

**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. 26/14

Date to Members: 27/06/14

Member's Deadline: 03/07/14 (5pm)

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

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

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

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

NOTES FOR COUNCILLORS - FORMAL ARRANGEMENTS

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

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

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

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

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

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

GUIDANCE FOR 'REFERRING' APPLICATIONS

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

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

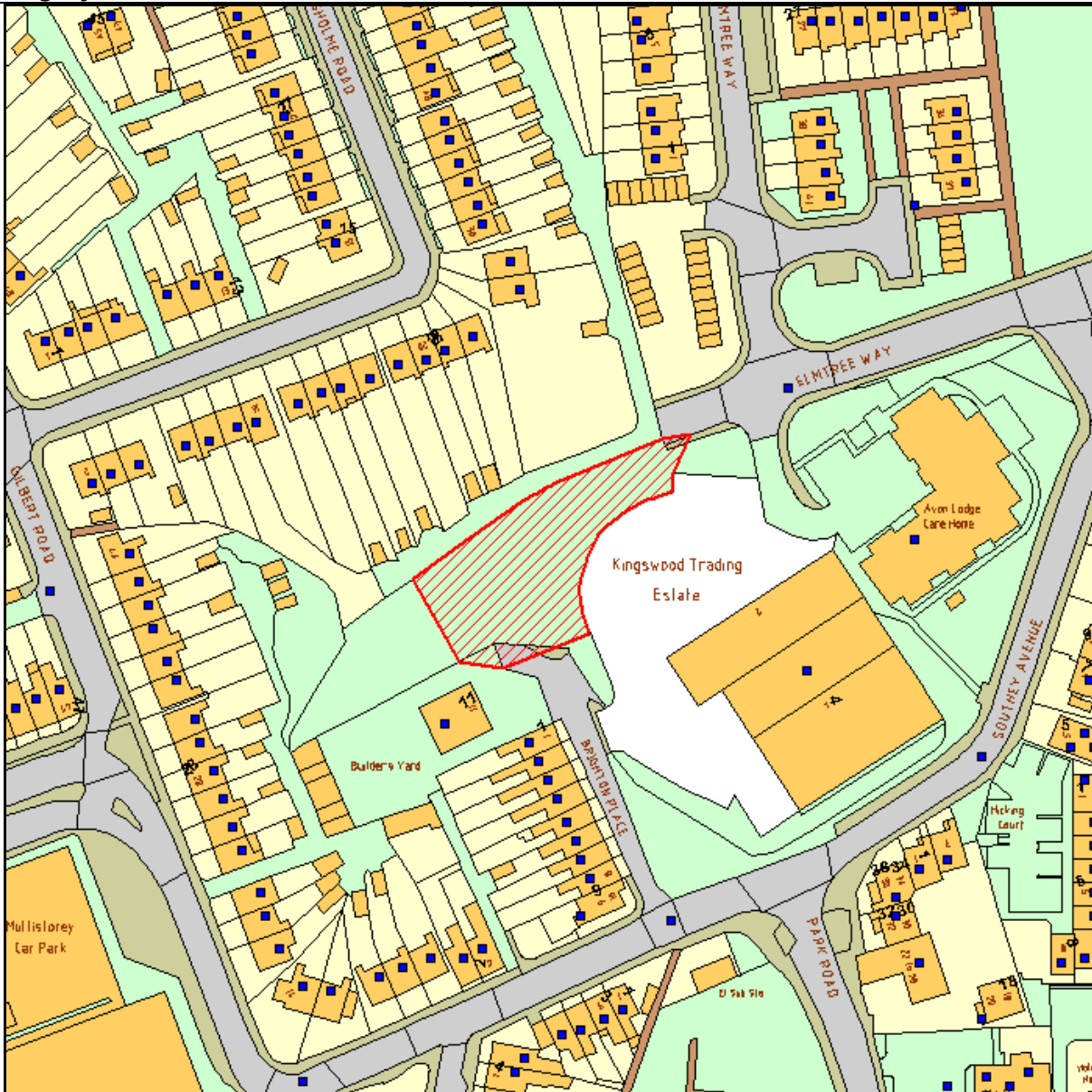
CIRCULATED SCHEDULE 26/14 – 27 JUNE 2014

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK11/1026/F	Approved Subject to	Elmtree Way Kingswood South Gloucestershire BS15 1QS	Kings Chase	None
2	PK13/4656/F	Approve with Conditions	29 Oakdale Court Downend South Gloucestershire	Downend	Downend And Bromley Heath Parish Council
3	PK14/0281/F	Approve with Conditions	250 Station Road Yate South Gloucestershire BS37 4AF	Yate Central	Yate Town
4	PK14/1009/CLP	Approve with Conditions	CPI Euromix Severn View Industrial Park Central Avenue Hallen South Gloucestershire	Pilning And Severn Beach	Pilning And Severn Beach Parish Council
5	PK14/1510/F	Approve with Conditions	20 Slimbridge Close Yate South Gloucestershire BS37 8XY	Chipping	Dodington Parish Council
6	PK14/1758/F	Approve with Conditions	H S B C 88 High Street Hanham South Gloucestershire BS15 3EJ	Hanham	Hanham Parish Council
7	PK14/1786/F	Approve with Conditions	31 Rockland Road Downend South Gloucestershire	Downend	Downend And Bromley Heath Parish Council
8	PT13/1047/O	Approve with Conditions	Land Adjoining The Old Parsonage Westerleigh Road Westerleigh South Gloucestershire BS37 8QQ	Westerleigh	Westerleigh Parish Council
9	PT14/0851/F	Approve with Conditions	2 Severnwood Gardens Severn Beach South Gloucestershire BS35 4PX	Pilning And Severn Beach	Pilning And Severn Beach Parish Council
10	PT14/1227/O	Approve with Conditions	Fountain Court New Leaze Bradley Stoke South Gloucestershire BS32 4LA	Bradley Stoke North	Bradley Stoke Town Council
11	PT14/1698/TRE	Approve with Conditions	The Mount 81 Hicks Common Road Winterbourne South Gloucestershire BS36 1LH	Winterbourne	Winterbourne Parish Council
12	PT14/1716/TRE	Split decision See D/N	22 Kelbra Crescent Frampton Cotterell South Gloucestershire BS36 2TS	Frampton Cotterell	Frampton Cotterell Parish Council
13	PT14/1726/F	Approve with Conditions	Washing Pool Lodge Main Road Easter Compton South Gloucestershire BS35 5RE	Almondsbury	Almondsbury Parish Council
14	PT14/1882/CLP	Approve with Conditions	1 Olive Gardens Alveston South Gloucestershire BS35 3RE	Thornbury South And	Alveston Parish Council

ITEM 1

CIRCULATED SCHEDULE NO. 26/14 – 27 June 2014

App No.:	PK11/1026/F	Applicant:	Mr R Wilton K P Wilton & Son Ltd
Site:	Elmtree Way Kingswood Bristol South Gloucestershire BS15 1QS	Date Reg:	12th April 2011
Proposal:	Erection of 5 no. dwellings with associated access, landscaping and external works. (Resubmission of PK06/1996/F).	Parish:	None
Map Ref:	364899 174189	Ward:	Kings Chase
Application Category:	Minor	Target Date:	1st June 2011



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100023410, 2008. **N.T.S.** **PK11/1026/F**

INTRODUCTION

This application first appeared on the Circulated Schedule on 9 December 2011 (No. 48/11) due to the receipt of a neighbour objection and the requirement for a Section 106 Agreement. The Case Officer's recommendation was for approval, with the caveat (below) attached.

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 Planning, Transport and Strategic Environment to refuse the application.

Through negotiation with the agent, it has been agreed to continue with the application; currently the Section 106 Agreement is ready and awaiting signing. Due to the above time restriction, the application is therefore reappearing on the Circulated Schedule.

Since the original report was prepared, there have been updates to planning Policy that need to be addressed. The key changes include the replacement of the Planning Policy Statements and Planning Policy Guidance documents by the National Planning Policy Framework (NPPF) and the Adoption of the South Gloucestershire Core Strategy. This will require alterations to the wording of some of the conditions.

1. THE PROPOSAL

- 1.1 The application sought full planning permission for the erection of 5 no dwellings with access, landscaping and external works.
- 1.2 This application is now referred back to Circulated Schedule due to the time scale granted (6 months) as part of the resolution to complete the S106 agreement has lapsed – it lapsed in June 2012.
- 1.3 The lapse of the 6 months time limit from December 2011 was due to negotiations on the detail of the S106 agreement. Some of the reasons for planning conditions have been updated following the adoption of the Council's Core Strategy: Local Plan in December 2013 and the publication of the NPPF. The revised recommendation is set out in full below.
- 1.4 Negotiations have progressed and the S106 agreement is now prepared and ready to be signed subject to agreement form members.

2. POLICY CONSIDERATIONS

The current policies against which the application stands to be assessed are as follows:

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

2.2 Development Plans

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

T7 Cycle Parking

T12 Transportation Development Control

South Gloucestershire Core Strategy (Adopted) December 2013

CS1 High Quality Design

CS5 Location of Development

CS8 Improving Accessibility

CS9 Managing the Environment and Heritage

CS17 Housing Diversity

CS16 Housing Density

3. **ASSESSMENT OF MATERIAL CHANGES SINCE DECEMBER 2011**

- 3.1 As previously explained, since the application initially appeared on the circulated schedule, there have been changes in policy. The current policies that apply to this application are stated in section 2 above. Many of the policies from the Local Plan are not 'saved' policies and are therefore no longer applicable. Other than minor alterations to wording, the policies within the Core Strategy are essentially the same as when the application was initially considered in 2011.
- 3.2 Your officer has re-assessed the scheme in light of the changes to the development plan and summarises that there are three key material considerations that need to be taken into account to be discussed below. The other policy changes have not materially affected the determination of the application and the scheme is still considered to be policy compliant.
- 3.3 Key Change 1 – the deletion of Policy T8 which contained maximum parking standards and the adoption of the Residential Parking Standards SPD which advise of minimum parking standards. In accordance with the SPD, the minimum parking requirement for either a 3 or 4 bed dwelling is two spaces. As this application is for 4 x 3 bed dwellings and 1 x 4 bed dwellings, the minimum parking requirement is 6 spaces. This is provided on site and therefore the application meets the requirements of the Residential Parking Standards SPD.
- 3.4 Key Change 2 – the deletion of Policy LC13 which required the provision of on site public art. The requirement to provide on site public art will therefore be removed from the proposed Heads of Terms.
- 3.5 Key Change 3 – the sums of money requested to meet the education needs arising from the development needs to be uplifted to take account of inflation and rising prices. At the time of assessment in 2011, the sum of money required by the Education department was £20,932 – this has now risen to £22,950. The proposed Head of Terms will be updated to take account of this figure.

This contribution is still considered to be necessary and meets the three test of an obligation as set out at paragraph 204 of the NPPF and the CIL regulations.

4. RECOMMENDATION

4.1 That authority be delegated to the Director of Environment and Community Services to grant permission, 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:

i – The payment of £22,950 as a contribution towards additional primary education provision.

ii – The entering in to a Bond with a reputable surety approved beforehand by the Council for £10,000 for to the effect that if the owner defaults in any way in carrying out its obligations regarding Highway Works then the Council may demand the sum of money necessary to remedy the default from the surety and the surety shall pay such sum to the Council within five working days.

The reasons for the agreement are:

i – To mitigate against the impact of the development and in order to comply with the requirements of Policy LC2 of the South Gloucestershire Local Plan (Adopted) January 2006

ii – To provide a satisfactory access and egress for the site in the interests of highway safety and in order to comply with the requirements of Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006

7.2 That the Head of Legal and Democratic Services be authorised to prepare and seal the agreement.

7.3 Should the agreement not be completed within 1 month of the date of the resolution that delegated authority be given to the Director of Planning, Transport and Strategic Environment to refuse the application.

Contact Officer: Marie Bath
Tel. No. 01454 862217

CONDITIONS

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

Reason

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

2. The buildings shall not be occupied until the associated car parking areas and manoeuvring areas have been drained and surfaced in accordance with the details approved in writing by the Local Planning Authority. The facilities so provided shall not be used, thereafter, for any purpose other than the parking and manoeuvring of vehicles.

Reason

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policy and T12 of the South Gloucestershire Local Plan (Adopted) January 2006 and the Adopted Residential Parking Standards SPD.

3. The off-street parking facilities (for all vehicles, including cycles) shown on the plan hereby approved shall be provided before the first dwelling is 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 T7, and T12 of the South Gloucestershire Local Plan (Adopted) January 2006 and the Adopted Residential Parking Standards SPD.

4. No development shall take place until a Waste Management Audit has been submitted to and approved by the Local Planning Authority in writing. The Waste Management Audit shall include details of:

(a) The volume and nature of the waste which will be generated through the demolition and/or excavation process.

(b) The volume of that waste which will be utilised within the site in establishing pre-construction levels, landscaping features, noise attenuation mounds etc.

(c) Proposals for recycling/recovering materials of value from the waste not used in schemes identified in (b), including as appropriate proposals for the production of secondary aggregates on the site using mobile screen plant.

(d) The volume of additional fill material which may be required to achieve, for example, permitted ground contours or the surcharging of land prior to construction.

(e) The probable destination of that waste which needs to be removed from the site and the steps that have been taken to identify a productive use for it as an alternative to landfill.

Development shall be carried out in accordance with the agreed details.

Reason

To accord with the Local Planning Authority's adopted Waste Management Strategy, and to accord with Policy CS5 of the South Gloucestershire Core Strategy (Adopted)

5. Before the development hereby permitted commences on the site, a soil survey of the site shall be undertaken and the results submitted to the Local Planning Authority. The survey shall be taken at such points and to such depth as the Local Planning Authority may stipulate. A scheme for decontamination of the site shall be submitted to and approved by the Local Planning Authority in writing and the scheme as

approved shall be fully implemented and completed before any [residential] unit hereby permitted is first occupied.

Reason

To ensure that adequate measures have been taken to mitigate against contaminated land to accord with Policy EP6 of the South Gloucestershire Local Plan (Adopted) January 2006.

6. No windows other than those shown on the plans hereby approved shall be inserted at any time in the side elevation of any of the properties.

Reason

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policy CS1 of the South Gloucestershire Core Strategy (Adopted)

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

Reason

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

8. 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 prior to the first occupation of any of the dwellings on site.

Reason

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

9. In accordance with the recommendations of the submitted Coal Mining risk Assessment, the coal mining legacy potentially poses a risk to the proposed development. Prior to the commencement of the development hereby approved, site investigation works shall be carried out on the site to ascertain the extent of shallow mine workings (if any) . In the event that the site investigations confirm the need for remedial works to treat any mine entries and/or areas of shallow mine workings these works shall be carried out prior to the commencement of the development.

Reason

In order to remediate any unstable ground to safeguard the site and surrounding properties to accord with policy CS9 of the adopted South Gloucestershire Core Strategy.

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

Monday - Friday .	07.30 - 18.00
Saturday .	08.00 - 13.00

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.

All plant and equipment should be suitably chosen, sited, operated and serviced so as to minimise noise, vibration, fumes and dust. Best practical means should be employed to minimise potential nuisance to neighbouring properties. All plant should be turned off when not in use.

Pneumatic tools should be fitted with an integral silencer and/or purpose made muffler, which is maintained in good repair.

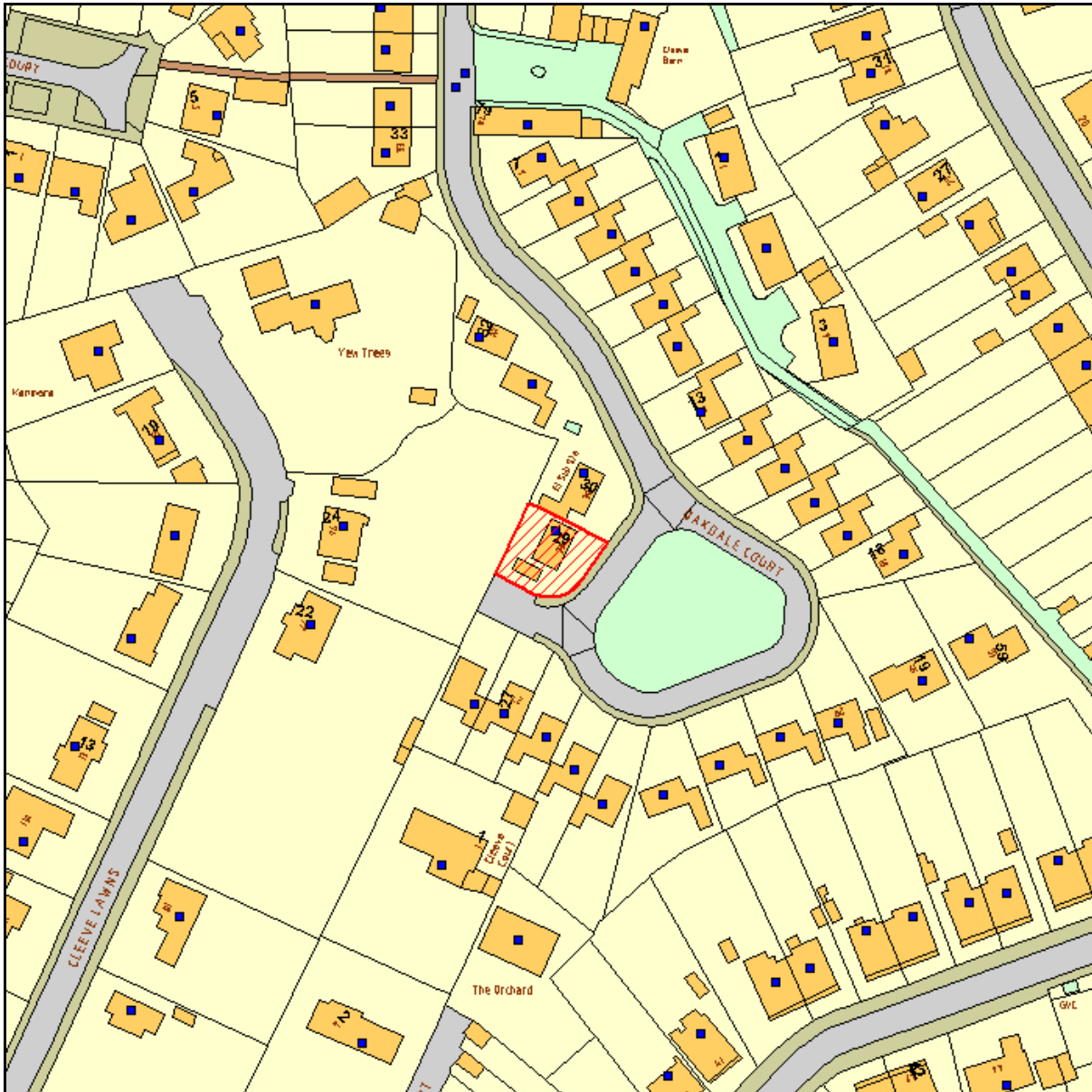
In periods of dry weather, dust control measure should be employed including wheel washing and damping down. Any stockpiles of materials which are likely to give rise to windblown dust, shall be sheeted, wetted or so located as to minimise any potential nuisance.

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy CS9 of the South Gloucestershire Core Strategy (Adopted).

CIRCULATED SCHEDULE NO. 26/14 – 27 JUNE 2014

App No.:	PK13/4656/F	Applicant:	Mr Bacon
Site:	29 Oakdale Court Downend Bristol South Gloucestershire BS16 6DZ	Date Reg:	23rd December 2013
Proposal:	Erection of two storey side extension to provide additional living accommodation	Parish:	Downend And Bromley Heath Parish Council
Map Ref:	365019 177334	Ward:	Downend
Application Category:	Householder	Target Date:	12th February 2014



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PK13/4656/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application is circulated as a result of the concerns of a neighbour.

1. THE PROPOSAL

- 1.1 This application seeks consent to erect a two storey side extension and a single story front and rear extension at this detached house in Downend.
- 1.2 The proposal is to be finished in facing brickwork to match the original house. The single storey front extension would have plain tiles whilst the two storey roof and rear extension would match the profiled tiles of the main roof. The proposal would create an extra bedroom with an ensuite shower room to the house as well as a large utility area, reception room and a garage.

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 (Adopted) January 2006 (saved policies)

H4 Development within Existing Residential Curtilages, including extensions and new dwellings

T7 Cycle parking

T12 Transportation development control policy for new development

South Gloucestershire Local Plan Core Strategy adopted December 2013.

