



**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. 19/15

Date to Members: 08/05/15

Member's Deadline: 14/05/15 (5:00pm)

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

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

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

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

NOTES FOR COUNCILLORS - FORMAL ARRANGEMENTS

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

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

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

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

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

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

GUIDANCE FOR 'REFERRING' APPLICATIONS

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

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

Dates and Deadlines for Circulated Schedule
During May Bank Holidays 2015

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

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

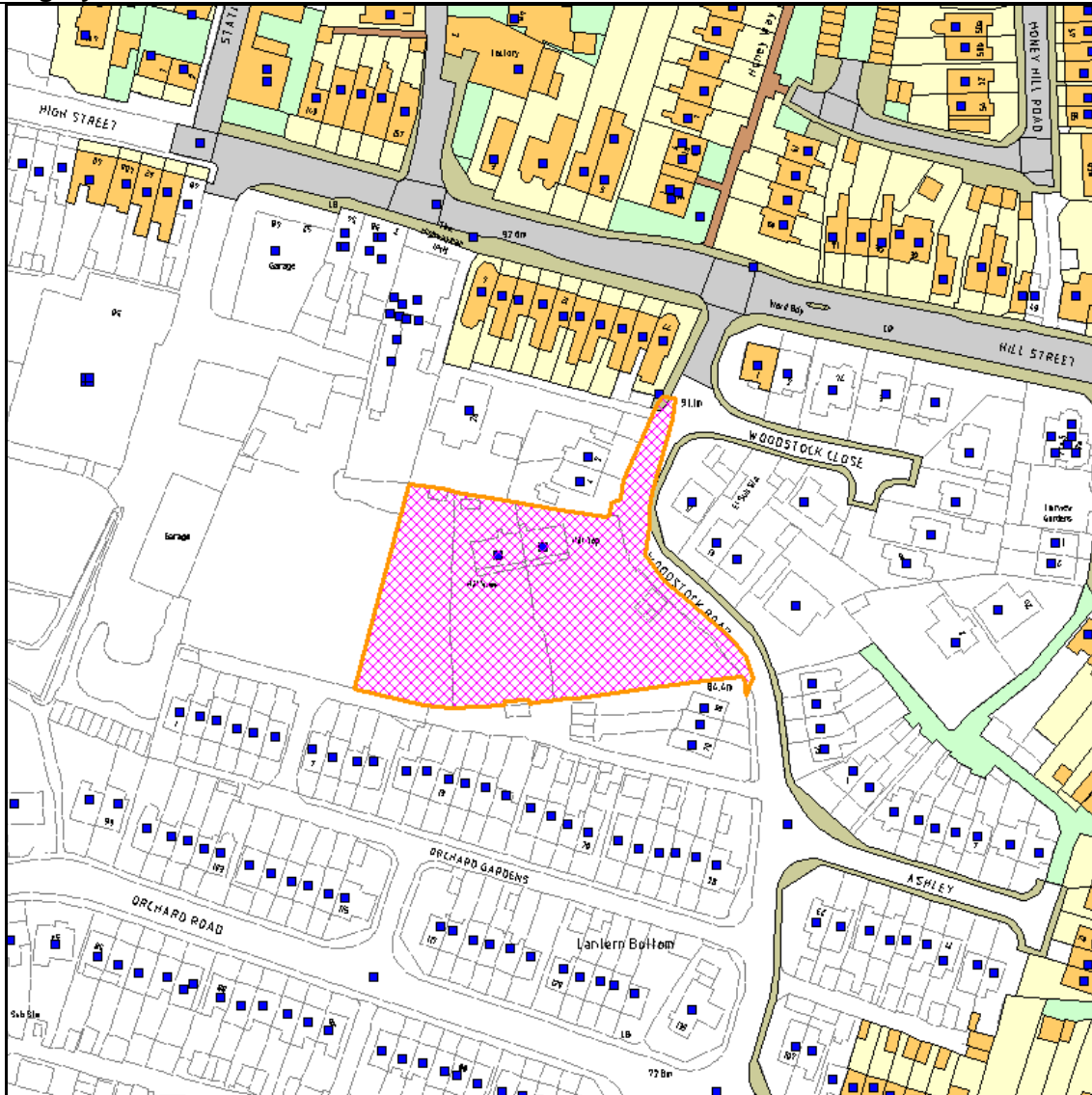
All other dates remain as usual.

CIRCULATED SCHEDULE 19/15 - 8 May 2015

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK15/0718/RM	Approve with Conditions	Hill View And Hill Top Woodstock Road Kingswood South Gloucestershire BS15 9UB	Woodstock	None
2	PK15/0968/F	Approve with Conditions	2 And 4 Blackhorse Lane Downend South Gloucestershire BS16 6TD	Emersons	Mangotsfield Rural Parish Council
3	PK15/1012/F	Approve with Conditions	Collingwood Care Home For The Elderly 78A Bath Road Longwell Green South Gloucestershire BS30 9DG	Longwell Green	Hanham Abbots Parish Council
4	PK15/1310/CLE	Approve with Conditions	South Wood Ram Hill Coalpit Heath South Gloucestershire BS36 2UF	Westerleigh	Westerleigh Parish Council
5	PT15/0326/F	Approve with Conditions	The Old Dairy Stoke Lane Patchway South Gloucestershire BS34 6DU	Bradley Stoke Central And Stoke Lodge	Patchway Town Council
6	PT15/0833/F	Approve with Conditions	13A Ridings Road Coalpit Heath South Gloucestershire BS36 2RX	Frampton Cotterell	Frampton Cotterell Parish Council
7	PT15/0907/F	Approve with Conditions	Amont Mill Road Winterbourne Down South Gloucestershire BS36 1BP	Winterbourne	Winterbourne Parish Council
8	PT15/0989/CLE	Approve	2 Rook Cottages Hall Lane Oldbury On Severn South Gloucestershire BS35 1RX	Severn	Oldbury-on-Severn Parish Council
9	PT15/1118/F	Approve with Conditions	54 Gloucester Road North Filton South Gloucestershire BS7 0SJ	Filton	Filton Town Council
10	PT15/1153/F	Approve with Conditions	The Stream Bakery Bristol Road Hambrook South Gloucestershire BS16 1RF	Winterbourne	Winterbourne Parish Council
11	PT15/1268/CLP	Approve with Conditions	Building 450 Bristol Business Park Stoke Gifford South Gloucestershire BS16 1EJ	Frenchay And Stoke Park	Stoke Gifford Parish Council
12	PT15/1274/F	Approve with Conditions	19 Cranmoor Green Pilning South Gloucestershire	Pilning And Severn Beach	Pilning And Severn Beach Parish Council
13	PT15/1281/CLP	Approve with Conditions	127 Badminton Road Coalpit Heath South Gloucestershire BS36 2SY	Westerleigh	Westerleigh Parish Council
14	PT15/1444/TCA	No Objection	16 The Plain Thornbury South Gloucestershire BS35 2BF	Thornbury North	Thornbury Town Council
15	PT15/1510/PNH	No Objection	8 The Avenue Little Stoke South Gloucestershire BS34 6LJ	Stoke Gifford	Stoke Gifford Parish Council

CIRCULATED SCHEDULE NO. 19/15 – 8 MAY 2015

App No.:	PK15/0718/RM	Applicant:	Mr Paul Taylor
Site:	Hill View And Hill Top Woodstock Road Kingswood Bristol South Gloucestershire BS15 9UB	Date Reg:	24th February 2015
Proposal:	Demolition of existing dwellings and erection of 14no. dwellings (Approval of Reserved Matters to be read in conjunction with Outline Planning Permission PK11/0690/O)	Parish:	None
Map Ref:	365689 173659	Ward:	Woodstock
Application Category:	Major	Target Date:	20th May 2015



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N.T.S.

PK15/0718/RM

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 approval for reserved matters relating to the proposed erection of 14no. dwellings. Outline approval has already been granted under application ref. PK11/0690/O, which determined access and layout. This reserved matters application seeks permission for the approval of all other outstanding matters – scale, appearance and landscaping.
- 1.2 The site comprises an area of approximately 0.33 hectares occupied by a pair of semi-detached bungalows and their curtilages. It is situated on the western side of Woodstock Road, within the established urban area in the East Bristol Fringe.
- 1.3 During the course of the application revised plans have been submitted increasing the footprint of the proposed garages and demonstrating additional section elevations. A re-consultation period was not considered necessary as there is no fundamental change to the development proposal.

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
CS4A Presumption in Favour of Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS9 Managing Environment and Heritage
CS16 Housing Density
CS17 Housing Diversity
CS18 Affordable Housing
CS29 Communities of the East Fringe

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

H4 Development within Existing Residential Curtilages
L1 Landscape Protection and Enhancement
L5 Open areas within the Existing Urban Area.
L9 Species Protection
T7 Cycle Parking
T12 Transportation Development Control

2.3 Supplementary Planning Guidance

3. RELEVANT PLANNING HISTORY

- 3.1 PK11/0690/O – Demolition of existing dwellings to facilitate erection of 14no. dwellings (Outline) with access and layout to be determined. All other matters reserved. (Resubmission of PK10/2035/O).. Approved subject to section 106 20th February 2012
- 3.2 PK10/2035/O - Demolition of existing dwellings to facilitate the erection of 15 dwellings with layout and access. (outline). Refused November 2010

4. CONSULTATION RESPONSES

- 4.1 Parish/Town Council
Unparished

- 4.2 Transportation DC
The principle of residential development on this site has already been established and planning consent has been granted subject to a S106 agreement in order to provide access and improve pedestrian facilities on Woodstock Road. The S106 agreement for this was signed dated 16th Feb 2012.

As part of the approved access and layout arrangements, the provision of 27 parking spaces (2 per dwelling with the exception of 1 space for one of the 2 bedroom dwellings), together with the availability of on-street parking within the development was considered adequate, given its close proximity to Kingswood High Street. In view of the above and subject to confirmation on garage sizes then, there is no highway objection to this application. Conditions recommended to secure off street parking prior to occupation.

- 4.3 Drainage Engineer
No objection subject to SUDs.

- 4.4 Urban Design Officer
The details generally accord with the Outline Permission and Design & Access Statement. Similar materials are evident in the immediate vicinity so I have no objection. There are however a number of side elevations that are prominent (plots 1, 3, 6 & 14) and would thus benefit from additional fenestration including projecting and bay windows to add interest to the street scene and additional daylight into these units. Subject to the provision of additional windows to these side elevations I would have no objection.

- 4.5 The Coal Authority
Informative note recommended.

- 4.6 Highway Structures
No comment

4.7 Wessex Water

Wessex Water advise that waste water connections will be required from Wessex Water to serve this proposed development. The applicant is advised that application forms and guidance information is available from the Developer Services web-pages.

Other Representations

4.8 Local Residents

Eighteen letters of objection have been received from local residents (this includes three duplicates). The comments can be summarised under the following headings:

- Loss of privacy.
- Highway safety.
- Accidents bound to happen.
- Insufficient visibility.
- Increased traffic.
- Insufficient parking provision
- No visitor parking.
- Road rage incidents.
- Obstructions to service vehicles.
- Claustrophobic impact.
- Parking restrictions in surrounding area.
- Too many houses and too high.
- Overshadowing.
- Loss of light.
- Oppressive.
- Electricity cables.
- Loss of views.
- Impact on house sale.
- Subsidence from land.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The principle of the proposed development has already been established within the approved outline consent ref. PK11/0690/O. The layout of the development and the access to the site has already been approved and is reflected within this reserved matters application. The outstanding matters subject to assessment within the current application are therefore: scale, appearance and landscaping. The pertinent issues to consider are residential amenity, design, and the environment.

5.2 Scale

Although scale was a reserved matter within the previously outline application consideration was nonetheless given to it with a condition restricting the scale parameters to be in accordance with those stated within the Design and Access Statement (received by the Council on 26th April 2011) and as shown on the plans 1287-Site 4 elevs (received by the council on 7th March 2011). The D&A statement suggested that plots 11-14 do not exceed 9 metres in height whilst

plots 7-10 are to have a height of 10.3 metres with accommodation in the roofspace. Plot 4 was identified within the D&A statement as having a height of 7.6 metres. The height and footprint of the proposed dwellings reflects that of the illustrative plans submitted as part of the PK11/0690/F and is within the parameters set by condition 5.

5.3 The land levels within the site change quite substantially decreasing from north to south. As a result Plots 7 – 11 consist of a terrace of split level dwellings which are three storey in height on the front elevation (facing south) and two storey in height to the rear elevations facing north. All other proposed dwellings are double storey in height to both elevations although the apparent height above varies slightly as a result of the changes in the land levels.

5.4 Impact on Residential Amenity

The site is physically contained by the curtilages of a number of surrounding occupiers including no.2a and 4 Woodstock Road to the north, no.16 Woodstock Road to the southeast, and the rear access road and gardens of the dwellings on Orchard Gardens to the south. To the west is a parking area associated with a commercial use. On the opposite side of Woodstock Road are no.s 11 to 15 (odd numbers). The dwellings surrounding the site are predominantly double storey in height with the exception of 2A, which is a bungalow. The dwellings on the opposite side of Woodstock Road are dormer bungalows.

