



**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. 29/14

Date to Members: 18/07/14

Member's Deadline: 24/07/14 (5pm)

The reports listed over the page form the 'Circulated Schedule' a procedure agreed by the Planning and Transportation Committee on 21 November 1996. The procedure is designed to increase the effectiveness and efficiency of the Development Control Service. Under the arrangement reports are circulated on a weekly basis.

The reports assess the application, consider representations which have been received, and make a recommendation regarding the proposal. The procedure is designed to ensure that Members are aware of any concern expressed by interested parties in their ward and indicate a recommendation.

Having considered the reports, those applications that Councillors feel should be referred to an appropriate Area Development Control Committee must be notified to the Development Control section **by email within five working days of the publication of the schedule (by 5pm)**. If there has been no member request for referral within the time period, the decision notices will be issued in line with the recommendation in this schedule. **Before referring an item to the Committee, Members may wish to speak to an officer about the issue, in order that any problems can perhaps be resolved without the need for referral to a Committee**

**PLEASE NOTE: THE CIRCULATED SCHEDULE PROCESS IS ONLY OPEN
TO THE ELECTED MEMBERS OF SOUTH GLOUCESTERSHIRE COUNCIL.**

NOTES FOR COUNCILLORS - FORMAL ARRANGEMENTS

If any Member requires any of the proposals listed in the Schedule to be considered by the appropriate Development Control Committee, please let the Director of Planning, Transportation and Strategic Environment know within 5 working days of the date of this Schedule (e.g., if the schedule is published on a Friday, comments have to be received by the end of Thursday) (see cover page for the date).

To refer an application(s) members are asked to email MemberReferral@southglos.gov.uk providing details of

- Application reference and site location
- Indicate whether you have discussed the application(s) with the case officer and/or area planning manager
- Indicate whether you have discussed the application(s) with ward member(s) if the site is outside of your ward
- The reason(s) for the referral

The following types of applications may be determined by this Circulated Schedule procedure:

All applications and related submissions not determined either by the Development Control Committees or under delegated powers including:

- a) Any application submitted by or on behalf of the Council.
- b) Any application requiring either new or a modification to an existing planning agreement, provided that the application is not required to be determined by Committee.
- c) Any footpath diversion required to implement an approved scheme.
- d) Applications, except those where approval is deemed to be granted upon the expiry of a defined period, where a representation contrary to the Officers recommendation are received.
- e) Applications for Certificates of Appropriate Alternative Development where a representation contrary to the Officer's recommendation is received.
- f) Applications for Certificates of Lawful Use of Development

GUIDANCE FOR 'REFERRING' APPLICATIONS

Members are entitled to refer any application for consideration by the relevant DC Committee or Sites Inspection Committee, before a decision has been made. However as call-ins will delay the decision on an application and in the interests of improving the effectiveness and efficiency of the Development Control service, this option should only be exercised after careful consideration. Members are therefore asked to take account of the following advice:

- Before referring an application always speak to the case officer or Area Planning Manager first to see if your concerns can be addressed without the application being referred.
- If you are considering referring in an application outside the ward you represent, as a courtesy, speak to the ward member(s) to see what their views are, before referring the application.
- Always make your referral request as soon as possible, once you have considered all the application details and advice of the case officer. Please do not leave it to the last minute
- Always make your referral request by e-mail to MemberReferral@southglos.gov.uk, where referrals can be picked up quickly by the Development Management Technical Support Team. If in exceptional circumstances, you are unable to e-mail you request, please contact 01454 863519, well in advance of the deadline, to discuss alternative arrangements to ensure your response can be received.
- When you refer an application, make clear what the planning reasons are for doing so. This will help the case officer and other members give attention to the specific issues you have raised.
- It may also allow officers to seek to negotiate with the applicant to overcome the Member's concerns and therefore removing the need for a Committee determination.

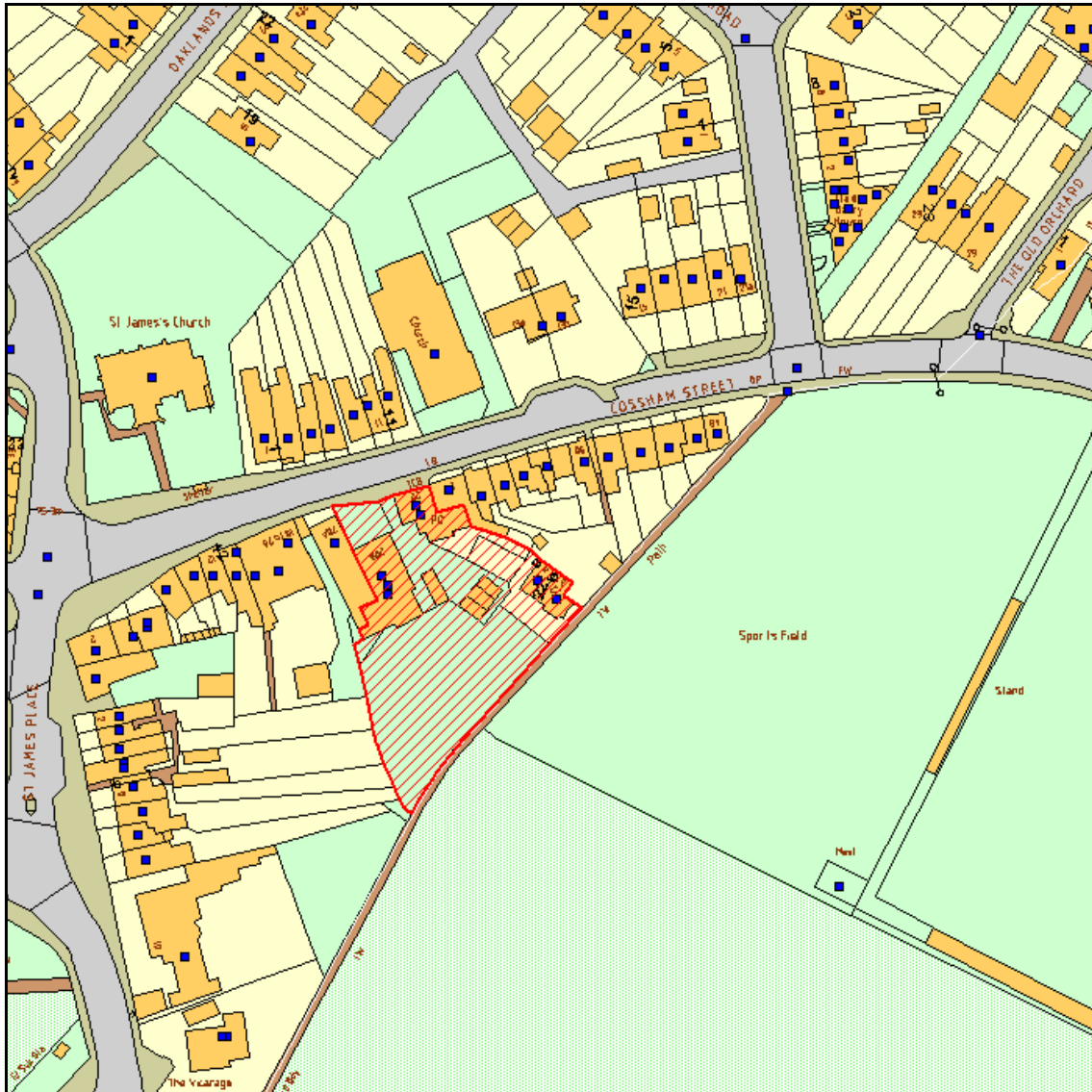
CIRCULATED SCHEDULE 29/14 – 18 JULY 2014

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK14/1052/RM	Approve with Conditions	22 Cossham Street Mangotsfield South Gloucestershire BS16 9EN	Rodway	None
2	PK14/1112/F	Approve with Conditions	Wapley Hill Farm Codrington Road Westerleigh South Gloucestershire BS37 8RQ	Westerleigh	Dodington Parish Council
3	PK14/1321/F	Approve with Conditions	74 Burley Grove Mangotsfield South Gloucestershire BS16 5PZ	Rodway	None
4	PK14/1546/CLP	Approve with Conditions	16 Woodyleaze Drive Hanham South Gloucestershire BS15 3BY	Hanham	Hanham Parish Council
5	PK14/1864/F	Approve with Conditions	11 Eagle Crescent Pucklechurch South Gloucestershire BS16 9SE	Boyd Valley	Pucklechurch Parish Council
6	PK14/2041/F	Approve with Conditions	Sabis International School UK Ashwicke Hall Ashwicke Road Marshfield South Gloucestershire SN14 8AG	Boyd Valley	Marshfield Parish Council
7	PK14/2116/F	Approve with Conditions	42 Westcourt Drive Oldland Common South Gloucestershire BS30 9SB	Oldland	Bitton Parish Council
8	PT14/0344/F	Refer to Committee	Newleaze House Roycroft Road Filton South Gloucestershire BS34 7NW	Filton	Filton Town Council
9	PT14/0924/F	Approve with Conditions	Barratt House Woodlands Bradley Stoke South Gloucestershire BS32 4QH	Bradley Stoke North	Bradley Stoke Town Council

ITEM 1

CIRCULATED SCHEDULE NO. 29/14 – 18 JULY 2014

App No.:	PK14/1052/RM	Applicant:	David Cahill Design Consultants Ltd
Site:	22 Cossham Street, Mangotsfield ,Bristol, South Gloucestershire BS16 9EN	Date Reg:	20th March 2014
Proposal:	Demolition of existing sorting office buildings, and erection of 4no dwellings (Approval of Reserved Matters)(To be read in conjunction with Outline planning permission PK13/0756/O)	Parish:	None
Map Ref:	366505 176149	Ward:	Rodway
Application Category:	Minor	Target Date:	12th May 2014



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100023410, 2008. N.T.S. PK14/1052/RM

REASON FOR REFERRING TO CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule following the receipt of 2no. resident objections, the concerns raised being contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The application relates to a vacant plot of land to the rear of Mangotsfield Post Office (No.22), located within the Urban Area on the southern side of Cossham Street, Mangotsfield. Within the plot is the former Royal Mail Sorting Office and associated parking area and garage. The application site consists of the area of buildings and hard-standings associated with the Sorting Office and a grassed area, which is situated towards the rear of the Old Chapel and between the existing Sorting Office and the southern boundary.
- 1.2 Vehicular access is currently via an access off Cossham Street between the Post Office and The Old Chapel immediately to the West. The Old Chapel is Locally Listed and is currently occupied by a laundrette (sui generis) on the ground floor and a bike shop (A1) on the first floor. Residential properties lie along Cossham Street to the east and a mix of residential and commercial properties to the west. Nos. 22a and 22b lie adjacent to the far western corner of the site. To the rear (south-east) the site is bounded by a Public Footpath linking Cossham Street to Rodway Hill Road, beyond which is a recreational ground and open fields that lie within the Green Belt.
- 1.3 Outline planning consent PK13/0756/O previously established the acceptance in principle of the erection of 4no. new dwellings within the site using the access proposed; all outstanding matters of layout, appearance, scale and landscaping are the subject of this current reserved matters application, which should be read in conjunction with the earlier outline consent.
- 1.4 Although a layout plan was submitted at the outline stage this was for indicative purposes only.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework (NPPF) March 2012
National Planning Practice Guidance 2014
- 2.2 Development Plans
South Gloucestershire Local Plan Core Strategy (Adopted) Dec 2013
CS1 - High Quality Design
CS5 - Location of Development
CS15 - Distribution of Housing
CS16 - Housing Density
CS17 - Housing Diversity
CS18 - Affordable Housing

South Gloucestershire Local Plan (Adopted) 6th January 2006

- L1 - Landscape Protection and Enhancement
- L5 - Open Areas within existing Urban Areas and Defined Settlements
- L9 - Species Protection
- EP2 - Flood Risk and Development
- T7 - Cycle Parking Provision
- T12 - Transportation
- H6 - Affordable Housing
- LC1 - Provision for Built Sports, Leisure and Community Facilities (Site Allocations and Developer Contributions).
- LC8 - Open Space and Children's Play in Conjunction with New Residential Development

2.3 Supplementary Planning Guidance

The South Gloucestershire Design Check List SPD (Adopted) 23 Aug 2007.
Trees on Development Sites Adopted Nov. 2005
South Gloucestershire Residential Parking Standards 2014

2.4 Emerging Plan

Policies, Sites & Places Development Plan Document (Draft) June 2014

- PSP1 - Local Distinctiveness
- PSP2 - Landscape
- PSP3 - Trees and Woodland
- PSP6 - Onsite Renewable & Low Carbon Energy
- PSP8 - Settlement Boundaries and Residential Amenity
- PSP10 - Development Related Transport Impact Management
- PSP16 - Parking Standards
- PSP19 - Wider Biodiversity
- PSP20 - Flood Risk, Surface Water and Watercourses
- PSP21 - Environmental Pollution and Impacts
- PSP34 - New Buildings within Existing Residential Curtilages
- PSP39 - Private Amenity Space Standards

3. RELEVANT PLANNING HISTORY

- 3.1 PK06/0908/O - Erection of 12no. flats (Outline) with means of access to be determined. All other matters to be reserved.
Refused 30 June 2006 for reasons of:
- Inadequate access.
 - Inadequate visibility at access.
 - Overbearing impact and increased noise.
 - Not in-keeping.
 - Adverse impact on visual amenity of Green Belt.
 - Absence of S106 to secure contributions to education services.
 - Absence of S106 to secure contributions to community services.
- 3.2 PK10/2702/F - Change of use from Class B1 to class D1 – day nursery with associated works.
Approved 18 Jan 2011.

- 3.3 PK11/0636/F - Erection of single-storey building to form replacement sorting office with associated works.
Approved 28th April 2011
- 3.4 PK13/0756/O - Demolition of existing sorting office buildings, and erection of 4no dwellings (outline) with access to be determined. All other matters reserved.
Approved 18 Sept. 2013

4. **CONSULTATION RESPONSES**

4.1 Mangotsfield Rural Parish Council

No Objection. However, the committee wanted to re-iterate its objection to the building of 4 new dwellings when only 2 new dwellings was considered suitable on this site.

4.2 Other Consultees

Highway Drainage

Previous condition to apply.

PROW

This development is unlikely to affect the nearest public footpath, ref. PMR26/10, also adopted footpath, which runs adjacent to the south eastern boundary of the property. I therefore have no objection.

Open Spaces Society

No response

Landscape Officer

No objection subject to the details secured under Condition 1 of the Outline consent.

Tree Officer

The Arboricultural Report and Method Statement for Tree Protection is entirely acceptable.

Listed Building and Conservation Officer

There are no objections to the scale or layout. With regards to appearance, the design could be improved and so would suggest the front elevations are amended to include window/door surrounds and a contrasting pilaster (in terms of material) between the two units. The material used for the surrounds and the vertical division should match whether re-con stone or brick is chosen.

The window/door materials should be reconsidered and rainwater goods should also be of metal construction.

A full or partial rear boundary wall constructed in natural stone should also be considered as part of enhancing the appearance of the area and reinforcing the sense of local distinctiveness.

Once these issues are resolved and amended plans submitted, then subject to a number of conditions securing detailing, materials and construction, in my view the proposed development would not cause any harm to the setting of the locally listed building and thus its significance.

Revised plans to meet the above requests were subsequently submitted.

Sustainable Transport

The principle of residential development has already been established on this site as part of the earlier planning application no. PK13/0756/O.

This reserved matters application provides details of the parking and turning area on site. There will be a total of 13 parking spaces on site - with two parking spaces allocated for each of the new dwellings and one parking space each for nos. (22a) and (22b); two parking spaces for property no.24 Cossham Street plus one visitors parking. The submitted plan also shows an acceptable turning area on site for service vehicles.

In view of all the above therefore; there is no highway objection to this application. However, it is recommended that the applicant/agent submits for written approval of the Council the detail boundary treatment between the land used for parking fronting property no. 20B Cossham Street and the edge of the site access itself and to allow a road width of 5.5m at the site entrance.

A revised plan showing the requested information was subsequently submitted.

