

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. 04/19

Date to Members: 25/01/2019

Member's Deadline: 31/01/2019 (5.00pm)

The reports listed over the page form the 'Circulated Schedule' a procedure agreed by Council in July 2018. Under the arrangement certain reports are circulated on a weekly basis. The reports assess the application, considers representations which have been received, and make a recommendation regarding the proposal.

Having considered the reports, those applications that Councillors feel should be referred to the relevant Planning Committee must be notified to the Strategic Planning section by email within five working days of the publication of the schedule (by 5pm) in line with the procedure set out below. If there has been no valid 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, it is recommended that Members speak to an officer about the issue, to explore whether any problems can perhaps be resolved without the need for referral to a Committee.

PLEASE NOTE: The circulated schedule process is only open to elected Members of South Gloucestershire Council.

NOTES FOR COUNCILLORS

– formal arrangements for referral to committee

If any Member requires any of the proposals listed in the Schedule to be considered by the appropriate planning committee then a referral should:

- a) Be made in writing using the attached form by emailing MemberReferral@southglos.gov.uk identifying the application reference and site location
- b) 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 end of the following Thursday (see cover page for the date)
- c) The request in writing must be made in writing by at least two or more Members, not being Members of the same ward
- d) In addition, the request in writing must have the written support of at least one of the Development Management Committee Chair and Spokes Members
- e) The referral should include the reasons for the referral why it would not be appropriate to permit the proposal to be determined under the delegated arrangements; the issue the proposal raises in relation to the relevant policy context and the balanced consideration that has been given to the extra costs and delay to the referral
- f) Indicate whether you have discussed the application(s) with the Case Officer and/or Development Manager
- g) Indicate whether you have discussed the application(s) with ward Member(s) if the site is outside of your ward

The Circulated Schedule will always contain the following applications unless the application is required to be determined by Committee:

- 1) Any application submitted by, or jointly, or on behalf of the Council.
- 2) Any application submitted by or any matter directly affecting or involving any

Member of the Council and any application(s), submitted by an Officer of the Council working in the Strategic Planning area (specifically the Policy and Specialist Advice, Development Management, Strategic Major Sites and Planning Enforcement, Validation & Registration and Planning Technical Support teams) or any Member or Officer of the Council acting as a planning agent.

- 3) Any application requiring a new planning agreement.
- 4) Any applications requiring a modification of an existing planning agreement where in the opinion of the Director, there would be a detriment to the public benefits secured.

5) Any application where the proposed decision of the Director would, in his opinion, be contrary to the policies of the Council as expressed in the Development Plan and/or any emerging plan and require referral to the Secretary of State following approval in principle by the Council for the purposes of development control decision making.

6) Any applications, except those listed below a-f where three or more representations contrary to the Officers recommendation are received within the notification period other than from officers of the Council acting in their professional capacity.

7) Any applications, except those listed below a-f where a representation is received within the notification period which is contrary to the officers recommendation from the Parish or Town Council within whose boundary the proposal lies wholly or in part.

8) Any applications, except those listed below a-f where a representation is received within the notification period which is contrary to the officer's recommendation from any Member of South Gloucestershire Council.

Applications that will not appear of the Circulated Schedule procedure as a result of representations received:

a. All applications, where approval is deemed to be granted upon the expiry of a defined period

b. All applications to be determined the lawfulness of a proposed or existing use of a site

c. All applications for non-material amendments

d. All applications to discharge planning conditions

e. All applications solely required because of the removal of Permitted Development Rights or Article 4 direction

f. Any footpath stopping up or diversion required to implement an approved scheme

Additional guidance for Members

Always make your referral request by email to MemberReferral@southglos.gov.uk (not individual email addresses), where referrals can be picked up quickly by the Technical Support Team.

When emailing your circulated referral request, please ensure you attach the written confirmation from the Supporting Member(s) and Supporting Chair or Spokes

Please note a copy of your referral e mail will appear on the website.

Before referring an application always contact the case officer or Development 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.

A template for referral is set out below:

Referral from Circulated Schedule to Development Management Committee

1. Application reference number:
2. Site Location:
3. Reasons for referral:

The referral should include the reasons for the referral indicating why it would not be appropriate to permit the proposal to be determined under the delegated arrangements; the issues the proposal raises in relation to the relevant policy context and the balanced consideration that has been given to the extra costs and delay of the referral

4. If the site is outside your ward have you contacted the ward Member(s) to inform them of the referral?

5. Have you discussed the referral with the case officer or Development Manager?

a) Referring Member:

b) Details of Supporting Member(s) (cannot be same ward as Referring Member)

c) Details of Supporting Chair or Spokes Member of the Development Management Committee

Do you consider this is an application of strategic importance such that you would request the Director to consider using his discretion to refer the matter to the Strategic Sites Delivery Committee? If so please set out your reasons:

Date:

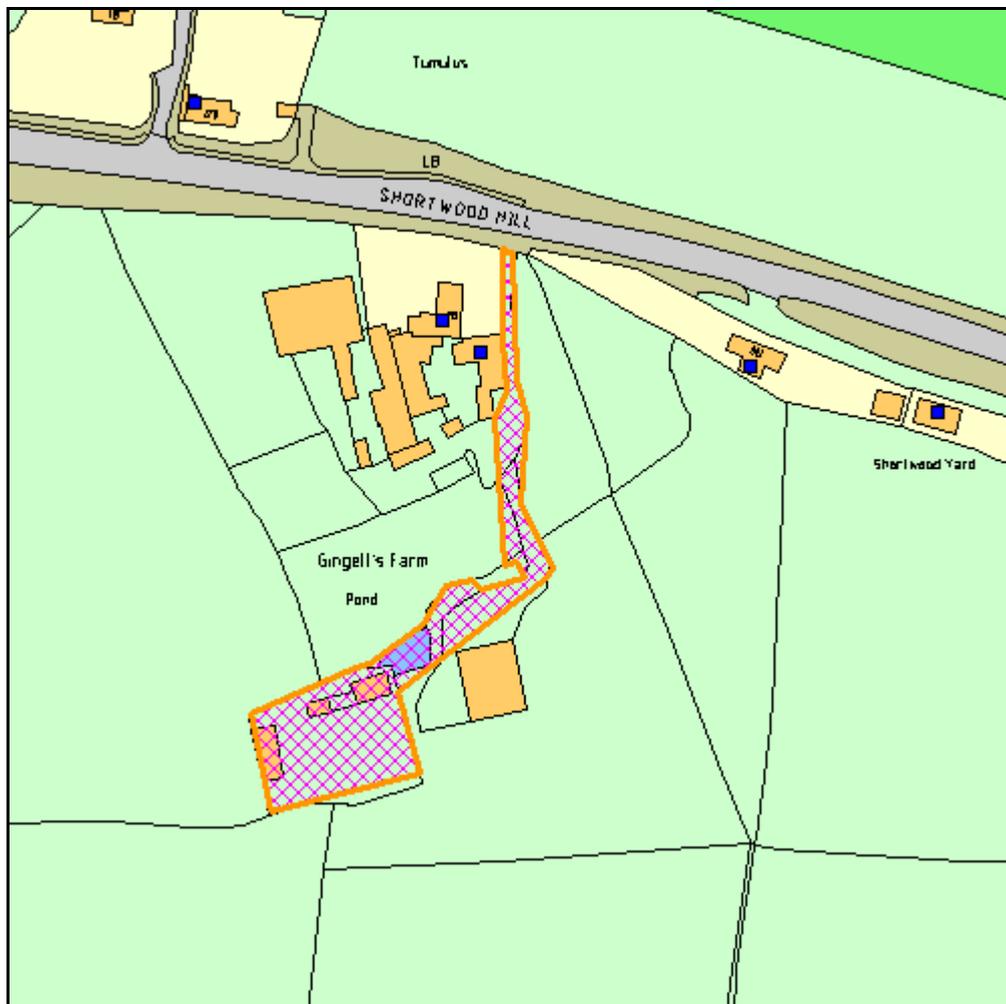
To be emailed to MemberReferral@southglos.gov.uk

CIRCULATED SCHEDULE - 25 January 2019

ITEM NO.	APPLICATION NO.	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK18/3919/O	Approve with Conditions	Gingells Farm 126 Shortwood Hill Mangotsfield South Gloucestershire BS16 9PF	Boyd Valley	Pucklechurch Parish Council
2	PK18/4342/F	Approve with Conditions	Ashlea Farm Mapleridge Lane Yate South Gloucestershire BS37 6PW	Cotswold Edge	Horton Parish Council
3	PK18/4753/F	Approve with Conditions	Boyd Valley Lake Golden Valley Lane Bitton South Gloucestershire BS30 6NS	Bitton	Bitton Parish Council
4	PK18/5294/RVC	Approve with Conditions	9 Sutherland Avenue Downend South Gloucestershire BS16 6QJ	Downend	Downend And Bromley Heath Parish Council
5	PK18/6358/F	Approve with Conditions	156 High Street Oldland Common South Gloucestershire BS30 9TA	Oldland	Bitton Parish Council
6	PT18/0829/F	Approve with Conditions	Lanes Dairy Rectory Lane Filton South Gloucestershire BS34 7BF	Filton	Filton Town Council
7	PT18/4821/F	Approve with Conditions	Meadowcroft 1 Red House Lane Almondsbury South Gloucestershire BS32 4BB	Almondsbury	Almondsbury Parish Council
8	PT18/5080/F	Approve with Conditions	Grange Barn Grange Farm Old Gloucester Road Winterbourne South Gloucestershire BS36 1RR	Frampton Cotterell	Frampton Cotterell Parish Council

CIRCULATED SCHEDULE NO. 04/19 – 25 JANUARY 2019

App No.:	PK18/3919/O	Applicant:	Mr And Mrs P Webb
Site:	Gingells Farm 126 Shortwood Hill Mangotsfield South Gloucestershire BS16 9PF	Date Reg:	30th August 2018
Proposal:	Erection of 1no. Agricultural Workers Dwelling (Outline) with access to be determined and all other matters reserved.	Parish:	Pucklechurch Parish Council
Map Ref:	368443 175916	Ward:	Boyd Valley
Application Category:	Minor	Target Date:	24th October 2018



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 100023410, 2008. **N.T.S.** **PK18/3919/O**

South Gloucestershire Councillors have five working days from date of publication to consider whether items appearing on the Circulated Schedule should be referred to the Development Management or Strategic Sites Delivery Committees for determination.

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been assessed as being a departure from the development plan. Under the Councils current scheme of delegation these applications are required to be referred to the circulated schedule, except when they are notified to the Secretary of State in which the resolution would be at Committee. This application is not required to be referred to the Secretary of State as it falls below the required threshold.

In addition to the above, a representation has been received from the parish council, contrary to the Officers recommendation.

1. THE PROPOSAL AND SITE DESCRIPTION

- 1.1 The applicant seeks outline planning permission for the erection of 1no. permanent rural workers dwelling with access to be determined and all other matters reserved at Gingells Farm near Mangotsfield.
- 1.2 The application site relates to a parcel of land adjacent to, and forming part of an established beef and sheep enterprise as part of the agricultural holding. The site is located off Shortwood Road (B4465). It is located outside of any settlement boundary, and within the open countryside and part of the Bristol/Bath Green Belt. It is also located in part of the Siston Conservation Area.
- 1.3 This application has been submitted in outline format only. Under the Town and Country Planning (Development Management Procedure) (England) Order 2015 Regulation 5 Officers are able to request additional information to assist them in assessing an outline application. During the course of this application additional information regarding access was requested and received.
- 1.4 The red line boundary has also been amended through the course of the application, due to concerns from conservation and public rights of way consultees. A 21 day re-consultation was subsequently undertaken.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework (2018)
National Planning Policy Technical Guidance

- 2.2 Adopted Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design

CS4A Presumption in Favour of Sustainable Development

CS5 Location of Development

CS8 Improving Accessibility
CS9 Managing Environment and Heritage
CS15 Distribution of Housing
CS16 Housing Density
CS17 Housing Diversity
CS34 Rural Areas

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

PSP1 Local Distinctiveness
PSP2 Landscape
PSP7 Development in the Green Belt
PSP8 Residential Amenity
PSP16 Parking Standards
PSP17 Heritage Assets and the Historic Environment
PSP19 Wider Biodiversity
PSP20 Flood Risk, Surface Water and Watercourse Management
PSP29 Agricultural Development
PSP40 Residential Development in the Countryside
PSP41 Rural Workers Dwellings
PSP43 Residential Amenity Space Standards

2.4 Supplementary Planning Guidance

South Gloucestershire Design Checklist SPD (Adopted) 2007
Residential Parking Standards SPD (Adopted) 2013
Development in the Green Belt SPD
Siston Conservation Area SPD

3. RELEVANT PLANNING HISTORY

3.1 PK07/1896/O

APP/P0119/A/07/2058399/NWF Non determination Appeal Dismissed
22/05/2008

Erection of 1no. agricultural workers dwelling.

Inspectors Conclusions

- *This would be inappropriate development within the Green Belt and by definition harmful.*

- *I do not consider that it has been demonstrated that there is a functional need for a full time worker to be readily available at most times.*

- *do not consider that the functional need could be fulfilled by alternative accommodation.*

- *Other considerations are not sufficient to outweigh the harm identified, very special circumstances do not apply.*

4. CONSULTATION RESPONSES

4.1 Pucklechurch Parish Council

Objection due to the potential impact on the Conservation area and Grade I listed Siston Court. It is not clear to PPC whether or not the application meets the functionality test or that the size of the proposed dwelling is reasonable in relation to its proposed purpose. PPC requests that If planning permission is

granted for an agricultural workers dwelling that an Agricultural Occupancy Condition is attached to the approval to limit the occupancy to a person working in agriculture.

4.2 Lead Local Flood Authority

No objection in principle.

4.3 Public Rights of Way

The revised plan appears to overcome the problem of the public footpath being affected by the proposed development. For this reason PROW have no objection provided the public footpath remains unaffected, during the development and thereafter....advisory notes should be made available to the applicant.

4.4 Open Spaces Society

No comments received

4.5 Landscape Officer

-defer to conservation officer

- location of development needs to be carefully considered

-design of dwelling needs to be carefully considered in accordance with policies and the local landscape strategy.

4.6 Sustainable Transport

From highway and transportation point of view, the location of the proposed dwelling is considered to be distant from facilities and services and it is in a rural area lacking regular bus service and characterised by narrow country roads generally lacking footways. This can be used as a reason to refuse the planning application for 'open market' housing development.

However, based on the description of the development on the application form, I note that the applicant is seeking consent for an agricultural dwelling and some supporting information has been submitted. Additionally, I note from the planning history of the site that there was a similar planning application for the same proposal on the same site (as part of application PK07/1896/O) where the highway development raised no highway objection to that application.

If there is a proven case for agricultural dwelling on site then, we, Transportation Development Control will not pursue highway objection to this application. Nonetheless, I ask for details of the site access including details of visibility splays on to the public highway plus parking and manoeuvring area on site all to be submitted for written approval of the Council.

