



**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. 38/13

Date to Members: 20/09/13

Member's Deadline: 26/09/13 (5pm)

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 Planning, Transportation and Strategic Environment 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:

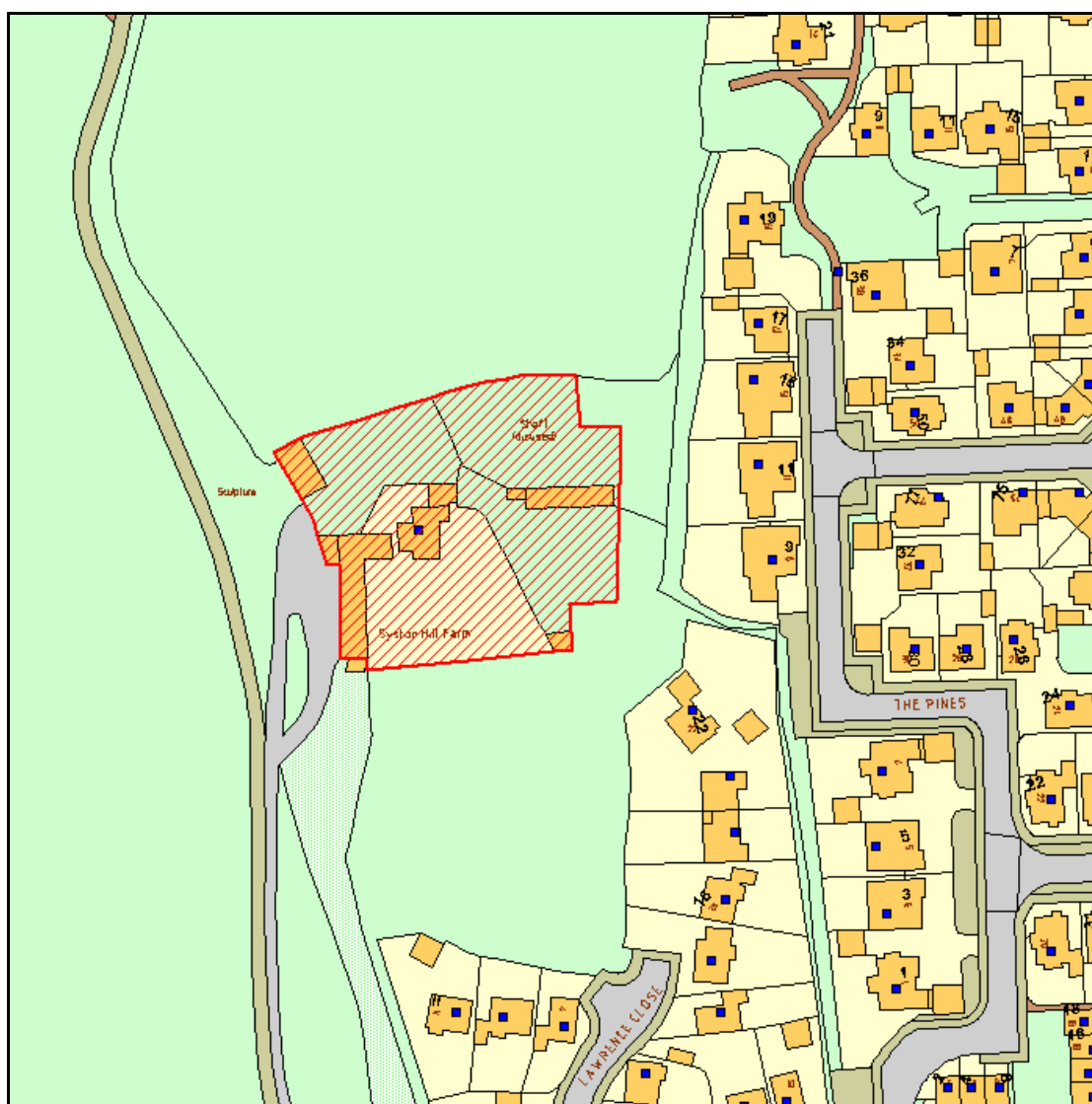
- Before referring an application always speak to the case officer or Area Planning Manager first to see if your concerns can be addressed without the application being referred.
- If you are considering referring in an application outside the ward you represent, as a courtesy, speak to the ward member(s) 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. If in exceptional circumstances, you are unable to e-mail your 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 - 20 SEPTEMBER 2013

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK13/1373/F	Approve with Conditions	Siston Hill Farm Siston Common Siston Bristol South Gloucestershire BS15 4PF	Siston	Siston Parish Council
2	PK13/2351/F	Approve with Conditions	Cotswell House Dyrham Road Dyrham South Gloucestershire SN14 8HE		Dyrham And Hinton Parish Council
3	PK13/2459/R3F	Deemed Consent	Stanbridge Primary School Stanbridge Road Downend Bristol South Gloucestershire	Rodway	None
4	PK13/2745/CLP	Approve with Conditions	6 Lewis Close Emersons Green South Gloucestershire BS16 7JH	Emersons	Mangotsfield Rural Parish Council
5	PK13/2857/F	Approve with Conditions	1-4 North Parade Yate South Gloucestershire BS37 4AN	Yate Central	Yate Town
6	PK13/2870/F	Approve with Conditions	452 Badminton Road Yate South Gloucestershire BS37 5HX	Westerleigh	Westerleigh Parish Council
7	PK13/2915/F	Approve with Conditions	21 Guest Avenue Emersons Green South Gloucestershire BS16 7GA	Emersons	Mangotsfield Rural Parish Council
8	PK13/3013/R3F	Deemed Consent	Abbotswood Primary Kelston Close Yate South Gloucestershire BS37 8SZ	Dodington	Dodington Parish Council
9	PK13/3090/F	Approve with Conditions	19 Cynder Way Emersons Green South Gloucestershire BS16 7BT	Emersons	Mangotsfield Rural Parish Council
10	PT13/0510/F	Approve with Conditions	Land At The Burltons Cromhall Wotton Under Edge South Gloucestershire GL12 8BH	Charfield	Cromhall Parish Council
11	PT13/2060/F	Approve with Conditions	15 Lower Stone Close Frampton Cotterell South Gloucestershire BS36 2LE	Frampton Cotterell	Frampton Cotterell Parish Council
12	PT13/2823/F	Approve with Conditions	58 Church Road Winterbourne Down South Gloucestershire BS36 1BY	Winterbourne	Winterbourne Parish Council
13	PT13/2856/ADV	Approve	Tesco Stores Ltd Willow Brook Centre Savages Wood Road Bradley Stoke South Gloucestershire BS32 8EF	Bradley Stoke Central And Stoke Lodge	Bradley Stoke Town Council
14	PT13/2866/R3F	Deemed Consent	St Michaels C Of E Vc Primary School Ratcliffe Drive Stoke Gifford Bristol South Gloucestershire BS34 8SG	Stoke Gifford	Stoke Gifford Parish Council

CIRCULATED SCHEDULE NO. 38/13 – 20 SEPTEMBER 2013

App No.:	PK13/1373/F	Applicant:	Sir/Madam
Site:	Siston Hill Farm Siston Common Siston Bristol South Gloucestershire	Date Reg:	2nd May 2013
Proposal:	Erection of 5no. detached dwellings with detached garages, access and associated works. (Resubmission of PK13/0079/F).	Parish:	Siston Parish Council
Map Ref:	366295 175084	Ward:	Siston
Application Category:	Minor	Target Date:	24th June 2013



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N.T.S.

PK13/1373/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The development requires a Section 106 Agreement.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of five detached dwellings on a site which has current full permission for the erection of four dwellings. at Siston Hall Farm, Siston Common. Access to the development is proposed via the existing vehicular single track access currently serving the site.
- 1.2 The application site relates to a former farmhouse and historically an abattoir sited on the edge of Siston Common and within the established residential boundary of the urban area. The site has been cleared of all buildings. It slopes down from east to west, providing views over the common. To its east is the residential development at Siston Hill, which rises up to its highest point at the top of the hill behind this site.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

- D1 Achieving Good Quality Design
- T7 Cycle Parking
- T8 Parking Standards
- T12 Highway safety
- H2 Development in the Urban Area
- L1 Landscape Protection and Enhancement
- L17 and L18 the Water Environment
- LC2 Education
- EP7 Unstable land
- L9 Sites of Regional and Local Nature Conservation Interest
- LC12 Recreational Routes
- L11 Archaeology
- LC2 Contributions to meet educational needs

South Gloucestershire Local Plan Core Strategy incorporating Inspector Preliminary Findings and Draft Main Modifications September 2012.

- CS1 High Quality Design
- CS3 Green Infrastructure
- CS5 Location of Development
- CS9 Wildlife

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted)
Biodiversity Action Plan
Residential Parking Standards (adopted April 2013)

3. RELEVANT PLANNING HISTORY

- | | | | |
|-----|------------------------|---|---------------|
| 3.1 | PK02/0150/F | Demolition of existing farmhouse, erection of 4 new dwellings and conversion of barn to form 1 no. dwelling
Approval August 2002 | |
| 3.2 | PK04/1579/F | Demolition of farm house and erection of 4 dwellings
(Amendment to PK02/0150/F)
Approved 2004 | |
| 3.3 | PK08/1031/F | Demolition of farm house and erection of 4 dwellings
Withdrawn March 2009 | |
| 3.4 | PK09/0984/F | Conversion/part new build of stone structure and erection of extension to form 1 dwelling
Approved July 2009. | |
| 3.5 | PK10/0079/F | Erection of four dwellings | Approved 2010 |
| 3.6 | PK13/0079/F | Erection of 5 dwellings | Withdrawn |
| 3.7 | PK13/0327/EXT
above | Application to extend time limit for commencement of 3.5
Approved 2013 | |

4. CONSULTATION RESPONSES

- 4.1 Siston Parish Council
Fully support this application. Early build of this quality development is welcomed. Landscaping of great environmental importance as site is viewed from much used common land.
- 4.2 Other Consultees [including internal consultees of the Council]
Highway Officer
The revised plan shows a larger turning space with adequate space for service vehicles to turn. No objection.
- Ecologist
No objection, subject to conditions governing landscape management and a survey for slowworms.
- Archaeology
No objection, subject to the condition recommended below.
- Tree Officer
No reply received
- Technical Services
No objection in principle, subject to a condition requiring a SUDS compliant drainage plan and that areas of hardstanding over 5 square metres is permeable.

Coal Authority

Originally objected to the proposal but withdrew this objection on receipt of a Coal Mining Risk Assessment. Recommend a condition requiring its implementation.

Landscape

No objection to the revised planting scheme. Suggest condition to require implementation.

Education

At primary level there is a projected deficit of places in the local area. The proposed development of 5 dwellings will generate 3 additional primary pupils. A contribution of £32,694 is required in mitigation, for additional primary provision.

Environmental Protection

No objection

Affordable Housing

The site size and number of dwellings fall below the applicable threshold for a contribution, as set out in Local Plan policy H6 and policy CS18 of the Core Strategy..

- 4.3 Local Residents
No replies received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

This application stands to be assessed against the policies listed above, in the light of all material considerations. Policy H2 of the South Gloucestershire Local Plan supports the principle of residential development within existing urban areas subject to a number of criteria being satisfied. The principle of residential development has already been established on this site, through the approval of planning permissions PK02/0150/F, PK04/1579/F and PK10/0079/F, which has recently had its commencement extended under PK13/0327/EXT. The two permissions in 2002 and 2004 were for the demolition of the existing farmhouse and erection of 4 detached dwellings and conversion of existing barn to residential use. The latter permission relates to 4 dwellings and the current application seeks 5 dwellings on a site area that has been slightly reduced since the earlier application which was withdrawn this year.

5.2 Density

While there is no requirement under the NPPF to achieve indicative densities of development, policy H2 seeks to make efficient use of land and this issue represents the main difference between the previously approved, extant, scheme and the current one. The construction of five houses on this site is considered to make more efficient use of the land than four, subject to the analysis below in terms of residential amenity.

5.3 Design and Layout

The application site is situated alongside Siston Common, with residential development to the east of it, but separated from this site by part of a field. The site is on the edge of a rural setting with small clusters of dwellings to the south which are locally distinctive in terms of their form, scale, massing, detailing and materials. It is considered that the character and distinctiveness of the local area is of a mixed character i.e. Siston Close, Siston Park, Lawrence Close and in particular more recent development at The Pines and therefore there is no single design approach that would be expected for this site. The design principles of the proposed development have broadly been informed by the semi rural location and the previous use of the site comprising of agricultural buildings, leading to five distinct dwellings, four of them at two storey and one at two and half storey, using a combination of natural stone and render, under clay tiled roofs. Existing mature landscaping and ecological interest at the site's boundaries is retained, with an informal arrangement of built form proposed to create a character appropriate to the site and the creation of an appropriate level of overlooking of the public realm to create security. Given the location and nature of the surrounding area these principles are considered to be broadly acceptable. The houses are laid out to make the most of views over the Common, with a general emphasis of glazing towards the south and west to maximise solar gain. Within this constraint, the layout gives an informal character by slightly varying the building line and orientation of dwellings. The specific design of the dwellings takes its cues from local distinctiveness and the site's close proximity to the Common, giving it a rural setting. There will be a softening of the impact of the houses in views from the common land to the west. When combined with appropriate detailing and boundary treatment it is considered the proposed siting and layout will accord with policy D1(a). Conditions are recommended to ensure the detailing and materials of the dwellings are of sufficiently high quality.

5.4 Residential Amenity

This application seeks permission for five detached dwellings. This revised scheme differs from previous permissions in that an additional dwelling is proposed. The proposed dwellings are four at 2 storey and one at 2.5 storey and measure 9.0m in height to the ridge of the tallest. Each is proposed to have 4 bedrooms, apart from the tallest, which would have 5. Each dwelling is proposed to have a suitably sized garden, containing in each case a double garage. Separation distances would prevent any undue overlooking or intervisibility between the new dwellings. With regard to the impact of the proposal on the residential amenity of surrounding properties, impact is reduced by the portion of field retained between the site and the development to the east, the Pines, which allows for an overall separation distance of more than 30m from the rear of the easternmost proposed dwelling. It should be noted that it is deemed good practice to normally maintain a minimum distance of 21m between properties. The separation distances as proposed are therefore considered acceptable and are well in excess of normal guidance. The impact of this proposal upon existing levels of residential amenity is therefore considered to be acceptable and accords with policy H2 inb this regard.

5.5 Transportation Issues

As with the previous approval, access would be obtained from the single access track to the proposed development site and this creates a need for passing bays. The increased use of the track to serve five dwellings rather than four is not considered to amount to a material increase in traffic movements. A tracking diagram was requested and received, which is considered to demonstrate that turning on the site for service vehicles is achievable without compromising highway safety. In highway terms it was noted in the officer report to Committee for the 2011 application that the access track should limit the development to no more than five dwellings and this number is now proposed. Conditions are recommended below to ensure that parking and turning areas on site are provided prior to first occupation of any of the dwellings. An additional condition, brought forward from the previous permission requires the submission of a dilapidation survey of the access track. Subject to compliance with these it is considered that the proposal would satisfy transportation concerns and accord with policy.

5.6 Landscaping Issues

There are two significant trees on site, one Oak tree at the entrance of the site and one large Walnut in the Northeast corner of the site. Both trees are to be retained as shown on the landscaping plan submitted. The submitted details are considered acceptable. The scheme proposes the retention and planting of additional vegetation on the boundaries, including fruit trees in back gardens on the site and a subsequent plan illustrating protection measures has been submitted and approved, which will be secured by way of a planning condition recommended below. The proposals submitted are considered to ensure a robust landscape framework is achieved on site and a good level of landscape mitigation is provided.

5.7 Ecological issues

The site comprises semi natural habitat i.e. grassland and hedgerows and is not covered by any statutory or non-statutory nature conservation designations. The Council's Ecology Officer has no raised objection to the development of this site subject to two number of conditions being imposed should planning permission be granted. A survey of the site for slowworms is required to be carried and findings submitted to the Council for approval in addition to the submission of an ecological and landscape management plan. An informative will be imposed advising that no clearance of vegetation take place within the nesting season. These conditions are recommended below.

5.8 Archaeological Interest

The Council's Archaeology Officer has confirmed that the site contains the poorly preserved remains of a horse gin (horse driven winding engine). The horse gin is associated with eighteenth or nineteenth century coal mining and hence the presence of a shaft on the site. Other structures associated with mining may be present on site. It is recommended that a condition is included, as shown below, regarding a watching brief which will give the opportunity to record any archaeological structures, deposits and any ancillary structures associated with mining on the site.

5.9 Drainage

This application includes land which occupies a well and mineshaft at the rear of the site, neither of which shall be filled or grouted in, in such a way that would cause flooding or water emergence. A condition will be imposed requiring the submission and approval of a SUDS compliant drainage plan. An informative will be imposed advising the applicant of the need to establish a legal right to connect to or add additional flow to the existing private sewer system.

5.10 Public Rights of way

A Public Right of Way (9PSN/3/10) runs along the eastern boundary of the application site along part of the single access track which serves the site. It is considered that, as with the previous application which is on a slightly larger site than this one, no part of the proposed development by reason of its layout will impact on the PROW.

5.11 Contamination

The Council's Environmental Health Officer has advised that given the former use of the site i.e. farm and adjacent coal shaft that there is a potential for land contamination to be present. A condition is recommended below, brought forward from the previous approval, requiring the submission and approval of a contamination survey of the site.

5.12 Section 106 Requirements

The Children and Young People department has identified that, in accordance with policy LC2 this development will lead to additional demand for primary school places as follows: the 5 dwellings will generate 3 additional primary school pupils for which there is currently a projected deficiency of spaces. Therefore a contribution under Section 106 is required in the sum of £32,694. This contribution has been agreed to be paid by the developers and this is reflected in the recommendation below. A unilateral undertaking to pay this sum is being prepared by the developers' solicitor for the Council to sign to ensure that payment occurs prior to the commencement of development.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 That planning permission is approved, subject to the conditions shown below.
- 7.2 That authority is delegated to Legal Services to check and sign a Unilateral Undertaking currently being prepared by the appellants to ensure that the contribution to Children and Young People, referred to above, is provided.

Contact Officer: Chris Gosling
Tel. No. 01454 863787

CONDITIONS

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

Reason

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

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

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with policies L17, L18 and EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason

In the interest of archaeological investigation or recording, and to accord with Policy L11 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. All hard and soft landscape works shall be carried out in accordance with the approved details, plan no. 5903/1, received on 13 June 2013,. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.

Reason

To protect the character and appearance of the area to accord with Policies H2, D1 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. The off-street parking and turning facilities 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 T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason

To ensure a satisfactory standard of external appearance and to accord with Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. Prior to the commencement of development details shall be submitted to and approved in writing by the Local Planning Authority in respect of measures to:
- (i) Identify, through site survey, of slowowrms and their habitat at present (as designated under the Wildlife and Countryside Act 1981 (as amended) and the Protection of Badgers Act 1992).
 - (ii) Protection, as required, of wildlife species, and/or their habitat referred to under (i) above and as identified through the site survey. The approved measures shall be implemented in full unless the Local Planning Authority gives written consent to any variation.

Reason

To ensure the works are carried out in an appropriate manner, protecting protected species, and to accord with Policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006.

8. No development shall take place until an Ecological and Landscape management plan has been submitted to and approved in writing by the Local Planning Authority. All works shall be carried out in accordance with the details so approved.

Reason

To protect the wildlife and ecological interests of the site in accordance with policy L9 of the adopted South Gloucestershire Local Plan.

9. The development shall be undertaken in accordance with the Coal Mining Risk Assessment, submitted to accompany this application.

Reason

To ensure that the works do not have adverse implications outside the site due to former coal workings and to accord with policy EP7 of the adopted South Gloucestershire Local Plan.

10. An Arboricultural Method Statement by which all the retained trees and hedgerows on the site and the oak tree (in Council ownership) West of the application site and walnut tree are to be protected during construction works shall be submitted to and approved in writing by the Local Planning Authority before works commence on site. The submitted details must also show the line of protective fencing. Such protection shall be provided prior to any site clearance works and shall be maintained for the duration of the implementation of the development.

Reason

In the interests of the long term health of the trees and to accord with policy L1 of the adopted South Gloucestershire Local Plan.

11. 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 soil contamination/contaminated land to accord with Policies EP1 and EP6 of the South Gloucestershire Local Plan (Adopted) January 2006.

12. No development shall take place until a full dilapidation schedule of the single track site access, cycle path and common land has been submitted to and agreed in writing by the Local Planning Authority. Any subsequent damage to the access and land shall

be remedied in accordance with the schedule prior to the occupation of the last dwelling on site.

Reason

To safeguard the common land and public highway to accord with policies L1 and T12 of the adopted South Gloucestershire Local Plan.

