



**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. 47/14

Date to Members: 21/11/14

Member's Deadline: 27/11/14 (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. Please note a copy of your referral e mail will appear on the website. **If in exceptional circumstances, you are unable to e-mail you request, please contact 01454 863519, well in advance of the deadline, to discuss alternative arrangements to ensure your response can be received.**
- When you refer an application, make clear what the planning reasons are for doing so. This will help the case officer and other members give attention to the specific issues you have raised.
- It may also allow officers to seek to negotiate with the applicant to overcome the Member's concerns and therefore removing the need for a Committee determination.

Dates and Deadlines for Circulated Schedule
Christmas & New Year Period 2014

Schedule Number	Date to Members 9am on	Members Deadline
51/14	Friday 19 Dec 2014	5pm Monday 29 Dec 2014
52/14	NO SCHEDULE	THIS WEEK
01/15	Wednesday 31 Dec 2014	5pm Thursday 08 January 2015

Above are details of the schedules that will be affected by date changes due to the Bank Holidays at Christmas & New Year 2014/15

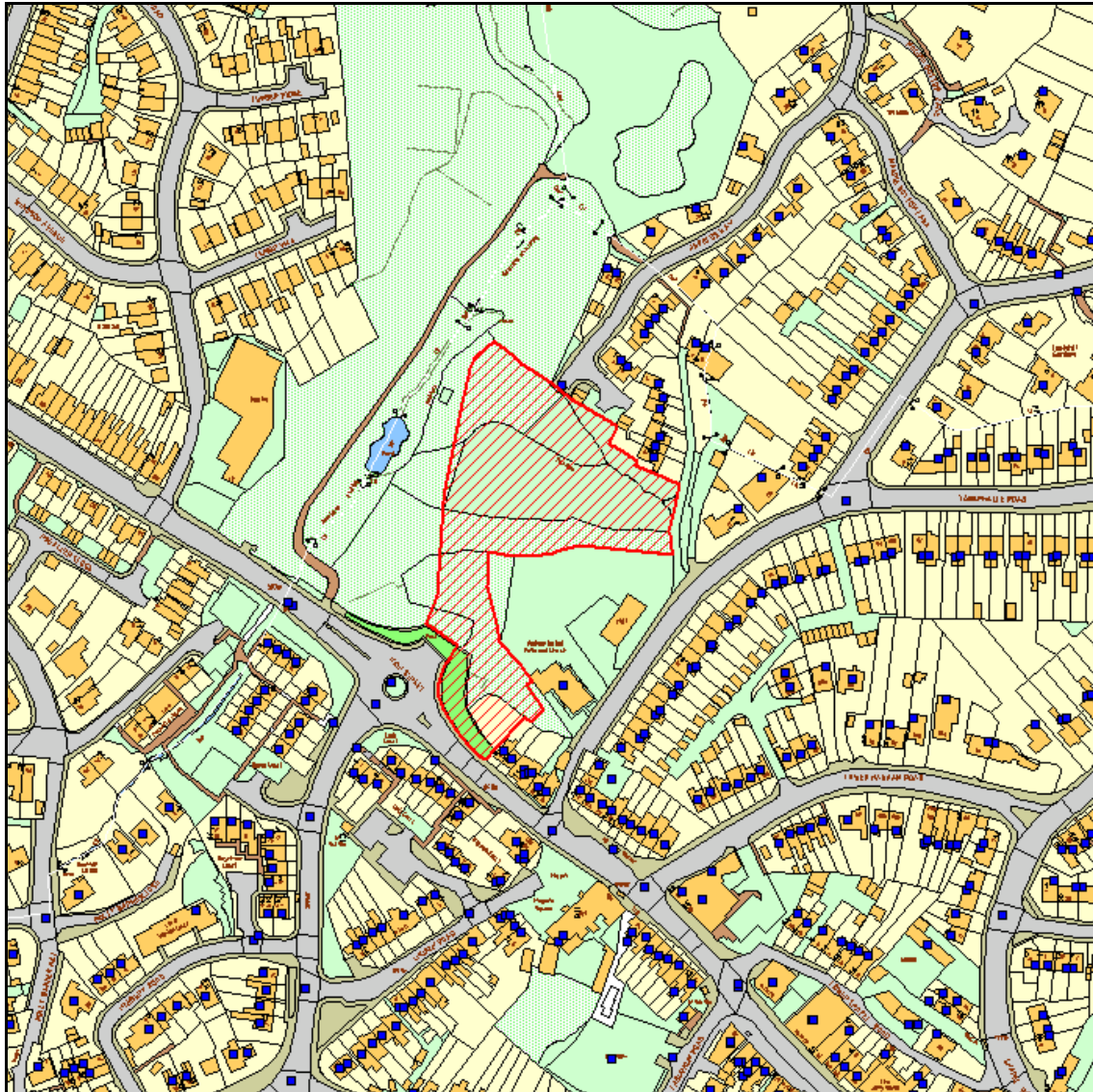
All other deadline dates remain as usual.

CIRCULATED SCHEDULE - 21 NOVEMBER 2014

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK13/4444/O	Approve with Conditions	Land At Harolds Way Hanham South Gloucestershire BS15 8DU	Hanham	Hanham Parish Council
2	PK14/2749/F	Approve with Conditions	Badminton Road Methodist Church Badminton Road Downend South Gloucestershire	Emersons	Downend And Bromley Heath Parish Council
3	PK14/2890/F	Approve with Conditions	19 Common Road Hanham South Gloucestershire	Hanham	Hanham Abbots Parish Council
4	PK14/2898/F	Approve with Conditions	14 Kingsfield Lane Hanham South Gloucestershire	Hanham	Hanham Parish Council
5	PK14/3198/RV	Approve with Conditions	Christchurch C Of E Primary School Memorial Road Hanham South Gloucestershire	Hanham	Hanham Abbots Parish Council
6	PK14/3909/CLP	Approve with Conditions	53 Hayfield Marshfield Chippenham South	Boyd Valley	Marshfield Parish Council
7	PT14/2545/F	Approve with Conditions	Moorend Farm Church Lane Winterbourne South Gloucestershire BS16 1SP	Winterbourne	Winterbourne Parish Council
8	PT14/3177/F	Refusal	Upper Hay Churchend Lane Charfield Wotton Under Edge South Gloucestershire GL12 8LJ	Charfield	Charfield Parish Council
9	PT14/3455/F	Approve with Conditions	Weekend Training Centre New Passage Road Pilning South Gloucestershire BS35 4LZ	Pilning And Severn Beach	Pilning And Severn Beach Parish Council
10	PT14/3504/F	Approve with Conditions	19 Callicroft Road Patchway South Gloucestershire	Patchway	Patchway Town Council
11	PT14/3634/RVC	Approve with Conditions	Blendcafe 65 High Street Thornbury South Gloucestershire		Thornbury Town Council
12	PT14/3686/F	Approve with Conditions	29 Boundary Road Coalpit Heath South Gloucestershire BS36 2PU	Frampton Cotterell	Frampton Cotterell Parish Council
13	PT14/3784/F	Approve with Conditions	1 The Common Frenchay Common Frenchay South Gloucestershire BS16 1LZ	Frenchay And Stoke Park	Winterbourne Parish Council
14	PT14/3976/ADV	Approve	Roundabout Grovesend Rd/Morton Way Thornbury South Gloucestershire BS35 2HX	Thornbury South And	Thornbury Town Council
15	PT14/3980/F	Approve with Conditions	32 Hazel Crescent Thornbury South Gloucestershire	Thornbury North	Thornbury Town Council

CIRCULATED SCHEDULE NO. 47/14 – 21 NOVEMBER 2014

App No.:	PK13/4444/O	Applicant:	Springfield Pension Fund
Site:	Land At Harolds Way Hanham Bristol South Gloucestershire BS15 8DU	Date Reg:	5th December 2013
Proposal:	Erection of Residential Institution (Class C2) (Outline) with means of access to be determined. All other matters reserved.	Parish:	Hanham Parish Council
Map Ref:	364059 172516	Ward:	Hanham
Application Category:	Major	Target Date:	3rd March 2014



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100023410, 2014. N.T.S. PK13/4444/O

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This report has been referred to the Circulated Schedule because it relates to a proposed modification of the previously approved heads of terms to a planning agreement.

1. THE PROPOSAL

- 1.1 Outline planning consent PK13/4444/O was previously granted for the Erection of a Residential Institution (Class C2) (Outline) with means of access to be determined; with all other matters reserved. For simplicity a copy of the original officer report to DC East Committee is appended to this report.
- 1.2 Outline consent was granted (see para.3.9 below) subject to a S106 Agreement to secure the following:
 - Outdoor Sport provision/enhancement/maintenance contribution - Full provision on-site or £62.437p towards off-site provision/enhancement/maintenance for every sq.m. of deficit on-site; to accord with Policy CS24 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec 2013.
 - A financial contribution of £2,033.00 towards the provision of library services (upgrading and enhancing existing services at the nearest library to the site (Hanham Library) to accord with Policies CS23 and CS6 of the South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013..
 - A contribution of 1% of the total development cost towards public art; to accord with Policy CS23 of the South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013.
 - A S106 monitoring fee to the value of 4% of the total contributions; to cover the Council's costs of monitoring the S106.

To date the S106 Agreement has not been signed and the Decision Notice not issued accordingly.

- 1.3 During the course of the drafting of the S106 Agreement and following protracted negotiations with the applicant, it has become necessary to amend the above 'heads of terms', hence the need for returning the application to the Circulated Schedule in order to secure a revised resolution from Members.
- 1.4 It is proposed that the revised 'heads of terms' would now read as follows:
 - Outdoor Sport provision/enhancement/maintenance contribution - Full provision on-site or £62.437p towards off-site provision/enhancement/maintenance for every sq.m. of deficit on-site; to accord with Policy CS24 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec 2013.
 - The on-site provision of informal open space and natural and semi-natural green space in accordance with Policy CS24 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013.

- A financial contribution of £2,033.00 towards the provision of library services (upgrading and enhancing existing services at the nearest library to the site (Hanham Library) to accord with Policies CS23 and CS6 of the South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013..
- A sum of £50,000.00p shall be allocated towards public art; to accord with Policy CS23 of the South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013.

2. POLICY CONTEXT

2.1 National Guidance

The National Planning Policy Framework (NPPF) 27th March 2012.
 The National Planning Practice Guidance (NPPG) 2014
 The Community Infrastructure Levy (CIL) Regulations 2010

2.2 Development Plans

The South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013

CS1 - High Quality Design
 CS4A – Presumption in Favour of Sustainable Development
 CS5 - Location of Development
 CS6 - Infrastructure and Developer Contributions
 CS9 - Managing the Environment and Heritage
 CS17 - Housing Diversity
 CS18 - Affordable Housing
 CS23 - Community Infrastructure and Cultural Activity
 CS24 - Green Infrastructure, Sport and Recreation Standards

South Gloucestershire Local Plan (Adopted) January 2006

L1 - Landscape Protection and Enhancement
 L5 - Open Areas within the Existing Urban Areas and Defined Settlements
 L8 - Sites of Regional and Local Nature Conservation Interest
 L9 - Species Protection
 L11 - Archaeology
 EP2 - Flood Risk and Development
 EP4 - Noise-sensitive development
 T7 - Cycle Parking
 T8 - Parking Standards
 T12 - Transportation Development Control Policy for New Development
 LC1 - Provision for Built Sports, Leisure and Community Facilities (Site Allocations and Developer Contributions)
 LC2 - Provision for Education Facilities (Site Allocations and Developer Contributions)
 LC12 - Recreational Routes

2.3 Supplementary Planning Guidance

Trees on Development Sites SPG (Adopted)
 The South Gloucestershire Design Check List (SPD) Adopted Aug 2007.
 Affordable Housing SPD Adopted Sept.2008.
 South Gloucestershire Council Residential Parking Standards (SPD) Adopted.
 The Local List SPD Adopted Feb.2008.

3. RELEVANT PLANNING HISTORY

3.1 P76/4227 Outline Application for Residential Development (Refused)
P85/4676 Residential Development (Approved)
P97/4249 Residential Development (Outline) Refused
PK00/0684/F Erection of 8 no. houses with construction of access road off Harold's Way and provision of public open space (Refused)

3.2 PK00/0684/F and PK00/0688/F were duplicate applications for – The erection of 8no. houses with construction of access road off Harold's Way and provision of public open space.

Refused for the following reasons:

- *The development would be on a Greenfield Site and would thus be contrary to guidance in PPG3 and Policy H2 (A) of the South Gloucestershire Local Plan (As approved for Deposit)*
- *The proposal, by reason of the proximity of built-development to the adjacent badger sett would fail to protect the welfare of the badgers. The proposal would also be contrary to the Protection of Badgers Act 1992, Policy C4B of the approved Avon County Structure Plan and Policy L10 of the South Gloucestershire Local Plan (As approved for Deposit).*
- *The proposed design and layout fails to have regard to the character of the area in terms of the local pattern of streets and spaces and design of dwellings. It would also be contrary to PPG3, Policy D1 of the South Gloucestershire Local Plan (As approved for Deposit) and Policy KLP67 of the Kingswood Local Plan (As approved for Deposit).*

A subsequent appeal, (APP/0119/A/00/1046231) was dismissed with the Inspector accepting the first reason for refusal set out above. The Inspector did not accept the other reasons for refusal indicating that if the appeal site was required to meet an additional demand for housing then this particular area would have the least impact upon amenity value of the overall Magpie Bottom area. A clear distinction was made between the amenity value of the application site and the remainder of the Magpie Bottom area (para 22-24).

3.3 PK06/0304/F - Erection of 4no. dwellings with access, car parking and associated works.

Approved 9th June 2006.

3.4 PK08/1688/O - Erection of 12no dwellings (Outline) with means of access to be determined. All other matters reserved.

Refused 18 March 2009

A subsequent appeal APP/P0119/A/09/2112347 was dismissed 31 Dec 2009.

3.5 PK10/019/SCR - Screening opinion for PK10/1331/O
EIA Not required 18 June 2010

3.6 PK10/1331/O - Erection of Residential Institution (Class C2) (Outline) with means of access to be determined. All other matters reserved.

Refused 17 Sept. 2010 for the following reasons:

- *The submitted Design and Access Statement fails to demonstrate adequate assessment of the site and its context to appropriately inform and clearly set acceptable principles for the layout, scale or appearance of the buildings and treatment of landscape areas. The application is therefore contrary to PPS1, PPS3, South Gloucestershire Local Plan Policy D1 (criteria A, B, C, D, F, G & H), South Gloucestershire Core Strategy (Pre-Submission Publication Draft– March 2010) Policy CS1 and the South Gloucestershire Design Checklist (SPD) August 2007.*
- *There is insufficient information to determine that the development will not adversely impact on species protected under the Countryside & Rights of Way Act 2000/Wildlife & Countryside Act 1981 (as amended); or species listed as being of principal importance for biological diversity in England under Section 41 of the Natural Environment and Rural Communities Act 2006 and listed on the UK and South Gloucestershire Biodiversity Action Plans, contrary to Policy L9 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.*
- *Inadequate information has been submitted to satisfy the Local Planning Authority that adequate/safe access for pedestrians and cyclists can be provided, given the steep gradient of the land, within the site boundary. Furthermore, by reason of inadequate information relating to provision of suitable off-street turning area for service vehicles, the proposal would lead to large service vehicles having to reverse long distance with consequent additional hazards to all users all contrary to Policies T12, H2 and D1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.*
- *In the absence of a Section 106 Agreement or Unilateral Undertaking to secure contributions towards mitigating the under-provision of public open space in the development and the demand placed on the library service and provision of dog and litter bins, the proposal would be contrary to Policies LC8, LC01, H2 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.*

3.7 PK10/1593/O - Erection of 12no. dwellings (outline) with access to be determined. All other matters reserved.
Approved S106 Signed 11 Nov 2011

3.8 PK11/2887/O - Erection of residential institution (Class C2) (Outline) with means of access to be determined. All other matters reserved. (Re-submission of PK10/1331/O).

Refused 20 Dec. 2011 for the following reasons:

- *The means of access and surrounding highway network is inadequate to serve a Care Home of this size, contrary to Policy T12 of the South Gloucestershire Local Plan (Adopted) 6th Jan. 2006.*
- *In the absence of a Section 106 Agreement or Unilateral Undertaking to secure contributions towards mitigating the under provision of public open space in the development and its maintenance, the proposal would be*

contrary to Policy LC8 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

- *In the absence of a Section 106 Agreement or Unilateral Undertaking to secure contributions to mitigate against the demands placed upon the library service, the proposal would be contrary to Policy LC1 of the South Gloucestershire Local Plan (Adopted) Jan. 2006.*

Appeal Ref: APP/P0119/A/12/2169263 – Dismissed 25th July 2012. An application for a full award of costs was also dismissed.

The Inspector did not agree with the first reason for refusal listed above and added her own reason (see para. 1.7 above).

- 3.9 PK13/4444/O - Erection of Residential Institution (Class C2) (Outline) with means of access to be determined. All other matters reserved.
Approved subject to S106 Agreement 13th March 2014 with the following conditions amended as follows:

Condition 2 to be amended to read Plans and particulars of the reserved matters referred to in the condition above, relating to layout (**layout to include parking provision**), scale, appearance etc.

Condition 7 to be amended such that start time for construction is **08.00 hrs.**

4. ANALYSIS OF PROPOSAL

- 4.1 The acceptance in principle of the proposal has already been established with the previous grant of outline planning consent PK13/4444/O subject to a S106 Legal Agreement. It is now merely proposed to amend the 'heads of terms' of the S106 Agreement relating to the earlier resolution.

New Communities Issues

- 4.2 During the course of drafting the S106 Agreement, it came to light that the 'heads of terms' did not include any on-site provision of informal open space and natural and semi-natural green space as well as the outdoor sports provision/off-site contribution. New bullet point two has therefore been added to take account of this omission. This accords with Policy CS24 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013.

Public Art Contribution

- 4.3 The original 'heads of terms' at bullet point three requested a "*contribution of 1% of the total development cost towards public art.*" In drafting the S106 the Council's Solicitor did not consider this wording to be sufficiently precise and advised that any contribution to Public Art should instead be an agreed financial sum.
- 4.4 The NPPG states that '*obligations should meet the tests that they are necessary to make the development acceptable in planning terms, directly related to the*

development and fairly and reasonably related in scale and kind' – see CIL Regulations 2000 and the policy tests in the NPPF (para. 2004).

- 4.5 In this instance, 1% of the development costs of a Residential Institution of the scale of that proposed is considered to be excessive, the development costs being estimated at approximately £10 million. Nevertheless, a sum of £50,000 towards public art has been negotiated and in this case the amount is considered to be very reasonable in scale and kind. The appropriate bullet point within the 'heads of terms' has therefore been amended to reflect this amount.

Monitoring Fee

- 4.6 The final bullet point of the original 'heads of terms' proposed to secure a 4% monitoring fee to cover the Council's costs of monitoring the S106 Agreement. The Council's Solicitor has since estimated this amount to be £2,081.32p.
- 4.6 The applicant's agent has however drawn attention to an Inspector's Appeal Decision Letter for an Appeal APP/P0119/A/09/2112347 relating to an earlier application PK08/1688/O on this site (see para. 3.4 above). The Council, through the S106 Agreement sought to secure 4% of the total contributions as a S106 monitoring fee. The Inspector at para. 16 of his Decision Letter stated the following:

"Turning now to the monitoring costs sought by the Council, it is my view that they do not have any support in Circular 05/2005. Indeed, I refer back to paragraph B19 of the Circular which indicates that the costs of recurrent expenditure on assets intended for public use should normally be borne by the authority in which it is to be vested. To my mind, the cost of monitoring would seem likely to fall into the category of recurrent expenditure and should not be justified where the authority would be performing its statutory duties. Such would be the case here. I therefore consider that it would not be reasonable or necessary to require a contribution in respect of the monitoring costs."

- 4.7 Circular 05/2005 has since been revoked and superseded by the NPPG and NPPF. The NPPF at paras. 203-206 replicates the tests of former Circ. 05/2005 when seeking planning obligations. Para. 2005 states that where planning obligations are being sought or revised, local planning authorities should, where appropriate be flexible.
- 4.8 In this case the Council's Solicitor has confirmed that Inspectors decisions are not binding, however the Council would never refuse an application on the basis of no monitoring fee. In any event the Council does have authorisation in place to obtain monitoring fees. Officers therefore conclude that in this case the monitoring fee cannot reasonably be requested within the 'heads of terms' of the S106 Agreement and as such should be deleted.

6. CONCLUSION

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

Regulation 122 of the CIL Tests (statutory) and without them the scheme would not be acceptable.

6.2 The recommendation to grant outline planning consent has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan Core Strategy (Approved) Dec. 2013 and the South Gloucestershire Local Plan (Adopted) January 2006 set out in the original officer report, and to all the relevant material considerations set out in the report.

6.4 The following informatives would be included on any Decision Notice:

Approved Plans
Coalfield Standing Advice
Outline Consent Only
Future Adverts
S106
Land Ownership x 2
Building Regs.
Mud on Highway
Affects Public Highway
Health & Safety at Work Act
Food Preparation
Protected Species
Drop Kerbs
Construction Sites x 2
Nesting Birds
Surface Water Run Off
Discharge of foul or contaminated drainage.
Works adjacent to Conham Valley Stream
Proximity of Public Sewer

7. RECOMMENDATION

7.1 (1) That authority be delegated to the Director of Planning, Transportation and Strategic Environment to grant Outline Planning consent, subject to the conditions set out below and the applicant first voluntarily entering into an agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:

- Outdoor Sport provision/enhancement/maintenance contribution - Full provision on-site or £62.437p towards off-site provision/enhancement/maintenance for every sq.m. of deficit on-site; to accord with Policy CS24 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec 2013.
- The on-site provision of informal open space and natural and semi-natural green space in accordance with Policy CS24 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013.
- A financial contribution of £2,033.00 towards the provision of library services (upgrading and enhancing existing services at the nearest library to the site

(Hanham Library) to accord with Policies CS23 and CS6 of the South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013..

- A sum of £50,000.00p shall be allocated towards public art; to accord with Policy CS23 of the South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013.

(2) That the Head of Legal and Democratic Services be authorised to check and agree the wording of the agreement.

- 7.2 Should the agreement not be completed within 6 months of the date of the resolution that delegated authority be given to the Director of Environment and Community Services to refuse the application.

Contact Officer: Roger Hemming
Tel. No. 01454 863537

CONDITIONS

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

Reason

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

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

Reason

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

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

Reason

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

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

Reason

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

5. Application for the approval of reserved matters shall be in accordance with the scale parameters as shown on the indicative High Street Building Floor Plans and Sections; Harolds Way Building Levels; Harolds Way Building Floor Plans; High Street Streetscene; Site Cross Section Streetscene; Tabernacle Road Streetscene; Magpie Bottom Streetscene plans contained within the Design and Access Statement received 2 December 2013.

Reason

To ensure that the proposed development remains of an appropriate scale in-keeping with the character of the surrounding area in accordance with the requirements of Policy CS1 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec 2013.

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

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with policy CS9 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec 2013 and Policy EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. The hours of working on site during the period of construction shall be restricted to 08.00 to 18.30 Monday to Friday; 08.00 to 13.00 on Saturday and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

To minimise disturbance to neighbouring properties during the construction period and to comply with the requirements of Policy CS9 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec 2013.

8. The development hereby approved and subsequent site management, shall be carried out in accordance with the provisions and work prescriptions of the approved Ecological Mitigation and Enhancement Strategy, drawn up by Hyder Consulting Ltd (2014).

Reason

In the interests of protected species and the ecology of the site, in accordance with Policies L8 and L9 of The South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

9. Prior to the commencement of the development hereby approved, a landscape planting scheme consistent with the approved Ecological Mitigation and Enhancement Strategy (February 2014) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter all works shall be carried out in accordance with the approved details and to a schedule agreed with the Council.

Reason

In the interests of protected species and the ecology of the site, in accordance with Policy L9 of The South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

10. Prior to the commencement of the development hereby approved, details of secure cycle parking shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the cycle parking facilities shall be installed in full accordance with the approved details and prior to the first occupation of the Care Home hereby approved.

Reason

To encourage sustainable forms of transport and to accord with Policy T7 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

11. Prior to the first occupation of the development hereby approved, a Draft 'Travel Plan' shall be submitted to the Local Planning Authority. Thereafter, the Travel Plan shall be completed and agreed in writing by Council Officers within 2no. months of the first occupation of the buildings hereby approved.

Reason

To encourage means of transportation other than the private car, to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

12. Prior to the first occupation of the building hereby approved, a pedestrian/cycle link from the Hanham High Street direction shall be provided to the development hereby approved.

Reason

In order to improve permeability to the site and to encourage alternative modes of travel and to accord with Policy T12 of The South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

13. Prior to the commencement of the development hereby approved, intrusive site investigation works of the site shall be undertaken to establish the coal mining legacy issues (if any) on the site and appropriate measures of mitigation, should shallow mining or mine entries be found. The mitigation measures if required shall be carried out to the Council's written satisfaction prior to the commencement of the development hereby approved.

Reason

To take account of the past mining activities within the area in accordance with Policy CS9 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013.

14. If, during development, contamination not previously identified is found to be present at the site, then no further development (unless otherwise agreed in writing with the

LPA) shall be carried out until the developer has submitted, and obtained written approval from the LPA for a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

Reason

To prevent pollution of the water environment in accordance with Policy CS9 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013.

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

Reason

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

16. Prior to the commencement of development details of any floodlighting and external illuminations, including measures to control light spillage, shall be submitted to the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason 1

To prevent pollution of the water environment in accordance with Policy CS9 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013.

Reason 2

In the interests of protected species and to accord with Policy L9 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

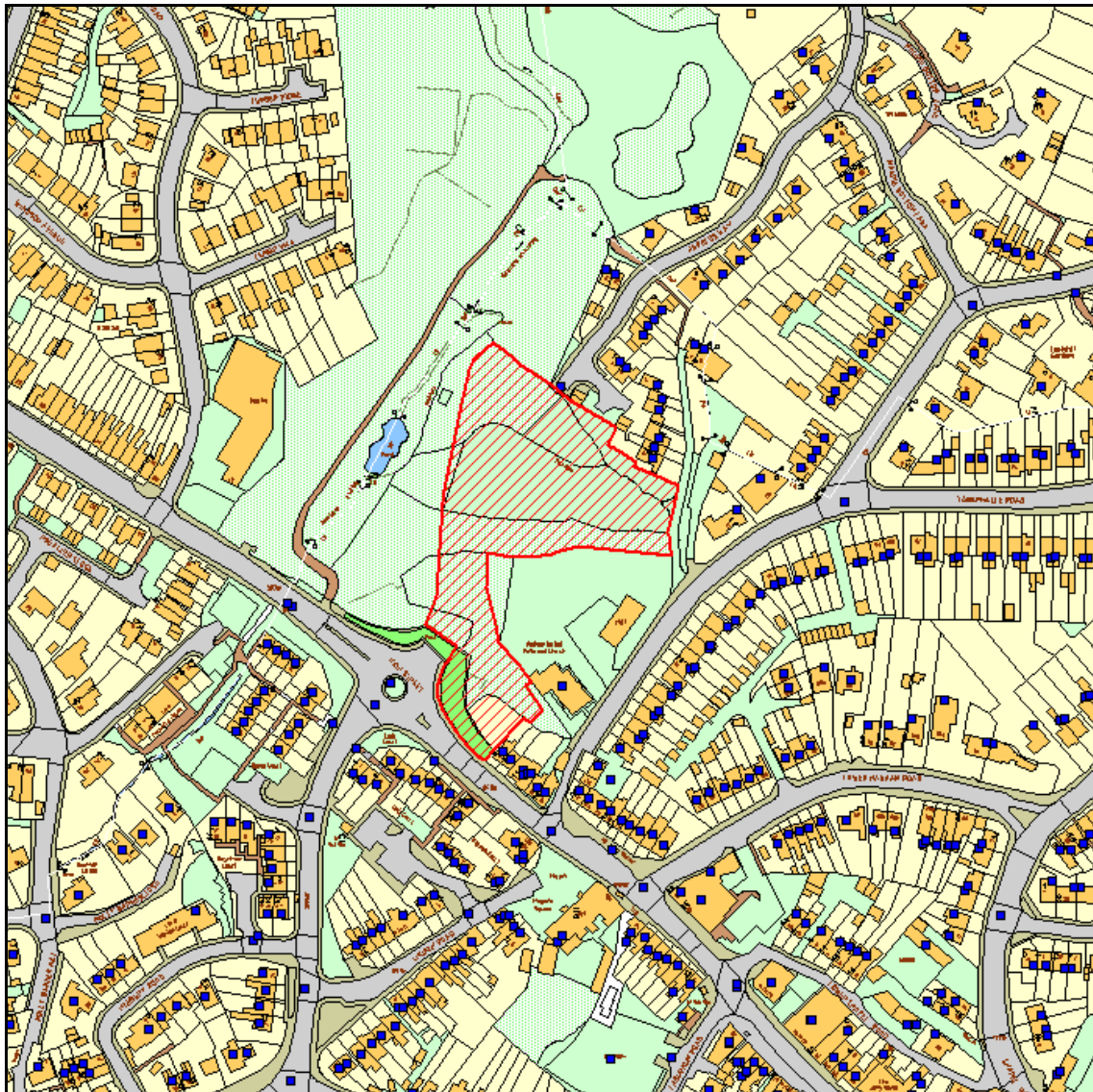
17. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) the use of the building hereby approved, shall be restricted to Care Home (C2) residential accommodation and care to people in need of care by reason of old age only and for no other use within the C2 Use Class unless agreed in writing by the Local Planning Authority.

Reason

To allow the Local Planning Authority the opportunity to fully assess the impact of any alternative C2 use on both residential amenity and the surrounding highway network, to accord with Policy T12 of The South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and the provisions of the NPPF.

DEVELOPMENT CONTROL (EAST) COMMITTEE – 13 MARCH 2014

App No.:	PK13/4444/O	Applicant:	Springfield Pension Fund
Site:	Land At Harolds Way Hanham Bristol South Gloucestershire BS15 8DU	Date Reg:	5th December 2013
Proposal:	Erection of Residential Institution (Class C2) (Outline) with means of access to be determined. All other matters reserved	Parish:	Hanham Parish Council
Map Ref:	364059 172516	Ward:	Hanham
Application Category:	Major	Target Date:	3rd March 2014



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REASON FOR REPORTING TO THE DEVELOPMENT CONTROL (EAST) COMMITTEE

This application has been referred to the D.C (East) Committee (only) by Councillor John Goddard on the following grounds:

- On access and safety grounds for motorists and pedestrians in the narrow approaches to Harold's Way.
- Due to considerable resident objections to both the Hanham Parish Council and to us as Ward Councillors, therefore I consider it best that a decision is taken in public by elected Members, and be witnessed by the residents who would also have a chance to speak and put their case..

(Members may recall that the site was originally visited by the Sites Inspection Sub Committee (East) on Friday 25th November 2012 in connection with the previous application PK11/2887/O for a similar scheme)

1. THE PROPOSAL

- 1.1 This application is a re-submission of a similar proposal PK11/2887/O that was refused for the reasons listed in para. 3.8 below; a subsequent appeal APP/P0119/A/12/2169263 was dismissed. Prior to the determination of that application an outline application PK10/1593/O for 12no. dwellings on the top half of the current application site, with access off Harolds Way, was approved.
- 1.2 The application site lies within the urban area and comprises approximately 0.75 hectares of vacant overgrown land, part of which was a former nursery. The site comprises two linked parcels of relatively open land overgrown by bramble, rough grassland, and emergent woodland with some mature trees and scrub. The site is crossed by a number of informal paths (not marked on the definitive public right of way map) leading down to the west to the valley bottom and associated Stradbroom stream (this is known as Magpie Bottom and is designated as a Site of Nature Conservation Interest - SNCI). No part of the application site falls inside the SNCI.
- 1.3 The northern part of the site slopes down, east to west, towards Magpie Bottom, whilst the southern part comprises a steep grassed embankment sloping down to a roundabout that forms the end of Hanham High Street. The Tabernacle Evangelical Church, Church Hall and grounds, virtually divide the two parcels of land. It is proposed to access the site from the north via Harold's Way, a modern housing development
- 1.4 As previously, the application is in outline form with only access to be determined at the outline stage; all other outstanding matters of design, scale, layout and landscaping would remain to be determined as reserved matters. It is proposed to erect a residential Care Home on the site for an estimated 107 residents. The applicant has clarified that the Residential Institution would have a floor space of circa 4,650sq.m. and is intended to provide residential accommodation and care to people in need of care by reason of old age.