4.7 Conservation Officer

The proposed location for the new workers dwelling has been moved west, away from the public right of way and off the line-of-sight along the footpath towards the grade I listed Siston Court. The block plan shows the building being placed to the west of the existing agricultural sheds which provide a degree of screening, with the access track coming off the existing entrance and running to the north of the sheds. I have no objection to the revised location being proposed, and it will be down to the reserved matters application to

assess the appropriateness of the scale, massing, design and appearance of the new building.

- 4.8 Archaeology Officer
No comments received.

Other Representations

- 4.9 Local Residents/Other comments
1no. support comment was received. Summarised as follows:
- I have been the farm vet for Gingells Farm for the past 10 years
 - Farm has developed into a thriving diverse agricultural business
 - They have a current stock of 60 cows and 400 ewes.
 - Current distance from existing property risks compromising welfare in cases of genuine emergency.
 - The dwelling will also secure future of the farm as a working business for years to come.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The NPPF makes a presumption in favour of sustainable development and has placed a strong emphasis in respect of supporting economic growth in rural areas.

- 5.2 Paragraph 79 of the NPPF states that new isolated homes in the countryside should be avoided unless there are special circumstances such as the essential need for a rural worker to live permanently at or near their place of work in the countryside. Policy CS5 of the South Gloucestershire Core Strategy is consistent with this setting out that in the open countryside development will be strictly limited.

- 5.3 In terms of local policy, PSP40 states that rural workers dwellings (in accordance with PSP41) as acceptable development within the countryside. PSP41 is supportive of new rural workers dwellings where the applicant can demonstrate that:

- 1) the dwelling is required to satisfy a clearly established existing functional need to live at the place of work or within the immediate area, which can't be met within the defined settlement boundaries; and*
- 2) the rural business has been established for at least three years, has been profitable for at least one of them, is financially sound, and has a clear prospect of remaining so; and*
- 3) the need could not be fulfilled by another existing dwelling or building capable of conversion on the unit, or any other accommodation or building capable of conversion in the area, which is suitable and available for occupation by the worker concerned; and*
- 4) the proposal(s) is satisfactorily sited in relation to the rural business and wherever possible, is sited within a hamlet or existing group of buildings.*

- 5.4 The site is located in the Green Belt where new buildings are considered to be inappropriate development unless they meet the criteria within the exception list. The new building is for residential purposes and therefore is assessed as not meeting any of these exceptions. As such, paragraph 143 of the NPPF sets out that the development would be inappropriate development in the Green Belt, which should not be approved except in 'very special circumstances'. The applicant has submitted 'very special circumstances' and this will be discussed in the assessment within this report.
- 5.5 Without strong justification to support a proposal, the introduction of new dwellings in the countryside are resisted by both national and local planning policies. This justification takes the form of a business case describing the enterprise along with the current buildings and services used. A financial appraisal establishes if the business is a profitable concern and one that is likely to continue in the future. Based on the information provided, an assessment of functional need would be made to prove that workers are needed on site and for 24 hours a day, for animal welfare reasons. A planning assessment continues with regard to the location, scale and access as well as other relevant matters.
- 5.6 **The Need for the Development**
It is necessary to assess whether or not there is a genuine need to provide a dwelling on the site in order to support the agricultural business. Under this application the applicant has provided some information which describes the business, the farm buildings, the land holdings, labour requirement, the functional need and financial records. Given the potential complexity of these type of applications, it is the recognised practice for the Local Planning Authority to engage an independent assessor to scrutinise the applicant's case and provide advice accordingly. The findings of this independent assessment are summarised below.
- 5.7 **Business Description**
Gingells Farm has been farmed by the Webb family for over 70 years although the applicant and his father have operated separate businesses from the holding.
- 5.8 It understood that the land holding is 300 acres, and the business is centred on livestock production and based on a spring calving herd of approximately 60 suckler cows and 400 breeding ewes. All of the land is down to grass and used for a mixture of grazing and conservation. All work is undertaken in hand, with the exception of contract shearing.
- 5.9 The farm has a range of both modern and traditional buildings adjacent to the Gingells' farmhouse, part of which the applicants use for winter livestock housing.
- 5.10 The applicants are the sole full time labour on the holding, although other family are available to assist during peak periods. It is estimated that there is a labour requirement for 2 full time equivalent workers.

5.11 *Evaluation of the Business in line with para. 79 of the NPPF and PSP41*

5.12 *Functional Need*

A functional test is needed to understand what it is about the running of the business that requires someone to be present most of the time e.g. in case animals or agricultural processes require essential care at short notice.

5.13 In outlining the routine activities undertaken on the holding, the planning documentation lists what are considered to be functional issues which can impact on the health and well-being of the animals in addition to a number of broader security and biosecurity which potentially impact on the proper functioning of the business. Despite an apparent essential need for on-site accommodation, the applicants have managed to operate the unit without the need for a permanent resident worker. Any temporary or seasonal need has been met by the availability of the mobile home on site.

5.14 In referring to planning history and particularly the planning appeal (Ref. 2058399) the Inspector considered whether the proposal at the time related to inappropriate development in the Green Belt and whether any potential harm was outweighed by other considerations, such as functional need.

5.15 There was disagreement at the time between parties as to the need for a worker to be readily available on site, however, the case at the time appeared to relate solely to a sheep enterprise and the seasonal demands of lambing. The Inspector concluded that given the existing dwelling (farmhouse), the need for additional accommodation was preferable but not essential.

5.16 The business needs are somewhat different with the inclusion of the beef enterprise, and, given the nature and extent of the overall business, it is considered that the functional test is satisfied.

5.17 Whilst the functional test is established, the need can in theory be met by the existing dwelling. In principle, it is not considered there is a need for two dwellings on the holding to serve the business. However, there are further considerations to be made. Firstly, the agent has referred to case law) which rejects the notion that the occupant of an existing dwelling with an interest in the business should be obliged to vacate a dwelling to allow a farm worker to undertake the day-to-day running of the holding. Secondly, paragraph 79 of the NPPF now refers to providing housing for those taking majority control of a farm business. In light of these arguments, the surveyor considers that there is justification in principle for a further dwelling at Gingells Farm.

5.18 *Financial Viability*

Unlike the NPPF which is silent on viability, PSP41 requires that the rural business has been established for at least three years, has been profitable for at least one of them, is financially sound, and has a clear prospect of remaining so. It is the responsibility of the LPA to determine the level of profit considered to be acceptable.

- 5.19 Confidential financial details were made available to the rural surveyor for the past 4 years. The agent summarises that the farming business is consistently profitable, the majority of income arises from fodder and stock sales, there is substantial value in the livestock and there is evidence of regular investment with a significant depreciation charge. The farm income is heavily subsidised by the contracting activity, as much as 60% therefore the majority of income is derived from off the holding, albeit still agricultural. The impact of this work has also impacted on the costs to the business. As a result of this activity, the applicants have invested in machinery and equipment, far more than would be necessary for a beef and sheep farm of this size. The cost of this investment is reflected in the accounts with significant deductions made for depreciation of plant and machinery in particular, but also in respect of hire purchase, higher than normal tractor expenses and bale wrapping costs for example. In adding back the depreciation which amounts to as much as, the profitability of the business is significantly improved.
- 5.20 It is understood that the cost of the new dwelling, will be offset by the sale of the existing dwelling in Pucklechurch.
- 5.21 *Other Accommodation*
It is noted that there is the existing farmhouse on the site, however, the surveyor has referred to case law and paragraph 79 of the NPPF, which states that this should be disregarded as alternate accommodation.
- 5.22 The surveyor has carried out an assessment of the locality and undertook an independent appraisal of the Rightmove property website. The nearest property currently available is approximately ½ mile away with a guide price of £1.25m (Siston Court). This property is considered too distant and expensive to meet the identified need.
- 5.23 Permitted Development Rights (PDR) are potentially available to convert an agricultural building to a C3 residential use under Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015. A detailed assessment has not been undertaken however there may be scope to provide additional accommodation through this route, subject relevant permissions. However, given no such application has been submitted, it is only reasonable to assess this application.
- 5.24 *Siting*
In am content that the site of the dwelling is sufficiently close enough to meet the sight and sound (close proximity) tests.
- 5.25 **Is there an essential need for a key worker to live at or near to the place of work in the countryside?**
The case has been assessed under the guidance as laid out in paragraph 79 of the NPPF and policy PSP41. On balance, the rural surveyor considers that the key tests relating to functional need and financial sustainability are satisfied.

5.26 **Green Belt**

Notwithstanding the above, the site is within part of the Bristol/Bath Green Belt. Paragraph 145 of the NPPF sets out that the erection of new buildings in the Green Belt should be regarded as inappropriate development. Having said this it states that there are a number of exceptions to this, as follows;

- buildings for agriculture and forestry
- provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries
- extension of an existing building
- replacement of a building
- limited infilling in villages
- limited infilling or the partial or complete redevelopment of previously developed site

5.27 The proposal for a new dwelling does not meet any of the exceptions above and as such is considered to be inappropriate development within the Green Belt. Paragraph 143 of the NPPF sets out that inappropriate development, is, by definition, harmful to the Green Belt and should not be approved except in 'very special circumstances'. Paragraph 145 goes on to state that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

5.28 Officers consider that 'very special circumstances' exist for this development due to the established functional need for a worker to be on site at all times, and for the viability of the rural business. Given the above, and the nature of the development, it has been advertised as a departure from the development plan. It should be noted that it falls below the required threshold to be referred to the Secretary of State.

5.29 **Design and Appearance of the Dwelling**

No details have been submitted in relation to the appearance, design, or scale of the dwelling. This is due to the outline nature of the application. It is noted in submitted information that it is proposed that the dwelling would be two storey and detached with a minimum of 3 bedrooms, to incorporate the applicant and his family. There would also need to be the provision of an office space. These details appear to be acceptable in principle, however would be covered at a later date should a reserved matters application be submitted. A high standard of design which reflects the character of the area, and local distinctiveness would be expected, especially in this sensitive location.

5.30 **Landscape**

The site is located within the open countryside and the Green Belt, as well as the Pucklechurch Ridge and Boyd Valley landscape character area. This area is a diverse undulating rural landscape of mainly mixed farmland. The wider site has vistas towards Grade I listed Siston Court and views of rolling pastures crossed by hedgerows. There is a public right of way nearby.

- 5.31 No details are to be determined regarding landscaping details and limited information is to be determined regarding the proposed dwelling. However landscape colleagues consider that any dwelling will need to be sensitively designed, taking into account relevant policies and guidance. A landscaping scheme is also expected to be submitted at reserved matters stage.
- 5.32 **Residential Amenity**
The site is located within an established agricultural holding and would be some distance from the nearest residential property outside of such. The existing farmhouse would be located a sufficient distance away to ensure no harmful residential amenity impacts would occur.
- 5.33 It is not clear how much residential curtilage would be provided for the proposed dwelling. However, given the size of the site, it is considered that the private amenity space provision could be in accordance with PSP43. Having said this, details of the amenity areas and accompanying boundary treatments would be required at reserved matters stage.
- 5.34 **Transport**
Access is to be determined at this stage. It is proposed that the dwelling would utilise an existing access off Shortwood Hill. The Highway Authority have reviewed the application, and do not raise an objection to the access. However, have requested that a condition is imposed to ensure that details of visibility splays are submitted for written approval of the Council.
- 5.35 Whilst it is not apparent from submitted plans where the parking/manoeuvring areas would be located, given the size of the site, it is considered that this could be easily accommodated. Officers are therefore satisfied that there could be sufficient parking provision at the site, which would meet the requirements of PSP16. This would be determined at reserved matters stage.
- 5.36 **Conservation**
The application site is located in part of the Siston Conservation Area. Part of the farm can be considered to make up part of the setting of, and views towards the Grade I listed Siston Court. These views are also highlighted in the Siston Conservation Area SPD. Through the course of the application the dwelling has been re-located closer to other buildings on the site, this was partly due to concerns of the erosion of these important views. The revised siting of the property is now considered acceptable by the conservation officer.
- 5.37 **Overall Conclusion**
The above has been an assessment of outline application with access to be determined (all other matters reserved) for an rural worker's dwelling situated in the countryside within part of the Bristol and Bath Green Belt.
- 5.38 The above assessment has found that there is a functional need to justify an agricultural workers dwelling on this site. It is considered that this need would constitute 'very special circumstances' which outweigh the potential harm to the Green Belt. Further to this, whilst the development would be located within the open countryside; it has been demonstrated that there is an essential need for a rural worker to live permanently at or near their place of work in the

countryside. The development therefore complies with Para 79 of the NPPF as well as PSP40.

5.39 The details submitted of the proposed access have been found to be acceptable. Accordingly, and given all of the above, this outline application is recommended for approval, subject to conditions.

6. **CONCLUSION**

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

6.2 The recommendation to **grant** permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan Policies, Sites and Places Plan (Adopted) November 2017 and the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 set out above, and to all the relevant material considerations set out in the report.

7. **RECOMMENDATION**

7.1 That the application be **GRANTED** subject to the conditions below.

Contact Officer: Lucy Paffett
Tel. No. 01454 863436

CONDITIONS

1. Approval of the details of the layout, scale and appearance of the building(s) and the landscaping at the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason

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

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

Reason

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

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

Reason

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

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

Reason

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

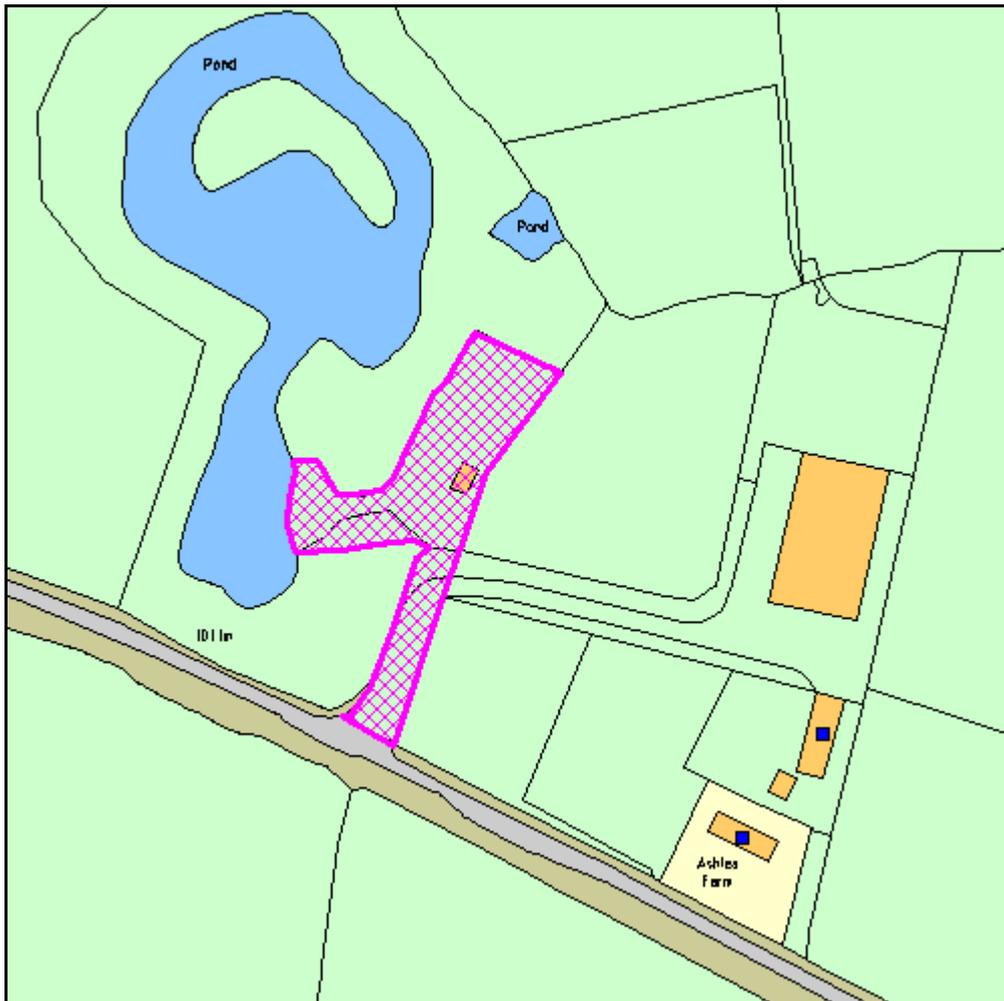
5. The occupation of the dwelling shall be limited to a person solely or mainly working, or last working, at Gingells Farm, or a widow or widower of such a person, and to any resident dependants.