CIRCULATED SCHEDULE NO. 38/13 – 20 SEPTEMBER 2013

App No.: PK13/2351/F

Applicant: Mr And Mrs B And
K Patterson

Site: Cotswell House Dyrham Road Dyrham
South Gloucestershire SN14 8HE

Date Reg: 10th July 2013

Proposal: Change of use of agricultural land to the keeping of horses. Erection of stable block. Construction of manege. Formation of new vehicular access

Parish: Dyrham And
Hinton Parish
Council

Map Ref: 373133 176379

Ward:

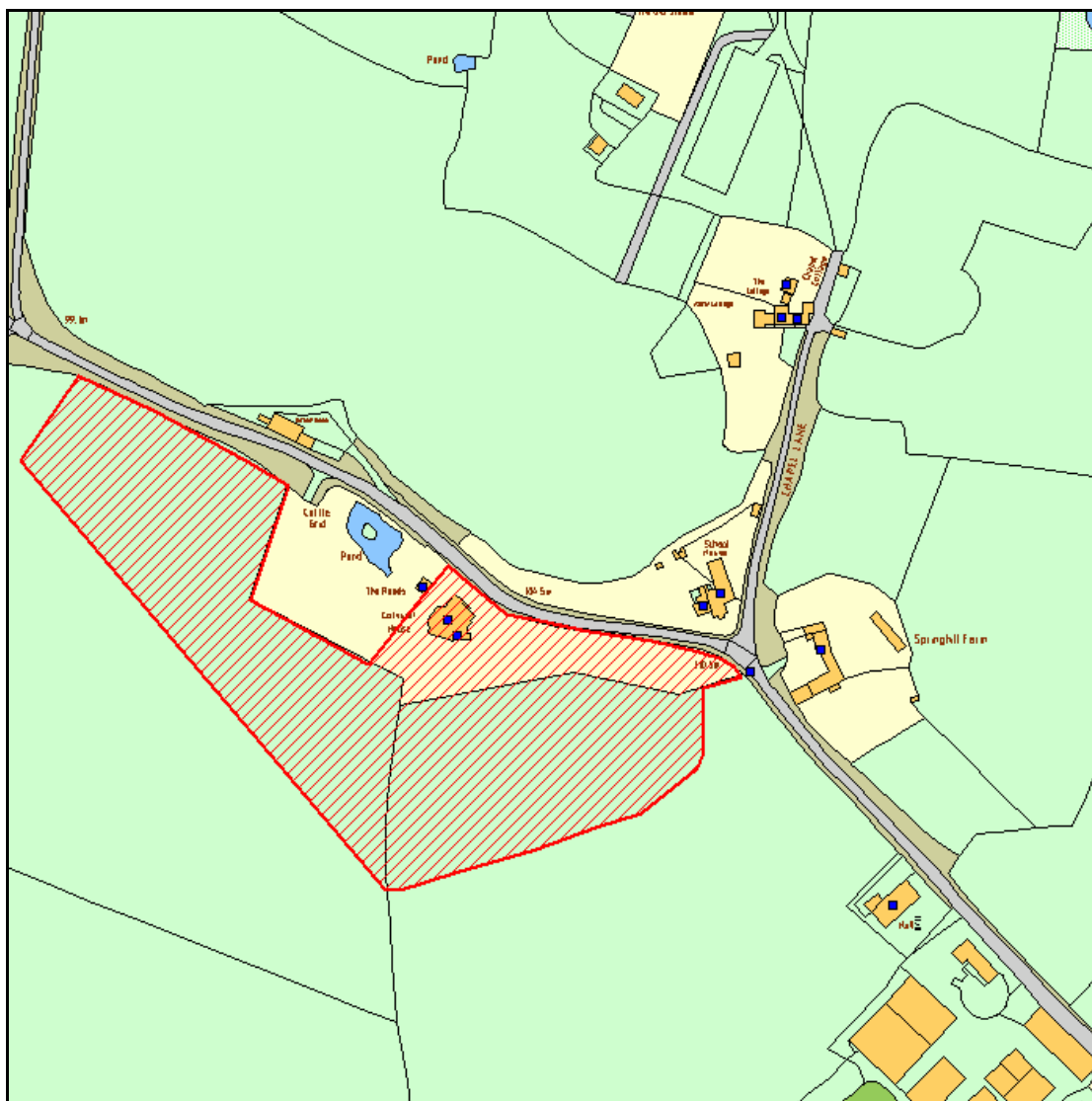
Application	Major
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Target

Category:

Date:

4th October 2013



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PK13/2351/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule following concerns raised by the occupants of Springhill Farm, the concerns raised being contrary to the officer recommendation.

1. THE PROPOSAL

1.1 The application seeks a full planning permission to change the use of a 1.85ha (4.57 acres) area of agricultural land at Cotswell House, to an equine use and also to erect an associated stable block housing three stables, a tack room, a feed and rug room and hay store. It is also proposed to construct an all weather riding arena or manege. The proposed stable building would be 'L' shaped being 17.4m long on one wing and 12.0m on the shorter wing. The wings would be 5.4m wide with eaves set at 2.472m and roof ridge at 3.963m. The building would be constructed of timber with a tiled roof and Cotswold stone cladding to the front. The current authorised use of the land is for agriculture and the field is currently laid to pasture. It is intended to use the site for personal social use only. The manege would measure 50m by 30m and be surfaced with a Silica Sand/Chopped Fibre/Rubber Fibre Mix and enclosed by a 1.5m post and rail fence. The stable block would be located to the South-West of Cotswell House and the manege to the south east. Vehicular access would be via a new access from Dyrham Road through the curtilage of Cotswell House.

1.2 Cotswell House is a substantial detached dwelling lying within open countryside and Green Belt land to the south of Dyrham Road. A smaller property 'The Reeds' lies adjacent to the west. Cotswell House currently has a shared vehicular access with 'The Reeds'.

2.1 National Guidance

The National Planning Policy Framework (NPPF) March 2012
Planning (Listed Buildings and Conservation Areas) Act 1990.

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) 6th January 2006

D1	-	Design
L1	-	Landscape Protection and Enhancement
L4	-	Forest of Avon
L9	-	Species Protection
L12	-	Conservation Area
L13	-	Listed Buildings
L17 & L18	-	The Water Environment
GB1	-	Development within the Green Belt
EP1	-	Environmental Pollution
EP2	-	Flood Risk and Development
E10	-	Horse related development
T12	-	Transportation
LC5	-	Proposals for Outdoor Sports and Recreation outside Existing Urban Area and Defined Settlement Boundary

- 2.3 South Gloucestershire Local Plan Core Strategy incorporating Inspector Preliminary Findings and Draft Main Modifications September 2012.
CS1 - High Quality Design
CS34 - Rural Areas
- 2.4 Supplementary Planning Guidance
The South Gloucestershire Design Checklist (SPD) – Adopted August 2007
Development in the Green Belt SPD - Adopted June 2007.

3. **RELEVANT PLANNING HISTORY**

There have been numerous applications relating to Cotswell House, the most relevant and recent of which are listed below:

- 3.1 P87/2964 - Construction of vehicular access.
Approved 20 Jan 1988
- 3.2 PK00/0789/F - Erection of detached garage and store and formation of vehicular access.
Approved 16 May 2000
- 3.3 PK12/3516/CLP - Application for Certificate of Lawfulness for the proposed installation of 4no. dormer windows to the South West elevation and erection of a single-storey extension to the South East elevation to form additional living accommodation.
Approved 4 Jan 2013

4. **CONSULTATION RESPONSES**

- 4.1 Dyrham and Hinton Parish Council
No response

- 4.2 Other Consultees including internal consultees of the Council.

Sustainable Transport

No objection subject to conditions to limit the number of horses kept on the site and no livery use or sub-letting of the stables.

Wessex Water

No response

British Horse Society

No response

Highway Drainage

No objection subject to a condition to secure a SUDS Drainage scheme. The site lies within Flood Zone 1 but a Flood Risk Assessment has been submitted in support of the application.

PROW

No objection

Historic Environment

No objection

Conservation Officer

No objection

The Ramblers Association

No response

The Environment Agency

No response

Landscape Officer

No objection subject to conditions restricting the storage of jumps or horse boxes, further division of fields (by any means) and the submission and approval of a detailed landscape plan.

Other Representations

4.3 Local Residents/ Land Owners

2no. responses were received from the occupants of Springhill Farm. The concerns raised by the objectors can be summarised as follows:

- Loss of view.
- The proposed new driveway would be on a sharp bend which is already a safety issue.
- The stable could be used commercially.
- The site is disproportionately large for domestic stabling.
- Adverse impact on an area of outstanding natural beauty.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The NPPF has recently superseded various PPS's and PPG's, not least PPG2 – Green Belts and PPS7 – Sustainable Development in the Countryside, and carries a general presumption in favour of sustainable development. Para.2 of the NPPF makes it clear that applications for planning permission must be determined in accordance with the development plan and this includes the Local Plan. Para 12 states that the NPPF does not change the statutory status of the development plan as the starting point for decision-making. Proposed development that conflicts with an up-to-date development plan should be refused unless material considerations indicate otherwise. At para. 211 the NPPF states that for the purposes of decision-taking, the policies in the Local Plan should not be considered out-of-date simply because they were adopted prior to the publication of the NPPF.

- 5.2 In this case the relevant Local Plan is The South Gloucestershire Local Plan, which was adopted Jan 6th 2006. The Council considers that the Local Plan

policies referred to in this report provide a robust and adequately up to date basis for the determination of the application.

- 5.3 The South Gloucestershire Local Plan Core Strategy incorporating Inspector Preliminary Findings and Draft Main Modifications – Sept. 2012 has now been through its Examination in Public (EiP) stage; the Inspector has given his preliminary findings and stated that the Core Strategy is sound subject to some modifications. The policies therein, although a material consideration, are not yet adopted and can therefore still only be afforded limited weight.
- 5.4 Policy LC5 of The South Gloucestershire Local Plan (Adopted) 6th Jan 2006, states that proposals for outdoor sports and recreation outside the urban area and defined settlement boundaries will be permitted, subject to a number of criteria being met.
- 5.5 Furthermore Policy E10 of the South Gloucestershire Local Plan reinforces the view that *‘proposals for horse related development such as stables .. will be permitted outside the urban boundaries of settlements’*, subject to the following criteria being met:
- A. Development would not have unacceptable environmental effects; and
 - B. Development would not prejudice the amenities of neighbouring residential occupiers; and
 - C. Adequate provision is made for vehicular access, parking and manoeuvring and would not give rise to traffic conditions to the detriment of highway safety; and
 - D. Safe and convenient access to bridleways and riding ways is available to riders; and
 - E. There are no existing suitable underused buildings available and capable of conversion; and
 - F. The design of buildings, the size of the site and the number of horses to be accommodated has proper regard to the safety and comfort of horses.

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

- 5.6 Impact on the Openness of The Green Belt and Visual Amenity of the Rural Landscape
- Policy GB1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 permits ‘essential’ facilities for outdoor sport and recreation within the Green Belt and the supporting text to this policy lists ‘small stables’ as such an example. (It should be noted however that for the same criterion in the NPPF the word ‘essential’ is replaced with the word ‘appropriate’). Furthermore changes of use of land are permitted that would not have a materially greater impact than the present authorised use on the openness of the Green Belt. Officers are satisfied that in this case the proposal is not inappropriate in the Green Belt and is therefore by definition not harmful to the openness of the Green Belt or the purposes of including land in it.

- 5.7 The intention is that no more than 3 horses would be kept on the site at any one time and this could be restricted by condition. The general guidelines are that each horse should have between 1-1.5 acres of land; in this case the field is 4.57 acres, which falls within this standard. The countryside surrounding the application site comprises a patchwork of fields enclosed by hedgerows. The fields relating to this application are laid to pasture and horses can already graze the land under the existing agricultural usage.
- 5.8 Officers consider that it is inevitable that the owners of horses will require fields in the countryside for stabling and grazing purposes. It is officer experience that many such owners live within the urban areas, so fields on the periphery of towns and villages are often where a concentration of equine uses are to be found. This does however have advantages from a sustainability point of view, as trip distance is reduced the closer people live to their sites.
- 5.9 Contrary to what the objectors say, the site is not within the Cotswolds AONB. The manege and stables would be well screened in views from the north by existing vegetation and would be partially screened by the existing modern agricultural buildings in longer distance views from the east. In views from the Cotswold Scarp the stables and manege would be seen within the context of the existing dwellings and farm buildings and would have a robust vegetation screen as a backdrop. It is proposed to plant a native hedge around the stable and manege to the east, south and west. In time this will screen views of the manege from the public right of way located to the east and wider landscape beyond.
- 5.10 The stable block would be predominantly constructed out of timber but has some elevations constructed out of Cotswold stone, it also has a weather vane and clock. These features have a domesticating effect on the stables, however they are located on the northern elevation and would not be highly visible within the wider landscape.
- 5.11 The application site is relatively well enclosed by high hedgerows and existing buildings. It is proposed to enhance this screening with additional planting. There are PROW's within the vicinity and there may be distant views from property further afield. Viewed however against the back-drop of the existing buildings, the proposed stable and manege would not look out of place in this rural locality. Subject therefore to a comprehensive raft of conditions to control the operation of the site for the stabling and keeping of horses, officers are satisfied that on balance the proposal would not have a significant adverse impact on the character or visual amenity of the Green Belt or landscape in general which complies with Policies GB1 and L1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
- 5.12 Transportation Issues
The agent has confirmed that the field would be used for the recreational keeping of horses and not for livery use; given the sites location however, this use would need to be secured by condition. Horses could currently be grazed in the field and some traffic would inevitably be associated with the current authorised use of the field for agricultural uses.

- 5.13 It is noted that the Council has previously granted consent for the new access as now proposed (see PK00/0789/F) but that consent was not implemented. Officers consider that the situation has not significantly changed since; hence it would be unreasonable for the Council to now refuse the application on highway safety grounds. At the present time access to Cotswell House is via a shared drive with 'The Reeds'. The creation of the new access would enable all horse related vehicles associated with the stables to pass through the curtilage of Cotswell House rather than causing any interference with the occupiers of 'The Reeds'.
- 5.14 The proximity of the stable and manege to the applicant's house will eliminate the need to rent stables further afield; the proposal would therefore reduce vehicular journeys and make a positive contribution to the Council's adopted principles of sustainability.
- 5.15 Subject to conditions to restrict the number of horses and prevent any commercial use, Criterion C of Policy E10 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 is satisfied and there are no highway objections.
- 5.16 Environmental Effects and Drainage Issues
The site is within Flood Zone 1; however a Flood Risk Assessment has been submitted to demonstrate that the scheme would not create any surface water run off and would not increase any risk of flooding elsewhere. Nevertheless, a condition would secure the prior submission and approval of a SUDS Drainage Scheme. The erection of loose jumps and fences and use of portable buildings or trailers could be strictly controlled by conditions.
- 5.17 The disposal of foul waste should be undertaken in accordance with the MAFF (now DEFRA) Code of Good Agricultural Practice for the Protection of Water and would be the subject of Environment Agency controls. Any burning of waste manure would be controlled by Environmental Health legislation. Criterion A of Policy E10 is therefore satisfied.
- 5.18 Impact Upon Residential Amenity
The nearest residential property is 'The Reeds' although other properties would have views of the proposed Stables and manege. Spring Hill Farm lies over 100m away to the east, albeit on elevated ground. This property however lies to the east of Dyrham Road and beyond the hedgerows that enclose the application site. There is no right to a view over land in others ownership, nevertheless, officers consider that a small stable and manege in a rural location would not so adversely affect the outlook for the occupiers of Spring Hill Farm as to justify refusal of the planning application. There would therefore be no significant adverse impact on residential amenity.
- 5.19 Ecology
The site consists of improved grassland and hedgerows. The site is not covered by any statutory or non-statutory nature conservation designations. The field could already be used for grazing purposes. The proposal would however directly contribute towards the Biodiversity Action Plan by planting new lengths of species-rich hedges and trees. It is therefore considered that there would be no adverse impact upon the ecology of the area.

5.20 Suitable Alternative Buildings

There are no suitable alternative buildings on the site that could be used as stables.

5.21 Welfare of the Horses

The stables are considered to be an appropriate size and design for the keeping of horses; the dimensions conform to the British Horse Society standards. The horses would be exercised within the manege, the field and as Dyrham Road is a recreational route, it is suitable for both walkers and horse riding. It is not proposed to erect any permanent jumps on the site.

5.22 Conservation Issues

The application site lies approximately 650m from the north-west corner of the Dyrham Conservation Area in an area of open countryside that is criss-crossed by the public right of way network. The locally listed School House sits to the north east of the site on the other side of Dyrham Road, and the grade II listed Talbot Farm lies to the southeast behind its extensive collection of modern agricultural sheds. Springhill Farm (unlisted) is also located to the east of the site with views out over the predominantly agricultural landscape. The locally listed School House is separated from the proposed manege by the existing vegetation and hedgerows planted c2000 so a low-key enclosure is unlikely to have any demonstrable impact on the setting of this building. The new stable block is also sufficiently distant from any designated or non-designated heritage assets that it will not significantly impact on their immediate setting or significance.

5.23 PROW

A public right of way LDH/25/10 runs from a gate on Dyrham Road in a south-westerly direction adjacent to the application site. The plans have been amended to ensure that no part of the development site affects the legally defined line of the PROW.

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

7. RECOMMENDATION

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

Contact Officer: Roger Hemming
Tel. No. 01454 863537

CONDITIONS

1. The change of use 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. At no time shall the land and buildings, the subject of this permission, be used for livery, riding school or other business purposes whatsoever.

Reason 1

To protect the character and appearance of the area and the visual amenity of the Green Belt and to accord with Policies L1 and GB1 respectively of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

Reason 2

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

3. The number of horses kept on the site edged in red on the approved plans shall not exceed 3.

Reason 1

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

Reason 2

To protect the character and appearance of the area and the visual amenity of the Green Belt and in the interests of the welfare of the horses, to accord with Policies L1, GB1 and E10 respectively of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

4. No jumps (other than mobile jumps), fences, gates or other structures for accommodating animals and providing associated storage shall be erected on the land. Any temporary jumps and other paraphernalia shall be stored away to the side of the stable block immediately after use.

Reason

To protect the character and appearance of the area and to protect the visual amenity of the Green Belt and to accord with Policies L1, GB1 and E10 respectively of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

5. No more than one horse box/trailer shall be kept on the site, otherwise at no time shall other horse boxes, trailers, caravans, van bodies and portable buildings or other vehicles be kept on the land other than for the loading and unloading of horses or livestock.

Reason

To protect the character and appearance of the area and to protect the visual amenity of the Green Belt and to accord with Policies L1, GB1 and E10 respectively of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

6. Prior to the first use of the stable and manege hereby approved, full details of any external illumination shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the external illumination shall be implemented in accordance with the approved details.

Reason

To protect the character and appearance of the area and to protect the visual amenity of the Green Belt and to accord with Policies L1, GB1 and E10 respectively of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

7. No windows, including roof lights, other than those shown on the plans hereby approved shall be inserted at any time in the roof or elevations of the stable block hereby approved.

Reason 1

To maintain the rural character of the building in the interests of the visual amenity of the rural and Green Belt location to accord with Policies L1 and GB1 of The South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

8. 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 to include a number of field trees (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 1

To protect the character and appearance of the area and to protect the visual amenity of the Green Belt and to accord with Policies L1, GB1 and E10 respectively of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

Reason 2

In the interests of protected species and to accord with Policy L9 of The South Gloucestershire Local Plan (Adopted) 6th Jan 2006; The South Gloucestershire Biodiversity Action Plan and para. 118 of The National Planning Policy Framework.

9. Other than shown on the plans hereby approved or on the landscape plan approved under Condition 8 of this permission, there shall be no further subdivision of the land by fencing or hedgerow. Any subdivision by tape for pasture management purposes by shall be by green tape only.

Reason

To protect the character and appearance of the area and to protect the visual amenity of the Green Belt and to accord with Policies L1, GB1 and E10 respectively of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

10. 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. Thereafter the development shall be carried out in accordance with the approved details.