- 1.5 The application is supported by a set of illustrative drawings and scale parameters, plus the following documents:
- Design and Access/Planning Statement
 - Statement of Significance
 - Traffic Assessment
 - Ecological Mitigation and Enhancement Strategy
 - Targeted Surveys for Reptiles, Birds and Bats.
 - Updated Ecological Appraisal
 - Phase 1 Geo-environmental Assessment
 - Draft S106 Agreement
- 1.6 A screening opinion was carried out in relation to the original proposal (PK10/1331/O), which concluded that the scheme did not meet the criteria for the submission of an Environmental Impact Assessment.
- 1.7 This application merely seeks to overcome the concerns raised by the Inspector in the most recent appeal decision APP/P0119/A/12/2169263, those being as follows:
- Proximity of front main elevation to High Street roundabout:

Building now set some 5m min. from back edge of footpaths opposed to 2m previously and landscaping introduced to soften and emphasise transition from High Street to Magpie Bottom
 - Land higher than street level, engineering works not clear:

Detailed sections across the site together with existing and proposed levels indicating minimal extent of engineering works required to accommodate split level building built into the existing bank.
 - Level access/ramps – necessary works might be prominent.

Access from High Street to building main entrance is designed to be level, no ramps, retaining structures or engineering works necessary.

2. POLICY CONTEXT

2.1 National Guidance

The National Planning Policy Framework 27th March 2012.

2.2 Development Plans

The South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013

CS1 - High Quality Design

CS4A – Presumption in Favour of Sustainable Development

CS5 - Location of Development

CS6 - Infrastructure and Developer Contributions

CS9 - Managing the Environment and Heritage

- CS17 - Housing Diversity
- CS18 - Affordable Housing
- CS23 - Community Infrastructure and Cultural Activity
- CS24 - Green Infrastructure, Sport and Recreation Standards

South Gloucestershire Local Plan (Adopted) January 2006

- L1 - Landscape Protection and Enhancement
- L5 - Open Areas within the Existing Urban Areas and Defined Settlements
- L8 - Sites of Regional and Local Nature Conservation Interest
- L9 - Species Protection
- L11 - Archaeology
- EP2 - Flood Risk and Development
- EP4 - Noise-sensitive development
- T7 - Cycle Parking
- T8 - Parking Standards
- T12 - Transportation Development Control Policy for New Development
- LC1 - Provision for Built Sports, Leisure and Community Facilities (Site Allocations and Developer Contributions)
- LC2 - Provision for Education Facilities (Site Allocations and Developer Contributions)
- LC12 - Recreational Routes

2.3 Supplementary Planning Guidance

- Trees on Development Sites SPG (Adopted)
- The South Gloucestershire Design Check List (SPD) Adopted Aug 2007.
- Affordable Housing SPD Adopted Sept.2008.
- South Gloucestershire Council Residential Parking Standards (SPD) Adopted.
- The Local List SPD Adopted Feb.2008.

3. RELEVANT PLANNING HISTORY

- 3.1 P76/4227 Outline Application for Residential Development (Refused)
 P85/4676 Residential Development (Approved)
 P97/4249 Residential Development (Outline) Refused
 PK00/0684/F Erection of 8 no. houses with construction of access road off Harold's Way and provision of public open space (Refused)
- 3.2 PK00/0684/F and PK00/0688/F were duplicate applications for – The erection of 8no. houses with construction of access road off Harold's Way and provision of public open space.
 Refused for the following reasons:
- *The development would be on a Greenfield Site and would thus be contrary to guidance in PPG3 and Policy H2 (A) of the South Gloucestershire Local Plan (As approved for Deposit)*
 - *The proposal, by reason of the proximity of built-development to the adjacent badger sett would fail to protect the welfare of the badgers. The proposal would also be contrary to the Protection of Badgers Act 1992, Policy C4B of the approved Avon County Structure Plan and Policy L10 of the South Gloucestershire Local Plan (As approved for Deposit).*

- *The proposed design and layout fails to have regard to the character of the area in terms of the local pattern of streets and spaces and design of dwellings. It would also be contrary to PPG3, Policy D1 of the South Gloucestershire Local Plan (As approved for Deposit) and Policy KLP67 of the Kingswood Local Plan (As approved for Deposit).*

A subsequent appeal, (APP/0119/A/00/1046231) was dismissed with the Inspector accepting the first reason for refusal set out above. The Inspector did not accept the other reasons for refusal indicating that if the appeal site was required to meet an additional demand for housing then this particular area would have the least impact upon amenity value of the overall Magpie Bottom area. A clear distinction was made between the amenity value of the application site and the remainder of the Magpie Bottom area (para 22-24).

- 3.3 PK06/0304/F - Erection of 4no. dwellings with access, car parking and associated works.
Approved 9th June 2006.
- 3.4 PK08/1688/O - Erection of 12no dwellings (Outline) with means of access to be determined. All other matters reserved.
Refused 18 March 2009
A subsequent appeal APP/P0119/A/09/2112347 was dismissed 31 Dec 2009.
- 3.5 PK10/019/SCR - Screening opinion for PK10/1331/O
EIA Not required 18 June 2010
- 3.6 PK10/1331/O - Erection of Residential Institution (Class C2) (Outline) with means of access to be determined. All other matters reserved.
Refused 17 Sept. 2010 for the following reasons:
- *The submitted Design and Access Statement fails to demonstrate adequate assessment of the site and its context to appropriately inform and clearly set acceptable principles for the layout, scale or appearance of the buildings and treatment of landscape areas. The application is therefore contrary to PPS1, PPS3, South Gloucestershire Local Plan Policy D1 (criteria A, B, C, D, F, G & H), South Gloucestershire Core Strategy (Pre-Submission Publication Draft– March 2010) Policy CS1 and the South Gloucestershire Design Checklist (SPD) August 2007.*
 - *There is insufficient information to determine that the development will not adversely impact on species protected under the Countryside & Rights of Way Act 2000/Wildlife & Countryside Act 1981 (as amended); or species listed as being of principal importance for biological diversity in England under Section 41 of the Natural Environment and Rural Communities Act 2006 and listed on the UK and South Gloucestershire Biodiversity Action Plans, contrary to Policy L9 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.*
 - *Inadequate information has been submitted to satisfy the Local Planning Authority that adequate/safe access for pedestrians and cyclists can be provided, given the steep gradient of the land, within the site boundary. Furthermore, by reason of inadequate information relating to provision of*

suitable off-street turning area for service vehicles, the proposal would lead to large service vehicles having to reverse long distance with consequent additional hazards to all users all contrary to Policies T12, H2 and D1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

- *In the absence of a Section 106 Agreement or Unilateral Undertaking to secure contributions towards mitigating the under-provision of public open space in the development and the demand placed on the library service and provision of dog and litter bins, the proposal would be contrary to Policies LC8, LC01, H2 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.*

3.7 PK10/1593/O - Erection of 12no. dwellings (outline) with access to be determined. All other matters reserved.
Approved S106 Signed 11 Nov 2011

3.8 PK11/2887/O - Erection of residential institution (Class C2) (Outline) with means of access to be determined. All other matters reserved. (Re-submission of PK10/1331/O).

Refused 20 Dec. 2011 for the following reasons:

- *The means of access and surrounding highway network is inadequate to serve a Care Home of this size, contrary to Policy T12 of the South Gloucestershire Local Plan (Adopted) 6th Jan. 2006.*
- *In the absence of a Section 106 Agreement or Unilateral Undertaking to secure contributions towards mitigating the under provision of public open space in the development and its maintenance, the proposal would be contrary to Policy LC8 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.*
- *In the absence of a Section 106 Agreement or Unilateral Undertaking to secure contributions to mitigate against the demands placed upon the library service, the proposal would be contrary to Policy LC1 of the South Gloucestershire Local Plan (Adopted) Jan. 2006.*

Appeal Ref: APP/P0119/A/12/2169263 – Dismissed 25th July 2012. An application for a full award of costs was also dismissed.

The Inspector did not agree with the first reason for refusal listed above and added her own reason (see para. 1.7 above). **Please see Appendix 1 for the full Inspector's Decision Letter.**

4. CONSULTATION RESPONSES

4.1 Hanham Parish Council

OBJECTION. The traffic situation in the area has changed drastically since the last application. Additional parking in the surrounding streets has increased following the withdrawal of car parking in Hanham Community Centre with no alternative being provided. As a result the one way traffic systems in place have seen a significant increase in traffic flow.

The Clerk was asked to ensure that the main points of objection from residents who had attended this meeting are forwarded to the planning officer. (Below)

- Access issues during building works, road not wide enough to accommodate construction traffic.
- Cars could be damaged outside of residents properties by construction vehicles negotiating parked cars.
- Traffic movement already a problem in Tabernacle Road- one way system, road narrowing following implementation of white lines and cars mounting pavement.
- Drainage issues for existing properties following construction.
- Height of any new development in relation to existing properties.
- Safety concerns for the children in Harold's Way due to increased traffic.
- No alternative access identified for emergency services as in previous applications.
- Access off the main highway would be a better option and a spur off of the roundabout has already been established.
- The following points were noted in respect of the major changes with regards to increased side street parking in the vicinity:
 - Hanham Community Centre withdrawing car parking for shoppers in the High Street has had a major impact in Hanham
 - Tesco's - when built this will increase the flow of traffic along the one-way system.
 - Proposed traffic scheme for Crews Hole will have a knock on affect, increasing traffic movement along side streets.

Bristol City Council

No response

4.2 **Other Consultees including Internal Consultees of the Council**

4.3 The Care Quality Commission

No response

4.4 Historic Environment

No objection subject to a condition to secure an archaeological investigation, in accordance with the Council's Brief, and mitigation strategy, prior to any reserved matters application.

4.5 Police Community Safety

No response.

4.6 Environmental Protection

Previously commented: No objections subject to standard informatives.

4.7 The Coal Authority

The Coal Authority concurs with the recommendations of the Phase 1 Geo-Environmental Assessment Report; that coal mining legacy potentially poses a risk to the proposed development and that intrusive site investigation works should be undertaken prior to development in order to establish the exact situation regarding coal mining legacy issues on the site.

The Coal Authority considers that the comments contained in the Phase 1 Geo-environmental Assessment are broadly sufficient for the purposes of the planning system and meets the requirements of the NPPF in demonstrating that the application site is, or can be made, safe and stable for the proposed development. The Coal Authority therefore has no objection to the proposed development subject to the imposition of the above condition.

4.8 Wessex Water

No objection. A public sewer runs through the development site; Wessex Water should therefore be contacted for advice on this matter. Connections to Public Sewers need to be agreed with Wessex Water.

4.9 Ecology

There are no ecological constraints to granting permission. Conditions should be attached relating to the ecological mitigation and enhancement strategy and a programme of sensitive lighting.

4.10 Environment Agency

Previously commented : No objection subject to conditions to secure a SUDS Drainage Scheme; a Remediation Strategy for any unsuspected contamination found; and standard informatives relating to, discharge of foul drainage and works within 8.0m of Magpie Bottom Stream.

4.11 Highways Drainage

No objection subject to conditions to secure a SUDS Drainage Scheme and standard informatives relating to vehicular accesses and past mining activity.

4.12 Landscape

There is no landscape objection to the proposed access in term of Policies L1 and L5 of the adopted local plan and there is no 'in principle' landscape objection to development on the site. In the event of consent being granted, a full landscape scheme including a comprehensive arboriculture assessment will be required as part of the reserved matters application.

4.13 New Communities

The following contributions are requested.

Outdoor Sport provision/enhancement/maintenance contribution - Full provision on-site or £62.437p towards off-site provision/enhancement/maintenance for every sq.m. of deficit on-site.
Library Service - £2,033.00
A contribution of 1% of the development cost to Public Art.

4.14 Sustainable Transport

In view of the planning history of the site as well as the recent Inspector's decision on the same site for much the same development then, it would be inappropriate to refuse this application on highway grounds. Planning consent is therefore recommended subject to the following conditions;

1) Prior to the first occupation of the buildings on site, a Draft 'Travel Plan' shall be submitted to the Local Planning Authority. Thereafter, the Travel Plan is to be completed and agreed in writing by Council Officers within 2no. months of the first occupation of the buildings hereby approved.

2) A pedestrian/cycle link via the High Street direction shall be provided in order to improve permeability to the site and to encourage alternative modes of travel.

4.15 Children and Young People

No contributions required.

4.16 Director of Children, Adults and Health

From the perspective of looking at alternative accommodation solutions for older people in South Gloucestershire it would be preferable to support the development of outright sale extracare flats (C3) as opposed to Care Home (C2) accommodation. This would assist in meeting South Glos. Council's current target of 400 outright sale units.

4.17 Urban Design

The application is a resubmission of PK11/2887/O following an appeal and Inspectors decision. The application is substantively the same scheme. The views of the Urban Design Officer therefore remain as before (which can be found under planning application PK11/2887/O, dated 25th Oct 2011). These essentially agreed that the Design & Access Statement provided appropriate parameters to guide new development on the site in terms of access, layout, scale, appearance and landscape. They noted however, the necessity to complete the footway alongside the now redundant spur off the nearby roundabout, to improve pedestrian access in the locality. The officer has no objection subject to these works being carried out.

4.18 Highway Drainage

No objection subject to a condition to secure a SUDS drainage scheme and an informative relating to surface water runoff from accesses.

4.19 Housing Enabling

No affordable housing contribution required.

Other Representations

4.20 The Rt. Hon. Chris Skidmore MP

Object on the following grounds:

- The development would not be in-keeping with the local area.
- The proposal would cause great distress to local people.

- Increased traffic flow along Harold's Way would exacerbate road safety in residential road.
- Increased pressure on traffic flows along the one-way system in Footshill Road and Tabernacle Road.

4.21 Councillor Andy Perkins

Object on the following grounds:

- Inadequate access and egress arrangements.
- Increased traffic on Harold's Way and Magpie Bottom Lane would result in adverse impacts on residential amenity.
- Increased congestion on local road network.
- An appeal decision relating to 69 Magpie Bottom Lane noted parking issues in Magpie Bottom Lane could prejudice road safety and amenity for local residents.
- Increased traffic using Hanham High Street junction from Tabernacle Road.

4.22 Local Residents

76no. letters/e.mails of objection were received from local residents; the concerns raised are summarised as follows:

- Only vehicular access into Harold's Way is via Magpie Bottom Lane, which is narrow with parked vehicles.
- The junction of Magpie Bottom Lane with Footshill Road/Tabernacle Road is rarely clear of parked cars.
- There are no road markings at the junction of Magpie Bottom Lane with Harold's Way, making it unclear who has right of way.
- Danger to children in Harold's Way from increased traffic and construction traffic.
- Increased noise and pollution in open plan estate.
- There is on-street parking along Harold's Way a cul-de-sac and also on the pavement and in the turning area at the end. The proposal would exacerbate the situation; construction vehicles, ambulances, fire engines, delivery vehicles and bin lorries would have problems accessing the site.
- Snow and ice can render Harold's Way impassable.
- Loss of turning point at end of Harold's Way.
- Loss of recreational, green open space.
- Access via a steep incline; access should be from roundabout on High Street.
- Historical evidence to indicate Coal Mining risk and archaeology present on site.
- Loss of pedestrian routes across open space.
- Detrimental impact on environment and wildlife.
- Harold's Way is a cul-de-sac.
- Adverse impact on community and environment.
- Land used for recreation.
- Increased pollution and danger for residents of Harold's Way.
- Alternative uses possible under the C2 use class.

- Recent developments (Tesco & Crews Hole Rd) will result in more congestion in the area. No further public parking in Hanham Community Centre.
- Traffic data out of date.

4.23 The British Industrial Archaeological Society

The site may be affected by very shallow workings and / or old bell pits which will need to be addressed in a ground investigation in due course. It also confirms that the Hanham Colliery is listed 660m south west of the site with regard to underground coal workings (depth unknown), and that they border the site to the south.

We know from a contemporary map that this area was constructed in the late 17th or early 18th century to drain the Kingswood coal field to discharge into the Strad brook near the north west boundary of the site. It is possible there would have been buildings associated with this level for construction and maintenance. The access road and northern buildings may lie above this level and could potentially destroy important information about early mining activities.

The proposed development has failed to consider the potential historic importance of the site and in consequence has made no provision for any archaeological investigation before development commences. Only paragraphs 50, 56, 187 and 197 of NPPF have been quoted to reinforce that the land should be developed.

In view of the fact that very little is known about this site, we would request that a full archaeological survey is undertaken before any construction takes place. This should then be made publicly available with this application. We note that the coal report stated that the pit had closed in 1920, but does not state when it was first operated, or any other historical information. Nor is there a site plan either from when it was operating or from the evidence discovered before.

This would then be in accordance with the National Framework Policy paragraph 128 and South Gloucestershire Local Planning Policy L11 Archaeology.

4.24 The South Gloucestershire Mines Research Group

The Roman Road from Bath to Sea Mills forms the southern boundary of the site. As the road crossed the brook at this point, it is possible there may have been activity beside the road, making use of the water. Further along the road at Stonehill, archaeological evidence has been found of Roman and other activity. The proposed southern building is very close to the road and its construction would destroy any remaining evidence.

Cool's level, which was constructed in the late 17th or early 18th century to drain the Kingswood coal field, is known from a contemporary map to discharge into the Strad brook near the north west boundary of the site. It is possible there would have been buildings associated with this level for construction and maintenance. The mouth of the level would have been a little above the brook level. It then sloped upwards with a shallow gradient in an ESE direction.

The access road and northern buildings may lay above this level and could potentially destroy important information about early mining activities.

The proposed development has failed to consider the potential historic importance of the site and in consequence has made no provision for any archaeological investigation before development commences.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The site lies within the Urban Area and it is considered appropriate to consider this application for a residential Care Home, as a type of residential development; the adopted Core Strategy and SGLP policies highlight the fact that residential policies are equally applicable to all sectors of the housing market, including specific groups like the elderly.

5.2 Since the refusal of application PK11/2887/O, Appeal APP/P0119/A/12/2169263 has been dismissed and the Inspector's Decision Letter is now considered a material consideration of significant weight.

5.3 Since the refusal of PK10/1331/O, outline planning consent PK10/1593/O was granted for 12no. dwellings on the upper part of the site, with access off Harold's Way; this is also a material consideration in the determination of this current proposal. Planning permission PK06/0304/F, for 4no. dwellings, on most of the lower part of the site (with access off Tabernacle Road), was also granted in 2006 and that is also a material consideration. The acceptance in principle of the residential development of most of the application site has therefore already been established. Furthermore, the Inspector in her Decision Letter for the most recent appeal, in effect raised no objection to the development of the upper part of the site as proposed or to the access arrangements proposed, her only concerns related to those matters listed under para. 1.7 above.

5.4 Other material considerations include the NPPF of 27 March 2012. The NPPF (para 14) states that; at the heart of the Framework is the presumption in favour of sustainable development. Sustainable development is defined in the Framework as having three dimensions, which lead to three roles – an economic role, a social role and an environmental role. The proposal would lie close to Hanham Town Centre and would create job opportunities; as such it complies with the stated aims and objectives of the NPPF. Furthermore The South Gloucestershire Local Plan Core Strategy has now been adopted (Dec 2013) so the policies therein can now be afforded more weight than under the previous application. Policy CS4 replicates the NPPF in enforcing the presumption in favour of sustainable development. In accordance with para. 187 of the NPPF, Core Strategy Policy CS4A states that, when considering proposals for sustainable development, the Council will take a positive approach and will work pro-actively with applicants to find solutions so that sustainable development can be approved wherever possible. NPPF Para. 187 states that Local Planning Authorities should look for solutions rather than problems and decision-takers at every level should seek to approve applications for sustainable development where possible.

- 5.5 Chapter 4 of the NPPF promotes sustainable transport and states that development should only be prevented on transport grounds where the residual cumulative impacts of development are severe. Paragraph 50 of the NPPF sets out the importance of delivering a wide range of residential accommodation and makes specific reference to the importance of planning for mixed communities including older peoples housing and this policy stance is replicated in Policy CS17 of the Core Strategy.
- 5.6 The application is in outline form with only the principle of the development of a Care Home for 107 residents to be determined, with the access arrangements also determined at this outline stage; all other matters would be addressed by a subsequent reserved matters application, should outline consent be granted. Officers therefore consider that the key issues to consider in the determination of this application are the concerns raised by the Inspector for the last appeal and whether or not this revised scheme has sufficiently overcome those concerns. In the event that the concerns listed at para. 1.7 of this report are adequately addressed, then officers consider that outline planning consent should be granted unless other material considerations indicate otherwise (see Core Strategy Policy CS4) indeed officers consider that to do otherwise would be unreasonable and leave the Council open to a further Cost Claim should a subsequent appeal be submitted.
- 5.7 Density
The application is in outline form only but the applicant has indicated that the scheme would provide 107 units of accommodation on the 0.75ha site, which equates to 142.7 dph. This high figure for the density of the development reflects the likely small size of the individual units within the Care Home, which it is estimated would have a floor space of 4,650sq.m. Having considered the size and configuration of the site, the illustrative plans, the proximity of the existing residential dwellings and the various other constraints of developing the site; officers are satisfied that the proposed density would make efficient use of the site. The Inspector for the most recent appeal raised no objection to the proposed density.
- 5.8 Scale and Design
The scale, layout, design and landscaping of the proposal remain to be determined as reserved matters, should outline consent be granted. However consideration must be given as to whether the proposal fixes the principles by which the subsequent reserved matters application can be considered. Additional scale plans and cross-sections have now been provided to demonstrate the proposed scale parameters and that the Inspector's concerns listed at para. 1.7 above, have now been addressed. At this outline stage however, these plans are indicative only; they merely serve to demonstrate that the site can adequately accommodate a Care Home for 107 residents.
- 5.9 The planning history comprises several applications for between 4-12 houses on the site. The scale and complexity of the proposed development is therefore significantly greater than previously proposed. In addition, the sites location is adjacent to existing housing and a local Nature Reserve, and on a visually important 'entrance' to Hanham High Street. As such the information provided,

particularly as part of the Design and Access Statement, should complement the complexity and significance of the application and thereby clearly demonstrate that proposals have been properly considered in the light of relevant policies and the site's constraints and opportunities, and allow for proper consideration by both the Planning Authority and local community. It should also clearly indicate the principles and concepts that will be used when the proposal is developed in the future, so that these may be 'fixed' by appropriate conditions.

5.10 Layout

Indicative block and internal layout plans are provided. The block plans respond appropriately to the opportunities and constraints of the site, specifically; providing a corner turning block on the High Street / roundabout corner, frontages to the Tabernacle access drive and overlooking Magpie Bottom and set-back to the badger sett protection area.

5.11 Scale

A number of plans and cross sections are provided to demonstrate appropriate scale parameters. Scale as such appears well considered, taking cues from adjacent development. The layout plan shows a hipped roof adjacent to 19 Harold's Way and appropriate appearance principles have been added providing guidance on the architectural approach of the building fronting the High Street. The Inspector for the last appeal, in her Decision Letter at para.12 raised no concerns about the building adjacent to Harold's Way but did raise concerns about the proximity of the front main elevation to the High Street roundabout given that, at present, this part of the overall High Street land is somewhat higher than the street level. The Inspector did not however object to the principle of a key building at this visually weak point if this could be achieved, she simply did not consider at that time to have sufficient information as to how it could be satisfactorily accommodated, having regard to the steep gradient of the land here and the proximity of the High Street.

5.12 The application as now submitted and proposed provides a great deal more information which amongst other things, demonstrates that the front elevation of the High Street part of the development would now be set back 5m from the High Street as opposed to the previously proposed 2m. This part of the Care Home has now been designed as a split level building in order to relate to the higher ground level to the existing neighbourhood property; the proposed access from the car park to the rear; and the access from the lower street level on the High Street frontage, adjacent to the roundabout.

5.13 The main ground floor slab level of the High Street building, is now set at 48.10m and the eaves at 53.02m and roof ridge at 55.5m AOD, the same as the adjacent house no.5 High Street. A lower ground floor has been incorporated adjacent to the roundabout with a slab level at 45.40m to accommodate the fall in the land level and provide full mobility level access from the High Street footpath, where its level is also 45.40m. Continuity in the street scene would be maintained with the continuation of the existing stone boundary wall along the whole roundabout frontage. There would be no unsightly ramps as previously envisaged by the Inspector.

5.14 Appearance

The D&A Statement provides some contextual information in terms of describing the adjacent vernacular of the buildings on the High Street and dwellings on Harold's Way. There is clearly a mix of building ages and styles in the locality. Officers also note the locally listed nature of the Tabernacle Church.

- 5.15 Although detailed design drawings are not required at this outline stage, the D & A Statement includes simple clear appearance principles to inform the reserved matters application. These include a 'traditional' approach to the High Street frontage incorporating natural stone, clean rendered elevations facing the Tabernacle Church and the opportunity for a greater range of materials and contemporary / environmental elements to the Harold's Way building. Officers consider these appropriate and acceptable.

5.16 Sustainability

Core Strategy Policy CS1 (8) requires that development seeks to achieve energy conservation and protection of natural resources. The applicant has agreed to meet CfSH level 3 and / or BREEAM 'very good'. This is welcomed.

5.17 Accessibility

There are clear pedestrian desire lines between the proposed development itself and Magpie Bottom and properties on Harold's Way and the High Street. Officers note however the applicant's intention to restrict access through the site to the occupants only. The applicant has however expressed operational/management and security concerns about the provision of a public footpath through the site. However, officers also note footpath connections between Harold's Way and the High Street via Magpie Bottom.

- 5.18 Officers are satisfied that, even having considered the Inspector's concerns, there is now sufficient information to assess whether the context has been understood and evaluated appropriately and the site is capable of accommodating a building of 107 units in accordance with Policy CS1 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec 2013 and The South Gloucestershire Design Check List (SPD) August 2007.

5.19 Transportation Issues

The proposed development is divided into two parts connected by a relatively long road. Vehicular access to the site would be off Harold's Way, a Class 4 residential highway. The existing road, Harold's Way has been designed and constructed to present-day standards. The road is a standard estate road, 5.5m wide with footways on either side and direct access to the dwellings, each have off-street parking facilities.

- 5.20 Following the Site Visit by the SISC in Nov. 2012, Members requested information as to why an access into the site, off the roundabout on High Street has not been considered.

- 5.21 Between the land owned by the applicant (i.e. Red edge) and the adopted highway boundary, there is a section of land, which falls outside the applicant's control/ownership. This land, although maintained by the Council, is not adopted highway. If the applicant wanted to use this land to create an access, he would be required to purchase it. This land could be used (by the Owner) as a ransom strip for any future development on the site and this is something that the developer may not wish to consider, particularly as there is an alternative access into the site from Harold's Way.
- 5.22 An adopted tarmacadam highway footpath with street-lighting runs along the highway edge to the whole frontage of the application site, from which pedestrian access is provided from the proposed Care Home facility giving access to the High Street and all of its facilities for future occupants/employees of the Care Home.
- 5.23 In terms of traffic generated by the development, the applicant estimates total daily traffic to and from the new nursing home to be in the order of 321 trips (i.e. two-way movements). It is industry norm to assess the traffic impact of the development during the peak hour period. The applicant estimates the evening peak hour traffic (between 17.00 – 18.00), to and from the development would be about 39 trips (two-way movement).
- 5.24 The transportation officer has assessed this against the information, which is available to the Council (i.e. information contained within TRICS data-base including data for similar uses/sites elsewhere in the country). The officer is satisfied that the traffic figures provided by the applicant are robust and could not be challenged in an appeal situation. The officer's assessment is that the existing road (i.e. Harold's Way) and the adjoining highway network have adequate capacity and that the existing road can satisfactorily cater for the development traffic.
- 5.25 Harold's Way connects via Magpie Bottom Lane onto Footshill Road. Visibility splays at this junction meet the current design guidance and as such, this is considered acceptable in road safety terms. It is also relevant for the Members to note that the Council approved a scheme of housing development (i.e. 12no. dwellings) as part of planning application PK08/1688/O on the same site. The scheme for housing on the site has never been implemented. Officers estimate that traffic associated with the approved housing on this site could range between 72 and 96 per day. The current application for the nursing home if allowed would be instead of the earlier approved residential development on the site.
- 5.26 The applicant has clarified that it is intended that the whole site would remain in private ownership and that a service core would be located at the main building adjacent to Harold's Way, from where all on-site servicing would be centred. Immediately adjacent to this area would be a turning area to accommodate 11m long rigid PSV (suitable for either public or private collection service vehicles). Furthermore the applicant would accept a condition to secure on-site covered and secure cycle parking facilities. Subject to this condition, officers are satisfied that the proposal is acceptable in terms of its access, parking and manoeuvring arrangements in accordance with Local Plan Policy T12.

5.27 As previously there are a number of local residents as well as Parish Councillors and the local MP who have expressed concerns about this proposal. They are objecting to the scheme on the basis of traffic, access and parking issues. By reference to the planning history of the site, it is noted that a similar planning application was considered and refused by the Council (i.e. application no. PK11/ 2887/O) however; this decision was later challenged by the applicant through the planning appeal process and the planning Inspector's decision was made on the 25th July 2012.

5.28 The current application is basically a resubmission of the previous one with a very similar proposal for a Care Home on the site. Given the planning history of the site, the Inspector's decision is a 'material' consideration when determining this current application. With this in mind, the following comments are made.

5.29 **Traffic**

Associated with the current application, the applicant has submitted a transport statement (TS). Although this is the same TS report as submitted with the previous application in 2011, its content in respect of predicted development traffic is still considered relevant. The applicant's predicted traffic figure for the development (i.e. Care Home with 107 residents) is 321 movements per day with around 39 movements (less than 1 per minute) during evening peak time. The officer's assessment of this report is that traffic figures as submitted with the application are robust.

When assessing the traffic issue relating to this development, it is important to refer to the Inspector's report/decision in which she makes the following statement (para.9),

"Overall, I consider that the vehicle movements associated with a care-home would be a small percentage of the existing vehicular movements on the whole network. Even during evening peak hour time, movements would only result in an additional 10 inbound and 29 outbound or less than 1 per minute".

5.30 **Access and the Surrounding Highway Network**

There are 2 potential routes into this site a) from Hanham- via Tabernacle Road/ Footshill Road/Magpie Botom Lane/ Harold Way or b) from Kingswood direction- turning from Forest Road into Footshill Road. In respect of the access, the Inspector makes the following comments (para. 7),

"I travelled both these routes at my site inspection; there is certainly some on-street parking and there were various vehicles parked in the end of the cul-de-sac on that day". The Inspector goes on later to say that *"I can find nothing in representations or at my site inspection that would cause me to take a negative view of the access arrangements in general terms".* The Inspector (para.9) describes Harold's Way as a modern estate road with pavements on either side of the road and it is confirmed that visibility plays at the relevant junctions meet 'current design guidance'.

On the issue of access, the Inspector Later in her Decision Letter concludes (para.10) *“that the proposed access and surrounding highway network would be adequate to serve a care home use of a size commensurate”*

5.31 **Parking issue**

The transportation officer has visited this site on a number of occasions and at different times. It is evident from site visits that there is some on-street parking on the highway network including some parked vehicles in the end of cul-de-sac. Indeed this is also acknowledged by the Inspector in her Decision Letter (para.7). However, it must be noted that the issue of the existing on-street parking on its own could not be used as a reason to refuse planning permission as the development would be providing its own off-street parking within the site boundary.

- 5.32 Although the application is in outline form with only the principle of the development and the access to be determined at the outline stage; the applicant has submitted an indicative parking and turning layout, which suggests that the development can and will provide its own off-street parking and manoeuvring area for vehicles visiting the site. Fuller assessment of the parking for this development would be carried out at a later date (i.e. at the “Reserved Matters” application stage) when the developer would be required to provide fuller details of parking on site, which must meet the Council’s parking standards.

5.33 **Other issues raised by Local Residents and Councillors**

A written representation has been sent to the Council by local residents sighting major changes to traffic within the proposed development area since the previous application and appeal decision. Specifically, the letter makes reference to a new Tesco supermarket in Hanham and they comment that Hanham Community Centre is no longer available for parking use for shoppers. Officers consider that both these sites are a sufficient distance away from the application site and as such would not have any ‘material’ impact on traffic or parking issues at the application site location.

- 5.34 With regard to service / emergency vehicles visiting the site – as highlighted in the Inspector’s decision (para.9), vehicular movements associated with the proposed care-home would be a small percentage of the existing vehicular movements on the whole network. With this in mind, it is considered that the number of service or emergency vehicles resulting from this development would also be low.
- 5.35 Councillor Perkins has made reference to a refused planning application PK12/1056/F for a side extension, relating to 69 Magpie Bottom Lane and a subsequent appeal Decision Notice APP/P0119/D/12/2169459. It is noted however that the scheme was refused for being deficient in parking provision, which would have led to increased on-street parking. The Inspector for the appeal concurred with this view. The fundamental difference between that scheme and the proposed Care Home is that the latter provides adequate on-site car parking provision and as such would not increase on-street parking.

