



**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. 18/15

Date to Members: 01/05/15

Member's Deadline: 08/05/15 (4:30pm)

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 Environment of Community Services know within 5 working days of the date of this Schedule (e.g., if the schedule is published on a Friday, comments have to be received by the end of Thursday) (see cover page for the date).

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

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

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

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

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

GUIDANCE FOR 'REFERRING' APPLICATIONS

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

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

Dates and Deadlines for Circulated Schedule
During May Bank Holidays 2015

Schedule Number	Date to Members 9am on	Members Deadline
18/15	Friday 01 May 2015	Friday 08 May 2015 4.30pm
19/15	Friday 08 May 2015	Thursday 14 May 2015 5pm
20/15	Friday 15 May 2015	Thursday 21 May 2015 5pm
21/15	Friday 22 May 2015	Friday 29 May 2015 4.30pm
22/15	Friday 29 May 2015	Thursday 04 June 2015 5pm

For clarity I have highlighted those schedules in RED which have changed deadlines.

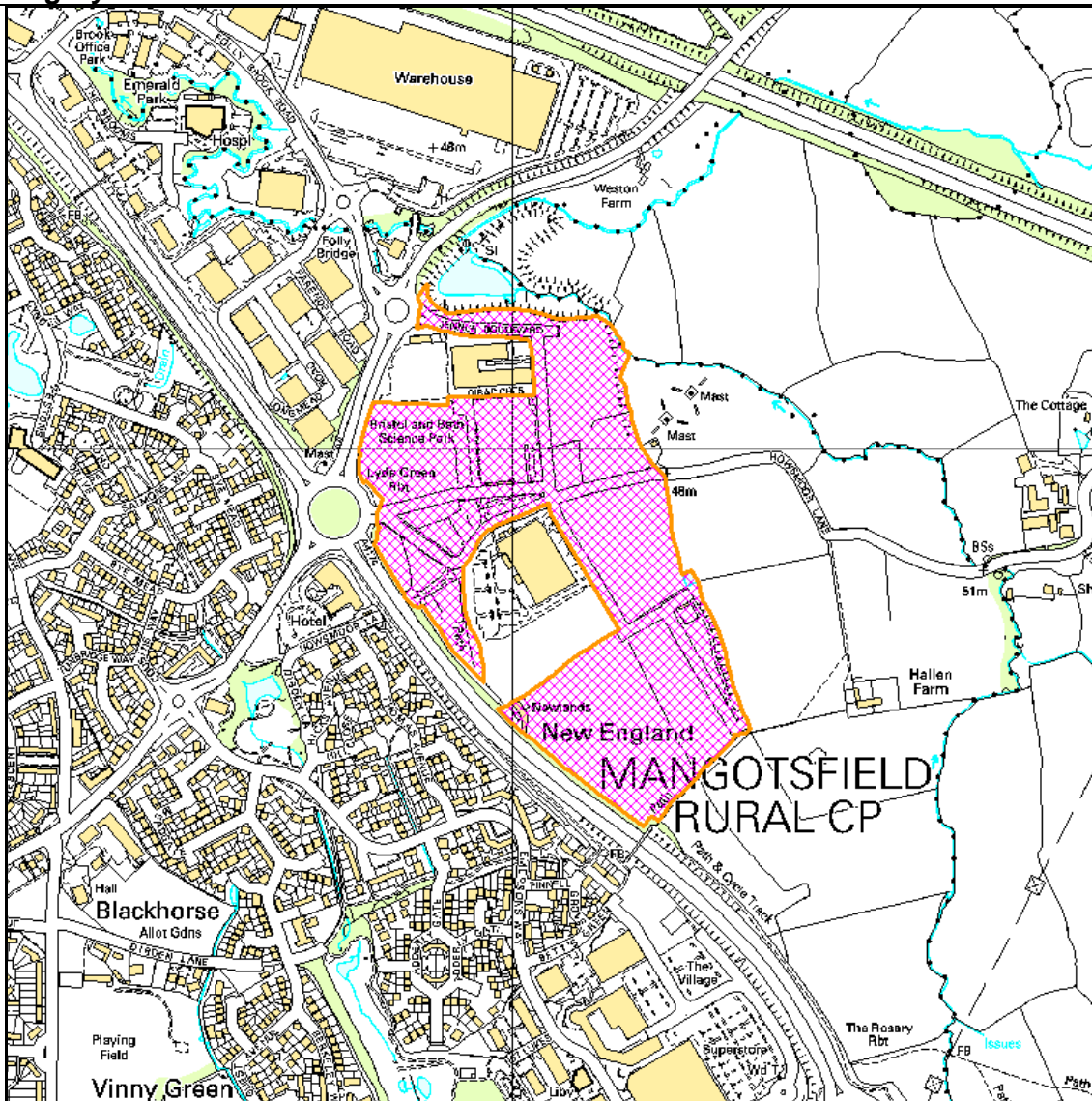
All other dates remain as usual.

CIRCULATED SCHEDULE - 1 May 2015

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK13/2502/O	Approve with Conditions	Bristol And Bath Science Park Dirac Crescent Emersons Green South Gloucestershire BS16 7FR	Emersons	Mangotsfield Rural Parish Council
2	PK14/2823/F	Approve with Conditions	Barn Opposite Post Box Cottage Orange End Inglestone Common Badminton South Gloucestershire GL9 1BP	Cotswold Edge	Hawkesbury Parish Council
3	PK14/3282/F	Approve with Conditions	Land Opposite Post Box Cottage Orange End Inglestone Common Badminton South Gloucestershire GL9 1BP	Cotswold Edge	Hawkesbury Parish Council
4	PK15/0433/F	Approve with Conditions	131 High Street Staple Hill South Gloucestershire	Staple Hill	None
5	PK15/1050/F	Approve with Conditions	105 Gloucester Road Staple Hill South Gloucestershire BS16 4SP	Staple Hill	None
6	PK15/1163/F	Approve with Conditions	74 Burley Grove Mangotsfield South Gloucestershire BS16 5PZ	Rodway	None
7	PT13/1973/F	Approve	6 Frampton End Road Frampton Cotterell South Gloucestershire BS36 2JZ	Frampton Cotterell	Frampton Cotterell Parish Council
8	PT14/3924/F	Approve with Conditions	The Barns Lower Huntingford Charfield South Gloucestershire GL12 8EX	Charfield	Charfield Parish Council
9	PT14/4954/RM	Approve with Conditions	Parcels 40, 47 And 48 Charlton Hayes Filton South Gloucestershire BS34 5DZ	Patchway	Patchway Town Council
10	PT15/0627/F	Approve with Conditions	Laurel Farm Itchington Road Tytherington South Gloucestershire BS35 3TQ	Ladden Brook	Tytherington Parish Council
11	PT15/0644/F	Approve with Conditions	2 Kenmore Grove Filton South Gloucestershire BS7 0TW	Filton	Filton Town Council
12	PT15/0701/F	Approve with Conditions	The Bungalow Moor Lane Tockington South Gloucestershire BS32 4LS	Severn	Olveston Parish Council
13	PT15/0991/F	Approve with Conditions	Kayles House Camp Road Oldbury On Severn South Gloucestershire BS35 1PR	Severn	Oldbury-on-Severn Parish Council
14	PT15/1041/F	Approve with Conditions	Pilning Village Hall Cross Hands Road Pilning South Gloucestershire BS35 4JB	Pilning And Severn Beach	Pilning And Severn Beach Parish Council
15	PT15/1086/F	Approve with Conditions	16 Armstrong Close Thornbury South Gloucestershire BS35 2PQ	Thornbury South And	Thornbury Town Council

CIRCULATED SCHEDULE NO. 18/15 – 1 MAY 2015

App No.:	PK13/2502/O	Applicant:	Quantum Property Partnership
Site:	Bristol And Bath Science Park Dirac Crescent Emersons Green South Gloucestershire BS16 7FR	Date Reg:	22nd July 2013
Proposal:	Outline planning application for 52,276 sqm of B1, ancillary B2 and/or B8 (all matters reserved).	Parish:	Mangotsfield Rural Parish Council
Map Ref:	366947 178101	Ward:	Emersons Green
Application Category:	Major	Target Date:	6th November 2013



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 100023410, 2008. N.T.S. PK13/2502/O

REASON FOR REPORTING TO CIRCULATED SCHEDULE

In accordance with the Council's Scheme of Delegation, although this application can be considered a renewal of a previous consent for the remainder of the Science Park development, in light of the effects of the development having more than local importance, this application is hereby reported to the Circulated Schedule.

1. THE PROPOSAL

- 1.1 This application seeks outline planning permission with all matters reserved for the provision of 52,275 square metres of B1, ancillary B2 and B8 uses as part of the Bristol and Bath Science Park development.
- 1.2 The proposed scheme can be considered a renewal of a previous consent for the Science Park across a 17.78 hectare site which had been previously identified as Area C West in the Emersons Green mixed use development masterplan. Originally, consent was approved in 1999 and the masterplan was modified and renewed in 2008. It can however be noted that the commitment to redeveloping land at Emersons Green for mixed use development was first identified in the 1985 Avon Country Structure Plan which was then carried forward into both the Kingswood and Rural Areas Local Plans in 1991. These plans were eventually replaced by the South Gloucestershire Local Plan which reinforced support for a Science Park in Area C.
- 1.2 The main material difference between this application and the applications in 2000 and 2008 is that following the development of the Innovation Centre and the National Composite Centre (NCC), the site area now seeking approval has reduced from 77,000m² to 52,276m². The previous S106 agreement did seek to restrict 27,870m² of the Science Park for "Science Related Uses" only; the development of the NCC and Innovation Centre can however be considered to have met this requirement. Although the Innovation Centre and the NCC can therefore be considered to be a partial implementation of the original outline permission, due to a condition attached to the original consent that required the quantum of development approved at outline stage to be implemented within 10 years from the date of consent, the approval subsequently lapsed. For clarity the application in 2007 merely amended the masterpan plan and S106 and did not seek to formally renew the consent, therefore the consent expired in 2010 despite being partially implemented.
- 1.3 Since the current application has been submitted, the design and layout principles have been further clarified through the submission of various addendums and compliance with the Environmental Statement has also been secured.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012
Planning (Listed Buildings and Conservation Areas) Act 1990

2.2 Development Plans

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

CS1	High Quality Design
CS4a	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS7	Strategic Transport Infrastructure
CS8	Improving Accessibility
CS9	Managing the Environment and Heritage
CS11	Distribution of Economic Land

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

E1	Proposals for Employment Development and Mixed Use Schemes including Employment Development
E3	Criteria for Assessing Proposals for Employment Development within the Urban Area and Defined Settlement Boundaries
EP2	Flood Risk and Development
EP4	Noise Sensitive Development
M2	Site 5 Major Mixed Use Development Proposals at Emersons Green East
L1	Landscape Protection and Enhancement
L9	Species Protection
L11	Archaeology
L12	Listed Buildings
T8	Parking Standards
T12	Transportation Development Control Policy for New Development

3. RELEVANT PLANNING HISTORY

- 3.1 PK12/4178/F Erection of buildings consisting of 6,168m² of B1(b) Workshop and Manufacturing space, 852m² of D1 Teaching/Training and Conference space, 619m² of B1(a) Office space and 2,333m² of Ancillary uses (cycle hub, plant, social and circulation space) with revised access arrangements, additional car parking, landscaping and associated works. (NCC phase 2). Approved 31.01.13
- 3.2 PK10/0774/F Erection of buildings consisting of 5,246m² of B1(b) workshop, 2,328m² of B1(a) office space and 303m² of ancillary uses with car parking, landscaping and associated works. Approved 30.06.10
- 3.3 PK07/2755/VAR Bristol & Bath Science Park Emersons Green East Area C West. Modification of Section 106 agreement dated 22 March 2000 attached to planning permission P95/4605 (K7284/2) to enable development of the site to take place in the context of a revised masterplan, which is supported by an Environmental Statement. Approved 15.05.08
- 3.4 PK01/2935/RM Approval of reserved matters details: design, siting, external appearance, landscaping and means of access for a building (the Innovation Centre) for the purpose of scientific research and development (outline application no. K7284/2 & P95/4605).

3.5 P95/4605 Science Park and Associated Works (outline). Approved 14.12.99

4. CONSULTATION RESPONSES

4.1 Mangotsfield Parish Council
No objection

4.2 Other Consultees – External

The Coal Authority

Within their initial response (dated 12th August 2013) the Coal Authority objected to the proposed scheme on the ground of a lack of a coal mining assessment report.

Following the submission of a coal mining assessment report, in a consultation response dated 5th November 2014, the Coal Authority confirmed it concurred with the report's findings but recommended approval be granted subject to a condition requiring intrusive investigations.

The Environment Agency

In a consultation letter dated 16th September 2013, the EA confirmed that there was no objection subject to a number of drainage conditions being attached to any consent:

Highways England (HE) formerly the Highways Agency

Due to concerns regarding a lack of information regarding the impact the development would have on the strategic road network, in their initial response the Highways Agency issued a TR110 direction of non-approval.

Following the submission of further information regarding traffic flow rates, modelling, travel plan framework and agreement that the extent of B1a office space will be limited, in a letter dated 26th February 2015, HE confirmed the lifting of their direction non-approval subject to the following conditions:

1. The overall development associated with planning application PK13.2502/O for the remainder of the Bristol and Bath Science Park shall comprise of a maximum of 20,000sqm of office (B1a) gross external floor area.

Reason:

In order to ensure that traffic generation from the development remains within levels that have been assessed and found acceptable and to ensure that the free flow of the M32, M4 and M5 in the vicinity of the site is maintained in accordance with Circular 02/2013: The Strategic Road Network and the Delivery of Sustainable Development.

2. Prior to the development of any building within the site hereby approved, the Framework Travel Plan as submitted dated October 2014, shall be updated to include modal shift targets, objectives, measures and a programme of implementation, monitoring and review, and shall be submitted to and approved in writing by the Local Planning Authority (in consultation with the

highways authorities) and thereafter operated in accordance with the approved details.

Reason:

To minimise the use of the private car and promote the use of sustainable modes, to ensure that there will be no unacceptable detrimental impact on the operation and safety of the strategic road network. For the avoidance of doubt, this condition applies to all occupiers of the development hereby approved.

4.3 Other Consultees – Internal

Archaeology

No objection subject to a recommended condition.

Environment Protection

No objection subject to a number of suggested conditions.

Ecology

No objection subject to a condition requiring an landscape and ecological masterplan.

Public Rights of Way

No objection in principle, but at detailed stage details of how public footpath PMR12 is to be affected as a result of the long term proposals will be required. For the avoidance of doubt, no change of levels, surface or route will be permitted without the permission of the PROW Section and so it is advised the applicant to discuss these matters with Officers at their earliest convenience to avoid undue delay at the construction stage.

Streetcare

No objection

Other Representations

4.3 Local Residents

No consultation responses were received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The principle of development can be considered accord with criterion A of Policy M2 of the SGLP and has been established and partially implemented through two previous consents although due to the time constraint condition attached to the original outline consent the consent lapsed.

5.2 In light of the long-standing policy allocation of this site and the recent planning history, the principle of the proposed development is considered to be both acceptable and established.

- 5.3 Although the application seeks outline consent with all matters reserved, the design principles of a number of issues will be discussed below along with the impact of the development upon the surrounding highway network.
- 5.4 The issue of the “amount” of development is not a reserved matter. However again in light of the planning history there are no objections in principle to the scale of floor space proposed although to address transportation concerns raised by the HA, some the uses proposed will need to be restricted.

Design, Layout and Scale

- 5.4 A proposed indicative layout has been submitted which accords with the site masterplan previously approved. There are therefore no objections in principle to the layout, but the original submission contained insufficient design parameters or principles that could adequately inform future reserved matters applications.
- 5.5 To address this the Design and Access Statement was amended to include “illustrative test plot” layouts to help establish a number of layout principles in respect of access, parking, building relationships to boundaries and landscaping. This has been supplemented though the submission of an addendum to pick up treatment of features such as the Folly Bridleway, a PROW and (as discussed below) the setting of the grade II Newlands farmhouse.
- 5.7 The DAS also includes a number of “Architectural Principles”. Although a number of these can be considered to be relatively generic, there are some site specific references such as:
- the need for buildings along Dirac Crescent and Feynman Way to be of an appropriate scale to help establish a sense of enclosure and arrival.
 - large buildings should be visually broken down with a rich façade composition which should avoid areas of blank façade with no relationship to street edge;
 - generous openings must be provided to allow plenty of daylight to penetrate into the interior of buildings, whilst achieving energy conservation requirements
- 5.8 The DAS also contains design principles on building arrangements and relationships; corner treatments and materials, all of which are considered acceptable.
- 5.9 In respect of scale, for the R&D buildings it is expected that these would be between 1 and 4 storey in heights: for the B1 office buildings, these would be expected to be no more than two-storeys and so the floor heights of the buildings will therefore be predicated on their use. In most instances scale parameters need to be agreed as part of an outline application, but with no certainty over the building uses in any location a flexible approach is considered appropriate. Therefore the height of each individual building at detailed stage will need to be carefully considered on its own merits to ensure its scale responds in a positive way to its context. Therefore although this application can approve the amount of the development and establish a

number of design principles in relation to layout, appearance and landscaping, the scale parameters will not form part of the consent to ensure there is flexibility for both the applicant and the Council to consider and agree building heights on an individual basis as the remain RM plots are worked through.

- 5.10 With the design principles set out within the DAS and supplemented within the addendum to help inform future RM applications, there are no objections to the proposed layout or design.

Conservation

- 5.11 The Environmental Statement (ES) submitted with the application contained an analysis of the impact of the Science Park development upon the setting and significance of Newlands Farm, a grade II listed building within the site. In setting the wider context, the ES noted that the landscape character and appearance has and will continue to drastically change due to the urbanising effects of the Science Park and the Emersons Green East development. This is considered to be a reasonable assessment of the existing and future landscape setting for Newlands Farm.
- 5.12 In reaching its conclusions, the ES set out methodology that was used to assess the potential impact of the development which was based on identifying a number of visual receptor sites. In addition a number of assumptions were also made which included a minimum separation distances that would occur between the listed building and the closest new structure. The assumption stated within the ES is that the separation distance would be no less than 70m
- 5.13 In respect of the methodology, the identification of the visual receptor sites from outside the site and the views they have looking back into the site was considered to be logical. The conclusions reached in terms of the potential impacts the development would have are generally supported but there was no consideration of how the designated asset would be viewed from within the site.
- 5.14 The masterplan through the submission of an addendum to the DAS includes an indicative layout and under the title “Key Design Principles”, a number of design principles have been set out on how immediate setting to Newlands Farm is to be treated and this also includes a clear statement that the minimum distance between the designated heritage asset and any new structures is to be no less than 70m. There is therefore now compliance with the ES and on this basis although the landscape setting has and will continue to dramatically change through the urbanising effects of EGE and the development of the rest of the Science Park, these developments have been long established and so their respective impact on the setting of Newlands Farm is accepted as a matter of principle. In the consideration of this application, along with the fabric of the building itself it is only the immediate and medium views that can now be influenced to ensure what remains of the significance is safeguarded. With the design principles proposing an immediate landscape zone and treatment that would be reflective of the history and origins of the farmhouse, subject to a S106 obligation to ensure the restoration of the building is completed in conjunction with the phasing of the Science Park to the east, there are no objection to the proposed scheme as its setting in the immediate and medium

views would be preserved as much as reasonably possible in light of the recent planning history.

Landscape

- 5.15 As noted above, the addendum to the Design and Access Statement now shows a landscaped zone around Newlands Farm and a substantial set back of the potential development block. The setting of the southern public footpath/bridleway is now adequately addressed allowing for a buffer to the residential area as well as a setting to the path of 10m of planting.
- 5.16 The Folly bridleway forms the eastern boundary of the site and the interface with the adjoining residential block. The supporting text indicates that “the landscape treatment of the bridleway is to be similar to south path.” There is now recognition that the existing embankment will need modifying “Current levels will need modifying and planting alongside the bridleway will be provided.”
- 5.17 Overall following the submission of the amended and further details, there are no landscape objections to the proposed scheme. Although there remains as matters of detail a number of landscape issues that will need to be resolved (restoration of wall and PROW boundary treatments for example), as matters of details these will need to be addressed within the relevant RM application.

Archaeology

- 5.18 As part of the development of the Bristol and Bath Science Park, a series of archaeological investigations comprising an evaluation (2001), excavation (2010) and watching brief (2010) were undertaken by Avon Archaeology Unit. These have proved to be exceptionally rewarding archaeologically with the excavation, in 2010, of a historic metalworking site of national/international importance and the discovery, in 2001, of prehistoric origin.
- 5.19 The results of the 2010 excavation of the metalworking site have been fully assessed and analysed and the project is now moving towards publication. This leaves plot 310, at the southern extent of the site as shown on the masterplan, which is the location of prehistoric site of Late Bronze Age to Early Iron Age date, identified in the 2001 evaluation. Again this site has been particularly rewarding, but it has yet to be properly and fully excavated. It was recognised as an enclosure with internal cut features and an entrance way, believed to be prehistoric in date. In addition a series of pits of later and possibly Saxon date were also found. Therefore this site remains highly sensitive to any form of change (including landscaping).
- 5.20 Due to the sensitivity of the site and its location within the masterplan, the prehistoric activity in the southern part of the site should be fully excavated and the results assessed, analysed and where appropriate published. As such a condition for a programme of archaeological work, involving open excavation should be applied to the consent.

The following wording could be used for the condition:

Prior to the submission of any reserved matters and prior to the commencement of any groundworks, including any exempt infrastructure

works or remediation works, a Written Scheme of Archaeological Investigation for the excavation, post-excavation assessment and analysis and publication of the site shall be submitted for approval to the local planning authority. Thereafter the approved programme shall be implemented in all respects

Therefore subject to this application, the application is considered to comply with policy L11 of the SGLP.

Transportation

- 5.21 Following the initial transport response to this planning application, further negotiations have taken place between the applicant, Highways England (previously The Highways Agency) and Officer and further transport information has been submitted to address the issues raised in the initial response and the strategic highway network (M4 and M32) capacity and management issued raised by the then Highways Agency.
- 5.22 Updated modelling analysis was carried out by the applicant's consultant. As noted under "consultations", after a period of time and further discussions with the Highways Agency sufficient information was submitted for them to remove the holding directive subject to conditions limiting the maximum amount of B1(a) GFA to 20,000m sq and the implementation of a Travel Plan to ensure the predicted 20% reduction in vehicle trips associated with proposed Travel Plan measures and continued development of the adjacent residential site of 2,950 dwellings at Emersons Green East. To clarify the recommended restriction of B1(a) is a further control of the development's land use as the initial requirement set out within the S106 tied to the original consent has already been complied with through the implementation of the NCC and the Innovation Centre.
- 5.23 The information initially submitted by the applicant was of a strategic nature but did not assess the impact of the development traffic on the local junctions adjacent to the site which are Folly roundabout, Lyde Green roundabout and Rosary roundabout. Assessment of the impact on these three junctions is necessary to establish if there would be any significant change from the same Science Park development previously analysed in the Transport Assessment submitted in 2007 to support a variation to the s106 agreement (ref. PT07/2755/VAR) which was attached to the original planning application for the site P95/4605.
- 5.24 Further discussions took place between Officers and the application followed by the submission of more detailed information from the GBATS model and a technical note comparing the difference in traffic flows at the three adjacent roundabouts from that predicted in the 2007 Transport Assessment for the then future year of 2011 and that predicted by the GBATS model for 2016. Both scenarios included the full build out of The Science Park (SP) and Emersons Green East (EGE) 2,950 dwellings and 100,000m sq of employment use.
- 5.25 This comparison came up with some odd results with some arms of the roundabouts increasing by up to 237 vehicle flows in the am and pm peak hours and some decreasing by up to 1079. The GBATS model flows on the

A4174 were compared to the results produced by a South Gloucestershire Automatic Traffic Counter on the A4174 south of the Lyde Green roundabout and the differences were significant enough to cast doubt on the reliability of the GBATS model flows or the way they had been extracted for this area.

- 5.26 Background traffic growth can be predicted by using a database which provides information on population, employment, households by car ownership trip ends and simple traffic growth factors in a specified area. In the case of the Science Park, the Council's Transport Engineers agreed with the applicant that the generation, assignment and distribution of vehicle traffic from the Science Park is almost the same now as it was in the 2007 Transport Assessment. Therefore the only difference is the growth in background (excluding The Science Park and Emersons Green East) traffic between 2011 and 2016 (the assessment year which includes a full build out of EGE and the SP).
- 5.27 As the vast majority of development in this area of South Gloucestershire is on The Science Park and Emersons Green East sites, the other general background growth is relatively low. The database predicts this residual background growth to be around 2.2% between 2011 and 2016. Traffic flow data obtained from the Council's automatic counter on the A4174 south of Lyde Green roundabout indicates a 5% growth in the am peak hour and a 1% growth in the pm peak hour between 2010 and 2014. This all traffic growth is consistent with the database figures for the residual background growth in the area excluding Emersons Green East and the Science Park
- 5.28 The position agreed in 2008 for the approved variation of s106 (ref. PK07/2755/VAR) was that in 2011 with a full build out of the Science Park Phase 1 and 2 plus Emersons Green East full build out of 2,950 dwellings and 100,000 m sq of B1, B2 and B8 development was that
- Folly roundabout was over the standard operational capacity and approaching maximum capacity;
 - Lyde Green roundabout would operate over capacity.
 - Rosary roundabout would operate within capacity once it had been signalised.
- 5.29 Having regard to the proposed network improvements associated with the Emersons Green Development and the introduction of the North Fringe Development Major Scheme a mitigation package was agreed at the time as set out in the S106 Agreement.
- This included.
- Contributions towards signalisation improvements to Lyde Green roundabout.
 - Contributions towards control measures on the bus only link from Lyde Green roundabout to the Science Park.
 - Contributions towards sustainable transport measures.
 - Bus stops at the Science park Square.
 - Shuttlebus service from The Science Park to UWE and the diversion of an existing bus service through the site.
 - A public transport corridor through the Science Park
 - A Framework Travel Plan.

- 5.30 The 2.2% residual background growth figure is relatively small and would not have a significant impact on the operation of the adjacent highway network having regard to the measures set out above and those contained in the S106 Agreement completed in 2008.
- 5.31 It should also be noted that there is no restriction on how much of the 52,276 m. sq. of phase 2 in the original planning consent can be developed as B1 a (offices) and that this application has been assessed on the basis of a restriction in the amount of B1a to 20,000 m. sq. with the remaining 32,276 limited to B1b research and development with ancillary B2 and B8 uses and as stated previously this restriction is one of the conditions of Highways England removing their holding directive on the development.

Travel Plan:

- 5.32 A Framework Travel Plan has been submitted to support the planning application which provides a general framework for delivering travel planning measures to reduce the impact of the development on the transport network by promoting sustainable transport choices. The Transport Assessment for the development assesses the impact of the Science Park on the network based on a 20% reduction in vehicle trips. The Framework does not set any specific targets stating that these will be set after initial surveys of travel patterns had been carried out for the individual reserved matters applications. The Travel Plan Framework will need to be updated prior to occupation of any of the reserved matters applications to include targets and measures necessary to achieve the 20% peak hour vehicle trip generation. The Framework however should also be more committed, setting out what measures will be introduced to encourage sustainable transport choices such as the provision of showers and changing facilities and allocated car share parking spaces. It recommend that an updated Travel Plan Framework is secured in the S106 along with the securing the provision of bus stops and a corridor through the development to both facilitates Metrobus.
- 5.33 To conclude, having regard to all of the above the Council's Transport Development Control Officer is satisfied that the development will continue to have a safe and suitable access and that the impact of the traffic generated by The Science Park will be accommodated or mitigated by attaching the following S106 obligations and planning conditions.

Public Rights of Way

- 5.34 As per the original outline consent, a section of PROW will need to be diverted once the phases to the east are development. Although the detail of the route through can be picked up at RM state, it will require to be diverted and so an obligated is required to ensure the landowner formally submits and gains approval for a footpath diversion order.

Environmental Statement

- 5.34 The proposed scheme is supported by an ES and the findings and conclusions set out within volume 1 and the non-technical summary are considered to be sound in respect of the potential environmental effects

that have been predicted to occur as a result of the development and the potential mitigation measures that could be secured.

Residential Amenity

- 5.35 Since the previous Science Park application were approved, new housing has been constructed to the east of the site as part of the new Emersons Green East neighbourhood. Although how any buildings relate to their context will be a matter for detailed stage, this now includes those residential properties to the east. It is however considered necessary to ensure as part of demonstrating the impact of any new building(s) upon the residential properties to the east, a condition is to be attached to ensure any RM application submitted for development that abuts the eastern side boundary should be accompanied by the scaled site section to demonstrate both existing and proposed finished floor levels and building heights.
- 5.36 With this recommended condition in place, it is considered that the residential amenities of the neighbouring properties should be safeguarded.

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 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
- 1) A schedule of internal repairs to the grade II listed Newlands Farmhouse (as previously identified as Phase 2 Schedule of Works to House by Nash Partnership in reference to planning application PK10/3076/LB) along with a timeframe for implementation.
 - 2) £84,000 contribution towards sustainable transport measures providing safe access to the site from nearby residential areas. (This is part of the original transport contribution of £168,000. Half of which has already been paid).
 - 3) A Framework Travel Plan to include a mechanism for bringing forward Workplace Travel Plans from individual plots and buildings. The Framework Travel Plan will set out targets, measures, incentives, management and monitoring (including automatic traffic counters) processes and a time table for achieving the 20% reduction in vehicle trip rates proposed in the Transport Assessment.

- 4) A public transport corridor suitable for the Metrobus a minimum of 11m wide through the Science Park.
- 5) A shuttle bus/minibus service between the site and the University of the West Of England campus at Coldharbour Lane for a minimum period of one year commencing April 2016 unless otherwise agreed.
- 6) Upgrade bus stops at the Science Park Square to the Metrobus standard.
- 7) The provision of diverted bridleway/public rights of way to be phased with the implementation of the masterplan.

The reasons for the above obligations is to ensure that the enhancements to the designated heritage asset and local transport network needed to off-set the impact of the development are secured.

- 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 12 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 if an extension of time to complete the agreement is not sought.