CS1 High Quality Design

CS5 Location of Development

2.3 Supplementary Planning Guidance

South Gloucestershire Residential Parking Standards adopted December 2013

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

4.1 Downend And Bromley Heath Parish Council

No Objection

4.2 Highway Drainage

No comment

4.3 Highways Team

No objection subject to three parking spaces being provided and that the building not be sub-let or divided.

Other Representations

4.3 Local Residents

One neighbour at the rear is concerned that two windows will overlook his bedroom windows and garden. These are the stairway to the new bedroom and the toilet/bathroom. The writer requests that these be obscure glazed.

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 development plan.

In assessing applications for development within the curtilages of dwellings, planning policy H4 of the adopted Local Plan and CS1 of the Core Strategy are particularly relevant. Policy H4 specifically relates to residential development, including extensions, and considers issues such as design, residential amenity and highway safety. CS1 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.

5.2 Design

This is a detached house in an end of cul-de-sac location amongst similarly scaled houses. The proposal seeks to develop the side of the house which abuts a small parking area and as such would not have a significant effect on the street. The elevational treatment is considered acceptably in keeping with the original house which is predominantly brick and has a profiled tile roof. Whilst the application states that the brickwork, together with the main roof and rear extension will match the materials of the house, a condition to ensure a match in terms of colour of the plain tiles proposed on the front extension is necessary. There is sufficient residential amenity space retained for the resulting house. The proposal does not seek consent for an annex however the extension being linked internally between utility and kitchen, the second front door and general arrangement offers the opportunity for a separate living accommodation. A condition is therefore considered necessary to ensure that the extension remains ancillary to the house and is not let or sold separately to the house and this would require further consideration.

5.3 Residential amenity

It is noted that the neighbour at the rear has responded to consultation and would like to see the new rear windows be obscure glazed. The proposed extension is however located some thirty metres from that house at the rear. This is considered sufficient distance to prevent a material loss of privacy between habitable windows. In addition the two new windows proposed serve

a hall window and a bathroom which are not considered to present a significant increase to the existing situation of two bedroom windows facing that consultee. Whilst the bathroom window is likely to be obscure glazed it is not reasonable to condition this, given the distances involved. Other neighbours would not be affected by the proposal. Overall therefore the proposal is not considered to materially harm the residential amenity of the neighbouring occupiers.

Whilst the neighbours are not considered to be affected by the built form the noise of construction may still affect neighbours and as such a working hours condition is necessary.

5.4 Transportation

The increase in bedroom numbers to five raises the requirement for parking to three spaces as set out in the Residential Parking standards Document. The frontage is already open and can accommodate two parking spaces and the garage is acceptably sized to accommodate a third car. These are shown to be able to be provided but a condition is required to provide and maintain them. As such the parking for the proposal is acceptable.

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 and the Core Strategy set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

7.1 That permission is **GRANTED** subject to the conditions on the decision notice.

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. The colour of the plain tiles to be used on the roof of the single storey front extension hereby permitted shall match the colour of the profiled tiles used on the existing house. The other tiles used shall match the colour and profile of the tiles on the main house roof.

Reason

To ensure a satisfactory standard of external appearance 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.

3. The hours of working on site during the period of construction shall be restricted to 07.30 to 18.00 Monday to Friday, 08.00 to 13.00 on 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 protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy H4 of the South Gloucestershire Local Plan Adopted 2006.

4. For the avoidance of doubt the extension hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 29 Oakdale Court, Downend.

Reason

A separate dwelling would require further consideration and to accord with Policies H4, T7, and T12 of the South Gloucestershire Local Plan (Adopted) January 2006, CS1 and CS5 of the South Gloucestershire Core Strategy adopted December 2013 and the South Gloucestershire Residential Parking Standards SPD adopted December 2013.

5. The off-street parking facilities (for all vehicles, including cycles) shown on the plan hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose.

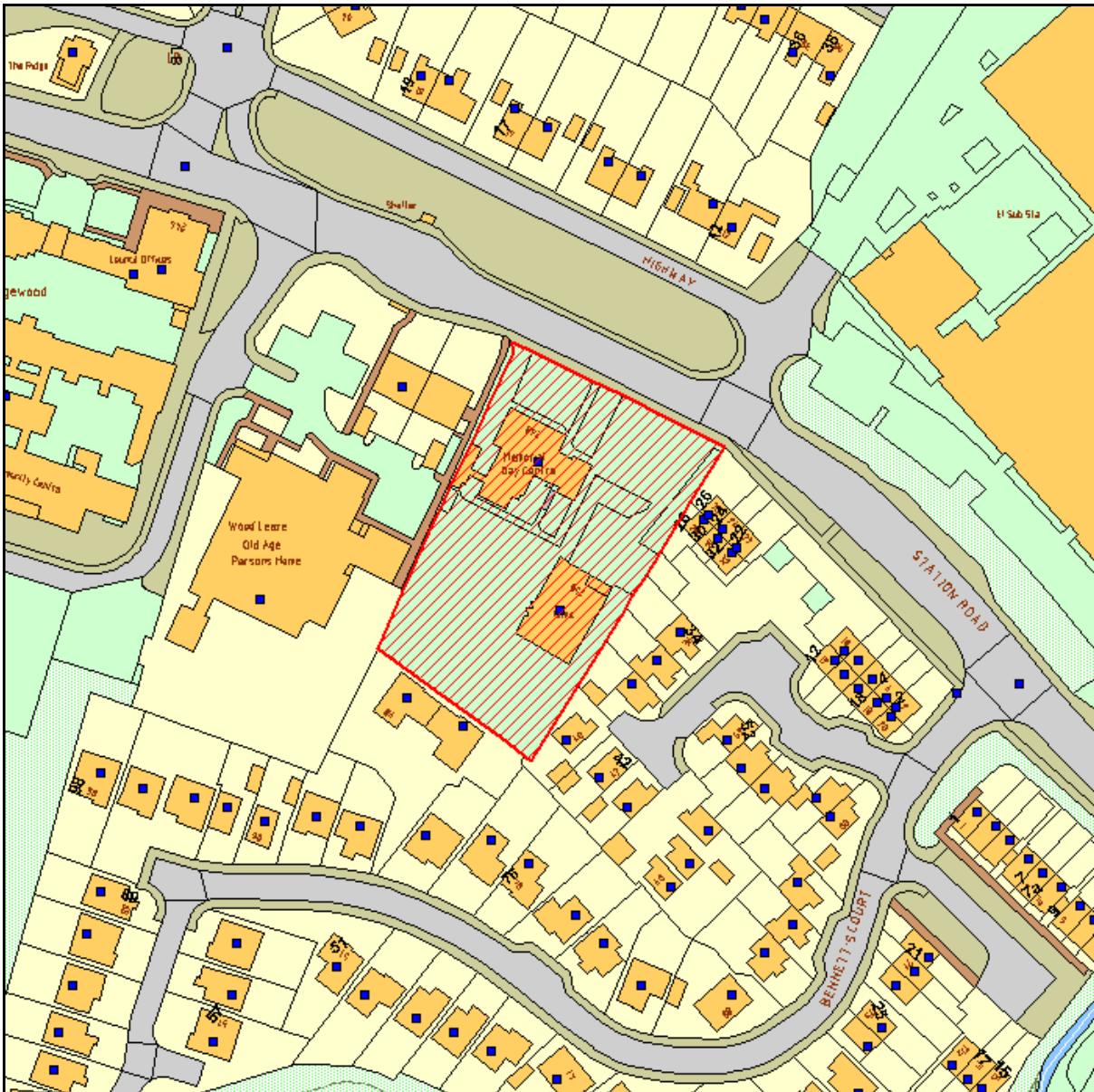
Reason

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policies T7 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Residential Parking Standards SPD adopted December 2013.

ITEM 3

CIRCULATED SCHEDULE NO. 26/14 – 27 JUNE 2014

App No.:	PK14/0281/F	Applicant:	Mr Bob Gulliford
Site:	250 Station Road Yate South Gloucestershire BS37 4AF	Date Reg:	14th February 2014
Proposal:	Erection of extension to church. Conversion of former clinic to 9no. self- contained flats with access, parking, landscaping and associated works.	Parish:	Yate Town Council
Map Ref:	372024 182372	Ward:	Yate Central
Application Category:	Minor	Target Date:	8th April 2014



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This report appears on the Circulated Schedule following comments from local residents contrary to Officer recommendation and for reasons of an appropriate legal agreement being entered into between the applicant and the Council.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of an extension to Grace Church and also the conversion of a former clinic to 9no. self-contained flats with access, parking, landscaping and associated works. The application site relates to No. 250 Station Road, Yate, and is situated within the established settlement boundary.
- 1.2 250 Station Road was previously known as the Chipping Sodbury Memorial Day Centre health facility until its closure in 2011. The building is locally listed (LLB) in recognition of the contribution it makes to the character and distinctiveness of the locality. The application site also lies also in close proximity to the grade II listed former Union Workhouse.
- 1.3 During the course of the application, negotiations have made the following amendments and the proposal, as per revised plans, is on balance considered acceptable and is recommended for approval:
 - Amendments to the scale and treatment for the remodelling of the existing extension to the LLB to improve its aesthetic appearance, allow it to be read in historic context but remain clearly subservient;
 - Changes to the hard and soft landscaping scheme to the front and side of the LLB to enable the LLB to be read in some degree of visual separation but also to soften views of the car park and filter views through to the church and its extension;
 - Changes to the scale of the church extension – although the footprint has unfortunately remained the same, the design has been simplified and the height reduced so the ridge of the extension matches the ridge height of the existing building to help reduce its visual presence; and
 - Agreement to a scheme of restoration for the stone and brick east boundary wall, along with a schedule of repair and reinstatement of features within the LLB.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012
Planning (Listed Buildings and Conservation Areas) Act 1990
Historic Environment Planning Practice Guide March 2010
National Planning Practice Guidance – Conserving and Enhancing the Historic Environment;

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
CS18	Affordable Housing
CS23	Community Infrastructure and Cultural Activity
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	
L1	Landscape protection and Enhancement	
L13	Listed Buildings	
L15	Locally Listed Buildings	

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted 2007)

South Gloucestershire SPD: Residential Parking Standards (adopted) 2013

South Gloucestershire Local List SPD

3. RELEVANT PLANNING HISTORY

- | | | |
|-----|-------------|---|
| 3.1 | PK12/1443/F | Erection of rear extension with associated works to facilitate the conversion of medical clinic to place of worship |
| | Approved | 20.6.12 |
| 3.2 | N7836 | Erection of ante-natal/physiotherapy unit. |
| | Approved | 1.2.82 |

4. CONSULTATION RESPONSES

- 4.1 Yate Town Council
No objection

- 4.2 Other Consultees

Conservation / Listed Building Officer
No objection subject to conditions

Highway Drainage
No objections

Children and Young People

No contribution required

Trading Standards

No objection subject to an informative

Landscape Comments

No objection subject to conditions

Affordable Housing

No objection: no requirement

The affordable housing trigger under Policy CS18 of the adopted Core Strategy is 10 or more dwellings or 0.33 hectares or more. In this instance the number of units falls under the affordable housing threshold but the site area marginally hits 0.33 hectares, however affordable housing will not be asked for in light of the following. The red edge site area of the residential conversion scheme alone measures 0.13 hectares and it is only because of the works associated with the church i.e. extension and car park that have resulted in the site area marginally triggering the site threshold, and therefore it is not deemed reasonable to secure affordable housing. It is also acknowledged as the residential scheme relates to a conversion it is unlikely the number of units can be increased. However should any of the church land not be developed or all of the land subject of this current application come forward for residential development at a later date then the whole site will be considered for the purposes of calculating affordable housing.

Sustainable Transport

No objections in principle subject to conditions and contributions to TRO

Other Representations

4.3 Local Residents

Three local residents have commented on the application with regards to:

- The amount of parking
- The retention of large trees at back of plot

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The proposal stands to be assessed against the above listed policies and all other material considerations. Of particular importance is design and the impact on the locally listed building (CS1 and L15); the impact of the proposal on residential amenities (H4); transportation effects (T12); landscaping changes (L1) and loss of community buildings (CS23). It is considered that this application is a balancing exercise of weighing up the harmful impact of the extension to the church on the setting of the locally listed building against the benefits of retaining, restoring and providing a sustainable future for the locally listed building and the mitigation proposed. As originally submitted, it was considered there was insufficient mitigation through enhancement measures to ensure the setting of the building was not significantly compromised thereby

undermining the benefits of the proposed retention and reuse of the community building. The provision of 9no. residential units in what is regarded as a sustainable location is also, however, given substantial weight and revised plans are now considered acceptable and sufficient to recommend approval of the scheme.

5.2 Design/Historic Environment

This site was once occupied by a much smaller dwelling recorded as 'Brecon Cottage' on the first 1880 Ordnance Survey map. This appears to have been demolished in the late 19th century to make way for Melrose House (the locally listed building subject to this application) which was subsequently converted into a cottage hospital in 1920 and was to maintain a public healthcare function until its closure in 2011. A single storey detached clinic building was erected in the 1980s to the south east of the locally listed building and in close proximity and parallel to the east boundary wall.

5.3 The nineteenth century street patterns and rectilinear plot layouts shown on the historic maps of Station Road have largely been dissolved by modern developments. The grounds of the former cottage hospital are though one of the few remnants of the historic plot layout that survives relatively intact. Although the construction of the detached clinic has detracted from its character, with its large rear garden enclosed by high stone walls, the grounds of the former hospital provides the building with an attractive setting and backdrop despite the significant levels of visual encroachment caused by the new developments that now surround the site.

5.4 To the west of the site lies the grade II listed Former Union Workhouse by Scott and Moffatt, an architectural partnership from 1835 to 1844. George Gilbert Scott is perhaps best known for his High Victorian Gothic Revival architecture but also enjoyed success as a secular architect with the Midland Grand Hotel at St Pancras and the Albert Memorial among his most notable work. Moffatt was an expert in designing workhouses and during their partnership they designed around 50 with the earliest recorded in Berkshire in 1835. Located between the listed workhouse and the application site is Ridgewood. This provides a significant visual barrier along the western boundary of the application site and so subject to limited building heights, it is difficult to consider how the proposed scheme would affect the setting of the listed workhouse.

5.5 Although it is acknowledged that planning permission is not required for the internal works, the repair of interior fabric has formed part of the discussions between Officers and the applicant, with the owner particularly expressing an intention to restore some features. The main heritage concern would therefore be the impact of the conversion on the exterior of the locally listed building and the impact of extension to the church upon its setting. The interior elements are also covered and these issues will be discussed under the separate headings below:

5.6 Proposed Conversion of Locally Listed Building

Impact On The Exterior Of The Building.

- 5.7 Externally the locally listed building (LLB) has retained a number of its original features: painted timber sash windows; canted bays to front; decorative barge boards to central gable and rendered masonry elevations under a clay double Roman tiled roof. The building has however lost its chimney stacks to the gable ends and the central stack has been reduced.
- 5.8 Its institutional use has however seen unsightly ducting to the side and fire escape structures to the rear and it is welcomed that these harmful additions are to be removed. It is considered that the external alterations to the main locally listed building are limited and thus its significance would be preserved.

Impact on Interior:

- 5.9 It is useful to note the impact on the interior of the locally listed building, changes to which will be covered by an informative as it is not appropriate for the works to be covered by a planning condition. The locally listed building (LLB) is rectangular on plan (east to west) fronting onto Station Road. Originally the building would have been double fronted and so would have featured a central entrance, but although this has been lost the elevation still retains a strong sense of symmetry over what now reads as a 3 bay composition. In interpreting the evolution of the building, in addition to being double fronted with two canted ground floor windows flanking a central entrance door, originally the building may have only been one room deep. The building was then extended to the rear and the staircase was then possibly moved to the rear elevation of the extension and the entrance was repositioned to the side. The building was then extended further to the rear before the last phase of the building's development which was the unsightly flat roofed extension to the eastern side. It is of course difficult to be definitive over the development of the building without a detailed study of its fabric, as the first floor structure would provide evidence of the significant alterations noted above.
- 5.10 Internal inspections of the building have revealed there is very little historic fabric left in situ. Internally the most notable features of historic value that survive are a number of marble fireplaces, timber panel doors and frames and some cornices in principal rooms. By virtue of the design of a number of its components (decorative brackets, balusters and handrail), the main staircase located in the main hall appears to be contemporary with the date of the building so it may well be that this was the original staircase that was repositioned at the time of the first rear extension being constructed. It is also considered that although the institutional use of the building has formed a significant proportion of its life, internally the building has largely retained the historic cellular nature of its internal configuration.
- 5.11 The proposed conversion works would in Officer opinion only result in a limited impact on the historic fabric and character of the building, as the reconfiguration required will only see limited removal or opening up of existing partitions and only three of what can be considered principal rooms will be subdivided. The second staircase to the rear is being removed, but this is considered to be a later addition of no architectural or historic significance. The main hall would be reduced in scale which would diminish its contribution to the

internal character of the building, however it is not considered that this would result in any significant loss.

Extension To Church Building (The Former Detached Clinic)

- 5.12 The building now used as a church was formally a detached clinic. Of simple design and form and modest in scale, it was erected in 1982 of brick construction under a dual pitched concrete tiled roof.
- 5.13 The proposed scheme would see the church building extended significantly to the west into the rear garden with the resultant building wrapping around to the rear of the LLB. The scale, form and footprint of the substantial extension has been subject of significant discussions and in particular the scale of the extension was a point of concern with the proposed extension looking to add approximately 360m² of floor area to the existing 240m².
- 5.14 The proposed extension is to provide a dedicated worship space with a total of 240 seats. However, this far exceeds the attendance set out within the operational statement set out within the DAS, with the maximum attendance being 120 attending Sunday service. The potential or need to accommodate growth in attendance is acknowledged, and with scale a matter of concern, the need for almost double the space currently needed has to be a material consideration that weighs against the scheme. Moreover, the worship space is not the only facility being provided so Officers are not convinced that the scale of the extension has been kept to a reasonable minimum in light of the sensitive nature of the site.
- 5.15 In turning to the design of the extension itself, the extension would add a significant floor area. Revised plans now show a more simplified design and the height reduced so the ridge of the extension matches the ridge height of the existing building to help reduce its visual presence. Although it has not been possible to reduce the overall floor area, the changes have made significant improvements and this element of the scheme is on balance deemed acceptable.

Impact on setting

- 5.16 The significance of the LLB is both embodied within the fabric of the building but also in its setting. The proposed extension, due to its design, scale and form, would result in a significant change in the existing setting of the LLB, as in current main public views, the building is seen against the open backdrop provided by its open rear garden. Although neighbouring structures are visible with the rear garden enclosed on all sides, the scale of the garden provides sufficient relief to ensure that the buildings do not significantly encroach into what could be considered its direct setting.
- 5.17 It was noted that in contrast, the proposed extension would result in a significant change in character with built form set directly adjacent to and wrapping around the rear of the building. The backdrop the building currently enjoys and the visual relief it provides, will therefore be significantly changed and reduced. Harm to the setting of the LLB was identified due to the intrusion of the built

form into the rear garden and the subsequent visual competition that would result. However, it is acknowledged that as a scheme of facilitating development, there are material considerations that are considered to outweigh these concerns to developing to the rear, which in this case would be the retention and refurbishment of the LLB and any other enhancements to the site.

As part of a balanced judgement the proposal is considered acceptable in this respect.