5.36 **Conclusion** - In view of all the above and specifically with reference to the planning history of the site, as well as the recent Inspector's decision on the same site for much the same development proposal then, it would be inappropriate to refuse this application on highway grounds. Planning consent is therefore recommended subject to the following;

1) Prior to the first occupation of the buildings on site, a Draft 'Travel Plan' shall be submitted to the Local Planning Authority. Thereafter, the Travel Plan is to be completed and agreed in writing by Council Officers within 2no. months of the first occupation of the buildings hereby approved.

1) A pedestrian/cycle link via High Street direction shall be provided in order to improve permeability to the site and to encourage alternative modes of travel.

5.37 **Landscape Issues**

The northern portion of the site is located on a gently sloping area of land above Magpie Bottom Public Open Space and is mostly covered by Bramble. The steep slopes that lead down to Magpie Bottom begin immediately on the north-western edge of this portion of the site. These slopes are largely covered by emergent woodland and scrub and this vegetation effectively screens most of the site from Magpie Bottom apart from a small section behind the pond in Magpie Bottom from where it may be possible to glimpse any development. This portion of the development would be visible from the north and east but would appear as part of the established pattern of residential development. This part of the development may entail the loss of some significant vegetation but there is sufficient space available to provide an appropriate level of mitigation.

5.38 The southern portion of the proposal would create a prominent new frontage to Hanham High Street and would probably not entail the loss of any significant vegetation.

5.39 The site meets the criteria for being considered as a significant open area within the existing urban area in the context of Policy L5 of the adopted local plan, being a characteristic feature of the locality. However, it is considered the significance of the space lies in the direct link with the valley of Magpie Bottom and the valley slopes themselves. The Inspector for the last appeal did not raise any objection to the loss of the loss of the open space.

5.40 In as much as can be determined at this outline stage, officers are satisfied that there is no landscape objection in terms of Policies L1 and L5 of the adopted local plan and there is no 'in principle' landscape objection to development on the site. The landscaping proposals remain to be determined as a reserved matter and in the event of consent being granted a full landscape scheme including a comprehensive arboricultural assessment of the site would be required under the reserved matters application.

- 5.41 Ecology
The application site largely comprises a mixture of dense bramble, scrub and immature hazel and buddleia off Harold's Way, to the north of the Tabernacle Congregation Church and adjoining and contiguous with Magpie Bottom, an area of open space near Hanham. The application site is not covered by any statutory or non-statutory nature conservation designations.
- 5.42 The application includes an ecological mitigation and enhancement strategy (September 2011) derived from specific additional species surveys carried out by Hyder Consulting (UK) Ltd between April and June 2011 (further to the walkover appraisal carried out by Hyder in May 2010 and included with PK10/1331/O). A request made in January 2014 for the Ecological Mitigation and Enhancement Strategy (Cresswell September 2011) to be modified in the case of a higher than expected reptile population being found, and in the case of roosting bats being found, has now been fulfilled as Ecological Mitigation and Enhancement Strategy (Hyder 7th February 2014).

Semi-natural Habitat

The site primarily consists of dense bramble scrub, with hazel and buddleia shrubs and areas of ruderal vegetation and rough grassland.

The strategy indicates that the revised application retains a sizable area of scrub/rough grassland and incorporates mixed native shrub and tree planting into the landscape planting for the scheme. Whilst some of the bramble scrub within the retained semi-natural habitat will be cleared to help extend the areas of rough grassland available for slowworms (see below), there should be sufficient left within the scheme to provide nesting habitat for the breeding birds recorded on site, particularly when augmented by new native scrub planting.

A detailed landscape planting plan, to include the seed mix for new areas of species-rich grassland and mixed native scrub/shrub planting, should be drawn up and agreed under Condition.

Protected Species

Bats

The two features identified as offering potential niches for bats - a derelict wall (remains of a building) and a mature ash tree - were both surveyed for use as roost sites.

No signs of use by bats were recorded in either feature.

Slowworms

A medium-sized colony of slowworms (maximum count of 21) was recorded on site.

Slowworms are protected against intentional killing or injury under the Wildlife and Countryside Act, 1981 (as amended) and CROW Act 2000 and are included on the South Gloucestershire Biodiversity Action Plan (SGBAP).

As the site is predominantly unsuitable for reptiles, only a comparatively small amount of suitable habitat would be lost to the scheme. The strategy describes the proposed approach to safeguarding the colony on site- by translocating the colony to a grass embankment (receptor site) adjacent to the spur of the Hanham High Street roundabout to the south, as well as creating new contiguous habitat to enable the colony to expand.

Whilst broadly acceptable, the mitigation strategy should also identify an ancillary receptor site to be utilised should significant numbers of slowworms be found.

Badgers

Three badger setts - a large subsidiary and two outlying setts – were recorded during the walkover survey in 2010.

The outlying sett adjacent to Harolds Way would be lost beneath the footprint of the development, although a subsequent site visit in 2011 considered that the sett did not appear to be active.

The strategy undertakes to re-survey the site for badgers and activity and assess whether any closure works will need to be subject to the licensing provisions of the Protection of Badgers Act 1992.

Hedgehogs

In the absence of an established protocol, no specific survey for hedgehogs was carried out.

Hedgehog is listed as a Priority Species nationally on the UK BAP and also included on the South Gloucestershire BAP.

Notwithstanding this, given the suitability of the habitat across the site, it has been agreed that there should be the presumption that the species is present on site. The strategy therefore undertakes to inspect any suitable habitat for the species immediately ahead of clearance. Any animals found will be re-located to secure habitat outside the application site.

Birds

Section 3, page 4, of the strategy confirms that three species included on the Red List of species of conservation concern – song thrush, house sparrow and starling - were recorded on site.

Of these, the latter two, house sparrow and starlings, are most likely to nest within adjoining houses and forage over the site. Conversely, song thrush - a species included on the UK and South Gloucestershire BAPs and listed by the Government as a species of principal importance for biological diversity under Section 41 of the NERC Act 2006 - is more readily associated with the woodland/scrub mix across the wider Magpie Bottom area. Providing new mixed native scrub within the planting scheme as per 11, page 9, will therefore contribute to providing additional supporting habitat for the species.

The strategy also undertakes to erect nest boxes for as range of bird species recorded on site (9, page 9).

South Gloucestershire Biodiversity Action Plan

The application contributes towards a variety of action plans within the South Gloucestershire BAP – namely, slowworm, hedgehog, song thrush and species-rich grassland ('Old Meadows & Pastures').

- 5.43 Officers therefore conclude that there are no ecological constraints to granting planning permission. Conditions should be attached relating to the ecological mitigation and enhancement strategy, a landscape planting plan, a programme of monitoring and ecological clerk of works. Officers are satisfied that the application demonstrates how it will contribute towards the aims and targets of the South Gloucestershire Biodiversity Action Plan and how impact on protected species would be mitigated in accordance with Policy L9 of the adopted local plan.
- 5.44 Impact Upon Residential Amenity
At this stage the proposal is in outline form only and layout plans are merely illustrative. The exact location of the proposed buildings in relation to neighbouring property is not therefore precisely known at this stage. A full assessment of the impact in terms of overbearing impact and loss of privacy from overlooking would need to be made at the reserved matters stage.
- 5.45 A number of concerns have been raised about increased traffic generation in Harolds Way and the implications for residential amenity. However, Harolds Way is an established estate road with adequate capacity to cope with the proposed traffic generation. Given that traffic including service and delivery lorries, already use the road, officers do not consider that a refusal reason on the basis of noise and disturbance could be substantiated. As far as is possible at this stage, officers are satisfied that the proposal would not result in a significant loss of residential amenity for occupiers of Harolds Way or Magpie Bottom Lane. A fuller assessment of the impact on residential amenity would be required at the reserved matters stage.
- 5.46 The submitted Design & Access Statement has sought to address all of the concerns raised by local residents. The following concerns raised are addressed as follows:
- Narrow and congested access via Magpie Bottom Lane.
 - No road markings at junction with Magpie Bottom Lane and Harold's Way.

- Risk to children from increased traffic levels in Harold's Way.
- Increased noise and pollution from traffic in Harold's Way, open plan gardens.
- Vehicles parked in Harold's Way, difficult access for construction traffic.
- Harold's Way is difficult to access in winter.
- Dangerous junction Magpie Bottom Lane and Footshill Road.
- Harold's Way is a quiet cul-de-sac.
- Access should be from Bryants Hill Roundabout

The traffic report accompanying the application concludes that the street network around the application site can safely accommodate the additional traffic that would be generated by the proposed C2 facility; this has been confirmed by the Inspector's Decision for APP/P0119/A/2169263 dated 25th July 2012 and also by the Council's Transportation Officer.

- Other uses possible within the C2 Use Class.

The occupancy of the Care Home has been specifically detailed within the Design and Access Statement as: 'to provide residential accommodation and care to people in need of care by reason of old age', thus negating any other use of the building within the C2 Use Class. This can be secured by condition.

- Loss of open space.

Previous planning consents have established that the site is not an open space that should be protected.

- Adverse impact on wildlife – badgers, birds, voles, bats etc.

Previous planning decisions have established that the application site is generally of limited nature conservation value; and subject to appropriate mitigation measures to address the nature conservation features of value, building could take place on this site without materially harming its wildlife value.

- Loss of views
- Previous mining activity

Loss of view is not a material consideration. A Coal Mining Report has been submitted to the Coal Authority's satisfaction.

- Inadequate parking

The scheme accords with the local authority standards.

- Not in-keeping
- Overbearing impact.

The application is in outline form only, but demonstrates that the proposals are in-keeping with local context and scale of neighbouring developments.

- Loss of privacy from overlooking.

The layout shows that the proposal could achieve the same separation distances as the previously approved residential schemes that were not felt to raise any privacy issues.

- Loss of pathway to High Street Bus Stop.

Whilst there is an unofficial pedestrian route from Harolds Way to Tabernacle Road, an Inspector in 2000 ruled that this objection was not justified. A private pedestrian access into the C2 facility from Tabernacle Road may be created.

- Overshadowing of Tabernacle Church

The proposed High Street building would be set 1m below the level of the Tabernacle Church with the eaves and ridge set accordingly with minimum separation distances of 12m to 23m. There would therefore be no privacy issues.

5.47 Drainage

Policy EP2 of the South Gloucestershire Local Plan (Adopted) 6th January 2006, require that proposed development ensures that foul and surface water disposal arrangements are acceptable and incorporate sustainable drainage principles. In addition, development will not be permitted where it could increase the risk of flooding. An appropriate condition to secure a SUDS drainage scheme would be imposed should outline consent be granted. Subject to this condition the scheme would accord with Policy EP2 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

5.48 Environmental Issues

A submitted Coal Mining Report has been assessed by the Coal Authority who recommended that a condition be imposed to secure site investigation works prior to the commencement of the development; and appropriate mitigation measures should shallow workings etc. be found. Subject to this condition and a condition to control the hours of working on the site during the development phase, there are no objections on Environmental Protection grounds.

5.49 Historic Environment

The Council's Archaeologist has confirmed the proximity of a Roman Road to the south of the site and the possibility of industrial archaeology related to Coal Mining in the area. No objection is raised subject to an appropriate condition to secure an archaeological investigation of the site, in accordance with the Council's Brief, and mitigation strategy should archaeological remains be found, prior to any reserved matters application.

5.50 Education

In accordance with Core Strategy Policy CS23 consideration must be given as to the need for contributions towards education facilities within the locality. In this instance, as the proposal would not generate additional demand on school places, contributions towards Education facilities are not justified.

5.51 Affordable Housing

In accordance with Core Strategy Policy CS18, consideration must be given as to the need for an affordable housing requirement for this Care Home proposal. In this instance the proposal does not meet the criteria for affordable housing provision.

5.52 New Communities

In accordance with Core Strategy Policy CS24 consideration must be given as to the need for contributions towards open space provision and maintenance and library services etc. for this Care Home proposal. In this case the following contributions, to be secured by S106 Agreement, have been agreed with the applicant:-

Outdoor Sport provision/enhancement/maintenance contribution - Full provision on-site or £62.437p towards off-site provision/enhancement/maintenance for every sq.m. of deficit on-site.
Library Service - £2,033.00
A contribution of 1% of the total development cost to Public Art.

6. CONCLUSION

6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise. The obligations set out below meet Regulation 122 of the CIL Tests (statutory) and the tests set out in Circular 05/05 and without them the scheme would not be acceptable.

6.2 Officers consider that the scheme as now submitted has overcome the few concerns that the Inspector raised in dismissing the appeal against refusal of PK11/2887/O. Furthermore there are no material considerations or changes in policy since the appeal that would outweigh officers conclusions to grant outline consent.

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

6.4 The following informatives would be included on any Decision Notice:

Approved Plans
Coalfield Standing Advice
Outline Consent Only
Future Adverts
S106
Land Ownership x 2
Building Regs.
Mud on Highway

Affects Public Highway
Health & Safety at Work Act
Food Preparation
Protected Species
Drop Kerbs
Construction Sites x 2
Nesting Birds
Surface Water Run Off
Discharge of foul or contaminated drainage.
Works adjacent to Conham Valley Stream
Proximity of Public Sewer

7. RECOMMENDATION

7.1 (1) That authority be delegated to the Director of Planning, Transportation and Strategic Environment to grant Outline Planning consent, subject to the conditions set out below and the applicant first voluntarily entering into an agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:

- Outdoor Sport provision/enhancement/maintenance contribution - Full provision on-site or £62.437p towards off-site provision / enhancement / maintenance for every sq.m. of deficit on-site; to accord with Policy CS24 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec 2013.
- A financial contribution of £2,033.00 towards the provision of library services (upgrading and enhancing existing services at the nearest library to the site (Hanham Library) to accord with Policies CS23 and CS6 of the South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013..
- A contribution of 1% of the total development cost towards public art; to accord with Policy CS23 of the South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013.
- A S106 monitoring fee to the value of 4% of the total contributions; to cover the Council's costs of monitoring the S106.

(2) That the Head of Legal and Democratic Services be authorised to check and agree the wording of the agreement.

7.2 Should the agreement not be completed within 6 months of the date of the committee resolution that delegated authority be given to the Director of Environment and Community Services to refuse the application.

Contact Officer: Roger Hemming
Tel. No. 01454 863537

CONDITIONS

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

Reason

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

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

Reason

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

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

Reason

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

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

Reason

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

5. Application for the approval of reserved matters shall be in accordance with the scale parameters as shown on the indicative High Street Building Floor Plans and Sections; Harolds Way Building Levels; Harolds Way Building Floor Plans; High Street Streetscene; Site Cross Section Streetscene; Tabernacle Road Streetscene; Magpie Bottom Streetscene plans contained within the Design and Access Statement received 2 December 2013.

Reason

To ensure that the proposed development remains of an appropriate scale in-keeping with the character of the surrounding area in accordance with the requirements of Policy CS1 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec 2013.

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

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with policy CS9 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec 2013 and Policy EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. The hours of working on site during the period of construction shall be restricted to 07.30 to 18.30 Monday to Friday; 08.00 to 13.00 on Saturday and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

To minimise disturbance to neighbouring properties during the construction period and to comply with the requirements of Policy CS9 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec 2013.

8. The development hereby approved and subsequent site management, shall be carried out in accordance with the provisions and work prescriptions of the approved Ecological Mitigation and Enhancement Strategy, drawn up by Hyder Consulting Ltd (2014).

Reason

In the interests of protected species and the ecology of the site, in accordance with Policies L8 and L9 of The South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

9. Prior to the commencement of the development hereby approved, a landscape planting scheme consistent with the approved Ecological Mitigation and Enhancement Strategy (February 2014) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter all works shall be carried out in accordance with the approved details and to a schedule agreed with the Council.

Reason

In the interests of protected species and the ecology of the site, in accordance with Policy L9 of The South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

10. Prior to the commencement of the development hereby approved, details of secure cycle parking shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the cycle parking facilities shall be installed in full accordance with the approved details and prior to the first occupation of the Care Home hereby approved.

Reason

To encourage sustainable forms of transport and to accord with Policy T7 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

11. Prior to the first occupation of the development hereby approved, a Draft 'Travel Plan' shall be submitted to the Local Planning Authority. Thereafter, the Travel Plan shall be completed and agreed in writing by Council Officers within 2no. months of the first occupation of the buildings hereby approved.

Reason

To encourage means of transportation other than the private car, to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

12. Prior to the first occupation of the building hereby approved, a pedestrian/cycle link from the Hanham High Street direction shall be provided to the development hereby approved.

Reason

In order to improve permeability to the site and to encourage alternative modes of travel and to accord with Policy T12 of The South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

13. Prior to the commencement of the development hereby approved, intrusive site investigation works of the site shall be undertaken to establish the coal mining legacy issues (if any) on the site and appropriate measures of mitigation, should shallow mining or mine entries be found. The mitigation measures if required shall be carried out to the Council's written satisfaction prior to the commencement of the development hereby approved.

Reason

To take account of the past mining activities within the area in accordance with Policy CS9 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013.

14. If, during development, contamination not previously identified is found to be present at the site, then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until the developer has submitted, and obtained written approval from the LPA for a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

Reason

To prevent pollution of the water environment in accordance with Policy CS9 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013.

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

Reason

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

16. Prior to the commencement of development details of any floodlighting and external illuminations, including measures to control light spillage, shall be submitted to the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason 1

To prevent pollution of the water environment in accordance with Policy CS9 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013.

Reason 2

In the interests of protected species and to accord with Policy L9 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

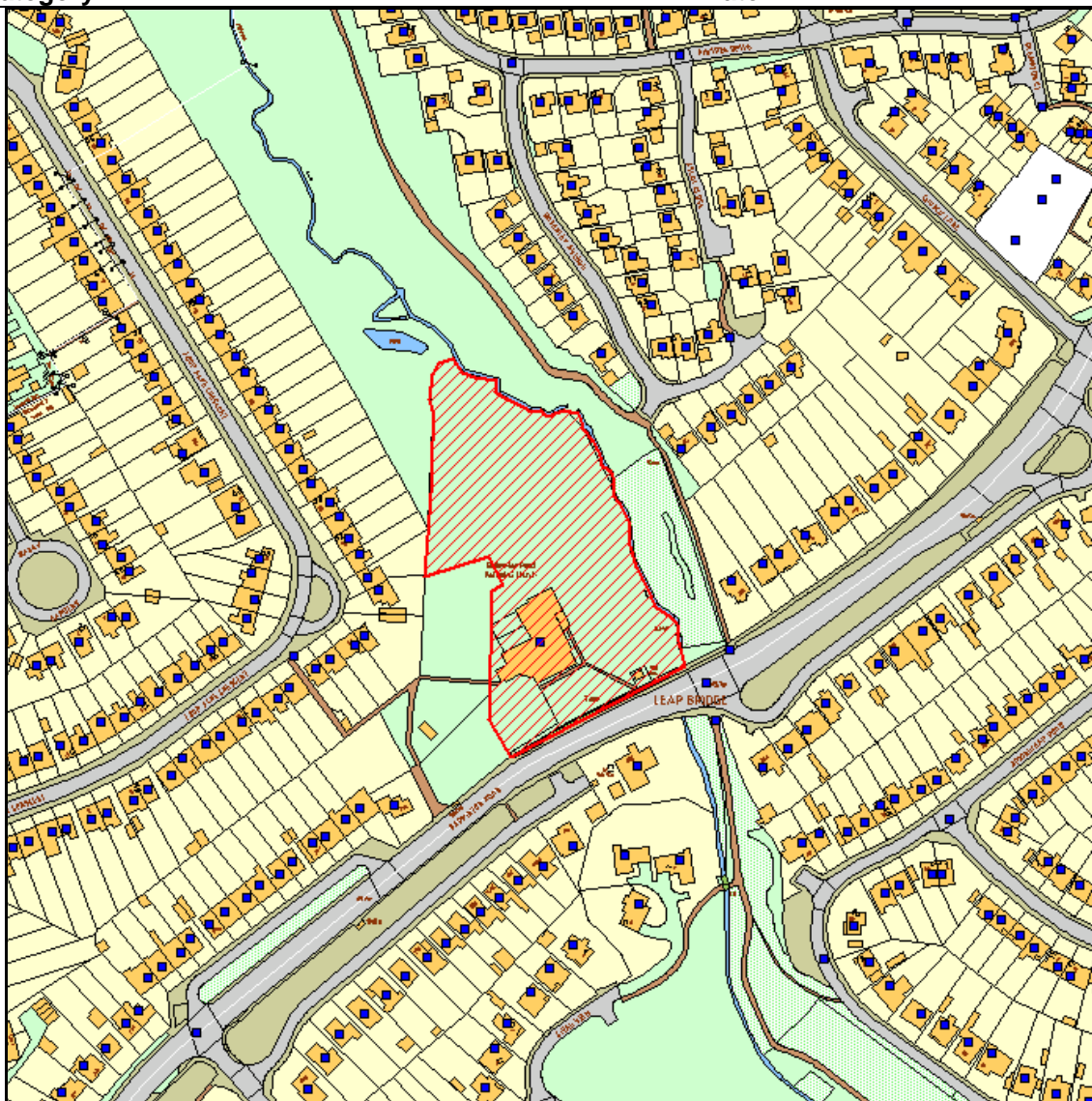
17. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) the use of the building hereby approved, shall be restricted to Care Home (C2) residential accommodation and care to people in need of care by reason of old age only and for no other use within the C2 Use Class unless agreed in writing by the Local Planning Authority.

Reason

To allow the Local Planning Authority the opportunity to fully assess the impact of any alternative C2 use on both residential amenity and the surrounding highway network, to accord with Policy T12 of The South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and the provisions of the NPPF.

CIRCULATED SCHEDULE NO. 47/14 – 21 NOVEMBER 2014

App No.:	PK14/2749/F	Applicant:	Badminton Road Methodist Church
Site:	Badminton Road Methodist Church Badminton Road Downend South Gloucestershire BS16 6NU	Date Reg:	10th September 2014
Proposal:	Erection of single storey extension to form prayer chapel. Various external alterations including the installation of 2no rooflights with associated works	Parish:	Downend And Bromley Heath Parish Council
Map Ref:	365679 177952	Ward:	Emersons Green
Application Category:	Minor	Target Date:	28th October 2014



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PK14/2749/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application is reported to Circulated schedule as a result of Downend And Bromley Heath Parish Council and neighbour objections.

1. THE PROPOSAL

- 1.1 The application is for the erection of a single storey extension to the front of the building with various external changes to the existing building which would alter the pedestrian access to the building. The proposal seeks to create a revised area of parking.
- 1.2 The application has been revised during the course of this application and this amendment removed the new access which had previously been proposed to the north eastern end of the proposed car park.
- 1.3 The site is located to the north side of Badminton Road at Downend and is surrounded by and includes part of a Site of Special Scientific Interest (SNCI) to the north and immediate east of the building. To the west of the site is an area of parking and grass land with housing beyond. That parking and grass land is excluded from the development site as the applicants indicate that this will be used for future development.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
Para 116, ODPM Circular 06/05 Biodiversity and Geological Conservation
(advice regarding European Protected Species)

2.2 Development Plans

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

- L8 Sites of regional and Local Natures conservation interest
- L9 Species protection

South Gloucestershire Local Plan Core Strategy Adopted December 2013

- CS1 High Quality Design
- CS9 Managing the Environment and heritage
- CS23 Community infrastructure and cultural activity
- CS29 Communities of the east Fringe of Bristol Urban Area

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist
South Gloucestershire Bio-diversity Action Plan

3. RELEVANT PLANNING HISTORY

- 3.1 PK00/1904/F Erection of single storey extension to foyer Approved 14.08.2000

4. **CONSULTATION RESPONSES**

4.1 Downend And Bromley Heath Parish Council

No objection to the work on the building – satisfied that the second vehicular access has now been removed but remain concerned about removal of the hedgerow and that replanting of a row of trees will

(a) not screen the car park well and (b) will eventually overhang the pavement.

Mangotsfield Rural Parish Council

No objection

4.2 Other Consultees

4.3 Highway Structures

No comment

4.4 Ecology

No objection due to the amended plans.

4.5 Landscape

No objection

Other Representations

4.3 Local Residents

Four local households have raised objection to the scheme for the following reasons:

- Concern about the loss of existing trees and hedges which have been there for a long time and look good. Perhaps the poplars and silver birches need a trim but not uprooting.
- Concern that the existing hedges and trees are a significant wildlife habitat.
- Concern that cars and the front of the building will be visible at head height to passers by and from the houses opposite.
- Concern that it is better for biodiversity to maintain the existing trees and hedges rather than remove.
- Concern that they won't replant the hedge/trees being removed.
- Concern about the stability of the bank.
- Inadequate parking plan as only 30 spaces would practically be used and there is insufficient turning room. This is inadequate. On occasions over 80 cars are parked.

- There were also objections to the insertion of a new vehicular access but this has been withdrawn from the scheme.

One other letter supports the application.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The NPPF sets a presumption in favour of sustainable development. This means that development proposals that accord with the development plan should be approved and where relevant policies are absent, silent or out-of-

date, permission should be granted unless – any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies within the NPPF taken as a whole. There is therefore a presumption in favour of development subject to further consideration in relation to the policies of the local plan.

- 5.2 In assessing applications for places of worship planning policy CS23 and CS1 of the Core strategy are particularly relevant. Policy CS23 specifically relates to support the provision or improvement of community infrastructure such as churches. CS1 is an overarching design policy which 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 site and its context.
- 5.3 Policy CS29 is an overarching policy regarding the east fringe of Bristol and one of the priorities of policy CS29 is to protect and enhance the existing formal and informal green spaces and take opportunities to create links including green streets and public places to form a network of green spaces for biodiversity, recreation and play, to address the current under provision in the urban area.
- 5.4 The proposal is essentially in three parts: the erection of the small prayer chapel to the front of the building, the alterations to pedestrian access points, windows and new rooflights around the building and the relocation of the car park to the front of the building.
- 5.5 Design of the building
The prayer chapel would replace a smaller porch entrance at the front of the building, and would have negligible impact on the streetscene as it would not project forward of the existing porch and would be set well back from the highway. Finished in timber, render and large glazed panels this would update the building. Other changes to the fenestration and ramped accesses are acceptable in appearance and offer good accessibility to the building whilst also updating materials to aluminium framed windows and doors. Given the individual appearance of the building within its own grounds and being set back from the road no further details of materials are required.
- 5.6 Car Park alterations
The application seeks to relocate the west half of the car park (currently outside of the site area) to the east of the remaining car park. The applicant has excluded the western part of the car park from the site and identifies that area as having potential for future development. That area is outlined in blue identifying it as other land in the control of the applicant. The potential for development on that land is not assessed in any way as part of this planning application and any permission granted as part of this planning application does not imply acceptance of development on the blue lined area.
- 5.7 In laying out the new car park the applicant also seeks to re-shape and landscape an area of existing carpark close to the church in order to form a garden. The additional parking spaces will affect trees along the frontage of the church and this results in the stripping out of all of the soft boundary frontage. This is considered further below. In terms of hard surfacing the

proposal seeks to use asphalt surfacing in different colours to denote footpaths, dedicated parking spaces and pedestrian crossing points. Each of the parking spaces are shown to be 2.5m wide which is 10cm wider than the Councils minimum width and therefore acceptable. The location of the parking would remove a small area of grass from in front of the church building but the use of this to park cars is not considered to materially compromise the visual amenity of the site or surrounding area, subject to landscape considerations below.

- 5.8 The highways officer has advised that the modifications to the church are unlikely to materially alter the traffic patterns associated with the Church. Similarly he advised that approximately fifty car parking spaces (as suggested in the application form) is broadly appropriate for the resulting church. In reality 42 spaces are shown to be provided at the front of the church and a further four are shown to be located at the rear as part of the 'future development'. Given that the Councils parking standards are maximum parking standards the proposal to facilitate 42 spaces is considered acceptable.

5.9 Landscaping

The hedge along the frontage of the site would be removed and replanted by the applicants. This hedge and trees are not located within the SNCI. The hedge, although longstanding is not considered to be a protected hedge and a suitable alternative intermixed with substantial native trees is considered acceptable to the landscape and the ecological standing of the site. The revised plans do not propose removal of other trees from within the SNCI. The layout plan shows a good level of new planting as mitigation for the development. A condition can be attached to require a 1:200 detailed planting plan as a condition of planning. The planting plan should include suitable replacement tree planting for the removed trees, such as Oak or similar substantial species.

5.10 Ecology

The north eastern part of the site forms part of the Leap Valley SNCI which is a significant ecological resource which polices seek to protect and enhance. Notwithstanding this the Council ecologist has considered the application, particularly the amended plans and finds no objection to the loss of the grassland surrounding the church and forming part of the Leap Valley SNCI as it is mown regularly and of only low to negligible nature conservation interest. The applicant has provided revised drawings (3733-P-110-E and 3733-P-100-A) clarifying previous plans within the application and demonstrating that the development will not in fact remove any woodland vegetation (scrub, trees) along the eastern boundary of the site and which forms part of the Leap Valley SNCI. Given this, there is now no objection to the application under saved Local Plan Policy L9 or CS9 of the Core Strategy.

The short length of hedge forming the southern boundary with Badminton Road would not qualify as 'important' under the Hedgerow Regulations 1997 or species-rich under Section 41 of the Natural Environment & Rural Communities Act 2006.

With regard to protected species the applicants Ecological report included recommendations for a series of measures to provide opportunities for bats and nesting birds specifically house sparrows. These can be included as an appropriately worded planning Condition.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 That planning permission is granted subject to the conditions set out below:

Contact Officer: Karen Hayes
Tel. No. 01454 863472

CONDITIONS

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

Reason
To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 (as amended).
2. Prior to the commencement of development the provisions for roosting bats and nesting birds (house sparrows, swifts) outlined in Section 4 ('Conclusions and Recommendations') of the Phase 1 Habitat Survey & Protected Species Assessment dated November 2013 by Worcestershire Wildlife Consultancy forming part of the application shall be submitted to and approved in writing by the Local Planning Authority. All works shall then be carried out in accordance with the agreed scheme.

Reason
To ensure the works are carried out in an appropriate and timely manner and in the interests of the ecology at or around the site, and to accord with Policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006 and CS9 of the of the South Gloucestershire Local Plan Core Strategy Adopted December 2013.
3. Prior to the commencement of development full details of both hard and soft landscaping works shall be submitted in writing to the Local Planning Authority for approval and these works shall be carried out as approved. These details shall

include proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting); proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines indicating lines, manhole); retained historic landscape features and proposals for restoration where relevant. Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme.

Reason

To protect the character and appearance of the area to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013.