Reason

To comply with Policies L17, L18, EP1, EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

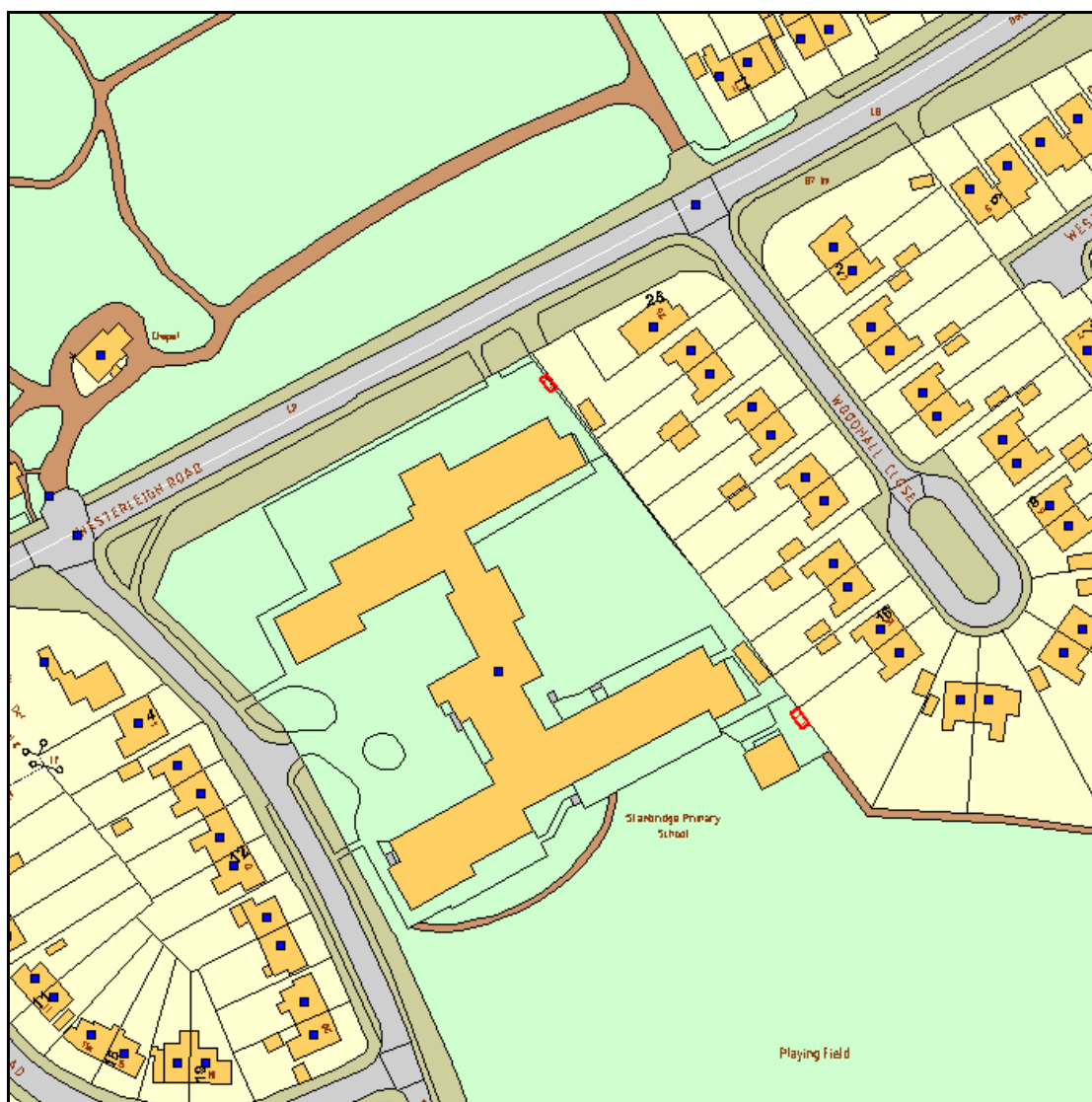
11. Prior to the first use of the development for the purposes hereby approved, the vehicular access shall be implemented in full accordance with the details shown on the approved Proposed Block Plan Drawing No. 1840/006 with the access surfaced in bituminous or other Council approved material and thereafter maintained as such.

Reason

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

CIRCULATED SCHEDULE NO. 38/13 – 20 SEPTEMBER 2013

App No.:	PK13/2459/R3F	Applicant:	Streetcare And Transport
Site:	Stanbridge Primary School Stanbridge Road Downend Bristol South Gloucestershire	Date Reg:	13th August 2013
Proposal:	Installation of 2 no. cycle shelters and repositioning of 1 no. existing cycle shelter	Parish:	None
Map Ref:	365718 176910	Ward:	Rodway
Application Category:	Minor	Target Date:	2nd October 2013



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N.T.S.

PK13/2459/R3F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is referred to the circulated schedule as a matter of process, because it is an application by South Gloucestershire Council itself.

1. THE PROPOSAL

- 1.1 This application seeks planning permission to erect two new cycle shelters and reposition one existing cycle shelter at a primary school.
- 1.2 The application site is Stanbridge Primary School in Downend. The site is not covered by any statutory or non-statutory designations and the site is located within the existing urban area of the East Bristol Fringe.
- 1.3 At the front of the site, by the pedestrian entrance from Westerleigh Road a Wardale shelter is proposed to contain 4 Sheffield cycle stands and 1 scooter stand.
- 1.4 To the rear of the site, along the boundary with the properties on Woodhall Close it is proposed to reposition the existing cycle shelter and install an additional shelter adjacent. The new shelter would be a Sheffield junior shelter to include 4 Sheffield stands and 1 scooter stand.
- 1.5 All of the above development will occur on the existing tarmacadam surface. No additional hard standing is proposed.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012

- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design

T7 Cycle Parking

T12 Transportation

LC4 Proposals for Education and Community Facilities

South Gloucestershire Local Plan Core Strategy incorporating Inspector Preliminary Findings and Draft Main Modifications September 2012

CS1 High Quality Design

CS8 Improving Accessibility

CS23 Community Infrastructure and Cultural Activity

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

3. RELEVANT PLANNING HISTORY

- 3.1 There is planning history on this site available to view on the Council's website but none is considered relevant

4. CONSULTATION RESPONSES

- 4.1 Downend and Bromley Heath Parish Council (adjacent parish)
No comment
- 4.2 Drainage
No comment

Other Representations

- 4.3 Local Residents
None received

5. ANALYSIS OF PROPOSAL

- 5.1 This application seeks planning permission for two cycle shelters at a primary school in Downend.
- 5.2 Principle of Development
Policy LC4 of the Local Plan supports development of community and educational facilities within the existing urban areas subject to an assessment of design, accessibility, residential amenity, environmental and transportation impacts, and on-street parking.
- 5.3 The proposal consists of erecting two cycle shelters and repositioning one existing cycle shelter at an existing and established school on an existing hardstanding. From the list of considerations above, accessibility, environmental impacts and on-street parking are not relevant as the site is within the existing urban area and therefore highly accessible, would not have an environmental impact, and as it does not materially affect journeys to the site by car. Therefore, whilst acceptable in principle, the proposal should be determined in accordance with the assessment below.
- 5.4 Design
The proposed cycle shelters and bike stands have a design typical for their use. The Wardale shelter is a tall, quarter circle of steel and polycarbonate sheet roofing and walling. The Sheffield Junior is more of an inverted Y shape but constructed from the same materials. Both are open to the front to enable access.
- 5.5 The design is therefore simple and functional. It would not have an adverse impact on visual amenity and is suitable for both the site and use of the structure.

5.6 Amenity

Although the cycle shelters are located along the boundary of the school with residential properties. However, at the rear there is an existing shelter and the addition of another is not considered to materially alter the existing levels of residential amenity. At the front, the site is bounded by Westerleigh Road and therefore the erection of a shelter will not have a materially greater impact than the existing layout of the built environment.

- 5.7 This is coupled with the fact that the cycle shelters will only be used at school drop-off and pick-up times during the academic term. Therefore it is not considered that the shelters would harm residential amenity.

5.8 Transport

Sustainable methods of transport are supported and promoted by the Local Plan. The provision of appropriate bicycle and scooter shelters will help to encourage more sustainable transport methods and active lifestyles.

- 5.9 By encouraging the use of sustainable transport it is hoped that there will be a reduction in the use of the private motor car as means of transport to school.

- 5.10 It is therefore considered, that although unquantifiable, the proposal would have a positive impact on transport, traffic and sustainable movement patterns and is therefore supported by policy. It is not considered that the proposal would have any detrimental impacts on highway safety or on-street parking as the development assists in reducing reliance on the use of the car.

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 proposed cycle shelters have been assessed against policy D1, T7, T12 and LC4 of the Local Plan. It is concluded that the design is appropriate in terms of site layout, massing, and visual appearance. There will be no prejudicial impact on residential amenity and the proposal helps to promote sustainable modes of transport.

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

7. RECOMMENDATION

- 7.1 It is recommended to GRANT permission subject to the conditions listed below.

Contact Officer: Griffith Bunce
Tel. No. 01454 863438

CONDITIONS

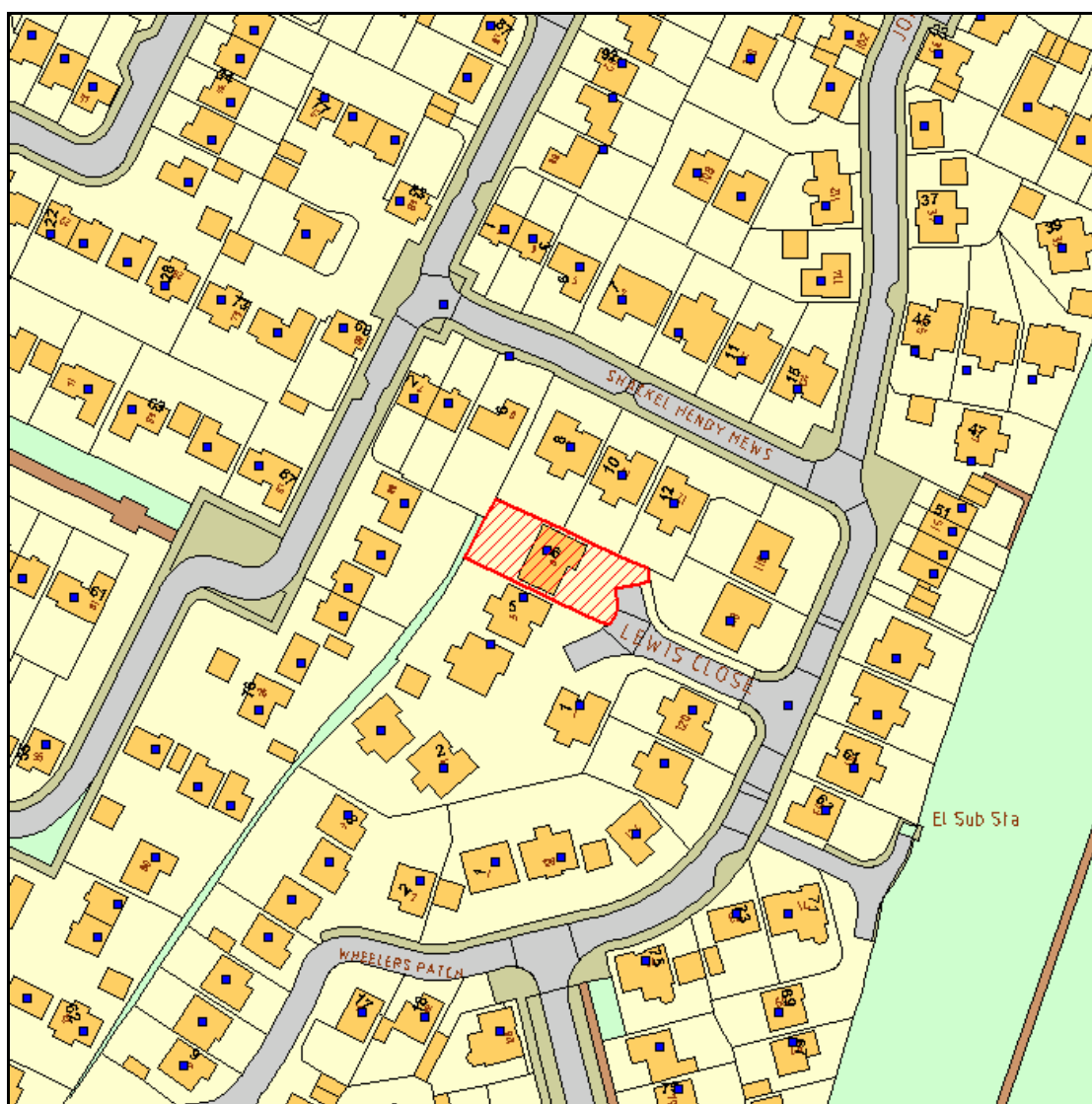
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 38/13 – 20 SEPTEMBER 2013

App No.:	PK13/2745/CLP	Applicant:	Mr And Mrs Davies
Site:	6 Lewis Close Emersons Green Bristol South Gloucestershire BS16 7JH	Date Reg:	8th August 2013
Proposal:	Erection of single storey rear extension to provide additional living accommodation	Parish:	Mangotsfield Rural Parish Council
Map Ref:	366992 176249	Ward:	Emersons Green
Application Category:	Minor	Target Date:	30th September 2013



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PK13/2745/CLP

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The applicant is seeking a formal decision as to whether the proposed erection of a single storey rear extension at 6 Lewis Close, Emersons Green, would be lawful. This is based on the assertion that the proposal falls within the permitted development rights normally afforded to householders under the Town and Country Planning (General Permitted Development) Order (As Amended) 1995.
- 1.2 This 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 on the facts presented.

2. POLICY CONTEXT

- 2.1 National Guidance
Town and Country Planning (General Procedures) Order 1995 Article 24 Town and Country Planning (General Permitted Development) Order (As Amended) 1995. Schedule 2, Part 1, Class A.

3. RELEVANT PLANNING HISTORY

- 3.1 PK00/1971/RM - Erection of 33 no. dwellings with associated works (Reserved Matters). Approved 14th November 2000

4. CONSULTATION RESPONSES

- 4.1 Mangotsfield Rural Parish Council
No objection
- 4.2 Highway Drainage
No comment

Other Representations

- 4.3 Local Residents
No comments received

5. ANALYSIS OF PROPOSAL

- 5.1 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 Consent. Accordingly there is no consideration of planning merit, the planning application is based on the facts presented. The submission is not a planning application and 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.

- 5.2 The key issue is to determine whether the proposal falls within the permitted development rights afforded to householders under Schedule 2, Part 1, Class A of the GDPO (As Amended) 1995.
- 5.3 The proposed development consists of a rear extension. This development would fall under the criteria of *Schedule 2, Part 1, Class A*, of the Town and Country Planning (General Permitted Development) Order (As Amended) 1995. (The enlargement, improvement or other alteration of a dwellinghouse). This allows for the enlargement, improvement or other alteration of a house, provided it meets the criteria as detailed below:

A1 Development is not permitted by Class A if –

- (a) As a 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 proposed rear extension would not exceed 50% of the total area of the curtilage.
- (b) 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 maximum height of the proposal would not exceed the maximum height of the existing dwellinghouse.
- (c) 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 proposal does not exceed the horizontal line from the eaves of the existing dwellinghouse.
- (d) The enlarged part of the dwellinghouse would extend beyond a wall which—**
 - (i) fronts a highway, and**
 - (ii) forms either the principal elevation or a side elevation of the original dwellinghouse;**The proposed extension would be to the rear of the dwelling not on a principle or side elevation and not fronting a highway, as such the proposal accords with this criterion.
- (e) 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 host dwelling is a detached property. The proposed extension would be single storey, would extend a maximum of 3.9 metres in depth, and would have a maximum height of 3.4 metres. The proposal therefore meets this criterion.

- (f) **The enlarged part of the dwellinghouse would have more than one storey:**

The proposal is single storey.

- (g) **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 proposal would be located within two metres of a boundary but have a height to eaves of less than 3 metres and therefore meets this criterion.

- (h) **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 one storey, or**
- (iii) **have a width greater than half the width of the original dwellinghouse; or**

The proposal would extend off the rear elevation of the dwelling only.

- (i) **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 proposal does not include any of the above and consequently meets this criterion.

A2 In the case of a dwellinghouse on article 1(5) land, development is not permitted if:

- (a) **It would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebbledash, 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 one storey and extend beyond the rear wall of the original dwellinghouse.**

The site is not located within article 1(5) land and as such the proposal meets this criterion.

Conditions

A3 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) shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;**

The proposal would be finished in materials to match those of the existing dwellinghouse.

- (b) **Any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse shall 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**

The proposal does not include the installation of any upper floor windows.

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

The proposal is single storey.

7. RECOMMENDATION

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

Evidence has been provided to demonstrate that the development falls within permitted development within the curtilage of the dwellinghouse under Part 1 of the Town and Country Planning (General Permitted Development) Order (As Amended) 1995

Contact Officer: Sarah Fordham
Tel. No. 01454 865207

CIRCULATED SCHEDULE NO. 38/13 – 20 SEPTEMBER 2013

App No.:	PK13/2857/F	Applicant:	Yate NP LtdYate NP Ltd
Site:	1-4 North Parade Yate Bristol South Gloucestershire BS37 4AN	Date Reg:	5th August 2013
Proposal:	Change of use of 4no. units from shops/professional services (Classes A1/A2) to a restaurant (Class A3), as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). External alterations including installation of flue to east elevation.	Parish:	Yate Town Council
Map Ref:	371469 182544	Ward:	Yate Central
Application Category:	Minor	Target Date:	25th September 2013



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PK13/2857/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been referred to the circulated schedule for determination as comments from the public have been received that are contrary to the officer recommendation for approval.

1. THE PROPOSAL

- 1.1 This application seeks permission for the change of use of four empty retail units on North Parade in Yate Shopping Centre. The units are currently in a mix of A1 and A2 uses. It is proposed to amalgamate the units into one A3 (restaurant) use. A number of external alterations including a new shopfront and the installation of an extraction system are also proposed.
- 1.2 The application site is nos.1-4 North Parade, Yate. These units fall within Yate Shopping Centre which is part of the town centre. North Parade forms a secondary shopping frontage.
- 1.3 The site is covered by no further statutory or non-statutory designations. A pedestrian walkway runs along the front of the units and vehicular access is provided in the service yard behind. A zebra crossing links the site to the shopping centre's east car park.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design
L5 Open Areas within the Existing Urban Areas
EP1 Environmental Pollution
EP4 Noise Sensitive Development
T12 Transportation
E3 Employment Development
RT1 Development in Town Centres
RT10 Secondary Shopping Frontages

South Gloucestershire Local Plan Core Strategy incorporating Inspector Preliminary Findings and Draft Main Modifications September 2012

CS1 High Quality Design
CS5 Location of Development
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS13 Non-Safeguarded Economic Development Sites
CS14 Town Centres and Retail

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) August 2007.

3. RELEVANT PLANNING HISTORY

- 3.1 The planning history for this site is available to view online. However, none of it is considered directly relevant to this application.

4. CONSULTATION RESPONSES

- 4.1 Yate Town Council
No objection
- 4.2 Drainage
No comment
- 4.3 Environmental Protection
No objection. Maintenance schedule needs to be conditioned.
- 4.4 Strategic Planning Policy Team
No objection
- 4.5 Transport Development Control
No objection

Other Representations

- 4.6 Local Residents
One objection has been received on the following grounds:
- use of the covered walkways for outside tables would mean that new walkways would have to be provided for the uses of the shopping centre during inclement weather
 - additional walkways are also required outside the Wetherspoons pub in South Parade.

5. ANALYSIS OF PROPOSAL

- 5.1 This application seeks permission for a change of use of four units within a secondary shopping frontage.
- 5.2 Principle of Development
The site is located within Yate town centre and therefore policy RT1 applies. In addition to this, the units are located within a secondary shopping frontage and are subject to the constraints of policy RT10. The change of use to a Class A3 Use is acceptable provided that the proposal is appropriate for the town centre location and would not detract from the vitality and viability of the centre. Therefore the proposal is acceptable in principle but subject to the following assessment.
- 5.3 Vitality and Viability
Town centres have a role in providing retail facilities whilst encouraging a diverse range of attractions and civic functions. Whilst there is a focus upon the provision of retail services to meet the demands of the local community, town centres can provide a variety of services. Therefore appropriate town

centre uses will be allowed under policy RT1 provided that they do not detract from the overall vitality and viability of the town centre.

- 5.4 An A3 use is an appropriate town centre use. Yate does not, at present, have many A3 uses within the town centre and such uses are only possible along the fringes of the shopping centre as the inner section is closed at night. The proposed A3 use is consistent with the scale and function of the centre and would add to the range of services/attractions within the town centre. Furthermore, an A3 use is likely to promote an evening use and night time economy which is lacking in the town centre.
- 5.5 Under permitted development the units can revert from an A3 use to an A1 use without planning permission. Therefore there is flexibility for the site to return to a retail function should the market dictate it.
- 5.6 With regard to the rental market, the application indicates that unit 2 has been empty since 2008, unit 4 since 2009, unit 3 since 2011 and unit 1 since early 2013. The length of time that unit 2 has been empty and marketed for an A1 use, combined with the abundance of empty units in the parade indicate that these units are not able to support an A1 use in the current economic climate. The loss of these A1 units is not considered to impact on the viability of the town centre or secondary shopping frontage. The change of use to A3 does not prohibit the return to an A1 use under permitted development and therefore, should an A1 use become viable, then such a change would not require planning permission.
- 5.7 Further to this, it is considered that the introduction of an A3 use will increase the vitality of the town centre. The proposed use will bring evening activity to an area currently devoid of such activity or indeed much daytime activity due to the high proportion of empty shop units. Bringing the empty units back into use will also help to improve the locality and environment to the betterment of the vitality of the town centre. This also helps to promote the social function of the town centre and the range of services available.
- 5.8 Application PK13/2373/F has permitted a change of use on the adjacent unit to A3 with ancillary A5. An additional A3 unit will help ensure consumer choice. With a number of non-shop uses proposed, there is the potential that this development may lead to an overconcentration. The location of the site, away from the main shopping drag, and the limited food choices available in the centre means that this proposal (and the adjacent approved change of use) will not result in an overconcentration of non-shop uses to the fragmentation of the shopping frontages and the detriment of the vitality and viability of the town centre.
- 5.9 Environment
Development is only permitted where it will not have an impact on the environment. Policy EP1 protects the environment from pollution and policy EP4 directly addresses noise.
- 5.10 The odour risk assessment identifies a high risk of odour nuisance. This would therefore need to be mitigated. An extraction system is proposed which will be

fitted with a pre-filter and two further carbon filters. The proposed ventilation has been assessed by the council's environmental protection team, who subject to a condition on maintenance, agree the proposed extraction would mitigate against any odour nuisance.

