



**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. 51/17

Date to Members: 22/12/2017

Member's Deadline: 03/01/2018 (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 22 December 2017

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK17/3834/F	Approve with Conditions	212 High Street Hanham South Gloucestershire BS15 3HJ	Hanham	Hanham Abbots Parish Council
2	PK17/4124/F	Approve with Conditions	5 Broadway Yate Bristol South Gloucestershire BS37 7AD	Yate Central	Yate Town
3	PK17/4284/O	Approve with Conditions	Land Rear Of 57 Court Farm Road Longwell Green South Gloucestershire BS30 9AD	Longwell Green	Hanham Abbots Parish Council
4	PK17/4912/F	Approve with Conditions	16 Trident Close Downend South Gloucestershire BS16 6TS	Emersons	Emersons Green Town Council
5	PK17/4996/CLP	Approve with Conditions	50 Gilbert Road Kingswood South Gloucestershire	Kings Chase	None
6	PK17/5104/F	Approve with Conditions	16 Downleaze Downend South Gloucestershire BS16 6JR	Downend	Downend And Bromley Heath Parish Council
7	PK17/5161/F	Approve with Conditions	Units 1 To 4 Morley Road Staple Hill South Gloucestershire BS16	Staple Hill	None
8	PK17/5207/CLP	Approve with Conditions	51 Hunters Road Hanham South Gloucestershire BS15 3EZ	Hanham	Hanham Parish Council
9	PT17/3260/O	Approve with Conditions	Land At Wotton Road Rangeworthy South Gloucestershire BS37 7NA	Ladden Brook	Rangeworthy Parish Council
10	PT17/4361/F	Approve with Conditions	The Old Surgery High Street Thornbury Bristol South Gloucestershire BS35 2AQ	Thornbury North	Thornbury Town Council
11	PT17/4362/LB	Approve with Conditions	The Old Surgery High Street Thornbury South Gloucestershire BS35 2AQ	Thornbury North	Thornbury Town Council
12	PT17/4497/F	Approve with Conditions	178 Coniston Road Patchway South Gloucestershire BS34 5JX	Patchway	Patchway Town Council
13	PT17/4746/F	Approve with Conditions	Southview 62 Gloucester Road Rudgeway South Gloucestershire BS35 3RT	Thornbury South And	Alveston Parish Council
14	PT17/4807/F	Approve with Conditions	Bank Cottage Bank Road Pilning South Gloucestershire BS35 4JG	Pilning And Severn Beach	Pilning And Severn Beach Parish Council
15	PT17/4998/F	Approve with Conditions	Maybank Forty Acre Lane Alveston South Gloucestershire BS35 3QU	Thornbury South And	Alveston Parish Council
16	PT17/5063/F	Approve with Conditions	11 Salem Road Winterbourne South Gloucestershire BS36 1QF	Winterbourne	Winterbourne Parish Council
17	PT17/5239/CLP	Approve with Conditions	24 Millfield Thornbury South Gloucestershire BS35 1JL	Thornbury North	Thornbury Town Council

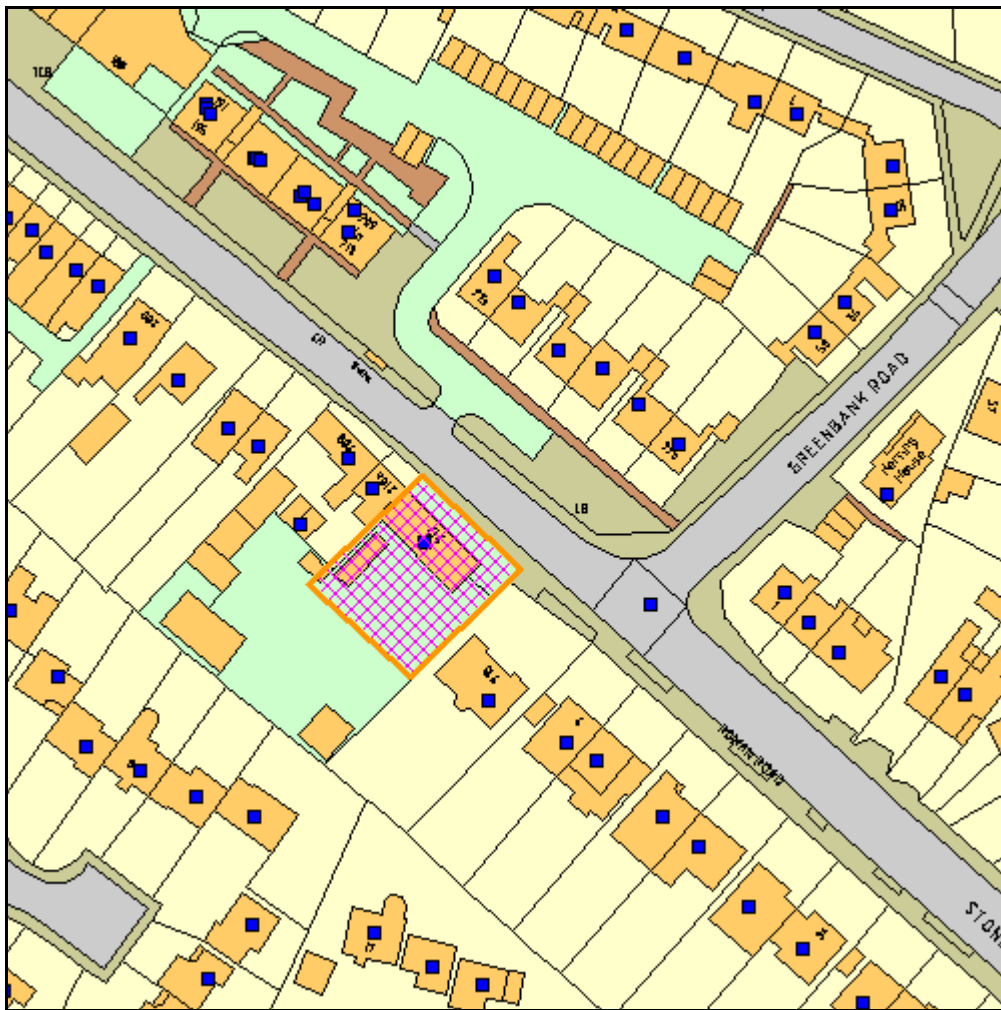
Dates and Deadlines for Circulated Schedule
During Christmas Holidays 2017

Schedule Number	Date to Members 9am on	Members Deadline 5.00PM
50/17 As Normal	Friday 15 Dec	Thursday 21 Dec
51/17 As Normal	Friday 22 Dec	Thursday 3 Jan
52/17	No Circulated	No Circulated
01/18 As Normal	Friday 4 Jan	Thursday 11 Jan

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

CIRCULATED SCHEDULE NO. 51/17 – 22 DECEMBER 2017

App No.:	PK17/3834/F	Applicant:	Mr Dave Deaker
Site:	212 High Street Hanham Bristol South Gloucestershire BS15 3HJ	Date Reg:	13th September 2017
Proposal:	Demolition of existing building and erection of 3no. dwellings with associated works.	Parish:	Hanham Abbots Parish Council
Map Ref:	364853 171953	Ward:	Hanham
Application Category:	Minor	Target Date:	10th October 2017



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100023410, 2008. N.T.S. PK17/3834/F

REASONS FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 Planning permission is sought for the demolition of an existing building and the erection of 3no. dwellings with associated works. The application relates to no. 212 High Street, Hanham.
- 1.2 The application site consists of a locally listed random rubble stone built barn which has been altered and extended significantly over the years, largely due to the need for repairs. As a result, large areas of brick in-fill have been added in a number of locations. It is proposed to demolish and replace the barn with three new two storey terraced dwellings, with 3no. bedrooms, rear gardens, garages, parking and a turning area.
- 1.3 The site is located within the established settlement boundary of Hanham and within the existing urban area of the east fringe of Bristol. The site is located off the High Street in Hanham and currently hosts a single storey dilapidated barn, previously used for a commercial printing business (Use Class B2). The barn is in a poor state of repair and is currently incapable of being re-used for commercial purposes due to its current state. The landowner runs his roofing contracting business from the site; there are number of other outbuildings and a portacabin office, as well as materials stored outside all associated with the existing business use. To the rear of the barn is a yard used for parking and external storage of materials by the roofing contractors. This business will continue to operate from the rear of the site and will share the same vehicular access as the new dwellings.
- 1.4 Planning permission was previously granted for the erection of two, two storey terraced dwellings at the site, under application ref. PK16/3875/F.
- 1.5 Revised plans were requested and received by the Local Planning Authority on 20th November 2017. The revisions involve alterations to the proposed residential units at their front elevation, and the indication of a bin store in close proximity to the site entrance.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design

CS4A Presumption in Favour of Sustainable Development

CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS13	Non-Safeguarded Economic Development Sites
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS29	The Communities of the East Fringe of Bristol Urban Area

South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted
November 2017

PSP1	Local Distinctiveness
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP21	Environmental Pollution and Impacts
PSP22	Unstable Land
PSP43	Private Amenity Space Standards

- 2.3 Supplementary Planning Guidance
Design Checklist SPD (Adopted) 2007
Residential Parking Standards SPD (Adopted) 2013
Waste Collection: Guidance for New Developments SPD (Adopted) 2015

3. RELEVANT PLANNING HISTORY

3.1 **PK16/3875/F**

Demolition of existing building. Erection of 2no dwellings and associated works.

Approved: 01.09.2016

4. CONSULTATION RESPONSES

4.1 Hanham Abbots Parish Council

Objections. We object on the grounds of disruption to traffic flow on A431 that would be caused during construction and access and egress onto this busy main road. Traffic is already heavily congested due to progressive construction that has taken place and will only be exacerbated by the proposed development.

4.2 Hanham Parish Council

No comment

4.3 Other Consultees

Sustainable Transport

Initial comments

There is no in principle highway objection to this application which seeks permission for 3no. new houses.

I am satisfied that the access to the site from High Street is adequate to serve the new development. I further note that the proposed scheme includes the provision of two parking spaces for each new dwelling and this meets SG Council parking standards SPD. There are therefore no highway issues with regard to the new development.

However, as a point clarification – and being mindful that the remaining part of this site (land within blue edge and the applicant' ownership) is in commercial use; I seek clarification from the applicant that he provides evidence with aid of a plan that there would remain adequate access, parking and manoeuvring space for the remaining /existing commercial use to the rear of this land. In this context therefore, the applicant is requested to submit a composite plan showing all these details.

Further comments

One point on bin issue – to avoid future neighbour dispute, it is advisable that the design includes provision for bins near the entrance on collection day (near the site entrance not on footway).

Updated comments – following submission of revised plans

No objection

Conservation

Initial comments

Permission has already been approved for the demolition of the building and the erection of two dwellings of very similar design and appearance to that proposed. The loss of the barn and the contribution it makes the character and distinctiveness of the locality has already been found to be acceptable and the approved scheme was also subject to revision in light of conservation officer comments.

The only observation I would make, therefore, given the similarities with the previous scheme would be that the plethora of rooflights to the front roof makes the building appear overdeveloped and will draw attention away from the historic cottages adjacent to them. There is an increase in the intensity of the development with the addition of the extra cottage which reduces the solidity of the building and this will tend to exacerbate this. Getting the chimney stacks onto the ridge might help break the building down into smaller, manageable 'units' rather than having a single unbroken roof which could be seen as being more dominant than adjacent cottages to which it is attached.

Updated comments – following submission of revised plans

No objection - would recommend conditioning the rooflights on the front so that they are a conservation type and set flush with the slate, not proud.

Environmental Protection

No objections, but would recommend a potentially contaminated land condition.

Lead Local Flood Authority

No objection subject to SUDS condition.

Highway Structures

No comment

Coal Authority

No objection to the proposed development subject to the imposition of a condition to ensure remedial works identified by the site investigation are undertaken prior to commencement of the development.

Other Representations

4.3 Local Residents

No comments received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Planning permission is sought for the demolition of an existing building and the erection of 3no. dwellings with associated works. The principle of re-developing the site to provide residential units was established under application ref. PK16/3875/F.

5.2 As such, the demolition of the existing barn and its replacement with residential units is acceptable in principle. The main consideration is therefore whether the erection of 3no. dwellings, as opposed to the approved 2no. dwellings, would have any unacceptable impacts. Each area of assessment is covered in detail below:

5.3 Conservation

The stone barn is locally listed and is considered a non-designated heritage asset. The loss of the barn and the contribution it makes the character and distinctiveness of the locality has already been found to be acceptable under the previously approved scheme. However the extent to which the revised design respects the character and design of the locally listed barn and other locally listed buildings in the vicinity must be considered.

5.4 Concerns were raised by the conservation officer regarding the scheme as originally proposed. It was considered that the incorporation of a plethora of rooflights to the front elevation, coupled with the addition of a third unit, would result in an overdeveloped appearance which would not sympathetically reflect the character of the site and the immediate context. It was therefore suggested that the number of rooflights to the front elevation be reduced. It was also suggested that the proposed chimney stacks be relocated on to the ridge, to help break the building down into smaller, manageable 'units' rather than having a single unbroken roof which could be seen as being more dominant than the adjacent cottages to which it is attached.

- 5.5 The scheme was subsequently amended, with the number of rooflights at the front elevation reduced from two per dwelling to one. The chimneys for each unit were also relocated on to the ridge line of the building. On the basis of the amended plans, it is not considered that the proposed development would have any greater impact in terms of conservation than the previously approved scheme.
- 5.6 Design and Visual Amenity
Policy CS1 of the Core Strategy seeks to ensure that development proposals are of the highest possible standards and design. This means that developments should have appropriate: siting, form, scale, height, massing, detailing, colour and materials which are informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context.
- 5.7 In terms of site layout, it is considered that the 3no. residential units, and their associated garden and parking areas, can be accommodated at the site without the site appearing cramped or over-developed. In terms of impacts on the immediate streetscene, as per the previously approved scheme, the proposed dwellings would follow the same building line as the adjoining cottages to the north-west.
- 5.8 Overall, it is not considered that the proposal would have any greater impact on the immediate streetscene and character and distinctiveness of the immediate locality than the previously approved scheme. It is considered that the reduction in rooflights to the front elevation and the relocation of the chimney stacks mitigates the impacts of the addition of a third unit. For these reasons, it is considered that an acceptable standard of design has been achieved, and that the proposal is consistent with policy CS1 of the Core Strategy.
- 5.9 Residential Amenity
Policy PSP8 of the Policies, Sites and Places Plan outlines that development proposals will be acceptable provided that they do not create unacceptable living conditions or have an unacceptable impact on the residential amenity of the occupiers of the development or of nearby properties. Unacceptable impacts could result from (but are not restricted to); loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and odours, fumes or vibration.
- 5.10 The proposed dwellings would front on to Hanham High Street, and would be attached at their north-western end to a semi-detached pair of cottages. The immediate property to the south-east consists of a chalet style bungalow. However this property would be separated from the terrace row by the proposed access in to the site.
- 5.11 With regard to an increased sense of overbearing and overshadowing, it is not considered that the proposed terrace row would have significantly greater impacts than the existing building. The rear of the buildings would not project significantly beyond the existing building line, and as such the potential sense of overbearing on to the rear gardens of the adjoining properties is reduced.

- Furthermore, due to the degree of separation between the terrace row and the immediate property to the south-east, it is not considered that the erection of the proposed dwellings would adversely impact residential amenity at this property.
- 5.12 Given the residential nature of the proposed development it is not considered that the development would result in any additional disturbance to neighbours following its full implementation. It is noted that there will be a degree of disturbance during the construction period. However this is to be expected as part of any development, and is not considered to substantiate a reason for refusing the application. However in order to protect the residential amenity of neighbours, a condition will be attached to any decision, restricting the permitted working hours during the construction period.
- 5.13 As per the approved application, it is considered that there is a sufficient degree of separation between the proposed dwellings and the business use to be retained, that the business use would not impinge on the residential amenity of future residents.
- 5.14 With regard to the provision of outdoor private amenity space, it is acknowledged that due to the introduction of a third unit, the levels of amenity space provided for each dwelling would be reduced, when compared to the levels provided under the previously approved application. Each rear garden would have an area of roughly 26m², with each front garden having an area of roughly 12m². However the amenity value of each front garden is limited, on the basis that they would be located adjacent to public areas and would not be private. Policy PSP43 of the Policies, Sites and Plan provides a guide on the levels of private amenity space that should be provided for new dwellings. The policy outlines that 60m² should be provided for 3-bed properties.
- 5.15 It is acknowledged that the levels of private amenity space fall below the guide outlined in policy PSP43. However it is noted that the proposed dwellings are located within an urban area, with public amenity space available within walking distance of the site. Account has also been taken of the fact that the proposal only seeks to erect 3 units, and that the proposed dwellings would only make up a very small percentage of the local housing market. Were more units being proposed, then the overall impact would be greater. However given the small scale nature of the development, it is not considered that the impacts in this case would be severe.
- 5.16 On balance, whilst the provision of limited private amenity space is regrettable, it is not considered to substantiate a reason for refusing the application. For the reasons outlined above and subject to the aforementioned conditions, the proposal is considered to comply with policy PSP8 of the Policies, Sites and Places Plan.
- 5.17 Transport
Whilst the concerns of the parish council have been taken in to account, the transport officer is satisfied that the proposed access is acceptable in highway safety terms. Furthermore, it is not considered that the addition of one further unit would result in a significant intensification of the use of the access.

Following the submission of a further composite plan, the transport officer is also satisfied that adequate access, parking and manoeuvring space would be provided for the remaining business use to the rear of the residential units.

5.18 With regard to parking provision, two external parking spaces would be provided for each unit. This meets the minimum requirement for a 3-bed dwelling, as set out in Policy PSP16 of the Policy, Sites and Places Plan. However in order to secure this provision, a condition will be attached to any decision, requiring the parking spaces to be provided prior to the first occupation of the proposed dwellings. Subject to this condition, there are no concerns regarding highway safety or on-site parking provision.

5.19 Waste Storage

Following the submission of revised plans, the proposed provision and location of waste storage and collection facilities is considered acceptable.

5.20 Environmental Protection

As per the previously approved application, no significant issues regarding environmental protection, which would result in the application being refused, have been identified. Notwithstanding this, given the previous land use class B2 (General Industrial) of the barn, there may be potential for contamination which could give rise to unacceptable risks to the proposed development. Under the circumstances of the site, the environmental protection officer has suggested a condition be attached to any decision ensuring that prior to the commencement of development, the land is investigated for contamination.

5.21 Equalities

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.

5.22 With regards to the above this planning application is considered to have a neutral impact on equality.

5.23 Overall Planning Balance

It is recognised that the substandard provision of outdoor private amenity space would have an impact on the residential amenity of future residents, and would result in a marginal socio-environmental harm. However it is not considered that the identified harm would significantly outweigh the socio-economic benefit of providing one additional unit at the site. As the harm of adding a third unit to the development is not considered to outweigh the benefit, the application should be approved.

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: Core Strategy (Adopted) December 2013 and the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

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

Contact Officer: Patrick Jackson
Tel. No. 01454 863034

CONDITIONS

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

Reason

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

2. Sample panels of the external facing materials, demonstrating the colour, texture and pointing are to be erected on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The approved sample panel shall be kept on site for reference until the stonework is complete. Development shall be carried out in accordance with the agreed sample.

Reason

To maintain the traditional appearance of the replacement dwellings and the integrity of the historic character of the attached neighbouring cottages. To accord with Policy PSP17 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and Policy CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013.

3. Prior to their construction or installation, the detailed design including materials, finishes and locations, of the following items shall be approved in writing by the Local Planning Authority:
 - a. All new doors;
 - b. All new windows;
 - c. Eaves verge;
 - d. Ridge details;

The design and details shall be accompanied by elevations and section drawings to a minimum scale of 1:5. The works shall thereafter be implemented strictly in accordance with the agreed details.

Reason

To maintain the traditional appearance of the replacement dwellings and the integrity of the historic character of the attached neighbouring cottages. To accord with Policy PSP17 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and Policy CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013.

4. Notwithstanding the design indicated on the approved drawings, the rooflights indicated shall be "conservation rooflights" and so shall be fitted with a central glazing bar and installed so that the upper faces are flush with the surface of the adjoining roof tiles, and thereafter maintained as such at all times.

Reason

In order that the works serve to preserve the architectural and historic interest of this non-designated heritage asset, in accordance with National Planning Policy Framework (2012); Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and Policy PSP17 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

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

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policies PSP8 and PSP38 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

6. Prior to the first occupation of the dwellings hereby approved, the car parking provision for the proposed dwellings shall be implemented in accordance with the approved Site Plan (Drawing no. 2013/007F) and retained thereafter 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; Policy PSP16 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the South Gloucestershire Residential Parking Standards SPD (Adopted) December 2013.

7. A) Previous historic uses(s) of the site may have given rise to contamination. Prior to commencement, an investigation (commensurate with the nature and scale of the proposed development) shall be carried out by a suitably qualified person into the previous uses and contaminants likely to affect the development. A report shall be submitted for the written approval of the Local Planning Authority prior to the commencement of development.
- B) Where potential contaminants are identified, prior to the commencement of development, an investigation shall be carried out by a suitably qualified person to ascertain the extent, nature and risks the contamination may pose to the development in terms of human health, ground water and plant growth. A report shall be submitted prior to commencement of the development for the written approval of the Local Planning Authority setting out the findings (presented in terms of a conceptual model) and identify what mitigation measures are proposed to address unacceptable risks. Thereafter the development shall proceed in accordance with any agreed mitigation measures.
- C) Prior to occupation, where works have been required to mitigate contaminants (under section B) a report verifying that all necessary works have been completed satisfactorily shall be submitted to and agreed in writing by the Local Planning Authority.
- 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 should be undertaken and where necessary an additional remediation scheme prepared. The findings and report should be submitted to and agreed in writing to the Local Planning Authority prior to works recommencing. Thereafter the works shall be implemented in accordance with any further mitigation measures so agreed.

Note: An appropriate investigation is likely to include the following:

- i) A comprehensive desk study to identify all potential sources of contamination both arising on-site and migrating onto site from relevant adjacent sources.
- ii) A comprehensive ground investigation including sampling, to quantify the extent and nature of contamination.
- iii) An appropriate risk assessment to determine the scale and nature of the risks to human health, groundwater, ecosystems and buildings arising from the contamination. This will normally be presented in the form of a conceptual model.
- iv) A report detailing the remediation options including the final proposals for mitigating any identified risks to the proposed development.
- v) All works should be carried out with reference to the most relevant, appropriate and up to date guidance.

Reason

To ensure that adequate measures have been taken to mitigate against contaminated land to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework. Parts of the condition are required to be carried out prior to commencement of development as they need to ensure the extent of contamination is known prior to the principal building works, and to ensure that appropriate mitigation is made for any contamination found.

8. Prior to the commencement of development, a scheme for intrusive site investigation into the coal mining legacy issues on the site shall be submitted to and approved in writing by the Local Planning Authority.

Reason

To establish if remedial works to treat areas of shallow mine workings are required and to ensure the safety and stability of the proposed development to accord with Policy PSP22 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and Policy CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013.

This information is required as a pre-commencement condition because it is necessary to establish if the coal mining legacy has affected the stability and safety of the land prior to the any development commencing on site.

9. Prior to the commencement of development, the intrusive site investigations as required by condition 8 shall be undertaken in accordance with the approved scheme. Followed by the submission of a report of the findings arising from the intrusive site investigations to be submitted to the Local Planning Authority.

Reason

To establish if remedial works to treat areas of shallow mine workings are required and to ensure the safety and stability of the proposed development. To ensure that any remedial works identified by the site investigation are undertaken prior to the commencement of development. To accord with Policy PSP22 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and Policy CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013.

This information is required as a pre-commencement condition because it is necessary to establish if the coal mining legacy has affected the stability and safety of the land prior to the any development commencing on site.

10. Should intrusive site investigations carried out in accordance with condition 8 and 9 require remedial works, details shall be submitted to the Local Planning Authority for written approval and development should be carried out in accordance with the approved details.