Reason

The site is not in an area intended for development and the development has been permitted solely because it is required to accommodate a person working in a rural enterprise, to accord with the provisions of the National Planning Policy Framework 2018 and Policy PSP41 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

CIRCULATED SCHEDULE NO. 04/19 – 25 JANUARY 2019

App No.:	PK18/4342/F	Applicant:	Mr Robertson
Site:	Ashlea Farm Mapleridge Lane Yate Bristol South Gloucestershire BS37 6PW	Date Reg:	27th September 2018
Proposal:	Installation of 3 no. camping pods and associated works.	Parish:	Horton Parish Council
Map Ref:	374195 184875	Ward:	Cotswold Edge
Application Category:	Minor	Target Date:	19th November 2018



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PK18/4342/F

South Gloucestershire Councillors have five working days from date of publication to consider whether items appearing on the Circulated Schedule should be referred to the Development Management or Strategic Sites Delivery Committees for determination.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the installation of 3 no. wooden camping pods (1 no. side entry pod and 2 no. mega pod) and associated works at Ashlea Farm, Mapleridge Lane, Yate. The application site relates to an area within the farming complex. The site is outside any settlement boundary, in open countryside, however, it is not situated within any land-use designation.
- 1.2 During the course of the application, a revised proposal was submitted to increase the number of camping pods from 2 to 3. A revised Design and Access Statement (D&A) was submitted. It is indicated that the fishing lake is currently licensed to members of the public but this is due to come to an end of March 2019, however the landowner may terminate this early as the applicant want one use of the site being solely for the stationing of the glamping pods. Both the revised proposal and D&A have been subject to consultation.
- 1.3 The proposed side entry pod would be approximately 3.4 metres by 7 metres and 2.5 metres in height, and the proposed mega pod would be approximately 3.3 metres by 6.7 metres and 2.5 metres in height. They would be installed around the fishing lake, which will cease in use. However, no change of use or alterations is proposed regarding the fishing lake itself or the landscaped area.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework July 2018
National Planning Practice Guidance

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS5	Location of Development
CS7	Strategic Transport Infrastructure
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS23	Community Infrastructure and cultural activity
CS24	Green Infrastructure, Sport and Recreation Standards
CS34	Rural Areas

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP3	Trees and Woodland
PSP8	Residential Amenity

PSP11	Transport Impact Management
PSP16	Parking Standards
PSP19	Wider Biodiversity
PSP21	Environmental Pollution and Impacts
PSP28	Rural Economy
PSP44	Open Space, Sport and Recreation

- 2.3 Supplementary Planning Guidance
 Design Checklist SPD (Adopted August 2007)
 Specific Guidance Note 1 – Planning and Noise (Adopted March 2015)

3. **RELEVANT PLANNING HISTORY**

- 3.1 PK17/2147/F Change of use of agricultural building to storage (Class B8) with ancillary office space (Class B1) as defined in Town and Country Planning (Use Classes) Order 1987 (as amended) and infilling of pit to create a car parking area. Approved 04.08.2017
- 3.2 PK14/1306/F Erection of extension to existing agricultural building. Approved 30.05.2014
- 3.3 PK04/2579/F Creation of fishing lake with associated landscaping and car parking. Erection of keepers hut. Approved 03.12.2004
- 3.4 PK04/0555/F Creation of fishing lake with associated landscaping and car parking. Erection of keepers hut. Withdrawn 07.04.2004
- 3.5 PK02/3711/NMA Prior notification of erection of agricultural building. Approved 10.01.2003
- 3.6 N1489/1 Erection of a dwelling for an agricultural worker (outline). Refused 22.07.1976

4. **CONSULTATION RESPONSES**

- 4.1 Horton Parish Council – No objection, however, should be noted that they would not wish to see further applications for more pods

4.2 Other Consultees

Highway Structures: Advised the responsibility for maintenance of public highway structures or a boundary wall alongside the public highway or open space land.

Drainage Engineer: No objection.

The Highway Officer: No objection.

The Landscape Officer: Advise that a landscaping scheme should be submitted that enhances the setting of the development and contribute to the amenity of the wider landscape and public realm.

The Arboricultural Officer: No comments received.

Environment Agency: No comments received.

Other Representations

4.3 Local Residents

8 letters of objection, and the residents' comments are summarised as follows and full comments are available in the Council website:

- Loss of unique and special wildlife sanctuary
- Impact upon the wildlife habitats and well balanced water environment,
- You cannot leave a fishing lake of this size to fend for itself. The existing large stock of fish which needs ongoing care
- Loss of a local leisure facilities, which has been used by all age groups, disabled, retired and young anglers
- The lake provides a vital local leisure amenity supporting enjoyment, and social interaction, reducing the growing issue of loneliness
- There is no account of the loss of rent from the angling and the effect on the local business and hospitality industry, which currently benefit from angling
- Camping pods will spoil the nature essence and scenery of the area
- Increase road traffic on a road, that is already poorly degraded
- Cause alarm
- The lake has been rented by the fishing club for over 10 years, not to the general public
- Cannot understand why anglers should not be allowed to fish, why the 'glamping' and fishing cannot co-exist, especially as the glamping is only for 30 weeks of the year
- Comments and objections have been posted on the planning portal after consultation period has closed, this has given the false impression that no one was objecting, this might have an impact on an ultimate decision
- The applicant has made the assumption that the Authority will grant this application because the applicant has seen no objection.
- Not sure if Horton Council objects to the proposed 3 pods, as the dates and publishing delays
- Without the fishing at the scale in the approved application, does this not imply the owner would be in breach of that planning consent
- There is a fundamental change to the application as the application is now for 3 pods instead of 2 pods
- Some ground works have been undertaken, trees and hedgerow cutting down, permanent bases laid for the proposed buildings, sewage works, the fish pond at the corner filled.
- Still conflicting information submitted particularly the use of the fishing lake
- If the applicant's intention have been clear from earlier, many more comments and objections from local people might have submitted and perhaps a different comment from the Parish Council

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The proposal is for the installation of camping pods within Ashlea Farm, Yate. The application is therefore to be assessed against the above listed policies and all material considerations. The application site lies outside of the defined settlement boundary and in the open countryside. Policy CS34 of the adopted Core Strategy and Policy PSP28 of PSPP support rural economy. Policy CS1 is also important in detailing that new development will be required to demonstrate a high standard of design. Finally, Policy CS8 seeks to ensure that new development will not have any adverse transportation effects.

5.2 It is noted that planning permission was granted for the construction of fishing lake with associated works in 2004. Given that the proposed camping pods would be constructed within the existing grass / landscaped area and the proposed pods themselves would not prevent from the lake to be continually used for fishing and the proposed pods themselves would not affect the primary use of the existing use within the farming enterprises, therefore there is no objection in principle of the development. Residents raised concerns about the closure of the fishing lake and the applicant's decision on the termination of a membership license. As it would be a private commercial decision, this is not a planning matter to be discussed under the remit of this report.

5.3 Design and Visual Amenity and Landscaping Impact

The application site is within an existing farming complex and the proposed wooden camping pods would be relatively small in size and they would be installed adjacent to the lake. As the pods would be tucked away in a less obtrusive position and would not be highly visible from public domain, as such, there would be very little adverse impact resulting from this. The pods are therefore acceptable from the design and visual amenity perspective.

5.4 Residential Amenity

The application site for the camping pods is part of Ashlea Farm. There is no residential properties immediately adjacent to the proposed camping pods. Therefore the proposal would not cause material adverse impact given its modest scale and remote location. As such, Officers consider that this level of use would not result in unacceptable levels of noise and disturbance to the detriment of neighbours over and above that already existing. A number of planning conditions are also imposed to restrict outside storage and the use of music system.

5.5 Sustainable Transport

The proposed camping pods are located within a predominately rural area with limited local facilities, hence, they will be largely car dependent. Whilst it is noted the proposal would not comply with the adopted PSP11 in terms of juxtaposition to necessary facilities and access by all travel modes, these occupied pods would only likely generate 1 or 2 vehicular trips per day. As they are unlikely to be occupied all the time, officers consider that they would not have a severe impact on the adjoining highway. Furthermore, the vehicles associated with these pods will be able to use the existing access arrangement, which are not being changed and that they would not connect directly to the

public highway. Therefore, the proposed pods would not be likely to raise any material highway safety concerns. Therefore, there is no highway or transportation objection to the proposal.

5.6 Landscape Impact

Whilst the proposed camping pods would be located within an existing farming enterprises, there would result in a loss of areas of green amenity to the overall site. Officers considered that development could contribute to the wider landscape, by planting appropriate species hedgerows, tree and wild flower meadows. Boundaries are also important to the character of the landscape and increase the biodiversity of the site. There is also an opportunity to increase tree planting given that view east are to the Cotswold AONB and to the north east of a site of nature conservation interest and these views must be protected and enhanced. Officers consider that the proposal, due to its modest scale, would not cause significant harm to the landscape character, subject to a planning condition to seek details of protected methods for the existing trees and hedges, a detailed landscaping scheme including replacement tree planting, accommodating sustainable drainage, and a five-year maintenance plan for the existing and proposed planting.

5.7 However, it is noted that the proposal would likely result in a loss of existing trees and hedges, which were part of the approved landscaping while planning permission was granted for the construction of fishing lake. As such, it is considered that a landscaping and ecological management plan will be required as a planning condition to ensure that all existing boundary hedges to be retained and sympathetically managed to maximise their value for wildlife

5.8 Drainage Issues

Environment Agency and the Council's Drainage Engineer have been consulted about the proposal. The consultees did not raise any concerns about the scheme, therefore there is no drainage objection to the proposal.

5.9 Ecological Issues

The proposed camping pods would be constructed adjacent to the existing fishing lake at Ashlead Farm. The site is not covered by any statutory or non-statutory nature conservation designations.

5.10 Although the application does not include any detailed ecological information, the Council Ecology Officer has reviewed the proposal. Given the modest scale and location of the proposed camping pods, it is not considered that the proposal would cause an unacceptable harm to the wildlife habitat. However, given its rural location, a planning condition is required to restrict no external illumination to the proposed pods. It is also considered that the forthcoming landscaping details need to take into consideration the maintenance of all existing boundary hedges to maximise their value for wildlife. Subject to these conditions, there are no ecological constraints to the proposal.

5.11 Consideration of likely impact on Equalities

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

5.12 In regards to the above statement, the proposal is considered to have a neutral impact on equalities.

6. CONCLUSION

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

6.2 The recommendation to **grant** permission has been taken having regard to the policies and proposals in the development plan set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

7.1 That planning permission be granted subject to the following conditions:

Contact Officer: Olivia Tresise
Tel. No. 01454 863761

CONDITIONS

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

Reason

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

2. Details of Hard and Soft Landscaping Works

Prior to any further works to be carried out for the proposed camping pods hereby approved, full details of both hard and soft landscaping works shall be submitted in writing to the Local Planning Authority for approval and these works shall be carried out as approved. These details shall include an arboricultural method statement including tree protection plan, tree and hedge planting plans, written specifications (including cultivation and other operations associated with plant and grass

establishment; schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme and maintenance programme of the existing trees and hedgerows. For the avoidance of doubt, the tree protection fence shall conform to the current British Standard - 5837:2012. Furthermore, the proposed landscaping scheme shall accommodate sustainable drainage and all existing vegetation to be removed shall be clearly shown on the landscaping proposal. Development shall be carried out in accordance with the approved details.

Reason

To protect the landscape character of the locality and in the interest of wildlife habitat, and in accordance with Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and Policy PSP2 and PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

3. Number of Camping Pods Restriction

The campsite shall only be occupied by no more than 3 camping pods. For the avoidance of doubt, no caravans shall be parked and no caravans and tents shall be used within the application site.

Reason

To safeguard the visual amenity of the area and in accordance with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and Policy PSP8 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017.

4. Bird Nesting Season

Any tree/scrub clearance shall be carried out outside of the bird nesting season (between March to August) unless the appropriate survey are carried out by a qualified ecologist to demonstrate that clearance can be undertaken during this time as agreed in writing with the Local Planning Authority.

Reason

In the interest of wildlife habitat and in accordance with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and Policy PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

5. No External Illumination

Notwithstanding the submitted details, no floodlighting or uplighters shall be installed at the proposed camping pods or within the site.

Reason

In the interest of ecology and wildlife habitats of the site and in accordance with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and PSP19 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017).

6. No outside Storage

No outside storage of material/goods/waste or plant shall take place within the application site.

Reason

To protect the amenity of the locality and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013).

7. No use of amplified, music system or tannoy

No amplified or other music system or tannoy shall be used within the application site.

Reason

In the interest of amenity of the neighbouring occupiers and in accordance with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013).

CIRCULATED SCHEDULE NO. 04/19 – 25 JANUARY 2019

App No.:	PK18/4753/F	Applicant:	Mr Peter Roberts
Site:	Boyd Valley Lake Golden Valley Lane Bitton Bristol South Gloucestershire BS30 6NS	Date Reg:	24th October 2018
Proposal:	Change of use of land to a touring caravan and camping site (sui generis) to including the erection of an amenity building. As defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). (Retrospective)	Parish:	Bitton Parish Council
Map Ref:	368835 170990	Ward:	Bitton
Application Category:	Minor	Target Date:	12th December 2018



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N.T.S.**PK18/4753/F**

South Gloucestershire Councillors have five working days from date of publication to consider whether items appearing on the Circulated Schedule should be referred to the Development Management or Strategic Sites Delivery Committees for determination.

