



**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. 10/15

Date to Members: 06/03/15

Member's Deadline: 12/03/15 (5pm)

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

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

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

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

NOTES FOR COUNCILLORS - FORMAL ARRANGEMENTS

If any Member requires any of the proposals listed in the Schedule to be considered by the appropriate Development Control Committee, please let the Director of 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.

No Publication of Circulated Schedule Friday 20 March

Please be advised that due to a major planned upgrade our database will be unavailable from 17 – 20 March therefore there will be no Circulated Schedule No:12/15 published on Friday 20 March.

Dates and Deadlines for Circulated Schedule During Easter Bank Holiday 2015

Schedule Number	Date to Members 9am on	Members Deadline
13/15	Friday 27 March 2015	Thursday 02 April 2015 5pm
14/15	Thursday 02 April 2015	Friday 10 April 2015 4.30pm
15/15	Friday 10 April 2015	Thursday 16 April 2015 5pm

For clarity I have highlighted changed deadlines in **RED**.
All other dates remain as usual.

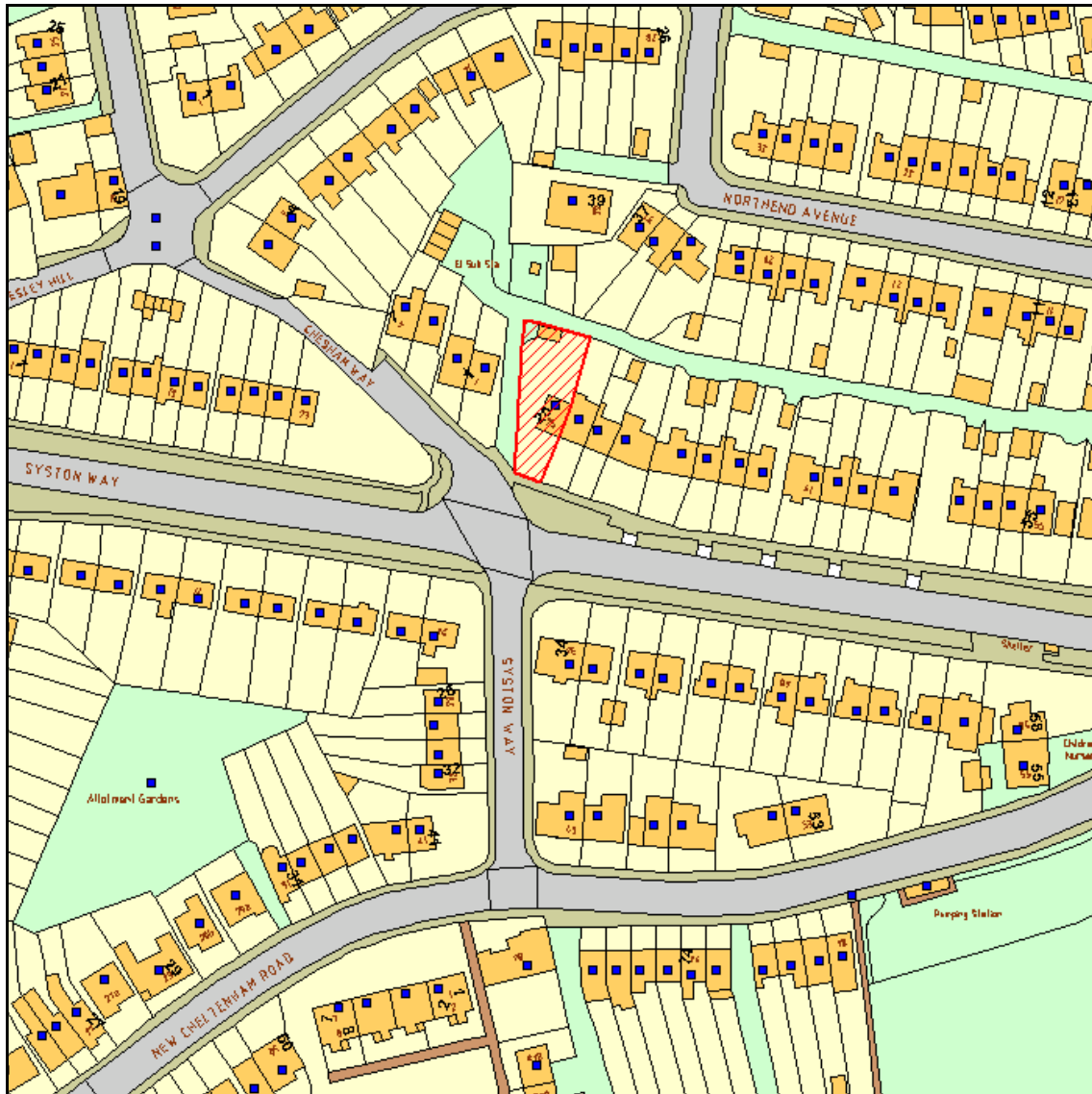
CIRCULATED SCHEDULE 06 March 2015

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ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK14/4142/F	Approve with Conditions	25 Syston Way Kingswood South Gloucestershire BS15 1UE	Kings Chase	None
2	PK14/4642/F	Approve with Conditions	1 Dorset Way Yate South Gloucestershire BS37 7SN	Yate North	Yate Town
3	PK14/4804/F	Approve with Conditions	20 London Road Warmley South Gloucestershire BS30 5JB	Siston	Siston Parish Council
4	PK14/4830/F	Approve with Conditions	44 Barry Road Oldland Common South Gloucestershire BS30 6QY	Bitton	Bitton Parish Council
5	PK15/0250/RV	Approve with Conditions	McDonalds Restaurants Aspects Leisure Park Leisure Road Kingswood South Gloucestershire BS15 9LA	Hanham	Hanham Parish Council
6	PK15/0252/CLP	Refusal	The Cottage Doynton Lane Dyrham South Gloucestershire	Boyd Valley	Dyrham And Hinton Parish Council
7	PK15/0434/PD	Approve with Conditions	12 Jeffery Court Warmley South Gloucestershire BS30 8GF	Parkwall	Oldland Parish Council
8	PT11/3369/F	Approve without conditions	330 - 332 And Land At Rear Of Deorhorn Passage Road Almondsbury South Gloucestershire BS10 7TE	Patchway	Almondsbury Parish Council
9	PT14/4483/F	Approve with Conditions	Pool Farm Oldbury Lane Thornbury South Gloucestershire	Severn	Oldbury-on-Severn Parish Council
10	PT14/4895/CLE	Approve	Stable Cottage Perrinpit Road Frampton Cotterell South Gloucestershire BS36 2AR	Frampton Cotterell	Frampton Cotterell Parish Council
11	PT15/0230/F	Approve with Conditions	4 Factory Road Winterbourne South Gloucestershire BS36 1QN	Winterbourne	Winterbourne Parish Council
12	PT15/0248/F	Approve with Conditions	84 Bradley Road Patchway South Gloucestershire	Patchway	Patchway Town Council
13	PT15/0320/F	Approve with Conditions	Landshire Bristol Road Frenchay South Gloucestershire BS16 1LQ	Frenchay And Stoke Park	Winterbourne Parish Council
14	PT15/0414/F	Approve	126 Rodway Road Patchway South Gloucestershire BS34 5PF	Patchway	Patchway Town Council
15	PT15/0456/PDR	Refusal	57 Sherbourne Avenue Bradley Stoke South Gloucestershire BS32 8BB	Bradley Stoke South	Bradley Stoke Town Council

CIRCULATED SCHEDULE NO. 10/15 – 6 MARCH 2015

App No.:	PK14/4142/F	Applicant:	Mr F Charles
Site:	25 Syston Way Kingswood Bristol South Gloucestershire BS15 1UE	Date Reg:	3rd December 2014
Proposal:	Erection of 1no. attached dwelling with new access and associated works.	Parish:	None
Map Ref:	364889 174466	Ward:	Kings Chase
Application Category:	Minor	Target Date:	27th January 2015



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100023410, 2014.

N.T.S.

PK14/4142/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule due to the receipt of a letter of objection from a local resident.

1. THE PROPOSAL

- 1.1 The application is for the erection of 1 no attached dwelling with new access and associated works to the side of No. 25 Syston Way, Kingswood.
- 1.2 The existing property is a rendered two storey end-terraced dwelling and is situated within a well established residential area within Kingswood containing similar properties. The proposed dwelling would be located to the side of the existing house.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Practice Guidance

2.2 Development Plans

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

T8 Parking Standards
T12 Transportation Development Control Policy for New Development
H4 Residential Development within Existing Residential Curtilages

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
CS16 Housing Density
CS17 Housing Diversity
CS29 Communities of the East Fringe of Bristol Urban Area

Supplementary Planning Guidance

South Gloucestershire Design Checklist SPD (Adopted) 2007
South Gloucestershire Council - Residential Parking Standards (Adopted)
December 2013

3. RELEVANT PLANNING HISTORY

- 3.1 None.

4. CONSULTATION RESPONSES

4.1 Parish Council

The site is not situated within a parished area.

4.2 Other Consultees

Coal Authority

Withdrew its original objection as further detailed report has been submitted to address the original concerns.

Highways Drainage

It is recommended that a surface water drainage plan to be submitted prior to the application decision due to the density of this site and the lack of public surface water drainage. Soakaways may not be suitable for this site as they must be located 5 Metres from any structure including the Public Highway. However, the Engineer has no objection to the proposal subject to the inclusion of conditions seeking appropriate Sustainable Drainage Systems and permeable surfacing.

Highway Structures

No comments.

Sustainable Transport

No objection subject to the following conditions seeking the provision of 4 no. parking spaces, details and the implementation of the vehicle crossover, and the details and provision of cycle parking prior to the occupation of the proposed dwelling.

Trading Standards & Licensing Service

The property at 25 Syston Way is located approximately 0.9 miles from the 7.5 tonnes heavy commercial vehicle 'except for access & loading' weight restricted area on Anchor Road, Kingswood.

Other Representations

4.3 Local Residents

A letter of objection has been received and the local resident raises the following concerns relating the proposed rear extension onto the neighbour's conservatory, in particular, the residents need for access to the wall of the conservatory in order to fix any problem in future. In addition, the residents are concerned that leaves and rain could get in the gap and make the wall damp.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The NPPF emphasis is on sustainable growth, including boosting housing supply and building including through windfall development, except where the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policy framework. Policy H4 of the South Gloucestershire Local Plan establish that new residential development on sites within the urban area and the curtilage of dwellings are acceptable in principle, subject to the proposal satisfying other material considerations, such as density, design, residential amenity, and highway safety. Policies CS16 and CS17 of the Core Strategy seek to achieve an efficient use of land, maximise

housing supplied at locations where there is good pedestrian access to frequent public transport services, and provide a mix of housing types.

5.2 Design

Due to the shape of the plot, the western elevation of the property would follow the boundary line and as a result the proposed dwelling would gradually get wider towards the rear. The private amenity space that would be provided for the existing and new dwelling is considered sufficient in this instance. As the design of the new dwelling would be similar to that of the existing dwelling, it is considered that the proposal would not adversely affect the character of the locality. The roof and wall materials would match those of the host dwelling and on this basis would be considered acceptable and in keeping with the general context of the area. The density of development at the site in this location is considered acceptable given that the urban location of the site and the reasonable size of the plot.

5.3 Residential Amenity

The proposed two-storey dwelling would be located within the side curtilage and there would be an access lane along the side elevation of the proposed dwelling. The proposed dwelling would not project beyond the main rear or front elevation of the existing dwelling, No. 25 Syston Way.

The nearest neighbouring property to the proposed dwelling would be No. 7 Chesham Way, which is a two-storey semi-detached dwelling with a secondary window on the first floor side elevation. As the proposed dwelling would sit an angle to this secondary window, officers consider the new dwelling would not cause significant overbearing or overlooking impact upon the neighbouring occupiers.

Officers acknowledge that a local resident of no. 27 Syston Way raised concerns over the proposed single storey rear extension to the existing dwelling. As the proposed rear extension would be erected under permitted development rights, it cannot be considered as part of this application.

Given that the proposed dwelling would not be adjoining No. 27 Syston Way, officers therefore consider that the proposal would not cause unreasonable adverse impact upon this neighbouring property.

5.4 Transportation

The proposal includes two on-site car parking spaces to the front of No. 25 and one new space to the front of the proposed dwelling. The proposed dwelling will also include the existing garage space for no. 25 which although smaller than the Council standard of 3m x 6m is an existing garage/car parking space. The proposed grasscrete crossover to the spaces in front of no. 25 is not a standard highway construction and it is considered that it would be necessary to impose a condition seeking a suitable crossover is constructed prior to occupation of the new dwelling.

The proposed parking spaces are at a location where there is an existing access to the highway where adequate visibility between vehicles and pedestrians exists.

Officers therefore have no transportation objections subject to the following conditions seeking the provision of 4 no. parking spaces, details and the implementation of the vehicle crossover, and the details and provision of cycle parking prior to the occupation of the proposed dwelling.

5.5 Drainage

Highway Drainage Engineer has no objection to the proposal in principle, subject to planning conditions seeking the submission and the implementation of surface water drainage plan and sustainable drainage system. In addition, permeable surfacing would be required.

5.6 Other issues

The applicant is advised of the vehicular weight restriction of the area.

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: Core Strategy (Adopted December 2013) and the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

7.1 That planning permission is granted subject to the conditions and informatives attached to the Decision Notice.

Contact Officer: Olivia Tresise

Tel. No. 01454 863761

CONDITIONS

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

Reason

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

2. The materials to be used in the construction of the external surfaces of the new dwelling hereby permitted shall match those used in the existing adjoining dwelling.

Reason

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

3. The hours of working on site during the period of construction shall be restricted to 08.00- 18.00 Monday to Friday and 08.00 - 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

In the interests of residential amenity and to accord with Planning Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. Prior to the occupation of the proposed dwelling hereby permitted, the 4 no. off-street parking spaces (two for each dwelling) shall be provided in accordance with the submitted and thereafter retained for that purpose. The driveway and parking facilities shall be of a permeable bound surface (i. no loose stone).

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 Planning Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006 and the Council Residential Parking Standards Adopted December 2013.

5. Prior to the commencement of the development, details of two covered and secure cycle parking spaces shall be submitted to and approved in writing by the Local Planning Authority. The proposed cycle parking spaces shall be provided in accordance with the approved details before the occupation of the proposed dwelling hereby permitted.

Reason:

To promote sustainable transport choices and in accordance with Policy T7 and T12 of the South Gloucestershire Local Plan (Adopted January 2006).

6. Notwithstanding the submitted details and prior to the commencement of the development, details of the vehicle crossover from the adjacent carriageway shall be submitted to and approved in writing by the Local Planning Authority. Prior to the first occupation of the proposed dwelling hereby permitted, the said vehicle crossover shall be constructed in accordance with the approved details.

Reason:

To ensure a safe and suitable access is provided in the interest of highway safety and to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. Prior to the commencement of development, surface water drainage details including SUDS (Sustainable Drainage Systems e.g. soakaways if ground conditions are satisfactory), for flood prevention; pollution control and environmental protection shall be submitted to and approved by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

Reason

To minimise the risk of flooding and to comply with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework March 2012.

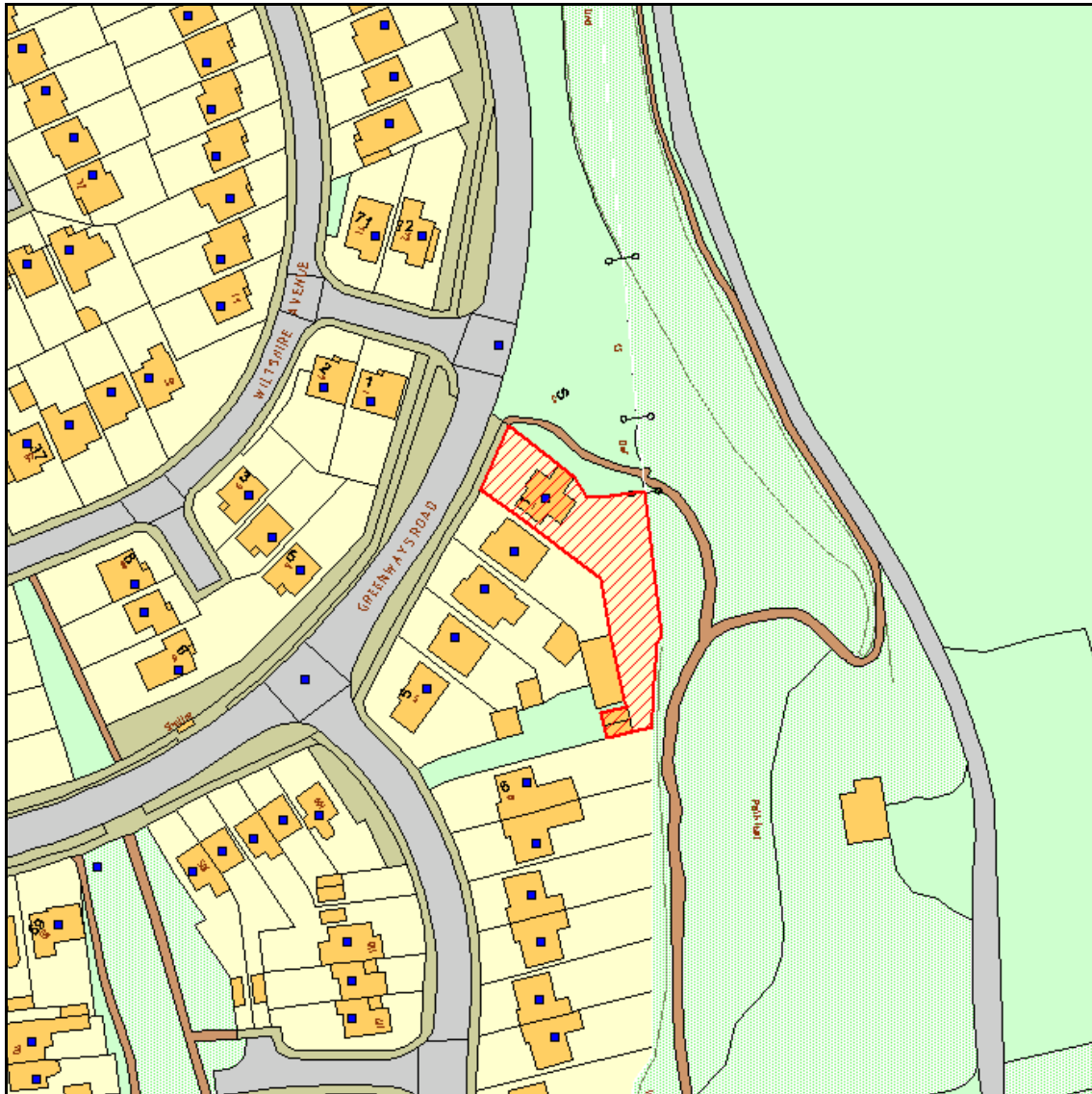
8. The construction of the proposed and replacement dwelling frontage area shall be constructed of appropriate permeable design and materials to ensure surface water run-off is retained at source. Use of permeable surfacing shall be required or rainfall shall be directed to a permeable soakage area (provided it does not cause flooding of adjacent property) within the curtilage of the dwelling.

Reason:

To ensure a satisfactory means of drainage and pollution control in order to comply Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013).

CIRCULATED SCHEDULE NO. 10/15 – 6 MARCH 2015

App No.:	PK14/4642/F	Applicant:	Mr And Mrs G Turner
Site:	1 Dorset Way Yate Bristol South Gloucestershire BS37 7SN	Date Reg:	5th December 2014
Proposal:	Erection of extension and increase in height to existing garage.	Parish:	Yate Town Council
Map Ref:	372182 183338	Ward:	Yate North
Application Category:	Householder	Target Date:	28th January 2015



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PK14/4642/F

REASON FOR REFERRING TO CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule due to the receipt of objection from the Yate Town Council.

1. THE PROPOSAL

- 1.1 The proposal is to extend and increase the height of an existing detached garage at No. 1 Dorset Way, Yate. The garage is constructed of brickwork and the site is situated within a residential area of Yate.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012

National Planning Practice Guidance March 2012

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006

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

L1 Landscape Protection and Enhancement

T12 Transportation Development Control Policy for New Development

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007.

South Gloucestershire Residential Parking Standards SPD

3. RELEVANT PLANNING HISTORY

- 3.1 PK03/0295/F Erection of replacement rear conservatory. Approved
19.03.03

4. CONSULTATION RESPONSES

4.1 Yate Town Council

Objection. Yate Town Council request that the SGC tree officer is consulted, and secondly that a tree survey and arboriculture method statement is prepared to ensure that the adjacent trees shall be adequately protected through the construction works. It should also be noted that at section 7 of the application form 'Trees and Hedges', the question as to whether there are trees, either within or adjacent to the property, which are within falling distance of the proposed development, the box is ticked NO when this is clearly not the case. Our objection goes beyond the current officer comment, and makes clear a method statement is needed and there is a need to ensure the trees and their roots and canopy are protected.

Highway Drainage

No comment

Tree Officer

No objection to the proposal, however, it will be necessary for the applicant to submit a Method statement clearly outlining the methods of build and storage of building materials/ mixing of cement etc in order to prove that they will not be working within the root protection area of the tree in accordance with BS:5837:2012. Root Protection areas – for single stem trees, the RPA should be calculated as an area equivalent to a circle with a radius 12 times the stem diameter at 1.5m.

Community Space

The Community Spaces team has no objection to the application. The site abuts onto the boundary of Ridgewood Local Nature Reserve. The reserve is managed by SGC. The site plan shows the garage extension coming up to the boundary with the woodland. Works should make allowance to protect any trees that are overhanging / on the boundary with the woodland. Any proposed works to trees will require agreement from this Authority.

Other Representations

- 4.2 Local Residents
No comments received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

5.2 Design

The proposed garage is considered to be of an appropriate standard in design and is not out of keeping with the character with the area or surrounding properties. The garage is of an acceptable size in comparison to the surrounding buildings, the plot, the site and the surroundings. Additionally, the external material for the construction of the proposed extension would match that of the existing building.

5.3 Residential Amenity

The length, size, location and orientation of the proposals are not considered to give rise to any significant or material overbearing impact on adjacent properties. In addition, it would not adversely affect the garden space of the host dwelling.

5.4 Transportation

The proposal would only enlarge the size of the existing garage, therefore there is no highway objection to the proposal.

5.5 Arboricultural issues

Officers acknowledge that Yate Town Council objects the proposal.

The proposal is to extend the garage by 2 metres further into the back garden. There is a Tree preservation Order on ridge woods which form the boundary of the site which has caused some concern in relation to comments submitted by other parties.

Officers noted that there is 1 no. small Holly tree to the north east of the proposed garage, however, the root protection area of the tree would not extend within the proposed development area.

