



**LIST OF PLANNING APPLICATIONS AND OTHER PROPOSALS
SUBMITTED UNDER THE PLANNING ACTS TO BE DETERMINED BY
THE DIRECTOR OF ENVIRONMENT AND COMMUNITY SERVICES**

CIRCULATED SCHEDULE NO. 38/14

Date to Members: 19/09/14

Member's Deadline: 25/09/14 (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.

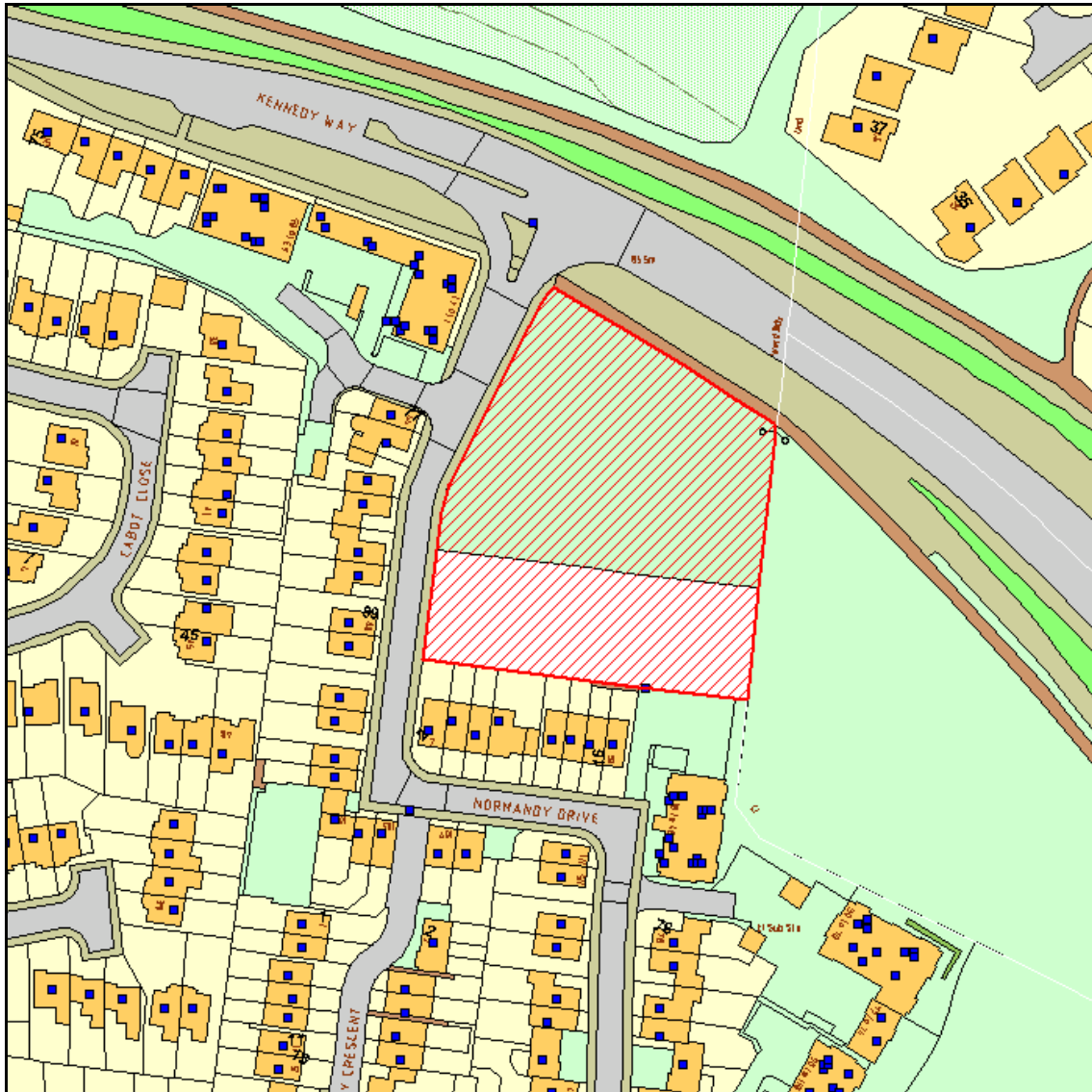
CIRCULATED SCHEDULE – 19 SEPTEMBER 2014

ITEM NO. PARISH	APPLICATION NO	RECOMMENDATION	LOCATION	WARD
1	PK14/2891/F	Refusal	Land At Normandy Drive Yate South Gloucestershire BS37 4FJ	Yate Central Yate Town
2	PK14/2904/RV	Deemed Consent	Barley Close Primary School Barley Close Mangotsfield South Gloucestershire BS16 9DL	Rodway None
3	PK14/2921/PD	Approve with Conditions	9 Cloverdale Drive Longwell Green Bristol South Gloucestershire BS30 9XZ	Longwell Green Oldland Parish Council
4	PK14/3056/CLP	Approve with Conditions	181 Long Croft Yate South Gloucestershire BS37 7YU	Yate North Yate Town
5	PK14/3057/AD	Approve	Goose Green Way Roundabout Goose Green Way/Randolph Avenue Yate South Gloucestershire BS37 7LA	Yate North Yate Town
6	PK14/3060/AD	Approve	Station Road Roundabout Station Road Yate South Gloucestershire BS37 4PQ	Yate Central Yate Town
7	PK14/3156/F	Approve with Conditions	32 Wadham Grove Emersons Green South Gloucestershire BS16 7DW	Emersons Mangotsfield Rural Parish Council
8	PT14/2128/LB	Approve with Conditions	Romys Kitchen 2 Castle Street Thornbury South Gloucestershire BS35 1HB	Thornbury North Thornbury Town Council
9	PT14/2231/F	Approve with Conditions	Romys Kitchen 2 Castle Street Thornbury South Gloucestershire BS35 1HB	Thornbury North Thornbury Town Council
10	PT14/2651/F	Approve with Conditions	48 Rock Lane Stoke Gifford South Gloucestershire	Stoke Gifford Stoke Gifford Parish Council
11	PT14/2872/F	Approve with Conditions	95 Lavender Close Thornbury South Gloucestershire BS35 1UL	Thornbury North Thornbury Town Council
12	PT14/3092/F	Approve with Conditions	Field House 127 Bristol Road Frampton Cotterell South Gloucestershire BS36 2AU	Frampton Cotterell Frampton Cotterell Parish Council

ITEM 1

CIRCULATED SCHEDULE NO. 38/14 – 19 SEPTEMBER 2014

App No.:	PK14/2891/F	Applicant:	Taylor Wimpey Bristol
Site:	Land At Normandy Drive Yate South Gloucestershire BS37 4FJ	Date Reg:	7th August 2014
Proposal:	Erection of 9no. dwellings, garaging, parking, landscaping, new access and associated works. Outline permission for use of part of the site for community use with access to be determined and all other matters reserved.	Parish:	Yate Town Council
Map Ref:	371867 182161	Ward:	Yate Central
Application Category:	Minor	Target Date:	30th September 2014



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100023410, 2008.

N.T.S.

PK14/2891/F

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application has been referred to the circulated schedule for determination as one comment of support has been received; the officer recommendation is for refusal.

1. THE PROPOSAL

- 1.1 This is a hybrid application: full planning permission is sought for the erection of 9 dwellings; and, outline planning permission is sought for a community building. The outline application has access to be determined and all other matters reserved. As a hybrid application, both elements will be determined as part of this decision.
- 1.2 The application site is land to the front of the Elswick Park development, fronting both Normandy Drive and Kennedy Way in Yate. This site was formally referred to as 'Sea Stores' prior to the development of the land to the rear of this application site for residential (PK09/1388/F)
- 1.3 In area, the total site covers 0.47 hectares of land, of which 0.3 hectares is allocated to housing, the rest being set aside for a community building. The proposed residential development consists of 4x three-bedroom houses, 4x four-bedroom houses, and 1x five-bedroom house. No affordable housing is proposed.
- 1.4 This land parcel was described as 'reserved land' as part of application PK09/1388/F and fell outside of the application's red line. However, the land was included within the red line of the s106 agreement that accompanied planning permission PK09/1388/F and therefore is subject to the obligations of that agreement.
- 1.5 The proposed residential element would result in a housing density of 30 dwellings per hectare (dph).
- 1.6 The application site is located in a highly sustainable location in very close proximity to Yate town centre and the recently approved development on the land to the east of Link Road, commonly referred to as Yate Cinema.

2. POLICY CONTEXT

2.1 National Guidance
National Planning Policy Framework March 2012

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design

CS4A Presumption in Favour of Sustainable Development

CS5 Location of Development

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
CS23 Community Infrastructure
CS30 Yate and Chipping Sodbury

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

L1 Landscape
L5 Open Areas within the Existing Urban Area
L9 Species Protection
T7 Cycle Parking
T8 Parking Standards
T12 Transportation Development Control Policy
LC2 Provision for Education Facilities
LC4 Proposals for Educational and Community Facilities

2.3 Supplementary Planning Guidance

- (a) South Gloucestershire Design Checklist (Adopted) August 2007
- (b) Residential Parking Standard (Adopted) December 2013
- (c) Affordable Housing and Extra Care Housing (Adopted) May 2014
- (d) Landscape Character Assessment (Adopted) November 2005

3. RELEVANT PLANNING HISTORY

- 3.1 PK09/1388/F Approve with Conditions 27/09/2010
Proposed erection of 228 residential units and associated works.
- 3.2 P91/0103/10 Withdrawn 01/04/1999
Residential Development (Outline). (In accordance with amended plan received by the Council on 26 February 1992).

4. CONSULTATION RESPONSES

4.1 Yate Town Council

- 1. Layout and density: town centre location should have higher density housing
- 2. The size of land made available for community use is inappropriate and not viable
- 3. Access to the community building will cause highway issues, noise and disturbance
- 4. Inadequate parking is provided for the community building.

4.2 Dodington Parish Council

- 1. Layout and density: town centre location should have higher density housing
- 2. The size of land made available for community use is inappropriate and not viable
- 3. Access to the community building will cause highway issues, noise and disturbance

4. Inadequate parking is provided for the community building.

4.3 Affordable Housing

This application is subject to s106 Deed of Variation dated 24 September 2010 in relation to planning permission PK09/1388/F. Therefore, the site is subject to an on-site provision of 33.3% affordable housing (3 units of social rent).

The site should have a greater density as it is located in close proximity to Yate town centre

4.4 Archaeology

No objection: the extent of previous ground disturbance means little archaeology is likely to survive

4.5 Department for Children, Adults and Health

At primary level there is a projected deficit of places in the local area. The proposed development of 9 dwellings will generate 4 additional primary pupils according to the pupil number calculator. A contribution of £45,896 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 £45,896

4.6 Ecology Officer

The application site comprises an area of seeded grassland of negligible nature conservation interest. There are no ecological constraints to granting planning permission

4.7 Environmental Protection

The wider area including this proposed development site was the subject of ground investigations for the development area of Elswick Park. Ground investigations carried out at that time revealed some contamination which has been remediated on those parts of the site now developed. At that time the land use for this application area had not been determined. It is recommended that the ground investigation and remediation method statement are reviewed to assess if any additional information is required for this proposed development (residential and community use) and the applicability of the remediation statement for this area. A report should be submitted presenting the findings and proposals for remediation where required. Thereafter the development should proceed in accordance with the recommendations and prior to occupation a report should be submitted confirming that all necessary remediation work has been completed satisfactorily

4.8 Highway Structures

No comment

4.9 Trading Standards

Surrounding area is subject to weight restrictions

4.10 Transportation Development Control

No in principle objection; however, there are significant areas of concern which need to be revised before a full highways comment can be provided

4.11 Tree Officer

No objection. There are two low quality trees on the site, if these are to be retained then detail is required regarding protection measures during construction works. However, there is no objection to the removal of these trees.

4.12 Urban Design Officer

No in principle objection. Design improvements could be made to increase the design standard of the development.

Other Representations

4.13 Local Residents

Three letters of objection have been received that raise the following points:

- A residents parking zone should be considered for the whole site
- Big houses are out of [financial] reach to local young people
- Contact will be made with the local MP
- Development is motivated by profit
- Development will affect privacy
- Development would affect outlook
- Development would result in a loss of light to the existing dwellings
- Elswick Park is inhabited by young families who use this space to play
- Land is set aside for community use
- Land would be perfect for a play area
- Little provision for parking for community building
- More houses will lead to more parking and a reduction in highway safety
- Naïve to think that parking at Yate Shopping Centre will contribute to the needs of the community building
- No provision is made for visitor parking
- On purchase it was stated that there were no plans to develop this part of the site
- Residents have been misled and lied to by Taylor Wimpey
- Second access to the site has been closed – there is now one road to the site
- There is insufficient parking in the estate for the existing development
- Vehicles do not park in accordance with the Highway Code
- Vehicles use the section of road from which access will be gained for parking for the flats where there are inadequate spaces
- Would result in more traffic

One letter of support has been received that raises the following points:

- Development would significantly improve the Normandy Drive street scene
- Landscaping will improve area
- Loss of compound would be good

- Lower density housing is appropriate against the high density housing in the rest of the estate (although would not support higher density housing on this site)
- Much of the site is covered by rubble and does not make a pleasant outlook
- Support the principle of community use – details of reserved matters would be critical

5. ANALYSIS OF PROPOSAL

- 5.1 This application seeks full planning permission for the erection of 9 dwellings and outline planning permission (with access to be determined and all other matters to be reserved) for the use of part of the site for a community facility.
- 5.2 Principle of Development
Policy CS1 only permits development ‘where the highest possible standards of design and site planning are achieved.’ Whilst the development site is an appropriate location in policy terms for residential development and the provision of a community facility, the proposal does not meet an acceptable design standard and is therefore unacceptable.
- 5.3 In addition to the above, the development also generates contributions towards affordable housing and primary school provision in accordance with policies CS6, CS18 and LC2. No provision is made for affordable housing and in the absence of a s106 agreement no contribution is provided towards education provision.
- 5.4 Site Context
The application site is located on land approximately 280 metres to the east of Yate town centre, and the associated bus station, shopping centre and services. It is situated on the south side of the A432 Kennedy Way; this road is the logical approach to Yate from east as it connects to the A46 and junction 18 of the M4. People travelling to Yate from places such as Bath, Cirencester, Chippenham, Swindon and the east would be likely to approach the town along this route.
- 5.5 As one travels into the town along the A432, the application site acts as a key gateway to the town centre. As part of the development of the Sea Stores site, great attention was given to the street frontage onto Kennedy Way and the buildings here are more substantial indicating the approach to the town centre.
- 5.6 Behind the application site stands ‘Elswick Park’, a residential estate built on the former Sea Stores site granted planning permission under PK09/1388/F. This is a tightknit estate where the housing density stands at 70 dph. Around the application site, the dwellings are a mix of three storeys and two and a half storey townhouses. There are also four storey blocks of flats adjacent to the development site. Whilst Elswick Park backs onto earlier residential development at Cabot Close and Shackleton Avenue, these developments are accessed from Scott Way and play a far reduced role in the street scene and therefore have a lesser effect in establishing the feeling of being in the town centre.

5.7 Site Layout and Design

The application site is divided into two parts. The 'front' part of the site is that to the northern end fronting onto Kennedy Way. It is on this land parcel that outline permission is sought for a community building. Behind this is the main part of the site which would contain the access road to the community building and the proposed houses.

5.8 The entire layout of the site appears to be based around the access road which dominates the site. From the outer edge of the pavements, the road is 9 metres wide. This culminates in a large hammerhead turning area between the domestic and community uses.

5.9 Residential development is proposed around this access road. Five of the proposed dwellings would face onto Normandy Drive and four would be located further into the site. Plots 5 to 9 are larger, low density, detached houses whereas plots 1 to 4 more closely resemble the existing development along Normandy Drive.

