



**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. 36/15

Date to Members: 04/09/15

Member's Deadline: 10/09/15 (5.00pm)

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.

CIRCULATED SCHEDULE 04 September 2015

-

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK15/2743/F	Approve	Upper Farm West Littleton Road Marshfield Chippenham South Gloucestershire SN14 8JE	Cotswold Edge	Tormarton Parish Council
2	PK15/2883/F	Approve with Conditions	Brockham House North Stoke Lane Upton Cheyney South Gloucestershire BS30 6NG	Bitton	Bitton Parish Council
3	PK15/3116/CLP	Approve	9 Chippenham Road Marshfield Chippenham South Gloucestershire SN14 8NY	Boyd Valley	Marshfield Parish Council
4	PK15/3243/CLP	Approve with Conditions	33 High Street Wick South Gloucestershire BS30 5QJ	Boyd Valley	Wick And Abson Parish Council
5	PK15/3395/F	Approve with Conditions	Tulip Ltd Oakley Green Farm Oakley Green Westerleigh South Gloucestershire BS37 8QZ	Westerleigh	Westerleigh Parish Council
6	PT15/1625/F	Approve with Conditions	Units 4, 7, 9, 10 Fernhill Court Fernhill Almondsbury South Gloucestershire BS32 4LX	Severn	Olveston Parish Council
7	PT15/3011/F	Approve with Conditions	23 Champion Drive Bradley Stoke South Gloucestershire BS32 0EW	Bradley Stoke Central And Stoke Lodge	Bradley Stoke Town Council
8	PT15/3179/F	Approve with Conditions	Land Off Bristol Road Frampton Cotterell South Gloucestershire BS36 2AY	Frampton Cotterell	Frampton Cotterell Parish Council
9	PT15/3187/F	Approve with Conditions	Little Acre Flaxpits Lane Winterbourne South Gloucestershire BS36 1LD	Winterbourne	Winterbourne Parish Council
10	PT15/3195/F	Approve with Conditions	19 Charborough Road Filton South Gloucestershire	Filton	Filton Town Council

CIRCULATED SCHEDULE NO. 36/15 – 4 SEPTEMBER 2015

App No.: PK15/2743/F
Site: Upper Farm West Littleton Road
 Marshfield Chippenham South
 Gloucestershire
 SN14 8JE

Applicant: Mr & Mrs M Conze
Date Reg: 9th July 2015

Proposal: Construction of extended horse walking track and alterations to design of timber storage building. (Retrospective).
 (Amendment to previously approved scheme PK14/4608/F).

Parish: Tormarton Parish Council

Map Ref: 376099 175221

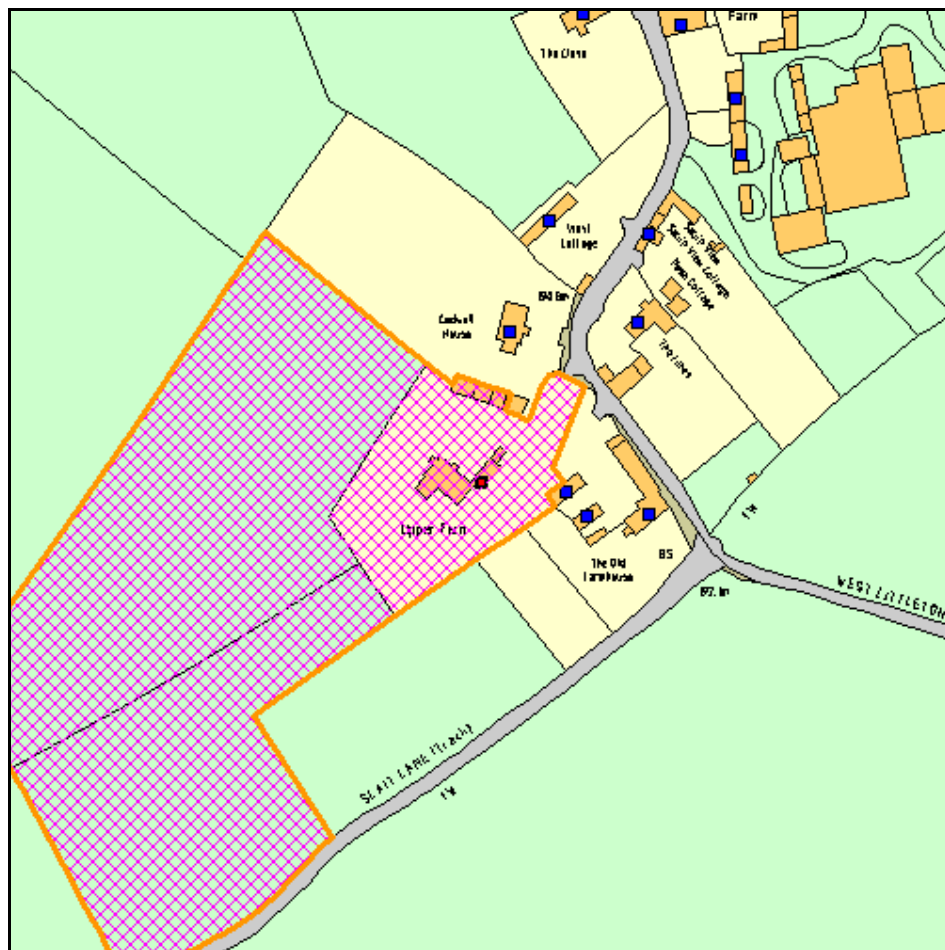
Ward: Cotswold Edge

Application Category: Major

Target Date: 7th October 2015

Category:

Date:



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008. **N.T.S.** **PK15/2743/F**

REASONS FOR REPORTING TO CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule following the receipt of one letter of concern from a local resident.

1. THE PROPOSAL

- 1.1 This application seeks full retrospective planning permission for the erection of a detached store and a horse walking track around the field. Planning permission has previously been granted for the change of use of land from agricultural to land for the keeping of horses and this has been implemented. This previous consent also included the erection of a detached store but the store that has been built is actually slightly different to that which was approved. This application therefore seeks to regularise the existing situation.
- 1.2 The application site relates to a large, detached property within the Cotswold Area of Outstanding Natural Beauty. The house stands within West Littleton Conservation area and the detached store and part of the horse walking track are also in the Conservation Area.

2. POLICY CONTEXT

2.1 National Guidance

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

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) 6th January 2006

- L1 Landscape Protection and Enhancement
- L2 Cotswold Area of Outstanding Natural Beauty
- L9 Species Protection
- L12 Conservation Areas
- L13 Listed Buildings
- EP2 Flood Risk and Development
- E10 Horse related development
- T12 Transportation
- LC5 Proposals for Outdoor Sports and Recreation outside the Existing Urban Area and Defined Settlement Boundary
- H4 Development within Residential Curtilages

2.3 South Gloucestershire Local Plan Core Strategy (Adopted)

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

2.3 Supplementary Planning Guidance

The South Gloucestershire Design Checklist (SPD) – Adopted August 2007
Residential Parking standards SPD

3. RELEVANT PLANNING HISTORY

- 3.1 PK14/4608/F Change of use of land from agricultural to use of land for the keeping of horses and construction of manege with associated works. Erection of a single storey extension to the existing stable block and erection of a single storey timber storage building. Erection of a two storey side extension to dwellinghouse to provide additional living accommodation.
Approved February 2015
- 3.2 PK10/2118/F Change of use of land from agricultural to land for the keeping of horses. Erection of stable block.
Approved November 2010
- 3.3 PK04/2772/F Erection of side conservatory
Approved September 2004
- 3.4 P87/2067 Erection of detached dwelling with attached residential annex and erection of stables.
Approved September 1987
- 3.5 P85/2068 Erection of detached dwellinghouse with attached residential annex.
Approved October 1985
- 3.6 P84/2304 Erection of detached dwellinghouse and conversion and extension of agricultural buildings to form garaging: store and workshop.
Approved October 1984

4. CONSULTATION RESPONSES

- 4.1 Tormarton Parish Council
No response received
- 4.2 Marshfield Parish Council
No response received
- 4.3 Other Consultees including internal consultees of the Council.

Sustainable Transport
No Objection

Highway Structures
No Comment to make

Conservation Officer
No Objection subject to the attachment of conditions

Lead Local Flood Authority
No comment

Other Representations

4.4 Local Residents

One letter has been received from a local resident stating that their only concern is whether there is sufficient space between the track and the boundary to allow screen planting to grow.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Paragraph 2 of the NPPF makes it clear that applications for planning permission must be determined in accordance with the development plan and this includes the Local Plan. Paragraph 12 states that the NPPF does not change the statutory status of the development plan as the starting point for decision-making. Proposed development that conflicts with an up-to-date development plan should be refused unless material considerations indicate otherwise. At paragraph 211 the NPPF states that for the purposes of decision-taking, the policies in the Local Plan should not be considered out-of-date simply because they were adopted prior to the publication of the NPPF.

5.2 Policy LC5 of The South Gloucestershire Local Plan (Adopted) 6th Jan 2006, states that proposals for outdoor sports and recreation outside the urban area and defined settlement boundaries will be permitted, subject to a number of criteria being met.

5.3 Furthermore Policy E10 of the South Gloucestershire Local Plan reinforces the view that '*proposals for horse related development... will be permitted outside the urban boundaries of settlements*', subject to the following criteria being met:

- A. Development would not have unacceptable environmental effects; and
- B. Development would not prejudice the amenities of neighbouring residential occupiers; and
- C. Adequate provision is made for vehicular access, parking and manoeuvring and would not give rise to traffic conditions to the detriment of highway safety; and
- D. Safe and convenient access to bridleways and riding ways is available to riders; and
- E. There are no existing suitable underused buildings available and capable of conversion; and
- F. The design of buildings, the size of the site and the number of horses to be accommodated has proper regard to the safety and comfort of horses.

5.4 Finally, the detached store must be considered against policy H4 of the South Gloucestershire Local Plan with regards to design and impact on residential amenity. All elements of the proposal must be considered against the requirements of Policy L2 given the location of the site in the Cotswold AONB.

5.5 In the interests of clarity, the main distinct elements will be discussed in turn.

5.6 Horse Walking Track

The horse walking track is already in existence and runs around the perimeter of the fields that have authorised use for the keeping of horses as approved under application PK14/4608/F. The track is at ground level and finished with a sand surface. There is a very simple post a rail fence around the inside edge of the track to guide the horses along. The track is not prominent in views and is largely hidden by the existing boundary walls and vegetation. There are no views of the track from within the conservation area itself, but limited views of the site are possible along the track to the southeast (Slait Lane). In light of this, there are no objections to the proposal

5.7 Storage Building

The previous application also included the erection of a modest storage building for residential purposes. The store as approved measured 9.6 metres in length, 3.3 metres deep and had a maximum height to the ridge of 2.5 metres. By means of comparison, the store as erected measures 9.1 metres in length, 4.3 metres deep and has a maximum roof height of 2.3 metres. The roof of the store would be visible above the stone boundary wall from the neighbouring dwelling Cadwell House but to a lesser extent than the store as originally approved because of the reduction in height. The impact on existing levels of residential amenity is therefore deemed to be entirely acceptable.

5.8 Although the proposed store will be visible from the front of the application dwelling, it will be well screened from the surrounding public areas. The visual impact on the conservation area, AONB and adjacent listed building are all considered to be entirely acceptable.

5.9 Conditions

Consideration has been given to the attachment of conditions. It is important to note that this application relates only to the horse walking track and store building only. All other conditions attached to the original application for the stables and the change of use of land still apply. Furthermore, this is a retrospective planning application and so the standard time limit condition is not necessary. It is concluded no conditions are necessary.

5.10 Issues Raised by Neighbours

The neighbour has raised the query as to whether the horse walking track will allow sufficient space between the boundary and the track to allow landscape planting to grow. This is an important consideration as screen planting was necessary through the original planning application. Nonetheless, at its closest point, the horse walking track is still just over 2.5 metres from the boundary therefore does not impact on the ability to implement screen planting.

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.

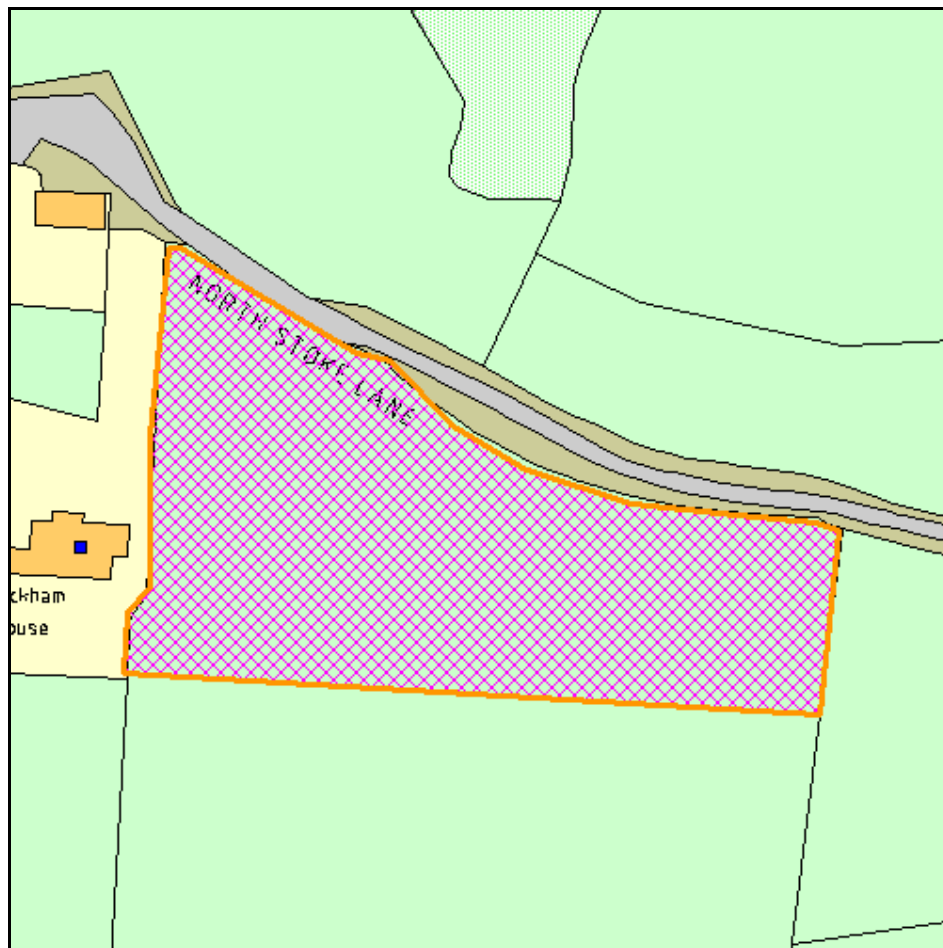
7. **RECOMMENDATION**

7.1 That planning permission be GRANTED

Contact Officer: Marie Bath
Tel. No. 01454 864769

CIRCULATED SCHEDULE NO. 36/15 – 4 SEPTEMBER 2015

App No.:	PK15/2883/F	Applicant:	Mrs Annabel Saunders
Site:	Brockham House North Stoke Lane Upton Cheyney Bristol South Gloucestershire BS30 6NG	Date Reg:	6th July 2015
Proposal:	Change of use of land to land for the keeping of horses. Erection of stable block and store	Parish:	Bitton Parish Council
Map Ref:	369619 169682	Ward:	Bitton
Application Category:	Minor	Target Date:	27th August 2015



© South Gloucestershire Council 2007.all rights reserved.
This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
100023410, 2008. N.T.S. PK15/2883/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is referred to the Circulated Schedule as it represents a departure from relevant Green Belt Policy within the Development Plan.