Reason

To ensure the safety and stability of the proposed development and to ensure any necessary remedial works are carried out prior to the commencement of development. To accord with Policy PSP22 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and Policy CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013.

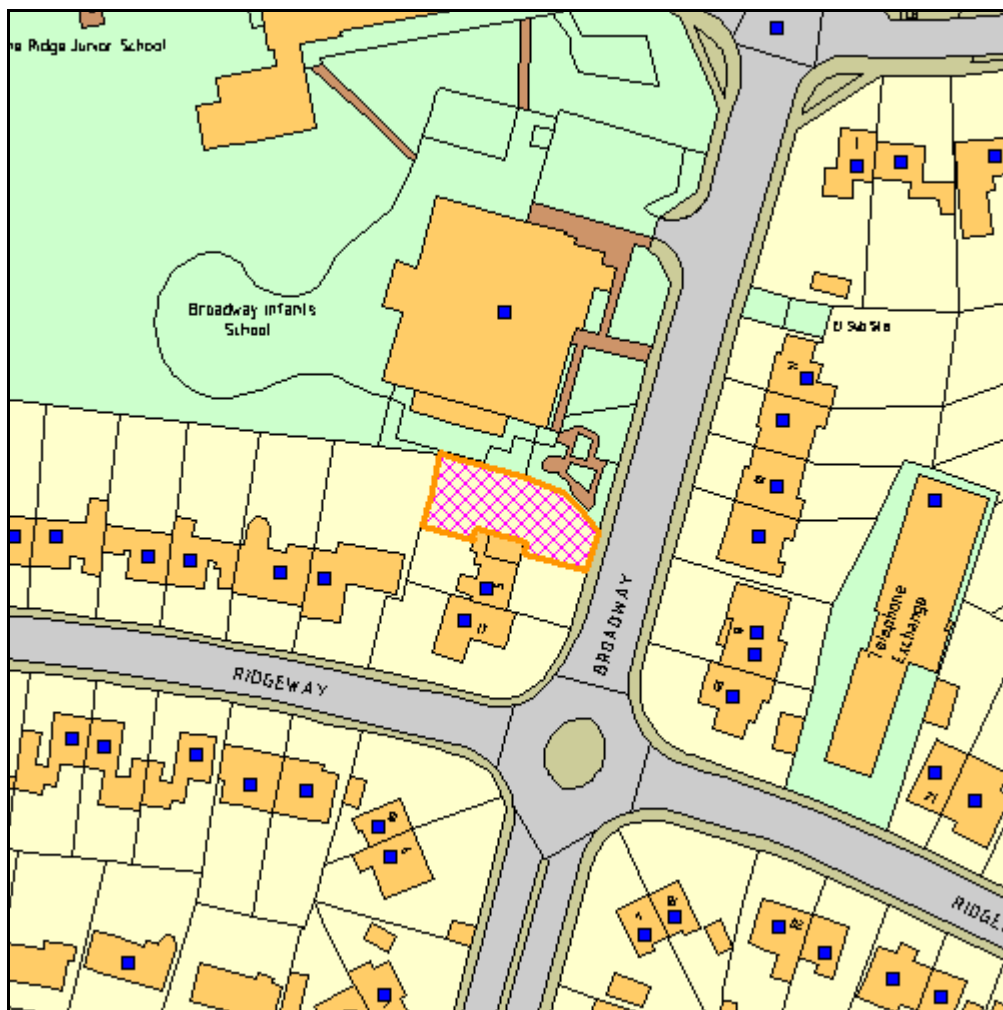
11. No development shall commence until surface water drainage details including SUDS (Sustainable Drainage Systems e.g. soakaways if ground conditions are satisfactory), for flood prevention; pollution control and environmental protection have been submitted and approved by the Local Planning Authority.

Reason

To comply with Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and National Planning Policy Framework 2012. This is required to be agreed prior to the commencement of development to avoid any unnecessary remedial action in the future.

CIRCULATED SCHEDULE NO. 51/17 – 22 DECEMBER 2017

App No.:	PK17/4124/F	Applicant:	Mr Nick Hobbs
Site:	5 Broadway Yate Bristol South Gloucestershire BS37 7AD	Date Reg:	2nd October 2017
Proposal:	Erection of 1no detached dwelling and associated works.	Parish:	Yate Town Council
Map Ref:	371960 182589	Ward:	Yate Central
Application Category:	Minor	Target Date:	24th November 2017



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100023410, 2008. **N.T.S.** **PK17/4124/F**

REASONS FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 Planning permission is sought for the erection of 1no. detached dwelling and associated works at no. 5 Broadway, Yate.
- 1.2 The application site consists of semi-detached property, set towards the southern end of a relatively large plot. The application site is located within the defined settlement boundary of Yate. The site shares its northern boundary with Broadway Infants School.

2. POLICY CONTEXT

2.1 National Guidance

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

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS4A Presumption in Favour of Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS15 Distribution of Housing
CS16 Housing Density
CS17 Housing Diversity

South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017

PSP8 Residential Amenity
PSP11 Transport Impact Management
PSP16 Parking Standards
PSP38 Development within Existing Residential Curtilages, Including Extensions and New Dwellings
PSP43 Private Amenity Space Standards

2.3 Supplementary Planning Guidance

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

3. RELEVANT PLANNING HISTORY

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

4. CONSULTATION RESPONSES

4.1 Yate Town Council

Overdevelopment and highways hazard. The application does not show adequate off street parking for the two dwellings that have a total of 9 bedrooms. It involves the formation of an additional access from the road, with a hedge removal, at a particularly sensitive location given the School access and the line markings to protect this roadside because of its proximity to the School. The site needs adequate space for vehicles to turn on site, so that all access is in forward gear, as this is so close to the School gate children are frequently on this pavement without parents, with their parents waiting nearby. It is within the School hatching area and the bus lay-by, in a location that is already extremely congested at peak periods.

4.2 Other Consultees

Sustainable Transport

In terms of access, it is proposed to extend the existing vehicular drive southward in order to provide a wider entrance serving both the existing and the new house. The proposed access is considered acceptable.

It is noted that Yate Town Council are objecting to this application on the basis of traffic and safety. It must be reported that the daily traffic associated with a house at this location is likely to be low – given the sustainable location of the site, we estimate traffic associated with this to be maximum of 6 movements each day - with one trip during the morning peak time and one car trip in the PM peak. Therefore, the traffic impact of the new development would be very small and as such it would not prejudice road safety.

In respect of parking, South Gloucestershire Council's parking standards for dwellings are set out in its SPD Residential Parking Standards. The minimum standard is 2 spaces for 3 and 4 bed units. It is understood that the existing house is four-bed. In the case, the proposal includes 2 parking for the existing dwelling and two spaces for the new house. Overall, the level of parking provision as proposed for both development meet the Council's parking standards.

In view of all the above therefore, there is no highway objection to this application subject to a planning condition to secure the proposed parking spaces.

Lead Local Flood Authority

No objection subject to SuDS condition

Highway Structures

No comment

Public Rights of Way

No objection

Other Representations

- 4.3 Local Residents
No comments received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Planning permission is sought for the erection of 1no. detached five-bedroom dwelling within an existing residential curtilage. Policy CS5 of the Core Strategy outlines the locations at which development is considered appropriate. CS5 dictates that most new development in South Gloucestershire will take place within the communities of north and east fringes of the Bristol urban area. CS5 also outlines that at Yate/Chipping Sodbury, new development will be of a scale appropriate to achieve greater self-containment, improving the roles and functions of towns, with a focus on investment in the town centres and improving the range and type of jobs. The application site is located within the defined settlement boundary of Yate/Chipping Sodbury, and the scale of development is considered appropriate for this location. As such, based solely on the location of the site, the principle of the development is acceptable.

- 5.2 Notwithstanding this, it is recognised that, at present, the local planning authority is unable to demonstrate a five-year supply of deliverable housing land. Paragraph 49 of the NPPF states that 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. However as the application site falls within the defined settlement boundary of Yate/Chipping Sodbury, the principle of development is acceptable under the provisions of policy CS5. As policy CS5 is not seeking to restrict the supply of housing, it can be afforded full weight in this case.

- 5.3 Whilst the principle of the proposed development is acceptable under the provisions of policy CS5, the impacts of the development require further assessment to identify any potential harm. The harm identified will then be balanced against the benefits of the proposal. The further areas of assessment are; design and visual amenity, residential amenity, and transportation.

5.4 Design and Visual Amenity

Policy CS1 of the Core Strategy and policy PSP38 of the Policies, Sites and Places Plan seek to ensure that development proposals are of the highest possible standards and design. This means that developments should have appropriate: siting, form, scale, height, massing, detailing, colour and materials which are informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context.

- 5.5 The proposed dwelling would infill a gap to the north of the host dwelling, which currently separates the host from the infants school to the north. The plot is considered to be of sufficient size as to accommodate a new detached dwelling without the dwelling appearing cramped or contrived.

- 5.6 In terms of its detailed design, the proposed dwelling would incorporate a gable at its front elevation, and would be finished in a mixture of brick and render. This gable design is considered to sufficiently reflect the appearance of other properties in the immediate vicinity, particularly those on the northern side of Broadway. It is also considered that the overall design, scale and massing of the proposed dwelling respect that of the pair of semi-detached properties to the south, which include the host dwelling.
- 5.7 On balance, it is considered that the proposed new dwelling would appear as an appropriate addition within the streetscene, and would sufficiently respect the character and distinctiveness of the immediate locality. On this basis, the proposal is considered to accord with policy CS1 of the Core Strategy and PSP38 of the Policies, Sites and Places Plan.
- 5.8 Residential Amenity
Policy PSP38 of the Policies, Sites and Places Plan explains that development will be permitted provided that it would not detrimentally impact the residential amenities of nearby occupiers and would not prejudice the retention of adequate private amenity space. Policy PSP8 specifically relates to impacts on residential amenity, and outlines that unacceptable impacts could result from (but are not restricted to); loss of privacy and overlooking; overbearing and dominant impact; loss of light; noise or disturbance; and odours, fumes or vibration.
- 5.9 When considering the impacts of the proposal on the residential amenity enjoyed by the occupiers of nearby properties, the main properties under consideration are no. 15 Ridgeway; located immediately to the west of the site, and the host dwelling at no. 5 Broadway.
- 5.10 There would be a degree of separation between the proposed dwelling and the host at no. 5 Broadway. As such, it is not considered that the proposed new dwelling would have any unacceptable overbearing or overshadowing effects on the host. With regard to overlooking, only one first floor window is proposed at the south-facing side elevation. However this window would be obscurely glazed, and as such it is not considered that its insertion or use would give rise to any overlooking issues. A first floor window would also be located at the north-facing elevation. However this window would also be obscurely glazed, and as such any overlooking on to the adjacent infants school would be limited. For the avoidance of doubt, a condition will be attached to any decision, requiring the first floor side-facing windows to be obscurely glazed.
- 5.11 The rear garden of the proposed dwelling would separate it from the neighbouring property to the west of the site at no. 15 Ridgeway. The rear garden would have a depth of roughly 8 metres. It is considered that the degree of separation reduces the potential for any overbearing or overshadowing effects. With regard to overlooking, it is recognised that the rear-facing windows would provide a line of sight on to the rear garden of no. 15 Ridgeway. However the sense of overlooking is considered to be reduced by virtue of the 8 metre gap. Furthermore, a degree of overlooking is to be expected in built up residential areas, and it is not considered that the sense of overlooking caused by the proposed dwelling would be significantly greater than that currently

- caused by the host dwelling. On balance, whilst there would be some loss of privacy to neighbours, the impacts on residential amenity are not considered to be so severe as to substantiate a reason for refusing the application;
- 5.12 Given the residential nature of the proposed development it is not considered that the development would result in any additional disturbance to neighbours following its full implementation. It is noted that there will be a degree of disturbance during the construction period. However this is to be expected as part of any development, and is not considered to substantiate a reason for refusing the application. However in order to protect the residential amenity of neighbours, a condition will be attached to any decision, restricting the permitted working hours during the construction period.
- 5.13 With regard to private amenity space, it is considered that sufficient space would be retained for the host dwelling, and provided for the new dwelling. For the reasons outlined above and subject to the aforementioned conditions, the proposal is considered to comply with policies PSP8 and PSP38 of the Policies, Sites and Places Plan.
- 5.14 Transport
The concerns raised by the town council regarding highway safety have been taken in to account. However the transport officer is satisfied that given the relatively low number of vehicular movements that would be associated with the new dwelling, the introduction and use of the proposed access would not prejudice highway safety.
- 5.15 In terms of parking provision, the minimum number of parking spaces is determined by the number of bedrooms provided within a property. The existing dwelling contains 4 bedrooms, with the proposed dwelling to contain 5. Policy PSP16 of the Policies, Sites and Places Plan outlines that dwellings with 4 bedrooms should provide a minimum of 2 parking spaces, with dwellings with 5+ bedrooms providing a minimum of 3. Submitted plans indicate that 2 parking spaces would be retained for the host and provided for the new dwelling. As such, the provision of parking for the new dwelling is substandard by a total of one space.
- 5.16 The proposed parking spaces would be located to the front of the proposed dwelling. Given the size of this area, it is not considered that an additional parking space could be provided without having an impact on the proposed turning area, or requiring the removal of significant landscaping. Notwithstanding this, it is noted that Broadway, and other residential streets in the area consist of wide residential roads, with ample space for on-street parking. On balance, it is not considered that the undersupply of one parking space at this location would have a severe impact on highway safety. As such, the proposal should not be refused purely on this basis. However a condition will be attached to any decision ensuring that a minimum of 2 parking spaces are provided for both the proposed and existing dwelling.
- 5.17 Equalities
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty

came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.

5.18 With regards to the above this planning application is considered to have a neutral impact on equality.

5.19 Planning Balance

A marginal degree of socio-environmental harm has been identified with regard to impacts of the development on the residential amenity of an immediate neighbour, and the highway safety implications of the undersupply of one parking space. However it is not considered that the identified harm would outweigh the socio-economic benefit on additional 5-bed house to count towards overall housing supply. On this basis, the application should be approved.

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: Core Strategy (Adopted) December 2013 and the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

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

Contact Officer: Patrick Jackson
Tel. No. 01454 863034

CONDITIONS

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

Reason

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

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

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policies PSP8 and PSP38 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

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

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policies PSP8 and PSP38 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

4. The off-street parking facilities for both the new dwelling and no. 5 Broadway (for all vehicles, including cycles) shown on the plan (Drawing no. 8) hereby approved shall make provision for the parking of a minimum of 2 vehicles within the residential curtilage of each property (with each space measuring at least 2.4m by 4.8m). The parking spaces shall be provided before the new dwelling 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; Policy PSP16 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and the South Gloucestershire Residential Parking Standards SPD (Adopted) December 2013.

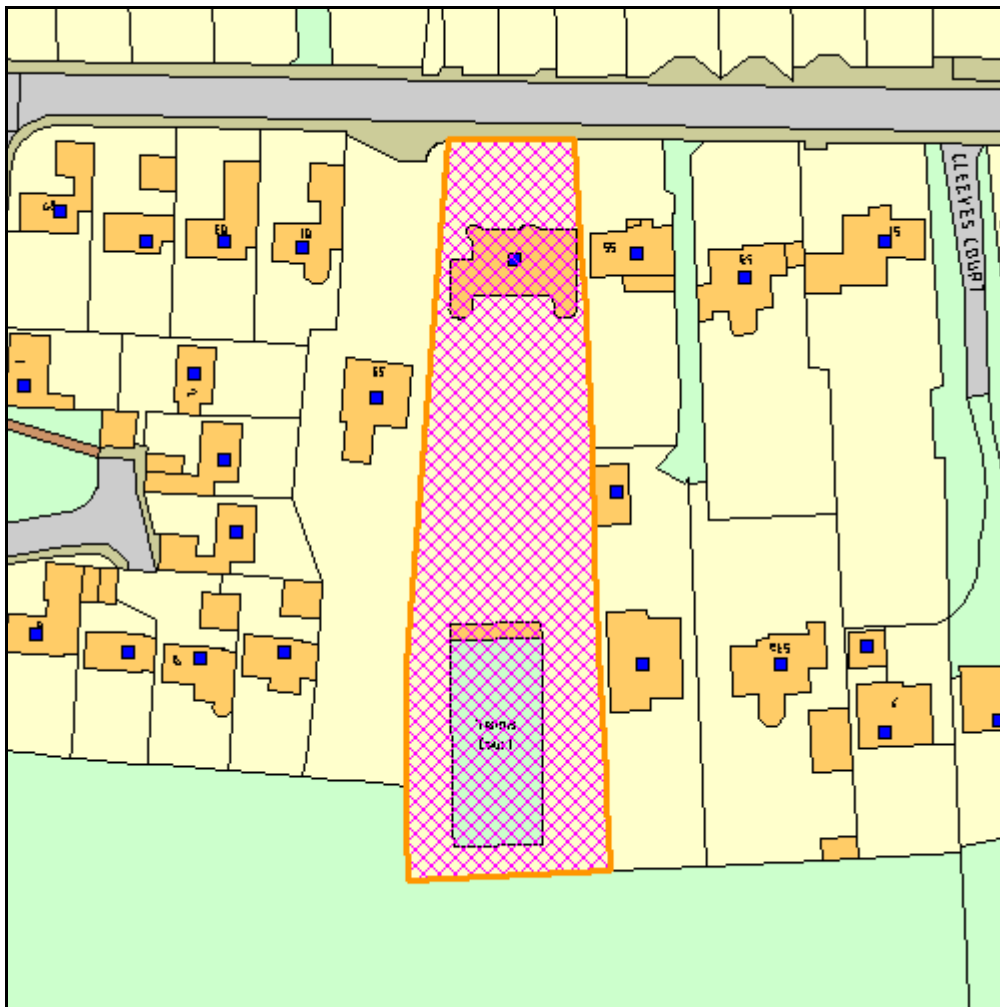
5. No development shall commence until surface water drainage details including SUDS (Sustainable Drainage Systems e.g. soakaways if ground conditions are satisfactory), for flood prevention; pollution control and environmental protection have been submitted and approved by the Local Planning Authority.

Reason

To comply with Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and National Planning Policy Framework 2012. This is required to be agreed prior to the commencement of development to avoid any unnecessary remedial action in the future.

CIRCULATED SCHEDULE NO. 51/17 – 22 DECEMBER 2017

App No.:	PK17/4284/O	Applicant:	Mr S Dew
Site:	Land Rear Of 57 Court Farm Road Longwell Green Bristol South Gloucestershire BS30 9AD	Date Reg:	21st September 2017
Proposal:	Erection of 5no. dwellings (Outline) with access, landscaping, layout and scale to be determined, all other matters reserved.	Parish:	Hanham Abbots Parish Council
Map Ref:	365567 170594	Ward:	Longwell Green
Application Category:	Minor	Target Date:	15th November 2017



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N.T.S. PK17/4284/O

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

The application is circulated as a result of eight local objections and an objection from the Parish Council.

1. THE PROPOSAL

- 1.1 This application seeks outline planning permission for the erection of 5 dwellings on land to the rear of no.57 Court Farm Road in Longwell Green. The application is in outline with access, landscaping, layout and scale to be determined; appearance is reserved.
- 1.2 The application site is a residential garden which has not been subject to any previous development. An existing orchard with tennis court is situated to the south of the site. Access will be provided to the site following demolition of a single storey side extension to no.57. There are mature trees and hedgerows surrounding most of the site. Existing residential development is situated to the east and west and open fields bound the south and part of the west boundaries.
- 1.3 Located within Longwell Green, the site falls within the East Fringe of Bristol Urban Area. The open fields to the rear form part of the Bristol and Bath Green Belt, but the site itself is not included within the designation.
- 1.4 Following negotiations, amended plans and additional information has been submitted in an attempt to address the concerns of the Council's Highway, Tree and Ecology Officers.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework (NPPF) 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
- CS29 Communities of the East Fringe of Bristol Urban Area

South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017

- PSP1 Local Distinctiveness
- PSP2 Landscape
- PSP3 Trees and Woodland

PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP19	Wider Biodiversity
PSP17	Heritage Assets and the Historic Environment
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP21	Environmental Pollution and Impacts
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Space Standards

- 2.3 Supplementary Planning Guidance
 Design Checklist SPD (Adopted) 2007
 Residential Parking Standards SPD (Adopted) 2014
 Waste Collection: Guidance for New Developments SPD (Adopted) 2015

3. RELEVANT PLANNING HISTORY

- 3.1 K4455/1
 ALTERATIONS AND EXTENSIONS TO EXISTING PROPERTY. (Previous ID: K4455/1)
 Approval
 01.04.1985
- 3.2 K4455
 ERECTION OF TWO DETACHED DWELLINGS WITH GARAGES.
 ALTERATION OF EXISTING VEHICULAR ACCESS (Previous ID: K4455)
 Refusal
 19.03.1984

4. CONSULTATION RESPONSES

- 4.1 Hanham Abbots Parish Council
 Objection:
- overdevelopment
 - lack of amenity space
 - access and egress to and from Court Farm Road
 - site inspection requested
- 4.2 Other Consultees
- Environmental Protection
 Investigative/remedial land contamination condition recommended
- Lead Local Flood Authority
 Condition submission of surface water drainage details
- Sustainable Transport
 Condition vehicular access to be completed in accordance with approved drawings
- Archaeology Officer

Programme of archaeological work condition recommended

Ecology Officer

Compliance with habitat survey condition recommended plus informative advising of breeding birds

Tree Officer

Landscape scheme condition recommended

Housing Enabling

No objection

Children and Young People

No comment

Landscape Officer

Landscape scheme condition recommended

Other Representations

4.3 Local Residents

Eight letters of objection were received in relation to the following concerns:

- out of keeping in terms of design and layout
- plots 2 and 3 set close to common boundary with no. 55a Court Farm Road
- overlooking of neighbours
- lack of amenity space
- construction traffic, noise and disturbance
- greater potential for noise and disturbance caused by future occupiers
- harm on highway safety relating to road capacity and network from related vehicle traffic and parking
- vehicular trips underestimated
- access is unsafe due to width and location
- inadequate parking provision
- inadequate provision for rubbish collection
- mature trees present on site
- wildlife present on site
- negative impact on existing property values
- permission would set precedent for similar along street
- does not accord with principles of National Planning Policy Framework
- overdevelopment
- housing unneeded

5. ANALYSIS OF PROPOSAL

5.1 This application seeks outline planning permission for the erection of 5 dwellings on land at Court Farm Road.

5.2 **Principle of Development**

The site lies within the existing urban area of the east fringe of Bristol where, under policy CS5, new development is directed. As such the principle of development in this location is acceptable, but significant weight will be given to

the positive impact of additional housing given the Council's lack of 5-year land supply and any adverse impact will be balanced against this. The scheme must therefore demonstrate that it reaches a high standard of design, would not have unacceptable impacts on area character, landscaping, residential amenity, highway safety, wildlife, drainage and archaeology, or will be affected by land contamination. This analysis is set out in the report below.

5.3 **Layout, Scale and Landscaping**

While the detailed design is a reserved matter, a design and access statement was submitted to support the proposal. This indicates that the proposed properties would be informed by the characteristics of the development nearby. Indicative plans show modern inspired detached gabled houses with attached or linked dormer double garages and single storey rear extensions.

5.4 The buildings as proposed are traditional 2-storey dwellings rather than the large bungalow currently on site; 8m is specified. A condition is attached to ensure the reserved matters application accords with these parameters. When viewed from public vantage points, it is considered that the proposal would sit acceptably within the varied context of development either side of it.

5.5 In terms of the site layout, houses 1 and 2 will front an informal courtyard finished in permeable setts, as will houses 3, 4 and 5. Both courtyards come off the main tarmacked driveway off Court Farm Road, and to the side of no.57. Two strategic points along its length will be finished in a contrasting surface (to define the entrance and to indicate road narrowing beside no.57). In terms of design, this is acceptable. Some shrub and groundcover planting is shown edging the driveway, but further back and front garden tree planting is needed to comply with Policy CS1(6); landscaping is not reserved and therefore a detailed landscaping scheme will be secured by condition.