Contact Officer: Robert Nicholson
Tel. No. 01454 863536

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application is referred to the circulated schedule for determination as comments of objection have been received which are contrary to the officer recommendation for approval.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the change of use of land from agricultural to purposes for the keeping of horses and the erection of a stable block. An accompanying application, PK14/3282/F is also referred to the Schedule for determination seeking planning permission for a manege.
- 1.2 The application site is a field, 1.38 hectares in size, located to the north of Orange End which is to the east of Inglestone Common. A public right of way runs through the site along the western boundary. The site is not within, but is close to the boundary of the Cotswolds AONB. The site is considered to be ecologically sensitive due to its location within the 'Lower Woods SSSI & Wetmoor Complex' Site of Nature Conservation Interest (SNCI).
- 1.3 Issuing a decision on this application has been delayed by the requirement of an ecological survey prior to determination due to the high potential of the site for use by great crested newts. This information has now been provided.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS4A Presumption in Favour of Sustainable Development
CS5 Location of Development
CS9 Managing the Environment and Heritage
CS34 Rural Areas

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

L1 Landscape
L2 Cotswolds Area of Outstanding Natural Beauty
L7 Sites of National Nature Conservation Interest
L8 Sites of Regional and Local Nature Conservation Interest
L9 Species Protection
L16 Protecting the Best Agricultural Land
EP2 Flood Risk and Development
T12 Transportation
E10 Horse Related Development
LC12 Recreational Routes

- 2.3 Supplementary Planning Guidance
- i. Revised Landscape Character Assessment SPD (Adopted) November 2014
 - ii. Biodiversity and the Planning Process SPG (Adopted) November 2005
 - iii. British Horse Society, Guidelines for the Keeping of Horses, March 2005
 - iv. Cotswolds AONB Management Plan (2013-2018)

3. RELEVANT PLANNING HISTORY

- 3.1 PK14/3282/F *Referred to Circulated Schedule*
Construction of manege and associated works
- 3.2 PK15/1585/PNGR *Pending Consideration*
Prior notification of a change of use from Agricultural Building to single residential dwelling (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). (Amendment to previously approved scheme PK14/1829/PNC)
- 3.3 PK14/1829/PNC *Approved* 30/06/2014
Prior notification of a change of use from Agricultural Building to single residential dwelling (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended)
- 3.4 PK05/2680/F *Approved with Conditions* 24/10/2005
Demolition of existing agricultural building to facilitate erection of replacement agricultural building

4. CONSULTATION RESPONSES

- 4.1 Hawkesbury Parish Council
'Clarification is required as to where the [manege] is going to be sited and what size it will be? The Parish Council are presuming it will be no longer than 20m x 40m and sited in the location where it has minimum visual impact.'
- 4.2 Drainage
No comment
- 4.3 Environment Agency
No objection subject to informative notes
- 4.4 Highway Structures
No comment
- 4.5 Public Rights of Way
No objection subject to informative notes
- 4.6 Sustainable Transport
No objection subject to condition

Other Representations

4.7 Local Residents

One comment of objection has been received which raises the following matters –

- access is narrow and surrounded by houses
- commercial development is a nuisance
- development would result in smells and blight
- field does not have grazing rights for the common
- field is in agricultural use and the development is unnecessary
- field only capable of supporting two horses
- issues with access, waste disposal, parking, commercial vehicles
- large barn is capable of housing four horses and fodder – new stables is not required
- no parking provision
- road is unsuitable for commercial vehicles
- use of site for horses would create a waste issue

5. ANALYSIS OF PROPOSAL

5.1 This application seeks planning permission for the change of use of land and the erection of a stable block in Inglestone Common.

5.2 Principle of Development

Policy E10 of the Local Plan manages horse related development. This policy is generally supportive of development outside of urban areas and defined settlements subject to an assessment of the environmental effects, residential amenity, access and parking, availability of bridleways and riding routes, and design, appearance and need for any buildings.

5.3 In addition to the above, as the site is ecologically sensitive, to be acceptable in principle, the development must demonstrate that it would not have an adverse impact on the environment or any protected species. The site is also near to a nationally designated landscape.

5.4 Ecology

The site consists of a relatively small agricultural holding and the field currently provides improved grassland. Within 1 kilometre of the site are three Sites of Special Scientific Interest (SSSI) and one local nature reserve. Within 500 metres of the site are four non-statutory nature conservation sites. The application site itself lies within the Lower Woods SSSI and Wetmoor Complex SNCI.

5.5 It is considered that the proposed development would be unlikely to have a negative impact on the statutory and non-statutory nature conservation sites listed above.

5.6 However, in order to accord with policy L9, any impact on protected species must be adequately mitigated against in the planning process. An ecological

survey has been provided by the applicant. This has identified hedgerows and ponds as important habitats on or adjacent to the site. The proposed development is considered unlikely to affect the hedgerows or ponds. Consideration should also be given to protected species in addition to habitats.

5.7 *Bats*

The accompanying ecological report has found negligible potential for bats to roost in the trees around the site. However, the northern and eastern hedgerows and the scrub belt on the southern boundary provide good potential for foraging and commuting.

5.8 *Great Crested Newts*

Having conducted a desktop survey using aerial mapping, sixteen ponds within 500 metres of the site have been identified. Of these eight ponds were assessed using the Habitat Suitability Index. Seven of the ponds were found to have a 'poor' potential rating; one was found to have 'good' potential to support great crested newts.

5.9 This data was fed into Natural England's Rapid Risk Assessment with a resulting 'amber' risk; this means that an offence under the Conservation Regulations 2012 (as amended) and/or the Wildlife and Countryside Act 1981 (as amended) was likely if the development proceeded without survey and mitigation.

5.10 The applicant's ecological consultants argue that despite the amber warning, there is in fact only a low risk due to the poor condition of the surrounding ponds and habitat. A data search returned no record of great crested newts within 500 metres of the site; however, it is known to the local planning authority that great crested newts breed in 'pond 5' as identified in the submitted ecological report which is approximately 480 metres from the application site. This is relatively new information and may not have been available to the ecological consultants at the time the data search was ordered.

5.11 Great crested newts are most likely to be found within 250 metres of a breeding pond. Although the ponds within 250 metres of the site provide sub-optimal habitats for great crested newts, it cannot be ruled out that great crested newts would be present on the site. This is particularly the case given that it is known that newts are located in pond 5. Therefore, a construction method statement is required by condition.

5.12 It should be noted that, should a great crested newt be encountered during the development, it is required by law that all works cease and the advice of an ecologist sought; this may result in the need to obtain a licence from Natural England.

5.13 *Other Species*

The ecological report has also identified that reptiles may be present on site. It is also considered that the site could support swallows and provision should be made to support these species.

5.14 *Mitigation*

Having assessed the proposed development and the potential harm, taking due account of the applicant's position with regard to the identified risk level, it is considered that the impact on biodiversity and protected species can be adequately managed. Therefore a number of conditions will be attached that include a method statement, a condition restricting any external lighting unless agreed with the local planning authority, and provision of nesting boxes.

5.15 Landscape

Approximately 180 metres to the east of the application site is the boundary of the Cotswolds Area of Outstanding Natural Beauty. This is a nationally important landscape and its intrinsic nature and beauty should be preserved. Located in a small hamlet, the application site exhibits the character of an agricultural field. In essence, if this application is approved, there would be little change to the character – the land would remain open in nature and grazed by animals.

5.16 The proposed stable block is located at the southern end of the site which is closest to the road and other buildings. Good screening exists along the southern, eastern and northern boundaries. As a result, the development is not expected to be highly visible from the AONB or have an adverse impact on the landscape.

5.17 Public Right of Way

A public right of way, LHA/50 runs southwest-northeast through the site. The siting of the proposed stable building would not affect the use of the right of way. Policy LC12 requires the amenity of the footpath to be considered.

5.18 At present, the path runs through an agricultural field. As a result of the development, the experience of the route would change as the field would be used for horse grazing. Horses can be grazed on agricultural land when used as part of an agricultural enterprise and therefore, although unlikely, horses could be experienced on any footpath through agricultural land. It is therefore considered that there is no harm to the public right of way or its utility through the change of use of the land.

5.19 Suitability of Site for Horses

As part of the assessment of the application, the site must be assessed for its suitability for the proposed use. This includes the potential loss of agricultural land and the welfare and amenity of the horses kept on the land.

5.20 *Loss of Agricultural Land*

Policy L16 of the Local Plan seeks to protect the most versatile agricultural land from development. Whilst this policy is now becoming dated, the core planning principles of the NPPF (paragraph 17) states that development should prefer land of lesser environmental value, and therefore the policy is considered consistent with the current national policy. The reasoning behind this is stated in the supporting text to the Local Plan policy which is to promote sustainable development and protect the countryside for the sake of its intrinsic character and beauty.

- 5.21 Development should avoid the highest grade agricultural land (grades 1, 2, or 3A) unless it can be demonstrated that there is no reasonably available poorer quality alternative land available. No details regarding the grade of the land have been provided. Notwithstanding this, there are a number of important factors that should be considered in the assessment.
- 5.22 A change of use to keeping of horses does not prevent the land reverting to an agricultural use at some point in the future. Only those parts of the land on which buildings or structures are erected will be 'lost'. Planning permission is not required for the land to be used for agricultural purposes and therefore it is reasonable to give this 'fall-back' position weight.
- 5.23 Under this application, the amount of land 'lost' would amount to that on which the stable block is located. The proposed manege is being considered separately under application PK14/3282/F once the change of use has been established as acceptable. For the purposes of assessing the change of use on the availability of agricultural land it is reasonable to assess the cumulative amount of lost land.
- 5.24 The footprint of the stable building is small in scale (with a footprint of 52.4m²) and the manege would measure 20 metres by 40 metres which is a standard size for a riding arena. It is not considered that the development would result in the significant loss of agricultural land to the detriment of the purposes of sustainable development. On that basis, regardless of the classification and with due weight given to the ability to revert to an agricultural use, the development is acceptable.
- 5.25 *Welfare and Comfort of Horses*
As part of this planning application, the amenity of the horses must be considered. The British Horse Society publish guidance on stable size, and pasturage to protect the welfare and comfort of horses.
- 5.26 One hectare of average pasture land is capable of providing adequate grazing for two horses. The application site size is 1.3 hectares; this includes the land for the stable block and that for the proposed manege (although this is being considered under an accompanying application). Therefore, it is considered that the site can comfortably accommodate two horses whilst protecting their welfare. A condition restricting the number of horses to be kept on the land should be applied to any planning permission granted.
- 5.27 Turning to the proposed stables, a stable must be large enough to enable animals to stand up and turn around without difficulty and lie down and roll around without risk of injury. The British Horse Society recommends a minimum stable size of 3.6 metres by 3.6 metres for horses. Two stables and a store room are proposed. The stables would each measure 3.6 metres by 4 meters. This meets the minimum size standard and is therefore considered to protect the welfare and comfort of the horses.
- 5.28 *Availability of Horse Exercise Routes*
Being located in a rural area, the site provides suitable access to bridleways and other horse riding routes. The local highway network consists of lightly

trafficked rural lanes which are suitable for horse riding and provide access to various bridleways and riding routes in the vicinity.

5.29 Access and Transportation

Development must make adequate arrangements for access, parking and turning in order to avoid having a harmful impact on the free flow of traffic and highway safety. The site is accessed from Chase Hill which is a fairly wide single track highway with passing places. Due to the size of the site, it is not considered that the development would give rise to high levels of trips and that the local highway network is capable of safely accommodating any additional resulting traffic.

5.30 In order to ensure that this remains the case, a condition should be attached to any planning permission given that prevents the use of the site as a commercial livery or riding school as this may require greater scrutiny with regard to the transportation impact.

5.31 The application as submitted lacks details of the access, parking and turning facilities. In order to ensure that the development does not result in inappropriate vehicular movements on the public highway, this information should be secured by condition. A pre-commencement condition is suggested; the information is required prior to commencement in the interest of proper planning and it is in the applicant's interest to ensure that no remedial works once development has started are needed.

5.32 Residential Amenity

Development should not be permitted that has a prejudicial impact on the residential amenities of nearby occupiers. The site is in a rural location where rural activities are commonplace. The change of use to keeping of horses is considered consistent with the general character of the area and extant uses in the locality. Additional traffic is not considered to be significant. The development would not result in overlooking or overshadowing.

5.33 Whilst it is acknowledged that smells and waste would be produced from the site, these should be subject to good site management techniques to minimise the impact. Notwithstanding this, the site is in a rural location where animal smells can be expected.

5.34 When considering the cumulative impact that the proposal would have on residential amenity, it is not considered that any impact would amount to be prejudicial and therefore the development is considered acceptable.

5.35 Proposed Buildings

As part of this application, permission is sought to erect a stable block on the site. An existing building stands by the entrance to the site but is not included as part of this application. This building has recently been granted prior approval for a change of use to a dwelling and therefore cannot be considered to be reasonably available as an alternative to the erection of a new purpose built structure.

- 5.36 The proposed building is simple in nature with a tiled roof and external timber boarding. It is generally small in scale and exhibits a character that is entirely suitable for its use as a stable. It is not considered that the building itself is harmful to visual amenity and therefore an acceptable standard of design has been reached.
- 5.37 As shown on the block plan, the stable is located close to the access and adjacent to the existing hedgerow and cluster of buildings of Orange End. This is the most suitable location for the building as it avoids new buildings awkwardly positioned in a field and keeps buildings within a cluster to the southern end of the site.
- 5.38 Waste storage and drainage have not been indicated and therefore a condition should be attached that requires the submission of a plan indicating the location of any waste storage facility.
- 5.39 Summary
Having assessed the proposed development, it is considered that it could be implemented without harm to the environment or residential amenity. The site is suitable for use for the keeping of horses subject to the proposed conditions and the highway network in the vicinity is capable of supporting the development and provides access to recreational routes. Finally, the proposed new building is well designed and located and there are no alternative reasonably available buildings.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 It is recommended that planning permission is GRANTED subject to the conditions listed below.

Contact Officer: Griff Bunce
Tel. No. 01454 863438

CONDITIONS

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

Reason

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

2. Prior to the commencement of development, a plan indicating the provision of manure storage facilities and drainage shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason

To ensure suitable provision is made for waste disposal and to manage environmental impacts and in the interest of residential amenity and to accord with Policy E10 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies). This information is required prior to determination to satisfactorily manage the impacts of development.

3. Prior to the commencement of development, an ecological method statement demonstrating how the site shall be searched for amphibians and reptiles, and measures for their protection, and measures for the protection of the pond on the site during construction, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of biodiversity, and to accord with Policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies). This information is required prior to determination to avoid any harm to protected species as a result of any works on the site.

4. Prior to the commencement of development, details of the vehicular access from the public highway and the parking and turning areas on the site shall be submitted to and agreed in writing by the Local Planning Authority. The 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 (Saved Policies). This information is required prior to determination to avoid any remedial works being necessary once development has started.

5. Details of any external lighting shall be submitted to the Local Planning Authority and approved in writing prior to installation. For the avoidance of doubt, any proposed lighting will be required to demonstrate that there would be no light spill onto the northern and eastern hedgerows or the scrub belt along the southern boundary of the site.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of biodiversity, and to accord with Policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies).

6. Two swallow nest boxes shall be installed on the stable building hereby permitted in accordance with the recommendations set out in section 5 of the Phase 1 Ecological Survey prepared Just Ecology dated January 2015 prior to the first use of the building and thereafter retained.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of biodiversity, and to accord with Policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies).

7. The number of horses kept on the site edged in red shall not exceed two.

Reason

In the interests of the welfare of horses, to accord with the guidance of the British Horse Society; and Policy E10 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies).

8. At no time shall the stables and the associated land be used for livery, riding school or other business purposes whatsoever.

Reason

To ensure the intrinsic character of the countryside is preserved and in the interests of visual amenity and highway safety and to accord with Policy L1, T12 and E10 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies).

9. No jumps, fences, gates or other structures for accommodating animals and providing associated storage shall be erected on the land.

Reason

To ensure the intrinsic character of the countryside is preserved and in the interests of visual amenity and to accord with Policy L1 and E10 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies).

CIRCULATED SCHEDULE NO. 18/15 – 1 MAY 2015

App No.: PK14/3282/F
Site: Land Opposite Post Box Cottage
 Orange End Inglestone Common
 Badminton South Gloucestershire
 GL9 1BP

Applicant: Ms A Summers
Date Reg: 3rd October 2014

Proposal: Construction of Manege and
 associated works.

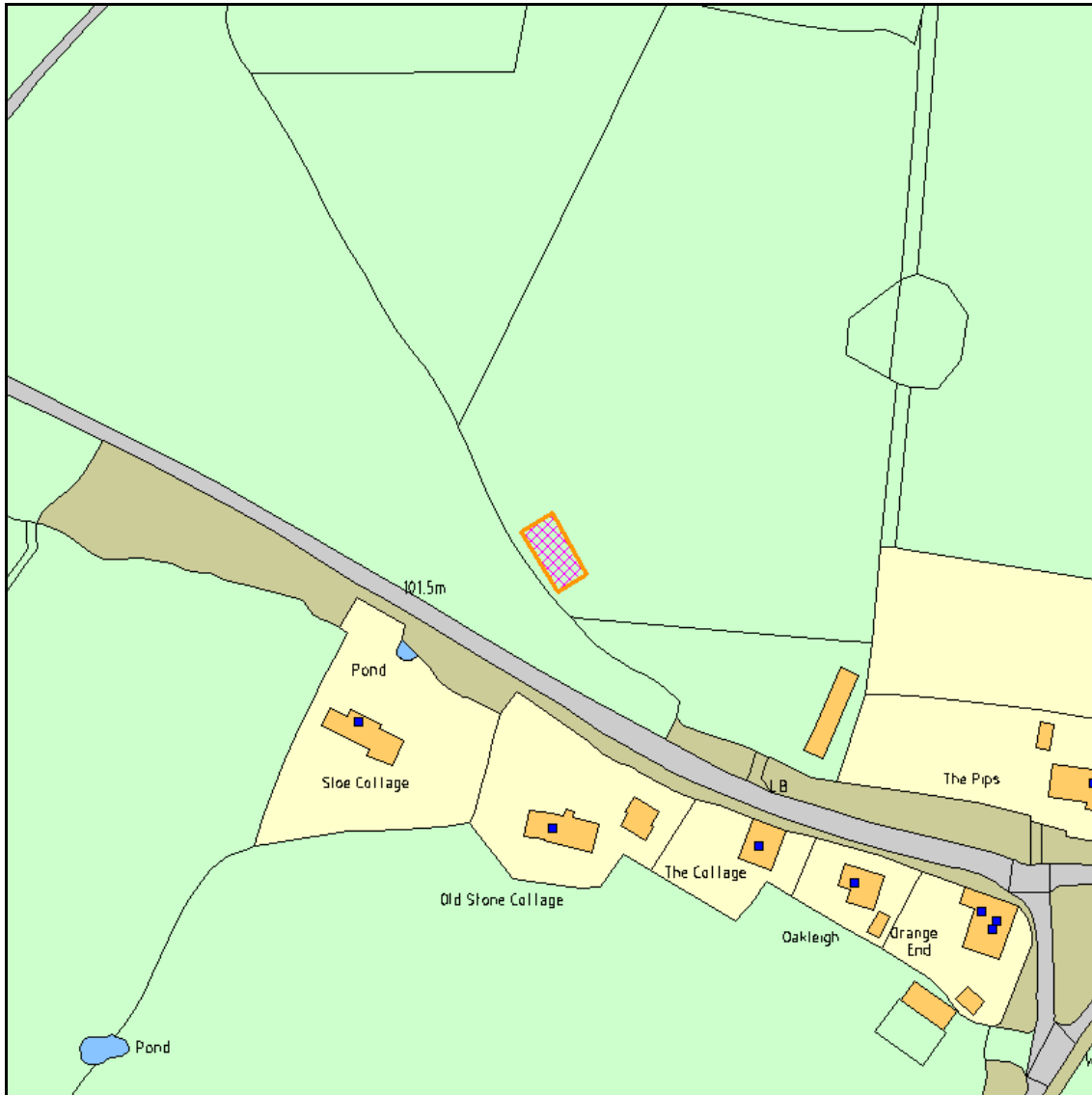
Parish: Hawkesbury
 Parish Council

Map Ref: 376162 187804

Ward: Cotswold Edge

Application Category: Minor

Target Date: 26th November
 2014



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 100023410, 2008. **N.T.S.** **PK14/3282/F**

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application is referred to the Circulated Schedule by the case officer as the construction of the manege is dependent on the outcome of the application for the change of use of land to land for the keeping of horses (PK14/2823/F) which has been referred to this Schedule for determination, in accordance the Council's scheme of delegation, as comments of objection have been received which are contrary to the Officer recommendation for approval.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the construction of a manege at a site in Inglestone Common. An accompanying application (PK14/2823/F) has been submitted to seek planning permission to use the land for the keeping of horses; this application is being decided concurrently but cannot be approved unless the change of use is found to be acceptable.
- 1.2 The proposed manege would be located along the southern boundary of the field, between the proposed stable block (submitted under PK14/2823/F) and the western boundary of the field. It would consist of a sand/woodchip surface with a timber post and rail fence. No lights are proposed.
- 1.3 A public right of way runs through the site along the western boundary. The site is not within, but is close to the boundary of the Cotswolds AONB. The site is considered to be ecologically sensitive due to its location within the 'Lower Woods SSSI & Wetmoor Complex' Site of Nature Conservation Interest (SNCI).
- 1.4 Issuing a decision on this application has been delayed by the requirement of an ecological survey in connection with the application for the change of use of the land.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

- CS1 High Quality Design
- CS4A Presumption in Favour of Sustainable Development
- CS5 Location of Development
- CS9 Managing the Environment and Heritage
- CS34 Rural Areas

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

- L1 Landscape
- L2 Cotswolds Area of Outstanding Natural Beauty
- L7 Sites of National Nature Conservation Interest
- L8 Sites of Regional and Local Nature Conservation Interest

L9 Species Protection
L16 Protecting the Best Agricultural Land
EP2 Flood Risk and Development
T12 Transportation
E10 Horse Related Development
LC12 Recreational Routes

2.3 Supplementary Planning Guidance

- i. Revised Landscape Character Assessment SPD (Adopted) November 2014
- ii. Biodiversity and the Planning Process SPG (Adopted) November 2005
- iii. British Horse Society, Guidelines for the Keeping of Horses, March 2005
- iv. Cotswolds AONB Management Plan (2013-2018)

3. **RELEVANT PLANNING HISTORY**

- 3.1 PK14/2823/F *Referred to Circulated Schedule*
Change of use of land from agricultural to land for the keeping of horses and erection of stables and associated works
- 3.2 PK15/1585/PNGR *Pending Consideration*
Prior notification of a change of use from Agricultural Building to single residential dwelling (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). (Amendment to previously approved scheme PK14/1829/PNC)
- 3.3 PK14/1829/PNC Approved 30/06/2014
Prior notification of a change of use from Agricultural Building to single residential dwelling (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended)
- 3.4 PK05/2680/F Approved with Conditions 24/10/2005
Demolition of existing agricultural building to facilitate erection of replacement agricultural building

4. **CONSULTATION RESPONSES**

- 4.1 Hawkesbury Parish Council
No objection provided there are no lights
- 4.2 Ecology Officer
No objection subject to condition
- 4.3 Environment Agency
No objection subject to informative note
- 4.4 Highway Structures
No comment
- 4.5 Lead Local Flood Authority
No comment

- 4.6 Public Rights of Way
No comment
- 4.7 Sustainable Transport
Comments from PK14/2823/F used

Other Representations

- 4.8 Local Residents
None received

5. ANALYSIS OF PROPOSAL

- 5.1 This application seeks planning permission for the construction of a manege in Inglestone Common
- 5.2 Principle of Development
Policy E10 of the Local Plan manages horse related development. This policy is generally supportive of development outside of urban areas and defined settlements subject to an assessment of the environmental effects, residential amenity, access and parking, availability of bridleways and riding routes, and design, appearance and need for any buildings.
- 5.3 Whilst the site is in an ecological sensitive location, these issues have been addressed in application PK14/2823/F and therefore only the manege itself should be considered under this application.
- 5.4 Ecology
The site consists of a relatively small agricultural holding and the field currently provides improved grassland. Within 1 kilometre of the site are three Sites of Special Scientific Interest (SSSI) and one local nature reserve. Within 500 metres of the site are four non-statutory nature conservation sites. The application site itself lies within the Lower Woods SSSI and Wetmoor Complex SNCI.
- 5.5 It is considered that the proposed development would be unlikely to have a negative impact on the statutory and non-statutory nature conservation sites listed above.
- 5.6 However, in order to accord with policy L9, any impact on protected species must be adequately mitigated against in the planning process. An ecological survey has been provided by the applicant. This has identified hedgerows and ponds as important habitats on or adjacent to the site. The proposed development is considered unlikely to affect the hedgerows or ponds. Consideration should also be given to protected species in addition to habitats.
- 5.7 Under the proposed conditions for PK14/2823/F an ecological method statement is required and external lighting must be approved by the Local Planning Authority prior to installation. The planning permission, if granted, for the change of use must be implemented for the manege to be lawfully

implement; as such, the conditions attached to the planning permission for the change of use would also apply to this permission and it is not necessary to repeat them here with the exception of external lighting which will be added to control any lighting installed at the manege.

5.8 Landscape

Approximately 180 metres to the east of the application site is the boundary of the Cotswolds Area of Outstanding Natural Beauty. This is a nationally important landscape and its intrinsic nature and beauty should be preserved.

5.9 The manege measures 20 meters by 40 metres and is enclosed by a post and rail fence. In the context of the landscape, it is not considered that the development would have a significant adverse impact. This is because the site is well screened and well related to an existing settlement.

5.10 Public Rights of Way

A public right of way, LHA/50 runs southwest-northeast through the site. The siting of the proposed stable building would not affect the use of the right of way. Policy LC12 requires the amenity of the footpath to be considered.

5.11 The manege is not located in a position where it would affect the right of way. The manege is located close to a field boundary and therefore would either be at the start or end (depending on direction of travel) of the walkers' route through the field. It is therefore considered that the amenity and utility of the public right of way is preserved.

5.12 Design and Suitability for Horses

Fencing for horse enclosures, including riding schools should be 1.2 metres high as a minimum for the safety of the animals. The proposed fence around the manege stands at 1.2 metres in height meets this assessment. The proposed timber post and rail fence has a rural characteristic and is an appropriate choice for the location.

5.13 It is therefore considered that the design and appearance of the manege is suitable as it is appropriate for its use and would not be harmful to visual amenity. The location of the manege relates well to the stable block and the field boundaries and ensures that there is no undue encroachment into or erosion of the character of the countryside.

5.14 Access and Transport

It is considered that the proposed manege would form part of the wider use of the site assessed under PK14/2823/F. Once constructed, the manege would not materially alter movements to and from the site or have a material impact on highway safety. Conditions proposed for PK14/2823/F would prevent the site from a commercial use and therefore the use of the site would not be adversely affected by the manege.

5.15 Residential Amenity

Development should not be permitted that has a prejudicial impact on the residential amenities of nearby occupiers. The site is in a rural location where rural activities are commonplace. The manege is considered consistent with

the general character of the area and uses in the locality. Additional traffic is not considered to be significant. The development would not result in overlooking or overshadowing.

- 5.16 When considering the cumulative impact that the proposal would have on residential amenity, it is not considered that any impact would amount to be prejudicial and therefore the development is considered 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 (Adopted) January 2006 and the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 It is recommended that planning permission is GRANTED subject to the conditions listed below.

Contact Officer: Griff Bunce
Tel. No. 01454 863438

CONDITIONS

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

Reason

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

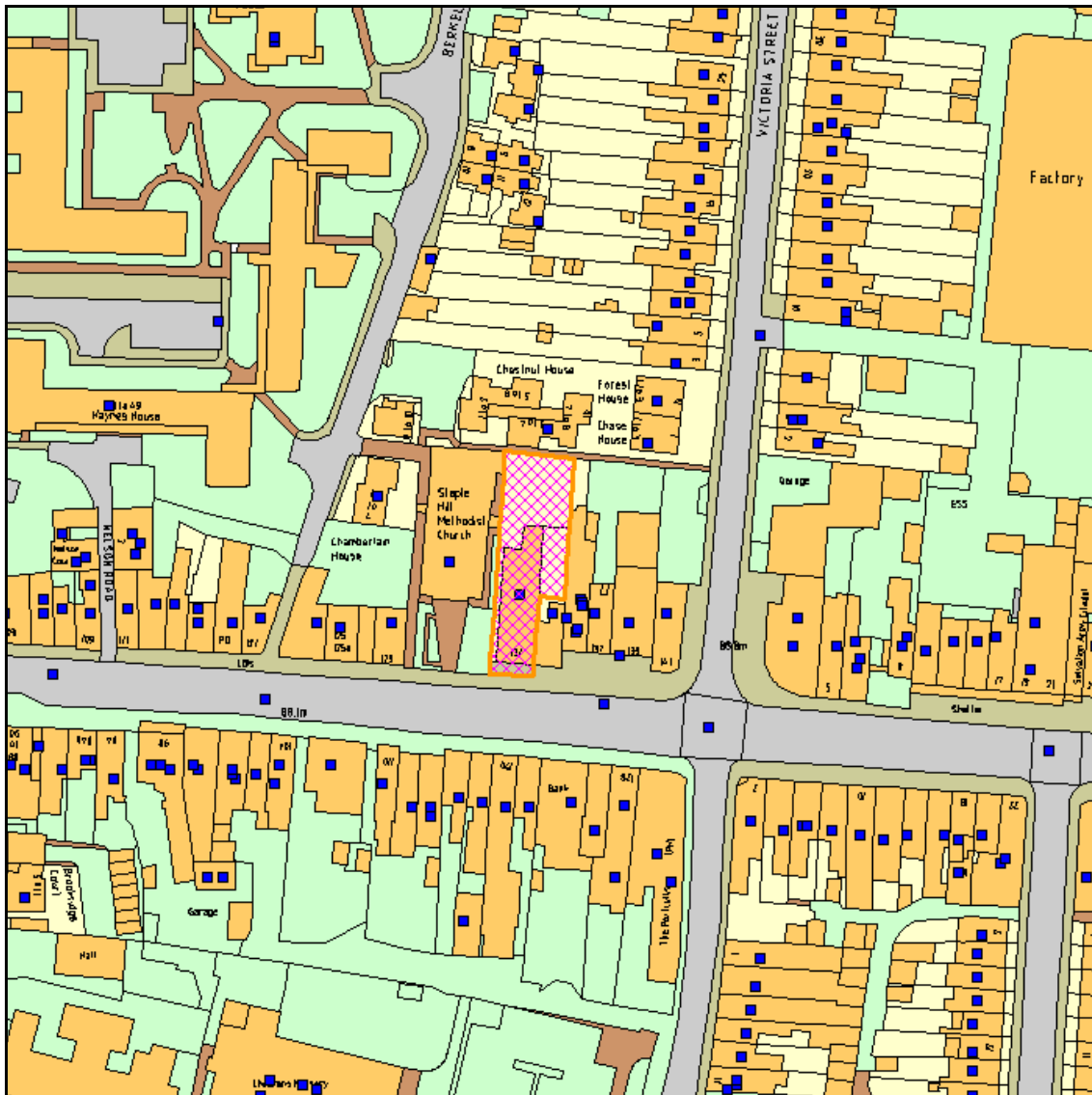
2. No floodlighting shall be erected as part of this permission. Details of any other external lighting shall be submitted to the Local Planning Authority and approved in writing prior to installation. For the avoidance of doubt, any proposed lighting will be required to demonstrate that there would be no light spill onto the northern and eastern hedgerows or the scrub belt along the southern boundary of the site.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of biodiversity, and to accord with Policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies).

CIRCULATED SCHEDULE NO. 18/15 – 1 MAY 2015

App No.:	PK15/0433/F	Applicant:	Develco Ltd
Site:	131 High Street Staple Hill South Gloucestershire BS16 5HQ	Date Reg:	12th February 2015
Proposal:	Change of use of first floor and part of ground floor from Retail (Class A1) to 4no. dwellings (Class C3) as defined in Town and Country Planning (Use Classes) Order 1987 (as amended) and erection of two storey rear extension to form 1no. dwelling with associated works.	Parish:	None
Map Ref:	364864 175948	Ward:	Staple Hill
Application Category:	Minor	Target Date:	6th April 2015



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 100023410, 2008. **N.T.S.** **PK15/0433/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been forwarded to the Circulated Schedule due to the receipt of objections raised by the adjacent occupiers.

1. THE PROPOSAL

- 1.1 The site, which is located in the High Street, Staple Hill, lies within the Urban Area and the Primary Shopping Frontage, and comprises a retail shop, which was used a furniture shop (Class A1) and storage at the rear with a snooker hall (Class D2) and an office above.
- 1.2 It is proposed to change a rear part of the retail storage of the ground floor and the first floor into 4 no. dwellings and to erect a two-storey extension at the rear north elevation to create an additional residential unit. As a result, there would be 5 no. dwellings within the site, and the front part of the ground floor will be retained as a shop (Class A1).
- 1.3 During the course of the application, revised proposals and transportation support statement were submitted to address officers' concerns over the residential amenity of the future occupiers and the parking issues.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012 'NPPF'
National Planning Practice Guidance 'NPPG'
- 2.3 South Gloucestershire Local Plan: Core Strategy (Adopted) 11 December 2013

CS1	High Quality Design
CS4A	Presumption in Favour of Sustainable Development
CS5	Location of Development
CS6	Infrastructure and Developer Contributions
CS14	Town Centres and Retail
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS23	Community Infrastructure and Cultural Activity
- 2.2 The South Gloucestershire Local Plan (Adopted) 6th Jan 2006

T12	Transportation Development Control Policy for New Development
RT9	Changes of Use of Retail Premises within Primary and Secondary Frontages in Town Centres
- 2.4 Supplementary Planning Guidance
The South Gloucestershire Design Checklist (SPD)
The South Gloucestershire Council Residential Parking Standards (Adopted) December 2013.