In this case any resolution to grant planning permission for this development does not need to be referred to the Secretary of the State for Communities and Local Government as the development is not of a large enough scale and it would not have a significant impact on the openness of the Green Belt (referral criteria is set out in the Departure Direction 2009).

1. THE PROPOSAL

- 1.1 The application relates to a field 4.5 acres (1.82ha) located adjacent to Brockham House, which is located to the south of North Stoke Lane, in open countryside to the east of the village of Upton Cheyney. The site lies within the Bristol & Bath Green Belt and Cotswolds AONB.
- 1.2 Brockham House is surrounded by three linked fields providing 7 acres (2.83 ha) of grazing land in total. Currently there are no stables or shelters in any of the fields. The application site is the field immediately to the east of Brockham House and south of North Stoke Lane. Vehicular access is via an existing 5 bar gate off North Stoke Lane.
- 1.2 Planning permission is sought for the change of use of the land from agricultural to equestrian use; plus the erection of a small stable block to provide 2 stalls and a hay store.

2. POLICY CONTEXT

2.1 National Guidance

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

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) 6th January 2006

L1	-	Landscape Protection and Enhancement
L2	-	Cotswolds AONB
L9	-	Species Protection
L16	-	Protecting the Best Agricultural Land
EP2	-	Flood Risk and Development
E10	-	Horse related development
T8	-	Parking Standards
T12	-	Transportation
LC5	-	Proposals for Outdoor Sports and Recreation outside Existing Urban Area and Defined Settlement Boundary
LC12	-	Recreational Routes

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

CS1 - High Quality Design
CS4A - Presumption in Favour of Sustainable Development

CS5 - Location of Development
CS8 - Improving Accessibility
CS9 - Managing the Environment and Heritage
CS34 - Rural Areas

2.4 Emerging Plan

Proposed Submission : Policies Sites and Places Plan – March 2015

PSP2 - Landscape
PSP7 - Development in the Green Belt
PSP11 - Development Related Transport Impact Management
PSP16 - Parking Standards
PSP20 - Flood Risk, Surface Water and Watercourse Management
PSP21 - Environmental Pollution and Impacts
PSP27B - Horse Related Development

2.5 Supplementary Planning Guidance

The South Gloucestershire Design Checklist (SPD) – Adopted August 2007
Development in the Green Belt SPD – Adopted June 2007
Trees on Development Sites – Adopted Nov. 2005
SG Landscape Character Assessment (Revised and Adopted) Nov 2014.

3. **RELEVANT PLANNING HISTORY**

3.1 None

4. **CONSULTATION RESPONSES**

4.1 Bitton Parish Council
No objection

4.2 Other Consultees

Lead Local Flood Authority
No objection

Community Enterprise
No response

Landscape Officer
No objection

Other Representations

4.3 Local Residents
No responses

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

5.2 The South Gloucestershire Local Plan: Core Strategy was adopted by the council on 11th December 2013. By virtue of Section 38(6) of the Planning and Compulsory Purchase Act, the starting point for determining any planning decision will now be the Core Strategy, as it forms part of the adopted Development Plan and is generally compliant with the National Planning Policy Framework 2012 (NPPF). The “saved” policies of the South Gloucestershire Local Plan (adopted 2006) also form part of the extant Development Plan.

5.3 The Policies, Sites & Places Plan is an emerging plan only. Whilst this plan is a material consideration, only very limited weight can currently be given to the policies therein.

5.4 In accordance with para.187 of the NPPF, Core Strategy Policy CS4A states that; when considering proposals for sustainable development, the Council will take a positive approach and will work pro-actively with applicants to find solutions, so that sustainable development can be approved wherever possible. NPPF Para.187 states that Local Planning Authorities should look for solutions rather than problems and decision-takers at every level should seek to approve applications for sustainable development where possible.

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

5.6 Saved Policy LC5 of The South Gloucestershire Local Plan (Adopted) 6th Jan 2006, states that proposals for outdoor sports and recreation outside the urban area and defined settlement boundaries will be permitted, subject to a number of criteria being met.

5.7 Furthermore Policy E10 of the South Gloucestershire Local Plan reinforces the view that ‘*proposals for horse related development... will be permitted outside the urban boundaries of settlements*’, subject to the following criteria being met:

- A. Development would not have unacceptable environmental effects; and
- B. Development would not prejudice the amenities of neighbouring residential occupiers; and
- C. Adequate provision is made for vehicular access, parking and manoeuvring and would not give rise to traffic conditions to the detriment of highway safety; and
- D. Safe and convenient access to bridleways and riding ways is available to riders; and
- E. There are no existing suitable underused buildings available and capable of conversion; and

- F. The design of buildings, the size of the site and the number of horses to be accommodated has proper regard to the safety and comfort of horses.

The analysis of the proposal in relation to these criteria is considered below.

5.8 Impact on the Openness of the Green Belt and Landscape Issues

Paragraph 79 of the NPPF states that the government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

- 5.9 Inappropriate development is by definition harmful to the openness of the Green Belt and should not be approved except in very special circumstances (para. 87).
- 5.10 Para. 89 of the NPPF states that planning authorities should regard the construction of new buildings as inappropriate in the Green Belt but lists exceptions which include *“provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it”*.
- 5.11 The NPPF at para. 90 goes on to say that *“certain other forms of development are also not inappropriate in the Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in the Green Belt”*. A list of those developments that are not considered to be inappropriate is given and include *“the re-use of buildings provided that the buildings are of permanent and substantial construction”* but these do not include the change of use of land.
- 5.12 The proposed stable building, being an appropriate facility for an equestrian use, is therefore not considered to be inappropriate development within the Green Belt.
- 5.13 The application also includes the change of use of agricultural land to land for the recreational keeping of horses. Officers must therefore conclude that this proposed change of use is inappropriate development. Furthermore case law has established that changes of use of land are inappropriate. On this basis therefore, very special circumstances are required for this element of the scheme if the application is to be approved.
- 5.14 In this case the proposed use is a recreational one i.e. equestrianism, which retains the open nature of the fields and would not compromise any of the five purposes listed at para. 80 of the NPPF for designating land as Green Belt. The actual impact on openness is negligible, and can be further protected by the use of conditions. Officers consider that this clearly outweighs any harm to openness by reason of inappropriateness and amounts to very special circumstances to justify a departure from Development Plan Policy.

- 5.15 The proposed stable block is small, measuring only 10.5m long by 3.5m wide and 2.13m to eaves and 2.9m to ridge height and appropriately constructed of green, timber cladding on a timber frame. The proposed location for the stable is at the top of a steeply sloping pastoral field. Pipley View and Brockham House are just to the west and the stable would be seen within the context of these existing dwellings and associated outhouses. There are robust hedges along both sides of North Stoke Lane which runs along the northern boundary. There are wide bands of vegetation further to the north and also to the east and south, which would screen views of the stable from these directions. The vegetation in the gardens of Pipley View and Brockham House would screen views of the stable from the west.
- 5.16 The stable would be visible from the public footpath which crosses the field in a north-west to south-easterly orientation. The stable block would be highly visible from this footpath. With the exception of the two properties, Pipley View and Brockham House, the area has an intact rural character. It is proposed to plant two field maples and three goat willows to the south and east of the stable. These will help to partially screen and soften the views of the stable, helping to integrate it within the surrounding landscape.
- 5.17 Due to the sensitive location within the AONB and visibility from a public footpath it is important to preserve the landscape character of the area. The change of use to the keeping of horses, the erection of stables and associated horse paraphernalia has the potential to erode the rural character of the area. Therefore conditions should be put onto any permission restricting the storage of horse jumps and vehicles within the field. The applicant has confirmed that there would be no hard-standing around the stable block. There is no additional division of the field proposed other than for land management purposes.
- 5.18 A stock fence and spiral rabbit guards would be used to protect the five proposed trees from livestock and rabbits. Any trees or plants which, within a period of five years become damaged, diseased, die or are removed; would be replaced in the next planting season with others of a similar size and species. The area would be managed mechanically or manually for weeds during the period.
- 5.19 Impact on Residential Amenity
The application site occupies a relatively isolated position, so much so that the nearest residential properties would not be adversely affected. Equestrian uses are only to be expected in such a rural location. No external lighting is proposed.
- 5.20 Transportation Issues
The site is accessed directly off North Stoke Lane which is a dead end lane with no through traffic other than to a footpath. The site lies at the end of the lane. The access gate is shown on the submitted plans as re-located some 9m further back into the site, presumably to allow horse boxes to pull off the lane before opening the gate.
- 5.21 Given its sensitive location, officers have concerns about possible over intensification of use of the site and therefore recommend conditions to limit the

number of horses kept on the site to 2, with no commercial uses or business activities on the site, such as riding school or liveries. The applicant has confirmed that she is the owner and occupier of the land.

5.22 Environmental Issues

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. A Manure Management Plan has been submitted which states that manure would be stored in a sealed, covered trailer, located to the side of the proposed stables. Manure would be collected and emptied regularly by a local contractor. The manure heap is located as to not cause nuisance to neighbours or people using the public rights of way. The site does not lie within a flood zone.

5.23 E10: Access to Bridleways

There are no direct links from the site to bridleways, however the site has plenty of grazing land and very good access to the local lanes. It is noted that Lansdown Lane and Marshfield Lane are both identified in the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 as recreational routes. Officers consider it the norm for such rural routes to be used by horse riders. On this basis, it would be difficult to substantiate a refusal reason for this application on the grounds of lack of bridleways.

5.24 E10: Preferred use of other existing buildings on the site

This criterion is not relevant to this proposal, there being no other suitable buildings in the field.

5.25 Welfare of Horses

The 7 acre site is considered to provide more than adequate grazing land in accordance with British Horse Society recommendations.

5.26 Ecology

The site has no special ecological designations and can already be used to graze horses.

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 The application be advertised as a departure from the Development Plan.
- 7.2 That planning permission be GRANTED subject to the conditions listed on the Decision Notice, once the period of advertising the application as a departure from the Development Plan has expired.

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. At no time shall the land and stables the subject of this permission be used for general public livery, riding school or other business purposes whatsoever.

Reason

To protect the character and appearance of the Green Belt, Cotswolds AONB and landscape in general, and to accord with Policies L1 and L2 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006, Policies CS5 and CS34 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013 and the requirements of The National Planning Policy Framework March 2012 and the South Gloucestershire Council SPD - 'Development in the Green Belt' June 2007.

Reason

In the interests of highway safety, and to accord with Policies E10 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. The number of horses kept on the site edged in red on the plans hereby approved, shall not exceed 2.

Reason 1

To protect the amenities of the occupiers of the nearby dwellings, and to accord with Policy E10 of the South Gloucestershire Local Plan (Adopted) January 2006.

Reason 2

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) 6th Jan 2006.

Reason 3

In the interests of highway safety, and to accord with Policies E10 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. Other than those shown on the approved plans, no permanent jumps, fences (other than of a temporary nature for the purposes of land management), gates or other structures for accommodating animals and providing associated storage shall be erected on the land.

Reason

To protect the character and appearance of the Green Belt , Cotswolds AONB and landscape in general, and to accord with Policies L1 and L2 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006, Policies CS5 and CS34 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013 and the requirements of The National Planning Policy Framework March 2012 and the South Gloucestershire Council SPD - 'Development in the Green Belt' June 2007.

5. Any temporary jumps erected on the land shall be stored away to the side of the associated stable, immediately after use.

Reason

To protect the character and appearance of the Green Belt , Cotswolds AONB and landscape in general, and to accord with Policies L1 and L2 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006, Policies CS5 and CS34 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013 and the requirements of The National Planning Policy Framework March 2012 and the South Gloucestershire Council SPD - 'Development in the Green Belt' June 2007.

6. Other than the Manure Trailer shown on the approved Block Plan, at no time shall horse boxes, trailers, caravans, van bodies and portable buildings or other vehicles be kept on the land other than for the loading and unloading of horses.

Reason

To protect the character and appearance of the Green Belt, Cotswolds AONB and landscape in general, and to accord with Policies L1 and L2 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006, Policies CS5 and CS34 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013 and the requirements of The National Planning Policy Framework March 2012 and the South Gloucestershire Council SPD - 'Development in the Green Belt' June 2007.

7. At no time shall there be any burning of foul waste upon the land the subject of the planning permission hereby granted.

Reason

To protect the amenities of the occupiers of the nearby dwellings, and to accord with Policy E10 of the South Gloucestershire Local Plan (Adopted) January 2006.

8. Prior to the first use of the site for the purposes hereby approved, the access gate shall be re-located to the position shown on the approved Block Plan and retained as such thereafter.

Reason

In the interests of highway safety, to accord with Policies T12 and E10 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and Policy CS8 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013.

9. All planting shall be carried out in accordance with the approved details shown on the Landscape Plan Drawing No. P4. The planting shall be carried out in the first available planting season after the occupation of any part of the development or in accordance with a programme agreed with the Local Planning Authority. Thereafter the planting shall be maintained in accordance with the submitted and approved 5 year management scheme.

Reason

To protect the character and appearance of the Green Belt, Cotswolds AONB and landscape in general, and to accord with Policies L1 and L2 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006, Policies CS5 and CS34 of The South Gloucestershire Local Plan Core Strategy (Adopted) Dec. 2013 and the requirements of The National Planning Policy Framework March 2012 and the South Gloucestershire Council SPD - 'Development in the Green Belt' June 2007.