5.6 Concern has been raised that the scheme would adversely affect the character and appearance of the area. However, the proposed cul-de-sac layout would be compatible with the established backland pattern of development in the immediate locality and is therefore not harmful to the prevailing character of the area. Furthermore, there is no reason to suggest that an appropriate appearance could not be secured at reserved matters stage. With very little relationship to Court Farm Road, the scale of the development is such that the new dwellings will likely be an identifiable location of their own, including forming their own streetscene.

5.7 **Residential Amenity**

Development should not be permitted which has a prejudicial impact on residential amenity – this must consider that of existing occupiers and the living conditions of future occupiers of the proposed development. The number of bedrooms in the dwellings is not currently set, but four in each has been indicated. However, despite the concern of the Parish Council and local residents, adequate private amenity space is provided to serve every unit.

5.8 Whilst Officers fully understand the concerns of local residents, given the layout proposed, it is considered that the majority of privacy levels would be retained and that there would not be any resulting overbearing impacts or loss of light,

although it must be noted that these issues would be revisited under the determination of the reserved matters. However, the most significant potential impact on residential amenity is from the close proximity of house 3 to no.55A Court Farm Road. In assessing the effect on this adjoining property, it is clear that at ground level, the present fence would provide adequate separation between this neighbour and the application site. However, double height is stated and house 3 is in a position where first floor side fenestration would have potential to cause serious problems of overlooking. It is therefore concluded that the insertion of windows in its west elevation should be prohibited by condition.

5.9 As for concerns about noise and disturbance, the proposal is for residential use and houses 2 and 3, which are closest to no.55A, comprise single dwellinghouses, not say, for example, flats. Taking this into account, it is considered that, for the most part, neither the nature of the use nor its intensity would be likely to give rise to problems of this sort. Furthermore, there is already a substantial fence along the common boundary. This will help to provide a buffer that should avoid serious problems of noise or disturbance, especially if supplemented by appropriate planting on the site itself. In forming this view, a similar arrangement is noted in respect of no.53A, which does not appear to have caused any problems.

5.10 It is not doubted that local residents would be aware of the proposed development if it takes place. However, subject to working hours restrictions, it is concluded that living conditions would not be affected to an extent that warrants withholding approval of the scheme.

5.11 **Access, Parking and Waste**

This scheme proposes the development of 5 detached houses and associated garages sited on land to the rear of no.57 and the proposal involves demolition of a single storey existing extension to the west end of no.57 to allow for a new driveway access and the new development on site. Whilst the application is in the form of an 'outline' application with access to be determined at this stage and with all other matters reserved, plans have been submitted showing details of parking and garaging for vehicles on site too.

5.12 It is noted that there are a number of local residents and the Parish Council objecting to this application on the basis of access, traffic, parking and waste collection. In this context therefore, the Council's Highway Officer has offered the following comments.

5.13 Starting with the access, a new vehicular one is proposed off Court Farm Road. The proposed access has good visibility along Court Farm Road, and the visibility splays of 2.4 x 43m (based on the 30mph speed limit) can be achieved from the site access onto the main road. Submitted plans show that the new access road is generally 5m wide with a short length of road narrowing adjoining to the existing house – the road width at its narrowest point is shown to be 3.8m wide. At 5m wide, the new road is considered adequate for two cars to pass and at 3.8m, the road is considered adequate for a car to safely pass pedestrians. Plans submitted also show that there is an acceptable turning area on site for service/delivery vehicles in order to access and egress the site

entrance in forward gear and as such it is considered appropriate. Overall, the proposed access meets the appropriate highway design and is therefore acceptable.

- 5.14 Next to be discussed is refuse collection. The new driveway is most likely to remain a private road and therefore it is not anticipated that refuse vehicles would enter into the site access for bin collection. With this in mind, the applicant has now submitted a revised plan showing an acceptable bin collection point near the site entrance.
- 5.15 Turning to traffic, as mentioned above, the development proposed is for a total of five 4-bedroom houses. It is anticipated that the daily traffic generation from each house from this location to be in order of 5/6 movements. Based on TRICS data (TRICS is an industry standard database of traffic surveys for different land uses), the five units would generate some three vehicular trips in the morning and evening peak hours on the adjoining highway network. This level of traffic is not considered to be significant and it would not materially impact on the traffic movements on the main public highway. Therefore it would not be reasonable to refuse this application on traffic grounds.
- 5.16 Finally, parking; South Gloucestershire Council's parking standards for dwellings are set down in its SPD Residential Parking Standards. The minimum standard is 2 spaces for 4-bedroom units, with an additional 0.2 spaces per dwelling for visitors. Submitted plans show that each of the properties would have a garage sized at 6 x 5.6m as well as space for casual parking. Secure cycle parking would be accommodated within the garages and there would also be an additional visitor space adjacent to house 3. The scheme therefore complies with the standards.
- 5.17 Taking into account all the matters raised above, and subject to the vehicular access being completed in accordance with the approved details, it is concluded that there is no highway objection.

5.18 **Trees**

Residents have drawn attention to the fact that this substantial plot contains a number of mature trees, which could be lost or harmed. After a site visit with the project Arboriculturist, the Council's Tree Officer considers the updated tree survey (Hillside Trees Ltd., dated November 2017) submitted with the application to be satisfactory for the protection of the trees to be retained. There is, however, significant tree loss in order to facilitate the development and as mentioned above, it is expected that substantial tree planting by way of mitigation will be incorporated into the landscaping scheme.

5.19 **Ecology**

Local residents have commented that they consider the site to be of local value to biodiversity. An Ecological Survey has been submitted in support of the proposed application by Wessex Ecological Consultancy (June 2017). Its findings are summarised below:

Habitats:

- hedgerow;

- amenity grassland;
- improved grassland
- planted trees and orchard.

Species protected under the Conservation Regulations 2012 (European Protected Species) as well as the Wildlife & Countryside Act 1981 (as amended):

- bats – the buildings on site are unsuitable for bats and the habitat is suboptimal for foraging. The hedgerows and boundary edges are likely to provide some foraging and commuting habitat but these are unlikely to be affected by the development;
- great crested newt (GCN) – the pond is stocked with fish and therefore unlikely to support GCN. The terrestrial habitat on site is also not suitable.

Species protected under the Wildlife and Countryside Act 1981 (as amended):

- nesting birds – the hedgerows and trees have potential to provide suitable nesting and foraging habitat;
- reptiles – the habitat on site is regularly mown so it is largely unsuitable for reptiles.

Badger Act 1992:

- badgers use the site on occasion but no setts were found on or near the site.

- 5.20 The Ecology Officer concluded that there was little habitat of conservation value on the site, but the existing fruit trees do have some value to wildlife, and orchards are a South Gloucestershire Priority Habitat and it originally appeared that these would be lost as part of the development (by comparing Figure in the Ecological Survey and Proposed Site Plan (AL(L)002)). This is the same for a short section of 'important' hedgerow along the western boundary, which is also a Priority Habitat.
- 5.21 As habitats of local importance, every attempt should be made to retain them. Where this is not possible, a reasonable effort must be made to compensate for their loss within the development. Therefore, further information was requested from the applicant with regard the retention of the fruit trees and hedgerows, and any mitigation measures proposed.
- 5.22 The additional information was submitted to the local planning authority, presented in the updated tree survey mentioned above. The Tree Protection Plan, and associated plan (171031-57CFR-TPP-Rev C-AM) shows six plum trees, one pear tree and two apple trees will be retained within the gardens of the three southern-most houses. Furthermore, the development will only result in a small loss of hedgerow, which is not classified as 'important'.
- 5.23 In summary, the Ecology Officer is satisfied, subject to all works proceeding in accordance with the ecology survey, that an adequate quantum of fruit trees and 'important' hedgerow will be retained within the development. An informative will also be attached advising the applicant to be aware of breeding birds.

5.24 **Drainage**

The applicant proposes to dispose of surface water from the site via infiltration (permeable paving). In order to demonstrate that infiltration is suitable for this site, site percolation tests need to be carried out. This will then allow an infiltration rate to be calculated which will determine whether disposal of surface water via infiltration is suitable. The Council's Drainage Officer is happy to have this information post determination and as such this will be dealt with by way of condition.

5.25 **Archaeology**

This site is located in an area of archaeological potential and while it is acknowledged that there has been some disturbance to the immediate area of development through the creation of the existing tennis court, it is not considered that this will have impacted on the potential survival of remains. Neither is there evidence that the former quarry along Court Farm Road, which is marked to the west of the site on early 20thC maps, extends into this area. It is therefore considered necessary to impose a condition requiring a programme of archaeological work, including trial trenching, to be submitted and agreed.

5.26 **Land Contamination**

The historic use of land adjacent to the site as a quarry/landfill site may have caused contamination which could give rise to unacceptable risks to the proposed development. Conditions will therefore be imposed to ensure that the appropriate investigations and, if necessary, remediation is undertaken to satisfactorily deal with any contamination risks on the site.

5.27 **Other Matters**

The matter relating to existing property values is not a consideration material to the application and although local residents are concerned that the proposed development would set an undesirable precedent for backland development in the area, there is a long established principle that each planning application is determined on its own individual merits based on the planning considerations applicable at the time of the decision.

5.28 **Consideration of likely impact on Equalities**

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.

5.29 With regards to the above this planning application is considered to have a neutral impact on equality.

5.30 **Overall Planning Balance**

Having weighed up all the material considerations, it is concluded that, although there are material considerations weighing against the proposal, these are outweighed by those in favour because they can be ameliorated by condition. In particular, significant weight is given to the fact that the NPPF indicates that, in the absence of a 5-year housing land supply, development proposals that accord with a development plan should be granted planning permission without delay. Officers are satisfied that the application site is in a sustainable location for housing development, not representing overdevelopment, and do not consider that there are any material considerations of sufficient weight to justify refusing planning permission.

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 Policies, Sites and Places Plan (Adopted) November 2017 and the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 set out above, and to all the relevant material considerations set out in the report.

7. **RECOMMENDATION**

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

Contact Officer: Helen Braine
Tel. No. 01454 863133

CONDITIONS

1. Approval of the details of the appearance of the buildings (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason

This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

2. Plans and particulars of the reserved matters referred to in the condition above, relating to the appearance of any buildings to be erected, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

Reason

This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

3. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason

This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

4. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

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

5. House 3 hereby permitted shall not have windows at first-floor level or above in its side (east) elevation.

Reason

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and, the National Planning Policy Framework.

6. The buildings hereby permitted shall not exceed 8.0m in height and have no more than two storeys.

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.

7. 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 (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 protect the character and appearance of the area and in the interests of local biodiversity, and to accord with Policies PSP2, PSP3 and PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and, the National Planning Policy Framework. A scheme is needed prior to the start of work to ensure that appropriate protection during the construction phase for those plants to be retained is possible.

8. A) Desk Study - Previous historic uses(s) of land adjacent to the proposed development site as a quarry/landfill site may have given rise to contamination. Prior

to commencement, an investigation (commensurate with the nature and scale of the proposed development) shall be carried out by a suitably competent person into the previous uses and contaminants likely to affect the development. A report shall be submitted for the written approval of the Local Planning Authority prior to the commencement of development.

B) Intrusive Investigation - Where potential contaminants are identified under (A), prior to the commencement of development, excepting necessary demolition works, an investigation shall be carried out by a suitably competent person to ascertain the extent, nature and risks the contamination may pose to the development in terms of human health, ground water and plant growth. A report shall be submitted prior to commencement of the development for the written approval of the Local Planning Authority setting out the findings (presented in terms of a conceptual model) and identify what mitigation measures are proposed to address unacceptable risks (Remediation Strategy). The resulting Remediation Strategy shall include a schedule of how the works will be verified (Verification Strategy). Thereafter the development shall proceed in accordance with any agreed mitigation measures. (Note (A) and (B) may be combined if appropriate).

C) Verification Strategy - Prior to occupation, where works have been required to mitigate contaminants (under section B) a report verifying that all necessary works have been completed satisfactorily shall be submitted to and agreed in writing by the Local Planning Authority.

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 should be undertaken and where necessary an additional remediation scheme prepared. The findings and report should be submitted to and agreed in writing with the Local Planning Authority prior to works recommencing. Thereafter the works shall be implemented in accordance with any further mitigation measures so agreed.

Note: An appropriate investigation is likely to include the following:

- i) A comprehensive desk study to identify all potential sources of contamination both arising on-site and migrating onto site from relevant adjacent sources.
- ii) A comprehensive ground investigation including sampling, to quantify the extent and nature of contamination.
- iii) An appropriate risk assessment to determine the scale and nature of the risks to human health, groundwater, ecosystems and buildings arising from the contamination. This will normally be presented in the form of a conceptual model.
- iv) A report detailing the remediation options including the final proposals for mitigating any identified risks to the proposed development.
- v) All works should be carried out with reference to the most relevant, appropriate and up to date guidance.

Reason

To ensure that adequate measures have been taken to mitigate against contaminated land to accord with Policy PSP21 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; Policy CS9 of the South

Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and, the National Planning Policy Framework. This is required prior to commencement of development as there is the potential for contamination from land adjacent to the site which was previously used as a quarry/landfill site.

9. No development shall commence until surface water drainage details including SUDS (Sustainable Drainage Systems e.g. soakaways if ground conditions are satisfactory), for flood prevention; pollution control and environmental protection have been submitted and approved by the Local Planning Authority. A detailed development layout showing the location of surface water proposals is required along with results of percolation tests and infiltration calculations to demonstrate that the proposal is suitable for this site.

Reason

To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal is incorporated into the design and the build and that the principles of sustainable drainage are incorporated into this proposal and maintained for the lifetime of the proposal, and to comply with Policy PSP20 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and, the National Planning Policy Framework.

10. No development shall take place until the means of vehicular access has been constructed and completed in accordance with the approved plans and the said means of vehicular access shall thereafter be retained for access purposes only.

Reason

In the interests of highway safety, and to accord with Policy PSP11 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and, the National Planning Policy Framework.

11. Prior to the commencement of development a programme of archaeological investigation and recording for the site shall be submitted to and approved by the Local Planning Authority. Thereafter, the approved programme shall be implemented in all respects, unless the Local Planning Authority agrees in writing to any variation.

Reason

In order to ensure the adequate protection of archaeological remains, and to accord with Policy PSP17 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and, the National Planning Policy Framework. This scheme is required prior to commencement in view of the area being of potential archaeological interest.

12. All works must proceed in strict accordance with the Mitigation and Enhancement Section of the Ecology Survey Report (Wessex Ecological Consultancy, June 2017).

Reason

To ensure the works are carried out in an appropriate manner and in the interests of local biodiversity, and to accord with Policy PSP19 of the South Gloucestershire Local

Plan: Policies, Sites and Places Plan (Adopted) November 2017; Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and, the National Planning Policy Framework.

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

Reason

To protect the residential amenity of neighbouring occupiers, and to accord with Policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and, the National Planning Policy Framework.

14. The development shall be implemented strictly in accordance with the following documents:

Received 11.09.2017:

Ecological Survey

Design & Access Statement

Transport Assessment

The Location Plan (AL(0)001)

Proposed Site Plan (Colour) (AL(L)002)

Proposed Site Plan (AL(L)001)

Proposed Cross Section (AL(0)200)

Received 14.09.2017:

Survey Drawing

Existing Site Plan (AL(0)100)

Existing Elevations - No. 57 Court Farm Road (010)

Proposed Elevations - No. 57 Court Farm (020)

Received 09.11.2017:

Proposed Site Plan (AL(0)210 Rev A)

Refuse Holding Area (AL(0)220)

Received 24.11.2017:

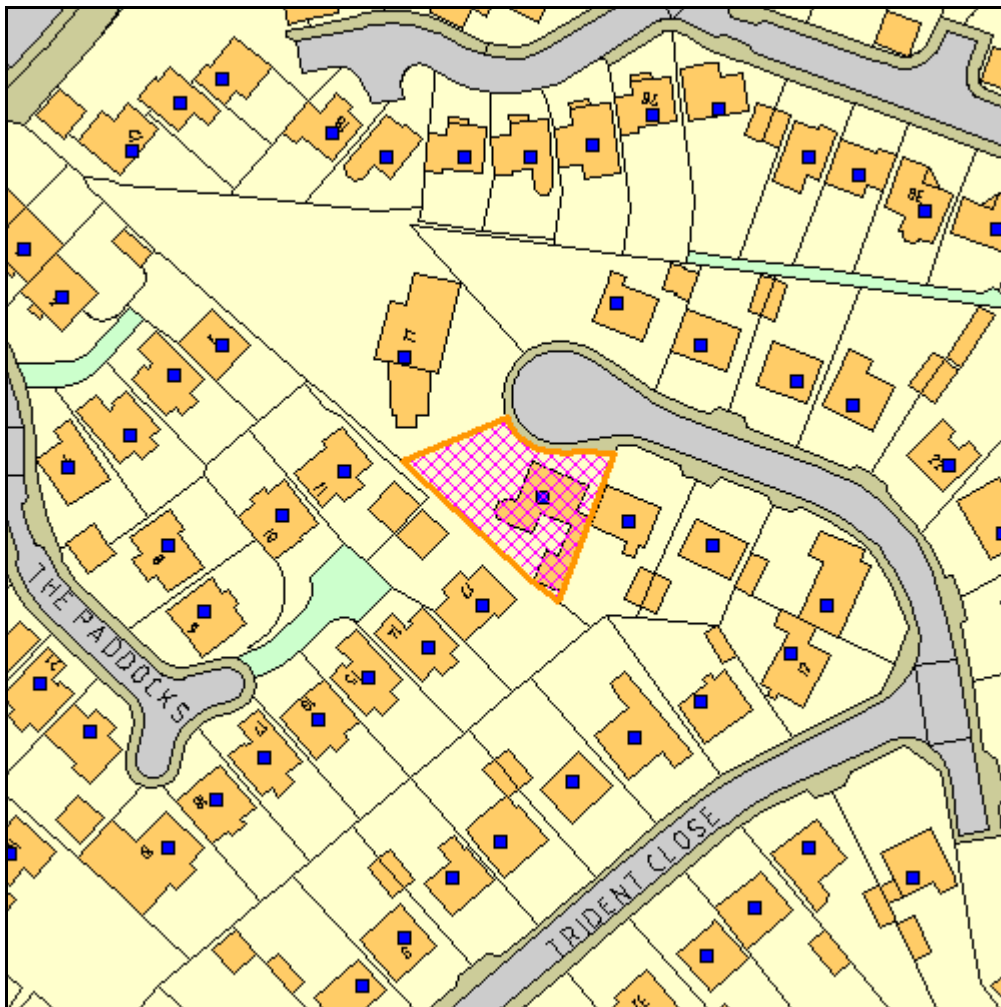
Tree Survey

Reason

For the avoidance of doubt.

CIRCULATED SCHEDULE NO. 51/17 – 22 DECEMBER 2017

App No.:	PK17/4912/F	Applicant:	Mr Thomas Hudd
Site:	16 Trident Close Downend Bristol South Gloucestershire BS16 6TS	Date Reg:	6th November 2017
Proposal:	Alterations to roof to include raising of roof line and installation of front and rear dormers to facilitate loft extension. Installation of 1no french doors with balcony. Erection of a single storey rear extension to form utility room and erection of canopy to front elevation.	Parish:	Emersons Green Town Council
Map Ref:	366120 178149	Ward:	Emersons Green
Application Category:	Householder	Target Date:	18th December 2017



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INTRODUCTION

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

1. THE PROPOSAL

- 1.1 The application is for the alterations to roof to include raising of roof line and installation of front and rear dormers to facilitate loft extension. Installation of 1no french doors with juliet balcony. Erection of a single storey rear extension to form utility room and erection of canopy to front elevation.
- 1.2 The property is a detached bungalow dwelling located on a road containing similar properties, within the residential area of Downend.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework
National Planning Policy Guidance
- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design
CS8 Access/Transport
- 2.3 South Gloucestershire Local Plan Policies, Sites and Places Plan
(Adopted) 2017
PSP8 Residential Amenity
PSP16 Parking Standards
- 2.4 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) 2007.
South Gloucestershire Parking Standards SPD

3. RELEVANT PLANNING HISTORY

- 3.1 PK13/3395/PNH – Single storey rear extension which would extend beyond the rear wall of the original house by 8 metres, for which the maximum height would be 3.147 metres and for which the height of the eaves would be 2.1 metres. No objection 28/10/13.

4. CONSULTATION RESPONSES

- 4.1 Emersons Green Town Council
No objection
- Sustainable Transportation
No increase the number of bedrooms currently available within the dwelling is proposed. On that basis there is no transportation objection to the proposed

development.

Other Representations

4.2 Local Residents

Objection letters from 2 local residential properties have been received, as follows:

1. *'I live next door to the applicant and am currently in the process of preparing a planning application for a 2 storey dwelling alongside my existing property to extend from the house to the boundary fence by demolishing the present car port and garage. My concern is that the balcony on the first floor which looks as if it can stand a number of people at any one time will be very intrusive looking directly into my proposed dwelling, especially as it is on the first floor, a window would be a fine alternative. Consequently I am raising an objection to the balcony.'*

2. *'It is unfair that I should have to incur any financial expense and inconvenience of the utility extension which could compromise the status quo to my property on my side of the boundary fence. If the extension was reduced to a reasonable size allowing the base foundations to be built a reasonable distance from the shared boundary this would resolve any concerns and avoid future problems. I also object to the loft conversion on the grounds it could compromise the privacy of the adjacent property which will extend beyond the rear wall of the adjacent property and overlook the garden. It would not be unreasonable to put the proposed bedroom windows to the front elevation, overlooking the road.'*

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Residential extensions are acceptable in principle and should respect the massing, scale, proportions, materials and overall design of the existing property and the character of the street scene and surrounding area, and should not prejudice the amenities of nearby occupiers, or 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 proposals are considered to be of an appropriate standard in design and are acceptable within the context and character of the main dwelling house and surrounding properties. The proposals are of an acceptable size in comparison to the existing dwelling and the site and surroundings. Materials in terms of tiles and render would match those of the existing dwelling.

5.3 Residential Amenity

The concerns raised above, are noted. The single storey side (utility) extension is set slightly off of the shared boundary on this elevation and wholly within the applicant's property. The issue of shared boundaries, or any damage to such would be a civil private matter. Notwithstanding this any planning permission would not grant rights to access, enter or use property not within their control or

without agreement. The proposed dormer would be rear facing, towards the applicants rear curtilage, approximately 4 metres away from the shared boundary in this direction. This is not considered to be an unreasonable proposition. The proposed balcony would be located on the side elevation, looking over the applicants side curtilage garden area, beyond this, by some 12 metres is the shared boundary with the side of the adjacent property in this direction towards the driveway and garage. It is not considered that this would materially impact upon existing levels of residential amenity. Any future or proposed developments would need to be assessed on their own merits. The length, size, location and orientation of the proposals, are not therefore considered to give rise to any additional significant or material overbearing or overlooking impacts in this instance such as to sustain objection and warrant refusal of the application on this basis.

5.4 Transportation.

Parking provision and requirements will remain as existing and there are no transportation objections to the proposals.

5.5 Equalities

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.

With regards to the above this planning application is considered to have a neutral impact on equality.

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 Core Strategy and Policies, Sites and Places Local Plan, 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.