REASON FOR REFERRING TO THE CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule because three representations have been received from local residents, raising concerns that are contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The application seeks a full planning permission for the change of use of land to a touring caravan and camping site for up to 20 caravan/camping pitches and the erection of an associated amenity block. The latter has already been constructed and in this respect the application is in part retrospective. The applicant also proposes to provide electric hook ups to the pitches within the application site.
- 1.2 The application site is 0.29ha in area and forms the northern corner of the wider Boyd Valley Coarse Fisheries site (13ha) which was approved under PK02/3624/F. The site lies in the open countryside and Green Belt approximately 1km north of Bitton and is accessed from Golden Valley Lane.
- 1.3 The whole of the Boyd Valley Lake site is certificated for use as a camping and caravanning site by the Camping and Caravanning Club Ltd. Certificate number 172/054, enables Club members to use the site up to 28th February 2019. The site has been certificated for 4 years, and the applicant plans to renew this certification in 2019.
- 1.4 The certification restricts the use of the site to 5 caravans and 10 tents at any one time, and restricts use by any one unit to no more than 28 consecutive days. This certification provides permitted development rights for the use of the site for up to 5 caravans under the terms of Part 5 Class A of the GPDO, because the Camping and Caravanning Club is an exempted organisation in paragraph 5 of the Caravan Sites and Control of Development Act 1960.
- 1.5 This certification also provides permitted development rights for the use of the site for camping under the terms of Part 5 Class C of the GPDO, because the Camping and Caravanning Club is an organisation holding a certificate of exemption under section 269 of the Public Health Act 1936.
- 1.6 This planning application is intended to enable visitors other than members of the Camping and Caravanning Club to camp within the red line area. Camping and Caravanning Club members would be able to continue to camp elsewhere on site regardless of the outcome of this application, as long as the relevant certification is in place.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework July 2018
National Planning Policy Guidance 2014

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS5 Location of Development
CS7 Strategic Transport Infrastructure
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS23 Community Infrastructure and cultural activity
CS24 Green Infrastructure, Sport and Recreation Standards
CS34 Rural Areas

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

PSP1 Local Distinctiveness
PSP2 Landscape
PSP3 Trees and Woodland
PSP7 Development in the Green Belt
PSP8 Residential Amenity
PSP11 Transport Impact Management
PSP16 Parking Standards
PSP19 Wider Biodiversity
PSP20 Flood Risk, Surface Water and Watercourse Management
PSP21 Environmental Pollution and Impacts
PSP22 Unstable Land
PSP28 Rural Economy
PSP44 Open Space, Sport and Recreation

2.3 Supplementary Planning Guidance

South Gloucestershire SDP: Design (Adopted) 2006
South Gloucestershire SPD: Development in Green Belt (Adopted) 2007

3. RELEVANT PLANNING HISTORY

- 3.1 PK02/3624/F - Change of Use of land from agriculture to coarse fishery and creation of lake. Creation of access and car park. Erection of barn. Landscaping of site.
Approved 1st Sept. 2003

4. CONSULTATION RESPONSES

- 4.1 **Bitton Parish Council**
No objection

4.2 Other Consultees

Lead Local Flood Authority

No objection

Highway Structures

No comment

Transportation D.C.

No objections

The Tree Officer

No comment

The Ecology Officer

No objection

Natural England

No comment

The Coal Authority

No objection

Other Representations

4.3 Local Residents

3no. letters/e-mails of objection were received from local residents. The concerns raised are summarised as follows:

- Inappropriate location.
- Increased traffic generation on lanes.
- Increased noise.
- Within the Green Belt.
- Adversely affect rural character of location.
- Access dangerous for long vehicles.

6no. letters/e-mails have been received in support of the application stating the following:

- The toilet facilities are needed.
- Would bring additional revenue to local businesses.
- The site is tucked away.
- The campers cause no problems.
- Would allow people to enjoy the countryside.
- Boosts the Summer economy.

5. ANALYSIS OF PROPOSAL

Principle of Development

- 5.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the adopted development plan unless material considerations indicate otherwise.

- 5.2 The South Gloucestershire Local Plan: Core Strategy was adopted by the Council on 11th December 2013. By virtue of Section 38(6) of the Planning and Compulsory Purchase Act, the starting point for determining any planning decision will now be the Core Strategy, as it forms part of the adopted Development Plan and is generally compliant with the National Planning Policy Framework 2018 (NPPF). The Policies, Sites & Places Plan was adopted in Nov. 2017 and now forms part of the Development Plan.
- 5.3 In accordance with para.38 of the NPPF, Core Strategy Policy CS4A states that; when considering proposals for sustainable development, the Council will take a positive approach and will work pro-actively with applicants to find solutions, so that sustainable development can be approved wherever possible. NPPF Para. 38 states that Local Planning Authorities should approach decisions on proposed development in a positive and creative way. Decision makers at every level should seek to approve applications for sustainable development where possible.
- 5.4 The NPPF seeks to promote a strong, rural economy and expects planning policies to support economic growth and expansion in rural areas. At para.83 the NPPF states (*inter alia*) that:

Planning policies and decisions should enable:

- a) The sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;
- b) The development and diversification of agricultural and other land-based rural businesses;
- c) Sustainable rural tourism and leisure developments which respect the character of the countryside.

Officers consider that the proposal is compliant with this policy.

- 5.5 Core Strategy Policy CS23 supports new community infrastructure which supporting paragraph 10.81 defines as including “recreational facilities”. Similarly the Core Strategy para. 16.1 notes that the key strengths of rural areas includes that they provide “a recreation and tourist asset for the residents of the urban areas and nearby towns and visitors to the district”. Para. 16.10 notes that “the viability of the rural economy also needs to be ensured by ... supporting ... development for tourism where the scale and environmental impact is consistent with the rural location”.
- 5.6 The proposal relates to an existing rural business and would be ancillary to it and of an appropriate scale. The scheme would enhance the rural economy and support sustainable rural leisure pursuits and tourism. There is therefore no in-principle objection to the proposal

Green Belt Issues

- 5.7 In the first instance however, the application needs to be assessed against the latest Green Belt policy. The NPPF at para 133 makes it clear that the Government attaches great importance to Green Belts. The fundamental aim of Green Belts is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
- 5.8 At para.134 the NPPF lists the five purposes of including land within the Green Belt and these are:
- a) To check the unrestricted sprawl of large built-up areas;
 - b) To prevent neighbouring towns merging into one another;
 - c) To assist in safeguarding the countryside from encroachment;
 - d) To preserve the setting and special character of historic towns; and
 - e) To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 5.9 The NPPF para 143 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Substantial weight should be given to any harm to the Green Belt.
- 5.10 The construction of new buildings in the Green Belt should be regarded as inappropriate except for those circumstances listed at para.145 and these include at b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for *inter alia* outdoor recreation; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.
- 5.11 Furthermore at para.146 other forms of development are listed which are also not inappropriate in the Green Belt and these include at e) material changes in the use of land (such as changes of use for outdoor sport or recreation etc).
- 5.12 Policy PSP7 of the Policies Sites & Places Plan is also generally compliant with the NPPF. New buildings.
- 5.13 The proposal would be directly related to the extant use of the wider site and would be ancillary to the outdoor use. The amenity block was originally built for the use of Camping and Caravanning Club members already on the site and for users of the coarse fishery. The proposed use would clearly provide enhanced opportunities for recreational use of the open countryside and Green Belt and would be of a scale and size proportionate to the outdoor use. The proposal would not compromise the five purposes of including land within the Green Belt. Officers are therefore satisfied that the proposal is not inappropriate development within the Green Belt.

Other Matters

- 5.14 Policy PSP28 supports sustainable new development which promotes a strong rural economy. Proposals outside the settlement boundaries will be acceptable where:

In the case of the intensification, extension or alteration of existing businesses located within the rural area, where:

- a) The development is located within the curtilage of the site; and
 - b) The development is reasonably necessary for the purposes of the business use and is clearly for that purpose; and
 - c) The volume and nature of any goods sold would not have a significant adverse effect on shopping facilities available in nearby settlements; and
 - d) The proposal(s) is of a scale which is consistent with its rural location.
- 5.15 The development would lie within the wider Fisheries site and would enhance the existing camping and caravanning facility. Whilst no goods would be sold, the development would help to support local shops and pubs etc. The scale of the development is acceptable. The proposal is therefore compliant with Policy PSP28.

Scale & Design

- 5.16 The only built development is the amenity block, which is a modest affair, being single-storey on a footprint of only 24.1 sq.m. The exterior walls are render on block and the roof is corrugated tin. The building is appropriately scaled and designed for the rural location and scale of the overall use. There are no hard-standings proposed and the only other development would be electrical connection points for the individual pitches, but these would have minimal impact and are ancillary to the caravanning use. There are no objections on the grounds of scale and design.

Transportation Issues

- 5.17 The existing access off Golden Valley Lane would be utilised. The Council's Transportation Officer is satisfied that the scheme is of a scale as to not result in a significant increase in traffic using the existing access which is considered both safe and suitable. There are therefore no transportation objections.

Landscape Issues

- 5.18 Although lying within the open countryside, the site would lie within the grounds of the existing Fishery and being at the northern end, is very well screened from the Lane by the existing boundary vegetation. The caravans and amenity block would not be readily visible from the public realm or within the landscape in general. No trees would be adversely affected by the scheme.

Ecological Issues

- 5.19 The site was improved grassland which is a widespread and common habitat. The amenity block is an existing building. The site does not appear to be suitable for any protected species. Neither Natural England nor the Council's Ecologist have raised any objections to the proposal.

Impact on Residential Amenity

- 5.20 The proposal merely enhances and supports the existing use of the site. The development is not excessive in scale and would be very well enclosed within the existing Fishery. The nearest residential property i.e. White House Farm,

would be some 60m from the boundary of the site, which is considered to be an acceptable distance. There is little scope for an adverse impact on residential amenity.

Environmental Issues

5.21 Although the site was undermined for coal in the past, the Coal Authority are satisfied that the submitted Coal Mining Risk Assessment adequately demonstrates that the site is safe and stable and meets the requirements of the NPPF. The site is not at risk from flooding being in Flood Zone 1. Any additional light pollution is likely to be low, given the nature of the development. Surface water would be disposed of to a sustainable drainage system and foul disposal from the amenity block would be as existing.

5.22 Consideration of likely impact on Equalities

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

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

CIL

5.23 The scheme is not liable to CIL

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 development plan 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 below.

Contact Officer: Roger Hemming
Tel. No. 01454 863537

CONDITIONS

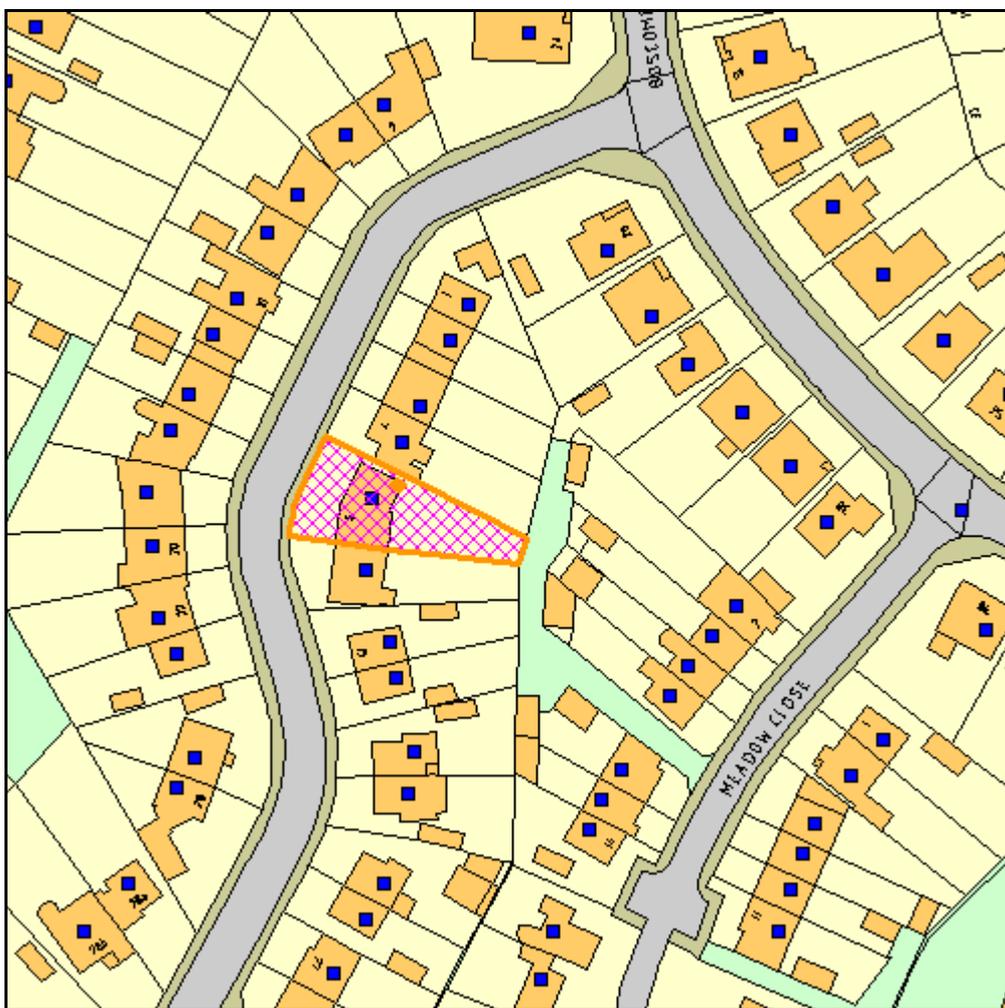
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 04/19 – 25 JANUARY 2019

App No.:	PK18/5294/RVC	Applicant:	Mr Sean O'Connell
Site:	9 Sutherland Avenue Downend Bristol South Gloucestershire BS16 6QJ	Date Reg:	23rd November 2018
Proposal:	Removal of condition 4 attached to planning application PK17/2418/F to allow the front elevation to have a spar rendered finish.	Parish:	Downend And Bromley Heath Parish Council
Map Ref:	365490 177515	Ward:	Downend
Application Category:	Minor	Target Date:	17th January 2019



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South Gloucestershire Councillors have five working days from date of publication to consider whether items appearing on the Circulated Schedule should be referred to the Development Management or Strategic Sites Delivery Committees for determination.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the removal of condition 4 attached to planning permission PK17/2418/F:

Condition 4:

The materials to be used in the construction of the external surfaces of the new dwelling hereby permitted shall match those used in the existing building no. 9 Sutherland Avenue.

Reason

To ensure a satisfactory standard of external appearance and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework (2012).