CIRCULATED SCHEDULE NO. 36/15 – 4 SEPTEMBER 2015

App No.: PK15/3116/CLP
Site: 9 Chippenham Road Marshfield
 Chippenham South Gloucestershire
 SN14 8NY

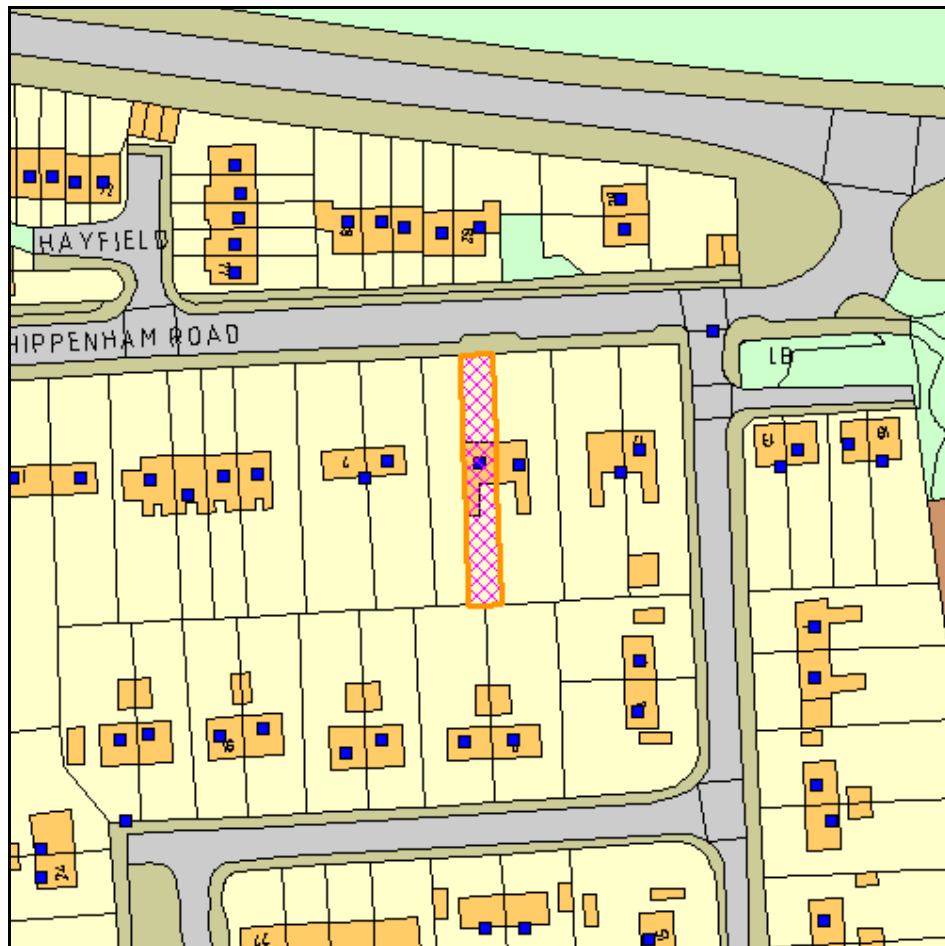
Applicant: Ms Olga Fladmark
Date Reg: 24th July 2015

Proposal: Certificate of Lawfulness for the
 proposed erection of a single storey
 rear extension to provide utility room

Parish: Marshfield Parish
 Council

Map Ref: 378489 173809
**Application
 Category:**

Ward: Boyd Valley
**Target
 Date:** 15th September
 2015



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008. **N.T.S.** **PK15/3116/CLP**

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The applicant is seeking a formal decision as to whether the proposed erection of a single storey rear extension at 9 Chippenham Road, Marshfield, would be lawful. This is based on the assertion that the proposal falls within the permitted development rights normally afforded to householders.
- 1.2 This application is a formal way of establishing whether the proposal requires planning permission or not. Accordingly there is no consideration of planning merit; the decision is based solely on the facts presented.

2. POLICY CONTEXT

2.1 National Guidance

- i. Town and Country Planning Act 1990 (As Amended) 1990
- ii. Town and Country Planning (Development Management Procedure) (England) Order 2015
- iii. Town and Country Planning (General Permitted Development) (England) Order 2015

- 2.2 The submission is not a planning application thus the Development Plan is not of relevance to the determination of this application; the decision rests upon the evidence that has been submitted. If the evidence submitted demonstrates that the proposed use is lawful on the balance of probabilities, the Local Planning Authority must grant a Certificate confirming that the proposed development is lawful.

3. RELEVANT PLANNING HISTORY

- 3.1 PK15/2258/NMA No Objection 17.06.2015
Non-material amendment to PK14/2973/F for demolition of existing garage and erection of two storey side extension and two storey side and rear extension to facilitate the conversion into 2no. dwellings.
- 3.2 PK14/2973/F Approve with Conditions 10.09.2014
Demolition of existing garage and erection of two storey side extension and two storey side and rear extension to facilitate the conversion into 2no. dwellings.

4. CONSULTATION RESPONSES

- 4.1 Marshfield Parish Council
None received
- 4.2 Councillor
None received

- 4.3 Lead Local Flood Authority
No comment
- 4.4 Planning Enforcement
None received
- 4.5 The Listed Building & Conservation Officer
No objection

Other Representations

- 4.6 Local Residents
None received

5. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

- 5.1 Received 15th July 2015:
Existing Plan (drawing no. 003)
Proposed Plan (drawing no. 004)
Site Plan (drawing no. 005)
Block Plan (drawing no. 006)

6. ANALYSIS OF PROPOSAL

- 6.1 Principle of Development
The application for a Certificate of Lawfulness is purely an evidential test and is a formal way of establishing whether or not the proposed development can be implemented lawfully without the need for planning permission. Accordingly there is no consideration of planning merit, the application is based on the facts presented. The submission is not an application for planning permission and as such the development plan is not of relevance to the determination of this application; the decision rests upon the evidence that has been submitted. If the evidence submitted demonstrates that the proposed use is lawful, on the balance of probabilities, the Local Planning Authority must grant a certificate confirming that the proposed development is lawful.
- 6.2 The key issue is to determine whether the proposal falls within the permitted development rights afforded to householders under Schedule 2, of the GPDO 2015.
- 6.3 The proposed development consists of a single storey, rear extension with a flat roof. This addition would partially infill the space between the party wall and the side elevation of no.9 Chippenham Road. The proposed extension would fall within the category of development permitted by Schedule 2, Part 1, Class A of the GPDO, which allows for the enlargement, improvement or other alteration of a dwellinghouse, provided it meets the criteria as detailed below:

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

- (a) Permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use);**

The use of the building as a dwellinghouse was not granted by virtue of Class M, N, P or Q of Part 3 of this Schedule.

- (b) As result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);**

The total area of ground covered by buildings (other than the original dwellinghouse) would be less than 50% of the total area of the curtilage.

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

The height of the rear extension would not exceed the height of the highest part of the roof of the existing dwellinghouse.

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

The height of the eaves of the rear extension would not exceed the height of the eaves of the existing dwellinghouse.

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

(i) forms the principal elevation of the original dwellinghouse;
or

(ii) fronts a highway and forms a side elevation of the original dwellinghouse;

The extension would project beyond the rear elevation which does not front a highway.

- (f) Subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and—**

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

(ii) exceed 4 metres in height;

The application relates to a terraced dwellinghouse. The proposed extension would extend beyond what is considered to be the original rear elevation and would have a depth of 2.25 metres. The height of the proposed addition is 2.5 metres. The development therefore meets the criteria.

- (g) **Until 30th May 2019, for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and—**
- (i) **extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or**
 - (ii) **exceed 4 metres in height;**
- Not applicable.
- (h) **The enlarged part of the dwellinghouse would have more than a single storey and—**
- (i) **extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or**
 - (ii) **be within 7 metres of any boundary of the curtilage the dwellinghouse opposite the rear wall of the dwellinghouse;**
- The extension would be single storey.
- (i) **The enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres;**
- The enlarged part of the dwellinghouse would be within 2 metres of the curtilage boundary, however the height of the eaves of the enlarged part of the dwellinghouse would be 2.3 meters, therefore the criteria has been met.
- (j) **The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would—**
- (i) **exceed 4 metres in height,**
 - (ii) **have more than a single storey, or**
 - (iii) **have a width greater than half the width of the original dwellinghouse; or**
- The development would extend beyond what is considered to be a side elevation of the original dwellinghouse, however it would not exceed 4 metres in height, would not have more than a single storey and would not have a width greater than half the width of the original house.
- (k) **It would consist of or include—**
- (i) **the construction or provision of a verandah, balcony or raised platform,**
 - (ii) **the installation, alteration or replacement of a microwave antenna,**
 - (iii) **the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or**
 - (iv) **an alteration to any part of the roof of the dwellinghouse.**
- The development would not include any of the above.

A.2 In the case of a dwellinghouse on article 2(3) land, development is not permitted by Class A if—

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

The application site does not fall on article 2(3) land.

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

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

As per the design and access statement submitted 15th July 2015, the materials used in the exterior work will match the existing. The new door will be white UPVC to match existing.

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

Not applicable.

- (c) where the enlarged part of the dwellinghouse has more than a single storey, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse.

Not applicable.

7. RECOMMENDATION

- 7.1 That a certificate of Lawfulness for Proposed Development is **granted** for the reason listed below.

Contact Officer: Helen Benjamin
Tel. No.

CONDITIONS

- 1. Evidence has been provided to demonstrate that the development falls within permitted development within the curtilage of the dwellinghouse under Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) Order 2015.

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The applicant is seeking a formal decision as to whether the proposed installation of a side dormer window and rooflights at 33 High Street, Wick would be lawful.
- 1.2 The application is a formal way of establishing whether the proposal requires planning permission or not. Accordingly there is no consideration of planning merit, the decision is based solely on the facts presented.

2. POLICY CONTEXT

- 2.1 National Guidance
Town and Country Planning Act 1990 (As Amended) 1990 section 192 Country Planning (General Permitted Development) (England) Order 2015 (GPD) Schedule 2, Part 1, Class B.

The submission is not a planning application thus the Development Plan is not of relevance to the determination of this application; the decision rests upon the evidence that has been submitted. If the evidence submitted demonstrates that the proposed use is lawful on the balance of probabilities, the Local Planning Authority must grant a Certificate confirming that the proposed development is lawful.

3. RELEVANT PLANNING HISTORY

- 3.1 N216 15/08/1974 Approved
Erection of mast 60' high, in connection with amateur radio transmissions.
- 3.2 N216/1 14/04/1983 Approved with Conditions
Erection of double domestic garage.
- 3.3 P85/1783 24/07/1985 Approved
Erection of single storey extension to front of hairdressing salon.
- 3.4 PK04/0247/O 02/02/2004 Withdrawn
Erection of 2 no. detached dwellings and garages (outline) with means of access.
- 3.5 PK15/3211/F Application Invalid
Erection of single-storey rear and side extension to provide additional living accommodation- construction of patio area.

4. CONSULTATION RESPONSES

- 4.1 Wick and Abson Parish Council
No Comment
- 4.2 Councillor
No Comment

- 4.3 Other Consultees
No Comment

Highway Drainage
No Comment

Other Representations

- 4.4 Local Residents
1 Letter of Objection Received in relation to the following matters:
- The proposed development exceeds the 40 cubic metres limit for a terraced dwelling.
 - Impact on neighbour's residential amenity by overlooking and loss of light.

5. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

- 5.1 Site location and block plan. Floor Plan, Section and Elevations as Existing. Floor Plan, Section and Elevations as Proposed, all of which were received on 29th July 2015.

6. ANALYSIS OF PROPOSAL

- 6.1 Principle of Development
The application for a Certificate of Lawfulness is purely an evidential test and is a formal way of establishing whether or not the proposed development can be implemented lawfully without the need for planning permission. Accordingly there is no consideration of planning merit, the application is based on the facts presented. The submission is not an application for planning permission and as such the development plan is not of relevance to the determination of this application; the decision rests upon the evidence that has been submitted. If the evidence submitted demonstrates that the proposed use is lawful, on the balance of probabilities, the Local Planning Authority must grant a certificate confirming that the proposed development is lawful.
- 6.2 The key issue is to determine whether the proposal falls within the permitted development rights afforded to householders under Schedule 2, of the GPDO 2015.
- 6.3 The proposed development consists of the installation of installation of a side dormer window and rooflights. This development would fall under the criteria of *Schedule 2, Part 1, Class B* of the Town and Country Planning (General Permitted Development) Order 2015, which permits the enlargement of a dwellinghouse consisting of an addition or alteration to its roof. This allows for dormer additions subject to the following:

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

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

The proposed dormer would sit 0.15m below the ridge of the existing roofline, and therefore does not exceed the height of the highest part of the roof.

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

The alterations to the roofline would be to the side elevation.

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

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

(ii) 50 cubic metres in any other case;

The dormer extension within the revised plans would have a volume of approximately 39.84 cubic metres, and is below the maximum resulting roof space for a terraced dwelling.

- (d) It would consist of or include-**

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

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

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

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

- (e) The dwellinghouse is on article 2 (3) land.**

The dwellinghouse is not on article 2 (3) land.

Conditions

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

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

The proposed dormer extension will be constructed from materials to match those used on the existing dwelling. As such the proposal therefore complies with this condition.

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

The part of the dormer which is closest to the eaves of the original roof is approximately 0.2 metres away. The proposal therefore meets this condition.

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

(i) Obscure glazed; and

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

It is clearly stated that the two windows in the side elevation will be obscure glazed and non-opening at below 1.7 metres from the floor of the room in which the window is installed. Therefore, the proposal meets this condition.

