance with design Policy CS1; the transportation effects, including whether the site is accessible by non-car modes of travel, and the off street parking effects; the effect in terms of residential amenity; and any environmental impacts.

5.2 Science Pod

Alongside the proposed classroom building, it is also proposed that a new 'science pod' would be erected. This would be a timber log cabin-type building and would be used for an outdoor learning space. It would measure 12 metres by 4 metres and would have a maximum height of 2.85 metres. The case officer has assessed this structure and it is considered that it would constitute permitted development. It would meet criteria as set out under Part 12, Class A of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015. It would be a small building not exceeding 4 metres in height, or 200 cubic metres in capacity and would be used ancillary to the school.

5.3 Design and Visual Amenity

The proposal involves the erection of a single storey modular classroom which would sit to the north east of the main school building and adjacent to part of existing hardstanding, currently used as a play area. There are similar modular classrooms to the south of the school site. The proposal would provide the school with 2no additional classrooms which would have a ramped access, ensuring accessibility to disabled students. It would also provide 2no store rooms and W.Cs.

5.4 The classroom would have a width of 18 metres and a depth of 9 metres. Information submitted shows that its exterior would comprise of light grey coated steel panels, which would match the existing modular classrooms at the site. The classroom building would be located in a suitable location near to existing buildings and the associated play area. Together with the science pod, it would be adjacent to a woodland area which would screen the development from nearby residential properties.

5.5 It is noted that the development would also involve the installation of hardstanding surrounding the proposed buildings. This would extend from the existing play area and is considered acceptable in the wider context of the school. Overall, it is considered that the development is acceptable in visual amenity terms, in accordance with policy CS1 of the Core Strategy.

5.6 Arboriculture

It is noted that there are a large number of trees at the site, particularly bounding the site and within the woodland area. Initial comments from the arboriculture officer stated that there was no objection to the siting of the building, however, the proposed electrical supply route would result in a disproportionate amount of route damage. Following these concerns the tree officer has since commented that the new arrangement as shown on the revised plans is preferable, however noted that part would run through Root Protection Areas and suitable methods should be in place to limit harm. Following this the applicant confirmed that the service route would no longer go through this area however the exact location was not provided. In light of this, a condition is recommended that a service route plan is submitted and agreed by the Local Planning Authority prior to the relevant stage of development. This is felt to be necessary to ensure the protection of trees at the site.

5.7 Residential Amenity

The proposed classroom building would be erected a minimum of approximately 55 metres from the nearest occupiers which are situated along Watermore Close. It is acknowledged that the development could be visible from properties along Watermore Close as well as other surrounding roads. However, it is considered that it is unlikely, given the scale and distance that it would result in unacceptable impacts to the residential amenity of nearby occupiers. Overall, therefore, the proposal is deemed to be acceptable in terms of Policy H4 of the Local Plan (Adopted) January 2006.

5.8 Flooding

Colleagues from the lead local flood authority have commented on the application and query the site area of the application site. The applicant has confirmed that the site area is shown within the red line boundary and would have a site area of 583m², as such the applicant is not required to provide a Flood Risk Assessment.

5.8 Transport

It is stated within the submitted application form that there would not be an increase of employment or parking would result from the development. In relation to additional capacity at the school, it is thought the due to the very nature of the facility, means it is aimed at local use. There are nearby cycling and walking routes and as such the potential for additional capacity is not considered to generate a significant increase in vehicle movements and therefore no objection raised to transport matters.

5.9 Conclusions

In determining this application significant weight has been given to the fact that the proposal will help meet identified demand for school places in the surrounding area, in line with advice as set out in para. 72 of the NPPF. The

development is within a sustainable location and would not give rise to adverse impacts in relation to design, visual amenity, residential amenity, environmental or transportation. As such, Officers recommend that the development is granted.

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 Planning permission is **GRANTED** subject to the condition on the decision notice.