- 5.11 Above the proposed restaurant are residential flats. Housing is a noise sensitive development. Noise sensitive development should not suffer unacceptable disturbance as a result of development. Issues concerning residential amenity will be discussed below. With regard to noise pollution, the proposed extraction system will include silencers to prevent excess noise from plant and equipment. This will result in a sound level of 55Db(a) at the outlet. This level of noise is not considered to result in noise pollution and it acceptable.
- 5.12 Transport
Located in Yate town centre, the site is close to good public transport links including the bus station and central taxi rank. It is also adjacent to the shopping centre's east car park. This car park serves the nearby 24 hour Tesco Extra store. The site is therefore located in a sustainable location with good access to public transport and cycle parking. An A3 use would have a peak of journeys in the evening when the A1 shops are mostly closed. It is concluded that there is adequate car parking nearby and the change of use will not adversely affect traffic patterns in the area.
- 5.13 Amenity
Residential amenity is an important consideration as there are residential flats located immediately above the application site. Development should not prejudice the residential amenity of the locality.
- 5.14 The most significant issue with regard to residential amenity is the operating hours of the restaurant and the use of the external seating area. Late night noise or operations is highly likely to have a detrimental impact on the amenity of nearby occupiers.
- 5.15 The applicant has proposed the following opening hours: 1100-2230 Sunday to Thursday and 1100-2330 Friday and Saturday. Having reviewed the opening hours of the adjacent A3 use it is considered that a closing time of 2300 would be more appropriate. Opening times are considered with reference to the nearby 24 hour Tesco store. Sunday trading legislation requires the Tesco store to close on Saturday night. Saturday evening is therefore a rest bite from the surrounding town centre functions for the residents. This should be protected to ensure that a good level of amenity can be achieved. It is also considered necessary to prevent deliveries or the movement or collection of waste after 2300 in the interests of residential amenity.
- 5.16 An outdoor seating area is also proposed. As this area is outside, it will have a significant impact on the nearby residences. To protect residential amenity the use of the outdoor seating area will be restricted so that it is not open to customers after 2200.

5.17 Design

Alterations are proposed to the units as part of their amalgamation; this includes the installation of a new shopfront and extraction system.

5.18 The existing elevation has mixed shopfronts with each unit having its own access, windows and associated offices and storerooms. It is proposed to install visofold bi-fold doors to units 1, 2 and 4. Unit 3 will have sliding double doors and will act as the entrance to the new restaurant. The alterations create a unified appearance to the new, larger, unit and are considered to be of good design. The bi-fold doors provide access to the external seating area. It should be noted that this seating area is not on a highway, although it will be located under the existing canopy.

5.19 By providing outdoor seating, the covered pedestrian walkway is impeded. However, the seating area is movable. The seating area will not obstruct the footway to the detriment of the safe and uninterrupted movement of pedestrians. It is not within the scope of this planning application to ensure that a covered pedestrian walkway is retained; this would be a matter for the shopping centre management.

5.20 An extraction duct is proposed to run up the east elevation to vent above the roof line. This elevation is prominent on the approach to the site from the Link Road/Station Road roundabout and the access to the car park. It is proposed to paint the duct the same colour as the brick work. This is considered necessary to help reduce the visual appearance of the duct and will be enforced by condition. It is not considered that the duct could reasonable be located elsewhere.

5.21 Overall a good standard of site planning and design has been achieved and the development accords with the council's design standard set by policy D1 of the Local Plan. It is not considered that the proposal will adversely affect the large open verge to the front of the site and therefore the development is not at odds with the provisions of policy L5.

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 proposed change of use has been assessed against policies D1, L5, EP1, EP4, T12, E3, RT1 and RT10 of the Local Plan. An acceptable high standard of site planning and design has been achieved that does not conflict with the amenity of the open area to the front of the site. The development will not have an adverse impact on the environment or noise sensitive developments. Located in a sustainable location with good access to public transport and car parking the development will not have an adverse impact on highway safety or transportation. The proposal is suitable for a town centre location and protects the vitality and viability of the town centre and shopping frontage. There will be no prejudicial impact on residential amenity.

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

7. RECOMMENDATION

- 7.1 It is recommended to GRANT permission subject to the conditions listed below

Contact Officer: Griffith Bunce
Tel. No. 01454 863438

CONDITIONS

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

Reason

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

2. The use hereby permitted shall not open to customers between the hours of 2300 and 1100.

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy RT1 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. The outdoor seating area shall not be open to customers between 2200 and 1100 and the folding/sliding doors shall be kept closed during this period.

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy RT1 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. No deliveries shall be taken at or despatched from the site between the hours of 2300 and 1100, nor shall waste be moved or collected during this period.

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy RT1 and EP4 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. The development hereby approved shall proceed in accordance with the extraction systems submitted on Diamond Fabrications DRG NO.1. For the avoidance of doubt this shall include: pre-filters supplied by Jasun Filtration, product code CP4 - Grade G4/EU4 (600x600x300mm). The filtration medium will be 100% thermally bonded, pleated polyester filter media which is flame retardant to CP413 (BS5588); and carbon filters, supplied by Jasun Filtration, product code 'Discarb Cells' (disposable), Part no. DC242418-7C, 594x594x451mm each cell. The filter medium will comprise granules

of activated carbon - grade 208. The manufacturers recommended air flow capacity per cell is 2740m³/hr (0.761m³/sec) at dwell time of 0.1 sec. The extraction system will be maintained in strict accordance with the maintenance schedule submitted.

Reason

To ensure an adequate means of ventilation and to prevent pollution and to accord with policy EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

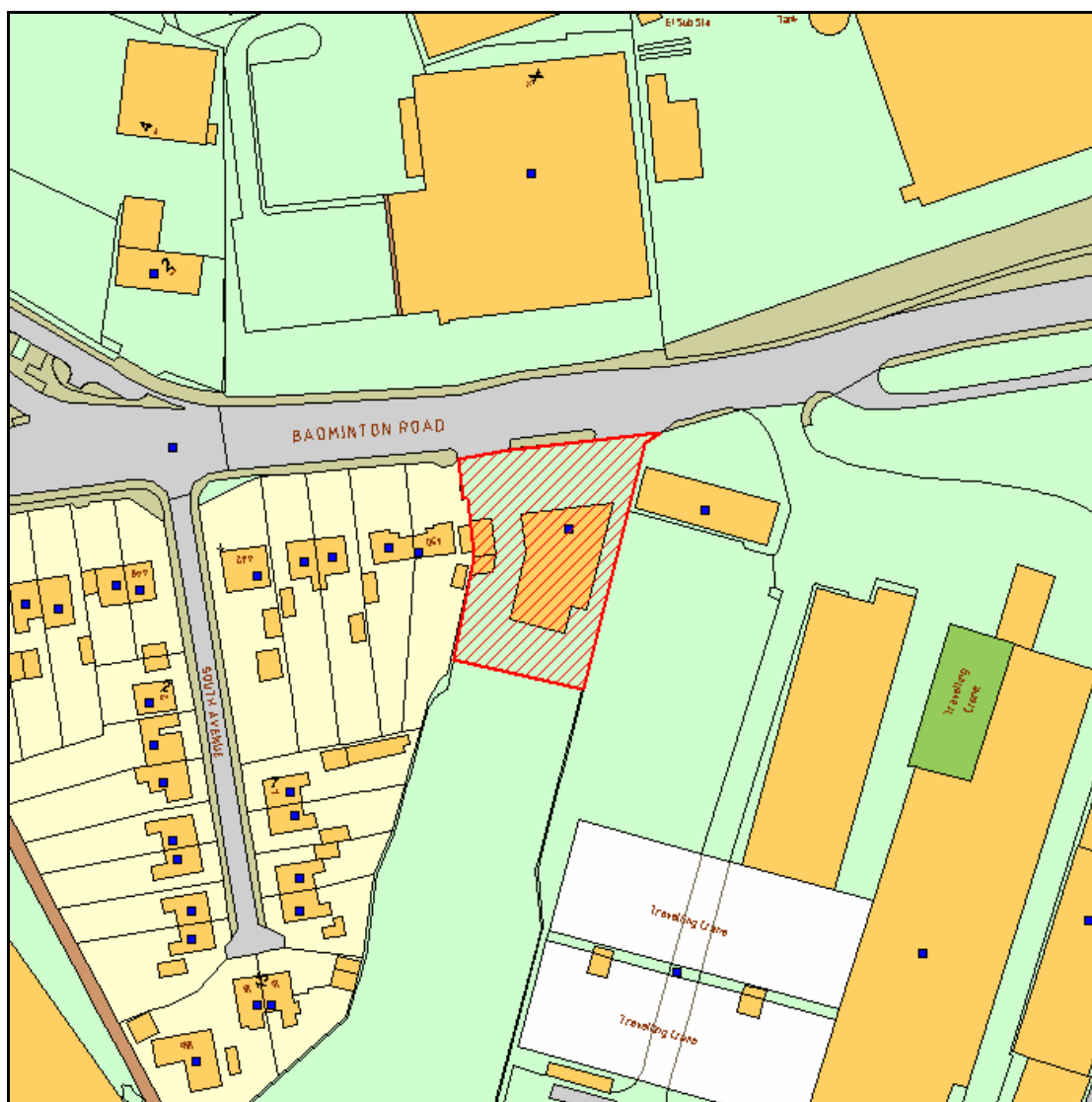
6. The ventilation duct on the east elevation shall be painted to a colour that matches the brickwork of that elevation and shall be maintained to that colour henceforth.

Reason

To ensure a satisfactory standard of external appearance and to accord with Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 38/13 – 20 SEPTEMBER 2013

App No.:	PK13/2870/F	Applicant:	Kwik Fit Properties LtdKwik Fit Properties Ltd
Site:	452 Badminton Road Yate Bristol South Gloucestershire BS37 5HX	Date Reg:	7th August 2013
Proposal:	Erection of single storey rear extension and raising of roof to MOT building.	Parish:	Westerleigh Parish Council
Map Ref:	369925 182490	Ward:	Westerleigh
Application Category:	Minor	Target Date:	27th September 2013



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PK13/2870/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

One letter of objection has been received, contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a single storey rear extension and external alterations including raising of roof of main building, as well as the erection of single storey rear extension to MOT building. The site is occupied by Kwikfit and runs downhill from the approach to the bridge next to Yate railway station, towards premises in an industrial estate. To the east is a further industrial building and to the west is the side elevation of a two storey dwelling. The rear of the site is fenced off by a 1.8 metre high close-boarded fence.
- 1.2 The buildings on site comprise the main building, which is single storey, rising to a higher level at the rear and a single storey MOT building, located at the western end of the site. The proposal is to make cosmetic changes to the main building, which are not required, cumulatively to require planning permission. The MOT building is proposed to have its rear section rebuilt. At present the rear part is built at an angle, following the site boundary where it changes direction. Under this proposal it would once again be used as an MOT bay and to that end its rear portion would be squared off, bringing it further away from the site boundary, adding 7 square metres to the building, some of which would be a small office on its rear elevation. An increase in roof height for the building of 0.225 metres would also be involved, with the extension being of the same height.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
E3 Extensions to employment premises
T8 Parking standards
T12 Highway safety
EP1 Environmental Pollution
- South Gloucestershire Local Plan Core Strategy incorporating Inspector Preliminary Findings and Draft Main Modifications September 2012.
CS1 High Quality Design

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

- 4.1 Westerleigh Parish Council
No reply received
- 4.2 Other Consultees

Technical Services

No comment

Transportation

The proposed extension is small and would not generate traffic in its own right. The access arrangement and parking would be unaltered. No objection.

Other Representations

4.3 Local Residents/ Businesses

One letter of objection was received, citing the following concerns:

- Struggling to sell house due to proximity of Kwikfit site
- Increase in noise from site
- Loss of privacy in garden
- Impact on views from rear windows
- Loss of daylight and sunlight
- Impact on house price
- Impact from extending opening hours
- Fumes from cars

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

This application stands to be assessed against the policies listed above, in the light of all material considerations. It should be noted that the extra accommodation created is not claimed to lead to an additional jobs at the site. The key policy in the determination of this application is considered to be E3 of the South Gloucestershire Local Plan. This policies allows for extensions to employment premises as long as criteria are met as detailed in the following paragraphs.

5.2 A: The proposal should avoid unacceptable environmental effects

In this regard it is considered that no adverse impacts have been identified. The consultation process has brought up some issues under this heading, such as noise generation and fumes from vehicles. In regard to the former, the proposal is for a rear extension of an existing MOT station. No windows are proposed in this extension and therefore activities within the building would be entirely contained, with the building's only opening being its front door, facing the main road. This is considered to be a minor improvement on the current situation, where side windows, facing the side of the other Kwikfit building, could be opened. In terms of fumes, these are considered to be likely to be contained by the building as well, with the only outlet being facing the road at the front of the site. The relevant condition recommended below would prevent the insertion of windows in the MOT building at a later date, in order to protect residential amenity.

5.3 B: Provision is made for servicing and delivery requirements and that the development would not generate high levels of traffic and on-street parking

The impact of the proposal in these terms would mainly be on the rear yard of the site. Access to this would be reduced by the extension with the gap brought down from 6 metres to 4.8 metres. It is considered that this would be adequate for all vehicles using the site to reach the parking area at the rear and still be

able to turn in the space in front of it. Therefore it is considered that the existing facilities would not be compromised by the proposed extension.

5.4 C: Would not prejudice residential amenity

The proposal is not considered to have any adverse impact on existing levels of residential amenity. In terms of overbearing impact, the extension would be further away from the site boundary than the existing rear part of the building is, but set against this is the increased height of the building. The whole building is proposed to have a flat roof. The increased height is considered to be marginal and it is considered that there would be no harm to existing levels of residential amenity from the proposed extensions. Loss of privacy in garden, impact on views from rear windows and loss of daylight and sunlight were all raised through the consultation process. The issue of privacy has been addressed at 5.1 above. The views from windows could be understood in terms of overbearing impact, discussed above, or the right to a view, which dwellings do not possess. This is considered therefore to be an issue that is not a valid concern in the determination of this application. The last issue raised, loss of daylight and sunlight, has already been assessed above and it is considered in terms of loss of light that the proposal would have a marginal impact at most and not an adverse one that would be significant enough to warrant a refusal reason.

5.5 D: Would not harm the character of the settlement

The character of this part of Yate is already set by the estate on which the site stands. Under these circumstances it is considered that an extension to such a building would reinforce the local character, rather than harm it.

5.6 E: Achieve's maximum density

This proposal is considered to come close to maximising site coverage of the site, achieving maximum density.

5.7 F: For B1 development, is well served by public transport

Being located virtually on a station approach, it is considered that this site is one of the most sustainable locations within South Gloucestershire. In addition to the train services, the site is located on a bus route and can also be easily accessed by foot or cycle. It is acknowledged however, that as a car repair centre, most journeys to the site will by necessity take place by car.

5.8 Design

The submitted plans make clear that the increased height will be concealed by a top layer of cladding, a sample of which is required by condition to ensure the use of good quality materials. The extension would also be finished with the cladding and the plans state that the render finish below this would match the existing building. The selection of materials is considered to be appropriate and accords with policy D1. The visual impact of the proposed extensions is considered to be very limited from public view as they are largely to the rear of the site. The refurbishment of the MOT building will however, renew the building, to the minor benefit of visual amenity and the appearance of the site. This again accords with policy D1 of the adopted Local Plan.

5.9 Other Issues

The consultation process has raised three further issues not discussed above. The first of these is the owners of the adjoining dwelling struggling to sell their house due to proximity of Kwikfit site. This is not a planning concern, although it is acknowledged that the current use of the site could have an impact on the house price, changes in the values of properties are not a valid consideration in the determination of this application. The final issue raised is the impact from extending opening hours. This application does not seek to achieve longer operating hours, but seeks permission for an extension to the MOT building. The impact arising from this on existing levels of residential amenity has been discussed already.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That planning permission is approved, subject to the conditions shown below.

Contact Officer: Chris Gosling
Tel. No. 01454 863787

CONDITIONS

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

Reason

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

2. No windows other than those shown on the plans hereby approved shall be inserted at any time in the western elevation of the building..

Reason

To protect the residential amenity of the neighbouring occupiers] and to accord with Policy E3 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 38/13 – 20 SEPTEMBER 2013

App No.:	PK13/2915/F	Applicant:	Mr And Mrs Lester
Site:	21 Guest Avenue Emersons Green Bristol South Gloucestershire BS16 7GA	Date Reg:	12th August 2013
Proposal:	Erection of two storey and single storey side extension to provide annexe accommodation	Parish:	Mangotsfield Rural Parish Council
Map Ref:	366698 177420	Ward:	Emersons Green
Application Category:	Householder	Target Date:	2nd October 2013



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PK13/2915/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application has been referred to the circulated schedule as representations have been made by local residents and the Parish Council which are contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 The application seeks permission for the erection of a double storey and single storey side extension to form a residential annexe ancillary to the residential use of the existing dwelling.
- 1.2 The application relates to a detached residential dwelling situated within an established residential area of Emersons Green. The site is located within a visually prominent plot within Emersons Green from centrally on Guest Avenue at the fork between Guest Avenue and Cyrus Court.
- 1.3 During the course of the application revised plans were submitted to reduce the scale of the proposed double storey side extension and minor amendments were made to the number of windows on the proposed east elevation. Additionally, the description of the proposal was changed to reflect the annexe nature of the proposal. A re-consultation period of 10 days was undertaken.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012
- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design
H4 Development within Existing Residential Curtilages

South Gloucestershire Local Plan Core Strategy incorporating Inspector Preliminary Findings and Draft Main Modifications September 2012.
CS1 High Quality Design
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist SPD (Adopted) 2007
South Gloucestershire Residential Parking Standards SPD (Adopted for Development Management Purposes) March 2013

3. RELEVANT PLANNING HISTORY

- 3.1 None relevant

4. CONSULTATION RESPONSES

- 4.1 Mangotsfield Rural Parish Council
Objection (objection upheld following re-consultation)

- This is a very large extension for an already large house. The new dwelling will be half as big again as the original.
- This new size will be out of proportion with other houses nearby and is considered an over-development of the site.
- There has been no consideration for any parking space which this proposed 2 bed-roomed annex will require.
- This property is situated in a prominent position as you travel into and along Guest Ave.

4.2 Highway Drainage
No comment

4.5 Transportation DC
Subject to a condition that the 'annexe' is not sublet or subdivided at any time, there is no transportation objection to the proposed development.

Other Representations

4.3 Local Residents

Four letters of objection have been received in total, two of which relate to the original consultation and two relate to the re-consultation. The comments are summarised as follows:

- Out of character with the surrounding houses and their layout.
- The proposal constitutes more of a house than an extension.
- No consideration has been given to off street parking. The extension would make a difficult situation worse.
- Significant loss of privacy – clear overbearing view into back garden from a close quarters, and loss of privacy in front garden.
- The main objection of the masterplan for Emersons Green was to achieve a community with a 'sense of space' – this development would be detrimental to that objective.
- It would be too close and would intrude on the next door house (2 Cyrus Court).
- Nothing to prevent a sale and subsequent multi occupancy on a scale out of keeping with the Willow Vale Hamlet.
- Parking is already an issue on this busy corner with overspill into the Cyrus Court cul-de-sac.
- The revised proposals do not materially change the negative impact of the development on the neighbourhood and my property (reference made to car parking, overlooking/loss of privacy, and too large and out of character.)
- The change of description and minor internal changes do not take away any of the concerns expressed previously. There is still the same potential for future multi-occupancy or even a sale of the annexe as a separate home.

4.4 Supporting Statement

In response to the above comments the Agent has made the following comments:

- With regard to parking - South Gloucestershire Parking Standards adopted 27th March 2013 clearly states that a 5 Bedroom Residential dwelling is to have a minimum of 3 spaces. I can confirm that in addition to a double garage there are 3 parking spaces on the existing driveway.

- With regard to overlooking - This is no worse than the current situation whereby existing Bedrooms 3 and 4 are situated on the South East Elevation. The neighbouring Garage position does afford a degree of privacy from the new proposed window position.
- The extension has been reduced to 3.6m projection from the original scheme to further respect the open nature of the site.

5. **ANALYSIS OF PROPOSAL**

5.1 **Principle of Development**

The application seeks permission for the erection of a double storey and single storey side extension to form annexe accommodation ancillary to the host dwelling. Policy H4 of the South Gloucestershire Local Plan (Adopted) 2006 permits this type of development in principle subject to criteria relating to residential amenity, highway safety, and design.

5.2 **Residential Amenity**

The application site consists of a detached residential dwelling situated adjacent to the junction of 'Guest Avenue' and 'Cyrus Court'. The dwelling is in an elevated position in the street scene set forward from the two neighbouring properties to the southeast and southwest, which are no.2 Cyrus Court and no.23 Guest Avenue. The revised proposal is to erect a double storey extension on the east side of the dwelling, which would project from the east elevation by 3.6 metres, and would have a height to match the existing dwelling. The double storey extension would have a single storey conservatory with a depth of 2 metres, a width of 2.6 metres and a height of 2.5 metres with a flat roof. The proposed conservatory is considered minimal in scale and would not impact the residential amenity of the neighbouring occupiers.