ITEM 3

CIRCULATED SCHEDULE NO. 47/14 – 21 NOVEMBER 2014

App No.: PK14/2890/F
Site: 19 Common Road Hanham Bristol South Gloucestershire BS15 3LL

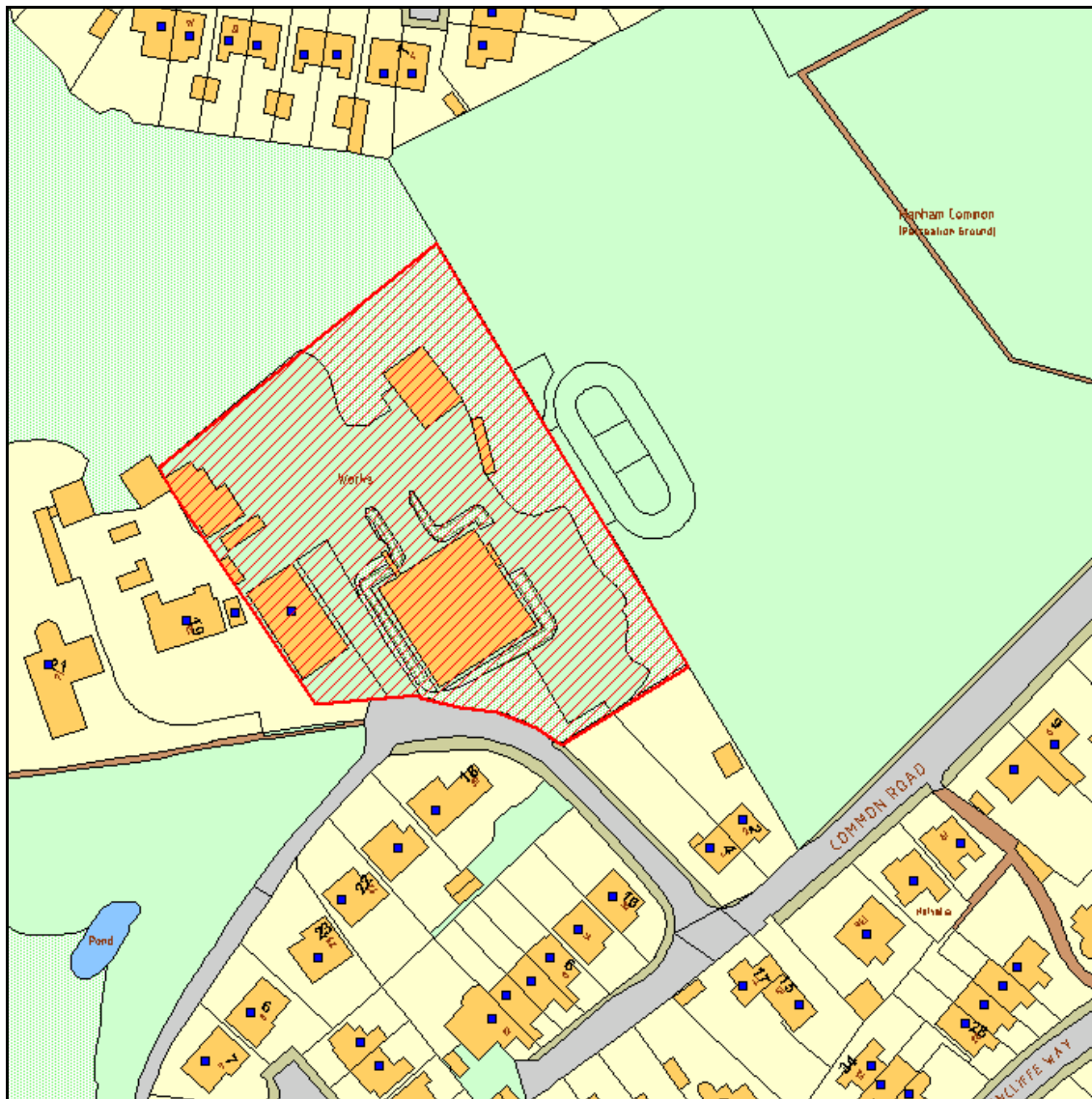
Applicant: Harvey Shopfitters Ltd
Date Reg: 12th August 2014

Proposal: Raising of roof of existing workshop to facilitate installation of mezzanine floor. Erection of extension to provide canteen.

Parish: Hanham Abbots Parish Council

Map Ref: 363709 171203
Application Category: Minor

Ward: Hanham
Target Date: 17th September 2014



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PK14/2890/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The proposal represents a departure from Development Plan Policy and under the Council's current scheme of delegation must appear on Circulated Schedule.

1. THE PROPOSAL

- 1.1 This planning application seeks planning permission for the raising of the roof of existing workshop to facilitate the installation of a mezzanine floor and erection of extension to provide canteen. The application proposes a roof extension of 1.6 metres in height, forming a pitched roof (as existing).
- 1.2 The site is located within the Urban Area and within the Bristol and Bath Green Belt. The application site is situated in the open countryside to the west of Hanham. To the immediate south and west of the site are neighbouring residential properties. The site lies adjacent to Hencliff Wood to the north and north-west, and to the east is Hanham Common. The site is also bounded by tall established trees (many of which are covered by TPOs) on the north, east, and south boundaries.
- 1.3 The site comprises an office building/design studio on the western boundary, a large industrial unit used as a workshop and a smaller industrial unit used for storage purposes in the north-eastern corner of the site. The workshop is constructed from brick and bottle green powder-coated profiled metal sheeting. The site on which the workshop is situated has been excavated such that the workshop building is positioned at a lower ground level to the highway. Within the site are associated storage and parking areas. The site has been previously extended in various forms and there is an extensive planning history. The site is currently occupied and owned by Harvey Shopfitters Limited. The site is used for the manufacture of timber and related components for shop, office and public house fittings, including ancillary office, storage uses and car parking (Class B2), as confirmed by a Certificate of Lawful Use in 2009.
- 1.4 Additional information was requested by the Officer concerning the Green Belt justification. A supporting statement was submitted by Rackham Planning on the 24th September 2014 outlining the proposed works and planning policy justification.

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

CS8 Improving Accessibility

CS9 Managing the Environment and Heritage

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

- E3 Criteria for Assessing Proposals for Employment Development within the Urban Area, Defined Settlement Boundaries and/or Permitted by Policies E4/E6/E7
- E6 Employment Development in the Countryside
- L1 Landscape Protection
- L8 Site of Regional and Local Nature Conservation Interest
- L9 Species Protection
- T8 Parking Standards
- T12 Transportation for New Development
- LC12 Recreational Routes

2.3 Supplementary Planning Guidance

- South Gloucestershire Design Checklist SPD (August 2007)
- Development in the Green Belt SPD (June 2007)

3. RELEVANT PLANNING HISTORY

- 3.1 P80/4281 Erection of replacement workshop (Ref. K3248)
Approved 15.09.80
- 3.2 P81/4204 Erection of workshop and two storage buildings (Ref. K3248/1)
Approved 21.07.81
- 3.3 P82/4093 Erection of storage building (Ref. K3248/2)
Approved 02.04.82
- 3.4 P84/4280 Erection of a replacement dwelling (Ref. K3248/3)
Approved 18.02.85
- 3.5 PK05/0674/F Erection of single storey rear extension to form additional office accommodation and kitchen and cloakroom facilities
Refused 27.05.05
- 3.6 PK09/0006/F Construction of replacement roof
Approved 01.05.09
- 3.7 PK09/0904/CLE Application for a Certificate of Lawfulness for an existing use of site for manufacture of timber and related components for shop, office and public house fittings, including ancillary office/studio, storage uses and car parking (Class B2)
Approved 11.09.09
- 3.8 PK10/1294/F Erection of replacement design studio with single storey glazed link for Class B2 use as defined in Town and Country Planning (Use Classes Order) 1987 (as amended)
Approved 06.12.10
- 3.9 PK13/1173/TRE Works to 17no. trees as per attached schedule

covered by Tree Preservation Orders KTPO 05/81 dated
16th November 1981 and KTPO 05/80 dated 14th April
1980
Refused 11.06.13

4. CONSULTATION RESPONSES

- 4.1 Archaeology
No objection.
- 4.2 Ecology
No objection.
- 4.3 Environmental Protection
No objection.
- 4.4 Hanham Abbots Parish Council
No objection.
- 4.5 Highway Drainage
No comment.
- 4.6 Highway Structures
No comment.
- 4.7 Planning Enforcement
No comment received.
- 4.8 Public Rights of Way
No comment.
- 4.9 Transportation DC
No objection.
- 5.0 Tree Officer
No objection.

Other Representations

- 5.1 Local Residents
Four letters of objection were received from two local residents, from the same address:
- Creation of 'mezzanine floor', adding another storey to the workshop building?
 - Where will the 'larger quantities' of products be stored on site?
 - Will the proposed canteen facilities be in the office or workshop building?
 - The large new extension will increase the footprint of the workshop and remove parking area;

- Parking and access to the site are an issue. Frequently visitors to the business park on the road because the site is blocked by lorries and other vehicles;
- Most employees drive to the site;
- Number of TPO trees in close proximity to the workshop building and may cause an issue when raising the roof;
- Application PK13/1173/TRE recently refused;
- Application states 82 employees and 34 parking spaces – not enough parking spaces;
- Application site within the Green Belt, adjoining Woods, Hanham Common and a residential area;
- Trees around site have become sparse, piles of wood/pallets and storage containers more easily seen from road and Hanham Common;
- Continued intensification of the site/use, erosion of character of the area;
- Site not suitable for further expansion, this type of business and frequent large lorries, vehicles, etc;
- Access into Common Road from Memorial Road is dangerous;
- Workshop building originally sunk into ground to mitigate height of building;
- Site not big enough, cars forced to park on Common Road;
- Increase in the volume of the workshop building proposed 57%;
- Existing workshop negative visual impact;
- Adverse impact on neighbours, people walking, horse riders and users of Hanham Common;
- Increase in roofline disproportionate and inappropriate;
- Leylandii tree hedge is important as it screens the workshop from view.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The NPPF establishes a presumption in favour of sustainable development. The NPPF states the 12 core planning principles that should underpin both plan-making and decision taking, including proactively drive and support sustainable economic development to deliver business and industrial units taking account of the needs of the residential and business communities. Significant weight should be placed on the need to support economic growth through the planning system.

- 5.2 The NPPF's overarching aim is to contribute towards sustainable development by building a strong, competitive, responsive economy that supports the growth of business. The site lies within the Bristol/Bath Green Belt as defined in the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013. The NPPF continues to set out that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the most important attribute of Green Belts is their openness. Paragraph 89 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. The workshop is already set down lower than the ground level by 2.4 metres. The proposed increase in the height of the roof and creation of mezzanine floor would result in an increase of

922m³. The proposed canteen extension would result in an increase in the footprint of the building by 154 m², inside the application site. The total percentage increase of the proposed volume increase over the existing building is 39%, the majority of this being the increase in the height of the roof to provide a mezzanine floor. Officers consider that overall the proposal would not result in disproportionate additions to the original building.

- 5.3 The applicant has put forward justification that additional production area by the insertion of a mezzanine floor within the existing building is needed to increase manufacturing and storage that would allow the reduction of deliveries to the site by purchasing in larger quantities. The proposal would enable the ground floor to be used for storage and the increase in the number of tradesmen by 4no. and 6no. apprentices. The proposal also includes the construction of canteen facilities for staff in the form of a front extension (north elevation). Officers consider that the proposed scale and position of the extensions are such that the impact upon the openness of the Green Belt is limited and is supported by the wider economic benefits and growth of a local business.
- 5.4 The application sites lies outside the settlement boundary, but adjacent to it. Saved policy E6 of the Local Plan (Adopted) 2006 relates to new employment development within the countryside, although in this case the use is already existing (B2). This policy acknowledges the economic benefits of allowing existing employment generating uses to flourish and will permit expansion and intensification provided the development accords with the other relevant policies of the Local Plan. Criteria B states that the extension of intensification of existing employment generating uses on sites in the Green Belt will not be permitted. In this respect, the proposal represents a departure from the Development Plan.
- 5.5 Visual Impact
The site adjoins Hencliff Wood, the subject of a Tree Preservation Order (TPO) and a Site of Nature Conservation Interest (SNCI). The site is a former quarry and industrial buildings have existed on site since at least the early 1980s. In this respect, the openness of the Green Belt has already been compromised. Due to the historic mineral excavation prior to the current industrial use, some of the site is situated at a lower ground level than the highway. The proposed works would be wholly located within the existing area of the site associated with the business use. The workshop is located towards the front of the site, at the entrance and is bounded by a mature screen of trees along the southern boundary. It is important that these trees are retained in order to protect visual amenity; a condition will be attached as such.
- 5.6 The application site is contained by a significant amount of existing vegetation. To a large degree, the existing workshop is partially screened from public views as a result of its setting within the site. The Tree Officer has advised that the proposal will require the removal of some low branches on Ash and Oak trees on the southern corner of the building and a group of Hawthorn on the eastern corner will need to be pruned back to facilitate the construction works. Overall, the works to the trees are considered acceptable and should not represent a loss of amenity nor be detrimental to the long term health of the trees.

- 5.7 Due to the context of the site as an established industrial site, the existing vegetation screening along the boundaries, it is considered that the proposal would not have any significant landscape character or visual amenity implications as a result of the works. It is therefore considered that the design of the proposal accords with Policy CS1 of the adopted Core Strategy.
- 5.8 Impact upon Residential Amenity
The nearest dwelling to the south (no. 18) to the workshop building is situated approximately 19 metres and more than 40 metres from the proposed canteen extension. This distance and the mature tree screen on all sides will ensure there is no prejudice to the amenity of the nearest neighbouring occupiers. The increase in the height of the roof and canteen extension is not considered to be detrimental to the amenity of the occupiers above and beyond the existing situation. Whilst the proposal would result in an estimated increase of 10no. employees, this is not considered to be a significant intensification of the existing business use. Officers are satisfied that there would be no adverse impact on residential amenity from overbearing impact, loss of visual amenity or increased disturbance.
- 5.9 Transportation
The proposal would continue to utilise the existing access off Common Road. The application site has an existing car parking for employees and visitors to the rear of the site. The site has existed since the early 1980s and the current access and parking arrangements will not alter as a result of the proposed development.
- 5.10 Concerns have been raised by local residents about the access to the site, existing/proposed levels of parking spaces, vehicles parking on Common Road, employees driving to work and lorries blocking the entrance. The site access joins Common Road (an adopted highway), which varies in width. The application site entrance widens to 6 metres, is fairly straight and has good forward visibility. The road has the capacity to accommodate the proposed development traffic and is sufficiently wide enough to allow a HGV to pass another vehicle safely. Access inside the application site is considered wide enough to allow two cars to pass each other. Also, within the site and immediately next to the entrance there is a passing place. Overall, in highway design terms the existing access is considered acceptable and the road has good safety records. Whilst the proposal includes a small increase in the number of employees, the overall effect of the proposal is to reduce the number of deliveries to the site, thereby reducing the number of HGVs entering the site on a regular basis.
- 5.11 There is a reasonable sized parking and turning area located to the side and rear of the existing buildings. The applicant has advised that 34no. parking spaces are available on site; this figure complies with the Council's parking standards for business uses and is considered acceptable for the size of the site. Additional cycle parking on site would also be provided, providing a total of 20no. spaces. Concern has been raised by local residents that frequently visitors to the site park on the road because of the entrance being blocked by HGVs. Local on-street parking is available and un-restricted and falls outside of the control of this application. The Transportation DC Officer has advised that

they are satisfied overall that the proposal would not lead to any significant additional traffic movements to and from this site. There are therefore no highway objections.

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

7. RECOMMENDATION

- 7.1 That planning permission be **approved** subject to conditions attached to the decision notice; and subject to the expiry of the advertisement period with no new planning issues being raised (that are not already considered in this report) as a result of representations received.

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 existing hedgerow enclosing the southern boundary of the site shall be permanently retained.

Reason
To protect the character and appearance of the area and the residential amenity of neighbouring occupiers in accordance with Policies E6 of the South Gloucestershire Local Plan (Adopted) January 2006 Saved Policies and Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013.
3. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason

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

4. The hours of working on the site for the period of construction of the development hereby approved shall be restricted to 07.30 to 18.00 Monday to Friday and 08.00 to 13.00 Saturday and no working shall take place on Sundays or Public Holidays. The term 'working's shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of the site. Any use of the site outside these hours shall have the prior written consent of the Local Planning Authority.

Reason

To protect the amenities of the occupiers of nearby properties, and to accord with Policy E6 of the South Gloucestershire Local Plan (Adopted) January 2006 Saved Policies.

CIRCULATED SCHEDULE NO. 47/14 – 21 NOVEMBER 2014

App No.: PK14/2898/F
Site: 14 Kingsfield Lane Hanham Bristol
 South Gloucestershire BS15 9NS

Applicant: Mr M Pierce
Date Reg: 7th August 2014

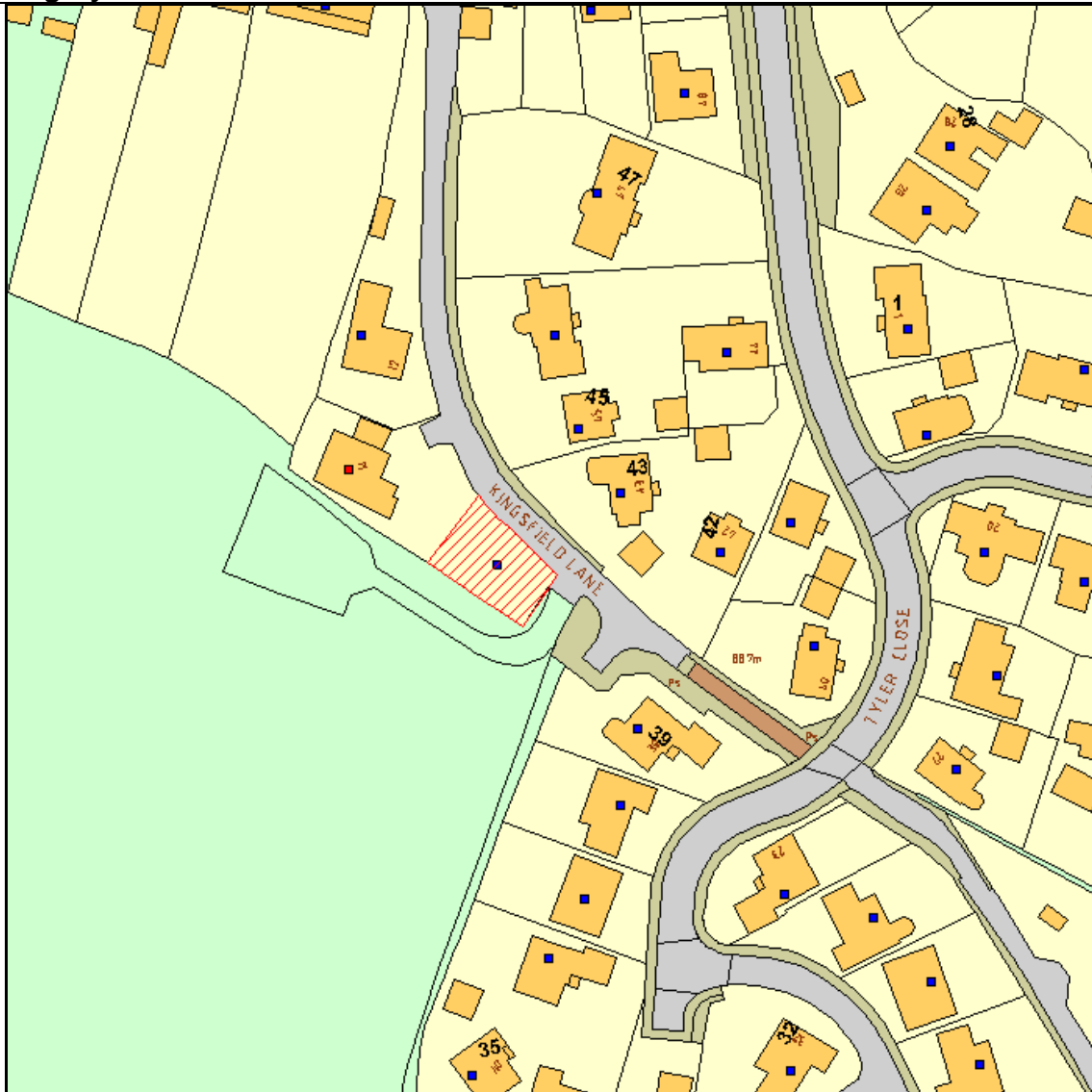
Proposal: Erection of 1no. detached dwelling with
 access and associated works
 (amendment to previously approved
 scheme PK13/0471/F)

Parish: Hanham Parish
 Council

Map Ref: 365019 172437

Ward: Hanham
Target 19th September
Date: 2014

Application Householder
Category:



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 100023410, 2014. **N.T.S.** **PK14/2898/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application is referred to the Circulated Schedule as representations have been received which are contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 The application seeks permission for the erection of a detached dwelling in the garden area of 14 Kingsfield Road, which is a detached dwelling situated at the end of a dead end of the lane.
- 1.2 The application seeks amendments to a previously approved application ref. PK13/0471/F. The proposed amendments consist of alterations to the proposed fenestration and a slight raise in the height of the lean-to part of the dwelling. The application also includes all details previously subject to pre-commencement conditions.
- 1.3 The previously approved application has been implemented with the access having been created and commencement on the ground works. The vegetation which previously bordered Kingsfield Lane has been cleared and a two metre close boarded boundary fence has been erected directly adjacent to the stone boundary wall.
- 1.4 During the course of the application a revised landscaping scheme has been submitted in response to Officer comments. A re-consultation period was not considered necessary.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Practice Guidance 2014

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS5 Location of Development
CS8 Improving Accessibility
CS9 Managing Environment and Heritage
CS15 Distribution of Housing
CS16 Housing Density
CS17 Housing Diversity
CS29 Communities of the East Fringe

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

L1 Landscape Protection and Enhancement
H4 Development within Existing Residential Curtilages
EP2 Flood Risk and Development
T12 Transportation Development Control Policy

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

3. RELEVANT PLANNING HISTORY

- 3.1 PK13/0471/F - Erection of 1no. detached dwelling with access and associated works. Approved 19th April 2013
- 3.2 PK05/3165/F - Erection of new garage, conservatory and single storey rear extension. Erection of pitched roof to replace existing flat roof over porch. Approved 15th December 2005
- 3.3 K1415/2 - demolition of existing dwelling and erection of 3 no. dwellings (outline) (previous id: k1415/2) Refused 12th December 1988
- 3.4 K1415/1 - connection of foul drainage from no.12 Kingsfield lane to new foul water sewer in Lovells development stage 2. (Previous ID: k1415/1)

4. CONSULTATION RESPONSES

- 4.1 Hanham Parish Council
OBJECTION - The erection of a high boundary fence, which totally surrounds the property, is unacceptable and is not in keeping with the visual character of Kingsfield Lane. This should be removed immediately and the hedgerow reinstated prior to any consideration of planning consent now or in the future.
- 4.2 Transportation DC
Subject to a condition that the vehicular access and visibility splay are provided and permanently maintained as previously approved, there is no transportation objection to the proposed development.
- 4.3 Drainage Officer
No objection subject to SUDs.
- 4.4 Coal Authority
No objection

Other Representations

- 4.5 Local Residents
Three letters of objection have been received from local residents. The comments are summarised as follows:
- New wooden fence has already been erected replacing various trees and hawthorn hedge.
 - New fence and removal of trees has completely changed the rural appearance of Kingsfield Lane.
 - New fence should be removed and the appearance of the lane reinstated.
 - Suspicious that new hawthorn hedge will be inside new fence.
 - Breach of original application (vegetation removed).
 - Loss of rural aspect and habitat.

- Revised application makes no reference to the existing trees having been removed.
- Raising grounds level from heaping spoil.
- Additional elevation will mean that the property will now overlook nearby properties on Tyler Close.
- Roofline would be overbearing and more intrusive than the original.
- Since the greenery has been removed there are fewer birds in surrounding gardens.
- Trees at the back have been cut so low that they will never grow back.
- Suspect that points of the build that would not have been seen as acceptable on the first plans are being squeezed in as an intentional second time ploy.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The principle of the proposed development has been established under the extant permission ref. PK13/0471/F. This permission has been implemented however a number of pre-commencement conditions have not been discharged. This application does nonetheless carry significant weight in the determination of the current application, which seeks amendments to the previously approved scheme to include alterations to the fenestration and a slight raise in the height of the lean-to part of the dwelling. The current application also includes all details subject to pre-commencement conditions.

5.2 Since the determination of application PK13/0471/F the Council has adopted its Local Plan Core Strategy (Adopted Dec 2013). Previously used policies D1 and H2 of the Local Plan (Adopted Jan 2006) have been superseded as a result. Saved policy H4 however remains saved. Saved policy H4 of the Local Plan (Adopted 2006) and policies CS5, CS16 and CS17 permit new dwellings within existing residential curtilages and within the boundaries of settlements in principle subject to criteria relating to residential amenity, highway safety, design and environmental considerations.

5.3 Residential Amenity

The height, siting, layout and scale of the proposed dwelling remains as previously approved with the exception of a slight raise in the ridge height of the single storey element (garage) of the building in order to tie in with the main roof. Alterations have been proposed to the design and appearance of the fenestration however the windows remain in the same location as previously approved. It is considered that the small alterations to the roof over the garage would not have a material impact on the amenity of the neighbouring occupiers and, given that windows are in the same location as previously proposed, the amended development is not considered to materially change privacy levels compared to the approved scheme. The amount of private amenity space also remains as previously approved.

5.4 The amount of private amenity space also remains as previously approved. Within the previous application it was considered necessary to remove the permitted development rights from the dwelling in order to control any further development of the site in the interests of retaining adequate private amenity

space. As the dwelling is on the same footprint as previously approved this condition is again considered necessary.

5.5 During the consultation period additional concern has been raised that the land levels have been raised from heaping spoil. On visiting the site Officers noted that excavation had been undertaken in the site to facilitate groundworks. At the time of the site visit some piles of excess material had formed but Officers did not see any evidence of noticeable raises in land levels compared to the previous situation. It is noted that the land level of the garden area is much higher than the road level as was the case before development on the site commenced. The wall has been breached in order to facilitate the new access and a sloping driveway has been created. The application does not indicate that the intention is to raise land levels and remains consistent with the previously approved application in this respect. Within the previous application Officers considered that adequate separation between the dwelling and the surrounding properties would remain such that privacy and amenity would not be prejudiced. Given the similarities in the proposed development this assessment remains the same. For the avoidance of doubt this includes the outlook afforded to the properties to the north and east of the site.

5.6 Highway Safety

The amount of parking and the access into the site (including visibility splays) remains as previously approved and there are no changes to the number of bedrooms within the dwelling. On this basis, provided the access and parking is created before the building is first occupied there are no concerns in this respect. The same conditions parking implementation condition as previously imposed therefore remains relevant.

5.7 Design/ Landscaping

The only changes to the overall design of the building are alterations to the design of the fenestration and a slight raise in the roof of the single storey garage. The application also includes details of materials, which vary slightly to those identified on the previous plans.

5.8 In terms of the alterations the proposed changes to the fenestration consist of the removal of some of the details and the inclusion of larger panels of glazing compared. The revised design removes some of the vertical emphasis on the building which is regrettable however it is not considered that the revised design would appear incongruous or out of keeping with the locality, which has a relatively mixed residential character. The slight raise in the height of the garage would tie in with the roof plain of the main bulk of the building which would not significantly differ from the design approved.

5.9 In terms of materials the revised proposal identifies the use of Forest of Dean natural stone, which is greyish in colour, to all elevations other than the rear elevation (facing the field) which would be rendered. These materials are considered appropriate and would be consistent with the semi-rural character of Kingsfield Lane. Correspondence from the Agent confirms that the intention is to use Redland Grovebury rooftiles in grey, which are a double pantile shaped concrete tile. It is considered that this rooftile would complement the proposed stone in the main building. Materials in the locality vary and as such

the use of the materials proposed is considered to be acceptable. A suitably worded condition is recommended to secure these.

5.10 An issue of contention within the current application is the removal of the vegetation to the boundary of the site adjacent to Kingsfield Lane. Kingsfield Lane has a semi-rural and enclosed character and the vegetation which once fronted it on this site contributed towards the amenity of it. Within the previous application the plans stated that the vegetation would be retained. A condition on the previous application secured the submission of final landscaping details (including measures of protection for retained trees) and boundary treatments prior to the commencement of development. This condition has not been discharged despite development having commenced. Since the removal of the vegetation a two metre close boarded fence has been erected directly adjacent to the stone retaining wall. It leaves no space to plant any replacement vegetation or screening. Officers do not consider this boundary treatment, which has an imposing and jarring appearance on the street scene, to be acceptable. Its height and appearance is even more apparent given the land level of the site above the highway.

5.11 In response to the above Officers have negotiated the implementation of a landscaping scheme to this boundary (adjacent to Kingsfield Lane) behind the visibility splay consisting of a hawthorn hedgerow (*Crataegus monogyna*) planted using minimum 1.8 to 2.0 metre pot grown hedging. This would ensure that an established hedgerow could be planted with immediate effect compared to a bare root stock which would take longer to establish and eventually screen the site. It is considered reasonable that the site has a boundary treatment in the interests of the privacy of the future occupiers and as such a two metre fence is agreed set back from the visibility splay line by at least one metre. It is anticipated that the established landscaping, which is to be sited between this fence and the highway, would screen the proposed fence and as such it would not be visible within the street scene. In the interests of visual amenity it is considered that the implementation of the landscaping and the location of the boundary treatment form suitably worded planning conditions. The condition is recommended to secure the landscaping in the first planting season following the implementation of the development. The landscaping scheme would provide habitat opportunities for nesting birds which have been lost since the removal of the vegetation.

5.12 Drainage

The application has identified a soakaway in the northern corner of the site adjacent to the boundary wall. The drainage engineer advises that soakaways must be located at least 5m from any structure including the Public Highway. The position of the soakaway indicated on ref 244/6 is less than 5m from the Public Highway. There are no objections in principle to the application subject to the condition that the soakaway is located at least 5m from any structure including the public highway

5.13 Other Matters

A number of comments have been made in relation to the newly erected two metre close boarded boundary fence around the application site, which is directly adjacent to the stone boundary wall and highway. This fence was not

identified on the previously approved plans and is not on the current plans. The fence exceeds the height permissible under part 2 of the general permitted development order (as amended) 1995 and as such does not have the benefit of planning permission. This permission does not grant consent for this boundary fence and as such this matter is referred to the Council's Planning Enforcement Team.

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 following conditions:

Contact Officer: Sarah Fordham

Tel. No. 01454 865207

CONDITIONS

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

Reason

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

2. The materials used on the elevations of the dwelling hereby approved shall be carried out in accordance with plan ref.244/3/A received by the Council on 25th July 2014. The roofing and driveway materials shall be carried out in accordance with the correspondence dated 5th August 2014 received by the Council on 8th August. Any variation of this shall not take place without first being agreed in writing by the Council prior to commencing the relevant works.

Reason

To ensure a satisfactory standard of external appearance and to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013, and saved policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006

3. The proposed landscaping to the northwest boundary of the site adjacent to Kingsfield Lane as shown on plan ref.244/6/A shall be carried out in the first planting season following the implementation of the development hereby approved. For the avoidance of doubt the landscaping to the northwest boundary shall consist of a minimum 1.8 - 2.0 metre pot grown hedging planted in two rows 0.3 metres apart the species of which shall be in accordance with the Silverback letter received by the Council on 25th July 2014. All other proposed planting shall be carried out in accordance with the Silverback letter received by the Council on 25th July 2014.

Reason

In the interests of visual amenity, to replace the vegetation removed ,and to respect and enhance the semi-rural character of the lane in accordance with policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013, and policy L1 of South Gloucestershire Local Plan (Adopted) January 2006

4. Notwithstanding reference to the repositioned fence on plan ref. 244/6/A, prior to the first occupation of the dwelling hereby approved a plan indicating the final position, design, materials and type of boundary treatment to be erected shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the approved details.

Reason

In the interests of visual amenity and to accord with policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013, and policy L1 of South Gloucestershire Local Plan (Adopted) January 2006

5. Notwithstanding the provisions of Schedule 2 of the Town & Country Planning (General Permitted Development) Order 1995 (as amended) (or any Order revoking and re-enacting that Order with or without modification) no development as specified in Part 1 (Classes A, B, D, E), or any minor operations as specified in Part 2 (Class A), other than such development or operations indicated on the plans hereby approved or that approved by condition 4, shall be carried out without the prior written consent of the Local Planning Authority.

Reason

In the interests of visual amenity and to secure a satisfactory standard of living for future occupiers, to accord with policies CS1 and CS16 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013, and policy H4 of South Gloucestershire Local Plan (Adopted) January 2006

6. The dwelling hereby approved shall not be occupied until the access, visibility splay and parking areas have been constructed in a permeable and bound material in accordance with plan ref:244/6/A received on 31st October 2014. The access, parking and visibility splay shall be retained as such thereafter.