Landscaping

- 5.18 There is no reference within the application to the restoration of the eastern boundary with its distinctive recesses. This is an historic boundary wall that features what are considered to be bee holes. As part of any consent and as an element of mitigation for the loss of historic landscape context, the stabilisation of these recesses through a scheme of repair will be a condition of the consent.
- 5.19 As noted above, the proposed scheme would see a development that would significantly impact on the setting of the LLB. This however has to be weighed against the fact that the development of the church extension would help facilitate a sustainable future for the building, when an alternative use of the site (which would arguably be most likely a scheme of residential redevelopment) would put the future of the building at significant risk if not have the potential to compromise the integrity of its setting even more than currently proposed. Therefore, at the heart of this application is a balancing exercise that needs to ensure the harm caused to the setting is off-set by the enhancement opportunities that the scheme presents.
- 5.20 It is considered that in light of the amendments that have been made to the scheme in addition to a number of suggested conditions that would need to be tied to any consent, the enhancements to the exterior of the LLB building have been maximised as far as reasonably possible. The remodelling of the extension to the LLB can in particular be considered a significant improvement on both its existing aesthetic appearance and the extension/alteration scheme as originally proposed. The demolition of this unsightly extension would have been the optimum solution, but with the landowner reluctant to consider this route, it was not considered reasonable to pursue this in light of the non-designated status of the building.
- 5.21 Therefore on balance, it is recommended that (subject to conditions) planning permission be approved as the harm caused to the setting of the LLB should be off-set by the external enhancements to the LLB.
- 5.22 Landscape architect
A revised scheme of landscaping for the site has been assessed by Officers and is now considered acceptable subject to conditions. It is noted that tree pit details are required for 2no. proposed Pyrus chancleer. This should include the use of root cell, irrigation systems and root guard to protect the building foundations and any underground services. These details would need to be conditioned and approved in addition to a five year maintenance plan for the

- soft landscaping. It is further suggested that the area of car park to the north of the church should be broken up using different paving materials, such as a block paving or cobbles, or alternatively a buff coloured tarmac.
- 5.23 With regard to the comments received regarding the tree in the rear garden; This tree has been identified by the applicant as needing attention and maintenance but that its continued presence would provide screening for existing neighbours and future occupiers of flats. Consequently, in planning terms there can be no objection to its retention. It may be possible for the concerned party and the applicant to reach an agreement, but this would be outside the remit of this planning application.
- 5.24 Sustainable Transport
- Initial comments expressed no 'in-principle' highway objection but did express some concerns regarding the parking arrangements. Following advice, revised details were received and additional parking has been created on site. The scheme now shows one parking per each residential flat (i.e. total of 9 spaces) plus a further 26 spaces for the church. The proposed level of parking, therefore, complies with the Council's parking standards as per the recently approved SPD: Residential Parking Standards (2013).
- 5.25 With regard to the proposed new access arrangement (i.e. creation of a new access to replace two existing ones) this is considered acceptable. For the existing accesses to be closed off permanently, it would be necessary to remove the existing footway crossings and to replace the existing dropped kerbs with full faced kerbs and adjust footway levels accordingly. For this reason, it may be necessary to resurface the footway along the site frontage.
- 5.26 There are existing advisory 'Keep Clear' white markings outside the site and these would be affected by the new access. It is considered appropriate in this case that these 'advisory' markings are formalised and replaced with the aid of an official Traffic Regulation Order (i.e. TRO and yellow lines). This would also ensure that visibility splays from the new site access are protected. It is noted that the applicant has confirmed an intention to make financial contributions towards the implementation of the traffic regulation order (TRO).
- 5.27 Given the above Officers are satisfied that the works for a new access as well as remedial works to the pavement, following the removal of the existing access can be secured under planning condition; but any financial contribution for TRO must be secured under an appropriate legal agreement. In conclusion, there are no highway objections subject to a condition attached to the decision notice.
- 5.28 Planning obligations
- These should only be used where it is not possible to address unacceptable impacts through a planning condition. Planning obligations should only be sought were they meet all of the following tests:
- necessary to make the development acceptable in planning terms;
 - directly related to the development; and
 - fairly and reasonably related in scale and kind to the development.

It is considered that that the proposed financial agreement for a TRO meets the above tests.

5.29 Residential Amenity

Closest residential properties to the site are located to the south and the east with single storey NHS clinic buildings to the west. Development would for the main be to the west of the existing church, therefore furthest away from properties to the east along Station Road and a small cul-de-sac off Bennett's Court. To the south (rear) the site is bound by high walls and mature planting which currently screen the site from view. Given the existing situation and current boundary treatment the impact on residential amenity of existing neighbours is considered acceptable.

5.30 The proposed flats would be located within the currently empty locally listed building. The flats would be on three floors and would be a mixture of studio, 1no. bed and 2no. bed properties. All flats would have access to that part of the garden screened from the church by the proposed hedging. It is acknowledged that the LLB has been in residential use previously, albeit an institutional residential use but it is important to consider what impact the proximity of the church would have on the proposed flats. Details have been supplied showing the current activities conducted at Grace Church and the expected numbers attending. Events are held on most days (some events are fortnightly or monthly) but the largest number of people would attend weekly worship on Sunday mornings from 9.45 am to 12.45 pm and on Sunday evenings from 5.45pm to 8.30pm. In addition to Sunday worship a number of other meetings take place during the day such as mothers and toddlers and lunches and some evening events such as children's clubs (6.15pm to 7.45pm) or prayer meetings (7.45pm to 10pm). Given the location of the building within the urban area, adjacent to a busy road and next to an existing NHS clinic it is considered that the timings for the current activities are not unacceptable and no objection can be raised on this basis.

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 conditions and informatives as outlined in the decision notice and the developer first entering into a legal agreement to secure the following:

1. A sum of £5,000 towards the completion of a Traffic Regulation Order for waiting restrictions outside the site and to pay the Council's costs with regards to this agreement.

It is proposed to secure this through a s.278 Highways Act 1980 agreement (rather than a s.106 Planning Act 1990 agreement).

Should the applicant not complete such an agreement within 3 months of the resolution then delegated authority is sought to refuse the scheme on transportation grounds.

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, the detailed design of the following items (applicable to the locally listed building only) shall be submitted and approved in writing by the local planning authority.
 - a. All new windows and fixed glazing (including framing, cill and head details);
 - b. Rooflights;
 - c. All new doors

The details shall be submitted via elevation and section drawings at a scale of 1:10, and the development shall be completed strictly in accordance with the agreed details.

Reason:

To safeguard the special architectural and historic character of the locally listed building and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and the provisions of the NPPF and the NPPG "Conserving and Enhancing the Historic Environment"

3. Any new render or plastering repairs on historic masonry of the locally listed building shall be undertaken using traditional lime render or plaster and finished with limewash or a similar vapour permeable finishes.

Reason:

To safeguard the special architectural and historic character of the locally listed building and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and the provisions of the NPPF and the NPPG "Conserving and Enhancing the Historic Environment".

4. Prior to the first occupation of the hereby approved flats details of the removal of the existing access, the creation of the new access and any repairs to the pavement shall be submitted to the LPA for approval. Development shall be carried out in accordance with the approved details.

Reason

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

5. Prior to the commencement of development, a scheme of stabilisation and repair for the eastern stone and brick boundary wall (with its distinctive bee boles) shall be submitted to the local planning authority for written approval. The approved scheme of stabilisation/ repair shall be implemented in its entirety prior to the first operational use of the extension to the church.

Reason:

To safeguard the special architectural and historic character of the locally listed building and its setting and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and the provisions of the NPPF and the NPPG "Conserving and Enhancing the Historic Environment".

6. Prior to the commencement of development, details of the proposed wall to screen the south-eastern area of car park are to be submitted to the local planning authority for written approval. The wall shall then be implemented prior to the first operational use of the Church extension hereby approved exactly in accordance with the approved details.

Reason:

To safeguard the special architectural and historic character of the locally listed building and its setting and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and the provisions of the NPPF and the NPPG "Conserving and Enhancing the Historic Environment".

7. Prior to the implementation of the relevant parts of the development hereby approved, details/samples of the hard landscaping (surface materials) shall be submitted to the local planning authority for written approval. For the avoidance of doubt, for the tarmac, it is only the details of the contrasting tarmac that need to be submitted.

Reason:

To safeguard the special architectural and historic character of the locally listed building and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and the provisions of the NPPF and the NPPG "Conserving and Enhancing the Historic Environment".

8. The scheme of remodelling of the existing extension to the locally listed building (as contained within approved drg no.014 B "Proposed Clinic Elevations"), shall be implemented in their entirety prior to the first operational use of the extension to the extension to the church.

Reason:

To safeguard the special architectural and historic character of the locally listed building and its setting and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and the provisions of the NPPF and the NPPG "Conserving and Enhancing the Historic Environment".

9. Prior to the commencement of development samples of the roofing and external facing materials proposed to be used for the church extension and the remodelling of the extension to the locally listed building 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 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013

10. The hours of working on site during the period of construction shall be restricted to 8:00 to 18:00 Monday to Friday and 8:00 to 13:00 on Saturday; and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy CS9 of the South Gloucestershire Local Plan (: Core Strategy Adopted) December 2013

11. Prior to the commencement of development a schedule of landscape maintenance for a minimum period of 5 years shall be submitted to the Local Planning Authority for approval. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

Reason

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

12. Prior to the commencement of development full details of all proposed tree planting and the proposed times of planting shall be submitted in writing to the Local Planning Authority for approval. All tree planting shall be carried out in accordance with those details and at those times approved.

If within a period of 2 years from the date of the planting of any tree, that tree, or any tree planted in replacement of it, is removed, uprooted or destroyed and dies or becomes in the opinion of the Local Planning Authority seriously damaged or defective, another tree of the same species and size as the originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

Reason

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

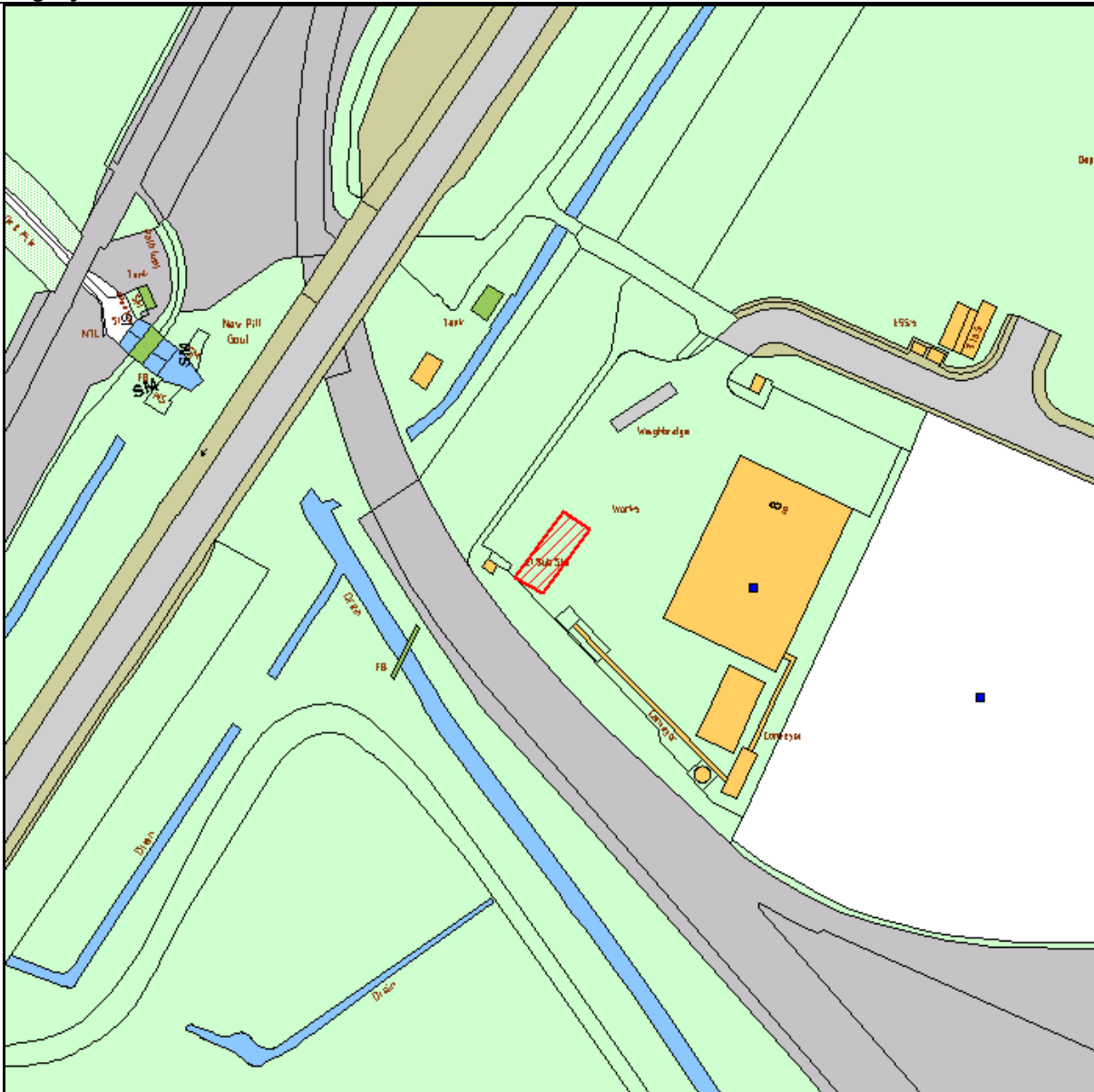
13. The off-street parking facilities (for all vehicles, including cycles) shown on the plan Proposed site plan/location 10 Rev B hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose.

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 T7, T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006 and the SPD: Residential Parking Standards (Adopted) 2013.

CIRCULATED SCHEDULE NO. 26/14 – 27 JUNE 2014

App No.:	PK14/1009/CLP	Applicant:	CPI Mortars Ltd
Site:	CPI Euromix Severn View Industrial Park Central Avenue Hallen South Gloucestershire BS10 7SD	Date Reg:	22nd May 2014
Proposal:	Application for certificate of lawfulness for the proposed installation of 6no. LPG storage tanks contained within a formed mound of selected backfill retained by a perimeter gabion basket wall.	Parish:	Pilning And Severn Beach Parish Council
Map Ref:	353853 183200	Ward:	Pilning And Severn Beach
Application Category:	Minor	Target Date:	3rd July 2014



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N.T.S.

PK14/1009/CLP

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 A certificate of Lawfulness for a proposed development has been applied for in relation to the proposed installation of 6no. LPG storage tanks contained within a formed mound of selected backfill, retained by a perimeter gabion basket wall.
- 1.2 The site is at an existing industrial location located at Severnside.
- 1.3 This application is a formal way of establishing whether or not 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. Accordingly there is no consideration of planning merit, the decision is based on the facts presented.

2. POLICY CONTEXT

- 2.1 National Guidance
Town and Country Planning (General Procedures) Order 1995 Article 24 Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008, Schedule 2, Part 1, Class A.
- 2.2 Statutory Instrument 2013 No.1101 The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013

3. RELEVANT PLANNING HISTORY

- 3.1 PT03/3402/F – Erection of dry mortar factory, offices and ancillary facilities. Approved 17th November 2004.

4. CONSULTATION RESPONSES

- 4.1 Pilning and Severn Beach Parish Council
No objection

Archaeology Officer
No objection

Highways Drainage
No objection in principle, subject to flood risk advice

- 4.2 Local Residents
No response received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The purpose of this application for a Certificate of Lawful Development is to establish whether or not the proposed development can be implemented lawfully without the need for Planning Consent. This is not a Planning Application but is an assessment of the relevant planning legislation, and as such the policies contained within the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Core Strategy (Adopted) December 2013 do not apply in this instance.

It stands to be ascertained whether the proposed development falls within the limits set out in Part 8 of The Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008.

- 5.2 The proposed development consists of the installation of 6no. LPG storage tanks contained within a formed mound of selected backfill retained by a perimeter gabion basket wall. This development would fall under the criteria of Schedule 2, Part 8, Class B and C, of Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 2008 (Industrial and Warehouse Development). Developments which fail any of the following criteria would not be permitted:

- A1 Development is not permitted by Classes B and C if –

(a) it would materially affect the external appearance of the premises

The proposed extension would not materially effect the external appearance of the premises

(b) any plant or machinery would exceed a height of 15 metres or the height of anything replaced, whichever is greater;

The maximum height of the proposal would not exceed this height

(c) The development would be in the curtilage of a listed building;

The proposal is not within the curtilage of a listed building.

6. RECOMMENDATION

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

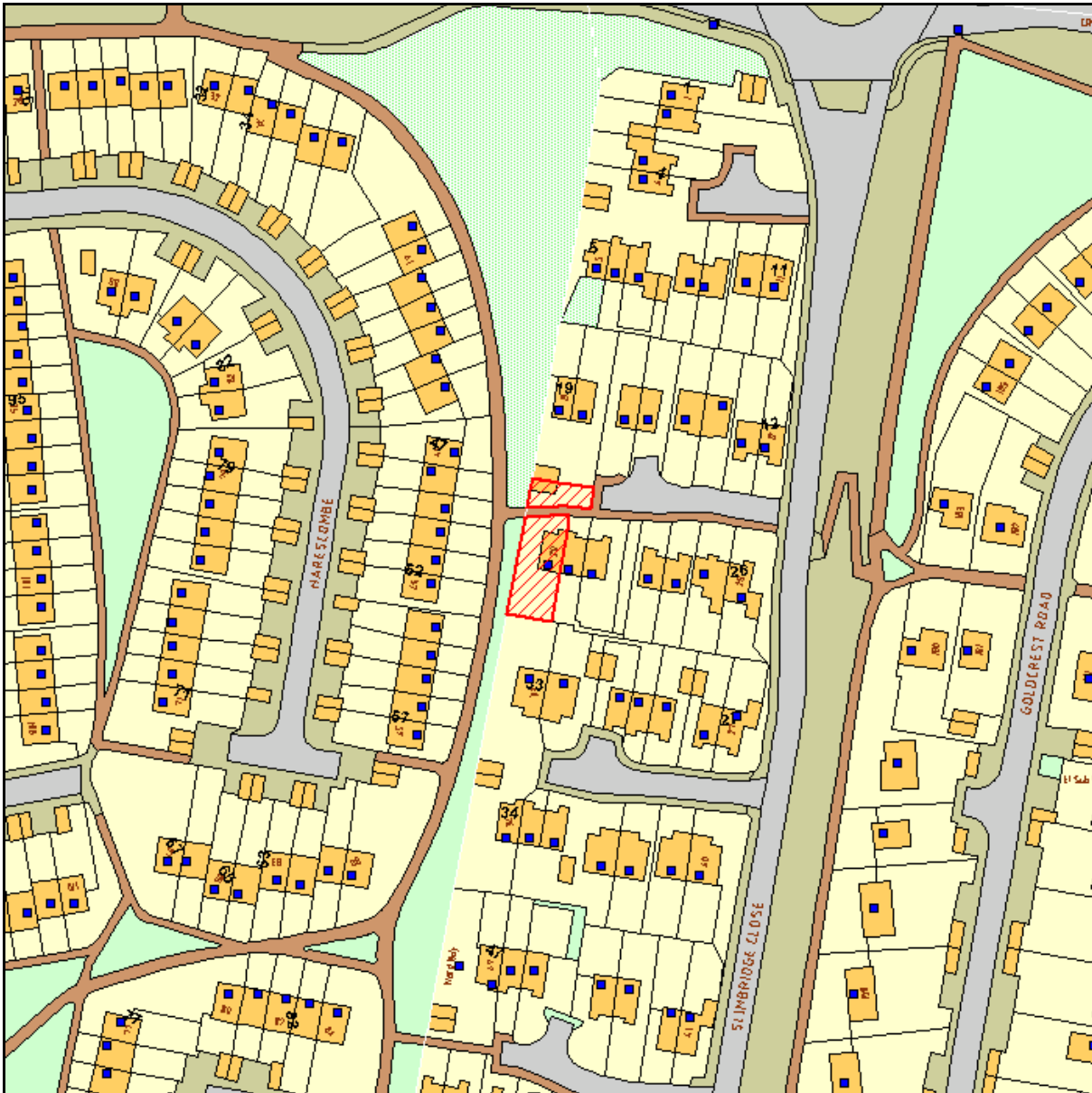
Evidence has been provided to demonstrate that the development falls within permitted development for Industrial and Warehouse Development under Part 8 of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008.

Contact Officer: Simon Ford
Tel. No. 01454 863714

ITEM 5

CIRCULATED SCHEDULE NO. 26/14 – 27 JUNE 2014

App No.:	PK14/1510/F	Applicant:	Mr & Mrs D Hibbert
Site:	20 Slimbridge Close Yate Bristol South Gloucestershire BS37 8XY	Date Reg:	22nd April 2014
Proposal:	Erection of single storey rear and single storey side extension to provide additional living accommodation.	Parish:	Dodington Parish Council
Map Ref:	371565 181282	Ward:	Chipping Sodbury
Application Category:	Householder	Target Date:	10th June 2014



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N.T.S.

PK14/1510/F

1. THE PROPOSAL

- 1.1 The site consists of a modern terraced dwelling (end-of-terrace) located within the Yate Urban Area (Doddington). The site is enclosed along its Western boundary with a 2 metre fence.
- 1.2 The proposed development consists of the construction of a single storey rear and side extension which would provide additional living space on the ground floor of the dwelling.
- 1.3 The initial public consultation relating to the proposed development described it as a 'first floor extension' which is not correct. A further round of consultation was issued for clarity; and correctly describing the development. Response received during the consultations are set out in section 4 of this report.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Policy Guidance

2.2 Development Plans

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

H4 Development within residential curtilages

L11 Archaeology

T12 Transportation Development Control Policy for New Development

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design

CS5 Location of Development

CS34 The Rural Areas

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist SPD

South Gloucestershire Residential Parking Standards

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

4.1 Doddington Parish Council

No Objection

4.2 Archaeology Officer

No Objection

- 4.3 Drainage Engineer
No Comment

Other Representations

4.4 Local Residents

Two letters have been received during the first round of consultation and the comments are summarised as follows. No further comment was received during the second round of consultation.