Trading Standards

The proposed demolition and redevelopment at 22 Cossham Street is in close proximity to a 7.5 tonnes heavy commercial vehicle 'except for access and loading' environmental weight restriction on Rodway Hill (from Carsons Road). There are also nearby large goods vehicle restrictions on Richmond Road and Windsor Place. However, these should not prove to be so problematic for LGV drivers.

In order to support business, it is advised that the applicant/agent/developer and demolition company be made aware of this vehicle weight restriction to avoid inconvenience to local residents living in the confines of these weight restricted area. To avoid a driver committing an offence, the applicant/developer may wish to liaise with South Gloucestershire Council Transportation Development Control team and agree a Construction Management Plan prior to the commencement of any works at the site and agree a suitable route for large goods vehicles (and other plant machinery) to and from the site, should permission for the development of the site be granted.

This information would be the subject of an informative.

Other Representations

4.3 Local Residents

2no. letters/e-mails have been received from local residents who objected to the proposal. The concerns raised are summarised as follows.

- Only two new houses are suitable for this site.
- Loss of privacy due to overlooking of the garden of no. 20.
- Noise and dust pollution.
- Local schools are over subscribed.
- Loss of outlook for no.20.
- Already enough houses in Mangotsfield.
- Increased traffic generation on Cossham Street.
- Height of houses is not in-keeping.
- Impact of builders lorries during school arrival/leaving time.

1no. response in support of the proposal was received from the occupant of no. 22B. The content of the response is summarised as follows:

- The development would stop the extension of the Post Office Sorting Office and the Children's Nursery from taking place.
- The area would be much quieter with less traffic if these businesses were not carried out.
- The site is currently waste land.
- There is a massive shortage of houses.
- The proposed houses are perfect for families.
- The new fence is more secure than the old wall that was taken down.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The earlier outline consent PK13/0756/O has already established the acceptance in principle of the back-land development for 4 dwellings on these garden areas, using the access proposed. This current application merely relates to the outstanding reserved matters i.e. layout, landscaping, appearance and scale. Given that the number of houses has already been established this issue cannot be re-visited under the reserved matters application, as suggested by the Parish Council and local residents. There is an acknowledged shortage of houses suitable for family occupation in the locality and again this issue was addressed at the outline stage, as also was the issue of other possible developments on this site. Furthermore, the application is for 4no. dwellings only, which falls below the threshold for contributions to Education facilities, as stated in the report relating to the outline application.

- 5.2 The NPPF has recently superseded various PPS's and PPG's, not least PPS3 – Housing. The NPPF carries a general presumption in favour of sustainable development. Para.2 of the NPPF makes it clear that applications for planning permission must be determined in accordance with the development plan and this includes the Local Plan. Para 12 states that the NPPF does not change the statutory status of the development plan as the starting point for decision-making. Proposed development that conflicts with an up-to-date development

plan should be refused unless material considerations indicate otherwise. At para. 211 the NPPF states that for the purposes of decision-taking, the policies in the Local Plan should not be considered out-of-date simply because they were adopted prior to the publication of the NPPF.

- 5.3 The South Gloucestershire Local Plan Core Strategy has now been adopted (Dec 2013) so the policies therein now form part of the Development Plan. Policy CS4 replicates the NPPF in enforcing the presumption in favour of sustainable development. In accordance with para.187 of the NPPF, Core Strategy Policy CS4A states that; when considering proposals for sustainable development, the Council will take a positive approach and will work pro-actively with applicants to find solutions so that sustainable development can be approved wherever possible. NPPF Para.187 states that Local Planning Authorities should look for solutions rather than problems and decision-takers at every level should seek to approve applications for sustainable development where possible. Council Officers have worked closely with the applicants to agree an appropriate design.
- 5.4 Chapter 4 of the NPPF promotes sustainable transport and states that development should only be prevented on transport grounds where the residual cumulative impacts of development are severe. Paragraph 50 of the NPPF sets out the importance of delivering a wide range of residential accommodation and makes specific reference to the importance of planning for inclusive and mixed communities and this policy stance is replicated in Policy CS17 of the Core Strategy.
- 5.5 In this case the relevant Local Plan is The South Gloucestershire Local Plan, which was adopted Jan 6th 2006. The Council considers that the saved Local Plan policies referred to in this report provide a robust and adequately up to date basis for the determination of the application. The Policies Sites and Places Development Plan Document is only a draft plan in its infancy and as such the policies therein carry little weight at this stage.
- 5.6 Policy H4 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 permits development within residential curtilages including new dwellings, subject to the criteria discussed below. Policy CS1 of the South Gloucestershire Core Strategy seeks to secure good quality designs that are compatible with the character of the site and locality.
- 5.7 Siting, Scale and Design
The 4 no. dwellings are shown as two pairs of houses, separated by a central pilaster; the dwellings are located at the back of the site. This arrangement is similar to the terrace of 4 no. houses shown on the indicative plan submitted at the outline stage. The dwellings are two-storey with additional accommodation within the roof spaces. The pairs of houses have simple gable ends and at 8m to the roof ridges and 4.7m to the eaves, are not excessive in scale. The dwellings would be sufficiently subservient to the Old Chapel and would not look out of place in this locality of mixed development close to the centre of the village of Mangotsfield. It was previously established at the outline stage that the proposed density of development was acceptable for this site.

- 5.8 In terms of the detailed design, a design principle was established at the outline stage to inform the appearance of the new dwellings, which was that the new buildings were to reflect the more traditional vernacular to be found in the immediate locality. It was considered that such a design would help reinforce a sense of local distinctiveness and aid integration with the adjacent locally listed building (The Old Chapel). It is therefore welcome to see the design principle carried through into the detail stage.
- 5.9 What can be considered to be distinctive about the site and its context is the predominant use of natural Pennant stone as a building material. To help anchor the development within its immediate setting and reflect and reinforce a sense of the local character, the front elevations of all the units would be faced with natural Pennant Sandstone. Furthermore, brick quoins and window surrounds would be incorporated within the design, with black tiles used for the roof and black metal for the rainwater goods. The window and door surrounds would be made from wood. Officers note that the location is not within a Conservation Area and given that there would not be any significant tandem views of the proposed houses and existing terraces, there is no design objection.
- 5.10 On balance therefore the siting, scale and design of the proposal accords with Policies H4 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and Policy CS1 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11 Dec. 2013 and the requirements of the NPPF.
- 5.11 Impact upon Residential Amenity
The exact siting of the dwellings and layout of the scheme is now to be determined. The layout plan demonstrates that the plot is big enough to allow sufficient areas of amenity space to be provided for the new houses and existing property; the site lies in a very sustainable location close to the centre of Mangotsfield which complies with the NPPF and Policy CS16 of the Core Strategy.
- 5.12 Concerns have again been raised about loss of amenity for neighbouring occupiers. The location of the proposed dwellings would be a sufficient distance (14m) from nos.22a and 22b and would not therefore be overbearing on these properties. The front of the dwellings would be some 17-25m from the buildings to the north-west. Some overlooking of neighbouring property in densely occupied urban areas is considered inevitable and should not alone justify refusal of the application, especially given the policy need to make efficient use of the site and the acknowledged need for new housing. There is no right to a view across land in other peoples' ownership and this would not justify refusal of the application.
- 5.13 The exact location of the proposed windows is now known. The windows in the end elevations serve only W.C.'s at ground floor and landing windows at first floor level. The proposed roof lights to both front and rear would be high level and would not result in any overlooking. There are no houses to the rear of the site and given the distance and orientation of the proposed front windows, in comparison to the windows in neighbouring property, officers do not consider there to be sufficient grounds for refusal on this issue. To prevent any further

overlooking in the future, a condition to remove any permitted development rights relating to the insertion of additional windows/dormers is considered justified in this case. Whilst there may be some disturbance for neighbouring occupiers during the construction phase, this has already been adequately addressed by a condition to control the hours of working attached to the outline consent. The location is already well lit at night-time and properties on Cossham Street already experience light pollution from traffic using the road and the access into the application site. The previously approved uses of the site already included parking areas so the level of disturbance would not be any greater in the proposed scheme. On balance therefore there would be no significant loss of residential amenity.

5.14 Transportation Issues

The access arrangements were determined under the outline application and secured by condition.

5.15 The layout of the scheme is now for determination as a reserved matter. On the layout plan now submitted it is proposed to provide 13no. car parking spaces within the site i.e. with 2 parking spaces allocated for each new dwelling and one parking space each for nos.22A and 22B; with two parking spaces for no.24 Cossham Street plus 1 visitor space. It should be noted that nos. 22A and 22B do not have off-street parking spaces at present. This level of parking provision accords with the Council's Minimum Parking Standards. An acceptable turning area is also shown on the plan, which would be suitable for the turning of service vehicles. A swept path analysis diagram was previously submitted, which demonstrated that a fire tender can enter and turn within the site.

5.16 It is proposed to locate a bin storage area (for 16 bins) closer to the access. This store would be used for collection day only because each house would have its own bin storage area. The refuse collectors currently collect waste from the existing dwellings nos. 22A and 22B with a much larger carry distance, than the proposed dwellings.

5.17 Under the outline consent the existing access would be improved by the removal of a boundary wall between the Old Chapel and the access (already done) and the removal of a 900mm fence adjacent to the parking area located to the front of The Old Chapel. Forward visibility down the access is good for vehicles exiting the site and drivers would be able to pull over within the site to allow vehicles to enter if conflicts occur. Nevertheless, details of the boundary treatment between the land used for parking to the front of property no.20B Cossham Street and the edge of the site access itself to allow a road width of 5.5m at the site entrance has now been submitted; this boundary is shown delineated by a raised kerb.

5.18 Cycle parking for each property would be provided in individual sheds located to the rear or side of each property.

5.19 Officers conclude that the proposed car and cycle parking and access arrangements would be acceptable to cater for the traffic associated with the

proposed and existing residential use of the site in accordance with Policy T12 and T7 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

5.20 Environmental Impacts

The site itself is currently not subject to excessive levels of noise, pollution, smell, dust or contamination. A condition to secure an appropriate scheme of drainage to include a Sustainable Drainage System (SUDS) and the submission of a coal mining report was secured at the outline stage. A condition to control the hours of working on the site during the development phase, to reduce disturbance to neighbouring property was also secured under the outline consent. Subject to the aforementioned conditions the proposal would accord with Policy EP2 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

5.21 Landscape Issues

Although the site is not generally visible from Cossham Street it was until recently visible, over a low stone-wall, from the public footpath to the rear. The site is relatively open and part of it has the appearance of a garden, although it is unclear whether or not this was ever residential garden but more of a grassed area behind the Old Chapel. In recent years the 'garden' area had remained neglected and unkempt. What trees grew within the site were not the subject of TPO and were cleared. More recently the historic stone wall to the rear was demolished and a 1.8m high close board fence erected under permitted development rights. Although the stone wall was an historic feature, it was not curtilage listed. In theory therefore the fence could remain in place for the foreseeable future.

5.22 The applicant has stated that the fence has been erected for security reasons. Following a site meeting with the Council's Conservation Officer, a revised plan has been submitted showing the existing 1.8m fence in part retained but with a 1.8m high wall making up the rest of the boundary treatment. This wall would be stone faced to the adjacent footpath but rendered to the inside; the stone having been retained on site.

5.23 The submitted site/landscape plan shows a basic planting/landscape scheme, the details of which can be secured via a condition to secure a 1:200 landscaping plan.

5.24 Concerns have been expressed about the proximity of unit 4 to the existing tree growing within the grounds of the neighbouring garden. At officer request an Arboricultural Report and method statement for the protection of the tree has been prepared by a suitably qualified consultant. The submitted details are acceptable and a condition will ensure that the development is carried out in accordance with the approved details.

6. CONCLUSION

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

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

7. RECOMMENDATION

- 7.1 That the Reserved Matters submitted in accordance with Condition 1 associated with Outline planning Permission PK13/0756/O dated 18th Sept. 2013 be APPROVED.

Contact Officer: Roger Hemming
Tel. No. 01454 863537

CONDITIONS

1. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (as amended) (or any Order revoking or re-enacting that Order with or without modification), no windows/dormer windows or rooflights [other than those expressly authorised by this permission] shall be constructed or inserted within the roof slopes of the dwellings hereby approved unless otherwise authorised in writing by the Local Planning Authority.

Reason

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to protect the residential amenity of the neighbouring occupiers and to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and Policy CS1 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11 Dec. 2013.

2. The boundary treatments shall be completed before the buildings hereby approved are first occupied. The development shall be carried out in full accordance with the details shown on the submitted and approved Proposed Site Plan Drawing No. 2528/2 Rev A .

Reason

In the interests of security and to protect the residential amenity of adjoining occupiers and to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) Dec 2013.

3. The residential units hereby approved shall not be occupied until the bin storage and collection areas have been provided in accordance with the details shown on the approved Proposed Site Plan Drawing No. 2528/3 Rev A and maintained as such thereafter. .

Reason

To ensure a satisfactory provision of bin storage in the interests of residential amenity and highway safety in accordance with Policies H4 and T12 of The South

Gloucestershire Local Plan (Adopted) 6th Jan 2006 and Policy CS1 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11 Dec. 2014.

4. Prior to the first occupation of any of the residential units hereby approved, the access and turning area shall be provided and the car parking spaces clearly marked out and allocated, all in accordance with the details shown on the approved Proposed Site Plan Drawing No. 2528/2 Rev A and thereafter maintained as such.

Reason

To ensure a satisfactory parking provision in the interests of residential amenity and highway safety in accordance with Policies H4 and T12 of The South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and Policy CS1 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11 Dec. 2014 and The South Gloucestershire Council Residential Parking Standards SPD (Adopted) 2014.

5. Prior to the commencement of the development hereby approved, details of the location of any construction compound to be provided on the site shall be submitted to and agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

Reason

In the interests of residential amenity and highway safety in accordance with Policies H4 and T12 of The South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and Policy CS1 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11 Dec. 2014.

6. All deliveries of construction materials shall be restricted to the hours of 09.00hrs to 15.30hrs Mon - Fri only with no deliveries on Saturdays, Sundays or Bank Holidays.

Reason

In the interests of highway safety having regard to the proximity of a major school and the congested nature of Cossham Street and to accord with Policy T12 of The South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

7. Prior to the commencement of development a scheme of landscaping, which shall include details of proposed planting (and times of planting) and areas of hardsurfacing shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed details.

Reason

To protect the character and appearance of the area to accord with Policies H4 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

8. The development hereby approved shall be carried out in accordance with the details and recommendations of the approved Arboricultural Report : Method Statement for Tree Protection by Barton Tree Consultancy dated 22nd April 2014 and received by the Council on the 22 April 2014.

Reason

To protect adjacent trees and the character and appearance of the area to accord with Policies H4 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

Reason

To ensure a satisfactory standard of external appearance and to accord with Policy CS1 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11 Dec. 2013.

10. Prior to the first occupation of the houses hereby approved, the cycle storage facilities shall be provided in full accordance with the details shown on the Proposed Site Plan Drawing No. 2528/3 Rev A and maintained as such thereafter.