Reason

In the interests of highway safety, and to accord with saved Policies H4 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006, policy CS8 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013, and the Residential Parking Standards SPD (Adopted) December 2013

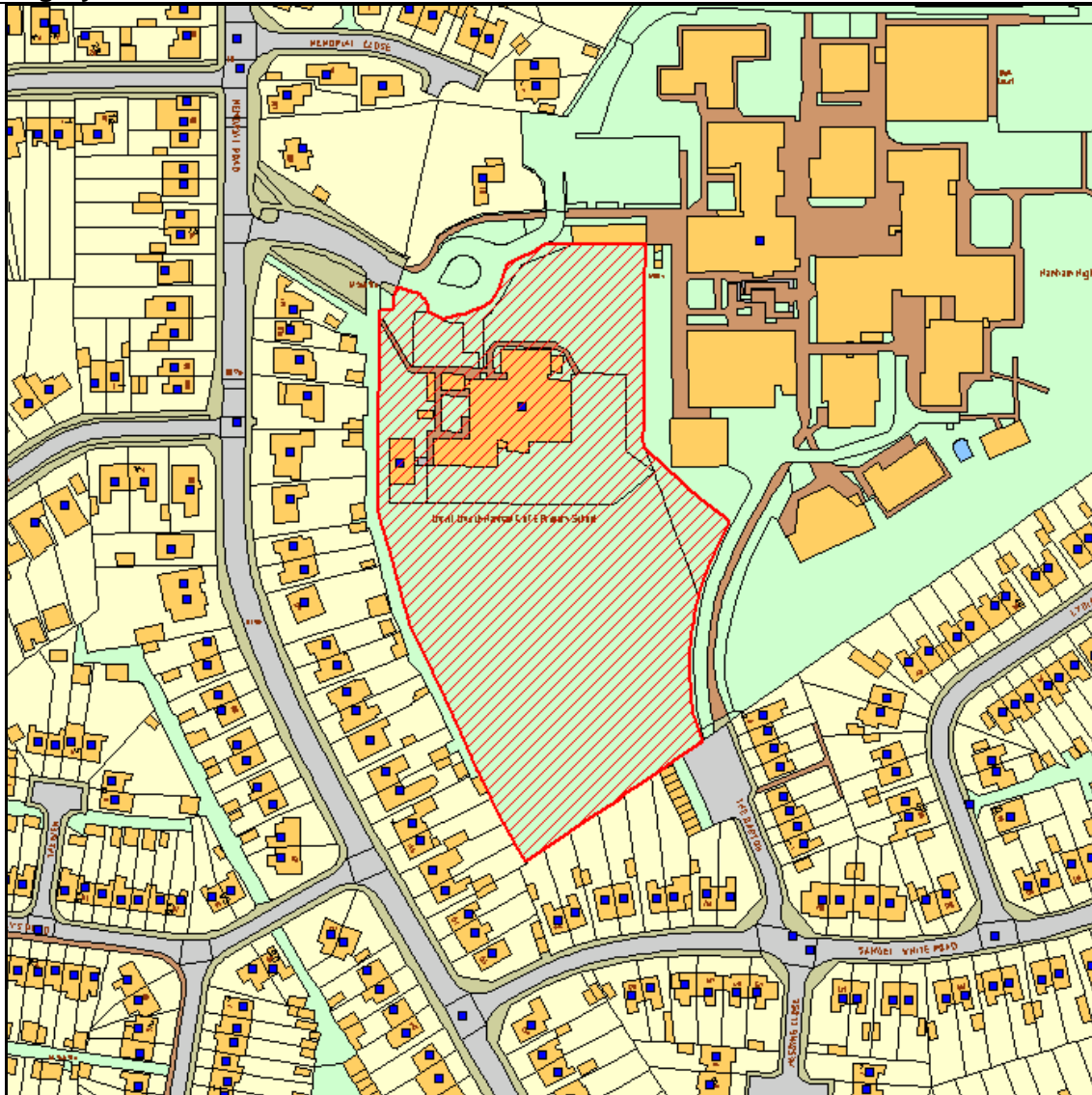
7. Notwithstanding the plans submitted the proposed soakaway shall be constructed not less than 5 metres from any structure including the public highway. The drainage shall be implemented in accordance with the submitted details in all other respects.

Reason

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

CIRCULATED SCHEDULE NO. 47/14 – 21 NOVEMBER 2014

App No.:	PK14/3198/RVC	Applicant:	Mrs M Lumsden South Glos Council
Site:	Christchurch C Of E Primary School Memorial Road Hanham Bristol South Gloucestershire BS15 3LA	Date Reg:	23rd September 2014
Proposal:	Variation of condition 2 attached to planning permission PK14/1792/R3F to alter the working start time from 8.30am to 7.30am (Monday to Saturday)	Parish:	Hanham Abbots Parish Council
Map Ref:	363932 171661	Ward:	Hanham
Application Category:	Major	Target Date:	18th December 2014



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 100023410, 2014. **N.T.S.** **PK14/3198/RVC**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This report appears on the Circulated Schedule following objections from local residents and the Parish Council and because of the nature of the application as it has been submitted by South Gloucestershire Council itself.

1. THE PROPOSAL

1.1 The proposal seeks permission to vary condition 2 attached to planning permission PK14/1792/R3F to alter the working start time from 8:30am to 7:30am (Monday to Saturday).

1.2 Condition 2 is copied below with the reason for its inclusion in the planning approval:

The hours of working on site during the period of construction shall be restricted to 08.30am to 18.00pm Mondays to Fridays, and 08.30am to 13.00pm Saturdays, and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

To minimise disturbance to occupiers of neighbouring residents and to accord with Policy LC4 of the South Gloucestershire Local Plan (Adopted) January 2006.

1.3 The application site relates to Christchurch C of E Primary School situated on Memorial Road and within a residential area of Hanham. The site is bounded by residential development on all sides with vehicular access onto Memorial Road and a rear pedestrian entrance onto The Barton. The site comprises a two storey primary school building and shares access points with the secondary school next door. Recent permission was granted for a one and a half storey main hall extension and a two-storey classroom extension.

1.4 The application states that demand for pupil places in the primary phase continues to rise in South Gloucestershire with numbers of admission applications for reception school places in 2012 reaching a 10 year high. The Council's Commissioning of Places Strategy sets out plans to increase the supply of school places and in the short term this will be achieved by increasing admission numbers at existing schools. In respect of Christchurch Primary there is a requirement for an additional 210 no. of places by 2018. The increase will be phased over 7 years with 30no. new places each year. The increase began in 2012 and application PK14/1792/R3F was the last part of the phase of growth involving the construction of an extension to the existing building.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Policy Guidance

2.2 Development Plans

South Gloucestershire Local Plan: Core Strategy (Adopted December 2013)

CS1 High Quality Design
CS2 Green Infrastructure
CS5 Location of Development
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS23 Community Infrastructure & Cultural Activity
CS29 Communities of the East Fringe of Bristol Urban Area

South Gloucestershire Local Plan (Adopted) January 2006

L1 Landscape Protection and Enhancement
L9 Species Protection
L15 Locally listed buildings and structures
LC4 Expansion of Educational Facilities within the urban area
LC9 Protection of Open Space and Playing Fields
T7 Cycle Parking
T8 Parking Standards
T12 Transportation for New Development

2.3 Supplementary Planning Guidance/Documents

South Gloucestershire Design Checklist – August 2007
Biodiversity Action Plan SPD

3. RELEVANT PLANNING HISTORY

- | | | |
|-----|----------------|--|
| 3.1 | PK14/1792/R3F | Erection of extensions to provide a new secure entrance and main hall extension, and a 4no classroom block including group rooms, staffroom and ancillary facilities, associated landscaping and works |
| | Approved | 8.8.14 |
| 3.2 | PK09/0779/R3F | Replacement of existing single glazed curtain walling with double glazed curtain walling to the external elevations. |
| | Deemed consent | 5.6.09 |
| 3.3 | P99/4601 | Erection of extension to school. |
| | Approved | 16.11.99 |

4. CONSULTATION RESPONSES

4.1 Hanham Abbots Parish/Town Council

Objection:

We object on the grounds of noise nuisance and light pollution (assume floodlights will need to be used at this time in the morning) in a densely populated area, particularly on Saturdays.

4.2 Other Consultees

Highway Drainage

No comment

Other Representations

4.3 Local Residents

Two letters of objection have been received from local residents as:

- I am a resident directly affected by these works, and object to the 7.30am start time on Saturdays. Whilst not happy with the 7.30am start time on Monday - Friday this would not be objected to

- Whilst I have no objection to a start time of 7.30 a.m. on weekdays, to do so on Saturdays seems unreasonable. The proposal requests a variation in the start time mainly because of a clash with the beginning of the school day. This does not apply on Saturdays, so it would seem to be a fair compromise to give us neighbours an hour's respite then.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

s.73 of the Town and Country Planning Act 1990 allows for an application to be made that would vary/remove or improve the conditions attached to the approved permission. Under this s.73 provision the local authority must only consider the question of the conditions. The outcome may be that the permission shall be subject to the same conditions as attached to the previously stipulated or be subject to different conditions or that permission should be granted unconditionally. As such only the question of the conditions can be considered under this application and the Local Authority has the right to impose new conditions subject to them being conditions that they could have been lawfully imposed on the earlier permission and which do not amount to a fundamental alteration to the proposal put forward. It must be noted that an application under s.73 cannot be used to plug any perceived holes in the earlier permission.

5.2 It is essential that any conditions attached to a decision notice meet the six tests: necessary; relevant to planning and; to the development to be permitted; enforceable; precise and; reasonable in all other respects. Each of the conditions and their corresponding reasons attached to the previous permission will be re-examined to ensure they meet these criteria. The applicant has chosen not to exercise the right of appeal against the original conditions and

instead has chosen to submit an application under s73 to vary one of the conditions.

- 5.3 The proposal seeks to vary condition 2. The reasons given for the removal have been stated as:

Condition No 2 states that work cannot start on site till after 8.30am. The contractors require a start time of 7.30am. The tender enquiry was also based on a 7.30am start assumption. If the contractor has to comply with this condition, this would have a detrimental effect on the programme, cost, site access and health & safety. All would be majorly affected due to clashes with the School's hours of operation, which will be running concurrently to the building works. We would like this condition to be revised with a start on site time of 7.30 am.

- 5.4 Assessment

The location of the school is within a built up area of Hanham. As such the protection of the amenities of residential neighbours is an important consideration in any assessment. Dwellings surround the site but it must be noted that the works would be to the rear of the school adjacent to the large school playing fields which act as a barrier between the school grounds and dwellings. In this respect the imposition of a condition limited the hours of construction work is not in itself considered unreasonable. However, it has been explained to Officers that the restriction of not being able to start work until 8:30am has severely restricted the number of companies prepared to undertake the work to the school. The alterations to the school are important and part of a programme of development undertaken by SGC. Officers acknowledge the importance of looking after the residential amenities of nearby neighbours on the one hand while also ensuring that the future needs of the school, its pupils and the wider local community are also met. This variation of the condition is therefore to be balanced against the impact that starting work an hour earlier would have on the neighbouring dwellings. In general terms, construction work on building sites tends to operate from 7:30am onwards, but no earlier. As such this proposal is not asking for an unreasonable starting time, or one that is out of the ordinary. However, the request is for the same start time on Saturdays. It is considered that a start time of 8:00 on Saturdays would allow for additional work time on site but would also not be unreasonable in terms of its affect on local residents.

- 5.5 Officers therefore, consider that on balance the proposal to alter the hours of working would not result in an unacceptable impact on these neighbours, especially given the distance of the properties away from the site, and recommend the variation of the condition to read:

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

Reason

To minimise disturbance to occupiers of neighbouring residents and to accord with Policy LC4 of the South Gloucestershire Local Plan (Adopted) January 2006.

5.6 Conditions

A number of conditions attached to planning application PK14/1792/R3F have already been successfully discharged. Those outstanding will be copied over from the decision notice along with the altered wording for condition 2 in addition to the extant/standard conditions attached to the consent.

5.7 Residents Comments

Comments from neighbours and the Parish have been noted above and it is considered that the points raised have been covered in the Officer's assessment of the proposal. This type of application must be assessed as per s.73 of the Town and Country Planning Act 1990 which stipulates that it is only the original conditions themselves that are to be evaluated against the six tests of setting conditions and their relevance/appropriateness. Any other issues cannot be covered under the remit of this type of application

6. **CONCLUSION**

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

6.2 The recommendation to **vary the condition** 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 **condition 2 be varied**.

Contact Officer: Anne Joseph
Tel. No. 01454 863788

CONDITIONS

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

Reason

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

2. The hours of working on site during the period of construction shall be restricted to 07.30am to 18.00pm Mondays to Fridays, and 08:00am to 13.00pm Saturdays, and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

To minimise disturbance to occupiers of neighbouring residents and to accord with Policy LC4 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. The development shall not be occupied until the on-site car parking is completed in accordance with the submitted drawing 3752/263 Rev A and shall be retained as such thereafter.

Reason

To ensure the provision of adequate on-site car parking in the interests of highway safety and to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) 2006.

4. An updated Travel Plan shall be submitted to and approved in writing by the Local Planning Authority before the development is occupied.

The updated Travel Plan shall as a minimum include the following:

- Contact details for the Travel Plan Coordinator.
- Annual Travel Mode surveys.
- Modal shift targets for the next 5 years.
- A timetable for implementation.
- Measures to encourage and promote walking, cycling, use of public transport and car sharing.
- Annual review of the cycle parking arrangements with the provision of additional cycle spaces if required to help meet travel plan targets.
- Monitoring and reporting back to South Gloucestershire Council timetable.
- A management plan to control vehicle drop off and pick up of children at the start and end of the school day.

The approved Travel Plan shall be implemented in accordance with the timetable therein.

Reason

In order to deliver sustainable transport objectives including a reduction in single occupancy car journeys and the increased use of public transport, walking & cycling and to accord with NPPF (2012)

5. The extension shall not be occupied until the zebra crossing type road markings at the pedestrian access into the school from the main school access have been repainted.

Reason

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

6. No development shall commence until surface water drainage details including SUDS (Sustainable Drainage Systems e.g. soakaways if ground conditions are satisfactory), for flood prevention; pollution control and environmental protection have been submitted and approved by the Local Planning Authority.
A detailed development layout showing surface water and SUDS proposals is required as part of this submission and shall be implemented and maintained thereafter

Reason

To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system and in accordance with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013).

7. All hard and soft landscape works shall be carried out in accordance with the approved details on plan 3752/263 Rev A. The works shall be carried out prior to the occupation of the extension or in accordance with a programme agreed with the Local Planning Authority prior to occupation

Reason

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

8. All works to trees on site shall be carried out in accordance with the approved plan 3752/263 Rev A. The works shall be carried out prior to the occupation of the extension or in accordance with a programme agreed with the Local Planning Authority prior to occupation

Reason

To protect the character and appearance of the area and to protect the long term health of the trees to accord with Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006

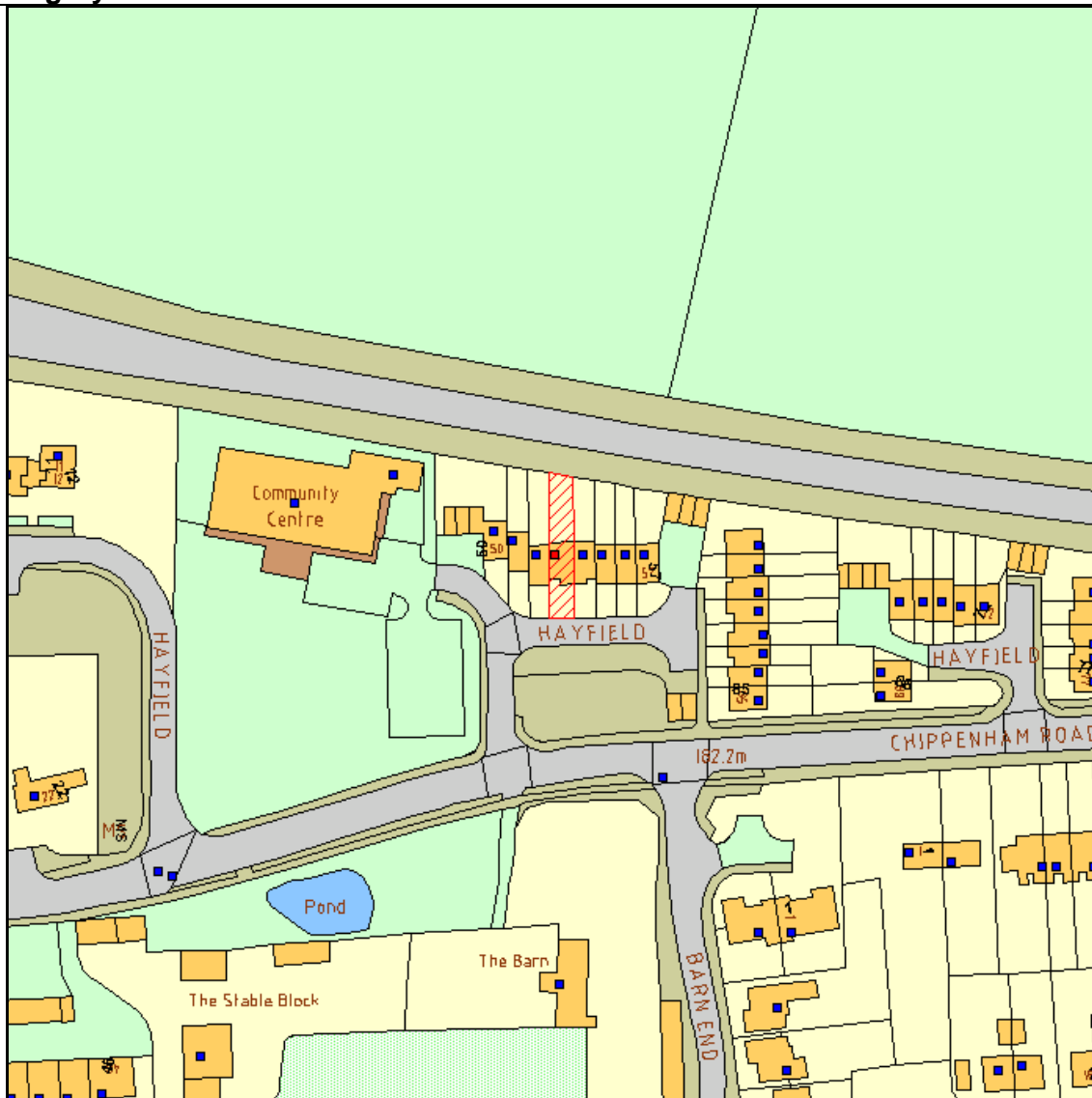
9. Prior to the commencement of development details/samples of the external facing materials including window frames proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

To ensure a satisfactory standard of external appearance and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and Policy LC4 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 47/14 – 21 NOVEMBER 2014

App No.:	PK14/3909/CLP	Applicant:	Mrs Gemma Goodliffe
Site:	53 Hayfield Marshfield Chippenham South Gloucestershire SN14 8RA	Date Reg:	16th October 2014
Proposal:	Application for a certificate of lawfulness for the proposed erection of a single storey rear extension.	Parish:	Marshfield Parish Council
Map Ref:	378332 173869	Ward:	Boyd Valley
Application Category:		Target Date:	4th December 2014



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PK14/3909/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.

It should be noted that the application is still within the statutory consultation period and so if any additional representations are received which raise issues that alter the facts presented with this application then the application will be removed from the schedule and resubmitted at a later date.

1. THE PROPOSAL

1.1 The applicant is seeking a formal decision as to whether the proposed erection of a single storey rear extension at 53 Hayfield, Marshfield 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) (Amendment) (No. 2) (England) Order 2008.

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 No relevant planning history

4. CONSULTATION RESPONSES

4.1 Marshfield Parish Council
No objection

Other Representations

4.2 Local Residents
No comments received

Other representatives of the Council

Highway Drainage
No objection

Public Rights of Way
No objection

5. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

- 5.1 The following evidence was received by the Local Planning Authority on received 7th October 2014:
Site Location & Block Plan
Existing Floor Plans;
Proposed Floor Plans;
Existing Elevations; and
Proposed Elevations

6. EVALUATION

6.1 Principle of Development

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

- 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 1995 (as amended).

- 6.3 The proposed development consists of a single storey rear extension. This development would fall under the criteria of Schedule 2, Part 1, Class A, of Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 1995 (as amended). This allows for the enlargement, improvement or other alteration of a dwellinghouse, provided it meets the criteria as detailed below:

A1 Development is not permitted by Class A if –

- (a) As a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);**
The proposed rear extension would not exceed 50% of the total area of the curtilage.
- (b) The height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;**

The proposal is single storey in height and would sit beneath the maximum height of the roof of the existing dwellinghouse.

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

The entire proposal would sit lower than the eaves height of the existing dwelling. The height to eaves of the proposed extension would reach 2.5 metres, in comparison, the height to eaves of the main dwelling measure 6.5 metres.

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

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

The proposed extension would be to the rear of the dwelling and would not front a highway or a principal or side elevation.

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

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

The host dwelling is a terraced property. The proposed extension would be single storey and would extend a maximum of 3 metres in depth and would have a maximum height of 3.3 metres.

- (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 proposed single storey rear extension would extend 3 metres from the rear of the dwellinghouse.

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

The proposal is single storey.

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

The proposal would be located two metres from a boundary but the height of the eaves would not exceed 3 metres.

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

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

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

The proposal does not include any of the above.

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

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

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

Conditions

A3 Development is permitted by Class A subject to the following conditions:

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

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

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

- (i) **obscure-glazed, and**
- (ii) **non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed;**

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

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

The proposal is single storey.

A4 Conditions apply to development falling under A1 (ea). These include:

Development shall be completed on or before 30th May 2016 and the developer shall notify the local planning authority of the completion of the development.

7. RECOMMENDATION

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

Evidence has been provided to demonstrate that the development falls within permitted development within the curtilage of the dwellinghouse under Part 1 of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order.

Contact Officer: Hannah Minett
Tel. No. 01454 862495

REASON FOR REFERRING TO CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule following the receipt of an objection from Winterbourne Parish Council, the concern raised being contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The application relates to a group of former agricultural buildings located 60m to the south east of the Moorend Farm complex, which is situated in open countryside and Green Belt land, on Church Lane, Winterbourne. Moorend Farm itself is a Grade II* Listed Building; the adjacent buildings which have been converted to dwellings are Grade II Listed.
- 1.2 The application site benefits from a Certificate of Lawfulness for use as a stable under planning reference PT10/2250/CLE. More recently planning permission PT11/3959/F was granted for the erection of an agricultural machinery store to replace the existing pole barn forming the western part of the stable complex. As the pole barn has been partially demolished to facilitate the erection of the machinery store, the permission has been materially commenced.
- 1.3 The current application proposes the conversion of the existing stable building to provide a three bedroomed dwelling. There is an existing vehicular access into the site off the adjacent lane.
- 1.3 The application is supported by the following documents:
 - Structural Survey
 - Planning Statement
 - Phase 1 Bat Survey
 - Marketing Statement
 - Bio-Disk Treatment Plant Details
 - Statement of Significance

2. POLICY CONTEXT

2.1 National Guidance

The National Planning Policy Framework 27th March 2012
The Planning Practice Guidance 2014

2.2 Development Plans

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

CS1 - High Quality Design

CS4a - Presumption in favour of Sustainable Development

CS5 - Location of Development (inc. Green Belt)

CS6 - Infrastructure and Developer Contributions

CS9 - Managing The Environment and Heritage

CS15 - Distribution of Housing

CS17 - Housing Diversity

CS34 - Rural Areas

South Gloucestershire Local Plan (Adopted) 6th January 2006.

L1 - Landscape Protection and Enhancement
L9 - Species Protection
L13 - Listed Buildings
EP2 - Flood Risk and Development
T7 - Cycle Parking
T12 - Transportation Development Control Policy for New Development
H10 - Conversion and Re-use of Rural Buildings for Residential Purposes
E7 - Conversion and re-use of Rural Buildings
LC12 - Recreational Routes

Emerging Plan

Draft Policies, Sites & Places Plan

PSP1 - Local Distinctiveness
PSP2 - Landscape
PSP7 - Development in the Green Belt
PSP14 - Active Travel Routes: Identification and Safeguarding of Existing and Proposed Routes
PSP16 - Parking Standards
PSP17 - Heritage Assets and the Historic Environment
PSP20 - Flood Risk, Surface Water and Watercourse Management
PSP36 - Residential Development in the Countryside
PSP39 - Private Amenity Space Standards

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (SPD) Adopted 23rd Aug 2007
Development in the Green Belt (SPD) Adopted June 2007
South Gloucestershire Council Residential Parking Standards (Adopted)
South Gloucestershire Landscape Character Assessment (Adopted) Nov. 2014

3. RELEVANT PLANNING HISTORY

3.1 PT10/2250/CLE - Application for Certificate of Lawfulness for an existing use of land for the keeping of horses and for use of agricultural building as stables.

Approved 19 Nov. 2010

3.2 PT11/3959/F - Erection of agricultural building for the storage of agricultural machinery and implements.

Approved 31 Jan 2012 – part implemented.

4. CONSULTATION RESPONSES

4.1 Winterbourne Parish Council

Objection. This is not a conversion but a new build within the Green Belt as the existing buildings are very dilapidated.

4.2 Other Consultees [including internal consultees of the Council]

Sustainable Transport

No objection subject to a condition to secure the access and car/cycle parking facilities in accordance with the submitted plans and prior to first occupation.

Ecology Officer

There are no ecological constraints to granting planning permission. A Condition should be attached relating to bat access points and bird nest boxes.

Highway Drainage

No objection subject to a condition to secure a SUDS drainage scheme.

Highway Structures

No comment

PROW

A dead end public footpath MA19 runs adjacent to the majority of the site, through the grounds of "The Derry", but then runs through the small area of land shown to the south east of the site. This footpath was severed when the motorway was built but, although it is currently unused, it nonetheless remains on the Definitive Map and can be legally enforced. There is no objection to the application but the applicant needs to be aware of the footpath and ensure that it is not obstructed.

Open Spaces Society

No response

Listed Building and Conservation Officer

It is unlikely that the proposal would have a detrimental impact on the setting of the Listed Buildings to the north. If approved, conditions should secure samples of all external facing materials, large scale eaves, verge and ridge details, all external joinery details and details of vents, flues and extracts to ensure a high quality design and appearance.

Other Representations

4.3 Local Residents

No responses received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The NPPF has recently superseded various PPS's and PPG's, not least PPG2 – Green Belts and PPS7 – Sustainable Development in the Countryside. The NPPF carries a general presumption in favour of sustainable development. Para.2 of the NPPF makes it clear that applications for planning permission must be determined in accordance with the development plan and this includes the Local Plan. Para 12 states that the NPPF does not change the statutory

status of the development plan as the starting point for decision-making. Proposed development that conflicts with an up-to-date development plan should be refused unless material considerations indicate otherwise. At para. 211 the NPPF states that for the purposes of decision-taking, the policies in the Local Plan should not be considered out-of-date simply because they were adopted prior to the publication of the NPPF.

- 5.2 The relevant Local Plan is The South Gloucestershire Local Plan, which was adopted Jan 6th 2006. The Council considers that the Local Plan policies referred to in this report generally provide a robust and adequately up to date basis for the determination of the application.
- 5.3 The South Gloucestershire Local Plan Core Strategy has now been adopted and the policies therein now also form part of the development plan.
- 5.4 The Policies, Sites & Places Plan is an emerging plan in draft form only. Whilst this plan is a material consideration, only very limited weight can currently be given to the policies therein.
- 5.5 The NPPF seeks to significantly boost the supply of housing and para. 55 seeks to promote sustainable development in rural areas including development which would re-use redundant or disused buildings and lead to enhancement of the immediate setting. There is therefore no in-principle objection to the proposal.
- 5.6 Policy E7 of the South Gloucestershire Local Plan (Adopted) 6th January 2006 sets the criteria against which proposals for the conversion of existing traditional buildings in the countryside, to alternative uses, are determined. The supporting text to policy E7 states that re-using existing vacant buildings can help reduce vandalism, dereliction and the demand for new buildings in the countryside. The Council's first priority will be to see such buildings re-used for purposes, which make a positive contribution to the rural economy i.e. for agricultural, industrial, commercial or tourism purposes. Since the proposed use would be residential, the criteria attached to Policy H10 are also relevant in this case. These policies list criteria, which must be met if planning permission is to be granted and these are discussed below in tandem with criteria attached to the Green Belt policy within the NPPF (Section 9).

Green Belt Issues

- 5.7 In the first instance the proposal must be considered in the light of the latest policies relating to development within the Green Belt. Policy GB1 of the South Gloucestershire Local Plan (Adopted) 6th January 2006 is not a saved policy. The relevant Green Belt policy is therefore to be found in the NPPF.
- 5.8 Inappropriate development is by definition harmful to the openness of the Green Belt and requires the applicant to demonstrate very special circumstances if it is to be approved. Paragraph 89 of the NPPF states that the extension or alteration of a building in the Green Belt is not inappropriate development provided it does not result in disproportionate additions over and above the size of the original building. Paragraph 90 further advises that the re-use of existing buildings which are of permanent and substantial construction

are also not inappropriate in the Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in the Green Belt.

5.9 The purposes of including land within the Green Belt are set out at para. 80 of the NPPF and include:

- To check the unrestricted sprawl of large built up areas.
- To prevent neighbouring towns merging into one another.
- To assist in safeguarding the countryside from encroachment.
- To preserve the setting and special character of historic towns.
- To assist in urban regeneration by encouraging the recycling of derelict and other urban land.

Officers consider that with appropriate controls over future extensions and outbuildings etc. that the proposed conversion would, on balance, not have a materially greater impact than the present use on the openness of the Green Belt. The building would be single-storey and the overall foot-print of the building would remain much the same. Furthermore the building would not be isolated, being well related to the existing residential properties to the north-west and south east. The proposed conversion is therefore not considered to conflict with any of the above criteria and as such is considered to be appropriate development in the Green Belt.

5.10 Policy H10 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 relates to the conversion and re-use of rural buildings for residential purposes. It states:

‘Proposals for the conversion and re-use of existing buildings for residential purposes outside the existing urban areas and the boundaries of settlements as defined on the Proosals Map will not be permitted unless;

- a) All reasonable attempts have been made to secure a suitable business re-use or the conversion is part of a scheme for business re-use;*
- b) The buildings are of permanent construction and structurally sound and capable of conversion without major or complete reconstruction;*
- c) The buildings are in-keeping with their surroundings in terms of character, form, bulk and overall design;*
- d) Development including any alterations, extensions or the creation of a residential curtilage will not have a harmful effect on the character of the countryside or the amenities of the surrounding area;*
- e) The building is well related to an existing settlement or other groups of buildings.’*

5.11 **a) All reasonable attempts have been made to secure a suitable business re-use or the conversion is part of a scheme for business re-use;**

5.12 As required by Policy H10(A), alternative uses to residential use for the existing buildings should first be explored. Criterion A requires that all reasonable attempts have been made to secure a suitable business re-use or the

conversion is part of a scheme for business re-use. Normally a consecutive period of 12 months marketing is considered to be reasonable.

- 5.13 In this case the buildings are quite dilapidated and unsuitable for modern agricultural or commercial purposes. A Marketing Report has been submitted which confirms that the buildings have been marketed for alternative purposes since October 2013 but with very little interest.
- 5.14 The use of the buildings for holiday let purposes has been considered but the number of existing holiday cottages available in the area and unimplemented consents makes demand for further similar accommodation unproven. The viability of such an enterprise remains in question, especially considering the likely cost of conversion of these buildings.
- 5.15 In addition it is also material to the determination of this application that the Government has recently relaxed planning controls in respect of conversion of existing agricultural buildings to residential properties in the countryside (see GPDO Part 3 Class MB) and this weighs heavily in favour of the proposal. Officers consider that a residential conversion is in this case appropriate.
- 5.16 **b) The buildings are of permanent and substantial construction and are capable of conversion without major or complete reconstruction; and .**
(This criterion is common to Policy E7)
- 5.17 A structural survey of the buildings has been carried out by a suitably qualified surveyor. The Structural Survey Report has been submitted and it concludes by saying:

“In conclusion the conversion of the existing building is wholly possible and feasible re-using the existing structure where appropriate and without substantial change, from Building Regulations perspective. The structure is substantial and will require minor remedial work to make it suitable for use as a dwelling. Due to the nature of the building the upgrading of the fabric can be achieved systematically without the need to demolish the building, upgrades to the structure can be achieved through stripping back any redundant existing finishes, such work is likely to occur in all conversions.

As the building is already in active use many of the suggested changes would represent reasonable repair and maintenance to be recommended in any case to ensure the building’s longevity.”

- 5.18 Officers have also inspected the buildings on-site and concluded that they are physically capable of conversion without major or complete reconstruction. Officers are therefore satisfied that criterion 2 of Policy H10 are met.
- 5.19 Design and Visual Amenity
Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec. 2013 seeks to secure good quality design in new development and more specifically Policy H10(D), which relates to the conversion of rural buildings for residential purposes, requires that – ‘Development, including any alterations, extensions or the creation of a residential curtilage would not have a

harmful effect on the character of the countryside or the amenities of the surrounding area.