Contact Officer: Lucy Paffett
Tel. No. 01454 863436

CONDITIONS

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

Reason

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

2. The hours of working on site during the period of construction shall be restricted to 07.30 hours to 1800 hours Monday to Friday and 0800 to 1300 hours 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 CS1 of the South Gloucestershire Local Plan Core Strategy 2013 and the provisions of the National Planning Policy Framework. (* delete as appropriate)

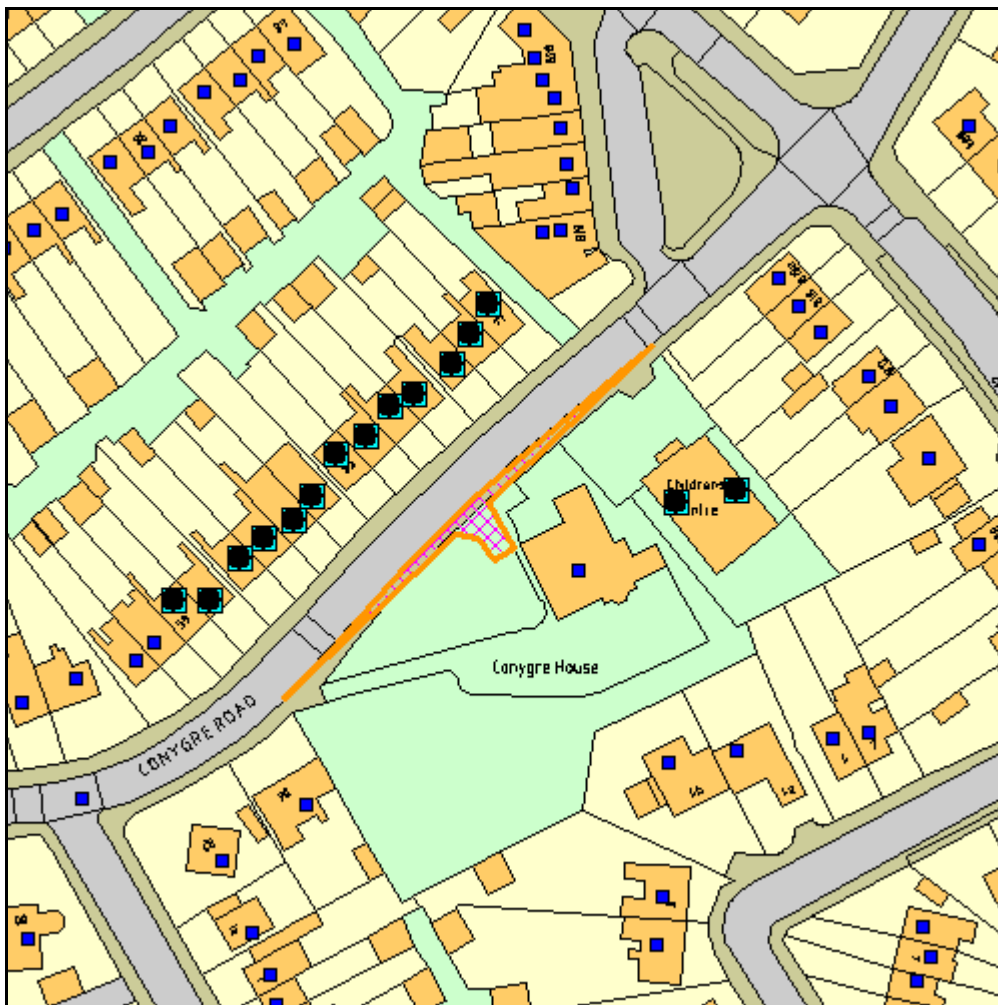
3. Prior to the relevant stage of development a Service Duct Route Plan shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed details.

Reason

To protect the character and appearance of the area and to protect the long term health of the trees to accord and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013), and the saved Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006

CIRCULATED SCHEDULE NO. 26/17 – 30 JUNE 2017

App No.:	PT17/1731/F	Applicant:	Mr Ashley Rigg Conygre House Ltd
Site:	Conygre House Conygre Road Filton Bristol South Gloucestershire BS34 7DD	Date Reg:	10th May 2017
Proposal:	Creation of new vehicular access.	Parish:	Filton Town Council
Map Ref:	360754 179407	Ward:	Filton
Application Category:	Minor	Target Date:	14th June 2017