Due to the proximity of the existing trees, officers consider that it would be appropriate and necessary to impose a planning condition seeking a method statement clearly outlining the construction methods and the storage of building materials/ mixing of cement etc, to ensure that the root protection area of the tree would not be adversely affected and to ensure the works around the tree will be carried out in accordance with BS:5837:2012.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That planning permission is granted subject to the following conditions:

Contact Officer: Olivia Tresise
Tel. No. 01454 863761

CONDITIONS

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

Reason

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

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

Reason

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

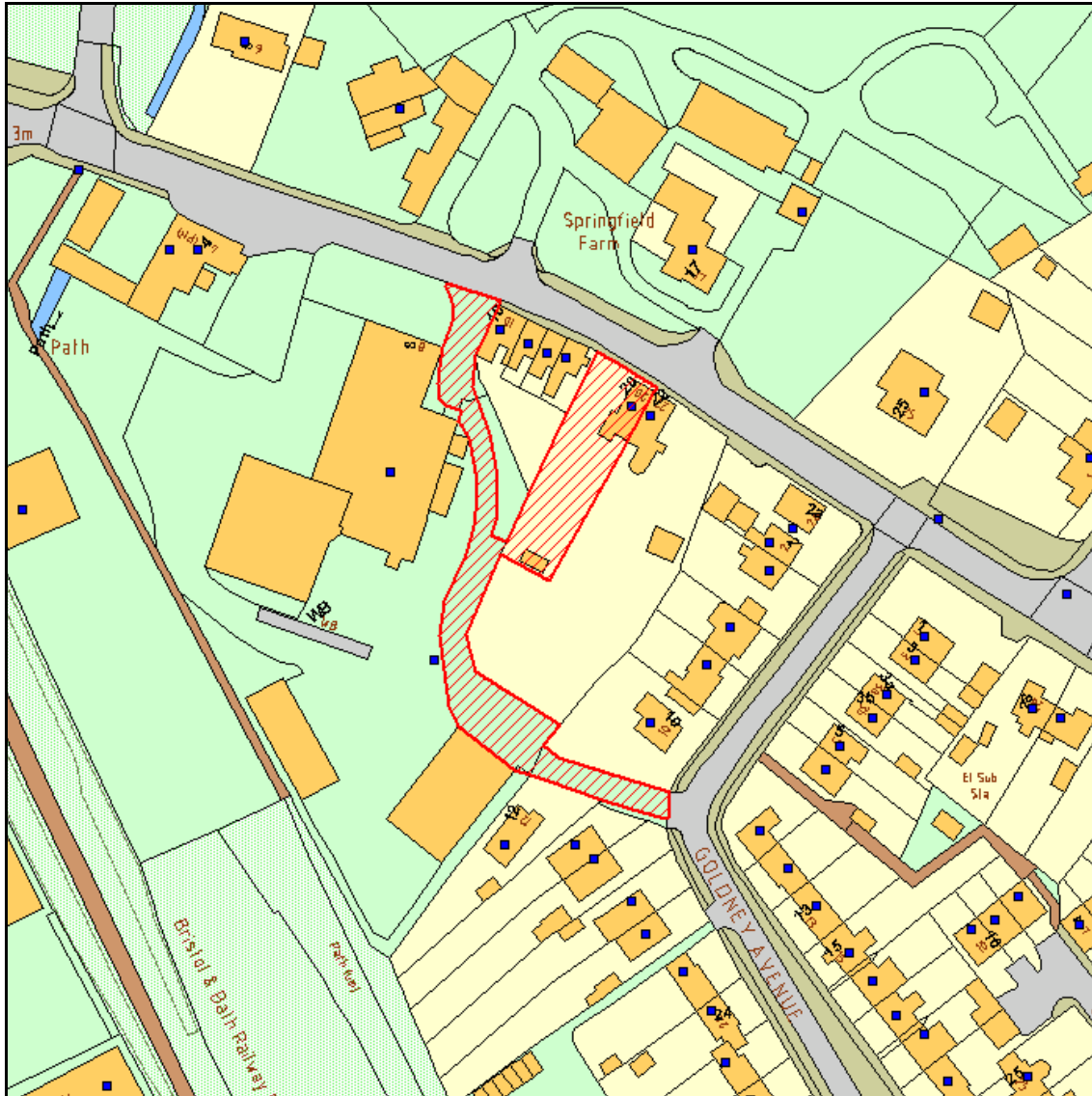
3. Prior to the commencement of the development, a method statement clearly outlining the construction method and the storage of building materials shall be submitted to and approved in writing by the Local Planning Authority. There shall be no working within the root protection area of the Holly tree to the north east of the proposed extension hereby permitted and the works shall be carried out in accordance with B5837:2012. For the avoidance of doubt, the Root Protection Areas for single stem trees shall be calculated as an area equivalent to a circle with a radius 12 times the stem diameter at 1.5 metres.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of the health and visual amenity of the tree, and to accord with The Town and Country Planning (Tree Preservation) (England) Regulations 2012 and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013).

CIRCULATED SCHEDULE NO. 10/15 – 6 MARCH 2015

App No.:	PK14/4804/F	Applicant:	Mr B Trent
Site:	20 London Road Warmley Bristol South Gloucestershire BS30 5JB	Date Reg:	13th January 2015
Proposal:	Erection of 1no. attached dwelling with associated works.	Parish:	Siston Parish Council
Map Ref:	367307 173439	Ward:	Siston
Application Category:	Minor	Target Date:	9th February 2015



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of 1no. attached dwelling with associated works. The application site relates to a two-storey semi-detached cottage situated within the established settlement of Warmley. Access to the existing parking and garage area to the rear is across land owned by the adjacent agricultural feed merchant. The proposed dwelling would be situated in the side garden associated with No. 20 London Road, Warmley.
- 1.2 During a site visit the Officer noted two gates, one to each of the entrances into the feed merchant. Information provided by the agent has confirmed that the current occupiers of No.20 London Road (and other neighbours) have a right of access into the site and therefore the existing parking/garage space serving No. 20. The matter of a right of access to the proposed parking area for the new dwelling has been discussed between Officers and the applicant during the course of the application. It has also been suggested that there are ongoing discussions between the agricultural feed merchant and neighbours regarding the removal of the gates, however, this is not a planning matter and cannot be discussed under this report.
- 1.3 During the course of the application a letter was received from the owners of the adjoining mill stating that the applicant has no right of access across their property. The applicant was informed of this and has elected to provide additional information from their solicitor to prove they do have right of way. Advice from the Council's solicitor has indicated that notice of the development has been correctly served regarding the proposed access over land belonging to another. It is further acknowledged that the documents supplied by the applicant rather than showing definitive proof, point to the possibility of an ongoing dispute regarding this matter. To tie the parking to the dwelling, should this application be recommended for approval a condition attached to the decision notice would state that access to the site must be from London Road only and an informative would emphasise that before any works commence the legal rights to achieve the access should be made certain.
- 1.4 One letter of objection from a local resident has been received outside the timescale. As an extension of time for the application has been agreed between the LPA and the applicant it is appropriate that the issues raised by the neighbour be considered in full.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012
National Planning Practice Guidance 2014

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

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

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

3. **RELEVANT PLANNING HISTORY**

3.1 K321 Use of land for the stationing of a mobile home
Refused 28.8.74

4. **CONSULTATION RESPONSES**

4.1 Siston Parish Council
No objection

4.2 Other Consultees

Highway Structures
No comment

Sustainable Transport
No objection subject to a condition relating to parking spaces

Highway Drainage
No objection subject to an informative relating to flood risk

Archaeology

The proposal to create a new property directly adjacent to the current property is located directly over what may be historic remains relating to Crown colliery. The 1st edition OS map shows a building in this location and this and other historic mining activity may still be present, despite the later building works including the building of number 20 London Road.

As such a HC11 condition for a programme of archaeological work needs to be applied to any consent granted. This will take the form of a watching brief, with provision for excavation.

Other Representations

4.3 Local Residents

One letter of objection has been received from a local resident outside the timescale for consultations. However, the point raised have been copied in full below:

- A presumption is to be made that the new dwelling would become 20a an independent dwelling not to be sub-divided into apartments?
- For consideration: 1. The development is to involve ground work and disturbance of this colliery site and the associated soil. 2. To prevent 'with associated works' impacting the movement of traffic along the A420 road I hereby request the feasibility of double yellow line/restrictions prior to commencement of work. This is a safety concern due to the volume of traffic and the contour of the A420 road. 3. Previous development for HGV access into/out of A Nichols (Agricultural suppliers) indicated the concerns of large vehicle movements due to the blind nature/contour of the A420 road.
- Objections: 1. No access to be attempted direct to site from the A420 road for either completed dwelling or temporary 'associated works'. There has never been access at this point (i.e. drop curb across pedestrian footpath). 2. Vehicle access into /out of A Nichols property must be in alignment with any previous Town and Country Planning Act agreement for control of vehicle movements. This statement refers only to vehicle movement and not commercial hours of operation. 3. Should South Gloucestershire Council Dept for Environment and Community Services receive a request for further adjustment to the application PK14/4840/F objection must be considered for any further sub-dividing of this property. Again vehicle movement and the impact to the existing infrastructure is a concern.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application stands to be assessed against the above listed policies and all other relevant material considerations. Given the location of the proposal within a settlement boundary, saved Policy H4 of the South Gloucestershire Local Plan is supportive of new development including new dwellinghouse within existing residential curtilages. It is, however, important that the overall design of the proposed new dwelling is fully assessed and the impact it could have on both the existing dwelling and that of the character of the area in general. Additionally, the impact on the residential amenity of neighbours and existing and future occupiers must be considered and the impact the proposal would have on highway safety and parking.

The proposal is considered to accord with policy and this is discussed in more detail below.

5.2 Design and Visual Amenity

The application site relates to a modest two-storey semi-detached stone fronted cottage situated adjacent to the busy A420 Road in Warmley. The cottage benefits from a small two-storey side/rear extension and a single storey

rear conservatory. It benefits from a good size side garden where the proposed new attached dwelling would be located and also a good size rear garden which would be split lengthways to serve both properties. To accommodate the development the existing two-storey side/rear extension would be demolished and replaced by a two-storey rear extension and single storey conservatory.

5.3 The proposed attached dwelling would be handed to complement the existing dwelling and in this way its two-storey rear extension would be attached to that of the existing dwelling. It is acknowledged that these two-storey structures would be slightly larger than the original rear extensions in terms of height and footprint but their ridge height would remain subservient to the host property. In terms of the design, scale and massing the proposal would be in-keeping with properties in the area.

5.4 The pair of semi-detached cottages contribute to the historic street scene and as such matching materials are considered important. Natural stone used in walls and the houses is a prominent feature in this immediate area. The application form incorrectly identifies the materials of the existing dwelling as being block and render and that the proposed dwelling would be to match. This would be unacceptable given that the proposed dwelling would create a terrace of 3. A condition would be attached to the decision notice to ensure that the front elevation of the proposed dwelling matches that of the current dwelling which is natural stone with attractive yellow brick detailing around windows, doors and quoins. This condition would ensure the development remains in-keeping with the character of the area. In terms of the design, scale and massing the proposed dwelling is considered acceptable. In addition it is noted that the existing house and its attached twin have an attractive red, yellow and black brick low wall as their front boundary. This wall does not continue across the front of the garden where the new dwelling would be located but instead is comprised of a low natural stone wall with stones on end capping off the top. This wall complements the stone wall opposite and other examples making up similar front boundaries can be seen in close proximity to the application site. It is considered that the retention of this feature is important. A condition will be attached to the decision notice to ensure the feature remains part of the street scene.

5.5 Residential Amenity

The closest property to the application site to the west is No. 18 London Road. This forms the end of a small terrace of cottages. This dwelling has no openings in the opposing elevation but a small side extension is present. This has a door opposite the location for the proposed dwelling but it is assumed that the structure is a small storage area, with no direct access into the dwelling itself. No. 18 also has a series of single storey rear extensions with openings which face east. The two sites are however, separated from each other by boundary treatments of approximately 1.8 metres in height. These comprise a mixture of fencing and low brick wall and fencing. No windows are proposed in the side elevation of the new dwelling and as such it is considered there would be no issues of inter-visibility or direct overlooking resulting from the new dwelling.

- 5.6 To the east No. 22 London Road is separated from the application site by fencing of approximately 1.8 metres in height. The proposed two-storey rear extension is to be positioned furthest away from this neighbour and it is therefore considered that given the orientation, the neighbour would not suffer any adverse loss of sunlight and furthermore, there would be no issues of overbearing or inter-visibility resulting from the development. The resulting garden space for both the existing and the proposed dwelling would be long and narrow, but this is quite typical of cottages and not unusual for other properties in the area. The impact on residential amenity is therefore considered acceptable.
- 5.7 Sustainable Transport
The proposal indicates the provision of 2no. off street parking spaces for each of the dwellings. This parking is to be located to the rear of the dwellings and accessed through the yard of A. Nichols, an agricultural feed merchant operating in Warmley. During the Officer's site visit it was clear that this area is used by local residents to park their cars but at the same time large gates were noted at the two entrance/exists into the yard. One of these gates to the rear of the site was locked during the Officer's site visit. Subsequent details received from the agent have confirmed that the current occupants of No. 20 have a right of access across this land. This of course does not mean that this arrangement would automatically continue for the new dwelling and additional details have been sought from the applicant with regard to the right of access. Information provided has confirmed the existing arrangement and it has now been indicated to Officers that negotiations between the applicant and the owners of the mill are continuing. As mentioned above the Council's solicitor is of the opinion that this civil matter between the two parties must be addressed and proven to the satisfaction of the LPA before commencement of development. Without this agreement the parking for the proposed new dwelling would not be possible and without the appropriate off street parking, the application would be unacceptable. The applicant has been informed of the advice given by the Council's solicitor.
- 5.8 The amount of off-street parking provision proposed is considered to accord with current adopted policy and the spaces will be conditioned to ensure that they are available for use with the new dwellinghouse.
- 5.9 Concerns from a local neighbour have been received by the Council. A request for the *feasibility of double yellow lines* outside the proposed new dwelling has been received. The reason given was to prevent the works impacting on the movement of traffic along the A420. It is noted that the site is alongside a busy road but this is not an unusual situation for construction sites in the area. Given that access to the site could be achieved from the rear, the suggestion of introducing double yellow lines to the front of the property is neither reasonable nor practicable in this instance. No suggestion has been made that a dropped curb would be introduced to the front of the proposed or existing dwelling.
- 5.10 Further concerns have been expressed regarding the *blind nature/contour of the A420 road*. It must be noted that this is an existing situation whereby the current access is used by vehicles, both commercial and private, using the feed merchant, and by occupants of other houses in the immediate area to gain

access to parking and garage areas. The introduction of a single dwelling at this point is therefore unlikely to have a major impact on the amount of traffic using this site entrance/access. The situation has been fully assessed by Officers and is considered acceptable.

5.11 Environmental Protection

The proposed dwelling would be located in a built up residential area of Warmley. The proposal is therefore considered not to give rise to any adverse environmental issues itself and similarly there are unlikely to be any adverse issues resulting from the feed merchant given its location in a heavily built up area.

5.12 Other Matters

The objector has stated that the assumption is that the proposed house would not be sub-divided into apartments. Officers can only consider the proposal as submitted and cannot make other presumptions regarding what might happen in the future. However, the conversion of an existing dwelling into flats would require planning permission and such a proposal would be thoroughly assessed using the appropriate planning policies.

A comment has been received stating the development would disturb a colliery site. Council records do not show this as having been a colliery site or being located within a high risk area. A telephone call to the Coal Authority has confirmed this and as such they have not been required to provide a formal consultation response.

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. Access to the parking area may only be achieved from London Road to the rear of the site as shown on plan PLN-1. Prior to occupation of the new dwelling the proposed parking spaces as per approved plan PLN-1 shall be provided. Thereafter, the development shall proceed in accordance with the agreed parking and access scheme and thereafter retained for that purpose.

Reason

To ensure the satisfactory provision of parking and access 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 and Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013.

3. Prior to the first occupation of approved development a plan indicating the design, height and confirmation of materials to be used in the front boundary wall adjacent to London Road shall be submitted to the Local Planning Authority for approval. The boundary treatment shall be completed before the building is occupied. Development shall be carried out in accordance with the approved details.

Reason:

To protect the character and appearance of the area to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 and Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies)

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

Reason:

To protect the character and appearance of the area to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 and Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies)

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

Reason

To minimise disturbance to occupiers of nearby dwellings and to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies).

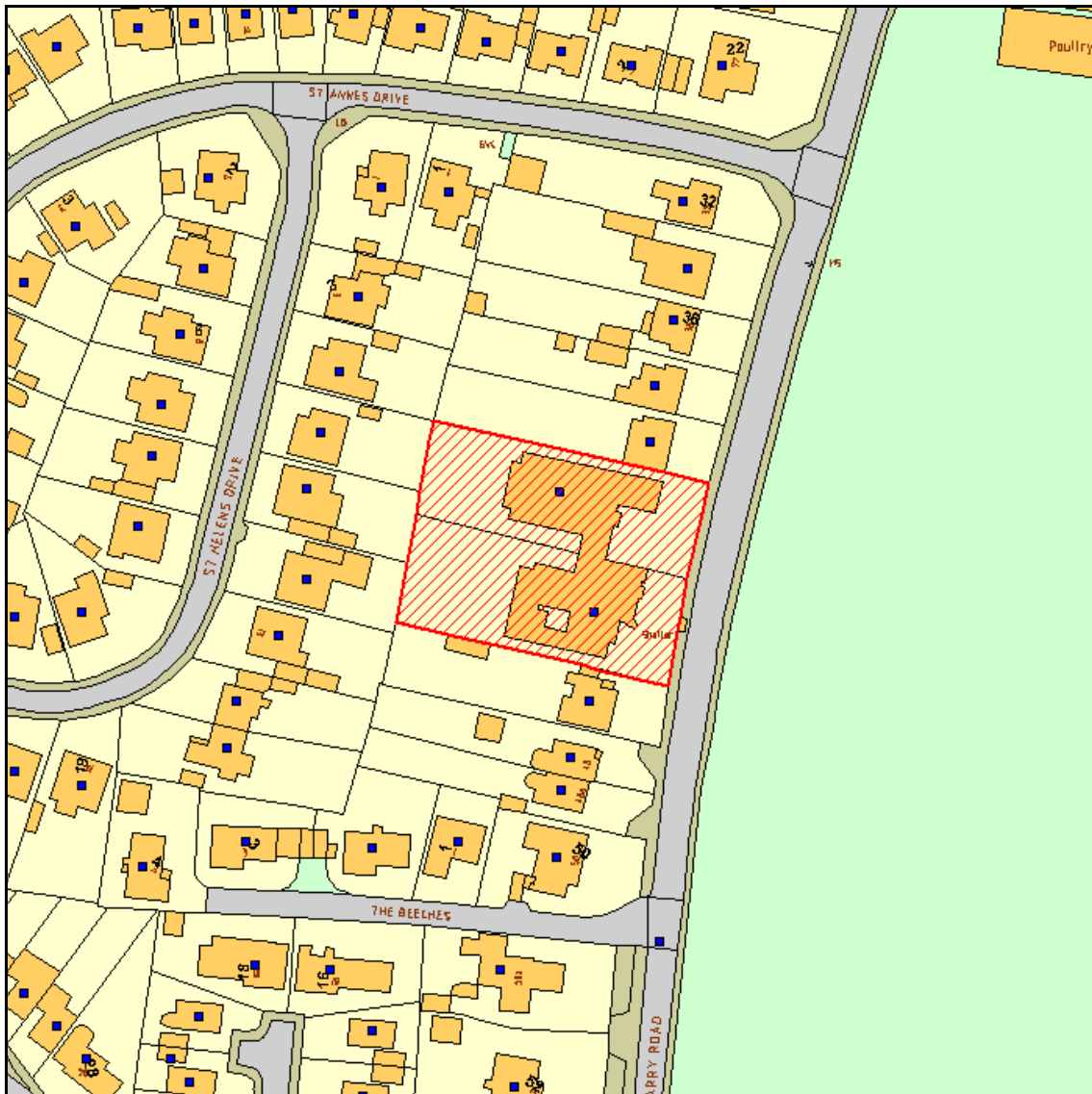
6. Prior to the commencement of development a programme of archaeological investigation and recording for the site shall be submitted to and approved by the Local Planning Authority. Thereafter, the approved programme shall be implemented in all respects, unless the Local Planning Authority agrees in writing to any variation.

Reason

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

CIRCULATED SCHEDULE NO. 10/15 – 06 MARCH 2015

App No.:	PK14/4830/F	Applicant:	Little Croft Care Home
Site:	44 Barry Road Oldland Common South Gloucestershire BS30 6QY	Date Reg:	16th December 2014
Proposal:	Erection of a single storey rear extension to form additional bedrooms and lounge.	Parish:	Bitton Parish Council
Map Ref:	367260 170949	Ward:	Bitton
Application Category:	Minor	Target Date:	5th February 2015



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N.T.S.

PK14/4830/F

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

The application is circulated as a result of the objections from Bitton Parish Council and a neighbour, which conflict with the officer recommendation.

1. THE PROPOSAL

1.1 The proposal is to extend this long established care home (C2) by addition of a further single storey extension to the rear which would facilitate four additional bedrooms and another lounge area at the rear of the site. The resultant care home would have 41 bed spaces. Parking and access would not be affected and materials are proposed to match those of the existing care home.

1.2 The site is located in an urban area of Oldland Common.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012

2.2 Development Plans

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

T8 Parking Standards

T12 Transportation Development Control for new development

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design

CS5 Location of development

CS17 Housing diversity

2.3 Supplementary Planning Guidance

SG Design Guide

3. RELEVANT PLANNING HISTORY

3.1 PK09/5009/F Erection of single storey extension within courtyard to form bathroom. Installation of 2no. windows to south elevation. Approved 11.09.2009

3.2 PK06/1338/F Erection of single storey side and rear extensions to provide 3 no. additional bedrooms and additional communal space. (Resubmission of application PK05/2671/F) Approved 02.06.2006

3.3 PK05/2671/F Erection of single storey rear extensions to provide additional living space and bedrooms. Refused 02.11.2005

3.4 P97/4172 Erection of single storey rear extension Approved 27.06.1997

3.5 K4790/8 ERECTION OF SINGLE STOREY REAR EXTENSION (Previous ID: K4790/8) Approved 19.06.1995

- 3.6 K4790/7 ERECTION OF SINGLE STOREY REAR EXTENSION (Previous ID: K4790/7) Approved 07.11.1994
- 3.7 K4790/6 SINGLE STOREY REAR EXTENSION (Previous ID: K4790/6) Approved 04.10.1991
- 3.8 K4790/5 SINGLE STOREY SIDE EXTENSION (Previous ID: K4790/5) Approved 29.10.1990
- 3.9 K4790/4 TWO STOREY SIDE EXTENSION AND SINGLE STOREY REAR EXTENSION TO ELDERLY PERSONS HOME (Previous ID: K4790/4) Approved 11.09.1989
- 3.10 K4790/3 TWO STOREY SIDE EXTENSION TO RESIDENTIAL REST HOME FOR THE ELDERLY (Previous ID: K4790/3) Refused 10.04.1989
- 3.11 K4790/2 TWO STOREY SIDE EXTENSION (Previous ID: K4790/2) refused 09.09.1988
- 3.12 K4790/1 SINGLE STOREY SIDE EXTENSION (Previous ID: K4790/1) Appraised 05.05.1987
- 3.13 K4790 CHANGE OF USE TO RESIDENTIAL REST HOME. (Previous ID: K4790) Approved

4. CONSULTATION RESPONSES

- 4.1 Bitton Parish Council
Objection on the following grounds
 - represents an over-intensification of use of the site.
 - significant loss of community and amenity space.
 - Concern about possible effective evacuation in the event of an emergency.
- 4.2 Other Consultees
Trading Standards & Licensing Service
No objection but information about local road restrictions supplied for an informative.
- 4.3 DrainageTeam
No comment
- 4.4 Sustainable Transport
No objection

Other Representations

- 4.3 Local Residents
One objection received on the following grounds:
 - The property have been extended successively since 1986 by buildings further into the garden and extending the building in height too.
 - This will reduce the size of the open space in the garden further

- The proposal will run along the entire length of the writers back garden and is too close to the writer's property.
- The additional bedrooms will create greater footfall to the property and inevitably more noise and disturbance to the neighbourhood.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The proposal is for a modest addition to an existing site and as such policy CS1 is the main policy in dealing with this application and this deals with siting, features of the site and how the proposal relates to the wider site area. Landscaping and orientation should also be considered. Whilst not strictly related to extension to Care homes (C2 use class) policy CS17 acknowledges that housing developments need to contribute to the provision of homes for older people which this care home does once the inhabitants need such care as is provided here. The NPPF also promotes healthy communities and as this is an expansion of an existing care home, integrated within an existing residential area then the proposal is considered acceptable in principle subject to the following considerations.