5.3 In terms of the double storey extension it is considered that no. 23 Guest Avenue is situated an adequate distance from the proposal to remain unaffected. The main consideration is therefore the impact of the proposal on the residential amenity of no. 2 Cyrus Court. The proposal would result in the extension of the property to the east by 3.6 metres, which at its closest point would be 2.2 metres from the boundary of no. 2 Cyrus Court. No. 2 Cyrus Court has a detached garage on the west boundary which would be situated between the proposal and the side elevation of the property. Due to the character of the application site the proposal would be situated at an angle to no. 2 and would not extend beyond the rear elevation of the their garage. A distance of 8.8 metres would remain between the closest point of the extension and the side elevation of no.2. The rear gardens of the properties face southeast. Due to the orientation and relationship of the dwelling to no. 2 Cyrus Court, and the distance that remains between the two, it is considered that the proposal would not have a significant overbearing impact on no.2 and would not result in a significant loss of light to it.

5.4 The existing dwelling has a an obscure glazed window at first floor level on the east elevation and this would be incorporated again in the proposed extension with the addition of ground floor openings, which would not result in intervisibility between neighbour's windows. On the south elevation the proposed extension would have one window at first floor level, which would at

an angle look across no.2's rear garden. However, this window would not have a direct line of vision to any habitable windows and the level of overlooking is not considered to materially exacerbate the existing situation. Due to the existing boundary treatments the proposed single storey extension does not raise any concerns in terms of loss of privacy. The proposal is therefore considered acceptable in terms of mutual privacy.

5.5 Highway safety

The proposal would result in the addition of a one-bedroom annexe increasing the total number of bedrooms in the dwelling to five. In accordance with the Council's Residential Parking Standards SPD (2013) applications must demonstrate that the site is capable of accommodating at least three parking spaces to serve a five-bedroom dwelling. The site has an existing double garage and hardstanding area which is capable of accommodating three cars. Whilst concerns relating to parking provision are noted it is highlighted that the parking provision on site is in accordance with the Council's minimum standards and as such does not raise any concerns in terms of highway safety. The use of the existing detached garage is restricted to the parking of private motor vehicles and ancillary domestic storage under application ref. K8045 and the Council is therefore satisfied that this element of parking provision will remain. There are therefore no objections to the proposal on grounds of highway safety with the condition that the annexe remains as intended and does not at any stage become a separate or independent dwelling. This will be secured through the use of a condition.

5.6 Design

The application site consists of a detached double storey residential dwelling with a hipped tiled roof. The site is situated in a visually prominent location on the junction of Guest Avenue and Cyrus Court. The site is viewed centrally in the road when approaching the surrounding development of Emersons Green from north to south. Linear housing development either side of Guest Avenue (numbers 7-24) draw the line of vision to the application site, which is elevated above ground level. The dwellings either side of the road leading up to the application site are generally evenly spaced and similar in scale and character, with larger dwellings evident to the southeast and southwest of the site. The locality maintains an overall sense of space. Although the host dwelling is accessed via the west elevation the most prominent elevation remains the north elevation, which takes on the appearance of a principle elevation with a gable end and bay window. The dwelling as existing is central on the plot with even space either side of it.

- 5.7 The proposed double storey extension would form an addition to the north elevation, extending it to the side by 3.6 metres. During the course of the application concern was raised by the Case officer that due to the symmetry and scale of originally submitted proposal the extension would appear as a dominant and incongruous addition to the detriment of the character of the street scene. In response revised plans have been submitted reducing the projection by 0.6 metres. The reduction of the proposal removes the proposed symmetry either side of the gable end, which to some extent reduces the overall visual impact and dominance of it. The scale and proportions of the revised extension have been carefully considered in the context of the sensitive

position of the site. It is acknowledged that the dwelling is situated within an area characterised by a mix of property sizes, in particular the dwellings east and southwest of the site do not contain the same even character of those on Guest Avenue either side of the approach to the site. Whilst a further reduction would have been preferable it is considered that on balance the reduction made is satisfactory in order to reduce the overall impact of the proposal on the street scene. Officers therefore consider that the scale of the proposal alone would not warrant a refusal of the application. Design detailing and materials have been reflected by the existing dwelling and the surrounding properties. It is therefore considered that the proposal, whilst undesirable, is acceptable on balance.

5.8 Other Matters

Concern has been raised that the proposal displays the characteristics of a separate dwelling and has the potential to provide multi-occupancy accommodation. Following the change in description and revised plans to show interconnectivity between the internal rooms Officers are satisfied that the proposal can be considered as annexe accommodation and as such an assessment has been made on this basis. For the avoidance of doubt a condition attached to the decision notice will secure the ancillary nature of the annexe.

6. CONCLUSION

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

Contact Officer: Sarah Fordham
Tel. No. 01454 865207

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 D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. The annexe hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 21 Guest Avenue, and shall at no time become a separate or independent planning unit.

Reason

For the avoidance of doubt and in the interests of highway safety, to accord with policy H4 of the South Gloucestershire Local Plan (Adopted) 2006.

CIRCULATED SCHEDULE NO. 38/13 – 20 SEPTEMBER 2013

App No.:	PK13/3013/R3F	Applicant:	Mr A Mead
Site:	Abbotswood Primary Kelston Close Yate Bristol South Gloucestershire	Date Reg:	13th August 2013
Proposal:	Installation of replacement windows.	Parish:	Dodington Parish Council
Map Ref:	370757 180970	Ward:	Dodington
Application Category:	Minor	Target Date:	3rd October 2013



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PK13/3013/R3F

REASON FOR REPORTING TO COMMITTEE/CIRCULATED SCHEDULE

This application appears on the Circulated Schedule in accordance with Council procedure as the application is submitted by South Gloucestershire Council.

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the replacement of existing single glazed glass windows with upvc double glazed windows at Abbotswood Primary, Yate. It is proposed to replace the windows on the south west and south east elevations only.
- 1.2 The application site consists of a primary school, that is located within the urban area of Yate.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design in New Development
LC4 Proposals for Education Facilities
- South Gloucestershire Local Plan Core Strategy incorporating Inspector Preliminary Findings and Draft Main Modifications September 2012.
CS1 High Quality Design
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) 2007.

3. RELEVANT PLANNING HISTORY

- | | | |
|-----|---------------|---|
| 3.1 | PK00/2058/R3F | Erection of single storey extension linking existing buildings.
Approved December 2000 |
| 3.2 | PK03/2788/R3F | Erection of 2.4 metre high steel palisade security fencing to boundary to include replacement gates and pillars.
Approved October 2003 |
| 3.3 | PK03/0604/F | Construction of tarmac path to extend existing Footpath
Approved April 2003 |
| 3.4 | PK07/3278/R3F | Erection of sunshade canopy
Approved December 2007 |
| 3.5 | PK09/1331/F | Erection of canopy to provide shelter for |

4. **CONSULTATION RESPONSES**

- 4.1 Yate Town Council
No objection.

Other Representations

- 4.2 Local Residents
No response received

5. **ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development

Policy LC4 of the South Gloucestershire Local Plan (Adopted) allows for the development or expansion of education facilities within the existing urban areas providing that:

A. The proposals are located on sites which are, or will be, highly accessible by foot and by bicycle;

The application seeks permission to replace existing glass windows, as such the proposal would not affect the established network of footpaths and cycle ways linking the school to the surrounding area.

B. Development would not unacceptably prejudice residential amenities;

The proposal is for replacement glazing only, no additional windows are proposed, furthermore given the location of the school, set a significant distance away from neighbouring residential properties, it is considered that the proposal would not have any impact on the levels of residential amenity of the dwellings around the school.

C. Development would not have unacceptable environmental or transportation effects;

The proposal would not affect the adjacent highway and would not generate any additional traffic flows over and above that generated by the existing school. It is not therefore considered that the proposal would have any transportation implications.

D. Development would not give rise to unacceptable levels of on street parking to the detriment of the surrounding area and highway safety;

The development would not result in increased numbers of staff or pupils attending the school and it would not affect the existing parking arrangement. The development therefore would not give rise to unacceptable levels of parking.

5.2 Design / Visual Amenity

The existing school buildings are of modern design and the proposal is to replace the existing single glazed windows with double glazed upvc windows. The design of the proposed windows is very similar to that of the existing windows however some small differences are required. Deeper top hung casements are proposed to meet building regulations and fixed panes and lower upvc infill panels would replace the existing plywood. Additional structural uprights are also required for stability purposes as the existing windows are very wide. Overall it is considered that the appearance of the building will be improved by the upgrade of the windows, as such the proposal is considered acceptable in terms of design and visual amenity.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 That planning permission be granted subject to the following conditions.

Contact Officer: Kirstie Henshaw
Tel. No. 01454 865428

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. 38/13 – 20 SEPTEMBER 2013

App No.:	PK13/3090/F	Applicant:	Mr Crouch
Site:	19 Cynder Way Emersons Green Bristol South Gloucestershire BS16 7BT	Date Reg:	21st August 2013
Proposal:	Demolition of existing conservatory and erection of single storey rear extension to form additional living accommodation.	Parish:	Mangotsfield Rural Parish Council
Map Ref:	366393 178196	Ward:	Emersons Green
Application Category:	Householder	Target Date:	11th October 2013



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PK13/3090/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

An objection has been received, contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a single storey rear extension, which would be facilitated by the demolition of an existing rear conservatory. The site is a two storey red brick and tile detached house in a corner position in a residential road in Emerson's Green. The rear garden is bounded by a close boarded fence to a height of around 1.8 metres. This fence is backed by hedges within the site.
- 1.2 The rear conservatory is deep at present and attached to the southern end of the rear elevation. This would be replaced by an extension with a depth of 3.3 metres, along two thirds of the rear elevation, to the northern end. It would form a breakfast room, of brick and tile, with a high degree of glazing, including three rooflights.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
H4 House extensions
- South Gloucestershire Local Plan Core Strategy incorporating Inspector Preliminary Findings and Draft Main Modifications September 2012.
CS1 High Quality Design

3. RELEVANT PLANNING HISTORY

- 3.1 PK03/0914/F Erection of conservatory Approved

4. CONSULTATION RESPONSES

- 4.1 Mangotsfield Rural Parish Council
No objection
- 4.2 Other Consultees
Technical Services
No comment
- 4.3 Local Residents
One letter of objection was received, citing the following concerns:
* Overlooking
* Loss of privacy

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
This application stands to be assessed against the policies listed above, in the light of all material considerations. The issues to be resolved are the impact of the proposal on residential and visual amenity.

5.2 Residential Amenity

The proposed extension would not project as far as the current conservatory. Given the boundary treatment at the border with No. 21, it is considered that the extension would not have any adverse impact on the amenity currently enjoyed by that dwelling, despite it being nearer than the conservatory. At a depth of 3.3 metres and taking into account the separation distance between the two detached dwellings and the existing boundary treatment which is almost up to eaves level, preventing overlooking it is considered that the proposal would not harm existing standards of residential amenity and accords with policy H4 in this regard. With regard to the issue raised through the consultation process with regard to loss of privacy, the current situation is a conservatory with the same eaves height as the proposed extension, but with windows in each elevation. The proposed extension is considered to reduce the opportunity of overlooking (setting aside the difficulties in achieving this on a flat site with an existing fence above eye level) by reducing the number of windows in comparison with the current situation.

5.3 Visual Amenity

The design of the new room has been kept simple. Its scale is considered to be appropriate to the host dwelling and the materials to be used are shown on the submitted plans as matching the host dwelling. It is considered that the design is good and that there would be no harm arising to visual amenity as a result. The proposal is considered to accord with policy D1 of the adopted Local Plan.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That planning permission is approved.

Contact Officer: Chris Gosling
Tel. No. 01454 863787

CONDITIONS

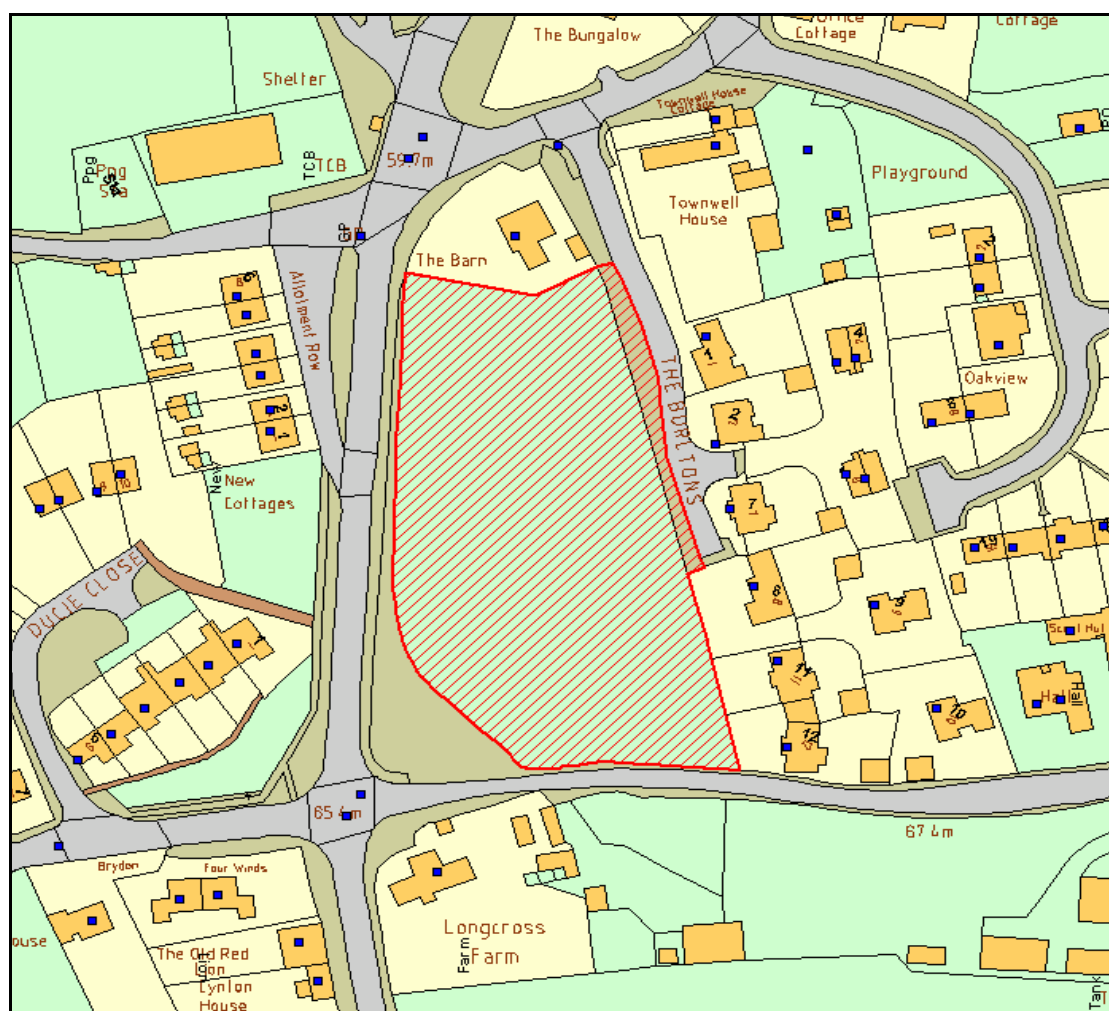
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 38/13 – 20 SEPTEMBER 2013

App No.:	PT13/0510/F	Applicant:	Pye Homes GroupPYE HOMES GROUP
Site:	Land At The Burltons Cromhall Wotton Under Edge South Gloucestershire GL12 8BH	Date Reg:	20th February 2013
Proposal:	Erection of 11no. dwellings and garages with landscaping including village green, access and associated works.	Parish:	Cromhall Parish Council
Map Ref:	369721 190666	Ward:	Charfield
Application	Major	Target	20th May 2013
Category:		Date:	



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PT13/0510/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the circulated schedule due to the receipt of a letter of objection from the Parish Council and letters of objection from 4 local residents.

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the erection of 11 new dwellinghouses. The properties would be a mix of 2, 3 and 4 bed dwellings and a mix of detached, semi-detached and terrace homes. The application includes the creation of two new vehicular access points from The Burltons and the creation of an area of public open space to the south. The application also seeks consideration of access, parking and landscaping.
- 1.2 The application site relates to a plot of private grazing land measuring approximately 0.62ha. The site is at a relatively central position within the village immediately to the west of Bristol Road (B4058). The site has a slight gradient to it and has vegetation around its boundaries.
- 1.3 During the course of the application, amended plans have been received at the request of council officers. The most notable change is a reduction in the number of new vehicular access points off The Burltons in order to minimise impact on the trees along this boundary. This has necessitated a number of changes to the internal layout of the site and the design of some of the properties. Reconsultations was not carried out on these plans although they have been displayed on the Public web site.

2. POLICY CONTEXT

2.1 National Guidance

NPPF National Planning Policy Framework March 2012

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

- D1 Achieving Good Design in New Development
- H2 Proposals for Residential Development
- H6 Affordable Housing
- T8 Parking Standards
- T12 Transport Development Control
- L1 Landscape Protection and Enhancement
- L5 Open areas within defined settlements
- L9 Species Protection
- L17 8 L18 The Water Environment
- EP1 Environmental Pollution
- EP2 Flood Risk and Development
- LC1 Provision for Built Sport, Leisure and Community Facilities (site allocations and developer contributions)
- LC2 Provision for Education Facilities (site allocations and developer contributions)

South Gloucestershire Local Plan Core Strategy incorporating Inspector Preliminary Findings and Draft Main Modifications September 2012

CS1 High Quality Design
CS5 Location of Development
CS6 Infrastructure and Developer Contributions
CS8 Improving Accessibility
CS15 Distribution of Housing
CS16 Housing Density
CS17 Housing Diversity
CS18 Affordable Housing
CS34 Rural Areas

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted 2007)
Draft SPD: Residential Parking Standards (November 2012)
Affordable Housing SPD

3. RELEVANT PLANNING HISTORY

- 3.1 PT13/044/SCR Associated Screen Opinion
Determined that a full environmental impact assessment was not required.

4. CONSULTATION RESPONSES

4.1 Cromhall Parish Council

Support the principle of development in the area but object to the proposed development for the following reasons:

- Un-acceptable drainage arrangements.
- Existing flood issues of foul sewage
- Wessex Water are aware of the issue but works to rectify the situation will not start until 2016
- Concerns over layout/size and street scene
- £8000 will not go far to help the bus service that is to be withdrawn
- Consideration should be given to a crossing across the B4058
- Questions over the ownership, status and management of the Village Green
- Dismayed that all three affordable units are for Social Rent

4.2 Other Consultees [including internal consultees of the Council]

Wessex Water

There is limited capacity in the downstream sewerage network to accommodate additional flows. It is imperative that no surface water connections are permitted to the public foul system. If development proceeds Wessex Water will review existing downstream arrangements. Improvement works are programmed for 2016.

Community Spaces

Objects because the developer has not taken into account the practicalities of accessing properties over public open space. The houses once built will not have a legal right of access to them.

Education

No objection subject to S106 contributions being made

Drainage

No Objection subject to conditions

Highways

No objection subject to conditions and S106 contributions being made

Affordable Housing

No Objection subject to S106 to provide affordable housing

Ecology

No objection subject to conditions

Urban Design

No objection but some revisions recommended

Other Representations

4.3 Local Residents

Four letters of objection have been received from local residents. A summary of the key points raised is as follows:

- Insufficient consultation time given
- Impact on neighbours 'right to light'
- Loss of human right of privacy
- The development will result in significant increased water run-off increasing the risk of flooding
- Loss of free to air communications
- The plans are not to scale
- Concerns over drainage and the ability of the system to cope with the extra housing
- Additional street light will add to skyglow
- Residents will suffer months of disturbance due to dust, noise and increased heavy traffic – what are the plans for compensation?
- Ruination of Cromhall's village environment – will transform Cromhall from a pleasant village into a small concrete township
- Villagers do not want or need the development
- Inadequate Sewerage
- Loss of existing mature trees
- Concerns over highway safety as the junction onto B4058 is dangerous
- Alternative access should be considered
- The tandem parking layout will not work and cars will be parked along The Burltons

- The new village green will encourage people to walk through The Burltons
- South Glos Council should manage the new Village Green
- A reduction in Council Tax will undoubtedly be necessary for existing dwellings
- Some of the photos submitted are not accurate
- Already adequate affordable housing stock in the area
- 11 properties is acceptable – no more than 11 should be built

One letter of support has also been raised. A summary of the key points raised is as follows:

- Looks like a nicely laid out development which could be a great addition to the village
- Would be welcomed by the local school, pub and shop
- Drainage is a point
- Hate to see this turned down only to be superseded by something less desirable

One letter making no comment on the merits of disadvantages of the application but just commenting on the consultation process has also been received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application stands to be assessed against the above listed policies. The site is within the established settlement area as defined in the South Gloucestershire Local Plan (Adopted) 2006. Policies in the local plan (H2 and D1) require that proposals are assessed for their impact upon the character of the area and that proposals make efficient use of land. As stated in the NPPF the government attaches great importance to the design of the built environment, citing good design as a key aspect of sustainable development and thereby positively contributing to making places better for people. Developments should function well and add to the overall quality of the area, creating attractive and comfortable places to live, work and visit. Furthermore they should respond to local character and history and reflect the identity of local surroundings and materials

5.2 The South Gloucestershire Core Strategy Development Plan Document was considered by the Inspector appointed to hold the Core Strategy Examination in Public and a refreshed Core Strategy that incorporates Post-Submission Changes was considered by the Council in mid December. Following this decision, the South Gloucestershire Core Strategy (incorporating Post-Submission Changes) December 2011 was taken forward to Examination in Public. The Inspector concluded that the Submission Core Strategy is capable of being made sound provided a number of modifications are made. Following a further period of consultation on the Inspector led changes and passed back to the Inspector. The Inspector issued an interim report in September 2012 of draft modifications and a further day of Examination is scheduled for March 2013. At this stage the Core Strategy therefore remains unadopted. This document is therefore a material consideration in the determination of planning

applications, and the Core Strategy policies, which are not subject to Inspector modification, will now carry considerable weight at this stage.