- Emerging Plan
- 2.5 The Draft Policies, Sites & Places Plan June 2014
- | | |
|-------|---|
| PSP8 | Settlement Boundaries and Residential Development |
| PSP16 | Parking Standards |
| PSP39 | Private Amenity Space Standards |

3. RELEVANT PLANNING HISTORY

- 3.1 There is no planning history relating to the application site, however the following application for No. 133 High Street would be relevant to the determination of this application.
- 3.2 PK14/4667/PNOR Prior notification of a change of use from office (Class B1) to residential (Class C3) as defined in the Town and country Planning (Use Classes) Order 1985 as amended. Approved 26.01.2015

4. CONSULTATION RESPONSES

- 4.1 Parish/Town Council
Not a parished area.

- 4.2 Other Consultees

Highway Drainage

No objection subject to a condition seeking sustainable surface water drainage and advised to contact Technical Support (Street Care) for any required mining remedial works.

Sustainable Transport

No objection. The submitted Sustainable Transport Statement to justify car-free development is considered to be acceptable

Other Representations

- 4.3 Local Residents

Three letters of objection have been received from Staple Hill Methodist Church and the concerns were listed as follows:

Noise nuisance

- Noise transmission in both directions from the proposal and from the church given that there are services, activities, concerts (bands large choirs), occasion church services 08.00 hours to 24.00 hours, which have been going on for up to 140 years. Also, there are various organisations meeting during the day and evenings, sleepovers.
- Volumes of sound from TVs and sound systems from the various properties being transmitted across the small space and into the church. We do of course open the windows for ventilation both when there is a large gathering and when the weather is warm/hot.

- The main access to dwellings 1, 2, 3, and 4 and cycle store for dwelling 5 is along the narrow alley where sound bounces between the alley walls, and dwellings and church walls

Loss of light

- The bike store, which was originally proposed, will block light / and give visual access to the regularly used room by the pre-school.
- The development involves the conversion of an existing building of up to approximately 142 year old original church hall. The windows of which have been blocked up for many years, and therefore have lost any Ancient Lights rights. We on the other hand have had all our lower level windows on that side as openable for up to 140 years.
- The extending the rear wall northwards for dwelling 4 by about 6 metres. Also by moving the west wall at the rear approximately 3 metres nearer the church premises. This will increase the building shadow (especially during low sun height in the winter), reducing light levels in part of our main hall but more importantly in the small hall and large room used 4/5 days per week by our pre-school group. This will put the rooms, which are used by our pre-school group into permanent shadow. This surely cannot be an acceptable position in anyone eyes.
- Bike store for Dwelling 4 appears to be acceptable as long as it does not block light and air to our kitchen window.
- Bike store for flat above shop, which was originally proposed, appears to obstruct light to our pre-school window and we must object most strongly

Overlooking and Child Protection issues

- Overlook by the residents and visitors of the new development
- Whether the dormer and existing raised rear grounds may give visual access into the pre-school, in terms of child protection.
- The Church have an established Pre School group (under 5s) which meets on 4/5 days per week. There are two outside play areas. One is on the front of the church, which has been enclosed with a double lined picket fence for additional visual security. The second area is within the side access area from our rear kitchen door and alongside the current rear garden of 131 High Street. The play areas have been designed to prevent covert watching of the children from the streets, but cannot deal with a new high level, looking down observation point.
- As a church various activities have always taken place involving young children and in this age special attention needs to be taken to safeguard such users.
- Dwelling 1. The study has a new angled window angled to look out but not in. This appears to look directly over the front outside play area for the Pre-school group.
- Dwelling 3. The study has a similar window looking towards our rear Pre School play area.
- Dwellings 1, 2, 3 & 4. Looking at PL13 the West Elevation as Proposed shows two sets of new roof lights. There are no dimensions but it appears that residents will be able to look out of these towards our premises. We need to know what is the dimension from new floor surface, to the lowest part of these roof lights?

Pictorially it looks as though the residents will be able to look across at us and most importantly down into the main hall, the small hall and the rear large room and rear pre-school play area. All these areas are used by adults and by children from 0 to 18 years.

- Dwelling 4, the dormer window would look into our lower halls & room and pre-school play area.
- Accessing bike store for flat above shop would give visual access to our rear pre-school play area and we must object most strongly.

Transport

- I feel the aim towards sustainable transport is of course excellent but must question some of the practicalities.
- Bike store for building 1, 2 & 3. The bikes have to be wheeled or carried through a not straight route through the living, dining and kitchen areas. Not likely to be a daily action in my opinion. I suggest like the modern development garage it will become just another store area.
- There are already local parking issues. We have recently noticed a builders vehicle parked outside the church regularly outside of parking controlled times (and sometimes within for extended periods). The users have been observed parking, taking bags of household shopping and walking around into Victoria Street, where I assume they live and have no suitable parking. This development in line with that at 133 (with no vehicle parking) can only exacerbate the issues.

Other comments

- The Church is a building for the community which aims to serve the community both by activities we arrange and organise, and by activities arranged by local community groups who use our premises as a base at an affordable income. If this planning application is allowed as it stands, then Staple Hill Methodist Church will have to contact the relevant legal and building departments for the Methodist Church, to consider what legal actions may be available to us.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The site lies within the Urban Area as defined on the Local Plan Proposals Map where residential development is normally acceptable in principle. The site however is located within the Primary Shopping Frontage of Staple Hill and the shop is currently closed.

- 5.2 The South Gloucestershire Local Plan Core Strategy was adopted in December 2013 and Policy CS4A of the adopted Core Strategy replicates the NPPF in reinforcing the presumption in favour of sustainable development. In accordance with para.187 of the NPPF, Core Strategy Policy CS4A states that; when considering proposals for sustainable development, the Council will take a positive approach and will work pro-actively with applicants to find solutions so that sustainable development can be approved wherever possible.

Chapter 2 of the NPPF advises the local planning authorities recognise that residential development can play an important role in ensuring the vitality of centres and set out policies to encourage residential development on appropriate sites.

Chapter 4 of the NPPF promotes sustainable transport and states that development should only be prevented on transport grounds where the residual cumulative impacts of development are severe.

Chapter 5 of the NPPF advises the local planning authority should consider housing applications in the context of the presumption in favour of sustainable development and to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.

5.3 Loss of Local Shop

Policy RT9 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 resists the change of use of existing A1 retail uses at ground floor level within the Primary Shopping Frontage unless

- A. It can be demonstrated that the premises could not be retained in a viable retail use, or
- B. The proposed use would make a positive and complementary contribution to the vitality and viability of the centre, and would not undermine the retail function of the frontage, or part of it, and
- C. The proposed use would not result in unacceptable environmental or transportation effects, and would not prejudice residential amenity.

Policy RT9 is one of the saved policies of the adopted Local Plan, and it was agreed by the government on 6 January 2009, and this policy will remain saved until superseded by the adoption of future local plan documents. In addition, it is consistent with the NPPF, therefore officers give considerable weight to this saved policy.

Core Strategy Policy CS14 relates to Town Centres and Retail. The supporting text has highlighted the importance to continue to meet the needs of the local community and to maintain viability and vitality.

The shop lies within the primary frontage of Staple Hill. The proposal would retain the main front part of the shop, approximately **85** square metres, as a retail unit and convert the rear retail storage to residential accommodation. The snooker hall above the retail unit would also be converted to residential accommodation, and there would be a 2 storey extension to facilitate additional residential units. Given that the proposal would retain the retail (A1) use, and the proposed residential development would make a positive contribution to the vitality of the retail function of town centre, officers consider that the proposal would not cause significant harm to the retail function of the centre, and therefore there is no objection to the principle of the proposal.

5.4 Density of Development

The scheme proposes 2 no. 3 bedroom dwellings, 2 no. 2 bedroom dwellings and 1 no. 1 bedroom dwelling utilising the existing buildings with a two-storey rear extension. Given that the property is situated within a relatively high density of development, it is considered that the density would be in-keeping with the locality.

5.5 Amenity Space Provision

Whilst the Council currently has no minimum amenity space standards, there is an emerging policy PSP39 in the Draft PSP, which require this. This currently has little weight given the status of this emerging policy. Amenity space needs to be private or at minimum communal, suitable for sitting out and drying of washing. For family size accommodation the amenity space needs to be suitable for children to play in.

The proposal would provide 5 no. dwellings, and four of them would have a private courtyard. It is acknowledged that some of the amenity spaces are small and would only have restricted daylight/sunlight. It is also proposed that the future occupiers of the first floor flat would have an outdoor amenity space, which is remote from the new flat. Given that the property is situated within walking distance from Page Park (approximately 480 metres), officers consider that the proposed small courtyard for the new dwellings and the remote amenity space for the new flat would not cause significant adverse impact upon the living conditions of the future occupiers.

5.6 Impact on Residential Amenity

The property is situated on the High Street Staple Hill. Staple Hill Methodist Church lies to the west of the site and a retail unit, No. 133 attached to the property. It should be noted that a prior approval, PK14/4667/PNOR was granted for the conversion of building into a residential dwelling.

Given that the upper floors of the existing building would be adjacent to a residential unit and there would not be any windows directly overlooking the adjacent dwelling and private garden. In addition, the proposed extension would be immediately adjacent to the approved residential unit. As such, there would not be any unreasonable adverse impact upon the neighbouring occupiers in terms of overlooking and overbearing.

5.7 Impact upon Staple Hill Methodist Church

The property is also adjacent to Staple Hill Methodist Church and officers acknowledge that the Church raise a number of strong objections to the proposal in terms of the noise, overlooking (including child protection), and loss of light.

It should be noted that the Church not only provides traditional services, but the buildings are also used by a good number of community groups, including a pre-school establishment. A small part of the front garden has been converted for a play area for young children and there is also an outdoor play area located in the alley way between the Church building and the boundary of the application site. The Church is relatively large in size and split into two levels, including a nave above 2 halls, kitchens, pre-school (children playroom).

Furthermore, the ground level of the Church is approximately 0.5 metres to 1.5 metres lower than the ground level of the application site. The Church building has a number of windows and doors on the east elevation. These windows are partly obscured glazed.

There are two main elements of the proposal, i. conversion of the existing building into 4 no. dwellings and ii. Erection of a two-storey to the rear in order to provide 1 no. dwellings.

A: Noise transmission

Concerns are raised regarding the potential noise transmission between the Church building and the proposed development. Whilst the proposal is to create additional dwellings on site, it is not considered that the normal domestic use of the site would cause unacceptable impact upon the users of the Church. Vice-versa, any future occupiers of these new dwellings would acknowledge the proximity and the use of the adjacent building, therefore the usual activities of the Church (including the occasions of the activities, such as mid night services, concerts) would not cause unreasonable noise or nuisance upon the future occupiers. In addition, the site is situated within an urban environment, and there are already residential occupiers nearby. Given this general context, it is considered that the proposed residential use would not cause any material adverse impact in terms of noise nuisance upon both users of the Church and the future occupiers of the development proposed.

B: Overlooking issues:

On the west elevation of the existing building, the major physical alterations are to un-block the existing windows to create an entrance to the converted dwellings and to install a number of rooflights. Given that the windows and rooflights would be installed at the proposed bathroom of the converted dwellings, it is considered that these windows would not cause unreasonable overlooking upon the users of the Church.

On the proposed rear extension, there would be a new hall window, door, and a kitchen window on the west elevation of the ground floor level and there would be a bathroom window, hallway window and a bedroom window on the first floor level. It is considered that the proposed bathroom window and hallway windows would not cause significant overlooking issues as they are not primary windows. Officers acknowledge that the kitchen window and the bedroom window would cause a degree of overlooking impact upon the users of the pre-school establishment. Nevertheless, officers take consideration that a 2 metres high fence could be installed along the site boundary under the permitted development rights, and the new bedroom window would only overlook a relatively small part of the children's play room, it is considered that the overlooking impact would not be significant to be detriment to the amenity of the users of the Church building. Certainly, it would not result in anything greater than generally causal overlooking such is fairly typical in built up areas. This degree of overlooking to a building in community use is not one where it can reasonably be assumed that protection issues regarding the safeguarding of children or adults would arise.

C: Overbearing / loss of light.

Officers acknowledge that the concerns over the proposed rear extension, which would follow the same roof pitch of the existing building. The ridgeline of the new extension would be slightly lower than that of the host building and its side elevation would be approximately one metre setting back from the side elevation of the host building. The distance between the side west elevation of the new extension and the main side elevation of the Church building would be approximately 4 metres. The extension would not project beyond the rear elevation of the adjacent car showroom building, which lies to the east of the building.

The proposed extension would be two-storey building, and it would cause a degree of sunlight to the pre-school room and the outdoor play area, which lies between the site boundary and the side elevation of the Church building. It should be noted that the proposed extension lies to the east of the church building, and the extension would likely cause a reduction of sunlight in the early morning (particularly during the winter). Nevertheless, the Church do offer an additional outdoor play area in front of the building, and the outdoor play area adjacent to the side boundary is relatively narrow, which is approximately 2 metres in width and likely to be used as a secondary outdoor play area. Furthermore, a primary indoor play room is located further away from the existing window. Given the above consideration, including the siting, multi-uses of the Church building, it is considered that, on balance, the loss of light would not be significant to be detrimental to the amenity or well-being for the users of the building.

Regarding the concerns over the loss of Ancient Light or Rights of Light, it would be civil matter, and the loss of light has been considered as above as a material planning consideration.

5.8 Design Issues

For the most part the proposal utilises the existing buildings. The proposed rear extension would be 2 storey in height. The extension has been designed to respect the character and scale of the host dwelling. The external materials would match those of the host dwelling, therefore the design is acceptable and would not cause any harm to the character and appearance of the locality, and accord with Policy CS1 of The Core Strategy.

5.9 Transportation Issues

The proposal is to convert part of the retail storage and snooker hall into 4 no. dwellings and to erect a two-storey extension for 1 no. additional dwelling. The proposal would not provide any off-street parking spaces within the site. It is noted that there are currently some on-street parking spaces with restricted parking hours near the site.

The Highway Officer has no objection to the proposed change of use of the existing uses to residential, however he had expressed concern in relation to the proposed extension. Paragraph 2.4 of the adopted Council Residential Parking Standards states that there may be exceptions where anticipated levels of car ownership may well be less than the proposed standards in some development scheme or there may be extenuating circumstances where it may

be appropriate to allow a variation from the standards, and such proposals will need to be justified by a Transport Statement or Assessment. In this regard the applicant submitted a sustainable transportation statement, which has been considered. .

Chapter 4 of the NPPF promotes sustainable transport and states that development should only be prevented on transport grounds where the residual cumulative impacts of development are severe. The site is located on the High Street of Staple Hill, but is not within the acute parking zone. Officers acknowledged that the proposed extension is relatively minor in nature, in that the proposed residential unit that would make use of the extension would result in half of the unit being within the extant building profile and the remainder within the extension. Based on the submitted layout, it is reasonable to assume that without the extension a single bed unit could be accommodated within the extant building. So in transportation terms officers are essentially looking at the difference between potentially a 1 bed unit and 3 bed unit.

To address officers' concerns, the applicant submitted details relating to the availability of on-street parking including short stay (max. 2 hours) and long stay (max. 12 hours) within a reasonable walk of the site, and whilst some of the areas are remote from the site it is clear that there is potential to accommodate additional on-street car parking in the vicinity without creating or exacerbating an existing parking problem. This is also supported by the provision of regular bus services within walking distance of the site, the location of shops, cycle routes etc. Furthermore, officers also take consideration the difference in traffic generation of the extant uses and proposed residential use.

Such that when all the above factors are put together, in this instance it would be reasonable to assume the site is in a relatively sustainable location, and there would not be material increase in the traffic generation caused by the proposal, and that in this instance no transportation objection to the proposal based upon lack of parking for the dwelling subject to the extension could be substantiated, and as such there is no transportation objection to this proposal.

Regarding the provision of bike storage, concerns are raised regarding the location of the bike stores. The submitted site plan shows a bike store will be provided for each dwelling. Officers agree that the location of these stores would be unlikely to be used in practical terms due to their location. Nevertheless, it is noted that the proposed private amenity area of Unit 4 is relatively large in size and a part of area can be reallocated to accommodate a communal bike store near the northern (rear) boundary of the site without causing significant adverse impact upon the future occupiers of Unit 4. Officers therefore impose a planning condition to seek a revised site layout plan showing a communal bike store to be located near the said boundary, and their details of the size and external materials of the store prior to the first occupation of the development.

5.10 Environmental and Drainage Issues

Any increase in noise levels or anti-social behaviour, would be the subject of normal environmental health controls. Whilst there would inevitably be some

disturbance for neighbours during the development phase, this could be adequately mitigated by imposing a condition to restrict the hours of working. There are therefore no objections on environmental grounds. In terms of drainage, the Council's Drainage Engineer has raised no objection to the proposal; existing drainage systems would be utilised. As the site lies within an area mined for coal, a suitable informative would be added to any approval granted.

5.11 Ecology

The site is not covered by any statutory or non-statutory nature conservation designations. There are no ecological constraints to granting planning permission.

5.12 Landscape

There are no landscape features or vegetation of note within this previously developed site.

5.13 Affordable Housing, Education Services, and Community Services

On 28 November 2014, the National Planning Practice Guidance advised that contributions should only be sought from developments of 10 units or less, and which have a maximum combined gross floor space no more than 1000 square metre. As the proposed development would only provide 5 housing units, it is considered that it would not be reasonable to seek financial contributions towards education services and affordable housing provision.

Regarding the number of housing units for this site, officers need to take consideration of the site location, adverse impact upon the residents' amenity, highway issues, and other relevant planning materials. The proposal would provide 5 no. new dwellings and officers consider that a maximum number of housing units has been achieved without significantly compromising the residential amenity and visual amenity of the area. It is considered that any additional housing units would potentially result in raising ridge height of the new dwellings, increasing traffic movement within the site and potentially creating a cramped form of development. In this instance, it is considered that the proposed number of housing units would be the reasonable maximum number of housing units on this particular site.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Contact Officer: Olivia Tresise
Tel. No. 01454 863761

CONDITIONS

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

Reason

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

2. The hours of working on site during the period of demolition and construction/conversion shall be restricted to 8.00am to 6.00pm Mondays to Fridays inclusive, 8.00am to 1.00pm 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. Any use of the site outside these hours shall have the prior written consent of the Local Planning Authority.

Reason

To protect the residential amenity of neighbouring occupiers and to accord with Policy RT9 of The South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

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

Reason

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

4. The glazing on the first floor west elevation including the oriel window on the rear elevation, with an exception of the bedroom window of Unit 4, shall at all times be of obscured glass to a level 3 standard or above and be permanently fixed in a closed position.

Reason

To protect the privacy and amenity of neighbouring occupiers, and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and Policy RT9 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. Prior to the commencement of the development, surface water drainage details including a detailed development layout showing surface water, incorporating sustainable drainage systems (e.g. soakaways if ground conditions are satisfactory) for flood prevention; pollution control and environmental protection shall be submitted to and approved in writing the Local Planning Authority. The works shall be carried out in accordance with the approved details.

Reason

The required details need to be submitted prior to the commencement of the development in order to avoid any unnecessary remedial works and 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).

6. Notwithstanding the submitted proposed roof and site plan, Drawing No. PL3C, prior to the first occupation of the proposed development hereby permitted, a revised site layout plan showing all bike stores for each unit located near the rear northern boundary of the site; their size and external materials; the boundary fence along the site boundary and the garden area for each unit, shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details before the first occupation of the development.

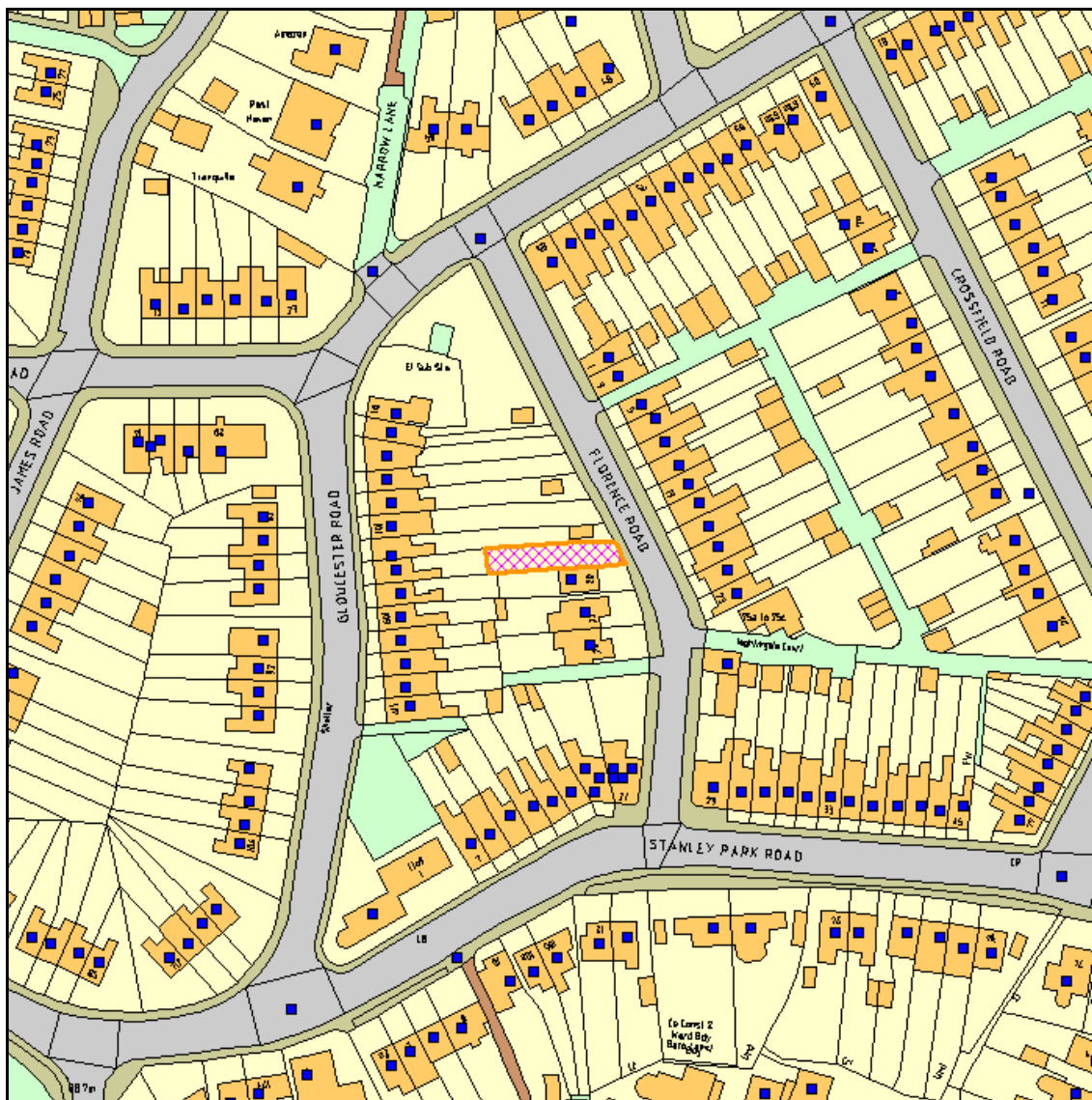
Reason

a. To ensure the satisfactory external appearance of the development and to protect the amenity of the neighbouring occupiers and the future occupiers, and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013).

b. To encourage means of transportation other than the private car, to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006, and Council's Residential Parking Standards (Adopted December 2013).

CIRCULATED SCHEDULE NO. 18/15 – 1 MAY 2015

App No.:	PK15/1050/F	Applicant:	Mr Kevin Bence
Site:	105 Gloucester Road Staple Hill Bristol South Gloucestershire BS16 4SP	Date Reg:	25th March 2015
Proposal:	Erection of 1no. new dwelling with access, parking and associated works.	Parish:	None
Map Ref:	365210 175374	Ward:	Staple Hill
Application Category:	Minor	Target Date:	12th May 2015



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 100023410, 2008. **N.T.S.** **PK15/1050/F**

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application is referred to the circulated schedule for determination as a comment has been received from the adjacent neighbour which may be considered an objection; this is contrary to the Officer recommendation for approval.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a new dwelling on land to the rear of no.105 Gloucester Road Staple Hill. The site is accessed from Florence Road. To the south of the proposed dwelling stands a similar, albeit slightly wider, modern in-fill dwelling. Beyond that stand a pair of 1970s semi-detached dwellings. To the back of the site are the dwellings that face Gloucester Road and to the front is a Victorian terrace on Florence Road.
- 1.2 The site lies within the existing urban area of the East Fringe of Bristol. No further land use designations cover the site.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS4A Presumption in Favour of Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS15 Distribution of Housing
CS16 Housing Density
CS17 Housing Diversity
CS29 Communities of the East Fringe of Bristol

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

L1 Landscape
L5 Open Areas
T12 Transportation
H4 Development within Existing Residential Curtilages

- 2.3 Supplementary Planning Guidance
 - i. South Gloucestershire Design Checklist (Adopted) August 2007
 - ii. Residential Parking Standard (Adopted) December 2013

3. RELEVANT PLANNING HISTORY

- 3.1 *Adjacent Site – no.107 Gloucester Road*
PK04/1659/F Approve with Conditions 16/08/2004
Erection of 1 no. detached dwelling with 2 no. parking spaces

4. CONSULTATION RESPONSES

- 4.1 Parish/Town Council
This area is unparished
- 4.2 Highway Structures
No comment
- 4.3 Lead Local Flood Authority
No comment
- 4.4 Sustainable Transport
Further detail required to justify the loss of parking

Other Representations

- 4.5 Local Residents
One comment has been received which raises the following matters –
- Access from neighbouring gardens will be required
 - Concern over how building work will be undertaken on the site
 - Safety of children during build
 - Scaffolding may be required in neighbouring gardens
 - Security

5. ANALYSIS OF PROPOSAL

- 5.1 This application seeks planning permission for the erection of a new detached dwelling on a plot accessed from Florence Road, Staple Hill.
- 5.2 Principle of Development
The site is located within the existing urban area of the East Fringe of Bristol where residential development is supported in principle subject to an assessment of the impact of the proposal. Therefore, the application is acceptable in principle but should be determined against the analysis set out below.
- 5.3 Site Characteristics and Density
The proposed dwelling is located on a very narrow plot and would on first assessment seem rather cramped. However, on a more detailed inspection of the locality, the development does not appear to be out of character with the prevailing pattern of the built form in the area. It is clear that when the properties on Gloucester Road and Florence Road were built, those on the latter faced directly into the rear gardens of the former. Since then, infill development has occurred that includes the pair of 1970s semi detached houses to the south of the application site and the later 2000s dwelling immediately adjacent.

- 5.4 Whilst the plot of the proposed dwelling is narrower than that to the rear of no.107, the tight knit character of the locality with its Victorian terraces and later infill mean that the development, if permitted, would not look incongruous. Significant weight is given to the planning permission granted in 2004 for the adjacent dwelling and its similar site characteristics. It is not considered, that if permitted, the proposed dwelling would have an adverse impact on the character of the area.
- 5.5 Design and Appearance
The design of the proposed dwelling is somewhat bland and unadventurous; however, it is very similar in appearance to the dwelling immediately adjacent which was granted planning permission in 2004. It proposes to use part render and part brickwork with a projecting front porch and a tiled roof. As this is the same design approach used on the adjacent property, it cannot be considered harmful to the visual amenity of the area. On that basis, it is considered that an acceptable standard of site planning and design has been reached and the development is acceptable.
- 5.6 Notwithstanding the above, the site is small and the size of the house has attempted to make the most of the constrained plot. Any further development is likely to have a significant impact which would require further assessment and it is therefore considered necessary that the property's permitted development rights are removed.
- 5.7 Living Conditions
Development should not be permitted that has a prejudicial impact on residential amenity. This should consider the impact on all nearby occupiers and on the application site itself.
- 5.8 It is not considered that the development would prejudice the amenities of any nearby occupier. Over 22 metres stand between the rear elevation of the proposed dwelling and the most rear elevation of the nearest dwelling on Gloucester Road. This is considered to be a sufficient distance to retain privacy. Whilst the development may introduce some level of overlooking, this is not any more significant than the existing levels of overlooking and is not inconsistent with a suburban environment. The rear elevation of the proposed dwelling would project approximately 0.8 metres beyond the established rear building line of the existing dwellings to the south of the site. This is not considered to be prejudicial to residential amenity as it the projection is not considered to be significant.
- 5.9 One small window is proposed in the side elevation of the property to serve a bathroom. This window could have a free view over the gardens of neighbouring properties and to protect privacy, a condition should be attached that requires the glazing in this window to be obscured. Furthermore, the installation of any further windows in the property (although unlikely in the front and rear elevation) may also affect privacy levels and a condition should be attached that prevents the installation of any windows.

5.10 The proposed dwelling would have satisfactory living conditions. The proposed rear garden is of a useful shape and, although not large, would provide some outdoor private amenity space.

5.11 Transport and Parking

Accessed from a minor road, the main consideration is the provision of adequate off-street parking. The transport officer has requested further details as it is assumed that the erection of a dwelling in this location would lead to the removal of off-street parking associated with no.105 Gloucester Road; this is not the case. Having looked at aerial photographs of the site dating from 1991, there is no evidence that the site has been used for parking. Photos suggest that the site has previously been used as a vegetable patch and garden. It is considered that the partial removal of the boundary wall onto Florence Road is relatively recent. The wall has not been removed to the extent to facilitate vehicular access as the footings and some full height sections remain. On this basis, it is concluded that no.105 Gloucester Road currently does not benefit from off-street parking, and if permitted, this development would not change that status-quo.

5.12 Under the Residential Parking Standard, a two-bedroom dwelling must provide 1.5 parking spaces. This is rounded down to the nearest whole number, which in this instance is one parking space. The proposal includes the provision of one off-street parking space and therefore the development accords with the Residential Parking Standard and it is not considered that the development would result in a demonstrable reduction in highway safety in the vicinity.

5.13 Other Matters

Concern has been raised by the adjacent neighbour as to access, site security, child safety, and damage to adjoining land and buildings. Planning permission does not grant a right of access and consent is always required to enter land not in the control of the applicant. Issues regarding damage to adjoining land and buildings are a civil matter and are best addressed outside of the planning system. It is the responsibility of the applicant to ensure site security.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 It is recommended that planning permission is GRANTED subject to the conditions listed below.

Contact Officer: Griff Bunce
Tel. No. 01454 863438

CONDITIONS

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

Reason

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

2. The off-street parking facilities for all vehicles, including cycles shown on plan DRW01 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 CS8 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013, Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies) and the Residential Parking Standard SPD (Adopted) December 2013.

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

Reason

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

4. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no windows other than those expressly authorised by this permission shall be installed.