- 5.20 Residential conversions do tend to have the most impact on traditional farm buildings due to the need to accommodate all of the different rooms and functions associated with domestic properties. Conversions to alternative uses can, therefore, result in more sympathetic schemes of adaptation and re-use that better respect the character and significance of historic farm buildings.
- 5.21 In this case the buildings are of no special architectural interest and have little or no value in visual terms. As such the proposed scheme would be a visual enhancement. Officers are mindful that the 5m high machinery store, that was recently approved, would not be constructed if the current residential proposal is approved – this also weighs in favour of the proposal. The overall design of the proposed dwelling would be rural in character, incorporating natural stone facings, re-constituted roofing slates and timber doors and windows.
- 5.22 Some of the proposed residential curtilage may take on a planned, cultivated and domestic character and appearance and the garden could typically accommodate a range of physical features, such as items of hard landscaping, play equipment, clothes drying facilities and garden furniture. However this must be balanced against the fact that existing buildings would be converted to give a significantly enhanced appearance. The residential curtilage would be well enclosed by existing and proposed boundary walls and hedgerows. The proposed conversion and associated change of use of land to residential curtilage is not inappropriate in this case and therefore meets criteria c, d and e of Policy H10.
- 5.23 Heritage Issues
The proposal affects a building in the open countryside and to the south-east of the former farm buildings associated with Moorend Farm, a Grade II* listed building. The former farm buildings, now converted to dwellings, are also grade II listed in their own right and, together with the farmhouse, they form an imposing and attractive historic group in a prominent position. The building that is the subject of this application lies approximately 60m outside of this group and is separated by vegetation and other buildings. It is not, therefore, in the immediate setting of the main listed farmhouse or the setting of the barns which are arranged around the central courtyard and which now have enclosed gardens to the south. The building is tucked away to the south and there are no interconnecting views between the application site and the listed buildings to the north.
- 5.24 Other than the traditionally constructed parts, the existing building has no architectural or historic merit or interest whatsoever, and the overall building has a very piecemeal and agricultural appearance and quality. It is therefore unlikely that the proposal would have a detrimental impact on the setting of the Listed Buildings to the north. Appropriate conditions would be imposed to secure samples of all external facing materials, large scale eaves, verge and ridge details, all external joinery details and details of vents, flues and extracts to ensure a high quality design and appearance. Subject to this condition there are no objections on conservation or heritage grounds.

5.25 Transportation Issues

Although the site is outside any settlement boundary it is within a reasonable walking and cycling distance of schools, convenience stores and employment opportunities in Bromley Heath and Winterbourne Down. It is also within a reasonable distance of bus services on the A432 and the planned Metrobus service along the A4174, the site is not therefore car dependent. The site is accessed via an existing access onto Church Lane just to the north of the site; this access is provided with adequate visibility splays for the estimated speed of traffic along Church Lane.

- 5.26 There is sufficient space within the site to provide adequate parking and turning provision. Two parking spaces would be provided for the 3-bedroom property, which complies with the South Gloucestershire Residential Parking Standards, which are minimum standards. There are therefore no transportation objections to the proposal.

Landscape Issues

The site is within the Green Belt and open countryside. The proposed conversion of the buildings is acceptable in landscape terms and the rationalisation of the site is welcomed. The proposed conversion results in a development that would be well enclosed by the existing and proposed walls and hedgerows. The setting of Moorend Farm would be improved. It is considered that there is no landscape character or visual amenity objection to the development with regard to Policy L1.

5.28 Impact Upon Residential Amenity

Although well related to the neighbouring dwellings, the new dwelling would be a reasonable distance from them. The proposed residential use is likely to have significantly less impact on the residential amenity of neighbouring property than a farming or equestrian use, both in terms of noise or disturbance from the traffic generated; furthermore the general outlook for neighbouring occupiers would be improved by the conversion of these unsightly buildings. As the proposed dwelling would be single-storey only, there would be no significant issues of overlooking. Whilst there would inevitably be some disturbance for neighbouring occupiers during the conversion phase, this would be on a temporary basis only and could be adequately mitigated for by imposing a condition to limit the hours of working. The proposal therefore accords with Policy CS1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

5.29 Drainage Issues

The site lies in Flood Zone 1 and as such is not prone to flooding. It is proposed to use a Klargaster Sewage Treatment Plant for foul disposal and this is acceptable. An appropriate condition would secure the prior submission and approval of a SUDS drainage scheme in accordance with Policy EP2 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

5.30 Ecology Issues

The site is not covered by any statutory or non-statutory nature conservation designations. A species survey was carried out and no evidence of use by bats was recorded in any of the buildings. Section 6 of the Survey Report includes a series of measures to benefit bats and species of nesting birds such as House Martin and House Sparrow. Officers support these recommendations, which can be secured by condition, in accordance with Policy L9 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

5.31 Affordable Housing

The proposal falls below the Council's threshold for affordable housing provision.

5.32 Education

The proposal falls below the Council's threshold (5) for contributions to the Education service.

5.33 Community Services

The proposal falls below the Council's threshold for (10) for contributions to community services.

6. CONCLUSION

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

6.2 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 and the South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec. 2013 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

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

Contact Officer: Roger Hemming
Tel. No. 01454 863537

CONDITIONS

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

Reason

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

2. Notwithstanding the provisions of Schedule 2 of the Town & Country Planning (General Permitted Development) Order 1995 (as amended) (or any Order revoking and re-enacting that Order with or without modification) no development as specified in Part 1 (Classes A, B, C, D, E, F and G) or any minor operations as specified in Part 2 (Class A), other than such development or operations indicated on the plans hereby approved, shall be carried out without the prior written consent of the Local Planning Authority.

Reason

To ensure the satisfactory appearance of the development and to protect the openness and visual amenity of the Green Belt and landscape in general and to accord with Policies L1, H10 and E7 of the South Gloucestershire Local Plan (Adopted) January 2006, Policies CS1 and CS5 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11 Dec. 2013 and the provisions of the NPPF.

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

Reason

To minimise disturbance to neighbouring properties and to accord with the provisions of the NPPF.

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

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with policy EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. Prior to the first occupation of the dwelling hereby approved, the car and cycle parking facilities and turning areas shall be implemented in accordance with the approved Floor Plan Drawing No. LPC.2277.14.02.

Reason

To ensure adequate on-site parking provision In the interests of highway safety and to accord with Policy T7 _ T12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and to accord with The South Gloucestershire Residential Parking Standards (SPD) Adopted.

6. Prior to the development commencing a scheme of new bat access points and bird nest boxes (house martins, house sparrows) shall be drawn up and agreed with the Council in writing to accord with the general provisions outlined in Section 6 of the submitted Protected Species Survey 30th January by AD Ecology and forming part of the application. Thereafter all works shall be carried out in accordance with the approved scheme and prior to the first occupation of the dwelling hereby approved.

Reason

In the interests of protected species and to accord with Policy L9 of The South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

7. Prior to the commencement of development a scheme of landscaping, which shall include details of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection during the course of the development; proposed planting (and times of planting); boundary treatments and areas of hardsurfacing shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed details.

Reason

To protect the character and appearance of the area and Green Belt to accord with Policies L1 _ H10, of the South Gloucestershire Local Plan (Adopted) January 2006 and the provisions of the NPPF.

8. Prior to the commencement of the development hereby approved, samples/details of the proposed facing stone, render and roof tiles shall be submitted to and approved in writing by the Local Planning Authority. The works shall be completed strictly in accordance with the agreed details.

Reason

In order that the development serves to preserve the character and appearance of the area and setting of the nearby listed buildings, in accordance with section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 190, national guidance set out at the NPPF and Policies L13, E7 and H10 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

9. Prior to the commencement of the development hereby approved, the detailed design of the following items shall be submitted to and approved in writing by the Local Planning Authority. The details shall be at a minimum scale of 1:5.
 - a. all new windows
 - b. all new doors
 - c. eaves, verges and ridges
 - d. external joinery details
 - e. vents, flues and extracts

The works shall be completed strictly in accordance with the agreed details.

Reason

In order that the development serves to preserve the character and appearance of the area and setting of the nearby listed buildings, in accordance with section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 190, national guidance set out at the NPPF and Policies L13, E7 and H10 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

CIRCULATED SCHEDULE NO. 47/14 – 21 NOVEMBER 2014

App No.:	PT14/3177/F	Applicant:	Mrs Yvette Andrewartha
Site:	Upper Hay Churchend Lane Charfield Wotton Under Edge South Gloucestershire GL12 8LJ	Date Reg:	4th September 2014
Proposal:	Erection of 1no. detached single storey dwelling with ancillary outbuilding.	Parish:	Charfield Parish Council
Map Ref:	371641 191637	Ward:	Charfield
Application Category:	Minor	Target Date:	22nd October 2014



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N.T.S. PT14/3177/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The application is for the erection of 1 no. detached single storey dwelling with ancillary outbuilding.
- 1.2 The application site consists of an open field located off Churchend Lane, Charfield. The site not located within the recognised boundaries of any settlement.

2. POLICY CONTEXT

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

South Gloucestershire Local Plan (Adopted) January 2006 (saved policies)
H3 Residential Development in the Countryside

South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design
CS5 Location of Development
CS8 Improving Accessibility
CS34 Rural Areas
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist
South Gloucestershire Residential Parking Standards

3. RELEVANT PLANNING HISTORY

- 3.1 The site has been subject to pre-application advice for a similar proposal whereby it was advised that planning permission was unlikely to be granted.

4. CONSULTATION RESPONSES

- 4.1 Charfield Parish Council
Council resolved to object to proposals primarily due to fact that it is outside of development boundary and there is concern about additional traffic along lane.
- 4.2 Sustainable Transportation
There is a transportation objection to this proposal, in that this proposal is out of the defined settlement boundary of Charfield, as such this falls contrary to policy CS8 of the adopted Core Strategy which is focused on Improving Accessibility and locating development in sustainable areas.

Highway Structures

No comments

Other Representations

4.3 Local Residents

One representation has been received:

‘Having read this application, plans and supporting documentation I would like to state that I have no objections to the build in principle (in fact I applaud its respect for the environment, exceptional design and sustainable development principles) with one caveat. The caveat is that this house is allowed as 'one of a kind' or a unique build, and is not permitted to set a precedent for further new builds in the lane.

This potential house is set in just one of the meadow/fields that flank either side of Churchend Lane. Churchend Lane, as the planning application states, is a ribbon development of currently some 14 houses, and a small office complex in a renovated stable block, built over the last 600 years. There have been no new builds in at least 50 years plus, only renovations of existing buildings. This is in part due to the fact that the road infrastructure simply could not withstand further traffic. Access to homes in the lane is via a narrow single track lane with few passing places. The lane is used every day by walkers, runners, cyclists and horse riders as well as the homeowners and office workers who live and work there. The lane simply could not sustain further builds in the surrounding fields without significant change to the landscape.

In addition, the hill/skyline of Churchend is also deemed a visual amenity for those who view it from Charfield and the surrounding areas. Whilst I appreciate this house is designed not to impact on the skyline and is set back in one of the fields where this would not be an issue, there are additional fields on the hillside where planning permission may be sought if this house were allowed to set a precedent and this would destroy something appreciated by many.

Please consider this build an exception and ensure that conditions are set to safeguard those who live, work and enjoy this area.’

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policy H3 of the SGLP states that proposals for new residential development outside of existing urban areas and the boundaries of settlements will not be permitted, with the exception of affordable housing on rural ‘exception sites’, housing for agricultural or forestry workers or replacement dwellings. Policy CS5 of the Core Strategy states that small scale development will take place within defined settlement boundaries of villages. The proposals do not fall within any of these criteria. The supporting design and access statement relies heavily on what it considers the sustainability principles associated with the design of the proposal and whilst it also acknowledges the value of policy H3 to prevent encroachment into the countryside, but considers that this should be overridden in this instance. Policy H3 is a saved policy and as such is given weight

according to consistency with the NPPF. Policy CS5 of the Core Strategy strictly limits new development in the open countryside and CS34 seeks to maintain existing settlement boundaries.

- 5.2 The NPPF supports good design, sustainability and the vitality of rural communities as underlying principles but as with the consideration of all development this needs to be in suitable locations, and as per the strategy and policy requirements of the local development plans in each case. The NPPF does not change the statutory status of the development plan as the starting point for decision making and proposed development that conflicts with an up-to-date development plan should be refused. The NPPF (para 55) also states that Local Authorities should avoid isolated homes in the countryside, except where developments are to be considered under special circumstances, such as exceptional quality. This proposal fails to meet such tests. Reference to sustainability in the design principles of the proposed dwelling does not in its own right overcome the locational policies and criteria determining the principle of the location of development which is contrary to basic principles of the Development Plan in terms of development in the open countryside. It is not considered that these proposals warrant an exception of policy consideration over any others. In this respect the principle of the proposal is contrary to policy and the proposals are unacceptable.

The site has also been subject to pre-application advice for a similar proposal whereby it was advised that planning permission was unlikely to be granted.

5.3 Design

The proposals whilst single storey and only two bedroom take on a large and sprawling form and the curtilage in which it appears to be set by the redline boundary appears random and sits awkwardly in the middle of the existing field.

- 5.4 The applicants have sought to utilise the principles, through design and materials, of passivehouse institute standards. Not only however is it considered that the proposals are not in their own right acceptable at this location, they would be incongruous within the local area and are considered out of keeping at this rural location. It is not considered that the proposals represent a suitable design for this location and not one of such exception such as to warrant consideration for disregarding policy to allow a dwelling in the open countryside. The design of the proposals therefore does not overcome the in principle locational issues associated with the site.

5.5 Sustainable Transportation

The suggested design principles of the design and materials do not overcome the in principle objection to the unsustainable location of the proposal and so do not make the proposals acceptable at what is considered to be an unacceptable location. The design principles themselves do not overcome this in principle policy objection based upon CS8 of the Core Strategy, improving accessibility and the locating of development in sustainable areas.

5.6 Landscape

The character of the area is rural and open countryside and the application site itself is an open field. The attributes of the site within the local landscape is its

rural nature and openness – the site is located outside of any defined settlement boundaries and therefore is contrary to policy that seeks to prevent encroachment into the open countryside through such 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 proposals are outside of any defined settlement boundary and as such located in the open countryside. The proposals do not meet any exceptions for development in the open countryside and are therefore considered to be in an unsuitable and unsustainable location. As such the development is contrary to Policies L1 and H3 of the SGLP and CS1, CS5 and CS8 of the Core Strategy.
- 6.3 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 That planning permission is refused

Contact Officer: Simon Ford
Tel. No. 01454 863714

CONDITION

1. The proposals are outside of any defined settlement boundary and as such located in the open countryside. The proposals do not meet any exceptions for development in the open countryside and are therefore considered to be in an unsuitable and unsustainable location. As such the development is contrary to Policies L1 and H3 of the South Gloucestershire Local Plan (Adopted) January 2006 and Policies CS1, CS5 and CS8 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013.

Reason

The development would represent an incongruous development within the local area which is considered out of keeping within its rural and open countryside location. As such the proposals are contrary to Policies L1 and H3 of the South Gloucestershire Local Plan (Adopted) January 2006 and CS1 and CS5 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013.

CIRCULATED SCHEDULE NO. 47/14 – 21 NOVEMBER 2014

App No.:	PT14/3455/F	Applicant:	Wessex Reserve Forces And Cadets Association
Site:	Weekend Training Centre New Passage Road Pilning Bristol South Gloucestershire BS35 4LZ	Date Reg:	7th October 2014
Proposal:	Erection of 2no. metal storage containers.	Parish:	Pilning And Severn Beach Parish Council
Map Ref:	354610 186154	Ward:	Pilning And Severn Beach
Application Category:	Minor	Target Date:	24th November 2014



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule because it represents a departure from the Development Plan on Green Belt policy.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of 2no. pre-fabricated metal storage containers.
- 1.2 The application site comprises The Weekend Training Camp (WETC) used for the training of army and air cadets. The site is located to the north of New Passage Way within the open Green Belt outside of any defined settlement boundary. The site is located within Flood Zone 3, which is an area where there is a high probability of flooding, and within the Severn Estuary Coastal Zone. A public right of way extends directly adjacent to the southwest boundary of the site.

2. POLICY CONTEXT

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

South Gloucestershire Local Plan (Adopted) January 2006 (saved policies)
T12 Transportation Development Control Policy for New Development
LC12 Recreational Routes

South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design
CS5 Location of Development
CS8 Improving Accessibility
CS34 Rural Areas
- 2.3 Supplementary Planning Guidance
The South Gloucestershire Design Checklist SPD (adopted)
The South Gloucestershire Development in the Green Belt SPD (adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 PT06/0206/C84, Erection of 3 no. huts, boundary palisade fencing and other associated works for cadet training camp, approval, 09/03/06.
- 3.2 PT03/2409/C84, Demolition of existing buildings to facilitate erection of single storey timber building for use as a cadet youth activity centre, approval, 13/10/03

- 3.3 PT03/0184/C84, Erection of single storey timber building for use as a cadet youth activity centre, objection, 25/02/03.

4. CONSULTATION RESPONSES

- 4.1 Pilning and Severn Beach Parish Council
No comment
- 4.2 Highway Structures Officer
No comment
- 4.3 Landscape Officer
No objection
- 4.4 Drainage Officer
No objection

Other Representations

- 4.5 Local Residents
No comments received

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Green Belt

The National Planning Policy Framework (NPPF) sets out the limited categories of development that are appropriate in the Green Belt. The proposed erection of 2no.metal storage containers does not fall within the limited categories of development that is appropriate in the Green Belt and therefore, represents inappropriate development and contrary to policy CS34 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013. The NPPF states that, as with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. ...Local Planning Authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special Circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

- 5.2 The proposed storage containers will be located on an existing concrete slab and each container will measure approximately 2.5 metres in width, 6 metres in length and 2.6 metres in height. Accordingly, there will be some loss of openness to the Green Belt. However, the site is secured by metal palisade fencing, and this, as well as the topography, vegetation, the relatively low height of the containers and their proximity to existing buildings on the site will ensure that there will not be a significant effect on the openness of the Green Belt. In addition, notwithstanding glimpses from the public right of way to the

southwest, it is considered that the containers will be significantly prominent from public views.

The agent has provided the following supporting information with the application:

- 5.3 *The existing Weekend Training Camp (WETC) at Pilning is well used during the weekends and school holidays for the outdoor training of army and air cadets. The existing site has very little storage on site and this is adversely affecting the running of the WETC. The provision of additional storage facilities will allow for the continued and improved use of these facilities for the benefit of local young people. If additional storage were not permitted this would limit the usefulness of the site and affect its long term viability. The proposed metal storage buildings will be used for storing the cadet's kit and equipment which is used in conjunction with the outdoor activities run by the training centre.*
- 5.4 *The site is owned and administered by the Wessex Reserve Forces and Cadets Association who provides accommodation for the Air Training Corps (ATC) and the Army Cadet Force (ACF). The Centre is an important facility for the Association. It is therefore highly desirable that this facility is maintained with sufficient accommodation for use by local cadets. This additional storage will assist with cadet retention and recruitment and contribute to the long term viability of the facility.*
- 5.5 *The ATC and ACF aim to stimulate an interest in the Air Force and the Army, in their achievements, skills and values and advises and prepares those considering a career in the Services or with the Reserve Forces. It is Wessex Reserve Forces and Cadets Association's intention to continue to provide this valuable facility which provides training for the youth of South Gloucestershire and further afield.*

The containers will be located on the site of a former Nissen Hut, which has been demolished. The volume of the storage containers proposed is significantly less than the volume of the Nissen Hut; the removal of the previous building made a significant improvement to the openness of the Green Belt.

- 5.6 It is necessary to consider how much weight can be given to the very special circumstances put forward and whether on balance it sufficiently outweighs the harm to the Green Belt.

In terms of the first very special circumstance, the existing site is a cadet training centre where cadets take part in a number of outdoor activities, accordingly, the need for sufficient secure storage of associated equipment is considered necessary. The existing buildings at the site are given over to cadet accommodation, a kitchen/canteen, an ablutions block, and a cadet hut. There are no buildings dedicated to storage at the site; therefore, this very special circumstance holds significant weight.

The second and third very special circumstances set out that the community facility provides a valuable service in the local community in terms of education and the development of young people considering a career in the services, and

that if sufficient and secure storage is not available then this would adversely affect the long term viability and function of the existing training centre. The NPPF encourages the retention of community facilities, and that decisions should guard against the unnecessary loss of valued facilities and services. Accordingly, it is considered that these very special circumstances hold significant weight.

The fourth very special circumstance put forward is not considered to hold material weight, as the building has been demolished.

5.7 In this instance, it is not considered that there will be a significant harm to the Green Belt, as the proposed containers will not result in a significant loss of openness, or be prominent from views from the public realm. On balance, it is considered that the very special circumstances put forward for the need for the storage containers in terms of the need for secure storage for outdoor cadet activities, and the detrimental effect on the viability of a valuable community facility if sufficient storage is not provided, sufficiently outweighs the harm to the Green Belt.

5.8 Flood Risk

The proposal will function as ancillary to an existing cadet training centre, which is considered to be a use that is 'more vulnerable' to flooding. However, given that the existing cadet training centre is an established use, and the containers will be located on an existing concrete slab, it is not considered that the proposal will materially increase the risks from flooding. The applicant has clarified that the containers will be secured to the concrete base on which they will sit to prevent any possibility of them damaging property and persons in the event of a flood.

5.9 Although the site is located in a relatively isolated location outside of any defined settlement boundary it will function as ancillary to the existing use of the site. The proposal will not result in a material increase in levels of vehicular traffic over the existing situation. Accordingly, the principle of the development is acceptable. The main issues to consider are the appearance/form, the effect on residential amenity of neighbouring occupiers, the environmental effects, and the transportation effects.

5.10 Appearance/Form

The containers proposed are located on a concrete slab adjacent to two existing metal storage containers of the same size and design. The existing storage containers do not appear to have planning permission but are likely to be lawful by virtue of having been situated at the site for over four years. It is not considered that the containers will be prominent from views from the surrounding area or landscape and will be viewed in the context of an existing cadet training centre. The applicant has specified that the containers will be grey/green in colour to respect the rural context, which is the correct approach. A condition on this basis is therefore, not required if permission is granted. A permanent consent cannot however, be contemplated given the temporary nature of the storage containers, which although functional, cannot be considered to represent high quality design. If permission is granted, a

condition is recommended for the storage containers to be removed after a period of 5 years.

5.11 Residential Amenity

Given that the site occupies a relatively isolated location, with no neighbouring properties within close proximity, it is not considered that there will be a significant adverse effect on the residential amenity of neighbouring occupiers through loss of natural light or privacy.

5.12 Environmental Effects

Although the site is located within a rural and coastal location which are areas where there is normally ecological conservation interest, the proposed containers will be located on an existing concrete slab. Therefore, it is not considered that there will be a material effect on wildlife. No trees that make a significant contribution to the character of the area will be adversely affected.

5.13 Transportation

Given the nature and siting of the proposed containers, it is not considered that there will be a material effect in terms of highway safety, vehicular traffic or parking.

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 advertise the application as a departure from the Development Plan 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 application is advertised as a departure from the Development Plan under the Town and Country Planning (Development Management Procedure) (England) Order 2010 NOTICE UNDER ARTICLE 13 DEPARTURE FROM DEVELOPMENT PLAN and if no further comments are received after the expiration of this consultation period then the Director of Environment and Community Services grants planning permission subject to conditions under delegated authority.

7.2 Given that the floor area of the buildings is less than 1000 square metres, and there would not be a significant impact on the openness of the Green Belt, it is not necessary to refer the proposal to the Secretary of State.

Contact Officer: Jonathan Ryan
Tel. No. 01454 863538

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 storage containers hereby permitted shall be removed and the land restored to its former condition within 5 years of the date of this permission.

Reason

Given the temporary nature of the containers to encourage good quality design and to accord with policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

3. The storage containers hereby permitted shall only function for purposes ancillary to the use of the site as a Cadet Training Centre.

Reason

Very special circumstances have been provided for the need for the storage containers based on the individual circumstances of the use site. If the storage containers are used for other purposes it will represent inappropriate development in the Green Belt contrary to guidance contained in the National Planning Policy Framework; policy CS34 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013; and the South Gloucestershire Development in the Green Belt SPD (adopted).

ITEM 10

CIRCULATED SCHEDULE NO. 47/14 – 21 NOVEMBER 2014

App No.:	PT14/3504/F	Applicant:	Mr Herman Crosdale
Site:	19 Callicroft Road Patchway Bristol South Gloucestershire BS34 5BU	Date Reg:	18th September 2014
Proposal:	Erection of single storey detached residential annexe ancillary to main dwelling with associated works.	Parish:	Patchway Town Council
Map Ref:	360413 181243	Ward:	Patchway
Application Category:	Householder	Target Date:	10th November 2014



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PT14/3504/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application is referred to the Circulated Schedule owing to comments made by Councillor Eve Orpen.

1. THE PROPOSAL

- 1.1 The application seeks permission for the erection of a detached outbuilding to form a residential annexe.
- 1.2 The application site consists of a semi-detached dwelling situated within an established residential area of Patchway.
- 1.3 During the course of the application revised plans have been submitted in order to reduce the scale of the annexe. A re-consultation period of 10 days was undertaken.

2. POLICY CONTEXT

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

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

South Gloucestershire Local Plan (Adopted) January 2006 (saved policies)
H4 Development within Existing Residential Curtilages
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist SPD (Adopted) 2007
Residential Parking Standards SPD (Adopted) 2013

3. RELEVANT PLANNING HISTORY

- 3.1 No planning history

4. CONSULTATION RESPONSES

- 4.1 Patchway Town Council
No comments received
- 4.2 Transportation DC
No objection to revised plans subject to conditions relating to ancillary nature of building and implementation of parking.
- 4.3 Drainage Engineer
No objection subject to following advice: Paving of dwelling frontage:
Appropriate permeable design and construction of proposed and replacement

dwelling frontage paving/tarmac exceeding 5 square metres in area is a requirement to ensure surface water run-off is retained at source. Use of permeable surfacing is required or rainfall to be directed to a permeable soakage area (provided it does not cause flooding of adjacent property) within the curtilage of the dwelling.

Other Representations

4.4 Local Residents

No comments received

4.5 Councillor

Councillor Orpen has made the following comments on the application:

- 29/09: The above applications were considered by Patchway Town Council Planning Committee, and I was requested to call them in for Sites Inspection on the following grounds:-
 - Overdevelopment in back gardens;
 - It was agreed that this would cause additional parking problems in a road that already has a large amount of on street parking;
 - How will the new house be accessed? If down the present drive this is intrusive for the neighbours

- 30/10: This application was discussed at the Town Council Planning Committee on Tuesday 28th October, and we agreed that the revised plans were satisfactory, but it should be made clear to the applicant, as a condition if necessary, that in no way was this dwelling to be rented out or used as a separate dwelling by non members of the family.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application seeks permission for the erection of a detached outbuilding to form a residential annexe ancillary to 19 Callicroft Road, Patchway. Saved policy H4 of the South Gloucestershire Local Plan (Adopted 2006) permits this type of development in principle subject to criteria relating to residential amenity, highway safety and design.

5.2 During the course of the application revised plans have been submitted to reduce the scale of the annexe, which would have an open plan lounge and kitchenette, a bedroom and bathroom. Correspondence from the Agent confirms that the use of the annexe is intended for relatives of the host dwelling with main laundry and storage facilities would be shared. The annexe would also share the private amenity space and parking areas with the host dwelling. It is considered that this relationship is functional and a condition securing the ancillary nature of the building would be reasonable.

5.3 Residential Amenity

The application seeks permission for the erection of a detached annexe in the south east corner of the rear garden of 19 Callicroft Road, Patchway. The annexe would have a length of 11 metres, a width of 3.6 metres and a maximum

height of 4 metres with a pitched roof. The existing detached garage would be demolished to facilitate the development.

- 5.4 The proposed annexe would be adjacent to the mutual boundary of no.17 Callicroft Road, which is situated to the east. As existing the rear gardens of the two sites is divided by a fence and high conifer planting. The plans indicate that the tree planting would be removed leaving the timber boarded boundary fence dividing the two gardens. The annexe would therefore be visible from no.17 above the boundary fence.
- 5.5 Although it is noted that the development would result in the addition of a new building adjacent to the mutual boundary it is not considered that it would appear significantly overbearing or oppressive on the occupiers of no.17 due to its eaves level of 2.2 metres reaching a maximum height of 4 metres at the ridge line. The roof plan would slope away from the mutual boundary. Similarly it is not considered that the building would prejudice the existing outlook from the rear windows of no.17 and, due to its siting to the northwest of no.17, would not have a significant effect on light entering the garden of no.17. The southwest elevation of the building would be adjacent to the rear mutual boundary with 14 Chessel Drive, which is a newly constructed double storey dwelling. The gable end of the annexe would face this property however with a width of 3.6 metres it would only extend across half of the rear boundary. At single storey it is considered that the new building would not have a significant impact on the amenity of the occupiers of no.14 Chessel Drive. It is considered that the separation afforded between the new building and the attached neighbouring occupier is sufficient to ensure that the amenity of the occupiers of the attached neighbour would not be significantly prejudiced.
- 5.6 In terms of privacy the application identifies a window and door to the southeast elevation facing no.17 and two windows and French doors facing into the garden area. It is considered that the boundary treatment between around the whole site is adequate to ensure that the privacy of the occupiers of no.17 is not prejudiced and as such there are no concerns in this respect. In terms of private amenity space, although the annexe building would take up a large amount of garden area it is considered the sufficient space would remain to serve both the host dwelling and annexe building.
- 5.7 Design
The application proposes a detached single storey annexe building with a pitched roof. It is proposed to the south east corner of the site. On demolition of the existing garage the roof of north east gable end of the building would be partially visible above the boundary fence from the highway between the side elevations of no.17 and 19. The application form indicates that the annexe would be finished in a cream K-rend with red interlocking rooftiles.
- 5.8 The host dwelling consists of a hipped roof semi-detached dwelling finished in render with half some brick facing to the front elevation. The locality is established residential in character consisting of pairs of similar dwellings which are evenly spaced.

- 5.9 Although the roof of the new annexe may be partially visible from the highway it would largely be screened by the boundary fence and as such would not be particularly prominent in the street scene. Although the building is long it is considered that its overall scale reflects its ancillary nature and would not overdevelop or over-intensify the existing site. The proposed materials are considered appropriate in the context of the site and the locality. Overall it is considered that the building would respect the character of the site and the locality and as such is considered acceptable.
- 5.10 Highway Safety
The application site is currently served by two off street parking spaces to the side of the dwelling accessed from Callicroft Road. The plans indicate that the intention is to provide one additional space to the front of the building removing the front boundary treatment.
- 5.11 The existing parking, which is to the side of the dwelling, has a width of 2.6 metres which is falls below the width for parking between two flank walls (3 metres) stated within the Residential Parking Standards SPD (Adopted 2013). The size of the additional space proposed to the front does however accord with the standards. Although the parking spaces to the side of the property would not ordinarily be considered sufficient it is noted that this is the existing situation and is currently the only parking provision serving the property. It would therefore be unreasonable to refuse the application on this basis. The additional parking space proposed to the front would compensate for the additional room within the annexe. As such, provided the parking is implemented before the annexe is first occupied, and provided the annexe remains ancillary to the host dwelling, there are no objections on grounds of highway safety or parking provision.
- 5.12 The applicant is advised that the proposed development will require alterations to the existing vehicle crossover from the carriageway and under Section 184 of the Highways Act 1980 the Applicant is required to obtain the permission of South Gloucestershire Council (Developments Implementation Team) as Highway Authority on 01454 863728 before commencing any works on the highway. It is recommended that the applicant is advised of this as an informative.
- 5.13 Drainage
The application includes hardsurfacing at the front of the dwelling to form a parking area. There is no objection to this provided appropriate permeable design and construction of any paving/tarmac exceeding 5 square metres in area is implemented to ensure surface water run-off is retained at source. Use of permeable surfacing is required or rainfall is to be directed to a permeable soakage area (provided it does not cause flooding of adjacent property) within the curtilage of the dwelling. It is recommended that the applicant is advised of this as an informative.
- 5.14 Other Matters
Correspondence from Councillor Orpen states that the Town Council requests a condition to ensure that the building is in no way rented out or used as a separate dwelling by non members of the family. These are noted however it is

not considered that a personal condition to this degree is necessary or reasonable. A condition is instead recommended to secure the ancillary nature of the building to the host dwelling (19 Callicroft).

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: Sarah Fordham
Tel. No. 01454 865207

CONDITIONS

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

Reason

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

2. The annexe hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 19 Callicroft Road and shall at no time become a separate or independent dwelling.