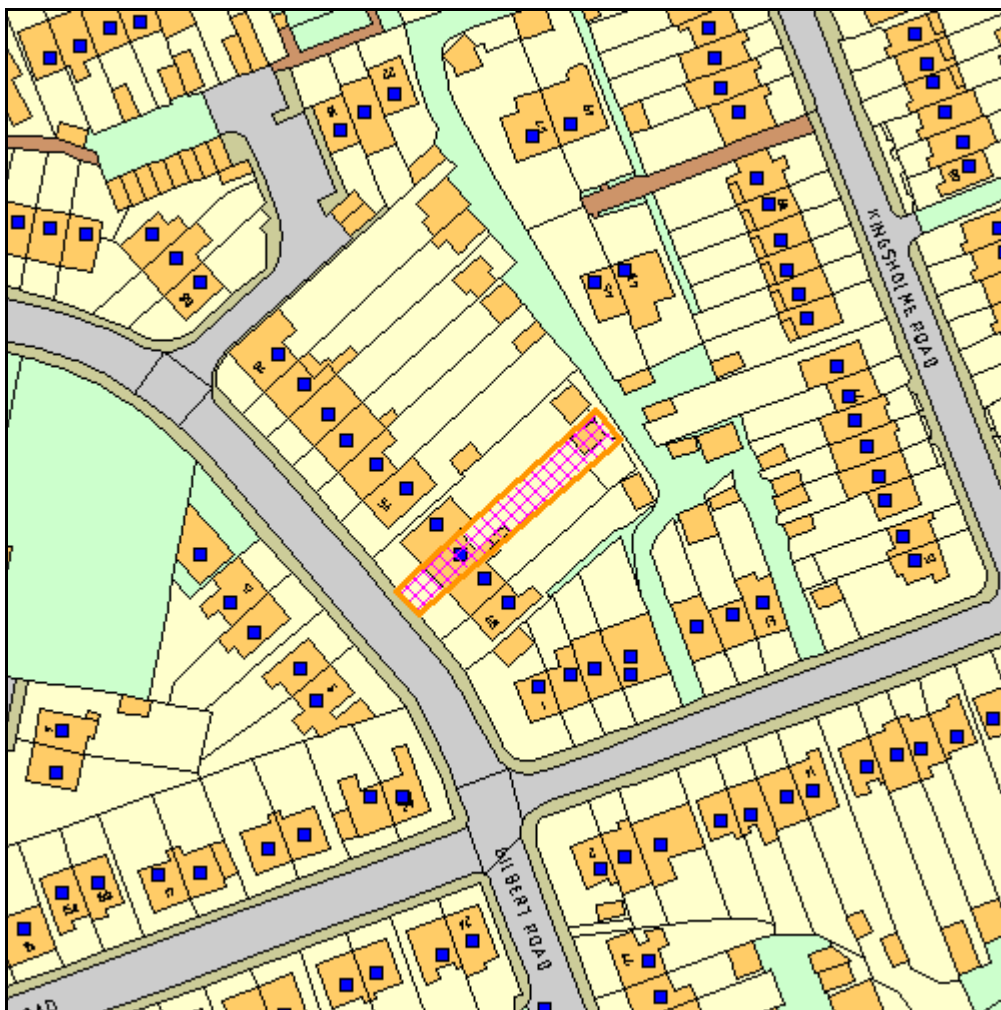
3. The colour, type and texture of the rendered finish to the external walls of the proposed extension shall match that of the existing building.

Reason

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

CIRCULATED SCHEDULE NO. 51/17 – 22 DECEMBER 2017

App No.:	PK17/4996/CLP	Applicant:	Mr Harding
Site:	50 Gilbert Road Kingswood Bristol South Gloucestershire BS15 1RH	Date Reg:	16th November 2017
Proposal:	Application for a certificate of lawfulness for the proposed installation of a rear dormer to facilitate loft conversion	Parish:	None
Map Ref:	364756 174172	Ward:	Kings Chase
Application Category:		Target Date:	9th January 2018



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The applicant is seeking a formal decision as to whether the proposed installation of a rear dormer window to 50 Gilbert Road, Kingswood would be lawful.
- 1.2 The application is a formal way of establishing whether the proposal requires planning permission or not. Accordingly there is no consideration of planning merit, the decision is based solely on the facts presented.

2. POLICY CONTEXT

2.1 National Guidance

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

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

3. RELEVANT PLANNING HISTORY

- 3.1 None Relevant

4. CONSULTATION RESPONSES

- 4.1 Local Councillor
No comment received

Other Representations

- 4.2 Local Residents
No comments received

5. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

- 5.1 Combined Plans

(Received by Local Authority 23rd October 2017)

6. ANALYSIS OF PROPOSAL

6.1 Principle of Development

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

6.2 The key issue is to determine whether the proposal falls within the permitted development rights afforded to householders under Schedule 2, Part 1 of the GPDO 2015. It should be noted that there is no restriction on permitted development rights at the subject property. As such permitted development rights are intact and exercisable.

6.3 The proposed development consists of the installation of a 1no rear dormer. This development would fall within Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015, which permits the enlargement of a dwellinghouse consisting of an addition or alteration to its roof. This allows dormer additions and roof alterations subject to the following:

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

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

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

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

The height of the proposed dormer windows would not exceed the highest part of the roof, and therefore the proposed development meets this criterion.

- (c) 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, and as such would not extend beyond any existing roof slope

which forms a principal elevation of the dwellinghouse and fronts a highway. As such the proposal meets this criterion.

- (d) 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 mid-terraced house and the proposal would result in an additional volume of no more than 40 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 would include none of the above.

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

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

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

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

Submitted plans confirm materials of similar appearance.

- (b) the enlargement must be constructed so that –**
- (i) other than in the case of a hip-to-gable enlargement or an enlargement which joins the original roof to the roof of a rear or side extension –**
 - (aa) the eaves of the original roof are maintained or reinstated; and**
 - (bb) the edge of the enlargement closest to the eaves of the original roof is, so far as practicable, not less than 0.2 metres from the eaves, measured along the roof slope from the outside edge or 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 dormers would be approximately 0.4 metres from the outside edge of the eaves of the original roof respectively. Additionally, the

proposal does not protrude beyond the outside face of any external wall of the original dwellinghouse.

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

Plans show no proposed side windows.

7. RECOMMENDATION

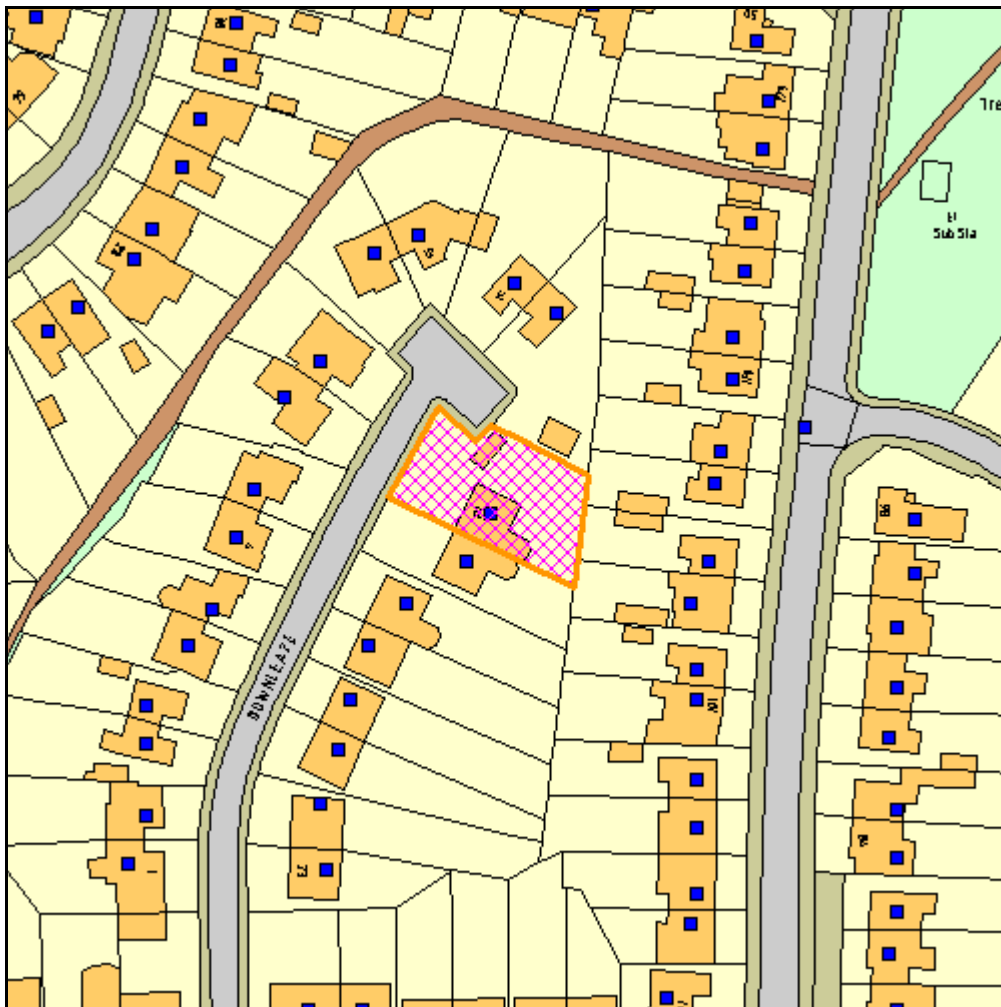
- 7.1 That a certificate of Lawfulness for Proposed Development is **granted** for the reasons listed below:

Contact Officer: Westley Little
Tel. No. 01454 867866

Evidence has been provided to demonstrate, on the balance of probabilities, that the proposed extension would 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.

CIRCULATED SCHEDULE NO. 51/17 – 22 DECEMBER 2017

App No.:	PK17/5104/F	Applicant:	Mr Houldon
Site:	16 Downleaze Downend Bristol South Gloucestershire BS16 6JR	Date Reg:	13th November 2017
Proposal:	Demolition of existing detached garage and attached side garage. Erection of detached garage. Erection of two storey side extension and alterations to roof to facilitate enlargement of existing loft conversion to provide additional living accommodation.	Parish:	Downend And Bromley Heath Parish Council
Map Ref:	364991 177836	Ward:	Downend
Application Category:	Householder	Target Date:	22nd December 2017



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REASONS FOR REPORTING TO THE CIRCULATED SCHEDULE

This application has received comments which are contrary to the Officer recommendation. As such, according to the Councils scheme of delegation, is being reported to the Circulated Schedule for Members.

1. THE PROPOSAL

- 1.1 Planning permission is sought for the demolition of an existing detached garage and attached side garage; the erection of a detached garage; the erection of a two storey side extension and alterations to the roof to facilitate the enlargement of an existing loft conversion at 16 Downleaze Downend.
- 1.2 The application site consists of a semi-detached property located at the end of a cul-de-sac. The property is located within the settlement boundary.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Policy Guidance 2014

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

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

South Gloucestershire Local Plan Policies, Sites and Places Plan (Adopted) November 2017

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

2.3 Supplementary Planning Guidance

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

3. RELEVANT PLANNING HISTORY

- 3.1 PK14/2919/F
Withdrawn (04.09.2014)
Erection of 1no. detached bungalow with new access and associated works

4. CONSULTATION RESPONSES

4.1 Downend and Bromley Heath Parish Council

“No objection to planning application. However, the boundary referred to in the objection raised by a neighbouring property owner need to be investigated.”

Sustainable Transport

“Planning permission is sought to demolish an existing detached garage and alter and extend the existing dwelling to provide additional living accommodation. One additional bedroom will be provided to the first floor making a total of five within the dwelling after development.

The Council's residential parking standards state that a dwelling with five or more bedrooms provide a minimum of three parking spaces within its site boundary. The proposed garage will provide parking for one vehicle but no other detail on parking and access has been submitted.

Before final comment can be made a revised block plan addressing the above needs to be submitted.”

Other Representations

4.2 Local Residents

“This appeal is regarding the detached garage. The map show the line of the boundary wall between 15 downleaze as it today. but this is not correct. The previous owner of 16 Downleaze built the wall illegal on the land of 15 Downleaze by skewing the angle of the wall towards 15 Downleaze. Originally this wall was parallel with the front garden wall and the back of the current detached garage (of 16 Downleaze). I at 15 Downleaze have been in dispute with the previous owner of 16 Downleaze for years. I don't think the current owners are aware of this situation. If you visit the site you can verify this situation by looking at the junction angle between the 15 Downleaze driveway wall and the small wall of 16 Downleaze and the street. These should be 90 deg. But its not, its greater then 90 deg ie wall is skewed to cut into 15 Downleaze driveway.

This situation is verified by the land register deeds for 15 Downleaze. In Conclusion if you allow the detached to be built as per current request, you would be allow the illegal build of the detached garge on to the land of 15 Downleaze.”

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy PSP38 of the PSP Plan allows the principle of development within residential curtilages, subject to considerations of visual amenity, residential amenity and highway safety. Furthermore, Policy CS1, which is echoed by PSP38 seeks that the siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the application site and its context. The proposal accords with the principle of development subject to the consideration below.

5.2 Design and Visual Amenity

Policy CS1 of the Core Strategy and policy PSP38 of the PSP Plan seek to ensure that development proposals are of the highest possible standards and design. This means that developments should have appropriate siting, form, scale, height, massing, detailing, colour and materials which are informed by, respect, and enhance the character, distinctiveness and amenity of both the site and its context.

5.3 *Garage demolition and replacement*

The current garage is of a dated design, with a sloping roof, concrete elevations and a white metal door. The internal dimensions do not meet South Gloucestershire parking standards. The applicant intends to demolish this garage and replace it with an identical design to what is currently attached to the side of the property (this garage will be demolished to facilitate the side extension). The replacement garage will be more in keeping with the host dwelling than the garage to be demolished, additionally the internal dimensions will meet South Gloucestershire parking standards. The garage element of the proposal is considered acceptable.

5.4 *Two storey side extension*

The two storey extension would be constructed on the northern elevation of the host dwelling. The ridge line would be set below the host dwelling. The front of the extension would be set behind the principal elevation, and the eaves would be set below the current eaves height. These design elements create an extension which is subservient to the host dwelling in design, scale and massing; thereby ensuring the host dwelling is respected.

5.5 *Roof alterations*

As part of the two storey extension the applicant proposes inserting a side dormer and a new roof light to enlarge the existing loft conversion. The dormer is set back from the side elevation of the extension and is set below the host dwelling and extension ridge lines. The alteration is a minor addition to the property and is considered acceptable.

5.6 The proposal would be constructed from painted render and brickwork; white UPVc windows and doors; and concrete roof tiles. These materials would match what is existing on the host dwelling.

5.7 It is acknowledged that the proposals amount to a substantial change to the property. However, when considering the design and proposed materials in relation to the host dwelling. The proposals are deemed to comply with policy CS1 of the Core Strategy and PSP38 of the PSP Plan.

5.8 Residential Amenity

Policies PSP8 and PSP38 of the PSP Plan sets out that development within existing residential curtilages should not prejudice residential amenity through overbearing; loss of light; and loss of privacy of neighbouring occupiers.

- 5.9 When considering the distances between the host dwelling and its neighbours, the insertion of new windows and doors to the side extension, including the side dormer are not considered to result in a detrimental impact on residential amenity.
- 5.10 Following the development, over 70m² of private outside amenity space would remain. This exceeds the requirements of policy PSP43.
- 5.11 When considering the existing boundary, combined with the siting and scale of the proposals. The proposals would not appear overbearing or such that it would prejudice existing levels of outlook or light afforded to neighbouring occupiers. Therefore, the development is deemed to comply with policies PSP8 and PSP38 of the PSP Plan.
- 5.12 Transport
Updated plans were received on the 19th December 2017 showing three off street parking spaces within the sites boundary. One in the new garage, and two on the drive. This parking provision meets South Gloucestershire parking standards. As such there are no transport objections.
- 5.13 Other matters
An objection comment was received which referenced a potential land ownership issue. The agent has informed the applicant of this issue. In regards to the planning implications of this; the granting of planning permission does not grant permission to construct on land which does not belong to the applicant. The applicant must obtain the prior written consent of the owner and occupier of any land upon which it is necessary to enter in order to construct, externally finish, decorate or in any other way carry out any works in connection with this development including future repairs/maintenance, or to obtain support from adjoining property. Attention is also drawn to the Access of Neighbouring Land Act 1992 and Party Wall Act 1996.
- 5.14 Equalities
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.

With regards to the above this planning application is considered to have a neutral impact on equality.

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 development plan set out above, and to all the relevant material considerations set out in the report

7. RECOMMENDATION

- 7.1 That the application be **GRANTED** for the reasons outlined above.

Contact Officer: David Ditchett
Tel. No. 01454 863131

CONDITIONS

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

Reason

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

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

Reason

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

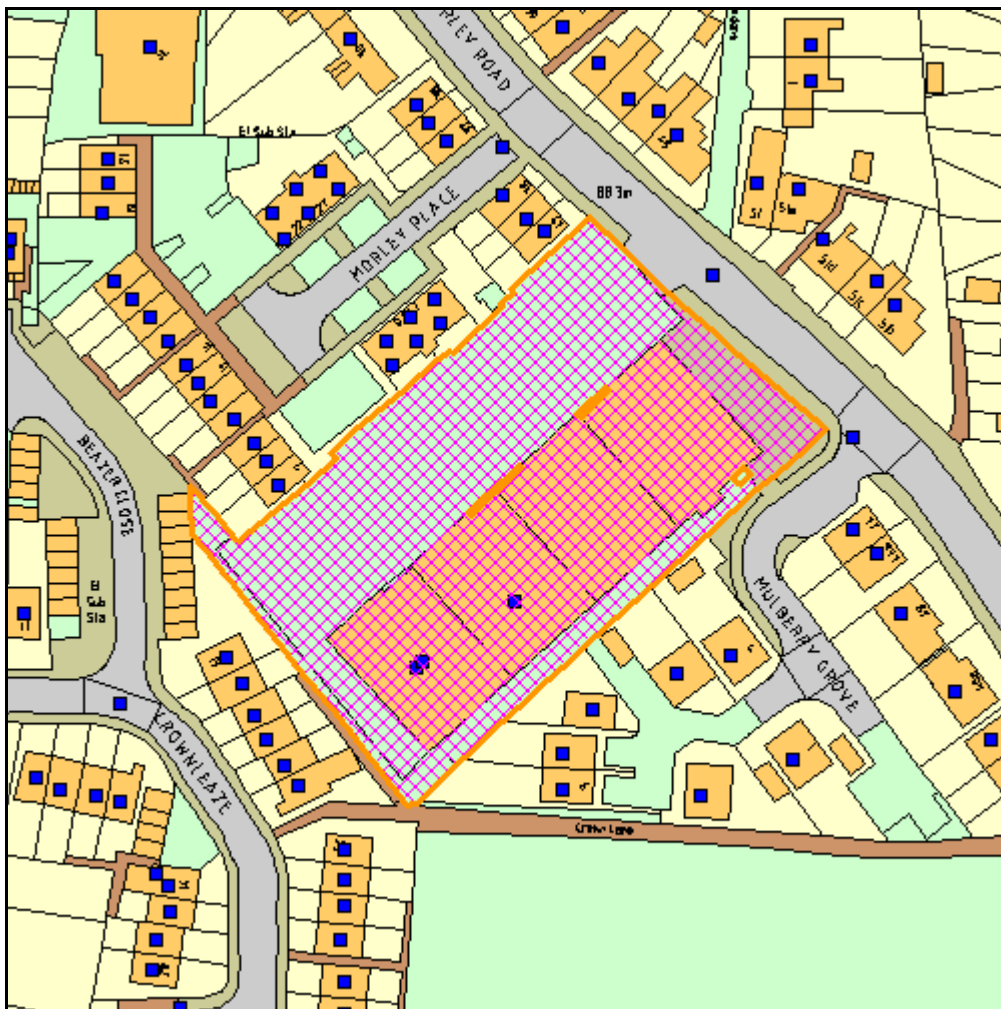
3. The off-street parking facilities (for all vehicles, including cycles) shown on the plan hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason

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. 51/17 – 22 DECEMBER 2017

App No.:	PK17/5161/F	Applicant:	Mr A SIMPSONAPEX PUMPS
Site:	Units 1 To 4 Morley Road Staple Hill South Gloucestershire BS16 4QT	Date Reg:	27th November 2017
Proposal:	Erection of 2.4m high palisade fencing and access gate.	Parish:	None
Map Ref:	364946 175361	Ward:	Staple Hill
Application Category:	Minor	Target Date:	2nd January 2018



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REASON FOR SUBMISSION TO THE CIRCULATED SCHEDULE

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

1. PROPOSAL AND SITE DESCRIPTION

- 1.1 The applicant seeks full planning permission for the erection of 2.4m high palisade fencing and an access gate on the site of 4no. industrial buildings in Morley Road, Staple Hill. The site has numerous residential properties nearby. The fencing and gate would sit to the front of the site, where it meets Morley Road.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Policy Guidance 2014

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

South Gloucestershire Local Plan: Policies, Sites and Places Plan Adopted November 2017

PSP1 Local Distinctiveness
PSP8 Residential Amenity
PSP16 Parking Standards

2.3 Supplementary Planning Guidance

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

3. RELEVANT PLANNING HISTORY

- 3.1 No relevant planning history.

4. CONSULTATION RESPONSES

4.1 Unparished Area

The area is unparished

4.2 Highway Structures

No comment

4.3 Lead Local Flood Authority

- No objection
- 4.4 Sustainable Transport
No objection
- 4.5 Public Rights of Way
No objection
- 4.6 Open Spaces Society
No comments received

OTHER CONSULTEES

- 4.7 Local Residents
One objection received stating that the surrounding area is largely residential and that the erection of the fence would be detrimental to the visual amenity of Morley Road.

Also asks why level of security is considered necessary, and states that size of fencing is excessive. States that they are unaware of antisocial behaviour onsite, and asks whether local residents need to be made aware of anything.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
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. Also of pertinence is the effect that the development would have on road safety. The proposal accords with the principle of development subject to the consideration below.
- 5.2 Visual Amenity
The proposal consists of palisade fencing and an access gate measuring 2.4m in height to the front of the site, where it meets Morley Road. The plans indicate that there would be soft landscaping to the front of the fencing. The site consists of 4no. industrial buildings, constructed using corrugated metal and brick elevations with a gabled roof to the front. The site is surrounded by residential properties. The plans do not state whether the fencing would be painted, or left to be their original metallic colour. A condition will be attached to the decision notice to ensure that the fence is painted,
- 5.3 It is noted that a resident living close to the site objects due to the impact that the development would have on the visual amenity of the surrounding area. While there are numerous residential properties nearby, the site itself is clearly industrial in character. It is not considered that the erection of 2.4m palisade fencing and an access gate would have a significant negative effect on the visual amenity of the surrounding area, and the development is therefore considered acceptable.

5.4 Residential Amenity

The site has numerous residential properties nearby. The fence would be located to the front of the site. It is not considered that the scale or position of the fence would have a significant detrimental effect on the amenity of neighbouring occupiers through overshadowing or overbearing.

5.6 Sustainable Transport

The proposed fence and access gate would sit within the curtilage of the site, and the gates would open onto the site. It is not considered that the fence or gates would affect the operation of the adjacent public highway of Morley Road. Therefore, there are no transport objections to the development.

5.7 Other Matters

A neighbor has commented, asking why fencing of this height is considered necessary, stating that there have been no incidents of antisocial behavior and asking whether then need to be made aware of any problems. This is not a planning matter, and will not be considered within this report.

5.8 Equalities

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.