5.10 Critique: Housing Scheme

Policy CS16 of the Core Strategy requires development to make the most efficient use of land, particularly in and around town centres. As proposed, the application does not make the most efficient use of the site area. Much of the site is given over to the provision of the access road and turning area. However, it has not been established that a road of this grade is required to serve the level of development proposed. This is particularly the case as permission for the community facility is sought in outline only and limited detail is provided on the layout and scale of the building.

5.11 Turning to the residential element, plots 5 to 9 have a contrived layout and appearance. Parking areas and garages are separated from the dwellings that they serve leaving significant parts of the site underutilised. In addition to this, the placement of some of the proposed dwellings, namely the relationship between plots 6 and 7 and plot 8 and the existing development are considered to have a poor relationship to one another. This has resulted in large, blank, elevations in order to retain privacy. The fact that some elevations have been left intentionally void of windows is indicative that the layout of this part of the site is contrived.

5.12 Being located in close proximity to the town centre, the site is considered to be in a highly sustainable location. Within walking distance of the site is Yate Shopping Centre which includes a range of high street shops and restaurants as well as a Tesco Extra supermarket, leisure centre and NHS minor injuries unit and walk in clinic. Redevelopment of the land to the east of Link Road is set to commence shortly which would see the construction of a six-screen cinema, three retail units and six restaurants between the application site and Yate Shopping Centre. The main bus station serving the town is also located within the shopping centre from which there are a number of bus routes including direct routes to Bristol city centre.

- 5.13 As the site is located within a highly sustainable location it is considered to be an appropriate site for higher density housing. It is acknowledged by the Local Planning Authority that the rest of Elswick Park has a very high housing density standing of 70 dph. Whilst replication of housing to this density may not achieve the highest possible standards of site planning and design, as required by policy CS1, it is considered that the proposed housing density of 30 dph is untenable in a location such as this. The site is considered to be capable of supporting a housing density of 40 to 50 dph whilst still meeting a high standard of design.
- 5.14 Critique: Community Facility
It is proposed to locate the community facility on the northern part of the site adjacent to the A432 Kennedy Way. This is the most prominent part of the site and in terms of the street scene the most sensitive aspect of the proposed development.
- 5.15 When the Sea Stores development was approved, great attention was given to the site frontage as it acts as a gateway to the town centre. This is even more the case now that development of the Yate Cinema site has been approved and ground works are imminent.
- 5.16 Although not forming part of the Sea Stores site, the area of land on which this application was made was set aside as reserved land for a community facility. The s106 agreement that accompanied planning permission PK09/1833/F placed no legal obligation on the developer to provide a community building. The applicant has submitted with the current application a draft s106 agreement which provides an opportunity for the sale of the land indicated for a community building to Yate Town Council for the sum of £1.
- 5.17 As part of this planning application, outline permission is sought for a community building. By the very nature of the site layout and the road, access to the proposed community building would be determined. All other matters are reserved. This results in a significant level of uncertainty that the development of the community building would come forwards. This is particularly the case when the comments of Yate Town Council are taken into consideration who states 'the size of land made available for community use is inappropriate and not viable'.
- 5.18 More detail is required regarding the community building before the Local Planning Authority is in a position to be able to determine whether or not the proposed building would reach the highest possible standards of site planning and design, as required by policy CS1. This site represents the key frontage to the development and should be occupied by a building of suitable mass and proportions to designate it as a community building in the heart of the town centre. Should development of a community building on this site not come forward, then the view from Kennedy Way would be of an over-engineered hammerhead turning area, domestic boundary treatments, and the end of various properties. This would be harmful to the character and appearance of the area and street scene and would not comprise a comprehensive and well designed development of this site.

- 5.19 More detail is also required with regard to the scale and layout of the community building to ensure the provision of adequate parking on the site. The applicant has indicated that the proposed community building would be used for purposes falling in either Class D1 or D2 of the Use Classes Order.
- 5.20 Under policy T8 of the Local Plan, parking standards are set for different uses within the Use Classes Order. Should a D1 use come forward it is likely that it would fall into one of three subcategories (places of worship/ church halls; clinics/health centres/ consulting rooms; day nurseries/ crèches/ day centres) rather than for educational provision. Should a D2 use be presented then it is possible it could be either a cinema/ conference facility or another use within the Class.
- 5.21 Different numbers of parking spaces would be required depending on the subcategory as set out in the table below.

Use Class/Subcategory	Parking Provision
D1: Non-residential Institutions	
Places of Worship, Church Halls	1 space per 10 seats
Clinics, Health Centres, Consulting Rooms	3 spaces per consulting room; 1 space per duty doctor, nurse or other medical staff; 1 space per 2 admin/clerical staff
Day Nurseries, Crèches, Day Centres	1 space per 2 staff
D2: Assembly and Leisure	
Cinema and Conference Facilities	1 space per 5 seats
D2 other than Cinema or Conference Facility	1 space per 22m ²

- 5.22 As the size and use of the community building is at this stage unknown, it is not possible to calculate what parking requirement would be generated. Furthermore, it is not possible to determine whether the area allocated to the community building would be able to support a building as envisioned by the provider (i.e. Yate Town Council) and the associated parking and other requirements, whilst meeting the high design standard that would be required on a site of this prominence. Indeed, at this stage it is still dubious that a community building will come forward on this site as there is no legal agreement in place for its provision and the Town Council has indicated the site is unviable.
- 5.23 The Local Planning Authority consider this to be a key development site that has a significant and important role in defining the town centre and creating a strong and well designed street scene. The lack of detail regarding the community building and the uncertainty over its delivery means that, although in principle a community building on this site is acceptable, the Local Planning Authority cannot be assured that the highest possible standards of site planning and design are met by this application; therefore the development as proposed is unacceptable.

5.24 Affordable Housing

Policy CS18 of the Core Strategy requires the provision of on-site affordable housing when certain thresholds are met. Within the urban areas (in which Yate/Chipping Sodbury would fall), affordable housing should be provided on sites where 10 or more dwellings are proposed or the site area exceeds 0.33 hectares. Further guidance is given on defining the site in section 3.2 of the Affordable Housing and Extra Care Housing SPD. This section states 'the area of land, against which site size thresholds will be measured is the 'red line' boundary of the whole of the application site'. The application site is 0.47 hectares and therefore affordable housing is triggered.

5.25 It is considered that the applicant has knowingly subdivided the application site to avoid triggering the affordable housing threshold as the development proposes 9 dwellings and the area set aside for housing amounts to 0.3 hectares of the site. This is considered to make inefficient use of the land as identified above.

5.26 Based on the site area in line with the commentary in paragraph 5.24 above, 35% affordable housing is required on this site to comply with policy CS18. No affordable housing has been proposed.

5.27 The area identified for residential development could easily be developed more densely especially considering its close proximity to Yate town centre. The application seeks outline permission for access to a potential community building. As there is no requirement under the s106 connected with PK09/1388/F for a community building on this site, this land could also be developed for residential use. If this was to happen then affordable housing would be sought based on the total numbers of dwellings across the whole of the development site including the land currently proposed for a community building.

5.28 Affordable housing contributions for planning permission PK09/1388/F required the provision of 33.3% affordable housing; this was determined under policy H6 of the Local Plan, a policy that expired on the adoption of the Core Strategy. Policy CS18 replaced policy H6 and requires a provision of 35% affordable housing. On a development of this size, the number of dwellings to be provided is three. In the absence of any affordable housing on the site, the proposed development fails to accord with policy and this is unacceptable.

5.29 Education Provision

Contributions to the provision of educational facilities is required under policies CS6 and LC2. The Department for Children, Adults and Health has calculated that the development would generate four additional primary school pupils. At primary level, there is a projected deficit of school places in the local area. Cost of the provision of a primary school places are calculated at a figure of £11,474 per place. A contribution of £45,896 is sought from this development for additional primary school places.

- 5.30 At present, there is a projected surplus of secondary school places in the local area. As such, no contribution is sought for the provision of additional secondary school places.
- 5.31 In the absence of a s106 agreement to secure the contribution of £45,896 towards the provision of additional primary school places, the development fails to accord with policies CS6 and LC2 and is therefore unacceptable.
- 5.32 Residential Amenity
Development should not be permitted that results in a prejudicial impact on existing levels of residential amenity and proposed dwellings should enjoy a good standard of amenity. The inadequacies of the proposed layout have been discussed above. It is considered that a poor relationship is proposed between plots 6 and 7 and between plot 8 and the existing properties on Normandy Drive.
- 5.33 This application requires a comprehensive and complete redesign before it would be considered acceptable by the Local Planning Authority. The redesign is required to improve the layout of the scheme and make a more efficient use of the land. Therefore, whilst the development as proposed reaches a less than good standard of residential amenity this is considered to be caused by the design and layout and not by the principle of development.
- 5.34 Environment and Ecology
The application site forms part of the existing urban area on land which has been redeveloped as part of Elswick Park. The site is not covered by any statutory or non-statutory nature conservation designations.
- 5.35 At present, the application site comprises an area of seeded grassland and the former site compound. As such it is of negligible nature conservation interest and there are no ecological constraints to granting planning permission.
- 5.36 Landscape and Trees
There are two very low quality trees growing within the proposed site area which are not considered worthy of retention. However, it is unclear from the submitted documents whether or not these trees are to be retained. There are no objections to the loss of these trees, however, should the applicant wish to retain these trees, adequate tree protection measures in accordance with BS5837:2012 would be required by condition.
- 5.37 There are no other landscape constraints to granting planning permission.
- 5.38 Other Matters
A number of points have been raised during the public consultation of this application which have not been addressed above. A response to these points is set out in the section below.
- 5.39 Comments have been received regarding parking matters. The consideration of a residents parking zone would fall outside of this planning application and would be a matter for discussion at the relevant local area forum. Whether people park in accordance with the Highway Code is not relevant in

determining this planning application. The Elswick Park development has been determined and therefore the parking related to these houses cannot be reconsidered. Whilst a consideration within this application, visitor parking, highway safety, access and existing levels of on-street parking would form part of the consideration of any further application to develop this site which has taken into consideration the in principle objection to the existing proposal on design grounds.

- 5.40 The correspondence between Taylor Wimpey and residents of Elswick Park and whether residents have been misled or not are not relevant to the determination of this application. There is no restriction on any planning applications for either housing or community uses being submitted on this site.
- 5.41 Whilst it is recognised that the site provides an informal play area, the development as proposed falls under the threshold for contributions towards public open space or play equipment.
- 5.42 The planning system works within the public interest and for this application profit of the developer is not relevant in the determination of this application. Affordable housing is required on site to provided for local need.
- 5.43 Residents are at liberty to lobby their MP about planning matters although the decision lies with the Local Planning Authority.

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 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 that planning permission be **REFUSED** for the reasons listed below.

Contact Officer: Griff Bunce
Tel. No. 01454 863438

REFUSAL REASON (OUTLINE)

1. The proposed development fails to reach the highest possible standards of site planning and design and represents a contrived and inefficient use of land in close proximity to Yate town centre where higher density housing is considered to be achievable and sustainable. It has not been demonstrated that a greater housing density cannot be achieved on this site. It has not been demonstrated that a road of the grade proposed is required to serve the development or that adequate parking and turning facilities are proposed. It has not been demonstrated that the proposed properties would benefit from a good standard of residential amenity. The proposed development is therefore contrary to policies CS1, CS4A, CS8, and CS16 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013, the provisions of the National Planning Policy Framework March 2012, and the South Gloucestershire Design Checklist SPD (Adopted) August 2007.

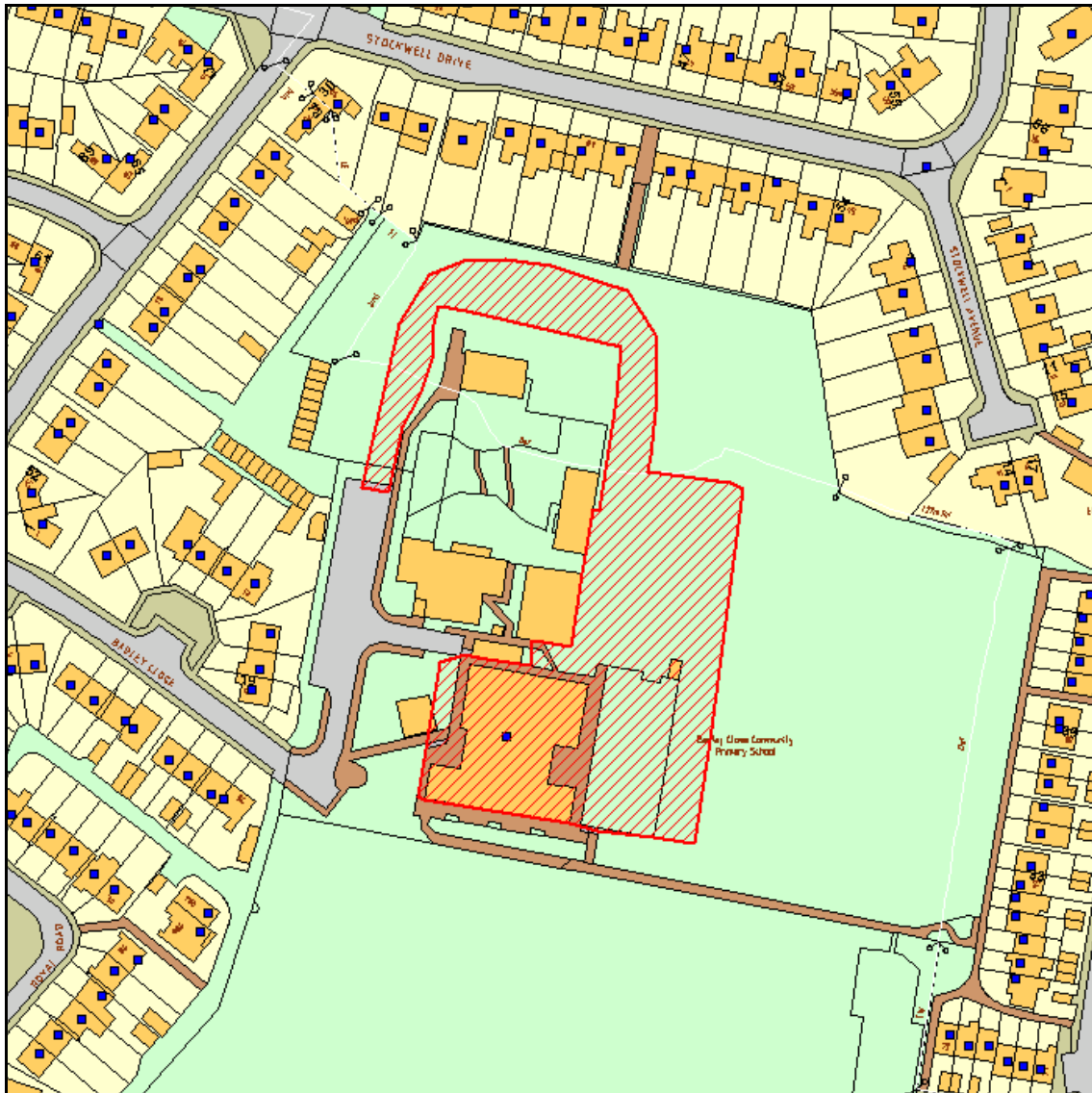
REFUSAL REASONS (FULL)

1. **The applicant has failed to demonstrate, in the absence of sufficient information regarding layout and scale or certainty that the provision of a community building would be forthcoming, that the land made available for the proposed community building is capable of accommodating a community use as well as the required associated infrastructure, or that the proposed building would meet the highest possible standards of site planning and design on a site that makes a key contribution to the character and appearance of the town centre or would make an acceptable contribution to a high quality street scene. The proposed development is therefore contrary to policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013, the provisions of the National Planning Policy Framework March 2012, and the South Gloucestershire Design Checklist SPD (Adopted) August 2007.**
2. In the absence of a section 106 agreement to secure 35% on-site affordable housing, the proposed development is contrary to policy CS18 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013, the provisions of the National Planning Policy Framework March 2012, and the Affordable Housing and Extra Care Housing SPD (Adopted) May 2014.
3. **In the absence of a section 106 agreement to secure £45,896 towards the provision of additional primary school places, the proposed development is contrary to policy CS6 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 and Policy LC2 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies).**

ITEM 2

CIRCULATED SCHEDULE NO. 38/14 – 19 SEPTEMBER 2014

App No.:	PK14/2904/RVC	Applicant:	South Glos. Council
Site:	Barley Close Primary School Barley Close Mangotsfield Bristol South Gloucestershire BS16 9DL	Date Reg:	26th August 2014
Proposal:	Variation of condition 5 attached to planning permission PK14/1187/R3F to substitute drawing numbers listed with drawings 3716/224B, 225A, 226A, 227A and 228A.	Parish:	None
Map Ref:	366161 176730	Ward:	Rodway
Application Category:	Minor	Target Date:	16th October 2014



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REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application appears on the Circulated Schedule in accordance with the Councils Scheme of Delegation as the applicant is South Gloucestershire Council itself.