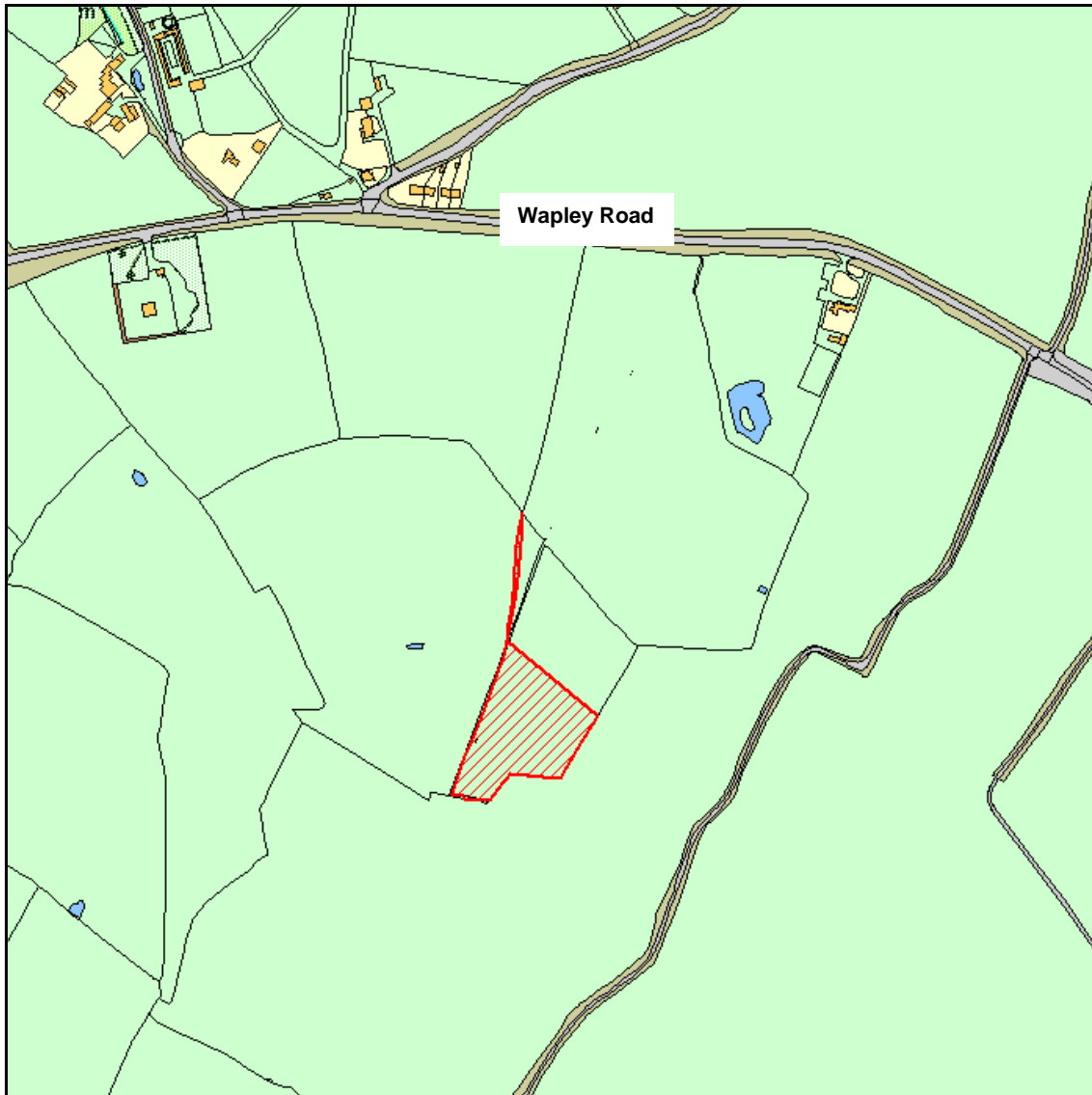
Reason

To encourage sustainable forms of transport in accordance with Policy T7 of The South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

ITEM 2

CIRCULATED SCHEDULE NO. 29/14 – 18 JULY 2014

App No.:	PK14/1112/F	Applicant:	Healthy Cows UK
Site:	Wapley Hill Farm Codrington Road Westerleigh South Gloucestershire BS37 8RQ	Date Reg:	6th May 2014
Proposal:	Erection of an agricultural building.	Parish:	Dodington Parish Council
Map Ref:	371593 179417	Ward:	Westerleigh
Application Category:	Major	Target Date:	11th July 2014



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PK14/1112/F

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the construction of an agricultural building to be used as a dairy unit for the Robotic milking of cows. The application also includes the installation of two feed hoppers and associated hardstanding for access and silage storage. It is understood that initially approximately 35 cows would be milked on site.
- 1.2 The application site is located in the open countryside and in the Bristol/Bath Green Belt. The proposed building would be constructed in a combination of timber cladding and dark green profile metal sheeting. The side and rear elevations of the barn would be largely open with just the main front elevation being completely in filled.
- 1.3 The building has a length of 43 metres, a width of 30 metres and a maximum height to the ridge of 9.7 metres. During the course of the application amended plans were requested and received to reduce the height of the building by 1 metre and also to move the silage storage area to the rear of the building. Amended plans were also shown to the building to be re-sited further away from residential properties. A formal round of re-consultation was carried out.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework

- 2.2 Development Plans

South Gloucestershire Core Strategy (Adopted) December 2013

CS1	Design
CS5	Location of Development
CS9	Managing the Environment and Heritage
CS34	Rural Areas

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

L1	Landscape Protection and Enhancement
E9	Agricultural Development
T12	Transportation Development Control

- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist - Adopted

3. RELEVANT PLANNING HISTORY

- 3.1 PK13/0119/F Erection of 37m high wind turbine with ancillary works.
Approved at Appeal November 2013

4. CONSULTATION RESPONSES

All comments below (both supporting and objection to the scheme) were received prior to the relocation of the building further away from residential properties. Although a formal round of re-consultation was carried out, no consultation responses were received to the amended plans.

4.1 Dodington Parish Council

Objects to the application because:

1. The proposed building is out of scale within the local area and will dominate the area
2. The building will be too close to established homes and the road
3. There is a feasible position for the building further away from nearby homes
4. There are concerns about the disposal of slurry, the Council is not convinced by the proposals to catch the waste in the straw bedding and then compost

4.2 Other Consultees

Environmental Protection

No objection providing the building is 400m away from any residential dwelling.

Landscape Architect

No objection subject to the attachment of a landscaping condition

Highway Drainage

No objection subject to the attachment of a condition

Public rights of Way

No objection subject to informatives

Other Representations

4.3 Local Residents/Consultation Responses

Six letters of objection have been received from local residents. The following is a summary of the main points of concern raised:

- More traffic is inappropriate
- The land had not been neglected
- Flooding issues
- Concerns about the siting of the building because of issues relating to noise, light, visual impact, smell, pollution
- Concerns the applicant actually wants to sell milking machines/business use
- How will the slurry be dealt with
- Extra feed will need to be bought in
- No on site sewerage
- The building is too large

- Poor access
- Double oil pipeline running through the property
- Has the applicant proved he will make an annual income?

Six letters of support have also been received from individuals both locally and the wider area. The following is a summary of the main points made in support of the scheme:

- Delighted to see a new dairy herd when others are declining
- Will lead to employment during construction
- Local milk could be sold locally
- Provide educational facility
- Will show best dairy practice and opportunities available
- Design is sympathetic
- Reduction in food miles/green credentials
- Will have high regard for the welfare of animals
- Environmentally friendly and work with the wind turbine

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The application site lies in the open countryside outside of the defined settlement boundary – the site also lies in the Bristol/Bath Green Belt. Saved policy E9 of the Adopted Local Plan allows for the construction of agricultural buildings providing several criteria are satisfied. These will be discussed in detail below. In addition, because of the location of the new building in the Green Belt, the application also stands to be assessed against the requirements of the NPPF and Policies CS5 in this respect. Other policies relating to impact on residential amenity, transportation, pollution and flooding must also be taken into consideration.

- 5.2 Furthermore, the NPPF at paragraph 28 is supportive of attempts to promote a strong rural economy advising that plans should support the growth of all types of business and enterprise in rural area both through conversion of existing buildings and well designed new buildings. It is therefore considered that the NPPF actively encourages applications such as this.

Assessment of Proposal

5.3 Green Belt

In accordance with the requirements of the NPPF, the construction of new buildings for agricultural purposes is appropriate development in the green belt. The principle of erecting the agricultural building is therefore acceptable on this site. The NPPF at paragraph 80 also sets out the five purposes of the green belt and the erection of a single agricultural building does not contradict with any of the five purposes.

5.4 Policy E9

Saved Policy E9 sets out 4 criteria that must be satisfied for the scheme to be acceptable and these will be discussed in turn below:

- 5.5 A) Criteria A allows for the construction of new agricultural buildings providing there are no existing underused buildings and that they are sited on agricultural land. The land is in agricultural use and there are no existing buildings on the land. Criterion A is therefore satisfied.
- 5.6 B) In accordance with criterion B of Policy E9, adequate provision must be made for access to the new building to avoid the creation of traffic hazards. The building will utilise the existing access onto Codrington Road. This is a historic field access that is now shared with the wind turbine. In assessing the impact of the proposed development on highway safety, your officer has given weight to the fact that this access was considered safe and appropriate by the inspector granting consent for the erection of the wind turbine. The number of movements to and from the proposed site are likely to be relatively low – a few daily visits from the farmer/dairy man, weekly deliveries of food, a daily milk tanker and then other general maintenance vehicles and farm machinery to manage the land. Codrington Road is a B road that is easily able to cope with the additional traffic that will be generated by the proposed development
- 5.7 C and D) Criterion C allows for development providing it would not have unacceptable environmental impacts. Criterion D allows for development providing it will not prejudice the amenities of people residing in the area. Acoustic information was submitted with the application. During the course of the application the Council Environmental Health team were consulted – they raised no objection providing the building was sited 400m from residential properties. As initially submitted, the proposed building was in relatively close proximity to neighbours. In order to overcome this concern, the building was relocated so it now sits over 400m from any neighbouring dwellings (approximately 410 metres from The White House and approximately 415 metres from 1 Wayleaze, Codrington Road). Because of the distances involved, it is not considered that the proposed development will have any adverse impact on neighbouring dwellings by means of noise or smells. This is not to say that some noise from machinery or animals will not be audible at neighbouring dwellings – it is to say that the level of noise is considered to be within acceptable limits.
- 5.8 As has been raised by some of the objectors, there is a stream running along one of the site boundaries and it is important that this is protected. As no details have been submitted with the application to show how slurry will be dealt with, a condition will be attached to this effect.
- 5.9 Design and Landscape Issues
The building is located on agricultural land close to the siting of a recently erected wind turbine. Although in an open and exposed location, because of the undulation of the land and the existing field boundaries, views of the building from the road will actually be quite limited. Where the barn is visible, it will have a truly agricultural appearance that is common in rural environments. The building includes concrete areas for the storage of bagged silage and two feed bins.

5.10 Your officer considers that the building is of a good design that ensures the welfare of the animals and its successful integration into the countryside. As such, there are no objections to the visual appearance of the building.

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

7. RECOMMENDATION

7.1 That the application be approved with conditions.

Contact Officer: Marie Bath
Tel. No. 01454 864769

CONDITIONS

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

Reason

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

2. No development shall commence until a landscape and ecological management plan for the site has been submitted to and approved in writing by the Local Planning Authority. The management plan shall include the results of an ecological survey of the site, and a detailed scheme of protection, mitigation and compensation measures to be incorporated within the development, including a timetable for the implementation of the scheme and for the monitoring of the impact of the development on the ecological features. The plan shall also include details of the planting of additional native species of tree. The development and the requirements of the management plan, shall subsequently be commenced prior to the development being occupied and carried out exactly in accordance with the details so agreed.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of the visual amenity of the area and the ecology of the site, and to accord with Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006 and CS9 of the Core Strategy (Adopted)

3. Prior to the commencement, full details of a scheme for the collection, storage and disposal of slurry shall be submitted to the Local Planning Authority. If acceptable, written approval will be given to the details so agreed. All works must be carried out exactly in accordance with the agreed details at all time.

Reason

To prevent the pollution of land or water and to satisfy the requirements of Policy CS9 of the Core Strategy (Adopted).

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

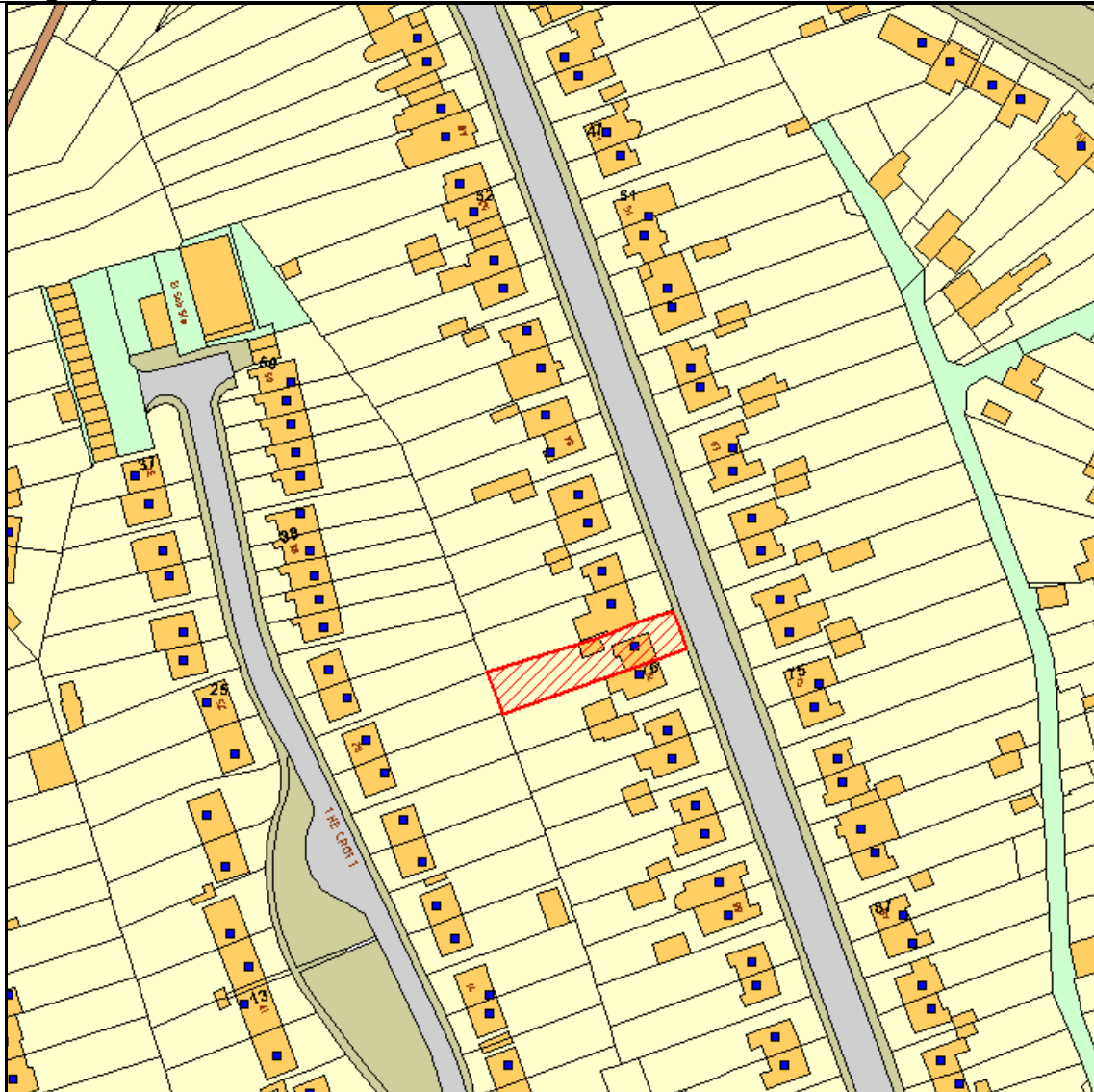
Reason

To ensure that a satisfactory means of drainage is provided, and to accord with policy CS9 of the South Gloucestershire Core Strategy (Adopted).

ITEM 3

CIRCULATED SCHEDULE NO. 29/14 – 18 JULY 2014

App No.:	PK14/1321/F	Applicant:	Mr Paul Davis
Site:	74 Burley Grove Mangotsfield Bristol South Gloucestershire BS16 5PZ	Date Reg:	15th April 2014
Proposal:	Demolition of existing garage. Erection of single storey rear and two storey rear and side extension to form additional living accommodation and garage.	Parish:	None
Map Ref:	365867 176400	Ward:	Rodway
Application Category:	Householder	Target Date:	4th June 2014



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INTRODUCTION

The application is referred to the Circulated Schedule as there have been objections received whilst the officer recommendation is for the approval of the development proposal.

1. THE PROPOSAL

- 1.1 The site consists of a semi-detached dwelling and garage. Access is directly from Burley Grove. The site is located in the Bristol East Fringe Urban Area.
- 1.2 The proposed development consists of the construction of a two storey side extension which would extend beyond the existing rear elevation of the dwelling. It is proposed to remove the existing garage in order to facilitate the proposed development. The development would provide a further bedroom (increasing from 3 bedrooms to 4 bedrooms).