5.9 With regards to the above this planning application is considered to have a neutral impact on equality.

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 development plan, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

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

Contact Officer: Owen Hoare
Tel. No. 01454 864245

CONDITIONS

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

Reason

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

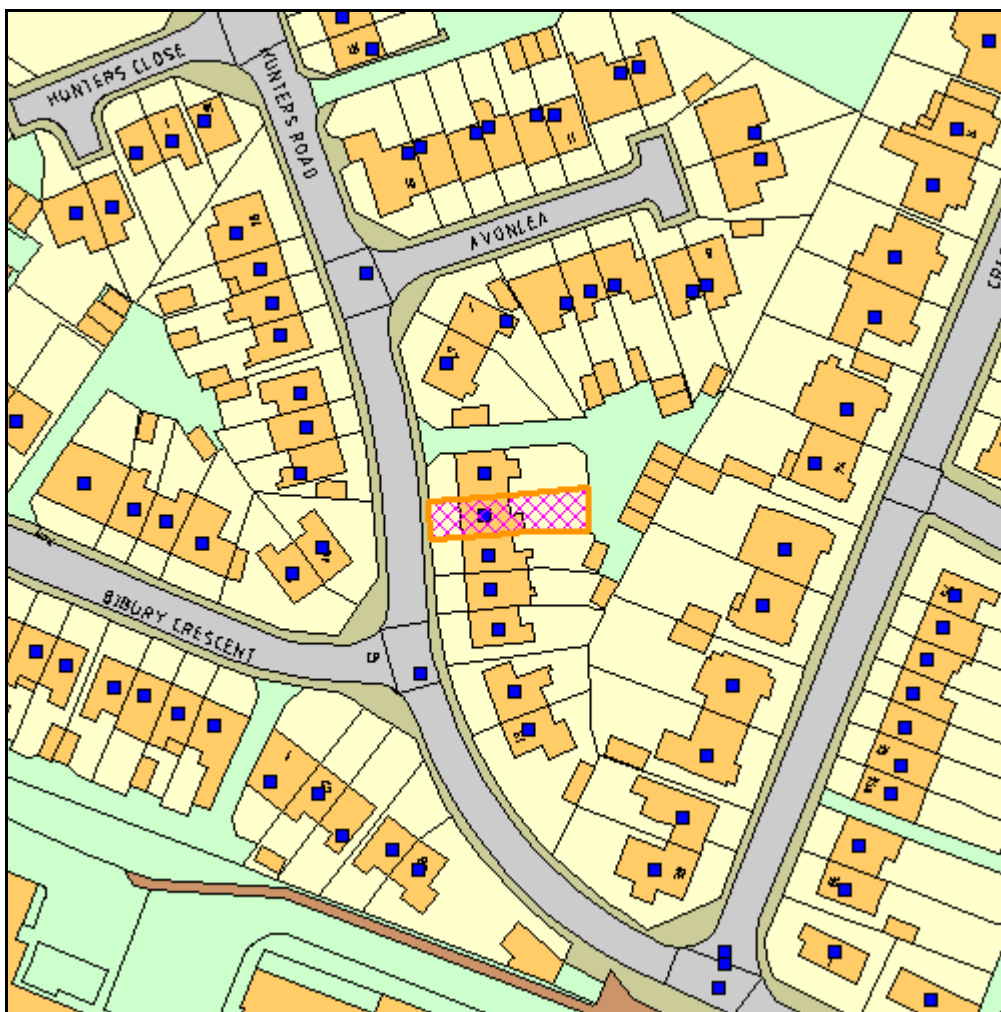
2. Notwithstanding the details shown on the submitted drawings, the fence and gate hereby permitted shall be painted in accordance with details that shall be submitted to and approved in writing by the Local Planning Authority within 3 months of the commencement of the development and thereafter the approved details shall be implemented within 3 months.

Reason

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

CIRCULATED SCHEDULE NO. 51/17 – 22 DECEMBER 2017

App No.:	PK17/5207/CLP	Applicant:	Mr Robert English
Site:	51 Hunters Road Hanham Bristol South Gloucestershire BS15 3EZ	Date Reg:	15th November 2017
Proposal:	Application for a certificate of lawfulness for the proposed single storey rear extension	Parish:	Hanham Parish Council
Map Ref:	364289 172067	Ward:	Hanham
Application Category:		Target Date:	2nd January 2018



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The applicant is seeking a formal decision as to whether the proposed single storey rear extension to 51 Hunters Road, Hanham would be lawful.
- 1.2 The application is a formal way of establishing whether the proposal requires planning permission or not. Accordingly there is no consideration of planning merit, the decision is based solely on the facts presented.

2. POLICY CONTEXT

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

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

3. RELEVANT PLANNING HISTORY

- 3.1 No relevant planning history

4. CONSULTATION RESPONSES

- 4.1 Hanham Parish Council
No Comment

Hanham Abbots Parish Council
No Comment received

Councillor
No Comment received

Other Representations

- 4.2 Local Residents
The application received a total of 1 objection. The main concerns are outlined below

- Overshadowing to neighbouring property (No.49)

- Loss of light to No.49
- Proposal appears overbearing and visually intrusive
- Loss of light will increase heating bills and risk of damp

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

- 5.1 Location and Block Plan
Existing Plans
Proposed Plans

(Received by Local Authority 07th Nov 2017)

6. **ANALYSIS OF PROPOSAL**

6.1 Principle of Development

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

- 6.2 The key issue in this instance is to determine whether the proposal falls within the permitted development rights afforded to householders under Schedule 2, Part 1, Class A of the GPDO (2015). 6.3 The proposed development consists of a single storey extension to the rear of property. This development would fall within Schedule 2, Part 1, Class A, which allows for the enlargement, improvement or other alteration of a dwellinghouse, provided it meets the criteria as detailed below:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Not applicable.

- (h) The enlarged part of the dwellinghouse would have more than a single storey and—**

- (i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or**
- (ii) be within 7 metres of any boundary of the curtilage the dwellinghouse opposite the rear wall of the dwellinghouse;**

The extension would be single storey.

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

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

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

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

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

The proposal does not include any of the above.

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

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

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

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

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

The submitted plans indicate that the proposed extension would be finished in materials to match existing. As such, the proposal meets this criterion.

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

Not applicable.

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

Not applicable.

Other Matters

With regard to objections to the impact of the proposal, the planning merits of the proposal are not assessed as part of an application for a Certificate of Lawfulness. 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.

7. RECOMMENDATION

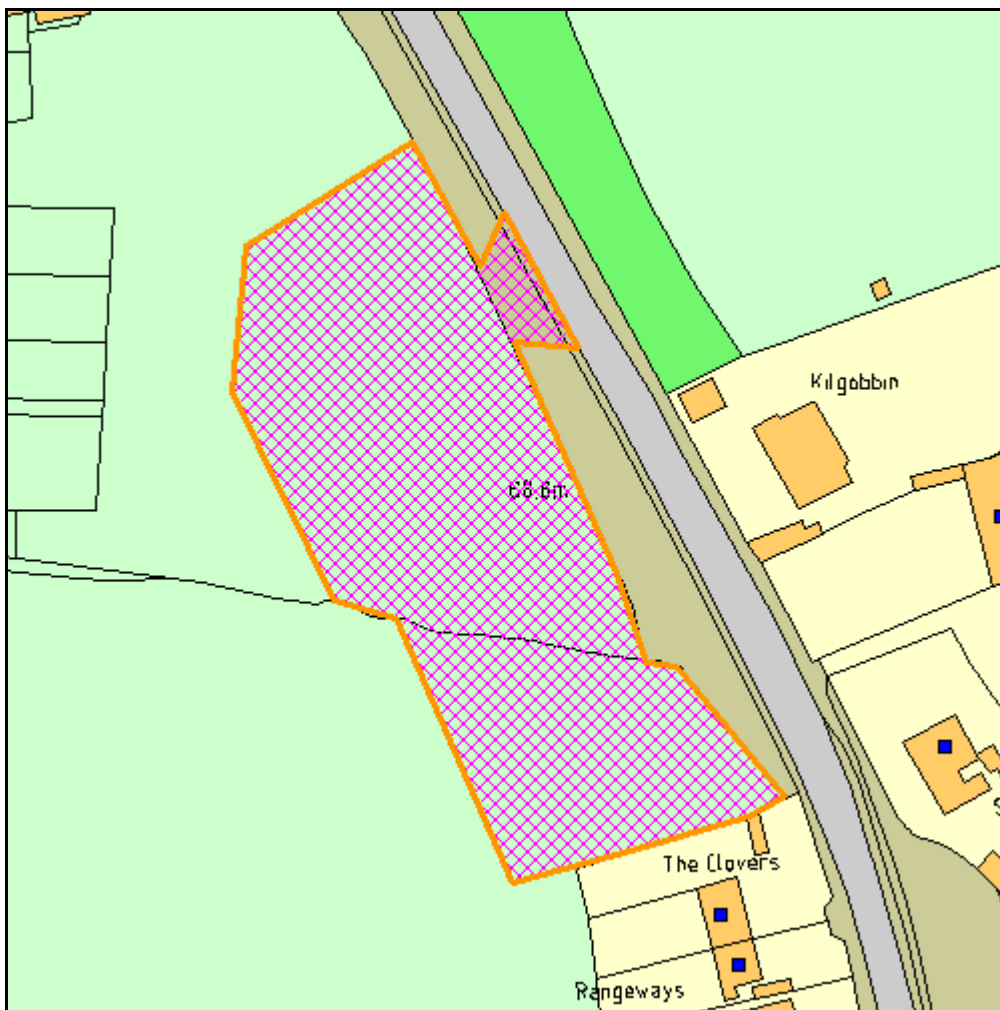
- 7.1 That a certificate of Lawfulness for Proposed Development is **granted** for the reasons listed below:

Contact Officer: Westley Little
Tel. No. 01454 867866

Evidence has been provided to demonstrate that on the balance of probabilities the proposed single storey rear extension with dual pitched roof would fall within the permitted rights afforded to householders under Schedule 2, Part 1, Class A of the Town and Country Planning General Permitted Development Order 2015.

CIRCULATED SCHEDULE NO. 51/17 – 22 DECEMBER 2017

App No.:	PT17/3260/O	Applicant:	Mrs Eleanor Felton
Site:	Land At Wotton Road Rangeworthy Bristol South Gloucestershire BS37 7NA	Date Reg:	17th July 2017
Proposal:	Erection of 8no. dwellings (outline) with access and layout to be determined all other matters reserved.	Parish:	Rangeworthy Parish Council
Map Ref:	368950 186109	Ward:	Ladden Brook
Application Category:	Major	Target Date:	10th October 2017



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REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule for determination as comments of objection have been received. These are contrary to the officer recommendation for approval.

During the course of the application, the number of dwellings has been reduced to eight. As a reduction in the overall level of development, this was not considered to lead to the introduction of significant new issues and re-consultation has not been undertaken; the consideration of this application is set out within this report publically. The application remains in outline with access and layout to be determined.

1. THE PROPOSAL

- 1.1 This application seeks planning permission, in outline, for the erection of 8 dwellings. Access and layout are to be determined with all other matters reserved. The application site is accessed from the B4058 Wotton Road in Rangeworthy between the southern part of the village and the cluster of village around Pool Farm and The Rose and Crown to the north.
- 1.2 In terms of constraints, the application site is outside of (but adjacent to) the settlement boundary (which is picked up again around the northern section of the village). No other planning designations cover the 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 Policies Sites and Places Plan Adopted November 2017

PSP1	Local Distinctiveness
PSP2	Landscape
PSP6	Onsite Renewable and Low Carbon Energy
PSP8	Residential Amenity
PSP11	Transport Impact Management

PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP19	Wider Biodiversity
PSP20	Flood Risk, Surface Water, and Watercourse Management
PSP21	Environmental Pollution and Impacts
PSP40	Residential Development in the Countryside
PSP43	Private Amenity Space Standards

- 2.3 Supplementary Planning Guidance
 Design Checklist SPD (Adopted) August 2007
 Local List SPD (Adopted) March 2008
 Residential Parking Standard SPD (Adopted) December 2013
 Affordable Housing and ExtraCare SPD (Adopted) May 2014
 Landscape Character Assessment SPD (Adopted) November 2014
 CIL and S106 SPD (Adopted) March 2015
 Waste Collection SPD (Adopted) January 2015 (updated March 2017)

3. **RELEVANT PLANNING HISTORY**

- 3.1 None relevant

4. **CONSULTATION RESPONSES**

- 4.1 Rangeworthy Parish Council
 Objection: outside settlement boundary; rejected from PSP call for sites; sewerage system is at capacity; limited information on affordable housing; site is poorly served by public transport and development would be car dependent; increase in traffic; cumulative impact with other development proposals in the village; parish council is assuming ownership of the verge; hedge removal; TPOs should be placed on existing trees; archaeology; ecological surveys required.

Internal Consultees

- 4.2 Arts and Development Officer
 No objection
- 4.3 Community Infrastructure Officer
 Request for financial contribution towards public open space.
- 4.4 Conservation Officer
 No objection. Defer to the landscape officer. No designated heritage assets in the locality. Concern over the impact development would have on the character of the area and appreciation of Pool Farm, a non-designated building of historic local vernacular.
- 4.5 Ecology Officer
 No objection. Ecological mitigation should be secured by condition.

- 4.6 Environmental Protection
No objection. Construction hours should be controlled by condition.
- 4.7 Housing Enabling
Request for on-site provision of affordable housing.
- 4.8 Landscape Officer
Objection. Rangeworthy is sensitive to infill development and the scale of development would be detrimental to the landscape character of the area.
- 4.9 Lead Local Flood Authority
No objection. SUDS scheme should be secured by condition.
- 4.10 Transport Officer
No objection. Condition required to secure the relocation of the existing pedestrian crossing.

Statutory / External Consultees

- 4.11 Avon Fire and Rescue
Request for financial contribution towards additional fire hydrants.
- 4.12 Wessex Water
No objection. Records indicate previous operational problems in the vicinity, however, any new connections would be subject to approval by Wessex Water.

Other Representations

- 4.13 Local Residents
8 comments of objection have been received which raise the following matters:
- access is over land maintained by the Parish Council
 - alternative access point should be used
 - design is not in keeping with existing ribbon style development along Wotton Road
 - green belt
 - impact on amenity of existing residents
 - impact on biodiversity
 - impact on crossing point
 - impact on pedestrian safety
 - increase in traffic
 - issues with mains water pressure
 - loss of agricultural land
 - loss of hedge would be undesirable
 - outside village development boundary
 - proximity to area of archaeological interest
 - revised plans do not address concerns
 - sewerage system is at capacity
 - vehicle speeds/ highway safety
 - village susceptible to power cuts

5. **ANALYSIS OF PROPOSAL**

- 5.1 This application seeks outline planning permission for the erection of 8 dwellings on land at Wotton Road, Rangeworthy. Access and layout are to be determined. All other matters are reserved.
- 5.2 Principle of Development
Policy CS5 and CS34 establish the locations in the district where development is directed. Under the locational strategy, development in the first instance is directed to the existing urban areas and defined settlements. The application site is outside any of these designations and therefore would not be supported. Residential development in the countryside is strictly controlled by policy PSP40. Under this policy only certain forms of residential development would be permitted in the open countryside, none of which the proposed development would comply with.
- 5.3 However, at present the local planning authority cannot demonstrate a 5-year supply of deliverable housing land. In accordance with national guidance, the policies in the development plan which act to restrict the supply of housing should therefore be considered out of date. As a result, policies CS5, CS34, and PSP40 cannot carry full weight.
- 5.4 When the development plan is out of date, application should be considered in the context of the presumption in favour of sustainable development. This is set out in paragraph 14 of the NPPF and states that planning permission should be approved unless the adverse impacts of doing so significantly and demonstrably outweigh the benefits of the proposal or the proposal conflicts with the NPPF when read as a whole or extant policies in the development plan.
- 5.5 The presumption in favour of sustainable development applies to this application. Therefore, this application must be determined on an analysis of the impacts of the development. Only where the benefits of development are significantly and demonstrably outweighed should planning permission be refused.
- 5.6 Site Sustainability
As stated, the application site is adjacent to the defined settlement. Should it have been located within the settlement boundary, the proposal would accord with the locational strategy and no principle objection raised. While Rangeworthy has relatively few services and facilities within the village, it does have a community centre and public house. It is also within the catchment area of 2 primary schools and has a suitable bus service for commuting to nearby town centres of Thornbury, Yate, and Cribbs Causeway.
- 5.7 It is therefore considered that despite not being located within the settlement boundary itself, the site is sustainable. There would not be a locational harm resulting from development of this site and this factor weighs in favour of the grant of planning permission.

5.8 Layout and Design

As this application is in outline form, in terms of design considerations, only the layout of the proposal can be considered. Policy CS1 requires development to reach the highest possible standards of site planning and design and integrate into the existing built form.

5.9 Rangeworthy is a village of two characters. Along Wotton Road, where the proposal is situated, development has a strong ribbon character to it with direct frontage to the highway. However, there is some back land development to the rear of a number of the dwellings on the west side of Wotton Road. Along New Road, development is more suburban in nature. There are a number of modern cul-de-sac developments accessed from New Road both mid-century and late twentieth century, some of them – such as Kingsfield – dense in nature. For the purposes of this application, the character of Wotton Road is the primary identifier in relation to local distinctiveness.

5.10 Concern has been raised about the impact of the proposal on the character and appearance of the area including the impact it would have on the gap between the southern and northern parts of the village. This is due to the suburban cul-de-sac layout which is at odds to the linear nature of the existing ribbon development. It is noted and acknowledged that the proposal would not continue the existing linear character. This is a harm and weight must be duly applied to it. However, while Wotton Road must be used primarily to define the nature of the village, weight must also be attached to the prevailing characteristics on the east side of Wotton Road. Here the development would not necessarily be harmful. The level of harm that can therefore be attributed to the layout must be muted.

5.11 Subject to conditions restricting permitted development rights and a strong landscaping scheme (which would be required as part of the future reserved matters) it is considered that some of the impact could be mitigated. This again would act to reduce the harm that can be attributed to the layout. Taking all of this into account, it should be concluded that some harm would result from the development if permitted but that the level of harm is less than substantial. This should be weighed in the overall planning balance.

5.12 Transport and Highways

Access to the site would be from a new junction on Wotton Road, which is a category B highway. From circumstantial information, it would appear that speeds along this section of the highway are above the posted speed limit of 30 miles per hour. In a 30 zone, visibility of 43 metres in either direction from the access is required; the proposed access provides visibility in excess of 100 metres. Therefore, while speeds may be higher than the legal limit, there is sufficient visibility at the access point to safeguard highway safety.

5.13 However, the access would appear to conflict with the recently installed pedestrian crossing point outside the site on Wotton Road. It is possible that the crossing point can be relocated without an adverse impact to highway safety. In order to achieve this, a condition would need to be applied to any

- consent given requiring details of an alternative crossing point to be agreed *and* the alternative crossing point installed prior to any development commencing on the site. Subject to this condition, the proposal would be safe in highway terms.
- 5.14 The site would provide adequate off-street parking for the proposed development. The number of bedrooms are undefined as the application is in outline form, however, the site has sufficient space to accommodate parking in accordance with the council's standards.
- 5.15 The development would not have a significant impact on the safe operation of the highway and therefore this element of the proposal is given neutral weight in decision taking.
- 5.16 Local residents and the parish council have expressed concern that the access would be over land which is not in the ownership of the applicant. The Parish Council has indicated that it has assumed ownership of the land. In this instance, the entirety of the grass verge is dedicated as highway land. Therefore, in terms of this application, the proposal can demonstrate an access to the highway; issues over ownership claims of the verge would then be a civil matter and any identified land owner would have to seek the stopping up of the highway along the verge for highway regulations not to apply.
- 5.17 Residential Amenity
Development should not be permitted which has a prejudicial impact on residential amenity or which fails to provide adequate living standards for future occupiers.
- 5.18 The layout is unlikely to give rise to any serious amenity concerns. Careful design will be required at reserved matters stage to ensure that plot 8 does not have an adverse impact on the windows in the side elevation of The Clovers although at approximately 20 metres it is likely that this can be achieved.
- 5.19 The plots themselves are relatively tight but the site more spacious. Again, it is likely that adequate amenity space can be provided but this is dependent on the number of bedrooms within a property.
- 5.20 It is not considered that a harm would result from the development related to residential amenity. This factor is therefore given neutral weight.
- 5.21 Ecology and Landscaping
Landscaping is a reserved matter. Revised plans have reduced the number of units to secure greater land for the provision of screen planting. A condition can be applied setting the parameters for the reserved matters applications. This is considered sufficient to ensure that adequate landscaping is achieved.
- 5.22 There is significant habitat on the site. An intact species rich hedgerow runs along the eastern boundary of the site and this should be retained. A hedgerow also divides the north and south field; it is not proposed that this is to be retained and that would be a limited harm resulting from the proposal. There is also a dry ditch and some scrub on the site.

- 5.23 The ecological appraisal submitted with the application recommends various mitigation and enhancement measures in the interests of biodiversity. These should be secured by condition to prevent any loss to biodiversity.
- 5.24 While the loss of the hedge is undesirable, new landscaping aimed at improving biodiversity can be secured. Therefore, the level of harm which can be attributed to this is limited.
- 5.25 Affordable Housing
As the proposed development exceeds 5 dwellings, under the provisions of policy CS18, an affordable housing contribution should be made. However, the provisions of policy CS18 conflict with national guidance on this matter. National guidance indicates that affordable housing should not be sought on schemes of fewer than 10 or fewer units unless in designated rural areas where a financial contribution should be sought.
- 5.26 The local planning authority has previously continued to apply this policy on the view that the local circumstances of the district outweighed national guidance. Recent appeal decisions within the district have not supported this position. In light of these decisions, officers no longer consider that a request for affordable housing on developments such as these which meet the local but not national triggers can be successfully defended at appeal. Therefore, greater weight is applied to national guidance and no affordable housing request will be made in this instance.
- 5.27 Community Infrastructure
A request has been made for a contribution to public open space. When the scheme was for 10 houses, the trigger for public open space contributions had been met. However, now the scheme is reduced in number it falls below the threshold. Therefore, a request for public open space contributions are no longer being progressed.
- 5.28 Drainage
A SUDS scheme has been requested by the Lead Local Flood Authority. While development of this scale may usually adequately address drainage through the building regulations approval process, Wessex Water has indicated that there has been previous issues in the area. While connection to existing Wessex Water assets is a matter for the sewerage undertaker, the level of need could be reduced through the provision of a SUDS scheme. A SUDS scheme would also have ecological and biodiversity benefits. Therefore a SUDS scheme should be submitted as part of the reserved matters.
- 5.29 Overall Planning Balance
The proposal, if permitted, would have the benefit of the provision of 8 additional residential units towards overall housing supply in the district. The site is considered to be sustainable and therefore this benefit has moderate weight.
- 5.30 A harm would result from the development, namely the introduction of a suburban cul-de-sac form of development along Wotton Road which is

characterised by its liner ribbon style of development. However, there are examples of similar development nearby and the level of harm is therefore less than substantial.

5.31 The harms which would result from development therefore do not significantly and demonstrably outweigh the benefits and it follows, that under the presumption in favour of sustainable development, planning permission should be granted.

5.32 Impact on Equalities

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.

5.33 With regards to the above this planning application is considered to have a neutral impact on equality.

5.34 Other Matters

A number of matters raised from the consultation responses have not been addressed in the main body of this report. These will be considered below.

5.35 As the proposed access has been found to be acceptable, an alternative access is not required.

5.36 Power supply is a matter for the electricity distributor; it is reasonable to expect a connection to the existing network and therefore this is not of significant weight in reaching a recommendation. The same applies to water pressure which is a matter for the statutory undertaker.

5.37 The application site is not in the green belt and green belt policy does not therefore apply. There would be a loss of some agricultural land but given the scale of development this is not considered to be a significant constraint to development.

5.38 It is noted that there is local concern that the site is an area of archaeological interest. The council's mapping systems note that there are areas of archaeological interest nearby but these do not extend into the site. It is therefore not considered to be a constraint to development in this instance.

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: Core Strategy (Adopted) December 2013 and the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 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. Approval of the details of the scale and appearance of the building(s), and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason

This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

2. Plans and particulars of the reserved matters referred to in the condition above, relating to the scale and appearance of any buildings to be erected, and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

Reason

This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

3. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason

This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

4. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason

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

5. 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 or E) 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 protect the characteristics of the village edge, to avoid any adverse impacts on the landscape, and in the interests of good design, to accord with policy CS1, CS9 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

6. Prior to the commencement of development, a plan indicating the revised location of the pedestrian crossing on Wotton Road shall be submitted to and approved in writing by the Local Planning Authority. Details of the specification of the crossing shall be included as shall a scheme for the removal of the existing crossing point and any works required to make good the highway. The development shall be undertaken in accordance with the agreed details. No development shall occur on the site until the revised pedestrian crossing has been installed on Wotton Road and the existing crossing removed.