1. THE PROPOSAL

- 1.1 The application site is situated within the residential suburb of Mangotsfield. The site comprises a primary school with associated school buildings and large playing field. A separate nursery and sure start centre are also located within the site. The site is bounded by residential development on all sides with rear gardens facing into the site. The site is accessed via Barley Close, a residential cul de sac, which is subject of traffic control measures to prevent school traffic from using the road. A designated off street parents parking area is situated in the south east corner of the site.
- 1.2 South Gloucestershire has Deemed Consent for development of a permanent classroom block measuring approximately 27 metres by 20 metres and an extension to the existing hard playground area to the East of the main school building.
- 1.3 This application proposes the variation of the existing Deemed Consent (PK14/1187/R3F) by virtue of the submission of revised drawings to substitute approved drawings secured by way of condition (Condition 5). The effect of the revisions are such that the overall height of the floor slab and corresponding structure would be raised by 550 mm. This is to allow the introduction of a gravity drainage system instead of the mechanical system initially proposed.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012

2.2 Development Plans

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

T12 Transportation Development Control Policy for New Development

T8 Parking Standards (non-residential)

LC4 Proposals for Educational and Community Facilities within Existing Urban Areas

L1 Landscape Protection and Enhancement

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design

CS8 Improving Accessibility

CS9 Managing the Environment and Heritage

CS23 Community Facilities and Cultural Heritage

2.3 Supplementary Planning Guidance

The South Gloucestershire Design Checklist SPD (adopted)

3. **RELEVANT PLANNING HISTORY**

- 3.1 PK14/1187/R3F Erection of new classroom block with landscaping and associated works.
Approved (11th July 2014)
- 3.2 PK03/2022/R3F Erection of new nursery unit, 3 no. classrooms, office and amenities with car parking and associated works.
Approved (29th September 2003)
- 3.3 PK10/1383/R3F Erection of single storey front extension to form additional sure-start facilities.
Approved (16th July 2010)
- 3.4 PK11/1557/R3F Erection of single storey Elliott Classroom Block with associated works. Construction of tarmac play area.
Approved (22nd July 2011)
- 3.5 PK12/4208/R3F Erection of stand alone Nursery Classroom
Approved (22nd March 2013)

4. **CONSULTATION RESPONSES**

- 4.1 Mangotsfield Rural Parish Council
No objection.

Other Representations

- 4.2 Local Residents
No comments have been received
- 4.3 Coal Authority
No comment is received however No Objection was raised against the previous application (PT14/1187/R3F). The CA requested that standard informatives are added to any approval of this application. Such and informative can be re-applied in the event that this application is approved.
- 4.4 Landscape Officer
In relation to the previous planning application (PT14/1187/R3F) no objection was raised in principle subject to a condition requiring a detailed planting and landscaping plan. Such a condition would apply to this application in the event that it is approved

- 4.5 Drainage Engineer
In relation to the previous planning application (PT14/1187/R3F) no objection was raised in principle subject to the use of Sustainable Drainage Measures (SuDS). Since the determination of the previous application, further drainage details have been submitted to satisfy the condition applied. This can be considered as part of this application.
- 4.6 Sustainable Transport Team
No Objection in principle subject to a condition requiring continued evolution of the submitted School Travel Plan.
- 4.7 Crime Prevention Design Advisor (Police Authority)
In relation to the previous planning application (PT14/1187/R3F) no objection was raised. The CPDA advised that doors and windows are police approved Secured by Design standard (PAS 24 or LPS1175 SR2). An informative can be added to this application drawing attention to this advise should the application be approved.

5. ANALYSIS OF PROPOSAL

- 5.1 The proposed development details the provision of a new school classroom within the grounds of an established primary school. The school is within the Bristol East Fringe Urban Area.
- 5.2 Principle of Development
The principle of the development has been established by the previous approval under planning application PK14/1187/R3F. The proposed amendments to the approved development affect only the height of the building. All other aspects (such as the access, size of the building and elevational design) remain the same as approved. On this basis, the only matter for consideration as part of this application is the impact of the increased height of the building in visual terms and in terms of the relationship of the building with the surrounding residential properties. This is addressed below
- 5.3 Design and Visual Appearance Considerations
The proposed building is single storey and relatively modest in scale. The design is of a contemporary style with corresponding mono-pitched roof. The requirement to make the building highly efficient and effective as a teaching space has informed the design of the building which is functional but well detailed and uses appropriate materials. The building is typical of modern school building architecture and is considered to be well designed.
- 5.4 The scope of the design of the building as approved has not changed. The floor level and overall height of the building is proposed to be increased by approximately ½ metre to facilitate the use of gravity drainage systems rather than mechanical drainage systems. The development is to be located centrally within the school grounds well away from the nearest residential buildings surrounding the site. The only height reference on the site itself is the existing school complex. The approved building would be similar in height the existing

buildings. The overall increase of the height of the building when compared to the approved height is not considered to be excessive.

The impact of the increase would not be significant in long views across the site or in close proximity. It is considered that the overall scale of the building when compared to others on the school complex would not change significantly. In design and visual terms, it is considered that the change is acceptable. Furthermore, had the initial proposal been at the height now proposed, it is very likely that the development would still have been approved.

5.5 Residential Amenity

The position of the building has not changed as part of this amendment. It is considered that the increased height of the building would not have a materially greater affect on the amenity and privacy of the occupants of the dwellings located around the school grounds when compared to the previously approved development.

5.6 Drainage

The proposal to increase the height of the building by approximately ½ metre is to allow the use of gravity flow in the drainage system used in the building. This would be in place of a mechanical system would be required to be used with the currently approved floor level. It is considered that a gravity flow system is acceptable; and would generally be preferable to a mechanical system. The used of a gravity flow drainage system would also be more cost effective and more effective in terms of energy use. Furthermore, the exact details of this are ultimately a matter for consideration as part of the building regulation legislation.

5.7 As part of the previously approved application (PK14/1187/R3F) there is a requirement to submit details of the measure to be used for the drainage of the building and site. This detail has been submitted and is acceptable. On this basis, any approval of this application will be subject to a compliance condition such that the development continues in accordance with the agreed details.

5.8 Transportation, Highway Safety and Amenity

The proposed increase in the height of the building would have no impact in transportation/highway safety terms. However, as part of the previous approval, there is a requirement to submit a revised School Travel Plan to demonstrate how the school would encourage sustainable measures for getting to the school. This remains relevant and as such this condition should be carried forward onto any decision to approve this planning application. Subject to this condition, the proposal 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 The decision made under PK14/1187/R3F is varied 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. Travel Plan

Within 12 months of the first occupation of the development hereby approved, a revised School Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be operated in accordance with the agreed School Travel Plan. For the avoidance of doubt, the School Travel Plan shall incorporate a full scheme of annual monitoring for all travel movements and behaviours and shall include detailed analysis of cycle and car parking occupancy with the adoption of aims, objectives and targets to create modal shift away from car born travel. The School Travel Plan shall thereafter be updated annually for a period of five years with all approved measures implemented and monitored for submission to the Local Planning Authority.

Reason

To promote sustainable modes of travel to the school in the interests of highway safety and amenity and to accord with saved policy T12 and LC4 of the South Gloucestershire Local Plan (Adopted) January 2006 and Policies CS8 and CS23 of the South Gloucestershire Local Plan; Core Strategy (adopted) December 2013.

3. Landscape/Planting Plan

Notwithstanding the submitted details, a detailed landscaping and planting plan shall be submitted to the Local Planning Authority within 6 months of the date of this planning permission. The agreed landscaping and planting shall be implemented in the first planting season following completion of the development hereby approved and thereafter retained and maintained as such. Any planting that dies, becomes

diseased or is removed for any other reason within the first three years shall be reinstated in the next available planting season.

Reason

In the interests of the character and visual amenity of the site and the surrounding locality and to encourage high quality development in accordance with saved policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006 and policies CS1 and CS9 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013.

4. SuDS

The development shall be implemented in accordance with the measures identified in the Ground Investigation Report, SuDS Design and the Drainage Plan (SK200) in relation to this site as received by the Local Planning Authority on 15th August 2014. Thereafter the development shall be retained as such.

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with policies CS9 of the South Gloucestershire Local Plan; Core Strategy (Adopted) December 2013

5. Plans

The development shall be implemented strictly in accordance with the following drawings;

3716-201 Rev A
3716-202
3716-203
3716-222 Rev A
3716-223

as received by the Local Planning Authority on 11th April 2014, and;

3716-224 Rev B
3716-225 Rev A
3716-226 Rev A
3716-227 Rev A
3716-228 Rev A

as received by the Local Planning Authority on 24th July 2014.

Reason

To ensure that the development is carried out in accordance with the proposals as assessed by the Local Planning Authority.

ITEM 3

CIRCULATED SCHEDULE NO. 38/14 – 19 SEPTEMBER 2014

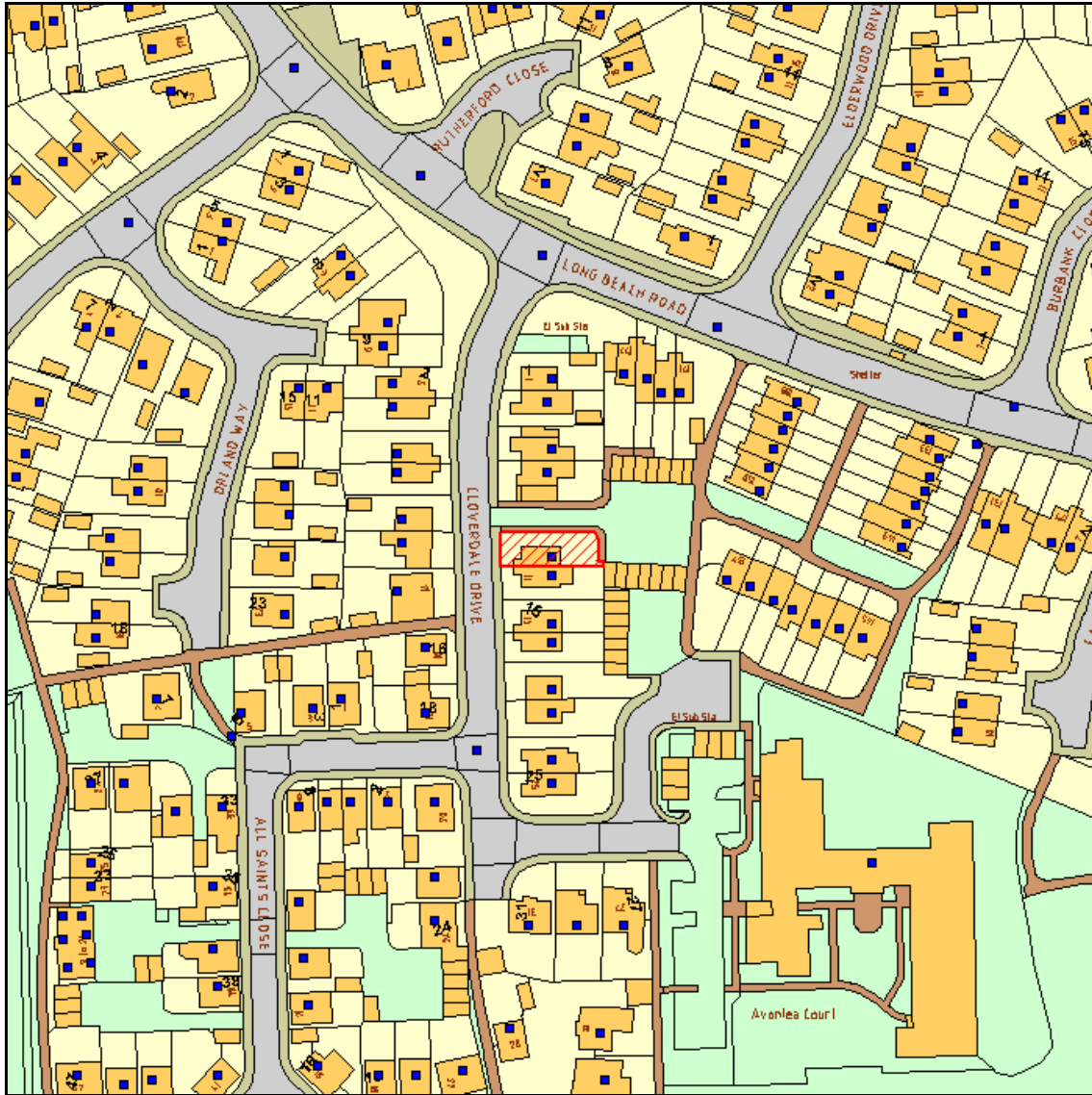
App No.: PK14/2921/PDR
Site: 9 Cloverdale Drive Longwell Green
South Gloucestershire BS30 9XZ
Proposal: Erection of detached garage.

Applicant: Dr Christine Jones
Date Reg: 8th August 2014

Parish: Oldland Parish
Council

Map Ref: 366230 171266
Application Category: Householder

Ward: Longwell Green
Target Date: 30th September
2014



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100023410, 2008. **N.T.S.** **PK14/2921/PDR**

REASON FOR SUBMISSION TO THE CIRCULATED SCHEDULE

This application has been submitted to the Council's Circulated Schedule procedure following a representation from the Parish Council which is contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 The application seeks planning permission for the erection of a detached garage within the residential curtilage of 9 Cloverdale Drive in Longwell Green, which is a well established residential area.
- 1.2 The garage is proposed to be 4.95 metres in length, 2.59 metres in width and 2.21 metres tall at the highest point, sloping down to 2 metres at the rear.

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

3. RELEVANT PLANNING HISTORY

- 3.1 K1088/10 Approve with conditions 01/11/1977
Erection of 348 dwellinghouses. Construction of road & footpaths. Associated garages, parking spaces & open space. Landscaping scheme. (Previous ID: K1088/10)

This application removed the permitted development rights for the property under condition (e) –

'Notwithstanding the provisions of the Town and Country Planning General Development Order 1977, no walls, fences or other structures of any kind shall be erected without the prior consent of the District Planning Authority.'

- 3.2 K1088/6 Approval 19/08/1977
Residential development on approximately 87 acres. Construction of estate roads and footpaths.

4. CONSULTATION RESPONSES

4.1 Oldland Parish Council
The Parish Council object to the flat roof design.

4.2 Other Consultees

Highway Drainage

No objection subject to an informative on the decision notice.