5.5 The dwellings on Orchard Gardens are situated to the lowest ground level whilst no.s 2A and 4 are on higher ground level. No.s 16 to 20, which are to the southeast boundary of the site, are also situated on lower ground.

5.6 The impact of the development on the residential amenity of the neighbouring occupiers was considered in detail within the outline consent and the layout proposed was subsequently considered acceptable and approved. It was noted within the Officer's report that sufficient separation would remain between the proposed buildings and the surrounding buildings such that light levels would not be adversely affected and would not have a significant impact on existing levels of outlook.

5.7 In terms of the impact of the scale on the surrounding occupiers it is noted that a number of concerns have been raised by nearby occupiers in particular with regard to loss of light, oppressive and overbearing impact, and loss of privacy. This is considered in detail below.

5.8 With regard to plots 4, 5 and 6, which are all double storey, whilst these properties would be on slightly higher land than the dwellings on Orchard View it is considered that the separation from Orchard View is sufficient such that they would not appear significantly overbearing or adversely alter existing levels of light and outlook. The nearest dwelling would be on plot 4, the side elevation of which would be 9.5 metres from the nearest rear garden boundary and 18 metres from the nearest rear elevation on Orchard View. This relationship is considered acceptable and would secure a satisfactory outlook for the occupiers of Orchard View. The proposal is to install an obscure glazed window in the side of plot 4. Due to the layout it is considered that this window

is acceptable and a condition is recommended to prevent the installation of further windows to this elevation.

- 5.9 With regard to plots 7 to 10 it is noted that due to the land levels the rear elevation facing toward no.2A would be at double storey height rather than the three storey height at the front. Due to the roof pitch proposed the eaves at the rear would be 3.5 metres, which is low for a two storey building. Glazing at first floor level would predominantly be contained within the roof slope.
- 5.10 It is noted that no.2A is a bungalow and its curtilage is already enclosed by the surrounding residential properties. However, due to the design and low eaves height at the rear of plots 7 to 10, it is not considered that the development would appear significantly overbearing or oppressive to the occupiers of no.2A. The dwellings would to some extent overlook the garden area of 2A however this relationship is not indifferent to overlooking already experienced from existing surrounding properties.
- 5.11 In terms of plots 11 to 14, the rear elevations, would face towards the garden and side elevation of no.4. Although double storey in height these proposed dwelling would actually sit lower than no.s 4 and 2 due to the changes in land levels. The rear elevations of 11 to 14 would be 9 to 10 metres from the side boundary of no.4, the layout of which has already been deemed acceptable. It is not considered that the double storey height buildings on plots 11 to 14 would appear significantly overbearing or oppressive and, whilst there would be a degree of overlooking into the rear garden of no.4, this is not as such a level that privacy would be significantly compromised and is not unusual within an urban area such as this locality.
- 5.12 Plots 1 to 3 are situated within the eastern corner of the site facing onto Woodstock Road and consist of a pair of semi-detached dwellings and a single detached dwelling. The proposed double storey height dwellings would step down in line with the change in the land level, and would be sited on land higher than no.s 16 to 20 which are to the south. Although it is noted that the development would introduce new dwellings onto Woodstock Road in place of the existing vegetation it is not considered that this would be detrimental to the residential amenity of the occupiers of the dormer bungalows situated on the opposite side of the highway. The separation between the new dwellings and no.s 11 to 15 (odd numbers) would be 16 metres which, even with the buildings being double storey, would not have a detrimental impact on the outlook or light levels afforded to the occupiers opposite the site and would not prejudice their privacy. It is accepted that these neighbouring occupiers would lose their current more open views across the development site but there is no 'right to a view' that the planning system can protect.
- 5.13 It is noted that the dwelling on plot 1 would be in close proximity to no.16, which is to the south and situated on lower ground. Due to the layout already approved it is not considered that the building would be significantly overbearing or oppressive but first floor windows on the rear elevation would look across the rear garden area. There would not however be a direct line of vision between relative windows. Whilst it is accepted that this would have some impact on the existing privacy levels experienced by the occupiers of

no.16 the relationship as proposed is not an unusual one in urban areas and, due to the orientation of the properties, the most private part of the garden directly to the rear of no.16 would be retained as such. The garden of no.16 is already overlooked to some degree by the rear view windows on the attached neighbour. The landscaping scheme proposed does identify trees to the rear garden of plot 1 which over time will help to protect privacy levels albeit not a permanent measure. On balance it is not considered that the harm would be so great such that a refusal could be warranted in particular given that the layout has already been approved.

5.14 Appearance/ Landscaping/ Visual Impact

The application site consists of a pair of bungalows situated within large gardens within an established residential area of Kingswood. The site contains a variety of mature ornamental trees, shrubs and hedgerows which currently enclose the site and screen views into the site from Woodstock Road. The site slopes from north to south, affording extensive views of the wider area to the south, across to Lansdown and Freezing Hill to the far southeast.

5.15 The principle of the redevelopment of this this large area of extensive gardens was considered with detail in the previous outline consent, as was the loss of the open area and landscaping features, in this location. The amount of development proposed, the layout and the density was subsequently considered acceptable and approved subject to the introduction of a planting scheme.

5.16 The locality is mixed in character with no distinct vernacular style or established appearance. A variety of materials can be found within the street scene including render, brick and stone. The overall appearance of the proposed development is relatively simple and the design, height and scale of the dwellings is consistent with the previous illustrations identified in the outline approval with a mix of two storey and three storey buildings across a mix of terraces, semis and individual dwellings. The proposal is to incorporate a pitched roof to all dwellings using a mix of brick facing and render.

5.17 It is considered that the height of the proposed dwellings is acceptable in this locality which is characterised predominantly by double storey dwellings and dormer bungalows. The layout of the development is such that there would be a variation in apparent height as a result of the various changes in land levels. The development would 'step down' in height according to the gradient of the land which is considered appropriate and in keeping in its context.

5.18 The most prominent buildings on the site would be plots 1, 2 and 3, which front Woodstock Road and plot 14, which is adjacent to the proposed access. Within the site itself plots 5 and 6 would be prominent in views when entering the site down the shared access drive. It has been suggested that additional fenestration should be added to the side elevations of these more prominent plots in order to enhance the character of the street scene but due to the layout Officer consider that additional fenestration could compromise privacy. It is considered that the mix of materials, with half render and half brick, is sufficient to ensure that these prominent dwellings do not appear to blank in the street

scene. They would also be further softened by the proposed landscaping scheme.

- 5.19 A comprehensive landscaping plan and schedule has been submitted to include the introduction of new hedgerows on the Woodstock Road frontage and a number of replacement trees within the site itself, in particular to the far southern boundary. The landscaping plan indicates that some trees will be kept but most would need to be removed to facilitate the development. No details of protective measures have been included for the retained trees and as such a condition is recommended to ensure that this is in place throughout construction. The surface would consist predominantly of permeable paving with tarmac to the shared access road. Grass is proposed between the buildings and the hardstanding areas. The boundary treatments are retained predominantly to the garden areas enclosing them with a close boarded timber fence. Areas around the curtilages would however remain open retaining a sense of space. The boundary treatment to the Woodstock Road frontage consists of a one metres timber picket fence along with the hedgerow planting. This is all considered acceptable provided the area within the development site remains open and as such a condition is recommended to prevent the installation of any additional boundary treatments.
- 5.20 Overall it is considered that the proposed development would respect the context of the site and the locality and would not have a harmful impact on the character or distinctiveness of the locality. Provided the landscaping scheme is implemented in accordance with the plan and schedule submitted it is considered that mitigation measures have been taken to compensate or the loss of the open gardens. The proposed materials identified in the materials schedule are considered appropriate for the locality and would ensure a high quality finish to the proposed development. Therefore, subject to conditions securing the implementation of these details the appearance, scale and landscaping is considered acceptable.
- 5.21 Highway Issues
A number of concerns have been raised by local residents in relation to the impact of the development on road safety, in particular the location of the proposed access, the amount of parking proposed, and the impact of the increased vehicular movements to the site.
- 5.22 These matters were dealt with in detail at the outline application stage and a section 106 agreement was subsequently agreed and signed securing the highway improvements in the form of the implementation of a new footway along the Woodstock Road frontage. This application for reserved matters is consistent with the access layout already agreed and considered acceptable. Whilst the local residents' concerns are therefore noted this is not a matter for re-determination under the current application.
- 5.23 The amount of parking is in line with the amount of parking agreed within the previous application and consists of a total of 27 car parking (including garages). All of the properties with the exception of one (two-bedroom) house would have two parking spaces each (one garage and one hardstanding area). Revised plans have been submitted increasing the footprint of the garages

serving plots 1 to 6 thereby meeting the Council's standards. Whilst the use of garages is not always a desirable option the amount of parking would nonetheless accord with the Council's minimum parking standards as set out in the SPD. A condition is recommended to ensure that the garages are retained as such. The implementation of all other parking is already secured by condition on the outline consent. It is noted that there is no formal visitor parking space within the site but this is also consistent with the layout agreed by the outline consent. Given the site close proximity to Kingswood High Street, and the sustainable nature of the locality, it is considered that this level of parking, which has already been agreed, is adequate.

5.24 Drainage

The outline consent secured the submission of a drainage scheme prior to the commencement of development and as such there is no reason to re-address this within the current application. The applicant is advised to contact Wessex Water with regard to waste water connections.

5.25 Ecology

The outline application secured ecological mitigation through pre-commencement planning conditions.

5.26 Obligations

Obligations were secured within the outline consent with the associated section 106 agreement subsequently signed for contributions towards highways improvements, education and public open space.

5.27 Other Matters

Additional matters have been raised during the consultation period which are addressed as below:

5.28 Concerns relating to loss in house value or impacts of the development on a house sale are not issues that hold material weight in the determination of a planning application and as such cannot stand in the way of the grant of an approval.

5.29 Concerns relating the location of electricity cables or the need to relocate such cables is a matter to be dealt with outside of the remit of the application between the relevant parties involved. It does not carry material weight in the determination of this application.

5.30 Concerns regarding subsidence are noted however the onus is on the construction workers and the landowner to ensure that stability of the land throughout the course of construction. The development will be subject to separate building regulations approval.

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. Development shall be carried out in accordance with the approved Materials Schedule (Issued for planning application 16-02-2015) received by the Council on 18th February 2015. Any variation of this shall not take place until details are first submitted to and approved in writing by the Local Planning Authority prior to the commencement of the relevant works.

Reason

To ensure a satisfactory standard of external appearance and to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013, saved policy H4 of the South Gloucestershire Local Plan (Adopted) 2006, and the provisions of the National Planning Policy Framework 2012

2. All hard and soft landscape works and boundary treatments shall be carried out in accordance with the approved landscaping scheme (plan ref. landscape_1529-land 3.dwg dated 01-05-2015) and landscape specification (issued for planning application 16-02-2015). All soft landscaping works shall be carried out in the first relevant planting season following the completion of the development or following first occupation of the first dwelling whichever is sooner.

Reason

To protect and enhance the character and appearance of the area to accord with Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006, and policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

3. Any trees or plants shown on the approved landscaping scheme subject to condition 2 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

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

policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

4. Protective fencing to British Standard BS5837:2012 shall be erected around the root protection area of all trees identified as retained on the approved landscaping plan. The protective fencing shall remain in situ throughout the duration of the development

Reason

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

5. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no walls, fences, gates or other means of enclosure shall be erected, positioned or placed between of any wall of a dwelling house and the highway (including the shared surface road).

Reason

To protect the character and appearance of the area to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006, and policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

6. The garages forming part of the development hereby approved, including the integral garages on plots 7, 8, 9 and 10, shall not be used for any purpose other than the garaging of private motor vehicles and ancillary domestic storage.

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 H4 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006, and the Residential Parking Standards SPD (Adopted) 2013

7. Prior to the use or occupation of the relevant dwelling hereby approved, and at all times thereafter, the proposed first floor window on the side elevations of plots 1 and 4 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.