Reason

In the interests of highway safety and residential amenity, to accord with saved policy H4 of the South Gloucestershire Local Plan (Adopted) 2006

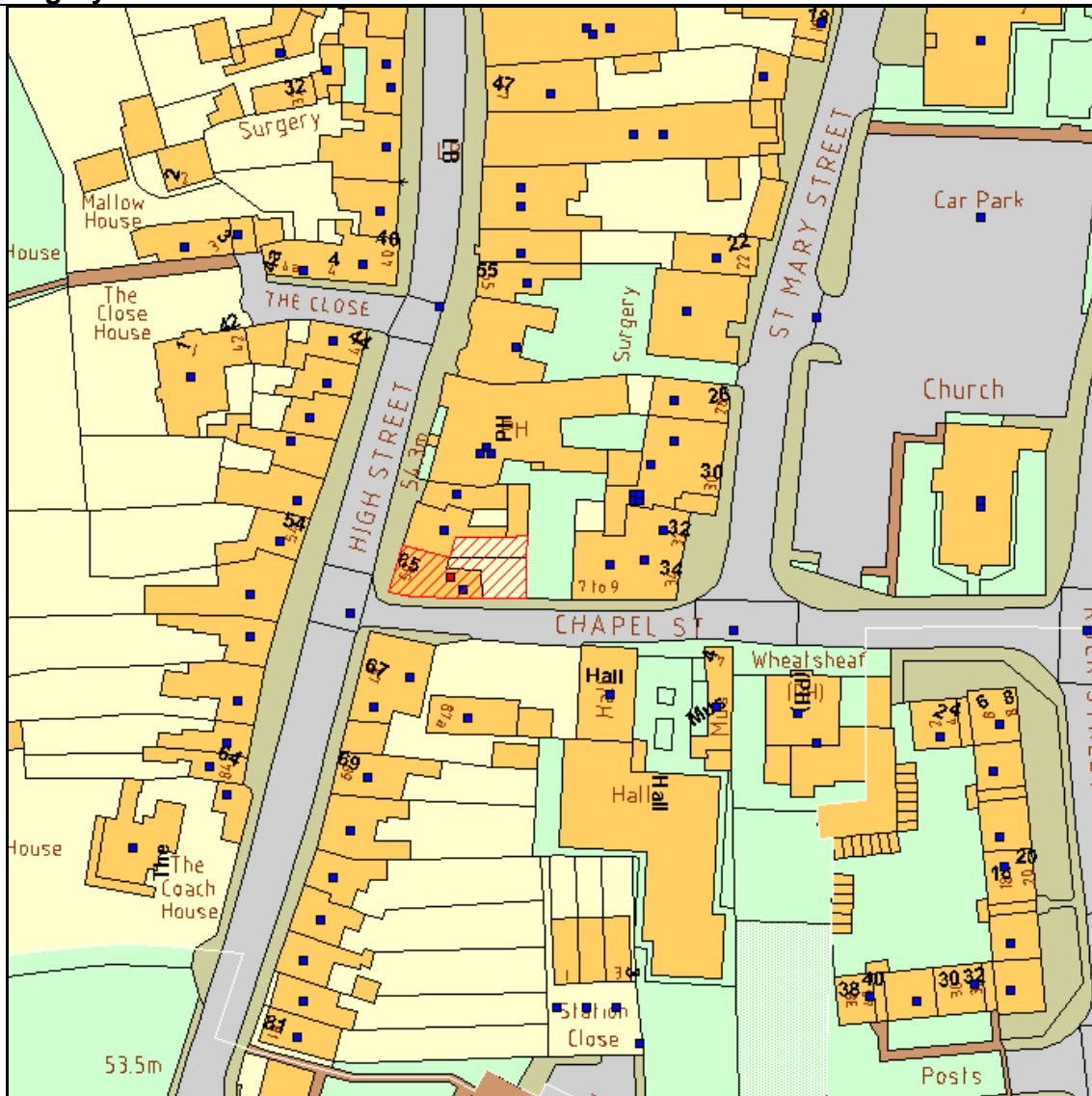
3. The off-street parking facilities shown on plan no.C19/PL/002 Rev.A hereby approved shall be provided in a permeable bound material before the annexe is first occupied, and thereafter retained for that purpose.

Reason

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with saved policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006, and the Residential Parking Standards SPD (Adopted) 2013.

CIRCULATED SCHEDULE NO. 47/14 – 21 NOVEMBER 2014

App No.:	PT14/3634/RVC	Applicant:	Mr John Westwood
Site:	Blendcafe 65 High Street Thornbury South Gloucestershire BS35 2AP	Date Reg:	1st October 2014
Proposal:	Removal of condition 2 attached to planning permission PT13/4676/F to remove the need for a plan showing off street parking	Parish:	Thornbury Town Council
Map Ref:	363669 189864	Ward:	
Application Category:	Minor	Target Date:	14th November 2014



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N.T.S. PT14/3634/RVC

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule because the recommendation is for approval and there is an objection from the Council's Transportation Officer.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the removal of condition 2 attached to planning permission PT13/4676/F previously granted to remove the need for a plan showing off street parking. Condition 2 states the following:

Prior to the commencement of the development a revised layout plan showing a level of off-street parking in accordance with the South Gloucestershire Residential Parking Standards SPD (adopted) shall be submitted to and agreed in writing with the Local Planning Authority. The development shall be carried out in accordance with the agreed details prior to the first occupation of the dwelling and retained thereafter.

- 1.2 The application site comprises a two-storey end of terrace property located on the eastern side of Thornbury High Street. The southern side elevation directly abuts Chapel Street. The site is located within the Thornbury Conservation Area. The building is currently used as a hairdresser at ground floor level and is defined as a secondary shopping frontage in the High Street. Planning permission has been granted to change the use of floor space above the hairdresser to a residential dwelling under application PT13/4676/F.

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)
L12 Conservation Areas
T12 Transportation Development Control Policy for New Development

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

- 2.3 Supplementary Planning Guidance
The South Gloucestershire Design Checklist SPD (adopted)
The South Gloucestershire Residential Parking Standards SPD (adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 PT13/4676/F, change of use of first floor from office (Class A3) to residential (Use Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) to form 1no. flat.

- 3.2 PT09/0999/F, Change of use of first floor from office (Class B1) to cafe/restaurant (Class A3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). Hours of opening to be extended to include Sundays between the hours of 10.00am and 10.00pm. Erection of rear storage shed (Retrospective), approval, 17/07/09.
- 3.3 PT08/0320/F, Change of use of ground floor from Office (Class A2) to Cafe (Class A3) as defined in the Town and Country Planning (Use Classes Order) 1987 (as amended 2005), approval, 14/13/08.

4. CONSULTATION RESPONSES

- 4.1 Thornbury Town Council
No objection
- 4.2 Transportation Officer
Objection

Other Representations

- 4.3 Local Residents
No comments received

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
The principle of the conversion to residential has already been accepted by virtue of the previously granted planning permission PT13/4676/F. Accordingly under this application the most pertinent issue to consider is whether the proposed loss of parking for the dwelling is acceptable.
- 5.2 Consideration of Proposal
Condition 2 states the following:

Prior to the commencement of the development a revised layout plan showing a level of off-street parking in accordance with the South Gloucestershire Residential Parking Standards SPD (adopted) shall be submitted to and agreed in writing with the Local Planning Authority. The development shall be carried out in accordance with the agreed details prior to the first occupation of the dwelling and retained thereafter.

Reason

To ensure the satisfactory provision of parking facilities and in the interests of highway safety and the amenities of the area, and to accord with policy T12 of the South Gloucestershire Local Plan (adopted) January 2006; and the South Gloucestershire Residential Parking Standards SPD (adopted).

- 5.3 The Council has minimum residential parking standards set out in the South Gloucestershire Residential Parking Standards SPD (adopted). This specifies that for a two bed property, 1no. off-street parking space is required to be

provided. In the previous application for the conversion of the office to a dwelling, the red line site plan, which demarked the extent of the application site, included a court yard area to the rear of the hairdresser. Therefore, planning permission was granted on the basis that a single off-street parking space could likely be provided within the rear yard area; a condition was applied accordingly. According to the applicant this courtyard area is allocated to the occupiers of the ground floor retail unit and therefore, is not available to the first floor occupier.

- 5.4 The applicant states that the minimum parking standards should not apply in this instance due to the sustainable location of the site, which is within Thornbury High Street. The applicant also highlights the large number of parking spaces that area available nearby; the applicant refers to long and short stay car parks at High Street; St Mary Street; Rock Street and Castle Court. A study of the availability has been carried out over two study periods between 9th September 9:00 – 10:00am and 15th October 5:00 – 6:00pm. The applicant also highlights the fact that there are five bus services that can be accessed from the Town Centre that provide access to the surrounding area.
- 5.5 According to the Council's Transportation Officer the surveys submitted, whilst they do indicate that at the time of the survey there was parking available in the car parks, do not take into account the practicability/suitability and restrictions of using the car parks as residential parking. For example, there is no information on weekend usage or the restrictions in the times of use of the car parks that would make them impractical and put residents at risk of parking contravention notices, which is likely to lead them to park in locations not suitable for long term parking. The Council's Transportation Officer questions the applicant's statement that Thornbury is one of the most sustainable locations in South Gloucestershire, and that the applicant has not provided any evidence of this. The Transport Officer highlights the fact that the Castle Court short stay car park has recently closed, which has resulted in a reduction to long term parking at Castle Court in favour of more short term parking to compensate; the potential future occupation of the former Council Offices may also lead to further pressure on parking in Thornbury. The Officer also refers to the Sites and Places DPD which identifies the importance of parking and that it should be safeguarded and retained.
- 5.6 Whilst the Council's Transportation Officer questions whether Thornbury High Street is one of the most sustainable locations in South Gloucestershire, it is considered that the site is in a sustainable location within walking distance to a range of services and facilities. There is also a bus stop very close to the site, which provides a reasonable level of service to the surrounding area. There are a number of long and short stay car parks, as well as restricted on street parking, and a small amount of unrestricted parking within close proximity to the site. It is noted that the Council's Transport Officer has highlighted the impracticability of parking in these locations due to time restrictions and existing usage, and that it will lead to occupiers parking in locations not suitable for long term parking. However, material weight is given to the fact that the surrounding road network is restricted by double yellow lines; therefore, it is unlikely that the proposal will result in indiscriminate parking that will be adversely harmful to the amenities of the area of highway safety. Weight is also given to the fact that the

fall back position if condition 2 cannot be complied with is for the building to revert back to the previous café/restaurant use, which will likely generate a greater level of vehicular traffic and parking demand than a 2no. bed dwelling. Advice contained in the Sites and Places DPD referred to by the Transport Officer cannot be given material weight as the policies have not been examined by an Inspector and have not been adopted; however, the Residential Parking Standards SPD (adopted) does hold material weight. Although the proposal is contrary to the advice contained in the SPD, it is considered that on balance, given the location of the site within Thornbury High Street; the small size of the approved residential unit; the fall back position; and the fact that the surrounding streets are covered by Traffic Regulation Orders (TRO) there are extenuating circumstances to allow a variation from the standards as the proposed removal of condition 2 is not in conflict with the main aims of the Residential Parking Standards SPD and will not have a detrimental effect on highway safety or the amenities of the area.

- 5.7 There are no other conditions from the previous consent that need to be copied across to the new consent if permission is granted except the standard 3 year condition.

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 Planning permission is GRANTED subject to the following condition.

Contact Officer: Jonathan Ryan
Tel. No. 01454 863538

CONDITION

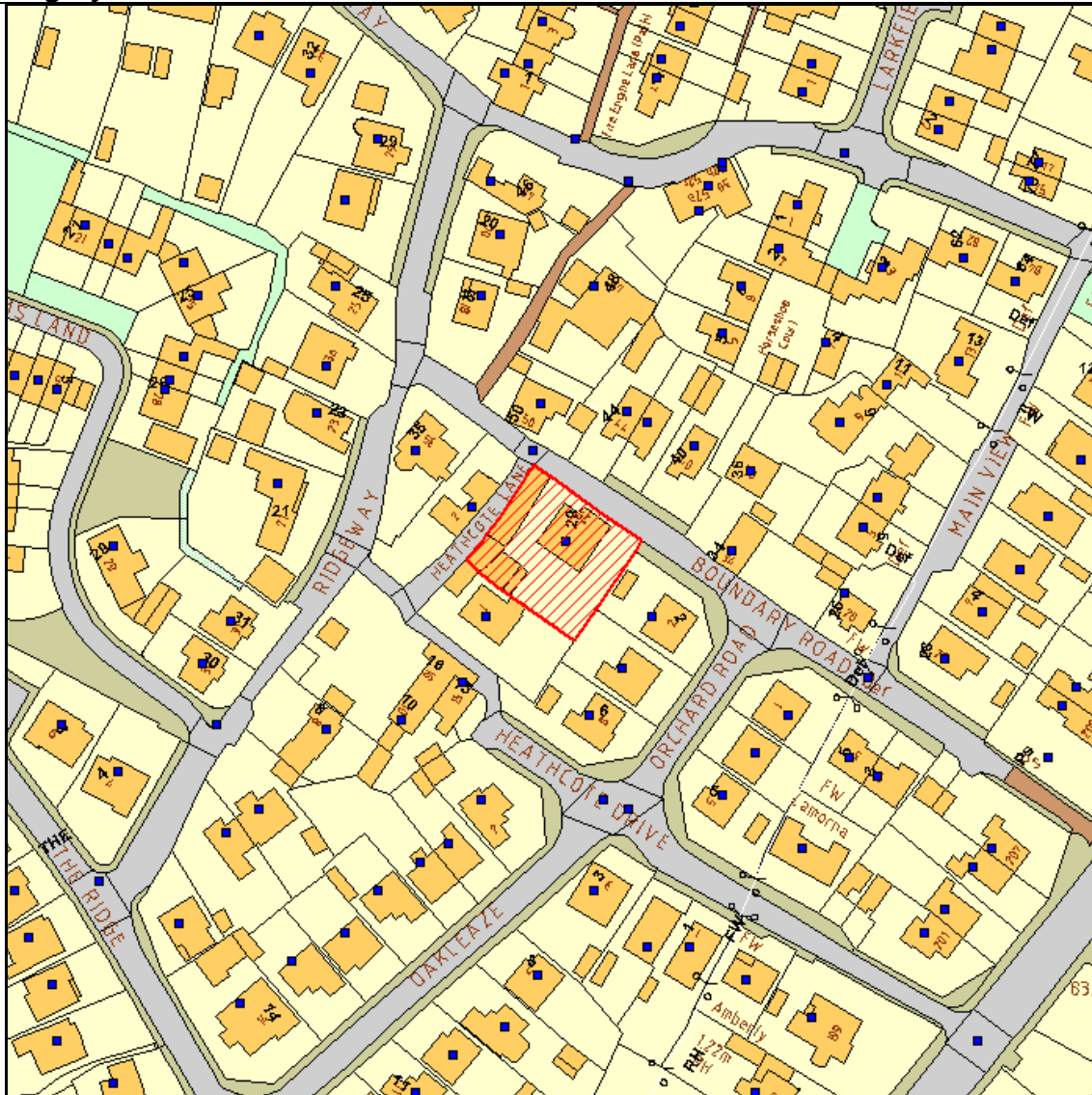
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 47/14 – 21 NOVEMBER 2014

App No.:	PT14/3686/F	Applicant:	Mr Kurt Bierer
Site:	29 Boundary Road Coalpit Heath South Gloucestershire BS36 2PU	Date Reg:	7th October 2014
Proposal:	Part demolition and conversion of existing outbuildings to form 1no. detached dwelling with access and associated works. Erection of detached double garage to existing dwelling.	Parish:	Frampton Cotterell Parish Council
Map Ref:	367570 181148	Ward:	Frampton Cotterell
Application Category:	Minor	Target Date:	27th November 2014



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REASON FOR REFERRING TO CIRCULATED SCHEDULE

This report appears on the Circulated Schedule following objections received from the Parish Council and from local residents.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the part demolition of and conversion of existing outbuildings to form 1no. detached dwelling with associated car parking and access. In addition the erection of a new detached double garage is proposed with access, for the existing dwelling.
- 1.2 The application site relates to the garden of No. 29 Boundary Road, Coalpit Heath, located within the established settlement boundary of Coalpit Heath. The site holds a corner position of the junction between Boundary Road and a small single track lane, Heathcote Lane. The site comprises a stone built Victorian type detached villa and is side onto the main highway, Boundary Road and benefits from a number of outbuildings. A series of single storey and two-storey structures run across its northwestern boundary adjacent to Heathcote Lane and these are connected to a single storey structure running across the southwestern boundary and adjacent to the neighbour at No. 1 Heathcote Drive.
- 1.3 This proposal for the creation of a new dwelling would comprise a number of elements which include the demolition of a number of the single storey outbuildings to the north, the raising of the roofline of the single storey structure to the west, the erection of a new double garage to the south and changes to the openings of the main dwelling.
- 1.4 During the course of the application concerns expressed by owners of neighbouring dwellings and others, were brought to the attention of the applicant. This resulted in revised plans being submitted for consideration. The revisions showed a reduction in the height of the single storey element adjacent to the neighbouring property No. 1 Heathcote Drive by 0.5 metres and a reduction in the pitch of the roof. Following these revisions, neighbours still expressed concerns and met with the applicant. Further revised plans were submitted. These plans showed that although the reduction in height of the single storey element would remain at 0.5 metres below that originally proposed, the pitch of the single storey roof would be further reduced from an angle of 30° to 23°. In addition this single storey structure would be hipped from the south to the north and the length of the pitch would be increased from 3 metres to 3.6 metres. The common boundary wall separating the application site and closest neighbours is proposed at a constant height of 2.1 along its length.
- 1.5 Other alterations include numerous alterations to openings in the main house to avoid overlooking of the new dwelling.

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
- CS8 Improving Accessibility
- CS9 Environmental Resources and Built Heritage

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

- H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings
- T12 Transportation Development Control

2.3 Supplementary Planning Guidance

- South Gloucestershire Design Checklist (Adopted 2007)
- South Gloucestershire SPD: Residential Parking Standards (adopted) 2013

Other

- Frampton Cotterell Parish Plan – endorsed March 2012
- Frampton Cotterell and Coalpit Heath Village Design Statement

3. RELEVANT PLANNING HISTORY

- | | | |
|-----|---------------|--|
| 3.1 | PT11/2774/EXT | Part demolition and alteration to existing outhouse to form 1no detached dwelling, garage and access. Erection of new detached double garage and access to existing dwelling. (Consent to extend time limit for PT08/2166/F) |
| | Approved | 21.10.11 |
| | | |
| 3.2 | PT08/2166/F | Part demolition and alteration to existing outhouse to form 1no. detached dwelling, garage and access. Erection of new detached double garage and access to existing dwelling |
| | Approved | 12.9.08 |
| | | |
| 3.3 | PT07/3144/F | Erection of 1 no. detached dwelling and erection of detached garage |
| | Refused | 13.12.07 |
| | | |
| 3.4 | PT07/1111/F | Erection of 1 detached dwelling and erection of detached garage |
| | Refused | 30.5.07 |

4. CONSULTATION RESPONSES

- 4.1 Frampton Cotterell Parish Council
The Council feels that the proposed development will have an overbearing impact. The Council requests that the application be referred to the Sites Inspection Sub Committee.

Westerleigh Parish Council
No response

4.2 Other Consultees

Highway Structures
No objection

Highway Drainage
No objection subject to an informative regarding sustainable drainage systems and an informative regarding public sewers.

The Coal Authority
No objection subject to a condition attached to the decision notice

Sustainable Transport
Whilst in principle there is no objection in transportation terms to the conversion. The proposals are accessed via an existing access with zero visibility and no pavement frontage, whilst a like for like swap of vehicle movements is acceptable to facilitate this the application also includes provision of a garage to provide parking for the host dwelling, this proposed access has similar visibility issues to the extant access, and as such represents the creation of a sub-standard access to the detriment of highway safety and contrary to policy T12.

Other Representations

4.3 Local Residents

Comments have been received from 4no. local residents as follows:

- a. The plans fail to show the close proximity of the out buildings of 29 Boundary Road and 1 Heathcote Lane. In places the gap is only 5 ft 6 inches between the properties. If the new roof is built over the existing garage it will be overbearing and cause a significant loss of light to our bedroom,bathroom and kitchen.

Updated comments following revised plans

- b. Although the architect has worked hard to lower the roof line and the height of the wall, the building will still be overbearing from our property. We will still lose a significant amount of natural light.

- c. I strongly object to this application to partly demolish some important historic existing outhouse buildings, local policy is against this action. The Village Design Statement (VDS) for Frampton Cotterell and Coalpit Heath includes a policy recommendation that existing period buildings to be preserved, taking care not to destroy original features. This applies to barns, outhouses and utility buildings as well as dwellings (P22, Paragraph 3.35,

adopted as Supplementary Planning Guidance (SPG) by South Gloucestershire Council 2000). The village was an industrial settlement with such outhouses being used for the hatting industry, local coal mines supplied the fuel for boiling up the rabbit and beaver fur for felting. When the hat making industry declined such outhouses were then used for a small scale domestic textile industry, this complex of buildings in Boundary Road is still colloquially known as the knicker factory by local residents. I consider the 29 Boundary Road complex to be a vital part of the valued heritage of the area, which should be preserved. The Parish Plan consultation resulted in Action Plan 2012, which includes Objective 9, produced a Heritage trail booklet. Many local residents cared enough to work hard to collate their historical research into such a booklet, which is to be found on the South Gloucestershire Council website. There is a link from the Historic Sites and Monuments section to two relevant local heritage publications, Hatters Trails in South Gloucestershire and Heritage Walks in Frampton Cotterell and Coalpit Heath.

- d. I think that this building could be a potential employment opportunity instead of just a housing development, and local policy supports this idea. In order that residential developments are sustainable, as stated in PPG 3, it is required that ideally there is sufficient employment within walking or cycling distance. Statistics are available in the 2011 Census Profile which illustrates that in this area roughly 80% of the workforce travel to work in a car or van and only a paltry 8% travel to work on bicycle or foot, (Frampton Cotterell E04001053, produced by the Corporate Research Team, South Gloucestershire Council & Strategic Planning, Bristol City Council in March 2013). Awareness of this pressing problem has led to Frampton Cottrell Parish Council identifying as an aspiration for developments to promote small scale employment workshop units. (P169 of the 2014 Draft Sites, Policies and Places Plan (Draft SPPP) , Development Plan Document (DPD).
- e. The visual appearance of this proposed partial demolition and building of a new detached, two storey dwelling would create a skyline of crowded roofs, adding to a claustrophobic atmosphere. The residents of the bungalow 1 Heathcote Lane would find that they were totally dominated by having such a large building placed to the rear of their property
- f. Heathcote Lane has very little vehicular traffic. However it is used by a lot of local residents as pedestrian access and it seems to be a popular meeting place for a lot of the local youths, who often gather and hang around the Lane. Because Heathcote Lane borders directly onto the north west elevation the lower windows on this elevation will offer very little privacy. I can see that this could cause possible confrontation for the current occupants and for any future occupants if the property is sold on. Also the north west elevation has two upper storey windows that overlook my property. If this plan is granted I hope these windows will be installed with opaque glass to maintain my current level of privacy. I also object about the proposed south west elevation changes. Increasing the height of the existing building will greatly affect the residents of No.1 Heathcote Lane. As

their property is very close to this wall and it will almost certainly greatly reduce the natural light and view from their property and I feel that this is unacceptable

- g. With regard to the above application, we have no overall objection to a development but would like to make the following observations. 1)My husband and I feel a single garage would be more appropriate for the space involved and that a double garage could in future be further developed. 2)Although the revised plans show some compromise, we feel that they will still affect the privacy and light of the neighbouring property (1 Heathcote Lane)

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The proposal stands to be assessed against the above listed policies. Of particular relevance is the overall design, the impact on the residential amenity (H4) and the impact on highways (T12). Although the approved 2011 application was not implemented, it nevertheless must be recognised that this new proposal is a very similar scheme and as such the principle of development on the site has already been determined. Concern has been expressed regarding the impact on the residential amenity of closest neighbours and Officers are of the opinion that the second set of revisions have addressed these concerns. Highway Engineers have also expressed concerns regarding the proposed double garage, but again a garage in this same location was granted permission in 2011 so this is a material consideration in any assessment.

- 5.2 It has been stated by a local resident that the outbuildings form part of the historic heritage of Frampton Cotterell and in particular their association with the hatting and felting trade. The local resident makes reference to the Frampton Parish Plan which was endorsed by the Council in 2012 and the Frampton Cotterell and Coalpit Heath Village Design Statement. These documents have been compiled by interested local residents whereby the desires and aspirations of the area have been expressed. They are not adopted planning policies but are a material consideration to be given weight in the assessment. The Localism Act 2011 gave residents the opportunity to have a greater influence on their area. However, unless these views are included within a Neighbourhood Plan which has been voted on in a local referendum, they cannot be anything more than a vision for the area. Other references have been made to PPG3 which was superseded by the NPPF (2012) with regards to re-using the site for employment purposes. The outbuildings are within the residential curtilage of No. 29 Boundary Road and do not have a separate class usage. The proposal is therefore to be assessed under H4.

- 5.3 Comments have been received regarding the loss by demolition of part of the outbuildings. Currently these buildings are neither within the curtilage of a listed building, nor are they locally listed themselves. As such they could be demolished without formal planning permission at any time. The informal opinion of the Listed Building Officer has been sought and it is not considered

that the buildings are worthy of being locally listed. In fact the proposed works would assist in retaining the majority of these old buildings rather than the alternative which could be letting them fall into disrepair and after time and neglect, collapse and be lost entirely. It is considered that their re-use is welcome and would make a positive contribution to retaining the character of this part of Frampton Cotterell which has already experienced a large amount of modern development.

5.4 In making the assessment Officers have made a balanced judgement and on the basis of experience and professional opinion it is considered that the proposal accords with the principle of development and can be recommended for approval. This is discussed in more detail below:

5.5 Design and Visual Amenity

The application site relates to a two-storey stone built dwellinghouse situated within the centre of Frampton Cotterell. It sits side-on to the highway and benefits from a large garden to the southwest and southeast. To the northwest and southwest are a series of outbuildings comprising both single storey and two-storey structures. It would be these structures that would be converted from their current use as ancillary workshops to a dwelling and would entail the removal of some of the structures and the raising up of others.

5.6 Works to the buildings along the northwest boundary would comprise the addition of a first floor extension above part of the existing single storey buildings adjacent to the existing two-storey structure and also the removal of other single storey outbuildings in this row. The application states the wall along the northwest boundary would be reduced to 2.2 metres in height and repointed to form a garden wall with cove and hen coping. Furthermore, the new boundary wall forming the entrance would be constructed to match the existing sandstone boundary walls of a 2 metres height. Some comments have been received stating No. 1 Heathcote Drive would be dominated by large structures, however the two-storey element would actually be opposite No. 2 Heathcote Drive, following on from an existing two-storey structure.

5.7 In addition, the existing single storey structure to the southwest boundary would have its currently slightly sloping roof changed to a pitched roof. The proposal would result in a 3no. bed dwellinghouse with off street parking for 2no. vehicles. As mentioned above the principle of development has been agreed under previously approved applications. The alterations in essence comprise a first floor extension, some alterations to an existing single storey outbuilding and the raising of the roof height of another single storey outbuilding. In terms of the overall design, scale and massing the proposal is therefore acceptable in this village location. Materials would be to match those of the existing outbuildings and conditions would further secure these important elements.

5.8 Along with the creation of a new dwelling, the application includes the erection of a double garage to serve the host property. This would be positioned to the east side of No. 29 Boundary Road adjacent to an existing garage serving No. 2 Orchard Road. The garage is considered to be in-keeping with its surroundings and of an appropriate size and scale.

5.9 Residential Amenity

Concern has been expressed regarding the potential adverse impact that raising the single storey roofline would have on closest neighbours at No. 1 Heathcote Drive. Currently this bungalow is at a slightly higher level above that of the application site. The boundary between the two comprises a two-storey structure to the west to which the garage of No. 1 is attached. A sloping wall of between 3.1 metres and 2.0 metres in height follows on from this structure for approximately 8 metres in length finishing close to where the rear/side porch door of No. 1 is positioned. From here on, the boundary is a fence which given the slope of the land down to the southeast, varies in height.

- 5.10 It is acknowledged that No. 1 is quite close to this boundary at approximately 1.7 metres. The rooms in this elevation comprise a second bedroom, bathroom, kitchen window and small side porch. Due to this close relationship between the two properties the initial plans caused some concerns. Of particular concern was the overall amount of roofline that would be present here in terms of its height and bulk. Two sets of revisions have been received in an attempt to overcome these concerns. The most recently submitted plans show an overall reduction in the proposed height and bulk of the roof of the single storey structure adjacent to No. 1 Heathcote Drive. As part of the proposal the adjoining sloping wall would be rationalised to a single level of 2.1 metres along its 8 metre length. Officers understand that in negotiations between the neighbours and the applicant an informal agreement has put forward that this wall be rendered a light colour to assist reflect light into No. 1 Heathcote Lane. It must be noted this does not form part of the application and as such cannot be stipulated as a condition. To further reduce the impact on the neighbours the roof has been moved further to the north by means of the introduction of a gutter of approximately 0.3 metres between the wall and the start of the pitched roof. Other alterations to this roof line have meant that the pitch of the roof has been reduced by 7 degrees to 23 degrees and the hipped element is now further to the west than previously submitted. This means that the bulk of the roof over the single storey structure has been further reduced.
- 5.11 It is acknowledged that No. 1 Heathcote Drive would experience changes following the development. However, it must also be recognised that the properties are within a built up area in the village where houses are close together and extensions and new dwellings are not unusual. The principle of converting existing outbuildings to create new dwellings is acceptable within a built up area providing, among other things, it does not have an adverse impact on the residential amenity of neighbours.
- 5.12 The proposal would create changes to No. 1 Heathcote Drive in two ways: firstly regarding the wall and secondly regarding the roof. In this situation the wall that separates the two properties slopes from the west to the east. As such the highest part of the wall is already outside the window of the second bedroom of No. 1 Heathcote Drive. Under this proposal the height of this wall would be reduced to 2.1 metres for its entire length. In addition however, the height of the currently flat roof would be raised to approximately 1.8 metres above the wall, but to counter the impact it would have a low pitch which would be positioned further away from No. 1 due to a 0.3 metres gutter between the two. Furthermore, the kitchen window of No. 1 currently looks over part of the

roof of the single storey outbuilding. Revised plans have pushed the proposed hipped roof further to the west to reduce the amount of roof/tiles visible from this window. Comments received also mention loss of light to the bathroom and kitchen; the bathroom is not considered a principal living room and the kitchen has a second opening in the form of large French windows in the south elevation.

- 5.13 It is a balanced judgement and in Officer opinion the proposed increase in height of the roof would not adversely impact on the amenity of the neighbours at No. 1 Heathcote Drive sufficient to warrant a refusal of the application.
- 5.14 Other concerns have been expressed regarding privacy issues for the new dwelling caused by the ground floor windows in the northwest elevation. It is recognised that users of the footpath could look into the proposed new kitchen area and plans indicate that these windows would be of opaque glazing. Similarly, other windows in this elevation serving a ground floor utility and a first floor bathroom would be of opaque glazing. The remaining window would serve a landing. It is acknowledged that No. 2 Heathcote Lane also has a landing window in the opposing elevation, however, there would be no direct sight line between the two. The impact on the residential amenity of the two properties would therefore be preserved.
- 5.15 The Coal Authority
It is confirmed that the application site falls within the defined Development High Risk Area; therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application. The Coal Authority records indicate that the site is in an area of likely historic unrecorded underground coal mine workings at shallow depth.
- 5.16 The applicant has obtained appropriate and up-to-date coal mining information for the proposed development site and has used this information to inform the Coal Mining Risk Assessment Report, dated 30 September 2014 and prepared by Bristol Coalmining Archives Ltd, which accompanies this planning application. The report has been informed by an appropriate range of sources of information including; historic maps, geological plans and a Coal Mining Report.
- 5.17 Having reviewed the available coal mining and geological information the Coal Mining Risk Assessment concludes that there is a potential risk to the development from past coal mining activity and recommends that intrusive site investigations are carried out in order to establish the exact situation in respect of coal mining legacy. The findings of the intrusive site investigations should inform any mitigation measures which may be required.
- 5.18 The Coal Authority concurs with the recommendations of the Coal Mining Risk Assessment Report; that coal mining legacy potentially poses a risk to the proposed development and that intrusive site investigation works should be undertaken prior to development in order to establish the exact situation regarding coal mining legacy issues on the site.