2. POLICY CONTEXT

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

South Gloucestershire Local Plan (Adopted) January 2006 (saved policies)
H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings
T12 Transportation Development Control Policy for New Development

South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist.
South Gloucestershire Residential Parking Standards

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

- 4.1 Parish Council
No Parish Council
- 4.2 Highway Authority
No Objection. Revised parking proposals are acceptable.

Other Representations

- 4.3 Local Residents

Two sets of comments have been received in Objection. These are summarised as follows;

The proposed development would result in guttering overhanging into the adjacent residential property resulting in maintenance problems.

The extension would block out natural light sunlight to the adjacent residential property.

There is an existing hedge along the boundary. The future maintenance of the hedge is questioned along with the future surfacing of the area beneath the hedge should it be removed.

The proposed development would have the effect of joining the semi detached houses together and forming a terrace

Objection is made to the size, scale and height of the proposed extension.

The extension is not in keeping with other properties in the street and its design includes an unnecessary features such as roof tiles above the entrance to the garage and brick quoin detailing.

One letter is received in support. The comment is summarised as follows;

The development should proceed before the winter months to prevent further deterioration and impact on the adjoining dwelling.

5. ANALYSIS OF PROPOSAL

5.1 The proposed development consists of the erection of an extension to the existing dwelling which is situated in the Bristol East Fringe Urban Area.

5.2 Principle of Development

Saved policy H4 of the South Gloucestershire Local Plan is relevant to this planning application. The policy indicates that the proposed development is acceptable in principle subject to the following considerations.

5.3 Design

The proposed development consists of a two story side extension which would extend beyond the existing rear elevation of the subject dwelling; and a single storey extension to the rear of the existing dwelling.

5.4 The extension has a hipped roof and is designed to be set back from the front elevation of the original dwelling and has a dropped ridgeline. Although the proposed garage would extend out to the same position of the existing front elevation; so forming a small lean-to roof the proposed extension would appear as a subservient addition to the existing dwelling when viewed from Burley Grove. It is considered that the general design of the extension is in keeping with the existing dwelling. Furthermore, very similar extensions to dwellings have been implemented along the length of Burley Grove and as such the

proposed development would be consistent with the evolution of the street scene in this locality. It is proposed to use predominantly render to finish the proposed extension. The comments received in respect to the use of brick quoins on the front elevation are noted. In general, there is a mix of brick and render finishes along the length of Burley Grove. The introduction of brick quoins as part of the extension would not undermine the overall design of the extension and is not considered to be a detail which would have a detrimental impact on the general character of the area.

- 5.5 It is acknowledged that the adjacent dwelling (72, Burley Grove) has been extended to fill the majority of its curtilage to the side of the original dwelling. This proposal would be very similar in that it would fill the space between the side elevation of the original dwelling and the boundary of the property. The effect of this would be that the subject dwelling and its neighbour at number 72 would be close together significantly reducing the existing gap. However, given the nature of the extension proposed (being set back from the front elevation of the original dwelling) it is considered that this would not have a detrimental impact on the street scene generally. Again, similar extensions have occurred close by resulting in a similar relationship between existing buildings and as such it is considered that the development would not have a material impact on the character of the street scene and is acceptable.
- 5.6 The proposed extensions to the rear of the subject dwelling would not be readily visible from the public realm. Views of the site from surrounding properties are restricted also, however it is noted that the dwellings along Burley Grove have (for the vast majority) been extended to the rear in a very wide variety of forms. It is considered that the development proposed to the rear of the subject dwelling would not have a material impact on the character of the area and is acceptable.
- 5.7 During the course of the assessment of this application, the Local Planning Authority has received amendments to the parking proposed as part of the development in order to address the requirements of the South Gloucestershire Parking Standards. This is considered further later in this report. However, the result of the additional submission is that the existing front boundary wall would be removed in order to allow three off street parking spaces to be provided. It should be noted that the removal of the wall is not development and as such would not require express planning permission in its own right. Whilst it is more desirable to retain the wall either in part or its entirety, front walls have been removed elsewhere in close proximity to this application site and as such it is not considered that the removal of the wall would have a material impact on the character of the locality.
- 5.8 Residential Amenity
The proposed extension would be against the boundary of the site with the adjacent property, and would continue beyond the original rear elevation of the subject dwelling by approximately 4 ½ metres. It is noted that the adjacent dwelling has been extended to the side recently and there is an older single storey element to the rear of the recent side extension. Comments in relation to the impact of the proposed development on the amenity of the occupants of the neighbouring occupiers are noted. In this instance, the proposed extension

would be situated due south of the adjacent garden area and it is acknowledged that this would have some impact in terms of the amenity of the adjacent dwelling. However, given that there is an extension in the area most likely to be affected by the proposed development it is considered that the impact would not be at a degree which would cause unacceptable harm in residential amenity terms and is therefore acceptable.

5.9 Transportation

The proposed development would increase the existing dwelling from a 3 bed dwelling to a 4 bed dwelling. The applicant has clarified that the new development would provide a new bedroom and en-suite and would not provide a fifth bed room. Nonetheless, the increase to 4 bedrooms would require two off street-parking spaces. The applicant has demonstrated that there is sufficient room for up to three spaces and on this basis the development is considered to be acceptable in terms of off street parking provision. However, for clarity, any approval of this application should be subject to a condition requiring that a minimum of two parking spaces are provided within the site prior to the occupation of the extension. Subject to this condition and in all other respects, it is considered that the proposed development is acceptable in transportation terms.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 That Planning Permission is granted subject to the following conditions.

Contact Officer: Simon Penketh
Tel. No. 01454 863433

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 off-street parking as shown on the drawing entitled 'Parking Layout Sketch' shall be provided prior to the first occupation of the development hereby approved and thereafter shall be retained as such.

In the interests of highway safety and to accord with saved Policy T12 of the South Gloucestershire Local Plan (adopted) January 2006; and the South Gloucestershire Residential Parking Standards Supplementary Planning Document.

ITEM 4

CIRCULATED SCHEDULE NO. 29/14 – 18 JULY 2014

App No.:	PK14/1546/CLP	Applicant:	Mr David Radzimska
Site:	16 Woodyleaze Drive Hanham Bristol South Gloucestershire BS15 3BY	Date Reg:	5th June 2014
Proposal:	Application for certificate of lawfulness for the proposed installation of a rear dormer and hip to gable roof alteration.	Parish:	Hanham Parish Council
Map Ref:	364705 172445	Ward:	Hanham
Application Category:	Minor	Target Date:	28th July 2014



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The applicant is seeking a formal decision as to whether the proposed installation of 1 no. rear dormer and a hip to gable extension at 16 Woodyleaze Drive, Hanham, would be lawful.
- 1.2 The application is a formal way of establishing whether the proposal requires planning permission or not. Accordingly there is no consideration of planning merit, the decision is based solely on the facts presented.

2. POLICY CONTEXT

- 2.1 National Guidance
Town and Country Planning Act 1990 (As Amended) 1990 section 192
Town and Country Planning (General Permitted Development) Order (GPDO) (As Amended) 1995

3. RELEVANT PLANNING HISTORY

- 3.1 No planning history.

4. CONSULTATION RESPONSES

- 4.1 Hanham Parish Council
No comment received
- 4.2 Highway Drainage
No comment

Other Representations

- 4.3 Local Residents
No comments received.

5. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

- 5.1 Site Location Plan; Existing Elevations (001); Proposed Elevations (003); Roof Volume Calc's – all received 2nd June 2014

6. ANALYSIS OF PROPOSAL

- 6.1 Principle of Development
This application for a Certificate of Lawfulness is purely an evidential test and is a formal way of establishing whether or not the proposed development can be implemented lawfully without the need for planning permission. Accordingly there is no consideration of planning merit: the application is based on the facts

presented. The submission is not a application for planning permission and as such the development plan is not of relevance to the determination of this application; the decision rests upon the evidence that has been submitted. If the evidence submitted demonstrates that the proposed use is lawful, on the balance of probabilities, the Local Planning Authority must grant a certificate confirming this.

6.2 The key issue is to determine whether the proposal falls within the permitted development rights afforded to householders under Schedule 2, of the GPDO (As Amended) 1995.

6.3 The proposed development consists of 1no. rear flat roof dormer window, a hip to gable extension, and the installation of 2no. rooflights. This development is therefore assessed against the criteria set out within Schedule 2, Part 1, Classes B and Class C of the Town and Country Planning (General Permitted Development) Order (as amended) 1995.

B. The enlargement of a dwelling consisting of an alteration to its roof.

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

(za) Permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class IA or MB of Part 3 of this Schedule (changes of use)

The dwellinghouse was not permitted under either classes IA or MB of Part 3.

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

The proposed flat roof rear dormer is set down from the maximum ridge height by 0.15 metres. The proposed hip to gable extension would match the original maximum ridge height but would not exceed it. The development therefore meets this criterion.

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

The principal elevation of 16 Woodlyleaze is the elevation that faces the highway. The proposed flat roof dormer is to the rear elevation facing the rear garden thus not extending beyond the plan of the principal elevation. The hip to gable extension has a roof plane to match the existing roof plan of the principal elevation but would not extend beyond it. The development therefore meets this criterion.

(c) The cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than-

(i) 40 cubic metres in the case of a terrace house, or

(ii) 50 cubic metres in any other case;

The house is a semi detached property and has not had any previous extensions to the original roofspace. The proposed flat roof dormer has a cubic volume of 20.55 metres. The hip to gable extension has a cubic

volume of 4.37 metres. The total volume increase on top of the original would therefore be 24.92 cubic metres. These figures are different to those submitted in support of the application. Nevertheless both figures are below 50 cubic metres and therefore the development meets this criterion.

(d) It would consist of or include-

(i) The construction or provision of a veranda, balcony or raised platform, or

The proposal does not include the construction of any of the above.

(ii) The installation, alteration or replacement of a chimney, flue or soil and vent pipe;

The proposal does not include any alterations to the chimney, or the installation of a flue or soil and vent pipe.

(e) The dwellinghouse is on article 1 (5) land.

The dwellinghouse is not on article 1 (5) land.

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

–

(a) The materials used in any exterior work shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse.

The plans and correspondence indicates that the roof tiles would be interlocking tiles with a colour to match the existing. The face of the rear dormer is proposed to be hanging tiles in a colour to match the roof tiles. The proposed windows are white UPVC in a shape to match the existing dwelling. The development therefore meets this condition.

(b) Other than in the case of a hip to gable enlargement, the edge of the enlargement closest to the eaves of the original roof shall, so far as practicable, be not less than 20cm from the eaves of the original roof; and

The flat roof rear dormer would be 60 cm from the eaves of the original roof and as such meets this condition. The hip to gable extension is not required to meet this condition.

(c) Any window inserted on a wall or roof slope forming the side elevation of a dwellinghouse shall be-

(i) Obscure glazed; and

(ii) Non-opening, unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

No additional windows are proposed in the side elevation of the building.

C. Any other alteration to the roof of a dwellinghouse.

C.1. Development is not permitted by Class C if—

(za) Permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class IA or MB of Part 3 of this Schedule (changes of use);

The dwellinghouse was not permitted under either classes IA or MB of Part 3.

(a) The alteration would protrude more than 150 millimetres beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof;

The proposed rooflights would not protrude more than 150mm beyond the plane of the original roof.

(b) It would result in the highest part of the alteration being higher than the highest part of the original roof; or

The development would not be higher than the highest part of the roof.

(c) it would consist of or include—

(i) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or

(ii) the installation, alteration or replacement of solar photovoltaics or solar thermal equipment.

The proposal does not include any of the above.

Conditions

C.2. Development is permitted by Class C subject to the condition that any window located on a roof slope forming a side elevation of the dwellinghouse shall be—

(a) obscure-glazed; and

(b) non-opening unless the parts of the window which can be opened are more than 1.7 metres above

the floor of the room in which the window is installed.

No windows are proposed on the side elevation,

7. RECOMMENDATION

7.1 That a Certificate of Lawfulness for Proposed Development is granted for the following reason;

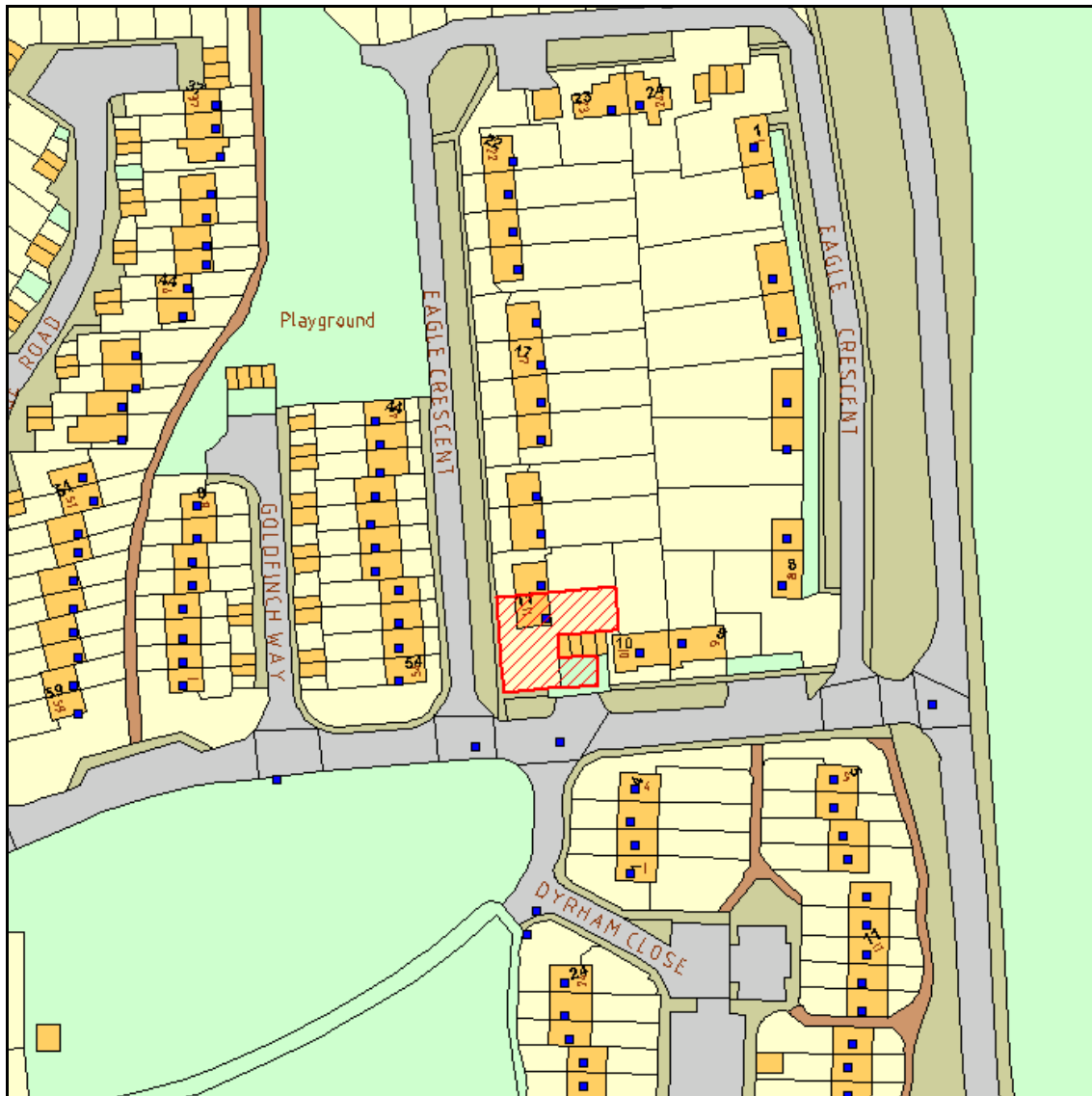
Evidence has been provided to demonstrate that the development falls within permitted development within the curtilage of the dwellinghouse under Part 1 of The Town and Country Planning (General Permitted Development) Order 1995 (as amended).