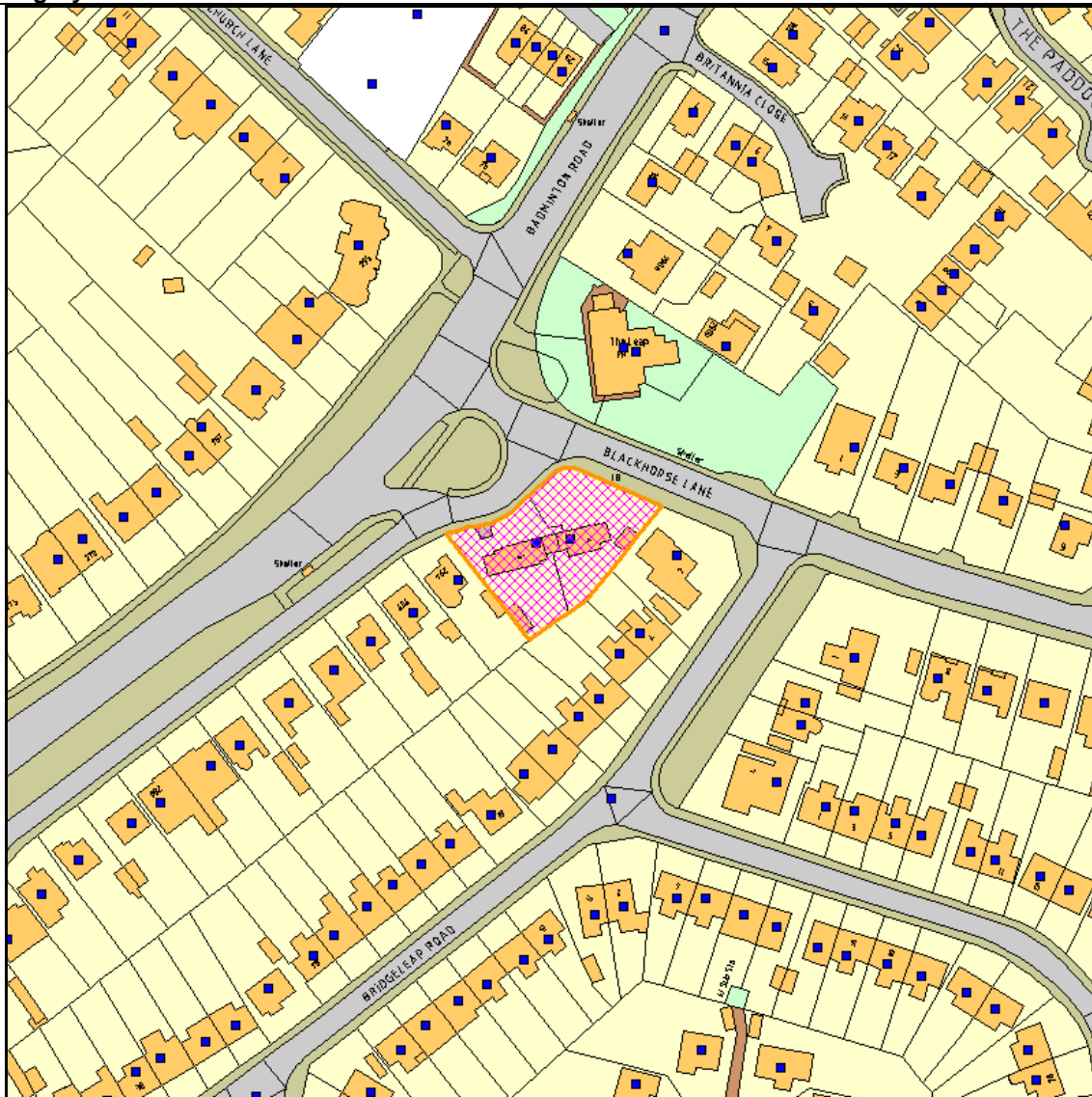
Reason

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

ITEM 2

CIRCULATED SCHEDULE NO. 19/15 – 8 MAY 2015

App No.:	PK15/0968/F	Applicant:	Prestige Developments (Bristol) Ltd
Site:	2 And 4 Blackhorse Lane Downend Bristol South Gloucestershire BS16 6TD	Date Reg:	10th March 2015
Proposal:	Demolition of existing houses with associated works. Creation of new accesses	Parish:	Mangotsfield Rural Parish Council
Map Ref:	365920 178011	Ward:	Emersons Green
Application Category:	Minor	Target Date:	5th May 2015



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100023410, 2008. **N.T.S.** **PK15/0968/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is referred to the Circulated Schedule in accordance with procedure as objections have been received that are contrary to the officer recommendation

1 THE PROPOSAL

- 1.1 The application seeks full planning permission for the demolition of two linked detached houses (and attached garages) and their replacement with 6 no. semi-detached properties with associated works including the creation of new accesses.
- 1.2 Each of the properties, which are three bed and two storey, (with a room in the roof space facilitated by dormer windows on the front elevation and roof lights to the rear), will be provided with two parking spaces. Unit 6 at the north-eastern end of the development will be provided with an attached garage with a room above (en-suite bathroom) and Unit 5 retains the use of an existing garage.
- 1.3 The application site is on land at the junction of Blackhorse Lane and Badminton Road currently comprising 2 no. two storey linked detached houses which have attached garages. To the north of the site lies the road junction, with a public house on the opposite side of the road. To the east lies No.2 Bridgeleap Road a detached dormer bungalow, located at the junction of Bridgeleap Road and Blackhorse Lane. Immediately to the south lie two storey semi-detached hipped roof dwellings and their associated gardens on Bridgeleap Road while to the west lies No.294 a more modern two storey detached property with south facing garden which runs the length of the western boundary of the application site.
- 1.4 The application originally sought consent for 7 no. units however this was reduced during the course of negotiations to 6 no. units.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework (March 2012)

National Planning Policy Framework Technical Guidance (2012) including updates in the Autumn Budget Statement November 2014

2.2 Development Plans

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

H4 Development within Existing Residential Curtilages

T12 Transportation Development Control Policy for New Development

L1 Landscape Protection and Enhancement

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

CS1 High Quality Design

CS4a Presumption in Favour of Sustainable Development

CS5 Location of Development
CS6 Infrastructure and Developer Contributions
CS9 Managing the Environment and Heritage
CS17 Housing Diversity
CS23 Community Infrastructure and Cultural Activity
CS29 Communities of the East Fringe of Bristol Urban Area

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

3. **RELEVANT PLANNING HISTORY**

- 3.1 There is no relevant planning history

4. **CONSULTATION RESPONSES**

- 4.1 Emersons Green Town Council (formerly Mangotsfield Rural Parish Council)

Objection in response to the initial development proposal for 7 no. dwellings - The Committee feel that this is an overdevelopment of the site and have requested that the Development Control Committee visit the site

Following re-consultation on the proposal further comments were received as follows: No Objection, although the Planning Committee have concerns that there may be car parking issues in the future.

- 4.2 Other Consultees

Drainage Engineer

No objection raised subject to a condition to secure a sustainable drainage scheme prior to the commencement of development and a condition to ensure that any underground mining works (if there are any) are not blocked or sealed during construction. The Drainage Engineer has advised that consultation with the Technical Support Team (Street Care) would be advised.

Sustainable Transport

There is no objection to the proposed development subject to conditions to ensure that any works to the public highway associated with the formation of new accesses are completed to the satisfaction of the Council and that all the parking spaces are provided prior to the first occupation of the dwellings.

Other Representations

- 4.3 Summary of Local Residents Comments

One letter of objection was received to the initial proposal (7 no. dwellings). The grounds of objection can be summarised as follows.:

- The proposed development would result in loss of privacy through overlooking to No.2 Bridgeleap Road
- The proposed parking of vehicles in the proposed parking spaces for 7, 6, 4 and 3 would result in the loss of light to No.2 Bridgeleap Road as will trees planted in the gardens of the new dwellings.

Following re-consultation on the revised scheme (for 6 no. dwellings), three letters of objection were received (including one from the initial objector to the original scheme). The grounds of objection can be summarised as follows:

- The development is gross overdevelopment of the site and out of character.
- Inadequate parking is being provided which will result in off site parking to the detriment of the area
- The proposal will result in loss of privacy both from windows and a pathway leading to the garage that serves Unit 5
- The proposal will result in loss of outlook
- Car parking to the front and bin storage will be unsightly

These issues will be addressed in the analysis of the proposal below.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application site is situated within the Urban Area and is previously developed (brownfield land) not considered of high environmental value.

Para 17 of the National Planning Policy Framework (NPPF) which sets out the basic core planning principles states:

Planning should “encourage the effective use of land by reusing land that has been previously developed (providing it is not of high environmental value)”

In addition the NPPF carries a strong presumption in favour of sustainable development and speaks of the need to ‘boost significantly the supply of housing’ (paragraph 47) and to deliver a wide choice of high quality homes and widen opportunities for home ownership and create sustainable, inclusive and mixed communities (paragraph 50). Further, it is advised that ‘Policies in Local Plans should follow the approach of the presumption in favour of sustainable development so that it is clear that development which is sustainable can be approved without delay’. These considerations should be attributed significant weight in the assessment of this application.

- 5.2 Notwithstanding the above, given that the application site is located within the urban area, planning policy H4 of the adopted South Gloucestershire Local Plan 2006 (saved policy), and policies CS1, CS5 and CS9 of the adopted core strategy all apply. Whilst these are permissive of proposals for new residential development, this is subject to considerations of design, impact upon landscape, residential amenity and highway safety whilst adequate amenity

space should be provided for any new separately occupied dwelling. The proposed development is therefore considered acceptable in principle subject to consideration of the following material planning considerations.

5.3 Design/ Visual Amenity

The proposed development will comprise six dwellings in the form of three semi-detached blocks. Within context the adjoining Badminton Road frontages are large two storey detached properties with a fairly uniform building line. The proposed development appears similar in form to the remaining street scene. A previous proposal for two terraces of 7 units would in this respect have appeared less in keeping in terms of the massing of the units. The layout does not follow the established building line however it is more in keeping than the current situation being moved closer to the Badminton Road building line. Any deviation from this is as a result of the bend in the road frontage at this point. The south facing gardens are also in keeping with the context.

Concern has been raised that the development represents over development of the site and it is acknowledged that within the wider context where large detached properties predominate the development would have a higher density. An initial scheme for 7 no. units was considered to represent a scheme whose massing would have appeared out of character, however the current negotiated scheme for 6 no. dwellings with a density of 54 dwellings per hectare is considered appropriate albeit as acknowledged above, one that is higher than in the surrounding area. It should be noted however that the NPPF urges decision makers to widen the choice of houses and make effective use of land (para 9 and 17).

In terms of detailed appearance it is considered that that the use of red brick (as per those buildings to be removed) and black tiles is appropriate, it is agreed that the ground floor bay windows add visual interest. Many properties along this part of the road have porches or projecting lean-to extensions at the front.

Concern has been raised regarding the provision of parking spaces and bin storage to the front of the units however this is considered to be quite a normal arrangement and there are many similar examples within the vicinity and it is not considered that this is inappropriate or that this would significantly detract from the visual amenity of the area..

The design of the development is considered acceptable both with respect to the site and the wider context.

5.4 Sustainable Transport

Policy T12 of the South Gloucestershire Local Plan 2006 (saved policy) requires that new development makes “adequate, safe and appropriate provision for the transportation demands which it will create and minimises the adverse impact of motorised traffic”. Of relevance to this development, having regard to Policy T12, is the suitability of the access, off-street parking provision

both for occupiers and visitors and the ability of the site to accommodate service delivery.

Concern has been raised that the proposal will provide inadequate parking however the development is providing two parking spaces for each of the three bed properties. This is in accord with the Council's Residential Parking Standards. It should also be noted that the site is in a sustainable location that is close to local bus services and facilities reducing the need to travel. It is considered that there is adequate visibility from the accesses on to the public highway (although it is noted that there is a letter box within the visibility splay it is considered that the width of the pavement ensures that vision would not be hampered by this feature).

Subject to a condition to ensure that the accesses (given works would be required on the public highway) are built to an appropriate standard and a condition to ensure that the parking provision is provided prior to the first occupation of the dwellings, the proposed development is considered to be acceptable in highway terms.

5.5 Residential Amenity

In assessing the impact of development upon neighbouring occupiers it is necessary to assess the physical impact of the development upon the outlook of the adjoining occupiers and whether it would appear oppressive or overbearing. In addition the impact of the development in terms of whether it would result in overlooking to the detriment of the privacy of neighbouring occupiers is a key material consideration. In addition to an assessment of the impact upon the amenity of neighbouring occupiers it is also material as to whether sufficient amenity space is provided for future occupiers.

Privacy Impact

Concern has been expressed that the proposed development would result in the loss of amenity to the immediate neighbour by reason of overlooking (it should be noted that Unit 7 previously proposed has been removed as a result of negotiation).

No.2 Bridgeleap Road, a dormer bungalow has two windows at ground floor level and a small window on the upper floor of the gable that faces towards Unit 5 and 6, the nearest proposed units. These units are at an angle to No.2. At ground floor level, even accounting for the angle difference, a 1.8 metre boundary fence would preclude overlooking of the neighbouring property. At first floor level there is a distance of just 13 metres from the centre of the proposed window of to No.6 to the gable of No.2. However in mitigation the window is angled away from that dwelling so that any window to window view would be at an oblique angle. The first floor window is also shown as obscure glazed to half the height of the window. A condition will be attached to the decision notice to ensure that this is the case and that it is top hung so that only the top element opens. It is considered that subject to this condition no significant overlooking could result. With regard to the roof lights both in the main roof and the projecting ground floor element of any of the new units, it is

not considered that these would result in any significant overlooking as these are above head height in the room and angle upwards reflecting the shape of the new roofs. It is not considered given the angle/juxtaposition between No.5 and No.2 Bridgeleap Road that any significant loss of amenity would result.