Reason

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

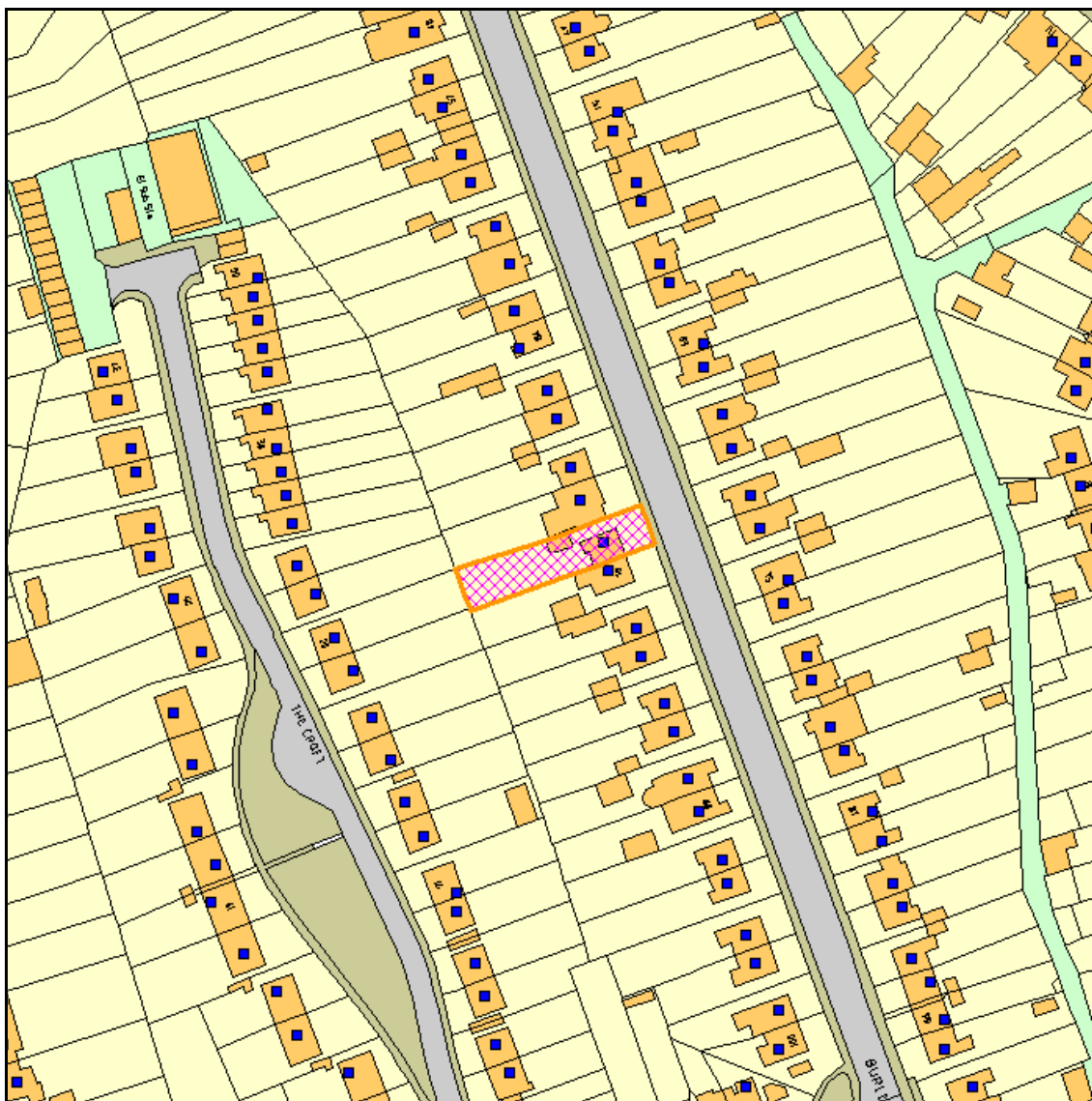
5. Prior to the first occupation of the dwelling hereby permitted, and at all times thereafter, the proposed first floor window on the north elevation shall be glazed with obscure glass to level 3 standard or above with any opening part of the window being above 1.7m above the floor of the room in which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

Reason

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

CIRCULATED SCHEDULE NO. 18/15 – 1 MAY 2015

App No.:	PK15/1163/F	Applicant:	Mr P Davis
Site:	74 Burley Grove Mangotsfield Bristol South Gloucestershire BS16 5PZ	Date Reg:	25th March 2015
Proposal:	Erection of front porch and extension to front of garage	Parish:	None
Map Ref:	365867 176400	Ward:	Rodway
Application Category:	Householder	Target Date:	14th May 2015



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 100023410, 2008. **N.T.S.** **PK15/1163/F**

CIRCULATED SCHEDULE

The following report appears on the Circulated Schedule due to an objection from a local resident.

1. THE PROPOSAL

1.1 The applicant seeks full planning permission for the erection of a front porch and an extension to the front of the garage. The application site relates to a two-storey semi-detached property in Burley Grove, Mangotsfield.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012

National Planning Policy Guidance

2.2 Development Plans

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

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

T12 Transportation Development Control Policy for New Development

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist.

South Gloucestershire Residential Parking Standards

3. RELEVANT PLANNING HISTORY

3.1	PK14/1321/F	Demolition of existing garage. Erection of single storey rear and two storey rear and side extension to form additional living accommodation and garage.
	Approved	28.7.14

4. CONSULTATION RESPONSES

4.1 Parish Council

No Parish Council

4.2 Other Consultees

Highway drainage

No objection

Sustainable Transport

No objection

Other Representations

4.3 Local Residents

One letter of objection has been received from a local resident. The main points are:

- The porch would not be practical allowing only 0.4 m for a person to enter and exit via the porch door resulting in health and safety concerns
- Concerned the minimal access to the property will impact on pavement users and therefore cause safety issues for pedestrians
- The proposed front of garage would block the light into our kitchen window
- The property has already been extended under PK14/1321/F
- Concerns regarding drainage to front of property from water run off
- The proposed front elevation will not be in keeping with the area
- Plan shows existing front elevation is not accurate

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 the overall design and impact on the character of the area (CS1); the impact on the residential amenity of future occupiers and neighbours (H4) and the impact of the proposal on highway safety and parking (T12; SPD: Residential Parking Standards).

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

5.2 Design and Visual Amenity

The site has recently benefited from permission for a two storey side extension with an integral garage. Under that application the side extension was stepped back slightly from the main front building line. A small lean to roof was to be positioned over the front of the garage. The main entrance, leading to an internal porch area, remained flush with the front building line. This application proposes a porch forward of the main building line and slightly forward of its existing bay window. The roof of this porch would continue across the front of the garage.

5.3 The principle of a small porch to the front of the property that would have a footprint of approximately 0.8 metres by 2.3metres is acceptable and this on its own could be achieved without the need for planning permission. Similarly, the small single storey extension to the garage is also acceptable in principle, but this and being physically connected to the porch by the roof, does need a full assessment. It is, perhaps, unfortunate that this would result in this part being forward of the principal building line but it is recognised that when taken as a whole, marrying up the front porch to the front of the garage would result in a better design/appearance than if the porch were to stick out from the front on its own. Although not a common feature, a number of porches and roofs above entrances can be seen along this road. Given the proposed scale there can be no objection in terms of massing and bulk and good quality materials to match those of the existing dwellinghouse would be used in its construction.

The proposal is therefore considered acceptable and appropriate to the host property and character of the area in general. Drawings show the entrance doorway would be approximately 0.9 metres wide which is acceptable.

5.4 Residential Amenity

The proposed porch and single storey extension to the front would extend out by approximately 0.8 metres from the main front building. Neighbours at No. 72 have expressed concern that the extension would impact negatively on their property by blocking the light into their kitchen as their own adjacent two-storey side extension is stepped back from their front building line. It is acknowledged that the proposed extension would be to the south of this property and as such changes would occur for this neighbour. A judgement is therefore required to balance the degree of impact the single storey extension of limited depth would have on the neighbouring property and also taking into consideration the location of the application site within a built up area where properties are in close proximity to one another and extensions/alterations to dwellings are to be expected. Although it is recognised there would be some changes the neighbour would still benefit from sun in the early morning until approximately the middle of the day. It is therefore considered that the degree of impact would not be sufficient to warrant a refusal of the application.

5.5 Sustainable Transport

The proposed plans show that two off street parking spaces measuring 2.4 metres by 5.3 metres can be achieved in front of the dwelling. The recently approved SPD: Residential Parking Standards (Adopted) 2013 states that external parking spaces should measure approximately 4.8 metres by 2.4 metres. Given this the proposal is considered to accord with policy and on this basis there can be no objection to the scheme.

5.6 Concerns have been received regarding the potential problems for pedestrians following the proposed development. Any inconsiderate parking that results in possible safety issues for users of the pavement outside the application site cannot be dealt covered in a planning application assessment but should instead be referred to the appropriate authorities i.e. the Policy Authority.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Contact Officer: Anne Joseph
Tel. No. 01454 863788

CONDITIONS

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

Reason

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

CIRCULATED SCHEDULE NO. 18/15 – 1 MAY 2015

App No.: PT13/1973/F
Site: 6 Frampton End Road Frampton
 Cotterell Bristol South Gloucestershire
 BS36 2JZ

Applicant: Mr Cole
Date Reg: 17th June 2013

Proposal: Erection of 1.3 m high front wall.
 (Retrospective)

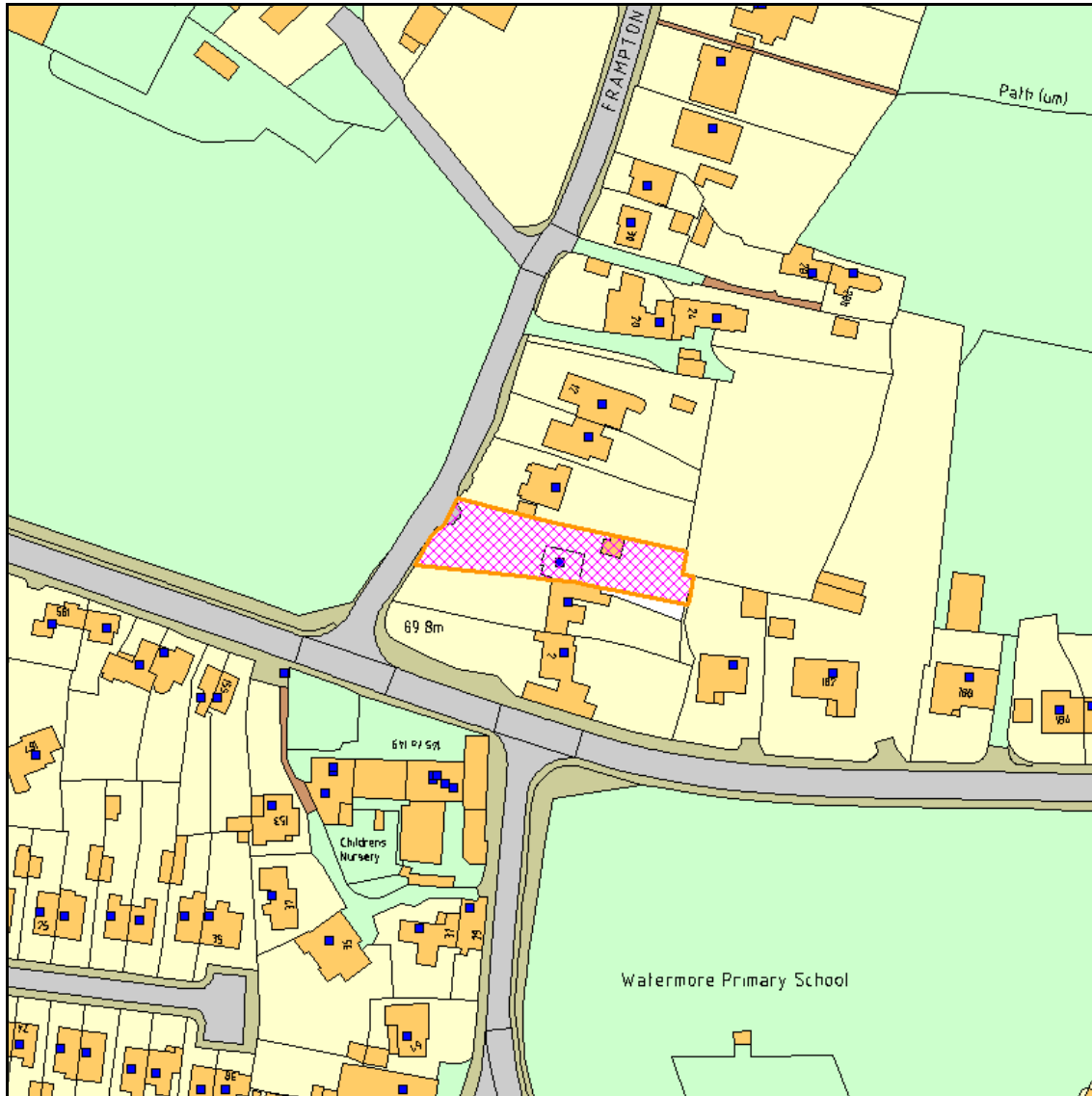
Parish: Frampton Cotterell
 Parish Council

Map Ref: 367355 181699

Ward: Frampton Cotterell

Application Category: Householder

Target Date: 7th August 2013



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 100023410, 2008. **N.T.S.** **PT13/1973/F**

REASON FOR REFERRING TO CIRCULATED SCHEDULE

The application is circulated as a result of the Parish Council Comments.

1. THE PROPOSAL

- 1.1 The proposal is for the retention of a 1.3m high stone wall to the front of the house and abutting Frampton End Road. The wall requires permission owing to its height at 1.3m, as permitted development rights would only facilitate a one metre high wall at this location adjacent to a highway.
- 1.2 The application site is a cottage style dwelling forming the end house in a terrace of three individually designed houses. The houses are all locally listed and this house is designed with its primary elevation facing sideways away from the attached houses. The site is situated just outside of the settlement boundary and lies within Green Belt.
- 1.3 This site has been subject to various applications in the recent past and the cottage is now in the process of being rebuilt.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
Section 7 Requiring good design
Section 9 Protecting Green Belt Land

2.2 Development Plans

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

H4 Development in residential curtilages
L15 Buildings and structures which make a significant contribution to the character and distinctiveness of the locality

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

South Gloucestershire Local Plan Core Strategy adopted Dec 2013.

CS1 High Quality Design

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist SPD (Adopted) 2007
South Gloucestershire Development within the Green Belt (Adopted) 2007
South Gloucestershire Residential Parking Standards Adopted Dec 2013

3. RELEVANT PLANNING HISTORY

- 3.1 PT14/1548/F Demolition of existing dwelling (Retrospective) and erection of 1no. replacement dwelling with associated works. Approved 01.07.2014
- 3.2 PT13/0275/F Erection of two storey front, rear and side extensions to provide additional living accommodation and integral garage. Withdrawn
- 3.3 PT14/0324/F Erection of detached timber building to front of property. (Retrospective). Refused 02.04.2014 Now subject to an enforcement notice requiring its removal following a dismissed appeal.
- 3.4 PT13/1769/F Erection of two storey rear extension and 2 storey side extension to provide additional living accommodation (Resubmission of PT13/0275/F) Approved 19.07.2013

4. CONSULTATION RESPONSES

- 4.1 Frampton Cottrell Parish Council
The Parish Council request that the grass verge is re-instated as it severely affects the street scene. This is demonstrated (by Photographs) within the application. All entrance pillars should match the existing stone walls.
- 4.2 Other Consultees
Transportation – No objection
Conservation officer – No objection
Enforcement team – No comment
Drainage – no comment

Other Representations

- 4.3 Local Residents
No comments received

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 **but can also relate to boundary treatments**, 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. Green belt is also a relevant consideration and is considered below.

5.2 Design

The application relates to the rebuilding of the natural stone wall fronting the highway at the entrance to this locally listed building which is undergoing a rebuilding project. Whilst possibly higher than some areas of the stone wall it replaced the wall is acceptable and blends into the height of the boundary walls on either side of the site and it not intrusive in the road. Some of its apparent increase in height may be due to the treatment of the grass verge outside of the site which has been tarmacked over by the applicant when the wall was constructed. This appears to be outside of the site and is a matter for Streetcare. The wall appears to have widened/reconfigured the access modestly and new gates are installed to replace the previously white painted five bar gates. The stone piers are more solid than the previous gates entrance piers but the works are not sufficiently harmful to the character or setting of the locally listed building or the general area to warrant a recommendation of refusal. As such the wall is considered acceptable visually.

5.5 Green Belt

Development in the green belt is generally inappropriate development and by definition is harmful to the green belt. However this is the rebuilding of a wall rather than a new enclosure, the wall is not materially higher than the one it replaces; it is acceptable visually as established above and would not detract from the openness of the green belt. As such it is considered that the wall would fall into one of the exceptions to inappropriate development as set out in paragraph 89 of the NPPF.

5.6 It is therefore considered that the proposed development would constitute an appropriate form of development within the Green Belt, and would accord with policies H4 and CS5, and the NPPF.

5.3 Residential amenity

The wall is located on the front of the site and has no impact on the residential amenity of neighbours.

5.4 Transportation

The access is similar to that previously seen at the site and there is no impact on the retention of parking. The gates will not open out over the highway. As such there is no transportation objection.

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 South Gloucestershire Local Plan Core Strategy adopted Dec 2013 set out above, and to all the relevant material considerations set out in the report. Conditions are not required as the development retrospective.

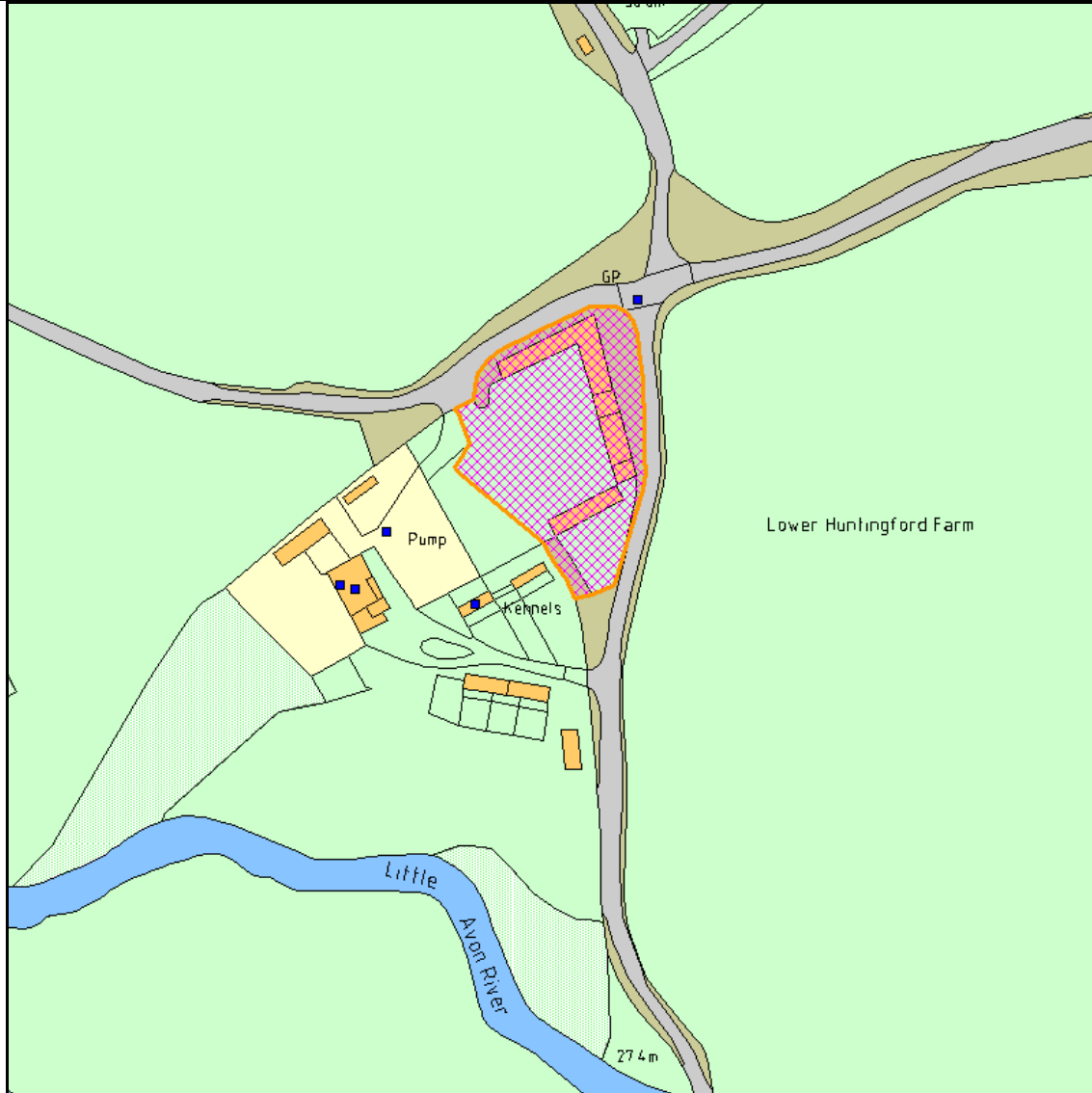
7. RECOMMENDATION

7.1 That permission is granted without conditions. Further that the matter of the tarmac outside of the site is passed to Streetcare for their consideration.

Contact Officer: Karen Hayes
Tel. No. 01454 863472

CIRCULATED SCHEDULE NO. 18/15 – 1 MAY 2015

App No.:	PT14/3924/F	Applicant:	Chappell And Dix Ltd
Site:	The Barns Lower Huntingford Charfield South Gloucestershire GL12 8EX	Date Reg:	6th November 2014
Proposal:	Conversion of existing workshop and offices to form 3no. dwellings with associated works.	Parish:	Charfield Parish Council
Map Ref:	372154 193237	Ward:	Charfield
Application Category:	Minor	Target Date:	29th December 2014



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule following the receipt of objections from Charfield Parish Council, a local resident and the Council's Environmental Health Officer, all of which are contrary to the Officer recommendation.

1. THE PROPOSAL

- 1.1 The application relates to a group of rural buildings, of traditional stone construction, that were previously used as barns in association with Lower Huntingford Farm. The buildings are located in open countryside, approximately 1Km north of the village of Charfield. The buildings are arranged in a 'U' shape, bounding the northern, eastern and southern edges of the site and enclosing a courtyard; vehicular access is from the lane to the south. The former farmhouse and an associated boarding kennels and cattery lie adjacent to the south-west and south of the site respectively. The former barns lie in a prominent position where the local rural lanes form a crossroads.
- 1.2 In 1988 planning permission P88/1507 was granted on appeal to convert the barns to 2no. dwellings and this permission was renewed (see P93/2725) in Feb.1994 but never implemented. The original applicant for P88/1507 was the current owner of the farmhouse and kennels who at that time also owned the barns.
- 1.3 In October 1990 a temporary planning consent P90/2363 was granted for the '*Conversion of redundant barns to form joinery workshop with associated storerooms and office; erection of boundary wall, alteration to vehicular access*'. Due to highway concerns about the use of the rural lanes by larger vehicles associated with this use, a condition was imposed to restrict the use of the buildings to Chappel and Dix Ltd. for the manufacture of joinery products only.
- 1.4 The temporary consent was renewed in Dec. 1993 (P93/2239) and again in Feb. 1996 (P95/2647) before a permanent consent (P97/1186) was finally granted in July 1997. Condition 3 of the permission P97/1186 restricts the use of the premises to joinery workshop and builder's office only, the reason given that the use of the buildings for any other purpose would require the Council's further consideration. The buildings are to this day still occupied by Chappel and Dix Ltd who are the applicants for this current application PT14/3924/F.
- 1.5 The applicants have stated that their business is growing annually and may have to move to larger premises within the area. To enable them to do so, they need to maximise the value of the existing site, hence the current application to convert the buildings to 3no. separate dwellings comprising 1 x 3 bed, 1 x 2 bed and 1 x 1 bed dwellings.

2. POLICY CONTEXT

2.1 National Guidance

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

2.2 Development Plans

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

- CS1 High Quality Design
- CS4a Presumption in favour of Sustainable Development
- CS5 Location of Development
- CS6 Infrastructure and Developer Contributions
- CS8 Improving Accessibility
- CS9 Managing the Environment and Heritage
- CS15 Distribution of Housing
- CS16 Housing Density
- CS17 Housing Diversity
- CS18 Affordable Housing
- CS34 Rural Areas

South Gloucestershire Local Plan (Adopted) January 2006

- L1 - Landscape Protection and Enhancement
- L9 - Species Protection
- EP2 - Flood Risk and Development
- EP4 - Noise Sensitive Development
- EP6 - Contaminated Land
- H10 - Conversion and Re-use of Rural Buildings for Residential Purposes
- T7 - Cycle Parking
- T12 - Transportation Development Control Policy for New Development
- LC2 - Provision for Education Facilities (Site Allocations and Developer Contributions).

2.3 Supplementary Planning Guidance

The South Gloucestershire Design Checklist (SPD)

The Affordable Housing SPD (Adopted) Sept. 2008

The South Gloucestershire Council Residential Parking Standards (Adopted).

2.4 Emerging Plan

Proposed Submission : Policies, Sites & Places Plan March 2015

- PSP1 - Local Distinctiveness
- PSP2 - Landscape
- PSP8A - Settlement Boundaries
- PSP8B - Residential Amenity
- PSP11 - Development Related Transport Impact Management
- PSP16 - Parking Standards
- PSP17 - Heritage Assets and The Historic Environment
- PSP20 - Flood Risk, Surface Water and Watercourse Management
- PSP21 - Environmental Pollution and Impacts
- PSP36 - Residential Development in the Countryside.
- PSP39 - Private Amenity Space Standards

3. RELEVANT PLANNING HISTORY

- 3.1 P88/1507 - Conversion of barns to form two dwellings.
Refused 11 May 1988
Allowed on Appeal 22 Dec. 1988
- 3.2 P89/1771 - Change of use of redundant agricultural buildings and yard to use as joinery workshop, offices and storage of building materials and equipment.
Refused 4 Oct. 1989
- 3.3 P90/1582 - Change of use of redundant barns to form joinery workshop and associated storerooms and office; erection of boundary wall, alterations to vehicular access.
Refused 16 May 1990
- 3.3 P90/2363 - Conversion of redundant barns to form joinery workshop with associated storerooms and office; erection of boundary wall, alteration to vehicular access.
Approved 24 Oct. 1990
- 3.4 P93/2239 - Conversion of redundant barns to form joinery workshop with associated storerooms and office; erection of boundary wall, alteration to vehicular access.
Approved 8 Dec. 1993
- 3.5 P93/2725 - Conversion of barns to form two dwellings.
Approved 23 Feb. 1994
- 3.6 P95/2647 - Use of buildings as joinery workshop and builders offices (renewal of temporary consent)
Approved 7 Feb 1996
- 3.7 P97/1186 - Conversion of farm buildings to joinery workshop and builders office.
Approved 28 July 1997
- 3.8 P97/2551 - Erection of store for agricultural machinery (measuring 13 metres by 6.2 metres)
Refused 22 Jan 1990
- 3.9 P98/1601 - Erection of building for storage purposes associated with an agricultural small-holding.
Approved 12 June 1998
- 3.10 PT01/1968/F - Refurbishment of one building within group, including raising roof by one metre.
Refused 14 Sept 2001

- 3.11 PT02/0042/F - Refurbishment of one building within group, including raising roof level.
Approved 31 May 2002

4. CONSULTATION RESPONSES

- 4.1 Charfield Parish Council
Object – the proposal is outside the development boundary.

4.2 Other Consultees

Sustainable Transport

Whilst the site is in an unsustainable location, and as such in principle the development should be objected to, as it relies upon the motor car as the principal form of transport; consideration has to be given to the fact that this site is historically a commercial enterprise that potentially would generate more vehicle movements than the current proposal. As such this proposal would have a neutral impact upon traffic movements in the vicinity, and there is therefore no transportation objection to this proposal.

Highway Drainage

No objection

Highway Structures

No comment

Environmental Protection

No objection subject to a condition relating to contaminated land/buildings.

Environmental Services

Object - There is a commercial dog kennels next to the proposed development. I understand that originally they were all part of one farm. The proposed residential site is currently used as a builders yard, workshop and office.

The kennels were established around 1960 and currently have a licence for 40 dogs to be kept at the premises. Well managed kennels will still generate noise from barking dogs from the general activities that occur at such premises during the day. A residential use in such close proximity to a commercial kennels is likely to lead to a conflict in the uses. Noise mitigation measures may give some protection to the proposed residential development but I am of the view that noise from barking dogs will impact on amenity and give rise to complaints of noise nuisance.

Other Representations

- 4.3 Local Residents
1no. response was received from the proprietors of the nearby Huntingford Boarding Kennels & Cattery who object unless any planning permission is subject to a clause preventing future occupiers from complaining about noise and all things culminating from the kennels.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The acceptance in principle of the conversion of these buildings to dwelling houses was previously established with the grant on appeal of application P88/1507 and subsequent approval of P93/2725, albeit that these consents were granted some 26 and 19 years ago respectively and under a different policy regime than to-days. Nevertheless, officers consider that this must to some extent weigh in favour of the proposal.

5.2 Advice contained within the NPPF now sets out national objectives for planning in rural areas. Sustainable development is the core principle underpinning land use planning. At para.55 the NPPF states that local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as e.g.

- Where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or
- Where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting.

5.3 Core Strategy Policy CS5 states that development in the open countryside will be strictly limited. This is considered to include the conversion and re-use of existing buildings as confirmed by the supporting text to Policy PSP36 at para.8.26, of the emerging PSP DPD. However, the supporting text also notes that changes to the General Permitted Development Order introduced permitted development rights to convert agricultural buildings to residential (see Schedule 2 Part 3 Class Q).

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

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

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

5.5 It is noted however that this is a saved policy and as such, weight is only afforded to the policy tests that are consistent with the provisions of the NPPF.

Saved policy H10 requires applications to demonstrate that all reasonable attempts have been made to secure a suitable business re-use or that the conversion is part of a business re-use. The saved Local Plan policy is therefore not directly consistent with the NPPF and as such carries less material weight, the NPPF Policy being the most recent.

5.6 Policy PSP36 of the Council's emerging Policies, Sites and Places Plan (PSP DPD), the submission of which for independent examination remains outstanding, does retain similar policy tests to H10. Policy PSP36 states (amongst other things not relevant to this application) that outside defined settlement boundaries, proposals for new residential development will only be permitted for:

- 1) Rural housing exception initiatives which accord with Core Strategy Policy CS19.
- 2) The conversion and re-use of existing buildings, where;
 - i). All reasonable attempts have been made to secure an economic development use; and
 - ii). The building is of permanent construction; and
 - iii). The building is redundant or disused: the proposal would also need to lead to an enhancement of its immediate setting; or
 - iv). In relation to Policy PSP17, in the case of a heritage asset, the development represents the optimal viable use.

In all circumstances:

Developments, including any alterations, extensions or creation of a residential curtilage, would not have a harmful effect on the character of the countryside or the amenities of the surrounding area.

5.7 Whilst Policy PSP36 is a material consideration, the PSP DPD is still an emerging plan and as such the policies therein can only be given minimal weight.

Business Re-Use

5.8 It is noted that no marketing exercise has been carried out in conjunction with the current application for residential use of the buildings. Instead the applicant is relying on the fact that residential use was previously granted under planning permissions P88/1507 (under appeal) and P93/2725, to justify the proposed residential use in the open countryside.

5.9 With regard to the issue of business re-use, the existing Joinery business occupies the buildings under planning consent P97/1186. It is evident from the planning history that the Council i.e. Northavon District Council at the time, raised highway concerns about the use of the buildings for business uses, the local lanes being of a rural nature and not really suitable for heavy vehicles. This is reflected in the initial refusal of P89/1771, refusal reason 1 reading as follows:

"The roads which give access to the site are unsuitable to serve the traffic that will be generated by the proposed development."

A similar reason was used to refuse a subsequent application P90/1582 for the same use. However, planning permission P90/2363 was eventually granted for the use of the buildings as a Joinery Workshop with associated Storerooms and Office in Oct 1990 but only on a temporary basis and also subject to a condition 2, which restricted the permission solely to the applicants Chappell and Dix, for the manufacture of joinery products. The reason given for the restriction being: '*..having regard to the particular circumstances of the case*'. The temporary permission was granted to: '*..enable the Council to review the position in the light of experience at the end of the limited period*'.