Contact Officer: Sarah Fordham
Tel. No. 01454 865207

ITEM 5

CIRCULATED SCHEDULE NO. 29/14 – 18 JULY 2014

App No.:	PK14/1864/F	Applicant:	Mr Blake
Site:	11 Eagle Crescent Pucklechurch Bristol South Gloucestershire BS16 9SE	Date Reg:	30th May 2014
Proposal:	Erection of single storey rear extension to form additional living accommodation.	Parish:	Pucklechurch Parish Council
Map Ref:	370282 175881	Ward:	Boyd Valley
Application Category:	Householder	Target Date:	23rd July 2014



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REASON FOR APPEARING ON CIRCULATED SCHEDULE

This application is appearing on Circulated Schedule due to the receipt of one objection from Pucklechurch Parish Council concerning the cumulative total of the extensions to the property.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a single storey rear extension to form additional living accommodation.
- 1.2 The property is semi-detached, located within an established residential area of Pucklechurch adjacent to the green open space. The property has been previously extended twice on the side (south) elevation. To the east of the dwelling is a block of garages. The property benefits from a position, with a large side and rear garden.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012

- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006 (saved policies)
H4 Development within Existing Residential Curtilages

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

3. RELEVANT PLANNING HISTORY

- 3.1 PK06/0201/F PK06/0201/F Demolition of existing garage to facilitate the erection of two storey side extension to provide additional living accommodation with attached garage. Erection of front canopy. Creation of vehicular access. Refused 13.02.06
- 3.2 PK06/0620/F Demolition of existing garage to facilitate the erection of two storey and single storey side extensions to provide additional living accommodation. Erection of front canopy (Resubmission of PK06/0201/F) Approved 03.04.06
- 3.3 PK07/3717/F Erection of first floor side extension to form additional living accommodation and erection of front porch Approved 11.02.08

4. CONSULTATION RESPONSES

4.1 Pucklechurch Parish Council

The property has already been considerably extended in recent years. Concerns raised over whether or not the cumulative total of the extensions including this new proposal would cover 50% or more of the land surrounding the original property.

4.2 Highway Drainage

No objection

Other Representations

4.3 Local Residents

One comment of objection later withdrawn by a local resident due to a misunderstanding of the dimensions of the proposal.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Saved policy H4 of the South Gloucestershire Local Plan allows for development providing it is in keeping with the character of the area and satisfies criteria relating to design, residential amenity and transportation.

5.2 Design

The existing conservatory on the rear elevation measures 4.7 metres wide, 3 metres deep by 3.2 metres high. The proposal seeks to replace the conservatory with a pitched roof extension measuring approximately 4.9 metres wide, 4 metres deep by 3.8 metres high. The proposed extension would still remain suitably subservient on the rear elevation.

5.3 Although the property has been previously extended, this additional extension is essentially a replacement of an existing conservatory. There is an increase in the footprint, but this is considered modest and appropriate in the context of the host dwelling and the curtilage. The overall increase in the size of the property may be 50% or above, however the property is not located within the Green Belt and express planning permission has been applied for each extension.

5.4 The proposal would not be visible from the public realm. As such, there is no impact on the street scene. Overall, the proposal is considered to be appropriate in terms of design and scale.

5.5 Residential Amenity

The proposed extension would include a similar amount of glazing to the current conservatory. The rear elevation would include French doors and the side elevation 1no. window. It is considered that the window pattern would not materially increase the levels of overlooking or have a detrimental impact in terms of privacy. The curtilage is bounded by fencing and the extension largely follows the existing footprint of the conservatory. It is therefore considered that

the proposal would not harm residential amenity and accords with saved policy H4 in this respect.

5.6 Transportation

The development will not affect the existing parking arrangements.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That planning permission is granted.

Contact Officer: Katie Saunders
Tel. No. 01454 863436

CONDITIONS

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

Reason

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

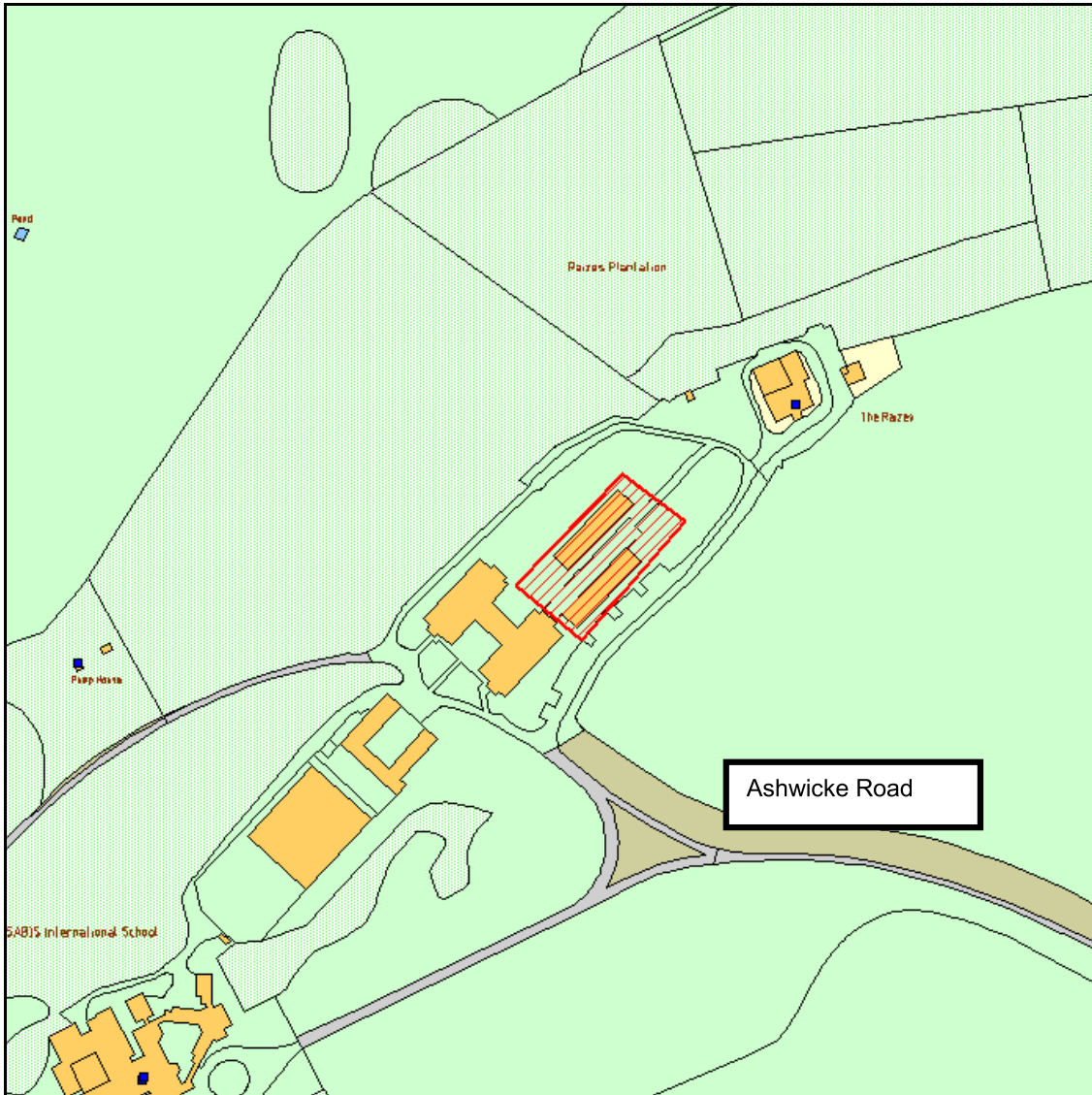
2. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason

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

CIRCULATED SCHEDULE NO. 29/14 – 18 JULY 2014

App No.:	PK14/2041/F	Applicant:	Mrs S Ayche SABIS International School UK
Site:	Sabis International School UK Ashwicke Hall Ashwicke Road Marshfield South Gloucestershire SN14 8AG	Date Reg:	3rd June 2014
Proposal:	Retention of 2no modular buildings for a period of 3 years	Parish:	Marshfield Parish Council
Map Ref:	379139 171748	Ward:	Boyd Valley
Application Category:	Minor	Target Date:	25th July 2014



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INTRODUCTION

This application is referred to the Circulated Schedule in accordance with procedure as the retention of the 2 no. modular buildings represents a departure from Development Plan Policy.

1. THE PROPOSAL

1.1 This application proposes the retention of 2 temporary portacabins at the Sabis International School Site for a further 3 years. The cabins are to be used for teaching space pending the erection of the dormitory and study blocks (see history below)

1.2 The application site is situated at the heart of some 60 hectares in a mixture of formal gardens, pasture and farmland. The site is within the Bristol/Bath Green Belt and Cotswold area of outstanding natural beauty. Ashwicke Hall itself is a Grade II Listed Victorian Country House. The site lies immediately to the side of a proposed dormitory block. The site is on a ridge with land falling to the rear..

1.3 Background

Details of the planning history are set out in Section 3 below, but this section will clarify in more detail the background to this application and the current status of the structures.

Planning History

The site had a previous education use which ceased in 2001. Applications were then received for residential uses of the site that were refused and then in 2006/2007 the use of the site for educational purposes restarted.

In 2006 a temporary consent (PK06/0759/TMP) was given for the temporary siting of cabins with a condition (Condition 1) restricting this consent to three years expiring on 12th April 2009.

In December 2008 (PK08/0716/F), consent was given for the erection of a two storey study block and a 3 storey dormitory block.

Subsequently in 2009 (PK09/0379/RVC) consent was given for the retention of the cabins for a further three years until April 2012. In support of this application the applicant indicated that the cabins would be needed by the school to accommodate students until the two storey study block and 3 storey dormitory block had been completed

In 2010 (PK10/0181/EXT) consent was given to extend the December 2008 consent for a further three years

Enforcement History

On 9th August 2013 a complaint was received by the Council that the structures that are the subject of this application were still in place (as indicated above the expiry of the consent was April 2012)

Negotiations subsequently took place however no resolution was found and subsequently in January 2014, a breach of condition notice was served. Subsequently the current application was received.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012

2.2 Development Plans

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

L1 Landscape Protection and Enhancement
L2 Cotswolds Area of Outstanding Natural Beauty
L10 Historic Parks and Gardens and Battlefields
L13 Listed Buildings
T12 Transportation (Development Control)

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS5 Location of Development
CS9 Managing the Environment and Heritage

2.3 Supplementary Planning Guidance

South Gloucestershire Council Design Checklist (Adopted August 2007)
Development in the Green Belt SPD 2005

3. RELEVANT PLANNING HISTORY

- 3.1 The application site has been the subject of many previous planning consents however the following are relevant since the use of the site as a school

PK06/0759/TMP Temporary consent for the retention of 2 no. cabins and the temporary siting of 1 no. new additional cabin (Approved with conditions)

PK08/0716/F Demolition of free standing classroom and temporary classroom. Erection of 2 storey study block and 3 storey dormitory block. (Approved with conditions)

PK09/0379/RVC Variation of Condition 1 attached to previously approved planning permission PK06/0759/TMP dated 12th April 2006 to allow the expiry date for the retention of the portacabins to 11th April 2012.

PK09/5088/F Erection of two storey classroom block Approved with Conditions

PK10/0181/EXT Demolition of free standing classroom and temporary classrooms. Erection of 2 storey study block and 3 storey dormitory block. (Consent to extend time limit implementation for PK08/0716/F).Approved

4. CONSULTATION RESPONSES

4.1 Marshfield Parish Council

No objection

4.2 Other Consultees

Conservation Officer

No objection to the retention of the existing buildings for a temporary period of 3 years. Concern about when the study block and dormitory will be built that will replace temporary buildings and continuing to approve temporary permissions/extensions

Highway Drainage

No comment

Sustainable Transport

No objection

Landscape Officer

There is no landscape objection with regards to Policies L1 and CS1

Other Representations

4.3 Local Residents

An objection has been received from Pegasus Group on behalf a local resident. The objection can be summarised as follows:

- There is an in principle objection because the applicant has had a considerable period of time in which to commence the dormitory and study block
- There is no justification for a further renewal of this temporary planning permission in an area where there are policy constraints – Green Belt, AONB and a Heritage Asset

- The Council requires convincing and detailed evidence as to why a further renewal should be permitted when a full planning permission has existed for some time.

5. **ANALYSIS OF PROPOSAL**

5.1 **Principle of Development**

The issues to be considered are the same as those that have been considered previously albeit there has been a change in the planning regime with the introduction of the National Planning Policy Framework in 2012 and the adoption of the South Gloucestershire Core Strategy that took place in December 2013.

The application site is situated within the Bristol/Belt Green Belt. The Site is situated with the AONB and close to a historic garden to the rear of the main house. Whether the proposal is acceptable in the Green Belt goes to the heart of whether the proposal is acceptable in principle.

The National Planning Policy Framework (NPPF) states (para 88), that “when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Very Special Circumstances will not exist unless the potential harm to the Green Belt by reason of its inappropriateness and any other harm is clearly outweighed by other considerations”

The National Planning Policy Framework (NPPF) sets that the construction of new buildings within the Green Belt is inappropriate unless those buildings fall within certain categories such as for use in agriculture and forestry. The list of exceptions are set out in para 89 of NPPF. The proposed portacabins would not fall within this list and therefore are inappropriate development and would by definition harm the openness of the Green Belt. Thus as per para 88 it is necessary to consider the very special circumstances that apply.

Before considering the Very Special Circumstances, it should be noted that Para 72 of the NPPF, indicates that the Government “attaches great importance to ensuring sufficient choice of school places is available” and should “give eight to the need to create, expand or alter schools” It should also be noted that Officers are mindful that the current occupation of Ashwicke Hall does enable its upkeep and as such the preservation of a Heritage Asset. Para 126 specifically states that Local Authorities should recognise that heritage assets are an irreplaceable resource and that LPA’s should take into account “the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation”. Officers are mindful of the aims and objectives of Para 72 and Para 126 in weighing the harm caused by “inappropriateness” against these other considerations.

Very Special Circumstances

Previously as set out above in both Section 1 and 2, consent has been given on a temporary basis for the portacabins. The applicant had at that time submitted a financial case as to why they were needed and a major consideration at that time was the existence of a planning consent to build a permanent solution in the form of a study block (and dormitory). These were accepted as very special circumstances at the time.

The applicant has resubmitted their very special circumstances for consideration again. It is stated that the school continues to be committed to the expansion of the school in order to achieve "a profitable, self-sustaining status for the school". Concern has been raised by an objector that the applicant has already had enough time to demonstrate this intention and to implement the consent. The applicant has indicated in response that for two years income was not favourable bearing in mind the costs of developing the school to a high quality of educational standard. The applicant indicates that 2013 and 2014 have shown an improvement in the financial situation. It is indicated that until the study block is completed the portacabins are still needed "for a short while longer". It is stated that the construction of the Study block will take place summer to autumn 2015. The supporting Very Special Circumstances however do state that a further £1.2 m capital funding is required even though financial the school is now breaking even so there would appear to be a remaining element of doubt as to whether the permanent solution will be carried out.

Doubt has been cast therefore on the intention to develop. The Case Officer has visited the site and can report that foundations have been laid for both the Study and Dormitory building and drainage has been put in place. The foundations to the dormitory had become somewhat overgrown but it is clear that the work had taken place. These works have also critically been "signed off" by an Approved Building Inspector. The applicant indicates that £250,000 has been spent on these works.

In the light of the above it is considered that the Very Special Circumstances" can be accepted however the Case Officer is mindful of the concerns raised in particular the number of times that the consent has been extended a matter also raised by the Conservation Officer. For this reason rather than grant permission for a further 3 years as requested by the applicant it is considered reasonable (and this would tie in with the stated aim to complete the work in the Summer/Autumn 2015) to allow the retention of the structures for a further 18 months only.

The principle of development is acceptable subject to consideration of the following issues.

5.2 Visual Amenity/Listed Building/Landscape considerations

As has been outlined above the site is situated within the grounds of a Listed Building, and is sited in the Area of Outstanding Natural Beauty. The site is also

close to an Historic Garden. Policy L2 of the South Gloucestershire Local Plan 2006 seeks to resist development that would harm the natural beauty of the Cotswold AONB and Policy L13 seeks to protect the setting of Listed Buildings.

The buildings are set within the school site close to existing buildings and within extensive grounds and can only be seen from the wider public realm at distance. The concerns of the objector are noted and it is agreed that as permanent structures the proposal would not be acceptable having regard to the above policy constraints. As indicated above it is a factor that the buildings have now been in place for some time. It is considered that these concerns support the necessary limiting of the time allowed for the retention of these buildings to a further 18 months only rather than the 3 years applied for. Subject to this limitation the proposal is considered acceptable in these terms.