- 5.3 Policy H2 of the South Gloucestershire Local Plan states residential development will be permitted within existing urban areas and defined settlement boundaries provided that it does not prejudice residential amenity, the maximum density is compatible with the site, the site is not subject to unacceptable levels of noise disturbance, air pollution, smell, dust or contamination and the provision for education, leisure, recreation and other community facilities is adequate to meet the needs arising from the proposal. Policy D1 requires all new development to be well designed and along with other criteria, respect and enhance the character, distinctiveness and amenity of both the site and locality. Policy T12 identifies factors relating to parking, access and highway safety that must be taken into consideration and The Residential Parking standards SPD advised of minimum parking standards.
- 5.4 The applicant submitted a screening opinion in relation to the development ref PT13/044/SCR under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. It is considered that the development the subject of this application falls within the scope of Schedule 2 development as defined in the Regulations but does not exceed the indicative thresholds therein. On this basis an Environmental Statement is considered not to be required for this development. The Environmental Impact can be addressed through mitigation achieved by planning conditions attached to the planning decision notice.
- 5.5 Design and Visual Amenity
The application site extends to 0.62ha and is currently used for grazing with no public rights of way passing through the site. The land slopes gently downwards from south to north. There are a number of trees around the periphery of the site and the applicant has accepted the need to protect important trees. The site is accessed from The Burltons, a modern development of 12 two storey family homes. To the north of the site is The Barn, a 1½ storey dwelling. The northwest edge of the site is bound by Bristol road – a moderately busy B road.
- 5.6 Whilst there are no prescribed housing densities, the NPPF and Policy CS16 of the Core Strategy require that housing development makes most efficient use of land whilst being informed by and respecting the character of the area. The erection of 11 dwellings on the site is considered to be entirely acceptable making efficient use of the land whilst being in keeping with the character of the adjacent housing.
- 5.7 During the course of the application, changes have been made to the layout of the site and the design of a few of the properties. This has resulted primarily in order to limit the number of new driveways required under the existing trees along The Burltons. The proposed dwellings are laid out in such a way as to provide frontage to The Burltons, to Bristol Road and to the proposed new village green. One private driveway will be created to serve plot 1 with the other 10 dwellings using a shared access point. Dwellings 1 to 8 will have the benefit of garaging with units 9 to 11 each having two off street parking spaces.

Each dwelling will have a sizeable amount of private amenity space. Revised street elevations showing how the site will appear from both Bristol Road and The Burltons have been received. The well spaces properties interspersed with garages are considered to be in keeping with the rural character of the village.

- 5.8 A traditional appearance is advocated. Units are generally well balanced elevationally and respond to local distinctiveness by the inclusion of some local detailing (e.g. brick quoining to window surrounds, simple clipped / flush eaves and verges etc). All units are however proposed in recon stone similar to the adjoining development. It was requested during the course of the application that some of the dwellings could be finished in render but this has not been included. This issue alone however is not of significant concern to warrant further action. All of the dwellings are shown to have two storeys and again this is considered to be entirely appropriate for the location. Landscaping and tree issues will be discussed further later on in this report. In light of the assessment above, the design and visual amenity of the proposed development is considered to be entirely acceptable.

5.9 Sustainable Transport

Highway Engineers have assessed the application using the relevant policies within the adopted local plan and in addition the Draft Supplementary Planning Document: Residential Parking Standards (November 2012), which has been approved for development, control purposes. Furthermore, it uses principles laid down in the emerging Core Strategy which carries considerable weight at this stage. Policy CS8 states that for new development:

‘Car parking and vehicular site access should be well integrated and situated so it supports the street scene and does not compromise walking, cycling, public transport infrastructure and highway safety.’

The draft SPD goes on to state that *‘inadequate or poorly designed residential parking can add to congestion, hinder bus and emergency services and have a negative impact on quality of life.’*

- 5.10 At early pre-application stage, part of the site was to be accessed directly off of Bristol Road (B4058). This was strongly resisted by the Councils Highway engineers due to limited visibility. As a result, the submitted application included all vehicle access from The Burltons – an approach that was supported by the highway officers. However, this in turn caused conflict with the requirements of the Councils Tree Officers who were concerned that the number of new accesses from The Burltons would have a detrimental impact on the row of semi-mature trees along this boundary. Whilst these existing trees are not protected, they are of high visual amenity and should be retained wherever possible. In response to this conflict, during the course of the application the proposed access arrangements have been altered. The application as submitted included 4 new access ways under these trees – the scheme now for consideration proposes only two.
- 5.11 In terms of car parking, the Residential Parking standards SPD has recently been approved for development control purposes. This document advises of

minimum parking standards for residential properties. In accordance with the SPD, a 2 bed dwelling should have a minimum of 1.5 spaces, and 3 and 4 bed dwellings should have a minimum of 2 spaces. In addition 0.2 visitor spaces should be required per dwelling. Garages can only count towards this provision providing they meet minimum size requirements.

- 5.12 On the basis of the above, the scheme as a whole has a minimum parking space requirement of 23 spaces. As the proposed garages are below the minimum size requirements only 50% of them will count towards the parking standards. Even only taking into consideration 50% of the garages, the site still provides 27 off street parking spaces. The application therefore provides ample off street parking in accordance with the requirements of the SPD.
- 5.13 Plots 9 to 11 have no garage however garden sheds are shown for each of these units to act as cycle storage. There is ample space within the curtilages of each of the other dwellings to provide cycle storage also. It is fully accepted however that in all reality, adequate cycle storage is likely to take place within the proposed garages.
- 5.14 Notwithstanding the good level of on site parking provision as discussed above, it is noted that Cromhall does not have much of an employment base and as such, relies on outward commuting either by car or by public transport. It is noted that the Parish Council have also commented that the bus service is to be withdrawn. However, in order to ensure that public transport links are retained and enhanced as far as possible a contribution of £8000 towards improving public transport facilities in the area has been requested to improve sustainable alternatives to the motor car. The applicant has agreed to meet this payment.
- 5.15 Residential Amenity
In the opinion of your officer, the scheme has been sensitively designed to ensure that future occupants of the proposed development are afforded good levels of residential amenity whilst still protecting the existing neighbouring dwellings. The neighbouring dwellings that stand to be most affected are The Barn immediately to the north of the site and Numbers 1, 2 and 7 The Burltons that run along the eastern boundary.
- 5.16 The Barn is a detached stone built property that stands to the north of the site and plots 11 and 1 of the new development will sit adjacent to its boundary. Plot 11 has been sensitively designed with no first floor window in the rear elevation. There is one first floor window in the side of No. 11 that will serve the second bedroom. Whilst this window will afford some overlooking of curtilage of The Barn, the direct views will be out towards the highway. In addition, new screen planting is proposed along this boundary that will further limit views. In addition, there are no windows proposed in the gable end of Plot 1 facing towards The Barn that could impact detrimentally on existing levels of amenity.
- 5.17 With regards to the properties along The Burltons, again it is considered that the impact on these dwellings will be entirely acceptable. The greatest potential impact is between proposed dwelling 3 and numbers 1 and 2 The

Burltons. The separation distance between windows in the front of No. 3 and windows in the front of No's 1 and 2 will be no less than 18 metres. When this is combined with the fact that a large tree will remain in place in front of proposed welling No. 3, it is not considered that any unacceptable issues of indivisibility or loss of privacy will occur. There are no primary habitable room windows in the side elevation of Plot 4 that would result in any detrimental impact on No. 7 The Burltons.

- 5.18 Within the site itself, each unit will be afforded a well sized private and useable garden space. The garden sizes are very generous but this is in keeping with the character of the area as the surrounding properties mainly stand in large plots. In addition, the dwellings have been laid out and designed so as to avoid problems of intervisibility or overlooking. The closest two properties are No's 1 and 9 but the separation distance here still measures 20m.
- 5.19 In addition to the above, the scheme includes an area of Public Open space which will be available for all to use. This will also have a positive impact on levels of residential amenity particularly for neighbouring residences.
- 5.20 In light of the assessment above, it is considered that the scheme is well designed to afford a good level of residential amenity to all.
- 5.21 Affordable Housing
In accordance with policy CS18 of the Core Strategy, 35% of all dwellings on the site are to be delivered as affordable housing, as defined by the NPPF. Based on this scheme of 11 units, the Council are seeking a total of 3 affordable units. The applicants have agreed to this contribution and units 9, 10 and 11 are put forward to meet the identified local need which are considered acceptable subject to meeting all other affordable housing requirements as set out in paragraphs 5.22 to below;
- 5.22 Tenure split of 80% social rent and 20% intermediate housing is identified in the West of England Strategic Housing Market Assessment (SHMA) 2009. All three units shall be social rented.
- 5.23 The Council will seek a range of affordable unit types to meet housing need based upon the findings from the SHMA 2009 shown below: The proposed mix of 2 x 2 bed houses and 1 x 3 bed house is considered acceptable.

Social Rent

Percentage	Type	Min Size m2
23%	1 bed flats	46
7%	2 bed flats	67
38%	2 bed houses	75
22%	3 bed houses	85
10%	4 bed houses	106

Intermediate

Percentage	Type	Min Size m2
44%	1 bed flats	46
17%	2 bed flats	67
19%	2 bed houses	75
19%	3 bed houses	85
1%	4 bed houses	106

- 5.24 The affordable housing is to be delivered without any public subsidy. 100% of initial occupants and 75% of subsequent lettings to be nominated by SGC. All units to be built in line with the same standards as the market units (if higher) and to fully comply with the latest Homes and Communities Agency (HCA) standards applicable at the time the S.106 will be signed or 6 months prior to start on site whichever date is the latter, to include at least Level 3 of the Code for Sustainable Homes, Lifetime Homes standard, Secured by Design, and with full compliance of RP design brief.
- 5.25 Delivery is preferred through a Housing Delivery Panel RP – the four West of England Unitary Authorities have set up the Housing Delivery Panel to deliver affordable housing across the West of England. The Housing Delivery Panel will deliver affordable housing to set WoE development and management standards. The Council encourages the developer to work with a member of the Housing Delivery Panel, and in the event of the developer choosing an Affordable Housing Provider from outside this panel then the same WoE development and management standards will need to be adhered to.
- 5.26 Phasing - the affordable housing should be built at the same time as the rest of the housing on site in line with agreed triggers as per the S106 agreement. The Council will define affordability outputs in the S.106 agreement, without any further information regarding sales values the affordability standards are as follows: social rents to be set at target rents; shared ownership: no more than 40% of the market value will be payable by the purchaser. The annual rent on the equity retained by the RP/AHP should be no more than 1% of the unsold equity. Service charges will be capped at an appropriate level to ensure that the affordable housing is affordable. Social rented accommodation to be retained as affordable housing in perpetuity. Right to Acquire does not apply where no public subsidy is provided.
- 5.27 In Conclusion, it is considered that in the event of an approval such a contribution would meet the statutory tests for a section 106 agreement set out in the Community Infrastructure Levy Regulations 2010 (Regulation 122), and the policy tests set out in Circular 05/2005 on Planning Obligations.
- 5.28 Education
The Department for Children & Young People calculates contributions on the basis of the number of secondary pupils shown in Table 1 below. Current Department for Education cost calculators give a figure of £16,517 per additional secondary pupil place, based at the Quarter 4 2011 value of the Royal Institute of Chartered Surveyors Building Cost All-In Tender Price Index.

Table 1:

				Number of bedrooms							
				Flats			Houses				
				1 or 2	3+		1	2	3	4	5+
Secondary dwellings	pupils	per	100	0	0		3	3	14	27	46

- 5.29 At secondary level there is a projected deficit of places in the local area. The proposed development of 11 dwellings will generate 3 additional secondary pupils according to the pupil number calculator (based on the current housing mix). A contribution of £49,551 is required for additional secondary provision.
- 5.30 Additionally, this development is further than 3 miles by nearest available walking distance to The Castle School (the closest South Gloucestershire Secondary School). The route to the School is also considered hazardous. A contribution will be required to provide additional transport for pupils generated by this development.
- 5.31 The most cost efficient method of transport in this case is by bus/coach. The annual cost will be £429 per pupil. The transport contribution will therefore be £429 (annual cost per pupil) x 3 (number of pupils) x 5 (the number of years of secondary education)
 $£429 \times 3 \times 5 = £6,435$ (total amount of transport contribution).
- 5.32 There is a projected surplus of places at primary schools in the local area. No contribution is required for additional primary provision.
- 5.33 The total contribution required for additional school provision and transportation is £55,986. In Conclusion, it is considered that in the event of an approval such a contribution would meet the statutory tests for a section 106 agreement set out in the Community Infrastructure Levy Regulations 2010 (Regulation 122), and the policy tests set out in Circular 05/2005 on Planning Obligations.
- 5.34 Ecology
 The site consists of an intensive agricultural field (permanent pasture) between the Burltons and the Bristol Road opposite the junction of Church Lane with the Bristol Road on the southern edge of Cromhall. The site is not covered by any statutory or non-statutory nature conservation designations. The application includes an ecological survey dated 18th October 2012 by AA Environmental LLP.
- 5.35 A Phase 1 habitat survey identified that the fields consisted of semi-improved, species-poor grassland. Two hedges run along the southern and part of the western boundary, both dominated by blackthorn. Neither qualified as 'important' under the Hedgerow Regulations 1997, a habitat listed on both the UK and South Gloucestershire Biodiversity Action Plans (BAP). Subject to conditions, there are no objections to the proposed scheme on the grounds of ecology.

5.36 Community Service

Using current occupancy date and the proposed number of dwellings, it is estimated that the development of 11 dwellings would generate a population increase of 26.4 people. The following community services requirements are based on this breakdown:

5.37 Public Open Space

Policy LC8 of the Local Plan requires a minimum of 24sq.m. of Public Open Space per person where there is evidence of a local shortfall to meet the needs arising from the development. This level of requirement is informed by the guidance of Fields in Trusts (FIT) (formally the National Playing Fields Association – NPFA) and Sport England. Policy LC8 also requires provision of informal open space, the requirement for informal open space is informed by the general location, the character of the locality being created and proximity to other open publicly accessible spaces. All categories of Public Open space must be provided for – overprovision of one type of open space does not mitigate for under-provision of another, as this would not result in the adequately balanced provision required by policy.

5.38 Better design, management and maintenance of public open space can address a number of issues such as social inclusion, economic development, local democracy, local distinctiveness, urban regeneration, health and crime prevention. Provision of a range of good quality and easily accessible open spaces is important to reduce physical inactivity, which is a significant risk factor for a range of long-term health conditions.

The site occupies a rural location and has reduced access to some categories of open space. There is no category 1 provision (pitches, courts and greens) within the recommended 1.2km straight line distance. The nearest playing fields are located at Charfield (3km straight line distance) and Wickwar (3.2km straight line distance) from the site. It is reasonable to expect that the residents of the new development will use these facilities in the absence of closer facilities or facilities being provided by the developer on site.

5.39 Townwell play area (Category 2 – equipped play) is within reasonable travel distance of the proposed site but the level of provision is insufficient to cater for the existing population. The addition of new residents would exacerbate this situation. Existing accessible Category 3 (unequipped play) is absent and informal open space is very limited. Taking into consideration the audit of existing open space the Council requires the following to meet the needs of future residents:

Category 1 – none provided on site so shortfall in provision of 448.8 sq.m. Therefore seek a contribution of £21,207.82 for off street enhancement plus £6,418.96 for future maintenance of off site enhancements

Category 2 – none provided on site so shortfall of 66 sq.m. This should be provided on the proposed new village green

Category 3 and Informal Open Space - adequate space provided on site. The applicant has not expressed at this stage how the on site public open space will be managed and maintained. If the Council is to adopt and take transfer of the public open space, an additional contribution of £17.5920 per sq.m. is required.

Maintenance of the 66 sq.m of on site Cat 2 POS will be at a higher rate of £166.425 sq.m. If the POS is not adopted by the Council, it must be transferred to a company/entity that is controlled by the owners of the properties on the development. Further details of site POS will need to be negotiated through the S106 process.

5.40 Libraries

The increase in population arising from this development will place additional pressure on the Library Service moving it further away from the standard for a modern library service, leading to a decrease in the quality of service overall. The Council has adopted the Museums Libraries and Archives Council (MLA) recommended standard charge approach in the *Library Delivery Plan of 2009-2013* for use in negotiations on developer contributions. As detailed in the Library Infrastructure Delivery Plan the Council seeks £107.31 per resident based on providing 30sq.m. of gross internal floor space per 1,000 population.

- 5.41 Based on a population increase of 26.4 residents, using a contribution cost of 107.31 per person, a contribution of £2,832.98 towards the library service is required.

5.42 Noise, dust, smell and pollution

The site itself is not currently subject to excessive levels of noise, pollution, smell, dust or contamination. Should the application be approved, an informative relating to hours of work would apply during the period of construction to protect the amenity of local residents.

5.43 Drainage

The issue of drainage and flooding appears to be perhaps the most significant issue facing the site. However, the Council's drainage engineers have no objection to the proposal providing appropriate permeable paving/tarmac and adequate provision for water run-off is made. Should the application be approved a condition regarding SUDS details would be attached to the decision notice.

- 5.44 Wessex Water have also submitted comments on the application and it is also noted that they do not object to the scheme either. It is completely accepted that there is limited capacity in the existing downstream sewerage network to accommodate additional flows. It is imperative that no surface water connections are permitted to the public foul system. Wessex Water advise however that if development proceeds, then Wessex Water will review the existing downstream arrangements. In separate communications with the Parish Council Wessex Water have advised that the works are not scheduled until 2016.

- 5.45 Wessex Water in their comments make a number of points on the applicants proposed drainage strategy (mainly relating to easements, flow control devices, pipe diameter etc) – none of which however are insurmountable and can all be agreed separately between Wessex Water and the developer.

- 5.46 Your officer is sympathetic of the concerns of the Parish Council and local residents but given that neither Wessex Water or the Council's own drainage

engineers object to the scheme, it is considered that it would be un-reasonable to refuse the application on this basis. Some comfort is taken from Wessex Waters' comments on the application where they advise that they will review existing downstream arrangements. Should the development go ahead, it might be the case that Wessex brings forward the intended programme and so the improvements are made prior to 2016.

5.47 Trees

With the exception of drainage, the retention of trees has been one of the more significant issues facing the application site. The row of semi-mature trees growing along the edge of The Burltons are considered to be aesthetically pleasing and most certainly worthy of retention. During the course of the application, the scheme has been amended to allow a greater number of these trees to be retained and protected. The amendments made include a reduction in the number of proposed vehicular access points and also setting the proposed dwellings further back into the plot to avoid root damage. As initially submitted, the application necessitate the removal of 5 trees, now only three are to be lost (T6, T13 and T14).

- 5.48 Construction exclusion zones are to be put in place to protect the trees with protective fencing and cellweb ground protection will be used beneath the canopies of the trees.

5.49 Right of Access over Public Open Space

The two new vehicular access routes to serve the proposed development pass over land outside of the ownership of the applicant – they pass over land owned by South Gloucestershire Council. The correct notice has been served on the Council. There has been considerable discussion between officers of the Council and legal officers during the course of the application to ensure that the new access ways are legal.

- 5.50 The Councils legal officer has examined all evidence in detail and is satisfied that a 1998 Transfer does indeed allow the developer to create new driveways across the Council owned land. The land is however designated as public open space and so therefore, the new access ways will not be 'private' but would in fact be public. Whilst this situation is somewhat unusual, it is certainly legal. The only potential disadvantage would be to plot 1 who would effectively own half of their driveway but not the other half. This would preclude the parking of private motor vehicles on the end of the driveway closest to The Burltons.

- 5.51 A draft easement is being prepared separately to this planning application regarding the creation of these access ways. Legally, the easement also allows for the removal of the trees. The Council is not therefore able to object to the removal of the trees necessary to create the new access driveways.