7. RECOMMENDATION

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

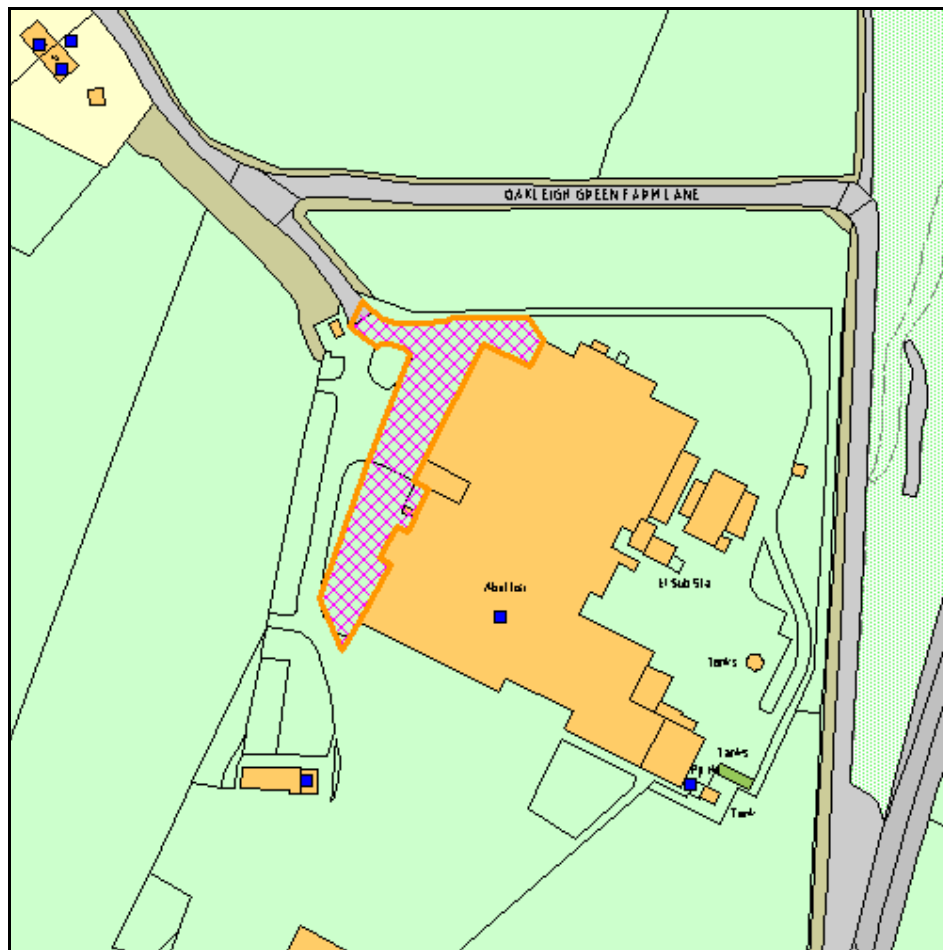
Contact Officer: Chloe Buckingham
Tel. No. 01454 863464

CONDITIONS

1. Evidence has been provided to demonstrate that the development falls within permitted development within the curtilage of the dwellinghouse under Part 1 Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015.

CIRCULATED SCHEDULE NO. 36/15 – 4 SEPTEMBER 2015

App No.:	PK15/3395/F	Applicant:	Tulip Ltd
Site:	Tulip Ltd Oakley Green Farm Oakley Green Westerleigh South Gloucestershire BS37 8QZ	Date Reg:	6th August 2015
Proposal:	Erection of single storey side extension to form battery charging area and front extension to form washed tray area. (Resubmission of PK15/0872/F).	Parish:	Westerleigh Parish Council
Map Ref:	369139 178815	Ward:	Westerleigh
Application Category:	Minor	Target Date:	30th September 2015



© South Gloucestershire Council 2007.all rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2008.

N.T.S.

PK15/3395/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the circulated schedule as approval of the scheme would be contrary to Green Belt policy.

The application has been advertised as a departure and the decision notice will not be issued until the departure advert expires.

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for two extensions to the existing Tulip abattoir facility at Oakley Green, Westerleigh. One extension would be for a tray wash and store facility and the second extension would be to charge pallet truck batteries.
- 1.2 This application is the resubmission of a previously withdrawn application PK15/0872/F. This previous application was withdrawn due to the lack of very special circumstances. A comprehensive set of very special circumstances have now been put forward with the resubmitted application.

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)

L1 Landscape Protection and Enhancement
T8 Parking Standards
T12 Transportation Development Control

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

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist
Development in the Green Belt SPD

3. RELEVANT PLANNING HISTORY

- 3.1 N1075/1AP Erection of boiler house and oil storage tanks with bund walls
Approved January 1980
- 3.2 N1075/2 Construction of effluent treatment plant.
Approved January 1980

- 3.3 P84/1913 Erection of 780 sq.m. to existing abbatoir for use as boning room and refrigerated purposes.
Approved July 1984
- 3.4 P86/1707 erection of 678sq.m. plant room.
Approved July 1986
- 3.5 P86/2609 Erection of extension to form low level chiller unit.
Approved August 1988
- 3.6 P88/1068 Erection of two lairage buildings 700sq.m.
Approved March 1988
- 3.7 P88/2283 Erection of two extensions 1560sq.m. and 1155sq.m.
Approved August 1988
- 3.8 P88/3013 Erection of two extension 1590sq.m. and 1460sq.m.
Approved November 1988
- 3.9 P89/1223 Erection of 10560sq ft extension to existing abattoir/food processing plant.
Approved April 1989
- 3.10 P95/1631 Erection of 499sq.m. floorspace to provide dispatch chill and tray wash areas.
Approved June 1995
- 3.11 P95/2262 Erection of extension to amenity area to provide reception, extended mess room and extended changing room.
Approved February 1996
- 3.12 P95/2803 Erection of extension to provide tray wash and box store.
Approved September 1995
- 3.13 PT01/0589/F Construction of CO2 stunning pit and enclosure and re-position of yard office.
Approved April 2001
- 3.14 P98/1863 Erection of extension to provide enlarged dispatch facilities.
Erection of extension to provide new reception and extended canteen/toilet.
Approved July 1998
- 3.15 PT07/1975/F Erection of 3 no. extensions to house roasting ovens, provide new kitchen/testing room and extend dispatch bays.
Approved September 2007
- 3.16 PT13/1518/F Erection of 2 no. two storey infill extensions, erection of hot water tank and enclosure, drive through lorry washing facility.
Approved August 2013

- 3.17 PK15/0872/F Erection of single storey side extension to form battery charging area and front extension to form washed tray area.
Withdrawn May 2015

4. CONSULTATION RESPONSES

- 4.1 Westerleigh Parish Council
No response received

4.2 Other Consultees

Highway Structures
No objection

Lead Local Flood Authority
No objection

Landscape Officer
No Objection

Economic Development Officer
No Objection

Other Representations

- 4.3 Local Residents
None Received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application site lies outside of the settlement boundary and is within the Bristol/Bath Green Belt. The application stands to be assessed against the policies listed above which primarily require consideration against the highway implications of the proposal an assessment of the design of the proposals and importantly an assessment against the impact on the openness of the Green Belt. The application must also be assessed against the Governments driving aims to achieve sustainable development and securing economic growth as set out in the NPPF.

5.2 Green Belt

At paragraph 89, the NPPF allows for 'the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building'. As set out in section 3 above, the building has been extended significantly since the original consent was granted in August 1979 (app reference number N1075/1AP). The proposed extensions therefore represent disproportionate extensions over and above the size of the original building and are unacceptable in principle unless very special circumstances can be demonstrated. The NPPF is clear in stating that very special circumstances will not exist unless the harm to the Green Belt by reason of

inappropriateness, and any other harm, is clearly outweighed by other considerations.

5.3 Very Special Circumstances

In support of the application, the applicant has put forward a suite of very comprehensive Very Special Circumstances. In the interest of clarity, the very special circumstances can be broken down specifically for each of the two extensions.

5.4 Extension 1 – tray wash.

The tray wash will be located on the western side of the building and will provide a covered storage area for the dolavs and trays which the meat products are stored and dispatched in. The tray store will have a maximum height of 4.1 metres, be up to 12 metres deep and up to 40 metres long. The extension would provide washing and clean storage facilities for trays and dolavs which are used for the packing, storage and transportation of the processed meat products produced on site. Currently there is insufficient space within the building for the storage of such equipment and as such it has to be cleaned after use and again before re-use to ensure legislative hygiene standards are met. The current abattoir building has insufficient space internally to allow storage of the trays and dolavs. Therefore, they are required to be stored outside. This results in significant inefficiencies due to trays and dolavs needing to be repeatedly washed when entering and leaving the premises. The current transitional arrangement (repeated washing and outside storage) is one which fundamentally does not meet the long term contractual requirements our client has agreed with a number of its key clients for the preparation and treatment of products produced on the site.

5.5 As set out, the existing operation on site whilst having the technical capacity to meet existing clients orders and meet current regulatory requirements, does not meet the health and safety and hygiene standards required by existing clients. In particular, without the proposed equipment store for dolavs and trays, the site will be unable to comply with clients requirements, this will in some cases prevent the site being able to obtain the necessary approvals and licenses to export products abroad and supply some current domestic retail clients.

5.6 Extension 2 – battery store

The battery store will be located on the northern side of the building and will provide a battery charging area for the abattoir. This extension would have a maximum height of 3.5 metres a maximum depth of 7.5 metres and a maximum width of 6.9 metres. It would sit largely beneath the existing eaves. The purpose of the extension is to provide a new charging area for the battery operated palette trolleys that are used in the abattoir to move products around. Given the potential fire risks associated with these pieces of equipment and taking into account relevant BS standards, the battery charging area needs to be provided in an enclosed and properly ventilated space. The room must also be secured by 1hr fire rated doors from the remainder of the building. Currently, the existing charging area does not provide this necessary level of protection and as such fails to comply

with our clients insurance requirements. The battery store extension is therefore essential to meet Health and safety requirements

5.7 Assessment of Very Special Circumstances

The application relates to a long established company with almost 700 employees many of whom are local. The applicants have also submitted information regarding other local companies that are used regularly on site. On the basis of the information provided, you officer is satisfied that both extensions genuinely are essential for continued operations at the site. Essentially, if the additional accommodation cannot be provided on site it would mean that the scale of operations on site would have to be reduced or alternatively, in theory, an entirely new facility provided elsewhere. Because of the nature of activities that take place on the site, it is understandable that the business cannot be located close to residential properties and that it must also have easy access to the road network. No identified available other sites are known in South Gloucestershire that would meet the needs of the business and not in the Green Belt. The loss of the company from the area would have a detrimental impact on the local economy through the loss of notable levels of local employment.

5.8 The test to be applied, as set out in para 88 of the NPPF, is whether the potential harm to the openness of the Green Belt, and any other harm, is clearly outweighed by other considerations. Although both of the proposed extensions are substantial in size, in comparison to the bulk of the building to which they will be attached, the extensions will appear visually minor. Both extensions will have a detrimental impact on the openness of the Green Belt but, because of their location and massing compared to the size of the factory, the visual impact will not be great. Because of the very special circumstances demonstrated, the potential impact of not allowing the extensions on the long term viability of the business clearly outweighs the impact on the openness of the belt and any other harm. It is the opinion of your officer that approving the application is in the best public interest.

5.9 Transport

The proposal is simply to improve existing practices at the factory and improve standards in accordance with Health and Safety guidelines and customer expectation. The proposed development will not impact on parking or turning facilities at the site, neither will it impact on transport movements, the highway implications of the proposal are therefore deemed to be entirely acceptable.

5.10 Residential Amenity

There are no immediately adjacent residential properties that stand to be adversely affected by the proposal. In terms of the wider environment, the internal storage of dolavs and trays will have a positive benefit in terms of a reduction in smells.

5.11 Design

Although having a functional appearance, the extensions will fully integrate with the existing building both in terms of style, massing and design. The materials to be used in the cladding of the extensions will match that of the existing building. Furthermore, the extensions will internalise existing outside storage

which can only have a positive impact on the general appearance and character of the site. The design and visual impact of the proposals are deemed to be entirely 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. Whilst the application is considered to depart from normal green belt policy it is not considered that it would have a significant impact upon the openness of the Green Belt such that a referral to the Secretary of State is required under the 2009 Departures Direction

7. RECOMMENDATION

- 7.1 That the application be approved subject to the condition set out below; and subject to the expiry of the advertisement period regarding departure from normal green belt policy raising no new material issues.

Contact Officer: Marie Bath
Tel. No. 01454 864769

CONDITIONS

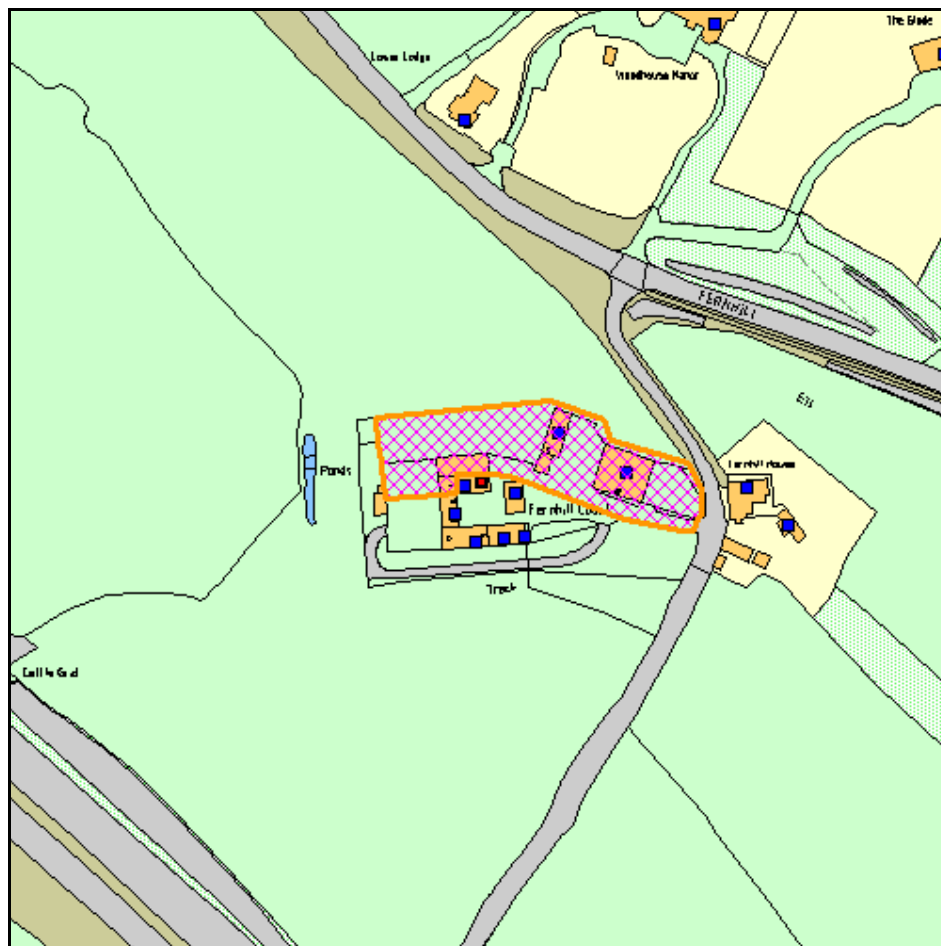
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 36/15 – 4 SEPTEMBER 2015

App No.:	PT15/1625/F	Applicant:	Construction And Real Estate Properties Ltd
Site:	Units 4, 7, 9, 10 Fernhill Court Fernhill Almondsbury Bristol South Gloucestershire	Date Reg:	30th April 2015
Proposal:	Installation of 4no. dormer windows and increase height of eaves to provide additional first floor accommodation to Units 4 and 7. Installation of dormers and rooflights and increase in roof height to provide additional first floor accommodation to Unit 10 to facilitate residential development and to change the use of the land to residential purposes to these Units.	Parish:	Olveston Parish Council
Map Ref:	361195 185094	Ward:	Severn
Application Category:	Householder	Target Date:	23rd June 2015



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008. N.T.S. PT15/1625/F

REASON FOR REPORTING TO CIRCULATED SCEHDULE

This application has been referred to the Circulated Schedule due to the receipt of objections and the proposal would be considered as a departure Development Plan policies.