5.3 Residential Amenity

Given the scale and location of the proposed development it is not considered that there would be any impact upon the residential amenity of neighbouring occupiers

5.4 Transportation

There are no transportation issues that arise from the proposed retention of the buildings

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. The proposed development represents a Departure from the Development Plan but it is considered that Very Special Circumstances apply that outweigh the harm caused to the Green Belt (Referral to the Secretary of State is not required)

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

7. RECOMMENDATION

7.1 That subject to the application being advertised as a departure planning permission be granted subject to the conditions set out on the decision notice

Contact Officer: David Stockdale
Tel. No. 01454 866622

CONDITIONS

1. The buildings (Cabin 1 and Cabin 2) indicated on Drawing No. 08-014/11 (Block Plan Existing and Proposed) and 14-009/01 Site Location Plan shall be removed and the land restored to its former condition on or before 31st January 2016.

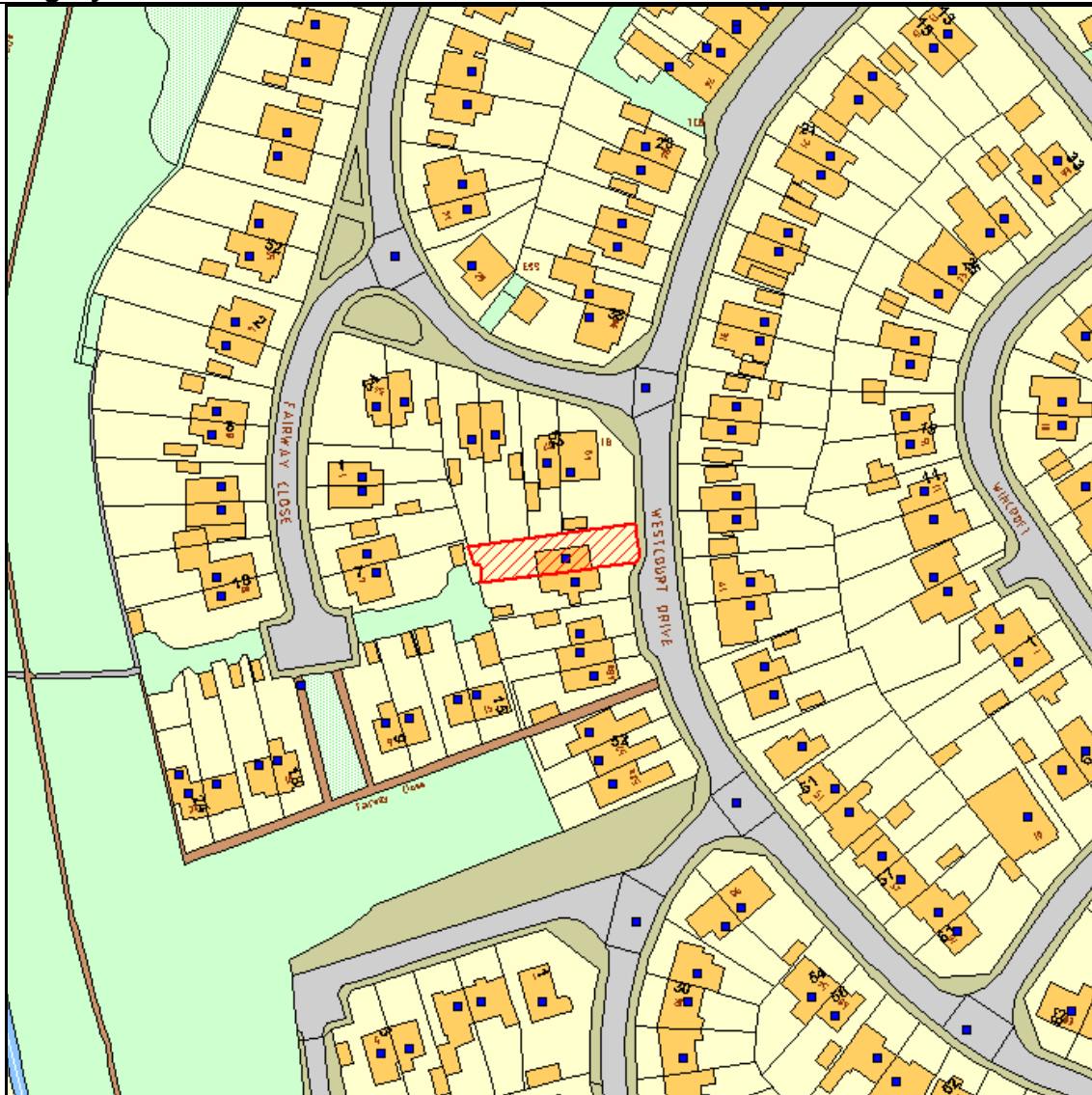
Reason:

The permission has only been granted for a limited period of 18 months having regard to the special circumstances of the case as the buildings do not constitute appropriate development in the Green Belt and are not considered acceptable on a permanent basis given the proximity to a heritage asset and location within the Cotswolds Area of Outstanding Natural Beauty and to accord with the National Planning Policy Framework, Policy CS1, CS5 and CS9 of the South Gloucestershire Local Plan Core Strategy and Policy L2, and L13 of the South Gloucestershire Local Plan (Saved Policies).

ITEM 7

CIRCULATED SCHEDULE NO. 29/14 – 18 JULY 2014

App No.:	PK14/2116/F	Applicant:	Mr Matthew Bliss
Site:	42 Westcourt Drive Oldland Common Bristol South Gloucestershire BS30 9SB	Date Reg:	5th June 2014
Proposal:	Erection of two storey side, and single storey front extension to form additional living accommodation.	Parish:	Bitton Parish Council
Map Ref:	366936 171609	Ward:	Oldland Common
Application Category:	Householder	Target Date:	25th July 2014



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PK14/2116/F

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application is referred to the circulated schedule for determination as comments have been received from the Parish Council and a neighbour that amount to an objection. The officer recommendation is for approval.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a two storey side extension and a single storey front extension at a semi-detached dwelling in Oldland Common.
- 1.2 The side extension is located on the existing drive to the northern of the property. The front extension would create an enlarged front bay window.
- 1.3 The site is located within the existing urban area of east Bristol. No other statutory or non-statutory land use designations cover the site.

2. POLICY CONTEXT

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

South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design
CS8 Improving Accessibility

South Gloucestershire Local Plan Adopted January 2006 Saved Policies
T12 Transportation
H4 Development within Existing Residential Curtilages
- 2.3 Supplementary Planning Guidance
Residential Parking Standard (Adopted) December 2013

3. RELEVANT PLANNING HISTORY

- 3.1 PK04/3969/F Approve with Conditions 13/01/2005
Erection of single storey rear extension to form additional living accommodation.
- 3.2 K6556 Approval of Full Planning 09/03/1990
Single storey side extension & erection of canopy roof on front elevation

4. CONSULTATION RESPONSES

- 4.1 Bitton Parish Council

Concern over parking, turning, and the development projects beyond the building line

4.2 Drainage
No comment

4.3 Public Rights of Way
Informative requested

Other Representations

4.4 Local Residents
One letter has been received raising concern about the parking of trade vehicles during construction by trade workers' vehicles

5. ANALYSIS OF PROPOSAL

5.1 This application seeks planning permission for the erection of a number of extensions to a dwelling in Oldland Common.

5.2 Principle of Development
Extensions and alterations to existing properties are broadly supported by policy H4 of the Local Plan subject to an assessment of design, amenity, and transport. Therefore the proposed development is acceptable in principle and should be determined against the analysis set out below.

5.3 Design
Design considerations are set out in policies CS1 and H4. These require development to be informed by and respect the character and appearance of the area and the existing dwelling.

5.4 In assessing the proposed design, due attention should be given to other development in the vicinity that have been granted planning permission, for example the attached dwelling at no.48 Westcourt Drive, and various bay windows and front extensions in close proximity to the application site.

5.5 The proposed development would see the property extended to the north. The ridge over the two storey side extension would be consistent with the ridge of the main dwelling and the elevations of the extension would sit flush with the elevations of the existing property. The proposed front extension would project 2 metres from the front elevation of the property; the existing bay window projects 0.8 metres.

5.6 A projection of 2 meters is not considered to be out of character with the appearance of the property or with the street scene in the vicinity. A lot of properties with front extensions can be viewed when stood on the highway outside the applications site.

5.7 It is claimed that this would project beyond the established building line. It is not considered by officers that the building line is well defined in this locality –

there is evidence of a number of bay windows, porches and other such extensions on front elevations of nearby properties.

5.8 It is therefore considered that the standard of the design that is proposed is acceptable and is in keeping with the character and appearance of the existing house and the surrounding area.

5.9 Amenity

Residential amenity should not be prejudiced as a result of development. The application site would not suffer from a reduction in private amenity space as a result of this proposal. The side extension is located on land that is used as part of the driveway and development on this site does not materially impact on the provision of private amenity space.

5.10 The development is not considered to have a prejudicial impact on the residential amenity of nearby occupiers. Although located to the north of the existing building, any shadow would be unlikely to fall onto the dwellings to the north of the site due to the position of the surrounding gardens. Although the ground floor of the extension would cover a long part of the boundaries with adjoining properties, only 7 metres of this would stand at two-storeys in height.

5.11 It is not considered that the new first floor windows would prejudice residential amenity as it does not materially alter the existing arrangement of windows or impede on the privacy of nearby dwellings.

5.12 The single storey front extension will only have one window in the front elevation. The adjoining property has a front extension that stands between 1m and 1.2m forward of the dwelling. The proposed extension is not considered prejudice the outlook from the adjacent property or impact upon the amenity of the windows.

5.13 Transport and Parking

The proposed extension would enable internal re-organisation to create larger bedrooms; it does not propose new bedrooms. However, to accord with the Residential Parking Standard, a three-bedroom dwelling must provide two off-street parking spaces. A plan has been submitted indicating that sufficient parking can be provided within the front of the property. The proposed garage does not meet the minimum internal size standards to count as a parking space and is therefore not included in the provision of parking spaces.

5.14 The parking of trade persons' vehicles is not a material planning consideration. However, a construction hours working condition will be attached to the planning permission.

6. CONCLUSION

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

- 6.2 The proposed development has been assessed against the policies listed above. The design and appearance of the development is acceptable and the extensions are not considered to prejudice residential amenity or highway safety.
- 6.3 The recommendation to grant/refuse permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

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

Contact Officer: Griffith Bunce
Tel. No. 01454 863438

CONDITIONS

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

Reason

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

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

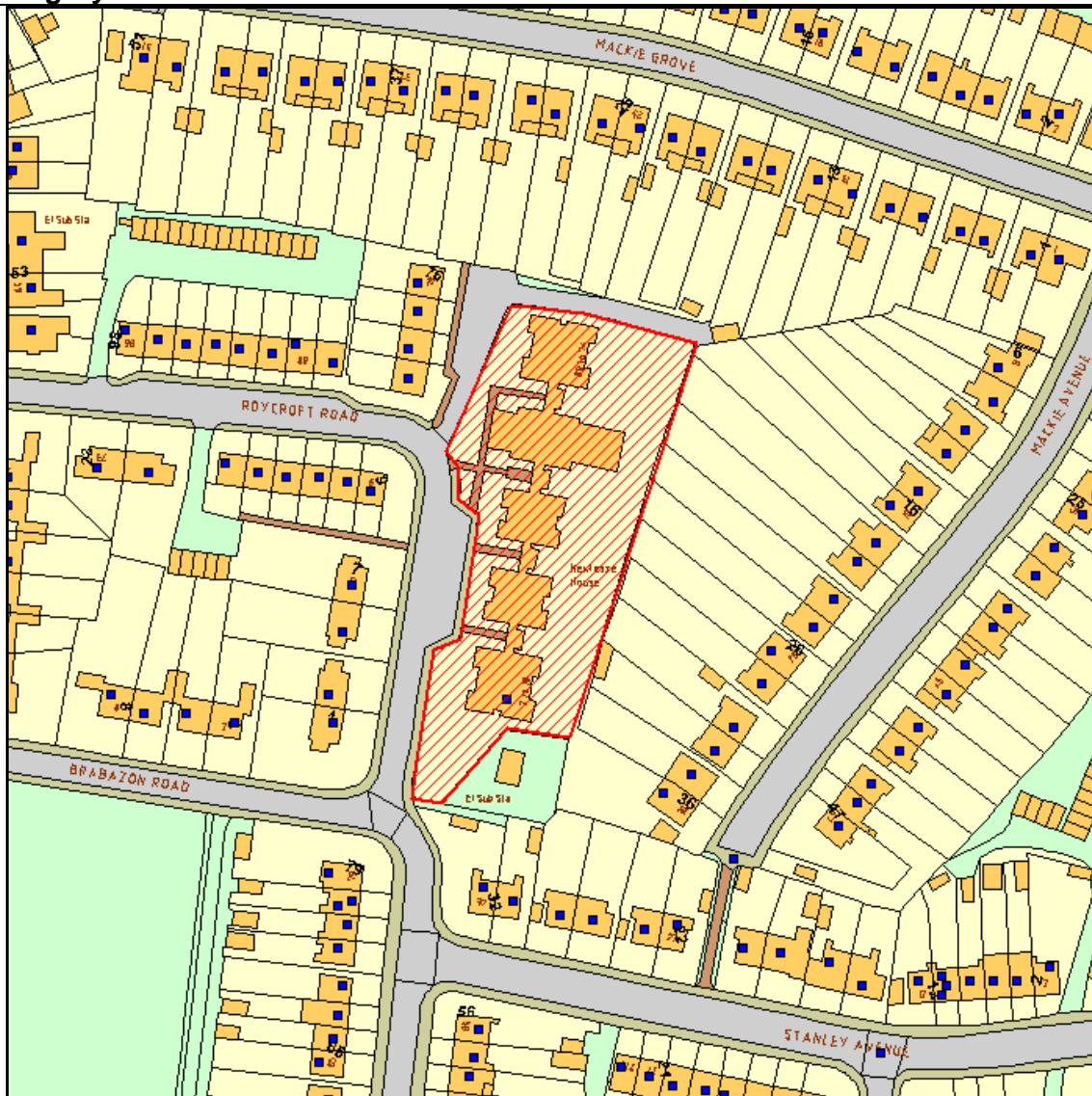
Reason

To protect the residential amenity of the neighbouring occupiers during building operations and to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies)

ITEM 8

CIRCULATED SCHEDULE NO. 29/14 – 18 JULY 2014

App No.:	PT14/0344/F	Applicant:	Merlin Housing Society
Site:	Newleaze House Roycroft Road Filton South Gloucestershire BS34 7NW	Date Reg:	4th February 2014
Proposal:	Demolition of existing buildings to facilitate erection of 16no. houses and flats with associated works	Parish:	Filton Town Council
Map Ref:	360642 178727	Ward:	Filton
Application Category:	Major	Target Date:	1st May 2014



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the circulated schedule to ensure members agree with the officer recommendation in terms of the S106 contributions secured and what is in the public interest.

1. THE PROPOSAL

- 1.1 This application seeks consent for the demolition of a vacant two storey residential block consisting of 37 bed-sits and the erection of 10 houses and 6 flats in their place. The new development will also be two storeys in height but will be broken down into smaller terraced and semi-detached units rather than the one large block that currently exists. The remainder of the site will be divided to provide off street parking and garden space.
- 1.2 The application site sits in the centre of a residential area of Filton. The site is bound on all sides by residential development of varying ages and styles. The site was previously used as sheltered housing for older people.
- 1.3 The scheme is being developed by a housing association and will be brought forward as 100% affordable housing. In light of this, the scheme has been subject to a viability appraisal. This is discussed in more detail below where S106 contributions are discussed.
- 1.4 Prior to the submission of the application, the applicants undertook quite extensive public consultation with local residents. The scheme as submitted has been developed to, as far as possible, address any public comments made.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012

- 2.2 Development Plans

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

- H4 Development within Existing Residential Curtilages
- L1 Landscape Protection and Enhancement
- L9 Species Protection
- T7 Cycle Parking
- T12 Transportation Development Control
- LC1 Provision for community facilities
- LC2 Provision for education facilities

South Gloucestershire Core Strategy (Adopted) December 2013

- CS1 High Quality Design
- CS4A Presumption in favour of sustainable development
- CS5 Location of Development

CS6 Infrastructure and Developer Contributions
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS15 Distribution of Housing
CS16 Housing Density
CS17 Housing Diversity
CS18 Affordable Housing
CS24 Green Infrastructure, Sports and Recreation Standards

- 2.3 Supplementary Planning Guidance
Affordable Housing SPD (Adopted)
Residential Parking Standards SPD (Adopted)

3. **RELEVANT PLANNING HISTORY**

- 3.1 None Relevant

Although the site was last used as bed-sits for the elderly, there is no planning history to suggest that the age limit of residents is restricted in any way.