- 5.19 The Coal Authority recommends that the LPA impose a Planning Condition should planning permission be granted for the proposed development requiring these site investigation works prior to commencement of development.
- 5.20 In the event that the site investigations confirm the need for remedial works to ensure the safety and stability of the proposed development, this should also be conditioned to ensure that any remedial works identified by the site investigation are undertaken prior to commencement of the development.
- 5.21 The Coal Authority considers that the content and conclusions of the Coal Mining Risk Assessment Report are sufficient for the purposes of the planning system and meets the requirements of the NPPF in demonstrating that the application site is, or can be made, safe and stable for the proposed development. The Coal Authority therefore has no objection to the proposed development subject to the imposition of a condition or conditions to secure the above.
- 5.22 Sustainable Transport
An objection has been received from Highway Engineers with regards to the proposed new garage and associated access. There can be no objection to the access for the proposed dwelling as this would use the existing access currently serving No. 29 Boundary Road. However, it must be noted that although only limited visibility splays could be achieved from the new entrance the road is considered to accommodate light local traffic at slow speeds from adjoining residential streets. The previously approved application stated *Such traffic conditions facilitate heightened driver awareness and quicker reaction times so that movements from the proposed access would be anticipated.* As such the application did not raise highway safety concerns and was recommended for approval.
- 5.23 It is therefore considered that should this application be refused on the basis of a substandard access when essentially nothing in terms of road conditions have changed since the previous application, it is likely that a challenge at appeal could not be successfully defended. At the time the Highway Officer recommended that the proposed driveway should be constructed of bound material for highway safety purposes and it is considered reasonable that this condition be used in this instance.
- 5.24 One local resident has expressed concern that the proposed double garage could be subject to further development in the future. Given this it is reasonable that a condition be attached to the decision notice to ensure this garage is for domestic use associated with the host property No. 29 Boundary Road.

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 be **APPROVED** subject to the conditions written in the decision notice.

Contact Officer: Anne Joseph
Tel. No. 01454 863788

CONDITIONS

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

Reason

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

2. Notwithstanding the provisions of Schedule 2 of the Town & Country Planning (General Permitted Development) Order 1995 (as amended) (or any Order revoking and re-enacting that Order with or without modification) no development as specified in Part 1 (Classes A, B, D, E, F, G and H) or any minor operations as specified in Part 2 (Class A), other than such development or operations indicated on the plans hereby approved, shall be carried out without the prior written consent of the Local Planning Authority.

Reason

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

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

Reason

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

4. Prior to the commencement of development, intrusive site investigation works should be undertaken to establish the exact situation regarding coal mining legacy issues on the site and if there is a need for remedial works. Details should be submitted to and approved by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

Reason

To establish if remedial works to treat areas of shallow mine workings are required and to ensure the safety and stability of the proposed development to accord with Saved Policy EP7 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies) and Policy CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013.

5. No windows other than those shown on the plans hereby approved shall be inserted at any time in the west and south elevations of the property.

Reason

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

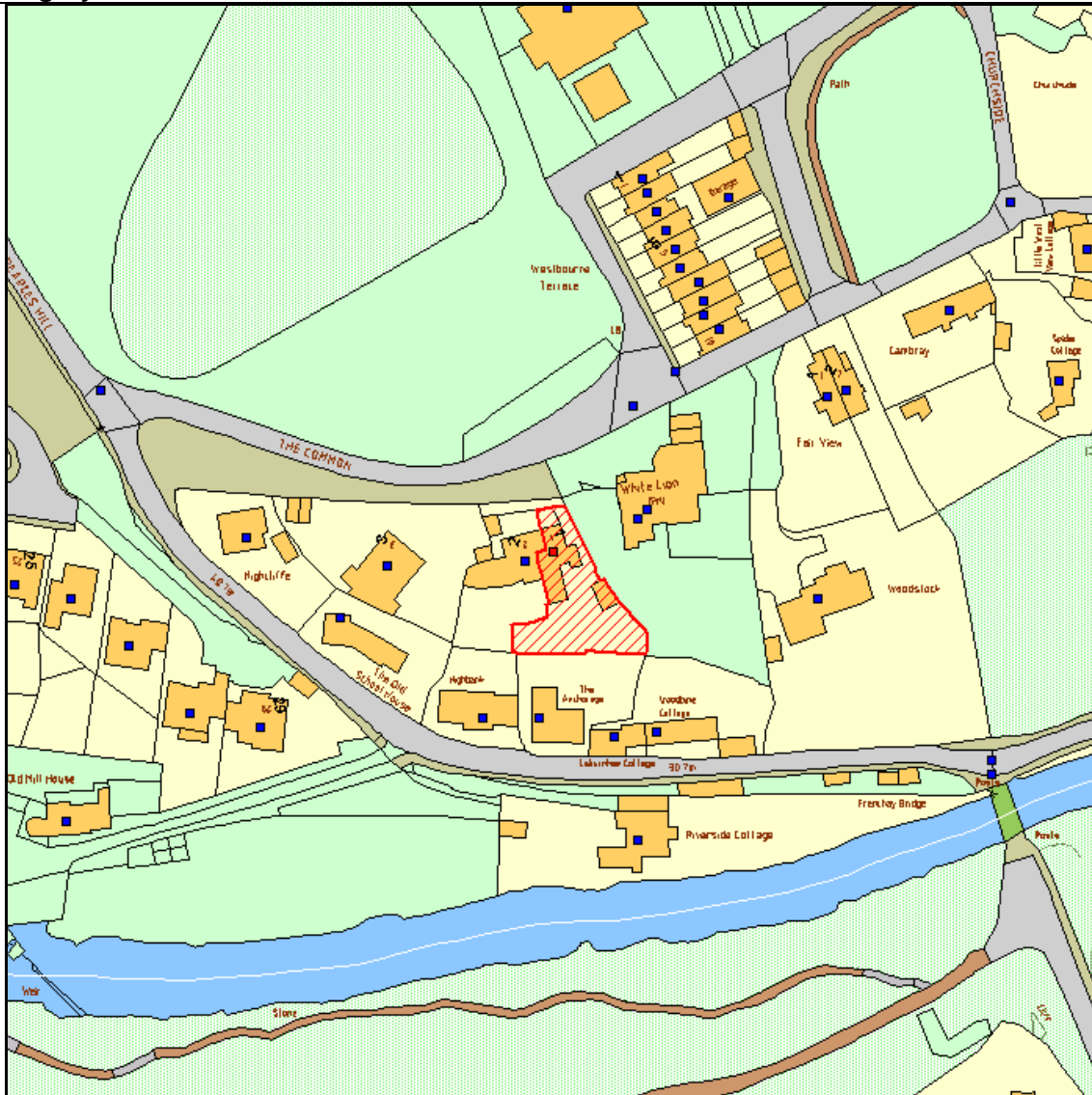
6. The off-street parking facilities (for all vehicles, including cycles) shown on the plan (29BR NOV 14 P 1 E) hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policies T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies).

CIRCULATED SCHEDULE NO. 47/14 – 21 NOVEMBER 2014

App No.:	PT14/3784/F	Applicant:	Mr And Mrs R Russett
Site:	1 The Common Frenchay Common Frenchay Bristol South Gloucestershire BS16 1LZ	Date Reg:	3rd October 2014
Proposal:	Erection of single storey rear extension to existing kitchen to provide additional living accommodation with porch. Erection of single storey side extension to provide garage/cycle store	Parish:	Winterbourne Parish Council
Map Ref:	363899 177271	Ward:	Frenchay And Stoke Park
Application Category:	Householder	Target Date:	21st November 2014



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 100023410, 2014. **N.T.S.** **PT14/3784/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This report appears on the Circulated Schedule following an objection from the Parish Council contrary to officer recommendation.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of a single storey rear extension to an existing kitchen to provide additional living accommodation with porch. Also the erection of a single storey side extension to provide a garage/cycle store. The application site relates to a two-storey semi-detached cottage situated within the settlement boundary of Frenchay and within the Frenchay Conservation Area.
- 1.2 The application site fronts The Common in Frenchay with the White Lion public house to the east and residential properties at a lower level and some distance away to the south. To the west is the attached cottage, No. 2 The Common.
- 1.3 During the course of the application the Highway Engineer expressed concern regarding the size of the proposed garage. Revised plans were received which indicated the garage as still being substandard in size but sufficient room would remain to accommodate off-street parking for a standard size vehicle. As the revisions did not change the overall proposal, merely reduced the size of the garage, the plans were not put out for re-consultation but the application still appears on the circulated schedule due to other concerns expressed by the Parish.

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
CS8	Improving Accessibility
CS9	Environmental Resources and Built Heritage
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS24	Open Space Standards

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

H4	Development within Existing Residential Curtilages, Extensions and New Dwellings	Including
T12	Transportation Development Control	

L12 Conservation Areas

- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted 2007)
South Gloucestershire SPD: Residential Parking Standards (Adopted) 2013
South Gloucestershire SPD: Frenchay Conservation Area (Adopted March 2007)

3. **RELEVANT PLANNING HISTORY**

- | | | |
|-----|-------------------------|--|
| 3.1 | P89/2063
Approved | Erection of conservatory
12.7.89 |
| 3.2 | P97/2569/C
Withdrawn | Removal of existing flat roof to facilitate construction of pitched roof with 2 velux roof lights
3.12.97 |
| 3.3 | P97/2568
Approved | Replace existing flat roof with pitched roof including 2 no. roof lights
22.12.97 |
| 3.4 | PT13/1111/F
Refused | Erection of first floor rear extension to provide additional living accommodation.
29.5.13 |
| 3.5 | PT13/4262/F
Approved | Erection of an extension with a glass balustrade to an existing residential annex
17.1.14 |

4. **CONSULTATION RESPONSES**

- 4.1 Winterbourne Parish Council
The comments of the Parish Council are no Objection to the single storey rear extension.
The Parish Council objects to the side extension to provide the garage/cycle store as this is too small to accommodate any motor vehicle and would result in more parking on the Common, which is against the Parish Council's bye laws.
- The gym is not within permitted development as development has already taken place on these premises which has used their permitted development rights.
- 4.2 Other Consultees
- Conservation Officer
No objection subject to conditions regarding all external roof, wall and window/door design and finishes

Drainage Engineer

No objection subject to informatives attached to the decision notice

Highways Engineer

Officers have concerns over the lack of off street car parking available. It is noted that the applicant states that the parking is for a small Smart Car, but a condition limiting future occupiers to only owning a smart car would be unreasonable.

Currently the site benefits from restricted car parking, but a standard sized car would be able park on site; this proposal if permitted would mean that this would not be possible, and as such would be objected to.

A compromise solution may be to have the structure completed but including a condition that prohibits any 'garage' doors so that it operates as a car port rather than a garage. Alternatively if garage doors were to be required (to create a secure storage area) then they would need to be located a minimum of 6m from the front boundary to allow for a vehicle to park and still enable the 'garage doors' to be opened.

If either option were to be implemented then there would be no objection from a transportation perspective

The revised plans received have now implemented one of the above suggestions and as such there can be no highway objection to the proposal.

Other Representations

- 4.3 Local Residents
None received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The proposal stands to be assessed against the above listed policies and all material considerations. Of particular importance is the design and appearance of the proposed development and its impact on the character of the host dwelling and area in general given its location within a conservation area. In addition the impact of the proposal on the residential amenity of both the host property and its neighbours must be considered and also the impact on highway safety and parking.

The proposal is considered to accord with the principle of development and this is discussed in full detail below.

5.2 Design and Visual Amenity

No. 1 The Common is one of a pair of semi-detached cottages facing Frenchay Common. It is likely to date from the nineteenth century, built as a modest two-up two-down cottage with clay tile pitched roof and sash windows. The windows have been replaced with modern alternatives. The two-storey range is likely to be historic, perhaps extended, and there are a number of further

modern side and rear extensions at a lower level. It benefits from a detached two storey structure in the rear garden, currently used as residential accommodation, ancillary to the main house.

- 5.3 The application site itself slopes considerably from the north to the south. As such the rear garden comprises a series of terraces. Historically the property has benefitted from additions and extensions in what can be regarded as a piecemeal fashion; this includes single storey extensions to the east to form a kitchen and single storey extensions to the rear to serve as additional living accommodation. Given the slope of the land this has resulted in a number of different levels and stairs and steps to connect the garden and the various built form. In addition an existing detached two-storey annex can be seen to the east of the main dwellinghouse, partly attached to the old stone boundary wall. The annex, kitchen and other single storey rear extensions effectively enclose a large patio area located immediately outside the upper level of this annex however during the site visit Officers observed that the patio had been removed due to problems with the drains which required substantial and extensive excavation within the curtilage of the property. This area is connected to a second patio area by steps and a pathway. It is further to the west adjacent to neighbours at No. 2 The Common, and extends out into the rear following on from an existing single storey rear extension. A proposed gym would be positioned further to the south, below this patio area using permitted development rights. This would be accessed from another lower terraced area overlooking the valley below.
- 5.4 The single storey kitchen to the east side is currently set at a much higher level than the rest of the garden and is itself accessed via a series of steps. The proposal would rationalise some of these different levels by creating a larger kitchen area, to connect the house to the patio areas which would be of one level and a covered porch which would lead straight onto one of the lower levels. Doors to the gym would be at this lowest level and the annex could also be accessed from this terrace.
- 5.5 A small single storey side extension is proposed to the east elevation. Its purpose is to provide some lockable storage. The structure would have a lean-to roof, wooden double doors and stone walls. In terms of its design, scale and massing the proposal is considered acceptable and appropriate to the area in general.
- 5.6 The Conservation Officer offers no objection to the scheme as the main alterations are to the rear elevation and the proposed garage/storage to the side elevation is considered acceptable. Conditions attached to the decision notice will ensure materials and overall design/finishes are approved prior to commencement to ensure the resulting development is in-keeping with the area.
- 5.7 Residential Amenity
The proposed extensions would be mainly within the central 'courtyard' of the property. No. 2 The Common would be screened from alterations to the kitchen, the proposed porch and new garage by existing built form and as such there would be no adverse impact on these neighbours. The closest property

to the north is the White Lion public house and is separated from the application site by a stone wall which, given the slope of the land increases in height to the south and also by some mature planting. Neighbours to the south are some metres below the application site with their ridge tiles being approximately at the same height as the bottom terrace level of the application. It is considered that the proposal would not adversely impact on the residential amenities of neighbouring properties and, although small, sufficient residential amenity space would remain to serve the host property.

5.8 Sustainable Transport

Officers note the objection from the Parish council which states that the garage would result in more parking on the Common. The proposed garage/cycle store would be positioned to the east side of the dwelling in-between the house and the existing boundary stone wall. This small area is asymmetrical in shape, being narrower at its entrance and widening to the south, measuring approximately 2.8 metres broadening to 3.2 metres and achieving a length of 3.2 metres. Revised plans show that there would be a 6 metres gap between the door of the cycle store/garage and the front boundary which is sufficient off street space in which to park a vehicle.

5.9 Given that the proposal would not result in any increase to the number of bedrooms there would be no requirement for additional parking to serve the site. Consequently there are no objections to the proposal.

5.10 Other matters

The Parish Council have raised an objection on the basis that the house has already used its permitted development rights. Permitted development rights can be wide ranging and can allow a significant amount of development without the need for formal planning permission. Regardless of whether previous development has already been undertaken using permitted development, further alterations and additions can take place provided the development is within the regulations as set out in the Town and Country Planning (General Permitted Development) as amended 2014. Class E of the GDPO allows for buildings with an ancillary function to that of the main dwelling to be built within a residential curtilage. Providing the criteria within this class is followed then the structure would fall under permitted development and would not require full planning permission.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Contact Officer: Anne Joseph
Tel. No. 01454 863788

CONDITIONS

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

Reason

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

2. Prior to the commencement of development full details comprising plans at a scale of 1:20 of the following items shall be submitted to and agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the agreed details.
 - (a) doors
 - (b) windows

Reason

To maintain and enhance the character and appearance of the Conservation Area, and to accord with Policy L12 of the South Gloucestershire Local Plan (Adopted) January 2006.

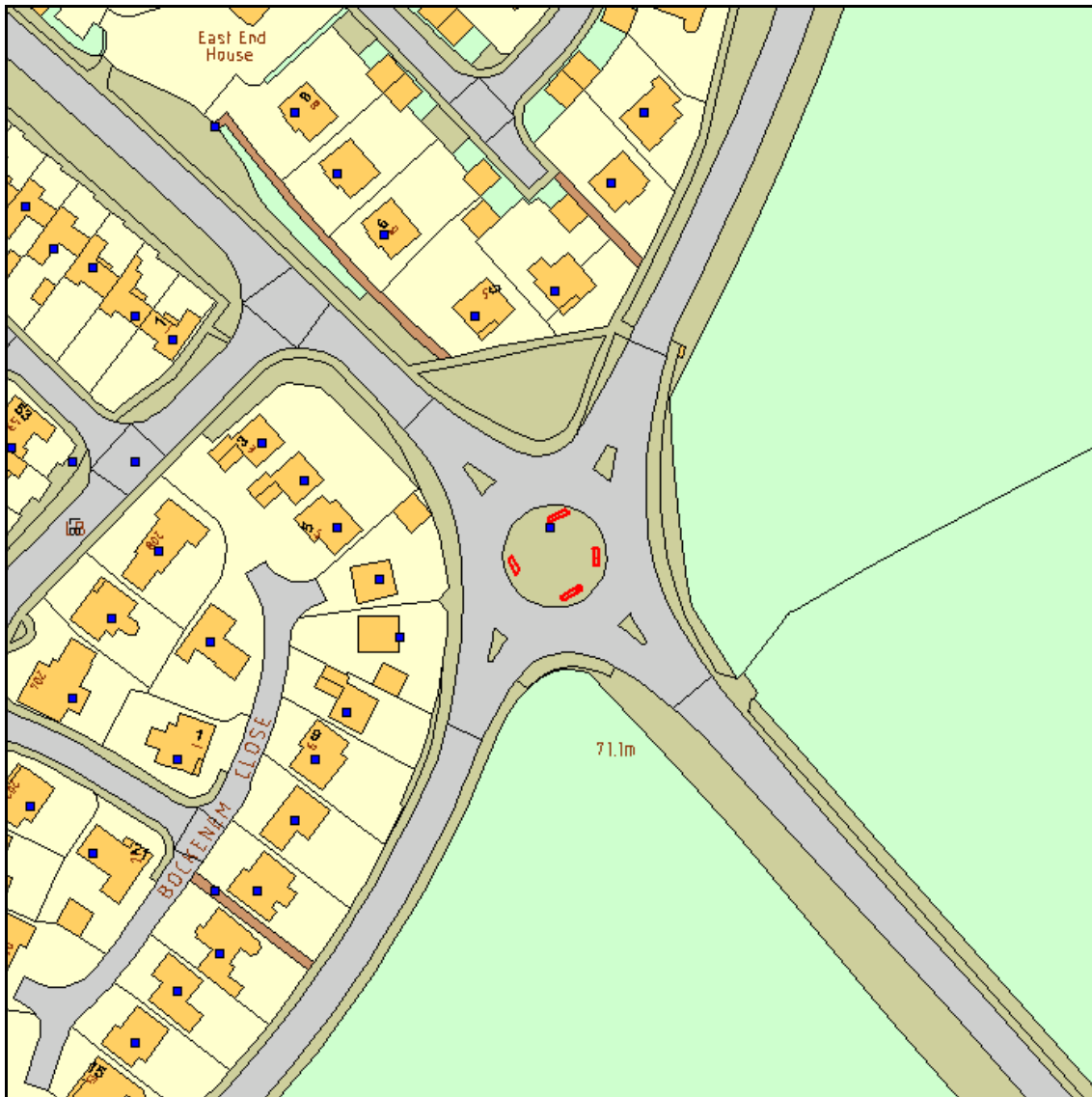
3. Prior to the commencement of development details of the roofing and external facing materials proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

To maintain and enhance the character and appearance of the Conservation Area, and to accord with Policy L12 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 47/14 – 21 NOVEMBER 2014

App No.:	PT14/3976/ADV	Applicant:	Bommel UK Ltd
Site:	Roundabout Grovesend Rd/Morton Way Thornbury South Gloucestershire BS35 2HX	Date Reg:	21st October 2014
Proposal:	Display of 4no. non-illuminated post mounted signs on roundabout.	Parish:	Thornbury Town Council
Map Ref:	365070 189596	Ward:	Thornbury South And Alveston
Application Category:	Minor	Target Date:	5th December 2014



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 100023410, 2014. **N.T.S.** **PT14/3976/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 four identical non-illuminated post mounted signs on the roundabout at the junction of Grovesend Road, Morton Way and Midland Way in Thornbury.
- 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 existing roundabout consists of a flowerbed arrangement in the centre and a number of traffic signs.
- 1.4 The proposed signage is part of a programme of roundabout signage currently being rolled out across the district. The period of consent sought expires on the 10/10/2019.

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

South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design
CS8 Improving Accessibility
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist SPD (Adopted) August 2007

3. RELEVANT PLANNING HISTORY

- 3.1 No relevant planning history to note.

4. CONSULTATION RESPONSES

- 4.1 Thornbury Town Council
The Town Council objected, their comments were as follow:
 - The proposals are detrimental to the visual impact of the roundabout and because of the size of the signs are very obtrusive;

- The application is totally inappropriate on an important feature in a small market town.

4.2 Other Consultees

Transport Development Control

No objection, as the signs will be set back from the carriageway; the transport officer stated that the signs are not likely to affect the safety of visibility at this location.

Other Representations

4.3 Local Residents

None received.

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 is assessed in terms of visual amenity and cumulative impact, in accordance with policy 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

Four 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. These signs are of an appropriate size and are not considered to be obtrusive; they will accordingly appear subservient to the existing road signage and will not have a significant impact on the existing floral arrangement.

To the north west and south west of the roundabout are residential areas and to the east and south of the roundabout are green fields predominantly used for agriculture. Although the area does not have a commercial character more suited to advertisement signage, the proposed signage is respectful of the existing character, through having an appropriate size and design. In addition to this, the roundabout will not appear cluttered as a result of this proposal.

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 and set back from the highway, 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 four directional road signs facing the oncoming roads. The introduction of four 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.

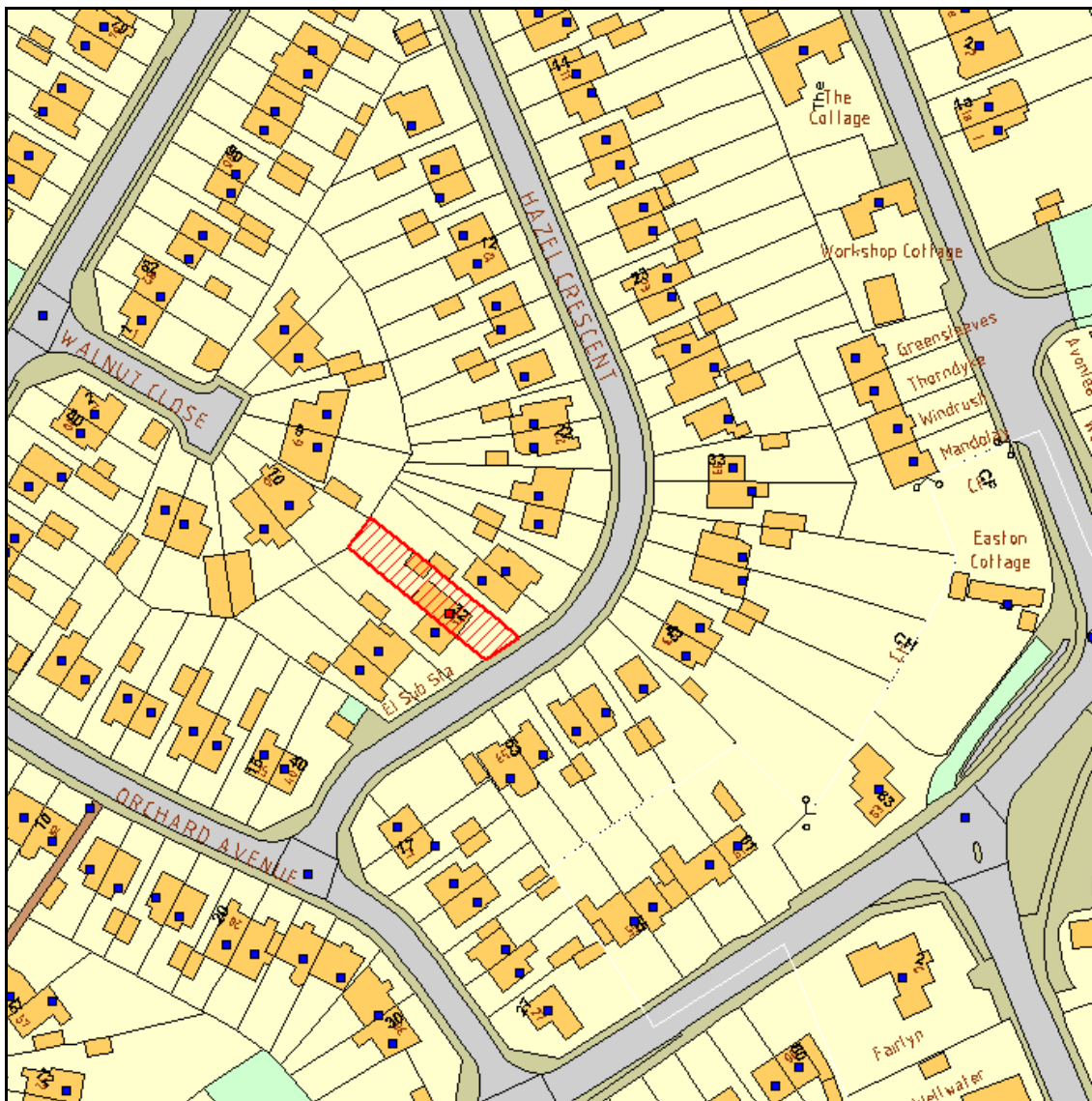
6. **RECOMMENDATION**

6.1 That the advertisement consent is **APPROVED**.

Contact Officer: **Matthew Bunt**
Tel. No. **01454 863131**

CIRCULATED SCHEDULE NO. 47/14 – 21 NOVEMBER 2014

App No.:	PT14/3980/F	Applicant:	Mr Stuart Pizzey
Site:	32 Hazel Crescent Thornbury Bristol South Gloucestershire BS35 2LX	Date Reg:	21st October 2014
Proposal:	Erection of two storey side and rear extension to form garage, carport and additional living accommodation.	Parish:	Thornbury Town Council
Map Ref:	364572 190215	Ward:	Thornbury North
Application Category:	Householder	Target Date:	11th December 2014



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N.T.S.

PT14/3980/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application has been reported to the circulated schedule because an objection has been received from a neighbour. It should be noted that revised plans have since been received and no further representations have been received.

1. PROPOSAL AND SITE DESCRIPTION

- 1.1 The applicant seeks full planning permission for the erection of a two storey side extension to form a replacement car port and garage and additional living accommodation above.
- 1.2 The application site consists of a two storey semi-detached dwelling located in an established residential area of Thornbury. The existing dwelling has a high pitched roof with flat roof dormers to front and rear and detached single garage to the rear, at the end of a long driveway which is partially covered with a car port. The dwelling is characteristic of the modern suburban street scene made up of semi-detached dwellings with a staggered building line and uniform scale and massing. Several dwellings in the immediate street scene have been subject to single storey and two storey side extensions, including the attached dwelling which has a two storey side extension.
- 1.3 It should be noted that as a result of negotiation, revised plans have been submitted to reduce the maximum height of the garage and alter the roof design in order to lessen the reduce the overbearing impact of the garage to the neighbour to the north (No. 30).

2. POLICY CONTEXT

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

South Gloucestershire Core Strategy (Adopted) December 2013
CS1 High Quality Design
CS8 Improving Accessibility

South Gloucestershire Local Plan (Adopted) January 2006
H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted 2007)
South Gloucestershire SPD: Residential Parking Standards (Adopted 2013)

3. RELEVANT PLANNING HISTORY

- 3.1 P92/2549 - Erection of single storey rear extension to form dining/ breakfast room. Approved 10/01/1993

4. CONSULTATION RESPONSES

4.1 Thornbury Town Council
No objection

4.2 Other Consultees

Highway Drainage
No comment

Other Representations

4.3 Local Residents

One neighbour objection was received that can be summarised as follows;

- Do not object to the two storey extension but object to the rear elevation.
- Gable end rear elevation is out of keeping with surrounding area

4.4 Other Representations

One letter of support was received from a social worker who has worked with the family occupying the host dwelling. In summary, the letter explains that the additional living space would provide a place to help the childrens' development through the provision of play and sensory space and equipment.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Saved policy H4 of the South Gloucestershire Local Plan (Adopted) 2006 allows the principle of extensions within residential curtilages, subject to considerations of visual amenity, residential amenity and highway safety. Furthermore, CS1 of the Core Strategy seeks that the siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the application site and its context. The proposal accords with the principle of development subject to the consideration below.

5.2 Visual Amenity

The two storey semi-detached dwelling has a detached garage located behind the existing car port. The proposed side and rear extension would take the place of the existing car port and garage which are in a poor condition. The proposed extensions would span the length of the house and create a long garage to the rear. Whilst it is acknowledged that the scale of the works are significant, the majority of the works are not visible from the highway and are set back within the staggered building line and as such, would not dominate the appearance of the existing dwelling. Furthermore, the scale of the works are in proportion to the size of the curtilage given the large rear garden. Overall, whilst the size and scale of the proposal is considered large, the scale of the works would not adversely affect the character of the existing dwelling and are therefore considered appropriate.

5.3 The proposed two storey side extension would be flush with the ridge height and building line of the elevation of the existing dwelling. While the Council

usually recommend extensions to be subservient to the host dwelling, in this case the proposal has been informed by the neighbouring dwelling which already has a flush two storey side extension. As such, the proposed design would create a more balanced frontage and is considered appropriate in this instance. The side extension would however create a rather large relatively blank wall against the boundary to No.30 to the north. The overbearing impact of this however is considered to be mitigated by the staggered building line of the street scene and the screening from the neighbouring detached garage which would conceal the length of the proposed boundary wall. Overall, the two storey side extension is considered to be acceptable.

- 5.4 To the rear, a two storey gable extension is proposed. A neighbour expressed concern that the proposed gable end would appear out of character of the surrounding area. Whilst the surrounding area is predominantly characterised by flat roof dormers and pitched roofs, the proposed gable has actually been informed by an existing gable end to the rear of a dwelling situated directly to the rear of No.32 Hazel Crescent, in Walnut Close. As such, the gable design is considered acceptable.
- 5.5 The proposed garage would take the place of the existing garage and attach onto the two storey rear extension to create a larger garage space. The roof of the garage would meet with the existing single storey rear extension and match the pitch of the proposed gable extension. Original plans submitted with this application proposed a tall mono-pitch roof design for the garage with a maximum height of 3.6 metres against the boundary wall. It was felt that this would have an unacceptably dominating impact against the neighbouring boundary. Through negotiation, the roof design was altered to a pitched roof with the boundary wall reduced by approximately 0.5 metres. Whilst the reduction in height is not significant, together with the pitched design, the dominating impact of the wall has been reduced.
- 5.6 Overall, the size, scale and design of the proposal has been carefully considered and on balance, the development demonstrates that has been informed by and respects the character of the site and the street scene and as such is considered acceptable in terms of visual amenity.
- 5.7 Residential Amenity
As previously explained, the application site is in a built up residential area and as such is bound by neighbouring dwellings and an extent of overlooking and overshadowing should be expected. As the proposal does not include any first floor side facing windows it is not considered to cause any overlooking or loss of privacy. As previously mentioned however, the proposed extension would create a very long blank wall against the neighbouring boundary to the north which could potentially overshadow and overbear the neighbouring property (No. 30). Given however that is a driveway and detached garage between the proposal and the neighbouring property, the stark overbearing appearance of the proposed side elevation would be broken up with the garage. Furthermore, the two storey side extension would only extend some 1.3 metres behind the rear building line of No.30 and so is not considered to result in significant loss of light.

- 5.8 It is acknowledged that the proposed car port and garage would create a substantial garage/workshop area which would be concealed from public view. To protect the amenity of the occupiers of neighbouring dwellings a condition would be imposed to ensure that the use of the garage and car port remain incidental to the enjoyment of the dwelling. This is because if the space were to be used for any other purpose (for example, for commercial purposes), a change of use may be required which requires further consideration by the Council.
- 5.9 On balance, the proposal is not considered to be detrimental to the living conditions currently enjoyed by the dwellings in the surrounding area and it is therefore considered acceptable in terms of residential amenity.
- 5.10 Sustainable Transport
The plans submitted with the application propose four bedrooms and an upstairs study, which can easily be used as a fifth bedroom. The Council's minimum parking standards require two off-street parking spaces for a four bedroom dwelling and three for a five bedroom dwelling. Given that there are two existing off-street spaces provided within the residential curtilage which meet the Council's requirements and adequate on-street parking should the study be used as a fifth bedroom, the proposal is considered acceptable.
- 5.11 Other Issues
It is acknowledged that the occupiers' personal circumstances are the reason for the proposed extension, however as personal circumstances rarely form a planning matter for a permanent development and the proposal is in any event considered acceptable against the planning policy criteria, this has not been given any weight in the determination of the application.

6. CONCLUSION

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

7. RECOMMENDATION

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

Contact Officer: Hannah Minett
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 car port and garage hereby approved shall only be used for purposes incidental to the enjoyment of the dwellinghouse.

Reason

To protect the amenity of neighbouring occupiers and to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013.