Letter 1 from adjacent neighbour

There is no objection provided that a new fence is installed between the boundary of 20 Slimbridge Close and 21 Slimbridge Close in order to obscure the view of the extension from views from 21 Slimbridge Close.

Letter 2 from neighbour living on Harescombe to the West

The original development subject to the application was not built in accordance with plans (resulting in a reduction in rates prior to the introduction of council tax).

The current view from the window of the affected property is of the entire side of the house (subject of this application) which is in an elevated position.

The introduction of patio doors into the side elevation would be intrusive and would reflect light into the living room causing nuisance.

There is no need for the patio doors as the development would also include alternative doors.

The extension would restrict natural light during the day and the much larger building would obscure the outlook to the detriment of amenity.

The writer has requested that a planning officer visit their house to view the application site from that perspective.

5. ANALYSIS OF PROPOSAL

- 5.1 The application details the construction of a single storey side and rear extension to the existing dwelling. The development would take place entirely within the residential curtilage of the subject dwelling.

5.2 Principle of Development

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

5.3 Design and Residential Amenity

The proposed development consists of a single storey extension to the rear of the existing dwelling. The extension would also extend beyond the side (West) elevation of the dwelling by approximately 4.2 metres and would provide a new kitchen area, utility room and WC. As part of the development 'patio doors'

- would be installed into the side elevation of the existing dwelling. It should be noted that this element would not require planning permission in its own right.
- 5.4 The proposed development is modest in scale and its appearance would be functional and consistent with the character of the main dwelling and the surrounding locality. The development would be obscured from view by the existing fence which encloses the West boundary of the site. It is considered that the design of the development is acceptable.
- 5.5 Comments received have raised concerns implying that the scale of the development, its position (on an elevated site higher than the properties to the West) and the positioning of 'patio doors' in the west elevation would have a detrimental impact upon the amenity of the dwellings to the West of the application site. Officers have visited the site and have considered the concerns carefully as part of the assessment of this application. Officers have considered the request to view the site from within the dwelling on Harescombe and consider that this would not be necessary. Essentially, a very good view of the site can be taken from the public realm immediately to the front of those dwellings. It is acknowledged that the elevation of the application site is higher than the elevation of the properties to the West, associated with Harescombe. However, the furthest extent of the extension would be in excess of 15 metres from the elevation of the dwellings on Harescombe; whilst the main dwelling is approximately 20 metres from that point. There is a two metre fence in position between the position of the proposed extension and Harescombe. Given the height of the development (single storey approximately 3 ½ metres maximum height) it would not be easily visible from the public realm or the ground floor windows of dwellings to the West. Views of the development would be available from the first floor of those dwellings, however officers are satisfied that the development would not materially impact on the residential amenity of those dwellings. There would be no view from the proposed development into nearby properties and as such no overlooking impact would occur.
- 5.6 Comments regarding the positioning of 'patio doors' into the West elevation of the dwelling are noted. This would not require planning permission in its own right and could be carried out irrespective of the outcome of this planning application. Nonetheless, given the separation of the subject dwelling with those to the West and the presence of a high boundary fence, it is considered that the windows would not materially impact upon the privacy of the residents of dwellings to the west.
- 5.7 Further comments have been made requesting that a replacement fence is installed between the subject dwelling and the neighbour at 21 Slimbridge Close. This is to prevent views of the extension from that property. In this instance, the proposed extension is set away from the boundary between the two dwellings, and would extend by approximately 3.3 metres off the rear elevation of the subject dwelling. It is not considered that the proposed development would have a material impact upon the residential amenity of the occupier at 21 Slimbridge Close either from a visual perspective or an overbearing perspective. Officers do not consider that it is necessary to impose the requirement to replace the existing fence as part of this development. Such a matter is therefore a civil one between the two parties.

5.8 Transportation

The residential property benefits from a detached garage and parking space immediately to the North of the site (separated by a publically accessible footway leading to Harescombe). This would not be altered as part of this application and would continue to provide adequate parking for the existing dwelling in accordance with the South Gloucestershire Residential Parking Standards.

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 below.

Contact Officer: Simon Penketh
Tel. No. 01454 863433

CONDITIONS

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

Reason

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

ITEM 6

CIRCULATED SCHEDULE NO. 26/14 – 27 JUNE 2014

App No.: PK14/1758/F
Site: H S B C 88 High Street Hanham South
Gloucestershire
BS15 3EJ

Applicant: H S B C Bank Plc
Date Reg: 23rd May 2014

Proposal: Erection of replacement security fence
and gates

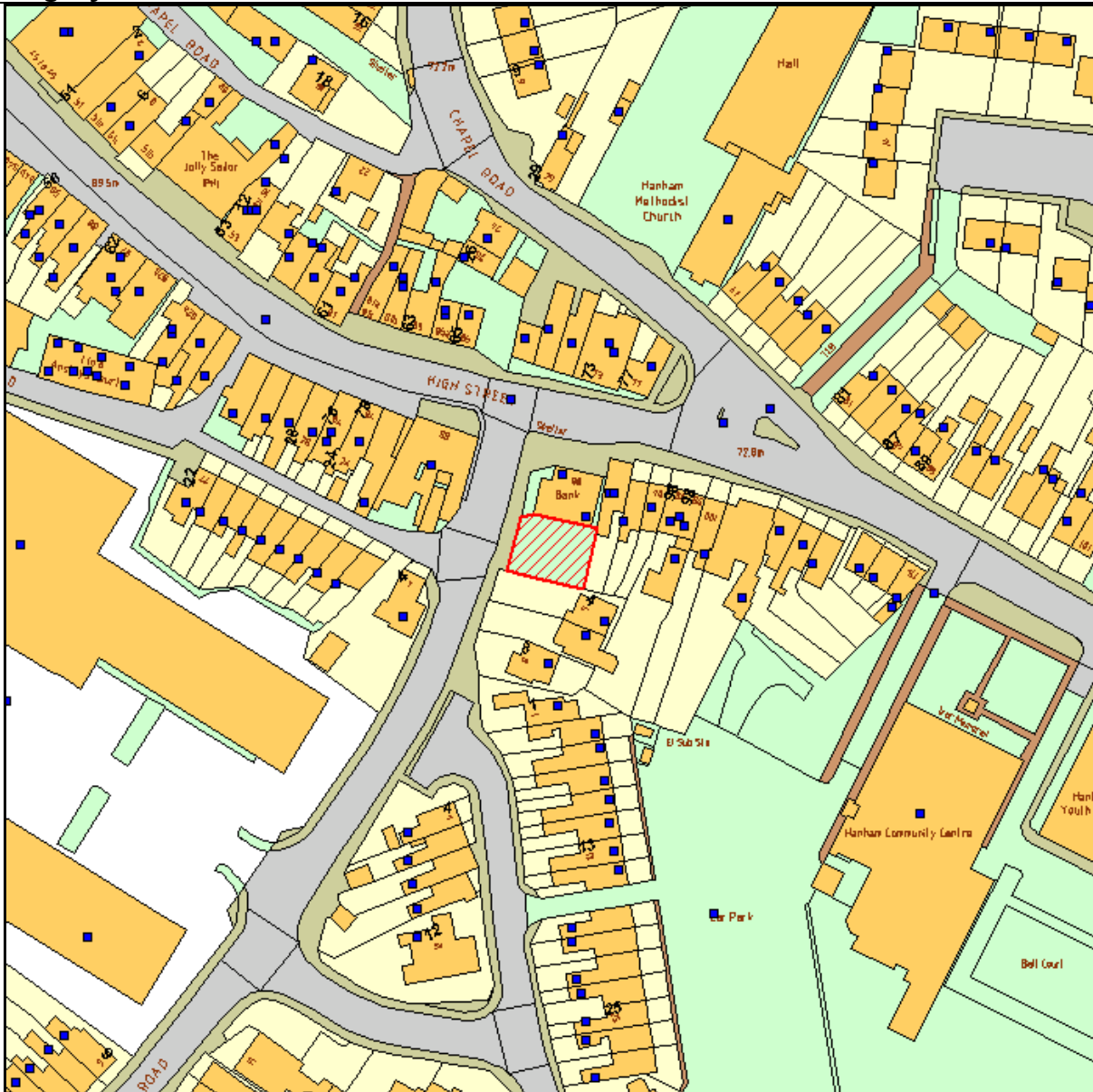
Parish: Hanham Parish
Council

Map Ref: 364251 172298
Application Minor

Ward: Hanham
Target 9th July 2014

Category:

Date:



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PK14/1758/F

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application appears on the Circulated Schedule because an objection has been received from Hanham Parish Council contrary to the Officers recommendation.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a replacement security fence and gates.
- 1.2 The application site comprises the car parking area of a bank, which is located on the eastern side of Hanham High Street within Hanham Town Centre.
- 1.3 The existing fence and gates that enclose the parking area were refused planning permission under application PK13/4478/F for the following reason:

The proposal by reason of its scale, siting and appearance is adversely prominent and out of keeping with the character of the area to the detriment of the character and visual amenity of the area. The proposal is therefore, contrary to policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013; and the South Gloucestershire Design Checklist SPD (adopted).

- 1.4 Pre-application discussions have resulted in the current proposal, which reduces the height of the chain-link fencing and access gate from 2.4 metres to 2.2 metres; reduced the width of the access gate from 6 metre double gates to a single 3.5 metre wide gate; the gate is clad with timber to improve its appearance.

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
RT1 Development in Town Centres

South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design
CS14 Town Centres and Retail
CS29 Communities in the East Fringe of Bristol Urban Area
- 2.3 Supplementary Planning Guidance
The South Gloucestershire Design Checklist SPD (adopted)

3. RECENT PLANNING HISTORY

- 3.1 PK13/4478/F, Erection of 2.4m security fence and gates (Retrospective), refusal, 13/02/14.
- 3.2 PK11/0338/F, Construction of access ramp with associated steps and handrails and installation of new shop front, approval, 08/03/11.

4. CONSULTATION RESPONSES

- 4.1 Hanham Parish Council
Objection. The proposal by reason of its scale, siting and appearance is adversely prominent and out of keeping with the character of the High Street and is therefore to the detriment of the character and visual amenity of the area.
- 4.2 Coal Authority
No objection
- 4.3 Highway Structures Officer
Details of excavations and the temporary support this is to be provided during construction are to be submitted to satisfy the Highway Authority that support to the highway is provided at all times.
- 4.4 Drainage Officer
No comment

Other Representations

- 4.5 Local Residents
No comments received

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Policy RT1 of the South Gloucestershire Local Plan (adopted) January 2006; and policies CS14 and CS29 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013 relate to the retail development within a Town Centre. These policies primarily relate to encouraging appropriate retail uses within Town Centres in the interests of their vitality and viability; ensuring that development is commensurate with the function of the centre; and to ensure that development safeguards the retail character and function of centres.
- 5.2 In this instance the proposal relates to an existing retail unit and does not involve the creation or loss of a residential unit. The main issues to consider are the scale and appearance of the proposal and the effect on the character of the area; the transportation effects; and the residential amenity effects.

5.3 Appearance/Form and Impact on the Character of the Area

The fence and gates enclose a parking area used by staff and customers and are primarily read alongside the principal elevation of the building, which comprises the shop front and main entrance, and to some extent neighbouring residential properties, which abut the site. Whilst the building is orientated side on to the high street so that its principal elevation faces away from the high street, the principal elevation and the fence and gates are both visible from the High Street.

5.4 The main issue with the previous scheme was that the gates were considered to be unattractive and utilitarian in terms of scale and appearance, and appeared adversely out of keeping with the Town Centre context. The impact was exacerbated due to the siting forward of the principal elevation of the building and neighbouring properties.

5.5 In response the proposal reduces the height of the fence and gates to 2.2 metres, which only slightly exceeds permitted development limits. The chain-link fencing provides a high degree of through visibility, and notwithstanding its position forward of the building line, on balance, given the reduction in height, it will not appear adversely out of keeping with the character of the area. The most significant alteration to the scheme is the reduction in the width of the vehicular access gate and the cladding with timber. This will improve the appearance of the vehicular access gate and ensure that it does not appear adversely utilitarian.

5.6 The applicant has highlighted the fact that the existing car park has been subject to vandalism, and the applicant has provided a number of instances when this has occurred. On balance, it is considered that the proposed scheme is an acceptable compromise which will respect the character of the area, and provide for the security of the business. The proposal overcomes the previous refusal reason.

5.7 Residential Amenity

It is not considered that the proposal has a significant adverse effect on the residential amenity of neighbouring occupiers.

5.8 Transportation

The gate opens inwards and therefore, will not encroach onto the highway. Accordingly, it is not considered that the proposal will have a significant adverse transportation effect.

5.9 Further Matters

If permission is granted a condition is recommended to ensure that the existing unlawful gates and fence are removed within 3 months of the date of the 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 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 conditions.

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).

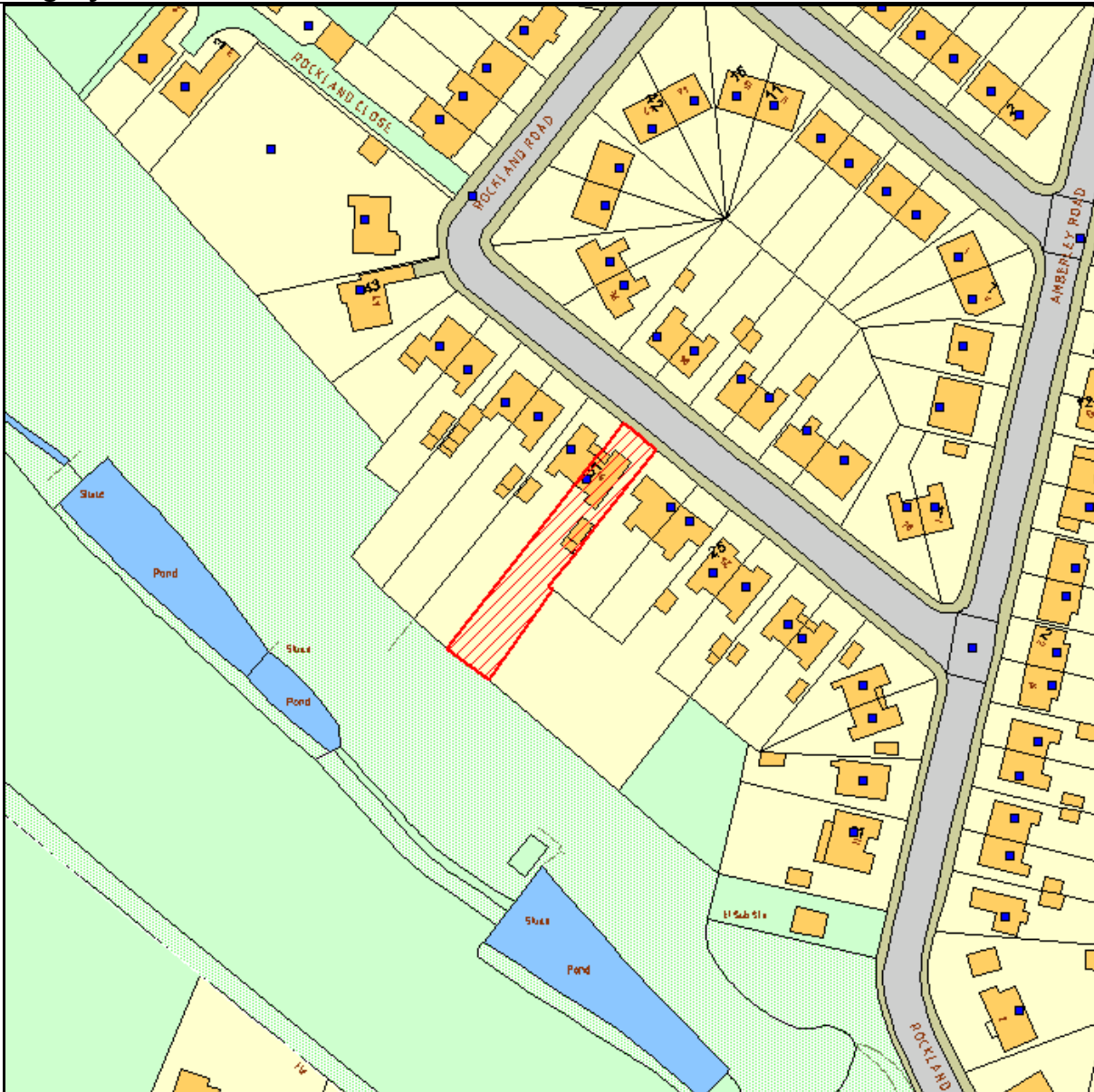
2. Within 3 months of the date of this permission the existing fence and gates shown on "existing site plan" no. P1302_SU_09_D01 shall be removed from the site.

Reason

The existing fence and gates are unlawful and in the interests of the visual amenity of the area and to accord with policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013; and the South Gloucestershire Design Checklist SPD (adopted).

CIRCULATED SCHEDULE NO. 26/14 – 27 JUNE 2014

App No.:	PK14/1786/F	Applicant:	Mr And Mrs Storer
Site:	31 Rockland Road Downend Bristol South Gloucestershire BS16 2SW	Date Reg:	19th May 2014
Proposal:	Demolition of existing detached garage and office to facilitate erection of single storey side and rear extension, to provide additional living accommodation.	Parish:	Downend And Bromley Heath Parish Council
Map Ref:	364483 177191	Ward:	Downend
Application Category:	Householder	Target Date:	8th July 2014



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 100023410, 2008. **N.T.S.** **PK14/1786/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application is referred to the Circulated Schedule as a representation has been received which is contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 The application seeks permission for the demolition of the existing outbuilding and the erection of a single storey rear and side extension. The plans demonstrate that the extension would be used as a self contained annexe ancillary to the host dwelling.
- 1.2 The application relates to a semi-detached dwelling situated within an established residential area of Downend.
- 1.3 During the course of the application revised plans have been received to demonstrate a minor internal amendment connecting the annexe to the dwelling, and a revised parking layout.

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

CS29 Communities of the East Fringe

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 PK08/1984/F - Erection of single storey rear extension to form additional living accommodation. Approved 7th August 2008

4. CONSULTATION RESPONSES

4.1 Downend and Bromley Heath Parish Council

Objection:

- Access to extension is through garage or downstairs toilet.
- Only space for three off street parking spaces not four.
- Length of extension.
- Annexe should not be occupied other than for a single family purpose.

4.2 Transportation DC

No objection subject to implementation of additional parking.

4.3 Highway Drainage

The proximity of a public sewer may affect the layout of the development. Refer the application Wessex Water for determination.

4.4 Wessex Water

A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewer. It is recommended that the applicant contacts Wessex Water Sewer Protection Team for further advice on this matter.

Other Representations

4.3 Local Residents

One letter of support and one letter of objection have been received from local residents. The comments are summarised as follows:

Support:

- Area of building on boundary and location of gutter.
- No objections and in support of neighbour's plans.

Objection

- Direct contravention of policies.
- Does not respect local context and street pattern, or scale and proportions of surrounding buildings. Out of character to the detriment of the local environment.
- Properties characterised by large plots with large spacing in between them in the form of driveways.
- Development would only be a few feet from neighbouring property.
- Would see the only property on road to have a garage brought forward.
- D&A statement inaccurate – parking/ access.
- Impossible to access the rear of the house without going through the house.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application seeks permission for the erection of a single storey side and rear extension. Saved policy H4 of the SGLP (Adopted) 2006 permits this type of development in principle subject to criteria relating to residential amenity, highway safety, and design.