4. **CONSULTATION RESPONSES**

- 4.1 Filton Town Council
No Objection – made a very positive comment ‘*Model development for future family housing.*’

- 4.2 Education comment
No objection subject to a S106 legal agreement to secure £32,694 towards primary education.

New Communities Team

No Objection subject to a S106 legal agreement to secure £29,054.20 to POS provision, £16,911.72 to POS maintenance, and £711.71 toward the library.

Housing Enabling

No Objection subject to a S106 legal agreement to secure 35% on site affordable housing.

Highway Drainage

No Objection

Highway Officer

No Objection

Landscape Architect

No Objection

Environmental Protection

No Objection

Other Representations

- 4.3 Local Residents
No comments received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The site is situated close to the main through fare of Filton - Filton Avenue, and the associated shops and services along that road. The proposal is to demolish the existing building and completely re-develop the site with more modern buildings to form family accommodation. The site is not covered by any statutory designations.

- 5.2 The NPPF states that there is a strong presumption in favour of sustainable development and also of relevance as set out in para. 17 (Core Principles) is that the reuse of land that has been previously developed (brownfield land) should be a priority. Elsewhere (para 58), it states that development should maximise the potential of sites to accommodate development.

- 5.3 Policy CS5 of the South Gloucestershire Core Strategy (Adopted) encourages most new development to take place within the communities of the North and East Fringes of Bristol. The proposed residential development is located firmly within the north fringe of Bristol and therefore such development is actively encouraged by the Core Strategy. Furthermore, this scheme is the redevelopment of a brownfield site to provide affordable housing of a tenure mix relative to the identified local need and as such, is actively encouraged in the NPPF. The principles of good site planning are also set out in Policy CS1 of the adopted Core Strategy

5.4 Design and Visual Amenity

The application is for the demolition of the existing property. The existing building takes the form of one large block made up of two storey gable elements linked together with flat roofed sections. The existing building is dated in appearance and offers little to the character of the area. There is no objection to the loss of the existing building.

- 5.5 As is the case with the existing development to be demolished, the re-developed site is to be arranged in a linear pattern facing onto Roycroft Road. All buildings will be two storeys in height as is a feature of the locality. The scheme consists of two pairs of semi-detached dwellings, two terraces each comprising three dwellings and a single block including all 6 flats. The dwellings are all of a traditional appearance finished in a combination of brick and render. Attention has been paid to add visual interest the design however by introducing front gables on some properties and not on others. Although the design of the houses is simple, it is considered to be a significant improvement on the existing building it is to replace.

- 5.6 The building to accommodate the flats takes a slightly different design approach. Although its general silhouette still takes the form of a gabled two storey property, the use of different materials, external staircases and balconies creates a more visually interesting street scene.
- 5.7 The front of the development is very car focused with a significant amount of space given over to car parking and permeable paving. However, the plan does show the planting of 11 new trees along the frontage of the site which will help to break up the visual impact of the hard standing. The existing site frontage is grassed but other than that is devoid of any significant landscaping. It could therefore be argued that the introduction of suitable trees along the frontage will have a positive impact on the street scene in the immediate vicinity.
- 5.8 In light of the assessment above, being mindful of the existing design quality on the site and the scale and design of neighbouring properties, the scale, design and layout of the proposed development is considered to be entirely acceptable.
- 5.9 Residential Amenity
There are two strands to be considered when assessing residential amenity – that is the impact on neighbouring dwellings and also the level of amenity afforded to potential future residents.
- 5.10 When considering the impact on the neighbouring properties on the opposite side of Roycroft Road, you officer notes that the proposed new development will actually be further from these dwellings than the existing building to be demolished. Given that the separation distance will be quite noticeably increased, there will be no additional levels of overlooking or overshadowing for the neighbours along Roycroft Road.
- 5.11 Regarding the dwellings to the rear of the site, there will be a separation distance of over 40 metres at the closest point between the proposed dwellings and the main rear walls of the dwellings 15 to 36 Mackie Avenue. Again, because of this distance which is comparable to the existing situation, the impact on these dwellings is also considered to be acceptable.
- 5.12 The proposed flat block is going to be closer to No's 32 to 36 Mackie Road by 8.5 metres. However, no principal room windows are proposed in the gable end of the flat block closest to these properties that could cause any concern of overlooking or loss of privacy. In addition, the separation distance is 24 metres which is considered acceptable in terms of overbearing.
- 5.13 Looking at the level of amenity afforded to future new residents, each of the proposed new dwellings will be provided with a large private and useable garden space. The flat block also has a large area of communal outdoor space. The scheme has been designed so as to avoid any issues of overlooking or intervisibility. As a result, future residents of the scheme will be afforded a suitable high level of amenity.

5.14 Ecology

There are no known ecological barriers to the development and little potential for significant ecology to exist on site. As such there is no objection to the scheme from an ecological perspective.

5.15 Highways

In accordance with the adopted residential parking standards SPD, the scheme has a minimum total onsite parking requirement of 22 spaces. The scheme includes 27 parking spaces and is therefore policy compliant. Although the spaces are not obviously located to serve a specific dwelling, because of the surplus, this is not considered to be problematic.

5.16 In addition, access to the site is considered to be safe. The end part of Roycroft Road is effectively a dead end meaning traffic speeds are slow and the volume of traffic is low. An informative will be added to any consent granted reminding the applicant to contact the Councils Development Implementation Team to ensure appropriate standards and licenses are utilised in creating the new vehicle crossings.

5.17 CIL Regulations

In accordance with paragraph 204 of the NPPF, Planning obligations should only be sought where they meet all of the following tests: -

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

Officers have been mindful of these tests when considering the S106 contributions being requested for this application.

5.18 Affordable Housing

Affordable Housing is sought in line with the Council's Core Strategy Development Plan Document which has now been adopted – that is 35% which equates to 6 affordable units. In addition to this, the applicant - being Merlin Housing Association, proposes to provide the remaining units as affordable housing. Therefore the Council will gain an additional 10 affordable homes over and above the 35% policy requirement.

5.19 The Councils housing enabling team request that the 6 affordable units are provided for social rent or as otherwise agreed in writing by the Council. There needs to be a degree of flexibility in this case as there may be an opportunity for Merlin to secure HCA funding in which case the scheme will be delivered as affordable rent. The 35% policy required affordable housing is to be delivered without any public subsidy unless in the event Merlin secure HCA funding and deliver all 16 units as affordable rent in which case there is no requirement to deliver the 35% without public subsidy.

5.20 The housing enabling team also seek the following mix of property sizes to meet local need: 2 x 1 bed flats, 2 x 2 bed houses and 2 x 3 bed houses. The provision of 6 units does not trigger the requirement for a wheelchair unit.

- 5.21 The Council are to refer potential occupants to all first lettings and 75% of subsequent lettings.
- 5.22 The affordable housing is to fully comply with the latest Homes and Communities Agency (HCA) standards applicable at the time the S.106 is signed, to include at least Level 3 of the Code for Sustainable Homes, Lifetime Homes standard, Secured by Design, and compliance of RP design brief. Delivery is preferred through a Housing Delivery Panel (HDP) RP. The HDP is set up to deliver affordable housing across the West of England to local development and management standards. The Council encourages the developer to work with a member of the HDP, and in the event of the developer choosing an Affordable Housing Provider from outside this panel then the same WoE standards will need to be adhered to.
- 5.23 The Council will define affordability outputs in the S.106 agreement. Social rented/Affordable Rent to be retained as affordable housing in perpetuity. Right to Acquire does not apply where no public subsidy is provided.
- 5.24 Additional provision of affordable housing units over and above the policy requirement
Policy CS18 of the adopted Core Strategy identifies that there is an estimated average annual need for 903 new affordable housing units over the period 2009 to 2021 in South Gloucestershire. In addition, the Strategy identifies key features, namely the large backlog of need for affordable housing, the projected annual increase of newly forming households continuing to need social rented accommodation, and the relatively small existing stock of affordable housing stock limiting the ability to meet need through re-lets.
- 5.25 The Councils Housing Strategy 2013-2018 also identified six deprived neighbourhoods in South Gloucestershire - Filton being one of them. One of the objectives is to address the affordability and prevent homelessness by helping people to find and keep the housing they want, which meets their needs and they can afford. This is a material consideration when considering the viability of the scheme as discussed later in this report.
- 5.26 Public Open Space Requirements
Using current average occupancy data and the proposed number and mix of dwellings, it is estimated this development of 16 dwellings (4 one bed flats, 2 two bed flats and 10 houses) would generate a population increase of 33 people. However the site has previously been used as 37 sheltered accommodation units for the elderly, therefore the proposed development will actually result in a net loss in population. Although it is accepted that the site was last used for elderly people's accommodation, there are no planning restrictions that restrict the age of residents. It is possible therefore, for the existing building to be re-occupied at any time by residents of a complete mix of ages. It is therefore difficult to argue that the proposed development would put any additional strain on existing services than the existing situation.

- 5.27 In accordance with Core Strategy policy CS24, where existing provision, in terms of quantity, quality and accessibility would be inadequate to meet the needs of future residents, then new provision and/or enhancement must be made in accordance with the appropriate local standards. The local standards are set out in Core Strategy Appendix 5.
- 5.28 Although the New Communities Team have requested a contribution towards the provision and maintenance of Public Open Space, because the anticipated number of residents on site will actually decrease, your officer does not consider that such a S106 contribution would adequately meet the tests as set out in the NPPF in that it is not reasonable. As such, no S106 contribution is requested.
- 5.29 Library Service
The previous residents of the accommodation would have been likely to have used the care home library service offered by South Gloucestershire Council whereby books are delivered to care homes for residents to enjoy on a regular basis. The future residents of the proposed development are likely to have different needs and place additional demand on Filton library located within 500m straight line distance. The New Communities Team have requested a contribution towards the library service.
- 5.30 However, as previously discussed, your officer is giving weight to the fact that the existing building could possibly be occupied by 37 residents of varying ages. In light of this, because the anticipated number of residents on site will actually decrease, your officer does not consider that such a S106 contribution would adequately meet the tests as set out in the NPPF in that it is not reasonable. As such, no S106 contribution is requested.
- 5.31 Education
At primary level there is a projected deficit of places in the local area. The proposed development of 16 dwellings will generate 3 additional primary pupils according to the pupil number calculator. Current Department for Education cost calculators give a figure of £10,898 per additional primary pupil place, based at the Quarter 4 2011 value of the Royal Institute of Chartered Surveyors Building Cost All-In Tender Price Index. A contribution of £32,694 is required for additional primary provision. There is a projected surplus of places at secondary schools in the local area. No contribution is required for additional secondary provision. The total contribution required for additional school provision is £32,694.
- 5.32 Being mindful of the fact that the existing building consists of bed-sits only, it is unlikely that children would reside in the existing building. The proposed development is for family housing where it is highly likely that children will occupy the site. It is therefore considered that the education request does satisfy the tests of a planning obligation in that it is necessary, directly related, and fairly and reasonably related in scale to the development.

5.33 Viability Case

The applicants have stated that they are unable to meet all of the S106 requests and have put forward a viability case. Details have been submitted to, and scrutinised by the District Valuer who agrees that if the scheme is bought forward for 100% affordable housing, it is not viably possible for the scheme to meet all S106 costs.

5.34 The district valuer looked at several possible options to try and find a way to obtain education S106 costs whilst providing 100% affordable housing on site. The only way any additional S016 monies could possibly be forthcoming would be to change the tenure of the affordable units. However, as a consequence this would result in the site not meeting the identified need and therefore not being progressed by Merlin. Essentially, this would mean the site would not be developed and the potential to gain the 16 units of much needed affordable housing would be lost.

5.35 Although it is usual in viability cases for members to have more than one option to consider, in this case no further options are possible – the only realistic options available are to approve as a 100% affordable scheme with no other S106 contributions or refuse for lack of other S106 contributions.

5.36 Applying weight to contribution request

The proposal is to provide 16 no. affordable housing units on site. Your case officer would like to highlight that under Policy CS18 of the adopted Core Strategy, the Council can only secure up to 35% i.e. 6 no. residential units to be delivered as affordable housing units as part of the Section 106. However in addition to this, the applicant proposes to provide the remaining units as affordable housing and therefore the Council will gain additional 10 affordable housing units over and above the 35% policy requirement. This is a material consideration that weighs positively in favour of the application.

5.37 Therefore a balanced judgement needs to be made between the benefit of the provision of additional 10 no. affordable housing units on site and the financial contributions towards educational facilities required in accordance with the planning policies.

5.38 In this particular instance, consideration is being given to the fact that the existing building on the site could readily be occupied by 37 residents of any age without the need for any planning permission and that the proposed development will actually result in a population decrease – although it is appreciated that children will reside on the site which has not historically been the case. Good sized private amenity gardens are provided for the dwellings and the site is within easy walking distance to frequent by public transport giving access to wider facilities, and the Filton Library is recently extended. Nevertheless at primary education level there is a projected deficit of places in the local area. Officers acknowledge that the proposal would create additional pressure on educational facilities.

5.39 Given the financial position of the Register Provider and the identified need for additional affordable housing units in the locality, it is your officers' view that the benefits of gaining 10 additional affordable homes far outweighs the required contributions towards educational facilities.

5.40 In the event that these 'additional affordable housing units' would be unable to be delivered within 3 (three) years from the date of the planning permission, financial contributions towards primary educational provision, would be secured under the S106 agreement. Therefore, in the event that none of the additional 10 affordable housing units are delivered, a financial contribution of £32,694 would be towards primary educational facilities, and the financial contributions to be applied pro rata in the event that only some of the additional 10 no. affordable housing units have achieved.

5.41 **S106 Summary for Members Information**

It is the opinion of your officer that the benefit of gaining 16 units of affordable housing is a significant material consideration that outweighs the lacking contributions towards education – a total deficit of £32,694. The application therefore appears on the circulated schedule with this recommendation. In the event that members do not agree with the officer recommendation, it should be called before the full planning committee to allow members to decide what is in the best public interest.

5.42 **Ward Members**

The Ward Members were consulted on the proposed officer recommendation prior to the publication of this report. Cllr Hutchinson has confirmed that affordable housing is a bonus and therefore he has no objection to the approach to S106 contributions proposed by your officer. Cllr Adam Monk and Cllr Ian Scott have both confirmed they are in agreement with the officer recommendation.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That authority be delegated to the Director of Environment and Community Services to grant planning permission, subject to the conditions set out below and the applicant first voluntarily entering into an Agreement under Section 106 of the Town & Country Planning Act 1990 (as amended) to secure the following:

- a) 6 residential units to be delivered as affordable housing in accordance with the Affordable Housing - Summary of Requirements (Revised Comments) dated 2nd April 2014.

Reason: To accord with Policy CS18 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and the Affordable Housing SPD.

- b) In the event that none of the 'additional 10 units of affordable housing units' have achieved practical completion in accordance with all the approved plans set out in the Planning Permission or any subsequent approved variation to approved plans within 3 (three) years from the date of issue of the Planning Permission the Owner shall pay (i) 32,694 towards primary educational provision. In the event that less than 10 additional affordable housing units have achieved practical completed within 3 (three) years from the date of issue of the Planning Permission, these financial contributions will be pro rata.

Reason: To mitigate against the impact of the development and to accord with the requirements of Policy LC2 of south Gloucestershire Local Plan (Adopted) January 2006.