Other Representations

4.3 Local Residents
None received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy CS1 of the South Gloucestershire Core Strategy (Adopted) December 2013 states that all development will only be permitted where the highest possible standards of design and site planning are achieved. Proposals will be required to demonstrate that they respect and enhance the character, distinctiveness and amenity of the site and its context; is well integrated with existing and connected to the wider network of transport links; safeguards existing landscape/nature/heritage features; and contributes to relevant strategic objectives. Saved Policy H4 of the South Gloucestershire Local Plan is supportive in principle of proposals for alterations and extensions to existing dwellings within their curtilage, providing that the design is acceptable and that there is no unacceptable impact on residential and visual amenity, and also that there is safe and adequate parking provision and no negative effects on transportation. Therefore, the proposal is acceptable in principle but should be determined against the analysis set out below.

5.2 Design

The application site relates to a two storey semi detached dwelling within a corner plot with a tiled gable roof, finished in pale brick, brown hanging tiles and white UPVC windows and doors. The garage is proposed to be 4.95 metres in length, 2.59 metres in width and 2.21 metres tall at the highest point, sloping down to 2 metres at the rear. Whilst usually a flat roof is not considered to be good design, an argument raised in the representation received from the Parish Council, it is considered that in this case a flat roof is acceptable due to the garage's discrete location; it is hidden from view by a 2 metre fence with surrounds the residential curtilage of no. 9, and is also set back in the plot behind the line of the rear elevation. A spar peppledash render has been chosen as the finish which does not match the host dwelling, however as the garage is detached and set back in the plot it is considered to meet the requirements of policy CS1 of the Core Strategy.

- 5.3 Residential Amenity
Residential amenity should not be harmed as a result of development. Amenity should be considered in terms of the application site and all nearby occupiers. Whilst the garage does take up some of the private amenity space available to the occupiers of no. 9 Cloverdale Drive, the footprint is modest and the remaining space available is considered acceptable.
- 5.4 A window is proposed on the north elevation of the garage, but this is not high enough to provide an outlook over the existing fence. The low roof height and positioning in the plot mean that no loss of light will occur, and the proposal is acceptable in terms of policy H4 of the Local Plan.
- 5.5 Transport
The internal measurements of the proposed garage are not large enough to constitute a parking space, as they do not meet the standards details in the Residential Parking Standards SPD. That said, the proposal does not encroach onto existing parking spaces either, and therefore no transportation objection to the proposal is put forward.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 It is recommended to **GRANT** planning permission subject to the conditions listed on the decision notice.

Contact Officer: Trudy Gallagher
Tel. No.

CONDITIONS

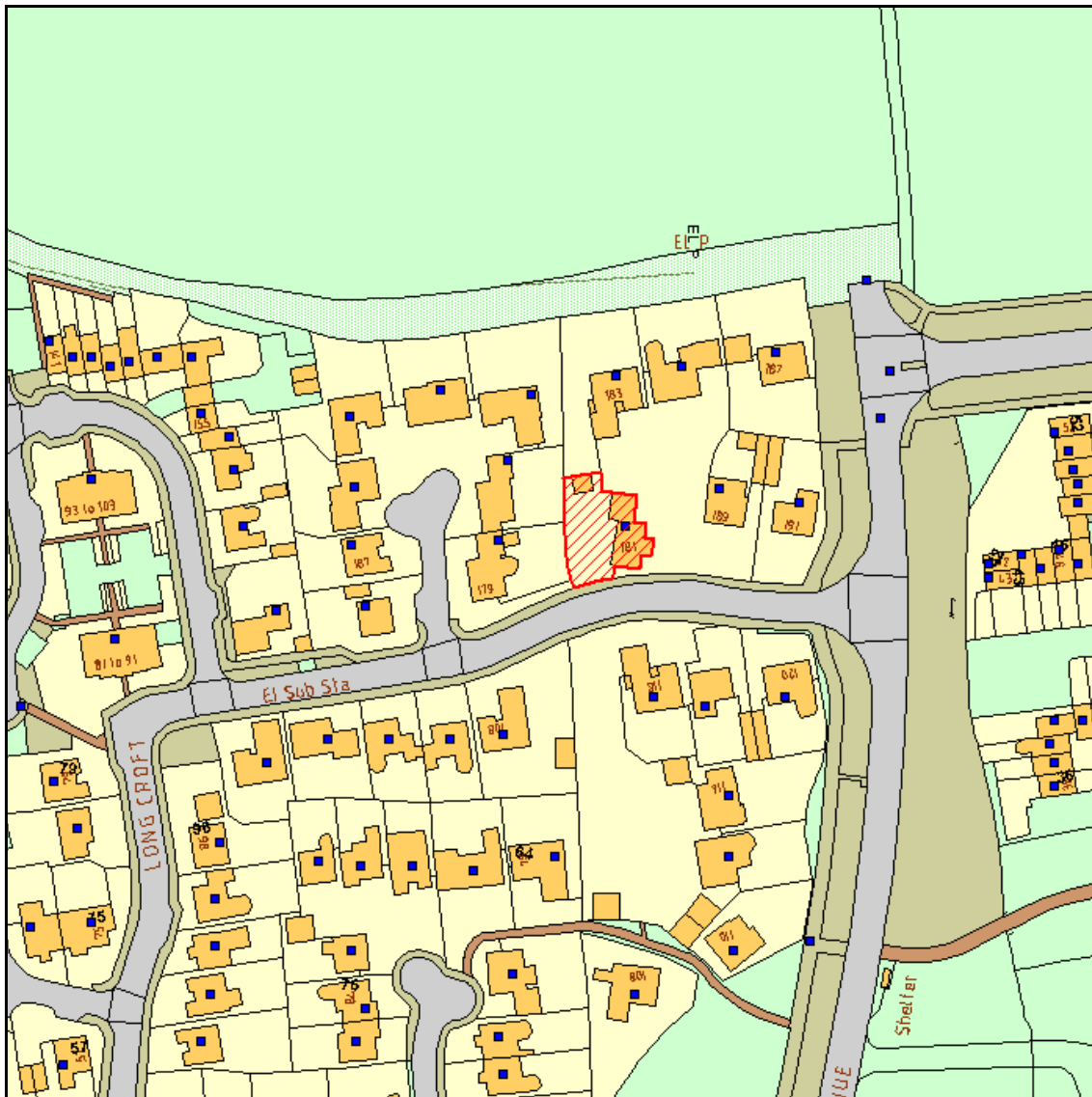
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 38/14 – 19 SEPTEMBER 2014

App No.:	PK14/3056/CLP	Applicant:	Mrs Linda Sykes
Site:	181 Long Croft Yate Bristol South Gloucestershire BS37 7YU	Date Reg:	27th August 2014
Proposal:	Application for a certificate of lawfulness for the proposed conversion of part of the garage to form additional living accommodation.	Parish:	Yate Town Council
Map Ref:	370915 184158	Ward:	Yate North
Application Category:		Target Date:	30th September 2014



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 100023410, 2008. **N.T.S.** **PK14/3056/CLP**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

1.1 The applicant is seeking a formal decision as to whether the proposed conversion of part of the garage to form additional living accommodation would be lawful. This is based on the assertion that the proposal falls within the permitted development rights normally afforded to householders under the Town and Country Planning (General Permitted Development) Order (As Amended) 1995.

1.2 This application is a formal way of establishing whether the proposal requires planning permission or not. Accordingly there is no consideration of planning merit, the decision is based on the facts presented.

2. POLICY CONTEXT

2.1 National Guidance

Town and Country Planning Act 1990 Section 192

Town and Country Planning (General Permitted Development) Order (As Amended) 1995. Schedule 2, Part 1, Class A.

3. RELEVANT PLANNING HISTORY

3.1 PK06/2130/TRE- Works to 1 no. Ash (T73) to crown thin by 25% and crown lift 4m. All covered by South Gloucestershire Tree Preservation Order TPO 383 dated 16th September 1987. Approved with conditions 30th August 2006.

4. CONSULTATION RESPONSES

4.1 Yate Town Council

No comments received

Other Representations

4.2 Local Residents

No comments received

5. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

5.1 The following evidence was received by the Local Planning Authority on received 5th August 2014:

- Application Form
- Existing Block Plan and Site Plan
- Proposed Block Plan and Site Plan
- Existing and Proposed Ground Floor Layout

- ☐ Existing Elevations
- ☐ Proposed Elevations

6. **EVALUATION**

- 6.1 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 planning application is based on the facts presented. The submission is not a planning application and thus the Development Plan is not of relevance to the determination of this application; the decision rests upon the evidence that has been submitted. If the evidence submitted demonstrates that the proposed use is lawful on the balance of probabilities, the Local Planning Authority must grant a Certificate confirming that the proposed development is lawful.
- 6.2 The key issue is to determine whether the proposal falls within the permitted development rights afforded to householders under Schedule 2, Part 1, Class A of the GDPO (As Amended) 1995.
- 6.3 The proposed development consists of the conversion of part of the garage to form additional living accommodation. This includes infilling part of the garage door and installing a door and windows. The converted part of the garage is proposed to be used as a dining room and utility, which would remain within the same use class as the existing (Use Class C3 – Residential dwellings). The proposed use of the garage alone therefore would not constitute development as defined by The Town and Country Planning Act 1990. There are no conditions attached to any of the historic planning applications on the site restricting the use of the attached garage and permitted development rights are intact.
- 6.4 The proposed development stands to be assessed against the criteria of *Schedule 2, Part 1, Class A*, of the Town and Country Planning (General Permitted Development) Order (As Amended) 1995. This allows for the enlargement, improvement or other alteration of a dwellinghouse, provided it meets the criteria as detailed below:

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

- (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 granted permission by virtue of Class IA or MB of Part 3 of this schedule.
- (a) As a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);**
The proposal would not alter the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse).

- (b) **The height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;**
The proposal would not exceed the highest part of the roof.
- (c) **The height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;**
The proposal would not exceed the height of the eaves.
- (d) **The enlarged part of the dwellinghouse would extend beyond a wall which—**
(i) **fronts a highway, and**
(ii) **forms either the principal elevation or a side elevation of the original dwellinghouse;**
The proposal would not extend beyond any wall.
- (e) **The enlarged part of the dwellinghouse would have a single storey and—**
(i) **extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or**
(ii) **exceed 4 metres in height;**
The proposal would not extend beyond any wall.
- (ea) **until 30th May 2016, for a dwellinghouse not on article 1(5) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and—**
(i) **extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or**
(ii) **exceed 4 metres in height;**
The proposal would not extend beyond any wall.
- (f) **The enlarged part of the dwellinghouse would have more than one storey:**
N/A
- (g) **The enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres:**
N/A
- (h) **The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would:**
(i) **exceed 4 metres in height**
(ii) **have more than one storey, or**
(iii) **have a width greater than half the width of the original dwellinghouse; or**

The proposal would not extend beyond any wall.

- (i) It would consist of or include—**
 - (i) The construction or provision of a veranda, balcony or raised platform,**
 - (ii) The installation, alteration or replacement of a microwave antenna,**
 - (iii) The installation, alteration or replacement of a chimney, flue or soil and vent pipe, or**
 - (iv) An alteration to any part of the roof of the dwellinghouse.**
- The proposal does not include any of the above.

A.2. In the case of a dwellinghouse on article 1(5) land, development is not permitted if:

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

The site is not located within article 1(5) land.

CONDITIONS

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

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

The application form states that the garage door would be filled with facing materials to match the dwellinghouse. The proposal is therefore considered to meet this condition.

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

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

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

N/A

A.4.—(1) The following conditions apply to development permitted by Class A which exceeds the limits in paragraph A.1(e) but is allowed by paragraph A.1(ea)...

N/A

7. RECOMMENDATION

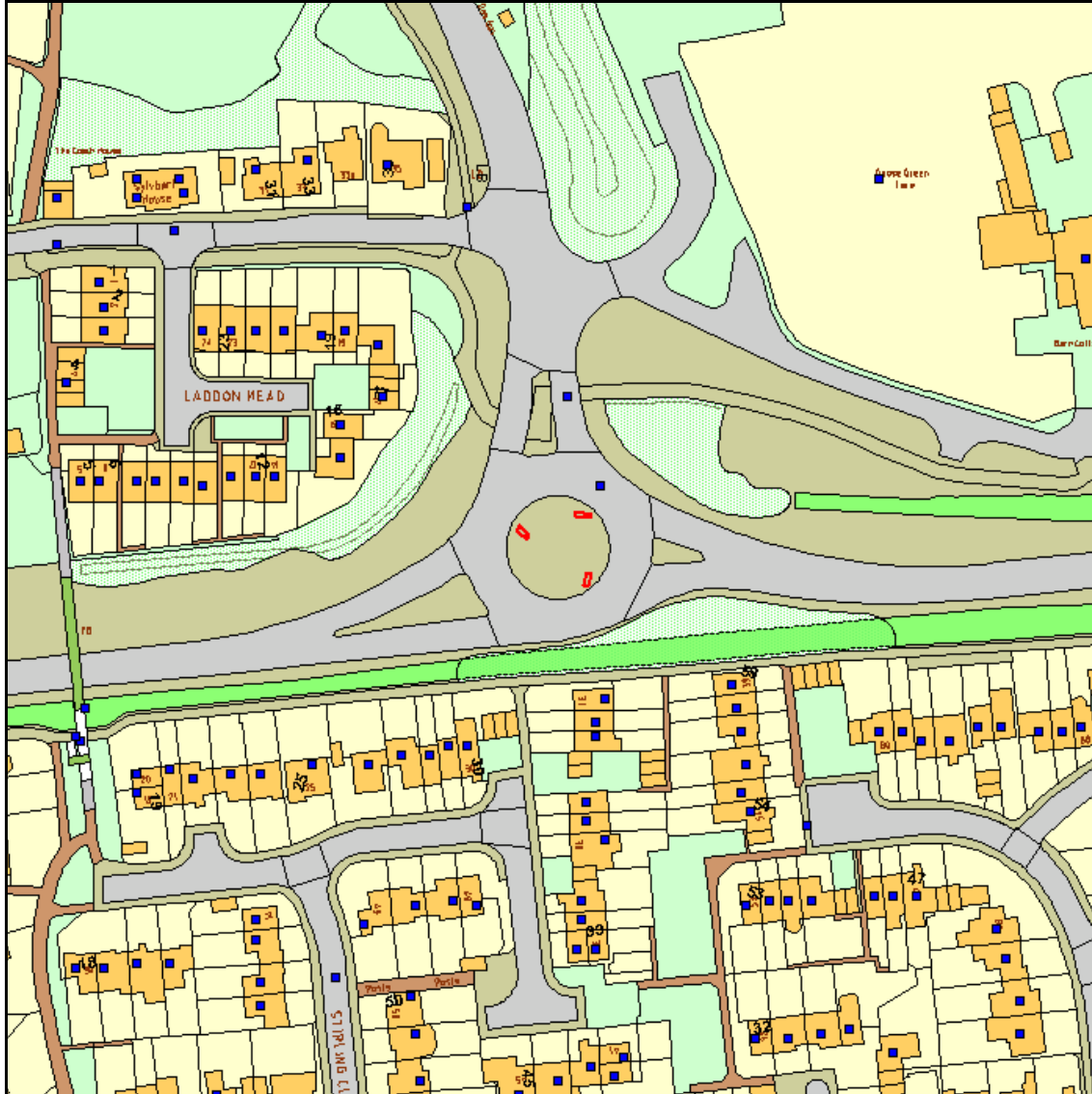
7.1 That a certificate of lawfulness for proposed development is granted for the following reason:

The proposed use of the garage would remain ancillary to the residential unit and as such would not constitute a change of use. The internal arrangements and use of the garage therefore would not constitute development as defined by the Town and Country Planning Act 1990. The infilling of the garage door is considered to fall within the permitted rights afforded to householders under Part 1, Class A of the Town and Country Planning (General Permitted Development) Order (As Amended) 1995 and as such would not require planning permission.