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.

7. The reserved matters details relating to the landscaping of the site, as required by condition 2, shall include: an arboricultural report, to include arboricultural method statement, tree and hedgerow constraints plan, and tree and hedgerow protection measures, prepared in accordance with BS5837:2012; details of all boundary treatments; and an Ecological Mitigation and Enhancement Plan. The Ecological Mitigation and Enhancement Plan shall be based upon the recommendations in Section 6 of the Just Ecology (September, 2017) Ecological Appraisal and include a bat-friendly lighting scheme and details of bat access tiles, bricks, or tubes to be installed in the buildings hereby permitted. The Ecological Mitigation and Management Plan shall include a Reasonable Avoidance Measures Method Statement.

Reason

In the interests of the amenity of the landscape and biodiversity and the general character and appearance of the area to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

8. The reserved matters details relating to the landscaping of the site, as required by condition 2, shall include drainage details incorporating Sustainable Drainage

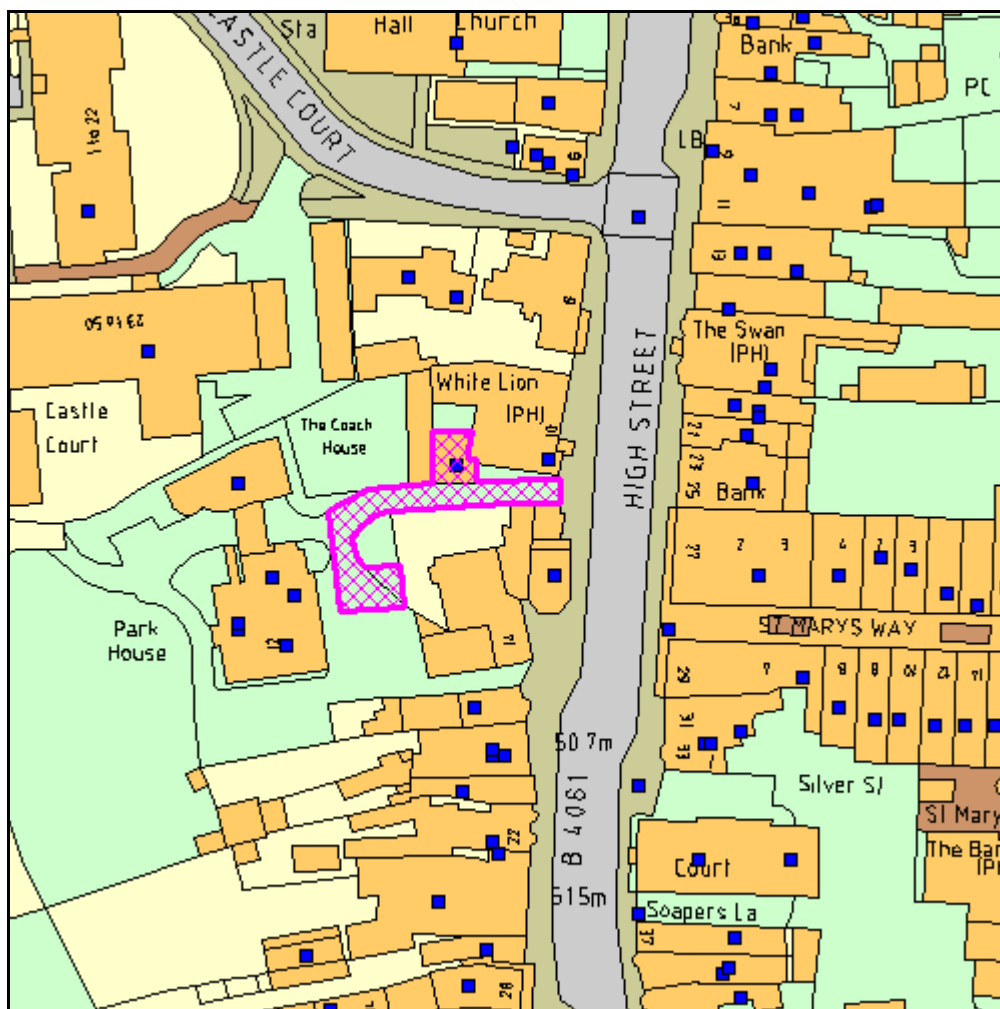
Systems (SUDS) and confirmation of hydrological conditions (e.g. soil permeability, watercourses, mining culverts). Furthermore, the SUDS scheme shall be designed to benefit wildlife and biodiversity, with particular regard as to providing habitat suitable for amphibians.

Reason

To ensure that a satisfactory means of drainage is provided, and to seek biodiversity improvements, 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. 51/17 – 22 DECEMBER 2017

App No.:	PT17/4361/F	Applicant:	Mr Robert Benson Trebtor Developments Ltd
Site:	The Old Surgery High Street Thornbury Bristol South Gloucestershire BS35 2AQ	Date Reg:	2nd October 2017
Proposal:	Change of use from financial services (Class A2) to 1no. residential dwelling (Class C3) as defined in Town and Country Planning (Use Classes) Order 1987 (as amended)	Parish:	Thornbury Town Council
Map Ref:	363641 190069	Ward:	Thornbury North
Application Category:	Minor	Target Date:	27th November 2017



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This report appears on the Circulated Schedule due to an objection from the Town Council related to the associated full planning application.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for Change of use from financial services (Class A2) to 1no. residential dwelling (Class C3) as defined in Town and Country Planning (Use Classes) Order 1987 (as amended).
- 1.2 The application site relates to The Old Surgery, Thornbury. The application site is noted as being located within the conservation area and associated with The White Lion public house, a listed building. Details included with the application have indicated this property is associated with the grade II listed building Park House situated further up the lane. Planning history is vague with the building sometimes being included within the red edge of applications associated with the public house and on other occasions not. Planning history does not show any association with Park House but given the vagueness of the situation is it accepted that the building shows sufficient association for it to be considered separately under a listed building consent application. This application should therefore, be read in conjunction with planning application PT17/4362/LB.
- 1.3 It is noted that the change of use from Class A2 to Class C3 can be considered under prior approval permitted development regulations if the amount of space changing use is less than 150square metres. This would be the case here but as the site falls within a conservation area, a full planning application is required.
- 1.4 During the application it was noted that the red edge did not extend around the access lane, although Certificate B had been served, or around the area allocated for parking. Revised plans were therefore requested and received to rectify the situation and put out for a period of consultation.

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
CS2	Green Infrastructure
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS12	Safeguarded Areas for Economic Development
CS13	Non-Safeguarded Economic Development Sites
CS14	Town Centres and Retailing

CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS18	Affordable Housing
CS32	Thornbury

South Gloucestershire Local Plan Policies Sites and Places Plan Adopted November 2017

PSP1	Local Distinctiveness
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP31	Town Centre Uses
PSP32	Local Centres
PSP33	Shopping Frontages
PSP39	Residential Conversions, Subdivision, and HMOs
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

PSP: Design checklist (adopted) 2007

PSP: Residential Parking Standards (adopted) 2013

PSP: Waste Standards (adopted) 2015

3. RELEVANT PLANNING HISTORY

- | | | |
|-----|--------------------------|---|
| 3.1 | PT04/3826/LB
Approved | Display of pub signage.
17.1.05 |
| 3.2 | P98/1675
Approved | Minor works of alteration and extension.
4.9.98 |
| 3.3 | N7257
Approved | Erection of single storey rear extension to lounge bar to form a dining room.
5.3.81 |
| 3.4 | N327/LBC
Approved | Incidental demolition to facilitate the erection of a single storey rear extension to lounge bar.
5.3.81 |

4. CONSULTATION RESPONSES

- 4.1 Thornbury Town Council
No comment

It is noted that the Town Council has objected to the associated full planning application PT17/4361/F on the grounds of loss of employment facilities.

Internal Consultees

- 4.2 Conservation Officer

No objection, but more details regarding the windows is required.

In principle the proposal would be acceptable as it represents a reinstatement of an historic use. Confirmation of the window treatment is required.

4.3 Transport Officer
No objection

4.4 Economic development
No objection. The proposed change of use will result in the loss of 58sqm of A2 floorspace within Thornbury Town Centre, however we recognise that the site does not sit within the Primary shopping area, or the Primary/Secondary shopping frontage and believe that the proposal will have a minimal impact on the town centre economy.

Other Representations

4.5 Local Residents
None received

5. ANALYSIS OF PROPOSAL

5.1 The applicant seeks change of use from financial services (Class A2) to 1no. residential dwelling (Class C3). The site relates to the Old Surgery, Thornbury. Details associated with this property are unclear and it is felt it could be historically linked to the White Lion, a listed building but details included with the application indicate it was associated with Park House, also a grade II listed building. Despite planning history being somewhat vague, it is that the building is within the conservation area and accepted that it would be curtilage listed.

5.2 Principle of Development
The proposal stands to be assessed against the above listed policies and all material considerations. Of particular importance is the location of the building within the conservation area and its association with listed buildings. Other relevant matters include the impact on highways and on the amenity of existing neighbours and future occupants. Had the site not been located within a conservation area, it would have been possible for the change of use to have been considered under prior approval which allows such changes of use provided the scheme would not amount to over 150 square metres. The scheme would have met this test and this counts in its favour.

5.3 Impact on the character of the conservation area and the grade II listed property.

The Old Surgery is a detached house adjacent to the main driveway leading to Park House, a grade II listed building. Details provided with the application indicate The Old Surgery was built at around the same time as Park House, and has undergone internal re-modelling over the years. The building is presently arranged as offices. Other planning history shows it within the red edge of applications for The White Lion.

- 5.4 It has been confirmed that there would be only minimal alterations, given the building has already undergone modernisation works. The extent of the alterations to the windows to repair existing have been confirmed and are considered acceptable. On this basis there would be no harm to the listed building and the change of use is acceptable. Similarly, the property is located in a mixed use area of Thornbury and as such there would be no adverse impact on the conservation area.
- 5.5 Loss of employment opportunities
The existing building has an internal floor space amounting to just under 60 square metres. This is quite a small space and although modernisation of the building has been undertaken in the past, the property is clearly dated inside and would require extensive works to bring it up to the standards of what would be required in a modern office. It is considered its use as viable employment accommodation would be severely limited. The change of use from offices to residential is acceptable under the new permitted development regulations and as such an objection on the basis of loss of employment opportunities could not be substantiated in an appeal situation.
- 5.6 Design and Visual Amenity
The proposal is for a change of use with modest changes to the fenestration to allow a successful conversion from office building to residential. There are therefore no objections to the scheme in terms of appearance, scale or massing and the scheme can be recommended for approval.
- 5.7 Residential Amenity
The scheme is for the change of use of a very small office building of around 60 square metres (internal space) to residential accommodation. No garden space is proposed for this new dwelling but given its town centre location, a matter of metres away from the busy High Street, there can be no objection to the proposed change of use of this small building. Amenity space is provided within Thornbury which future occupants could take advantage of and convenient access to nearby open countryside is also available.
- 5.8 Transport
The proposed change of use from financial services to a dwellinghouse would entail only a very small amount of floor space. It is therefore considered that the change of use would not significantly alter the trip generation pattern associated with these premises. It is further noted that the existing parking space allocated to the current office space will be retained for the new residents of this new 2no. bed property and an additional two parking spaces will be created alongside it for the use of visitors. On this basis the proposal would conform to the Council's adopted parking standards. There are therefore no objections in highway terms.
- 5.9 Impact on Equalities
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society. As a result of that Act the public sector Equality Duty came into force. Among other things, the Equality Duty requires that public bodies to have due regard to the need to: eliminate discrimination;

advance equality of opportunity; and, foster good relations between different groups when carrying out their activities.

- 5.10 Under the Equality Duty, public organisations must consider how they could positively contribute to the advancement of equality and good relations. This should be reflected in the policies of that organisation and the services it delivers.
- 5.11 The local planning authority is statutorily required to apply the Equality Duty to its decision taking. With regards to the Duty, the development contained within this planning application is considered to have neutral impact.

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: Core Strategy (Adopted) December 2013 and the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 It is recommended that the application is **APPROVED** subject to the conditions set out on the decision notice.

Contact Officer: Anne Joseph
Tel. No. 01454 863788

CONDITIONS

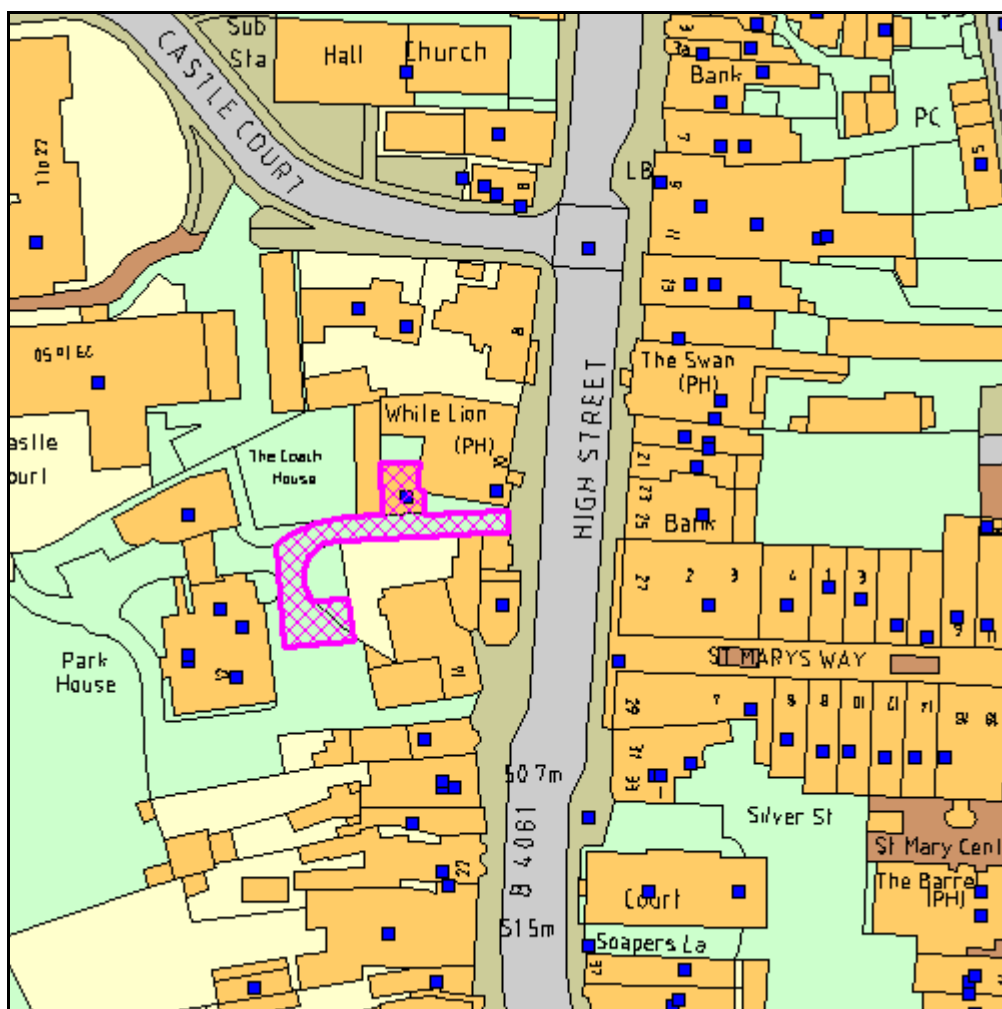
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 51/17 – 22 DECEMBER 2017

App No.:	PT17/4362/LB	Applicant:	Mr Robert Benson TrebordDevelopments Ltd
Site:	The Old Surgery High Street Thornbury Bristol South Gloucestershire BS35 2AQ	Date Reg:	2nd October 2017
Proposal:	Internal alterations to facilitate change of use from financial services (Class A2) to 1no. residential dwelling (Class C3)	Parish:	Thornbury Town Council
Map Ref:	363641 190069	Ward:	Thornbury North
Application Category:	Minor	Target Date:	27th November 2017



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

The following application appears on the Circulated Schedule following an objection from the Town Council.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for internal alterations to facilitate the change of use from financial services (Class A2) to 1no. residential dwelling (Class C3). The application site relates to The Old Surgery, Thornbury. It is situated within the Conservation Area but also regarded as being curtilage listed. Planning history is vague with regards to whether the building is associated with the grade II listed Park House, which is what is stated within the Design and Access Statement but, could be associated with the grade II listed White Lion public house where the Old Surgery has been included in some planning applications for this public house. Regardless, it is considered appropriate that the building be assessed as being curtilage listed.
- 1.2 The objection comment from the Town Council is noted, but it must be recognised that the change of use from Class A2 to Class C3 can be considered under prior approval permitted development regulations if the amount of space changing use is less than 150square metres. This would be the case here, given the site is just under 60 square metres, but as the site falls within a conservation area, a full planning application is also required and that assessment is contained within a separate report. This application should be read in conjunction with fully planning application PT17/4361/F.

2. POLICY CONTEXT

2.1 National Guidance

Planning (Listed Buildings and Conservation Areas) Act 1990
Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended)
National Planning Policy Framework March 2012
National Planning Practice Guidance March 2014
Managing Significance in Decision-Taking in the Historic Environment (GPA 2)
The Setting of Heritage Assets (GPA 3)

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

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

South Gloucestershire Local Plan Policies Sites and Places Plan Adopted November 2017

PSP1 Local Distinctiveness

PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP39	Residential Conversions, Subdivision, and HMOs
PSP43	Private Amenity Space Standards

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

3. **RELEVANT PLANNING HISTORY**

- 3.1 PT04/3826/LB Display of pub signage.
 Approved 17.1.05
- 3.2 P98/1675 Minor works of alteration and extension.
 Approved 4.9.98
- 3.3 N7257 Erection of single storey rear extension to lounge bar
 to form a dining room.
 Approved 5.3.81
- 3.4 N327/LBC Incidental demolition to facilitate the erection of a
 single storey rear extension to lounge bar.
 Approved 5.3.81

4. **CONSULTATION RESPONSES**

- 4.1 Thornbury Town Council
 Objection due to loss of employment site

4.2 Other Consultees

Conservation officer

Acceptable in principle – queries regarding the proposed changes to the fenestration.

Other Representations

- 4.3 Local Residents
 None received

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The only consideration in a listed building consent application is what the impact of the proposal will have upon the special architectural and historic character of the building.

- 5.2 The change of use from office to residential is considered acceptable, particularly given that the High Street of Thornbury is already a mixed use area comprising different businesses and residential dwellings. Details included with the application state that there would be limited internal changes as the property has already undergone modernisation in the past. This situation is accepted. Furthermore, confirmation has been sought and established that the external changes would be limited to repair or replacement of the existing fenestration to allow the conversion from offices to a dwellinghouse.
- 5.3 Given the above, and on this basis, there are no objections to the development in terms of impact on the listed buildings or on the conservation area.
- 5.4 Consideration of likely impact on Equalities
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.

With regards to the above this planning application is considered to have a neutral impact on equality.

6. CONCLUSION

- 6.1 The recommendation to **grant** consent has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 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 listed building consent is **GRANTED** subject to conditions attached to the decision notice.

Contact Officer: Anne Joseph
Tel. No. 01454 863788

CONDITIONS

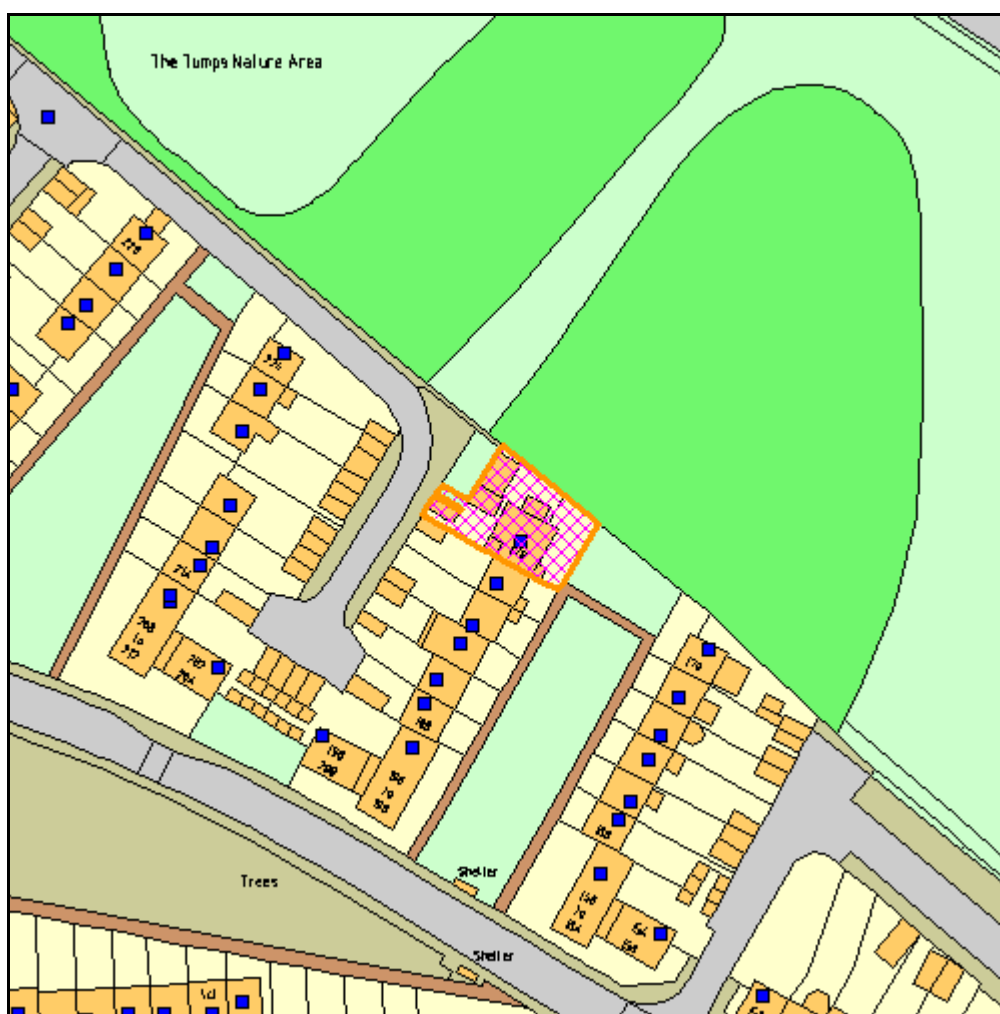
1. The works hereby permitted shall be begun before the expiration of three years from the date of the consent.

Reason

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

CIRCULATED SCHEDULE NO. 51/17 – 22 DECEMBER 2017

App No.:	PT17/4497/F	Applicant:	Mr & Mrs Warren
Site:	178 Coniston Road Patchway Bristol South Gloucestershire BS34 5JX	Date Reg:	13th October 2017
Proposal:	Conversion of existing dwelling into 2no. 2 bed flats with external alterations and associated works	Parish:	Patchway Town Council
Map Ref:	359928 182267	Ward:	Patchway
Application Category:	Minor	Target Date:	21st November 2017



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INTRODUCTION

This application has been referred to the Circulated Schedule due to the receipt of objection letter from the Patchway Town Council.