1. THE PROPOSAL

1.1 The application seeks full planning permission to erect extensions and install dormers/windows to Units 4, 7, 9 and 10, which are situated within Fernhill Court, Almondsbury to facilitate the residential development. The proposal also changes the use of part of the adjacent field to residential purposes associated with Unit 4, 7 and 10. The site is situated beyond any settlement boundaries and is situated within the Bristol / Bath Green Belt.

Unit 4 and 7: To infill the east and west elevation and to raise the eaves height, install a no. of windows, roof lights and doors, and to subdivide the building in order to create 2 no. 3-bedroom residential units.

Unit 9: To replace existing windows and doors on the south and north elevation, install 4 no. roof lights on the existing roof above the single storey structure in order to create a 4-bedroom residential unit. No extension is proposed to this building.

Unit 10: to increase the height of the existing building with an installation of dormers and windows in order to create a 4-bedroom residential unit.

During the course of the application, the proposed residential curtilage for Unit 4, 7 and 10 has also been reduced in size.

1.2 The application relates to four residential units, which were granted a prior approval, PT13/2825/PNC, for the change of use of former business (Class B1) to residential uses (Class C3). It should be noted that the fenced area lies to the north of the site does not form of the curtilage of the existing business unit. The said prior approval has not been implemented.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework (March 2012)
National Planning Policy Framework Technical Guidance
National Planning Practice Guidance

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	Environmental Resources and Built Heritage
CS16	Housing Density

CS17 Housing Diversity
CS34 Rural Areas

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

L1 Landscape Enhancement and Protection
L9 Species Protection
T12 Transportation Development Control Policy for New Development

Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted)
Development in the Green Belt (Adopted)
Residential Parking Standard SPD (Adopted)
Area 18 Severn Ridge, in SG Landscape Character Assessment.

3. RELEVANT PLANNING HISTORY

There is extensive history to the site, the most recent relevant applications being as follows:

- 3.1 PT14/3725/F Excavation works to create rear garden and installation of patio door to Unit 1. Erection of single storey extension to provide additional living accommodation and erection of 1.8 metres high boundary wall between Unit 3 and Unit 4. Creation of car parking area. Associated works to include sheds and retaining walls. Approved 11.12.2014
- 3.2 PT13/2825/PNC Change of use of 7no. offices (Class B1) to residential (Class C3). No objection. 20.09.13
- 3.3 PT12/3027/F Change of use of office (Class B1a) to Residential (Class C3) to form 1 no. dwelling with associated work. Allowed in appeal 02.12.2013
- 3.4 PT06/2344/F: Change of use of 3 agricultural buildings to offices (Class B1) as defined in the Town & Country Planning (Use Classes) order 1987 (as amended). (Additional buildings.) Refused: 26.09.2006
- 3.5 PT01/1861/F: Change of use of two existing agricultural buildings to class B1 (office/light industry) and/or class B8 (storage and distribution) use. Relaxation of conditions attached to planning permissions ref P87/1950 and P94/1497, and revocation of Section 106 Agreement dated 6 July 1988 to facilitate this. Permitted: 07.10.2003.
- 3.6 P87/1950: Change of use of redundant buildings from agriculture to use as small light industrial workshops, totalling 3106 sq. ft. in floor area. (Units 1- 5.) Permitted: 11.07.1988
- 3.7 P86/2435: Proposed change of use from farm buildings to light industrial. (Units 1 – 7.) Withdrawn: 18.11.1986

4. CONSULTATION RESPONSES

4.1 Olveston Parish Council
No comments received.

4.2 Other Consultees

Landscape Officer: No objection

Highway Officer: No objection. Although this will mean an increase in the number of bedrooms in Unit 3, the site will continue conform to the Councils adopted Residential Car Parking Standards as 4 spaces are provided for these two units. Therefore there are no transportation objections to this application.

Lead Local Flood Authority: No comments.

Council Ecologist: No objection; no further survey work is required.

Other Representations

4.3 Local Residents

A letter of objection has been received and the concerns are summarised as follows:

- Material consideration – loss of light, overshadowing, overlooking, loss of privacy, visual amenity, adequacy of parking, loading and turning, highway safety and traffic generation
- It is a secluded, private, quiet and safe location, to raise a young family.
- Concerns on highway safety, particularly there are young children
- The neighbour's older boys holding their band practice sessions would fear of disturbing others
- The proposal breaches all the above reasons that the neighbours bought the property.
- The applicant has not engaged with the neighbour throughout the process
- One of the proposed development would seriously intrude upon privacy with windows directly overlooking the front of our property.
- Impact upon the property value

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

A prior approval was granted in 2013 for the change of use of former 7 no. office buildings to residential uses including Units 4, 7, 9 and 10.

Whilst the proposal is related to householders' extensions and alterations, it should be noted that the prior approval, PT13/2825/PNC, for residential conversions has not been implemented. It however should be noted that the National Planning Policy Framework does support high quality design extensions to existing buildings. Policy CS1 of the adopted Core Strategy and

the saved Policy H4 of the adopted Local Plan allows extensions and alterations to residential properties subject to the proposal would not prejudice the visual amenity of the area, the residential amenity of the neighbouring properties, and public highway safety. In this instance, it is considered that the proposed extension and alterations to these residential properties would be acceptable in principle.

5.2. Impact upon the Green Belt

The site is located within the Bristol / Bath Green Belt, the National Planning Policy Framework advises that a local planning authority should regard the construction of new buildings as inappropriate in Green Belt, except the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.

The proposal involves a number of extensions and alterations to the existing buildings. The applicant advised that the overall increase in size on Units 4, 7 and 10 would be approximately 25%-49%, whilst officers' estimate that the increase above the original building, based on the submitted drawings, would be approximately 50%-56%, which is significantly different from the applicant's submitted information. It is noted that Unit 9 would not be externally extended.

Although there are differences between the figures, it is acknowledged that the calculated percentage would only provide a reference in terms of the increased size over the original building. Given the design and form of the proposed extension, it is considered that the scale of the proposed extensions and alterations would not result in disproportionate additions over and above the size of the original building, as such the proposed works would not be inappropriate development in the Green Belt.

The proposal also includes a construction of post and rail fence on the land outside Units 4, 7 and 10 in order to provide a private outdoor amenity area for each of these units. As it is proposed to change the use of the land from agricultural purposes to residential uses, and this change of use would not fall within one of the 'Exceptions' that are allowed in the NPPF, the proposed residential garden would be an inappropriate form of development, and would be, by definition, harmful to the Green Belt. In particular, officers are concerned regarding the potential domestic structures and outbuildings on the field, and this 'domestic paraphernalia' would adversely affect the openness of the Green Belt. Therefore, the onus would be on the applicant to demonstrate that there are very special circumstances to justify the grant of planning permission.

The applicant has highlighted that the proposed residential conversions would result in a number of good sized families home, as such, it would be essential to provide an adequate outdoor amenity space for the future occupiers.

The emerging Policy PSP44 requires residential proposals to provide adequate outdoor amenity space. As this policy is still subject to consultation, a very limited weight can be given at this time. In this instance, however, it is considered that it would be unreasonable not to provide an outdoor amenity space for the future occupiers of these family dwelling houses.

It also should be noted that a prior approval has been granted for the conversion of the existing office buildings to residential uses, and the existing hardstanding area could be used for private amenity spaces. Officers however cite a Planning Inspector's decision regarding an appeal for the change of use of an office (Unit 2) to a residential property with an outdoor amenity space encroaching upon the Green Belt. The appeal was allowed in 2013 and the Inspector took into consideration of the National Planning Policy Framework, which encourages sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs.

The Inspector considered that the alterations to the office unit were acceptable and also considered the provision of a garden area was no more than reasonably necessary to provide satisfactory living standards for the occupants of the proposed dwelling. It was concluded that the harm by reason of inappropriateness as well as other harm was of marginal significance in the appeal case and was clearly outweighed by the benefit arising from the re-use of an existing building in a sustainable location given the thrust of the Government policy. In addition, the Inspector considered that a condition could be imposed to remove permitted development rights for 'domestic paraphernalia' which would include garden sheds or other structures. Such a condition would ensure that any effect on openness would be marginal.

Taking into consideration the above appeal decision, officers are satisfied that the size of the proposed garden area would be proportionate to the size of the associated dwellings. In addition, they would be immediately adjacent to the proposed dwellings, as such, it would not have significant adverse impact upon the openness of the Green Belt subject to the condition of removing permitted development rights for any further extensions and outbuildings. Furthermore, the proposed post and rail fence would help the garden areas to be integrated into the adjacent open field. In this instance, officers consider that there is a very special circumstance to clearly outweigh any harm caused to the openness by reason of inappropriateness, and to justify a departure from the Development Plan Policy. This is however not of a scale which would require the reference to the Secretary of State.

5.3 Design/ Visual Amenity

Unit 4 and 7: the proposal is to infill the east and west elevation of the existing building, raise the eaves height, and install a number of windows / door and rooflight.. It is considered that the design and scale of the proposed roof extensions and alterations are acceptable subject to condition seeking matching wall materials and a sample of roof material.

Unit 9: There is no significant change to the appearance of the existing building, and the only alteration is to replace some of the existing windows and doors. Provided that the infill wall material would match to those of the existing building, there is no design objection.

Unit 10: It is proposed to erect a first floor extension with an installation of a number of openings including rooflights, dormers, and door. It is considered

that the design of the proposed extension and alterations are acceptable subject to a condition seeking a sample of external materials.

5.4 Boundary treatment

There would be post and rail fence, 1.5 metres high close board fence and a retaining wall to create a private amenity space for each units. There is no in-principle objection to the proposed boundary treatment subject to a condition seeking a sample of the finish materials of the proposed retaining wall.

5.5 Residential Amenity

Officers acknowledge the concerns raised by a local family, i.e. Fernhill House, which is the sole neighbouring property to the site. The property is located approximately 8 metres from the site boundary and approximately 25 metres from the east elevation of Unit 9, which is the nearest new residential unit to the proposal.

Given that there is a reasonable distance between Unit 9, which is situated on a lower ground level, and the adjacent dwelling, there would be no increased in height and scale of Unit 9, it is considered that the overlooking and overbearing impact would not be significant to be detrimental to the living conditions of the nearby residents.

All primary windows on Unit 4 and 7 would be overlooking over the adjacent field or own garden spaces. Although it is acknowledged that Unit 9 and Unit 10 would be facing each other, there would be a reasonable distance of approximately 14 metres between two dwellings. As such, it is considered that there would not be any unreasonable overbearing or overlooking impact upon the future occupiers within the site.

In this instance, it is considered that the impact upon the residential amenity of the adjacent neighbouring residents and future occupiers would not be detrimental to warrant a refusal of this application.

5.6 Highway Safety

Officers acknowledge the highway concerns raised by the local family. The site is currently used a business park although the majority of the existing buildings are vacant. There is already an existing large hard-standing area to accommodate vehicle parking within the site. It is also noted that a prior approval has been granted for the conversion of existing office buildings to residential properties.

The proposal would provide a parking area consisting of 8 parking spaces, and there would be 2 no. parking spaces for each units. The proposed parking space would continue to conform to the Councils adopted Residential Car Parking Standards. On this basis, there is an existing business use of the site, the proposal would not change the existing vehicular access, and the level of parking provision would comply to the Council's Residential Parking Standards, therefore there are no highway objections to the proposal.

5.7 Landscaping impact

The site is consisted of a pleasing cluster of traditional stone and brick former farmyard buildings nestling near the head of a shallow valley, which runs down to the Severn Ridge towards the Levels. The Gloucester Road to Alveston runs to the southeast of the development with a line of electricity pylons roughly following the line of the road. The rear of the development, to the southwest, is backed by the M4 motorway which is screened by a well-established landscape buffer of native type, shrub and hedgerow planting. The development is surrounded by small pastures, well enclosed by field hedges and hedgerow trees.

There was a concern regarding the siting of the garden sheds, which were removed from the revised plan.

Given the sensitive location of the site, it is considered that a planning condition is required to seek a landscape scheme to help the development integrating into its surrounding and avoid elements of urbanisation.

5.8 Ecological Issues

An Extended Phase I Habitat Survey dated 24 August 2014 was submitted with the application, and the Council Ecologist has considered that no further survey works are required at this stage. Nevertheless, given that bats are roosting in some of these buildings, it is considered that it would be necessary to impose a condition to ensure the mitigation measures including the installation of bat boxes on trees, which are recommended by the Survey Report shall be strictly carried out.

5.9 Other matters

The local family also raises other concerns. Regarding the fear of disturbing future occupiers due to the neighbouring activities, this would be a private civil matter. Furthermore, the impact upon the value of the neighbouring property would not be planning material consideration.

On this basis, it is considered that there is no substantive planning reason to refuse the application.

6. CONCLUSION

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

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

7. RECOMMENDATION

- 7.1 The application be advertised as a departure from the Development Plan.
- 7.2 That planning permission be granted subject to the following conditions once the period of advertising the application as a departure from the Development Plan has expired, which raises no new material issues.

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. Notwithstanding the provisions of Schedule 2 of the Town and 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) , or any minor operations as specified in Part 2 (Class A), other than such development or operations indicated on the plans hereby approved, shall be carried out without the prior written consent of the Local Planning Authority.