Contact Officer: Hannah Minnett
Tel. No. (01454) 862495

CIRCULATED SCHEDULE NO. 38/14 – 19 SEPTEMBER 2014

App No.:	PK14/3057/ADV	Applicant:	Bommel UK Ltd
Site:	Goose Green Way Roundabout Goose Green Way/Randolph Avenue Yate South Gloucestershire BS37 7LA	Date Reg:	22nd August 2014
Proposal:	Display of 3no. non-illuminated post mounted signs on roundabout.	Parish:	Yate Town Council
Map Ref:	371045 183893	Ward:	Yate North
Application Category:	Minor	Target Date:	30th September 2014



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100023410, 2008. **N.T.S.** **PK14/3057/ADV**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule following comments received by a local resident and the Town Council.

1. THE PROPOSAL

- 1.1 The applicant seeks advertisement consent for the display of 3no. non-illuminated post-mounted signs to be located on the roundabout at Goose Green Way and Randolph Avenue in Yate.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

D1 Achieving Good Quality Design

T12 Transport Development Control

South Gloucestershire Local Plan Core Strategy (Adopted December 2013)

CS1 High Quality Design

- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist – August 2007

3. RELEVANT PLANNING HISTORY

- 3.1 P88/1221 Construction of roundabout and associated access road (in accordance with the amended plans received by the council on 1.6.88)
Approved 24.7.88

4. CONSULTATION RESPONSES

- 4.1 Yate Town Council
Object:
1. Design, visual appearance, landscaping and materials too large, cluttering roundabout and not designed for locality
2. Highway safety – the signs will be a distraction to drivers

4.2 Other Consultees

Sustainable Transport

No objection

Other Representations

4.3 Local Residents

One letter of objection has been received:

- This application does not provide sufficient information about the purpose of the imposition of yet more signage in our semi-rural community. In exchange for sponsorship in this location, which is currently a green oasis, the financial benefit to the community in which these signs will be located, and the purpose to which the funds would be put, need to be clearly stated. Only then can a judgement be made as to whether or not the disadvantages are outweighed by the benefits. This proposal should not be used simply to provide additional SGC Revenue to be used for unspecified purposes that may not provide any benefit to the local community in which the signs are to be displayed.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

As stated in the NPPF, the government attaches great importance to the design of the built environment, citing good design as the key aspect of sustainable development and thereby positively contributing to making places better for people. Developments should function well and add to the overall quality of the area, creating attractive and comfortable places to live, work and visit. It specifically states that poorly placed advertisements can have a negative impact on the appearance of the built environment and should be subject to control in the interests of amenity and public safety, taking account of cumulative impacts. The proposal is deemed to accord with the principle of development and this is discussed in more detail below.

5.2 Sustainable Transport

The Council's Highway Engineer has reviewed this application and notes that it seeks to erect small signs on the roundabout providing a junction between Goose Green Way and Randolph Avenue in Yate. It is understood that these signs form part of the Council's Roundabout Sponsorship Scheme.

Officers note the comment from the Town Council. As these signs are set back from the carriageway, it is Officer opinion that they are unlikely to affect highway safety or visibility at this location and as such are considered acceptable.

5.3 Assessment

The proposal comprises 3 no. non-illuminated signs to be positioned around the perimeter of the roundabout. The signs would measure 1 metre in width and 50 centimetres in height and 30 centimetres from the ground. They would have an aluminium face and steel posts.

5.4 It is noted that this application is one of a series of applications and part of the South Gloucestershire Council's sponsorship scheme. A number of similar applications have already been approved by the Local Planning Authority. No specific details of the wording / sponsor for this location have been provided, but it is stated the non-illuminated signs would be similar in appearance and therefore it would have a white background with blue edging with the words '*Working with the South Gloucestershire Community*' and the South

Gloucestershire Council logo positioned at the bottom of the blue border. Comments received from the Town Council regarding design are noted but the proposed signs match those already given consent under numerous similar applications throughout South Gloucestershire. It is Officer opinion that a refusal could not be substantiated in an appeal situation. Given the above, it is considered that the design and visual appearance of the signs is acceptable.

The comment from the local resident is noted, however, Officers are required to assess the application under current government guidance. As such the issues raised fall outside the remit of a planning application. and cannot be discussed within this report.

5.5 Public Safety

This application is seeking permission for 3no. advertising signs on the roundabout. The proposed signs are considered not to encroach onto the public highway nor do they obstruct a driver's view. They are considered to be of an appropriate height and size and consequently, the impact on highway safety is considered acceptable. There are no highway objections.

5.6 Cumulative Impact

The signs would relate to proposed sponsorship advertisements and given that the proposal is part of a roundabout sponsorship scheme within South Gloucestershire and other similar signs have been placed on other roundabouts, the number of signs proposed in this instance is considered acceptable. Other signs on this roundabout relate to directional signage only and as such , the proposed signs are considered not to result in any harmful cumulative impact.

6. **RECOMMENDATION**

6.1 That advertisement consent is **GRANTED**

Contact Officer: **Anne Joseph**
Tel. No. **01454 863788**

CIRCULATED SCHEDULE NO. 38/14 – 19 SEPTEMBER 2014

App No.:	PK14/3060/ADV	Applicant:	Bommel UK Ltd
Site:	Station Road Roundabout Station Road Yate Bristol South Gloucestershire BS37 4PQ	Date Reg:	22nd August 2014
Proposal:	Display of 3no. non-illuminated post mounted signs on roundabout.	Parish:	Yate Town Council
Map Ref:	370952 182502	Ward:	Yate Central
Application Category:	Minor	Target Date:	30th September 2014



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100023410, 2008. **N.T.S.** **PK14/3060/ADV**

REASON FOR SUBMISSION TO THE CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 This application seeks advertisement consent for the display of three non-illuminated signs on Station Road Roundabout located at the junction of A432, Westerleigh Road, Kennedy Road and Station Road.
- 1.2 The proposed signs consist of an area available for sponsorship surrounded by a border incorporating a community message and the Council's Logo.
- 1.3 The proposed signage is part of a programme of roundabout signage currently being rolled out across the district.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012
The Town and Country Planning (Control of Advertisements) (England) (Amendment) Regulations 2007
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006 (saved policies)
T12 Transportation Development Control
- 2.3 South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design
CS8 Improving Accessibility

3. RELEVANT PLANNING HISTORY

None

4. CONSULTATION RESPONSES

- 4.1 Parish Council
Objection, the comments are as follows:
 - Design, visual appearance, landscaping and materials too large, cluttering roundabout and not designed for locality;
 - Highway Safety – the signs will be a distraction to drivers.
- 4.2 Other Consultees
Transportation Development Control
No comment

Other Representations

4.3 Local Residents

One letter of objection has been received from a local resident. The comments are as follows:

- The application does not provide sufficient information about the purpose of the signage in our semi-rural community;
- The location is a green oasis;
- No information regarding financial benefit of the signage has been clearly stated;
- This proposal should not be used simply to provide additional SGC revenue to be used for unspecified purposes that may not provide any benefit to the local community.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Guidance within the National Planning Policy Framework states control over outdoor advertisements should be efficient, effective and simple. The guidance goes on to state advertisements should be controlled in the interests of amenity and public safety, taking account of cumulative impacts. Design and design quality CS1 of the Core Strategy. Public safety is assessed using saved policy T12 of the Local Plan to ensure that the signage is not detrimental to highway safety or presents a traffic hazard.

5.2 Design and Amenity

Three very simple signs are proposed which consist of a sign plate with a border, a community message in white lettering, and a small version of the Council's logo; the central area is left blank available for the sponsor's message. The sign plate is post mounted; with the posts set behind the sign face.

The signs measure 1 metre wide by 0.5 metres high; set 0.3 metres above the surface. Excluding the border, the area available for the sponsor's message measures 0.97 metres wide by 0.43 metres high.

Combining the small size of the signage, the simple physical signage and the surrounding area, the proposed signage would not be detrimental to the visual amenity of the area.

5.3 Public Safety

The applicant has engaged in pre-application advice with the transportation development control team. The design is fairly simple and the signs themselves are relatively small, therefore the proposal is not considered to be a distraction to drivers. Accordingly, there is no objection to the proposed signage on highway grounds.

5.4 Cumulative Impact

The proposal has been considered cumulatively within the locality. Currently the roundabout only has three directional road signs facing the oncoming roads. The introduction of three signs, modest in size, has been considered cumulatively and it is considered that they would not result in a cluttered roundabout which is detrimental to visual amenity or highway safety.

5.5 Further Matters

Financial concern relating to subsequent financial reward is not a material planning consideration.

6. **CONCLUSION**

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

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

7. **RECOMMENDATION**

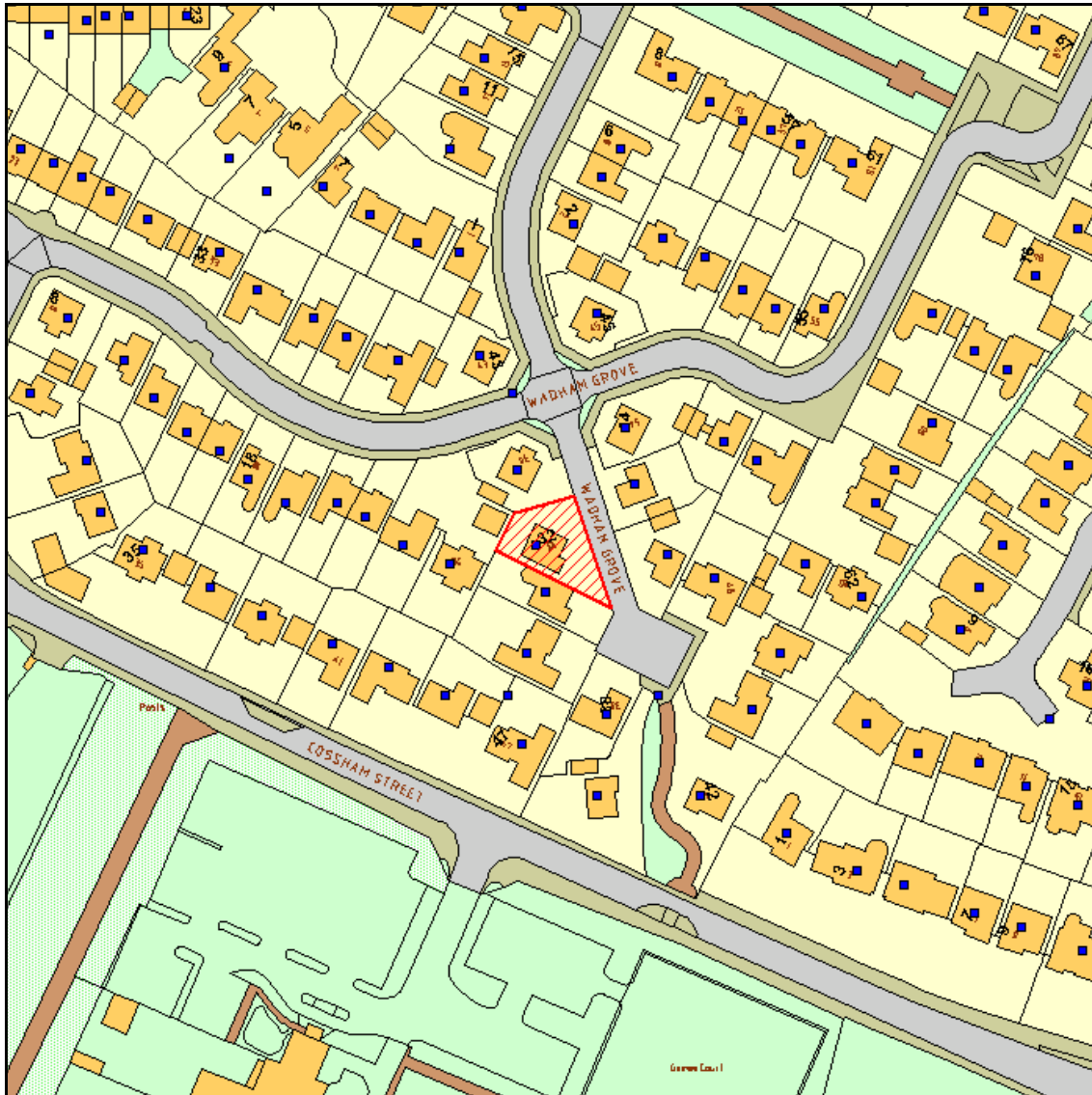
7.1 That the application is **APPROVED** subject to the conditions on the decision notice.

Contact Officer: Matthew Bunt
Tel. No.

ITEM 7

CIRCULATED SCHEDULE NO. 38/14 – 19 SEPTEMBER 2014

App No.:	PK14/3156/F	Applicant:	Mrs K Wadham
Site:	32 Wadham Grove Emersons Green South Gloucestershire BS16 7DW	Date Reg:	27th August 2014
Proposal:	Erection of two storey side extension to provide additional living accommodation with associated works	Parish:	Mangotsfield Rural Parish Council
Map Ref:	366825 176158	Ward:	Emersons Green
Application Category:	Householder	Target Date:	9th October 2014



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has received a consultation which goes against officer recommendation and as such, is required to be taken forward under the Circulated Schedule.

1. THE PROPOSAL

- 1.1 The application seeks permission for the erection of a two storey side extension.
- 1.2 The application site consists of a modern detached dwelling and garage in the established residential area of Wadham Grove, Emersons Green. A very similar two storey side extension was granted in 2012 on the opposite side of the road (54 Wadham Grove).

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework 2012
National Planning Policy Guidance 2014
- 2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006
D1 Achieving Good Quality Design in New Development
H4 Development within the Curtilage of a Dwelling
T12 Transportation Development Control Policy

South Gloucestershire Local Plan Core (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 No relevant planning history.

4. CONSULTATION RESPONSES

- 4.1 Mangotsfield Parish Council
Objection.
The proposal would be disproportionate to dwellings in the surrounding area, result in overdevelopment of the site and would leave inadequate amenity space for the dwelling.
- 4.2 Highway Drainage

No comment.

4.3 Sustainable Transport

No objection.

4.4 Community Spaces

No objection. There is a strip of public open amenity grass to the front of the property which should be protected against damage during the development process.

Considering this, a condition will be imposed upon this permission to ensure the amenity space is protected.

Other Representations

4.5 Local Residents

No comments received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The proposal consists of a two storey extension within an existing residential curtilage and as such, the proposal is acceptable under Saved policy H4 of the South Gloucestershire Local Plan (Adopted) 2006, subject to considerations of visual amenity, residential amenity and highway safety. Furthermore, CS1 of the Core Strategy seeks that the siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the application site and its context.

5.2 Visual Amenity

The existing building is a modern detached dwelling with contemporary detailing throughout. The dwelling has a pitched and hipped roof arrangement and displays timber detailing consistent with the character and appearance of the surrounding housing estate.

5.3 The proposed development would introduce a new wing to the north of the dwelling. The extension would be set back from the principal elevation and have a dropped ridgeline, and has therefore been designed to be subservient to the existing dwelling. The proposed materials are designed to match the existing dwelling, thus are materially in keeping with the character of the main dwelling house and surrounding properties. Furthermore, the size and scale of the extension is considered to be appropriate in comparison to the existing dwelling and surrounding area on the basis that a very similar scale two storey side extension was approved in 2012 on the opposite side of the road, on a plot of a very similar size. Overall, it is considered that the proposed extension is acceptable in terms of visual amenity.