5.2 Siting, orientation, visual amenity

The proposal is located in the rear garden of this 37 bed care home known as Little Croft Care Home and occupying the joined buildings of 42 and 44 Barry Road. Properties in Barry Road have long rear gardens and this care home has previously taken advantage of the depth of garden to extend rearwards on each side of the now joined sites as evidenced by the history listed above. This proposal is single storey and will be tagged onto another single storey extension to the building on the southern side of the site. The proposal is orientated so as to gain best use of the remaining garden which is sufficient to cater for the needs of the care home. The proposal is to be finished in roughcast render and brown regent tiles and as such is acceptable in appearance in relation to the original building. It would no impact on the street scene as it will be wholly within the rear garden.

5.3 Residential amenity

Beside the proposal, in the garden belonging to 46 Barry Road, is a large long shed. On the application side is a line of young trees/overgrown hedge which, together with the neighbours shed and raised ground level in the neighbours garden prevent the proposal from having any overbearing effect on that neighbour. The proposal would extend 10m rearwards toward the boundary at the rear of the site but retain approximately 13m garden depth at that location. A timber fence and garden sheds are located along that boundary such that the proposal would cause no loss of privacy from the proposed ground floor extension toward the houses at the bottom of the garden. This setting is also adequate to prevent harm from the bulk of the ground floor proposal to the residential amenities of neighbours adjoining the side and rear boundary of the site. Furthermore given the nature of the care home a reduced garden area and the raising of the overall bed spaces from 37 to 41 would not materially affect the residential amenity of the neighbours.

5.4 Landscaping

The small run of young trees/overgrown hedge alongside the neighbours shed are not worthy of specific protection.

5.5 Transportation

The applicant seeks to facilitate four additional bedrooms and a new lounge associated with the existing care-home facility on site. Access to the property is via an existing vehicular access onto Barry Road on the A4175. The road is fairly straight with good forward visibility and there are acceptable visibility splays from the site entrance onto the public highway.

There is a large tarmacked open area to the front of the building which provides off street parking for staff and visitors. In a statement submitted with this application, the applicant confirms that there are sufficient space for parking on site for up to seven cars. Officers have visited the site and confirm that there is no parking issue at this location although it is considered that the existing car park would benefit if the spaces were marked out with white lining. It is also noted that the site is accessible by public transport which runs directly past the site with a bus stop on each side of the road, immediately outside the property. In view of the above mentioned therefore, there is no highway objection to this application. The agent has been requested to show how the frontage of the site may be laid out with parking spaces marked and still provide three cycle parking loops. This has been received and it is considered necessary to impose a condition to ensure white lining of the parking layout and the cycle parking stands are provided.

5.6 Other issues

The Parish Council have raised the matter of effective evacuation in the event of an emergency. Whilst this is a valid concern for the care home and any regulatory bodies, it is not material to the planning merits of the case but may, if those regulatory bodies have concern, require alteration to the scheme. An informative is added to the decision notice to bring this matter to the attention of 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 planning permission is granted subject to the conditions set out below.

Contact Officer: Karen Hayes
Tel. No. 01454 863472

CONDITIONS

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

Reason

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

2. Prior to occupation of the new extension the parking spaces shall be marked out with white lining in accordance with the 'car and cycle parking layout' received on 26/2/2015 and shall be maintained as such thereafter.

Reason

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

3. Prior to occupation of the new extension the three cycle loops shown on the 'car and cycle parking layout' received on 26/2/2015 and shall be installed and maintained as such thereafter.

Reason

To encourage means of transportation other than the private car, to accord with Policies T7 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 10/15 – 6 MARCH 2015

App No.:	PK15/0250/RVC	Applicant:	McDonalds Restaurant Ltd
Site:	McDonalds Restaurants Aspects Leisure Park Leisure Road Kingswood Bristol, South Gloucestershire	Date Reg:	
Proposal:	Variation of Condition no. 2 attached to PK05/0177/RVC to vary the time for drive thru restaurant to be open to customers, from 6am until midnight to 5am until 2am daily.	Parish:	Hanham Parish Council
Map Ref:	365400 172279	Ward:	Hanham
Application Category:	Minor	Target Date:	17th March 2015



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 100023410, 2014. **N.T.S.** **PK15/0250/RVC**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

1.1 The application has been submitted under section 73 of the Town and Country Planning Act 1990 and seeks permission for the variation of condition 2 attached to planning permission PK05/0177/RVC to extend openings hours of the drive thru restaurant in order that it can open to customers from 05:00 to 02:00 daily.

1.2 Condition 2 on application PK05/0177/RVC currently reads as follows:

The drive-thru restaurant shall not be open to customers outside the following times: 0600 hours to 0000 hours.

Reason

To safeguard the amenities of the locality, and to accord with Policy EP1 of the South Gloucestershire Local Plan (Revised Deposit Draft).

1.3 The application relates to an existing McDonalds drive thru restaurant which is situated within Aspects leisure park to the northeast of the access from Kingsfield Roundabout on the A1474 Ring Road.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Practice Guidance 2014

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS5 Location of Development
CS9 Managing Environment and Heritage
CS29 Communities of the East Fringe

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

T12 Transportation Development Control Policy
RT8 Small Scale Retail Uses within the Urban Area

2.3 Supplementary Planning Guidance

None relevant

3. RELEVANT PLANNING HISTORY

3.1 PK12/2754/ADV - Display of 1no. internally illuminated gateway sign / height restrictor monolith, relocation of 2no. internally illuminated single triple menu

units and 2no. internally illuminated new single triple menu units. Approved 17th September 2012

- 3.2 PK12/2752/F - Relocation of gateway height restrictor and installation of 2no. new customer order display units with associated works to make good paved area. Approved 17th September 2012
- 3.3 PK09/0391/RVC - Variation of condition 14 attached to planning permission P96/4646 dated 2nd June 1996 to extend the time that the restaurant is open to the public to 5.00am to 12.00 midnight Sunday to Wednesday and 5.00am to 2.00am Thursday to Saturday (drive thru only after 11 pm) for a temporary period of 12months. Refused 24th April 2009
- *By reason of the potential generation of noise and disturbance from the operation of the restaurant between the hours of 2400 to 0200 Thurs - Sat and 0500 to 0600 Mon-Sun incl. the proposal would result in levels of disturbance which would be harmful to the residential amenity of the nearby residential properties, contrary to Policy EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.*
- 3.4 PK08/2344/F - Removal of 1no. external ordering booth. External alterations to facade, including new cladding panels and respraying of window frames in green (code RAL 6015). Approved 2nd October 2008
- 3.5 PK08/2299/ADV - Display of 3 no. internally illuminated fascia signs, 3 no. non illuminated hoarding signs, 1 no. internally illuminated height restriction bar, 1 no. internally. Approved 10th October 2008
- 3.6 PK08/0909/RVC - Variation of condition 14 attached to previously approved planning permission P96/4646 dated 2nd June 1998, to extend the opening hours to 0600 to 2400 Sunday to Wednesday and 600 to 0200 Thursday to Saturday for a 12 month temporary period. Refused 19th May 2008
- *By reason of the potential generation of noise from the operation of the restaurant between the hours of 2400 to 0200 hours, the proposal would result in levels of disturbance which would be harmful to the residential amenity of the nearby residential properties, contrary to Policy EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.*
- 3.7 PK07/2703/RVC - Variation of condition 2 attached to planning permission P96/4646 dated 2nd June 1996 to extend the time that the drive thru restaurant is open to the public to 6.00am to 12.00 midnight Sunday to Wednesday and 6.00am to 2.00am Thursday to Saturday. Refused 27th November 2007
- *By reason of the potential generation of noise from the operation of the "drive-thru" between the hours of 2400 to 0200 hours, the proposal would result in levels of disturbance which would be harmful to the residential amenity of the nearby residential properties, contrary to Policy EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.*
- 3.8 PK05/0177/RVC - Variation of condition 14 of planning permission P96/4646 dated 2nd June 1996 to extend the time that the drive thru restaurant is open to the public to 6.00am to 12.00 midnight 7 days a week. Approved 6th April 2005

- *The drive-thru restaurant shall not be open to customers outside the following times: 0600 hours to 0000 hours.*
- 3.9 *P96/4646 - Erection of Multiplex Cinema, Entertainment Centre, Restaurant, Cafe, Public House, Drive-thru Restaurant, Sports Centre, All- Weather Playing Area and associated works. Approved 2nd June 1998*
- *The drive thru restaurant hereby permitted shall not be open to the public other than between the hours of 7.00am and 11.00pm on any day.*

4. CONSULTATION RESPONSES

- 4.1 Hanham Parish Council
This application was considered at a meeting of Hanham Parish Council on 4th February 2015 and there were no comments.
- 4.2 Oldland Parish Council
No response received.
- 4.3 Environmental Protection
No adverse comment
- 4.4 Transportation DC
No objection
- 4.5 Drainage Engineer
No comment
- 4.6 Crime Prevention Design Officer
In order to comply with the National Planning Policy Framework this application can be granted with the conditions relating to the following –
- Fixed external seating to be removed.
 - Security throughout opening hours.

Other Representations

- 4.7 Local Residents
Two letters of objection have been received from local residents. These can be summarised as follows:
- Noise from the car park.
 - Noise into unsociable hours.
 - Encourage traffic into the area.
 - Highway safety issues.
 - High risk area for crime and police call outs.
 - Hours would put extra strain on police at a busy time.
 - Noise from drag racing and performance cars.
 - Encourage people to congregate 24hrs a day.
 - Disturbance to residents.
 - Smell of cooking 21 hours a day making it impossible for residents to open their windows.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application has been submitted under section 73 of the Town and Country Planning Act 1990 which allows applications to be made for permission to develop without complying with a condition(s) previously imposed on a planning permission. The local planning authority can grant such permission unconditionally or subject to different conditions, or they can refuse the application if they decide that the original condition(s) should continue

5.2 Since the determination of application PK05/0177/RVC there have been a number of changes in both national and local planning policy. Policy EP1 of the SGLP (2006), which appears in the reason for condition 2, has been superseded as a result. The principle of protecting residential amenity is however outlined within the NPPF (2012) core planning principles and as such remains a pertinent issue. It is therefore considered that the change in policy since the determination of the previous application does not materially alter the assessment of the current application.

5.3 The reason for restricting opening hours under condition 2 on application PK05/0177/RVC was to safeguard the amenities of the locality. The pertinent issue to consider therefore is the impact that the proposed extended opening hours would have on the amenity of the nearby occupiers. Other relevant matters include the impact of the development on highway safety and on the environment.

5.4 Residential Amenity

It is noted that three applications have previously been submitted in order to extend opening hours in the years 2009, 2008 and 2007 but have in each time been unsuccessful. The reason for refusal in all three applications relates to potential generation of noise from the use and the impact this could have on the nearby residential properties.

5.5 The nearest residential properties to the application site are situated to the southwest on the opposite side of the junction into Aspects Leisure Park. The rear boundaries of the nearest neighbouring occupiers are at least 40 metres from the far southwest boundary of the car park serving the drive thru restaurant and approximately 80 metres from the restaurant building itself. It is noted that there is a junction and a landscaped buffer between the residential properties and the application site. The drive thru function is contained predominantly to the area surrounding the building itself and the restaurant has some outdoor seating areas. The rest of the site consists of a car park. It is considered that the main noise from the building would be from the ventilation system associated with the restaurant, the use of the drive thru, and the cars accessing the site and using the car park.

5.6 In order to address the previous refusals on this site the applicant has submitted a supporting noise impact assessment. The noise impact assessment is on the basis of the use being open to customers 24 hours a day. The report finding summarises that the specific noise from the roof top plant (which contained the ventilation and extraction system) on the building is

predicted to be at a level at worst 8db less than the quietest measured backgrounds LA90,5 min. This is measured from the closest receptor façade. Surveys on existing noise levels were carried out during the very late night/early morning hours. The report identifies that according to the BS 4142 criteria, the noise transmitted from the roof top plant equates to a level 13dB less than that of 'marginal significance', and gives a good indication that complaints are unlikely.

- 5.7 The report summarises that no significant noise is predicted from entry and egress of door opening/ closing in the car park area or from vehicles using the drive thru facility. Vehicles in the car park would be at a low speed in particular when using the drive thru function. The report makes recommendations for good practice management measures in order to mitigate any potential noise overnight. These include signage and configuration of external plant control systems.
- 5.8 It is also noted that the properties in the locality would already experience a degree of existing background noise during the night time by virtue of the A4174 Ring Road which is situated in close proximity to the south, and from the nearby mix of uses including those within Aspects Leisure Park and the 24hr Asda store which is situated on the eastern side of the Ring Road. It is acknowledged that traffic during the night time is much less than the daytime but would still be in use by vehicles of all sizes and as such background noise can be expected.
- 5.9 Within previous application the Local Planning Authority had not been in receipt of the noise impact assessment summarised above and had acted cautiously in retaining the opening hour condition in order to protect the amenity of nearby occupiers. It is however considered that the noise impact assessment undertaken by the applicant has now provided adequate evidence that the use of the site would not have an unacceptable impact on the nearest neighbouring occupiers especially given the distance of at least 40 metres from boundary to boundary and due to the location within a close proximity to the A4174. It is also noted that the building has an existing extraction and ventilation system to control odour which would continue to be used throughout the proposed opening hours thus controlling odour. Affects from significant levels of noise and odour also benefit from alternative action under the Environmental Protection Act outside of planning control. Weight is also afforded to the fact that the Environmental Protection Team has raised no objection to the proposed extended opening hours.
- 5.10 As stated within paragraph 206 of the NPPF, which is further reiterated within the NPPG, planning conditions should only be imposed where they are: necessary, relevant to planning, and to the development permitted, enforceable, precise and reasonable in all other respects. It is considered that the evidence submitted by the applicant has demonstrated that the condition imposed by PK05/0250/RVC is not necessary and as such the condition would not meet the tests of paragraph 206. The application proposed an alternative condition to restrict opening hours to 05:00 to 02:00 daily which would essentially mean that the drive thru restaurant could not open to customers in the hours of 03:00 and 04:00. It is considered that a condition to this effect

would be superfluous given that it would serve very little purpose. The noise impact assessment demonstrates that 24hr opening times would be acceptable in this location. It is therefore considered that the condition should be removed rather than varied as a condition to restrict opening hours is not necessary.

5.11 Anti-social behaviour

Anti-social behaviour is not a matter that can be controlled by the planning system however the NPPF recognises that design can play an important role in preventing crime and fear of crime in local areas. Officers are mindful that the location of the site has been identified as having the highest level of antisocial behaviour and crime of all the premises forming the Aspects Leisure Centre. Officers are also mindful that the extended opening hours could encourage people to remain within the site especially during the night time period. The Crime Prevention Advisor notes that the site does already have security on a Friday and Saturday evening from 20:00 to closing and recommends that this is extended to cover the proposed extended opening hours. Other methods such as CCTV and litter bins have also been introduced.

5.12 It is not considered that the potential for anti-social behaviour can stand in the way of removing the restriction on opening hours and as such is not a reason to refuse the application. Best practice measures can however be introduced in order to reduce potential noise and conflict, as has already been identified within the recommendations of the noise impact assessment. The site management plan has been submitted in support of the application however it is not considered to be of sufficient detail and does not fully address the comments of the Crime Prevention Officer. It is considered that the extended opening hours would warrant the implementation of additional management procedures in order to provide a safe environment during the night time and as such a condition is recommended in order to secure the submission of a revised site management plan prior to the opening of the restaurant past the current allowed time of 00:00.

5.13 Highway Safety

Concern has been raised that the proposed extended opening hours would have an impact on highway safety at this location. It is however considered that the existing access and car park area is adequate for the extended opening hours and would not have a prejudicial impact on road safety.

5.14 It is not considered that the extended opening hours would give rise to an adverse environmental impact.

5.15 Other Matters

It should be noted that the planning system cannot control the types of vehicles owned by customers using the site and cannot prevent any crime from taking place. Similarly the availability of Police Officers to attend the site is not a matter that can carry material weight.

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 remove condition 2 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 condition 2 is removed and that a condition is imposed requiring the submission of a revised site management plan.

Contact Officer: Sarah Fordham
Tel. No. 01454 865207

CONDITIONS

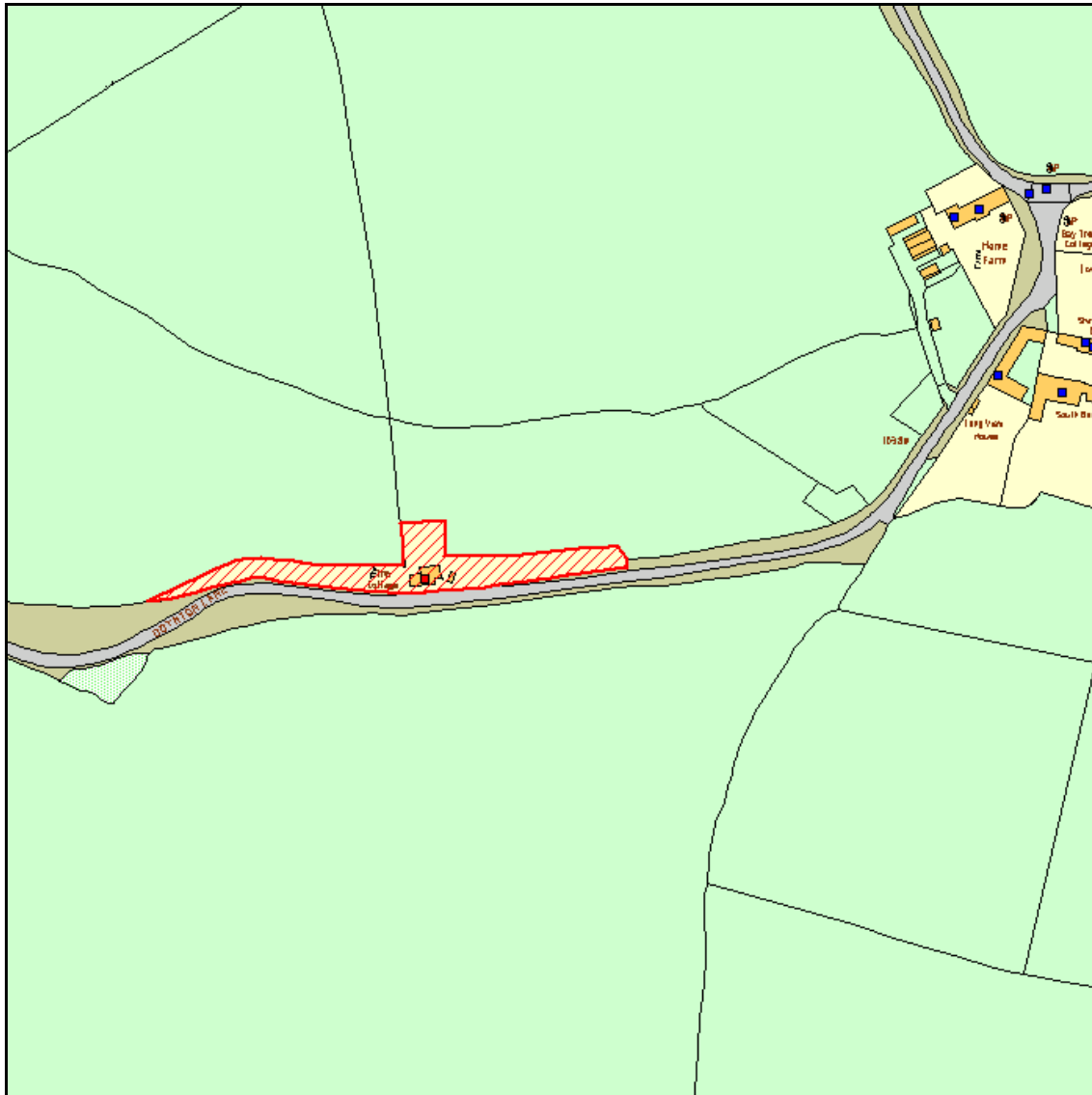
1. Prior to the first opening of the drive thru restaurant after 00:00 hours a detailed revised site management plan shall be submitted to and approved in writing by the Local Planning Authority. The use shall thereafter be carried out in accordance with the agreed details. Details shall include security measures to be carried out during the night time hours, measures for reducing potential noise within the car park area, and details of the 'best practice' measures that will be undertaken

Reason

In order to provide a safe environment and to accord with policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) 2013, and the provisions of the National Planning Policy Framework 2012

CIRCULATED SCHEDULE NO. 10/15 – 6 MARCH 2015

App No.:	PK15/0252/CLP	Applicant:	Mr Ian Milborrow
Site:	The Cottage Doynton Lane Dyrham South Gloucestershire SN14 8EY	Date Reg:	28th January 2015
Proposal:	Certificate of lawfulness for the proposed installation of rear roof dormer.	Parish:	Dyrham And Hinton Parish Council
Map Ref:	373469 175484	Ward:	Boyd Valley
Application Category:		Target Date:	20th March 2015



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PK15/0252/CLP

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 rear dormer window to facilitate a loft conversion at The Cottage, Doynton Lane 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
Town and Country Planning (General Procedures) Order 1995 Article 24 Town and Country Planning (General Permitted Development) Order (GPDO) (As Amended) 1995

3. RELEVANT PLANNING HISTORY

- 3.1 P97/4697 Approval 17/12/1997
Erection of two storey side extension
- 3.2 P88/3103 Approval 01/02/1989
Alterations and extension to cottage incorporating erection of extension at first floor level to provide two additional bedrooms and bathroom. (In accordance with the amended drawings received by the council on the 6th January 1989).
- 3.3 N2542/1 Approve with conditions 27/03/1979
Erection of two single storey extensions to provide bedroom and store
- 3.4 N2542 Approve with conditions 16/03/1976
Erection of front porch

4. CONSULTATION RESPONSES

- 4.1 Dyrham and Hinton Parish Council
No comment received.
- 4.2 Other Consultees

Highway Drainage
No comment.

Other Representations

- 4.3 Local Residents
None received.

5. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

- 5.1 Location and Block Plan 302.P2-S001; As Existing 302.P2-S100; Proposal 302.P2-P100. All received 20th Jan 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 a application for planning permission and as such the development plan is not of relevance to the determination of this application; the decision rests upon the evidence that has been submitted. If the evidence submitted demonstrates that the proposed use is lawful, on the balance of probabilities, the Local Planning Authority must grant a certificate confirming that the proposed development is lawful.