In summary, while the concern of the neighbouring occupier are noted given the above circumstances and subject to the suggested condition it is not considered that the proposal (as amended from the original scheme for 7 no. units) would result in any significant level of harm to the neighbouring occupier such as would justify the refusal of the application

With respect to the impact upon other properties nearest to each element. All the new windows range in distance from 22.5m (Unit 6 to No.4 Bridgeleap Road) to 27 metres (Unit 2 to No.6 Bridgeleap Road). These relationships are considered appropriate for an urban setting and would not result in significant loss of privacy from overlooking.

At first floor on the side elevation of Unit No.1 there is a single landing window. This would have the potential to overlook the garden area of No.294 to the south-west and for this reason it is considered that this should be obscure glazed. A condition will be attached to the decision notice to secure this.

Concern has been raised that the path way leading to the rear of the garage allocated to unit 5 will result in the loss of privacy to the properties behind. The pathway is however part of the garden of Unit 5 and there is a 1.8 metre retained fence separating the garden from properties to the rear. It is not considered that any loss of privacy would occur.

Outlook/Light

It is considered, having regard to distances between the development and existing properties (as described above), and also given that the new dwellings are to the north of existing properties that there would be no significant resulting loss of light. The relationship with No.294 is considered appropriate. It is important to note that the proposed development replaces two quite large detached properties (Units 5 and 6 within the new scheme are in fact sited further away from properties in Bridgeleap Road to the rear than the current building in that position). It is not considered that the development would appear oppressive or overbearing when viewed from existing properties

Concern has been raised that parked vehicles in the parking spaces closest to No.2 Bridgeleap Road would result in loss of outlook and light. It is noted that there is a garage shown on the boundary with No.2 however this replicates the existing situation where a car can also park to the front of this garage. It is not considered that any impact from parked vehicles would be so significant such as would justify the refusal of the application.

Concern has been expressed that planting within the rear gardens of the new dwellings would result in the loss of amenity from loss of light and outlook It is acknowledged that any tree planting may result in loss of outlook in the long term should it grow to full height, however it should be noted that the garage

will be along part of the boundary immediately next to the property as will the retained 1.8 metre high boundary fence. Significantly however the planting does not in itself require consent and could be installed without the requirement for planning permission as it is not development. Notwithstanding this it is considered appropriate to apply a small scale landscaping condition to secure appropriate species and locations not only for the private amenity space but more particularly for the frontages where planting is shown.

Future Occupiers

It is considered that the proposed dwellings will be provided with sufficient outdoor private amenity space within the south facing rear gardens shown.

5.6 Landscape/Trees

A small number of trees are to be removed as part of the proposal however these are not trees that are worthy of protection. A small amount of planting is proposed both to the rear of the properties and to the front adjoining the parking areas and as such it is considered appropriate to attach an appropriate landscaping condition to the decision notice.

5.7 Drainage

No objection is raised to the proposal by the Council Drainage Engineers however a condition is attached to the decision notice in order to secure details of sustainable urban drainage. In addition a condition is included to prevent works that might affect underground mine workings.

5.8 Other Issues

Concern has been raised that the development will result in noise and disturbance during the construction period. A comment is made that the length of time that the works will take is unknown however this is always the case and is not within the control of the Local Planning Authority once the permission has been implemented. It is considered reasonable given the close proximity of adjoining properties to impose a condition to control the hours of construction to protect the immediate of neighbouring residential occupiers during the construction period.

5.9 Planning Obligations

The proposed development is for 6 dwellings within the Urban Area. As such the proposal falls below the threshold (11 units) set out in the National Planning Policy Guidance Nov 2014 at which obligations can be sought.

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 be granted subject to the conditions set out on the decision notice.

Contact Officer: David Stockdale
Tel. No. 01454 866622

CONDITIONS

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

Reason

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

2. Prior to the commencement of development full details of the access ways onto the public highway shall be submitted to and approved in writing by the Local Planning Authority. All works shall be carried prior to the first occupation of the dwellings in accordance with the approved details.

Reason:

The acceptability of the accessways is a matter that needs consideration at the outset so as to ensure that there will not be an adverse impact upon the public highway and to accord with Policy T12 of the South Gloucestershire Local Plan 2006 (saved policy) and Policy CS8 of the South Gloucestershire Local Plan Core Strategy 2013.

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

Reason

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

4. 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 of Unit 6 (as shown on Drawing No. 2618/7 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 residential amenity of the nearest neighbouring occupiers and to accord with policy H4 of the South Gloucestershire Local Plan 2006 (saved policy) and the National Planning Policy Framework 2012.

5. Prior to the use or occupation of the extension hereby permitted, and at all times thereafter, the proposed second floor window on the side to Unit 1 as shown on Drawing No. 2618/5 on the south-west elevation shall be glazed with obscure glass to level 3 standard or above with any opening part of the window being above 1.7m above the floor of the room in which it is installed.

Reason:

To protect the residential amenity of the nearest neighbouring occupiers and to accord with policy H4 of the South Gloucestershire Local Plan 2006 (saved policy) and the National Planning Policy Framework 2012.

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

Reason:

The details are needed prior to the commencement of development to ensure that the location and species of planting proposed are compatible with the built development and to ensure that the visual amenity of the area is protected and to accord with Policy L1 of the South Gloucestershire Local Plan 2006 (saved policy) and Policy CS1 of the South Gloucestershire Local Plan Core Strategy 2013.

7. 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:

It is necessary to agree and secure the drainage scheme prior to the commencement of development as the built form once started could prevent the implementation of an appropriate scheme and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy 2013.

8. The hours of working on site during the period of construction shall be restricted to 0800 to 1800 hours Monday to Friday, 0800 to 1300 hours Saturdays and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant

or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy 2013.

9. No mine shaft or adit must be filled or grouted in such a manner that underground mining drainage levels or culverts are likely to become blocked or sealed in order to avoid flooding or water emergence.

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

ITEM 3

CIRCULATED SCHEDULE NO. 19/15 – 8 MAY 2015

App No.:	PK15/1012/F	Applicant:	Dr David Bailey
Site:	Collingwood Care Home For The Elderly 78A Bath Road Longwell Green South Gloucestershire BS30 9DG	Date Reg:	12th March 2015
Proposal:	Erection of a two storey side extension to provide 7no. additional bedrooms and treatment room, erection of single storey rear extension to form orangery.	Parish:	Hanham Abbots Parish Council
Map Ref:	365539 171162	Ward:	Longwell Green
Application Category:	Minor	Target Date:	4th May 2015



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of a two-storey side extension to provide 7no. additional bedrooms and a treatment room and the erection of a single storey rear extension to form an orangery.
- 1.2 The application site relates to a care home situated within the established settlement boundary of Hanham.
- 1.3 During the course of the application revised plans were received indicating the re-positioning of the cycle racks. These were considered acceptable.

2. POLICY CONTEXT

2.1 National Guidance
National Planning Policy Framework March 2012

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted December 2013)

CS1	High Quality Design
CS5	Location of Development
CS8	Improving Accessibility
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS18	Affordable Housing
CS20	Extra Care Housing
CS23	Community Infrastructure and Cultural Activity
CS24	Open Space Standards

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

T12 Transportation Development Control

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

3. RELEVANT PLANNING HISTORY

- 3.1 PK09/1100/F Erection of single storey rear extension to provide additional living/dining area.
Approved 27.7.09

3.2	K3859/6 Approved	Single storey extension to existing nursing home 1.3.93
3.3	K3859/5 Approved	Continued use of dwelling for residential purposes Without compliance with condition 3 attached to permission K3859/4. 11.5.92
3.4	K3859/4 Approved	Erection of manager's house and garage in connection with retirement home 11.1.88
3.5	K3859/3 Approved	Extension to residential home to provide additional bedrooms with accommodation for managers. 24.3.86
3.6	K3859/2 Refused	Construction of bungalow with garage & extension to residential rest home 21.10.85
3.7	K3859/1 Approved	Change of use from dwelling to elderly persons home 25.4.84
3.8	K3859 Refused	Erection of two detached dwelling houses 15.3.82

4. CONSULTATION RESPONSES

4.1 Hanham Abbots Parish Council
No objections

4.2 Other Consultees

Sustainable Transport

No objection subject to a condition requiring the vehicle and cycle parking to be provided as per the plans prior to the first occupation of the extension

Other Representations

4.3 Local Residents

One letter has been received expressing concerns regarding an existing flooding/drainage problem within a neighbouring garden and concerns that the proposal could exacerbate the situation.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The above proposal stands to be assessed against the above listed policies and all other material considerations. Of particular importance is the overall

design and its impact on the character of the existing building and that of the immediate and surrounding area (CS1;CS5); the impact on the residential amenity of existing and future occupiers and that of neighbouring dwellings (CS1; CS20); the impact on highway safety and the provision of off-street parking (T12; SPD: Residential Parking Standards).

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

5.2 Character of the area.

The care home is situated some distance off the main Bath Road accessed via a side road which also serves a number of dwellinghouses. The private driveway to the care home is a continuation of this access road and as such the building is at the furthest point away from Bath Road. The two-storey building is an extended property currently L-shaped with a parking/turning area to the front. The property is a mixture of styles having evolved over time. Other properties in the area are two-storey dwellings, the closest of which is No. 78 Bath Road which was apparently built within the former larger garden of Collingwood. A series of local shops, including a more recent larger supermarket, can be found further along Bath Road.

5.3 Design and Visual Amenity

As mentioned above the L-shaped building has one wing that has a north/south orientation while the other with its rear facing an area of open field and common ground, has an east/west orientation. The proposed development comprises of two elements: a two-storey side extension to the northern most part to create an additional 7no. bedrooms (4no. at first floor, 3no at ground floor) plus a treatment room and a single storey extension to the south to serve as an orangery to complement the existing ground floor communal accommodation. The two-storey extension would replace an existing single storey outbuilding.

5.4 The two-storey extension would measure approximately 8.8 metres wide, 11.5 metres in length with an eaves height to match that of the existing building. The property has a number of different roof heights with that of the east/west wing to which this extension would be attached, achieving a higher ridge height than the other wing at approximately 8 metres. The proposed two-storey extension would be slightly higher again at 8.4 metres. It is encouraged that extensions usually be subservient to the host property, however, in this case it is acknowledged that to achieve the increase in internal accommodation the proposed extension has to be a large addition. To somewhat reduce the bulk to the rear this would have a hipped roof with a pitch to match the existing building. It is therefore considered that on balance, the large extension with its highly visible gable elevation facing directly down the driveway and proposed timber and stone exterior finish would make an attractive statement to this otherwise undistinguished building. In this way its overall scale and massing,

including the slightly larger openings, would complement the existing property and would not be unacceptable in design terms.

- 5.5 The single storey ground floor extension would measure approximately 7.5 metres by 6.7 metres and this flat roof structure would have an approximate height of 3 metres. Full height windows would be positioned in the southeast elevation and high level windows in the north elevation. A set of glazed French doors would be in the southwest elevation and a central roof light would provide additional natural light into the structure. The structure would be rendered to match the existing rear elevation. The proposed orangery is considered appropriate to the main dwelling and its function and is therefore acceptable.
- 5.6 In addition, the proposal would include the provision of cycle parking to serve visitors and staff and this would be located under the small ground floor roof overhang of the newer extension, immediately adjacent to the car parking area. Metal hoops would be positioned here to accommodate the cycles. In design and materials used this is considered to be in-keeping with the building and is acceptable.
- 5.7 Residential Amenity
With regard to the single storey rear extension, closest neighbours to the north east are separated from the property by fencing of approximately 1.8 metres in height. The proposed single storey extension to the southeast elevation would be approximately 2 metres away from this boundary and as these closest neighbours are set back further to the north, it is considered that there would be no overshadowing, overbearing or overlooking resulting from the new development to impact on these neighbours. Similarly, neighbours to the south are approximately 22 metres away and separated by fencing and mature planting. The proposed single storey structure would not impact adversely on the residential amenity of this property.
- 5.8 The garden of Collingwood is relatively small for the overall size of the property but outside space would remain following the development and in addition the function of the property must be taken into consideration whereby this conservatory type room would benefit the residents by being regarded as a transition from the outside to the inside. There are no objections in terms of amenity and the application can be recommended for approval.
- 5.9 With regard to the proposed two-storey extension to the north this would be separated from closest neighbours at No. 3 Badger Close by a public footpath screened on both sides by high fencing of at least 1.8 metres in height and mature planting. Two new openings would be positioned in this north elevation, but both would serve en-suite rooms and as such there would be no issues of overlooking or inter-visibility. It is acknowledged that the proposal would result in the introduction of a number of additional windows to the front elevation but given that the closest neighbour at No. 78 is positioned side on to the care home and approximately 21 metres apart again it is considered that the new

extension would not result in an adverse impact on these neighbours over and above the existing situation.