5.4 Residential Amenity

The existing dwelling is positioned in an irregular shaped plot with a generous area of garden to the side. As such, the nearest neighbour to the proposal

(No.30) is perpendicular to No.32 with only the stairwell/landing window facing the side elevation of the extension which does not include any windows.

Furthermore, the neighbouring dwellings to the rear of the application site are separated by a detached double and single garage. On this basis, it is considered that the proposed two storey extension would not have a materially greater impact upon the existing relationship of the subject dwelling and its neighbours. It is also considered that an adequate area of outside private amenity space would be retained for the occupants of the subject dwelling.

5.5 Transportation

The proposal includes adding a fourth bedroom to the dwelling. Given that there are two off-street parking spaces available on the site, it is considered that adequate off-street parking provision would exist to serve the property such as to meet the Council's adopted parking requirements for the dwelling.

6. CONCLUSION

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

6.2 It is concluded that the design proposed development is acceptable and it would not result in a material impact upon the privacy and residential amenity of the occupants of nearby dwellings. It is also concluded that the proposed development would not have a material impact upon highway safety and amenity in the surrounding locality. The proposed development complies with Policy D1, H4 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

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

7. RECOMMENDATION

7.1 That planning permission is approved subject to the conditions on the decision notice.

Contact Officer: Hannah Minnett
Tel. No. (01454) 862495

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).

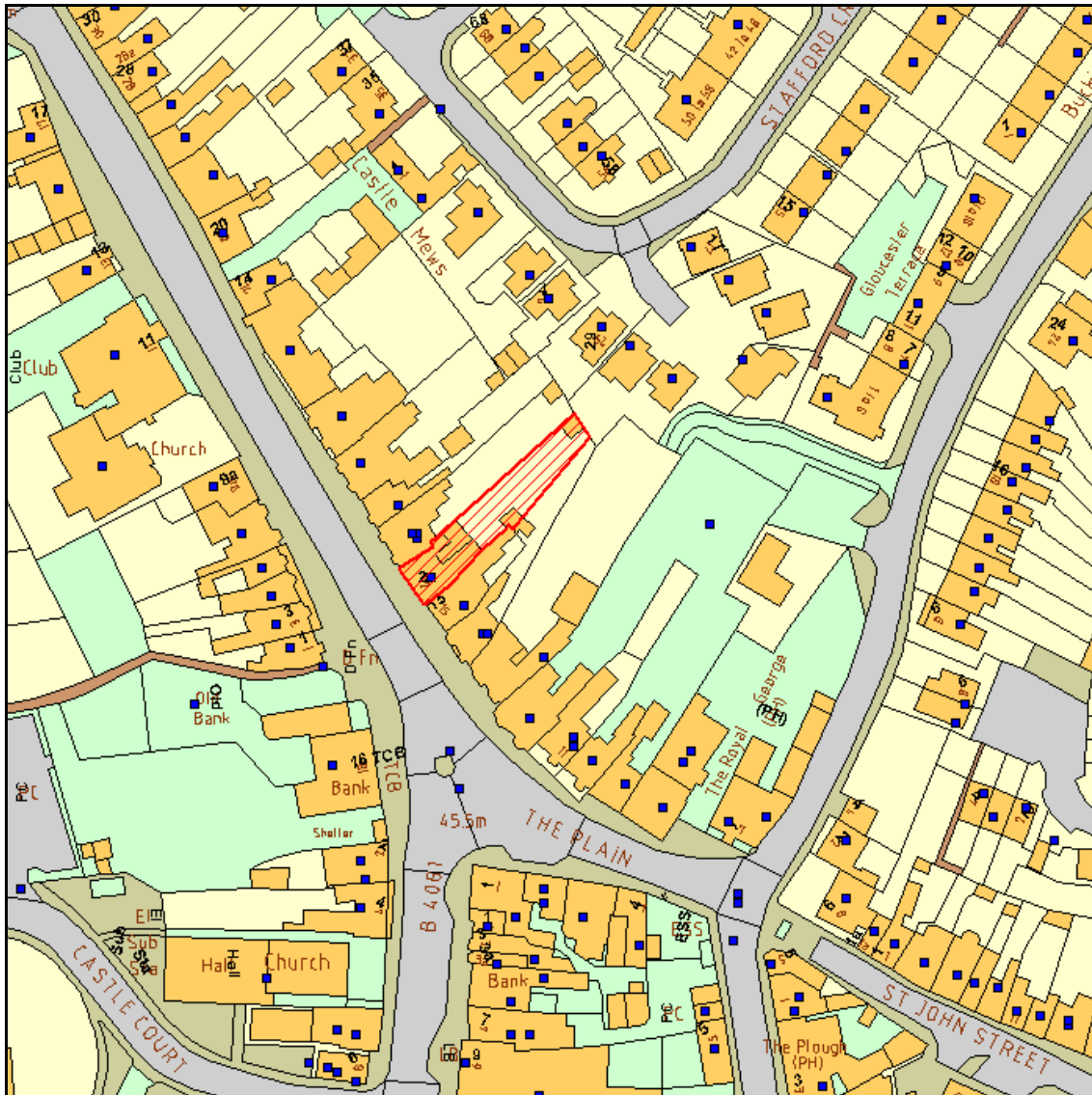
2. The works hereby permitted shall not cause any damage to the public open space amenity grass to the front of the dwelling at any stage throughout the development process. Any damage caused to this space as a result of the development must be repaired and grass should be re-instated to a suitable standard following the construction works.

Reason

To ensure the continuity of visual amenity afforded by the public open space located at the front of 32 Wadham Grove and to accord with Policy L5 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 38/14 – 19 SEPTEMBER 2014

App No.:	PT14/2128/LB	Applicant:	Romys Kitchen
Site:	Romys Kitchen 2 Castle Street Thornbury South Gloucestershire BS35 1HB	Date Reg:	15th July 2014
Proposal:	External works to cover/paint flue including erection of posts and willow screen. (Part Retrospective).	Parish:	Thornbury Town Council
Map Ref:	363676 190224	Ward:	Thornbury North
Application Category:	Minor	Target Date:	29th August 2014



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 100023410, 2008. **N.T.S.** **PT14/2128/LB**

REASON FOR REFERRING TO CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule following the receipt of an objection from a local resident, the concerns raised being contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The application site comprises the ground floor of a three-storey building located in Castle Street close to 'The Pump' in The Plain, Thornbury. The building is Grade II listed. A corresponding planning application PT14/2231/F is also being considered on the Circulated Schedule.

- 1.2 Planning permission PT11/2136/F and listed building consent PT11/2138/LB was previously granted for internal and external alterations to the ground floor of both 2 and 2A Castle Street to form a ground floor, café/restaurant (Class A3). As a result of the need to vent the proposed use an extraction flue was proposed and this was to be routed from the proposed kitchen (at ceiling level), exiting the building from the rear W.C., and running along the boundary wall in to the store building and through the roof of this.

- 1.3 Due to the subsequent size of the filters required, the flue could not be routed inside the kitchen. This section of the flue has been re-routed outside the kitchen and in this respect the application is in part retrospective, the flue being already operative. In order to screen the flue, a willow screen is now proposed, which would be supported on two oak posts.

2. POLICY CONTEXT

- 2.1 National Guidance
Planning (Listed Buildings and Conservation Areas) Act 1990
The National Planning Policy Framework 27th March 2012
The National Planning Practice Guidance 2014

3. RELEVANT PLANNING HISTORY

- 3.1 N2759 Change of use of premises from shop and residential to offices.
Approved

- N2759/1 Change of use of first floor (rear) to Dog Grooming Centre with ancillary use for retail sales of dog grooming equipment. Approved

- P85/1550 Use of premises as dog grooming centre.(Renewal of temporary consent) Appraised

- P86/1634 Use of premises as chiropody surgery (part of building). Approved

P86/3002 Change of use of one room at first floor level from office to treatment room in connection with alternative (homeopathic) medicine. Approved

P88/1960 Use of premises as dog grooming centre (renewal of temporary consent) Appraised

P89/1927 Use of premises as dog grooming centre Approved

P89/2142 Change of use of part of building to use as property consultant agency (class A2 as defined in the town and country planning (use classes) order 1989) Approved

P90/1517/L Re-Roofing, of building, repair to chimney stack; re-rendering. Consent

P90/2145 Alterations and renovation of existing building, erection of first floor extension including installation of two skylights to form offices (as defined in class B1 of the town and country planning (use classes) order Approved

P90/2146/L Alterations and renovation of existing building. Erection of first floor extension including installation of two skylights to form offices (as defined in class B1 of the town and country planning (use classes) order 1987). Approved

P92/1131 (2nd Floor) Change of use of first floor premises from office to residential. Approved

P92/1132/L Internal alterations (to include the blocking of existing stairway and formation of shower cubical) to facilitate change of use of first floor accommodation from office to residential. Approved

PT04/1979/F Change of use from antique shop (Class A1) to financial and professional services (Class A2) as defined in the Town and Country Planning (Use Classes) Order 1987). (Retrospective).

PT11/2138/LB Internal and external alterations including installation of extraction flue to facilitate the conversion to restaurant/cafe. Pending consideration.
Consent 9th December 2011

PT11/2136/F Change of use from Financial and Professional services (Class A2) to Restaurant/Café (Class A3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). Installation of extraction flue.
Approved 21st July 2011

4. CONSULTATION RESPONSES

4.1 Thornbury Town Council
No objection

Other Representations

- 4.2 Conservation Officer
No objection

Various Conservation Groups
No responses

- 4.3 Local Residents

Correspondence from the owner of 4 Castle Street has been received as follows:

I have no objection to the screening of the flue. However I wonder if the screening will trap residues that will attract more flies, as that is currently a problem in the local area.

This letter refers in part to matters relevant to the planning application and as such those matters are dealt with under reference PT14/2231/F.

5. ANALYSIS OF PROPOSAL

The only matter for consideration in this listed building application is the impact on the special architectural and historic character of the Listed Building.

- 5.1 Design and Impact on the Listed building and Conservation Area

The flue and its screen is located to the rear of the building and is not visible from the public realm. It only affects the Victorian range and as such has little impact on the most historical fabric of the building. The proposed willow screen is considered appropriate. Furthermore the flue would be painted black with additional willow screening on the adjacent fence. Additional screen planting has also been secured via a condition (9) attached to the original consent PT11/2136/F. There would therefore be no adverse impact on the special architectural and historic character of the Listed 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 grant Listed Building consent 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 Listed building consent be approved subject to the conditions listed on the Decision Notice.

Contact Officer: Roger Hemming
Tel. No. 01454 863537

CONDITIONS

1. The Willow Screen hereby permitted shall be erected before the expiration of 90 days from the date of this consent.

Reason

To safeguard the special architectural and historic character of the building, and to accord with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

CIRCULATED SCHEDULE NO. 38/14 – 19 SEPTEMBER 2014

App No.:	PT14/2231/F	Applicant:	Mrs Romy Gill
Site:	Romys Kitchen 2 Castle Street Thornbury South Gloucestershire BS35 1HB	Date Reg:	15th July 2014
Proposal:	Installation of extraction flue. (Amendment to previously approved scheme (PT11/2136/F). Erection of oak posts and willow screen. (Part Retrospective).	Parish:	Thornbury Town Council
Map Ref:	363676 190224	Ward:	Thornbury North
Application Category:	Minor	Target Date:	29th August 2014



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REASON FOR REFERRING TO CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule following the receipt of objections from two local residents, the concerns raised being contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The application site comprises the ground floor of a three-storey building located in Castle Street close to 'The Pump' in The Plain, Thornbury. The building is Grade II listed. A corresponding application for Listed Building Consent PT14/2128/F is also being considered on this Circulated Schedule.
- 1.2 Planning permission PT11/2136/F and Listed Building consent PT11/2138/LB was previously granted for internal and external alterations to the ground floor of both 2 and 2A Castle Street to form a ground floor, café/restaurant (Class A3). As a result of the need to vent the proposed use, an extraction flue was proposed and this was to be routed from the proposed kitchen (at ceiling level), exiting the building from the rear W.C., and running along the boundary wall in to the store building and through the roof of this.
- 1.3 Due to the subsequent size of the filters required, the flue could not be routed inside the kitchen. This section of the flue has therefore been re-routed outside the kitchen and in this respect the application is in part retrospective, the flue being already operative. In order to screen the flue a willow screen is now proposed which would be supported on two oak posts.

2. POLICY CONTEXT

2.1 National Guidance

Planning (Listed Buildings and Conservation Areas) Act 1990
The National Planning Policy Framework 27th March 2012
The National Planning Practice Guidance 2014

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

L1 Landscape Protection and Enhancement

L12 Conservation Areas

L13 Listed Buildings

RT10 Changes of Use of Retail Premises Within Secondary Shopping Frontages in Town Centres

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

CS1 High Quality Design

CS9 Managing the Environment and Heritage

Emerging Plans

The Policies Sites and Places Development Plan Document (Draft) June 2014

PSP1 - Local Distinctiveness

PSP2 - Landscape

PSP17 - Heritage Assets and the Historic Environment

PSP20 - Flood Risk, Surface Water and Watercourse Management

2.3 Supplementary Planning Guidance

The South Gloucestershire Design Checklist (SPD)

3. RELEVANT PLANNING HISTORY

3.1 N2759 Change of use of premises from shop and residential to offices.
Approved

N2759/1 Change of use of first floor (rear) to Dog Grooming Centre with ancillary use for retail sales of dog grooming equipment. Approved

P85/1550 Use of premises as dog grooming centre.(Renewal of temporary consent) Appraised

P86/1634 Use of premises as chiropody surgery (part of building). Approved

P86/3002 Change of use of one room at first floor level from office to treatment room in connection with alternative (homeopathic) medicine.
Approved

P88/1960 Use of premises as dog grooming centre (renewal of temporary consent) Appraised

P89/1927 Use of premises as dog grooming centre Approved

P89/2142 Change of use of part of building to use as property consultant agency (class A2 as defined in the town and country planning (use classes) order 1989) Approved

P90/1517/L Re-Roofing, of building, repair to chimney stack; re-rendering.
Consent

P90/2145 Alterations and renovation of existing building, erection of first floor extension including installation of two skylights to form offices (as defined in class B1 of the town and country planning (use classes) order Approved

P90/2146/L Alterations and renovation of existing building. Erection of first floor extension including installation of two skylights to form offices (as defined in class B1 of the town and country planning (use classes) order 1987).
Approved

P92/1131 (2nd Floor) Change of use of first floor premises from office to residential. Approved

P92/1132/L Internal alterations (to include the blocking of existing stairway and formation of shower cubical) to facilitate change of use of first floor accommodation from office to residential. Approved

PT04/1979/F Change of use from antique shop (Class A1) to financial and professional services (Class A2) as defined in the Town and Country Planning (Use Classes) Order 1987). (Retrospective).

PT11/2138/LB Internal and external alterations including installation of extraction flue to facilitate the conversion to restaurant/cafe. Pending consideration.
Consent 9th December 2011

PT11/2136/F Change of use from Financial and Professional services (Class A2) to Restaurant/Café (Class A3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). Installation of extraction flue.
Approved 21st July 2011

4. CONSULTATION RESPONSES

4.1 Thornbury Town Council
No objection

Other Representations

4.2 Conservation Officer
No objection

Highway Structures
No comment

Highway Drainage
No comment

Environmental Protection
No objection subject to previous condition relating to odour control.

4.3 Local Residents
Correspondence from the owner of 4 Castle Street has been received as follows:

I have no objection to the screening of the flue. However I wonder if the screening will trap residues that will attract more flies, as that is currently a problem in the local area.

A second letter from the occupant of 25 Stafford Crescent has also been received, the objections raised being listed as follows:

1) This duct is already installed, so how can they apply for planning for permission?