- 5.10 Only after two renewals of the temporary consent was a permanent consent (P97/1186) finally granted in July 1997 for use of the buildings as a Joinery Workshop and Builders Office. Condition 3 of the permission however, specifically restricted the use, within the Use Class, to that approved. Meanwhile, it is noted that in Feb. 1994 permission P93/2725 was granted to renew the earlier consent for conversion of the buildings to 2 dwellings, this permission carried none of the restrictive conditions attached to the business use approved.
- 5.11 Officers consider that with regard to the business uses of the buildings, all of the initial refusals, temporary consents and restrictive conditions reflect the Council's reluctance to allow these buildings to be used for business purposes. On the contrary an unrestricted planning consent for the use of the buildings for residential purposes suggests a preference on the part of the Council for this use, as opposed to a business use. Indeed, this is reflected in a letter dated 1 Aug. 1990 from the applicant's agent to the applicant which reads as follows:

"As you know, the eventual outcome of the discussion with the County Surveyors Department was an indication that they considered the traffic which you yourselves would generate would probably be acceptable. They were, however, concerned that if consent were granted it would not be possible to prevent a future user of the site who would generate more traffic but whose use would still remain within the same planning category. I have, therefore, suggested to Northavon District Council, and to the County Council, that the way to resolve the problem would be for a legal agreement to be entered into, in parallel with any planning consent, which would restrict any future use of the site but would also enable the planning consents for residential use to be reactivated should no suitable user be forthcoming. I understand from a telephone conversation with Charlie Dix that this approach would find favour with yourselves and I trust this is something which the District Council will also see as a way out of the problem".

Whilst a legal agreement was not entered into, it is evident that the restrictive conditions attached to planning consent P90/2363, granted shortly afterwards, reflect the content of this letter.

- 5.12 Officers, having considered the above and in light of the fact that the lanes around the site have not changed in the interim; that there are significant constraints on any business use of the site and that there is an historical preference on the Council's part, that the buildings would better be used for

residential purposes. Officers consider this to be a material consideration that weighs heavily in favour of the current application and one that suggests that a marketing exercise for alternative business uses of the buildings may well be futile.

- 5.13 The new permitted development rights for change of use of agricultural buildings to dwellings (see para. 5.3 above) reflects a policy shift at national level towards allowing more residential conversions in the open countryside, which again weighs in favour of the application. Having regard to all of the above, officers consider that criterion A of Policy H10 need not apply in this case.

Soundness of the Buildings

- 5.14 In his decision letter relating to the 1988 appeal, the Inspector described the buildings as being "*reasonably sound*". Since then the buildings have been refurbished to accommodate the existing use and no doubt maintained as such. A structural survey of the buildings has not been carried out in conjunction with this current application PT14/3924/F, however, officers have inspected the buildings on-site and concluded that they are clearly of sound construction and physically capable of conversion without major or complete reconstruction. Officers are therefore satisfied that criterion B of Policy H10 is met.

5.15 Design and Visual Amenity

Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec. 2013 seeks to secure good quality design in new development and more specifically Policy H10 (D), which relates to the conversion of rural buildings for residential purposes, requires that – ‘Development, including any alterations, extensions or the creation of a residential curtilage would not have a harmful effect on the character of the countryside or the amenities of the surrounding area’.

- 5.16 Residential conversions do tend to have the most impact on traditional farm buildings due to the need to accommodate all of the different rooms and functions associated with domestic properties. Conversions to alternative uses can, therefore, result in more sympathetic schemes of adaptation and re-use that better respect the character and significance of historic farm buildings.

- 5.17 The Inspector for the 1988 appeal identified the buildings as being of, traditional stone construction, containing interesting features which are worthy of retention; in particular the details of the roof structure have an attraction and deserve preservation. The Inspector also noted that the scheme of conversion would result in very little change and that the external view of the buildings would remain substantially the same. Having viewed the buildings on-site, officers consider that this remains the case to this day.

- 5.18 The buildings, which are very much in keeping with their surroundings in terms of character, form, bulk and overall design, lend themselves very well to being converted to dwellings without compromising the historic rural form or character of the buildings. In the proposed scheme of conversion, surprisingly little work would need to be carried out to convert the buildings to 3no. dwellings. Only the open fronted storage building to the south would require any works of

significance, but these would make use of the existing openings. Traditional materials to match those of the original buildings would be used. Elsewhere the appearance of the buildings would remain virtually unchanged, in particular the backs of the buildings facing the road frontages.

- 5.19 The residential curtilages would be contained entirely within the existing yard area and the existing access into the site would be utilised. The existing yard is entirely laid to hard standing but is very well contained by the existing buildings and boundary treatments. As would be expected, the yard currently contains all of the existing car/van parking and clutter/storage associated with the existing joinery business, which to some extent already compromises the rural setting, but due to its containment, not significantly so.
- 5.20 The proposed residential curtilages may take on a planned, cultivated and domestic character and appearance and the gardens could typically accommodate a range of physical features, such as items of hard landscaping, play equipment, clothes drying facilities and garden furniture. However this must be balanced against the fact that the site is very well enclosed by the existing buildings and boundary treatments and the yard would be converted to give an enhanced appearance. An appropriate condition to withdraw permitted development rights relating to any extensions or erection of outbuildings etc. is clearly justified in this case. The proposed conversion and associated change of use of land to residential curtilage is not considered to be inappropriate in this case and as such, therefore meets both criteria C and D of Policy H10.

Relationship to Existing Settlement or Other Groups of Buildings

- 5.21 For the 1988 appeal, the Inspector noted that the buildings lie in an open countryside area, well outside the limits of any hamlet or village. The Inspector did however acknowledge that the buildings were part of a group with the adjoining house. The Inspector, in considering the proposal for conversion to 2 dwellings, concluded that: *"..there is no doubt that it would be suitable for this location where it would be closely associated with other established residential accommodation."* Given that the situation has not changed in the interim, officers therefore consider that criterion E of Policy H10 is met.

5.22 Heritage Issues

The proposal affects buildings in the open countryside. The buildings are considered to be a good example of agricultural barns of traditional rural form and character, which retain all of their historic features of interest. Whilst the buildings are not listed or locally listed they are considered to be non-designated heritage assets worthy of retention; the latter was acknowledged by the Inspector in the 1988 appeal.

- 5.23 Whilst it is acknowledged that the buildings are currently being used for business purposes, this is however on a very restricted basis and given the companies aspirations to move to larger facilities, there is the potential for the buildings to once again become redundant and open to dereliction. Any alternative business use of the buildings is considered to be unlikely, especially having regard to the remoteness of the site, the narrowness of the rural lanes in the vicinity, the proximity of a residential property, the need to retain the historic character of the buildings and the likely cost of refurbishing the buildings to

provide modern facilities. In line therefore with the NPPF para.55, a residential use may well be the optimal viable use of the buildings to secure the future of the heritage assets. Furthermore the associated change of use of the existing yard to landscaped gardens could lead to an enhancement to the immediate setting, all of which accords with national policy and weighs in favour of the proposal.

5.24 Transportation Issues

The site is in an unsustainable location and as such the proposal for three dwellings would be car dependant. This must however be balanced against the fact that the site has for some 25 years been used for commercial purposes that potentially would generate more vehicle movements than the current proposal for three dwellings. Given that the proposal would have a neutral impact upon traffic movements in the vicinity, there is no transportation objection.

5.25 The proposal is for 1 x 3 bed, 1 x 2 bed and 1 x 1 bed dwellings. There is sufficient space within the site to provide adequate parking and turning provision. A total of 6 parking spaces would be provided to serve the three dwellings, which complies with the South Gloucestershire Residential Parking Standards, which are minimum standards.

5.26 It is proposed to utilise the existing vehicular access into the site off the Lane to the south, where visibility is considered acceptable. This is the access which was upgraded as part of the original consent P97/1186 for use of the site as a Joinery Workshop and Builders Office. Subject to conditions to secure the parking areas there are no transportation objections to the proposal.

5.27 Landscape Issues

The site is within the open countryside. The proposed conversion of the buildings is acceptable in landscape terms. The proposed conversion results in a development that would be well enclosed by the existing buildings and boundary treatments. There would be no loss of existing vegetation. The proposed site plan shows the yard area sub-divided by rubble stone walls and the gardens landscaped with additional planting and new patio areas. On balance the proposal would enhance the appearance of the site. Subject to conditions to secure the details and implementation of the proposed scheme of landscaping and new boundary treatments, it is considered that there can be no landscape character or visual amenity objection to the development with regard to Local Plan Policy L1 or Core Strategy Policy CS1 or CS34.

5.28 Environmental Issues and Impact Upon Residential Amenity

Whilst there may be some disturbance to existing residents during the development phase, this would be on a short term basis only and can be mitigated by a condition restricting the hours of working.

5.29 Given the former agricultural and commercial uses of the site, a condition is required to identify any contamination of the land and buildings and method of mitigation should contaminants be found. The nearest dwelling to the site is Lower Huntingford Farmhouse; the proposed residential use of the barns is likely to have less impact on the residential amenity of the neighbouring

property than a commercial use, both in terms of noise or disturbance from the amount, type and nature of the traffic using the site; furthermore the general outlook for neighbouring occupiers would be improved by the change of use of the buildings and associated yard. There would be no significant loss of privacy from issues of overlooking or inter-visibility, the application buildings being predominantly single-storey and well spaced from the neighbouring property and screened from it by a belt of high vegetation.

- 5.30 The site does lie adjacent to the commercial boarding kennels and cattery associated with the former farm house. The kennels were established in 1960 by the current proprietors and have a licence for 40 dogs to be kept at the premises. The Council's Environmental Health Officer (EHO) has raised concerns about the possible impact of noise disturbance, for future occupiers of the proposed dwellings, from barking dogs. The proprietors of the kennels have stated that they would only raise no objection to the proposal, if any future occupiers will not be able to complain regarding noise and all things culminating from the running of their business, which might cause a threat to their licence. (It is noted however that the outbuildings, the subject of this current application, were previously owned by the existing proprietors of the kennels, who live in the adjacent former farmhouse and it was to themselves, that planning permission P88/1507 for conversion of the buildings to 2no. dwellings was granted. Subsequent to this permission, Chappell & Dix bought the outbuildings and have since occupied them and it was they who renewed the planning consent for dwellings in Feb. 1994 see P93/2725).
- 5.31 Officers consider that given the test for conditions and S106 agreements as outlined in the NPPG and NPPF, that a condition or S106 could not reasonably be imposed or entered into to ensure that future occupants would not complain about noise from barking dogs although a covenant to that effect could be applied to any sale by the owners. An informative could be added, to any future decision notice for approval, to highlight the presence of the kennels and possible implications, but other than that, any disturbance from barking dogs would be subject to separate legislation relating to statutory noise nuisance.
- 5.32 Whilst the EHO acknowledges that noise mitigation measures may give some protection to the proposed residential development, he is still of the opinion that there would be a conflict between the two uses.
- 5.33 Officers are however mindful that at the time of the two previous planning permissions for the conversion of the barns to 2no. dwellings, the kennels were operating. Furthermore, the proprietors and the applicant have both confirmed that the kennels operated at the same level as to-day i.e. licensed for up to 40 dogs.
- 5.34 Whilst it is acknowledged that the earlier permissions P88/1507 (on appeal) and subsequent approval of P93/2725, were granted some 26 and 19 years ago respectively, when there was a different policy regime than to-days; it is noted that the original refusal of P88/1507 did not carry a refusal reason relating to impact on residential amenity or noise issues. The Inspector for the 1988 appeal identified the principle issues to be, whether the buildings were worthy of retention and if so whether they were a justified exception to the

presumption against residential development in the environment in which they were set.

- 5.35 At the time of the appeal, reference was made to the Draft Rural Areas Local Plan. The Council had based its refusal reason on Policy RP42 of the plan. The plan was adopted in March 1991 so would have carried even more weight at the time of the subsequent approval of P93/2725.
- 5.36 Although not referred to in the appeal decision or in the officer reports, given the proximity of the farm house and associated dog kennels, it is inconceivable that at the time of these applications officers did not consider the impact on residential amenity for existing and future occupiers. Officers can only conclude that there were no concerns at that time about disturbance from the dog kennels.
- 5.37 Policy EP4 of the South Gloucestershire Local Plan (Adopted) 6th Jan. 2006 relates to noise-sensitive development and the supporting text to this policy at para. 4.194 confirms that housing is noise sensitive. The policy states that noise-sensitive development which would suffer an unacceptable degree of disturbance as a result of close proximity to existing noise or vibration sources will not be permitted.
- 5.38 The applicants have stated that in 20 years of occupying the site they have never experienced any disturbance from barking dogs and when officers visited the site they did not experience any either.
- 5.39 As regards Policy EP4 it is therefore questionable as to whether any degree of disturbance would be considered to be to an "unacceptable degree". Whilst there may be a potential for some noise from barking dogs this is more likely to be during daylight hours and on an intermittent basis only, if it did occur.
- 5.40 In conclusion on this issue, there is clearly a balance to be drawn between the concerns of the EHO and the fact that planning consents have twice been granted for the conversion of these buildings to residential dwellings. Notwithstanding the time since the permissions were granted, the situation on the ground seems to have changed little in the interim and given that similar policies relating to impact on residential amenity would have been considered at the time of the approvals, then this weighs in favour of granting consent, the acceptance in principle having already been established. Furthermore, officers are mindful that if planning permission is refused on this issue alone (and there seems to be no other reason for refusal that could be reasonably substantiated) that given the previous consents, the Council would have difficulty in providing evidence to defend such a reason in an appeal situation. Subject therefore to the mitigation measures proposed by the applicant and an appropriate informative as suggested above in para. 5.31, that on balance planning permission should be granted. Despite his concerns, this approach is now generally supported by the EHO.

5.41 Drainage Issues

The site is not prone to flooding. Whilst there is an existing Septic Tank on the site, it is proposed to use a full bio-disc system for foul disposal. A SUDS drainage scheme would be used for surface water disposal. Subject to a condition to secure the full details of the means of foul and surface water disposal, the scheme would be in accordance with Policy EP2 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

5.42 Ecology Issues

The site is not covered by any statutory or non-statutory nature conservation designations. Given the existing uses of the site as a joinery workshop and builder's yard, officers consider that the buildings would be unsuitable for use by protected species. The proposal would therefore be in accordance with Policy L9 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

5.43 Affordable Housing

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

5.44 Education

The proposal falls below the NPPG and Council's threshold for contributions to the Education service.

5.45 Community Services

The proposal falls below the NPPG and Council's threshold for contributions to community services.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That planning permission be GRANTED, subject to the conditions listed below.

Contact Officer: Roger Hemming
Tel. No. 01454 863537

CONDITIONS

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

Reason

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

2. Notwithstanding the provisions of Schedule 2 of the Town & Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification) no development as specified in Schedule 2 Part 1 (Classes A, B, C, D, E, G, H) or any minor operations as specified in Part 2 (Class A and C), 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

Having regard to the rural character and setting of the buildings; to ensure the satisfactory appearance of the development and to protect the landscape character in general and to accord with Policies L1 and H10 of the South Gloucestershire Local Plan (Adopted) January 2006, Policies CS1 and CS34 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11 Dec. 2013 and the provisions of the NPPF.

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

Reason

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

4. Prior to the commencement of the development hereby approved, drainage detail proposals incorporating full details of the method of foul disposal and Sustainable Drainage Systems SUDS and confirmation of hydrological conditions e.g. soil permeability, watercourses, within the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in full accordance with the approved details.

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with policy EP2 of the South Gloucestershire Local Plan (Adopted) January 2006. This is a pre-commencement condition because any works to the buildings could prevent the future implementation of the approved drainage scheme.

5. Prior to the first occupation of the dwellings hereby approved, the car parking facilities and turning areas shall be implemented in accordance with the approved 'Site Plan' Drawing No. D.CD.12.04.03A.

Reason

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

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

Reason

To protect the character and appearance of the area and to mitigate any noise breakout from the adjacent kennels, to accord with Policies L1, H10 and EP4 of the South Gloucestershire Local Plan (Adopted) January 2006; Policies CS1 and CS34 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11 dec. 2013 and the provisions of the NPPF.

7. Prior to the relevant parts of the development hereby approved, a plan indicating the positions, design, materials and type of boundary treatment(s) to be erected shall be submitted to the Local Planning Authority for approval. The boundary treatments so approved shall be completed before the building(s) is/are first occupied or in accordance with a timetable agreed in writing with the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason

To minimise disturbance to future occupiers and to neighbouring properties in accordance with Policy EP4 of The South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and to accord with the provisions of the NPPF.

8. The materials to be used externally on the development hereby approved, shall match in type, colour, form and texture those of the existing building to which they relate.

Reason

Having regard to the rural character of the buildings, to ensure the satisfactory appearance of the development and to accord with Policies L1 and H10 of the South Gloucestershire Local Plan (Adopted) January 2006, Policies CS1 and CS34 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11 Dec. 2013 and the provisions of the NPPF.

9. A) Previous historic uses(s) of the site joinery workshops/agricultural may have given rise to contamination. Prior to the commencement of the development hereby approved, 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:

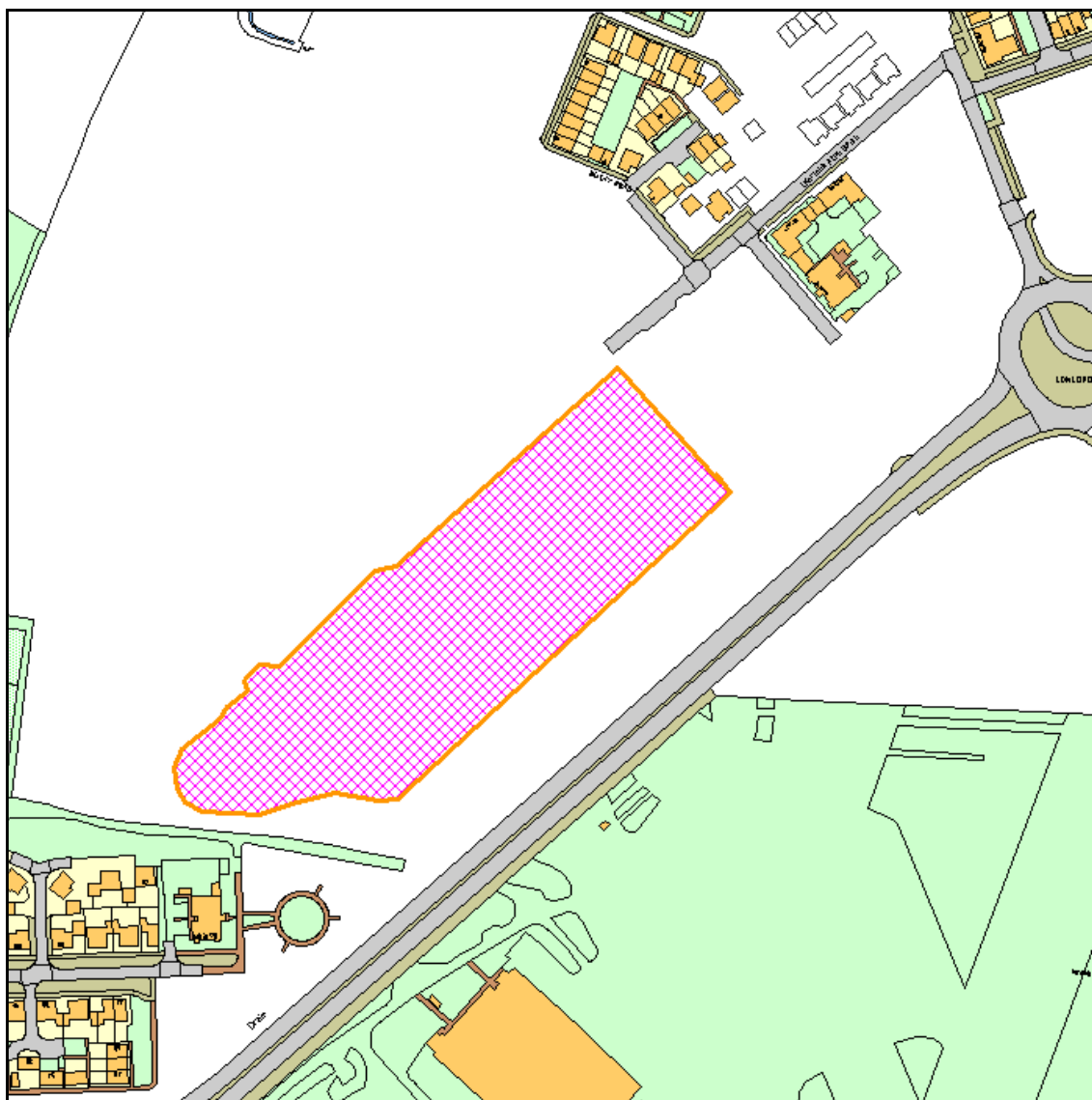
- i) A comprehensive desk study to identify all potential sources of contamination both arising on-site and migrating onto site from relevant adjacent sources.
- ii) A comprehensive ground investigation including sampling, to quantify the extent and nature of contamination.
- iii) An appropriate risk 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 protect future occupiers of the building in accordance with Policy EP1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006. This is a pre-commencement condition because the investigations required can only be carried out before the commencement of any works on the site.

CIRCULATED SCHEDULE NO. 18/15 – 1 MAY 2015

App No.:	PT14/4954/RM	Applicant:	Bellway Homes Wales
Site:	Parcels 40,47 And 48 Charlton Hayes Filton South Gloucestershire BS34 5DZ	Date Reg:	7th January 2015
Proposal:	Erection of 120 dwellings with details of the siting, design, external appearance of buildings, and landscaping with associated garaging and parking. (Reserved Matters application to be read in conjunction with outline planning permission PT03/3143/O)	Parish:	Patchway Town Council
Map Ref:	359836 180711	Ward:	Patchway
Application Category:	Major	Target Date:	30th March 2015



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100023410, 2008. **N.T.S.** **PT14/4954/RM**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule as a representation has also been made contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 The application seeks reserved matters consent for the erection of 120 dwellings with details of the siting, design, external appearance of buildings, and landscaping with associated garaging and parking. (Reserved Matters application to be read in conjunction with outline planning permission PT03/3143/O)
- 1.2 The proposal includes the development area of parcels H40, H47 and H48 that forms part of 'phase 3' of the Charlton Hayes development which has an agreed detailed master plan and design code. The site wide master plan and Design & Access Statement (DAS) identifies parcels H40, H47 and H48 as being 'residential'. These three parcels will fill in the gap between the already constructed 'Woodlands' development to the west and parcel H39 to the east. The mix of residential units range from 1 and 2 bed flats to 2, 3 and 4 bed houses. The proposals include 32 affordable units, which comprise of 1 and 2 bed flats and 2, 3 and 4 bed roomed houses which results in an overall percentage of 27% affordable housing.
- 1.3 Amended plans were submitted by the applicant following Officers concerns in regard to the overall design of the scheme, landscaping and drainage.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework 2012
Technical Guidance to the National Planning Policy Framework 2012
National Planning Practice Guidance 2014

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

EP2 Flood Risk and Development
L1 Landscape Protection and Enhancement
L11 Archaeology
LC1 Provision for Built Sports, Leisure and Community Facilities
LC2 Provision for Education Facilities
M1 Site 4 Major Mixed Use Development Proposals at Northfield
T12 Transportation Development Control Policy
T7 Cycle Parking
T8 Parking Standards

South Gloucestershire Local Plan: Core Strategy (Adopted) 2013

CS1 High Quality Design
CS2 Green Infrastructure
CS5 Location of Development
CS6 Infrastructure and Developer Contributions
CS7 Strategic Transport Infrastructure
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS15 Distribution of Housing
CS16 Housing Density
CS17 Housing Diversity
CS18 Affordable Housing
CS24 Green Infrastructure, Sport and Recreation Standards
CS35 Communities of the North Fringe of Bristol Urban Area

2.3 Supplementary Planning Guidance

Residential Parking Standards SPD (Adopted) 2013
South Gloucestershire Design Checklist SPD (Adopted) 2007
Waste Collection: Guidance for New Developments SPD 2015

3. RELEVANT PLANNING HISTORY

- 3.1 PT03/3143/O Major mixed-use development across 81.25 hectares of land comprising 2,200 new dwellings, 66,000 sq m of employment floor space (B1, B2 and B8), 1,500 sq m of A1, A2, A3, A4 and A5 floor space: together with the provision of supporting infrastructure and facilities including; new vehicular and pedestrian accesses to Highwood Road, new link road, public open space, primary school, community building, hotel (C1) (Outline). Approved following signing of S106 agreement March 2008.
- 3.2 PT12/3603/RM Construction of internal roads and associated works (Approval of reserved matters to be read in conjunction with outline planning permission PT03/3143/O). Approved June 2013. (*Phase One*)
- 3.3 PT14/1765/RM Phase 2 and 3 infrastructure highway corridor including public realm design, landscaping, street furniture and highway engineering design. (Approval of Reserved Matters to be read in conjunction with Outline Planning Permission PT03/3143/O). Approved March 2015.

4. CONSULTATION RESPONSES

4.1 Patchway Town Council

No objection raised.

4.2 Other Consultees

Affordable Housing Officer

The revised plans address the affordable housing team's concerns.

Avon and Somerset Police

No objection to revised plans.

Avon Fire and Rescue

The development will have hydrant requirements, the cost of which should be borne by the developer. Avon Fire and Rescue does not know how many will be required or any detailed specific requirements until Bristol Water have provided detailed plans of water infrastructure. The calculated cost of the installation and 5 year maintenance of a Fire Hydrant is £1,500 per hydrant.

Conservation Officer

No objection - defers to the Urban Design Officer.

Lead Local Flood Authority

No objection raised subject to SUDs condition.

Ecology Officer

No further comments on this application except to say that development should be subject to the ecological conditions attached to the Outline permission for PT03/3143/O.

English Heritage

No objection raised.

Environment Agency

The Environment Agency has no objections to this Reserved Matters application, but wishes to make the following comments.

The impermeable values stated on the drainage drawing (SKENG_002) are lower than the total values stated in the PBA Charlton Hayes drainage strategy, which is acceptable.

We are also pleased that the developer is meeting the discharge rates within the drainage strategy, and is considering permeable paving.

Finally, you are recommended to consult the Lead Local Flood Authority to ensure their interests are not adversely affected by this proposal.

Highway Structures Officer

No objection raised.

Landscape Officer

The Landscape Strategy Plan, Catherine Etchell Associates dwg.no.397.01, shows a good level of tree and shrub planting, consistent with the masterplan for the area.

Transportation Officer

Transport Development Control have scrutinised the submitted materials and where necessary have requested changes or have advised for the application of planning conditions to ensure that the development highway infrastructure is fit for purpose. This scrutiny has considered the trip route choice of pedestrians, cyclists and general traffic and has concluded that the development meets the Authority's requirements for Homezone form residential development. In this instance, the application site is dominated by 'Neighbourhood Streets' which are formed from linking shared surface spaces with integrated visitor parking and landscaping. These spaces have been tracked for the Authority's largest refuse truck and through the implication of conditions, has been shown to be sufficient in width and alignment for efficient refuse collection. Whilst not dominating the design process, the tracking of refuse trucks is essential to ensure that other activities in the street can be carried out in a safe and convenient manner; these activities may include play, which is facilitated through slow vehicular speeds and appropriate sight lines, parking, which is designated off of the track line, and use as a pedestrian and cyclist route. In conclusion, through the application of a condition that resolves a geometric constraint, Transport Development Control support a recommendation for approval.

Urban Design Officer

Following the submission of revised plans the scheme is now considered to be acceptable.

Waste Management Officer

No objection to amended plans subject to a 'bin tug' being used for plots 7-16.

Wessex Water

The application appears to be in accordance with the overall drainage strategy for the Charlton Hayes development:

Surface water discharge attenuated on site and discharged to the LDA Culvert in accordance with the outline framework agreed with South Glos drainage department:

H40 = into LDA Culvert @ 48.4 l/s SW up to 100yr

H47 = into LDA Culvert @54.9 l/s SW up to 100yr

H48 = into LDA Culvert @48.4 l/s SW up to 100yr

All foul water discharge into Wessex Water's existing elliptical 600 x 900 public foul water sewer to the South.

On site arrangements subject to a Section 104 application (Water Industry Act 1991).

Other Representations

4.3 Local Residents

One local resident has raised concern that construction at parcel H39 had made Bushy Road not suitable for cycles and cars due to the heavy traffic of construction vehicles and mud/gutter and water. The resident requested that the construction traffic use a different access road to the new development site other than the Bushy Road.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The principle of development has been established with the approval of the outline planning permission PT03/3143/O, and the approval of the phase 3 master plan and Design Code on 19th February 2014. The outline permission granted consent for a "Major mixed-use development across 81.25 hectares of land comprising 2,200 new dwellings, 66,000 sq m of employment floor space (B1, B2 and B8), 1,500 sq m of A1, A2, A3, A4 and A5 floor space: together with the provision of supporting infrastructure and facilities including; new vehicular and pedestrian accesses to Highwood Road, new link road, public open space, primary school, community building, hotel (C1) (Outline)". This application considers Reserved Matters consent parcels H40, H47 and H48 which are identified in the DAS as being 'residential'. The phasing strategy and accompanying schedule (page 140 of the DAS) identifies H40, H47 and H48 as accommodating a total of 127 dwellings. The phase 3 Design Code illustrates that the parcel is a combination of medium and high density development, which the proposal achieves in the form of buildings ranging in height from 2-4 storeys. It is therefore considered the use and amount of development is generally acceptable and in accordance with the Design Code.

5.2 The proposal in terms of indicative density, perimeter block form and street typology accords with the site wide Design and Access Statement and the phase 3 Design Code. The proposal also accords with the land use as set out in the approved Phase 3 master plan.

5.3 Given the above, it is considered that the principle of development is acceptable. The proposal is therefore acceptable overall subject to the following detailed assessment:

5.4 Urban Design, Landscaping and Visual Amenity

The Charlton Hayes Phase 3 Design Code (February 2014) sets out the detailed design considerations for Phase 3. The Design Code was approved in accordance with condition 6 of outline planning permission PT03/3143/O. The design code includes detailed codes for matters such as: character areas, street types and street materials, building heights, boundary treatments, and architectural and sustainable construction principles.

- 5.5 In terms of character areas parcels 40 and 47 have important frontages onto Hayes Way and these frontages need to form a continuous frontage consistent with the design principles of the other parcels that front onto Hayes Way including the adjacent and already built parcel H39. It is considered parcel H40 achieves this as does parcel H47 where the building line is set back slightly to prepare the frontage for the 'Parkland edge' character area. Parcel H48 is the Parkland edge character area. This character area encompasses the northern and western edge of the scheme 'wrapping' around the developed area and surrounded by the green infrastructure corridor. This parcel needs to ensure an active frontage overlooking the public open space, which the proposed house types achieve. To the north of parcel 47 is 'The Green' and again an active frontage is important on the northern frontage of the parcel to overlook the public open space. This is achieved, as is a continuous building line.
- 5.6 The building heights proposed are in accordance with the Phase 3 Design Code as two-storey buildings are proposed on parcel 48 and on the majority of parcels 40 and 47. On the frontages with Hayes Way and The Green three-storey buildings are permitted by the Code and four-storey focal buildings are also proposed on the corners of parcels 40 and 47 which is considered to be in general compliance with the Code. The density of dwellings across the parcels is also in accordance with the Code. In terms of architectural principles it is the aim of the Code to create distinctive streets with a sense of consistency and regularity. The applicant has provided an elevational comparison of the adjacent streetscene of parcel H39 and the proposed facing streetscene on parcel 40. The proposed plans have demonstrated consistency with the adjacent parcels, which display a design of contemporary reinterpretation of traditional houses with clean and bold elevations and detailing. The materials consisting of a palette of smooth renders, red and blue bricks and concrete and artificial slate roof tiles are considered acceptable and therefore the proposal is acceptable in terms of urban design and visual amenity. The applicant has not provided a street lighting plan and so this will be conditioned.