- 6.2 The key issue is to determine whether the proposal falls within the permitted development rights afforded to householders under Schedule 2, of the GPDO (As Amended) 1995.

- 6.3 The proposed development consists of a loft conversion facilitated by a dormer window in one of the rear roof slopes of the property. This development would fall under the criteria of *Schedule 2, Part 1, Class B* of the Town and Country Planning (General Permitted Development) Order (as amended) 1995, which permits the enlargement of a dwellinghouse consisting of an addition or alteration to its roof. This allows for dormer windows 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 window would, at it's highest point, be 1.5 metres below the highest part of the existing roofline. Therefore, the development meets this criterion.

(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;

For the purpose of this application, it is considered that the principal elevation of the property is the elevation facing onto Doynton Lane, which is the south elevation. The alteration to the roofline do not extend forward of the existing front elevation roof slope. The development therefore meets this criterion.

(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 Cottage is a detached property. Therefore, the resulting roof space cannot exceed the cubic content of the *original* roof space by more than 50 cubic metres. Paragraph B.3 of Class B states that '*for the purposes of Class B "resulting roof space" means the roof space as enlarged, taking into account any enlargement to the original roof space, whether permitted by this class or not.*'

The dormer window is nestled in between the two gables and the cubic volume is estimated to be around 10.5 cubic metres in volume, according to the application form. However, the dwelling has been significantly extended at first floor level in the past and much of the roof space is not original, including a two storey side extension of both gables in 1997 (reference number P97/4697.) This additional roof space resulted in a further 46.7 cubic metres, which takes the cumulative resulting roof space over 50 cubic metres. It is estimated to be even higher due to a first floor extension in 1989 creating much of the rear gable roof space. Therefore, the proposal does not meet this criterion.

(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 1 (5) land.

The dwellinghouse is not on article 1 (5) 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 dormer is finished in lead, which is acceptable for the roof but Class B requires the sides of the dormer window to match the existing roof materials when viewed from ground level. The proposal does not meet 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 dormer window is less than 20cm from the eaves of the original roof, and so the proposal does not comply with 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.

The plans do not show any proposed windows.

7. RECOMMENDATION

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

Evidence has been provided to demonstrate that the development does not fall within permitted development within the curtilage of the dwellinghouse under Part 1 Schedule 2 of The Town and Country Planning (General Permitted Development) Order 1995 (as amended).

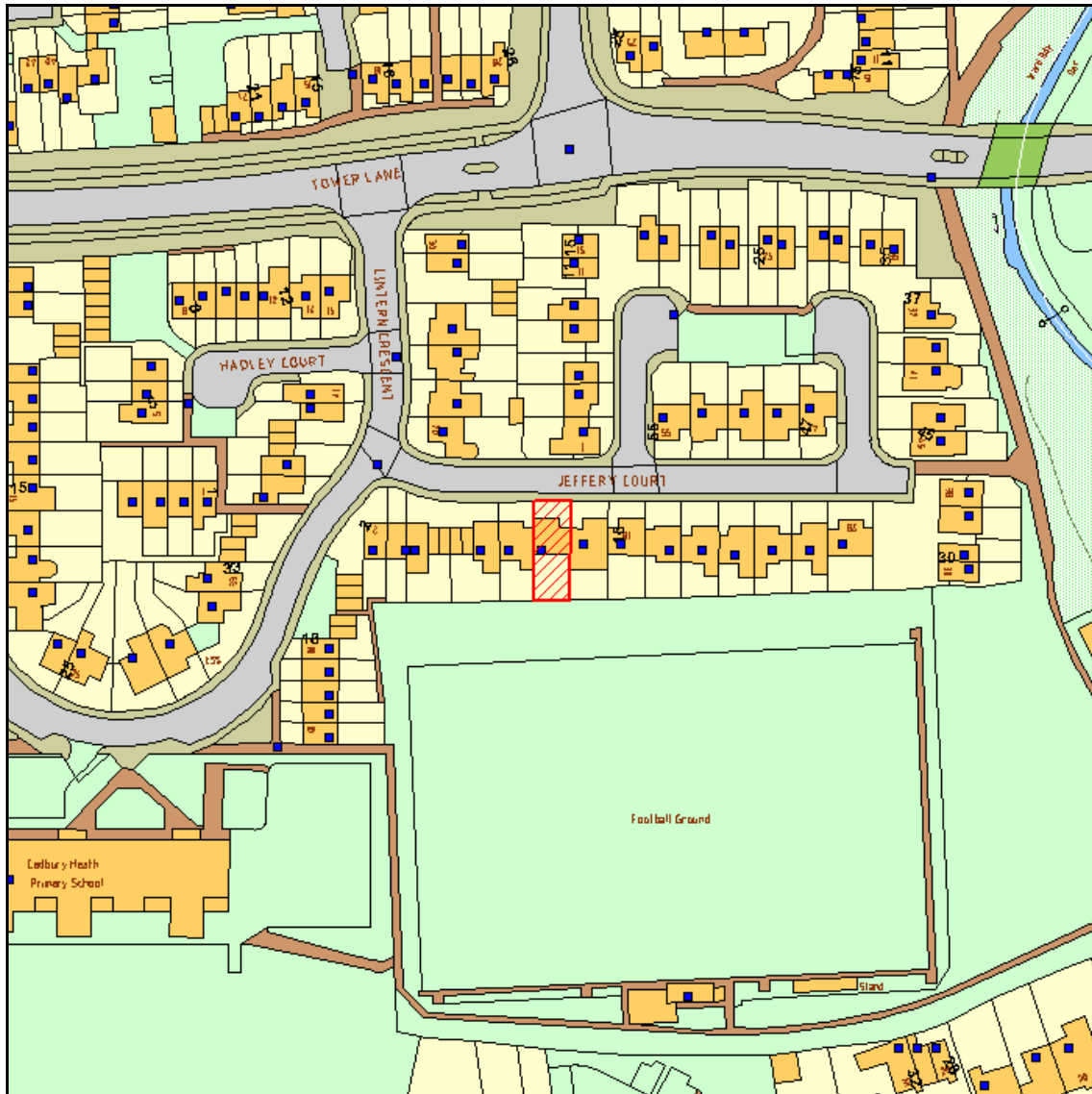
Contact Officer: Trudy Gallagher
Tel. No. 01454 862217

REASONS FOR REFUSAL

1. Evidence has been provided to demonstrate that the development does not fall within permitted development within the curtilage of the dwellinghouse under Part 1 Schedule 2 of The Town and Country Planning (General Permitted Development) Order 1995 (as amended).

CIRCULATED SCHEDULE NO. 10/15 – 6 MARCH 2015

App No.:	PK15/0434/PDR	Applicant:	Mrs Pam Geuley
Site:	12 Jeffery Court Warmley Bristol South Gloucestershire BS30 8GF	Date Reg:	9th February 2015
Proposal:	Conversion of existing garage to create additional living accommodation	Parish:	Oldland Parish Council
Map Ref:	366629 172639	Ward:	Parkwall
Application Category:	Householder	Target Date:	1st April 2015



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PK15/0434/PDR

REASON FOR SUBMISSION TO THE CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The proposal seeks planning permission to convert an existing garage to form addition living space. To facilitate these works the existing garage door on the front elevation of the garage will be replaced with double casement windows and the existing rear elevation door will be replaced with a single casement window.
- 1.2 The host dwelling is situated in Jeffery Court, a small residential close, within the larger residential area of Warmley.
- 1.3 The properties permitted development rights were removed under planning ref. K1124/35AP12.

2. POLICY CONTEXT

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

South Gloucestershire Local Plan (Adopted) January 2006 (saved policies)
H4 Residential Development within Existing Residential Curtilages, Including Extensions and New Dwellings

South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design
CS5 Location of Development
CS8 Improving Accessibility
- 2.3 Supplementary Planning Guidance
Residential Parking Standard SPD (Adopted) December 2013
South Gloucestershire Design Checklist SPD (Adopted) August 2007

3. RELEVANT PLANNING HISTORY

- 3.1 K1124/35 Approval 27/04/1981
COMPREHENSIVE DEVELOPMENT OF APPROX. 318 ACRES OF LAND FOR RESIDENTIAL AND EDUCATIONAL PURPOSES, PUBLIC OPEN SPACE AND LOCAL CENTRE (OUTLINE) (Previous ID: K1124/35)
- 3.2 K11424/10 Approval 20/07/1977
COMPREHENSIVE DEVELOPMENT OF APPROX 353.8 ACRES OF LAND FOR RESIDENTIAL AND EDUCATIONAL PURPOSES, PUBLIC OPEN SPACE, EMPLOYMENT AND LOCAL CENTRE. (Previous ID: K1124/10)

- 3.3 K1124/35AP12 Approval 06/09/1984
Erection of 40 dwelling houses, garages, parking spaces, roads, footpaths, cycle/walkways and toddlers play space (in accordance with revised plans received by the DPA on 06-SEP-1984) To be read in conjunction with Planning Permission Ref. No. K1124/35

4. CONSULTATION RESPONSES

- 4.1 Oldland Parish Council
No objection, on the condition that adequate parking provision is made for off-street car parking.

4.2 Other Consultees

Highway Drainage

No comment.

Sustainable Transport

The Applicant proposes to convert the garage to provide additional living accommodation, meaning a loss of one parking space. No alternative vehicular parking has been provided to overcome the loss of the garage. The Councils residential parking standards state that a MINIMUM of two parking spaces would be required for a dwelling with up to four bedrooms. This parking would need to be provided within the site boundary. Although the Council's requirements for internal dimensions of garages has changed, when this garage was erected it did conform with the Council's requirements at the time. It is therefore still classed as a parking space in transportation terms. Without adequate vehicular parking, in line with the Councils parking standards, it could lead to additional vehicles parking on the public highway which would lead to additional congestion, thereby increasing highway safety hazards for other road users.

Other Representations

- 4.3 Local Residents
None received.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
Policy CS1 'High Quality Design' of the South Gloucestershire Core Strategy (adopted December 2013) states development proposals will only be permitted if the highest possible standards of site planning and design are achieved. Meaning developments should 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 South Gloucestershire Local Plan (adopted January 2006) is supportive in principle of development within existing residential

curtilages. This support is provided proposals respect the existing design; do not prejudice residential and visual amenity, and also that there is safe and adequate parking provision and no negative effects on transportation.

5.3 Design and Visual Amenity

The proposal results in the removal of a garage door from the front elevation of the garage and the installation of windows to the front and rear elevations. In addition to this, the roof of the garage will consist of glass fibre, rather than the existing felt and tar roof.

5.4 The applicant has not stated what materials the wall will be finished in as a result of the removal of the garage door. A condition ensuring the external elevations utilise bricks which match the existing dwelling will be attached to any permission granted.

5.5 The windows the proposal will utilise will be framed with white PVCu as to match the existing welling.

5.6 Accordingly, it is judged that the proposal has an acceptable standard of design and is considered to be in-keeping with policy CS1 of the adopted Core Strategy.

5.7 Residential Amenity

There is not a material increase in the size of the dwelling as result of this proposal, the only change the application will result is the installation of windows on the front and rear elevations. This will not result in any neighbouring properties being overlooked and the proposal is not expected to cause a material loss of light to any neighbouring occupiers. As well as this, there is no increase in the size of the converted garage, meaning the neighbouring occupiers will not be subjected to an overbearing impact as a result of this proposal.

5.8 Therefore, the proposal would not result in any materially detrimental impacts on the residential amenity of neighbouring occupiers. As such the proposal is considered acceptable in terms of saved policy H4 of the adopted Local Plan.

5.9 Highways

As noted in the consultation section, the transport officer has objected due to the parking arrangement at the property not satisfying the Council's residential parking standard. The transport officer states the number of bedrooms at the property will increase to four, from three, warranting two parking spaces to accord with the adopted standard. As well as this, the transport officer has stated that the existing garage currently constitutes a parking space, and this space will be lost as a result of the proposal. Therefore, the Council's parking standard is not satisfied as there would be four bedrooms and only one space available, and the property is likely to be incapable of providing two spaces at the property due to the size of the plot.

- 5.10 A material consideration in the judgement of this highways issue and all planning applications is the properties fall-back position – what the applicant could do without applying for planning permission. Although, the applicant could not change their garage door without applying for planning permission as their permitted development rights have been removed, the applicant could feasibly put windows in the rear elevation of the proposal and also rooflights in the garage creating a situation where the existing garage could be used as a bedroom or another primary room.
- 5.11 The key point here is that the applicant's fall-back position is a scenario where they could convert the garage and gain a bedroom without applying for planning permission. The amount of weight the case officer attributes to this depends upon the likelihood of this fall-back position occurring should planning permission be refused and the degree of similarity of which the affects of the fall-back position will have when compared to the affects the proposal would have. Accordingly, the applicant could convert the garage, losing the parking space within the garage and create an addition bedroom at the property without applying for planning permission. Therefore, it would be unreasonable for the Local Planning Authority to refuse this application on the grounds of insufficient parking at the property, as the applicant could proceed without planning permission and convert the existing garage, creating a situation where the property only has one parking space.
- 5.12 The existing parking area at the front of the property will be conditioned however, to ensure this is retained in the future.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 That the application is **APPROVED** with conditions.

Contact Officer: Matthew Bunt
Tel. No. 01454 863131

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 bricks to be used externally in the development hereby permitted shall match those of the existing building in colour and texture.

Reason

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

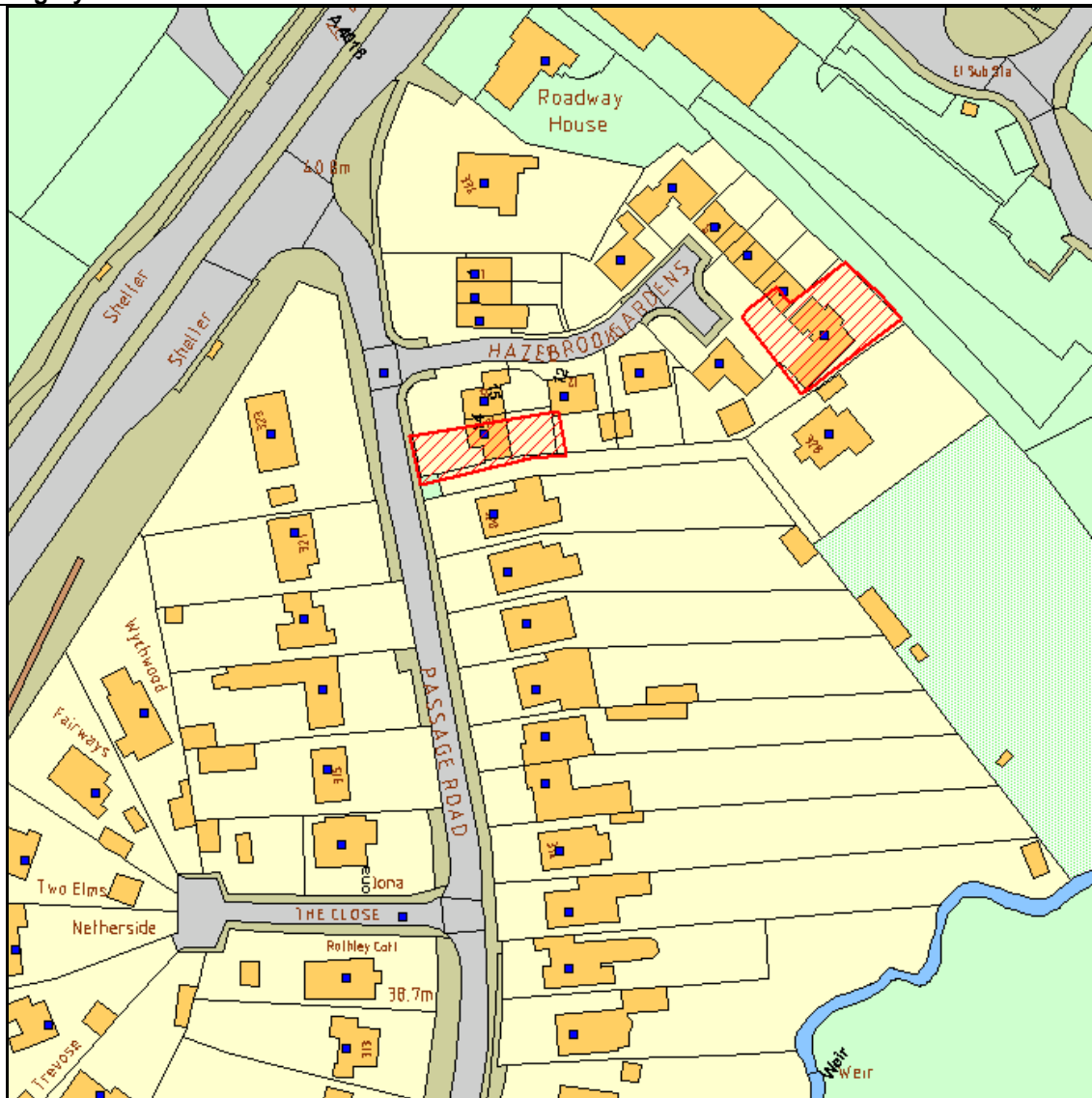
3. The existing parking area in front of the northern elevation of the dwelling shall be retained as such.

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 Residential Parking Standard SPD (Adopted) December 2013.

CIRCULATED SCHEDULE NO. 10/15 – 6 MARCH 2015

App No.:	PT11/3369/F	Applicant:	Charles Church Severn Valley
Site:	330 - 332 And Land At Rear Of Deorhorn Passage Road Almondsbury Bristol South Gloucestershire BS10 7TE	Date Reg:	4th November 2011
Proposal:	Alterations to garage roof of plot 13 and addition of roof windows to rear elevation of plot 9. (Amendments to previously approved schemes PT07/0204/F and PT10/2873/EXT). Retrospective.	Parish:	Almondsbury Parish Council
Map Ref:	357039 180243	Ward:	Patchway
Application Category:	Minor	Target Date:	21st December 2011



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application is circulated as a result of one letter of objection contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The application relates to alterations to two dwellings at the time that they were built. The proposal is for the addition of two roof lights to the south-east elevation of plot 9 and the alteration of the garage at plot 13 to create a hipped rather than a gable roof facing south. The works proposed are retrospective.
- 1.2 The site falls within the urban area of Cribbs Causeway

2. POLICY CONTEXT

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

South Gloucestershire Local Plan (Adopted) January 2006 (saved policies)
H4 Development within residential curtilages
T12 Transportation Development Control Policy for New Development

South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design
CS5 Location of Development
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist SPD
South Gloucestershire Residential Parking Standards

3. RELEVANT PLANNING HISTORY

- 3.1 PT10/2873/EXT Erection of 14 no. dwellings and repositioning of access and associated works. (Consent to extend time limit implementation for PT07/0204/F). 03.02.2011 approved
- 3.2 PT07/0204/F Erection of 14 no. dwellings and repositioning of access and associated works. Resubmission of previously withdrawn PT06/2187/F. Refused but allowed on appeal

4. CONSULTATION RESPONSES

- 4.1 Almondsbury Parish Council
No comment received
- 4.2 Drainage Engineer
No Objection

4.3 Highway Officer
No Objection

4.4 Tree Officer
No objection – there are no tree issues

Other Representations

4.5 Local Residents

A letter of objection from neighbours received in respect of the following matters:

- This is a retrospective application as the roof lights are already fitted and the garage already built
- The garage roof overhangs the neighbours drive and has narrowed the already narrow access to the writers property and an orchard.
- No plans have been submitted either on this application or previous application on how Charles Church intends to treat the boundary.
- The original planning was for a flat gable end with no side drainage, what they have built is a hipped roof with a large box eave and guttering which takes the roof over the boundary fence and over our property.
- the ground in which this garage sits has been raised by several feet without any visible means of support for the driveway once vehicles begin to use the garage there is a clear danger that the driveway and ground surrounding the garage may subside in prolonged period of wet weather and give way especially with the lack of drainage.
- Before any plans are passed by South Gloucestershire, Charles Church should submit detailed plans on how they intend to treat the boundaries and how they are going to retain the surrounding area.
- No party wall agreement has been signed and before any further works commence a party wall agreement should be served. This should be monitored by the planning department to ensure that both parties sign the agreement it should also be written into the planning consent that if Charles Church needs access to land to make alterations to the roof they should first obtain written consent from neighbouring properties.

5. ANALYSIS OF PROPOSAL

5.1 The application alters the detail of two permitted houses in that one (plot nine) would be altered to retain two roof lights in the one and a half storey level garage projection and that plot 13 would be altered to facilitate a revised roof shape to be maintained.

5.2 Principle of the Development

Saved Policy H4 of the South Gloucestershire Local Plan is relevant to this application. The policy indicates that the extensions to existing dwellings is acceptable in principle. On this basis, it is considered that the proposed development is acceptable subject to the following considerations.

5.3 Design and Residential Amenity

Plot 13 fronts onto Passage Road and the hipped garage roof is therefore highly visible in the streetscene. Whilst the rest of the development is designed with gable ended roofs there are other hipped buildings in Passage Road and as such the use of a hipped roof is in character with the rest of the road. This use of a hipped roof causes the guttering to project above the timber fence which is a matter dealt with below but does not affect the overall appearance of the street.

5.4 Moving on to the two rooflights inserted at plot nine which were already inserted into the house at the time of the officer visit. Your officer was able to inspect the windows from the inside and no direct view into the windows of the neighbouring dwelling was possible as a result of the height of the rooflights above finished floor level and due to the angle of view. There is therefore no material loss of privacy as a result of the proposed rooflights.

5.5 Overall it is considered that the design of the proposed development is consistent with the character of the existing dwellings and the surrounding area generally and on this basis is acceptable.

5.6 Transportation

The proposal does not differ from the parking allocation as set out in the original consent. Provided that the building remains in use as ancillary residential accommodation there would be ample parking space within the curtilage of the main dwelling; and the development would comply with the South Gloucestershire Residential Parking Standards. There is no transportation objection to this proposal.

5.7 Drainage

The rooflights and garage roof alterations would have no impact on the overall drainage of the scheme. The garage and parking/turning area for plot 13 is the same area as was previously agreed and as such there is no reason to object to the altered roof details.

5.8 Ownership issues

The objecting neighbour raised issues about the guttering overhanging his boundary, concern about the raising of the ground level about the garage in question such that the developer may not have secured the additional land height. He advises that no party wall agreement has been signed either. Your officer has looked at the guttering and the location of the siting of the new timber fence. It is not for the officer to discern whether the fence is located on the applicants land or on the neighbours land but it is evident that the guttering stands directly above the fence line without material overhang such as would further materially narrow the lane from the current location of the fence. Additionally in relation the neighbours comment about boundary treatment it is noted that the landscaping condition was discharged on 10th February 2011 which permitted fencing.

The raising of ground level was considered by the Council's enforcement team and not found to be material within the scheme. Further the signing of the Party Wall Act Agreement is not something monitored by the Council but is a civil procedure along with the other matters of ownership and trespass.

Officers generally add two informatives to any application which results in development close to the boundary of a site. In this case informatives were added to PT10/2873/EXT with regards to permission not granting rights to carry out works on the neighbouring land and regarding the need to agree written consent and potentially adhere to the Access of Neighbouring Land Act and Party Wall act 1996.