- 2) I have never been informed/notified previously of an application to install a duct.
- 3) The smell on some summer evenings is very overpowering and unpleasant since the installation of the duct.
- 4) If this willow screening is installed how will access be gained to the duct filter, which is obviously not working very well currently

5. **ANALYSIS OF PROPOSAL**

- 5.1 This application has come about as a need to regularise the re-routing of part of the extraction flue, which differs in part from that which was approved under PT11/2136/F. Given that the re-routed section of the flue lies outside the rear kitchen, it is now proposed to erect a Willow Screen to shield any views of the flue and to protect the historic character of the Listed Building. The acceptance of the use of the building as a Restaurant/Café has already been established through the previous planning permission PT11/2136/F and Listed Building Consent PT11/2138/LB and determination of these matters will not be repeated here.
- 5.2 Design and Impact on the Listed building and Conservation Area
The flue and its screen are located to the rear of the building and is not visible from the public realm. It only affects the Victorian range and as such has little impact on the most historic fabric of the building. The proposed willow screen is considered appropriate. Furthermore the flue would be painted black with additional willow screening on the adjacent fence. Additional screen planting has also been secured via a condition attached to the original consent. There would therefore be no adverse impact on the special architectural and historic character of the Listed Building.
- 5.3 Transportation Issues
There are no transportation implications to result from the proposal.
- 5.4 Landscaping
An appropriate landscaping scheme has already been secured via condition 9 of the original consent PT11/2138/LB.
- 5.5 Impact on Residential Amenity
Given that the re-routed section of the flue is to the rear of the kitchen and would be screened by the proposed willow screen there would be no adverse impact on visual amenity grounds. The willow screen would be a modest structure which would have no overbearing impact for neighbours. Given that the flue is already in place, officers consider it reasonable and necessary to impose a condition requiring the erection of the willow screen within 90 days of the date of planning permission if granted. The same condition has been attached to the Listed Building Consent (if granted).
- 5.6 A raft of conditions were imposed on the original consent PT11/2136/F to ensure that residential amenity would not be adversely affected by the new use of the building as a restaurant/café and these would be carried over should consent be granted for this current proposal.

5.7 Environmental Issues

The amended extraction unit is currently in use. An objection to this current application has been raised on odour grounds. The Environmental Health Team has in the past received noise and smell complaints in relation to the revised flue, but these were subsequently withdrawn.

5.8 In line with DEFRA guidance on the 'Control of Odour and Noise from Commercial Kitchen Exhaust Systems 2005' and based on the current extraction system installed, the risk assessment guidance indicates; very poor dispersal, with low level discharge, close proximity to receptors (within 20m of the discharge), a medium sized kitchen (30 – 100 covers) and a high cooking odour (Indian). Taken together, this indicates that a very high level of odour control is required in order to prevent odour nuisance.

5.9 Having regard to the above, a condition (2) was attached to the original consent PT11/2136/F to secure the full details of the types of food to be cooked on the premises, together with details of a grease trap system and an odour abatement system (including its effective maintenance schedule) suitable to prevent dispersal of those food odours. The details were duly agreed in principle and the condition discharged.

5.10 Given that the flue inserted differs from that previously approved and notwithstanding the controls in place under the Environment Health legislation, in order to maintain appropriate control over smells, officers consider it necessary to impose a further condition in this case.

5.11 Furthermore having regard to the recent complaints about noise from the extraction system, officers also consider it necessary to impose a condition relating to noise levels.

5.12 With these strict controls in place, there are no objections on Environmental grounds to the proposal.

5.13 Other Issues

Of the issues raised by the local residents that have not been addressed above:

- There have been no complaints about fly infestation at this site. Should such complaints be received, these would be dealt with under normal Environmental Health legislation. There is no reason to believe that the Willow Screen would attract flies and the Environmental Health Officer has raised no concerns on this issue..
- It is perfectly within the applicant's rights to apply retrospectively to regularise breaches of planning control. It remains at the Council's discretion to consider how expedient it would be to serve an Enforcement Notice should planning permission be refused.
- No 25 Stafford Crescent does not have a common boundary with the application site and as such would not have previously been

automatically consulted. A site notice was however displayed at the application site for all to see.

- The Willow Screening is a very lightweight structure which it would not be difficult to remove in order to maintain the duct.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Contact Officer: Roger Hemming
Tel. No. 01454 863537

CONDITIONS

1. The Willow Screen hereby permitted shall be erected before the expiration of 90 days from the date of this consent.

Reason

To protect the character and setting of the Thornbury Conservation Area and to safeguard the special architectural and historic character of the Listed Building, and to accord with Policies L12 and L13 respectively of The South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and Policy CS9 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11 Dec 2013.

2. No food shall be cooked outside of the hours of 09.00-23.00 hours and the extraction unit shall be switched off outside of these times.

Reason

In the interests of protecting the amenity enjoyed by those living in the locality to accord with Policy RT10 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. No deliveries shall be taken at or despatched from the site outside the hours of 07.00 - 19.00 nor at any time on Sundays, Bank or Public Holidays.

Reason

In the interests of protecting the amenity enjoyed by those living in the locality to accord with Policy RT10 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. No members of the public shall be on the premises between the hours of 24.00 and 09.00 hours.

Reason

In the interests of protecting the amenity enjoyed by those living in the locality to accord with Policy RT10 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. There shall be no consumption of food or drink outside in the garden area between the hours of 21.00 and 09.00 hours.

Reason

In the interests of protecting the amenity enjoyed by those living in the locality to accord with Policy RT10 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. Within 60 days of the date of this permission, details of the specification and location of all fans, filters, plant and flues, including a detailed diagram of the odour extraction system and its location inside and outside the building (the plan should show scaled details of where the flue terminates in relation to adjoining premises both residential and commercial) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved odour extraction system shall be operated and maintained in full accordance with the approved details.

Reason

To control cooking odours in the interests of protecting the amenity enjoyed by those living in the locality to accord with Policy RT10 of the South Gloucestershire Local Plan (Adopted) January 2006.

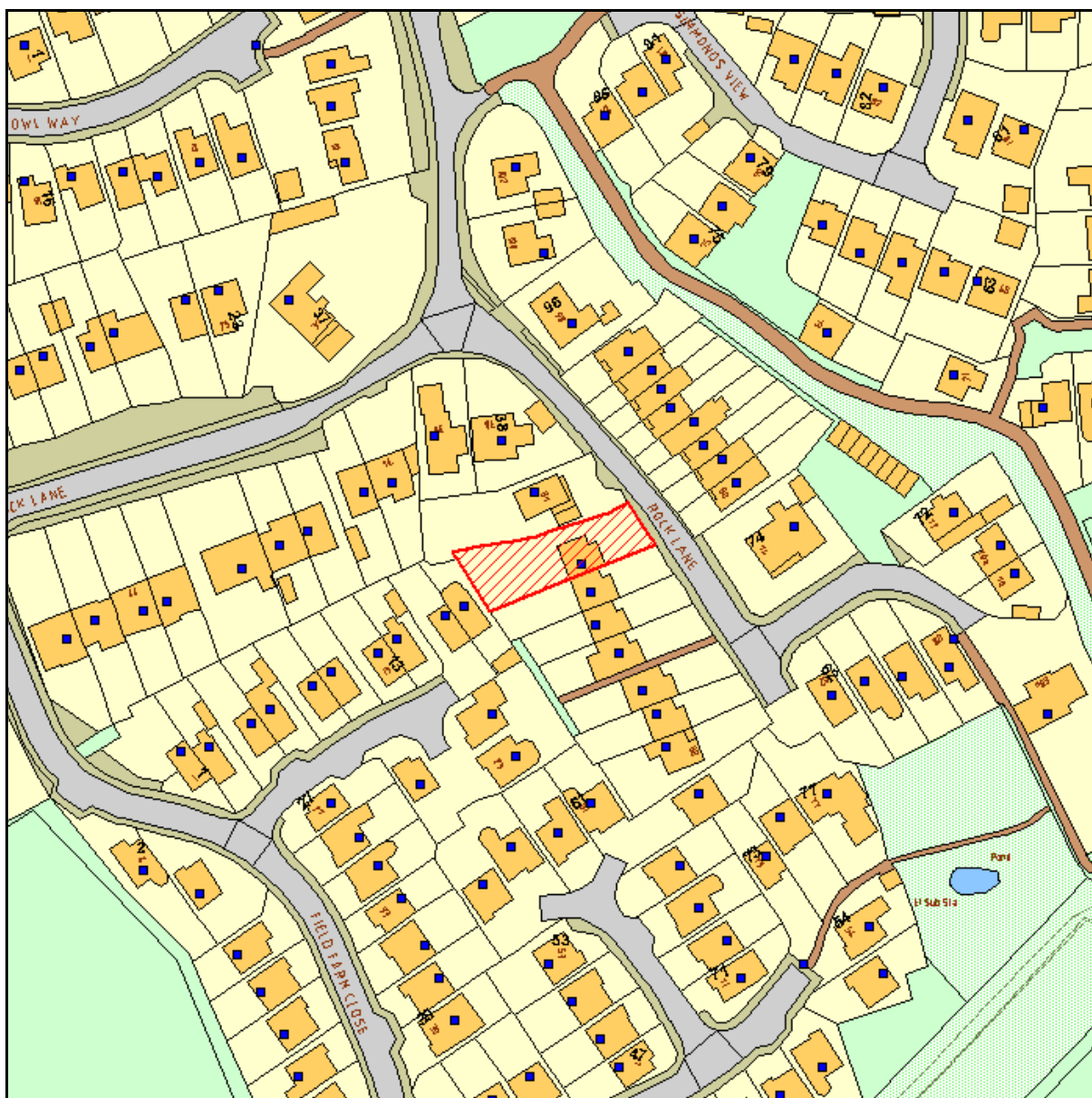
7. The rating level of noise emitted from the extraction system hereby approved, shall not exceed the existing background noise (LA90T) by 0 dB or more. If required, the noise levels shall be determined at location points to be agreed with the Local Planning Authority. The measurements and assessment shall be made in accordance with the provisions of BS4142:1997 "Rating industrial noise affecting mixed residential and industrial areas". If the assessment demonstrates that noise from the extraction unit is likely to exceed the background level and affect nearby residential and commercial properties then a noise mitigation scheme shall be submitted to and approved in writing by the Local Planning Authority and maintained thereafter.

Reason

To control noise levels from the odour extraction system in the interests of protecting the amenity enjoyed by those living in the locality to accord with Policy RT10 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 38/14 – 19 SEPTEMBER 2014

App No.:	PT14/2651/F	Applicant:	Mrs Tracey Harre-Young
Site:	48 Rock Lane Stoke Gifford Bristol South Gloucestershire BS34 8PF	Date Reg:	18th July 2014
Proposal:	Erection of two storey rear and side extension to form additional living accommodation.	Parish:	Stoke Gifford Parish Council
Map Ref:	362806 179921	Ward:	Stoke Gifford
Application Category:	Householder	Target Date:	3rd September 2014



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REASONS FOR REPORTING TO THE CIRCULATED SCHEDULE

This application appears on the Circulated Schedule, due to consultation responses received, contrary to Officer recommendation.

THE PROPOSAL

- 1.1 The application is for the erection of a two storey rear and side extension to the existing dwelling incorporating a pitched roof to the front and gable end to the rear. The extension would protrude to a distance of 4 metres beyond the existing rear wall of the dwelling on the detached side.
- 1.2 The property is an end of terrace dwelling and is located within the built up area of Stoke Gifford.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework
Planning Policy Guidance
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006
H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013
CS1 High Quality Design
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted) 2007.

3. RELEVANT PLANNING HISTORY

- 3.1 None relevant

4. CONSULTATION RESPONSES

- 4.1 Stoke Gifford Parish Council
No Objection. Neighbours concerns about boundary treatment are noted. Planning Officer to ensure that drawings are accurate. Working hours to be included as part of planning conditions.

Public Rights of Way

The proposed development is unlikely to affect the nearest public right of way reference LSG/10/10 which is recorded along Rock Lane, east of the site.

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on Circulated Schedule because of a representation from a local resident which is contrary to the Planning Officer's recommendation.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a single storey rear and side extensions to form additional living accommodation.
- 1.2 The application relates to a link-detached house, attached to the adjacent property (No.94) by virtue of the garages. The property is located on a cul de sac, within the established residential area and settlement boundary of Thornbury.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS5 Location of Development

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

H4 Existing Residential Curtilages
T8 Parking Standard
T12 Transportation

3. RELEVANT PLANNING HISTORY

- 3.1 PT04/3222/F Erection of Conservatory
Approved 10.11.04
- 3.2 P95/1846 Erection of single storey side extension to form utility
room, rear conservatory and front porch
Approved 01.08.95

The planning history indicates that the infilling of the area behind the garage by a single storey extension is likely to be permissible.

4. CONSULTATION RESPONSES

- 4.1 Highway Drainage
No comment
- 4.2 Public Rights of Way
No objection

- 4.3 Thornbury Town Council
No objection

Other Representations

4.4 Local Residents

One objection received from a neighbouring resident:

- The proposed side extension will be close to the boundary;
- The height of the roof seems higher than the garage roof on the other side of the property;
- Gable end of side extension considered to be visually overbearing;
- Concerned about Silver Birch tree in rear garden, which currently blocks sun into neighbour's garden. Would like a condition added to require removal of the tree.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The proposal stands to be assessed against the above listed policies with all material considerations. The assessment will take particular care in respect of the overall design, scale and siting and impact on the character of the area (CS1); impact on the residential amenities of existing and future occupiers and that of neighbours will be considered (H4); and the potential impact on highways and parking (T12) will be fully assessed.

5.2 Design and Visual Amenity

The existing property is a modest link-detached house situated within a modern estate in Thornbury. The nearest neighbouring property to the north is No. 96, is situated on a slight bend in the cul de sac. The host dwelling and No.96 are oriented at a slight angle to each other, which has meant that the curtilage is wider towards the rear of the property.

- 5.3 The proposed single storey rear and side extensions would infill gaps between the neighbouring property to the north and the rear of the existing garage on the south. It is important to note that planning application Ref. P95/1846 previously granted permission for a similar rear infill extension to the proposed study, but this was not implemented.

- 5.4 The proposed extensions would match the appearance of the host dwelling in terms of design and materials. The proposed side extension will be set back from the front elevation and will run along the boundary with the neighbouring property, finishing flush with the rear elevation. The side extension would be set back by approximately 2 metres and would also be screened by the existing boundary hedgerow at the front of the property. Although concerns have been raised about the height of the roof on the side extension, it appears this is to match the existing side garage at No. 96. Whilst the side extension is situated in line with the boundary, it would be adjacent to the neighbour's garage and not a habitable room. In this respect, it is unlikely to have an overbearing effect on the neighbouring occupiers.

- 5.5 It is considered that the overall footprint and design of the proposal will ensure that the extensions can be read as being subservient to the host dwelling. Although it is an unusual footprint, due to the tapered nature of the boundary, it would not be readily visible from the public realm. The overall design, scale and massing is considered acceptable and appropriate to the character of the main dwelling and the area in general. As such, the proposal can be recommended for approval.
- 5.6 Residential Amenity
The neighbouring property No.96, to the north of the dwelling, is oriented at a slight angle to the application site. By setting back the front elevation and maintaining the same roof height as the neighbouring garage, the mass of the extension is kept to a minimum. Similarly, the rear extension would have single pitched roof and would not have an overbearing impact on the neighbouring property to the south No. 94. In their assessment, the Officer has given consideration to the orientation of the properties and for the most part, the proposed extensions follow the building line of the existing dwelling, whilst remaining suitably subservient. As such, it is considered that the proposal would not impact on the levels of daylight currently enjoyed by the neighbouring properties over and above the existing situation.
- 5.7 Window openings have been kept to a minimum, with the majority on the rear elevation as well as 2no. Velux windows to provide additional light. As such, it is considered there would be no overlooking or indivisibility resulting from the proposal. The application site benefits from a good size rear garden and sufficient private amenity space would remain to serve the property following the proposed development.
- 5.8 Transportation
The property benefits from a single garage to the side plus 2no off-street parking spaces at the front. The proposal would not affect the existing parking situation and is considered to meet the adopted residential parking standards.
- 5.9 Other Matters
A concern has been raised about the existing large silver birch tree in the rear garden and ongoing issues with the maintenance of the tree. The applicant has confirmed in their application that as a result of the proposals the tree will be removed. It is considered unreasonable to condition the removal of the tree as it has no bearing on the proposed development.