- 1.2 The application site relates to an existing semi-detached dwellinghouse and the erection of 1.no attached dwellinghouse, providing a terraced arrangement to no.9 Sutherland Avenue. The site is located within an established residential area of Downend.
- 1.3 This application seeks to remove condition 4 of planning permission PK17/2418/F and spar render both the principal elevation of the existing dwellinghouse, and the principal, side and rear elevations of the proposed dwellinghouse.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Policy Guidance 2018

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS5 Location of Development
CS8 Improving Accessibility
CS9 Managing Environment and Heritage
CS16 Housing Density
CS17 Housing Diversity
CS29 Communities of the East Bristol Fringe

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

PSP8 Residential Amenity

PSP38 Development within Existing Residential Curtilages,
Including Extensions and New Dwellings
PSP43 Private Amenity Space Standards

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

3. RELEVANT PLANNING HISTORY

- 3.1 PK17/2418/F – Approved - 08.08.2017
Demolition of existing double garage and erection of 1no. attached dwelling
with access and associated works (resubmission of PK17/1004/F)

4. CONSULTATION RESPONSES

- 4.1 Downend and Bromley Heath Parish Council
Objection on the following grounds - the rendering should match neighbouring
properties, as required under the original application.
- 4.2 Emersons Green Town Council
No comment
- 4.3 Planning Enforcement
No comment.
- 4.4 Highway Structures
No comment
- 4.5 Transportation
No objection.

Other Representations

- 4.6 Local Residents
This application received a total of 3 objections, these are summarised below.
- Condition 4 was passed for a reason and should remain.
 - The proposal would appear out of keeping with neighbouring properties
 - The proposal should be kept as brick, in keeping with the surrounding area.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
The application is submitted under Section 73 of the Town and Country
Planning Act 1990. In accordance with Section 73(2) in determining such an
application the Local Planning Authority shall consider only the question of the
conditions subject to which planning permission has been granted. The
Planning Practice Guidance advises that every condition must always be
justified by the Local Planning Authority on its own planning merits on a case
by case basis. Furthermore, it advises that any proposed condition that fails to

meet any of the six tests should not be used. Paragraph 55 of the NPPF states that planning conditions should only be imposed where they are:

1. Necessary;
2. Relevant to planning;
3. Relevant to the development to be permitted;
4. Enforceable
5. Precise;
6. Reasonable in all other respects.

5.2 Being mindful of the reasons for attaching the conditions in the first place, and the nature of the alteration, in assessing this application Officers will consider the impact of the proposed change on visual amenity. Following this it will also need to be considered what conditions attached to application PK17/2418/F need to be carried forward and if any further conditions need to be attached to any new consent.

5.3 Analysis of Proposal

The application site relates to semi-detached, two storey dwelling that is situated in an established residential area. The application site has planning permission for 1no. attached dwelling to the side of the property.

5.4 This application proposes a material change to the principal elevation of the existing dwellinghouse and both the principal, side and rear elevations of the proposed dwellinghouse. The applicant seeks to introduce spar render elevations instead of brick elevations. Whilst this change would be visible, the dwelling houses would remain in-keeping with the surrounding area and the context and as such is considered acceptable.

5.5 Other conditions attached to PK17/2418/F

Planning permission PK17/2418/F was approved subject to 4 other conditions, in addition to condition 4. The effect of an application under Section 73 of the Act is to grant a wholly new planning permission. Therefore, the conditions attached to the original consent should be replicated on the new permission, reviewed or removed. This section will assess the conditions attached to PK17/2418/F for relevance on this decision.

5.6 Condition 1

This condition related to the implementation of development within 3 years from the date of permission, in line with the requirements of Section 91 of the Town & Country Planning Act 1990 (as amended). It is noted that the development has been implemented, and this condition is therefore not required to be carried over

5.7 Condition 2

This condition relates to the built form, specifically that the proposal should be in accordance with approved plans. As part of this application, revised plans were received. As such, it is recommended that this is carried forward to account for the amended design.

5.8 Condition 3

This condition is a compliance condition to ensure that the parking facilities are provided before the extensions are first occupied. It is recommended that this is carried forward.

5.9 Condition 5

This condition is a compliance condition to ensure that the first floor window on the north elevation shall be obscure glazed to a level 3 standard or above. It is recommended that this is carried forward.

5.10 Conclusion

It is considered that the removal of condition 4 will not have a significant or material impact on the proposal. During a site visit it was noted that many properties within Sutherland Avenue have rendered elevations. As such, the proposed removal of condition 4 is considered acceptable.

5.11 Impact on Equalities

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society. As a result of that Act the public sector Equality Duty came into force. Among other things, the Equality Duty requires that public bodies to have due regard to the need to: eliminate discrimination; advance equality of opportunity; and, foster good relations between different groups when carrying out their activities.

5.12 Under the Equality Duty, public organisations must consider how they could positively contribute to the advancement of equality and good relations. This should be reflected in the policies of that organisation and the services it delivers.

5.13 The local planning authority is statutorily required to apply the Equality Duty to its decision taking. With regards to the Duty, the development contained within this planning application is considered to have a neutral impact.

5.14 Other Matters

Objection comments raised concerns that following development the site would not be in keeping with the surrounding area, it should be noted that the majority of dwellings in the immediate vicinity have rendered elevations. Given that the proposal is not uncommon in the area, it is not considered that the amended materials would cause harm of such severity as to substantiate a reason for refusing the application.

6. CONCLUSION

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

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

7. **RECOMMENDATION**

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

Contact Officer: Westley Little
Tel. No. 01454 862217

CONDITIONS

1. The development shall be implemented strictly in accordance with the following plans:

Proposed Site Plan
Location Plan
Existing Elevations
Existing Site Plans and Floor Plans
Proposed Floor Plans
Location and Block Plan
Received by the Local Planning Authority on 23rd May 2017.

Proposed Elevations
Received by the Local Planning Authority on 21 January 2018.

Reason
For the avoidance of doubt.

2. The vehicular access and off-street parking facilities shown on the Proposed Site Plan (received by the Council on 23rd May 2017) hereby approved shall be provided before the new dwelling is first occupied, and thereafter retained for that purpose.

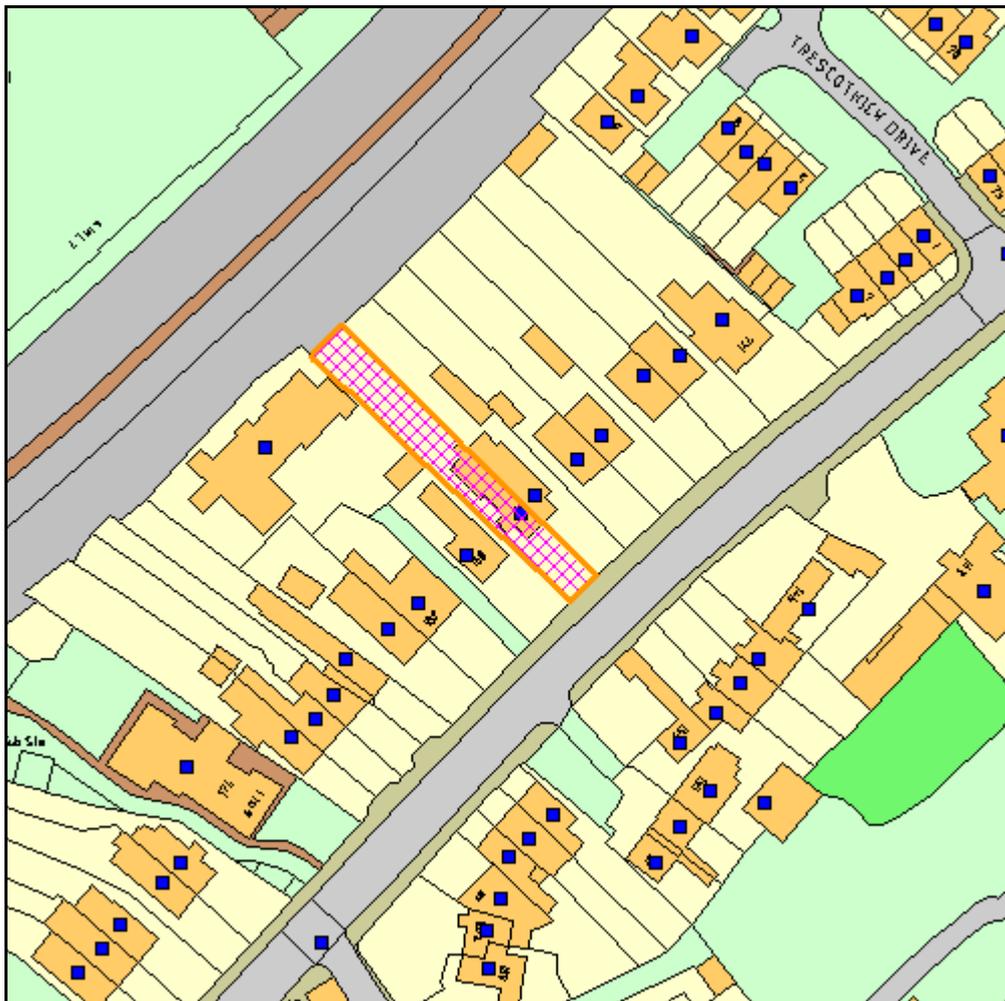
Reason
To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policy CS8 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013; and the South Gloucestershire Residential Parking Standards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

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

Reason
To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy PSP8 of the South Gloucestershire Policies Sites and Places Plan (Adopted) 2017; and the provisions of the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 04/19 – 25 JANUARY 2019

App No.:	PK18/6358/F	Applicant:	Miss Emma Smith
Site:	156 High Street Oldland Common Bristol South Gloucestershire BS30 9TA	Date Reg:	20th December 2018
Proposal:	Creation of vehicular access.	Parish:	Bitton Parish Council
Map Ref:	367505 171479	Ward:	Oldland Common
Application Category:	Householder	Target Date:	14th February 2019



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 100023410, 2008. **N.T.S.** **PK18/6358/F**

South Gloucestershire Councillors have five working days from date of publication to consider whether items appearing on the Circulated Schedule should be referred to the Development Management or Strategic Sites Delivery Committees for determination.

REASON FOR SUBMISSION TO THE CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The application seeks full planning permission for the creation of a new vehicular access at 156 High Street, Oldland Common.
- 1.2 The application site relates to a two-storey, semi-detached property which is located within a residential area of Oldland Common. The property does not have a driveway, but a grass front garden. There is a low wall which serves as the frontage of the boundary.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework July 2018
National Planning Policy Guidance

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

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

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

PSP1	Local Distinctiveness
PSP8	Residential Amenity
PSP11	Transport
PSP16	Parking Standards
PSP38	Development within Existing Residential Curtilages
PSP43	Private Amenity Standards

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

3. RELEVANT PLANNING HISTORY

- 3.1 No relevant planning history.

4. CONSULTATION RESPONSES

4.1 Bitton Parish Council

Concerned the plans did not show a capability to enter and leave the site in forward gear. They also seek confirmation that the dropped kerb will be installed to a good standard.

4.2 Transport

The nature of this section of High Street is that of a residential streets with direct vehicular accesses, many of which do not have turning facilities. Adequate visibility exists at the site. No transportation objection is raised subject to the applicant obtaining the permission of the Development Implementations Team, before commencing any works on a public highway.

Other Representations

4.3 Local Residents

No comments received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy PSP38 of the PSP Plan (Adopted November 2017) allows the principle of development within residential curtilages, subject to considerations of visual amenity, residential amenity and highway safety. Policy CS1 seeks that the proposal is informed by, respects and enhances the character, distinctiveness and amenity of both the application site and its context. Furthermore, Policy CS8 of the Core Strategy seeks that car parking and vehicular 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 proposal accords with the principle of development subject to the consideration below.

5.2 Design and Visual Amenity

The existing frontage to the garden of the property consists of a low stone wall and a raised kerb. The raised kerb will be replaced by a dropped kerb. The application form states that the stone front wall will be removed and replaced with a bi-fold gate. Half of the front garden will be laid with Cotswold Stone chippings to form a parking area. Many other houses in the immediate area have benefitted from a similar arrangement. It is therefore considered that the proposal will be in keeping with the character of the area and is therefore acceptable in terms of design and visual amenity.

5.3 Residential Amenity

Policy PSP8 of the PSP Plan (November 2017) sets out that development within existing residential curtilages should not prejudice residential amenity through overbearing; loss of light; and loss of privacy of neighbouring occupiers.

- 5.4 The impact of the proposal on the residential amenity currently enjoyed by the occupiers of neighbouring properties has been considered. Due to the nature of the application, it is not considered that the creation of a dropped kerb would materially harm the residential amenity at any of the adjoining properties.
- 5.5 The subject property is located within a built up residential area and given the scale and location of the proposed development, the proposal will not result in an unacceptable impact on the residential amenity of its neighbouring occupiers. Therefore, the development is not considered to be detrimental to residential amenity and is considered to comply with Policy PSP8 of the PSP Plan (November 2018).
- 5.6 Sustainable Transport and Parking Provision
The Parish Council have raised concerns that the plans do not show an ability to exit the site in forward gear. However, the Transport Officer has noted that many of the driveways on this stretch of High Street do not have turning facilities. The Case Officer acknowledges that some manoeuvring onto the road may be required to enter and exit the drive, however it is not considered that this is cause an unacceptable level of harm to highway safety.
- 5.7 Overall, the proposal is considered to be well integrated and will support the street scene. It complies with Policy CS8 of the Core Strategy.
- 5.8 Other Matters
Both the Parish Council and the Transport Officer have expressed that the dropped kerb should be installed to a high standard. The applicant must contact the Development and Implementation Team to obtain the necessary permissions for insertion of the dropped kerb.
- 5.9 Equalities
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.
- 5.10 With regards to the above this planning application is considered to have a neutral impact on equality.