6. CONCLUSION

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

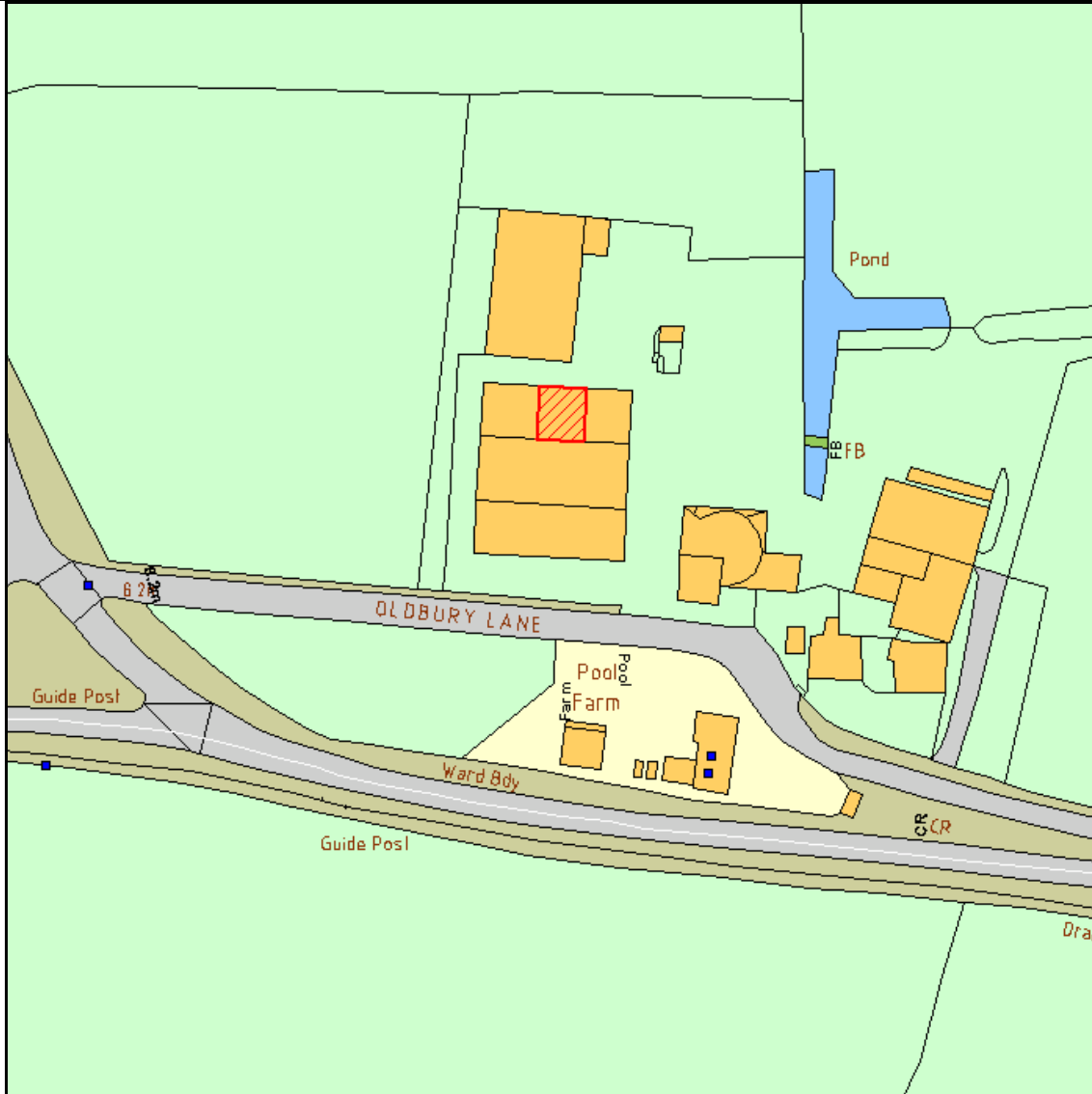
7. RECOMMENDATION

- 7.1 That Planning Permission is granted without the need for conditions as the works proposed were retrospective.

Contact Officer: Karen Hayes
Tel. No. 01454 863472

CIRCULATED SCHEDULE NO. 10/15 – 6 MARCH 2015

App No.:	PT14/4483/F	Applicant:	Mr Michael Nichols c/o North & Co Limited
Site:	Pool Farm Oldbury Lane Thornbury South Gloucestershire BS35 1RE	Date Reg:	2nd December 2014
Proposal:	Change of Use of a storage unit (Use Class B8) to mixed use fitness personal training gym /Cross fit gym and storage space (Use Class D2 and B8)	Parish:	Oldbury-on-Severn Parish Council
Map Ref:	362613 192257	Ward:	Severn
Application Category:	Minor	Target Date:	22nd January 2015



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 100023410, 2014. N.T.S. PT14/4483/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is reported to circulated schedule given that letters of objection have been received throughout the consultation period which are contrary to the officer's recommendation of refusal.

1. The Proposal

- 1.1 This application proposes the change of use of a storage unit (Use Class B8) to a mixed use fitness personal training gym / cross fit gym and storage space (Use Class D2 and B8) at Pool Farm, Oldbury Lane, Thornbury, South Gloucestershire.
- 1.2 The storage space applied for is considered to be subordinate in use to the sought after primary D2 personal training gym / cross fit use; and not being a use in its own right.
- 1.3 The application site falls outside of the settlement boundary of Thornbury and is located on a B8 storage use site which comprises of multiple converted existing agricultural buildings.
- 1.4 The unit to which this application relates is one unit within a wider site of B8 storage units (the physical site). The unit is situated within an enclosed position with window and door openings (including a shutter opening) adjacent to another B8 storage unit.
- 1.5 There are no public viewpoints into this unit from around the site and views of the application site building are only afforded from other users within the physical site.
- 1.6 To the south of the physical site is one residential dwelling which used to be the host farmhouse to the agricultural units on the application site; however, previous development has severed this site into individual separate uses.
- 1.7 The site is accessed off of private road, deriving from Oldbury Lane which connects the areas of Lower Morton to Oldbury Naite/Shepperdine. This road is a 60mp/h national speed limit road. The access road comes off Oldbury Lane for approximately 40 metres whereby the entrance to the main site is opposite the above residential dwelling.
- 1.8 The application site falls within Flood Zones 3 and 2 as identified by the Environment Agency Flood Risk maps.
- 1.9 This application has been submitted as a result of a previous enforcement investigation and is, therefore, retrospective in nature.

2. Policy Context

- 2.1 National Guidance
National Planning Policy Framework March 2012
National Planning Practice Guidance March 2014

2.2 Development Plans

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

Policy EP2 Flood Risk and Development

Policy T12 Transportation Development Control Policy for New Development

Policy E7 Conversion and Re-use of Rural Buildings

South Gloucestershire Local Plan Core Strategy (adopted) December 2013

Policy CS1 High Quality Design

Policy CS4A Presumption in Favour of Sustainable Development

Policy CS9 Managing the Environment and Heritage

Policy CS34 Rural Areas

2.3 Supplementary Planning Guidance

Design Checklist SPD (adopted August 2007)

3. Relevant Planning History

- 3.1 The application site, in terms of previous histories, all benefit from a B8 storage use. These uses have come in two separate applications; one consent covering the north of the site and the second covering the south. These applications, amongst others, are detailed below.
- 3.2 Application PT05/1598/F refused planning permission on 3rd January 2006 for the *change of use of redundant farm buildings to Class B1, B2 and B8 use (As defined in the Town and Country Planning (Use Classes) Order 2005)*.
- 3.3 Application PT06/1334/F refused planning permission on 6th June 2006 for the *change of use of redundant farm buildings to storage (Class B8) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) (Resubmission of PT05/1598/F)*.
- 3.4 Application PT06/3043/F approved planning permission on 21st November 2006 for the *change of use of agricultural buildings to storage (Class B8) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended)*.
- 3.5 Application PT08/0621/F approved planning permission on 4th June 2008 for the *change of use of agricultural buildings to storage (Class B8) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended)*.
- 3.6 There are not considered to be any further applications which are regarded as having any material impact on this submitted application.

4. Consultation Responses

4.1 Thornbury Town Council

Thornbury Town Council has submitted no objection to this application.

4.2 Other Consultees: Highway Drainage

Highway Drainage has submitted no objection to this application subject to the finished floor levels within the proposed development being as high as possible as a minimum, set no lower than existing floor levels, with a flood emergency plan being required. The flood emergency plan should include warning procedures, safe access/egress routes and appropriate actions for occupiers to take in the event of a flood.

4.3 Other Consultees: Sustainable Transport DC

Sustainable Transport DC has stated that they are satisfied that the principle of this limited small scale development could be accommodated on the site, however, further details are required prior to determination to ensure that what is proposed is suitable.

They have stated that the proposed change of use does introduce additional vehicle movements to/from the site and would also have an impact upon the available parking for the unit. It is noted that the applicant indicates that 4 parking spaces would be identified for the proposed use, but no details of the location of these spaces has been identified or if the spaces are currently 'shared' with the other users on the site. Therefore a scaled plan that indicates parking for all units on the site is required so that the impact can be accurately assessed.

4.4 Other Consultees: Environmental Protection

Environmental Protection has stated that the type of activity proposed is often carried out 7 days a week and late into the evening. It is likely to lead to an increase in traffic movement and associated noise which is likely to be detrimental to residential amenity of a nearby residential dwelling.

If an alternative route was found away from the dwelling then this concern would fall. However, such a use does often generate noise. It may be appropriate for the premises to be sound insulated and the doors to be kept closed. This may in itself lead to the requirement to provide mechanical ventilation.

In order to ensure that noise from activities at the gym does not lead to noise disturbance and loss of amenity at the nearby residential and commercial premises the following condition can be attached to any approval.

The rating level of noise emitted from any extraction system or internal generate noise from fitness activities shall not exceed the existing background noise (LA90T) by 0 dB or more. The noise levels shall be determined at the nearest noise sensitive location. The measurements and assessment shall be made in accordance with the provisions of BS4142:2014. "Method for rating and assessing industrial and commercial sound".

If the assessment demonstrates that noise from the extraction unit is likely to exceed the background level and affect nearby residential and commercial

properties then a noise mitigation scheme shall be submitted to and approved in writing by the planning authority and shall be maintained and retained thereafter.

Reason: to safeguard the amenity of occupiers of nearby residential and commercial premises.

4.5 Other Consultees: Local Residents

3 letters of support have been received in respect of this application throughout the consultation period. 5 letters of objection have been received opposing this application. The concerns of the above letters received are summarised below:

- A great gym
- Facilities are very beneficial to user's general fitness, toning and diet
- Great local place
- Would not have the same incentive if users had to travel too far
- Classes are always carried out with minimal noise so they don't cause disturbance to the people in the surrounding buildings
- Strongly in favour of this planning permission being granted
- The applicant, a fully qualified personal trainer, offers a professional training service to individuals over a range of abilities and ages, on a one to one basis, with occasional small group sessions
- Tailor made training service not offered generally at other establishments in the area
- There is a demand for this type of training, which will continue to grow as the number of households, particularly in Thornbury, expands
- In view of the individual nature of the service offered the increase in traffic would be negligible
- Don't need another gym in the area
- There are already too many expensive gyms in the area
- Worried about increased traffic down the lane especially late at night and early mornings including noise from people coming and going from the location
- This is a very quiet location and feel that it is going to get very busy at times and will make a huge difference for neighbours
- There have been big issues with people living in temporary accommodation on the site (caravans)
- Believe the change of use to allow a gymnasium will cause a nuisance and an increase in antisocial behaviour
- What is more increased traffic up to the hours of 9pm in the evenings
- There are perfectly good leisure centres in Yate and Thornbury which more than adequately provide for the population
- Privately owned residential house is directly opposite what used to be the farm and now purports to be a commercial site with permissions to use some parts of it as light B8 depository storage units
- It should be noted that the original applications for the agricultural units to become storage units had been refused to avoid excessive traffic movement, and therefore had to be re-submitted as depository storage only
- Since 25th April 2014, nearby residents have experienced problems with the application site which have caused nuisance, distress and exposed

- inconsiderate antisocial behaviour; causing neighbours and affecting our ability and right to enjoy their new home
- The land owner's operations are wide of planning consents he had in place
 - South Gloucestershire Council have undertaken investigations over the past 4 months with conclusions from this having highlighted a number of issues where rectification is required, or where further action should be taken if issues continue in the future
 - This gym application (PT14/2827/F) has been requested, as a result of one of these investigations
 - To be clear and to remove any ambiguity, this gym unit has been and is being used currently in breach of planning control
 - The cumulative impact of this application and all the existing activities at Pool Farm are not in keeping with the environment of a rural site which should be used for light depository storage purposes only
 - Most importantly, these cumulative activities all lead to making adjacent family's enjoyment of their home difficult at this time
 - House is very close to the units (c. 20 metres) and is the only residential house close enough to be impacted by activities on or around the site
 - Noise and light pollution, in parallel to the volume of traffic down the small lane is already high and regularly commences from 7.15am 12pm, 7 days a week, with even earlier morning times in the summer, when some tenants move and load lorries with forklift trucks etc on site and in the lane, outside the site by the house at 1.30/2.30/3.30am on a regular basis during the summer months
 - Whilst there are no prescribed hours of usage defined in planning permissions, or by the landlord, it will be recognised that traffic in and out of the entrance directly opposite a residential home and via a small lane to the side of a residential home at all hours has a material impact on sleep/noise levels and as a result is disruptive, alarming, upsetting, as well as nuisance and antisocial especially as some tenants have no consideration for the noise they make out of core hours, even given the closeness to the home or the time of morning or night it is
 - It is noted that North & Co outline that the gym will hold classes of no more than 5 people at a time so if there are 4 classes in a night (of an hour each from 17.00, which currently occurs on some nights), we could conceivably have 20 cars using the small lane in the evening (in parallel to the existing traffic usage)
 - In our experience this number is not unusual and without any traffic calming, cars do tend to speed down the lane at unsafe speeds causing potential danger and hazard to my young family when they are in or around either the front of rear garden
 - This gym, if used even more regularly, will only exacerbate the issue and the associated potential hazards and disruption
 - Section 7.2 of North & Cos planning statement says the site is not adjacent to sensitive land and that this ensures the coming and going of private gym users will have minimum impact with point above; my residential property and my family are very much negatively impacted by noise, disruption, pollution, volume, light and speeds of traffic, so I believe this statement to be incorrect and misleading
 - Entrance and exits to the site is via a noisy chain and lock on a metal gate (this directly opposite our house) this regularly wakes up my children, my

wife and I, and if this doesn't, then it will be the car/van/lorry engines that are left running whilst people open the gate, or wait for somebody to turn up on site to open the gate as previously highlighted, this can and does occur at all times over the 24 hour clock

- The proposed hours outlined in 7.4 of the planning statement will merely exacerbate the cumulative problems we have already with out of core hours usage by a number of tenants
- I have previously asked Mr Nicholls if he could modify the gate/locking mechanism, so less noisy and also suggested that beyond 18.00 hours if vehicles could enter and exit the site from one or two other available points
- No remedial action has been taken to date so this is a tangible example of two simple solutions to make activity more considerate for his neighbours that have not been undertaken
- Increased traffic and people could negatively impact the value and enjoyment my family has of our home
- We bought the house in the knowledge the site opposite had planning for light depository storage with adherence T12 light traffic usage
- We would like it to be that way; especially during evenings and at weekends
- Section 7.6 of North & Cos planning statement claims that the gym is within short distances from applicants intended clients, thus ensuring no creation of traffic
- What facts is that statement based on?
- There is no public transport, so all customers of the gym drive to the site; so I would like to objectively challenge North & Cos claim, and understand what tangible evidence they have to make such a statement?
- Again, I would suggest this is a distortion and misleading
- This unit is already being used as a gym with clients attending it on a regular basis – and this has been the case since my family moved to the address (it is also advertised on Facebook with clients using it) so North & Cos planning statement is at best incorrect, at worst (again) misleading, when it states in sections 3.1 and 7.1 when it states that the unit is currently used to store equipment only
- 7.5 outlines the parameters of playing of music this is not conducive to the rural environment or setting, on that basis I would object to this vociferously and would want no music whatsoever in any circumstances
- I would also state that other parts of the site are used to house significant numbers of livestock in the winter, so music and traffic could also distress them too leading to potential hazards and harm, should they be spooked or scared
- I was encouraged to see some hours of usage had been defined in 7.4
- These would be acceptable if they excluded any usage or access after 8pm Monday to Friday, on a Saturday afternoon after 1pm, and with no usage or entrance on Sundays and Bank Holidays
- Having outlined my reasons not to support this application in its current guise (when viewed in parallel to what already occurs at the Pool Farm storage site), I will use this feedback mechanism to put forward a respectful suggestion that could have a positive outcome for this application, and for my family's enjoyment of our home
- If the landowner can put in place strict and reasonable hours of access on his site (this will singly remove many of the issues my family experience around nuisance and disruption at antisocial hours), I will review this

submission again and support this on the basis that the potential for an increase in cumulative noise, disruption etc of this application and other activity will occur in core hours only, as opposed to non core hours which I would deem reasonable and equitable

- I would also say this is what my family reasonably anticipated and expected, when we moved into Pool Farm
- Given the applicant for the gym is also the landowner's nephew, I would hope the landowner could look to demonstrate some flexibility and consideration that will support both his family's needs and the needs of my family in obtaining an agreeable, reasonable and equitable outcome for all
- To remove any ambiguity, the hours of usage I would deem reasonable: Monday to Friday 8.30 am to 8pm, Saturday 08.30 am to 1 pm and Sunday/Bank Holidays no access
- Coincidentally, similar restricted and reasonable hours of usage are used by a very well run local storage unit (Thornbury storage) and has no detrimental impact on their business, but ensures they have a great business that does not negatively impact or affect the amenity of their neighbours
- I am happy to embellish or clarify any further detail if required, be that via written correspondence, phone, or face to face
- May 2005 permission refused B8 storage/distribution at the same location because of increased traffic affecting the residential amenity of Pool Farm
- A later application for depository storage was agreed because it would produce little additional traffic and not be detrimental to Pool Farm residence
- A gym, fitness centre in open countryside would be wholly inappropriate, together with the adverse impact on the surrounding countryside and residence.

5. Analysis of Proposal

5.1 Principle of Development

- 5.1.1 The submitted application seeks the change of use of a B8 storage unit to a D2 assembly and leisure use for the purposes of a gym.
- 5.1.2 The application, whilst seeking a formal change of use, still retains an employment use on a previously established rural employment site, in a countryside location.
- 5.1.3 Policy CS34 of the South Gloucestershire Council Core Strategy (adopted) January 2014 seeks to support development proposals that will protect rural employment sites, services and facilities and support farm diversification in order to provide local employment, sustain rural and village life and reduce the need to travel.
- 5.1.4 Therefore, the principal of the development is considered to be established, and supported, under Policy CS34 of the South Gloucestershire Council Core Strategy.

5.1.5 This application will subsequently consider the issues relating flood risk, the conversion of a rural building, transport, highways safety and access and residential amenity.

5.1.6 These matters are outlined in the subsequent sections of this report below.

5.2 Planning Issues: Flood Risk

5.2.1 The application site falls within Flood Zones 2 and 3 and, therefore, a flood risk assessment has been submitted as part of the validation requirements. Saved Policy EP2 of the South Gloucestershire Council Local Plan and Policy CS9 of the South Gloucestershire Council Core Strategy, currently guides development within Flood Risk zones.

5.2.2 In addition, the more recently adopted National Planning Practice Guidance seeks to guide development within Flood Risk zones. Table 2 of paragraph 66 of the NPPG states that the existing B8 use falls within the 'less vulnerable' category of development.

5.2.3 Table 2 of paragraph 66 also notes that comparable uses to a D2 use are also found within the less vulnerable category. Therefore the D2 use is considered to fall within the 'less vulnerable' category.

5.2.3 Table 3 of paragraph 67 of the NPPG notes that where less vulnerable development is considered to be appropriate within Flood Zones 2 and 3a, no exception test is required.

5.2.4 Further, Highway Drainage have stated within their consultee comment that there is no objection in principle to this application provided that the finished floor levels within the proposed development being as high as possible and, as a minimum, set no lower than the existing floor levels.

5.2.6 The applicants have submitted within their application that the existing ground levels at the site are approximately 6.25 metres above Ordnance Datum (m AOD) and existing building floor levels a further 100mm higher.

5.2.7 In light of the above submitted information, and given the according guidance contained within the NPPG, it is not considered that there would be any adverse impacts in terms of flooding as a result of this proposal.

5.3 Planning Issues: Conversion of Rural Buildings

5.3.1 The application site falls outside of the defined settlement boundary and falls within the rural countryside area. The unit to which this application relates falls on the physical site of B8 storage units which, for the purposes of policy interpretation, are considered to be rural buildings.

5.3.2 The application seeks the re-use of an existing building for an employment use. It is considered in the Council's assessment that both B8 and D2 uses are considered to be quasi-employment uses (i.e. uses that support employment)

and should, therefore, be assessed against the contents of Policy E7 of the South Gloucestershire Council Local Plan.

- 5.3.3 Policy E7 promotes the re-use of existing rural buildings for employment uses outside of the boundaries of settlements which this proposal supports.
- 5.3.4 Policy E7 of the South Gloucestershire Council Local Plan (adopted) January 2006 provides a 3 point criteria against which such development proposals are assessed. For the purposes of clarity, these comprise of the following:
- A. The buildings are of permanent construction and structurally sound and capable of conversion without major or complete reconstruction; and*
 - B. The buildings are in keeping with their surroundings in terms of character, form, bulk, and overall design; and*
 - C. Development, including any alterations, intensification or extensions, would not have a harmful effect on the character of the countryside or the amenities of the surrounding area.*
- 5.3.5 The building is currently used for the purposes of B8 storage of gym equipment although it is noted that its current, unauthorised state of use, includes a gym/fitness facility. Prior to the change of use of the building from an agricultural building to a storage unit under the 2006 and 2008 consents, evidence was submitted that demonstrated the building's capabilities for reconstruction.
- 5.3.6 The structural condition of the building, on visual inspection, is not considered to have been altered to any significant extent and no evidence has been submitted that indicates the building to stand in a different condition to that of the 2006 and 2008 consents.
- 5.3.7 The proposal does not seek to alter the external visual appearance of the building and this will remain unchanged from its original appearance. Therefore, the broadly agricultural appearance to the building will be retained with no alteration in terms of its character, form, bulk and overall design.
- 5.3.8 This, therefore, results in the application site/unit retaining its appearance which is visually in keeping with their rural surroundings.
- 5.3.9 The proposed development does not include any alterations, intensification or extensions of its operational development; therefore, remaining physically unchanged from the previous assessments under the 2006 and 2008 consents.
- 5.3.10 The final point within the above policy requires proposed development to not have a harmful effect on the character of the countryside or the amenities of the surrounding area. These considerations are addressed further against the specific policies below.