5.2 Residential Amenity

The application relates to a double storey semi-detached dwelling situated within an established residential area of Downend. The host dwelling is sited on an elongated terraced plot which extends to the southwest backing on to a tree belt. The only immediate neighbouring properties are therefore no.33, which is the attached dwelling, and no. 29, which is situated to the southeast. The site has an existing detached outbuilding situated to the southeast boundary with a

- length of 9.5 metres with a hipped and flat roof, and an existing single storey rear extension.
- 5.3 The proposal is to demolish the existing detached outbuilding and erect a single storey side and rear extension. The extension would run the length of the main dwelling, connecting into the rear extension and reaching a depth to mimic the existing outbuilding. The extension would have a width of 3.5 metres thus remaining a distance of 5 metres from the mutual boundary with the attached neighbour. This is considered adequate to ensure that the amenity of these neighbours would not be prejudiced and as such the key consideration in amenity terms is considered to be the impact on no.29.
- 5.4 Number 29 is also a semi-detached double storey dwelling. Planning permission has recently been approved to erect a double storey side and rear extension to this dwelling (ref. PK14/0357/F) which would extend beyond the original rear elevation by 2.2 metres. It is noted that this extension was under construction when Officers visited the site. In light of this approval, once completed the majority of the extension proposed under the current application would not be visible from the occupiers of no.29. It is noted that the depth of the proposed extension appears very long in the context of the site however it would not extend beyond the far rear elevation of the existing outbuilding and as such the outlook on this boundary would remain largely unchanged. Furthermore the single storey nature of it and its location to the northwest of no.29 would mean that it would not have a significant overbearing impact and would not significantly alter existing light levels within no.29. Overall it is considered that the extension would not harm the amenity of the occupiers of no.29. The proposal does not raise any concerns in terms of loss of mutual privacy and adequate private amenity space would remain to serve the host dwelling. This is with the provision that no windows are installed facing into no.29 and this will be controlled by a condition.
- 5.5 It is noted that during the construction phase of development disruption can occur from noise associated with building operations and vehicles. Therefore, in order to protect the amenity of occupiers during construction and in order to minimise disturbance it is considered reasonable and necessary to condition the hours of construction.
- 5.6 Design
The application site consists of a semi-detached dwelling situated in a residential area of Downend which is characterised by evenly spaced semi-detached properties on elongated plots. There is some variation in the style of the pairs of properties however they all have hipped roofs, bay windows and are finished in render with brick detailing. Some of the properties have attached single storey garages whereas others have detached garages set back in the rear gardens.
- 5.7 Concern has been raised in relation to the design of the proposed development and the impact it will have on the character of the street scene. These comments are noted however it is considered that the proposed development would not harm local distinctiveness. The only elevation visible from the public realm would be the front which would be in line with the front elevation of the

original dwelling with a lean-to roof. Whilst the development would infill a gap next to the dwelling its single storey nature is such that it would not entirely fill the space between the host dwelling and no.29 and as such would not have a terracing effect when viewed in conjunction with the adjacent property's approved double storey side extension. The design itself is simple and would remain visually subservient to the original dwelling. Provided the materials match the existing it is considered that the extension would not detract from the character of the host dwelling or the street scene. It is acknowledged that the extension is very long however this would not be visible at all within the street scene and as such would not harm the character or distinctiveness of the locality. Accordingly it is considered that this alone could not warrant a refusal of the application. It is also noted that the depth of the extension is informed by the location of the existing outbuilding. Overall there are considered to be no design objections to the application.

5.8 Highway Safety

The application proposes to erect an extension to be used as annexe accommodation ancillary to the host dwelling. As existing the parking provision to the site is on a hardstanding area to the front and side of the dwelling. The hardstanding area directly to the side would accommodate the new extension and as such this off street provision would be lost. The revised proposed site plan identifies 3no. off street parking spaces to the front of the dwelling on a hardstanding area. The proposed parking area would require the extension of the dropped kerb and removal of the front boundary wall to the front boundary. This in itself does not however require planning permission.

5.9 The level of parking provision proposed is in accordance with the minimum standards identified within the Council's Residential Parking Standards SPD (Adopted) 2013 and as such is considered acceptable. A condition will secure the implantation of the new parking provision prior to the occupation of the dwelling.

5.10 Other Matters

Comments made make reference to the annexe nature of the development. Revised plans have been submitted to demonstrate interconnectivity between the host dwelling and the annexe. Officers are content that the shared parking, amenity and relationship between the two is sufficient to not treat the extension as a separate planning unit. It is noted that should the property be subdivided in the future than this would require an application in its own right and as such is an issue of enforcement. As proposed it is not considered necessary to condition the occupation of the annexe as the proposed development is for an extension within one planning unit. This is outlined as an informative on the decision notice.

5.11 Further concern has been raised that there would be no access to the rear of the site without going through the dwelling itself. There is no requirement for access to the rear garden from the front of the site and as such this is not considered to raise any concern in policy terms.

5.12 Public Sewer

A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewer. It is recommended that the applicant contacts Wessex Water Sewer Protection Team for further advice on this matter. Building over existing water mains/public sewers will not be permitted (without agreement) from Wessex Water under Building Regulations.

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 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.

3. No windows other than those shown on the plans hereby approved shall be inserted at any time in the side (southeast) elevation of the property facing no.29

Reason

To protect the privacy and amenity of the occupiers of no.29, and to accord with saved Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. The hours of working on site during the period of construction shall be restricted to Monday - Friday 07.30 - 18.00, Saturday 08.00 - 13.00; 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 during the construction phase, to protect the residential amenity of the neighbouring occupiers, and to accord with saved Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. The off-street parking facilities shown on the plan no. PDCM-190-13A hereby approved shall be provided in a permeable and consolidated material before the building is first occupied, and thereafter retained for that purpose.

Reason

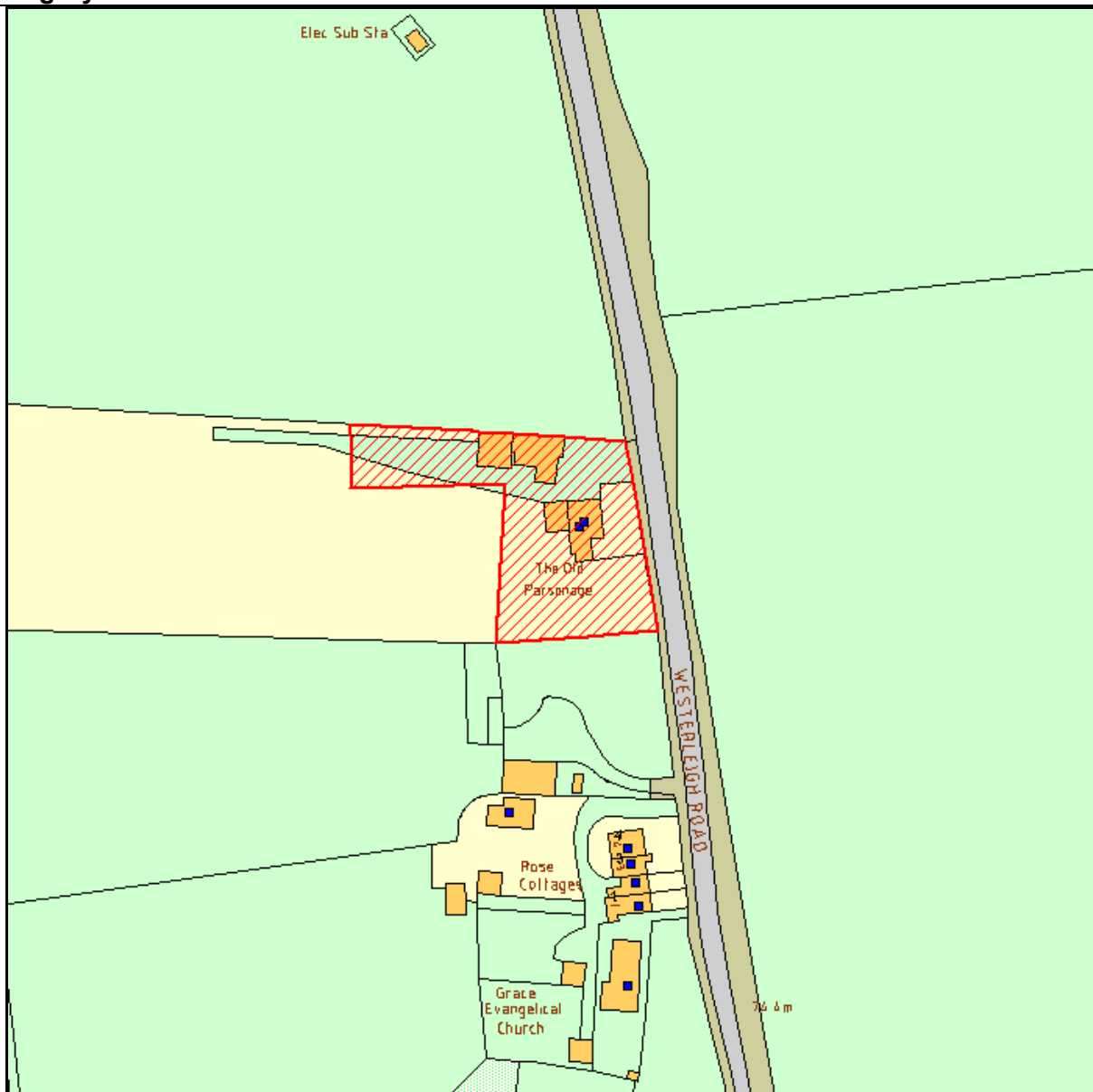
To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with saved Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006, and the Residential Parking Standards SPD (Adopted) December 2013

ITEM 8

CIRCULATED SCHEDULE NO. 26/14 – 27 JUNE 2014

App No.: PT13/1047/O
Site: Land Adjoining The Old Parsonage
Westerleigh Road Westerleigh South
Gloucestershire BS37 8QQ
Proposal: Erection of 1no. dwelling (Outline) with
access and layout to be determined. All
other matters reserved. Change of use of
2no. dwellings to 1no. dwelling with
annexe.
Map Ref: 369906 180569
Application Category: Minor

Applicant: Mr & Mrs D Morse
Date Reg: 28th March 2013
Parish: Westerleigh Parish
Council
Ward: Westerleigh
Target Date: 22nd May 2013



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PT13/1047/O

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application is referred to the Circulated Schedule in accordance with the resolution of the Development Control (West) Committee made on 24 October 2013.

This resolution stated –

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

- (i) the Old Parsonage and the annexe shall remain as one planning unit and cannot be severed or separated back into two dwellings;
- (ii) the new dwelling on the site cannot be occupied prior to the Old Parsonage and adjoining dwelling being amalgamated into one dwelling;
- (iii) the owners of the two existing properties are prevented from claiming compensation.

The reasons for this Agreement are:

- (i) To secure the development in accordance with the case of very special circumstances presented and to accord with policy GB1 of the Local Plan.

The Head of Legal and Democratic Services be authorised to prepare and seal the Agreement.

If the S106 Agreement is not signed and sealed within 6 months of this determination then, in view of the length of time, the application should either:

- (a) be returned to the Circulated Schedule for reconsideration; or,
- (b) the application should be refused due to the failure to secure the Heads of Terms listed above under a Section 106 Agreement for the reason listed above.

There have been a series of delays in completing the S106 agreement caused by lengthy negotiations between the respective legal teams and delays with mortgagor. The application was referred back to the Circulated Schedule no.18/14 on 2 May to provide an additional month for the S106 to be completed (by 9 June).

The S106 has now been completed, signed and sealed on 13 June. This fell four days after the period of determination provided under the Circulated Schedule. The application is now referred back to the Circulated Schedule so that the decision can be issued.

Members should note that since this application was determined at the Development Control (West) Committee in October 2013, the Core Strategy has been adopted. Therefore the reasons for the conditions have been updated to reflect the most relevant and extant planning policies; the wording of the conditions has not been altered. It is not considered that the adoption of the Core Strategy and the associated policy changes make a material difference to the determination of this application. This is because the Core Strategy formed

part of the consideration of the application as it was at an advanced stage of production, nearing adoption, when the application appeared before the Committee.

RECOMMENDATION

That planning permission be granted subject to the signed Section 106 agreement dated 13 June 2014 and the conditions listed below.

Contact Officer: Griffith Bunce
Tel. No. 01454 863438

CONDITIONS

1. Approval of the details of the 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 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

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

5. Application for the approval of the reserved matters shall be in accordance with the following parameters as described in the design and access statement and supplemented by correspondence during the course of the application. The building

hereby permitted may not exceed a total volume of 750 cubic metres or have an eaves height above 4.8 metres or an overall height above 7 metres.

Reason

To protect the openness of the green belt and the purposes of including land within it, and to accord with the provisions of the National Planning Policy Framework.

6. 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, and E), 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 protect the openness of the green belt and the purposes of including land within it, and to accord with CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 and the provisions of the National Planning Policy Framework.

7. The hedge along the northern boundary of the site is to be maintained and improved and additional planting and screening is required along the eastern boundary. The existing stone walls are to be retained. Prior to the commencement of development, and as part of the reserved matters, a plan indicating the landscaping measures proposed including the proposed additional planting, tree protection and retention, and any other type of boundary treatment(s) to be erected on site, including the retained stone walls, shall be submitted to the Local Planning Authority for approval. The boundary treatment shall be completed before the building hereby permitted is first occupied. Development shall be carried out in accordance with the approved details.

Reason

To protect the openness of the green belt, the visual amenity of the countryside and the character and appearance of the area, and to accord with Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies),

8. Two off-street parking spaces measuring a minimum of 2.4m by 4.8m must be provided within the curtilage of the dwelling before the building is first occupied, and thereafter retained for that purpose.

Reason

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies), Policy CS8 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013, and the Residential Parking Standard SPD (Adopted) December 2013.

9. Prior to the commencement of development drainage detail proposals incorporating Sustainable Drainage Systems SUDS, a mining report, and confirmation of hydrological conditions e.g. soil permeability, watercourses, mining culverts) within the

development shall be submitted for approval in writing to the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

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

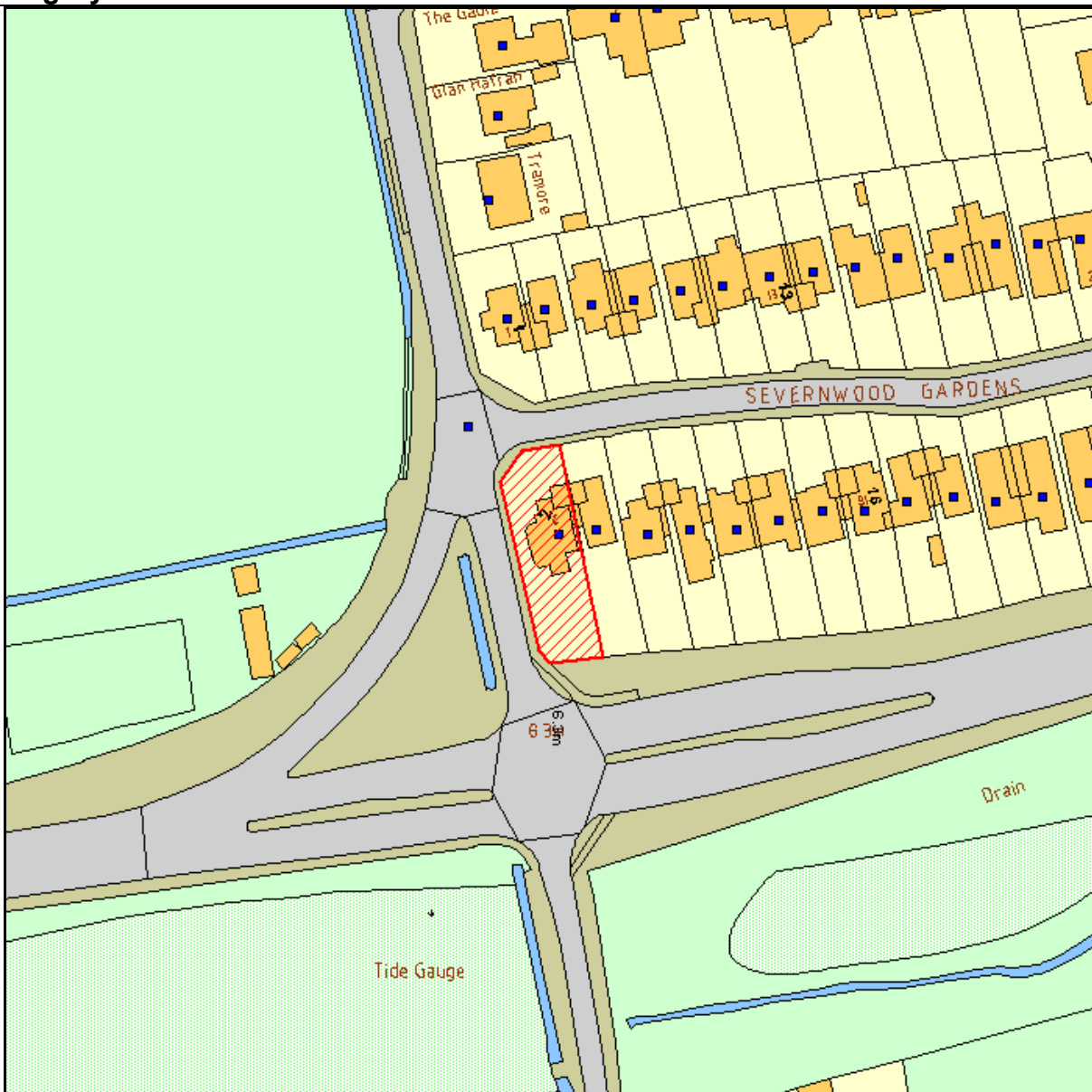
10. Prior to the commencement of development samples of the roofing and external facing materials for the new building and of the stonework for the boundary walls shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved 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.

CIRCULATED SCHEDULE NO. 26/14 – 27 JUNE 2014

App No.:	PT14/0851/F	Applicant:	Mr Philip Drewitt
Site:	2 Severnwood Gardens Severn Beach South Gloucestershire BS35 4PX	Date Reg:	31st March 2014
Proposal:	Erection of single storey side and rear extension to form additional living accommodation.	Parish:	Pilning And Severn Beach Parish Council
Map Ref:	354351 184176	Ward:	Pilning And Severn Beach
Application Category:	Householder	Target Date:	21st May 2014



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PT14/0851/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application is referred to the Circulated Schedule as a representation has been received which is contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 The application seeks permission for the erection of a single storey side and rear extension to form additional living accommodation.
- 1.2 The application site consists of a linked-detached bungalow situated in a residential area of Severn beach. The site falls within flood zones 2 and 3.

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

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 P96/2662 - Erection of single storey rear extension. Approved 19th December 1996
- 3.3 P88/1837 - Erection of single storey lounge extension. Approved 16th June 1988
- 3.4 N2746 - Erection of porch and of single storey extension at rear to form additional bedroom. Approved 22nd July 1976

4. CONSULTATION RESPONSES

- 4.1 Pilning and Severn Beach Parish Council
The Parish Councillors strongly object to this application because it is not in keeping with the surrounding properties, the house has already been hugely extended previously and the extension will overlook neighbouring properties.

The road already suffers from parking issues for residents and this will only exacerbate the situation.

4.2 Highway Drainage

Flood mitigation form required.

- Form received 13th May 2014

Other Representations

4.3 Local Residents

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

- Significant size and largely bordering neighbour.
- Building has already been extended. This proposal would see widening of building towards boundary between 2 and 4.
- Two windows on side facing no.4. Average adult could see through them.
- Boundary wall is only 1.2m high which limits opportunity for future development of no.4 – light and security compromised.
- Plans do not show container positioned in extreme west corner – cannot determine if this was granted planning permission. This unit is positioned against the boundary wall and poses major security threat.
- Would result in solid barrier nearly 3m high close to boundary.
- 1.15m walkway not large enough to allow improvement to boundary, or for screening.
- Maintenance of boundary could only be achieved from garden of no.4.
- Noise issues.
- Loss of privacy.
- Congestion at junction during extended construction period.
- Extension will increase floor plan by more than 60%.
- Precedent set by previous extensions in the road which have a limited scale.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application seeks permission for the erection of a single storey side and rear extension to form additional living accommodation. 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 Residential Amenity

The application site consists of a linked detached bungalow situated on a corner plot adjacent to the junction of Ableton Lane and Severnwood Gardens. Ableton Lane runs to the west boundary of the site, with Severnwood Gardens to the north, and the A403 to the south boundary. To the east boundary is no.4 Severnwood gardens, which is a linked detached bungalow with a low dividing boundary wall.