Landscaping

- 5.7 Officers consider that the planting plan provided shows a good level of planting across the parcels particularly where build-outs have been used for street tree planting. However, the latest planting plan submitted shows less trees in rear gardens than an earlier plan and this is not considered acceptable and so a condition will be attached to the decision notice requiring a revised planting plan. The plan should also include tree pit detail as none has been provided with the application. Subject to this condition the application is acceptable in landscaping terms.

5.8 Transportation

The road network proposed within this reserved matters application is the 'Neighbourhood streets / Side streets' which are the lowest tier in the hierarchical structure of the highway network as approved in the Phase 3 Design Code. These 'living community streets' should ensure pedestrian priority. The proposed scheme achieves this by including 'build-outs', varied textured surface materials and non-parallel road layouts. Following Officers concerns further build-outs were added by the applicant and the scheme contains sufficient bends in the road and alteration in surface materials to achieve low vehicle speeds.

5.9 The Council's Transportation Development Control Officer expressed a number of concerns in regard to the design of the scheme. It was considered that due to the number of concerns an objection to the scheme could have been raised and so the concerns were relayed to the applicant who addressed them in a revised plan. The specific concerns addressed were: all shared surface road/Main Streets junctions incorporating pedestrian infrastructure for a minimum of 5m penetrating into the shared surface area, bollards being relocated to a position on the party wall line serving plots 31,32 and 18,19, provision of a suitable turning area for parking spaces for plots 40-42, widening of vehicular access serving plots 73-81's car parking facilities, bin and cycle stores serving plots 73-81 and 91-99 revised to show sliding doors, and the access to plots 7-16's car parking facilities showing a radii so that larger vehicles can access the area if needed. All of these acceptable changes have been incorporated in the applicant's site layout plan.

5.10 There are two matters outstanding that will need to be dealt with through planning conditions. Firstly, the temporary footpath/cycle way to the front of parcel H40 needs to be replaced as some of the levels are being altered. Whilst this work is taking place a temporary footpath diversion must be put in place to allow the continuation of pedestrian and cycle movements along Hayes Way. A suitably worded condition is recommended. The refuse tracking for the scheme has shown that the refuse vehicle will struggle to turn into the south east corner of parcel H49 and as such the kerb alignment on the opposite side of the road will need to be altered. Although this land is outside the 'red edge' the applicant has confirmed that Bellway have a contractual agreement with Bovis that the latter have to provide suitable road access into Bellway's sites. As such, it is considered a Grampian condition can be imposed for this relatively minor amendment to the kerb line. Subject to these conditions the proposal is acceptable in terms of highways.

5.11 Affordable Housing

The application has been considered by the Council's Housing Enabling Officer against version M ii) affordable housing (AH) masterplan schedules and the site wide affordable housing distribution plan for Charlton Hayes. Following initial concerns with the original information submitted, revised planning layout G2902 (05) 100 Rev F was submitted which shows the agreed revisions for the affordable housing schedule to meet masterplanning requirements. These revisions were as follows:

- Revised layout plans now show the tenure as well as type of affordable housing;
- The affordable housing units have been confirmed as meeting at least the minimum sizes required by the s.106;
- The applicant has confirmed the units will meet CSH 3 as required by the s.106;
- Target units have been removed (plots 31 and 32) as funding is not currently available. The applicant will be providing written confirmation of the position in April when received from HCA. Discussions can take place outside the RM approval process should funding become available for target unit provision or additional affordable homes;
- In order to meet cluster size requirements the applicant has replace plot 70 with plot 39 and will provide robust walling between affordable homes along the boundary of plot 51 instead of fencing.

5.12 These agreed revisions to the scheme make this reserved matters application acceptable in respect of affordable housing.

5.13 Residential Amenity

The original plans submitted with the application showed numerous occasions where the gables of garages overbear small rear gardens. The roof pitches on these garages were rotated 90 degrees to lessen the impact and this is shown on the revised plans. The roof to plot 70 has been hipped to minimize overbearing on plot 48. Some of the 'back-to-back' distances on the original plans were not acceptable but these have been increased to 19 metres which is considered an acceptable distance in this instance. All of the plots on all three parcels have been set back a sufficient distance so that they would not have an undue adverse impact upon neighbouring dwellings proposed on the surrounding parcels. In regard to bin storage a detailed "bin storage plan" has been submitted having regard to bin storage for the apartment blocks to the satisfaction of Officers. Overall, the proposal is considered acceptable in regard to residential amenity.

5.14 Drainage

The Environment Agency and the Lead Local Flood Authority were consulted as part of the application process. The Environment Agency commented that the impermeable values stated on the drainage drawing (SKENG_002) are lower than the total values stated in the PBA Charlton Hayes site-wide drainage strategy, which is acceptable. They also noted that the discharge rates within the site-wide drainage strategy are being met and as such this is considered permeable paving. The Lead Local Authority concur with the Environment Agency and raise no objection to the scheme.

5.15 Other Matters

Ecology

- 5.16 The site is not covered by any statutory or non-statutory nature conservation designations and therefore there are no ecological constraints to granting planning permission subject to the conditions on the outline consent PT03/3143/O being adhered to.

Fire Hydrants

- 5.17 The comment received from Avon Fire and Rescue requesting a developer contribution towards the installation and maintenance of fire hydrants is noted. However, as the principle of the development has already been accepted by virtue of the previously granted outline consent; a developer contribution is therefore, outside the scope of the matters to be considered under this application. Avon Fire and Rescue were consulted on the original outline application but made no request for a developer contribution. An informative note is recommended to notify the applicant of the comments made by Avon Fire and Rescue.

Impact on Cribbs/Patchway New Neighbourhood

- 5.18 The application site is close to the former Filton Airfield which is the site for part of the new Cribbs/Patchway New Neighbourhood. Policy CS26 of the Core Strategy requires development of the New Neighbourhood to be comprehensively planned. All of the parcels proposed are contained within the existing Charlton Hayes development site. The proposal has been assessed as being acceptable in transportation terms and the site does not abut the former airfield meaning there will be no issues in terms of residential amenity or any direct prejudice to the delivery and future amenities of the new Cribbs/Patchway New Neighbourhood.

Local Resident Objection

- 5.19 One local resident has raised concern that construction at parcel H39 had made Bushy Road not suitable for cycles and cars due to the heavy traffic of construction vehicles and mud/gutter and water. The resident requested that the construction traffic use a different access road to the new development site other than the Bushy Road. This application is for proposed development at parcels H40, H47 and H48. Therefore, this application cannot consider matters that concern parcel H39 or Bushy Road, neither of which form part of the development parcels under consideration.

6. **CONCLUSION**

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

- 6.2 The proposals are in accordance with the site wide Design and Access Statement, the Phase 3 masterplan, the Phase 3 Design Code and Design Brief. The principle of development is acceptable. Following amendments to the scheme, the urban design, transportation, and landscaping elements of the scheme are acceptable. As such, there is no reason to withhold reserved matters consent and permission is recommended.
- 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 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 reserved matters consent is **GRANTED** subject to the following conditions.

Contact Officer: Will Collins
Tel. No. 01454 863425

CONDITIONS

1. Details of all external lighting and external illuminations, including measures to control light spillage, shall be submitted to, and approved in writing by the Local Planning Authority and development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved.

Reason

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

2. Prior to the temporary closure of the footpath/cycle way to the front of parcel H40, the footpath diversion plan (drawing no. SK_ENG_201) received by the Council on 27th April 2015 or a footpath diversion plan as otherwise agreed in writing by the Council, shall be fully implemented and remain in situ until the footpath/cycle way to the front of parcel H40 is reopened to the satisfaction of the Council.

Reason

To ensure a satisfactory and safe means of continual access for pedestrian and cycle users along Hayes Way and to comply with Policy T12 of the South Gloucestershire Local Plan (Adopted) 2006.

3. Notwithstanding the submitted Planting Plan (drawing no. 39702) a full planting plan shall be submitted to the council showing tree pit detail and showing increased planting of trees in rear gardens of properties. The planting plan shall be submitted to the Council prior to first occupation of the development hereby approved and approved in writing by the Council. The development shall be carried out in accordance with the approved details.

Reason

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

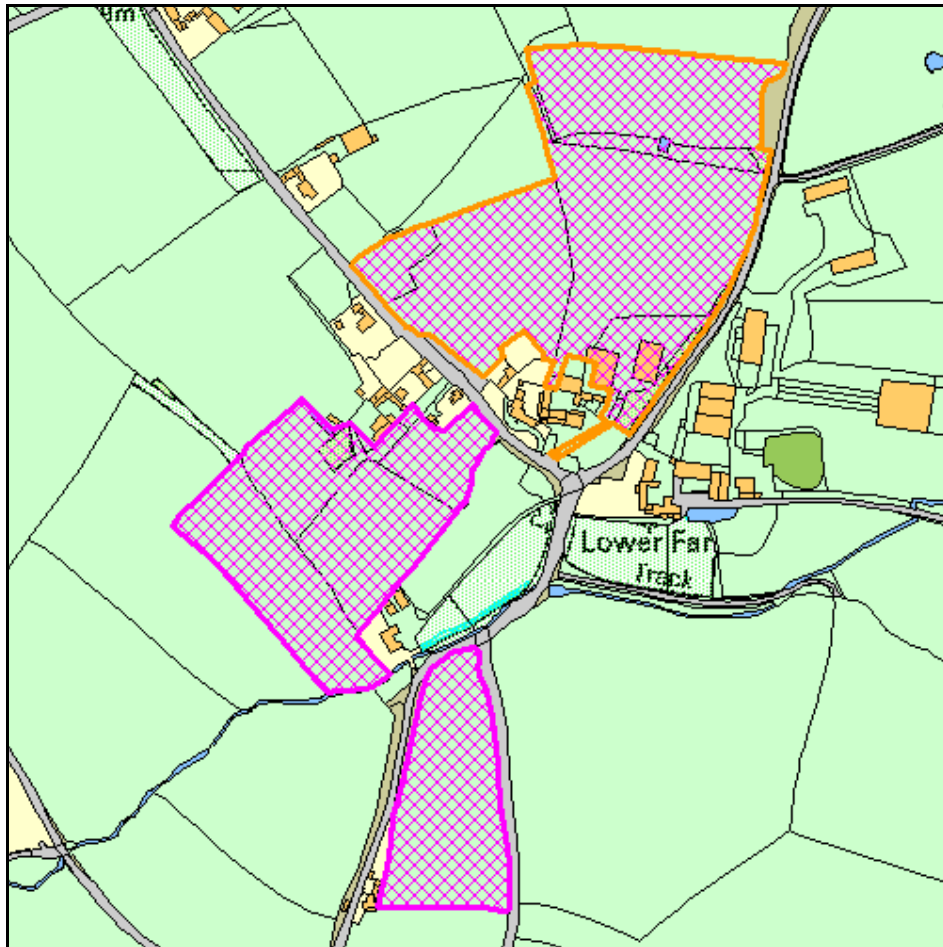
4. Prior to first occupation of the development hereby approved, the kerb alignment adjacent to the south east corner of Parcel H49 shall be adjusted to facilitate safe and convenient turning manoeuvres for large vehicles and shall be maintained as such thereafter.

Reason

In the interests of highway safety, and to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006 and Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

CIRCULATED SCHEDULE NO. 18/15 – 1 MAY 2015

App No.:	PT15/0627/F	Applicant:	Mr J Pullen
Site:	Laurel Farm Itchington Road Tytherington Bristol South Gloucestershire BS35 3TQ	Date Reg:	18th February 2015
Proposal:	Change of use of land and buildings from agriculture to equestrian use to provide 16no. stables. Erection of single storey extension to form toilet block. Construction of a riding arena with associated works.	Parish:	Tytherington Parish Council
Map Ref:	365897 186827	Ward:	Ladden Brook
Application Category:	Major	Target Date:	14th May 2015



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 100023410, 2008. N.T.S. PT15/0627/F

REASON FOR REFERRING TO CIRCULATED SCHEDULE

The application is referred to the Circulated Schedule owing to comments received during the course of the application.

In addition, as the application represents inappropriate development in the Green Belt, only approved in very special circumstances, the development also represents a departure from the Development Plan. The associated advertisement for which is due to expire 8th May 2015.

1. THE PROPOSAL

- 1.1 The application seeks permission for the change of use of land and 2no. buildings from an agricultural use (sui generis) to the keeping of horses (sui generis). The buildings are to be converted and altered in order to create 16 stables in total with additional space retained for associated storage. The application also proposes the erection of an extension to building B to form a toilet block, and engineering operations to facilitate the construction of a manege (riding arena). The application indicates that the site would be used as a horse livery business.
- 1.2 The application site extends approximately 8 hectares (19.7 acres) across three parcels of land. The largest parcel includes two large existing detached agricultural buildings situated to the northeast of the farmhouse (Laurel Farm) with land extending to the north and west. The buildings are accessed on the north side of Itchington Road adjacent to its junction with Earthcott Road. The remaining land parcels are on the southwest side of Itchington Road and further to the south between Earthcott Road and Latteridge Lane.
- 1.3 The site is situated within the open countryside and within the adopted Bath/ Bristol Green Belt. Public Rights of Ways run through the two largest land parcels.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012
National Planning Practice Guidance 2014
- 2.2 Development Plans
South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design
CS5 Location of Development
CS9 Managing Environment and Heritage
CS34 Rural Areas

South Gloucestershire Local Plan (Adopted) January 2006 (saved policies)
L1 Landscape Protection and Enhancement
L9 Species Protection
L16 Protecting the Best Agricultural Land
EP2 Flood Risk and Development
E10 Horse related development

T12 Transportation
LC5 Proposals for Outdoor Sports and Recreation outside Existing Urban Area and Defined Settlement Boundary
LC12 Recreational Routes

- 2.3 Supplementary Planning Guidance
Design Checklist SPD (Adopted) 2007
Development in the Green Belt SPD (Adopted) 2007

3. RELEVANT PLANNING HISTORY

- 3.1 P96/1427 - Change of use of agricultural building to house recycling/reclamation unit and construction of vehicular access. Approved 3rd July 1996

4. CONSULTATION RESPONSES

- 4.1 Tytherington Parish Council
The Parish Council supports this application but are concerned about the number of horses that could be exercised along the Itchington Road.
- 4.2 Transportation DC
Whilst 16 horses at DIY livery would generate in the region of 64 vehicle movements per day, it is considered that the local highway network is not congested in this locality, and as such this volume of traffic can be accommodated without causing a transportation safety issue and is therefore no objection is raised.
- 4.3 Lead Local Flood Authority
No objection. Informatives recommended.
- 4.4 Highway Structures
No comment
- 4.5 Landscape Officer
The scheme is acceptable provided that the suggested minor landscape improvements are undertaken to maintain the character and quality of the local landscape in accordance with saved local plan policy L1.

Other Representations

- 4.6 Local Residents
No comments received

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
The application proposes the changes of use of approximately 8 hectares of land, the re-use of two agricultural buildings, the erection of an extension to Barn B, and the construction of a riding arena. The site falls within the adopted Bath/Bristol Green Belt and as such the development stands to be assessed

against section 9 of the NPPF (Green Belt) which states that Local Planning Authorities should regard the construction of new buildings as inappropriate development. Exceptions to this are listed in paragraphs 89 and 90 of the NPPF.

5.2 Saved policy E10 of the South Gloucestershire Local Plan permits proposals for horse related development in the open countryside subject to criteria relating to environmental impact, residential amenity, highway safety, access to bridleways, and visual amenity.

5.3 Green Belt

In terms of the proposal the development can be split into the following categories: the change of use of land; the re-use of buildings; the extension of a building; and engineering operations to facilitate the construction of an arena. These are considered in detail below.

5.4 Change of Use

Within the high court judgement 'Justice Green in Timmins/Lymn v Gedling Borough Council' (March 2014) it was concluded that within the NPPF any development in the Green Belt is treated as prima facie "inappropriate" as indicated below:

"Exceptions exist for "new buildings" in certain defined circumstances set out in paragraph 89; and, "certain other forms of development" set out in paragraph 90. The fact that paragraphs 89 and 90 concern "buildings" and "other forms of development" suggests that the prima facie rule (in paragraphs 87 and 88) apply to any "development" whether it comprises a building or some other usage or change thereof."

5.5 The change of use of land does not fall within any of the exceptions listed in either paragraphs 89 or 90 of the NPPF. Accordingly, in line with the High Court Judgement, the development is considered 'inappropriate' which should not be approved except in very special circumstances.

5.6 In support of the application a case for very special circumstances has been provided by the applicant and can be summarised as below:

- Regardless of the change of use being inappropriate the proposed use is of 'sporting use' which is listed as one of the exemptions within paragraph 89 of the NPPF.
- The proposed use is a sporting one i.e. equestrian, which retains the open nature of the field and would not compromise any of the five purposes listed in paragraph 80 of the NPPF for designating land as Green Belt.
- The use will preserve the openness of the Green Belt as the land will continue to be grazed with agricultural livestock and up to 16 horses.
- It is clear from the decision reference PK14/3162/F that this very point was considered and that the equestrian use did not compromise any of the five purposes listed in paragraph 80 of the NPPF for designation land as Green Belt.

- The impact on the openness is negligible and could be protected by conditions.
 - This together with the benefit of this rural business outweighs any harm of the openness by reason of inappropriateness and amounts to a very special circumstance.
- 5.7 Paragraph 80 of the NPPF states that the Green Belts serve five purposes: to check the unrestricted sprawl of large built up areas; to prevent neighbouring towns merging into each other; to assist in safeguarding the countryside from encroachment; to preserve the setting and special character of historic towns; and to assist in urban regeneration by encouraging the recycling of derelict and other urban land. The essential characteristics of Green Belts are, as outlined by paragraph 79, their openness and their permanence. Substantial weight is afforded to the fundamental aim of the Green Belt, which is to prevent urban sprawl by keeping land permanently open.
- 5.8 In assessing this application for a change of use substantial weight is afforded to the Green Belt designation of the land and the fundamental aim of it as summarised above.
- 5.9 In the case of the proposed use, i.e. equestrianism, it is noted that the change of use of the land for what would predominantly consist of the grazing of horses would have a negligible impact on openness given its similarities to an agricultural use (e.g. grazing animals). It is noted that the proposed use can result in some intensification and as such the negligible impact is only on the provision that there is no subdivision of the land through use of additional fencing and that there is no storage of ancillary paraphernalia. However, the use is nevertheless inappropriate by definition and as such can only be approved in very special circumstances. In order for the development to be approved the very special circumstances submitted in support of the application would have to outweigh the harm that the development would have on the Green Belt and the fundamentals aims of it.
- 5.10 The very special circumstances submitted by the applicant are on the basis of the proposed use for outdoor recreation, the limited impact it would have on the openness of the Green Belt, and the revenue that it would generate as a rural business. Whilst it is noted that these matters are not necessarily unique in their own right they do nevertheless provide justification for the proposed use in particular with regard to the business status of the development and the contribution this would make to the rural economy. Rural business and enterprise is fully supported and encouraged by section 3 of the NPPF.
- 5.11 In reaching an overall balance substantial weight is afforded to the fundamental aim of the Green Belt as reinforced by the NPPF. It is however considered that, as the harm generated by the proposed change of use would be negligible, and given that the change of use would offer a rural economic opportunity which is actively encouraged, the justification provided by the applicant is sufficient to outweigh the harm that would occur by reason of inappropriateness. It is not considered that the development would conflict with the five purposes of the Green Belt identified by paragraph 80 of the NPPF, and would not conflict with the fundamental aim of the Green Belt.

It is considered therefore, that the considerations above clearly outweigh the potential harm to the Green Belt. This is only with the provision that conditions are imposed in order to prevent intensification through the sub-division of land, and to prevent equestrian paraphernalia from being introduced into the open fields.

5.12 Re-use of Buildings

The application proposes to re-use two large existing agricultural type buildings which are situated to the northeast of the farmhouse Barns A and B). Some alterations would be required in order to facilitate their conversion into stables and equestrian use but, with the exception of a small extension to Barn B, would not exceed the dimensions of the original buildings.

5.13 The re-use buildings is listed under paragraph 90 of the NPPF as an 'other form of development' that can be considered as an exception to the prima facie inappropriate rule in the Green Belt. This is with the provision that the development would preserve the openness of the Green Belt and would not conflict with the purpose of including land within it.

5.14 It is considered that given that the proposed re-use would generally not extend beyond the existing dimensions of the buildings the development would not have a greater impact on openness than the existing agricultural use. The areas surrounding the buildings are already constructed in hardstanding and, given the rural nature of the development proposal, it is not considered that the re-use would conflict with the purpose of including the land within the Green Belt. This part of the development is therefore considered appropriate and acceptable in the Green Belt.

5.15 Extension of a Building

The application proposes a single storey extension to Barn B in order to facilitate the creation of a WC and utility area. It is modest in scale with a width of two metres and depth of 3.8 metres.

5.16 The 'extension or alteration of a building' is listed under paragraph 89 of the NPPF as an exception of development considered appropriate in the Green Belt provided it does not result in disproportionate additional over and above the original building.

5.17 The proposed extension is small in scale and represents only a fraction of the overall scale of the original building. It is therefore not considered disproportionate and as such is considered to fall within the exception listed in paragraph 89.

5.18 Engineering Operations

The final element of the proposed development consists of an engineering operation in order to facilitate the formation of an arena. This would involve excavation and the laying of a membrane with hardcore and a sand surface. The arena is proposed to the northwest of Barn A and would be 40 metres in length by 20 metres in width. The arena would be surrounded by a perimeter post and rail fence at 1.3 metres in height.

- 5.19 Engineering operations are also listed under paragraph 90 of the NPPF as an 'other form of development' that can be considered as an exception to the prima facie inappropriate rule in the Green Belt. This is again with the provision that the development would preserve the openness of the Green Belt and would not conflict with the purpose of including land within it.
- 5.20 Although this part of the development would require the resurfacing of an existing field there would be no increase in land levels as a result. The development would have some visual impact as the surface would be sand as opposed to grass but it is not considered that this would have an adverse impact on openness. The arena is proposed within the proximity of the buildings and as such it is not considered that it would have a greater impact than the existing use of the site. The post and rail fence, although introducing an enclosure, would similarly be read in the context of the cluster of buildings. It is not considered that the arena would conflict with the purpose of including land within the Green Belt and as such is considered acceptable.
- 5.21 Loss of Agricultural Land
The application would result in the change of use of 8 hectares of agricultural land in order to facilitate the development. The loss of this amount of agricultural land is regrettable however given the nature of the change of use the land could, if required, be easily converted back into an agricultural use with very little work, without the need for planning permission.
- 5.22 It is not considered that the development and resulting loss of the agricultural use would compromise the objective of sustainable development and would not compromise local food production. The farm would continue to serve an agricultural purpose utilising the other land within their ownership.
- 5.23 Visual Amenity/ Landscape
The application relates to an existing farm complex consisting of a stone farmhouse with the farmyard and associated building extending directly adjacent to it to the east. The site and surrounding area is distinctly open and rural characterised by groups of stone buildings and small fields with a good network of hedges and hedgerow trees. The narrow lanes are also characteristic.
- 5.24 The buildings to be re-used as part of the development consists of two existing modern style barn buildings constructed with metal cladding and cement sheet roofing. The barns are fronted by a large concrete yard area and are prominent in views from the south where further areas of farmyard give open views from the road junction. The buildings do appear to require some maintenance. The proposed alterations to the building consist predominantly of internal alterations with the introduction of enclosures to the front of barns A and B with block work, and a small lean-to block works extension to barn B. Other than the small extension, which is very modest in scale and in keeping in appearance, the proposal would not extend beyond the existing dimensions and would retain the same materials as currently used. On this basis, although the development would not improve the appearance of the barns, there are nevertheless considered to be no issues in terms of visual impact from the conversions or the extension.

- 5.25 Eight separate fields marked by three parcels of land on the site location plan are included in the change of use and these extend to the north, west and south of the farm. Those to the north are already being grazed by horses. The fields are predominantly low lying with a mix of walls and hedges to the boundaries. The number of fields proposed for inclusion is, in accordance with British Horse Society standards, adequate for 18 horses providing sufficient grazing and space for the rotation of the fields without further subdivision. This is two above the proposed number of stables which is 16. A number of public footpaths cross the fields and are generally in good condition with kissing gates.
- 5.26 A concern that can often rise in relation to equestrian uses is the issue of overgrazing and poaching of land which can in turn prejudice visual amenity. However in this instance, given the amount of land included within the application boundary, provided the number of horses does not exceed 18, it is not considered that this is likely to be a significant issue. Provided the fields are not subdivided and therefore retain their open and rural character it is not considered that the use of the land for grazing horses would negatively impact the visual amenity of the landscape in this locality.
- 5.27 The arena is proposed to the north of Barn A within an existing open field. It would generally be read in the context of the surrounding agricultural buildings and yard but would be more obvious in views from the south. Due to the proposed siting and given that there are no proposals to increase the land levels it is considered that the arena would not prejudice visual amenity provided additional screening is introduced around the edge of it to help integrate it into the greater landscape. No details of external lighting have been submitted and it is considered important to ensure that floodlighting is not introduced without sufficient methods to prevent light spillage as this could have a negative impact on the amenity of the area. Therefore, subject to a condition requiring submission of these prior to installation, and subject to the submission of a landscaping scheme, it is considered that the proposed arena is acceptable in visual amenity terms.
- 5.28 The proposed development would result in an intensification of the surrounding yard area, in particular as a result of the proposed business use which would result in additional visitors using the car parking area. Parking for cars and horse boxes is to be within the existing hardstanding yard area adjacent to B. This location is considered appropriate but additional planting is required to the boundaries in order to mitigate the impact of the intensified use. Any external lighting to the yard should be directional with a full cut off design to prevent upward light spill. It is recommended that details of lighting and additional landscaping is secured by condition.
- 5.29 Horse Welfare
The proposed stables measure 3.7 metres by 3.3 metres internally (12 feet by 11 feet) which falls just below the recommended stable size for a horse but above the recommended stable size for a pony as outlined by the British Horse Society. The amount of land at 8 hectares (19.7 hectares) which would, in accordance with BHS standards, serve a maximum of 18 horses.

- 5.30 Given the variation in horse size and type, although the stables are slightly smaller than recommended, it is not considered that this would compromise the welfare of the animals. The proposal is for 16 stables whilst the amount of lands suggests 18 could be accommodated without having to adopt subdivision and other management methods. In the interests of horse welfare and to prevent overgrazing and poaching a condition is recommended to limit the number of horses on the land to 18. Subject to this it is considered that the welfare of the horses would be satisfactory.
- 5.31 Residential Amenity
The proposed stabling area, car parking area and arena would be to the east of the existing farmhouse bordered to the east by the highway and to the north by open fields. It is considered that the distance of the stables and the nature of the use is such that it would not have a prejudicial impact on the occupiers of the farmhouse compared against the extant agricultural use and as such is considered acceptable in this respect. There are no other neighbouring occupiers within such proximity of the stables that could be adversely affected from noise associated with the business use.
- 5.32 There are a number of dwellings to the east of the farmhouse which are adjacent to the parcel of land situated on the southeast side of Itchington Road. However, given that the field will be used for grazing purposes it is not considered that there would be an adverse impact in terms of noise or other residential amenity impact from the use.
- 5.33 Highway safety
The proposed stables and parking area would be served by an existing farmyard access from Itchington Road which is adjacent to the junction with Earthcott Road. It is a wide gated access with good visibility.
- 5.34 It is noted that the proposed business use would result in a noticeable increase in vehicular movements to and from the site on a daily basis. It is estimated that this would be in the region of 64 vehicle movements per day. The Transport Officer does however confirm that the local highway network in this locality is not congested and as such this volume of traffic can be accommodated without causing a transportation safety issue. No objection is therefore raised in relation to the proposed business use. Although the use would be heavily reliant on private car use thus not encouraging sustainable methods of transport it does nonetheless represent a rural business use, the benefits of which are considered to outweigh the environmental effect that this would have.
- 5.35 Concern has been raised with regard to the number of horses being exercised on Itchington Road. In this respect it is noted the availability of off road riding is limited in this locality however it is not considered that the development would give rise to a significant highway safety risk with regard to the use of the highways for riding horses. Drivers are expected to have due care and diligence in the interests of road safety.

5.36 The proposed development should not impact on the existing routes for the public rights of ways however the applicant is reminded of their obligations with regard to the PROWs by informative.

5.37 Environmental Impact

Although the proposed ménage and stables are in Flood Zone 1, some of the proposed fields for equestrian use are in Flood Zones 2 and 3 and also subject to surface water flooding. The access for the site is also subject to surface water flooding. Environment Agency 3rd generation Flood Maps for surface water show ground profiles in this development area as being subject to overland flow or flood routing in the event of high intensity rainfall (i.e. non-watercourse and non-sewer surcharging). The development area is shown as category 1 in 30yr surface water flooding. In line with Flood Risk Standing Advice the developer must consider whether they have appropriately considered surface water drainage and flood risks to and from the development site which could occur as a result of the development. This is separate from the watercourse Flood Zone maps and does not require submission of a Flood Risk Assessment but this advice is nevertheless outlined as an informative to the applicant.

5.38 The disposal of foul waste should be undertaken in accordance with the DEFRA Code of Good Agricultural Practice for the Protection of Water and would be the subject of Environment Agency and Environmental Health controls.

5.39 The land has no special ecological designation and is laid to pasture. Horses already graze part of the land. There are therefore no ecological constraints to the proposal.

6. CONCLUSION

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

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

6.3 The proposal represents a departure from the Development Plan as the recommendation for approval is made on the basis that very special circumstances have been demonstrated. The application has been advertised as a departure however referral to the Secretary of State is not required as the site is not strategic in nature and does not meet the test in the Departure Direction 2009.

7. RECOMMENDATION

7.1 That the application is APPROVED subject to the following conditions:

Contact Officer: Sarah Fordham
Tel. No. 01454 865207

CONDITIONS

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

Reason

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

2. Prior to the commencement of development a scheme of landscaping, which shall include details of proposed planting (including plant species, size, number and location) shall be submitted to the Local Planning Authority for approval. For the avoidance of doubt landscaping shall be introduced to the edges of the riding arena and to the east boundary of the yard area adjacent to the highway. Development shall be carried out in accordance with the agreed details in the first planting season following commencement of the use hereby approved.

Reason

To protect the character and appearance of the area and to accord with Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006, and policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013. Details are required prior to commencement to ensure that landscaping is satisfactorily integrated into the development proposal.

3. Prior to their installation full details of any external lighting or floodlighting to be used, including measures to control light spillage, 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 protect the character and appearance of the area and to accord with Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006, and policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013.

4. The number of horses kept on the land edged in red on the 'Location Plan of land to be used for equestrian purposes' hereby approved shall not exceed 18.

Reason

To protect the character and appearance of the area and in the interests of the welfare of the horses, to accord with Policies E10 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006, and policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013.

5. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no walls, fences, gates or other means of enclosure, other than those permitted by the plans hereby approved, shall be erected, positioned or placed within any of the fields without the prior permission of the Local Planning Authority.

Reason

In order to retain the openness of the Green Belt, and to protect the character and appearance of the area, to accord with Policies E10 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006, and policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013, and the provisions of the National Planning Policy Framework 2012.