5.4 Planning Issues: Transport, Highway Safety and Access

- 5.4.1 Policy T12 of the South Gloucestershire Council Local Plan seeks to guide transportation issues associated with new development. Policy T12 provides an 8 point criteria to which development should accord.
- 5.4.2 Criteria B of the proposal requires that the proposed development would provide safe access capable of accommodating motorised traffic generated by the proposal.
- 5.4.3 The current access to the application site is undertaken off a side road which runs adjacent to Oldbury Lane. Vehicles are required to turn off this main road and into the application site between industrial units which are currently used for B8 storage uses.
- 5.4.4 Throughout the consultation period the Transport DC officer has requested that a parking layout plan be submitted to the Council that will dictate where the parking of vehicles occurs.
- 5.4.5 This transport plan has been submitted to the Council for consideration which demonstrates that the site is capable of accommodating the parking of 4 no. vehicles sufficiently.
- 5.4.6 The connecting road that runs adjacent to Oldbury Lane, giving access to the site, is considered to be long and narrow with relatively low vehicle speeds. The traffic utilising this road is only used by persons of the residential dwelling, the physical B8 site and adjacent light industrial buildings; although it could be used by any other members of the public given its unrestricted nature.
- 5.4.7 However, in the current absence of a parking plan, it is not considered in principle that there are any adverse impacts in terms of highways safety deriving from this application; given the limited frequency of vehicles using the road and the according low vehicle speeds.
- 5.4.8 Therefore, it is not considered that there would be any detriment to highways safety in terms of the proposals submitted within this application in accordance with adopted Policy T12 of the South Gloucestershire Council Local Plan (adopted) January 2006.

5.5 Planning Issues: Impacts on Residential Amenity

- 5.5.1 Policy T12 of the South Gloucestershire Council Local Plan (adopted) January 2015 requires new development to not generate traffic which would unacceptably affect residential amenity in terms of noise, vibration and air quality. Policy E7 of the South Gloucestershire Council Local Plan (adopted) January 2015 requires development to not have a harmful effect on the character of the countryside or the amenities of the surrounding area.
- 5.5.2 The applicant submits that the facility within the unit can be limited to 4 persons at any one time. Given the remote rural location to which this application site is

located, and the small scale nature to it, it is likely that vehicle trips by car will be short and the catchment of users will be within the immediate locality.

- 5.5.3 Therefore, it would be reasonable to deduce that a variety of transport methods would be available to users of the site.
- 5.5.4 Throughout the consultation period, it was noted that the nearest residential dwelling is that of Pool Farm which is located approximately 5 – 10 metres away from the entrance proposed by the sought use.
- 5.5.5 The applicant has submitted that there would be 4 parking spaces and there is the potential to restrict the activities within the proposed unit to be used by no more than 4 persons at any one time. These parking spaces would likely facilitate the parking of 4 private individual vehicles.
- 5.5.6 The current existing B8 storage use on the site which was permitted by two separate recent individual consents has not been restricted via condition in terms of the hours of operation; noting that access, to the large scale site for multiple storage units, by any type of vehicle, including that of large vehicles, is deemed acceptable.
- 5.5.7 The Council would be able to control the number of vehicle trips to the facility through the use of an appropriately worded condition in respect of numbers of person using the facility at any one time and parking layouts which would allow a greater level of control over the frequency of trips and types of vehicles compared to that of the existing and surrounding uses.
- 5.5.8 Therefore, with a condition imposed, it is considered that the additional traffic generated by an additional four persons using the site per hour using small private vehicles, would not result in an intensification of the site to such an extent that it would be considered dissimilar or additional to that of the existing use.
- 5.5.9 This additional traffic, which derives from a use in a conditioned form, would be considered unlikely to cause a detrimental impact on the amenity of the neighbouring occupiers of the dwelling.
- 5.5.10 It should equally be noted that the landowner could at any point, subdivide existing units within the existing B8 use, under their existing planning consents which would generate additional vehicle trips in excess of those proposed, whilst falling within an existing authorised consent.
- 5.5.11 In light of the above, it is considered that the development proposed would not result in a level of traffic generation which would unacceptably affect the residential amenity of nearby residential properties in terms of noise; in accordance with the contents of Policy T12 and E7 of the South Gloucestershire Council Local Plan (adopted) January 2006.

5.6 Planning Issues: Noise Deriving from Operations within the Unit

- 5.6.1 Policy E7 of the South Gloucestershire Council Local Plan (adopted) January 2006 requires development involving the re-use of existing employment buildings to not have a harmful effect on the amenities of the surrounding area.
- 5.6.2 Throughout the consultation period, concern was raised in respect of noise being generated from the application site/unit on the nearby residential dwelling.
- 5.6.3 The consultation response received from the Council's Environmental Protection Officer noted that there could be an increase in associated noise which is likely to be detrimental to residential amenity of the nearby residential dwelling.
- 5.6.4 The Environmental Protection Officer has noted that the use of a condition, relating to no increase in background noise exceeding 0 dB or more, would be sufficient in mitigating any potential impacts in terms of noise being generated from the activities.
- 5.6.5 The Council has entered into discussions with the applicant in respect of the imposition of conditions in order to remedy these matters which have proved to be sufficient. The imposition of conditions in terms of this application is addressed in further detail in subsequent sections of this report.

5.6 Planning Issues: Use of Conditions

- 5.6.1 Paragraph 203 of the National Planning Policy Framework requires Local Planning Authorities to consider whether otherwise unacceptable development could be made acceptable through the use of conditions.
- 5.6.2 Paragraph 204 of the National Planning Policy Framework further provides three tests required to be met for the imposition of conditions. For the purposes of clarity these comprise of the following:
 - 1) *Necessary to make the development acceptable in planning terms;*
 - 2) *Directly related to the development; and*
 - 3) *Fairly and reasonably related in scale and kind to the development*
- 5.6.3 The Council considers that an unrestricted D2 use in this location would have the potential to cause an unacceptable impact on residential amenity of the nearby dwelling of Pool Farm being contrary to policy T12 of the South Gloucestershire Council Local Plan (adopted) January 2006.
- 5.6.4 The applicant has submitted within their application that the use would only be used by up to 4 persons at any one time. As previously established, such a level of usage in this location, given the wider, unrestricted B8 storage use site, and potential for subdivision within the existing use, is not considered to result in a level of traffic generation that would unacceptably affect the residential

amenity of nearby occupiers; and an appropriately worded condition in respect of numbers of users of the site could ensure the retention of this.

- 5.6.5 In the Council's assessment of the development proposed, conditioned to 4 users at any one time, the proposed scheme would be considered acceptable in terms of traffic generation considering the limited additional impacts on residential amenity.
- 5.6.6 The Council considers that, given the potential for permitted change of uses to occur upon the granting of consent from a D2 use to uses such as cinemas, dance halls, swimming baths etc, that a condition restricting the use of the unit to a gym only, would make the development acceptable in planning terms, in this location.
- 5.6.7 The Council additionally considers that a condition restricting the hours of operation from 0730 – 2100 hours Monday to Friday, 0800 – 1300 hours on Saturday, and no usage of the unit on Sundays or Bank Holidays, would be sufficient in limiting any potential impacts on the residential amenity of neighbouring occupiers of the Pool Farm residential dwelling.
- 5.6.8 Further, the Council considers that a condition limiting the noise generated from the unit, measured against background level, would be appropriate in mitigating any undue impacts on the amenity of residents within the locality.

6. Conclusion

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

7. Recommendation

- 7.1 It is recommended that planning permission be granted subject to conditions.

Contact Officer: James Cross
Tel. No. 01454 863162

CONDITIONS

1. The unit shall only be used by up to four persons, excluding staff, at any one time.

Reason

To safeguard the amenities of the surrounding area in accordance with the contents of Policy E7 of the South Gloucestershire Council Local Plan (adopted) January 2006.

3. The unit permitted by this permission shall only be used between the following times:

Monday to Friday 0730 - 2100 hours;
Saturdays 0800 - 1300 hours

The unit shall not be used on Sundays or Bank Holidays.

Reason

To safeguard the amenity of the surrounding area in accordance with the contents of Policy E7 of the South Gloucestershire Council Local Plan (adopted) January 2006.

5. The rating level of noise emitted from any extraction system or internal generated noise from fitness activities shall not exceed the existing background noise (LA90T) by 0dB or more. The noise levels shall be determined at the nearest noise sensitive location.

Reason

To safeguard the amenities of the surrounding area in accordance with the contents of Policy E7 of the South Gloucestershire Council Local Plan (adopted) January 2006.

7. The use hereby permitted by this permission shall only be used for the purposes of a gymnasium only.

Reason

To safeguard the amenity of the surrounding area in accordance with the contents of Policy E7 of the South Gloucestershire Council Local Plan (adopted) January 2006.

CIRCULATED SCHEDULE NO. 10/15 – 6 MARCH 2015

App No.:	PT14/4895/CLE	Applicant:	Mr Micheal Colwill
Site:	Stable Cottage Perrinpit Road Frampton Cotterell Bristol South Gloucestershire BS36 2AR	Date Reg:	22nd January 2015
	Application for Certificate of Lawfulness for existing use as a single dwelling house (Class C3) without compliance with condition 5 attached to planning permission PT01/3017/F.	Parish:	Frampton Cotterell Parish Council
Map Ref:	365953 182253	Ward:	Frampton Cotterell
Application Category:		Target Date:	16th March 2015



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PT14/4895/CLE

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is to appear on circulated schedule this week as the application is for a Certificate of Lawful Use.

1. THE PROPOSAL

- 1.1 This application is for a Certificate of Lawfulness for existing use as a single dwelling house without compliance with condition 5 attached to planning permission PT01/3017/F.
- 1.2 Planning permission was previously granted in 2001 for planning permission to convert the single storey barn into a dwelling, with an associated annexe (Stable Cottage). This application seeks to prove that the annexe has not been used in compliance with condition 5 attached to PT01/3017/F:

The residential annexe hereby approved shall be used wholly in conjunction with and ancillary to, the use of the property as a single dwelling and shall not be sub-divided, separated or altered in any way so as to create two or more separate units of accommodation.

Reason:

To ensure that the residential accommodation is not occupier as a separate unit having regard to the location of the site and its relationship with adjoining properties.

- 1.3 The application site relates to a two storey former stable and dairy building and elongated single storey agricultural building. Both are constructed in stone and are physically attached. They lie adjoining the existing farmhouse Poplars Farm, located to the south-west. Both properties have private rear gardens and share a vehicular access from Perrinpit Road to the south.
- 1.4 The applicant claims that Stable Cottage has been occupied in breach of the above condition since November 2003.

2. POLICY CONTEXT

- 2.1 National Guidance
Town and Country Planning (Development Management Procedure) Order 2010 (as amended)

3. RELEVANT PLANNING HISTORY

- 3.1 PT00/3095/F Poplars Farm, Perrinpit Farm
Change of use of barn to residential dwelling with associated annexe and access
Refused 21.05.01
- 3.2 PT01/3017/F Poplars Farm
Conversion of barn to dwelling with associated annexe
Approved with conditions 18.03.02

- 3.3 PT02/1330/F Poplars Farm
Construction of new vehicular access
Approved with conditions 22.05.02

4. SUMMARY OF EVIDENCE IN SUPPORT OF THE APPLICATION

- 4.1 In support of the application, the following information has been submitted:
- A statutory declaration by Mr Michael Colwill relating to the occupancy of Stable Cottage, which states that he occupied the building as a separate dwelling house since November 2013. Mr Colwill states that his parents moved into Poplars Farm (adjoining property) at the same time (November 2013). Each residential unit has independent gas, electricity and water supplies and Council tax is payable for each property. The approved plans (Ref. PT01/3017/F) show an opening would be created in the shared internal wall as a connecting door; this was never implemented. Each individual property has a separate main entrance and there are no shared facilities.
- 4.2 Documents that have been submitted include:
- Red edge plan of the application site;
 - Statutory Declaration of Mr Michael Colwill, which includes exhibits of the Land Registry plan documents; Site Location Plan; Notice of Decision Ref PT01/3017/F; Site Location Plan (red and blue edges identified); Approved floor plans/layout of Stable Cottage and Poplars Barn; and, Council Tax Valuation listing.

5. SUMMARY OF CONTRARY EVIDENCE

- 5.1 None.

6. CONSULTATION RESPONSES

- 6.1 Frampton Cotterell Parish Council
The Parish Council objects as this is an unwelcome precedent in the green belt.
- 6.2 Councillor
No comments received.
- 6.3 Sustainable Transport
No comment.

Other Representations

- 6.4 Local Residents
No comments received.

7. EVALUATION

- 7.1 The application for a Certificate of Lawfulness is not a planning application and is purely an evidential test. The test of evidence to be applied is whether or not the case has been shown on the balance of probability. As such the applicant needs to provide precise and unambiguous evidence.
- 7.2 The applicant claims that the dwelling Stable Cottage has been occupied in breach of planning permission PT01/3017F condition 5 (dated 14.03.02) and is now lawful. The applicant must be able to demonstrate that on the balance of probability that the dwelling has been occupied continuously as a separate, independent dwellinghouse for a period of ten years or more.
- 7.3 There is no planning enforcement history to the site to suggest that the non-compliance with condition 5 attached to planning permission PT01/3017/F was ever investigated or formal enforcement action issued. The Officer considers the original decision notice, particularly condition 5, vague as there is no mention of which property is the main house and which is the associated annexe. Nevertheless, it appears that Stable Cottage (the annexe) has been occupied as a separate dwelling continuously and without interference since November 2003.
- 7.4 There is no contrary evidence to the applicant's claims that that Stable Cottage has been occupied as a separate dwelling. The Officer visited the site and looked inside of Poplars Barn; the owner Mr John Colwill showed the Officer around the property and pointed out the internal wall where the shared internal door should have been installed, but had never been. The two properties clearly appeared to function as separate, independent dwellings and there was a boundary hedge at the rear of the properties dividing the gardens. The properties share a parking area at the front of the properties and an access. The officer's site visit did not bring to light any reason to dispute this claim. The statutory declaration submitted by the applicant and the supporting documents provide clear and unambiguous evidence and are given weight as this is evidence sworn under oath and witnessed by a solicitor.
- 7.5 On this basis, the statutory declaration provided is given weight in the determination of this application for Certificate of Lawfulness. Officers consider that, on the balance of probabilities, the dwelling has been occupied in breach of the planning permission (Ref. PT01/3017/F) for a period of over 10 years and it is considered that the occupation of Stable Cottage as a separate dwelling is now lawful and immune from planning enforcement action.
- 7.6 Other Issues
The Parish Council have objected to the application on the grounds that it would set a precedent for similar development within the Green Belt. However, this application is not assessed on its planning merits or in accordance with national and local planning policies. The assessment is solely based on evidence proving that the breach has taken place continuously over a ten year period. Therefore, the views of the Parish Council cannot be considered in the determination of the Certificate.

7. RECOMMENDATION

- 7.1 That a Certificate of Lawful Development is granted for the continued occupation of Stable Cottage as a separate dwelling in breach of planning permission Ref. PT01/3017/F.

Contact Officer: Katie Warrington
Tel. No. 01454 863436

CIRCULATED SCHEDULE NO. 10/15 – 6 MARCH 2015

App No.: PT15/0230/F
Site: 4 Factory Road Winterbourne Bristol
 South Gloucestershire BS36 1QN
Proposal: Erection of two storey side and rear
 extension with room in roof, to create
 residential annexe ancillary to main
 dwelling. (Re Submission of
 PT14/3489/F)
Map Ref: 365850 181283
Application Category: Householder

Applicant: Mrs S Wintle
Date Reg: 21st January 2015
Parish: Winterbourne
 Parish Council
Ward: Winterbourne
Target Date: 13th March 2015



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application appears on Circulated Schedule as a result of correspondence received from a neighbour.

1. THE PROPOSAL

- 1.1 The application seeks planning permission to erect a two storey side and rear extension to be used as an attached annex to this semi-detached house in Winterbourne. The materials proposed are matching render and facing brick with matching tiles to the roof.
- 1.2 The site is located in Winterbourne and a line of TPO trees is located in the next door property.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012

- 2.2 Development Plans

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

L1	Landscape protection and enhancement
H4	Residential Extensions
T12	Transportation Development Control Policy for New development

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1	High Quality Design
CS9	Protecting resources

- 2.3 Supplementary Planning Guidance
Residential parking Standards SPD Adopted Dec 2013
South Gloucestershire Council adopted planning guidelines- Trees on Development Sites

3. RELEVANT PLANNING HISTORY

- 3.1 PT14/3489/F Erection of two storey side extension with room in roof, to create residential annexe ancillary to main dwelling. Withdrawn

4. CONSULTATION RESPONSES

- 4.1 Winterbourne Parish Council
No objection
- 4.2 Other Consultees
Highways Officer
No objection

Tree officer

No objection subject to tree protection measures for the tree in the rear garden being carried out and provided that the existing drive is not removed as part of the development. Should the drive be removed harm could occur to the trees to the north of the site and a construction method statement would be required.

Other Representations

4.3 Local Residents

One letter of objection is received although the writer states that they are in general supportive of the proposal and would withdraw the objection provided that the wall between 136A Watleys Road and the site is secured from risk of loss of integrity by a condition of the planning consent. And that given the loss of visual amenity, increased shading and closer proximity of overlooking windows, the writer would like to see a condition attached to planning permission that the oak tree in the garden of 4 Factory Road be reduced to, and maintained at no higher than, six metres so as to reduce other shading of 136A Watleys End Road.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The NPPF sets a presumption in favour of sustainable development. This means that development proposals that accord with the development plan should be approved and where relevant policies are absent, silent or out-of-date, permission should be granted unless – any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies within the NPPF taken as a whole. There is therefore a presumption in favour of development subject to further consideration in relation to the policies of the development plan.

In assessing applications for residential extensions, planning policy H4 of the adopted Local Plan and CS1 of the Core Strategy are particularly relevant. Policy H4 specifically relates to residential development, including extensions, and considers issues such as design, residential amenity and highway safety. CS1 seeks that the siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the site and its context. In addition as the property is located close to TPO trees policies CS9 needs consideration.

5.2 Design

This proposal is located on the side of the house and also extends 2.4m in to the rear garden. As such it is visible from the street scene. The proposal is appropriately scaled as an extension and would be finished in matching materials. There is sufficient residential amenity space retained for the resulting house. The level of detail provided with the application gives sufficient materials details to ensure that a materials condition is not required.

5.3 Residential amenity

The proposed extension would project around 2.4 metres past the rear of the house and 3.7m wide. The location of the proposal at some 9m from the

neighbours conservatory is on balance an acceptable distance, given that the proposal is not directly behind that neighbour (the objector). The applicant retains a path around the side of the property and as such it is considered that no harm to residential amenity would occur as a result of the mass of the proposal. The neighbour is keen to establish that no harm will come of the garden wall between the properties and this is something that the applicant will need to consider, potentially under the Party Wall Act. This is not a matter for the Local Planning Authority to consider or monitor. A bath room window is proposed to face west and a kitchen to the annex is shown with a window facing east across the neighbours garden. Given the close proximity of these windows conditions are proposed to prevent overlooking directly into the back of the neighbours house.

Overall therefore the proposal is not considered to materially harm the residential amenity of the neighbouring occupiers.

Given the close proximity of the neighbour a working hours condition is necessary.

5.4 Trees

Running along the road frontage to the north of the site entrance are trees in third party land. An arboricultural assessment was received with the application which states that the trees will not have roots which grow under the wall. Having considered the case the tree officer accepts that the trees roots are unlikely to be affected by the extension itself but that if the existing drive were to be taken up in order to create a new drive, roots from these TPO trees may well be affected. As such given that the Tree report states that the drive is to remain a condition preventing the removal of the existing drive is proposed. As such it can be extended but not removed. The agent is agreeable to this.

5.4 Transportation

The house with the annex would result in a five bedroomed property. This would require three parking spaces under the current residential parking standards and initially the application showed three spaces and the removal of the hedge across the front of the house. However it is noted that the site is unique in that there would appear to be an area of highway in this location between the boundary of the properties and the running carriageway of the highway. This area would appear to be used by the existing residents in this location for parking without interfering with the safe and free flow of traffic on the highway. As a consequence officers are prepared to reduce the parking allowance in this isolated incidence to 2 off street car parking spaces for the dwelling – this would appear to be achievable by removing a small element of the existing hedge whilst still enabling the highway parking to remain (currently the on street parking would be removed if the 3 parking spaces are provided as well as all of the existing hedge). As such subject to a condition ensuring that the current one space is increased to two parking spaces within the site 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 That planning permission is granted subject to the conditions below:

Contact Officer: Karen Hayes
Tel. No. 01454 863472

CONDITIONS

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

Reason

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

2. Prior to the use or occupation of the extension hereby permitted, and at all times thereafter, the proposed first floor window on the rear elevation (bathroom) shall be glazed with obscure glass to level 3 standard or above with any opening part of the window being above 1.7m above the floor of the room in which it is installed'.

Reason

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

3. The lower half of the kitchen window as shown on the side elevation shall at all times be of obscured glass to a level 3 standard or above, and be permanently fixed in a closed position.

Reason

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

4. The existing drive shall be retained in situ and shall be extended to facilitate the addition of one additional parking space within the site in accordance with the plan received 04/03/2015.

Reason 1

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

Reason 2

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 Residential Parking Standards SPD Adopted Dec 2013.

5. Prior to commencement of the extension hereby permitted, the tree protection measures set out in the Arboricultural Report shall be set out on site and maintained as such for the entire period of construction.

Reason

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

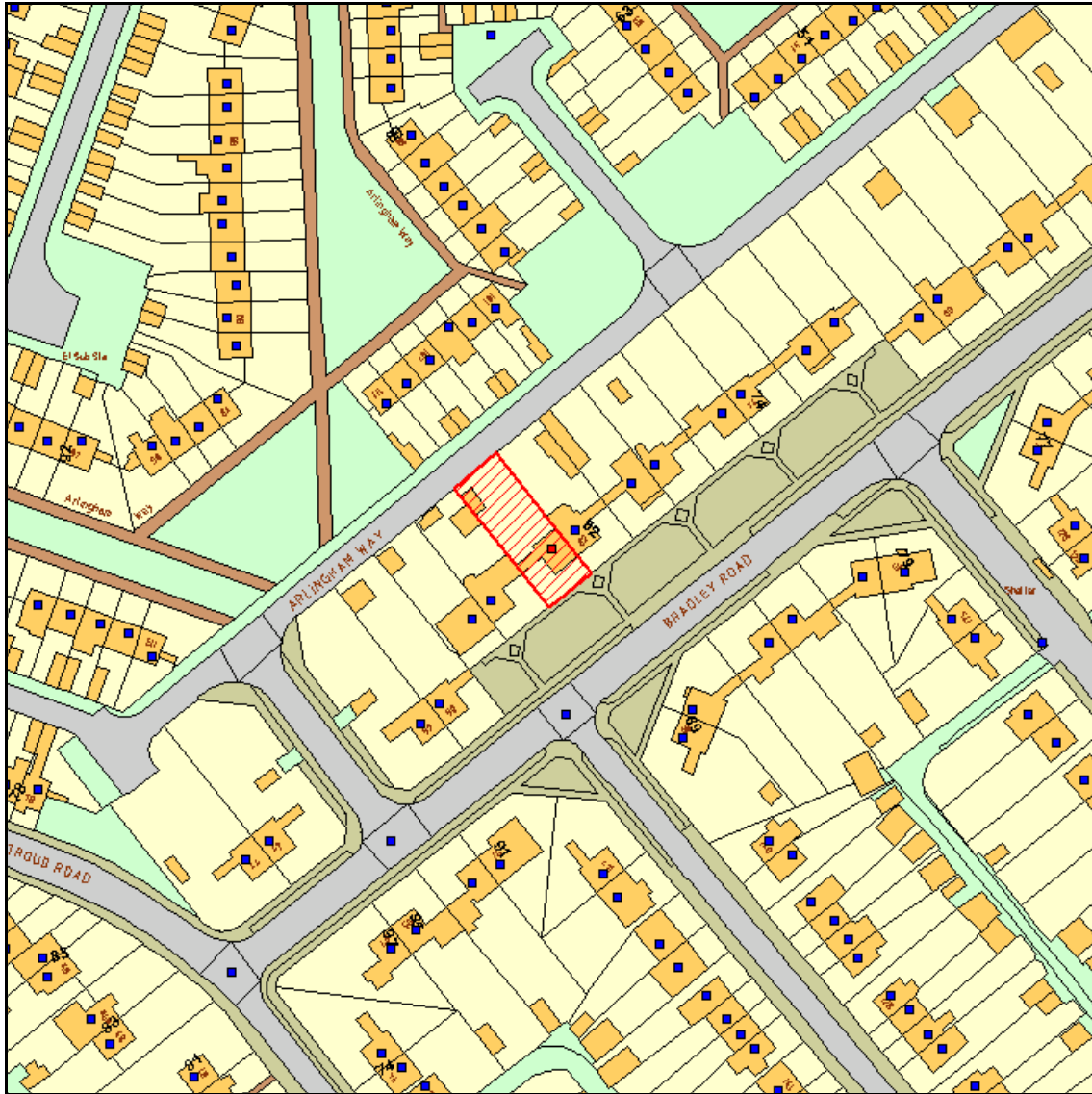
6. The annex extension hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 4 Factory Road.