- 5.3 The host dwelling consists of a bungalow which has been previously extended before in the form of a single storey rear extension to form a kitchen and a single storey side conservatory. The existing rear extension extends 4.5 metres beyond the original rear elevation and is set in from the mutual boundary with no.4 by 3.25 metres. The original part of the bungalow is 1.15metres from the mutual boundary line. The rear elevation of no.4 remains as original, which is in line with the original elevation of the host dwelling.
- 5.4 The proposal is to infill the area to the side of the existing kitchen extension matching its depth and meeting the side elevation of the original dwelling. This part of the extension would therefore have a depth of 4.5 metres at a distance of 1.15 metres from the mutual boundary. The eaves and ridge height would match the existing dwelling. The second part of the proposed extension would run from the existing side elevation of the kitchen extension extending past the west elevation of the dwelling. This part of the extension would be 3.25 metres from the mutual boundary of no.4. The eaves and ridge height would match the existing dwelling but set would be set off to the side of the original apex. In summary the total depth would be 10.5 metres from the original rear elevation, with 4.5 metres of that being 1.15 metres from the boundary, and 6 metres of that being 3.25 metres from the boundary.
- 5.5 Concerns have been raised by the owner of no.4 in relation to the scale of the extension and proximity to the mutual boundary. These comments are noted and it is agreed that the proposal would be more prominent to the occupiers of no.4 than the existing layout. However, on careful consideration of the distance, height and depth of the extensions it is considered that the proposal would not cause significant harm to the detriment of the amenity of no.4 such that a refusal could be warranted. This conclusion is reached due to the proposed layout of the proposed extensions. Whilst the proposed utility extension would bring the 4.5 metres extension closer to the boundary it is considered that this depth would not appear significantly overbearing or oppressive on the occupiers of no.4. Officers did raise some concern in relation to the additional 6 metre depth however on inspection it is considered that the siting of the extension 3.25 metres from the mutual boundary would be sufficient to avoid any significant overbearing effect. It is further noted that as the extension has a pitched roof the eaves level of the 6 metre extension would be 2.65 metres at the closest point to the neighbour reaching a maximum height of 4.2 metres some distance away from the boundary. Additionally, no.4 is sited directly to the east of the extensions and as such the proposal would not have a significant impact on light entering the neighbouring site. On balance, whilst it is acknowledged that the extension would have an impact on the occupiers of the neighbouring property, it is considered that this impact would not be harmful. Some concern has been raised at the proximity of the proposed utility to the bedroom at no.4 and the associated noise with this. However, it is not considered that the use of the utility would result in significant noise levels to the detriment of the amenity of the occupiers of no.4.
- 5.6 In terms of privacy the proposal is to include 2no. high level windows in the east elevation of the lounge extension facing towards no.4. Concern has been raised that these would prejudice privacy however given that they are proposed 1.8 metres above ground level views out of them would be very limited and as

- such they are unlikely to result in a significant loss of privacy. There would be no direct line of vision between any proposed windows and the windows on no.4 and as such it is considered that mutual privacy would be preserved. In order to avoid the installation of any further windows in the side elevation, and in particular in the side of the utility extension, a condition will be imposed to control this.
- 5.7 With regard to private amenity space the proposed extension would take away a substantial amount of garden area to serve the dwelling. However the plot is relatively large for the size of the dwelling and as such, although the loss of amenity space is undesirable, it would not warrant a refusal of the application.
- 5.8 Design
The application site consists of a linked detached bungalow situated on a cul de sac characterised by dwellings of uniform character, height and appearance. The application site is sited at the junction of the cul de sac and due to the low boundary treatments the whole site is clearly visible from the A403 to the south and Ableton Lane to the west. The proposed extension would therefore be clearly visible in the street scene.
- 5.5 The dwelling has already been previously extended to the rear and side as discussed in the paragraphs above. It is considered that the proposed infilling next to the existing rear extension would improve this rear elevation given it a more uniform appearance. The proposed lounge extension would however appear awkward being offset to the side, especially when viewed in conjunction with the existing conservatory. Although this awkward junction would be visible in the public realm it is acknowledged that this design is to alleviate the impact on the amenity of the neighbouring occupier. On balance, whilst the overall design would be disjointed, it is not considered that this would be detrimental to the local street scene. The maximum height and roof pitch of the original dwelling would be respected. Provided materials match the existing dwelling it is considered that the overall design and detailing would be acceptable in the context of the site and the locality.
- 5.6 It is further noted that the extension would increase the overall scale of the original bungalow substantially however this in itself should not warrant a refusal of the application. The dwelling is on one of the larger plots in the locality and the amount of development proposed would sit comfortably within it. It is not considered that the scale of the extensions would appear unacceptably incongruous or intrusive in the street scene owing to the maximum height of them and as such are considered acceptable in this respect.
- 5.7 Highway Safety
The proposed extensions would be contained entirely within the rear garden of the site. The extensions are proposed to accommodate a lounge and utility area not increasing the number of bedrooms in the dwelling. Nevertheless the dwelling is served by a large hardstanding area to the front capable of accommodating at least two off street parking spaces and as such it is considered that there is adequate parking in accordance with the Council's minimum standards for a dwelling of this scale.

- 5.8 Concern has been raised in relation to the impact of construction traffic on highway safety at the adjacent junction. These comments are noted however construction traffic is generally short lived and intermittent and as such would not warrant a refusal on highway safety grounds. The proposal would not prejudice highway safety in any other way and as such is considered acceptable in this respect.
- 5.9 Other Matters
Additional concerns have been raised during the consultation period which have not been addressed in the paragraphs above. These are considered as below:
- 5.10 Concern has been raised in relation to access to maintain the boundaries between the two sites. It is noted that a small space would remain within the application site adjacent to the mutual boundary to allow some limited access. It is therefore considered that the proposal would not prejudice the ability for occupiers to maintain there boundary treatment. Access for maintenance from the adjacent property cannot be undertaken without the permission of the landowner.
- 5.11 Comments made in relation to the future development of no.4 are not a material consideration of this planning application. It is highlighted that applications are assessed on their own merits against the relevant policy and material considerations prevailing at that time.

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 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.

3. No windows other than those shown on the plans hereby approved shall be inserted at any time in the east (side) elevation of the extension.

Reason

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

CIRCULATED SCHEDULE NO. 26/14 – 27 JUNE 2014

App No.:	PT14/1227/O	Applicant:	Wade Investments Ltd
Site:	Fountain Court New Lease Bradley Stoke South Gloucestershire BS32 4LA	Date Reg:	9th May 2014
Proposal:	Outline application for the demolition of existing buildings to facilitate the erection of a care home with up to 80no. beds and 8no. close care apartments (Use Class C2) with access to be determined. (All other matters reserved)	Parish:	Bradley Stoke Town Council
Map Ref:	361249 183243	Ward:	Bradley Stoke North
Application Category:	Major	Target Date:	4th July 2014



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PT14/1227/O

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application appears on the Circulated Schedule because an objection has been received from the Town Council and a neighbouring occupier contrary to the Officers recommendation.

1. THE PROPOSAL

- 1.1 This application seeks outline planning permission for the demolition of existing office buildings (Use Class B1) to facilitate the erection of a care home and 8no. close care apartments (Use Class C2). Access is to be determined in this application, and all other matters are reserved for future consideration.
- 1.2 The application site comprises Fountain Court office park located on the northern side of Woodlands Lane. Five two storey office buildings occupy the site and are arranged around paved parking and access roads, and ornamental trees/vegetation. The buildings are constructed of brick with hipped roofs and concrete roof tiles. The buildings are set down from Woodlands Lane by approximately 1 metre behind a palisade fence and vegetation; with a retaining wall beyond. Modern two-storey properties are located opposite the site to the south; a single storey public house and associated car parking is located to the east; single storey retirement homes are located to the west; an electricity substation is located to the north. Access to the site is off Woodlands Lane and is shared with the public house. There is a significant drop in levels on the site from east to west.
- 1.3 The site is located in the north fringe of the Bristol urban area and within the defined urban boundary of Bradley Stoke. The site is defined as a safeguarded employment area in the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.
- 1.4 A screening exercise has been carried out to determine whether the development requires an Environmental Impact Assessment (EIA). It was considered that the nature, scale and location of the proposal was such that it would not give rise to significant environmental effects alone or in accumulation with other proposals in the area. An EIA is not therefore, required.

2. POLICY CONTEXT

2.1 National Guidance
National Planning Policy Framework March 2012

2.2 Development Plans

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

L1 Landscape Protection and Enhancement

L9 Species Protection

EP2 Flood Risk and Development

T12 Transportation Development Control Policy for New Development

T8 Parking Standards

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design

CS4a Presumption in Favour of Sustainable Development

CS5 Location of Development

CS6 Infrastructure and Developer Contributions

CS9 Managing the Environment and Heritage

CS11 Distribution of Economic Development Land

CS12 Safeguarded areas for economic development

CS18 Affordable Housing

CS23 Community Infrastructure and Cultural Activity

CS25 Communities of the North Fringe of Bristol Urban Area

2.3 Supplementary Planning Guidance

The South Gloucestershire Design Checklist SPD (adopted)

3. RELEVANT PLANNING HISTORY

3.1 PT06/2916/F, construction of second floor extension to block b with associated works, approval, 24/11/06.

3.2 PT07/0403/F, erection of rail fencing not exceeding 1.8 metres in height, approval, 27/03/07.

4. CONSULTATION RESPONSES

4.1 Bradley Stoke Town Council

Objection on the grounds of inadequate/insufficient parking provision on the site.

4.2 Ecological Officer

No objection subject to condition and standard informative

4.3 Archaeological Officer

No objection

4.4 Drainage Officer

Objection – The development lies within a flood zone and no Flood Risk Assessment has been submitted with the application

4.5 Transportation DC Officer

No objection subject to condition

4.6 Economic Development Officer

I support this application for the development of a care home

4.7 South Gloucestershire Care Commissioning Manager

Support the scheme

4.8 Urban Design Officer

The applicant is required to provide further information

- 4.9 Environmental Protection Officer
No objection in principle; however, a condition is recommended in respect of potentially contaminated land
- 4.10 Wessex Water
A sewer diversion will be required
- 4.11 Planning Policy Officer
There is a need to weigh up the benefits of bringing the site back into a use which will provide a facility for the local area and some jobs with the loss of potential for redevelopment or reuse for B use employment
- 4.12 Landscape Officer
No objection in principle. An arboricultural report should be submitted detailing any trees on site being retained or removed, and any trees within adjacent plots that might be impacted by the development
- 4.13 Community Services Officer
Public Open Space
Adequate provision of a range of open spaces should be made onsite to meet residents needs. Public open space provision/enhancements should be confirmed once details of onsite provision are known.

Libraries

Extra demand will lead to increased use of library stock; a reduction in availability of stock and other facilities will lead to reduced satisfaction and people not using the library. To ameliorate this impact the Council has requested financial contributions towards providing a care home library service to meet the needs of the residents.

Public Art

For a development of this size we would expect a contribution of £7000 towards a public art scheme for the development.

Other Representations

- 4.16 Local Residents
One letter of objection has been received from a member of the public. The following is a summary of the reasons given for objecting:
- ☐ Loss of privacy of the houses directly opposite and to the west;
 - ☐ There is an existing vacant care home at Winterbourne View;
 - ☐ Residents Parking Zones will result in more businesses moving out of the city centre to business parks;
 - ☐ The demolition of the existing building cannot be in the long term interests of the local economy;
 - ☐ The demolition of existing buildings will have an adverse effect on neighbouring occupiers in terms of noise, dust and traffic;
 - ☐ The majority of jobs created will be limited to those with specialist medical skills which may not reside locally.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy CS5 of the Council's adopted Core Strategy sets out that most new development will take place in the north fringe of the Bristol urban area as this represents places where essential infrastructure is in place or planned, which will reduce the need to travel and commute. It also states that sequential and exception tests will be applied to direct development to areas with the lowest probability of flooding.

5.2 Flooding

Only a small part of the site, which includes a small part of the northwestern corner of the building shown on the indicative site plan, is located in Flood Zones 2 and 3. The majority of the site is in Flood Zone 1. Accordingly, as layout is not under consideration at this point, it is considered that a care home could be accommodated on the site without any part of the building encroaching into Flood Zones 2 or 3. If permission is granted, a condition is recommended to ensure that, in any future reserved matters application for layout, the building does not encroach into Flood Zones 2 or 3. Officers are therefore, satisfied that the proposal meets the requirements of the sequential test, as a condition can be used, if permission is granted, to direct the development to areas with the lowest probability of flooding (Flood Zone 1).

5.3 Loss of Employment Floor Space

Recent changes to permitted development regulations allows changes of use from offices (use class B1a) to residential (use class C3) to take place without planning permission. The applicant is however, required seek a determination from the Local Planning Authority as to whether prior approval is required in respect of transport and highways impacts; contamination risks on the site; and flooding risks. Weight is given to the fact that the applicant has submitted a prior notification application for the change of use of the buildings to residential. Given that any prior approval consent is required to take place prior to 30th May 2016, it is considered that a change of use to residential is viable within the required time period. Therefore, the fall-back position, at this point, is considered to hold a significant amount of weight.

5.4 Notwithstanding this, the change of use to residential has not yet taken place; therefore, the starting point for considering the re-development of the site is policy CS12 (safeguarded employment areas for economic development) of the Council's adopted Core Strategy.

5.5 Guidance in the NPPF is that planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.

5.6 This advice is generally reflected in policy CS12 of the Council's adopted Core Strategy. Policy CS12 states that land identified in Table 1 (Almondsbury Business Park) will be safeguarded for economic development. Proposals for change from B Use Classes to other economic development uses, including town centre uses, or to non-employment uses, will need to demonstrate that:

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

Consideration will be given to each criterion from policy CS12.

5.7 Will the proposal prejudice the regeneration and retention of B Use Classes elsewhere in the defined employment area?

Given the residential nature of the proposed care home, careful consideration is required as to whether it would conflict with employment uses, which may negatively affect the current and future viability of businesses. Residential properties (use Class C3) are located immediately to the west of the site, which have recently been removed from the safeguarded employment area boundary; to the north is an electricity substation (B use Class); and to the east, on the opposite side of the road, is a public house (use Class A4). Accordingly, it is not considered that the proposal will adversely affect the viability of existing B Use Classes around the site. B uses may be developed around the site in the future, which may conflict with the proposed care home use; however, as residential properties are located to the west of the site, which are outside of the defined employment boundary, a substation is to the north, and a public house is to the east, it is not considered that this will be sufficiently likely to justify a refusal on this basis.

5.8 Can it clearly be demonstrated that the proposal would contribute to a more sustainable pattern of development in the local area as a consequence of the appropriateness of the proposed use to the location?

The proposed care home (Use Class C2) would provide care for the elderly, including those with dementia. It is therefore, considered that the proposal would provide high end care needs for which there is a general need. According to the Council's Care Commissioning Manager, there is no care home provision for people with dementia in either Patchway or Filton; therefore, there is support for the proposed scheme. Weight is given to the fact that the proposed care home would be a benefit to the community, and would likely contribute to a more sustainable pattern of development given the lack of existing care home provision in the local area. The applicant highlights the fact that the site is accessible by foot and bicycle to nearby residential areas, and is

well served by local amenities and public transport. Officers agree that the site is located in a sustainable location that would be accessible by non-car modes of travel.

- 5.9 Consideration is required to be given as to whether the proposal constitutes sustainable development when it would result in the permanent loss of approximately 2300 square metres of office floor space. The supporting details submitted indicate that the majority of the buildings have been vacant for a considerable period of time. The Council's Economic Development Officer has confirmed that there is a profusion of vacant offices of the Fountain Court standard and the site has been vacant for a substantial number of years. Weight is also given to a potential fall back position whereby the buildings could be converted to residential under permitted development regulations. A prior notification application for the change to residential has been submitted; given that any prior approval consent is required to take place prior to 30th May 2016, there is no reason to assume that the change of use is not viable within the required time period. Although the fall back position would provide residential accommodation close to employment sites, which has some benefits in terms of providing sustainable patterns of development, it is considered on balance that the proposed provision of a care home, which would re-use an underused brownfield site in a sustainable location, would provide a local community facility to fulfil an identified need; and also provide some employment, would result in a more sustainable form of development than the existing situation, and the fall-back position.

- 5.10 Will the proposal improve the number and range of jobs available in the local area?

According to the applicant, the proposed care home will generate in the region of 80 jobs. It is considered that a B1 Office, or other B uses could potentially provide a greater number and range of jobs than the proposed care home. The applicant states that irrespective of the loss of potential jobs, there is no demand, and that ultimately the 80 jobs generated by the C2 scheme would be betterment in comparison to the building standing vacant. The supporting details state that attracting tenants to the site has been difficult, with some of the properties having been marketed for over five years with no credible expressions of interest. No details relating to the marketing of the buildings have been provided, which was requested at a pre-application meeting. However, according to the applicant currently 82.5% of the park is currently vacant, with just Block C still being occupied. The tenants of Block C will however, be vacating shortly at the end of their lease expiry. Details have been submitted in Appendix 3 of the planning statement which shows that the premises have remained largely vacant in a large part for a number of years. Weight is given to the fact that the Council's Economic Development Officer has confirmed that there is a profusion of vacant offices of the Fountain Court standard and that the site has been vacant for a substantial number of years. Accordingly, although designated for employment land, because it has been vacant for so long, it has not served its purpose of providing employment. On balance, it is considered that the proposal, which will provide around 80 jobs, will be an improvement over the existing situation.

5.11 Has suitable provision been made elsewhere in the Local Development Framework?

There is no specific alternative provision for a care home (Use Class C2) within the Local Development Framework. However, the use would be acceptable in principle within existing residential areas or within new neighbourhoods without the loss of employment land. Taking into consideration the fall-back position where the buildings could be converted to residential without planning permission, it is considered that a refusal on this basis would not prove sustainable.

5.12 The main issues to consider are the design; the effect on the residential amenity of neighbouring occupiers; the environmental effects; and transportation effects.

5.13 Design

Although matters relating to scale, layout, appearance, and landscaping are reserved for future consideration, when assessing the principle of the development, it is necessary for the Design and Access statement to clearly explain the design principles and parameters to inform matters that are reserved.

5.14 Use/amount

The proposal is for an 80 bed care home, as well as 8 close care apartments (Use Class C2). The site area is approximately 0.74 hectares; the internal floor area of the care home proposed is approximately 5000 square metres; the external floor area is approximately 5700 square metres. The indicative plans and details submitted demonstrate a range of facilities including assisted bathrooms, hairdressing, beauty and multi-function rooms; a commercially operated kitchen and laundry. The bedrooms will be ensuite.

5.15 Layout

The applicant has highlighted the location of residential properties south, the substation to the north, and the topography of the site, which slopes down steeply from east to west as the main constraints for the proposal.

An indicative site plan, floor plans, as well as sections through the scheme have been submitted in support of the outline application. The details submitted indicate a building with the rear elevation extending almost the entire width of the site to provide a strong, continuous frontage to Woodlands Lane, which is welcomed. Amenity space is provided via a courtyard arrangement to the west of the scheme, and an additional safe garden to the east. Parking, the main access, and a service area are located to the north of the building, which is considered to be the correct approach to ensure that a strong frontage is provided along Woodlands Lane. The indicative plans address the topography of the site by being split level whereby there is a lower ground floor and an upper ground floor, which will allow for easier access into the building.

5.16 Scale

To the west of the site are single storey pre-fabricated retirement homes; to the south are two-storey residential properties; to the east is a single storey public

house. The existing office buildings in the site are two-storey with single storey wings, although permission was granted under application PT06/2916/F for a mansard style extension to Block B to form a second floor.

5.17 Indicative section plans for the care home demonstrate that it would be two storeys in height to the west, close to the boundary with single storey residential properties, and three storeys further to the east. The applicant has proposed a dormer window, and split level approach to ensure that the scale and mass of the building does not dominate its surroundings. It is considered that a care home of a scale indicated could be accommodated at the site without appearing adversely out of keeping with the character of the area in terms of scale and bulk.

5.18 Appearance

The applicant proposes a 'traditional approach' to architectural appearance in brick and render. There is no objection in principle to this approach given the location. However, policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013 requires proposals to enhance to character and distinctiveness of the site and context. A greater level of explanation was therefore, required of what this means and how it will be achieved. In response the agent has stated that the following will be undertaken at the reserved matters stage:

A context appraisal of local development in order to ascertain the predominant building techniques, architectural styles, materials and associated colour palettes; with this information then being used to establish the traditional architectural themes within the wider locality. This information will then be used to inform building design. This focus on traditionalism will also be supplemented with contemporary construction techniques, focused on health and well-being objectives appropriate to a health care scheme. The ultimate objective at reserved matters stage is to create an appropriate juxtaposition of 'traditional' and 'new', thereby enhancing the built form of the local area whilst meeting the core principle of sustainable development.

A condition is recommended, if permission is granted, to ensure that this is undertaken in any reserved matters application.

5.19 Landscaping

Policy CS25 of the Core Strategy requires new street trees along the main highways in the Bristol north fringe; the applicant has updated the indicate site plan to address this. It is proposed to retain the existing parking along the northern boundary of the site. There is a mixed native hedge, overgrown, with a number of semi mature oak trees along this boundary. This provides a screen with the electricity substation to the north. This planting should be retained and no foundations or additional car parking should be constructed with-in the root protection zones of the trees unless approved by one of the councils tree officers.