Reason

To protect the openness of the Bristol / Bath Green Belt and to accord with National Planning Policy Framework, Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and the saved Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. Prior to the commencement of the development hereby permitted, a sample of roof materials to be used for the construction of proposed development 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.

Reasons

a. This is a pre-commencement condition in order to avoid unnecessary remedial works in the future.

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

4. The stone work to be used externally in the development hereby permitted shall match that of the existing building in type, colour, texture, size, coursing and jointing.

Reason

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

5. Prior to the commencement of development, a scheme of soft and hard landscaping shall be submitted to and approved in writing, which shall include details of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection during the course of the development; proposed planting (and times of planting); boundary treatments and areas of hard-standing; specification notes covering topsoil depths, cultivation, planting, irrigation, and maintenance covering a 5 year establishment period to help ensure the planting thrives shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed details.

Reason

To protect the character and appearance of the area to accord with CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and the saved Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

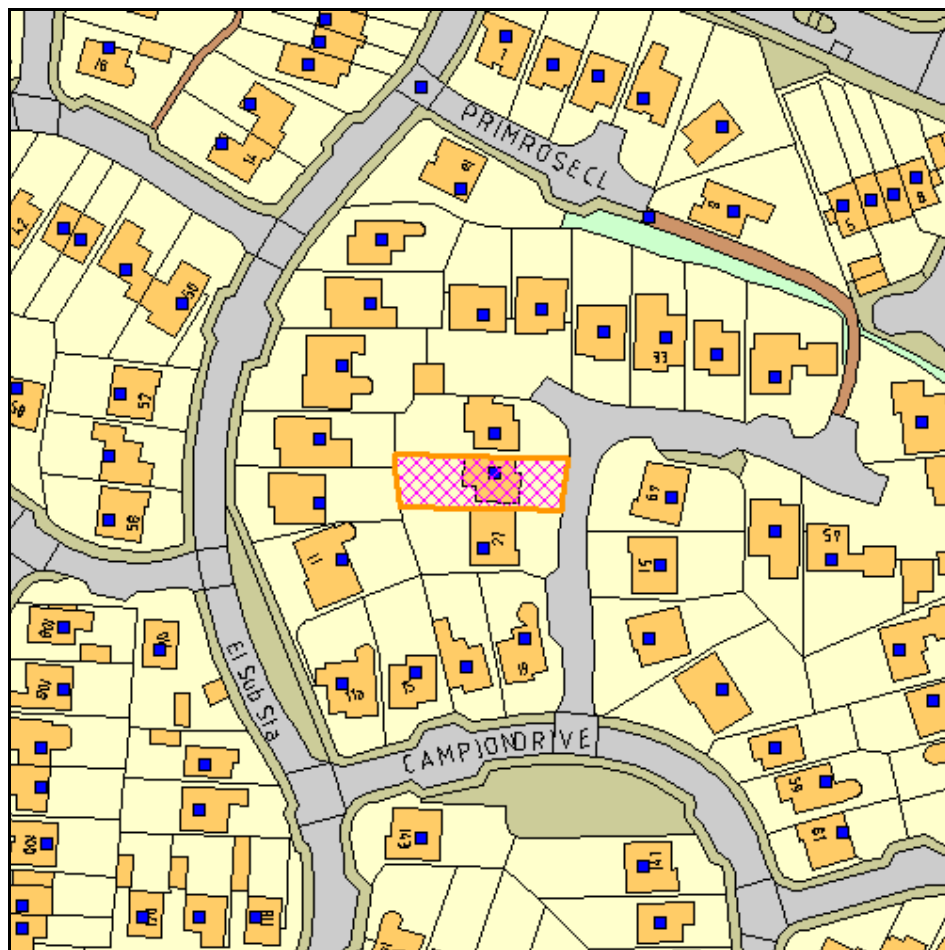
6. The mitigation measures set out in the submitted Extended Phase I Habitat Survey Report dated 24 August 2014 shall be strictly carried out.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of the wildlife habitat and the protected species and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013).

CIRCULATED SCHEDULE NO. 36/15 – 4 SEPTEMBER 2015

App No.:	PT15/3011/F	Applicant:	Mrs Emma Anderson
Site:	23 Campion Drive Bradley Stoke Bristol South Gloucestershire BS32 0EW	Date Reg:	14th July 2015
Proposal:	Erection of first floor side extension over existing garage and two storey side and rear extension to provide additional living accommodation	Parish:	Bradley Stoke Town Council
Map Ref:	361819 182682	Ward:	Bradley Stoke Central And Stoke Lodge
Application Category:	Householder	Target Date:	7th September 2015



© South Gloucestershire Council 2007.all rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2008.

N.T.S.

PT15/3011/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The following application appears on the Circulated Schedule due to comments received from a neighbour.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of a first floor side extension above an existing garage and a two storey side and rear extension to provide additional living accommodation.
- 1.2 The application site relates to a two-storey detached modern property situated within the established settlement of Bradley Stoke.

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	Sustainable Development
CS5	Location of Development

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

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

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

3. RELEVANT PLANNING HISTORY

- 3.1 P92/0020/317 Erection of 28 dwellings and associated works; construction of vehicular access roads and pedestrian footpath links on 2.82 acres of land. (In accordance with the amended plans received by the council on the 10th March 1992)

Approved 11.3.92

4. CONSULTATION RESPONSES

- 4.1 Bradley Stoke Town Council
No objections

4.2 Other Consultees

Sustainable Transport

No objections subject to a condition that two parking spaces are permanently maintained for the parking of motor vehicles.

Other Representations

4.3 Local Residents

One comment has been received from a local resident:

- We have some reservations but do not wish to formally object. Conscious that construction works have the potential to significantly impact on our family routine and request close consideration of permitted timings of these works.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application stands to be assessed against the above listed policies and all material considerations. Of particular importance is the appearance of the proposal and the impact the design would have on the host property and the area in general. Any impact on the residential amenity of the application site for existing or future occupiers and that of closest neighbours must be assessed. In addition, any adverse impact on highway safety or off-street parking would not be supported.

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 application site relates to a modern property which benefits from a single garage to the south side. The proposed development would result in a first floor extension above this garage and also a two storey extension to continue on from this and meet up with an existing building line across the rear elevation. The proposal would alter the living accommodation by increasing the size of bedroom 3 and creating an additional bedroom at first floor and increasing the kitchen area at ground floor level.

5.3 The roof line of the first floor extension would continue from that of the main dwelling and in this instance this is considered an acceptable form of design for this property. The development would result in only a small increase in the overall footprint of the property and in terms of its design, scale and massing the proposal is considered acceptable. Good quality materials to match those of the existing dwelling would be used in the construction and given the house is part of an estate of mixed styles and materials there would be no adverse impact on the host property or the character of the area in general.

5.4 Residential Amenity

The application site is situated in an area of similarly proportioned detached properties that vary in design and materials. The proposed first floor extension to the side would be close to the neighbouring property of No. 21 Campion

Drive, where it is acknowledged there is a first floor side window. Neighbours in this property have commented that they have no objection to the proposal, and have requested a condition regarding operating/working hours. Officers note that this side window serves a landing in this neighbouring property and although there would be changes resulting from the development it is considered that as the room does not serve a primary function, the impact on the residential amenity would not be of an unacceptable level. The proposed two-storey rear extension would measure approximately 2.7 metres by 2 metres with a height to match the existing house. Windows would be in the east and west elevations only and it is considered there would be no adverse impact on neighbouring dwellings over and above the existing situation. Sufficient garden space would remain to serve the property following the development.

5.5 Sustainable Transport

It is noted that the proposal would result in an additional bedroom bringing the number to 4. In this instance, adopted parking standards require 2no. off street parking spaces to be provided. Although the existing garage is regarded as being too small to count as a parking space under adopted standards, there is sufficient parking on the driveway at the front of the property to accommodate 2 vehicles. A condition attached to the decision notice will ensure these spaces are retained for the future use of the occupiers.

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 below.

Contact Officer: Anne Joseph
Tel. No. 01454 863788

CONDITIONS

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

Reason

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

2. The hours of working on site during the period of construction shall be restricted to 7:30 to 18:00 Monday to Friday and 8:00 to 13:00 on Saturdays; and no working shall take place on Sundays or Public Holidays. The term `working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013.

3. Two off-street parking facilities to the front of the dwelling shall be retained for the future use of occupants.

Reason

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

CIRCULATED SCHEDULE NO. 36/15 – 4 SEPTEMBER 2015

App No.:	PT15/3179/F	Applicant:	Mr Hegarty
Site:	Land Off Bristol Road Frampton Cotterell South Gloucestershire BS36 2AY	Date Reg:	22nd July 2015
Proposal:	Change of use of land from Agricultural to Equine to facilitate the erection of stables with tack room and hay barn, and formation of access track. Creation of new access onto Bristol Road (B4058). (Resubmission of PT15/0131/F).	Parish:	Frampton Cotterell Parish Council
Map Ref:	365590 181746	Ward:	Frampton Cotterell
Application Category:	Minor	Target Date:	15th September 2015



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008. N.T.S. PT15/3179/F

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application is referred to the Circulated Schedule in accordance with the Council's adopted scheme of delegation to take account of the comment of objection received from Frampton Cotterell Parish Council. The Officer recommendation is for approval.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a stable block. The stable block will contain three stables, a tack room and a hay store. A new access is also proposed from the B4058 Bristol Road into the site.
- 1.2 This is the resubmission of planning application PT15/0131/F, which was in turn a resubmission of PT14/1949/F both of which were refused by the Local Planning Authority. A previous planning permission was granted in 2006; this consent was not implemented and has now expired. The main difference between the current application and the two previous refusals listed above is a change to the application's red line so that it better mirrored the site area of the 2006 consent.
- 1.3 As a result, it is now considered that the area of land included in the application can reasonably be considered to be the curtilage of the building and would not include additional land which would be subject to a change of use.
- 1.4 The application site comprises of a small part of a field, measuring 0.10 hectares in area and part of the verge to enable adequate visibility splays to be installed. The remainder of the field is excluded from the red line of the planning application. The application site is outside of any defined settlement boundary as shown on the proposals maps on land designated as part of the Bristol and Bath Green Belt.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012
National Planning Policy Practice Guidance

- 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
- L9 Species Protection
- L16 Protecting the Best Agricultural Land
- T12 Transportation

E10 Horse Related Development
LC12 Recreational Routes

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist SPD (Adopted) August 2007
Development in the Green Belt SPD (Adopted) June 2007
British Horse Society – Guidelines for the Keeping of Horses: Stable Size,
Pasture Acreages and Fencing, March 2005

3. RELEVANT PLANNING HISTORY

- 3.1 PT15/0131/F Refused 20/04/2015
Change of use of land from Agricultural to Equine to facilitate the erection of stables with tack room and hay barn, and formation of access track. Creation of new access onto Bristol Road (B4058). (Resubmission of PT14/1949/F).

Refusal Reasons –

1. The application site is within the Bristol and Bath Green Belt and the proposed the change of use of land from agriculture to equine does not fall within the limited categories of development considered not to be inappropriate within the Green Belt. No very special circumstances have been presented to demonstrate that the normal presumption against development in the green belt should be overridden. The proposed development is therefore contrary to Policy CS5 and CS34 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 and the provisions of the National Planning Policy Framework, March 2012.
2. The application has failed to demonstrate that sufficient pasture and grazing land has been provided to ensure the comfort and safety of the horses which would be stabled in the proposed building. The proposed development is therefore contrary to Policy E10 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies).

- 3.2 PT14/1949/F Refused 28/11/2014
Change of use of land from Agricultural to Equine to facilitate the erection of stables with tack room and hay barn, and formation of access track. Creation of new access onto Bristol Road

Refusal Reason –

1. The site is located within the Bristol/Bath Green Belt and the proposal does not fall within the limited categories of development normally considered appropriate within the Green Belt, as the proposal constitutes a change of use of land from agriculture to equine. In addition, the applicant has not demonstrated that very special circumstances apply, such that the normal presumption against development in the Green Belt should be overridden. The proposal is therefore contrary to guidance contained in the National Planning Policy Framework, and policies CS5 and CS34 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

- 3.3 PT06/0400/F Approved with Conditions 24/03/2006
Erection of stables with tack room and hay barn and formation of access track. Creation of new access onto Bristol Road (B4058).

4. **CONSULTATION RESPONSES**

- 4.1 Frampton Cotterell Parish Council
Objection: Refusal reasons for PT15/0131/F have not been overcome.
- 4.2 Highway Structures
No comment
- 4.3 Landscape
Loss of hedge does not accord with L1; however, if consent is granted a landscape management plan should be imposed including protection of the young hedge from horses.
- 4.4 Lead Local Flood Authority
No objection. Works to an ordinary watercourse or ditch will require land drainage consent.
- 4.5 Transportation
No objection subject to condition

Other Representations

- 4.6 Local Residents
None received

5. **ANALYSIS OF PROPOSAL**

- 5.1 This application seeks planning permission for the erection of a stable block on the edge of Frampton Cotterell on land in the green belt.
- 5.2 Principle of Development
The site is located within the green belt and therefore consideration of the development must be assessed against the relevant policies in order to establish whether or not the development is acceptable in principle.
- 5.3 *Green Belt*
Guidance in the NPPF states that great importance is attached to green belts in order to prevent urban sprawl by keeping land permanently open in nature. Inappropriate development in the green belt is, by definition, harmful to the green belt and should not be approved except in very special circumstances. In determining planning applications, substantial weight should be given to any harm to the green belt and very special circumstances will only exist when the harm to the green belt and *any other harm* is clearly outweighed.
- 5.4 Certain forms of development are exceptions to the general presumption against development in the green belt. For new buildings, these are listed in paragraph 89 of the NPPF; for 'other development', which, for clarity would include a material change of use, are listed in paragraph 90. The change of use of the land must first be established before an assessment of the proposed buildings can be made.

5.5 *Change of Use*

Where this application differs from that made to the Local Planning Authority earlier this year and in 2014 is the extent of land included within the application. Both of the recent refusals contained land which could not reasonably be considered to fall within the curtilage of the proposed building. Since these refusals the red line has been reduced so that it now encompasses the land solely associated with the building. This includes the footprint of the building and a small yard and parking area to the front as well as the access track and the area of land on which development is required to gain adequate visibility at the junction of the access with the highway.

5.6 It is no longer considered by Officers that the proposal would constitute a material change of use of land within the green belt. This is because the land on which development is proposed is associated with a building and therefore the assessment would be included in the assessment of whether the proposed building constituted appropriate development in the green belt.