5.10 Given the above the proposed development accords with policy and would not impact negatively on the residential amenity of closest neighbours.

5.11 Sustainable Transport

Collingwood care home is established residential care-home and it currently provides for 21no. elderly people. It is located at the far end of Bagworth Drive off Bath Road, Longwell Green. The main transportation issue relating to this is provision of satisfactory parking with regard to the use. Parking requirements for this type of development is assessed against the Council's' [maximum] parking standards under Category C2 of Policy T12, which requires 1 space per 6 bed spaces plus 1 space per 2 staff.

5.12 The application is to provide additional 7no. beds by the erection of a two-storey building on site. According to the information provided, there would be one extra full-time member of staff working on site. Based on this and in consideration to the Council's parking standards then, it is considered that one extra parking is needed. It is confirmed by the transportation officer that there are currently 8no. parking spaces on site. Proposed plans indicate a total of 9no. spaces on site would be provided following the development. This level of parking meets the Council's maximum parking standards. In addition to this, and in line with the Council's requirement, the proposal also include cycle spaces on site. Originally these were to be located within a purpose built cycle store close to No. 78 Bath Road. However, following discussions, the cycle parking is to be positioned under the existing ground floor roof overhang immediately outside the building. This arrangement is considered acceptable. The site is located within easy walking distance to local shops with the nearest bus stop being less than 150m walking distance on Bath and there are good bus service from this location. The site is located in a sustainable location.

5.13 Other matters

Council Highway Drainage Engineers have made no objections to the proposal but It is noted that a neighbour has reported an existing flooding situation of their garden at the point where this garden abuts that of the care home. In response to these concerns it has been indicated to the Council that during the construction period the applicant would investigate the underground pipe work to check for breaks etc and would contact this neighbour to discuss remedial options.

6. CONCLUSION

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

6.2 The recommendation to **grant** permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted)

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

7. RECOMMENDATION

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

Contact Officer: Anne Joseph
Tel. No. 01454 863788

CONDITIONS

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

Reason

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

2. The off-street parking facilities (for all vehicles, including cycles) shown on the plan Site plan and proposed ground floor plan - 599/14/10 Rev D hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose.

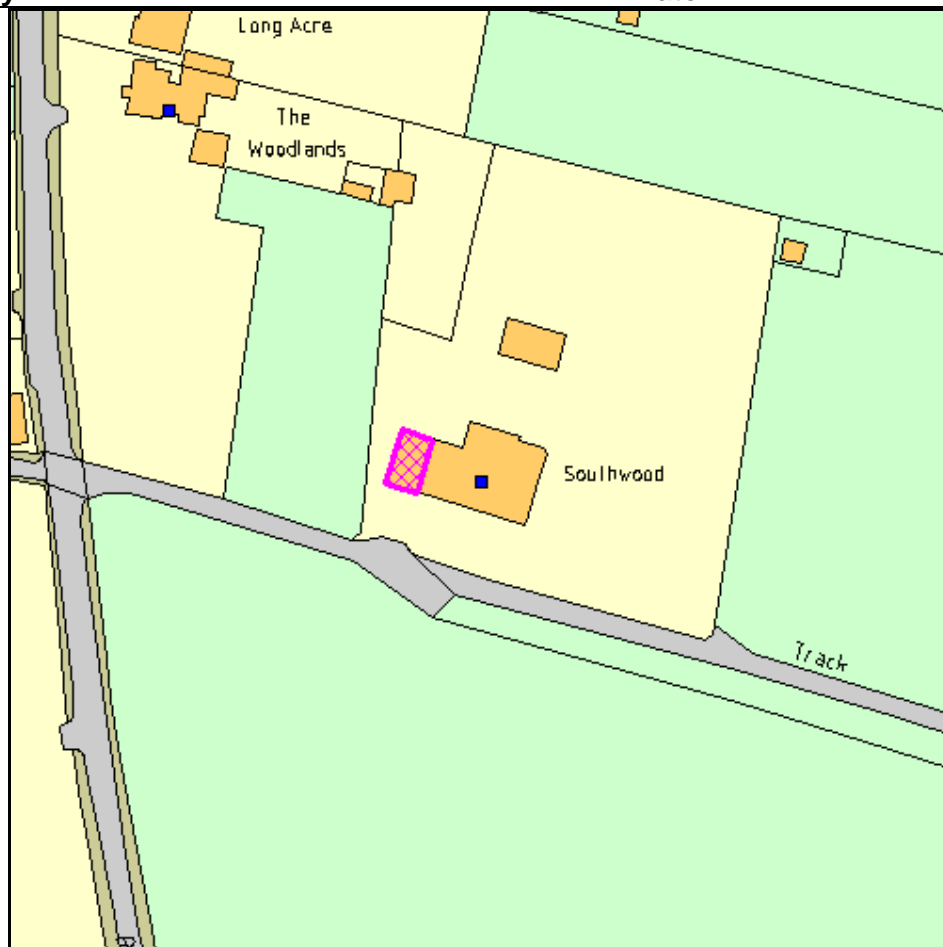
Reason

To avoid any unnecessary future remedial action and to ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policies T7, T8 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

ITEM 4

CIRCULATED SCHEDULE NO. 19/15 – 8 MAY 2015

App No.:	PK15/1310/CLE	Applicant:	Mr Andrew Oakley
Site:	South Wood Ram Hill Coalpit Heath Bristol South Gloucestershire BS36 2UF	Date Reg:	1st April 2015
Proposal:	Application for a Certificate of Lawfulness for the existing use and retention of a double garage (marked blue on the site location plan received by the Council on 29th April 2014) ancillary to the residential use of the dwellinghouse known as 'South Wood' (Use Class C3).	Parish:	Westerleigh Parish Council
Map Ref:	367890 179728	Ward:	Westerleigh
Application Category:		Target Date:	18th May 2015



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REASON FOR REFERRAL TO CIRCULATED SCHEDULE

This application is for a certificate of lawfulness, and as such, under the current scheme of delegation, is to be determined under the Circulated Schedule procedure.

1. THE PROPOSAL

1.1 The application seeks a certificate of lawfulness for the retention and use of the double garage attached to the side of and used ancillary to the residential use of 'SouthWood' in contravention of condition 3 on application PT01/1520/F.

1.2 Condition 3 on application PT01/1520/F was as follows:

Within three months of the commencement of the development hereby authorised, the garage shown to be removed on the approved plans shall have been demolished in its entirety and the land returned to a condition to be agreed in writing with the Council.

1.3 During the course of the application additional information has been submitted in the form of a plan outlining in blue the garage subject to this application.

2. POLICY CONTEXT

2.1 National Guidance

Town and Country Planning Act 1990

Town and Country Planning (Development Management Procedure) (England) Order 2015

National Planning Practice Guidance 2014

3. RELEVANT PLANNING HISTORY

3.1 PT01/1520/F - Demolition of existing garages and erection of two storey side extension. Approved 14th September 2001

3.2 PT01/0078/F - Erection of two storey infill extension, dormer windows and change of use of outbuilding. Refused 28th February 2001

3.3 P97/2315 - Change of use of existing part of barn for kenneling of 6 no. dogs (maximum). Change of use of green belt land to domestic curtilage (retrospective application).

3.4 P97/2314 - Change of use of part of existing barn for stabling of horses. Change of use of land from agricultural to use for the keeping of horses. Construction of pond (retrospective application). Approved 11th December 1997

3.5 P92/2516 - Erection of single storey extension to link existing dwelling and garage to provide playroom and lobby. Installation of rooflights to provide additional bedroom accommodation; en-suite and dressing room. Refused 3rd January 1993

- 3.6 P91/1362 - Demolition of existing bungalow and erection of 2 storey chalet style dwellinghouse and detached double garage. Refused 24th April 1991. Appeal Allowed 18th September 1991.
- 3.7 P89/1136 - Demolition of existing bungalow and erection of replacement bungalow and double garage. Approved 28th April 1989.

4. SUMMARY OF EVIDENCE SUBMITTED IN SUPPORT OF APPLICATION

4.1

Statutory declaration (Sworn 20 th March 2015) of Mr C Oakley of Oakley Construction	<ol style="list-style-type: none"> 1. Extension carried out on Southwood in February 2002. 2. Construction completed in June 2002.
Statutory declaration (Sworn 17 th March 2015) of Andres Oakley.	<ol style="list-style-type: none"> 1. Purchased Southwood on 22nd July 2005. 2. Double garage was built by previous owners in line with planning permission – appeal decision T/APP/G0120/A/91/183460/P4 – exhibit A01. 3. Building regulation completion certificate dates 31st January 1992 exhibit A02. 4. Permission (ref.PT01/1520/F) obtained by previous owners. Extension built and completed but condition 3 not complied with. 5. Completion certificate granted retrospectively 6th February 2015 – exhibit A04. 6. Double garage retained in place since 31st January 1992. 7. At time of purchase fully aware that condition 3 not complied with. 8. No works carried out since 22nd July 2005.
Photographs (undated)	Garage shown attached to extension.
Plan	Curtilage outlined in red and garage outlined in blue.

5. SUMMARY OF SUPPORTING EVIDENCE RECEIVED

- 5.1 No supporting evidence has been received,

6. SUMMARY OF CONTRARY EVIDENCE RECEIVED

- 6.1 No contrary evidence has been received.

7. COUNCIL'S EVIDENCE

- 7.1 The onus is on the applicant to provide the evidence in support of the application. However the following evidence held by South Gloucestershire is of note.
- 7.2 Aerial photographs dated 1999, 2005 and 2009.

8. CONSULTATION RESPONSES

- 8.1 Westerleigh Parish Council
No comment to make
- 8.2 Transport Officer
No highway comments.

Other Representations

- 8.3 Local Residents
No comments received

9. EVALUATION

- 9.1 The application is for a certificate of lawfulness for the retention of a double garage ancillary to the residential use of SouthWood. The application seeks to demonstrate the retention of the double garage contrary to the requirements of condition 3 on application ref. PT01/1520/F. The application therefore seeks to confirm the retention of the garage in breach of condition 3 for a continuous period of at least 10 years prior to the date of the submission. It is purely an evidential test irrespective of planning merit. The only issues which are relevant to the determination of an application for a Certificate of Lawfulness are, in this case, whether the double garage has been retained for a continuous period in breach of condition 3 for at least 10 years, and whether or not the retention of it is in contravention of any Enforcement Notice which is in force.
- 9.2 The guidance contained within the National Planning Practice Guidance 2014 states that if a local planning authority has no evidence itself, nor any from others, to contradict or otherwise make the applicant's version of events less than probable, there is no good reason to refuse the application. This is however with the provision that the applicant's evidence alone is sufficiently precise and unambiguous to justify the grant of a certificate on the balance of probability.
- 9.3 Assessment of Evidence
Application PT01/1520/F was approved on 14th September 2001 subject to a condition requiring the demolition of the double garage as stated within condition 3. From the site visit and from the photographs submitted it is clear that the extension allowed in application PT01/1520/F was constructed and connected to the original double garage. It is understood from the statutory declaration submitted that the garage was previously constructed at the time that the dwelling was built in accordance with the plans approved at appeal

under appeal ref. T/APP/G0120/A/91/183460/P4 (application ref. P91/1362). A completion certificate dated 21st January 1992 is included and describes the erection of a new dwelling and garage.

- 9.4 The sworn statutory declaration of Mr C Oakley of Oakley Construction confirms that the construction of the extension was implemented in February 2002 completing in June 2002. Mr A Oakley, who currently owns the property, confirms that the previous owners had not applied for a completion certificate and this was granted retrospectively on 6th February 2015. Mr A Oakley confirms that he was aware of the requirement of condition when moving into the property and has carried out no work since becoming the owner in July 2005. The requirement of condition 3 is that the garage is demolished within 3 months of commencing development which, according to the declarations, would have been between February and May 2002. According to the declarations, therefore, the retention of the garage has been in breach of condition 3 for 12 years and 10 months.
- 9.5 The statements contained within the sworn declarations are consistent with the Council's own aerial photographs. In 1999 the original dwelling and garage can be seen in the aerial photograph. Between 1999 and 2005 the aerials show that the gap between the original garage building and dwelling was in-filled with the garage building remaining in situ and attached to the extension. The most recent aerial photograph in 2009 shows no change to this layout.
- 9.6 No evidence has been submitted which is contrary to the evidence submitted and the Council has no evidence itself to contradict or otherwise make the applicant's version of events less than probable. Therefore, provided the applicant's evidence alone is sufficiently precise and unambiguous to justify the grant of a certificate on the balance of probability the Council has no good reason to refuse the application.
- 9.7 It is noted that the building subject to this certificate, which has been edged blue on the site location plan received 30th April, is not precisely identified or referred to in the sworn statements. Mr A Oakley does nonetheless refer to it as the garage approved at appeal T/APP/G0120/A/91/183460/P4, which is sufficiently precise and unambiguous and is consistent with the site location plan. The sworn statements submitted are otherwise unambiguous and precise.
- 9.8 It is considered that on the balance of probability the evidence submitted in support of the application is sufficient to demonstrate that the garage has been retained in situ for a consistent period exceeding ten years from the date of the breach of condition 3. There is also no enforcement notice in force. The certificate is therefore granted for the building edged blue on the site location plan.
- 9.9 In the interests of accuracy and precision the certificate relates to the building edged blue only and not to the red line submitted with the application which covers the entirety of the dwelling and its curtilage. This is to be reflected within the decision issued.