5.52 Planning Obligations

The Community Infrastructure Levy Regulations 2010 set out the limitations of the use of Planning Obligations (CIL). Essentially the regulations (regulation 122) provide 3 statutory tests to be applied to Planning Obligations and sets out

that a planning obligation may only constitute a reason for granting planning permission for a development if the obligation is;

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

In this instance, it is considered that the planning obligations required to secure financial contributions towards affordable housing, education, library services, public open space, and public transport are consistent with the CIL Regulations (Regulation 122)

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 (1) That authority be delegated to the Director of Planning, Transportation & Strategic Environment to grant planning permission, subject to the conditions set out below and the applicant first voluntarily entering into an Agreement under Section 106 of the Town & Country Planning Act 1990 (as amended) to secure the following:
 - (i) A contribution of £49,551 towards the provision of additional secondary provision plus £6,435 toward transport to this secondary school provision to cater for the increased demand on education facilities as a result of the development.
 - (ii) The provision of three on site affordable housing units (2x2 bed and 1x3 bed) to meet the identified local need.
 - (iii) A contribution of £21,207.82 for off-street enhancements to existing Category 1 Public Open Space Provision plus £6,418.96 towards the future maintenance of the enhancements.
 - (iv) If the on site public open space is to be adopted by the Council, an additional contribution of £17.5920 per sq.m. is required. Maintenance of the required 66 sq.m of on site Cat 2 POS will be at a higher rate of £166.425 sq.m.
 - (v) A contribution of £2,832.98 towards the library service to cater for the increased demand on the service as a result of the development.

- (vi) A contribution of £8,000 towards improving public transport facilities in the area to improve sustainable alternatives to the motor car

The reasons for this Agreement are:

- (i) To ensure adequate provision of education facilities within the vicinity of the development having regard to the increased population generated by the development, in accordance with Policy LC2 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
 - (ii) To meet the identified local need as meet the requirements to provide on site affordable housing in accordance with the NPPF and Policy CS18 of the South Gloucestershire Core Strategy.
 - (iii) There is no category 1 provision (pitches, courts and greens) within the recommended 1.2km straight line distance. The contributions are therefore required to enhance and maintain existing category 1 provision having regard to the increased population generated by the development, in accordance with Policy LC1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006
 - (iv) To ensure that appropriate category 2 and 3 on site public open space is provided and maintained at no public expense having regard to the increased population generated by the development, in accordance with Policy LC1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
 - (v) To ensure adequate library facilities are available within the vicinity of the development having regard to the increased population generated by the development, in accordance with Policy LC1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
 - (vi) In order to promote the sue of more sustainable modes of transport in accordance with the NPPF amd Policy T12 of the South Gloucestershire Local Plan (Adopted).
- (2) That the Head of Legal & Democratic Services be authorised to prepare and seal the agreement.
 - (3) If the S106 Agreement is not signed and sealed within 6 months of this determination then, in view of the length of time, the application should either:
 - a) Be returned to the Circulated Schedule for reconsideration;
- Or
- b) The application should be refused due to the failure to secure the Heads of Terms listed above under a Section 106 Agreement, for the reason listed.

Contact Officer: Marie Bath
Tel. No. 01454 864769

CONDITIONS

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

Reason

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

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

Reason

To ensure a satisfactory standard of external appearance and to accord with Policies D1 and H2 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. Prior to the first occupation of any of the dwellings hereby permitted, the access and off street parking provision for that specific dwelling and as shown on plan 100N received by the Council on 9th August 2013 shall be provided and remained as such at all times thereafter.

Reason

To ensure a satisfactory amount of off street parking is provided to meet the needs arising from the development in accordance with the requirements of Policy T12 of the Adopted Local Plan and the Residential Parking standards SPD.

4. No windows other than those shown on the plans hereby approved shall be inserted at any time in side (north) or rear (east) elevation of plot 11, the side (west) elevation of plot 5 or the side (east) elevation of plot 4.

Reason

In the interests of the amenity of the neighbouring occupiers to prevent unacceptable levels of overlooking and to accord with Policies D1 and H2 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. At no time shall any new vehicular or pedestrian access be created directly from the site onto the B4058.

Reason

In the interests of highway safety due to the visibility on the highway in accordance with the requirements of Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. Prior to the commencement of development, a ecological and landscape management plan shall be drawn up and agreed with the Council in writing prior to development commencing. The plan should include measures to protect hedgerows during

construction and their future management. All works are to be carried out in accordance with the written agreement.

Reason

To mitigate against the impact of the development in accordance with the requirements of Policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

7. Reason

In the interests of visual amenity and to protect the amenity enjoyed by those living in the locality to accord with Policy H2 of the South Gloucestershire Local Plan (Adopted) January 2006.

8. 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 to accord with Policies H2, D1 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with policies L17, L8 and EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 38/13 – 20 SEPTEMBER 2013

App No.:	PT13/2060/F	Applicant:	Mr And Mrs Craig Taylor
Site:	15 Lower Stone Close Frampton Cotterell Bristol South Gloucestershire BS36 2LE	Date Reg:	18th June 2013
Proposal:	Erection of 1no. detached dwelling with associated works	Parish:	Frampton Cotterell Parish Council
Map Ref:	367328 181453	Ward:	Frampton Cotterell
Application Category:	Minor	Target Date:	8th August 2013



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100023410, 2008.

N.T.S.

PT13/2060/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The application site lies within the front garden of a period, two-storey semi-detached house, located on the western side of Lower Stone Close, Frampton Cotterell. Within this part of the village the residential properties exhibit a wide range of age and design but the majority face onto the road and are set in large plots. In this respect nos.15 and 17 are anomalous, being set well back from the road with their gardens, garages and hard-standings all located to the front. To the west of Lower Stone Close are a number of shops including a 'Premier' convenience store, to the front of which cars can park perpendicular to the carriageway; further to the north is Highcroft Junior School. Vehicular access to no.15 is via an existing gated access from Lower Stone Close. The site lies within the Established Settlement Boundary and has no special designations within the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
- 1.2 It is proposed to erect a detached, two-storey (with single-storey rear element), 2 bedroom dwelling, within the front garden of no.15. The new dwelling would share the existing gated access serving the existing property and would sit alongside neighbouring no. 13, a modern dormer bungalow.

2. POLICY CONTEXT

2.1 National Guidance

The National Planning Policy Framework (NPPF).

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy incorporating Inspector Preliminary Findings and Draft Main Modifications September 2012.

CS1 - High Quality Design

CS5 - Location of Development

CS15 - Distribution of Housing

CS16 - Housing Density

CS17 - Housing Diversity

CS18 - Affordable Housing

South Gloucestershire Local Plan (Adopted) January 2006

D1 - Design

L1 - Landscape Protection and Enhancement

L5 - Open Areas within the Existing Urban Areas and Defined Settlement Boundaries.

L17 & L18 - The Water Environment

EP1 - Environmental Pollution

EP2 - Flood Risk and Development
 EP7 - Unstable Land
 T7 - Cycle Parking
 T12 - Transportation Development Control Policy for New Development
 H2 - Proposals for Residential Development, Including Residential Institutions and Special Needs Accommodation, and Applications to Renew Permissions for Residential development, within the Existing Urban Area and Defined Settlement Boundaries.
 H4 - Development within Residential Curtilages
 H6 - Affordable Housing
 LC1 - Provision for Built Sports, Leisure and Community Facilities (Site Allocations and Developer Contributions).
 LC2 - Provision of Education Facilities (Site Allocations and Developer Contributions).

2.3 Supplementary Planning Guidance

The South Gloucestershire Design Checklist (SPD) – Approved 23rd August 2007.

Affordable Housing SPD Sept 2008

South Gloucestershire Council Residential Parking Standards (Approved for Development Management Purposes) 27 March 2013

3. **RELEVANT PLANNING HISTORY**

3.1 None

4. **CONSULTATION RESPONSES**

4.1 Frampton Cotterell Parish Council

The Parish Council objects as this is overdevelopment with improbable access and parking.

4.2 Other Consultees (including internal consultees of the Council)

Highway Drainage

No objection subject to a SUDS Drainage Scheme being secured by condition.

Sustainable Transport

No objection subject to a condition to secure a revised access, parking and refuse store arrangement for the new dwelling.

Other Representations

4.3 Local Residents

3no. letters of objection have been received, 2no. from the occupiers of neighbouring no.13 and one from the occupier of no.17. The concerns raised are summarised as follows:

- Adverse impact on the side habitable room windows of no. 13 i.e. ground floor cloakroom, reception room and first floor landing and bedroom.
- Overbearing impact on no.13 from proposed fence and house.

- More windows could be added which would overlook no.17.
- Parking is a problem with the shop (Premier) opposite.
- Increased noise.
- Erection of boundary fence inappropriate.
- Loss of outlook from side windows of no.13.
- Higher ground levels of development plot would make proposed house taller than the dormer bungalow at no.13.
- Erection of fence on boundary with no.13 would reduce security – aspect currently open for surveillance.
- The proposed house should be set further back into the site.

5. **ANALYSIS OF PROPOSAL**

Principle of Development

- 5.1 The NPPF has recently superseded various PPS's and PPG's, not least PPS3 – Housing. The NPPF carries a general presumption in favour of sustainable development. Para.2 of the NPPF makes it clear that applications for planning permission must be determined in accordance with the development plan and this includes the Local Plan. Para 12 states that the NPPF does not change the statutory status of the development plan as the starting point for decision-making. Proposed development that conflicts with an up-to-date development plan should be refused unless material considerations indicate otherwise. At para. 211 the NPPF states that for the purposes of decision-taking, the policies in the Local Plan should not be considered out-of-date simply because they were adopted prior to the publication of the NPPF. In this case the relevant Local Plan is The South Gloucestershire Local Plan, which was adopted Jan 6th 2006.
- 5.2 The South Gloucestershire Local Plan Core Strategy incorporating Inspector Preliminary Findings and Draft Main Modifications – Sept. 2012 has now been through its Examination in Public (EiP) stage; the Inspector has given his preliminary findings and stated that the Core Strategy is sound subject to some modifications. The policies therein, although a material consideration, are not yet adopted and can therefore still only be afforded limited weight.
- 5.3 The proposal falls to be determined under Policy H2 of the South Gloucestershire Local Plan (Adopted) 6th January 2006, which permits the residential development proposed, subject to the following criteria:
- A. Development would not have unacceptable environmental or transportation effects, and would not significantly prejudice residential amenity; and
 - B. The maximum density compatible with the site, its location, its accessibility and its surroundings is achieved. The expectation is that all developments will achieve a minimum density of 30 dwellings per hectare and that higher densities will be achieved where local circumstances permit. Not least, in and around existing town centres and locations well served by public transport, where densities of upwards of 50 dwellings per hectare should be achieved.

- C. The site is not subject to unacceptable levels of noise disturbance, air pollution, smell, dust or contamination; and
 - D. Provision for education, leisure, recreation and other community facilities, within the vicinity, is adequate to meet the needs arising from the proposals.
- 5.4 It should be noted however that there is now no nationally prescribed figure for housing density.
- 5.5 Also of relevance is Policy H4 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006, which permits new dwellings within residential curtilages subject to criteria discussed below. Policy D1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and Policy CS1 of the South Gloucestershire Core Strategy both seek to secure good quality designs that are compatible with the character of the site and locality.
- 5.6 Density
Policy H2 seeks to ensure that sites are developed to a maximum density compatible with their location and like the NPPF seeks to avoid development, which makes an inefficient use of land.
- 5.7 The proposal is considered to make efficient use of the land in what is a sustainable location within the Established Settlement Boundary. Due to the physical constraints of the site and proximity of neighbouring houses, more than one additional dwelling could not realistically be accommodated on the plot and in this respect the proposal makes efficient use of the land, which accords with government guidelines. The proposed density of development would not be significantly different from that of the wider location. In terms of its density alone, the development is not considered to be an overdevelopment of the site.
- 5.8 Scale and Design
In terms of scale and design, the proposed dwelling would be relatively modest in scale, being only 5m wide and having gabled ends, with eaves at 5m and roof ridge at 8m; the overall depth of the proposed foot-print would be 11.4m but the depth of the two-storey element would be only 7.5m. The ridge and eaves height and overall massing of the proposed dwelling directly reference the existing property no.15. The single-storey rear element would have a mono-pitch roof, sloping down from a maximum height of 3.5m to 2.4m at the rear. The materials to be used in construction would include cream render with stone cills, red/brown double roman roof tiles, white upvc sash windows and doors.
- 5.9 Paragraph 57 of the NPPF sets out the importance of high quality and inclusive design. Paragraph 58 acknowledges the need to '*optimise the potential*' of a site to accommodate development and to '*respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation*'.
- 5.10 Paragraph 60 states that '*Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to*

conform to certain development forms or styles. It is however, proper to seek to promote or reinforce local distinctiveness.'

- 5.11 In this case there is no distinctive character to the location which is made up of an eclectic mix of house styles spanning a wide age range. Although the existing property is probably 19th C in age with a random rubble Pennant Sandstone frontage, it is set so far back from the road as to make little contribution to the street scene. Neighbouring no.13 is a modern dormer bungalow; whilst no. 19 is an older property it would be separated from the new dwelling by the garden of no. 17. In this respect the proposed dwelling would not look out of place within the street scene.
- 5.12 The scheme is considered to be an acceptable design that would respect the massing, scale, proportions, materials and overall design and character of the existing property and the character of the street scene and surrounding area, which accords with Policies H4 and D1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.
- 5.13 Transportation Issues
The existing two-bedroom property is served by an existing gated access off Lower Stone Close where the road forms a sweeping bend. The access leads to a single detached garage located half way back into the site. A further parking space and turning area is provided to the side of the driveway. There is a similar arrangement to the front of no.17. There is a fairly wide footpath along the western side of Lower Stone Close to the front of the application site. Car parking along Lower Stone Close is unrestricted and directly opposite the site are a number of parking spaces, set at right angles to the road, which serve the adjacent shops. From the officer site inspection it is evident that cars enter these spaces in forward gear and reverse out into the road when they leave.
- 5.14 In the proposed scheme, the existing garage serving no.15 would be demolished and a parking space and turning area, to serve no.15 would be located further into the site, to the rear of the proposed dwelling. The existing driveway would be extended to access this new parking/turning area. For the new house a similar parking/turning area would be introduced adjacent to the access and to the front of the new dwelling. A bin store and some cycle parking would also be provided adjacent to this front parking/turning area.
- 5.15 Whilst officers have some reservations about the effectiveness of the turning areas, they are also mindful that the existing dwelling could re-locate their parking and turning areas to the proposed position under permitted development rights. Furthermore the existing access could, under permitted development rights be re-engineered such that vehicles could reverse out of the site onto the adjacent highway, much as the cars already do from the parking spaces to the front of the shops on the opposite side of the road.
- 5.16 In this regard, officers recommend that the proposed bin store be re-located and the vehicle access and dropped kerb widened to allow for vehicles to manoeuvre more easily in reverse gear, in a much less constrained way onto the highway; this can be secured by condition. The highway envelope, as presented as the footpath in the location of the development access, is wide

- enough for a driver to have full view of the carriageway and this manoeuvre merely reflects that accepted and existing for the shop parking spaces directly opposite.
- 5.17 Finally, with regard to consideration of any conflicts arising with the opposing car parking spaces, officers do not consider this to be a material consideration, due to the limited intensification generated by the small dwelling proposed.
- 5.18 On balance therefore, officers are satisfied that the scheme accords with Policies T12, H2(A) and H4(C) of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and The South Gloucestershire Residential Parking Standards.
- 5.19 Impact on Residential Amenity
Adequate sized gardens would be retained for the existing and proposed dwellings. Privacy at ground floor level would be ensured by the retention of an existing 2m high hedge and the erection of 1.8m high close board fences around the rear garden of the new house and along the boundary with no.13.
- 5.20 In terms of overlooking from first floor windows, there would be more than ample distance to the properties to the front and rear (37m) of the new dwelling. There are no windows proposed for either of the side elevations of the new house and concerns about later insertion of windows in these elevations can be addressed by a condition. Some overlooking of neighbouring gardens from the first floor rear windows is considered to be inevitable in a relatively densely populated urban area such as this and is not considered justification for refusal of planning permission. In any event, the two first floor rear windows in the proposed dwelling serve an en-suite and walk-in closet and as such are shown on the plans as obscurely glazed.
- 5.21 A number of concerns have been raised by the occupiers of no.13 about loss of outlook, overbearing impact and not least loss of light to a number of windows located in the side elevation of their property. At present the low boundary treatment and open character of the area to the front of the application site, affords open views from both the first floor and ground floor windows in the northern side elevation of no.13. There are no significant windows in the side of no. 19 opposite, which in any case would be separated from the new dwelling by the garden of no.17.
- 5.22 In order to confirm which rooms the side windows of no.13 serve and to fully appreciate the likely impact that the development may have on these windows, officers have inspected the inside of the property in question. It can now be confirmed that at ground floor level a small window serves a W.C. and a fairly large window serves a study or reception room. At first floor level is a landing window and a bedroom window. Officers noted that the ground floor study appeared to be well used and the window, which provided a good deal of natural daylight to the room, was the only window serving the room. At first floor level the landing window was located at the end of a long corridor providing access to the bedrooms. At the time of the site visit, on a bright Summers day, only a limited amount of light found its way into the end of the corridor and it was apparent that more light came into the corridor if bedroom doors were left

- open. The bedroom window did provide a good deal of light to this room as well as an open view across the front gardens of nos. 15 & 17, however the bedroom is also served by a second rear window of similar proportions.
- 5.23 The occupiers of no.13 consider that the new dwelling, together with the proposed 1.8m boundary fence would obliterate their outlook from these windows and significantly reduce the amount of daylight to these respective rooms. They also feel that any overbearing impact would be exacerbated by the fact that the adjoining development plot is slightly higher in comparison to the ground levels at no.13.
- 5.24 Whilst the occupants of no.13 have to date enjoyed an open outlook from their ground floor windows, the neighbours at no.15 are perfectly within their rights to erect a 2.0m high boundary fence under permitted development rights. Officers being mindful of this fall-back position, consider that it would be unreasonable to refuse the application for reasons of the impact of the proposed 1.8m fence.
- 5.25 The impact of the proposed house is of course another matter. Even given the presence of the boundary fence, the side elevation of the new dwelling would be located some 5m from the side elevation of no.13. The landing window to no.13 does not serve a habitable room, whilst the bedroom window is not the only window serving the bedroom; furthermore the outlook from the bedroom window would be over the single-storey element of the proposed dwelling, as opposed to looking directly at the side elevation of the two-storey element.
- 5.26 Having carefully considered the proposal in the light of the objections raised, officers consider that there would inevitably be some loss of amenity due to overbearing impact and loss of outlook and daylight to the bedroom and study of no.13, but whether this is sufficient to justify refusal of planning permission is questionable, especially given the strong presumption in favour of sustainable development provided by the NPPF and the acknowledged need for new housing provision in the area.
- 5.27 Having regard to all of the above, officers are satisfied that on balance any harm to residential amenity would be tolerable and outweighed by other matters.
- 5.28 Landscape Issues
The plot forms part of the garden of no.15. Under Local Plan Policy L5, within the Established Settlement Boundary development will not be permitted where it would adversely affect the contribution that an open area makes to the quality, character, amenity and distinctiveness of the locality. Furthermore the NPPF at paras. 48 and 53 seek to resist development within residential gardens where it would cause harm to the local area.
- 5.29 It is evident that whilst the residential development between Lower Stone Close and Upper Stone Close is relatively low density, the location does not have a particularly open character and the development plot is for most part already developed, being mainly driveway, hard-standings and garages. Given the amount of garden that would be retained, the proposed development would not significantly harm the character of the local area; furthermore any harm that

might occur is considered to be outweighed by the acknowledged need for housing in the wider area and the government's aim to kick start the economy via the planning system by encouraging sustainable development and house building.

5.30 Given that the site lies within a built up area and does not contain any vegetation of note, the proposal would not adversely affect the visual amenity of the wider landscape. It is proposed to retain the historic Pennant Sandstone walls that in part bound the site although it is acknowledged that part of this wall might be lost if the access is widened.

5.31 The proposal is therefore in accordance with Policies L1 and L5 of the South Gloucestershire Local Plan (Adopted) 6th January 2006.

5.32 Environmental and Drainage Issues

Whilst there would inevitably be some disturbance for neighbouring occupiers during the construction phase, this would be on a temporary basis only and could be adequately mitigated for by imposing a condition to limit the hours of construction. It is not considered that the introduction of one small dwelling is likely to generate a significant increase in noise for neighbouring occupiers. In terms of drainage the Council's Drainage Engineer raises no objection to the proposal which would utilise existing systems, however a SUDS Drainage Scheme would be secured by condition should planning permission be granted. The site is not prone to flooding. The proposal therefore accords with Policies L17, L18, EP1 and EP2 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

5.33 Security Issues

Concern has been expressed by the occupier of no.13 that the proposal would adversely affect the security of no.13. At present the northern side of no.13 is readily accessible due to the lack of a high boundary treatment. Passive surveillance is available from the study and bedroom windows in the side elevation of no.13. The erection of the new dwelling and boundary fence would however make access to no.13 more difficult and given that the new house would provide additional passive surveillance, officers consider that on balance this issue would not justify a refusal reason. Policy D1(F) is therefore satisfied.

5.34 Affordable Housing

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

5.35 Education Service

The proposal is for 1no. dwelling only, which is below the Council's threshold (5) for contributions to the Education Service.

5.36 Community Services

The proposal is for 1no. dwelling only, which is below the Council's threshold (10) for contributions to Community Services.