6. CONCLUSION

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

6.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the development plan set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

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

Contact Officer: Isabel Daone
Tel. No. 01454 863787

CONDITIONS

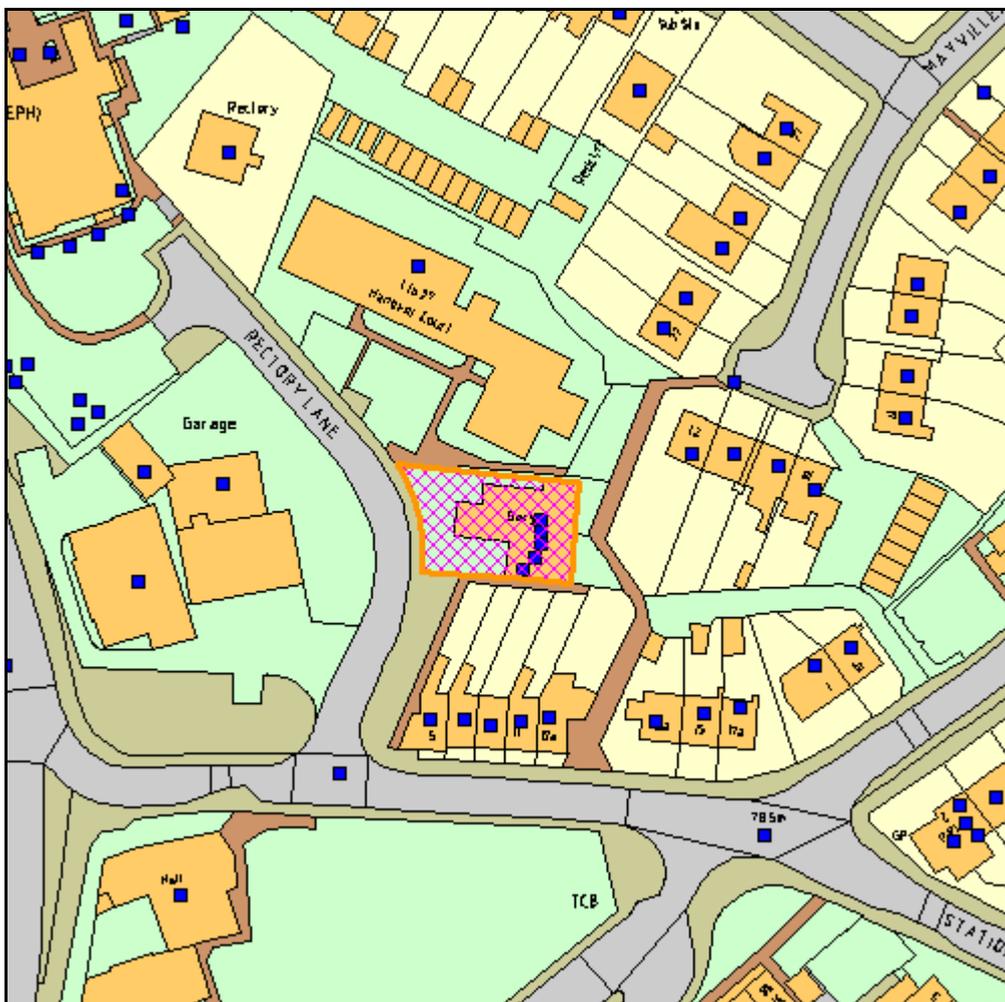
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 04/19 – 25 JANUARY 2019

App No.:	PT18/0829/F	Applicant:	Mr P Lane
Site:	Lanes Dairy Rectory Lane Filton South Gloucestershire BS34 7BF	Date Reg:	14th March 2018
Proposal:	Erection of a first floor side extension to form 2no additional bedrooms. Change of use of ground floor from Class B2 (general industry) to 8no bedroom House in Multiple Occupancy (sui generis). As defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).	Parish:	Filton Town Council
Map Ref:	360366 179287	Ward:	Filton
Application Category:	Minor	Target Date:	7th May 2018



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South Gloucestershire Councillors have five working days from date of publication to consider whether items appearing on the Circulated Schedule should be referred to the Development Management or Strategic Sites Delivery Committees for determination.

REASON FOR REFERRING TO THE CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule as a result of the concerns raised by Filton Town Council, which are contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The application site consists of the former 'Lanes Dairy' building, situated in Rectory Lane, Filton, which is within the established urban area in the North Bristol Fringe. The dairy is now redundant but the upper floor and roof area has been used for many years as a House in Multiple Occupation (HMO). Whilst there is no planning permission for this use, the Council's Enforcement Officer has confirmed that due to the passage of time (over 30 years) the development is now immune from enforcement action.
- 1.2 The application seeks permission for the change of use of the ground floor of 'Lanes Dairy' from industrial (Class B2) to an eight bedroomed house in multiple occupancy (HMO) (sui generis). It is also proposed to erect an extension above the existing single-storey loading bay, to provide two further single person bed-sits at first floor level. Each room would be self-sufficient and qualify as bed-sits as defined in "Houses in Multiple Occupation" published by the Housing Executive.

2. POLICY CONTEXT

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

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS5 Location of Development
CS8 Improving Accessibility
CS13 Non-Safeguarded Economic Development Sites
CS15 Distribution of Housing
CS16 Housing Density
CS17 Housing Diversity
CS25 Communities of the North Fringe of Bristol Urban Area

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

PSP1 Local Distinctiveness
PSP2 Landscape
PSP3 Trees and Woodland

PSP6 On-Site Renewable and Low Carbon Energy
PSP8 Residential Amenity
PSP11 Transport Impact Management
PSP16 Parking Standards
PSP20 Flood Risk, Surface Water and Watercourse Management
PSP21 Environmental Pollution and Impacts
PSP39 Residential Conversions, Sub-Divisions and Houses in Multiple Occupation.
PSP43 Private Amenity Space Standards

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) 2007
Residential Parking Standards SPD (Adopted) 2013
Waste Collection SPD (Adopted) January 2015 (amended March 2017)
CIL and S106 SPD (Adopted) March 2016
Affordable Housing SPD (Adopted) May 2014 (amended Dec 2017)

3. RELEVANT PLANNING HISTORY

- 3.1 PT14/3203/F (Charlton House) - Demolition of existing vacant care home to facilitate erection of 22no. dwellings, associated car parking and hard and soft landscaping.
Approved 30th March 2015
- 3.2 PT14/3058/F - Change of use of ground floor from Class B2 to House in multiple Occupancy (Sui generis) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).
Refused 30th Sept 2014
- *The proposed development would result in the loss of a non-safeguarded economic development site. The application has failed to demonstrate that all reasonable attempts have been made and subsequently failed to secure a suitable economic re-use and there are no other material considerations otherwise in support of the development. The proposal is therefore contrary to policy CS13 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013.*
- 3.3 PT13/4665/F - Change of use of ground floor from sui generis to Class B2 (as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).
Approved 7th March 2014
- 3.4 PT10/1065/F - Change of use from dairy (sui generis) to parcel delivery, sorting and despatch depot (sui generis) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). (Retrospective).
Approved 30th June 2010
- 3.5 PT08/2328/F - Change of use from dairy to residential (Class C3) as defined in the Town & Country Planning (Use Classes) Order 2005. Erection of 2 storey front and side extension to facilitate conversion of existing building to 12no.

flats. Construction of new vehicular access with associated works. (Re-submission of PT08/0083/F).

Refused 24th September 2008.

- *The proposed development, by virtue of its design, scale, and form in relation to the surrounding locality would result in a cramped and over-dominant form of development to the detriment of the character and visual amenity of the site and the surrounding locality. As such the proposed development is contrary to Policies D1, H2 and H5 of the South Gloucestershire Local Plan (Adopted) January 2006, the South Gloucestershire Design Checklist SPD (Adopted) and PPS1 and PPS3.*
- *The proposed development, by virtue of its scale, proximity and relationship with immediately surrounding residential properties would allow an unacceptable level of over-looking and would have a significant overbearing impact in respect of those properties. The development would therefore have an unacceptable impact upon the privacy and residential amenity of the occupants of those dwellings and would be contrary to Policies H2 and H5 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist SPD (Adopted).*

3.6 PT08/0083/F - Change of use from dairy to residential (Class C3) as defined in the Town and Country Planning (Use Classes) Order 2005. Erection of 3 storey front and side extension to facilitate conversion of existing building to 19 no. flats.

Withdrawn 25th March 2008

3.7 PT07/2260/F - Change of use from dairy/garage to car sales (sui generis) as defined in the Town and Country Planning (Use Classes) Order 2005. Approved 7th September 2007

3.8 P87/1079 - Erection of extension to existing garage to house milk floats. Approved 5th March 1987

3.9 P86/1546 - Erection of extension to existing garage to house milk vans. Approved 4th June 1986

4. CONSULTATION RESPONSES

4.1 Filton Town Council

Concerns raised over inadequate parking and over-development of the area.

4.2 Transportation DC

No objection subject to condition.

Highway Structures

No comment

Lead Local Flood Authority

No objection

Children and Young People

No response

Community Infrastructure and POS

The application falls below our current threshold for requiring S106 contributions towards public open space therefore we have no comments to make on the application.

Housing Enabling

No objection – below threshold.

Archaeology Officer

No comment

Other Representations

4.3 Local Residents

1 no. letter/e.mail of objection was received from a local resident who raised concerns about the existing level of on-street parking and the lack of parking provision to serve the scheme.

A second representation from a local resident contained general comments about the existing property being an eyesore with rats being seen in the rubbish left outside the redundant dairy and possible unauthorised parking in Charlton House car park.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application proposes the change of use of the ground floor of a former dairy, which has a current authorised industrial use (Use Class B2), to form an eight bedroom House in Multiple Occupancy (HMO) (sui generis). It is also proposed to extend the property above the existing loading bay to provide 2no. additional bed-sits. The site is situated within the established urban area and settlement boundary in the North Fringe of the Bristol urban area. The principle of the proposed development stands to be assessed against policies CS5 and CS13 of the Core Strategy (Adopted December 2013) and Policy PSP39 of The South Gloucestershire Local Plan: Policies Sites and Places Plan (Adopted) Nov 2017.

5.2 Policy CS5 directs most new development to the North and East Fringes of the Bristol urban areas, within which the site lies. Policy CS13 states that proposals for the change of use of economic development sites not safeguarded by policy CS12, within the settlement boundaries, will not be allowed unless it can be clearly demonstrated that all reasonable attempts have failed to secure a suitable economic development re-use. Policy CS13 forms part of the Core Strategy which was formally adopted on 11th December 2013 and is considered to be fully compliant with the NPPF. Policy CS13 is therefore afforded substantial weight in the determination of this application.

- 5.3 PSP39 of the South Gloucestershire Local Plan: Policies, Sites & Places Plan relates to residential conversions, HMOs and the re-use of buildings for residential purposes. Policy PSP39 permits this type of development in principle, subject to criteria relating to local character, residential amenity, amenity space, refuse storage and servicing; and parking provision. It is considered that the aim of this policy is broadly consistent with the NPPF Core Planning Principles.
- 5.4 Core Strategy Policy CS17 relates to Housing Diversity. It states that ‘the mix of housing should contribute to providing choice in tenure and type, having regard to the existing mix of dwellings in the locality and the character and relative accessibility of the location. The site is highly accessible and the proposal would provide low cost accommodation for single occupancy or starter homes, for which there is a demand.
- 5.5 The application relates to a site that has an authorised Class B2 use which was approved retrospectively on 7th March 2014. The dialogue contained within policy CS13 of the Core Strategy states that evidence shows that in the last 10 years locally significant amounts of non-safeguarded employment land have been lost to residential uses in the urban area. The need to prevent further losses of smaller scale employment opportunities in the context of pressure to meet housing targets has been identified as a key issue. Policy CS13 therefore sets out a preferred sequence for the change of use on economic development sites and a process for determining when a change of use would be acceptable. Proposals for residential re-use of buildings need to be accompanied by a statement clearly demonstrating that a market appraisal has been undertaken to assess alternative economic development uses, and that every reasonable attempt to secure a suitable re-use has been made and failed.
- 5.6 The proposed development, which would result in the loss of a non-safeguarded economic development site, is supported by marketing information from Hootons Ltd. The statement confirms that the premises has been appropriately marketed since Oct. 2015 with very little interest. Officers can confirm that a marketing board was still in-situ at the time of their site visit. Hootons consider that the premises is far removed from a modern industrial unit and has a low eaves height; as such the property is better suited to residential use.
- 5.7 In light of the supporting information provided, it is considered that the application has demonstrated that all reasonable attempts have been made to secure a suitable economic re-use and is therefore compliant with policy CS13, which is afforded full weight given its adopted status and compliance with the NPPF.
- 5.8 Residential Amenity
The application relates to a detached building situated on Rectory Lane, which has a mix of commercial and residential units. The site is bordered to the north by ‘Hanover Court’, which is a large detached building consisting of retirement flats. To the south of the site are the rear gardens of nos. 5 to 13 (odd numbers) Station Road and to the rear of the site is no. 21 Mayville Avenue.

On the opposite side of Rectory Lane is a car sales garage and MOT Centre. The areas surrounding Rectory Lane to the north and east are predominantly established residential in nature with commercial development to the west.

- 5.9 The application proposes to convert the ground floor level of the building to form an eight bedroom HMO. The proposal also includes a modest extension above the existing loading bay, to provide two additional rooms to the western side of the building.
- 5.10 It is considered that the proposal would not materially alter the outlook or light levels currently experienced by nearby occupiers. In terms of privacy, some overlooking of adjoining property is only to be expected in densely populated urban locations such as this; especially if the most efficient use of land in the urban area for housing is to be achieved in accordance with government guidelines. The windows at ground floor level are screened by a boundary fence. Only two new windows would be introduced at first floor level; one facing west and one east. It is not considered that the positioning of the proposed windows would have a materially greater impact on privacy than the existing situation. The prevention of any additional windows in the extension can be secured by condition.
- 5.11 In terms of the amenity of future occupiers of the HMO, it is acknowledged that the development would result in a large number of residents in one building with shared communal areas, however this is characteristic of this type of living accommodation. Each bedroom would have an escape window and although the rooms are small, it is considered that the living standards of the future occupiers would be acceptable. Given the size of the bedrooms it is not expected that the HMO would accommodate more than eight residents at one time, plus two in the extension. The application identifies a small communal private amenity space to the south of the building. Although this area is small, officers are mindful that the upper floor of the building has operated successfully for over 30 years as an HMO. The location is highly sustainable and given the nature of the accommodation i.e. bed-sits and the absence of any specific standards relating to private amenity space for HMOs, it is considered that the amenity space identified is acceptable on balance and would not warrant refusal of the application.
- 5.12 Highway Safety
The application site is situated on Rectory Lane, which is a cul-de-sac serving the application site, the car garage/MOT centre opposite, the flats on Hanover Court, a dwelling, and a former care home. Rectory Lane has TRO parking restrictions including double yellow lines directly outside of the application site. The surrounding residential areas predominantly have restricted, on-street permit parking.
- 5.13 The proposed HMO would be served by the hard-standing area to the front of the building, which has an existing dropped kerb access from Rectory Lane. The application identifies 6no. off-street parking spaces to the front. The plans also show a secure cycle store containing Sheffield Stands for 16 cycles.