- (2) That the Head of Legal & Democratic Services be authorised to prepare and seal the agreement.
- (3) If the S106 Agreement is not signed and sealed within 6 months of this determination then, in view of the length of time, the application should either:
 - a) Be returned to the Circulated Schedule for reconsideration;Or
 - b) The application should be refused due to the failure to secure the Heads of Terms listed above under a Section 106 Agreement, for the reason listed.

Contact Officer: Marie Bath
Tel. No. 01454 864769

CONDITIONS

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

Reason

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

2. The hours of working on site during the period of construction shall be restricted to 7.30 to 18.00 Monday to Friday; 8.00 to 13.00 on Saturday and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

In the interests of visual amenity and to protect the amenity enjoyed by those living in the locality to accord with Policy CS9 of the South Gloucestershire Core Strategy (Adopted) December 2013.

3. The off-street parking facilities shown on the plan hereby approved shall be provided before the residential units are first occupied, and thereafter retained for that purpose.

Reason

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with the requirements of the Residential Parking Standards SPD (Adopted).

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

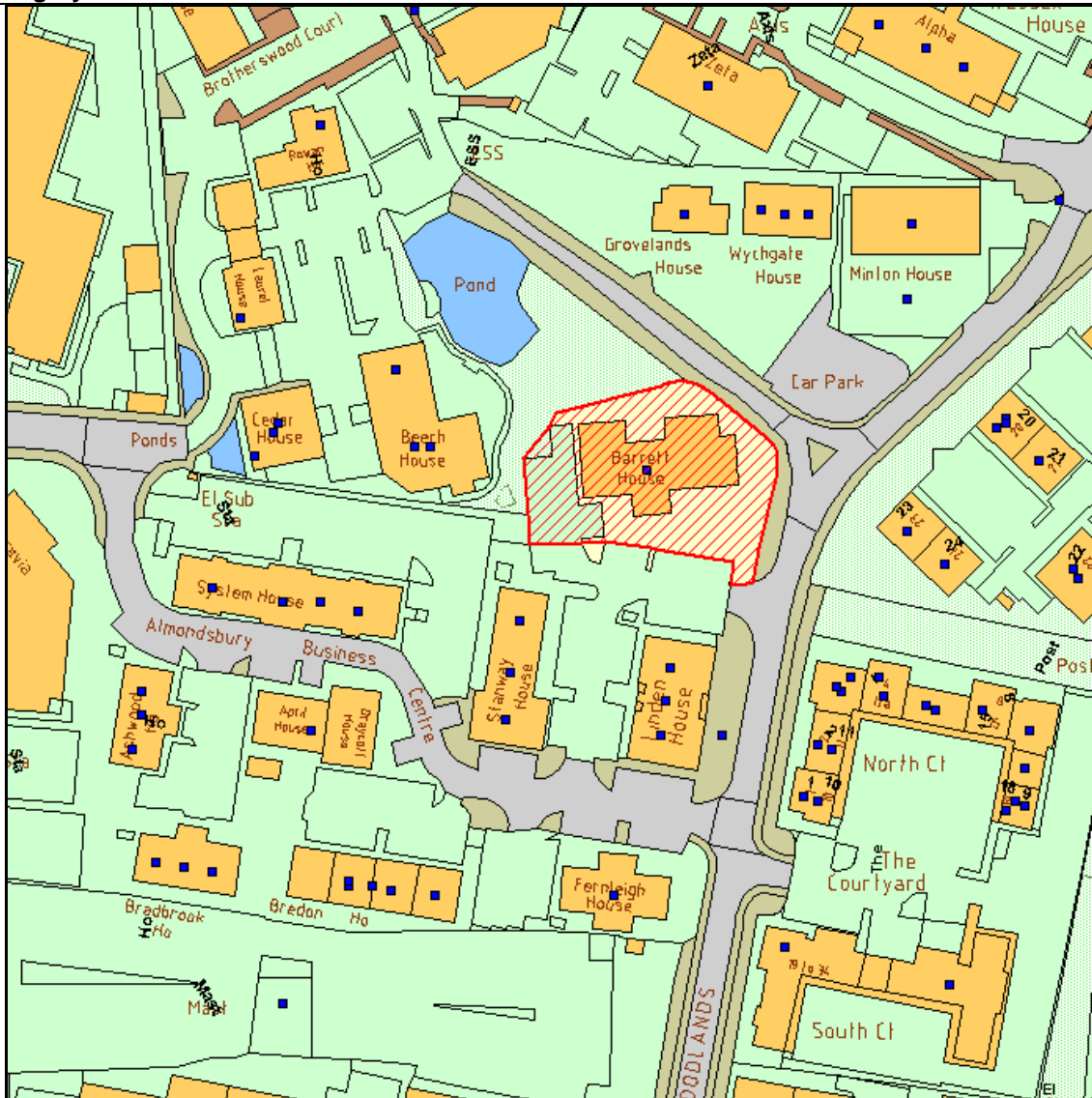
Reason

To ensure that a satisfactory means of drainage is provided, and to accord with policy CS9 of the South Gloucestershire Core Strategy (Adopted).

ITEM 9

CIRCULATED SCHEDULE NO. 29/14 – 18 JULY 2014

No.:	PT14/0924/F	Applicant:	Happy Days Nurseries
Site:	Barratt House Woodlands Bradley Stoke South Gloucestershire BS32 4QH	Date Reg:	18th March 2014
Proposal:	Change of use from Offices (Class B1) to Nursery (Class D1) as defined in Town and Country Planning (Use Classes) Order 1987 (as amended). Installation of 5no. air conditioning units to rear, glazed entrance lobby, replacement doors, access ramps, and associated works.	Parish:	Bradley Stoke Town Council
Map Ref:	361664 183445	Ward:	Bradley Stoke North
Application Category:	Minor	Target Date:	6th May 2014



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100023410, 2008. **N.T.S.** **PT14/0924/F**

1. THE PROPOSAL

- 1.1 The application seeks planning permission to change the use of the site from 549 square metres of office space (Class B1) to a nursery (Class D1) as defined in Town and Country Planning (Use Classes) Order 1987 (as amended). The application also covers the Installation of 5no. air conditioning units to the rear, glazed entrance lobby, replacement doors, access ramps, and associated works. The existing 17 parking and 16 cycle parking spaces would remain for the use.
- 1.2 The site is located centrally within Almondsbury Business Park, with direct access onto Woodlands. The site is well landscaped to the north and parking exists to the south and west of the site.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
Section 1 Buildings strong competitive economy
Section 4 Promoting sustainable transport
Section 7 Requiring good design

2.2 Development Plans

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

L1 Landscape protection and enhancement
T7 Cycle parking
T8 Car parking
T9 Car parking standards for people with disabilities
T12 Transportation development control policy for new development
E3 Criteria for assessing proposals for employment development within the Urban area and defined settlement boundaries and/or polices E4/5/6

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS5 Location of development
CS4A Presumption in favour of sustainable development
CS12(2) Safeguarded Employment site
CS25 Communities of the North Fringe of Bristol Urban Area

2.3 Supplementary Planning Guidance

SG Design Checklist SPD

3. RELEVANT PLANNING HISTORY

- 3.1 PT04/3372/F Erection of single storey rear extension to existing offices. Approved 13.12.2004
- 3.2 Other changes of use to D1 uses have also been approved at nearby properties:

- 3.3 PT11/3849/F Change of use from Office Use (Class B1a) to Mixed Use (Class B1 and D1) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).
- 3.4 PT11/3851/F Change of use from Office Use (Class B1a) to Mixed Use (Class B1 and D1) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). Approved 13.02.2012

4. **CONSULTATION RESPONSES**

4.1 Bradley Stoke Town Council

Object on grounds of inadequate car parking provision at the site. Whilst the Town Council welcomes new businesses to the town they feel that on this occasion the travel plan is inadequate.

4.2 Other Consultees

Highway Officer

In terms of vehicle movements associated with the extant use (office B1) the site would generate in the region of 221 movements a day (TRICS Database), whereas the proposed use based upon 90 children would generate in the region of 211 movements a day (TRICS Database). With the peak traffic times for both uses coinciding and comparable in intensity.

As a consequence the change of use is not considered to have a materially different impact in either total traffic movements or peak hour traffic movements when compared with the extant use.

It is noted that comments have been made in relation to the amount of car parking associated with the application, and its ability to cope with the proposal. Unlike an office development where there is a longer dwell time for car park users (typically 9 -5pm) nurseries generally have a short dwell time (typically 5 - 10min) in the morning and evening during drop off and pick up with the car park generally free at other times. For nurseries it is essential that where possible the pick up and drop off times are managed to avoid ad-hoc parking, this is where a Travel Plan can help.

The applicant is proposing a Travel Plan with the application and has indicated a framework based upon another Travel Plan that they currently use elsewhere in the country, whilst this is welcomed and there will clearly be similarities with this site and its proposed use with their other operations each site is unique and a generic Travel Plan is not necessarily the best way forward, as a consequence the Travel Plan should be conditioned so that officers can ensure that it is fit for purpose.

Subject therefore to a condition requiring a Travel Plan to be submitted and agreed prior to opening of the nursery then there is no transportation objection to this proposal.

4.3 Highway Drainage

No comment

4.4 Environmental Protection

No objection but suggest using the standard informative for construction sites.

4.5 Public Rights of way

No objection – previous concerns, during the course of this application, regarding the location of a footpath close to the ‘explorers outdoor area’ have been resolved due corrected knowledge about the actual route of the path.

Other Representations

4.6 Local Residents

One objector (acting for Community Bridge Church) claims that:

- there is inadequate road access to the premises.
- that vehicles movements in and around this office location are extremely difficult at the moment.
- extra vehicle movements caused by parents dropping off and picking up children will cause major traffic chaos in the immediate vicinity of the building.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The application site is located within the Almondsbury Business Park, which is a safeguarded area for economic development in the Core Strategy (policy CS12(2)). As such “*proposals for change from B Use Classes to other economic development uses, including town centre uses, or to non-employment uses, will need to demonstrate that:*

- 1 *The proposal would not prejudice the regeneration and retention of B Use Classes elsewhere within the defined employment area; and*
- 2 *It can be clearly demonstrated that it would contribute to a more sustainable pattern of development in the local area as a consequence of the appropriateness of the proposed use to the location; and*
- 3 *The proposal would improve the number or range of jobs available in the local area; and*
- 4 *No suitable alternative provision for the proposal has been made elsewhere in the Local Development Framework.*

This change of use would not prevent reversion of the building to an office or other B use in the future but would facilitate occupation of the building in a manner which still employs a good number of staff and would not prejudice take up of surrounding office space. Several of the surrounding, similarly sized office units stand empty and have been for a couple of years. The agent advises with justification contained in the Design and Access Statement that take up levels of office accommodation in this sector have decreased, even since the 2012 planning permissions listed above, which still stand empty. This has resulted in more office accommodation being currently available on the market and adds weight to the justification that change of use of this office to a

going concern should be favourably received. Alternative uses are therefore justified to ensure buildings are put into economic use. Use of this site as a children's day nursery would also offer a service to the surrounding business park and wider area which could attract other office uses and equally, provide potential dual stop trips if take up of the nursery places were by staff working locally within the safeguarded area. Twenty staff members would be located at the site at any one time which retains a significant employment potential for the site whilst also increasing the breadth of jobs given that the jobs created are likely to be child carers and cooking staff, together with managerial and administration jobs. Sites for children's day nurseries are not allocated specifically within the Core Strategy and therefore such uses either need to build new sites or as is the case here, convert an existing building to suit their needs. It is considered that a nursery (D1) use would be an appropriate use of this site without undermining the aim of policy CS12 to safeguard employment uses. Moreover given that the Permitted development changes of 2013 facilitate change of use of offices to residential without planning permission this use is preferable to other options which could lose employment use altogether.

- 5.2 The National Planning Policy Framework seeks that Councils secure economic growth by setting out clear visions and supporting existing business sectors but it also acknowledges that where there is no reasonable prospect of a site being used for the allocated purpose, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities. This gives a further signal, given that there are several vacant buildings in the immediate vicinity, and this use would facilitate a supporting function to the business park, that planning permission should be favourably considered.
- 5.3 Saved Policy E3 of the Local Plan advises that proposals for employment generating uses within the urban areas and defined settlement boundaries will be permitted provided that the proposal complies with a number of criteria. These are considered in the paragraphs below.
- 5.4 Would the use have an unacceptable environmental impact?
Located in the heart of a business park and surrounded by estate roads the use is not considered to cause a material difference to the immediate environment in which the building is located. Although use of the outside areas for play may increase outside noise this is not considered to cause a material or unacceptable impact.
- 5.5 The proposal is acceptable in highway safety terms?
The site is well served by public transport, cycle links and walking routes from Bradley Stoke. Seventeen parking spaces and sixteen cycle parking spaces are proposed within the site area, one of which is for a wheelchair user and nine others are designed wider for parent and child use. These can be secured by an appropriate condition for use by the nursery. The spaces are a reconfiguration of existing spaces and pose no highway safety concern. The application has been reviewed by the Council's highways officer who advises that the use is likely to generate a similar number of trips and the peak times of travel are also likely to be at similar times to the office use. Unlike an office

development where there is a longer dwell time for car park users (typically 9 - 5pm) nurseries generally have a short dwell time (typically 5 - 10min) in the morning and evening during drop off and pick up with the car park generally free at other times. For nurseries it is essential that where possible the pick up and drop off times are managed to avoid ad-hoc parking, this is where a Travel Plan is useful. The applicant has supplied a generic travel plan from another site which needs to be adapted for the current application site. That travel plan indicates that the site would be open between 7am and 7pm, thus spreading the load of drop-off and pick-up times to an acceptable level. A specific travel plan for the site can be secured by an appropriately worded condition and as such there is no transportation objection to the proposal.

5.6 Would the use prejudice residential amenity?

The site is not located within a residential area but a business park. No residential units were evident at the time of the officer's visit and whilst there may be residential uses at this site in the future, potentially resulting from the 2013 permitted development changes, a loss of residential amenity from this detached building is not anticipated.

5.7 Would the character of the area be adversely affected?

The building itself is proposed to change very little save for replacement windows, doors and alterations to the lobby to fulfil the safety needs of the business. These would match the existing bronze tones of the existing fenestration. Palisade and mesh fences are proposed to a height of 1.8m to secure the children's play spaces. These are not unduly high and would not appear incongruous in the street scene but additional landscaping is reasonably necessary to soften their appearance as fencing is not commonplace within the immediate area.

5.8 Impact on the public right of way

A public footpath runs along the western boundary of the site. Concern had been raised during this application that the footpath conflicted with the site boundary and affected parking spaces. This matter has been resolved as the paper copy of the definitive map had been incorrectly plotted on the online records. There is no longer conflict and no objection is raised to the use of the existing parking spaces.

6. CONCLUSION

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

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

7. **RECOMMENDATION**

7.1 That planning permission is granted subject to the conditions and informatives below.

Informatives

- 1 Plans
- 2 Construction Sites

Contact Officer: Karen Hayes
Tel. No. 01454 863472

CONDITIONS

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

Reason

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

2. Prior to the commencement of development a scheme of landscaping, which shall include details of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection during the course of the development; proposed planting (and times of planting) of the area close to Woodlands Lane and details of the mesh and palisade fencing shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

Reason

To protect the character and appearance of the area to accord with Policies E3 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. Prior to first occupation of the building as a nursery the 17 off-street car parking spaces shall be provided, and thereafter retained for that purpose for the use of the nursery.

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 Policies T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. Prior to the commencement of development full details of the 16 cycle parking spaces to include secure, undercover, staff cycle spaces, shall be submitted to the Local Planning Authority for approval. Thereafter, the development shall proceed in accordance with the agreed scheme, with the parking facilities provided prior to the first occupation of the building; and thereafter retained for that purpose.

Reason

To encourage means of transportation other than the private car, to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006 and Policy CS12 of the South Gloucestershire Local Plan:Core Strategy (Adopted) December 2013.

5. Prior to the commencement of development a bespoke Travel Plan shall be submitted to the Local Planning Authority for approval. The agreed scheme shall be implemented as approved before the development hereby permitted is brought into use; or otherwise as agreed in the commuter plan.

Reason

To encourage means of transportation other than the private car, to facilitate the spread of drop-off and pick-up times and to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006 and Policy CS12 of the South Gloucestershire Local Plan:Core Strategy (Adopted) December 2013.