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 Officers consider that the determination of this proposal is a finely balanced judgement. Whilst it is acknowledged that the scheme would have some adverse impact on the amenity currently enjoyed by the occupants of neighbouring no.13, this is considered to be outweighed by the fact that the proposal would make efficient use of land within the Urban Area, which would make a positive contribution to housing supply and sustainable development which accords with government guidelines contained in the NPPF.
- 6.3 The recommendation to grant planning permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

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

Contact Officer: Roger Hemming
Tel. No. 01454 863537

CONDITIONS

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

Reason

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

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

Reason

To protect the residential amenity of the neighbouring occupiers and to accord with Policies H2, H4 and EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. 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. Thereafter the development shall be carried out in accordance with the approved details.

Reason

To comply with Policies L17, L18, EP1, EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. Notwithstanding the submitted details, prior to the commencement of the development hereby approved, revised access, parking and refuse store arrangements shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the parking, access and refuse store shall be implemented in full accordance with the details so approved (including surfacing) and prior to the first occupation of the dwelling house hereby approved and maintained thereafter for the purpose of use.

Reason

To ensure the satisfactory provision of parking and manoeuvring facilities and visibility at the access, in the interest of highway safety and the amenity of the area, and to accord with Policies H2, H4 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006 and The South Gloucestershire Residential Parking Standards (Approved for development management purposes) 27th March 2013.

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

Reason

To ensure a satisfactory standard of external appearance and to accord with Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. Prior to the first occupation of the dwelling hereby approved, the boundary fences shall be erected in accordance with the approved Site Layout Plans.

Reason

To protect the residential amenity of the neighbouring occupiers, and to accord with Policies H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. No windows (including dormer windows and roof lights) other than those shown on the plans hereby approved shall be inserted at any time in the dwelling hereby approved.

Reason

To protect the residential amenity of the neighbouring occupiers and to accord with Policies H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 38/13 – 20 SEPTEMBER 2013

App No.:	PT13/2823/F	Applicant:	Mr R Iles
Site:	58 Church Road Winterbourne Down Bristol South Gloucestershire BS36 1BY	Date Reg:	1st August 2013
Proposal:	Erection of two storey side extensions to east and west elevations and two storey rear extension to form additional living accommodation. (Resubmission of PT13/1695/F).	Parish:	Winterbourne Parish Council
Map Ref:	365249 179598	Ward:	Winterbourne
Application Category:	Householder	Target Date:	23rd September 2013



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PT13/2823/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is referred to the circulated schedule for determination as an objection has been received from the Parish Council. This is contrary to the officer recommendation for approval.

1. THE PROPOSAL

- 1.1 This application is the resubmission of a previously refused scheme. PT13/1695/F was refused on 11 July 2013 under delegated authority for the following reason:

The proposed development fails to provide adequate off-street car parking, to the detriment of the amenity of the locality, the free and unobstructed flow of traffic, and highway safety, and contrary to Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006, Policy CS8 of the South Gloucestershire Local Plan Core Strategy incorporating Inspector Preliminary Findings and Draft Main Modifications September 2012, and the Residential Parking Standards Supplementary Planning Document (Approved for Development Management Purposes) March 2013

- 1.2 This application seeks to overcome the previous refusal reason by providing one off-street parking space and retaining and extending the garage.
- 1.3 Planning permission is sought for two separate two-storey extensions (one on the east elevation, and one on the west) and one two storey rear extension at a cottage in Winterbourne Down.
- 1.4 The site is within the settlement boundary for the village and is not covered by any statutory or non-statutory designations.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012

- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Design
EP1 Environmental Pollution
T12 Transportation
H4 Development within Existing Residential Curtilages

South Gloucestershire Local Plan Core Strategy incorporating Inspector Preliminary Findings and Draft Main Modifications September 2012

CS1 High Quality Design
CS8 Improving Accessibility

2.3 Supplementary Planning Guidance

- (a) South Gloucestershire Design Checklist (Adopted) August 2007
- (b) Residential Parking Standard (Approved for Development Management Purposes) March 2013

3. **RELEVANT PLANNING HISTORY**

- 3.1 PT13/1695/F Refused 11/07/2013
Erection of two storey side extensions to east and west elevations and two storey rear extension to form additional living accommodation

4. **CONSULTATION RESPONSES**

- 4.1 Winterbourne Parish Council
Objection: lack of parking, however the proposed extension will not change the current parking arrangement.
- 4.2 Drainage
No comment
- 4.3 Transport Officer
No objection: It is now proposed to retain and extend the garage and provide parking on the driveway for one car. This resolves the previous highway objections.

Other Representations

- 4.4 Local Residents
None received

5. **ANALYSIS OF PROPOSAL**

- 5.1 This application seeks permission for a number of extensions to a cottage in Winterbourne Down.
- 5.2 Principle of Development
Development within existing residential curtilages is managed through policy H4 of the Local Plan. This policy is supportive of the extension and alteration of existing properties subject to an assessment of design, amenity and transport. Therefore, the proposed development is acceptable in principle but must be determined on the following analysis.
- 5.3 Transport
Having been refused on transport grounds, the application must prove that the previous refusal reasons have been overcome. PT13/1695/F was refused as inadequate parking was provided to accord with the *Residential Parking Standard*, which would result in vehicles being parked on the public highway to the detriment of highway safety.

- 5.4 The proposed extensions would result in a three-to-four bedroom dwelling. Three and four bedroom dwellings require a minimum of two off-street parking spaces to accord with the Council's parking standard.
- 5.5 Amendments between the refused application and this resubmission included the provision of one parking space at the front of the property and the retention and extension of the existing garage.
- 5.6 The parking space proposed at the front of the property accords with the size requirements of the parking standard. However, the garage falls beneath that required to count as a parking space as it is slightly too short and too narrow. Therefore, the garage can only account as 0.5 a space (as set out in Appendix A to the *Residential Parking Standard*).
- 5.7 Whilst only 1.5 parking spaces are provided as part of the development this is an improvement over the complete lack of parking provided in the initial application. Furthermore, due to the changing levels on the site and the location of the front door it is considered unreasonable to request further hardstanding within the front garden. The proposed parking arrangement is not materially different from the existing parking arrangement. On that basis, it is considered that the most effective use of the site has been reached and that the maximum parking provision has been made.
- 5.8 In this instance it is considered that the parking proposed is sufficient to serve the needs of the development and would overcome the previous concerns regarding highway safety.
- 5.9 Design
As existing, 58 Church Road, is a small traditional cottage. It is small in scale and mass, although it has been previously extended. The proposal would result in two side extensions, one to either side of the existing house. The eaves height and window proportions would remain the same and the extensions would be finished to match the external appearance of the original cottage. The pitch of the front roof slope would remain unchanged, although a shallow pitch would be added to the rear.
- 5.10 The side extension to the east would be flush with the front of the cottage whereas the extension to the west would be set back. As a result the extension to the cottage to the east would result in a very balanced front composition which is visually appealing. The extension to the west, which is set back, takes on a subservient appearance to the main dwelling. Overall the composition respects the character and appearance of the existing cottage. A condition regarding materials will be submitted to ensure that a satisfactory standard of external appearance is achieved.
- 5.11 Amenity
Development should protect residential amenity. The proposed development will not be prejudicial to the amenities of the existing dwelling as adequate amenity space is retained on site following the development.

- 5.12 Significant changes are proposed to the rear elevation of the property, including changes to the fenestration. Due to the layout of the site, gardens and nearby properties, the first floor window in the rear elevation of the proposed extension to the west of the cottage would directly overlook the rear garden of the adjacent property. As existing there is only one first floor rear window; the proposal would result in three.
- 5.13 Whilst the overall fenestration is not sufficient to result in a refusal based on residential amenity, it is considered that the first floor rear window in the proposed south elevation should be obscure glazed to protect the privacy of the adjacent occupiers; this will be secured by condition.
- 5.14 It is not considered that there would be any further impact on residential amenity of the amenities of the locality.

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 proposed development has been assessed against policy D1, T12, and H4 of the Local Plan and the *Residential Parking Standard*. Overall it is considered that an acceptable standard of site planning and design has been achieved and that the proposed development respects the character and appearance of the existing property. When read with the conditions imposed it is not considered that the development will prejudice residential amenity. Although the minimum parking standard has not been achieved, the maximum amount of parking reasonably available at the property has been achieved.
- 6.3 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 It is recommended to GRANT permission subject to the conditions listed below.

Contact Officer: Griffith Bunce
Tel. No. 01454 863438

CONDITIONS

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

Reason

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

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

Reason

To ensure a satisfactory standard of external appearance and to accord with Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

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 D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason

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

CIRCULATED SCHEDULE NO. 38/13 – 20 SEPTEMBER 2013

App No.:	PT13/2856/ADV	Applicant:	Tesco Stores Ltd
Site:	Tesco Stores Ltd Willow Brook Centre Savages Wood Road Bradley Stoke South Gloucestershire	Date Reg:	8th August 2013
Proposal:	Display of no.7 non-illuminated graphic and fascia signs on click and collect pod. (Resubmission of PT13/2288/ADV).	Parish:	Bradley Stoke Town Council
Map Ref:	362095 181978	Ward:	Bradley Stoke Central And Stoke Lodge
Application Category:	Minor	Target Date:	30th September 2013



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PT13/2856/ADV

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is referred to the circulated schedule for determination as objections from local residents have been received that are contrary to the officer recommendation for approval.

1. THE PROPOSAL

- 1.1 This application seeks advertisement consent for the display of 7 non-illuminated graphic, fascia, and directional signs on the 'click and collect pod' at Tesco Bradley Stoke.
- 1.2 The click and collect pod was permitted under application PT13/2281/F. The proposed adverts relate to this structure.
- 1.3 The initial application made for advertisement consent was withdrawn as planning permission for the pod had yet to be granted. This is a resubmission of the previous application now that the pod has been approved.
- 1.4 During the course of the application, the proposed signs have been reduced from 11 to 7 as it was considered that the amount of signs were excessive and the cumulative impact of the signage was poor.
- 1.5 This report and recommendation is based on the amended application.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012
The Town and Country Planning (Control of Advertisements) (England) Regulations 2007
- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
T12 Transportation

South Gloucestershire Local Plan Core Strategy incorporating Inspector Preliminary Findings and Draft Main Modifications September 2012
CS1 High Quality Design
- 2.3 Supplementary Planning Guidance
Shopfronts and Advertisements (Adopted) April 2012

3. RELEVANT PLANNING HISTORY

- 3.1 PT13/2281/F Approve with Conditions 23/08/2013
Installation of a customer collection pod with canopy (resubmission of PT13/0939/F)

4. CONSULTATION RESPONSES

- 4.1 Bradley Stoke Town Council
No objection
- 4.2 Transport
No objection
- 4.3 Public Rights of Way
Proposal will not affect the nearest PROW.

Other Representations

- 4.4 Local Residents
Three letters of objection have been received that raise the following points:
- signage is too close to residential properties
 - signs are excessive in number
 - car park is 'over signposted'
 - proposal is abhorrent to the eye
 - would create noise and disturbance
 - development is against the agreement that structures would be placed close to residences

5. ANALYSIS OF PROPOSAL

- 5.1 This application is seeking advertisement consent for seven non-illuminated signs at Tesco in Bradley Stoke.
- 5.2 Principle of Development
Guidance within the National Planning Policy Framework states that advertisements should only be controlled in the interests of amenity, public safety and cumulative impact. Design and design quality is assessed in terms of visual amenity and cumulative impact using policy D1 of the Local Plan. Public safety is assessed using policy T12 to ensure that the signage is not detrimental to highway safety or presents a traffic hazard.
- 5.3 Design and Amenity
Several different elements of signage are proposed. There will be two pole mounted directional signs at locations A and C on the block plan. These match the style, size and appearance of the existing directional signs and are considered to be appropriate and reach an acceptable standard of design. One slat sign will be inserted into the existing totem sign at location B. Again, this sign will match the existing signs and is therefore acceptable.
- 5.4 The majority of the signage will be located on the click and collect pod. This includes the click and collect circular logo, tag line, and direction arrow on the approach elevation, the click and collect logo and grocery vinyl of the front elevation (under the loading canopy), one mid sized vinyl panel to the rear, and

the click and collect logo and tag line on the side elevation from which customers exit.

- 5.5 None of the proposed signage is illuminated or visually jarring. An appropriate palette of colours and materials have been selected that accord with the character and appearance of the site.
- 5.6 Overall the proposed signage is considered to meet an acceptable standard of design and does not prejudice the amenity of the locality. It is not considered that the proposal would lead to an over concentration of signs or that the cumulative impact of these signs would be detrimental.
- 5.7 Public Safety
Located within the Willow Brook Centre, the site is subject to public access and vehicular movements. Adverts should not cause distraction for motorists or affect public safety.
- 5.8 The proposed signage has been assessed by the Highway Officer, who raises no objection on the grounds of transportation. It is not considered that the signs are located in a position to impinge on pedestrian safety.
- 5.9 Other Matters
This application is solely for the advertisements and cannot assess the principle of the pod. It is not therefore possible that the adverts in themselves would cause noise or disturbance.

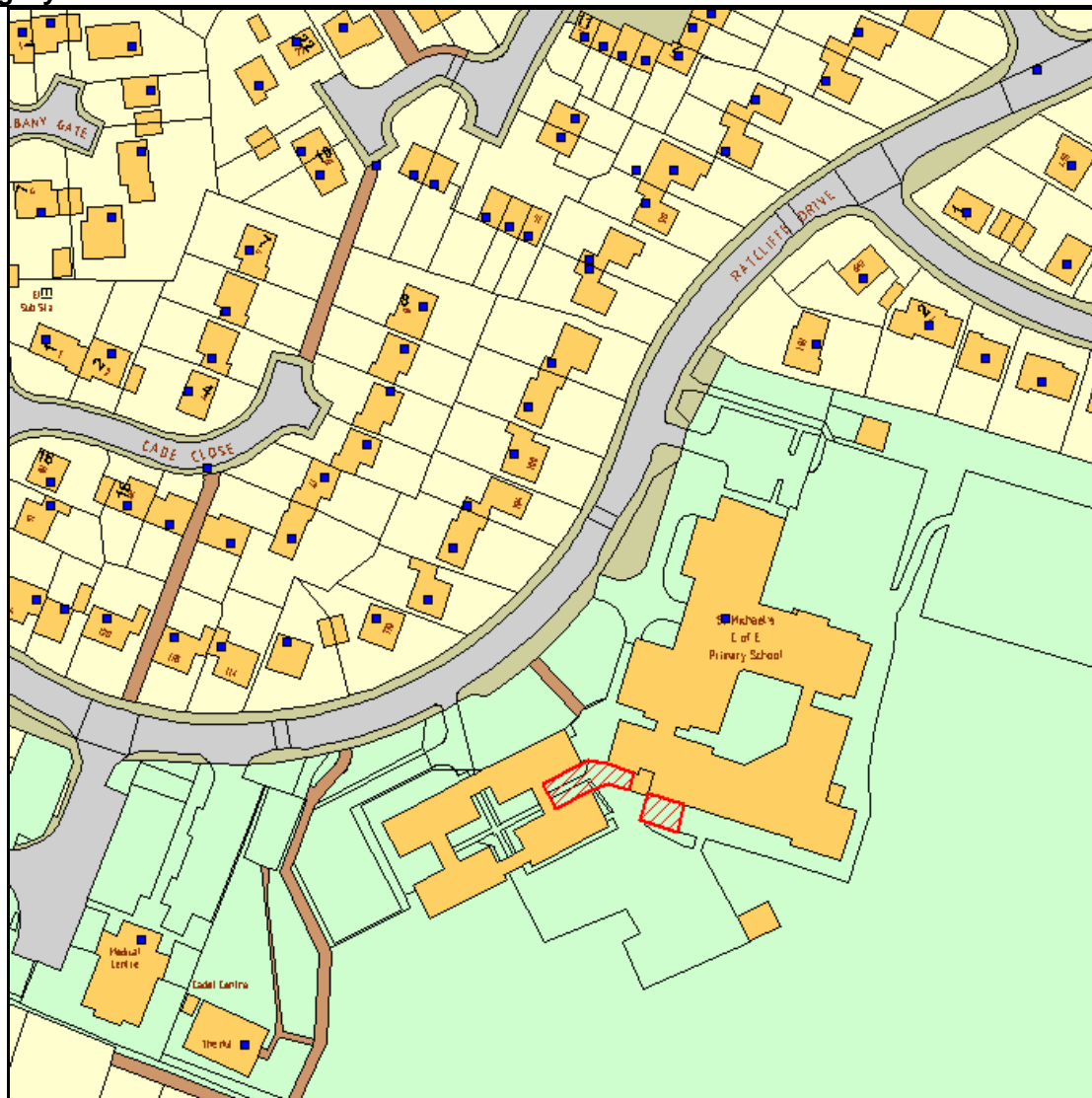
6. RECOMMENDATION

- 6.1 It is recommended that this application be APPROVED.

Contact Officer: Griffith Bunce
Tel. No. 01454 863438

CIRCULATED SCHEDULE NO. 38/13 – 20 SEPTEMBER 2013

App No.:	PT13/2866/R3F	Applicant:	Mr D. Beale South Glos. Council
Site:	St Michaels C Of E Vc Primary School Ratcliffe Drive Stoke Gifford South Gloucestershire	Date Reg:	8th August 2013
Proposal:	Erection of an extension to an existing covered play area including associated fencing. Erection of a new covered way between the main school building and elliott classrooms.	Parish:	Stoke Gifford Parish Council
Map Ref:	362340 180043	Ward:	Stoke Gifford
Application	Minor	Target	30th September
Category:		Date:	2013



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100023410, 2008.

N.T.S.

PT13/2866/R3F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is referred to the circulated schedule as the application as a matter of process because it is an internal application made by the Council.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of an extension to the existing canopy over the play area and appropriate fencing around the extended area and for the erection of a new covered way between the main school building and the Elliot classrooms.
- 1.2 The application site is St Michael's C of E VC Primary School in Stoke Gifford. The site is within the urban area of North Bristol.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012
- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006
D1 Design
LC4 Provision for Education and Community Facilities

South Gloucestershire Local Plan Core Strategy incorporating Inspector Preliminary Findings and Draft Main Modifications September 2012.
CS1 High Quality Design
CS23 Community Infrastructure
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) August 2007

3. RELEVANT PLANNING HISTORY

- | | | | |
|-----|--|----------------|------------|
| 3.1 | PT13/0816/R3F | Deemed Consent | 24/04/2013 |
| | Retention of 4 no. temporary buildings | | |
| 3.2 | PT08/2241/F | Deemed Consent | 19/09/2008 |
| | Erection of 2.no shade canopies | | |
| 3.3 | PT05/0665/R3F | Approved | 18/07/2005 |
| | Erection of canopy for childrens' play area | | |
| 3.4 | PT02/1049/R3F | Deemed Consent | 18/07/2002 |
| | Erection of Elliott classroom and link corridors to existing Elliott classroom and main building | | |
| 3.5 | There is additional planning history available to view on the Council's website | | |

4. CONSULTATION RESPONSES

4.1 Stoke Gifford Parish Council
No objection

4.2 Drainage
No comment

Other Representations

4.3 Local Residents
None received

5. ANALYSIS OF PROPOSAL

5.1 This application seeks planning permission for a number of canopies at a primary school in Stoke Gifford.

5.2 Principle of Development
Policy LC4 of the Local Plan supports development of community and educational facilities within the existing urban areas subject to an assessment of accessibility, residential amenity, environmental and transportation impacts, and highway safety.

5.3 Consideration of accessibility is not necessary as the development proposed is at an existing and established school in a highly accessible part of the district. Additionally as the proposal will not materially alter the number of children attending the school there is no assessment required of transportation or highway safety. Therefore the proposal is acceptable subject to the analysis set out below.

5.4 Design
There are two elements to the proposed development: an extension to the existing canvas canopy that covers the outdoor play area, and a canopy to create a covered walkway between the main school building and the temporary classrooms to the west.

5.5 The link walkway is a new structure whereas the canopy over the play area is an extension to the existing canopy. In design terms, the play area canopy will match the existing play area canopy with a galvanised steel frame and a yellow domed plasticized canvas roof. New fencing will also be installed to match the existing fencing around the play area. The new walkway between the buildings will also have a galvanised steel frame, however, this will be covered with a polycarbonate roof.

5.6 The design of both elements is considered suitable for purpose and in keeping with the character of the area. The canopies are not overly bulky or visual obtrusive. Located at the rear of the school, the canopies will not be widely

visible from the public realm. Overall an acceptable standard of site planning and design has been reached.

5.7 Amenity

Residential amenity should not be prejudiced as a result of the development. St Michael's school is located in a residential area with residential properties surrounding all sides of the school (with the exception of the west where there is a health centre and local shopping parade).

5.8 Although the school is located in a residential area, it is set in extensive and well landscaped grounds. The development proposed is at the rear of the school buildings. This area is not overlooked by any residential property.

5.9 It is not considered that the proposal would impinge on the general levels of residential amenity in the vicinity and is therefore acceptable.

5.10 Environment

Development should protect the environment. The proposal will have little to no impact on the environment. There is no additional hardstanding proposed and there will be no adverse impacts on the environment.

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 proposed development has been assessed against policy D1 and LC4 of the Local Plan. The design has been found to be acceptable in terms of the characteristics and appearance of the site and the purpose of the structures. It is not considered that the proposal will have an undue impact on residential amenity or the environment.

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

7. RECOMMENDATION

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

Contact Officer: Griffith Bunce
Tel. No. 01454 863438

CONDITIONS

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

Reason

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