There is a degree of screen planting, including some mature oaks, which appear to be on both sides of the western boundary. This provides partial screening between the development site and Woodlands Park. An

Arboricultural Survey should accompany any forthcoming reserved matters applications, which should identify the quality and Root Protection Area (RPA) of the trees, to inform the layout of the proposal. The north western corner of the outline layout of the building is very close to the western boundary, which could result in pressure to remove some of the planting on the western boundary. The footprint of the building should be moved away from the western boundary, and a condition is recommended on this basis if permission is granted in the interests of the visual amenity of the area.

Consideration has been given to the layout to provide an internal courtyard area and a small open space between the care home and the car park. The external space should be screened from the car park, with trellis or railings and planting to provide a pleasant and safe garden area. The garden areas should include seating, well defined path ways, hand rails and raised beds. The planting should be carefully considered to have sensory and seasonal interest.

5.20 Transportation

The application is supported by a transport statement which demonstrates that the site is accessible by walking, cycling and public transport. The access is existing and serves offices which could potentially generate a greater number of vehicular movements than the proposed use. Accordingly, there are no transportation objections subject to a condition for details in respect of car parking, servicing, manoeuvring and cycle parking arrangements to be agreed with the Local Planning Authority. The Town Council's comments regarding insufficient parking are noted; however, the proposal falls within Use Class C2, and is therefore, required to be considered against maximum parking standards set out under policy T8 of the Local Plan. Significant weight is given to the fact that the Council's Transportation Officer has raised no objections to the proposal.

5.21 Environmental

Ecology

An ecological report (Wessex Ecological Consultancy dated February 2014) has been submitted with the application. There are no protected species issues associated with the site (the buildings are well-maintained with negligible potential to support bat roosts) and very little other ecological interest.

The only significant feature is a native hedgerow on the northern and western site boundaries. This links with other hedgerows and landscaped areas to the north and qualifies as Important under the Hedgerow Regulations 1997. The hedgerow does have potential to support nesting birds as do the small features of ornamental planting on the site.

The application is likely to have a negligible impact on biodiversity. However, the opportunity should be taken to include biodiversity enhancements within the new development in accordance with the recommendations within the ecological report. If permission is granted a condition is recommended for a landscape protection and enhancement plan to be agreed with the Local Planning Authority if permission is granted.

5.22 Archaeology

The site is located in an area that has seen a lot of disturbance due to the urban expansion. As such, it is unlikely that any below ground archaeology services. As such, there are no archaeological objections.

5.23 Contaminated Land

Historic maps identify a previous use of the site as a military anti-aircraft batter. This may have caused contamination which could give rise to unacceptable risks to the proposed development. Although the site has since been re-developed for residential purposes, this was constructed some decades ago and ground investigations may not have been undertaken to current standards. The site was the subject of a desk study inspection by the Council's Environmental Protection section in 2006/07 under the Council's Contaminated Land inspection program. This did not highlight any specific issues based on a visual inspection; however, it would be prudent to undertake a ground investigation for the re-development of the site. Accordingly, if permission is granted, a condition in respect of a ground contamination report is recommended if permission is granted.

5.24 Tree Impacts

A belt of mature trees and vegetation are located on the northern and western boundary. Whilst no arboricultural information has been submitted at this point to provide an assessment of the trees and identify the Root Protection Areas (RPA), officers are satisfied that a care home could be accommodated at the site without adversely impacting on the majority of the belt of trees. It may however, be necessary to increase the distance of the western elevation to the boundary to avoid the RPA of the trees. If permission is granted, a condition is recommended for arboricultural reports to be submitted with any reserved matters application, to inform the layout of the development.

5.25 Drainage

Wessex Water has stated that the proposal will necessitate the diversion of an existing sewer, which crosses the site; they have also indicated that there is current available capacity within the foul system to accommodate the predicted foul flows from the proposed development. These matters are outside the scope of this planning application. An informative is considered appropriate to inform the developer. If permission is granted, a condition is recommended for drainage details to be agreed with the Local Planning Authority in the interests of flood prevention and pollution control.

5.26 Residential Amenity

Residential properties are located to the south of the application site on the opposite side of Woodlands Lane, and to the west. Careful consideration is required as to whether a care home could be accommodated at the site without the amenities of occupiers being significantly adversely affected in terms of loss of natural light, outlook and privacy.

- 5.27 Appearance is not a matter that is under consideration at this point; however, it is expected that the southern elevation of the building will contain windows, which would directly face towards neighbouring properties to the south. The indicative plans submitted demonstrate a separation distance of approximately 22 metres at the closest point to the east of the site where the scale of the building is proposed to be three storeys in height. Accordingly, there will be some overlooking into neighbouring gardens; however, the separation distance and orientation of neighbouring properties is such that it is not considered that there will be a significant adverse effect in terms of inter-visibility. On balance, given that the indicative plans demonstrate the care home being set back from the front (southern) boundary, and a separation distance of 21 metres, it is not considered that any overlooking would not be to a degree where it would significantly adversely affect the living conditions of neighbouring occupiers. Weight is given to the fact that, situated to the south of the application site, neighbouring occupiers would not be significantly adversely affected in terms of loss of natural light. Although some windows in neighbouring properties to the south would directly face the proposed care home, it is considered that there is a sufficient level of separation to ensure that the outlook of occupiers would not be significantly adversely affected.
- 5.28 The neighbouring properties to the west of the application site are single storey pre-fabricated retirement homes. These properties generally benefit from very small, non-private, areas of outdoor space. In addition, the outlook of occupiers adjacent to the western boundary of the site is already affected by the existing office buildings. Notwithstanding this, the western elevation of the care home building shown on the indicative plans would extend very close to the flank boundary, and will be two storeys in height. Therefore, to ensure that the proposal does not have an unreasonable effect in terms of loss of natural light and enclosure, it will be necessary to increase the separation distance of the western elevation of the care home to the western flank boundary. Increasing the distance to the boundary will also improve the privacy of occupiers of the neighbouring properties. It is considered on balance, that the site could accommodate a care home without there being a significant adverse effect on the residential amenity neighbouring occupiers in terms of loss of natural light, outlook or privacy.
- 5.29 The objection that has been raised relating to the demolition of the buildings and the creation of noise, dust and traffic are noted. Therefore, if permission is granted, a condition on the basis of a Construction Environmental Management Plan (CEMP) is recommended to reduce the impacts of the development.
- 5.30 The indicative plans submitted demonstrate a courtyard garden, as well as a safe garden which will provide approximately 633 square metres of amenity space for residents. Officers are satisfied that there is sufficient open space to provide an adequate standard of amenity for occupiers.
- 5.31 Further Matters
It is noted that an objector has highlighted the fact that business parks will become more favourable to businesses due to parking issues in city centres, and that the demolition of the existing buildings cannot be in the interests of the

long term economy. However, weight is given to the fact that the buildings have largely remained vacant for a considerable period of time. According to the Council's Economic Development Officer, there is also an abundance of these types of offices in the area. National guidance set out in the NPPF is that Local Planning Authorities should avoid the long term protection of employment sites where there is no reasonable prospect of a site being used for that purpose. Issues relating to the loss of economic floor space have been carefully weighed and balanced elsewhere in the report. Whilst it is noted that future workers at the care home may require specialist skills; it is not unreasonable to consider that such people could live locally; weight is also given to the fact that the site is in a sustainable location and is well served by public transport. Weight is also given to the fact that the Council's Care Commissioning Manager supports the provision of a care home in this location.

5.32 Planning Obligations

The Community Infrastructure Levy Regulations 2010 (as amended) set out the limitations of the use of Planning Obligations (CIL). Essentially the regulations (regulation 122) provide 3 statutory tests to be applied to Planning Obligations and sets out that a planning obligation may only constitute a reason for granting planning permission for a development if the obligation is;

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

In this instance, it is considered that the planning obligations required to secure financial contributions towards library services are consistent with the CIL Regulations (Regulation 122).

5.33 Community Services Contributions

Public Art

The South Gloucestershire Council Arts Development Officer has requested that £7000 be secured from the applicant via a Section 106 agreement in respect of public art. However, there is clear guidance in the NPPG, which states that a planning obligation should not be sought where it is not necessary to make a development acceptable in planning terms, for instance, public art. Accordingly, a condition is more appropriate to ensure that a reserved matters application provides details on public art that will benefit and provide interest to residents. Such a condition is considered to be relevant and reasonable.

5.34 Public Open Space

The Public Open Spaces Officer has set out the minimum spatial requirements to comply with policy CS24 of the Core Strategy. Although the proposal does not meet the open space requirements provided by the POS Officer, the indicative plans submitted demonstrate a courtyard garden, as well as a safe garden which will provide approximately 633 square metres of formal outdoor space. There is also more informal open space around the perimeter of the proposed building. Officers are satisfied that there will be sufficient open space on site to serve occupiers. Where minimum policy standards cannot be

provided for onsite, contributions towards offsite provision and/or enhance and its associated future maintenance will be required. However, given the likely limited mobility of occupiers, there are no areas of open space, outdoor sports facilities, or allotments, within close proximity to the site that are likely to be used by occupiers of the care home. It has not been identified where any such contribution would be spent and it is considered that a planning obligation in respect of off-site contributions would not therefore, pass the tests for seeking planning obligations set out in the NPPF. Weight is also given to the fall back position whereby the buildings would be converted into residential accommodation under without planning permission under permitted development rights. Such a scheme would provide no recreational open space on site, and would likely generate more pressure on existing public open space due to the mobility of residents.

5.35 Libraries

Policy CS23 of the Core Strategy states that new development will be required to provide or contribute towards additional, extended or enhanced community and cultural infrastructure where it would generate a need for such facilities. In addition, policy CS6 states that all new development of a sufficient scale that would add to the overall demand and impact on infrastructure will be required to provide...infrastructure, services and community facilities to mitigate its impacts on existing communities and provide for the needs arising from the development, including financial contributions towards their maintenance where appropriate.

The Libraries Officer has highlighted the fact that the population increase arising from this development will place additional pressure on local library services, moving them further away from the standard for a modern library service. Extra demand will lead to increased use of library stock, and a reduction in the availability of stock and other facilities will lead to reduced satisfaction and people not using the library. In order to ameliorate this impact the Council has requested a financial contribution of £2,208 towards providing a care home library service to meet the needs of future residents.

South Gloucestershire Libraries provide regular deliveries of stock to care homes within the area to meet the reading needs of the residents. The contribution of £24 per resident has been calculated as follows: £10.00 per volume including servicing and acquisition costs as a start up collection, additional books £7,844 per 1,000, for next two years. [$£7.84 \times 2 \text{ years} = £15.68 + £7.84 = £24 \text{ rounded}$].

Future population of proposed care home	Contribution based on £24 per resident
92 residents	£2,208.00

The applicant has agreed in writing to the Officers request to enter into a unilateral undertaking to secure this money.

5.36 Education Contribution

Given the nature of the development it is not considered that it will result in additional pressure on existing schools in the local area. An obligation for a

contribution towards education would not therefore, past the tests for seeking planning obligations set out in the NPPF.

5.37 Affordable Housing

The design and access statement specifies that the care home will be for the elderly, including those with dementia; accordingly, taking into consideration the indicative plans submitted, Officers are satisfied that the proposal falls within Use Class C2. As such, there is no requirement for affordable housing to be provided in this instance.

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 outline 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 authority be delegated to the Director of Environment and Community Services to grant permission, 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:

The provision of £2,208 as a contribution towards library services. Reason – To accord with policies CS6 and CS23 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

- 7.2 That the Head of Legal and Democratic Services be authorised to prepare and seal the agreement.
- 7.3 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 Planning, Transport and Strategic Environment to refuse the application.

Contact Officer: Jonathan Ryan
Tel. No. 01454 863538

CONDITIONS

1. Approval of the details of the layout, scale and appearance of the building, 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

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

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

Reason

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

5. Application for the approval of the reserved matters shall be in accordance with the parameters described in the design and access statement hereby approved and additional information received on 23th June 2014; and shall include further information on how the scheme will promote energy conservation.

Reason

To ensure a high quality standard of design, which respects and enhances the character, distinctiveness and amenity of the area and to accord with policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

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

Monday - Friday.....7:30am - 6:00pm
Saturday.....8:00am - 1:00pm

No working shall take place on Sundays or Public Holidays.

The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any

maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

In the interests of the amenities of the area and to accord with policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

7. The reserved matters application shall demonstrate that no parts of the building will encroach into Flood Zones 2 or 3.

Reason

To ensure that the development is not at risk from flooding and to accord with policy EP2 of the South Gloucestershire Local Plan (adopted) January 2006 (saved policy); and policies CS5 and CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

8. The reserved matters application shall include an arboricultural report for trees that will be affected by the development to include a survey, tree constraints plan, tree protection plan, and a detailed method statements for works within Root Protection Areas (RPA).

Reason

In the interests of the character and visual amenity of the area and to accord with policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013; and policy L1 of the South Gloucestershire Local Plan (adopted) January 2006.

9. Prior to the commencement of the development details in respect of car parking, servicing (including waste management), manoeuvring, and cycle parking arrangements shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

Reason

To ensure that adequate parking and servicing arrangements are provided in the interests of highway safety and to accord with policy T12 of the South Gloucestershire Local Plan (adopted) January 2006 (saved policy).

10. The reserved matters application shall include a Landscape Protection and Enhancement Plan to include the biodiversity enhancements outlined by the Council's Ecological Officer.

Reason

To protect the wildlife and the ecological interests of the site and to accord with policy L9 of the South Gloucestershire Local Plan (adopted) January 2006; and policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

11. A) Previous historic uses(s) of the site may have given rise to contamination. Prior to commencement, an investigation (commensurate with the nature and scale of the proposed development) shall be carried out by a suitably qualified person into the previous uses and contaminants likely to affect the development. A report shall be

submitted for the written approval of the Local Planning Authority prior to the commencement of development.

B) Where potential contaminants are identified, prior to the commencement of development, an investigation shall be carried out by a suitably qualified person to ascertain the extent, nature and risks the contamination may pose to the development in terms of human health, ground water and plant growth. A report shall be submitted prior to commencement of the development for the written approval of the Local Planning Authority setting out the findings (presented in terms of a conceptual model) and identify what mitigation measures are proposed to address unacceptable risks. Thereafter the development shall proceed in accordance with any agreed mitigation measures.

C) Prior to occupation, where works have been required to mitigate contaminants (under section B) a report verifying that all necessary works have been completed satisfactorily shall be submitted to and agreed in writing by the Local Planning Authority.

D) If unexpected contamination is found after the development is begun, development shall immediately cease upon the part of the site affected. The Local Planning Authority must be informed immediately in writing. A further investigation and risk assessment should be undertaken and where necessary an additional remediation scheme prepared. The findings and report should be submitted to and agreed in writing to the Local Planning Authority prior to works recommencing. Thereafter the works shall be implemented in accordance with any further mitigation measures so agreed.

Note: An appropriate investigation is likely to include the following:

i) A comprehensive desk study to identify all potential sources of contamination both arising on-site and migrating onto site from relevant adjacent sources.

ii) A comprehensive ground investigation including sampling, to quantify the extent and nature of contamination.

iii) An appropriate risk assessment to determine the scale and nature of the risks to human health, groundwater, ecosystems and buildings arising from the contamination. This will normally be presented in the form of a conceptual model.

iv) A report detailing the remediation options including the final proposals for mitigating any identified risks to the proposed development.

v) All works should be carried out with reference to the most relevant, appropriate and up to date guidance.

Reason

To ensure that adequate measures have been taken to mitigate against contaminated land to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

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

Reason

To ensure an adequate means of drainage is provided and to accord with policy CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

13. The reserved matters application shall include section plans to show the relationship with existing residential properties to the south and west.

Reason

In the interests of the residential amenity of neighbouring occupiers and to accord with policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

14. Prior to the commencement of the development a site specific Construction Environmental Management Plan (CEMP) shall be agreed in writing with the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

For the avoidance of doubt, the CEMP shall address the following matters:

- (i) Procedures for maintaining good public relations including complaint management and public consultation
- (ii) Mitigation measures as defined in the British Standard BS 5228: Parts 1 and 2 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance. Piling will not be undertaken and Best Practice alongside the application of BS 5228 shall be agreed with the LPA.
- (iv) The use of a Considerate Contractors or similar regime for the site induction of the workforce highlighting pollution prevention and awareness.
- (v) Measures to control the tracking of mud off-site from vehicles.
- (vi) Measures to control dust from the demolition and construction works approved.
- (vi) Adequate provision of fuel oil storage, landing, delivery and use, and how any spillage can be dealt with and contained.
- (vii) Adequate provision for the delivery and storage of materials.
- (viii) Adequate provision for contractor parking.

Reason

In the interests of the residential amenity of neighbouring occupiers and to accord with policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

15. No development shall take place until a Waste Management Audit has been submitted to and approved by the Local Planning Authority in writing. The Waste Management Audit shall include details of:

- (a) The volume and nature of the waste which will be generated through the demolition and/or excavation process.
- (b) The volume of that waste which will be utilised within the site in establishing pre-construction levels, landscaping features, noise attenuation mounds etc.
- (c) Proposals for recycling/recovering materials of value from the waste not used in schemes identified in (b), including as appropriate proposals for the production of secondary aggregates on the site using mobile screen plant.
- (d) The volume of additional fill material which may be required to achieve, for example, permitted ground contours or the surcharging of land prior to construction.

(e) The probable destination of that waste which needs to be removed from the site and the steps that have been taken to identify a productive use for it as an alternative to landfill.

Development shall be carried out in accordance with the agreed details

Reason

To encourage the re-use of materials in the interests of sustainability and to accord with policy CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

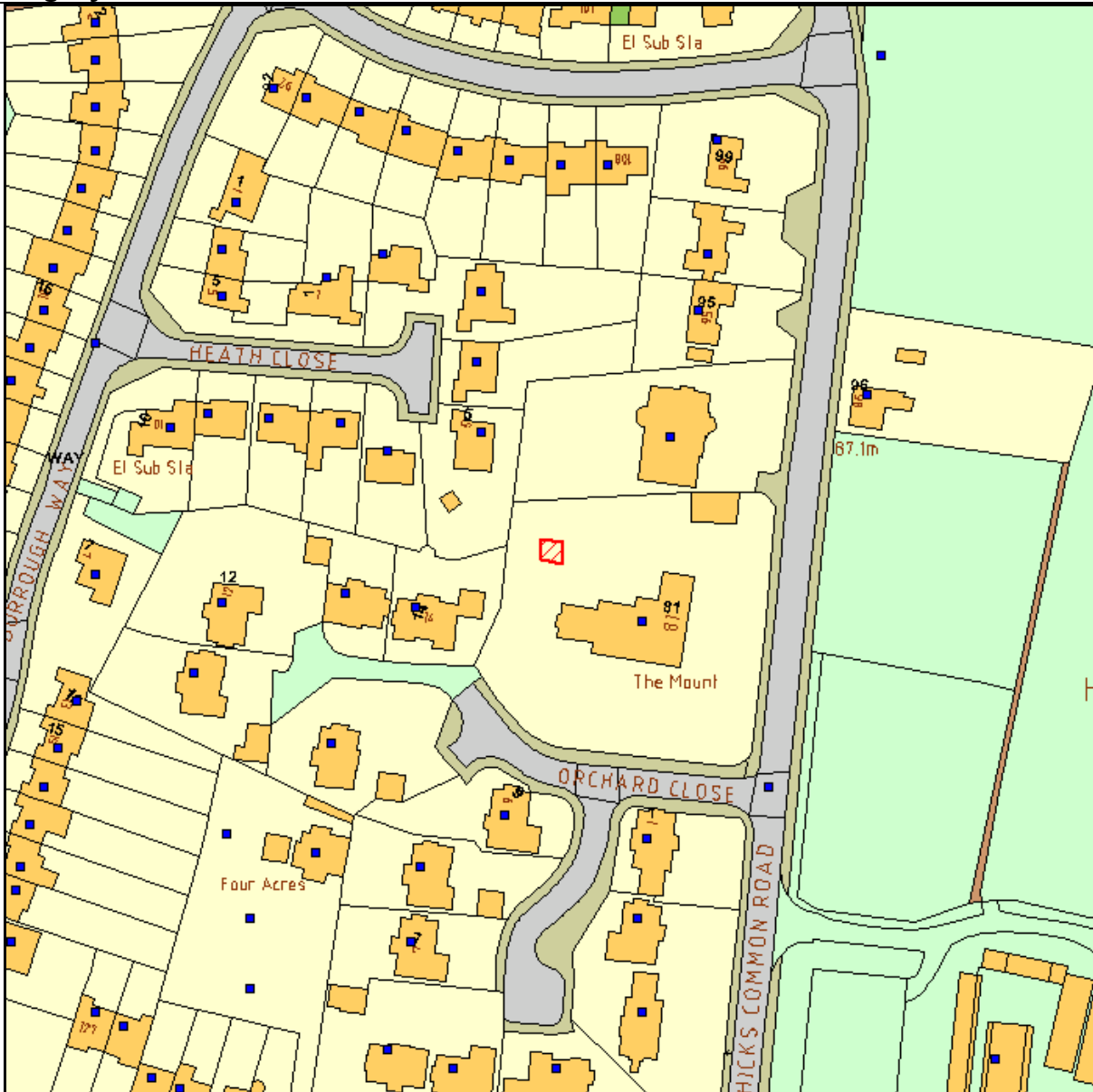
16. Any landscaping scheme proposed as part of reserved matters shall include planting, seating, well defined pathways, hand rails, raised beds and public art.