10. CONCLUSION

10.1 It is considered that sufficient evidence has been submitted to confirm that, on the balance of probability, the double garage has been retained in situ in breach of condition 3 on application PT01/1520/F for a period exceeding ten years.

11. RECOMMENDATION

11.1 That a certificate of lawful development is granted for the building edged blue on the site location plan submitted by the applicant.

Contact Officer: Sarah Fordham
Tel. No. 01454 865207

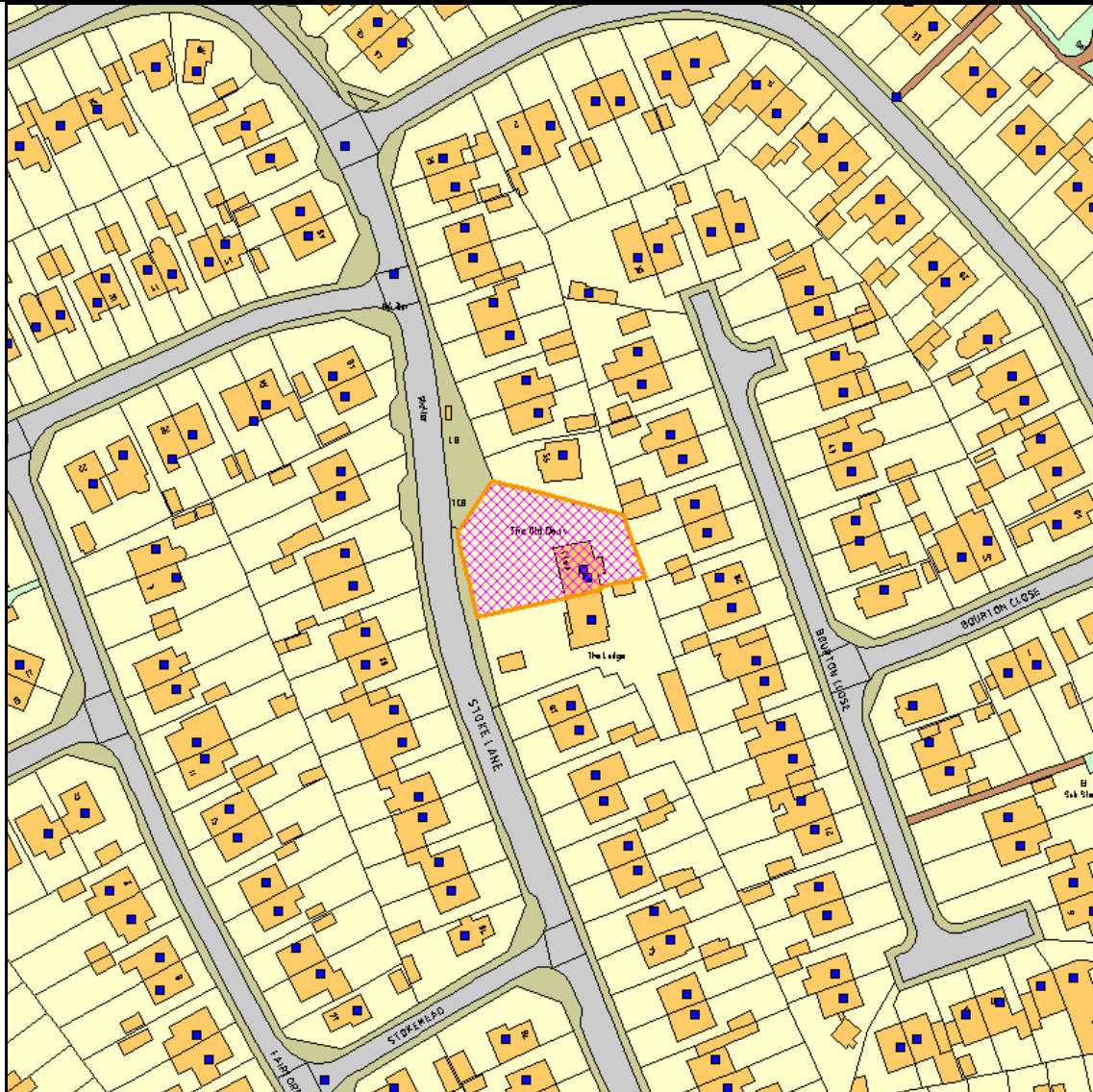
REASON

Evidence has been submitted to confirm that, on the balance of probability, the double garage has been retained in situ in breach of condition 3 on application PT01/1520/F for a period exceeding ten years.

ITEM 5

CIRCULATED SCHEDULE NO. 19/15 – 8 MAY 2015

App No.:	PT15/0326/F	Applicant:	Mr And Mrs Smith
Site:	The Old Dairy Stoke Lane Patchway Bristol South Gloucestershire BS34 6DU	Date Reg:	6th March 2015
Proposal:	Erection of two storey extension to form 1no. residential dwelling with access and associated works. (Resubmission of PT14/3208/F).	Parish:	Patchway Town Council
Map Ref:	361109 181865	Ward:	Bradley Stoke Central And Stoke Lodge
Application Category:	Minor	Target Date:	29th April 2015



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is to appear on circulated schedule due to the receipt of one objection from a neighbouring resident, contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of two storey extension to form 1no. to bedroom dwelling with access and associated works (resubmission of PT14/3208/F). This application is a re-submission of a previous application for the erection of a two storey extension to form 2no. flats with access and associated works.
- 1.2 The property is a two-storey semi-detached building named 'The Old Dairy', located in Stoke Lane in Patchway. The building is set back from Stoke Lane and has large grounds at the front of the property, with a natural stone curtilage wall with metal railing on top. The building itself dates to the late 19th century, with a double bay window fronted house. The building would have originally formed part of Stoke Lodge, one of the original properties on Stoke Lane. The building is not locally or nationally listed.
- 1.3 The building is already in residential use and has been previously sub-divided previously into 4no. flats for a number of years. Planning permission has recently granted for the conversion of the basement area into a 1no. bedroom flat (Ref. PT14/3041/F). This application is a re-submission (Ref. PT14/3208/F). The proposal is for an additional 1.no two bedroom self-contained dwelling over two floors; this would bring the total number of dwellings on site to six.

2. POLICY CONTEXT

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

- 2.2 Development Plans

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

- H4 Development within Existing Residential Curtilages
- H5 Residential Conversions
- T12 Transportation Development Control

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
- CS16 Housing Density
- CS17 Housing Diversity
- CS25 Communities in the North Fringe of the Bristol Urban Area

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

3. RELEVANT PLANNING HISTORY

- 3.1 PT14/3208/F Erection of two storey extension to form 2no. self contained flats with access and associated works
Refused 14.10.14
- 3.2 PT14/3041/F Conversion of existing basement area to form 1no. new dwelling with associated works (Part-Retrospective) (Resubmission of PT14/0820/F)
Approved 29.09.14
- 3.3 PT14/0820/F Conversion of existing basement area to form 1no. new dwelling with associated works
Withdrawn 02.05.14

4. CONSULTATION RESPONSES

- 4.1 Patchway Town Council
No comment received.
- 4.2 Archaeology
No comment.
- 4.3 Conservation Officer
No comment received.
- 4.4 Highway Drainage
No comment.
- 4.5 Highway Structures
No comment.
- 4.6 Planning Enforcement
No comment received.
- 4.7 Sustainable Transport
There is no transportation objection to this proposal. Although it is noted that as a new access is being created, the developer would be required to contact the Council's Streetcare Development Implementation Team to arrange a license to undertake the works via either newdevelopmenthighways@southglos.gov.uk or on 01454 863728. This should be added as an informative on any planning permission.

Other Representations

- 4.8 Local Residents

One comment of objection has been received stating that their house will be over-looked massively in comparison to how it is now. Are there any assurances that the trees currently in place will remain and also can more be planted to ensure privacy?

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The site is located in the north fringe of the Bristol urban area, which is a location where most new development will take place. This area represents a place where essential infrastructure is in place or planned, which will reduce the need to travel and commute. The proposal relates to the erection of a two storey side extension to form 1no. self-contained dwelling. Given the location of the development, the proposal is considered to be sustainable development. Policy CS16 of the Core Strategy (Adopted) December 2013 states that in areas where there is good pedestrian access to frequent public transport services the proposal should maximise the amount of housing supplied to make the efficient use of the land.

5.2 Saved policy H4 of the Local Plan (Adopted) January 2006 allows for the conversion of existing residential properties into smaller units of self contained residential accommodation. The conversion of larger residential properties into smaller units of accommodation can make a valuable contribution to the supply and range of housing provision. As such, weight is given in support of the creation of smaller dwellings in an urban area and sustainable location. The principle of the development is therefore acceptable, subject to considerations regarding the appearance/form of the proposal and the effect on the character of the area; the residential amenity effects, including whether there is sufficient private amenity space; the transportation effects, including whether there is sufficient off-street parking.

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

The application is for the extension of a building which is not listed or locally listed but which is, nonetheless, a building of local architectural and historic distinctiveness that stands out due to its location in a very modern, urban environment. The building is a two storey, late 19th century detached house with a symmetrical elevation comprising two full height canted bays either side of a central entrance porch. The hipped roof is set behind a cornice with a bracketed string course, and the windows and bays have moulded surrounds with raised panels beneath the 1st floor windows. Rusticated quoins form the corners on the front elevation, reducing to plain quoins on the rear elevation. To the right of the building, a two storey plain wing has been added which shares little of the architectural qualities of the main building.

5.4 The latest revisions (drawing CA14066/100RevB April 15) show a reduction in the quantum of development to one single unit accessed from the side elevation of the extension. The width of the extension has been reduced and is far more in keeping with the bay widths and proportions of the main house. The general character and appearance of the extension now respects that of the original dwelling and it is a significant improvement from the original submissions back in October 2014.

- 5.5 The proposal is considered acceptable. The Conservation Officer has advised that the quality of materials and finishes should be high and should match the existing in terms of colour, finish, appearance and detailed execution, and the stone surrounds should be appropriately detailed. Sliding sash windows rather than the inappropriate top hung mock sashes in the main building would set a good precedent for future replacements. Conditions securing matching materials would work for the tiles, render and fascia board, however the Conservation officer has advised that the stone surrounds, cills, quoins, parapets and windows are conditioned to ensure a good match to the existing. A dry-cast stone rather than wet-cast would be preferable. Overall, the proposal is considered a significant improvement from the previous refusal and would be in-keeping with the traditional character of the existing dwelling.
- 5.6 Residential Amenity
The proposed two storey side extension will be set back from the northern boundary by just under 4 metres at its narrowest point towards the rear of the application site. The proposal would include 1no. small side window on the first floor, as well as 2no. on the rear elevation. There is sufficient distance, along with the existing boundary treatments, between the host dwelling and neighbouring properties to the north and south to negate any detrimental impacts on privacy or overlooking.
- 5.7 There will be a total of 5no. one bedroom and 1no. two bedroom self-contained dwelling within a large application site of 0.1 hectares. The proposed amenity space, although communal, is considered sufficient to serve the proposed and existing units. Weight is given to the fact that the site is located in a highly sustainable location with good transport links to facilities and services in the wider area.
- 5.8 Concerns have been raised by a neighbouring resident about an increase in overlooking in comparison to the current situation and concern about the current trees remaining and additional planting to ensure privacy. The two additional rear windows on the first floor will serve the bedrooms; one of these windows will be obscurely glazed to maintain privacy levels. It is not considered that the proposed extension and windows will result in a significant increase in overlooking or diminish existing privacy levels given that the extension would be located on the north of the existing building. The proposed extension would have an oblique angle of No.30's rear garden as such. There are two mature trees in the front garden which will be retained and additional landscaping and planting is proposed around the application site, including the eastern boundary.
- 5.9 Transportation
The proposal is for 1no. two bedroom self-contained dwelling attached to the north elevation of the building. The Council's parking standards require 1no. additional off street parking space within the application site. The plans indicate that 10no. parking bays will be provided for residents and a new access created, both to the front of the building. The proposed amount of off-street parking is considered ample for the parking needs of the residents of the existing and proposed dwellings. There is a proposed new access being

created which would be adjacent to the existing pedestrian crossing island and bollards on Stoke Lane. The Transportation DC Officer has confirmed that the proposed access is an improvement on the existing access, being much safer and improved visibility for vehicles entering and exiting the application site. As such, there are no highway safety objections.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Contact Officer: Katie Warrington
Tel. No. 01454 863436

CONDITIONS

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

Reason

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

2. The materials to be used in the construction of the external surfaces of the extension, including the tiles, render and fascia board, hereby permitted shall match those used in the existing building in terms of colour, finish, appearance and detailed execution.