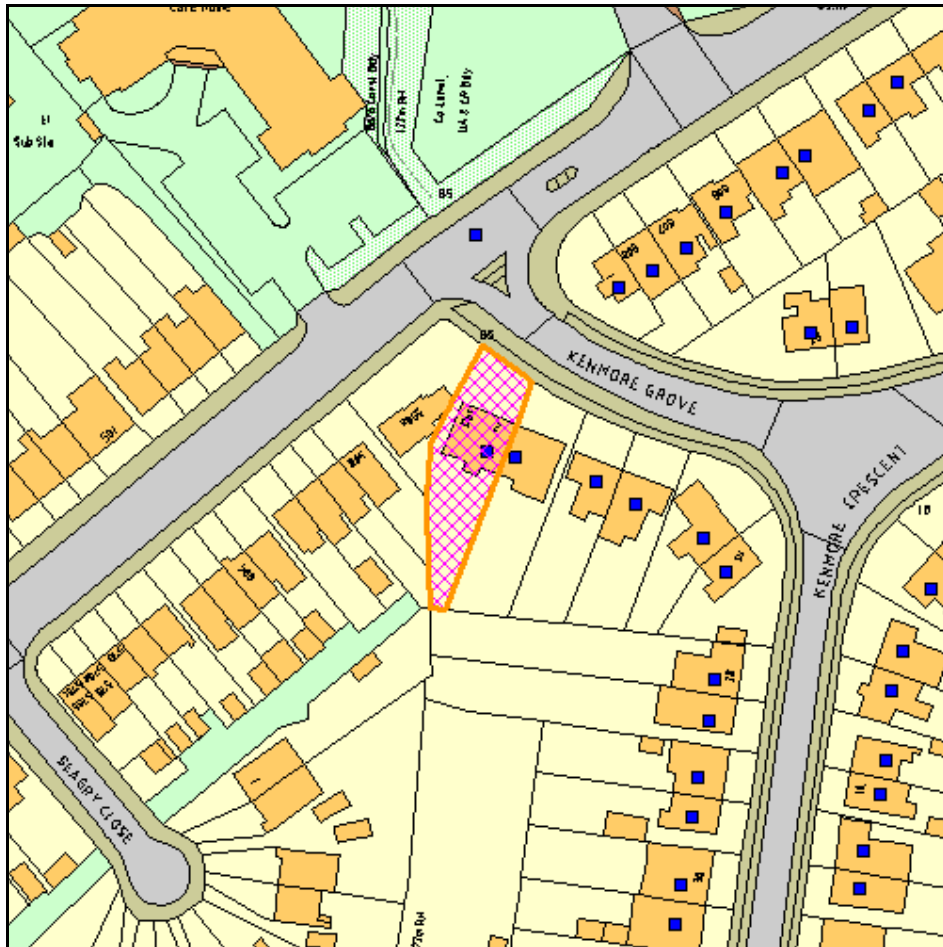
6. No jumps or other structures for accommodating animals and/or providing associated storage shall be erected on the land edged red other than within the menage hereby approved.

Reason

In order to retain the openness of the Green Belt, and to protect the character and appearance of the area, to accord with Policies E10 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006, and policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013, and the provisions of the National Planning Policy Framework 2012.

CIRCULATED SCHEDULE NO. 18/15 – 1 MAY 2015

App No.:	PT15/0644/F	Applicant:	Mrs C Colston
Site:	2 Kenmore Grove Filton Bristol South Gloucestershire BS7 0TW	Date Reg:	19th February 2015
Proposal:	Change of use from a 6no. bedroom house (Class C4) to a 7no. bed House in Multiple Occupation (sui generis) as defined in Town and Country Planning (Use Classes) Order 1987 (as amended).	Parish:	Filton Town Council
Map Ref:	359310 178411	Ward:	Filton
Application Category:	Minor	Target Date:	10th April 2015



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REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application is referred to the circulated schedule for determination as comments have been received which are contrary to the officer recommendation for approval.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for a change of use of a house from a six-bedroom House in Multiple Occupation (HMO) (Use Class C4) to a seven-bedroom HMO (Use Class Sui Generis), as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). There is no permitted change of use that would authorise the proposed development and therefore a planning application is required.
- 1.2 The application site is an extended semi-detached property on Kenmore Grove in Filton in close proximity to the junction with Southmead Road. The current property is already used as a small HMO (Class C4) and this use does not require planning permission as it is a permitted change of use from Class C3 to Class C4 by virtue of the Town and Country Planning (General Permitted Development) Order. This application must therefore make the assessment of the impacts of a change from a six-bedroom HMO to a seven-bedroom HMO.
- 1.3 The application site is in a sustainable location as it provides easy access to major employment sites (such as the aerospace industry in Filton, Southmead Hospital, and the MOD Abbey Wood) and University of the West of England. Southmead Road provides a bus service and access to cycle ways.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012
- 2.2 Development Plans
South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design
CS4A Presumption in Favour of Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS15 Distribution of Housing
CS16 Housing Density
CS17 Housing Diversity
CS25 Communities of the North Fringe of Bristol
South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)
L1 Landscape
T12 Transportation
H5 Houses in Multiple Occupation
- 2.3 Supplementary Planning Guidance
 - i. Residential Parking Standard SPD (Adopted) December 2013
 - ii. Waste SPD (Adopted) January 2015

3. RELEVANT PLANNING HISTORY

- 3.1 There is no relevant planning history on this site.

4. CONSULTATION RESPONSES

- 4.1 Filton Town Council
Objection: Lack of parking/facilities
- 4.2 Bristol City Council
No comment
- 4.3 Lead Local Flood Authority
No comment
- 4.4 Transport
Requires four vehicle parking spaces and seven cycle spaces; waste needs to be considered in accordance with Waste SPD.

Other Representations

- 4.5 Local Residents
None received

5. ANALYSIS OF PROPOSAL

- 5.1 This application seeks planning permission for a change of use to a seven-bedroom HMO in Filton.
- 5.2 Principle of Development
Guidance on how applications for HMOs are assessed lies in policy H5 of the Local Plan. The Core Strategy seeks to make strategic allocations which direct development to the existing urban areas and defined settlements in the interests of sustainable development. It is considered that the site is a sustainable location with good access to employment, education and services as well as a variety of transport choices.
- 5.3 Turning therefore to policy H5, a change of use to a HMO would be supported in principle subject to an assessment of character, amenity, and transport. As a result, the application should be determined against the analysis set out below. It should be noted that this assessment is undertaken on the basis that the development would result in a seven-bedroom HMO.
- 5.4 In the interests of a full and proper assessment of the impact of a HMO it is considered to be necessary that any permission granted is subject to a condition requiring the development to be completed in accordance with the approved plans. This is because, normally, internal works do not amount to development and therefore do not require planning permission. Yet, the further subdivision of the property may, in effect, require planning permission in its own right as it could increase the number of bedrooms in the property.
- 5.5 Character
For a proposed change of use to be harmful to the character of an area, there must be a discernible change to the characteristics which define and identify that place. Whilst it is recognised that small changes over time can cumulatively affect the character of a place, this should be considered a natural process and an appropriate way in which to keep the vibrancy and vitality of a place.

- 5.6 The application seeks permission for a straight-forward change of use; it does not seek permission for any operational development. Therefore, the proposal would not result in a physical alteration to the building and, in turn, would not alter the character of the building or its physical relationship with its neighbours.
- 5.7 Adding diversity to housing stock, particularly in areas which are sustainably located with good access to shops, services, and employment or education opportunities, is not considered to be harmful.
- 5.8 Living Conditions
Development should not have a prejudicial impact on the residential amenity of nearby occupiers or the living conditions of the application site. As no operational development is proposed, it is not considered that the development would have a significant impact on the amenities of nearby occupiers.
- 5.9 It is considered that the proposed change of use would provide an acceptable standard of living conditions to the occupiers of the property. Adequate private amenity space would be retained at the property. A HMO requires a licence from the Private Sector Housing team and this would address internal arrangements and health and safety issues.
- 5.10 Waste
Development is required to consider the storage and disposal of waste, in this instance household waste. The Council has recently published the Waste Collection: Guidance for New Developments SPD (Adopted) January 2015 which is a material consideration in determining planning applications.
- 5.11 At present, households benefit from kerbside –
- weekly food collection
 - fortnightly dry recycling collection
 - fortnightly residual waste
 - (optional) fortnightly garden waste
- 5.12 As a result, households are issued with a black wheeled bin, food waste bin, white bag for plastics, green bag for cardboard, green box for other recycling, and an optional green wheeled garden waste bin. All the above need to be stored in an appropriate location with easy access to both the dwelling and the collection point without being harmful to visual amenity.
- 5.13 It is therefore recommended that a storage area is included within a planning application. This should be no more than 10 metres from the back door, no smaller than 0.9 metres wide by 2 metres long, and the gradient to the collection point should not exceed 1:20.
- 5.14 A waste storage area is proposed to the side of the property, away from windows and doors. The storage is approximately 8 metres from the rear door of the house and is 1 metre wide by 2.2 metres long. This is considered to be sufficient to manage the waste storage and collection requirements originating from the development.

5.15 Transport

Following the receipt of the Transport Officer's comments, a revised block plan was submitted that indicated the provision of four parking spaces and seven bicycle spaces. It is considered that the proposed provision of both vehicular and bicycle parking is sufficient and the development would not lead to additional on-street parking to the detriment of highway safety; it should be noted that there are parking restrictions in place in the locality.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 It is recommended that planning permission is GRANTED subject to the conditions listed below.

Contact Officer: Griff Bunce
Tel. No. 01454 863438

CONDITIONS

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

Reason

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

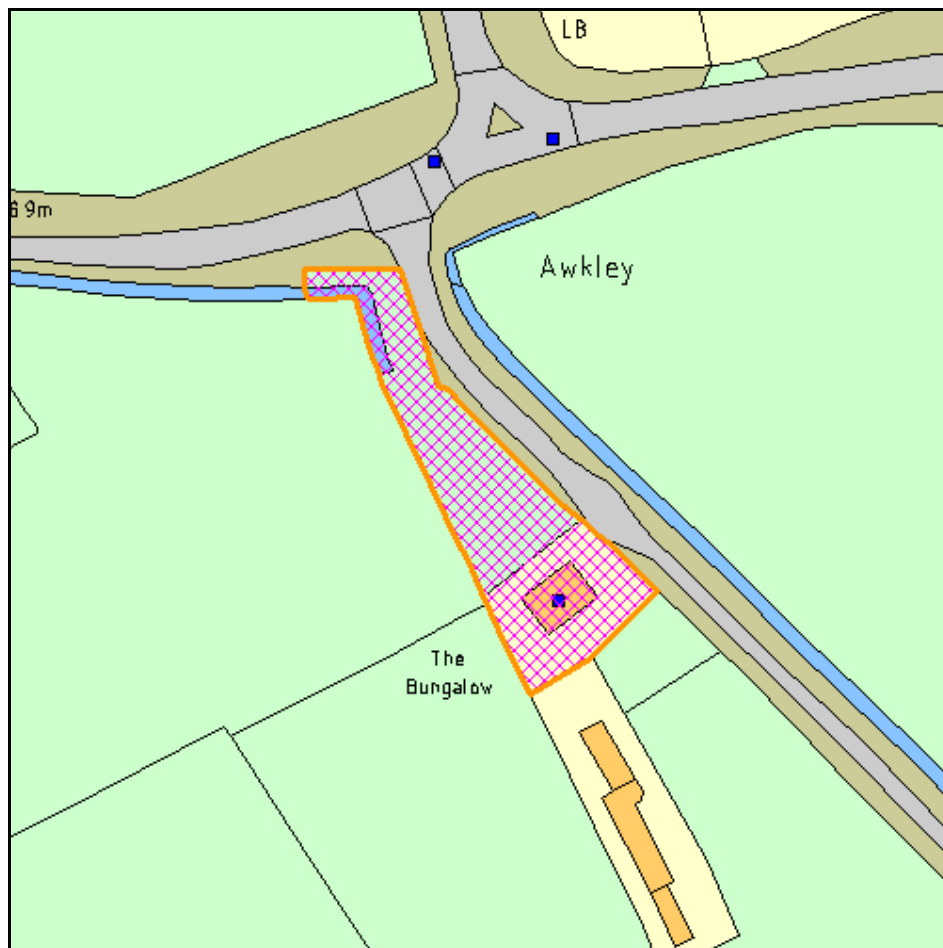
2. The development hereby permitted shall be carried out in accordance with drawings 001 Location Plan, 002 Site Plan, 003 Existing Plans, 004 Proposed Plans, and 005 Block Plan, with the waste storage and vehicular parking areas shown provided before the first occupation associated with the use hereby permitted.

Reason

In the interests of proper planning as the further division of the property to create more than seven bedrooms would require further assessment of the impact on the character of the area, provision of adequate off-street parking, and provision of adequate waste sorting and storage facilities; and to accord with policy CS1 and CS8 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013, Policy T12 and H5 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies), the Residential Parking Standard SPD (Adopted) December 2013, and the Waste Collection SPD (Adopted) January 2015.

CIRCULATED SCHEDULE NO. 18/15 – 1 MAY 2015

App No.:	PT15/0701/F	Applicant:	Mr And Mrs Fisher
Site:	The Bungalow Moor Lane Tockington Bristol South Gloucestershire BS32 4LS	Date Reg:	6th March 2015
Proposal:	Erection of two storey side extension and installation of front and rear dormers to form additional living accommodation. Erection of front porch.	Parish:	Olveston Parish Council
Map Ref:	359445 185703	Ward:	Severn
Application Category:	Householder	Target Date:	28th April 2015



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is to appear on Circulated Schedule due to the receipt of an objection from Olveston Parish Council, contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the erection of a two storey side extension and installation of front and rear dormers to form additional living accommodation and erection of a front porch.
- 1.2 The application site relates to a detached dwelling located outside of the settlement boundaries, within the parish of Olveston. The dwelling consists of a detached bungalow facing north-east, off Moor Lane. The area is washed over by the Bristol/Bath Green Belt. Agricultural land is to the north-east and south-west of the dwelling. There is a stable block and paddock located to the south-east, owned by applicant.

2. POLICY CONTEXT

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

South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design
CS5 Location of Development
CS34 Rural Areas

South Gloucestershire Local Plan (Adopted) January 2006 (saved policies)
H4 Development within Existing Residential Curtilages
T12 Transportation Development Control Policy
- 2.3 Supplementary Planning Guidance
Design Checklist SPD (Adopted) 2007
Development in the Green Belt SPD (Adopted) 2007
Residential Parking Standard SPD (Adopted) 2013

3. RELEVANT PLANNING HISTORY

- 3.1 PT01/2286/F Erection of replacement stable block
Approved 04.09.01

4. CONSULTATION RESPONSES

- 4.1 Olveston Parish Council
The Parish Council has concerns that this is overdevelopment. The application is not in keeping with the rural setting, particularly the proposed roof line.

4.2 Highway Drainage

No objection as an EA flood mitigation form has been submitted.

4.3 Sustainable Transport

No transport objection is raised. Recommendation the following condition is attached: The development shall not be occupied until the car parking spaces have been provided in accordance with the submitted details.

Other Representations

4.4 Local Residents

No comments received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Paragraph 89 within the National Planning Policy Framework (2012) allows for extensions and alterations to buildings within the Green Belt, provided this does not result in disproportionate additions over and above the size of the original building. Development which is judged to be disproportionate with regard to the original building will be viewed as inappropriate development, harmful to the Green Belt and will not be permitted. Policy CS5 of the adopted Core Strategy (2013) is supportive of the NPPDF and relevant local plan policies relating to the protection of allocated Green Belt land. Policy CS34 seeks to protect the designated Green Belt from inappropriate development and states that development within the open countryside without defined settlement boundaries will be strictly controlled.

5.2 Policy CS1 of the adopted Core Strategy states new development will only be permitted if the highest possible standards of site planning and design are achieved. Proposals should therefore demonstrate that they: enhance and respect the character, distinctiveness and amenity of the site and its context; have an appropriate density and well integrated layout connecting the development to wider transport networks; safeguard and enhance important existing features through incorporation into development; and, contribute to strategic objectives.

5.3 Saved policy H4 of the adopted Local Plan (2006) is supportive in principle of development within the curtilage of existing dwellings. This support is provided proposals respect the existing design; do not prejudice residential and visual amenity; and that there is safe and adequate parking provision and no negative effects on transportation.

5.4 Green Belt

The Government places great importance on Green Belts. Therefore, development within the Green Belt is strictly controlled. Development within areas designated as Green Belt is considered inappropriate unless it falls within the exception categories as defined in paragraphs 89 and 90 of the NPPF or 'very special circumstances' can be demonstrated.

- 5.5 As stated above in the principle of development, development which is disproportionate over and above the size of the original dwellinghouse will not be permitted. Accordingly, only limited additions will be permitted that do not result in disproportionate additions over and above the size of the original building. The Council's *Development in the Green Belt* SPD contains guidance to assist in determining whether a proposed extension is disproportionate. Within the SPD, it is suggested that an extension which results in a less than 30% increase in the volume of the building is unlikely to be considered disproportionate. When the proposed extension results in a volume increase of between 30% - 50%, then careful consideration should be given to the design and external appearance as the higher the percentage increase, the more likely the extension is to be disproportionate. Extensions that result in a volume increase in excess of 50% of the volume of the original building are likely to be disproportionate.
- 5.6 The original building volume has been calculated at approximately 374m³. The proposed additions would include a replacement porch, larger dormer windows installed on the front and rear of the building, a two storey side extension and the removal of the rear conservatory. The proposed additions to the building result in a volume increase of approximately 126m³. This would result in a total volume of 500 m³ of the building and an increase of 34% over and above the volume of the original building. This volume increase and the amount of additions to the building are considered to be proportionate and within the Council's *Development within the Green Belt* SPD guidelines.
- 5.7 Design
The property is located off Moor Lane, in a rural setting. There are nearby dwellings to the north (Mulberry Cottage and Manor Farm) and a large farm to the east (Home Farm). The dwelling is in a prominent location in the open countryside. The proposed side extension would be attached to the north-west elevation, with dormer extensions to the roof on the front and rear of the building. Whilst the additions would increase the size of the modest bungalow to a larger, dormer bungalow, the design is considered acceptable and sufficiently in keeping with the character of the host dwelling. The additions are considered proportionate and acceptable in terms of design, in accordance with policy CS1 of the adopted Core Strategy.
- 5.8 Residential Amenity
Amenity should be considered in terms of the application site and all nearby occupiers. A Juliet balcony would be inserted in the side and rear elevations, overlooking the stables and paddock to the south and agricultural land to the west. There are no immediate neighbouring properties that would be impacted by the proposal in respect of privacy, overlooking, overbearing or loss of light. In this instance, the proposed development would not affect residential amenity and is considered acceptable in terms of saved policy H4 of the adopted Local Plan.
- 5.9 Transportation
The proposal would include two additional bedrooms, increasing from two to four in total. The Council's adopted Residential Parking Standards requires a four bedroom dwelling to provide two off-street parking spaces.

The dwelling's existing access and parking area would not be affected by the proposal. There is ample space to accommodate 2-3 vehicles within the curtilage. The Transportation Officer has suggested a condition is attached requiring the provision of two off-street parking spaces, in accordance with the proposed block plan, prior to the occupation of the extension. Subject to the imposition of this condition, there are no transportation or highway safety concerns.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 That planning permission is **APPROVED**, subject to the attached conditions.

Contact Officer: Katie Warrington
Tel. No. 01454 863436

CONDITIONS

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

Reason

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

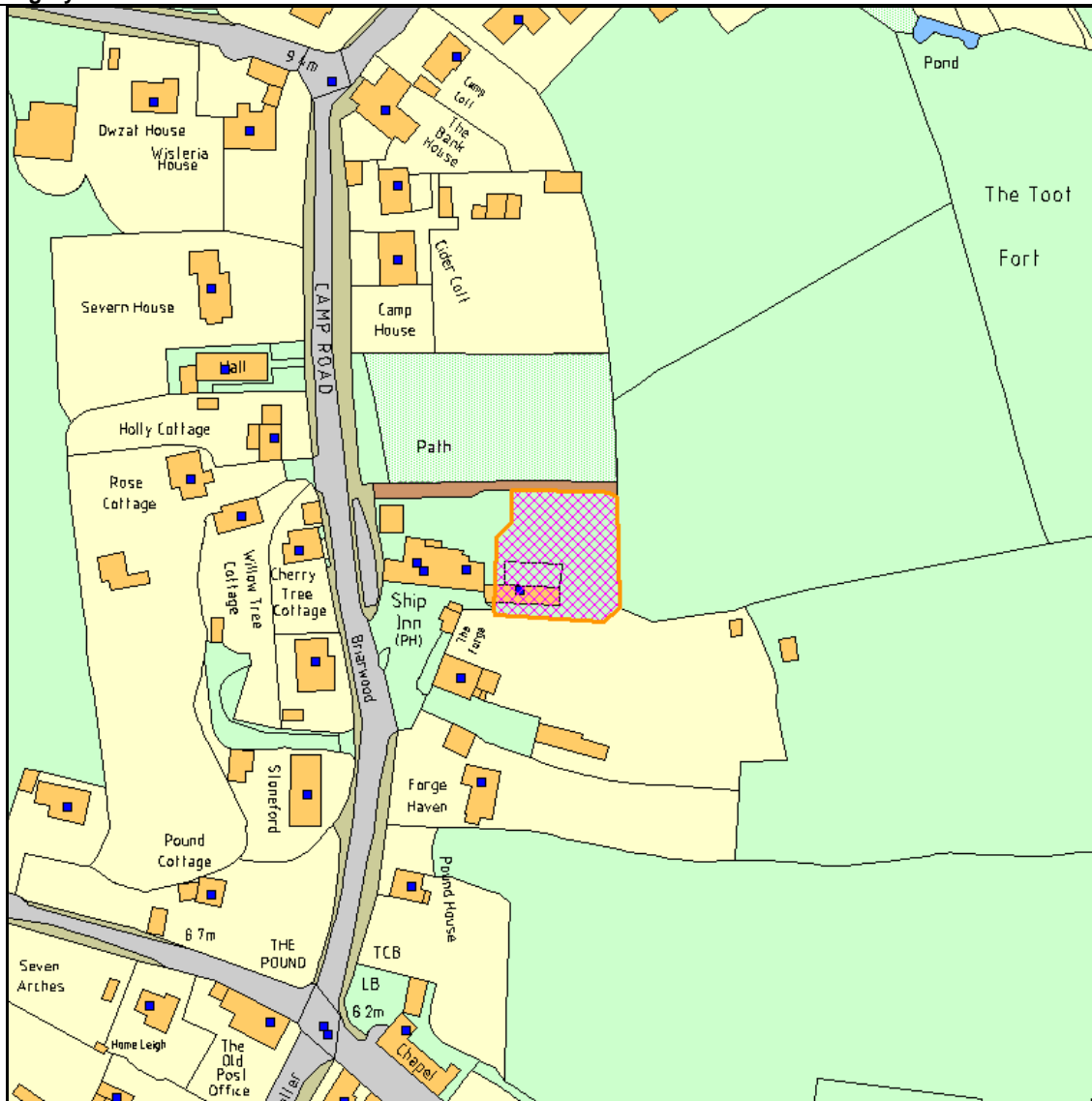
2. The off-street parking facilities shown on the Proposed Block Plan (Drg. no. 0579/7) plan hereby approved shall be provided before the building is first occupied, and thereafter permanently retained for that purpose.

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 T12 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies) and the Council's Residential Parking Standard SPD (Adopted) 2013.

CIRCULATED SCHEDULE NO. 18/15 – 1 MAY 2015

App No.:	PT15/0991/F	Applicant:	Property Development Solutions Ltd
Site:	Kayles House Camp Road Oldbury On Severn South Gloucestershire BS35 1PR	Date Reg:	16th March 2015
Proposal:	Alterations to roofline of skittle alley and erection of sun room to facilitate change of use from Public House (A4) to residential dwelling (C3) as defined in Town and Country Planning (Use Classes) Order 1987 (as amended) (amendments to two previously approved schemes PT12/4059/F and PT14/1869/PDR) (retrospective).	Parish:	Oldbury-on-Severn Parish Council
Map Ref:	361005 192641	Ward:	Severn
Application Category:	Minor	Target Date:	7th May 2015



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 100023410, 2008. N.T.S. PT15/0991/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been added to the circulated schedule because the recommendation to approve is contrary to letters of objection from local residents and the Parish Council.

1. THE PROPOSAL

- 1.1 The application is a revised full application for the change of use of the former skittle alley to a single dwelling. The application has been submitted following an objection by the Council to previous applications seeking approval of revised fenestration and door details as a non-material amendment. The Council concluded that the alterations that had been made to the windows and doors at what is now known as Kayles House were material and required a full application.
- 1.2 As such, the application as submitted is solely seeking approval of the scheme with the window and door amendments and these are the subject of this report.
- 1.3 The principle of the development has been approved by the planning permissions PT12/4059/F and PT14/0258/NMA.

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)
H10 Conversion and re-use of rural buildings for residential purposes

South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design
- 2.3 Supplementary Planning Guidance

3. RELEVANT PLANNING HISTORY

- 3.1 PT12/4059/F - Erection of first floor rear extension to main building and alterations to roofline of skittle alley to facilitate change of use from Public House (Class A4) to 3no. dwellings (Class C3) as defined in Town and Country Planning (Use Classes) Order 1987 (as amended) with associated parking, landscaping and works. Erection of detached garage. **Approved with Conditions** – 13 March 2013
- 3.2 PT14/0258/NMA - Non-material amendment to PT12/4059/F to install an additional window in the south elevation at first floor level. **No Objection** – 17 February 2014

- 3.3 PT14/0637/NMA - Non-material amendment to PT12/4059/F to change proposed render to Western Red Cedar to first floor extension of main building. **No Objection** – 21 March 2014
- 3.4 PT14/1869/PDR - Erection of single storey rear sunroom extension to provide additional living accommodation – **Approved with Conditions** – 18 July 2014
- 3.5 PT14/4931/NMA - Non-material amendment to PT12/4059/F to alter windows in north elevation of skittle alley dwelling - **Objection**
- 3.6 PT15/0041/NMA - Non-material amendment to PT14/1869/PDR to alter windows in north elevation - **Objection**

4. **CONSULTATION RESPONSES**

4.1 Oldbury on Severn Parish Council

Object with the following comments;

- The increased size and configuration of the first floor windows is too large and there is a detrimental effect in terms of the privacy of the occupants of the development and the neighbouring property.
- The original scheme was more appropriate and it is regrettable that the scheme has been altered without approval.
- The roofline remains a contentious issue as the Parish Council believe that the original skittle alley ridge height has been significantly exceeded contrary to the consent.
- The proposed House C Roof Plan does throw any further light on this matter.

4.2 Other Consultees

Highway Drainage – No Comment

Sustainable Transport – No objection

English Heritage – No objection – refer to Policy and to Conservation Officer

Other Representations

4.3 Local Residents

There have been two objections received from local residents with the following comments;

- There have been a number of applications to change and enlarge the development
- Likely that the developer had these windows in mind from the outset
- The original window solution was appropriate and some loss of privacy and amenity inevitable however had this been proposed it would have been objected to
- The original window proposal offered some consistency with the other 2 units but an ugly building is now even uglier

- There is an unsightly blue rooflight
- Solar panels are ridiculous
- There is no change in factors which informed the original design
- Much more of the façade facing the garden is now window
- Two balconies will increase intrusion and the handles on the outside appear to indicate opening from the outside
- The garden is overlooked from virtually any position in the rooms
- The garden area has been used as such for 26 years
- The application does not explain 'alterations to the roofline'
- Seemingly unauthorised alterations include; a) entrance reduced, reducing vision on exiting my property, b) siting of Collection Day Bin Area c) querying position of Weekly Storage Area for the 3 properties as no Garage or Car Port is being built as I understand and I raised my concern about storage adjoining my garden at the on site planning meeting d) Raising levels of Car Park instead of lowering as on plans.
- Porch not demolished
- Disagree with drawings submitted for the height of the roofline. Had accurate dimensions been received there would have been objections to the application.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The principle of the works to alter the roofline and convert the former skittle alley to the dwelling are established and were approved with the planning permission PT12/4059/F. This application is to consider the alterations made to first floor fenestration (and doors, Juliet balcony) to the North elevation

- 5.2 The National Planning Policy Framework declares that good design is a key aspect of sustainable development and authorities should plan positively for the achievement of high quality and inclusive design for all development. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- 5.3 Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013, adds that development will only be permitted where the highest possible standards of design and site planning are achieved. Development should respect and enhance the character, distinctiveness and amenity of both the site and its context.
- 5.4 Policy H10 requires that any alterations would not have a harmful effect on the character of the countryside or the amenities of the surrounding area.
- 5.5 The principal matters for consideration in this application therefore are the quality of the design and the impact on the character and amenity of the site and surrounding area.

Design

- 5.6 Each of the window amendments considered in this application is on the north elevation. This elevation was permitted with full length doors and a Juliet balcony on the left (East side) of the elevation as you face it, then three sets of windows along the remainder of the first floor. The additional exposed glass is predominantly at the lower level. This does alter the appearance and design of the fenestration. Design was an important consideration on the original approval and was actually a reason for the officer recommending refusal of the first application and thereby was fundamental in the Council's objection to the application for the window amendments to be considered 'non-material'.
- 5.7 The previously approved permission included a set of three sliding doors on the first floor at the east end of the north elevation. This is a modern style, flat roof development within which the patio door/Juliet balcony combination has already been considered appropriate. Being some 19.4m in length, the fenestration is important in breaking up the form of the elevation and the proposed fenestration is essentially in the same position as that already approved. The patio doors on the east end are now 4m wide instead of three, one window has been extended to the floor and the end window has been extended to form patio doors with Juliet balcony. There is no proposed change to window materials.
- 5.8 On the ground floor the size of the patio doors at the east end has been reduced from 4m to just under three and a set of double patio doors has been removed and replaced with a window, again in the same positions as previously approved. Given the size and bulk of the building the new fenestration is not considered excessive, is good design and does not have a detrimental impact on the character of the property. There is no fenestration on the South elevation so it would appear that the applicant is trying to maximise natural light of the first floor from the rooflights and from the North elevation.
- 5.9 Kayles House is not visible from the footpath immediately behind the development, however the windows are not out of keeping with those of the other two new build properties. Kayles House only becomes visible from the public realm where the footpath crosses the field to the east of the plot from where the fenestration appears consistent and proportionate across the north elevation of the three properties.
- 5.10 Taking account of the development that has been approved, this design is good quality and is considered in keeping with the site and the setting.

Residential Amenity

- 5.11 The East end of the North elevation offers views across the garden for the new property and these could potentially extend to the garden in the winter period when the trees on the boundary of Camp House will shed their leaves. At the time of the officer's site visit (April), the trees were well vegetated and visibility of any of the garden in Camp House was extremely restricted (photographs have been added to the file). An objection has been received from Camp House which also draws attention to exposure of the property from this garden. Views from the amended windows are even further restricted but the doors on the west end of the elevation do overlook the garden of one of the new properties.

The window that would have been here would have afforded the same overlooking however.

5.12 Views into the new dwelling are afforded from the garden area (again only clearly in winter when garden usage is presumed to be less), rather than any room in the neighbour's property. Likewise any overlooking from the new dwelling, is of the garden, for which the boundary is some 25 metres from the rear elevation. The property itself is some 80 metres from the new dwelling. The original officer's report considered that the development would 'not introduce any new significant adverse privacy issues to the detriment of the residential amenity of neighbouring occupiers' and would 'not have a significantly adversely greater impact on the residential amenity of neighbouring occupiers in terms of loss of natural light or outlook'. It is considered extremely difficult to make any argument that this position is changed by this application. Overlooking from a standing position is not materially different given the window spaces that were already provided and overlooking of a residential garden of this size, some 25 metres from a new development will not result in a privacy harm to amount to a refusal.

5.13 It is accepted that you could see more of the new property through the increased low-level openings but the rooms subject to doors and extended windows are bedrooms. It would be expected that bedrooms would be fitted with curtains/blinds and that use of these rooms during daylight hours would be more limited. When used at night, you would expect occupiers to manage their privacy and the use of the gardens to be limited. The original permission deemed opening double-doors and Juliet balcony to be acceptable for the master bedroom. The increased visibility into the property is not considered to result in an unacceptable amount of overlooking given the considerable distance to the garden, the significant landscape screening, particularly in summer months and it is not considered that there is any overlooking between habitable rooms. It was also noted at the site visit that Leylandii trees have now been planted behind the boundary fence to add further to the landscape screening.