1. PROPOSAL AND SITE DESCRIPTION

- 1.1 The application seeks planning permission for the conversion of the existing 4 bedroom dwelling to form 2 no. 2 bedroom flats at No. 178 Coniston Road, Patchway.
- 1.2 The development relates to a two-storey end-terrace which is located in the built up residential area of Patchway and part of the North Fringe of the Bristol Urban Area. The property benefits from front and rear gardens and a detached garage at the rear.
- 1.3 It is proposed that the flats would be accessed by two separate entrances. The ground floor flat would utilise the existing front entrance and a new external staircase is proposed for the first floor flat. The existing private garden would be subdivided for each flat. During the course of the application, a revised proposal was submitted to address the concerns regarding the functionality of the proposed amenity space.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012
National Planning Practice 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
CS15	Distribution of Housing
CS16	Housing Density
CS25	Communities of the North Fringe of Bristol Urban Area

South Gloucestershire Policies, Sites and Places Plan (Adopted) November 2017

PSP1	Local Distinctiveness
PSP8	Residential Amenity
PSP11	Transport Impact Management
PSP16	Parking Standards
PSP38	Development within Existing Residential Curtilages
PSP39	Residential Conversions, Sub-Divisions and Houses in Multiple Occupation

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) August 2007

Residential Parking Standard SPD (Adopted) December 2013

South Gloucestershire Waste Collection: guidance for new development SPD (Adopted) January 2015

3. **RELEVANT PLANNING HISTORY**

3.1 PT07/3313/F Erection of first floor side and rear extensions to provide additional living accommodation with balcony to the side. Approved 28.12.2007

3.2 P99/1533 Erection of single storey side and rear extension. Approved 18.05.99

4. **CONSULTATION RESPONSES**

4.1 Patchway Town Council

Objection due to the loss of a family house by the application to convert this house into two flats. This application would also reduce the amount of amenity space for the residents and create more pressure on parking spaces by extra vehicles.

4.2 Highway Structures

No comment

4.3 Lead Local Flood Authority

No objection.

4.4 Sustainable Transport

No objection provided that the applicant is willing to demolish the existing garage in order to provide an off-street parking space.

Other Representations

4.5 Local Residents

No comments received

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

South Gloucestershire Council does not have a five year land supply. As such paragraph 49 of the NPPF is engaged. Paragraph 49 declares that housing applications should be considered in the context of the presumption in favour of sustainable development. Paragraph 14 of the NPPF goes on to states that proposals that accord with the development plan should be approved without delay, and where relevant policies are out-of-date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the

NPPF. Notwithstanding the above, the adopted development plan remains the starting point for assessment

5.2 Generally, the development plan supports residential development within the established urban areas. This can include the subdivision of existing residential properties into smaller units of self-contained accommodation. However, whilst there is general support for such developments, each proposal is assessed on its own merits and should meet the policy requirements for such conversion. PSP39 states that subdivision of existing dwellings to form flats could be acceptable. However, this would be providing that they would:

- 1) Not harm the character and amenity of the area within which they are located; and
- 2) Not prejudice the amenity of neighbours; and
- 3) Provide adequate amenity space; and
- 4) Provide parking in accordance with the Councils parking standards.

5.3 The proposed flat conversion which is submitted as part of this application is considered to be acceptable in principle subject the considerations involving impact on the character of the area, residential amenity and highway safety. This will be discussed below.

5.4 Design and Visual Amenity

The submitted plans show minimal external alterations to the property which involve the installation of an external staircase, the replacement of windows, the insertion of a new window on the ground floor side elevation and the replacement of conservatory roof with opaque roof. Furthermore, plans show that bin and bike storage would be provided in the front and rear garden, as well as a fence to separate the private amenity spaces to each flat. Design of the proposed staircase has been submitted with the proposal.

5.5 Officers consider that the scale of the proposed alterations is very modest and the design and material of the proposed staircase would be appropriate for this urban location. As such, it is considered that these changes would not harm the character or amenity of the surrounding area. Hence, there is no objection from the design and visual amenity perspective.

5.6 Residential Amenity

The nearest property to the property would be No. 180 Coniston Road. The proposed external staircase and the alterations to windows and door would be noticeable to nearby occupiers. However, it is not considered that this conversion to 2no. flats would result in harmful impacts to the residential amenity of neighbours given the location and the scale of the proposed alterations and external staircase.

5.7 PSP43 sets out guidance as to the level of private amenity space all new residential units are expected to have. It advises that a 2+bedroom flat should provide 5 square metre and private shared communal space. The development would involve the creation of 2 no. 2 bedroom flats. The submitted revised plans show that the ground floor flat would have approximately 65 square metres of amenity space within the existing rear / side garden, and the first floor

flat would have approximately 46 square metres. Both proposed amenity space would be private and functional. As the amount of provision would be in excess of the policy requirements, therefore the proposal is acceptable from this perspective.

5.8 Highway Safety

The proposal is to seek to convert the existing dwelling into two 2 bed flats. The proposals show one off street parking space for the ground floor flat and a garage space for the first floor flat.

5.9 Officers noted that the concerns raised by the Town Council. The Highway Officer has reviewed the submitted details and raised no objection to the proposal provided that the existing garage to be demolished in order to secure the provision of an off-street parking space in accordance with the size requirement given that the existing garage is currently sub-standard in size.

5.10 Whilst the Highway Officer suggests the existing garage to be demolished, your case officer be mindful that Paragraph 32 of the NPPF, which states that applications should not generally be refused unless there is a severe residual impact arising from highway safety impact. It is noted that the application would not comply with the Councils Residential Parking SPD, given the scale of the development and the sites context, it is felt that, on balance, the development would not have a severe residual impact, particularly given the existing situation.

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 Policies, Sites and Places Plan (Adopted) November 2017 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 following conditions:

Contact Officer: Olivia Tresise
Tel. No. 01454 863761

CONDITIONS

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

Reason

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

2. Prior to the relevant stage of the development hereby approved, the detailed design of the following items shall be submitted and approved in writing by the local planning authority.
 - a. Bin Storage
 - b. Cycle Storage
 - c. Boundary treatment including design and materials

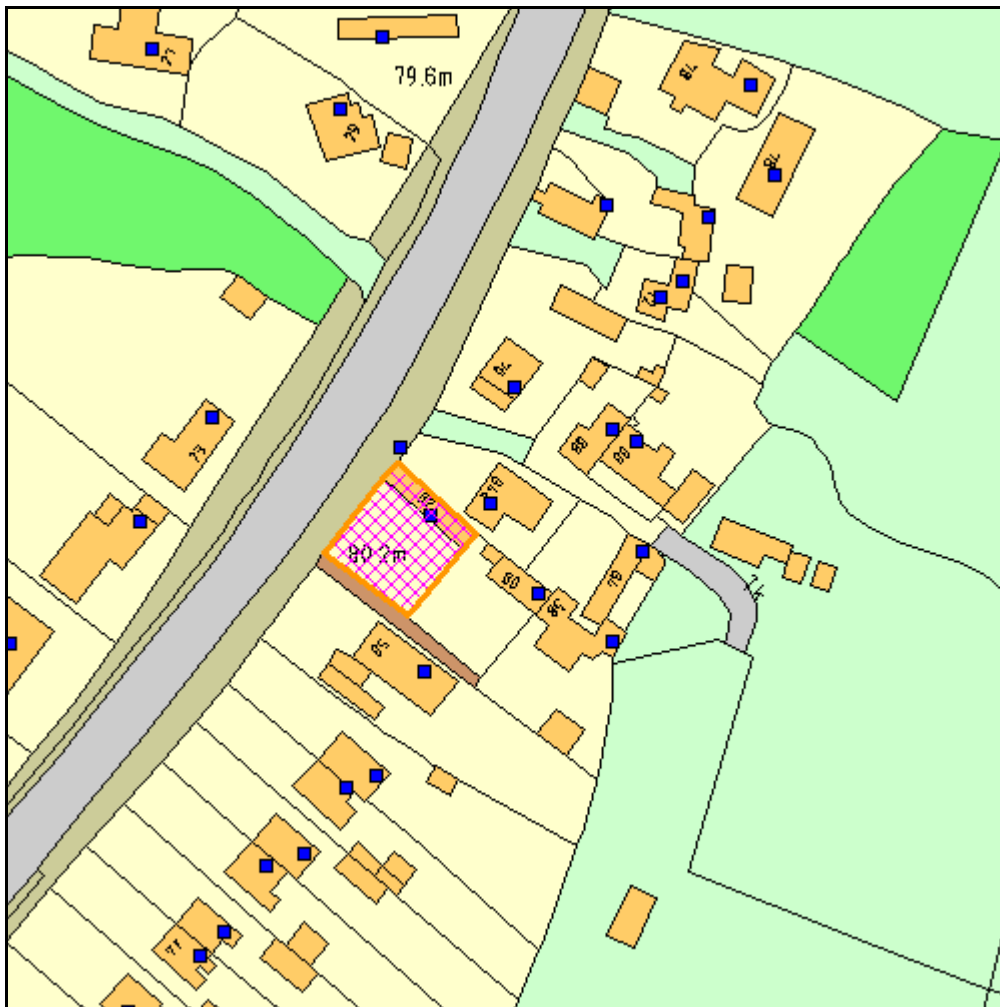
The details shall be submitted via elevation drawings, and the development shall be completed strictly in accordance with the agreed details prior to the first occupation of the dwelling.

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; Policy PSP1 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017), and the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 51/17 – 22 DECEMBER 2017

App No.:	PT17/4746/F	Applicant:	Mr And Mrs Snell
Site:	Southview 62 Gloucester Road Rudgeway South Gloucestershire BS35 3RT	Date Reg:	25th October 2017
Proposal:	Erection of two storey and single storey front extensions to form additional living accommodation. Erection of replacement front porch and detached car port/ wood store	Parish:	Alveston Parish Council
Map Ref:	362578 186522	Ward:	Thornbury South And Alveston
Application Category:	Householder	Target Date:	6th December 2017



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The application seeks consent for the erection of two storey and single storey front extensions to form additional living accommodation. Erection of replacement front porch and a detached car port/ wood store.
- 1.2 The property is a detached stone built, rendered finish cottage style dwelling, set off driveway off the main road, with walled private curtilage area to the front of the property, located on the main Gloucester Road, Rudgey. The application site is located within the settlement area of Rudgey, which is washed over by the Green Belt.

2. POLICY CONTEXT**2.1 National Guidance**

National Planning Policy Framework March 2012
Planning Practice Guidance

2.2 Development Plans**South Gloucestershire Local Plan Core Strategy (Adopted December 2013)**

CS1 High Quality Design
CS5 Location of Development
CS34 Rural Areas

South Gloucestershire Local Plan – Policies Sites and Places Plan (Adopted November 2017)

PSP7 Green Belts
PSP8 Residential Amenity
PSP16 Parking Standards

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist SPD August 2007
South Gloucestershire Development in the Green Belt SPD 2007
South Gloucestershire Residential Parking Standards (Approved December 2013).

3. RELEVANT PLANNING HISTORY

- 3.1 PT07/3463/F – Demolition of existing outbuilding and erection of 1no dwelling with bin cycle and store. Creation of new vehicular access and parking area. Refused 21st December 2007.

4. CONSULTATION RESPONSES

- 4.1 Alveston Parish Council

No objections.

4.2 Sustainable Transportation

The applicant seeks to erect a two storey and single storey front extension to form additional living accommodation. Adequate off street parking and turning area will remain. There are no transportation objections.

Highways Drainage

No comments

Archaeological Officer

There are no objections to this proposal on archaeological grounds

Other Representations

4.3 Local Residents

2 representation have been received raising objection, concerns and issues, as follows:

1. *'I believe this expansion will block the light to my open space, and may devalue my house.*

2. *'I have had chance to consider the planning proposal of my neighbour. I would like the following points to be considered:*

I am assuming there will be a choice of appropriate materials - ie second hand pan tiles and traditional render which will be key to ensuring that the new addition fits into its context.

I would ask whether the glazing in the roof lights overlooking my garden could have diffused glass in them to ensure that there is no overlooking. I'm not sure they need 3, I believe if it was in a conservation area or listed then only 1 or 2 would be expected.

I have reservations about the shadow that will be cast over my garden and ask whether the shadow lines of the new structure could be illustrated in plan form to allay my concerns.

Can I ask for assurances that if the boundary wall is damaged during construction, it will be rebuilt.

On a private legal basis I would want to check that damage to the drive will be corrected and that the boundary wall will be maintained.'

1 letter of support has also been received, as follows:

'As a neighbour we have reviewed the plans and have no difficulty with it. It will enhance the property.'

5. PRINCIPLE OF DEVELOPMENT

5.1 Extensions to dwellings within residential curtilages are acceptable in principle subject to detailed development control considerations in respect of local amenity, design and transportation. The issues for consideration in this respect therefore are whether the proposals have an adverse impact on the amenities of nearby occupiers and whether the design of the proposal is sufficiently in keeping with the site and surroundings, as well as the acceptability of the proposals in terms of their Green Belt location.

5.2 Green Belt

The principle of residential extensions within the Green Belt is acceptable provided that they are not disproportionate or impact upon the openness of the Green Belt. The proposed extension would appear subservient to the main dwelling and a proportion of it would be within the existing built footprint. Although washed over by Green Belt the site is wholly within the defined settlement boundary, within the setting of a built up area, amongst other various dwellings. The proposed extensions in their own right would not contribute to an issue of disproportionality to the original detached dwelling nor impact upon the openness of the Green Belt and there appears to be no planning history or previous extension of the property with which would give rise to any additional consideration in this respect. Similarly the proposed opensided garage/woodstore is considered to be an acceptable addition within the context of the site and surroundings. The proposals are therefore considered appropriate development in the Green Belt and therefore acceptable on this basis.

5.3 Residential Amenity

The comments raised above, are noted. The bulk of the proposals would be located approximately 2.5 metres off the shared boundary to the south east. The extension on this elevation would be staggered in height down to single storey level, with pitched roof above, sloping away from the boundary. This serves to reduce the bulk and scale of the proposals on this elevation. No new facing windows are proposed on this elevation, although there are high level velux style rooflights to give light. To the rear (north east) elevation, the proposals would build above an existing ground floor development. It is not considered that this height increase at this location would give rise to additional significant amenity impact given the location orientation and relationship of the relative properties. It is not considered that the three velux rooflights would give rise to significant overlooking issues, given their height, location and orientation. Any issues of shared boundary walls and driveways and any damage to such would be a private civil matter, notwithstanding this the granting of permission would not give rights to access or use land not within the applicants control. The location and design of the garage building is considered acceptable in amenity terms given its location and orientation. Given therefore the nature, scale, location and design of the proposals, they are not considered to give rise to material or significant amenity issues such as to warrant objection and sustain refusal of the application on this basis.

5.4 Design

The proposals would integrate adequately within the existing plot and surrounding area. The proposals are considered acceptable in design terms and are an acceptable addition to the existing dwelling and the plot. Materials used would match those of the existing dwelling. Sufficient private amenity space would also remain within the site.

5.5 Sustainable Transportation

There are not considered to be any highways/transportation implications associated with the proposal and sufficient off-street parking provision and turning would exist within the site to serve the property.

5.6 Equalities

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.

With regards to the above this planning application is considered to have a neutral impact on equality.

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 It is considered that the proposals are satisfactory in terms of Green Belt, design and local amenity and as such are in accordance with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and CS1, CS5 and CS34 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 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 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. The colour, type and texture of the rendered finish to the external walls of the proposed extension shall match that of the existing building.

Reason

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

4. No windows other than those rooflights shown on the plans hereby approved shall be inserted at any time in the north east elevation of the property.

Reason

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 and PSP8 of the South Gloucestershire Policies Sites and Places Plan (Adopted) November 2017, and the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 51/17 – 22 DECEMBER 2017

App No.:	PT17/4807/F	Applicant:	Mr & Mrs B Banks
Site:	Bank Cottage Bank Road Pilning South Gloucestershire BS35 4JG	Date Reg:	3rd November 2017
Proposal:	Demolition of existing single storey side extension and erection of two storey side extension to form additional living accommodation. Creation of new vehicular access with parking and associated works.	Parish:	Pilning And Severn Beach Parish Council
Map Ref:	356205 184959	Ward:	Pilning And Severn Beach
Application Category:	Householder	Target Date:	1st January 2018



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CIRCULATED SCHEDULE

This application appears on the Circulated Schedule following comments received from the local town council contrary to Officer recommendation.

1. THE PROPOSAL

- 1.1 The application seeks planning permission for the Demolition of existing single storey side extension and erection of two storey side extension to form additional living accommodation. Creation of new vehicular access with parking and associated works at Bank Cottage, Pilning.
- 1.2 The host dwelling is a two-storey, semi-detached property finished in render. The site is within the Bristol/Bath Green Belt.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Policy Guidance

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS5	Location of Development
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS34	Rural Areas

Policies, Sites and Places Plan Adopted November 2017

PSP1	Local Distinctiveness
PSP2	Landscape
PSP7	Development in the Green Belt
PSP8	Residential Amenity
PSP16	Parking Standards
PSP17	Heritage Assets and the Historic Environment
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Space Standards

2.3 Supplementary Planning Guidance

- (a) South Gloucestershire Design Checklist (Adopted) August 2007
(b) Development within the Green Belt (Adopted) June 2007
(c) Residential Parking Standard (Adopted) December 2013
(d) Landscape Character Assessment (Adopted) November 2014

3. RELEVANT PLANNING HISTORY

- 3.1 No relevant planning history

4. **CONSULTATION RESPONSES**

4.1 Pilning and Severn Beach Parish Council

1) The proposed new access and car parking should be approved provided the existing space and access is removed.

2) The proposed extension should be refused because it is not in keeping with the existing building and will cause shadowing/ overlooking of neighbouring properties.

Other proposals would not cause shadowing or overlooking so therefore as there are other options this application should be refused.

Archaeology

There are no objections to this proposal on archaeological grounds

Sustainable Transport

The applicant seeks to create a two storey side extension and new vehicular access with parking.

The proposed access has acceptable visibility and is an improvement over the existing parking as vehicles will be able to turn and leave the site in forward gear.

It is requested that the existing off street parking space be permanently stopped up in favour of the proposed parking arrangement.

There are no transportation objections.

Other Representations

4.2 Local Residents

No Comments Received

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The proposed development is established as acceptable in principle by PSP38 of the Policies, Sites and Places Plan which manages development within existing residential curtilages. However, due to the designations of the site, a number of other policies are relevant to how the application will be determined.

5.2 Whilst extensions to existing dwellings are acceptable under PSP38, as the site is within the green belt, PSP7 and the NPPF restricts disproportionate extensions.

5.3 Therefore, the proposed development is acceptable in principle subject to the analysis set out below.

- 5.4 Green Belt and Landscape
Development within the green belt is strictly limited to retain the open nature of the land. Extensions to existing dwellings can be appropriate provided that they are proportionate to the size of the existing dwelling.
- 5.5 An assessment of whether an extension is proportionate is undertaken by calculating the percentage volume increase above the original volume of the dwelling.
- 5.6 The proposed development would result in an increase in additional volume of just under 30% to the main property. The proposal will replace an existing single storey element and although there would be some increase in volume there would be little change in the overall footprint of the dwelling. The replacement of the flat roof extension by a two-storey gabled roof is considered to be more aesthetically appropriate to the dwelling and although a large addition, would not be disproportionate. In this way the proposal accords with Green Belt policy and is acceptable.
- 5.7 Design and Visual Amenity
The application seeks planning permission for the Demolition of existing single storey side extension and erection of two storey side extension to form additional living accommodation. Creation of new vehicular access with parking and associated works at Bank Cottage, Pilning.
- 5.8 The proposed two storey side extension will replace the existing single storey side element. The proposal will have a width of 4.5 metres, a depth of 3.7 metres and a maximum height of 5.7 metres, the proposal will feature a gable roof with materials that match the existing dwelling. The slight reduction in ridge height, and the stepping-back of the front elevation at both floor levels also increase the levels of subservience between the proposed extension and the host dwelling. As such it is considered that the proposed extension would appear as an appropriate addition within the immediate streetscene.
- 5.9 The proposal also seeks to create a hardstanding and new access to the front of the principal elevation, this change will facilitate extra vehicles and also improve highway safety and has the support of the transport department.
- 5.10 An objection was raised regarding the proposed materials not being in keeping with the existing dwelling, during the course of the application the case officer requested that materials of the proposal be the same as the existing dwelling, the agent confirmed this is acceptable and a condition will be attached to the decision notice.
- 5.11 Residential Amenity
Policy PSP38 of the PSP Plan (November 2017) sets out that development within existing residential curtilages should not prejudice residential amenity through overbearing; loss of light; and loss of privacy of neighbouring occupiers.

- 5.12 The impact of the proposal on the residential amenity currently enjoyed by the occupiers of neighbouring properties has been considered. Due to the location of the extensions, it is not considered that its erection would materially harm the residential amenity at any of the adjoining properties. Due to levels of separation, it is not deemed that the proposed extensions would impact upon the residential amenity enjoyed at properties
- 5.13 The proposal will occupy additional floor space, however sufficient private amenity space will remain following development.
- 5.14 An objection was raised regarding overlooking, it is considered the proposal would have some impact on overlooking at the very rear garden of No.5 Northover Court, however, it is not deemed that the increased sense of overbearing would have such a significant impact on living conditions as to substantiate a reason for refusing the proposed development.
- 5.15 An objection was raised concerning overshadowing. The adjacent property Sage Cottage is a North-West facing property, due to its orientation the property gets little direct sunlight. Having looked at the path of the sun at various times of the year and taken into consideration the additional storey, it is considered the proposal would have limited impact upon loss of sunlight and would not significantly impact living conditions.
- 5.16 The subject property is located within a built up residential area and given the scale and location of the proposed development, the proposal will not result in an unacceptable impact on the residential amenity of its neighbouring occupiers. Therefore, the development is not considered to be detrimental to residential amenity and is deemed to comply with Policy PSP38 of the PSP Plan (November 2017).
- 5.17 Sustainable Transport and Parking Provision
The proposal will include an additional bedroom, however new vehicular access is being formed as part of the proposal and the hardstanding provides space for 2 vehicles and is therefore in accordance with the provisions of the Residential Parking Standards SPD.

The proposal will improve access and vehicular parking currently provided at the host dwelling, this is supported by the transport department.

- 5.18 Equalities
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.

With regards to the above this planning application is considered to have a neutral impact on equality.

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 development plan set out above, and to all the relevant material considerations set out in the report.

7. **RECOMMENDATION**

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

Contact Officer: Westley Little
Tel. No. 01454 867866

CONDITIONS

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

Reason

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

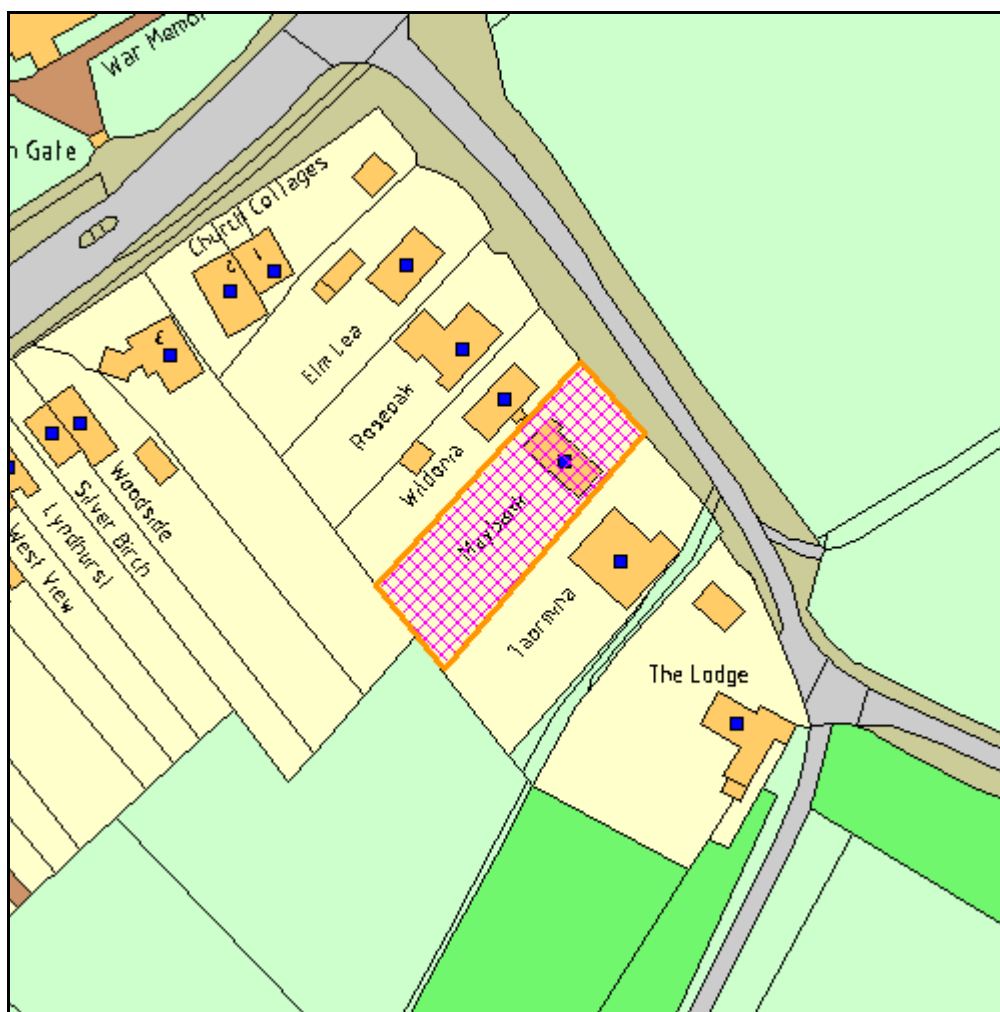
2. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason

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

CIRCULATED SCHEDULE NO. 51/17 – 22 DECEMBER 2017

App No.:	PT17/4998/F	Applicant:	D Nunn
Site:	Maybank Forty Acre Lane Alveston Bristol South Gloucestershire BS35 3QU	Date Reg:	13th November 2017
Proposal:	Erection of extendable enclosure to cover existing swimming pool.	Parish:	Alveston Parish Council
Map Ref:	363440 187412	Ward:	Thornbury South And Alveston
Application Category:	Householder	Target Date:	18th December 2017



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REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

The application has received a comment which is contrary to the Officer recommendation. As such, the application must be placed on the Circulated Schedule for Members.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of an extendable enclosure to cover an existing swimming pool at Maybank Forty Acre Lane.
- 1.2 The application relates to a detached bungalow. The site is situated in the Green Belt and outside of the Alveston settlement boundary.
- 1.3 The design and access statement submitted states that “the proposed extension is designed to enclose an existing hydrotherapy pool.....and is used by the householder to augment an exercise regime tailored to suit a specific disability.”