Reason

To ensure the quality of materials and finishes are high and to maintain the architectural and historic character of the original building, to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

3. Prior to the commencement of development, large scale details (scale of 1:5) of the following items shall be submitted and approved in writing by the local planning authority:

- a. All new stone surrounds;
- b. All new cills, quoins and parapets;
- c. All new windows (to be sliding sash windows)

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

Reason

Details are required prior to commencement to ensure that design details are agreed at an early stage, to protect the architectural and historic character of the original building, to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

- 4. Prior to the commencement of development, a sample of the dry-cast stone proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. Development shall be strictly carried out in accordance with the approved details.

Reason

A sample is required prior to commencement to ensure that proposed stone material is agreed at an early stage and to ensure that the material matches the existing building, to protect the architectural and historic character of the original building. To accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

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

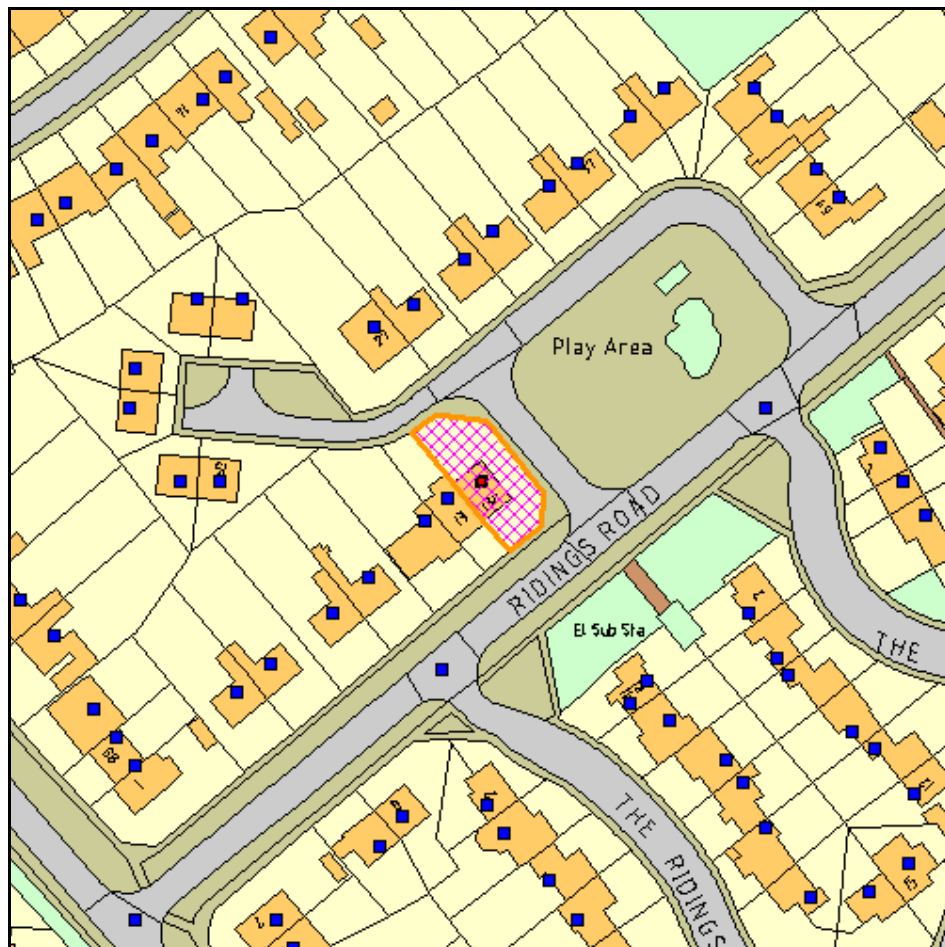
Reason

To protect the character and appearance of the area and maintain existing levels of privacy, to accord with Saved Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies) and Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

ITEM 6

CIRCULATED SCHEDULE NO. 19/15 – 8 MAY 2015

App No.:	PT15/0833/F	Applicant:	Mr And Mrs Tremlin
Site:	13A Ridings Road Coalpit Heath South Gloucestershire BS36 2RX	Date Reg:	3rd March 2015
Proposal:	Erection of 1 no attached dwelling with associated works	Parish:	Frampton Cotterell Parish Council
Map Ref:	367120 180892	Ward:	Frampton Cotterell
Application Category:	Minor	Target Date:	19th May 2015



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100023410, 2008. N.T.S. PT15/0833/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application has been submitted to the Council's Circulated Schedule procedure, following representations received from local residents and comments from the Parish Council which are contrary to the Officer's recommendation.

1. THE PROPOSAL

1.1 This application seeks planning permission for the erection of 1 no. single storey new dwelling on Ridings Road in Coalpit Heath. The new dwelling is to be situated within the residential curtilage of 13A Ridings Road, which was given planning permission in 2006.

1.2 The site is within the established settlement boundary of Coalpit Heath.

2. POLICY CONTEXT

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

2.2 Development Plans

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

H4 Development within Existing Residential Curtilages
T7 Cycle Parking
T12 Transportation
EP2 Flooding

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS4A Presumption in Favour of Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS9 Environment and Heritage
CS15 Distribution of Housing
CS16 Housing Density
CS17 Housing Diversity

2.3 Supplementary Planning Guidance
(a) South Gloucestershire Design Checklist (Adopted) August 2007
(b) Residential Parking Standard (Adopted) December 2013

3. RELEVANT PLANNING HISTORY

3.1 PT06/3032/F Approve with conditions 22/11/2006
Erection of 1no. semi detached dwelling, construction of vehicular access and associated works.

4. CONSULTATION RESPONSES

4.1 Frampton Cotterell Parish Council

Objection, due to the impact the development will have on the green.

4.2 Other Consultees

Lead Local Flood Authority

No objection subject to a condition advising the applicant that no mine shaft or adit shall be filled, grouted or blocked as part of the development.

Highway Structures

No comment.

Sustainable Transport

No objection.

Other Representations

4.3 Local Residents

Two letters of objection have been received from local residents stating the following:

- Overlooking from new rear windows and doors
- Out of character with existing two-storey buildings
- Located on a blind corner, cars will have to reverse in, this is a concern for pedestrians and children playing
- Existing resident of Ridings Road does not look to see if pedestrians are coming when pulling out of drive

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The site lies within an established settlement boundary, and being residential curtilage, there is no in-principle objection to the development of the site for residential use. Accordingly, the relevant policies for the considerations of this application are primarily CS1 and CS5 of the South Gloucestershire Core Strategy (Adopted) December 2013, and policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006. Whilst these are permissive of proposals for new residential development, this is subject to considerations of design, residential amenity and highway safety whilst adequate amenity space should be provided for any new separately occupied dwelling.

5.2 Design

The surrounding properties are primarily two-storey semi-detached or terraced dwellings of a simple design, which are all centred around an area of public open space in the centre of the Ridings Road development. The properties all have gable rooflines with chimneys and are mostly semi-detached pairs, however 13 and 13A Ridings Road is situated within a terrace of three,

whereby the middle property has a forward facing gable which differentiates it from the surrounding dwellings.

- 5.3 The proposed development is for a single storey dwelling to be attached to the side and rear of no. 13A. Whilst Ridings Road and The Close are predominately made up of two-storey dwellings (although four bungalows can be seen in the vicinity), it is considered that the single storey proposal has the appearance of a single storey extension to the side and rear of 13A, as it takes its access from the rear. It is stepped back from the south-east elevation of 13A allowing it to remain subservient and matching materials are proposed and will be secured by means of a condition on the decision notice.
- 5.4 In the event of an approval, it is necessary to remove permitted development rights relating to extensions and alterations, roof alterations, and boundary treatments. This is because the approval is based on the fact that the development is subservient to the host dwelling in a similar manner to how an extension would relate to a host dwelling, and so, for example, the changing of external materials, the installation of doors facing south-east or north-east, the erection of a rear extension or the erection of fencing by future occupiers of the property would have an impact on this subservience. This would cause the development to be more easily read as a separate planning unit to the detriment of the street scene.
- 5.5 It is worth stating that, ordinarily, it would not be considered high quality design for a new residential dwelling to adopt the appearance of an extension in order to be considered acceptable. However, one-bedroom dwellings are difficult to find in Coalpit Heath. Policy CS17 of the Core Strategy states the importance of a mix of housing stock to enable new households to get on the housing ladder and for older households to downsize, and weight has been given to this when considering the application. Overall, the benefit of a new one-bedroom house at this location is considered to out-weigh the unusual design approach, and the removal of permitted development rights will ensure that the approach to the design can be controlled and maintained in the future.
- 5.6 The Parish Council have raised concerns regarding the impact upon the visual amenity of the public open space adjacent to the site. It is likely that some of the hedgerow bordering the site will be removed to facilitate the erection of the development, however the impact could be mitigated by means of a landscaping condition, requiring the retention and replacement of vegetation to be detailed prior to the commencement of development. Subject to this condition, the impact on the adjacent public open space is considered to be minimal, and the development is considered acceptable in terms of policy CS1 of the Core Strategy.
- 5.7 Residential Amenity
Concerns regarding overlooking from new windows and doors in the north-west elevation are not considered to have a significant impact, as the new windows and doors are at single storey level and face towards the principle elevation of other properties, at a suitable distance. Adequate amenity space will remain for both the existing two-bed dwelling and the proposed one-bed dwelling, with a condition to be added to the decision notice requiring boundary treatments and

vegetation planting plans to be submitted to ensure privacy. As the development is single storey in height and situated within a corner plot, there will not be any overbearing or overshadowing issues caused. Overall, the development is considered to be acceptable in terms of policy H4 of the Local Plan.

5.8 Transport

One parking space each has been provided for both the existing and proposed dwelling, which meet the Council's Residential Parking Standards SPD (Adopted). As Ridings Road is not a classified highway, a turning head is not required and it is acceptable for vehicles to egress directly from the parking space onto the highway without compromising on highway safety. The Council's Transport officer has no objection to the proposal, and a condition on the decision notice will ensure that the parking spaces shown are implemented and retained as such.

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 on the decision notice.

Contact Officer: Trudy Gallagher
Tel. No. 01454 862217

CONDITIONS

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

Reason

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

2. Prior to the commencement of development a scheme of landscaping, which shall include details of all vegetation (including hedgerows) on the land and details of any to be retained, together with measures for their protection during the course of the development; proposed planting (and times of planting); boundary treatments and

areas of hardsurfacing shall be submitted to the Local Planning Authority for approval. Development shall be carried out in accordance with the agreed details.

Reason

In the interests of visual and residential amenity and to accord with policy CS1 of the Core Strategy (Adopted) December 2013 and policy H4 of the Local Plan (Adopted) January 2006. It is necessary for this condition to be a pre-commencement condition to prevent vegetation which has a positive impact on the visual amenity of the area from being prematurely removed.

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

Reason

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

4. The off-street parking facilities shown on the Block Plan (1969-03) hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason

In the interests of highway safety and to accord with policy T12 of the Local Plan (Adopted) January 2006 and to accord with the Residential Parking Standards SPD (Adopted) December 2013.

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

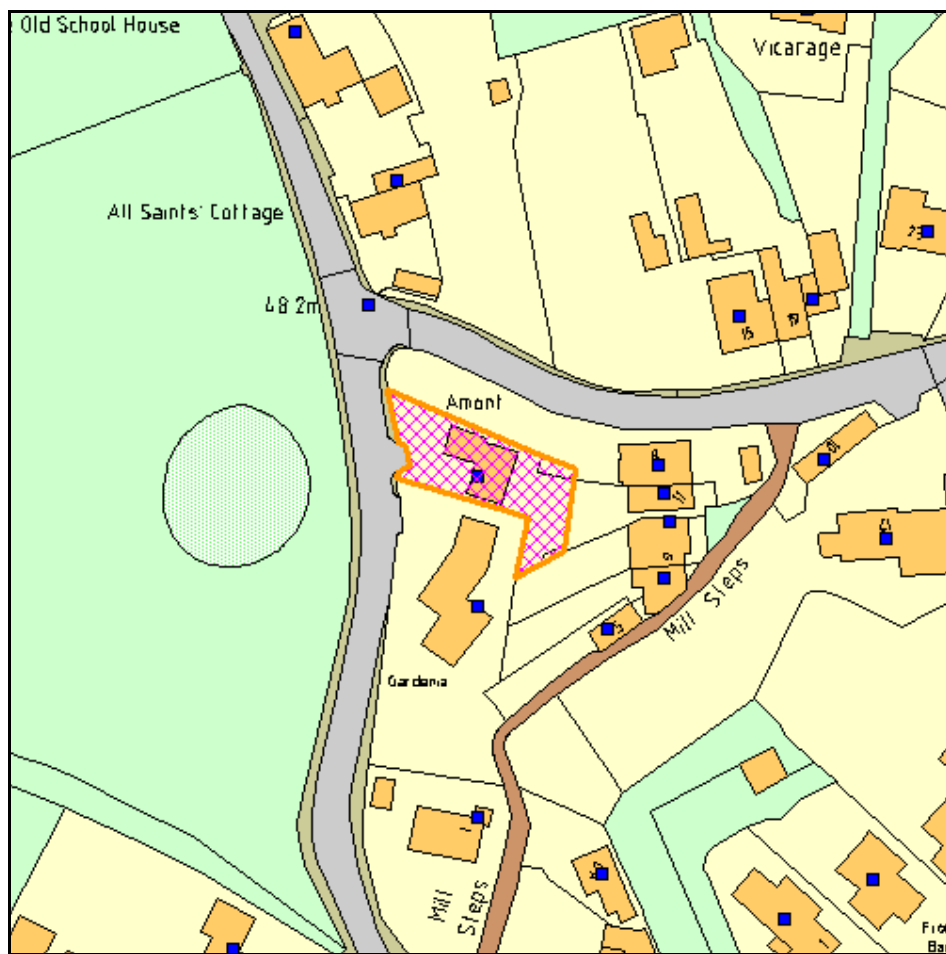
Reason

In order to protect the visual amenity of the area, and to accord with policy CS1 of the South Gloucestershire Core Strategy (Adopted) December 2013.