Reason

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policies T7 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006 and policy CS8 of the South Gloucestershire Local Plan Core Strategy adopted Dec 2013.

CIRCULATED SCHEDULE NO. 10/15 – 6 MARCH 2015

App No.:	PT15/0248/F	Applicant:	Mr T Coleman
Site:	84 Bradley Road Patchway Bristol South Gloucestershire BS34 5HR	Date Reg:	23rd January 2015
Proposal:	Erection of detached garage.	Parish:	Patchway Town Council
Map Ref:	359541 181955	Ward:	Patchway
Application Category:	Householder	Target Date:	17th March 2015



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application has been reported to the circulated schedule because objections have been received that are contrary to the officer recommendation.

1. PROPOSAL AND SITE DESCRIPTION

- 1.1 The applicant seeks retrospective consent for the erection of a detached garage. The building is to be gable ended.

In terms of dimensions the building would have an approximate height of 4.8 metres to the ridge of the roof, width of 7.7 metres and depth of 6 metres. Timbers doors are shown on the front elevation giving out onto Arlingham Way. The structure will be of rendered blockwork with a tiled roof. The proposal has replaced an existing single garage

- 1.2 As indicated above the structure has been built such as it is not in accordance with the approved plans. The approved garage has an identical footprint and height to the apex of the roof, however with a gable ended form it has a greater volume. Other alterations include a different positioning of the garage doors on the front elevation and the replacement of a single door on the rear elevation with a window and patio style doors.
- 1.3 The application site comprises a semi-detached property situated on the northern side of Bradley Road with an entrance onto Arlingham Road to the rear of the house.
- 1.4 An application to determine whether the alteration could be considered a non-material amendment was recently submitted (PT14/4933/NMA) and it was considered that it could not and hence a full planning application was required.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework 2012
National Planning Policy Guidance 2014

2.2 Development Plans

South Gloucestershire Core Strategy (Adopted) December 2013

CS1 High Quality Design
CS9 Managing the Environment and Heritage

South Gloucestershire Local Plan (Adopted) January 2006

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

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted 2007)

3. **RELEVANT PLANNING HISTORY**

- 3.1 PT11/2462/F Erection of two storey side and single storey front and rear extensions to provide additional living accommodation. Erection of detached double garage (Approved with conditions)

PT14/4933/NMA Non-material amendment to PT11/2462/F to alter garage door opening and change roof from hip to gable (objection)

4. **CONSULTATION RESPONSES**

4.1 Patchway Town Council

There has been no response received

4.2 Other Consultees

Street Care

No objection

Sustainable Transport

Although concerns raised that the garage abuts the edge of the public highway, this was not raised as an issue previously and there is therefore no transportation objection to the proposed development. Conditions are recommended to ensure that building is used for garage/storage use only (given that it provides the only and that it is used in association with the main dwelling.

Other Representations

4.3 Local Residents

Two letters of objection have been received. The grounds of objection can be summarised as followed:

- The application is being made after an application for a non-material amendment application was refused
- The garage is very large and the roof is much higher than is necessary and is an eyesore
- A gabled ended building allows an opportunity for a possible conversion of the roof space into a second storey and if windows were put in to do so this would result in a loss of privacy to neighbours
- There is concern that the building is to be used as extra living space or party venue
- The proposal could reduce the value of other properties as it would ensure that the neighbourhood appeared more “built-up”
- The location close to the road reduces visibility
- Future maintenance will require access to neighbouring properties.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

The principle of development is therefore acceptable and it should also be noted in this case that consent has already been given for a detached garage on this site through planning permission PT11/2462/F. Thus the current proposal is assessed having particular regard to the differences between the consented scheme and the structure that has been built.

The proposal is therefore acceptable in principle subject to consideration of the material planning considerations set out below.

5.2 Visual Amenity

Concern has been raised that the proposal is out of character with the area and detracts from visual amenity.

It is acknowledged that garage having been built with a gable end rather than a hipped roof appears much larger than that shown on the approved plans given the increase overall volume albeit it should also be noted that the highest part of the roof is the same height as that approved and the footprint remains the same. Regard must be had to what could be built under permitted development rights and a building could be erected 2 metres from the boundaries to a height of 4 metres (the garage under consideration here being 4.7 metres). It was noted on the site visit by the officer that garages within the vicinity are predominantly single storey however there were examples of larger garages, some with a larger footprint and similar height to that proposed ((albeit not immediately adjoining this site).

Whilst concerns raised are noted it is not considered that the proposal is detrimental to visual amenity such as would justify the refusal of the application.

Residential Amenity

Concern has been raised that as built the proposal affords the opportunity to create a second floor, the addition of windows and possible loss of privacy to neighbours. There is also concern that the building is being used as a party venue.

It is not considered that the building as built would result in loss of privacy or result in loss of outlook to neighbouring occupiers. Should windows be erected at first floor level in the rear elevation views of the rear of neighbouring properties would be at an angle and at a distance of between 17 to 18 metres. Windows in the gable end would only view the end of neighbouring gardens

directly. A condition is recommended (see 5.3 below) to ensure that the building is use for the storage of motor vehicles of domestic storage only ancillary to the main dwelling. The only purpose of this condition is to ensure the retention of parking provision however this would by default ensure that the building could not be used as ancillary living accommodation.

5.3 Sustainable Transport

Concern has been raised that the position of the garage has an impact upon visibility for those adjoining. It should be noted however that the footprint remains identical to that previously approved and the proposal would have no more impact than the consented scheme in that regard. No objection is raised by the transportation officer.

The garage will provide the only off-street parking provision to serve the house. Since the original consent in 2011 the Council has introduced Residential Parking Standards. It is considered appropriate to attach a condition to the decision notice to require the garage to be used for the storage/parking of vehicles or other storage ancillary to the main dwelling.

Subject to this condition the proposal is considered acceptable.

5.4 Other Issues

Concern has been raised that the development would result in the loss of property values for neighbouring occupiers. It should be noted that this is not a material planning consideration that can be used in the determination of a planning application.

Concern has been raised that future maintenance of the structure would require access from neighbouring properties. Whilst this might be the case the gaining of such access would be a matter to be agreed between the parties and is not a material planning consideration. An informative will be attached to the decision notice to advise the applicant that consent does not give any right of access to neighbouring land.

Concern is raised that the application is retrospective and follows the rejection of an application to secure the alterations through the “non-material amendment procedure” is noted.

It is important to note however that the submission of a retrospective application to regularise unauthorised development or development that has not been built in accordance with an approved set of drawings is permissible and the development will then be accessed on its planning merits. In this case prior to the submission of the current application under consideration the applicant submitted a “non-material” amendment application (PT14/4933/NMA), to seek a determination as to whether the changes that have been made could be deemed “non-material”. In this instance the changes made, specifically the alterations to the roof were deemed to be a material change. In making this determination, Officers were making clear to the applicant that the changes

made required determination through the submission of a planning application in order to assess their merits.

6. CONCLUSION

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

7. RECOMMENDATION

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

Contact Officer: David Stockdale
Tel. No. 01454 866622

CONDITIONS

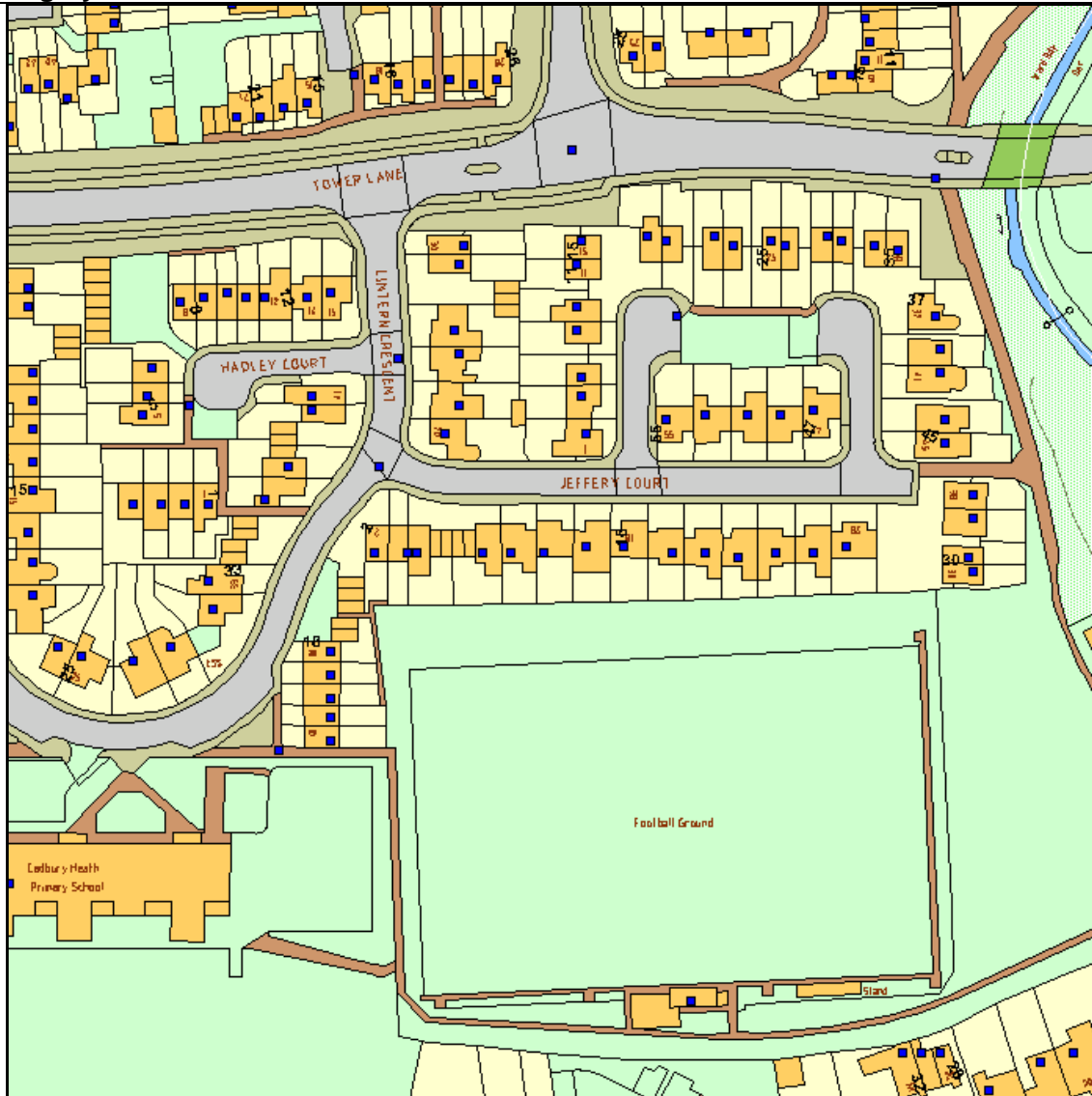
1. The garage hereby approved shall be used for the storage/parking of motor vehicles and domestic storage and shall be used at all times ancillary to the residential dwelling known as 84 Bradley Road Patchway.

Reason

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

CIRCULATED SCHEDULE NO. 10/15 – 6 MARCH 2015

App No.:	PT15/0320/F	Applicant:	Frenchay Construction
Site:	Landshire Bristol Road Frenchay Bristol South Gloucestershire BS16 1LQ	Date Reg:	28th January 2015
Proposal:	Demolition of existing dwelling to facilitate the erection of 4no. detached dwellings with parking, vehicular access and associated works (re-submission of PT14/0193/F)	Parish:	Winterbourne Parish Council
Map Ref:	363542 178008	Ward:	Frenchay And Stoke Park
Application Category:	Minor	Target Date:	20th March 2015



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PT15/0320/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The application seeks permission for the demolition of the existing bungalow and the erection of 4no. detached dwellings with access and associated works. The development would consist of 3no. dwellings accessed Bristol Road with 1no. dwelling accessed from Old Gloucester Road.
- 1.2 The application relates to a bungalow situated in a plot of land which is bordered to the southeast by Bristol Road and to the northwest by Old Gloucester Road. The site has an existing access from Bristol Road. It is situated just within the North Bristol Fringe falling in a residential area of Frenchay.
- 1.3 The application is a re-submission of application ref. PT14/0193/F which was refused on grounds of highway safety and the impact of the development on the character of the locality. The application was also dismissed at appeal however the only refusal reason that was upheld was the impact on local character with specific reference to plot 4.
- 1.4 During the course of the application revised plans have been submitted in order to amend the scale and layout of plot 4. A re-consultation period was undertaken.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Practice Guidance 2014

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS5 Location of Development
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS15 Distribution of Housing
CS16 Housing Density
CS17 Housing Diversity
CS25 Communities of the North Fringe of Bristol Urban Area

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

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

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist SPD (Adopted) 2007

3. **RELEVANT PLANNING HISTORY**

- 3.1 PT14/0193/F - Demolition of existing dwelling to facilitate the erection of 4no. detached dwellings with parking, vehicular access and associated works. Refused 2nd July 2014. Appeal Dismissed 13th January 2015 for the following reason:

"I conclude that the proposal would be materially harmful to the character and appearance of the area. It would therefore conflict with Policy CS1 of the adopted South Gloucestershire Local Plan: Core Strategy (2013) (CS) which seeks the highest possible standards of design and site planning. The proposal fails to satisfactorily address the policy requirement to demonstrate that: (i) the siting, form, scale, height and massing would be informed by, respect and enhance the character, distinctiveness and amenity of both the site and its context; and (ii) the density and overall layout is well integrated with existing adjacent development."

- 3.2 PT13/0579/EXT, Erection of 4 no. detached dwellings and ancillary outbuildings. (Consent to extend time limit implementation for PT09/6064/F). Approved 9th April 2013
- 3.3 PT09/6064/F, erection of 4 no. detached dwellings and ancillary outbuildings. Approved 11th March 2011
- 3.4 PT08/2835/F, Demolition of existing dwelling to facilitate erection of 3no. detached dwellings. Approved, 28 November 2008.
- 3.5 PT08/2316/RM, Demolition of existing bungalow and the erection of 3 Dwellings. Refused 9 September 2008
- 3.6 PT07/3631/F, Demolition of existing dwelling to facilitate erection of 3 no. dwellings with associated works. Refused 15 January 2008
- 3.7 PT07/1876/O, Erection of 14 no. 2 bedroom dwellings with layout, scale and access to be determined. Refused 17 August 2007
- 3.8 PT06/2159/O, Erection of 3 no. dwellings (outline) with siting and means of access to be considered. Approved 29 August 2006

4. **CONSULTATION RESPONSES**

- 4.1 Winterbourne Parish Council
17/02:

Objection. Plot 4 would have an unacceptable impact on the character and appearance of the area. It is very overbearing and there will be a loss of privacy to other properties due to the bedroom window.

03/03:

Objection. The property would have an overbearing impact to neighbours property. This is now closer to the neighbouring properties with windows which

overlook them. Overdevelopment of the site with no obvious change to previous rejected plans.

4.2 Tree Officer

No objection subject to planting plan.

4.3 Transportation DC

No objection subject to condition securing access and parking.

4.4 Drainage Engineer

No objection subject to conditions.

Other Representations

4.5 Local Residents

Ten letters of objection have been received from local residents. The comments can be summarised under the following:

- Loss of privacy/ overlooking.
- Loss of light.
- Overbearing impact.
- Overdevelopment.
- Cramped.
- Density.
- Scale.
- Height.
- Parking.
- Condition of Old Gloucester Road/ damage to road.
- Almost identical to dismissed scheme.
- Effect on drainage and sewerage.
- Roof space on plot 4 ready for further development.
- Honouring of conditions.
- Plots 1, 2 and 3 too close to adjoining bungalows.
- Impact on solar panels on 10 Old Gloucester Rd.
- Size of gardens.
- Trees to be cut down and hedgerow already removed.
- Appeal dismissed on overbearing impact to neighbours.
- Deceptive street scene plan.
- Revised plans increase impact on neighbours.
- Practicality of excavation.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application seeks permission for the erection of 4no. dwellings within an existing residential curtilage which falls within the urban area in the North Bristol fringe. The application site has a large amount of history including an extant consent for 4no. dwellings (PT13/0579/EXT). The principle of residential development has therefore been established and considered acceptable.

5.2 The current application is a re-submission of a previous application (PT14/0193/F), which was refused by the Local Planning Authority on grounds of highway safety and impact on local character in July 2014. This was

subsequently dismissed at appeal with only one refusal reason upheld which relates to the impact of plot 4 on the character of the locality. This appeal decision, which was issued in January 2015, is considered to hold substantial material weight in the determination of the current application. The applicant has sought to address the Inspector's refusal reason by amending the layout, scale and siting of plot 4. As a result the rear boundaries of plots 1 and 2 have also moved. The most pertinent issue to consider, in line with the appeal decision, is the impact of the proposed development on plot 4 on the character and distinctiveness of the locality. Other pertinent issues include the impact of the revised layout on residential amenity, on highway safety and on the environment.

5.3 Design/ Character

The application relates to a plot of land which currently contains a bungalow situated between 'Cranleigh' to the south with no.10 Old Gloucester Road and 'Chataigne' to the north and northeast. The site is bordered to the front (southeast) by Bristol Road and to the northwest by Old Gloucester Road. The site is within a residential area falling within but on the edge of the settlement of Frenchay. It does nevertheless have a semi-rural character in particular to the rear on Old Gloucester Road which marks the boundary between the urban area with open countryside and Green Belt beyond. The locality has a mix of dwellings scales, types and designs however the predominant character is one of bungalows or dormer bungalows on spacious plots.

5.4 In terms of the proposed site layout and design it is noted that there is very little change to the dwellings on plots 1, 2 and 3, all of which are detached double storey dwellings set back from Bristol Road and in a staggered formation. The principle of introducing double storey height dwellings to this location has already been established under the extant consent and no objections were raised to these dwellings by Officers or by the Inspector within the previously refused application (PT14/0193/F). There is a slight alteration to the siting of the dwellings 1 and 2 which results in a more exaggerated stagger in layout however it is not considered that this would appear noticeably different to the previous scheme. Accordingly, consistent with the previous assessment, there are no objections to the developments on plots 1, 2 or 3 subject to the use of satisfactory materials.

5.5 The siting, layout and scale of the dwelling on plot 4 was under contention under the previous application and formed the basis for the refusal reason which was upheld at the appeal stage. Whilst there had been no specific concerns in relation to the actual design and detailing of the dwelling on plot the Inspector did consider that the height, scale and proximity of the dwelling would be unduly prominent in the street scene and would be out of odds with the prevailing pattern of development in the locality. This assessment is as follows:

“Old Gloucester Road marks the edge of the built-up area. Residential development is concentrated to the east of the road and there are views out towards open countryside and the M32 motorway to the west. I noted that dwellings are set back from the road behind front driveways and gardens, with mature hedging helping to soften the appearance of the buildings. The overall character is one of an attractive leafy semi-rural environment.”

Given the mix of architectural styles in the area I do not consider that the design of the dwelling on Plot 4 would appear out of context. However, the property would be located much closer to the road than the majority of other buildings within Old Gloucester Road. There would be scope for planting along the roadside boundary but this would not adequately mitigate for the height and mass of the dwelling, the gable of which would appear unduly prominent in views along the road. Even allowing for the reduction in ground levels being proposed, the proximity of the development to the road would be detrimental to the street scene and at odds with the prevailing pattern of development in the locality.”

- 5.6 In order to address the Inspector’s comments within the revised plans the scale and height of the dwelling on plot 4 has been reduced and the dwelling has been set further back from the highway by just under 4 metres. The dwelling would as a result be 6.3 metres from the site boundary adjacent to Old Gloucester Road. The height of the dwelling has been reduced from 7.5 metres to 7.1 metres above the existing ground level and the footprint of the building has been reduced. Excavation is proposed in order to reduce the apparent height of the dwelling from the views along the street scene. The overall design of the dwelling would remain the same with a gable end facing Old Gloucester Road, a pitched roof 1.5 storey wing to the northeast elevation, and with dormer windows to accommodate the first floor level.
- 5.7 In terms of plot 4 it is not considered that the revised height or scale of the dwelling is necessarily out of keeping in its context and indeed the revised height of the dwelling would, once excavations have taken place, not exceed the maximum ridge height of the recently constructed bungalows (no.s 10 and 12 Old Gloucester Road) to the north. The dwelling’s massing would be greater than the approved bungalows directly to the north as a result of the higher eaves and larger footprint but would have a similarity in scale and massing to the approved dwelling which is to the north of the bungalows adjacent to Gloucester Lodge (PT12/3784/F). The pertinent issue, as described by the Inspector, is the prominence of the dwelling which is interlinked with its siting. The dismissed proposal had previously been proposed closer to the road than any of the other surrounding dwellings and due to the angle of the site boundary would have been prominent in particular in views from south to north.
- 5.8 It is considered that on balance the revised proposals have addressed the Inspector’s concerns by moving the dwelling further back from the site boundary leaving a larger gap which would help to retain a sense of space and the semi-rural character. It is considered that the reduced scale and height of the dwelling, when combined with the revised layout, would ensure that the development would not appear adversely prominent in particular when read within the context of the bungalows and the approved double storey height dwelling adjacent to Gloucester Lodge. It is also noted that the dwelling on plot 4 has been moved to be more in keeping with the pattern of development in this part of the locality and as such
- 5.9 A number of concerns have been raised by local residents in relation to the layout of the proposed development particularly with reference to the development being cramped, of a high density and of representing an overdevelopment of the site. These concerns are all noted however it is not

considered that the development layout or density is out of keeping in this context. The surrounding developments are of a mixed density with a large variation in plot sizes and scales. Whilst the Inspector had previously noted that the previous proposal did not follow the development pattern in the locality no issue had been raised on the proposed density. It is not considered that the development would represent an overdevelopment in the context of this locality.