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013
CS1 High Quality Design
CS4a Presumption in Favour of Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS34 Rural Areas

South Gloucestershire Local Plan Policies, Sites and Places Plan (Adopted) November 2017

PSP1 Local Distinctiveness
PSP2 Landscape
PSP7 Development in the Green Belt
PSP8 Residential Amenity
PSP38 Development within Existing Residential Curtilages
PSP43 Private Amenity Space Standards

- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) August 2007
Development within the Green Belt SPD (Adopted) June 2007

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

4.1 Alveston Parish Council

"No objection."

Tree Officer

"There are no objections to this application."

Archaeology Officer

"There are no objections to this proposal on archaeological grounds."

Other Representations

4.2 Local Residents

One received:

"Omitted from plans are a number of other mature trees growing in same area as willow tree within falling distance. Omitted, a further tree adjacent to proposed position of structure, within 1 metre. The structure will be underneath overhead 240v power lines. Size and height of proposal too dominant & overbearing, affecting nearly 20 years of enjoyment of our property. Impact will mean it is visible from our property - bedroom, lounge, conservatory, patio and garden. Outlook from bedroom window already significantly altered by recent extension - this is marked on plan as dining room, to which structure will be attached. It will be visible from road & in addition field footpath following leaf fall until new growth, a number of months in the year. Footpath well used by ramblers, allotment holders & dog walkers. What is involvement of Weston College? We would respectfully ask someone from Planning visit the site."

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Paragraph 89 within the NPPF allows for the extensions or alterations to buildings within the Green Belt, provided this does not result in disproportionate additions over and above the size of the original building. Development which is judged to be disproportionate with regard to the original building will be viewed as inappropriate development, harmful to the green belt and will not be permitted.

5.2 Policy PSP38 of PSP the Plan allows the principle of development within residential curtilages, subject to considerations of design, 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.

5.3 Green Belt

The application proposes to erect a single storey extendable enclosure to cover an existing swimming pool. PSP7 states "additions and alterations to buildings

in the Green Belt will be acceptable provided they do not result in disproportionate additions over and above the size of the original building. As a general guide, an addition resulting in a volume increase up to 30% of the original building would be likely to be acceptable....the larger a building becomes in excess of 30% over and above its original size, the less likely it is that the new extension(s) will be considered proportionate.”

- 5.4 Volume calculations completed by the Case Officer show the original house to have a volume of 315m³; the rear extension to be 61m³; and the side extension to be 60m³. The property therefore is currently 38% larger than the original. The volume of the enclosure has been estimated to be 119m³ when extended, and 28m³ when withdrawn. When combining these calculations, if approved, the property would have a maximum volume of 76% above the original, and a minimum of 47% above the original.
- 5.5 An additional issue in this particular case is Paragraph 79 of the NPPF and the description of the Green Belt. “The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.” The proposal is an extendable enclosure. The issue of permanence and openness of the Green Belt is therefore in dispute when considering the enclosure; as the proposal will vary from 2.4m deep when withdrawn, to 9.5m deep when extended.
- 5.6 It is acknowledged that when extended, the proposal would read as a large extension to the property. However, when withdrawn the dimensions of the proposal would meet permitted development (prior householder notification) criteria. When considering this variation, its permanence, and the impact on openness in the Green Belt, the Case Officer finds that the proposal does not constitute inappropriate development in the Green Belt and accords with PSP7 and the NPPF.
- 5.7 Design
The application site consists of a detached dwelling finished in render with a front porch; single storey side and rear extensions; and a loft conversion. The site is situated within a large and spacious plot forming a linear pattern of development on the southwest side of Forty Acre Lane, Alveston. Open and rural land is situated on the north east side of this lane. As such, the site acts as the boundary between the residential area and the open countryside beyond. The street scene is characterised by a variety of housing designs and types, a number of which have already been extended.
- 5.8 The proposed pool enclosure is divided into four sections and installed on a track which allows the structure to be arranged into numerous configurations. The proposed pool enclosure will be constructed from powder coated aluminium frames with UV protected polycarbonate panels in a semi-tubular shape. It is 2.8m high and 6m wide. At its maximum it would be 9.5m deep, the depth of the host dwelling is 6.2m. At its minimum it would be just 2.4m deep.
- 5.9 From the analysis above, it is clear that when extended, the proposed

development would fail to respect the scale, massing and proportions of the host dwelling. However, when withdrawn the proposal would respect the scale, massing and proportions of the host dwelling. When considering this difference, plus that the proposed extension would be located on the rear elevation and as such, is not visible within the public realm. Whilst the proposal fails to reach the highest possible design standards in relation to the host property, it is not considered that such a refusal reason could be sustained at appeal, given the context of the site and the location of the proposed extension.

5.10 Residential Amenity

Policies PSP8 and PSP38 of the PSP Plan sets out that development within existing residential curtilages should not prejudice residential amenity through overbearing; loss of light; and loss of privacy of neighbouring occupiers.

5.11 The application relates to a detached dwelling situated outside the settlement boundary of Alveston, but the locality is established residential in character. The nearest neighbouring properties to the application site are Wildonia to the north, and Taormina to the south.

5.12 It is noted that the depth of the proposed enclosure, when extended appears very long in the context of the site. However, when considering the modest height of the proposal, that it is single storey, plus the variations of the enclosure, combined with the existing boundary treatment. The proposal is considered to be acceptable in terms of residential amenity.

5.13 When considering policy PSP43, an adequate amount of private amenity space would remain post development.

5.14 When considering the existing boundary, combined with the siting and scale of the proposal. The proposal would not appear overbearing or such that it would prejudice existing levels of outlook or light afforded to neighbouring occupiers. Therefore, the development is deemed to comply with policies PSP8 and PSP38 of the PSP Plan.

5.15 Highway Safety

The proposal does not affect current parking provision, access, or bedroom umbers. Therefore there are no highways objections to the proposal.

5.16 Trees

Owing to the unique nature of the proposal, typical foundations are not required. This combined with the location of the existing trees as viewed on a site visit, and the comment by the Tree Officer results in there being no objection in regards to trees.

5.17 Other matters.

The proposal does not affect the public right of way located to the north east of the proposal, additionally it is unlikely to affect the operation of the overhead power lines.

5.18 Equalities

The Equality Act 2010 protects people from discrimination in the workplace and in wider society. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity; and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.

- 5.19 With regards to the above this planning application is considered to have a positive impact on equality as the proposal is needed to meet the needs of a disabled individual.

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 development plan set out above, and to all the relevant material considerations set out in the report

7. RECOMMENDATION

- 7.1 That the application is **APPROVED** subject to the condition on the decision notice.

Contact Officer: David Ditchett
Tel. No.

CONDITIONS

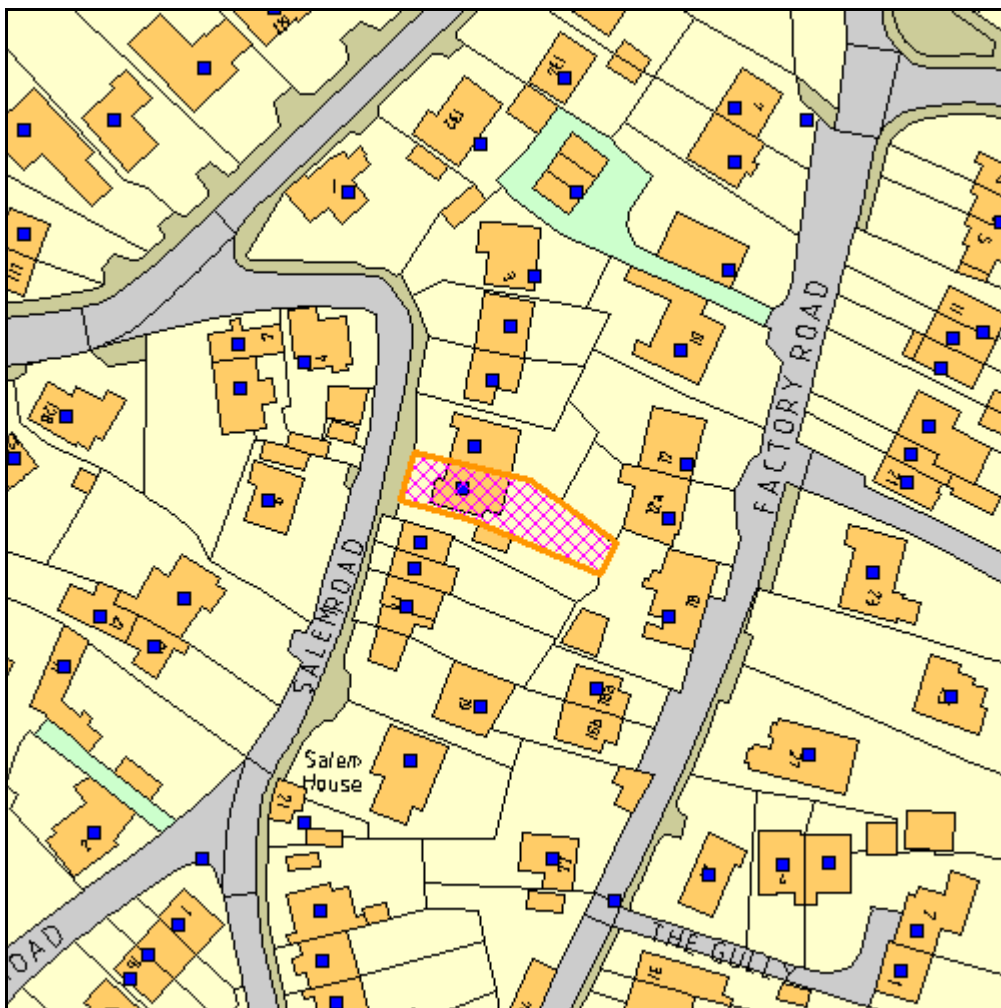
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 51/17 – 22 DECEMBER 2017

App No.:	PT17/5063/F	Applicant:	Mr Peter Bacon
Site:	11 Salem Road Winterbourne Bristol South Gloucestershire BS36 1QF	Date Reg:	13th November 2017
Proposal:	Erection of single and two storey rear extension to provide additional living accommodation. Installation of raised decking area with balustrade.	Parish:	Winterbourne Parish Council
Map Ref:	365805 181220	Ward:	Winterbourne
Application Category:	Householder	Target Date:	26th December 2017



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application is referred to the Circulated Schedule as a representation has been received from the Parish Council which is contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 The application seeks planning permission for the erection of a single and two storey rear extension to provide additional living accommodation and installation of a raised decking area with balustrade at 11 Salem Road, Winterbourne.
- 1.2 The application site consists of a mid-late 20th century semi-detached property located within the defined settlement boundary for Winterbourne.

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

South Gloucestershire Policies, Sites and Places Plan Adopted November 2017

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

- 2.3 Supplementary Planning Guidance
Design Checklist SPD (adopted) December 2013
Residential Parking Standards SPD (adopted) August 2007

3. RELEVANT PLANNING HISTORY

- 3.1 No relevant planning history.

4. CONSULTATION RESPONSES

- 4.1 Winterbourne Parish Council
Objection. The Parish Council are concerned regarding the overlooking effect of neighbours to the rear especially the balustrade.

4.2 Sustainable Transport

No detail of existing or proposed vehicular access and parking has been submitted with this planning application so I am unable to assess if there is adequate vehicular parking available within the site boundary. However, as the development does not propose any increase in the bedrooms to the first floor, there is no basis for a transportation objection to this proposed development.

Other Representations

4.3 Local Residents

No comments received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy PSP38 of the Policies, Sites and Places Plan (November 2017) allows the principle of development within residential curtilages subject to considerations of visual amenity, residential amenity and highway safety. Furthermore, CS1 of the Core Strategy seeks that the siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the application site and its context. The proposal accords with the principle of development subject to the consideration below.

5.2 Design and Visual Amenity

The proposal seeks to erect a single and two storey rear extension, increasing the size of the existing kitchen on the ground floor and the bedroom on the first floor.

5.3 The ground floor extension would be modest in size, extending the width of the existing kitchen by approximately 1.2 metres to meet the side elevation building line of the original property. It would not extend beyond the rear wall of the existing kitchen/dining room extension and would include a lean-to roof above the dining room with 2no. roof lights.

5.4 The two storey element of the proposal would extend above the kitchen on the south side of the rear elevation, it would be approximately 4.2 metres in width. It would consist of a hipped roof with an eaves height to match the existing property and a ridge height of approximately 1.7 metres, which is below the original property therefore ensuring the proposal is subservient to the host dwelling.

5.5 The proposal would not be significantly increasing the footprint of the existing property, it sits within a relatively large plot and would not be visible from the public domain due to its position at the rear of the existing dwelling.

5.6 The host dwelling consists of painted render elevations, a tiled roof and white UPVC windows and doors. The proposed extension would be finished with materials to match the existing property.

- 5.7 Overall, the scale, massing and proportions of the proposed extension in relation to the host dwelling are deemed acceptable. It is not considered to be detrimental to the character or appearance of the host dwelling or surrounding area. As such, the proposed development is considered to comply with policy CS1 of the Core Strategy.
- 5.8 Residential Amenity
Policy PSP38 of the Policies, Sites and Places Plan (Adopted) November 2017 sets out that development within existing residential curtilages should not prejudice residential amenity through overbearing; loss of light; and loss of privacy of neighbouring occupiers, as well as the private amenity space of the host dwelling.
- 5.9 The application site benefits from a good sized garden which would not be detrimentally affected by the proposed extension due to the relatively small increase in footprint should the proposal be constructed.
- 5.10 The single storey element of the proposal would be nearest the boundary with the attached property of the semi-detached pair, adjacent to the neighbouring property's existing rear extension. The two storey element would be approximately 1.5 metres from the boundary with the neighbouring property at no.13, it would be screened by the neighbour's single storey garage located along the boundary separating the two properties. Considering the scale and siting of the proposed extension it is not considered to have a significant overbearing or loss of light impact on neighbouring occupiers.
- 5.11 A concern was raised by the Parish Council regarding overlooking impact on neighbouring properties to the rear, especially from the proposed raised decking area with balustrade. The proposal does not include any side elevation windows and it is considered the proposed windows on the rear elevation would not significantly alter the outlook already enjoyed by the host dwelling. As such, it is not considered to have a significantly detrimental effect on the privacy of neighbouring occupiers to the rear. Due to the difference in ground levels the officer did have concerns of overlooking from the raised decking area onto the neighbouring property at no.9, to address this issue revised plans were submitted to reduce the size and increase the gap to the boundary. As such, the decking area could no longer be used as a balcony and would now be used as a means to access the rear garden, similar to the existing steps.
- 5.12 Overall, the siting, size and positioning of the proposed development is considered to be acceptable in terms of residential amenity. Therefore, it is deemed to comply with policy PSP38 of the PSP Plan.
- 5.13 Sustainable Transport
The application is proposing an increase in size of an existing bedroom; the number of bedrooms will remain as four. There is sufficient space for

two off street parking spaces and therefore there are no objections on grounds of parking provision or highway safety.

5.14 Consideration of likely impact on Equalities

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.

5.15 In relation to the above statement, the proposed development is considered to have a neutral impact on equalities.

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 development plan set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

7.1 That the application is APPROVED subject to conditions attached to the decision notice.

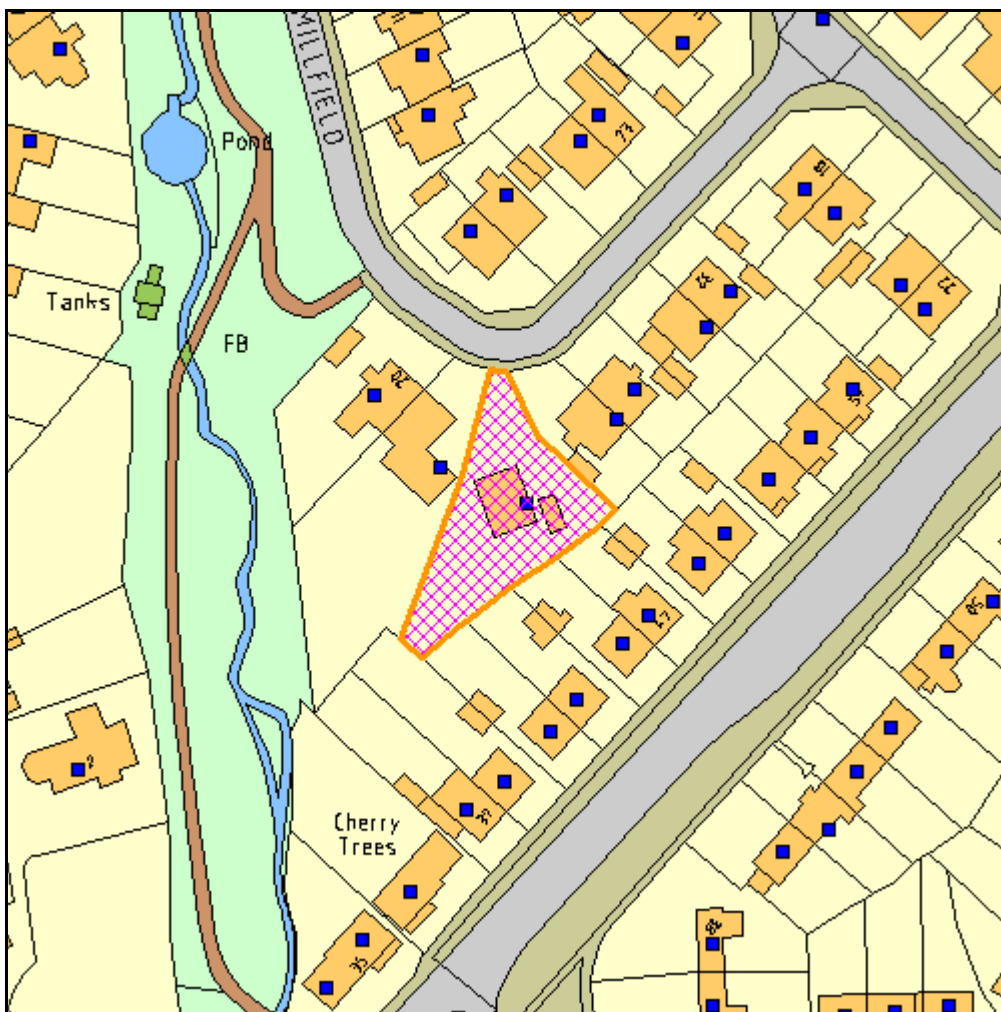
Contact Officer: James Reynolds
Tel. No. 01454 864712

CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. Reason
To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 (as amended).

CIRCULATED SCHEDULE NO. 51/17 – 22 DECEMBER 2017

App No.:	PT17/5239/CLP	Applicant:	Mr And Mrs G And S Cason
Site:	24 Millfield Thornbury Bristol South Gloucestershire BS35 1JL	Date Reg:	15th November 2017
Proposal:	Application for a certificate of lawfulness for proposed single storey side extension	Parish:	Thornbury Town Council
Map Ref:	364059 190662	Ward:	Thornbury North
Application Category:		Target Date:	4th January 2018



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The applicant is seeking a formal decision as to whether the proposed erection of a single storey side extension at 24 Millfield, Thornbury would be lawful.
- 1.2 The application is a formal way of establishing whether the proposal requires planning permission or not. Accordingly there is no consideration of planning merit, the decision is based solely on the facts presented.
- 1.3 During the course of the application revised plans were requested and received to address the height of the proposal.

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 A.

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

3. RELEVANT PLANNING HISTORY

- 3.1 PT09/0567/F – Approved - 01.05.2009
Erection of two storey side extension to provide integral garage and additional living accommodation.

- N1643 – Approved - 14.08.1975
Erection of single storey extension to existing dwellinghouse to form lounge.

4. CONSULTATION RESPONSES

- 4.1 Thornbury Town Council
No objection.

Other Representations

- 4.2 Local Residents
No comment received.

5. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

- 5.1 Ground Floor Plan
The Location and Block Plan
Proposed Ground Floor Plan
The Location Plan

Received 08 Nov 2017

Combined Elevations

Received 7 Dec 2017

6. ANALYSIS OF PROPOSAL

6.1 Principle of Development

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

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

- 6.3 The proposed development consists of a single storey side extension. This development would fall within Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015, which allows for the enlargement, improvement or other alteration of a dwellinghouse, provided it meets the criteria as detailed below:

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

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

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

- (b) As result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the**

original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);

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

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

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

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

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

- (e) The enlarged part of the dwellinghouse would extend beyond a wall which—**

- (i) forms the principal elevation of the original dwellinghouse; or**
(ii) fronts a highway and forms a side elevation of the original dwellinghouse;

The extension would not extend beyond a wall which forms the principal elevation of the original dwellinghouse. The development therefore meets this criteria.

- (f) Subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and—**

- (i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or**
(ii) exceed 4 metres in height;

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

- (g) Until 30th May 2019, for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and—**

- (i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or**
(ii) exceed 4 metres in height;

Not applicable.

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

The extension would be single storey.

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

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

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

The extension would extend beyond a wall forming a side elevation of the original dwellinghouse. However the extension would not exceed 4 metres in height, would not have more than a single storey, and would not have a width greater than half the width of the original dwellinghouse.

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

The development would not include any of the above.

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

- (a) it would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles;**

- (b) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or
- (c) the enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse.

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

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

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

An email from the agent confirms that the proposal will be finished in materials similar to those used in the exterior finish of the existing dwellinghouse.

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

Not applicable.

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

Not applicable.

7. RECOMMENDATION

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

Contact Officer: Westley Little
Tel. No. 01454 867866

Evidence has been provided to demonstrate that on the balance of probabilities the proposed erection of a single storey rear extension would fall within the permitted rights afforded

to householders under Schedule 2, Part 1, Class A of the Town and Country Planning General Permitted Development Order 2015.