5.7 *Stable Building*

Paragraph 89 of the NPPF sets out the circumstances where the Local Planning Authority should not consider the erection of a new building in the green belt as inappropriate. One of the exceptions is the erection of a building for agriculture or forestry uses and another is the provision of appropriate facilities for outdoor sport and recreation provided it preserves the openness of the green belt and does not conflict with the purposes of including land within the green belt.

5.8 Where horses are grazed on land as part of the operations of an agricultural enterprise the erection of a stable block may be considered to be an agricultural building. However, the provision of a hay store and tack room would suggest that the use would be more recreational than agricultural.

5.9 As established above, it is not considered that the development constitutes a change of use as the land associated with the development is restricted to that reasonably associated with the building. The erection of a stable block may be considered to be an appropriate facility for outdoor sport and recreation, provided it preserves openness and does not conflict with the purposes of the green belt.

5.10 Under the previous refusals, no objection was raised to the stable building itself. The stable building itself by reason of its relatively small scale and simple form is considered to constitute an appropriate facility for outdoor sport and recreation, which will not significantly affect the openness of the green belt. Furthermore paragraph 81 of the NPPF states that Local Planning Authorities should 'plan positively to enhance the beneficial use of the green belt', such as looking for opportunities to provide for outdoor sport and recreation.

5.11 It is therefore considered that the stable building is an appropriate form of development in the green belt and no objection is raised with this regard.

5.12 *Keeping of Horses*

Saved policy E10 of the South Gloucestershire Local Plan 2006 is used to assess proposals for horse related development. One of the requirements of this policy is that assessment is given to the safety and comfort of horse, particularly with regard to the size of the site and the number of horses it can accommodate.

5.13 The remainder of the field, (which is in the ownership of the applicant), in which the proposed stable block is to be located is excluded from the application. It is the position of the Local Planning Authority that ideally the whole field should be included within the application as it is the logical planning unit and the field is likely to be used for the recreational keeping of horses. Discussions regarding the use of the field have taken place between officers and the applicant. It is the applicant's opinion that agricultural use of the field would allow ancillary grazing of horses without the need for planning permission. Whilst it is the opinion of officers that the field would be used for the keeping of horses, the applicant has demonstrated that land is available for the horses housed in the stable to graze.

5.14 It is noted that in 2006 a similar application (PT06/0400/F) was approved which did not include the field and which did not raise objection on the provision of adequate pasture and grazing land. When planning application PT14/1949/F was determined, the previous planning consent was given weight with regard to the provision of pasture and grazing.

5.15 As the land has not been included in the red line of the application, the Local Planning Authority must be satisfied that the development, if permitted, would not lead to unacceptable conditions for any horses. It can be assumed that the adjoining land within the blue line is likely to be used for the grazing of horses. The area of the field in question, should the stable block be built, has an area of 1 hectare. According to guidance published by the British Horse Society, such an area of land can comfortably accommodate two horses.

5.16 There are no conditions attached to the 2006 permission controlling the number of horse which can be kept on the site. Substantial weight was given to the 2006 permission when determining the 2014 application. The 2006 permission expired as it was not implemented. When looking at the 2006 permission in more detail, it would seem that the issue of horse comfort and safety was not given sufficient weight when the application was determined as no number restriction was placed.

5.17 Therefore, on reflection, the Local Planning Authority has given significantly more weight to this past permission than justified by the officer assessment made at the time. It is considered, in the interests of proper planning, that the number of horses should be limited in order to ensure acceptable standards of welfare. Therefore a condition will be attached that restricts the number of horses to be kept to two.

5.18 Landscape and Design

The application does not specify the proposed materials. These would need to be controlled by condition. The general scale and form of the building is

considered to be acceptable and appropriate for the proposed use. It is not considered that the proposed building would be widely visible as it is set back into the site and close to boundaries with existing buildings. Greater detail would be required on the proposed wall and gateway but it is considered that this could be adequately controlled by condition.

- 5.19 A long access track from Bristol Road will provide access to the building. A large amount of vegetation growing on the northern boundary of the site will need to be removed to provide the access and visibility splays. A replacement native hedge is proposed to be planted to mitigate the loss of the existing hedge. This is considered acceptable as weight is given in this regard to the 2006 permission. A landscape management plan is required in order to ensure that the replacement planting establishes and this should include a fence to prevent the young hedge from damage from the horses in the field.
- 5.20 Conditions would also be required to prevent any equestrian paraphernalia being installed on the land as this would have an adverse impact on the visual amenity of the area.
- 5.21 Overall, it is considered that subject to the satisfactory discharge of the conditions set out above, the development would not have an adverse impact on the character or setting of the locality.
- 5.22 Access and Transport
No objection has been previously raised to the proposed access. It is considered necessary, however, that a number of conditions relating to highway safety be imposed on any approval. These include the provision of the proposed visibility splay, the set back of the access gates, the paving of the access track, and a limit on the number of horses and use to limit the number of movements to and from the site.
- 5.23 Overall, it is considered that subject to the satisfactory discharge of the conditions set out above, the development would not have an adverse impact on highway safety.
- 5.24 Residential Amenity
Although residential properties are located to the southwest, given the scale of the building proposed, it is not considered that there will be a significant adverse effect on the residential amenity of neighbouring occupiers through loss of natural light, privacy or through noise or disruption.
- 5.25 Environmental Impacts
It is not considered that the proposal will have an adverse impact on the environment. Conditions would be necessary to control the storage of horse manure. Whilst no ecological information has been provided, it has not previously been sought. It is considered that there is a low risk of encountering any protected species on such a small site and an informative note would suffice.

5.26 Loss of Agricultural Land

Policy L16 seeks to protect the best agricultural land from development. As the application does not seek a change of use and only a small proportion of the field would be developed it is not considered that the development would lead to a significant loss of agricultural land and therefore the proposal is acceptable.

6. CONCLUSION

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

6.2 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (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 details of the roofing and external facing materials proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

To ensure a satisfactory standard of external appearance and to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013. This is required prior to commencement to avoid remedial works.

3. Prior to the commencement of development a scheme of landscaping, which shall include details of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection during the course of the development (in accordance with BS5837:2012); proposed planting (and times of

planting); and boundary treatments, to include a stock-proof fence to protect the landscaping from grazing animals, shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed details and the approved landscaping carried out in the first planting season following the first use of the stable block hereby permitted.

Reason

To protect the character and appearance of the area to accord with Policy CS9 of the South Gloucestershire Core Strategy (Adopted) December 2013 and Policy L1 and E10 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies). This is required prior to the commencement of development to ensure the landscaping scheme is satisfactory.

4. Prior to the first use of stable block a schedule of landscape maintenance for a minimum period of five years shall be submitted to the Local Planning Authority for approval. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

Reason

To protect the character and appearance of the area to accord with Policy CS9 of the South Gloucestershire Core Strategy (Adopted) December 2013 and Policy L1 and E10 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies).

5. Prior to the commencement of development the location of manure storage facilities and details of means of disposal 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 protect the character and appearance of the area and manage any environmental impact and to accord with Policy CS9 of the South Gloucestershire Core Strategy (Adopted) December 2013 and Policy L1 and E10 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies). This is required prior to commencement so that any environmental impact can be assessed and managed.

6. Prior to first use of the stable block hereby permitted, a visibility splay of 2.4m set back by 120m to the north nearside carriageway edge shall be provided.

Reason

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

7. Notwithstanding the submitted details, prior to the first use of the stable block hereby permitted the access gate shall be set back 10 metres from the carriageway edge and set to open inwards only.

Reason

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

8. The first 8 metres of the access shall be constructed of a bound surface material and retained as such henceforth.

Reason

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

9. The number of horses kept on the site edged in blue 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.

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

Reason

In the interests of highway safety and to protect the character and appearance of the area and to minimise the impact on the Bristol and Bath Green Belt and to accord with Policy T12 and E10 of the South Gloucestershire Local Plan (Adopted) January 2006 and the provisions of the National Planning Policy Framework.

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

Reason

To protect the character and appearance of the area and to minimise the impact on the Bristol and Bath Green Belt and to accord with Policy E10 of the South Gloucestershire Local Plan (Adopted) January 2006 and the provisions of the National Planning Policy Framework.

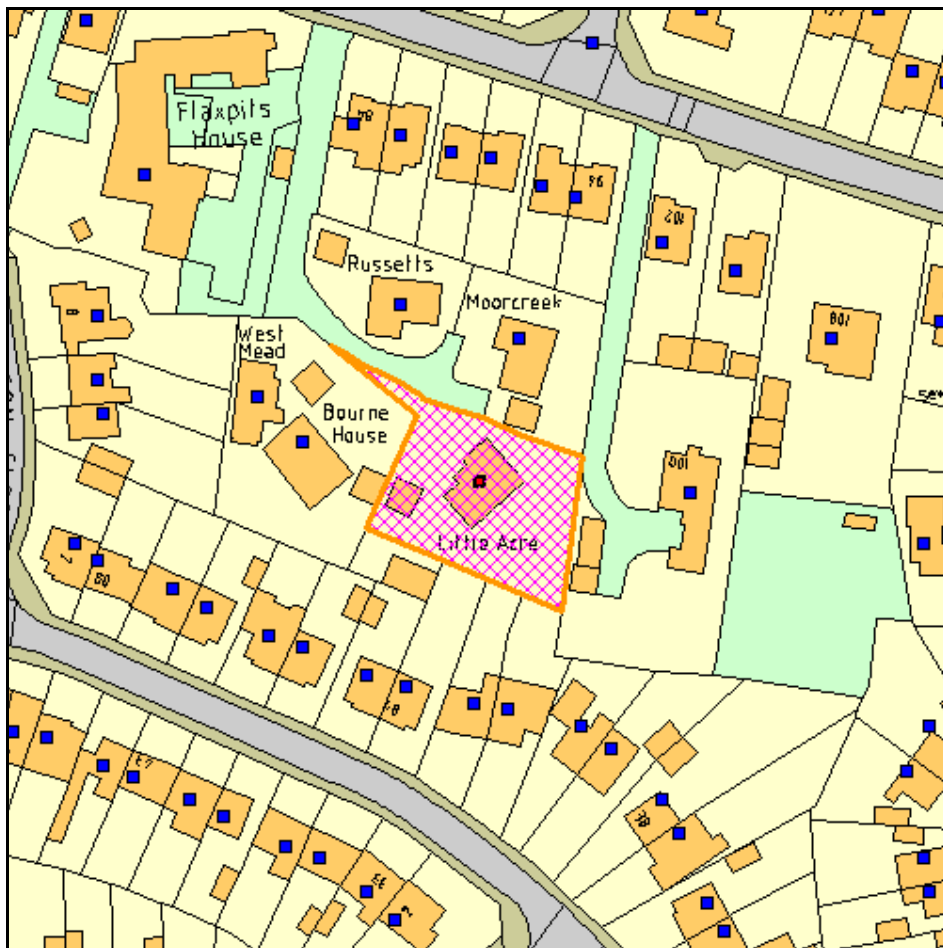
12. At no time shall horse boxes, trailers, van bodies and portable buildings or other vehicles be kept on the land other than for the loading and unloading of horses.

Reason

To protect the character and appearance of the area and to minimise the impact on the Bristol and Bath Green Belt and to accord with Policy E10 of the South Gloucestershire Local Plan (Adopted) January 2006 and the provisions of the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 36/15 – 4 SEPTEMBER 2015

App No.:	PT15/3187/F	Applicant:	Mr Tim Slater
Site:	Little Acre Flaxpits Lane Winterbourne Bristol South Gloucestershire BS36 1LD	Date Reg:	23rd July 2015
Proposal:	Alterations to raise the roofline and installation of 2no. front dormers to create first floor and erection of side and front extension to form additional living accommodation.	Parish:	Winterbourne Parish Council
Map Ref:	365229 180351	Ward:	Winterbourne
Application Category:	Householder	Target Date:	15th September 2015



© South Gloucestershire Council 2007.all rights reserved.
This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
100023410, 2008. N.T.S. PT15/3187/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This report appears on the Circulated Schedule following objections received from local residents. One letter of support has also been received.

1. THE PROPOSAL

1.1 The applicant seeks full planning permission for alterations to raise the roofline and the installation of 2no. front dormers to create a first floor and the erection of side and front extension to form additional living accommodation. The application site relates to a detached property situated in the established residential area of Winterbourne.

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	Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Environmental Resources and Built Heritage
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS18	Affordable Housing

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

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

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted 2007)

South Gloucestershire SPD: Residential Parking Standards (adopted) 2013

3. RELEVANT PLANNING HISTORY

3.1 West Mead (adjacent to Bourne House)

PT05/0974/F Erection of detached dwelling and garage on 0.04 hectares of land. Formation of new vehicular access.
Approved 27.6.05

3.2 Russetts (third bungalow within site)

P97/1719 Erection of detached bungalow and garage.
Approved 1.8.97

- needs of families, availability of building land, architectural and planning ideals have changed and while individual change should be sensitive to its neighbours, a very different house may well enhance the area rather than be detrimental
- the present dwellings are sufficiently apart to stand in their own right

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application stands to be assessed against the above listed policies and all other material considerations. Both national and local policy encourages sustainable development in existing built up areas. This application follows positive pre-application advice given regarding raising the roofline and increasing the overall footprint of the existing dwellinghouse. The proposed alterations would be within the existing residential curtilage and as such accord with the principle of development subject to them being appropriate to the host property and the area in general, to them not adversely impacting on neighbouring dwellings and not having an adverse impact on highway safety or on-street parking. It is considered that the proposal does comply with the relevant policy criteria and can be supported. This is discussed in more detail below.

5.2 Design and Visual Amenity

The existing dwellinghouse is a single storey property and situated within a small cul-de-sac in Winterbourne. The dwelling is part of a group of three single storey dwellings that were built in the garden of the two-storey property, Bourne House. The application site and its closest neighbour, Moorcreek, were given planning permission at the same time in the late 1970s with a further single storey dwelling, Russetts being added in the late 1990s. An additional two-storey dwelling, West Mead was granted planning permission adjacent to the west of Bourne House, in 2005. All five properties use the same access. The three bungalows sit in a pocket of land, previously the garden of Bourne House, and are surrounded by two-storey properties, although given the size of the area there is good separation between all.