Previous Consultation

5.14 No objection was previously raised on the grounds of overlooking from first floor windows and doors. The original permission included a set of double doors with Juliet balcony from the master bedroom overlooking the land to the north.

Other Matters

5.15 A number of other matters have been raised in objection comments to the Authority, not least the height of the roofline. This has been subject to a separate investigation by the Planning Enforcement Team which has concluded that the development height as built, is in accordance with the approved plans for the building. That assessment is independent of this planning application which does show the height as per the approved plans and as has been measured on the site by officers from the Enforcement Team. It should also be noted that the solar panels were granted permission on the original scheme.

- 5.16 Objection comments include concern about the manner in which this application has come about and the piecemeal changes that have taken place since the grant of the original planning permission. Whatever the motives for the applications and the redesign of the building however, the applicant is not committing an offence by applying for such changes, or even by applying retrospectively for such changes and the Council can only assess each application on its merits and against the relevant national and local planning policy.
- 5.17 Objections have been received about a blue rooflight over the rear, ground floor extension. The Agent has advised that the blue part is a protective cover which will be removed and indeed it had been removed at the time of the site visit.
- 5.18 A number of other alleged alterations have been referred to but these are not subject to this application and should they be grounds for complaint, these should be directed to the Enforcement Team.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 That planning permission be granted subject to the following condition;

Contact Officer: James Cooke
Tel. No. 01454 863429

CONDITIONS

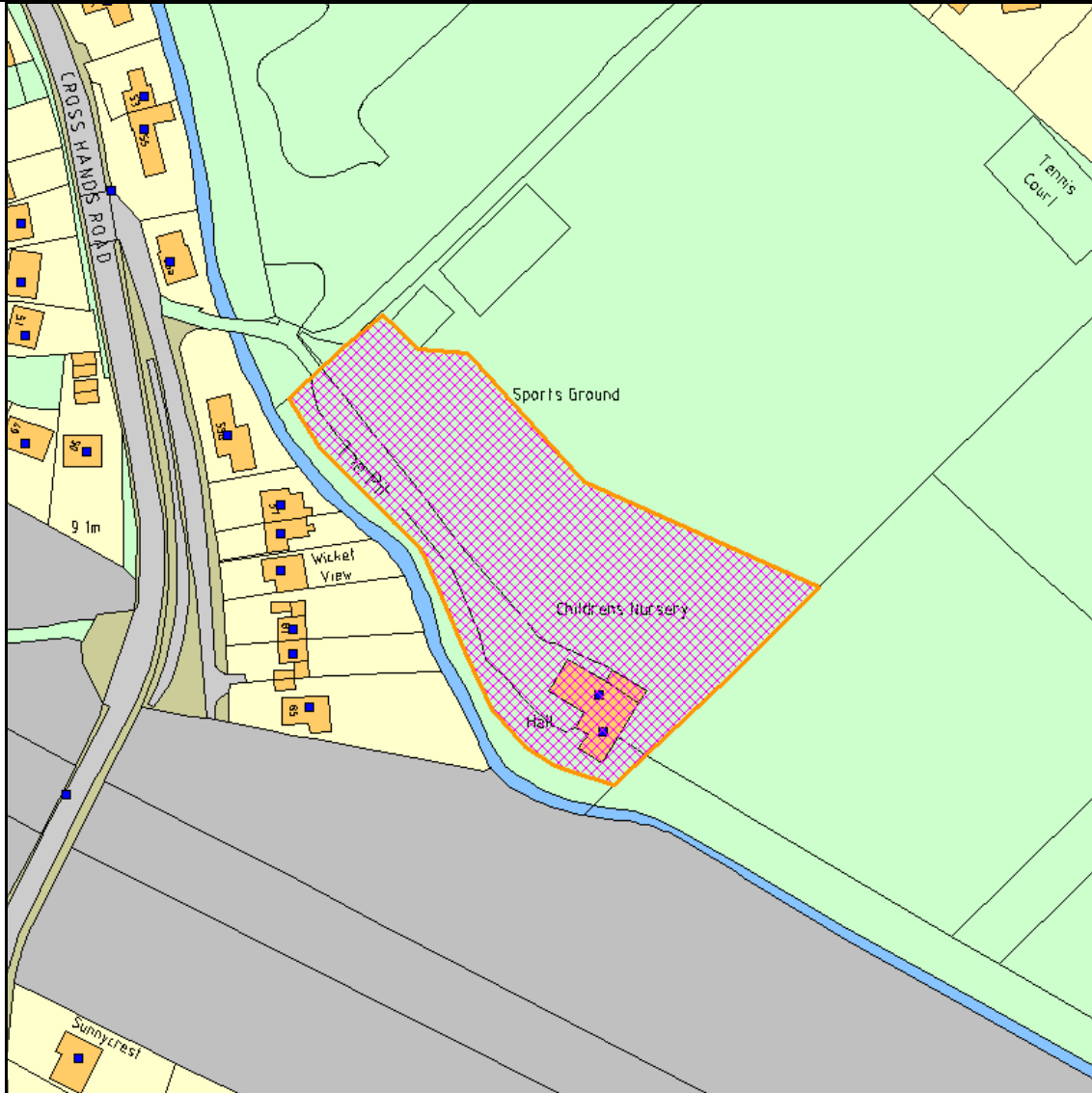
1. The doors, fenestration and Juliet balconies in the north elevation, hereby approved, shall be finished strictly in accordance with the approved plan P-700 dated February 2015 and retained as such thereafter.

Reason

To protect the character and amenity of the site and the setting and to protect the residential amenity of neighbouring properties.

CIRCULATED SCHEDULE NO. 18/15 – 1 MAY 2015

App No.:	PT15/1041/F	Applicant:	Pilning And Severn Beach Parish Council
Site:	Pilning Village Hall Cross Hands Road Pilning South Gloucestershire BS35 4JB	Date Reg:	24th March 2015
Proposal:	Demolition of existing changing rooms and veranda and erection of extensions to provide meeting rooms, changing rooms, sports hall, day nursery and ancillary storage with additional parking and associated works. Erection of detached maintenance building. (Re Submission of PT14/1860/F)	Parish:	Pilning And Severn Beach Parish Council
Map Ref:	355965 184799	Ward:	Pilning And Severn Beach
Application Category:	Minor	Target Date:	4th May 2015



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 100023410, 2008. **N.T.S.** **PT15/1041/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is referred to the Circulated Schedule in accordance with procedure given that the proposal represents a departure from Green Belt Policy where it has been necessary to demonstrate that very special circumstances apply that outweigh the harm caused to the Green Belt.

1. THE PROPOSAL

- 1.1 The proposed development comprises the demolition of existing changing rooms and a veranda and the erection of extensions to provide meeting rooms, a sports hall, day nursery and ancillary storage. The proposal will also involve the erection of a detached maintenance building. The proposal will include the installation of a new parking area located alongside the access with 40 spaces in total (15 spaces at present). The scheme includes some additional tree planting.
- 1.2 The application site comprises a single storey brick built building with a pitched metal roof and some flat roof outbuildings situated at the south-eastern corner of playing fields, the site is accessed from Cross Hands Road via an access track. A small area of parking is situated to the west of the building. Within context to the rear of the building lies a small rhyne beyond which the railway line is sited, while immediately to the east lies a hedge line that runs the full length of the playing field boundary. Some residential properties lie to the west/south-west. The site is situated within the Green Belt just next to the settlement boundary of Pilning.
- 1.3 Alongside the Design and Access Statement (that sets out the applicant's very special circumstances to justify the development in Green Belt terms – see section 5.1 below), details relating to a coal mining risk assessment and a Flood Risk Assessment are included with the application. A previous application was withdrawn given concerns that had been raised relating to highway/access issues.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
Technical Guidance to the National Planning Policy Framework

2.2 Development Plans

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

L1 Landscape Protection and Enhancement
EP2 Flood Risk and Development
T12 Transportation Development Control Policy for New Development
LC5 Proposals for the Outdoor Sports and Recreation outside Existing Urban Area and Defined Settlement Boundaries

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design

CS5 Location of Development

CS9 Managing the Environment and Heritage

CS23 Community Infrastructure and Cultural Activity

CS34 Rural Areas

2.3 Supplementary Planning Guidance

Design Checklist 2007

Green Belt SPD

3. **RELEVANT PLANNING HISTORY**

3.1 P85/1512 Erection of single storey side extension to existing village hall to provide a store room for ground equipment. (Approved)

3.2 PT14/1860/F Demolition of existing changing rooms and veranda and erection of extensions to provide meeting rooms, changing rooms, function room, sports hall, day nursery and ancillary storage with additional parking and associated works. Erection of detached maintenance building. (Withdrawn)

4. **CONSULTATION RESPONSES**

4.1 Pilning and Severn Beach Parish Council

No objection

4.2 Other Consultees

Avon and Somerset Police

Having viewed the information as submitted we find the design to be in order and complies appropriately with the crime prevention through environmental design principles.

Highway Structures

No comment

Landscape Officer

There is no objection following the submission of revised landscaping details and subject to a condition to secure the scheme.

Sustainable Transport

The increased size of the building from 217m sq. or 302m sq. to 723m sq. and the additional 25 car parking spaces will result in the building having the potential to generate a significant increase in vehicular trips to and from the site all of which would have to negotiate the sub-standard access without a

separate pedestrian footpath as described above resulting in the increased risk of vehicle to vehicle and vehicle to pedestrian conflict.

To comply with the requirements of Local Plan Policy T12 the access should either be improved to a safe and suitable standard or as this would not be possible because of site constraints the access arrangements should be managed in such a way that any significant increase above existing traffic flows in and out of the site are directed by circulating information advising vehicular access to be gained from the west only and providing on-site marshals to control the flow of traffic entering and exiting the site. The directions information should be sent out to all visitors through the advertising of specific events. The marshals should be employed for all events when both the hall and the children's nursery are occupied at the same time or when sports events are held with more than two teams participating.

Therefore there is no objection to the proposed development subject to conditions to secure full details of the site access arrangements, details of on-site measures to ensure that there is no conflict between vehicles, pedestrians and cyclists entering and leaving the site, to ensure that the travel plan is implemented on completion of the development and that the building is not brought into use until the car parking and minibus spaces have been provided.

Drainage Engineers

No objection subject to a condition to ensure that floor levels are set a least 300mm above existing floor levels and a condition to secure a sustainable urban drainage scheme

Other Representations

4.3 Local Residents

There have been no responses received

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Green Belt

At the heart of whether the proposed development is acceptable in principle it is necessary to assess the scheme against Green Belt Policy.

Para 87 of the NPPF states that:

Inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances and this is further emphasised in para 88 which states that:

When considering any planning application, local planning authorities should ensure that substantial weight is given to harm to the Green Belt.

Very special circumstances will not exist unless the potential harm to the Green belt by reason of inappropriateness and any other harm is clearly outweighed by other considerations

Extensions to buildings within the Green Belt can be appropriate however the National Planning Policy Framework (NPPF – para 89) sets out that such development is only acceptable where it does not result in a disproportionate addition over and above the size of the original building. The building has been extended previously and the alterations proposed through this proposal are significant. As a guide to what might be considered disproportionate, the South Gloucestershire SPD on Green Belt indicates that extensions to dwellings that exceed 50% are unlikely to be considered appropriate (the SPD was written at a time when all other extensions were inappropriate – as set out above the NPPF has brought all extensions into this consideration).

It is agreed that the proposed additions result in an addition of 80% in volume over and above the original building (taking into account that a number of outbuildings will be removed). This addition by reason of its scale is therefore considered to be inappropriate.

The applicant has set out in detail the very special circumstances that are considered to outweigh the harm caused to the Green Belt as follows:

- The development addresses the shortcomings of the existing facility
- Those teams using the sports pitches have indicated that they will move if the facilities are not improved
- Sport England have standards for such facilities and these are not being met.
- The proposal is not higher than that existing and will be a low energy community facility
- The location, size and scale ensures that the building will not have a significant impact upon openness
- Without the extension the Hall will lose revenue and the building will be come unsustainable resulting in locals having to travel by car elsewhere
- The Parish has no other choice than to expand in this way on this site

Sport England are supportive of the proposal and their comments specify the importance of changing facilities being of a certain high standard. The existing facility is most certainly of quite a poor standard with limited changing facilities and toilets. A much larger facility with showers will now be provided. Although the Case Officer cannot comment on whether those using the site are likely to stop using the facility it would seem logical that the new building which incorporates improved facilities would be more attractive to new users and help its revenue streams. The case that users would need to travel to an alternative site is also considered a valid point. The Case Officer is mindful that any facility serving the Pilning Community whether the nursery or that supporting the use of the playing fields has to be in Pilning which is in the Green Belt. The changing facilities have to be next to the playing fields and could not be located elsewhere. The point that there is no alternative but to develop this building is a very fair point given the above circumstances.

The points raised that the building is discreetly located are not considered relevant to whether the scheme is disproportionate but will be discussed below in terms of impact upon openness. On balance however the continued effective use of the building, its value to the community and the lack of an alternative site outside of the Green Belt (and if such a site were found that it would increase the travel distances) are considered valid points and demonstrate the unique very special circumstances needed to outweigh the harm caused to the Green Belt.

With respect to the impact upon openness, the site is quite discreetly located at a corner of the site and is not immediately visible from parts of the wider public realm. In addition while as acknowledged above the proposal is to create a larger building than that at present, a number of outbuildings scattered around the building are to be removed and this is a significant improvement that reduces the impact upon the openness of the Green Belt. The scheme is considered appropriate in these terms.

Policy CS23 of the South Gloucestershire Local Plan Core Strategy supports the provision of additional, extended or enhanced community infrastructure being fundamental to the creation and retention of sustainable communities and in this respect the proposal is considered to fall within this category and is therefore acceptable in principle.

Given the above considerations the proposed development is considered acceptable in principle. Consideration of the design, impact upon the surrounding highway network, impact upon residential amenity and flood risk/drainage

5.2 Sustainable Transport

Policy T12 of the South Gloucestershire Local Plan states that in determining proposals for new development it must be clear that the development makes adequate, safe and appropriate provision for the transportation demands that it will create and minimise the impact of traffic upon the surrounding highway network.

Access

Officers note that the village hall is served by a sub standard access consisting of a narrow shared surface lane running from Cross Hands Road. The junction onto the main Cross Hands Road is at a very acute angle and any vehicle turning left out of the junction would need use the right hand side of Cross Hands Road near to a bend and vehicles turning right into the access have difficulty making the manoeuvre in a single movement. The restricted width of the access road of between 4m and 2.5m, its alignment and parked cars outside of no. 55a result in limited opportunities for passing. This is the only means of access or egress for pedestrians, vehicles and cycles. There have however been no recorded instances of accidents.

Parking

The proposed 40 parking spaces (and 3 disabled car parking spaces) are in accordance with the Council's maximum standards. Subject to a condition to secure from these spaces two spaces for minibuses (indicated on the application form) and 5 cycle spaces, the proposal is considered acceptable.

In summary while Officers note that the proposal will involve an intensification of the use of the access which is substandard subject however subject to a condition to secure an Access Management Plan (as set out below) and a condition to secure the parking provision, and tactile paving at the site entrance there is no objection to the proposal in transportation terms.

5.3 Residential Amenity

The building is located approximately 40 metres from the nearest residential property in Cross Hands Road. The proposal involves an enlargement to the existing building, however it remains a single storey structure. The site is also separated from the nearest properties by some landscaping and a water course. It is not considered that the development or the associated car parking will result in any loss of outlook or privacy to adjoining occupiers nor is it considered that the intensification of the use would result in any significant additional noise and disturbance over and above the existing use of the building.

5.4 Flood Risk/Drainage

The application site lies in Flood Zone 3a and sits within the More Vulnerable classification as set out in the NPPF Technical Guidance Table 3.

Sequential Test

Taking account of the 3a status and form of development, the guidance indicates that it is necessary to apply the Sequential Test and this is indicated in the comments from the Environment Agency. The aim of the sequential test is to steer development to areas with the lowest risk ie to Zone 2 or Zone 1. Given that the building is used in association with the playing fields immediately adjoining it, it would not be possible to locate the building elsewhere. The nursery element could be located elsewhere potentially however it serves Pilning which is almost entirely in Flood Zone 3b or 3a and it would not be possible therefore to find a more suitable location. It is considered that there are no reasonably available sites in areas of lower flood risk.

Exception Test

In these circumstances the guidance indicates that it is necessary to apply the exception test. Para 102 of the NPPF states that:

If, following application of the Sequential Test, it is not possible, consistent with wider sustainability objectives, for the development to be located in zones with a lower probability of flooding, the Exception Test can be applied if appropriate. For the Exception Test to be passed:

- it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared; and
- a site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

Both elements of the test will have to be passed for development to be allocated or permitted.

It is considered that the continued use of the building for community use both in relation to the use of the hall, nursery and facilities to support the use of the playing fields does demonstrate wider sustainability benefits to the community. The Health Benefits to the community are fundamental to the concept of sustainable living and the location at the heart of the community reduces the need to travel.

Secondly the submitted flood risk assessment has been viewed by both the Council Drainage Engineers and the Environment Agency and is considered acceptable. Subject to conditions to ensure that the development takes place in accordance with the submitted flood risk assessment (to include finished floor levels that are 300mm above the surrounding ground levels and flood resilience measures) and subject to a further condition to secure a Sustainable Drainage scheme the development is considered acceptable in flood risk terms.

5.5 Design/Visual Amenity

The existing building is functional in appearance. The proposed alterations will provide improvements to the main hall, foyer, day nursery, changing rooms, a meeting room and storage. The building is to be extended with gables on the rear elevation but with a height that is similar to the current building to a maximum height of 6.2 metres.

The existing building is a mix of brick and render with a profiled metal roof, the proposed development will incorporate timber cladding and a metal seam roof. It should be noted that the development will also involve the removal of 6 storage units which have clearly been in situ for many years and this can be seen as a positive benefit of the scheme in visual terms. These buildings have to be removed as they are where the new building will sit.

The design is considered appropriate and will not detract from the visual amenity of the area.

5.6 Landscaping

Revised landscaping proposals have been received to secure planting around the parking area (which will be grasscrete) and a path 1.2 metres wide next to the play area. Subject to a condition to secure the landscaping shown on the revised landscaping plan within the first available planting season the proposed development is considered acceptable in landscape terms

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That Planning Permission is granted subject to the conditions set out on the decision notice.

Contact Officer: David Stockdale
Tel. No. 01454 866622

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 development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) dated 22 July 2014 and the following mitigation measures detailed within the FRA:

Finished floor levels 300mm above surrounding ground.

Flood resilience measures incorporated.

The mitigation measures shall be fully implemented prior to occupation or as may subsequently be agreed, in writing, by the LPA.

Reason

To prevent the increased risk of flooding and to accord with Policy EP2 of the South Gloucestershire Local Plan 2006 (saved policy), Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and the National Planning Policy Framework.

3. Prior to the commencement of development there shall be submitted and approved in writing by the LPA details of the proposed Sustainable Urban Drainage scheme for the site to include any surface water drainage systems and the development shall be implemented in accordance with the approved details.

Reason

This information is required prior to the commencement of development as the drainage systems and strategy need to be understood prior to the erection of the building in order to prevent the increased risk of flooding and to accord with Policy EP2 of the South Gloucestershire Local Plan 2006 (saved policy), Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013 and the National Planning Policy Framework.

4. Prior to the first use of the building hereby approved a detailed Access Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include the following details:

Details of site access arrangements and directions for vehicles advising all car, minibus and service vehicle drivers to arrive and depart from the west and how these details will be circulated to visitors.

Details of on-site marshalling to ensure that there is no conflict between vehicles, pedestrians and cyclists entering and leaving the site when both the hall and the children's nursery are occupied at the same time or when sporting events where more than two teams are participating.

Reason

To ensure the development is provided with a safe and suitable access in accordance with Local Plan Policy T12 and In the interest of highway safety.

5. Prior to the commencement of development details of two minibus parking spaces shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be completed prior to the first use of the building.

Reason

To ensure adequate provision for minibuses in the interest of highway safety and to accord with Policy T12 of the South Gloucestershire Local Plan 2006 (saved policy). This information is required prior to the commencement of development because it will inform the layout of the parking area.

6. Prior to the first use of the development hereby approved details of 5 covered and secure cycle parking spaces shall be submitted to and approved in writing by the Local Planning Authority. The cycle spaces shall be provided prior to the first use of the building and retained as such thereafter.

Reason

To ensure that the development is in accord with the South Gloucestershire Council cycle parking standards and the promotion of sustainable transport choices and to accord with Policy T7 of the South Gloucestershire Council Local Plan 2006 (saved policy)

7. Prior to the first use of the development hereby approved details of tactile paving at the pedestrian crossing point at the junction of Cross Hands Road and the service road leading to the site shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full prior to the first use of the development.

Reason

In the interests of highway safety and to accord with Policy T12 of the South Gloucestershire Local Plan (saved policy)

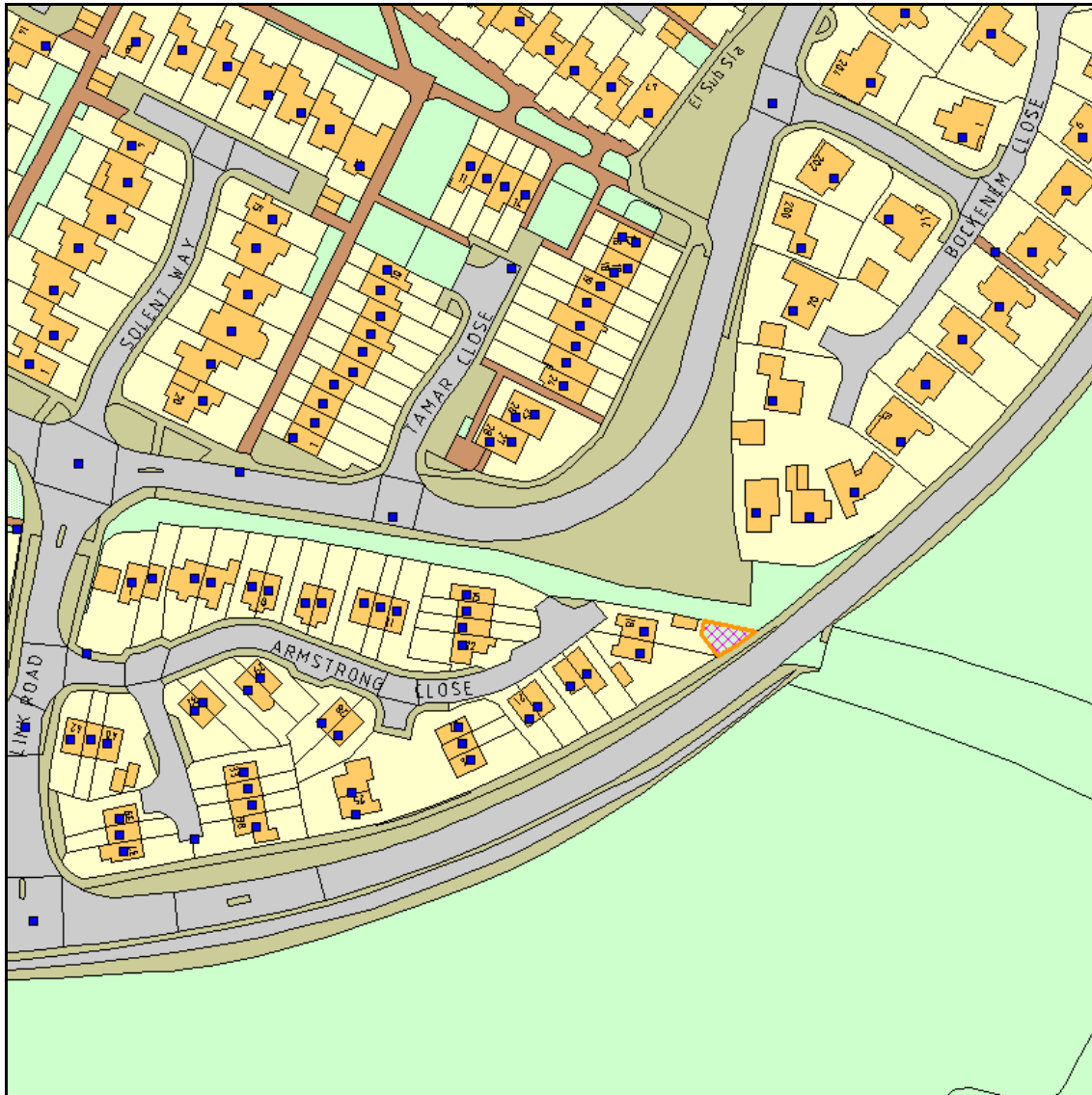
8. The landscaping scheme shall be implemented in accordance with the Landscape Plan (Chew Valley Trees) received 29th April 2015. The planting shown shall take place in the first available planting season.

Reason

In the interests of the amenity of the area and to accord with Policy L1 of the South Gloucestershire Local Plan 2006 (saved policy) and Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013

CIRCULATED SCHEDULE NO. 18/15 – 1 MAY 2015

App No.:	PT15/1086/F	Applicant:	Mrs Joanna Hopkins
Site:	16 Armstrong Close Thornbury Bristol South Gloucestershire BS35 2PQ	Date Reg:	26th March 2015
Proposal:	Change of use from amenity land to residential (Class C3) as defined in Town and Country Planning (Use Classes) Order 1987 (as amended) Demolition of existing wall and fence. Erection of 1.8 m fence to highest point.	Parish:	Thornbury Town Council
Map Ref:	364885 189315	Ward:	Thornbury South And Alveston
Application Category:	Minor	Target Date:	14th May 2015



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 100023410, 2008. N.T.S. PT15/1086/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 to change the use of an existing triangle of grassland/ amenity open space (Sui Generis) to residential garden (Use Class C3) in order to incorporate it into the residential curtilage of 16 Armstrong Close. The proposal is to enclose the land with a maximum 1.9 metres high timber boarded fence screened by a new boundary hedgerow.
- 1.2 The application site consists of a triangle of grassed land situated to the rear boundary of no.16 Armstrong Close, on the west side of Midland Way, which is an arterial road running around the southern edge of the established residential area. The land falls just within the defined settlement boundary of Thornbury. The boundary of the Bath/ Bristol Green Belt begins to the south of the site but the site does not fall within it.
- 1.3 As existing the land forms part of the soft landscaping area adjacent to the highway. The extant use of the land is considered to be 'amenity open space' with a 'sui generis' use class. A green corridor runs to the north of the site which contains a number of trees and shrubs.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Practice Guidance 2014

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS5 Location of Development
CS9 Managing Environment and Heritage
CS32 Thornbury

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

L1 Landscape Protection and Enhancement
L5 Open Areas within Existing Urban Areas

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist SPD (Adopted) 2007
Residential parking Standards SPD (Adopted) 2013

3. RELEVANT PLANNING HISTORY

- 3.1 PT14/1508/F - Demolition of existing detached garage and erection of two storey side extension to provide additional living accommodation. Approved 10th June 2014
- 3.2 P92/0221/9 - Construction of cycleway, footpath and section of distributor road; provision of landscaping and public open space (in accordance with the amended plans received by the council on 7TH December 1992 and the applicants letter). Approved 13th January 1993
- 3.3 P92/0221/8 - Construction of distributor road and associated landscaping and engineering works. Approved 9th December 1992

4. CONSULTATION RESPONSES

- 4.1 Thornbury Town Council
OBJECT to the realignment of the garden boundary that would enclose an area of open space. Such development is contrary to both South Gloucestershire Council and Thornbury Town Council's policy on enclosing open space.
- 4.2 Lead Local Flood Authority
No comment

Other Representations

- 4.3 Local Residents
No comments received.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
The application seeks permission for the change of use of land from amenity open space to residential curtilage, and the erection of a boundary fence. The principle of the proposed change of use within the defined settlement boundary is considered acceptable with the provision that the development would not adversely affect the contribution that the open area makes to the quality, character, amenity and distinctiveness of the locality.
- 5.2 Impact on Character
The application relates to a triangular parcel of land situated to the rear boundary of no.16 Armstrong Close. It is laid to grass and forms part of the soft landscaping area on the northern side of Midland Way, which is an arterial road marking the edge of the established residential area and settlement boundary of Thornbury. On the northern half of Midland Way the residential area is enclosed predominantly by boundary walls constructed in brick and following the same established line. This is with the exception of the rear boundary of no.16, which is inset from the other rear boundaries. The parcel of land subject to this application forms this inset with a green corridor to the north and east.

- 5.3 The proposed change of use and boundary fence would essentially enclose the existing inset extending the established rear boundary treatment of the other properties that face away from Midland Way. The enclosed area would not extend into the tree planted corridor which runs to the north of the site but would nevertheless result in the loss of existing area of grassed open space.
- 5.4 In considering the proposed change of use it is noted that the land to be enclosed would align the boundary of no.16 with the other properties backing onto Midland Way. No.16 marks the boundary between the established residential cul de sac and the green corridor to the north. Further residential development exists to the northern side of the green corridor and the boundary treatments to Midland Way are also consistently aligned and adjacent to the footpath. The rear boundary of no,16 does not, at the moment, bare any relationship to the other rear boundaries. Whilst the open space to be enclosed does offer some soft landscaping the most important area of landscaping that contributes to the character of this locality is the corridor to the north, which this development would not encroach into.
- 5.5 In considering the application site in the context of this locality it is considered that the loss of this relatively small parcel of open space would not have an adverse impact on the character or distinctiveness of the area but would instead continue the established boundaries already erected. It would not encroach into the open countryside and would not have an adverse impact on the adjacent green corridor. Therefore, whilst the comments of the Parish Council are noted it is not considered that the change of use would run contrary to saved policy L5 of the Local Plan, or policies CS1 and CS9 of the Core Strategy.
- 5.6 In terms of the boundary treatment to be erected the proposal is to install a 1.9 metre timber boarded fence inset by one metre from the adjacent wall of the neighbouring property, and with a hedgerow planted to the highway side. The boundary treatments in the immediate locality are brick built walls using three different brick types. Some landscaping is evident along the rear boundaries which back onto Midland Way and some properties further to the east along Midland Way have timber boarded fences with landscaping to the highway edge as is the case in the current proposal. Opposite the application side is a timber gated entrance.
- 5.7 It is considered that a brick built wall in keeping with those in the immediate locality would have been the more desirable option however this is not to say that the proposed boundary treatment would be unacceptable. The fence would reflect the materials used in the gated entrance on the opposite side of Midland Way and the introduction of a hedgerow to the boundary edge would be an enhancement helping to integrate the boundary treatment into the planted corridor to the north. The fence would be noticeable in the short term until the hedgerow establishes but would in the long term become screened.
- 5.8 A condition is recommended in order to secure the implementation of a native hedgerow and to ensure that the landscaping is replaced in the event that the planting fails.

5.9 Residential Amenity

It is not considered that the change of use or proposed fence would have an adverse impact on the nearby occupiers. The use of the land would reflect the existing garden and the height of the fence would be in keeping with the neighbour's boundary treatments.

5.10 Highway Safety

The development would enclose an area of open space which does not fall within highway land. The proposed fence would not have an impact on existing levels of visibility and would not prejudice highway safety.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That the application is APPROVED subject to the following conditions:

Contact Officer: Sarah Fordham
Tel. No. 01454 865207

CONDITIONS

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

Reason

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

2. Within the first planting season following the erection of the fence hereby approved a native hedgerow shall be planted between the fence and the highway edge.

Reason

To protect the character and appearance of the area to accord with Policies L1 and L5 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.

3. In the event that the hedgerow subject to condition 2 dies, is removed, is damaged or become diseased within 5 years of the completion of the planting the hedgerow shall be replaced by the end of the next planting season. The replacement shall be of the same size and species as that lost.

Reason

To protect the character and appearance of the area to accord with Policies L1 and L5 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.