- 5.14 A number of concerns have been raised by local residents in relation to the suitability of Rectory Lane, to accommodate the proposed development in addition to the surrounding units and in particular the amount of parking proposed for the development. These comments are noted; however Officers must consider the proposed change of use in the context of the site, the extant authorised use of the site and the expected vehicular movements generated by the development. The site is also considered within the context of the area, which is considered to be highly sustainable with good access to local amenities and public transport.
- 5.15 The proposed 8 bedroom HMO would replace the existing industrial use of the ground floor of the building and as such it is the net impact of the development, which includes the two rooms in the proposed extension, which has been considered. It is noted from the planning history of the site that the hard-standing area surrounding the front of the building has always been intended for the industrial use at the ground floor level and has not served the HMO accommodation on the first floor and roof space; there is therefore no loss of parking for the existing HMO. In terms of the proposed change of use, it is noted that Policy PSP16 (Parking Standards) requires 0.5 car parking spaces per bedroom. The proposal is for 10 additional bed-sits so 5no. spaces are required, whereas 6no. would be provided. There is also sufficient space for the provision of a dedicated waste and recycling store. On-street car parking is controlled by TRO parking restrictions to prevent any unsafe parking in the vicinity of the site. Cycle parking should be provided at a minimum of 1no. secure and covered space per bedroom; the plans show 16no. provided. The proposal is therefore in accordance with Policy PSP16.
- 5.16 In consideration of the context of the site and the locality, its history, and of the planning policy, it is considered that the amount of car and cycle parking space proposed for the eight bedroom HMO and extension, is acceptable. A suitably worded condition would secure the implementation and retention of the car parking spaces and the implementation, location and retention of the cycle parking stands and bin store. There are therefore no refusal reasons relating to highway safety or parking provision.
- 5.17 Concerns relating to drivers parking on pavements and blocking access-ways on Rectory Lane are noted, however it is not within the remit of the application to control where people park outside of the application site. Drivers parking illegally within controlled zones are a matter for the police.
- 5.18 Character of the Area
The application building consists of a brick built, detached, two-storey building with a pitched roof. It is situated within an area with a mixed character. The conversion of the ground floor alone would have little impact on the appearance of the building other than the infilling of the front metal garage style door and the installation of windows. The hard-standing area surrounding the building is currently used as parking and an area for the storage of bins and this would remain unchanged. Therefore, whilst the site is not particularly attractive, provided the materials match the original building there are no concerns in terms of visual amenity; indeed the appearance would on balance enhance the visual amenity of the street scene.

5.19 Environment

As the development is for a change of use of the existing building, it is not considered that the development would give rise to any unacceptable environmental effects, and given the use and type of building, it is considered unlikely that the development would have a harmful impact on protected species.

Equalities

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

5.21 With regards to the above, this planning application is considered to have a neutral impact on equality. Equalities have been given due consideration in the application of planning policy as discussed in this report.

CIL

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

5.23 Conclusion

In conclusion to the above, the Case Officer does not raise any objection to the development in terms of residential amenity, highway safety, local character and environmental effects and there is no objection under CS13 of the Core Strategy. The application has demonstrated that all reasonable attempts have been made, and subsequently failed, to secure a suitable economic re-use. The proposal would make a valuable contribution to the demand for low cost, single-occupancy accommodation in a highly sustainable area.

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

7. RECOMMENDATION

7.1 That the application is APPROVED subject to the conditions listed below.

Contact Officer: Roger Hemming
Tel. No. 01454 863537

CONDITIONS

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

Reason

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

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

Reason

To protect the residential amenity of the neighbouring occupiers and to accord with Policies PSP8 and PSP21 of The Policies Sites and Places Plan (Adopted) 8th Nov. 2017 and the requirements of the NPPF.

3. No dwelling hereby permitted shall be occupied until the cycle parking shown on the approved plans has been completed, and thereafter, the areas shall be kept free of obstruction and available for the parking of cycles associated with the development.

Reason

To ensure the satisfactory provision of cycle parking facilities and in the interest of non-car modes of transport and sustainability, and to accord with Policy PSP16 of The South Gloucestershire Local Plan Policies Sites and Places Plan (Adopted) 8th Nov. 2017 and Policy CS8 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec.2013.

4. No dwelling hereby permitted shall be occupied until the car/vehicle parking areas shown on the approved plans has been completed, and thereafter, the areas shall be kept free of obstruction and available for the parking of vehicles associated with the development.

Reason

To ensure the satisfactory provision of car and parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policies PSP11 and PSP16 of The South Gloucestershire Local Plan Policies Sites and Places Plan (Adopted) 8th Nov. 2017 and Policy CS8 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec.2013.

5. No windows other than those shown on the approved plans, shall be inserted in the first floor extension hereby approved.

Reason

To protect the residential amenity of the neighbouring occupiers and to accord with Policy PSP8 of The Policies Sites and Places Plan (Adopted) 8th Nov. 2017 and the requirements of the NPPF.

6. No dwelling hereby permitted shall be occupied until the bin store shown on the approved plans has been completed, and thereafter, the bin store shall be retained as such at all times.

Reason

To ensure the adequate provision of bin storage facilities to accord with Policy CS1 of The South Gloucestershire Local Plan Core Strategy Adopted Dec. 2013, Policy PSP39 of The South Gloucestershire Local Plan: Policies Sites & Places Plan (Adopted) Nov 2017) and The South Gloucestershire Council Waste Collection SPD Adopted Jan. 2015.

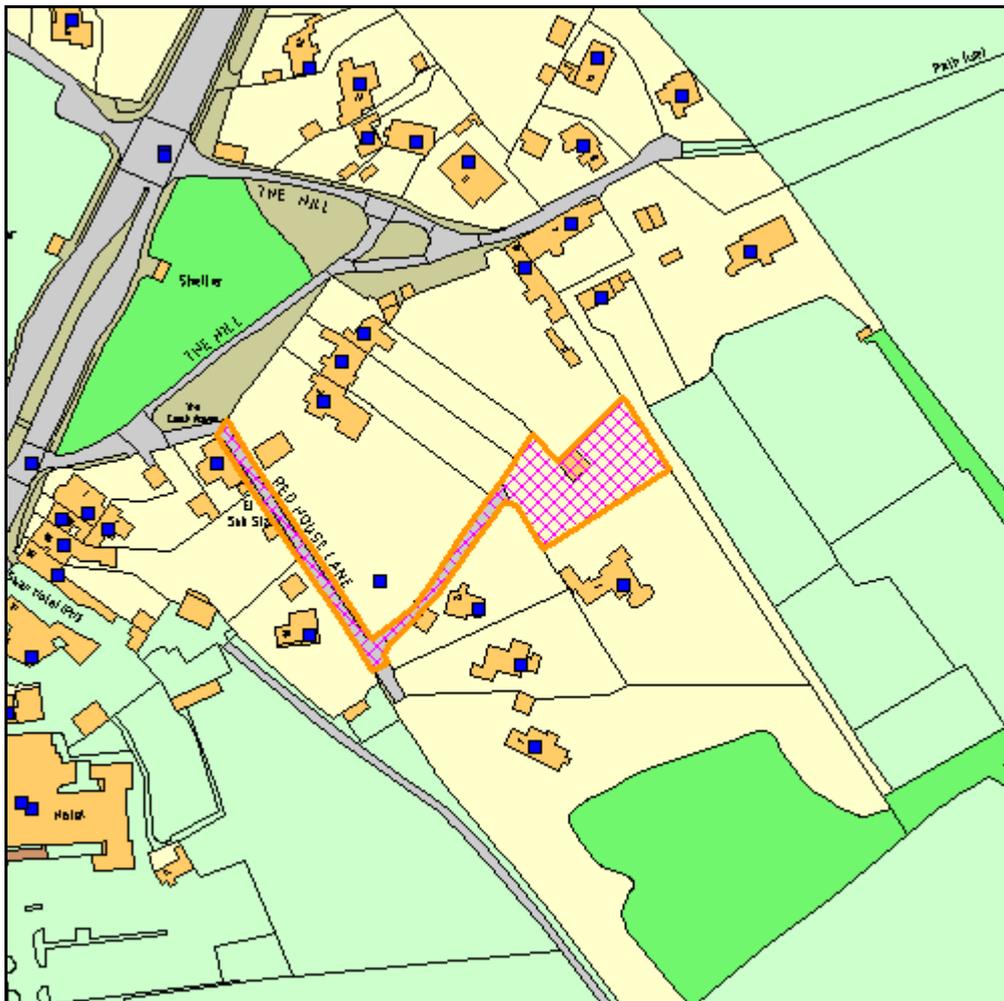
7. Prior to the first occupation of any part of the development hereby approved, the car parking spaces shall be provided with electricity charging points.

Reason

In the interests of sustainability and to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013 and the South Gloucestershire Council SPD: Residential Car Parking Standards (Adopted) 2013.

CIRCULATED SCHEDULE NO. 04/19 – 25 JANUARY 2019

App No.:	PT18/4821/F	Applicant:	Mr And Mrs Heer
Site:	Meadowcroft 1 Red House Lane Almondsbury South Gloucestershire BS32 4BB	Date Reg:	29th October 2018
Proposal:	Demolition of existing garage. Erection of 1.no detached dwelling and 1.no detached garages.	Parish:	Almondsbury Parish Council
Map Ref:	360775 183819	Ward:	Almondsbury
Application Category:	Minor	Target Date:	20th December 2018



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 100023410, 2008. **N.T.S.** **PT18/4821/F**

South Gloucestershire Councillors have five working days from date of publication to consider whether items appearing on the Circulated Schedule should be referred to the Development Management or Strategic Sites Delivery Committees for determination.

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been referred to the circulated schedule as comments of objection have been received. These are contrary to the officer recommendation and according to the current scheme of delegation, is required to be taken forward under the Circulated Schedule procedure.

1. THE PROPOSAL

- 1.1 The application is for the demolition of existing garage and the erection of 1 no. detached dwelling and 1.no detached garage within the residential curtilage of Meadowcroft 1 Red House Lane, Almondsbury.
- 1.2 The subject site is situated within but close to the edge of the development boundary for the Village of Almondsbury, within the Bristol/Bath Greenbelt.
- 1.3 The host property has extensive gardens. The proposal will be situated against the northern boundary of the site nearby the access lane.
- 1.4 The application is a resubmission of a previously approved scheme PT18/1047/F. The proposal seeks to amend the approved scheme by varying the size of the front projection, the proposed window layout and size, and a minor increase in the proposed footprint and location.
- 1.5 During the course of this application revised plans were requested and received to address the scale and design of the proposal. Initially, the proposal sought permission for two detached garages. As part of the revisions, one of the garages was omitted. The development will be determined on the basis of the revised plans and the description of development has been amended accordingly.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework
National Planning Policy Guidance

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

- CS1 High Quality Design
- CS4a Sustainable Development
- CS5 Location of Development
- CS8 Improving Accessibility
- CS9 Managing the Environment and Heritage
- CS15 Distribution of Housing
- CS16 Housing Density

CS17 Housing Diversity
CS18 Affordable Housing
CS33 Housing Opportunity
CS34 Rural Areas

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

PSP1	Local Distinctiveness
PSP2	Landscape
PSP7	Greenbelt
PSP8	Residential Amenity
PSP11	Transport Impact
PSP16	Parking Standards
PSP17	Heritage Assets
PSP38	Development within Existing Residential Curtilages
PSP40	Residential Development in the Countryside
PSP42	Custom Build/Self-Build
PSP43	Private Amenity Space

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) August 2007

Residential Parking Standard SPD (Adopted) December 2013

Waste Collection: Guidance for New Development SPD (Adopted) January 2015

Community Infrastructure Levy and Section 106 Planning Obligations Guide (Adopted) March 2015

3. RELEVANT PLANNING HISTORY

- 3.1 PT18/1047/F – Approved - 01.05.2018
Demolition of existing garage. Erection of 1 no. detached dwelling and garage (Resubmission of PT15/2047/F)
- 3.2 DOC17/0326 – Approved - 11.01.2018
Discharge of conditions 3 (Environmental Management Plan) and 4 (Passing Bay) attached to planning permission PT16/2420/F as approved on appeal APP/P0119/W/16/3165039. Demolition of existing garage. Erection of 1 no. detached dwelling and garage (Resubmission of PT15/2047/F)
- 3.3 PT16/2420/F – Refusal - 24.06.2016 (approved on appeal)
Demolition of existing garage. Erection of 1 no. detached dwelling and garage (Resubmission of PT15/2047/F)
- 3.4 PT00/0885/F – Approved - 04.08.2000
Erection of single storey side extension, conservatory and detached garage.
- 3.5 P89/2462 – Approved - 13.09.1989
Erection of single storey extension to form kitchen
- 3.6 N1102 – Approved - 13.03.1975
Erection of entrance porch.

4. CONSULTATION RESPONSES

4.1 Almondsbury Parish Council

Concerns were made relating to the trees situated in this area, please refer this to the Tree Officer for a professional input.

Landscape Officer

No landscape comment apart from concern regarding possible close proximity of proposed rear garage to existing boundary trees.

Highway Structures

No Comment

Lead Local Flood Authority

No objection

Sustainable Transportation

The applicant seeks to demolish the existing garage, erect 1 detached dwelling and 2 detached garages. Application PT18/1047/F has been approved. The current application differs from the approved by way of additional detached garage and additional living space created in the loft. Ample off street parking is provided within the site. Subject to compliance with conditions 3 and 4 on the inspector's decisions notice relating to PT16/2420/F, there are no transportation objections.

Tree Officer

The applicant has submitted an Arboricultural report that has not been updated to reflect the changes in the proposed planning. This means that at present they are proposing to erect a garage within the construction exclusion zone of the tree protection plan.

The applicant will need to get the Arboricultural report updated to include the proposed development. The proposed garage will require pile and beam foundations as it is within the root protection areas of the neighbouring trees.

Further to the above comments the installation of the cellular confinement system and the pile and beam foundations will require an Arboricultural watching brief.

Archaeology

No comment

Public Rights of way

PROW have no objection as it is unlikely to affect the right of way (footpath OAY 41) running down Red House Lane particularly as the ROW terminates at the bottom of this lane.

Open Spaces Society

No comment

Other Representations

4.2 Local Residents

This application received a total of 3 objection letters that raised several points, these are outlined below.

- The new proposal is close to the boundary and at three stories high will restrict light.
- The proposal is not in keeping with surrounding properties
- The proposal will damage trees located on our property
- The proposal will have a detrimental impact on wildlife in our area as we have many different species that visit.
- The new dwelling will increase noise to our garden and reduce our privacy
- The rear detached garage will be built on the boundary causing root damage and have an unacceptable impact on our amenity (Cottage, 6 The Hill)
- The front detached garage is too close to the boundary (5 The Hill)
- The South Gloucestershire map shows that recently erected dwellings have not been consulted.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy CS1 'High Quality Design' of the South Gloucestershire Core Strategy (adopted December 2013) states development proposals will only be permitted where the highest possible standards of design and site planning are achieved. Proposals should demonstrate that they; enhance and respect the character, distinctiveness and amenity of both the site and its context; have an appropriate density and its overall layout is well integrated with the existing development.

- 5.2 The application is for amendments to an application approved at appeal. The principle of development has been established under this earlier scheme, this application seeks to consider any further impacts as a result of the amendments and not to revisit the principle of development.

5.3 Green Belt

This proposal does differ in size to the previously approved scheme and this difference must be taken into account in reassessing the application at hand. The proposal would increase in width by around 0.8metres at its widest point and by approximately 1metre in length. The increase in width and depth is small in relation to the size of the previously approved scheme and is not viewed to result in further harm to the greenbelt than the previously approved scheme.