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REASON FOR SUBMITTING TO CIRCULATED SCHEDULE

This application appears on the Council's Circulated Schedule procedure following a consultation response which is contrary to the recommendation within this report.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the construction of a new vehicular access from Conygre Road, Filton into the grounds of Conygre House.
- 1.2 The application site relates to a locally listed building, located in an established residential area of the Bristol North fringe.
- 1.3 Amendments to the Arboricultural Report were received during the course of the application. Further public consultation was not deemed necessary.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Practice Guidance

2.2 Development Plans

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

H4 Residential Development within Existing Residential Curtilages,
Including Extensions and New Dwellings
T12 Transportation Development Control Policy for New Development
L5 Open Spaces in Urban Areas
L15 Locally Listed Buildings

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS8 Improving Accessibility
CS9 Environment and Heritage

2.3 Supplementary Planning Guidance

Residential Parking Standard SPD (Adopted) December 2013
South Gloucestershire Design Checklist SPD (Adopted) August 2007
The Local List SPD

3. RELEVANT PLANNING HISTORY

- 3.1 PT16/0481/PNOR Approve with conditions 23/03/2016
Prior notification of a change of use from Offices (Class B1a) to 7no. dwellings (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).
This prior approval has not been implemented.

4. **CONSULTATION RESPONSES**

4.1 Filton Town Council
No comment received.

4.2 Other Consultees

Highway Structures

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

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

Lead Local Flood Authority

No objection.

Sustainable Transport

No objection.

Listed Building and Conservation

Insufficient information regarding landscaping.

Tree Officer

Requests that tree T4 and T9 are retained, as they are not affected by the works.

Other Representations

4.3 Local Residents

One letter of objection has been received stating the following:

- Four hour parking bays on opposite side of the road, will these be lost?
- Parking is well used by residents and nursery visitors and it would be a great inconvenience if it were not retained or replaced

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The application seeks a new vehicular access from Conygre Road to serve the existing office use, or the 7 no. dwellings with extant permission under PT16/0481/PNOR. The principle of development is acceptable, with the most pertinent issues to assess being the impact on highway safety (policy CS8 of the Core Strategy and policy T12 of the Local Plan) and any impact on the locally listed building (policies CS1 and CS9 of the Core Strategy and policy L15 of the Local Plan).

5.2 Highway Safety

The proposed access is on a highway subject to a 30 miles per hour speed limit, and the applicant has demonstrated that the required visibility and bell mouth entrance can be required. Comments regarding the loss of parking on the opposite side of the highway have been received, however officers can confirm that these parking bays will not be affected. There is no transportation objection.

5.3 Design, Layout and Impact on Locally Listed Building

Insufficient information has been submitted regarding the landscaping surrounding the new entrance, and particularly to mitigate against the hedgerows being removed. This mitigation is considered important in preserving the character of the locally listed building, as the large open landscaped area to the south-west contributes to its prominence in the street scene. Officers consider that this can adequately be sought through a pre-commencement landscaping condition, and in the event the application is approved this will be added to the decision notice.

5.4 During the course of the application, amendments were sought to the Arboricultural Report to remove an error which stated that trees T4 and T9 were to be removed. These trees are of good quality and it is not necessary to remove them to install the access. A condition on the decision notice will ensure the recommendations relating to tree protection are adhered to when the access is being installed.

5.5 Residential Amenity

It is not considered that any nearby properties will have their residential amenity affected by 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: **Trudy Gallagher**
Tel. No. **01454 862217**

CONDITIONS

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

Reason

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

2. Prior to the commencement of development a scheme of landscaping, which shall include details of all existing trees and hedgerows on the land and details of any to be retained, 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.

Reason

To retain the character and prominence afforded to the locally listed building by its open grounds, in accordance with policy L5 and L15 of the South Gloucestershire Local Plan (Adopted) January 2006 and the National Planning Policy Framework. This is required prior to commencement to prevent remedial works later on.

3. Development shall proceed in accordance with the tree protection recommendations detailed in section 5 of the Arboricultural Report by First Ecology received on 23rd June 2017.

Reason

To ensure that trees to be retained are not harmed by the creating of the access, to accord with policy CS1 and CS9 of the Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.