- 5.10 Provided high quality materials are incorporated into the development, samples of which can be secured by condition, it is considered that the revised development has addressed the Inspector's previous reasons for refusal and would not have an adverse impact on the character or quality of the site, the street scene or the locality.
- 5.11 In terms of landscaping numerous concerns have been raised in relation to the removal of the hedgerow that had bordered the rear of the site on the boundary to Old Gloucester Road. The previous proposal had not included a replacement to this but this has now been incorporated in to the proposal layout including the introduction of a number of trees. This amendment is considered positive and would help to soften this boundary contributing towards and maintaining the semi-rural character of the street scene. Although it would not screen the development proposal it would nevertheless enhance the site once built.
- 5.12 In terms of the landscaping to plots 1, 2 and 3 the application proposes to remove all trees from the site including 2 large hybrid black poplars –*Populus x canadensis* (T8 and T12) which front Bristol Road, and a good example of a Lawson Cypress – *Chamaecyparis lawsoniana* (T13). Although the loss of these trees is regrettable it is noted that poplars are considered an unsuitable species for a public highway due to their poor wood properties and propensity for branch failure. Although their removal would significantly impact on the amenity of the street scene in the short term, replacing them with a more suitable tree species would improve the quality of the tree stock in the medium to long term. The proposed species *Tilia* 'Greenspire', however, would not attain the size of tree in maturity that would replace the existing trees and it would be preferable to re plant along Bristol road with *Tilia cordata*. *Tilia cordata* 'Greenspire' is considered suitable for the 2 trees facing Old Gloucester Road. In this respect it is considered that the development proposal, whilst having a short term impact, would offer a longer term contribution to the trees on the site.
- 5.13 A condition is recommended to ensure that the Council has satisfactory control over the final planting of both the trees and the hedgerows, including the species, size, location and times of planting. Subject to this condition it is considered that the development would meet the policy aims of saved policy L1 and policies CS1 and CS9.
- 5.14 Highway Safety
In terms of highway safety it is noted that the previous highway refusal reason on application PT14/0193/F was not upheld at the appeal. This decision therefore holds substantial weight. The current application proposes a very similar access and parking layout to the previous application proposing some minor alterations to improve the provision of the visibility splays on the new proposed access from Old Gloucester Road. The parking to serve plots 1 and 2

has reduced slightly in depth compared to the previous application however would still provide off street parking in accordance with the Council's minimum standards. Therefore, subject to a condition securing the access and parking layout in accordance with the plans there are no objections on grounds of highway safety.

5.15 Residential Amenity

A number of concerns have been raised by local residents and by the Parish Council in relation to the impact of the development proposal on the living standards of the surrounding occupiers. In particular concern has been raised on ground of loss of light, overbearing impact and loss of privacy. Contrary to the comments received it is noted that the appeal decision had raised no objection on these grounds stating that these matters '*would not constitute reasons to dismiss the appeal*'.

5.16 It is noted the revised design would result in the dwelling on plot 4 being sited closer to the side boundary of no.10 Gloucester Road, and the rear boundaries of the dwellings on plots 1, 2 and 3, and Chataigne. The revised layout has also reduced the size of the rear gardens on plots 1 and 2.

5.17 As the layout of the dwellings on plots 1, 2 and 3 has only slightly changed since the previous approval it is considered that the Inspector's previous comment still stand such there the are no reasons to refuse these dwellings on grounds of living standards. Whilst the gardens of plots 1 and 2 have reduced it is not considered that this would have a detrimental impact on future occupiers and as such there are no objections on these grounds. The pertinent issue is considered again to be the impact of the dwelling on plot 4.

5.18 It is noted that whilst the side elevation of the bungalow closest to plot 4 has windows at ground floor level it does not have windows at first floor level looking into the application site. The application states that the mutual boundary to the two sites would consist of a 1.8m boundary fence which would screen the windows thus protecting the privacy of the occupiers. Whilst a dormer is proposed at first floor level looking towards the bungalow it would not look into any windows and as such it is not considered that it would prejudice privacy. The gable closest to no.10 has no windows at first floor level and this can be secured by a condition.

5.19 It is considered that the outlook afforded to the occupiers of no.10 would not substantially alter due to the single storey nature of the building and the existence of the existing boundary treatment and bungalow. It is acknowledged that the revised proposal would bring the dwelling closer to the boundary of no.10 and as such the development would be more visible from the garden area and at an angle from the windows. It is also noted that the bungalow has a very constrained curtilage area and as such the quality of the outdoor space is already compromised. It is however considered on balance that sufficient separation would remain and, given that the gable closest to the boundary is of a lower height and massing, it is not considered that it would appear significantly overbearing or oppressive such that a refusal could be warranted on these grounds. It is noted that the proposal would have some impact on light levels but due to the orientation of the bungalow the light lost at peak hours would not be so substantial that a refusal could be warranted. On balance,

taking account of the matters raised above it is not considered that the development would have an unacceptable impact on the living standards of the occupiers of no.10 to the extent that a refusal could be sustained.

- 5.20 Additional concerns have been raised by the occupiers of Chataigne on grounds of the impact of the development on their amenity. It is considered that the greatest impact to Chataigne would be from plots 1, 2 and 3, which has already been considered in detail and considered acceptable at application PT14/0193/F. It is noted that the dwelling on plot 4 would be visible from Chataigne but a sufficient level of separation would remain in order to ensure that it would not appear overbearing, would not prejudice outlook and would not affect light entering the property. An obscure glazed window is proposed in the southeast elevation facing plot 1 and Chataigne as per the previous proposal. No objection had previously been raised to this and as such the assessment remains the same. A condition is recommended to ensure that no additional windows are installed in this elevation and that the proposed windows is obscure glazed.
- 5.21 It is considered that the impact of the development on the occupiers of Cranleigh would be the same as the previously proposed development which was considered acceptable on amenity grounds. There are therefore no concerns in this respect.
- 5.22 In terms of the living standards of future occupiers it is noted that the dwelling on plot 4 would be closer to the rear elevations on plots 1 and 2 but a distance of 12.8 metres from rear elevation to the blank wall side elevation is considered acceptable in order to secure a satisfactory level amenity to the occupiers. It is considered that the garden areas proposed are of a sufficient scale for the proposed dwellings. It is therefore considered that the proposed dwellings would offer a satisfactory standard of living for future occupiers.
- 5.23 Drainage
The development proposal has not included details of the proposed drainage to serve the dwellings. There are no objections in principle to this provided details of sustainable drainage systems are submitted to and approved in writing prior to the commencement of development.
- 5.24 Concerns have been raised in relation to the proposed excavations and the impact this would have on the existing public sewer. Whilst these are noted this matter would be dealt with separately by Wessex Water. The applicant is advised to contact Wessex Water with the development proposal. The Inspector had previously advised that the drainage concerns raised would not constitute reasons to refuse the application and this assessment remains valid under the current application.
- 5.25 Other Matters
A number of additional matters have been raised which have not yet been addressed in this report. These are addressed as follows:
- 5.26 The local resident's concerns in relation to the impact of the development on the solar panels on the side roof slope of no.10 are noted and it is acknowledged that the development may have some limited impact on the UV

levels entering these panels. It is not however considered that this would be at such a level that would warrant a refusal of the application.

5.27 Concerns relating to damage to the road as a result of the removal of the hedgerow is not a matter that carries material weight in the determination of the application. This is a civil matter to be dealt with by the relevant parties outside of the remit of the application.

5.28 The comment made in relation to the accuracy of the proposed street scene plan is noted and a revised plan was subsequently requested and received in order to address this.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Contact Officer: Sarah Fordham
Tel. No. 01454 865207

CONDITIONS

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

Reason

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

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

Reason

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

3. The drainage scheme approved, incorporating Sustainable Drainage Systems (SUDS), shall be implemented in accordance with the approved details before the development is occupied.

Reason

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

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

Reason

To ensure an adequate standard of external appearance and to accord with policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

5. Notwithstanding the details submitted, prior to the commencement of development a scheme of landscaping, which shall include full details of the proposed planting (including plant species, size and location), shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed details. The landscaping shall be carried out in the first planting season following the the first occupation of any one of the dwellinghouses hereby approved at the very latest.

Reason

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

6. Any trees or plants shown on the approved landscaping scheme subject to condition 5 which die, are removed, are damaged or become diseased within 5 years of the completion of the approved landscaping scheme to which they relate, shall be replaced by the end of the next planting season. Replacement trees and plants shall be of the same size and species as those lost.

Reason

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

7. Prior to the first occupation the first floor windows in the northeastern side elevation of plot 1, the southwestern side elevation of plot 3, and the southeastern side elevation of plot 4 shall be obscure glazed to level 3 standard or above with any opening part of the window being above 1.7m above the floor of the room in which it is installed. The windows shall be retained as such thereafter.

Reason

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

8. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (as amended) (or any Order revoking or re-enacting that Order with or without modification), no windows, dormer windows or rooflights [other than those expressly authorised by this permission] shall be constructed or installed in the northeast or southeast elevations of plot 4.

Reason

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

9. The dwellinghouses shall not be occupied until the relevant means of access and parking provision has been constructed in accordance with the approved proposed site layout plan ref. 15.002 - 010A received by the Local Planning Authority on 23rd February 2015

Reason

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

10. The hours of working on site during the period of construction shall be restricted to 08:00 to 18:00 Mondays to Fridays (inclusive); 08:30 to 13:00 Saturdays, and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

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

CIRCULATED SCHEDULE NO. 10/15 – 6 MARCH 2015

App No.:	PT15/0414/F	Applicant:	Cardtronics UK Ltd T/A Cashzone
Site:	126 Rodway Road Patchway South Gloucestershire BS34 5PF	Date Reg:	9th February 2015
Proposal:	Installation of ATM (retrospective)	Parish:	Patchway Town Council
Map Ref:	360078 181590	Ward:	Patchway
Application Category:	Minor	Target Date:	1st April 2015



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 100023410, 2014. N.T.S. PT15/0414/F

4.1 Patchway Town Council
None received.

4.2 Other Consultees

Highway Drainage
No Comment.

Sustainable Transport
No Objection.

Highway Structures
No Comment

Other Representations

4.3 Local Residents

One letter of objection has been received by the Council, the local residents views are summarised below:

- The ATM has been in use for some time now. From its introduction there has been a vast increase in litter due to printed statements from the ATM. A small litter slot is provided but this is not sufficient A new litter bin sited away a short distance from the ATM would help. Could the cost of this bin been covered by the ATM owners?
- No increase in street care to cover this daily litter issue.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The proposal is relatively small in scale and seeks retrospective planning permission for an ATM. The application site is situated within an designated urban area and also a 'Local Centre', and the use class of the premises is Class A1.

5.2 Saved Policy RT8 of the South Gloucestershire Local Plan (adopted January 2006) is supportive in principle of small scale proposals falling under Class A1, A2 and A3 within existing urban areas. This is on the condition that:

- development would not give rise to unacceptable levels of vehicular traffic or on-street parking to the detriment if the amenities of the surrounding area and highway; and
- the development would not prejudice existing residential amenity; and
- the character of the area would not be adversely affected; and
- the development would be consistent with that centre's scale and function.

5.3 Policy CS1 'High Quality Design' of the South Gloucestershire Core Strategy (adopted December 2013) states development proposals will only be permitted

if the highest possible standards of site planning and design are achieved. Meaning developments should 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.

5.4 Design and Visual Amenity

The street scene in this location is characterised by commercial/retail uses which have large open frontages, some of which consists of advertisements. Already in the space to the front of the existing shop are a number of Sheffield Cycle Stands and a double sided freestanding advertisement display unit. The ATM which has already been installed is congruent with the character of the street scene; such installations are expected in this location. The installation does not give rise to a cluttered frontage to the shop, and is of an appropriate scale. Accordingly, it is judged that the proposal has an acceptable standard of design and is considered to be in-keeping with policy CS1 of the adopted Core Strategy, and saved policy TR8 of adopted Local Plan.

5.5 Residential Amenity

The proposal is a typical form of development in such a location where there are a row of three commercial/retail uses. Such development is not considered to result in a detrimental impact on the residential amenity of the neighbouring occupiers.

5.6 An objection has been received by the Council regarding litter associated with the use of the ATM. The ATM does provide a litter bin for receipts, but the objector has suggested this is not sufficient. This planning application covers the proposed ATM, and not the subsequent operation of the proposal, the management of the ATM is the responsibility of the operators of the ATM. The case officer does not find that a planning condition to ensure receipts from the ATM are disposed of would meet the tests set out under paragraph 206 of the NPPF.

5.7 Overall it is considered that this retrospective proposal would not result in any materially detrimental impacts on the residential amenity of neighbouring occupiers. As such the proposal is considered acceptable in terms of saved policy TR8 of the adopted Local Plan.

5.8 Highways

The transport officer has stated they have no objection to this proposal. It is not considered that the imposition of an ATM would increase the amount of traffic associated with the area to such a level which would be materially detrimental to amenities of the area or highway safety. therefore, there is no objection on highway grounds to this retrospective 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.

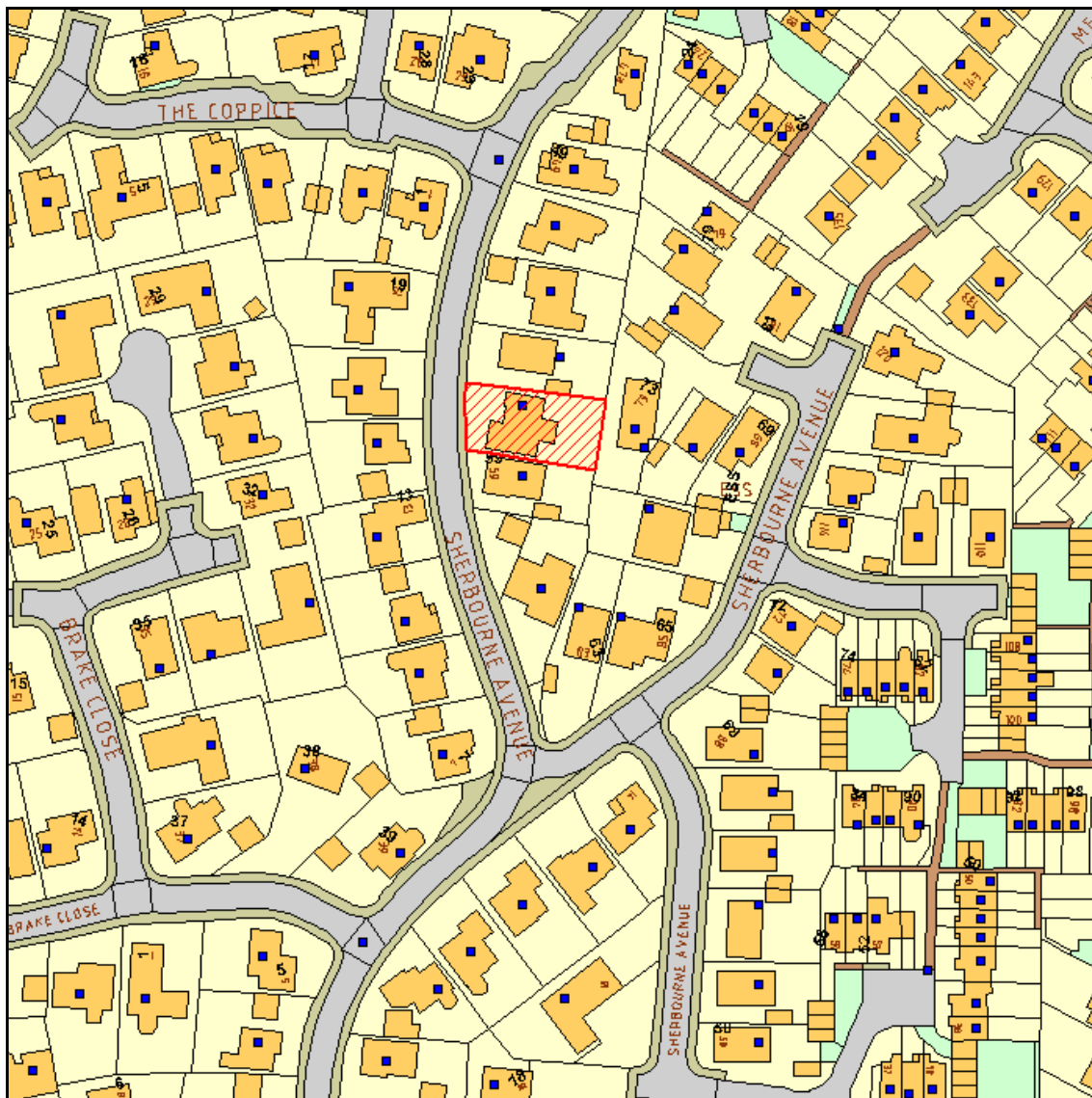
7. **RECOMMENDATION**

- 7.1 That the application is **APPROVED**.

Contact Officer: Matthew Bunt
Tel. No. 01454 863131

CIRCULATED SCHEDULE NO. 10/15 – 6 MARCH 2015

App No.:	PT15/0456/PDR	Applicant	Mr Malik
Site:	57 Sherbourne Avenue, Bradley Stoke South Gloucestershire BS32 8BB	Date	6th February 2015
Proposal:	Installation of 1no. rear dormer window to facilitate loft conversion.	Reg:	Bradley Stoke Town Council
Map Ref:	362312 181096	Ward:	Bradley Stoke South
Application Category:	Householder	Target Date:	31st March 2015



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PT15/0456/PDR

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is being circulated to members because two letters of support have been received from local residents which are contrary to the officer's recommendation of refusal.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of a rear dormer extension to No. 57 Sherbourne Avenue, Bradley Stoke.
- 1.2 The application site consists of a detached bungalow located in an established residential area of Bradley Stoke where permitted development rights have been removed. The proposed dormer would span almost the entire width of the rear elevation and would facilitate a loft conversion. The streetscene is characterised by two storey detached dwellings on the western side of Sherbourne Avenue and bungalows to the eastern side and beyond the site, all of which are in close proximity to one another with small sized gardens and irregular shaped plots. The bungalows are modern in character, typical of the Bradley Stoke area with single storey alterations in the surrounding area but no obvious two storey alterations in the vicinity.

2. POLICY CONTEXT

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

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

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

3. RELEVANT PLANNING HISTORY

- 3.1 P90/0020/288 – Residential development on 0.8 hectares of land to include the erection of 17 dwellings and associated garages.
Approved 11/09/1991
- 3.2 Enforcement History

COM/14/1134/OD – Scaffolding and sheeting erected, unknown works taking place.
Complaint lodged 05/12/2014, pending consideration.

- 3.3 It should be noted that works to the proposal began in December 2014 with the removal of roof tiles and some joists and the erection of scaffolding and tarpaulin. As a result of complaints, the Council's enforcement team advised the applicants that a planning application was required and it is understood that works have since stopped. Considering works have only involved removal of materials and the construction of the dormer has not yet begun, the proposal will not be considered retrospectively.

4. CONSULTATION RESPONSES

- 4.1 Bradley Stoke Town Council
No objection

- 4.2 Other Consultees

Sustainable Transport
No comments received.

Highway Drainage
No comment.

Other Representations

- 4.3 Local Residents

In total, 17 objections were received from 8 local residents. In summary, the objectors raised the following concerns;

- The dormer would spoil over outlook
- Not in keeping with the area
- Design and materials are unattractive and incongruous with neighbouring properties
- It would set a precedence for other bungalows in the area
- Works have already started, Tiles, insulation and roof trusses were removed in December 2014
- The dormer would look straight into my property [No. 73] and affect the light and value of the location. This is made worse because the ground level at No. 73 is higher than No. 57.
- Up to 9 other bungalows would be overlooked.
- The proposed alteration is very large, it would be very overbearing to them all
- The existing conservatory is drawn differently on the plans. There would be three dormer windows not one

Two letters of support has been received from local residents, which raised the following points;

- Information on the Planning Portal website says they don't need planning permission
- Fails to understand the validity of objections from neighbours
- There is a mix of bungalows and houses on Sherbourne Avenue so I don't see why a loft conversion will be out of place
- The loft conversion won't obstruct any views

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

5.2 Visual Amenity

As previously mentioned, the application site is surrounded by bungalows either side and to the rear, all of which are in close proximity, with the dwelling to the rear (No. 73) some 15.4 metres away. Sherbourne Avenue is characterised by two storey dwellings on the western side and bungalows on the eastern side and beyond. Numerous neighbours have objected to the proposal on grounds of visual amenity, commenting that the dormer was out of keeping with the area and would be “an eyesore”. Whilst there are some single storey alterations and extensions to surrounding bungalows, there are no two storey extensions or roof alterations. In addition, the streetscene is surrounded by pitched roofs with gable fronts with no flat roofs visible in the locality, both of which mean that the proposal would appear out of character with the area in terms of design and scale. Furthermore, due to the layout of bungalows in the cul-de-sac to the rear the dormer extension would be visible to the rear of several properties, worsening the detrimental impact of the extension. Whilst it is accepted that there are two storey dwellings on the western side of Sherbourne Avenue, it is considered that the proposed dormer extension would have been out of scale with the existing streetscene and would have an overbearing effect on the surrounding bungalows to the rear.

5.3 It is recognised that had permitted development rights not been removed from the application site, the works would fall under permitted development. That said, permitted development rights were originally removed in order to protect the visual amenities of the area and due to the reasons above, the proposed works are considered to harm the visual amenity of the dwelling and surrounding area. Overall, by virtue of the design and scale the proposed dormer extension is considered detrimental to the character and appearance of the dwelling and surrounding area and as such is not acceptable in terms of visual amenity.

5.4 Residential Amenity

The majority of representations received expressed concern that the dormer would cause a loss of privacy and overlook a large number of dwellings to the rear. The proposed dormer extension would be located just over 15 metres from the bungalow to the rear, facing the neighbouring dwellings' side elevation. As such, whilst it is acknowledged the rear gardens may be overlooked, the proposed dormer is not considered to cause a loss of privacy to the actual dwelling to an unacceptable extent. Furthermore, given the dormer extension

would not extend beyond the eaves or ridge of the original dwelling, it is not considered that the dormer would result in any overshadowing.

5.5 Overall, the proposed dormer extension is not considered to be detrimental to the living conditions currently enjoyed by neighbouring dwellings to an unacceptable extent and it is therefore considered acceptable in terms of residential amenity.

5.6 Sustainable Transport

The dormer extension would create an additional two bedrooms resulting in a five bedroom dwelling, which requires three off-street parking spaces to comply with the Council's minimum parking requirements. Given the bungalow already has two off-street parking spaces and an integral garage, with additional space to the front of the dwelling for additional parking, there are no transportation objections.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That the application be **refused** for the reason listed on the decision notice.

Contact Officer: Hannah Minett
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REASONS FOR REFUSAL

1. The proposed dormer extension would result in a dominating structure that has not been informed by its surroundings. It is considered that the scale and massing of the proposal would be out of keeping and have an adverse effect on the character application site and surrounding dwellings, contrary to Policy CS1 of the South Gloucestershire Core Strategy (Adopted) December 2013 and Saved Policy H4 of the South Gloucestershire Local Plan (Adopted) June 2006, and the South Gloucestershire Design Checklist SPD (Adopted).