5.4 Design and Visual Amenity

Policy CS1 'High Quality Design' of the South Gloucestershire Core Strategy (adopted December 2013) states development proposals will only be permitted where the highest possible standards of design and site planning are achieved. Proposals should demonstrate that they; enhance and respect the character, distinctiveness and amenity of both the site and its context; have an appropriate density and its overall layout is well integrated with the existing development.

- 5.5 The proposal remains similar in its general appearance to that approved but seeks to amend the window openings and alter the window size to a slightly larger design. The amendment also seeks to increase the total depth of the proposal by approximately 1metre and increase the width by approximately 0.8metres at its widest point. Objections have been received in regards to these changes. In the view of the case officer the appearance of the building, particularly from an outside observer's perspective, would appear almost identical to the previously approved scheme. The application at hand is practically identical in setting, choice of materials and other relevant design considerations and therefore no objection is raised to the revised appearance of the structure. It should also be noted that design was not a factor given weight in refusing the appealed application. The detached garage mirrors that of the previous scheme in its entirety.

On this basis the design was viewed as acceptable and the changes proposed are not viewed to have any further adverse impact on design considerations.

5.6 Residential Amenity

Policy PSP38 of the South Gloucestershire Local Plan: Proposed Submission: Policies, Sites and Places Plan (November 2017) sets out that development within existing residential curtilages should not prejudice residential amenity through overbearing; loss of light; and loss of privacy of neighbouring occupiers.

- 5.7 Comments have been received that the proposal would be out of keeping with the area. It was noted during a site visit that the adjacent properties are of mixed character and design, the proposal is considered to have a reasonable standard of design and though it differs from the host property, it is not considered to result in an unacceptable impact. Overall, it is considered that the proposed dwelling would not harm the character and appearance of the subject site and its context and as such is considered acceptable in terms of visual amenity.

- 5.8 An objection was received from a neighbouring occupier commenting that the proposal may be detrimental to an area currently being used as a 'Wildlife sanctuary'. The area is not subject to any specific designation in planning terms and the proposal will not result in any encroachment onto this area.

- 5.9 A neighbouring occupier raised concerns that the proposed garage located to the rear of the proposal would cause root damage to the adjacent mature trees. The case officer notes that the garage in question has since been removed and no longer forms part of this application.

- 5.10 An objection comment has raised concerns that the close proximity of the proposed detached garage to the northern boundary. Submitted plans show that the proposal falls entirely within the applicant's curtilage and that there is no encroachment proposed. The applicant will be reminded that they need the consent of the land owner to carry out works on land outside of their ownership by means of an informative on the decision notice, however this is a civil issue and has been given limited weight in the determination of the application.

- 5.11 Concerns were raised in regards to the consultation procedure, more specifically that new dwellings situated along Red House Lane were not consulted due to them not appearing on in-house mapping systems. The case officer can confirm that this was rectified and that all properties affected by the proposal have been consulted.
- 5.12 The proposal would see a slight increase in floor space of the structure as well as amending the previous window size and adding a number of windows, however the increase is limited to around 1 metre in depth and 0.8metres in width. The aspect of the proposal and its windows remains the same. As such, the existing level of overlooking for neighbouring dwellings will not be exacerbated, and privacy would not be impacted by the proposed new dwelling. On this basis the proposal is not viewed to have any further impact on residential amenity and is acceptable in this respect.
- 5.13 Given the degree of separation and the proposed boundary treatments, there would be no adverse impacts on the amenity of neighbours resulting from this scheme.
- 5.14 The proposal would not appear overbearing or such that it would prejudice existing levels of outlook or light afforded to neighbouring occupiers. Additionally, privacy would not be affected. Therefore, the proposed development is not considered to be detrimental to residential amenity; and is deemed to comply with policy PSP38 of the South Gloucestershire Local Plan: Proposed Submission: Policies, Sites and Places Plan (November 2017).
- 5.15 Transport
Currently the property has an area of driveway to the front of the property. The proposal would result in the subdivision of the driveway. A sufficient area of parking and garage will be provided at the proposed dwelling, whilst retaining sufficient parking for the host dwelling. There is no objection with regard to parking provision.
- A condition was attached to the previously approved scheme that required a submission of a construction management plan, this information was received and subsequently discharged under application DOC17/0326.
- 5.16 Tree Officer
A Tree Officer had requested the applicant submit an arboriculture report that reflects the amendments, in particular the additional detached garage that would be located within the construction exclusion zone. The case officer can confirm that the proposed garage in question has since been removed and no longer forms part of this proposal.
- 5.17 Consideration of likely impact on Equalities
The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between

people who share a protected characteristic and those who do not. The general equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services. With regards to the above this planning application is considered to have a neutral impact on equality.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to **grant** permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 and the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 That planning permission is **GRANTED** subject to the Condition(s) on the decision notice.

Contact Officer: Westley Little
Tel. No. 01454 862217

CONDITIONS

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

Reason

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

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

Reason

To allow the local planning authority to manage any future development at the site in the interests of preserving the openness of the Green Belt, to accord with Policies CS5 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy PSP7 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted) November 2017; and paragraph 145 (d) of the National Planning Policy Framework.

3. The hours of working on site during the period of construction shall be restricted to:

Monday - Friday.....7:30am - 6:00pm
Saturday.....8:00am - 1:00pm
No working shall take place on Sundays or Public Holidays

The term working shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy PSP8 of the South Gloucestershire Policies Sites and Places Plan (Adopted) 2017; and the provisions of the National Planning Policy Framework.

4. The development shall be implemented strictly in accordance with the following plans:

Proposed Elevations
Proposed Roof Plans
Proposed Site Plan
Proposed Floor Plans
Proposed Garage Plans

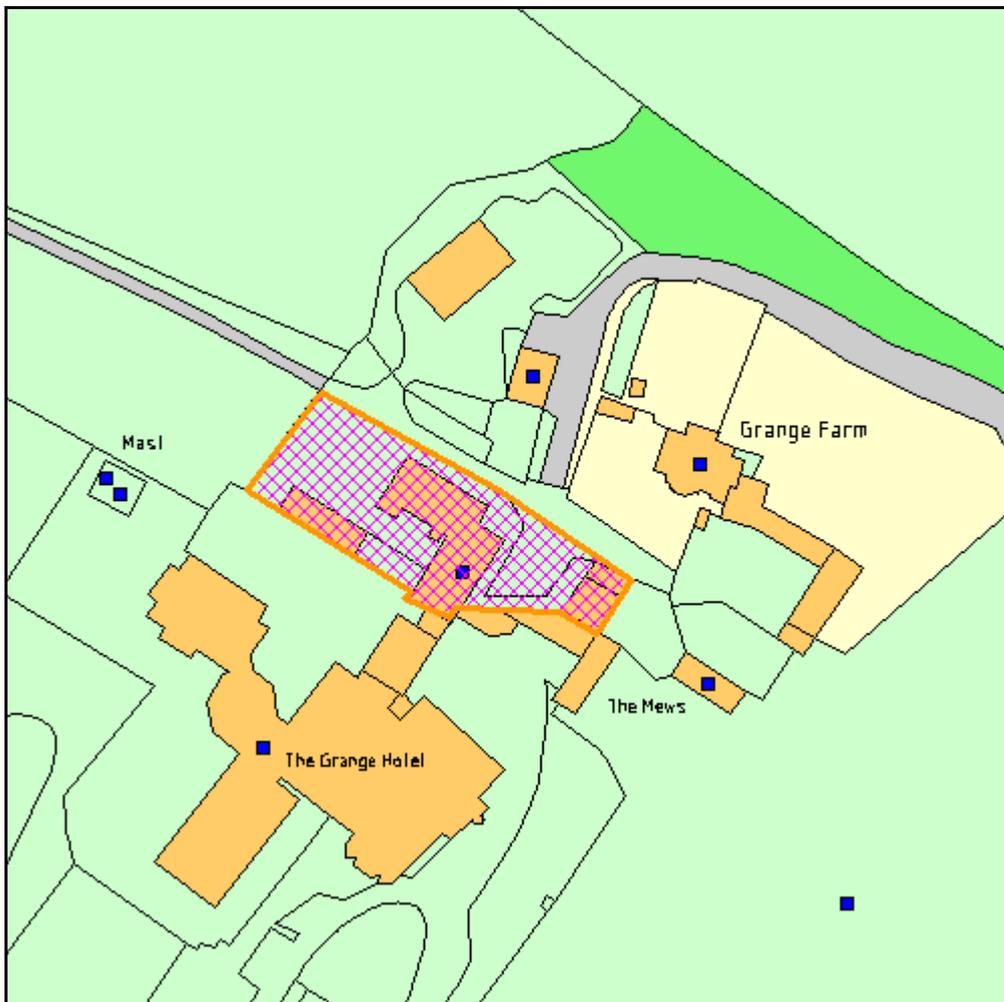
Received by the Local Planning Authority on 21 December 2018.

Reason

For the avoidance of doubt.

CIRCULATED SCHEDULE NO. 04/19 – 25 JANUARY 2019

App No.:	PT18/5080/F	Applicant:	Mr Dan Cox
Site:	Grange Farm Old Gloucester Road Winterbourne South Gloucestershire BS36 1RR	Date Reg:	27th November 2018
Proposal:	Alterations to roof on northern end of dwelling to form parapet wall and lean- to roof.	Parish:	Frampton Cotterell Parish Council
Map Ref:	363842 182442	Ward:	Frampton Cotterell
Application Category:	Householder	Target Date:	21st January 2019



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South Gloucestershire Councillors have five working days from date of publication to consider whether items appearing on the Circulated Schedule should be referred to the Development Management or Strategic Sites Delivery Committees for determination.

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application appears on the Circulated Schedule as a result of an objection, received by the Parish Council.

1. THE PROPOSAL

- 1.1 The application is for alterations to the proposed roof on the northern end of the dwelling to form a parapet wall and lean-to roof.
- 1.2 The property is a stone barn, one of a cluster of buildings around the farmhouse, it is located immediately to the north of and attached by virtue of the roof to the Grange Hotel. The hotel is a separate adjacent planning unit. Planning permission reference PT13/3548/F, was for the conversion of the existing barn to 1 no. dwelling with associated works. This application seeks changes to that consented scheme, as described above. The site is located within the Green Belt. The conversion of the barn pursuant to the original permission has commenced.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework
National Planning Policy Guidance

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS5	Location of Development (inc. Green Belt)
CS8	Access/Transport
CS34	Rural Areas

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

PSP1	Parking Standards
PSP7	Green Belt
PSP8	Residential Amenity
PSP38	Development within Existing Residential Curtilages

- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) 2007.
South Gloucestershire Parking Standards SPD
South Gloucestershire Green Belt SPD

3. RELEVANT PLANNING HISTORY

- 3.1 PT13/3548/F – Conversion of existing barn to 1 no. dwelling with associated works. Approved
- 3.2 PT18/4107/NMA - Non Material Amendment to planning permission PT13/3548/F to replace approved gable roof to utility extension with a parapet wall with a lean-to roof. Objection 27.09.2018.

4. CONSULTATION RESPONSES

4.1 Frampton Cotterell Parish Council

This is in the greenbelt on the curtilage of a listed building. The design is in a different format to the original plan on a large scale with alterations to the roof.

Conservation Officer

As an historic threshing barn, any extension needs to be carefully considered to ensure the historic function use of the building remains legible. Considered in isolation, the design proposed is one that would detract from rather than complement the aesthetic character of the building. However, considering the overtly domestic extension it would replace, there is an argument that in this case the overall impact could actually be beneficial in that it would result in a degree of enhancement. Although inherently contrived, in views from the east the proposal may appear like the remnant of a once larger structure.

There is therefore no objection in principle but the only issue I would suggest needs addressing is the openings to the east elevation. The character of the threshing barn is one of solidity and simplicity. The east facing elevation of the extension should follow this and the east elevation will read as a rear elevation also. To keep matters simple, the concern is one of solid-to-void ratio and so one of the windows needs to go. In my view keeping the high level roundel would be preferable, but this would have practical issues. Maybe the 2no. light casement is kept and to provide additional lighting, a glazed ventilation slit is proposed at high level.

Other Representations

4.2 Local Residents

No comments received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The principle of the main development, i.e. the conversion of the barn, has been approved, and is underway. This application proposed some changes to the way parts of the conversion are achieved, through the alterations to the proposed roof on the northern end of the dwelling to form a parapet wall and lean-to roof instead of the previously proposed pitched roof in this section of the building only. The conversion of the barn and the details and conditions, shall otherwise be as approved under planning reference PT13/3548/F.

The issues for consideration in this respect therefore are whether the design of the proposal is sufficiently in keeping with the site and surroundings. The site is also located within the Green Belt so additional consideration will need to be made against Green Belt policy criteria.

5.2 Green Belt

Whilst the proposals do increase the height of the wall to a certain extent it is not considered that this materially impacts upon the overall volume of the building and in this respect is not considered disproportionate. The proposals would not therefore impact upon the openness of the Green Belt and are therefore considered acceptable in terms of Green Belt policy.

5.3 Conservation Considerations/Design

The existing barn the subject of this application forms part of a complex of buildings that includes the Grange Hotel, to the south and Grange Farm, both which are locally listed. There are several other buildings around the farm area. The application building is linked to the Grange Hotel by virtue of a shared roof. There are more modern additions and modifications to the hotel complex. The proposals, on a small section of the building only, would replace an existing proposed pitched roof area, with a lean-to roof to higher parapet wall. It is considered that this feature would be an acceptable addition within the context of the existing building and surrounding area and would not detract from the principle of the site as a barn conversion. The fenestration pattern, as submitted, is considered acceptable, in context with the nature of the existing site and surroundings. The higher level round window would reflect another similar window in the same elevation of the existing barn, whilst the lower level windows on the elevations would not be unacceptable to the site. No additional changes are considered necessary and the proposals are considered acceptable in their own right. The proposals are therefore considered to be of an acceptable standard in design and would be an acceptable addition, taking into account the existing approved works and the current site and surrounding area. Materials would match those of the remainder of the building.

5.4 Residential Amenity

The length, size, location and orientation of the proposals, are not considered to give rise to any additional significant or material overbearing or overlooking impacts on adjacent properties in this instance.

5.5 Transportation.

The proposed development would not increase parking requirements or affect existing parking provision or access and sufficient space remains to serve the property.

5.6 Equalities

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society; it sets out the different ways in which it is unlawful to treat someone. As a result of this Act the public sector equality duty came into force. Among other things those subject to the equality duty must have due regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. The general

equality duty therefore requires organisations to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be reflected into the design of policies and the delivery of services.

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

6. CONCLUSION

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

6.2 The recommendation to grant permission has been taken having regard to the policies and proposals set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

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

Contact Officer: Simon Ford
Tel. No. 01454 863714

CONDITIONS

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

Reason

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

2. The stone work to be used externally in the development hereby permitted shall match that of the existing building in type, colour, texture, size, coursing and jointing.

Reason

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

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

Reason

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