Reason

In the interests of the character of the area and the amenity of future occupiers and to accord with policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

CIRCULATED SCHEDULE NO. 26/14 - 27 JUNE 2014

App No.:	PT14/1698/TRE	Applicant:	Mr Leonard Handy
Site:	The Mount 81 Hicks Common Road Winterbourne Bristol South Gloucestershire BS36 1LH	Date Reg:	8th May 2014
Proposal:	Works to fell 1no. Leyland Cypress covered by Tree Preservation Order TPO404 dated 12 July 1989.	Parish:	Winterbourne Parish Council
Map Ref:	365409 180520	Ward:	Winterbourne
Application Category:		Target Date:	27th June 2014



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100023410, 2008.

N.T.S.

PT14/1698/TRE

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule because an objection has been received from the Parish Council contrary to the Officers recommendation.

1. THE PROPOSAL

- 1.1 This application seeks consent to fell 1no. 1no. Leyland Cypress Tree by Tree Preservation Order 04/04 dated 12 July 1989.
- 1.2 The application relates to a tree within the grounds of The Mount in Winterbourne.

2. POLICY CONTEXT

- 2.1 National Guidance
The Town and Country Planning Act 1990
The Town and Country Planning (Tree Preservation) (England) Regulations 2012

3. RELEVANT PLANNING HISTORY

- | | | |
|-----|------------|---|
| 3.1 | P89/2815 | Erection of 18 detached houses and garages; construction of vehicular and pedestrian access. (In accordance with the amended plans received by the council on 20TH december 1989) |
| | Approved | March 1990 |
| 3.2 | P89/2819/L | Demolition of existing workshop and pantry. Demolition of chimney stack and renovation of remaining stacks. Conversion of existing kitchen and utility room to form garage and installation of new garage doors. Demolition of stable block and part of boundary wall to facilitate construction of new vehicular and pedestrian access and erection of 16 detached houses and garages (in accordance with the amended plans received by the council on 5TH april 1990) |
| | Approved | April 1990 |
| 3.3 | P92/2292/T | Works to six trees and felling of six sycamore trees included within the northavon district council (the mount, hicks common road, winterbourne) tree preservation order 1989 |
| | Approved | October 1992 |
| 3.4 | P96/1453/T | Works to trees covered by Northavon District Council (The Mount, Hicks Common Road, Winterbourne) Tree Preservation Order 1989 |

	Approved	April 1996
3.5	P96/2159/T	Felling of one 'Taxus' tree covered by Northavon District Council (The Mount, Hicks Common Road) Tree Preservation Order 1989
	Refused	December 1996
3.6	PT03/1410/TRE	Works to 2no. Robinia trees, 1no. lime tree and Leylandii screen
	Approved	June 2003
3.7	PT04/0995/TRE	Works to fell 1no. Sycamore tree
	Approved	April 2004
3.8	PT07/1329/TRE	Works to fell 1no. Robinia tree
	Approved	June 2007
3.9	PT08/0682/TRE	Works to fell 1no. Ash tree
	Approved	April 2008
3.10	PT13/3663/TRE	Works to 13no. trees
	Approved	November 2013
3.6	PT14/0210/TRE	Works to fell 1no Sycamore tree and reduce height by 2.5 metres of 1no Robinia tree.
	Approved	March 2014

4. **CONSULTATION RESPONSES**

- 4.1 Winterbourne Parish Council
Objection: the committee would like a report from the arboriculturist concerning the reason for the removal of the tree
- 4.2 Tree Officer
No objection

Other Representations

- 4.3 Local Residents
None received

5. **ANALYSIS OF PROPOSAL**

- 5.1 This application seeks consent to undertake works to a protected tree.
Principle of Development
- 5.2 The only issues to consider are whether the proposed works would have an adverse impact on the health, appearance, or visual amenity offered by the tree to the locality and whether the works would prejudice the long-term retention of the specimen.

Consideration of Proposal

- 5.3 The proposal is to fell 1 no. Leylandii tree growing in the rear garden of the Mount, a residential dwellinghouse. A blanket Tree Preservation Order covers several trees growing within the garden. This order was issued as part of a development of 18no. houses in 1989. The tree in question was planted after this event by the owners of the property. The Council's Tree Officers have assessed the tree and state that if the TPO was to be individualised in respect of each tree within the garden, the Leylandii tree subject of this application would not warrant an individual order. The tree is a small specimen and cannot be seen from the public highway given the high boundary walls surrounding the site.

For this reason Officers do not object to its removal, particularly as there is a variety of high amenity trees growing within the curtilage of the property. Given the above, this is also the reason that Officers are not requesting a re-plant to mitigate for the loss of this tree.

- 5.4 For the reasons set out above, there are no objections to this application and consent for the felling should be granted.

6. RECOMMENDATION

- 6.1 Consent is GRANTED subject to the conditions written on the decision notice.

Contact Officer: Anne Joseph
Tel. No. 01454 863788

CONDITIONS

1. The works hereby authorised shall be carried out within two years of the date on which consent is granted (or other appropriate timescale).

Reason

In the interests of the long term health of the tree, and to accord with The Town and Country Planning (Tree Preservation) (England) Regulations 2012

2. The works hereby authorised shall comply with British Standard 3998: 2010 - Recommendations for Tree Work.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of the health and visual amenity of the tree, and to accord with The Town and Country Planning (Tree Preservation) (England) Regulations 2012

CIRCULATED SCHEDULE NO. 26/14 – 27 JUNE 2014

App No.:	PT14/1716/TRE	Applicant:	Mr Colin Purchase
Site:	22 Kelbra Crescent Frampton Cotterell South Gloucestershire BS36 2TS	Date Reg:	19th May 2014
Proposal:	Works to crown lift 2 no. Oak trees to 7 m and thin by 20% and reduce mixed native hedge by 50% to South Glos Tree Preservation Order (Windmill Hill Park Lane Frampton Cotterell) 01/10 dated 13th July 2010.	Parish:	Frampton Cotterell Parish Council
Map Ref:	366759 180935	Ward:	Frampton Cotterell
Application Category:		Target Date:	10th July 2014



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PT14/1716/TRE

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

The application has been submitted to the Council's Circulated Schedule process due to an objection contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 The application seeks consent for works to crown lift 2no. Oak trees to 7 metres and to thin by 20%, and also reduce a mixed native hedge to 50%. The trees and hedge are covered by a South Gloucestershire Tree Preservation Order 01/10 dated 13th July 2010.
- 1.2 The trees and hedge are situated along the western boundary of 22 Kelbra Crescent, Frampton Cotterell.

2. POLICY CONTEXT

- 2.1 National Guidance
The Town and Country Planning Act 1990
The Town and Country Planning (Tree Preservation) (England) Regulations 2012

3. RELEVANT PLANNING HISTORY

- 3.1 P96/2971 – Erection of 197 residential houses including 40 affordable houses, village green, public open space, estates roads and associated works.
Approve with conditions on 27/10/1997

4. CONSULTATION RESPONSES

- 4.1 Frampton Cotterell Parish Council
Objection, unless the Tree Officer is happy with the proposal.

- 4.2 Other Consultees

Tree Officer

No objection to hedge reduction to give a final height of not less than 2.5 metres and to thin 2 no. Oak trees by 20%. Objects to the 7 metre crown lift.

Other Representations

- 4.3 Local Residents

One letter of objection was received, stating the following:

- Few trees in vicinity so part removal of these trees will affect amenity value
- Reducing the trees will prevent colonisation of birds; there are few song birds in the area at present
- Bats have been seen in the area during the summer and it may be a bat roost

- Resident wants assurance that the proposal will not affect the long term health and amenity of the trees and hedge
- Uncertain whether the applicant has ownership of the trees
- Previous applications in this row have been refused
- Owners of the property were aware of the trees when they purchased the property and should have been aware of the implications and responsibilities of being bounded by mature trees and hedges

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The only issue to consider in this application is whether the proposed works will adversely affect the health and appearance of a tree, which makes a significant contribution to the character and visual amenity of the area.

5.2 Consideration of Proposal

The Oaks stand in the hedgerow situated to the west of the property. The hedgerow is covered by a planning condition put in place as part of the permission to develop Kelbra Crescent (application ref. P96/2971). Crown lifting is the removal of all or parts of branches to achieve a vertical clearance above ground level. In this case the desired clearance of 7 metres is considered excessive by the Council's Tree Officer. Pruning back to the stem should be avoided in favour of cutting back or removing secondary branches. This reduces the chances of wounding and decaying of the main stem. Therefore, the Council objects to the crown lift aspect of the proposal.

5.3 Crown thinning is acceptable provided the operation is carried out systematically and an even amount of material is removed from throughout the crown, not just the centre. Removal of branches to the main stem should be avoided, but otherwise it is considered that the 20% thinning proposed to the 2no. Oak trees is acceptable.

5.4 Trimming of the hedge can be seen as good management as it allows the hedge to grow from all parts. Unmanaged hedgerows can become "leggy" with sparse lower growth when light is unable to get into the lower areas of the hedge. The hedge to the side of no.22 varies in height so it is felt that a final height should be specified as no lower than 3.5 metres. This will be achieved by the means of a condition on the decision notice.

6. RECOMMENDATION

6.1 A split decision is issued for the following:

Consent is **GRANTED** for the proposed 20% thinning of the 2 no. Oaks trees and to reduce the mixed native hedge and consent is **REFUSED** for the crown lift of 7 metres to the 2 no. Oak trees.

Contact Officer: Trudy Gallagher
Tel No. 01454 862217

Part refusal Reason

1. **The work proposed to the tree is considered to be excessive and could potentially have a detrimental effect on the health of the tree and the visual amenity of the area contrary to The Town and Country Planning (Tree Preservation) (England) Regulations 2012**

CONDITIONS

1. The works hereby authorised shall be carried out within two years of the date on which consent is granted .

Reason

In the interests of the long term health of the tree, and to accord with The Town and Country Planning (Tree Preservation) (England) Regulations 2012

2. The works hereby authorised shall comply with British Standard 3998: 2010 - Recommendations for Tree Work.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of the health and visual amenity of the tree, and to accord with The Town and Country Planning (Tree Preservation) (England) Regulations 2012

3. The works to the reduced mixed native hedge hereby approved shall not reduce the height of the hedge to less than 3.5 metres.

Reason

In the interests of the visual amenity of the area, and to accord with The Town and Country Planning (Tree Preservation) (England) Regulations 2012

CIRCULATED SCHEDULE NO. 26/14 – 27 June 2014

App No.:	PT14/1726/F	Applicant:	Mr & Mrs Charlie and Ann Cole
Site:	Washing Pool Lodge Main Road Easter Compton South Gloucestershire BS35 5RE	Date Reg:	15th May 2014
Proposal:	Erection of single storey rear extension to provide additional living accommodation.	Parish:	Almondsbury Parish Council
Map Ref:	356890 182761	Ward:	Almondsbury
Application Category:	Householder	Target Date:	7th July 2014



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REASONS FOR REPORTING TO THE CIRCULATED SCHEDULE

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

THE PROPOSAL

- 1.1 The application is for the erection of a single storey rear extension to the existing dwelling. The extension would be approximately 5 metres long with a lean-to roof against the back wall of the existing house.
- 1.2 The property is a detached dwelling and is located within the village boundary of Easter Compton. Easter Compton is 'washed over' by the Green Belt, the site is therefore located within the designated Green Belt.

2. POLICY CONTEXT

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

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

3. RELEVANT PLANNING HISTORY

- 3.1 PT04/0560/F – Erection of 3 dwellings. Approved 2nd June 2004.

4. CONSULTATION RESPONSES

- 4.1 Almondsbury Parish Council
No objections

Drainage

No objections in principle, but the following observations are made:
The application site has been assessed as being within the Environment Agency Standing Advice Developments and Flood Risk Matrix (January 2009) Flood Zone 3 as Development category 'Householder development and alterations'. No objection will be made but the Council, in accordance with

standard advice, requires submission of flood risk mitigation measures in accordance with the EA Form 'Householders and other minor extensions in Flood Zones 2 & 3'. See attached SGC Flood Mitigation Form which must be returned to form part of the application.

N.B. An E.A. Householders Flood Risk Form has been completed and submitted with the application.

Archaeological Officer

Although within an area of archaeological potential, the proposals are modest and the area is likely to have been affected by previous ground disturbance and construction activity. As such there is no archaeological objection.

Other Representations

4.2 Local Residents

One letter of objection has been received. The objections were on the following basis:

- Concerns over the distance of the extension to the boundary fence. The property sits at an angle to their garden and the proposal will be sitting on the boundary fence. It has been said that the fence will need to be taken down and the footings of the proposal may also dislodge their patio, which the objectors do not find acceptable.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policy H4 of the South Gloucestershire Local Plan (Adopted) 2006 advises that proposals should respect the massing, scale, proportions, materials and overall design of the existing property and the character of the street scene and surrounding area, they shall not prejudice the amenities of nearby occupiers, and shall not prejudice highway safety nor the retention of an acceptable level of parking provision or prejudice the retention of adequate amenity space.

5.2 Green Belt

The site is located in the designated Green Belt. Green Belt policy seeks to protect the openness of the Green Belt. Residential extensions are considered appropriate forms of development in the Green Belt unless they are considered disproportionate. In this instance the proposals are considered to be of an acceptable scale in relation to the existing dwelling addition as such and do not impact upon the openness of the Green Belt and are therefore not considered inappropriate development.

5.3 Design / Visual Amenity

The proposed extension is of an appropriate standard in design and is not out of keeping with the character of the main dwelling house and surrounding properties. The extension is of an acceptable size in comparison to the existing dwelling and the site and surroundings. Materials used would match those of the existing dwelling.

5.4 Residential Amenity

Given the length, size and location of the extension and its relationship in context with the neighbouring property, it is not considered that it would give rise to any significant or material overbearing impact. Further to this sufficient garden space remains to serve the property.

5.5 Any issues of requiring access as part of the building process or subsequent maintenance onto land not within the applicants control would be primarily civil legal matters between owners. The granting of planning permission does not permit the use of land not within the applicants control or the removal of boundaries not within their ownership, or damage to other property.

6. CONCLUSION

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

6.2 The proposed extension is of an appropriate standard in design and is not out of keeping with the main dwelling house and surrounding properties. Furthermore the proposal would not harm the amenities of the neighbouring properties by reason of loss of privacy or overbearing impact. As such the proposal accords with Policies H4 of the South Gloucestershire Local Plan (Adopted) 2006 and CS1 of South Gloucestershire Local Plan (Adopted) December 2013.

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

7. RECOMMENDATION

7.1 That planning permission is granted.

Contact Officer: Simon Ford
Tel. No. 01454 863714

CONDITIONS

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

Reason

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

2. The 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 H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and Policy CS1 of the South Gloucestershire Local Plan Core Strategy Adopted December 2013.

3. The hours of working on site during the period of construction shall be restricted to 08.00 - 18.00 on Mondays to Fridays and 08.00 - 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 protect the amenities of the occupiers of nearby dwelling houses, 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.

CIRCULATED SCHEDULE NO. 26/14 – 27 JUNE 2014

App No.:	PT14/1882/CLP	Applicant:	Mr And Mrs M Cole
Site:	1 Olive Gardens Alveston Bristol South Gloucestershire BS35 3RE	Date Reg:	20th May 2014
Proposal:	Certificate of lawfulness for the proposed erection of single storey rear extension	Parish:	Alveston Parish Council
Map Ref:	362964 187658	Ward:	Thornbury South And Alveston
Application Category:	Minor	Target Date:	10th July 2014



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PT14/1882/CLP

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The applicant is seeking a formal decision as to whether the proposed erection of a single storey rear extension at 1 Olive Gardens, Alveston would be lawful. This is based on the assertion that the proposal falls within the permitted development rights normally afforded to householders under the Town and Country Planning (General Permitted Development) Order (As Amended) 1995.
- 1.2 This application is a formal way of establishing whether the proposal requires planning permission or not. Accordingly there is no consideration of planning merit, the decision is based on the facts presented.
- 1.3 A parapet wall situated on top of a shared party wall was included on a superseded plan. This was later omitted once the applicant was informed by the Officer that development which encroaches onto land not owned by the applicant would not be considered permitted development.

2. POLICY CONTEXT

- 2.1 National Guidance
Town and Country Planning Act 1990 (As Amended) 1990 section 192
Town and Country Planning (General Procedures) Order 1995 Article 24 Town and Country Planning (General Permitted Development) Order (GPDO) (As Amended) 1995

3. RELEVANT PLANNING HISTORY

- 3.1 PT09/0633/F Approve with conditions 13/05/2009
Erection of two storey side and single storey front extension to provide storage area, porch and additional living accommodation.

4. CONSULTATION RESPONSES

- 4.1 Alveston Parish Council
No objection.
- 4.2 Other Consultees

Councillor
No comment received.

Highway Drainage
No comment.

Other Representations

- 4.3 Local Residents
None received.

5. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

- 5.1 Drawing titled 'Proposed Single Storey Rear Extension', Rev A. dated 21/04/2014, received on 20th June 2014. Email from agent regarding materials; received 24th June 2014.

6. ANALYSIS OF PROPOSAL

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 permission. Accordingly there is no consideration of planning merit, the application is based on the facts presented. The submission is not a application for planning permission and as such the development plan is not of relevance to the determination of this application; the decision rests upon the evidence that has been submitted. If the evidence submitted demonstrates that the proposed use is lawful, on the balance of probabilities, the Local Planning Authority must grant a certificate confirming 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 GPDO (As Amended) 1995.

- 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 the Town and Country Planning (General Permitted Development) Order (As Amended) 1995. (The enlargement, improvement or other alteration of a dwellinghouse). This allows for the erection or construction of a an extension subject to the following:

A.1 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 extension would not exceed 50% of the total area of the curtilage.
- (b) **The height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;**

The maximum height of the proposal would not exceed the maximum height of the existing dwellinghouse.

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

The height of the eaves of the proposal would not exceed the eaves of the existing dwellinghouse.

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

(i) **fronts a highway, and**

(ii) **forms either the principal elevation or a side elevation of the original dwellinghouse;**

The proposal does not front a highway, nor does it form the principle elevation or side elevation of the dwellinghouse. The proposal therefore meets this criterion.

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

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

(ii) **exceed 4 metres in height;**

The proposal has a single storey and extends beyond the rear wall of the dwellinghouse by 3 metres, and is 3 metres in height at the highest part. The proposal therefore meets the criterion for a semi detached dwelling.

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

The proposal is single storey.

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

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

- (h) **The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would:**

(i) **exceed 4 metres in height**

(ii) **have more than one storey, or**

(iii) **have a width greater than half the width of the original dwellinghouse; or**

The proposal does not extend beyond the side elevation of the dwellinghouse.

- (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 on article 1(5) land.

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 plans state that the proposed walls will be finished in render which matches the original dwelling. The agent confirmed via email that all other external materials used will be of a similar appearance to the existing dwelling. The proposal therefore meets this condition.
- (b) **Any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse shall be—**
 - (i) **obscure-glazed, and**
 - (ii) **non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed; and**

The proposal does not include the installation of any upper floor windows.
- (c) **Where the enlarged part of the dwellinghouse has more than one storey, the roof pitch of the enlarged part shall, so far as**

practicable, be the same as the roof pitch of the original dwellinghouse.

The proposal is single storey.

7. RECOMMENDATION

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

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

Contact Officer: Trudy Gallagher
Tel. No.