5.3 The proposed development would make alterations to the existing single storey dwelling by raising the roofline and slightly increasing the footprint. These changes would result in a large family home with extra ground floor living space and three additional bedrooms in the proposed new first floor, bringing the total to 5.no bedrooms. It is considered that the proposal would not be regarded as contributing to over development or over crowding of the site as extensions to existing dwellings within built-up areas are actively encouraged by both national and local planning policy by making good use of land and being in a sustainable location. In a similar vein, comments have been received stating the proposal would change the symmetry, dominate the skyline and not be in-keeping with the area. As mentioned above the cul-de-sac is made up of 3no. bungalows and 2no. two-storey dwellings, all with slightly different orientations so there is no symmetry within this grouping. The cul-de-sac is surrounded by two-storey dwellings and as such the proposed raising of the roofline cannot be regarded as dominating the skyline. It is acknowledged that there would be changes in the appearance of the dwelling but these alterations in the design

are not in themselves sufficient reason to refuse the application and could not be supported in an appeal situation.

- 5.4 Specifically, the proposed development would comprise an increase in footprint of an approximate 33 m², achieved by extending the property 2.8 metres to the south west and 1.4 metres to the northwest. The existing ridge height would be increased by 1.7 metres and the eaves height by 1.4 metres. Although it is acknowledged that there would be an increase in the bulk and massing of the dwellinghouse, given the size of the plot and other two-storey dwellings in close proximity, the changes are not unacceptable or inappropriate to the host property or the area in general.
- 5.5 The proposal makes changes to the materials used and thereby the overall appearance of the dwellinghouse. At the moment the 3 bungalows have a similar external appearance; rendered masonry with a modern stone cladding and red double roman concrete tiles being the predominant materials. However, Bourne House and its more recent two-storey neighbour West Mead have a different exterior finish again, comprising mostly natural stone with some yellow brick detailing. This serves to illustrate the cul-de-sac already has a mix of materials. The proposed materials under this application would give a very modern look to the property by using fibre cement slates, of perhaps a grey colour, rendered masonry with timber detailing and aluminium clad timber windows. Although these materials would result in a change to the appearance of the dwelling they would be insufficient reason to refuse the application given that a property with a grey roof finish is directly behind the application site and Winterbourne already has a mix of different styled dwellings of different exterior materials.
- 5.6 Given the above it is considered that the proposed changes to increase the footprint and to raise the roofline and to introduce new materials to the exterior of the dwelling would not be out of keeping with the area and can be recommended for approval.
- 5.7 Residential Amenity
The application site sits within a good size plot at the head of this small cul-de-sac. It benefits from a double garage to the west. The garage of Bourne House is adjacent to this garage. The proposed extensions would be to the south west and north west elevations and as such the respective garages along with the existing orientation of the dwelling would assist in the separation of these two properties and avoid any direct inter-visibility. A small rooflight would be introduced in the southwest elevation but this is considered not to result in any unacceptable levels of overlooking for Bourne House or neighbours on Huckford Road which are at an approximate distance of over 25 metres away from this elevation. Similarly, given the distance the proposal could not be regarded as being overbearing to these properties to the rear.
- 5.8 Rooflights would be introduced to the southeast and northeast elevations. To the northeast, the neighbour here at Moorcreek, has no openings in this opposing elevation and is furthermore separated from the application site by its own garage. It is recognised that, given the orientation of the properties, there would be changes for this neighbour but it is important to consider the degree

of impact that would result from the proposed rooflights. In built-up areas where development in for example the form of extensions and additions to existing dwellings is supported, close proximity of neighbouring dwellings it to be expected. In this instance, given that the new opening would be a rooflight with its lowest part at an approximate height of 1.7 metres above floor level this is not considered unacceptable nor an usual situation. With regard to the rooflights in the southeast elevation, the closest property is No. 100 Flaxpits Lane. This property is separated from the application site by over 20 metres and screened by its own tall pitched roof garage and planting. Furthermore, the application site is angled away from this property and it is therefore considered that there would be no adverse impact resulting from the rooflights for this neighbour.

- 5.9 Concern has been expressed regarding the loss of privacy for one of the existing bungalows, Russetts. Plans indicate that this property and the application site are at an approximate 22 metres apart at their closest point. The proposal includes two dormer windows in the front (northwest) elevation. These would be positioned further away from Russetts at about 28 metres and in fact it must be noted that at its closest point, the two-storey dwelling Bourne House is less than 20 metres away from Russetts. Although it is acknowledged that there would be changes, this degree of separation is not unacceptable between properties in built up areas. It is considered that the levels of privacy currently experienced would not be compromised to such an extent as to refuse the application.
- 5.10 Comment has been made with regard to the potential for disturbance during construction. This is acknowledged and a condition will be placed on the decision notice limiting the hours of operation. In addition, and given the position of the application site within a cul-de-sac it is reasonable to include an informative requesting contractors are respectful of their surroundings.
- 5.11 Having carefully considered and addressed the comments received from neighbours, it is Officer opinion that the proposal would not result in any adverse impact on the residential amenity of local residents in terms of overbearing or loss of privacy and as such the proposal can be recommended for approval.
- 5.12 Sustainable Transport
The application site benefits from a double garage and a large driveway to the front. The proposal would result in the dwelling having 5no. bedrooms for which the number of off-street parking spaces required is 3no. Additional plans received by the Council show that the amount of parking of the required measurements can be achieved on site and as such there are no transportation objections to the scheme.
- 5.13 Other matters
One comment has been made that the applicant is a developer wishing to make money from the changes. This is not a relevant planning matter and will not be discussed under the remit of a planning report which only assesses proposals against adopted national and local planning policies. The comment

that the development will affect property prices in the cul-de-sac is similarly irrelevant to this planning assessment and cannot be covered here.

- 5.14 One neighbour has stated there is a covenant restricting changes to the properties. As mentioned above, this report can only assess the planning merits of a proposal and other matters such as a covenant would be a civil matter that requires separate and independent investigation by the applicant.

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 attached to the decision notice.

Contact Officer: Anne Joseph
Tel. No. 01454 863788

CONDITIONS

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

Reason

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

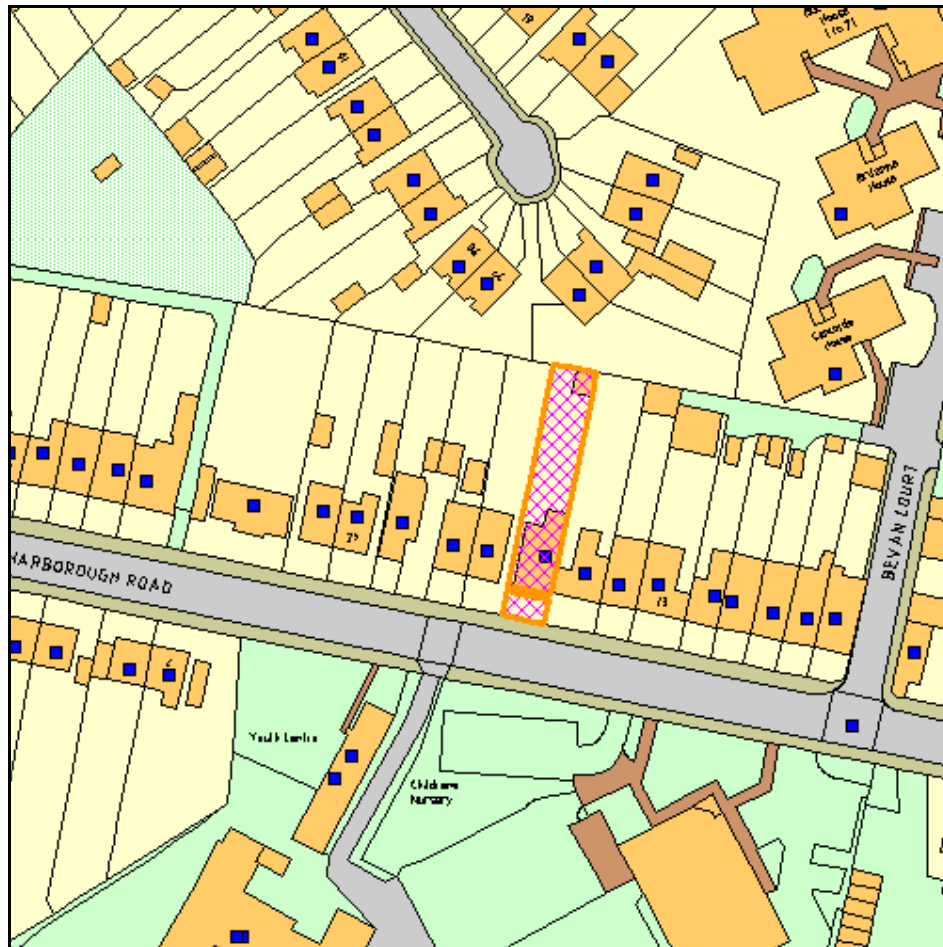
2. The hours of working on site during the period of construction shall be restricted to 7:30 to 18:00 Monday to Friday and 8:00 to 13:00 on Saturdays; and no working shall take place on Sundays or Public Holidays. The term `working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and Policy CS9 of the South Gloucestershire Local Plan : Core Strategy (Adopted) 2013.

CIRCULATED SCHEDULE NO. 36/15 – 4 SEPTEMBER 2015

App No.:	PT15/3195/F	Applicant:	Ms L Chiren
Site:	19 Charborough Road Filton Bristol South Gloucestershire BS34 7RA	Date Reg:	24th July 2015
Proposal:	Demolition of existing conservatory, erection of single storey rear extension to provide additional living accommodation.	Parish:	Filton Town Council
Map Ref:	359926 178749	Ward:	Filton
Application Category:	Householder	Target Date:	15th September 2015



© South Gloucestershire Council 2007.all rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2008.

N.T.S.

PT15/3195/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is referred to the Circulated Schedule because an objection was made by Filton Town Council.

1. THE PROPOSAL

- 1.1 The original application sought full planning permission for the demolition of the existing conservatory, erection of single storey rear extension and alterations to raise the roofline to provide additional living accommodation. The proposed addition would have a width of 7 metres and depth of 4 metres, with a maximum height of 5.9 metres, in order to extend the kitchen and to provide an extra bathroom and bedroom in the roof. Revised plans have now been submitted which show the demolition of the conservatory, erection of a single-storey rear extension, with a depth of approximately 4 metres and a height of 3.2 metres.
- 1.2 The application site relates to a detached dwelling located in the urban area within Filton. The single-storey dwelling is situated on a residential road that is characterised by two-storey dwellings with hipped roofs. As such the dwelling is out of character with the street as it is a one storey, detached dwelling surrounded by two-storey, semi-detached dwellings. All the surrounding dwellings have a distinct roof line and single-storey rear extensions. The street itself is on a slope, with no. 21 being at a lower level to no. 19. There is a 1.8 metre fence separating no.19 from no. 21 and a 2 metre fence separating no. 19 and no.17. The site in question has a dipped curve to the front and room for two parking spaces.
- 1.3 During the course of the application the Officer advised the applicant that the original proposal for the 'Demolition of existing conservatory, erection of single storey rear extension and alterations to raise the roofline to provide additional living accommodation' was likely to be refused due to the bulk of the rear extension and the proposed introduction of a gable roof. The applicant was advised to keep the hipped roof at the front of the property and advised that they could include a small dormer window to the front which would be in-keeping with the street scene. The back of the roof should be hipped so that the space at the back is not turned into a fifth bedroom, which would have parking implications. In response, the applicant submitted revised plans proposing a hipped roof and a 4 metre single storey, flat roof rear extension. Amended plans were submitted on the 25th August and the application is assessed on the basis of the revised scheme. A period of re-consultation is not deemed necessary because the revised plans show that the property will remain three-bedrooms and the bulk of the design has been reduced with the extension now being a single storey and in keeping with the rear building line of the existing neighbouring properties.

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

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
Residential Parking Standard SPD (Adopted) 2013

3. **RELEVANT PLANNING HISTORY**

3.1 PT10/0164/F

Erection of single storey rear extension and alteration to roofline. Approved with Conditions 12th March 2010.

4. **CONSULTATION RESPONSES**

4.1 Filton Town Council

The committee would like clarification on whether this property intends to be an HMO- no objection if not.

4.2 The Archaeology Officer Natural & Built Environment Team

No comment.

4.3 Sustainable Transport

Planning permission is sought to extend the existing dwelling to provide additional living accommodation. After development the bedrooms within the dwelling will increase to four. Residential parking for a dwelling is assessed on the number of bedrooms. A four-bed dwelling would require a minimum of two parking spaces. No detail has been submitted on available or proposed vehicular parking for the site. A revised plan showing at least two parking spaces, within the site boundary, needs to be submitted for approval by the Council. As the revised plans now show that there will not be an additional fourth bedroom such transport comments will not be applicable to this application. A period of re-consultation is not deemed necessary as the size of the proposal has decreased.

4.4 Lead Local Flood Authority

No comment

Other Representations

4.4 Local Residents

No comments received.

5. ANALYSIS OF PROPOSAL

Policy Context

- 5.1 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.
- 5.2 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.

5.3 Design and Appearance

The existing dwelling house is positioned on a sloping, residential road that is characterised by two-storey, hipped-roof dwellings. The proposed extension would be to the rear of the dwellinghouse and would consist of a 4 metre extension that would replace the existing conservatory. The proposed extension will be single storey and a flat roof which would be in-keeping with the neighbouring houses which have a distinct single-storey roofline towards the back of the property. There will be two velux roof windows in total within the main roof of the house and two roof lanterns on the proposed 4 metre extension, which would not overlook either of the neighbouring properties. The design of the proposed extension is considered to be complementary to the host dwelling, due to the hipped roof and rough stone render.

5.4 Residential Amenity

The property is a small, detached dwelling with neighbouring properties on either side. Given the single storey nature of the proposed addition, small Velux windows proposed within the roof and a single-storey extension at the back of the property containing two roof lanterns, there is unlikely to be any impact on the residential amenity of neighbouring occupiers as a result.

5.5 Transportation

There has been a transportation objection made to the original proposal. The original proposal would increase the total number of bedrooms to four. Therefore, in accordance with South Gloucestershire Council's Residential Parking Standards SPD (Adopted 2013), it states that minimum parking standards is 2 spaces for a 4 bed dwelling. However, There is an existing driveway to the front of the property with a dipped curb which would be unaffected by the proposal and would provide the two spaces needed. However, due to the revised plans at the officer's request there will now only be three bedrooms within the property and this is no longer applicable.

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**

Contact Officer: Chloe Buckingham
Tel. No. 01454 863464

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).