6. CONCLUSION

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

(Adopted) December 2013 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 That the application is **approved** subject to the conditions on the decision notice.

Contact Officer: Katie Warrington
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).

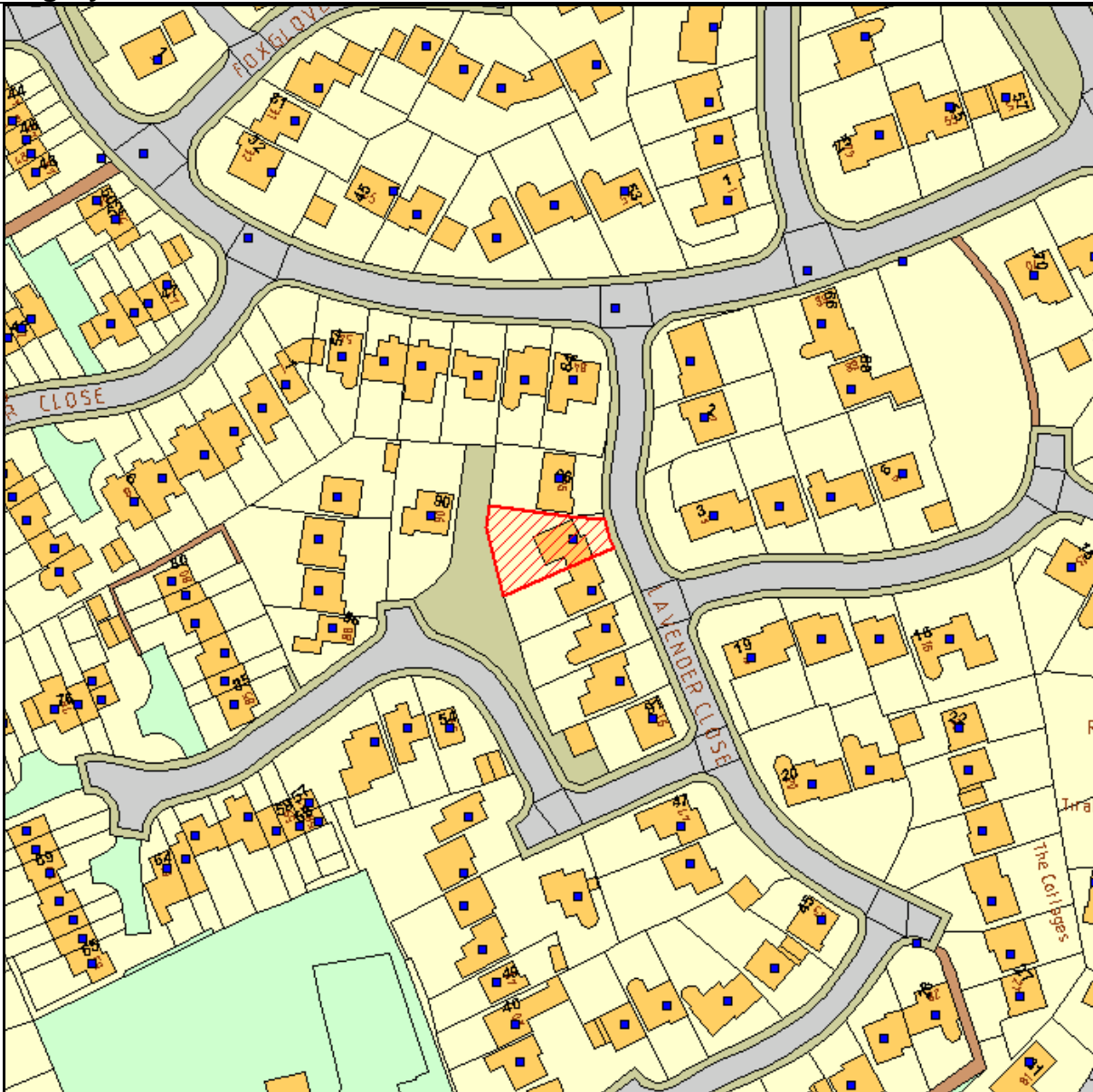
2. The materials to be used in the construction of the external surfaces of the extensions hereby permitted shall match those used in the existing building.

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. 38/14 – 19 SEPTEMBER 2014

App No.:	PT14/2872/F	Applicant:	Mr And Mrs Haigh
Site:	95 Lavender Close Thornbury Bristol South Gloucestershire BS35 1UL	Date Reg:	20th August 2014
Proposal:	Erection of single storey rear and side extensions to form additional living accommodation.	Parish:	Thornbury Town Council
Map Ref:	364815 190461	Ward:	Thornbury North
Application Category:	Householder	Target Date:	30th September 2014



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PT14/2872/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on Circulated Schedule because of a representation from a local resident which is contrary to the Planning Officer's recommendation.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a single storey rear and side extensions to form additional living accommodation.
- 1.2 The application relates to a link-detached house, attached to the adjacent property (No.94) by virtue of the garages. The property is located on a cul de sac, within the established residential area and settlement boundary of Thornbury.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

- CS1 High Quality Design
- CS5 Location of Development

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

- H4 Existing Residential Curtilages
- T8 Parking Standard
- T12 Transportation

3. RELEVANT PLANNING HISTORY

- 3.1 PT04/3222/F Erection of Conservatory
Approved 10.11.04
- 3.2 P95/1846 Erection of single storey side extension to form utility
room, rear conservatory and front porch
Approved 01.08.95

The planning history indicates that the infilling of the area behind the garage by a single storey extension is likely to be permissible.

4. CONSULTATION RESPONSES

- 4.1 Highway Drainage
No comment
- 4.2 Public Rights of Way
No objection

- 4.3 Thornbury Town Council
No objection

Other Representations

4.4 Local Residents

One objection received from a neighbouring resident:

- The proposed side extension will be close to the boundary;
- The height of the roof seems higher than the garage roof on the other side of the property;
- Gable end of side extension considered to be visually overbearing;
- Concerned about Silver Birch tree in rear garden, which currently blocks sun into neighbour's garden. Would like a condition added to require removal of the tree.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The proposal stands to be assessed against the above listed policies with all material considerations. The assessment will take particular care in respect of the overall design, scale and siting and impact on the character of the area (CS1); impact on the residential amenities of existing and future occupiers and that of neighbours will be considered (H4); and the potential impact on highways and parking (T12) will be fully assessed.

5.2 Design and Visual Amenity

The existing property is a modest link-detached house situated within a modern estate in Thornbury. The nearest neighbouring property to the north is No. 96, is situated on a slight bend in the cul de sac. The host dwelling and No.96 are oriented at a slight angle to each other, which has meant that the curtilage is wider towards the rear of the property.

- 5.3 The proposed single storey rear and side extensions would infill gaps between the neighbouring property to the north and the rear of the existing garage on the south. It is important to note that planning application Ref. P95/1846 previously granted permission for a similar rear infill extension to the proposed study, but this was not implemented.

- 5.4 The proposed extensions would match the appearance of the host dwelling in terms of design and materials. The proposed side extension will be set back from the front elevation and will run along the boundary with the neighbouring property, finishing flush with the rear elevation. The side extension would be set back by approximately 2 metres and would also be screened by the existing boundary hedgerow at the front of the property. Although concerns have been raised about the height of the roof on the side extension, it appears this is to match the existing side garage at No. 96. Whilst the side extension is situated in line with the boundary, it would be adjacent to the neighbour's garage and not a habitable room. In this respect, it is unlikely to have an overbearing effect on the neighbouring occupiers.

- 5.5 It is considered that the overall footprint and design of the proposal will ensure that the extensions can be read as being subservient to the host dwelling. Although it is an unusual footprint, due to the tapered nature of the boundary, it would not be readily visible from the public realm. The overall design, scale and massing is considered acceptable and appropriate to the character of the main dwelling and the area in general. As such, the proposal can be recommended for approval.
- 5.6 Residential Amenity
The neighbouring property No.96, to the north of the dwelling, is oriented at a slight angle to the application site. By setting back the front elevation and maintaining the same roof height as the neighbouring garage, the mass of the extension is kept to a minimum. Similarly, the rear extension would have single pitched roof and would not have an overbearing impact on the neighbouring property to the south No. 94. In their assessment, the Officer has given consideration to the orientation of the properties and for the most part, the proposed extensions follow the building line of the existing dwelling, whilst remaining suitably subservient. As such, it is considered that the proposal would not impact on the levels of daylight currently enjoyed by the neighbouring properties over and above the existing situation.
- 5.7 Window openings have been kept to a minimum, with the majority on the rear elevation as well as 2no. Velux windows to provide additional light. As such, it is considered there would be no overlooking or indivisibility resulting from the proposal. The application site benefits from a good size rear garden and sufficient private amenity space would remain to serve the property following the proposed development.
- 5.8 Transportation
The property benefits from a single garage to the side plus 2no off-street parking spaces at the front. The proposal would not affect the existing parking situation and is considered to meet the adopted residential parking standards.
- 5.9 Other Matters
A concern has been raised about the existing large silver birch tree in the rear garden and ongoing issues with the maintenance of the tree. The applicant has confirmed in their application that as a result of the proposals the tree will be removed. It is considered unreasonable to condition the removal of the tree as it has no bearing on the proposed development.

6. CONCLUSION

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

(Adopted) December 2013 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 That the application is **approved** subject to the conditions on the decision notice.

Contact Officer: Katie Warrington
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 extensions 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. 38/14 – 19 SEPTEMBER 2014

App No.:	PT14/3092/F	Applicant:	Mr Benjamin Francis
Site:	Field House 127 Bristol Road Frampton Cotterell Bristol South Gloucestershire BS36 2AU	Date Reg:	20th August 2014
Proposal:	Erection of detached triple garage	Parish:	Frampton Cotterell Parish Council
Map Ref:	365767 182048	Ward:	Frampton Cotterell
Application Category:	Householder	Target Date:	1st October 2014



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REASON FOR SUBMISSION TO THE CIRCULATED SCHEDULE

This application has been submitted to the Council's Circulated Schedule procedure, following a representation from the Parish Council which is contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a detached triple garage with a first floor room above.
- 1.2 The applicant has advised that the room above will be used as either a play room and a gym, or for storage purposes.
- 1.3 The application site is located outside of the settlement boundary of Frampton Cotterell, within the Bristol/Bath Green Belt.

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
CS34 Rural Areas

South Gloucestershire Local Plan Adopted January 2006 Saved Policies

T12 Transportation
H4 Development within Existing Residential Curtilages
L1 Landscape

- 2.3 Supplementary Planning Guidance
 - (a) South Gloucestershire Design Checklist (Adopted) August 2007
 - (b) Residential Parking Standard (Adopted) December 2013
 - (c) Development in the Green Belt SPD (Adopted) 2007

3. RELEVANT PLANNING HISTORY

- 3.1 PT11/0559/F Approve with conditions 30/03/2011
Creation of new access from Bristol Road. Erection of 2 no entrance pillars with 2 metre high gates.
- 3.2 N2059 Approve with conditions 13/11/1975
Erection of two storey extension to dwelling to provide living room and study with bedrooms at first floor level; alterations to outbuildings to form garage, store and utility room.

4. CONSULTATION RESPONSES

4.1 Frampton Cotterell Parish Council
Objection – this development is inappropriate in the Green Belt and is contrary to Green Belt policy.

4.2 Other Consultees

Highway Drainage
No comment.

Sustainable Transport
No objection.

Planning Enforcement
No comment.

Other Representations

4.3 Local Residents
None received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development
Policy CS1 of the South Gloucestershire Core Strategy (Adopted) December 2013 states that all development will only be permitted where the highest possible standards of design and site planning are achieved. Proposals will be required to demonstrate that they respect and enhance the character, distinctiveness and amenity of the site and its context; is well integrated with existing and connected to the wider network of transport links; safeguards existing landscape/nature/heritage features; and contributes to relevant strategic objectives. Saved Policy H4 of the South Gloucestershire Local Plan is supportive in principle of proposals for alterations and extensions to existing dwellings within their curtilage, providing that the design is acceptable and that there is no unacceptable impact on residential and visual amenity, and also that there is safe and adequate parking provision and no negative effects on transportation. Therefore, the proposal is acceptable in principle but should be determined against the analysis set out below.

5.2 Green Belt
The NPPF allows for limited extensions to buildings within the Green Belt, providing they do not result in disproportionate additions over and above the size of the original building (the volume of the dwelling at construction, or its volumes on July 1st 1948.) The South Gloucestershire 'Development within the Green Belt' SPD states that an addition result in a volume of 30%-50% will be subject to careful consideration and assessment. Any proposed development over and above 50% or more of the original dwelling would be considered in excess of any reasonable definition of 'limited extension'. Whether an addition is considered disproportionate or not, depends on the individual circumstances and what type of addition is proposed.

- 5.3 The dwelling was extended significantly under a previous application in 1975 (N2059), which included a large two storey side extension to the north-east. The agent of this application has been unable to provide the original volume of the dwelling, but it is estimated that the additions in the 1970s coupled with the proposed triple garage and first floor room proposed would equate to an increase of approximately 38% more than the original dwellinghouse. Therefore, the proposal is deemed suitable in principle, subject to careful consideration and assessment.
- 5.4 Whilst the development does constitute a new building within the Green Belt, due to its position within an existing residential curtilage, it is deemed to be a proportionate addition to an existing dwelling. Additionally, it is located very close to the settlement boundary of Frampton Cotterell which runs along Bristol Road to the south of the site, so it does not have an impact on the openness of the Green Belt.
- 5.5 Design
Field House is situated within a large plot set back from the road, and is attached to an adjacent dwelling named 'The Barn'. It is a two storey render property with a gable roofline and a lean-to porch spanning much of the principal elevation. The proposed garage has a very different design and is rural in character with low eaves, oak cladding and a hipped gable. Whilst extensions and additions are usually required to respect the design of the host dwelling, in this case the fact that the addition is an outbuilding situated some distance from the dwelling is considered, and the design is therefore acceptable in terms of policy CS1 of the Core Strategy.
- 5.6 Residential Amenity
Residential amenity should not be harmed as a result of development. Amenity should be considered in terms of the application site and all nearby occupiers. The proposed development will have little impact on the amenity of the application site, as the plot is substantial and plenty of private amenity space set back from the highway is available. The proposed triple garage is a sufficient distance from any neighbouring occupiers and the two windows proposed face only onto the front garden of Field House. The proposal is therefore considered acceptable in terms of policy H4 of the Local Plan.
- 5.7 Transport
The applicant states that the room above the triple garages is to be used as a play room, gym, or storage space. Notwithstanding this, it could be converted into an additional bedroom in the future, and therefore has been considered as a bedroom with regards to transportation. This could potentially make the dwelling a five bedroom dwelling.. Field House has a long driveway stretching up from Bristol Road with ample parking, and the triple garage is to provide three parking spaces. There is therefore no transportation objection to the proposal.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 It is recommended to **GRANT** planning permission subject to the conditions listed on the decision notice.

Contact Officer: Trudy Gallagher
Tel. No.

CONDITIONS

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

Reason

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