ITEM 7

CIRCULATED SCHEDULE NO. 19/15 – 8 MAY 2015

App No.:	PT15/0907/F	Applicant:	Mr Mike Seward
Site:	Amont Mill Road Winterbourne Down Bristol South Gloucestershire BS36 1BP	Date Reg:	5th March 2015
Proposal:	Alterations to roofline and installation of front dormer and rooflights to form second floor living accommodation (resubmission of PT14/2915/F)	Parish:	Winterbourne Parish Council
Map Ref:	364993 179538	Ward:	Winterbourne
Application Category:	Householder	Target Date:	27th April 2015



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100023410, 2008. **N.T.S.** **PT15/0907/F**

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule due to the receipt of letters of objection which would be contrary to officers' recommendations.

1. THE PROPOSAL

1.1 The applicant seeks full planning permission for the alteration to the existing roofline and an installation of a front dormer and rooflights to facilitate a loft conversion. The proposal also includes an installation of rooflights on the front and rear elevation.

1.2 Previous planning application PT14/2915/F for a similar proposal was refused for the following reasons:

The proposed front dormer window and the increasing the roofline in height by virtue of its siting, form, scale, height, massing and external appearance would fail to respect and enhance the character, distinctiveness and amenity of the dwelling and surrounding area. As such the proposal therefore fails 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 and the South Gloucestershire Supplementary Planning Document: Design checklist (Adopted) 2007, and Winterbourne Down Village Design Statement (Endorsed by the Council in November 2012),

1.3 The differences of the current proposal are,

- i. the width of the proposed front dormer would be approximately 5.5 metres compared with the previous refused proposal, which was approximate 7.2 metres,
- ii. The ridge line of the proposed dormer is slightly lower than the increased ridge height,
- iii. the number of rooflights on the rear elevation has been reduced from three to two and there would be 1 no. rooflight on the front elevation.

1.4 The proposal would provide an additional bedroom and a bathroom on the first floor level. .

1.5 The site has been subject to a number of applications in the past. The dwelling was allowed on an appeal in 1996, and the dwelling is a modest detached bungalow with a basement garage, and it is situated within the settlement boundary of Easter Compton, and is adjacent to the boundary of the Bristol / Bath Green Belt.

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: Core Strategy (Adopted December 2013)

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

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

L1 Landscape Protection and Enhancement
H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings
T12 Transportation Development Control Policy for New Development

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted 2007)
Landscape Character Assessment (Adopted 2005)
Residential Parking Standards (Adopted December 2013)
Winterbourne Down Village Design Statement (Endorsed by SGC on November 2012)

3. RELEVANT PLANNING HISTORY

- 3.1 P94/2627 Erection of detached double garage. Approved 04.03.1995
- 3.2 P93/1369 Erection of single dwelling. Construction of vehicular and pedestrian access (outline). Refused 19.05.1993
- 3.3 P96/1983 Erection of detached dwelling and construction of vehicular access. Allowed 09.09.1996, the Planning Inspector highlighted the following elements:
- The main issue in this appeal to be whether or not the proposed dwelling would respect the residential character of Winterbourne Down in the vicinity of the site.
 - The elevational drawing also show in my judgement that its slipt level design incorporating a low roof and complement features has been very carefully thought out and ... would relate harmoniously with Gardenia and minimise its impact in Mill Road.
 - The vantage point of the cricket field to the west I observed that the proposed dwelling would be inconspicuous.
 - A planning condition was imposed seeking a scaled site section indicating its finished floor level in relation to the adjacent dwelling, know as Gardenia, to ensure its low siting.

- 3.4 PT13/3618/F Alterations to roofline to form second floor living accommodation and to include front Juliet balcony and dormer windows. Erection of 3 metres high fence on top of existing wall. Withdrawn 19.11.2013.
- 3.5 PT14/2915/F Alterations to roofline and installation of front dormer to form second floor living accommodation (Resubmission of PT13/3618/F). Refused 07.11.2014

4. CONSULTATION RESPONSES

- 4.1 Winterbourne Parish Council
Objection. This is overbearing and not in line with the Winterbourne Down Village Design Statement. The revised drawings are only slightly different to the original proposal showing just one less dormer window.
- 4.2 Highway Officer: No objection.
- 4.3 Highway Drainage: No comment.

Other Representations

4.4 Local Residents

Officers received letters of objections and letters of support, and the residents' concerns and comments are summarised as follows:

Seven letters of objection have been received and the residents raise the following concerns:

Design

- From the vantage point of the cricket field to the west Planning Inspector observed that the proposed dwelling would be inconspicuous. Any further development would be in contravention to this
- Making the bungalow into a house will overdevelop this site
- There is a lack of bungalow housing stock in the area, whereas three bedroom homes are in abundance
- Due to the mass and height, the proposal has a direct contravention of the Winterbourne Down Village Design
- Set a precedent in this unusual and highly sensitive position
- the site was identified as being in a sensitive position and reference was made to the split level design, incorporating a low roof.
- Overbearing effect and detrimental to the area
- only small changes to the original refused proposal and continue to fail to accord with the following policy statements, it fails to address the refusal reasons regarding the form, scale and height of previous application
- Out of keeping with the character of the area
- The supporting statement fails to address the aspect of the significant increase in roof height.

- The original low level roofing with a planning condition to ensure the low siting of the dwelling. This application still does not comply with the original planning permission granted.
- The dormer remains too large in size and continues to dominate the front elevation
- Ignoring the original approval
- The covering letter from Pegasus Group is inaccurate
- To allow an additional level and increase in roof height would again represent a gradual creep away from the terms of the original approval on appeal
- Further negative impact upon the view of the village when approaching from Hambrook, along Mill Road.
- Negative impact upon the presentation of the village from the public footpath which runs across the fields opposite to Amont

Overlooking

- Overlooking neighbouring upper and lower garden, as the height of the trees running along the boundary is lower than it shown.
- Loss of privacy
- The windows on the rear elevation will face directly into the neighbours; bedroom and living area windows and upper section of the neighbours' garden

Overbearing

- Due to its increase roof height, mass and height.
- Blocking light including daylight and sunlight to property lying directly to the rear of Amont.

Eight letters of support have been received and residents indicate the following:

- I like the design, it will enhance the property and the area.
- The proposed extension is very small, and significantly smaller than any other project I have seen being constructed in Winterbourne Down currently.
- I am in favour of the proposed extension
- Look forward to seeing the improvements completed.
- The proposed changes to the property are relatively small and are in keeping with the majority of properties in the local area
- The Seward family are good neighbours and lived in the village for some 30 years.
- See no visual impact on the village.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policy H4 of the adopted Local Plan is supportive in principle of proposals for alterations and extensions to existing dwellings within their curtilage, providing that the design is acceptable and that there is no unacceptable impact on residential and visual amenity. Policy CS1 of the adopted Core Strategy requires all new development to be well designed and along with other criteria,

respect and enhance the character, distinctiveness and amenity of both the site and locality.

Although the site is situated adjacent to the Bristol / Bath Green Belt, NPPF states that certain types of development would not be inappropriate within the Green Belt. Given the location of the property and its modest scale, officers consider that the proposal would not cause any harm to the openness of the Green Belt.

5.2 Design and Visual Amenity

National Planning Policy Framework states that one of the core principles of planning is to *'always seek to secure high quality design and a good standard of amenity for existing and future occupiers of land and buildings'* NPPF para 17.' In addition, Policy CS1 of the adopted Core Strategy also seeks high quality standard of design.

The Council also endorsed the Winterbourne Down Village Design Statement in 2012, therefore the document is given some weight in the assessment and determination of this application.

The site has been subject to a planning appeal in the past. Planning Inspector has indicated that the site is in a sensitive position and its split level design incorporating a low roof with complementary features would relate harmoniously with Gardenia and minimise its impact in Mill Road. In addition, a planning condition was imposed seeking the finished floor level in order to ensure its low siting.

The proposed development would raise the ridge height of the dwelling house by approximately 1.2 metres and replace the existing hipped roof with gables. In addition, a lean-to roof dormer is proposed on the front elevation and there would be rooflights on either front or rear elevation. The proposal would provide an additional bedroom and a bathroom in the first floor level.

Officers have no objection to the replacement of hipped roof with gables and the proposed rooflights as they would not cause significant adverse impact due to its location and their modest scale. However Officers do have some concerns regarding the proposed ridge height as it would be the same as the previous proposal.

The current proposal shows a number of differences on the design of the proposed front dormer. The width of the front dormer has been substantially reduced by approximately 2 metres. In addition, the ridge height of the proposed dormer is also slightly set down from the proposed raised ridge height. As such, the proposed dormer would be more subservient to the new roof. Furthermore, the external materials would match to those of the host dwelling, and this would help the new dormer to be integrated to the host dwelling.

Whilst officers consider that proposed raised height would cause some degree of impact upon the character of the host dwelling, the proposal incorporating a modest scale dormer would not necessarily cause significant harm to the character and appearance of the host dwelling and the locality. Whilst Officers

respect the Planning Inspector's view on the low siting of the dwelling, it is considered that the proposed raised height, on its own, would not cause such significant adverse impact to the character of the locality to warrant a refusal on this application given that the proposed front dormer has been carefully design to minimise the impact upon the character and appearance of the host dwelling and to respect the siting of the property.

In this instance, it is considered that the proposal, on balance, would not cause significant adverse impact upon the character and appearance of the host dwelling or the landscape character of the locality. The proposal therefore would comply with Policy CS1 of the adopted Core Strategy.

5.3 Residential Amenity

The nearest neighbouring properties at the rear to the proposed roof extension and alteration are No. 8 Church Road, No. 11 and No. 9 Mill Steps, and officers acknowledge that neighbouring occupiers have raised their strong objections to the proposal.

A detached dwelling, Gardenia, is situated to the south side of the application site, and occupiers of Gardenia submitted their support to the proposal. In addition, officers also receive a number of letters of support from residents.

On the front elevation there would be a dormer and a rooflight. Given their location, it is considered that the proposal would not have any overshadowing or overbearing effect on the neighbouring dwellings, which are located at the rear of the property.

Residents raise concerns regarding the replacement of hipped roof with a gable roof and the proposed raised ridge would cause an overbearing impact. As the proposed development would be approximately 19-22 metres from the nearest neighbouring properties, it is considered that the proposal would not cause significant overbearing impact to warrant a refusal of this application.

Concerns are also raised regarding the loss of privacy as they would be 2 no. of rooflights on the rear elevation. One of them would be a bathroom window and the other would be a secondary bedroom window. Officers agree that these windows would cause a degree of overlooking as they would overlook over the neighbours' existing boundary fences. To address the above concerns, a planning condition is imposed to ensure these rooflights would be obscured with a fixed close position.

In summary, it is not considered that the proposal would result in significant increase in overlooking or loss of privacy or overbearing impact upon the neighbouring occupiers to warrant a refusal of this application.

5.4 Transportation Issues

The proposal would create an additional bedroom and the property would become a 3-bedroom dwelling. There is an integrate garage and a driveway to the front of the proposal and the proposal would not change the existing parking arrangement. Highway Officer and your case officer therefore have no objection to the proposal.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to grant planning permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and 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 planning permission be granted subject to the following conditions:

Contact Officer: Olivia Tresise
Tel. No. 01454 863761

CONDITIONS

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

Reason

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

2. The colour, type and texture of the rendered finish to the external walls of the proposed dormer shall match that of 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) and Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. The tiles to be used in the proposed dormer 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) and Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. The proposed roof lights hereby permitted on the east rear 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 residential amenity of the neighbouring occupiers and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and Policy H4 of the South Gloucestershire Local Plan (Adopted January 2006).

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

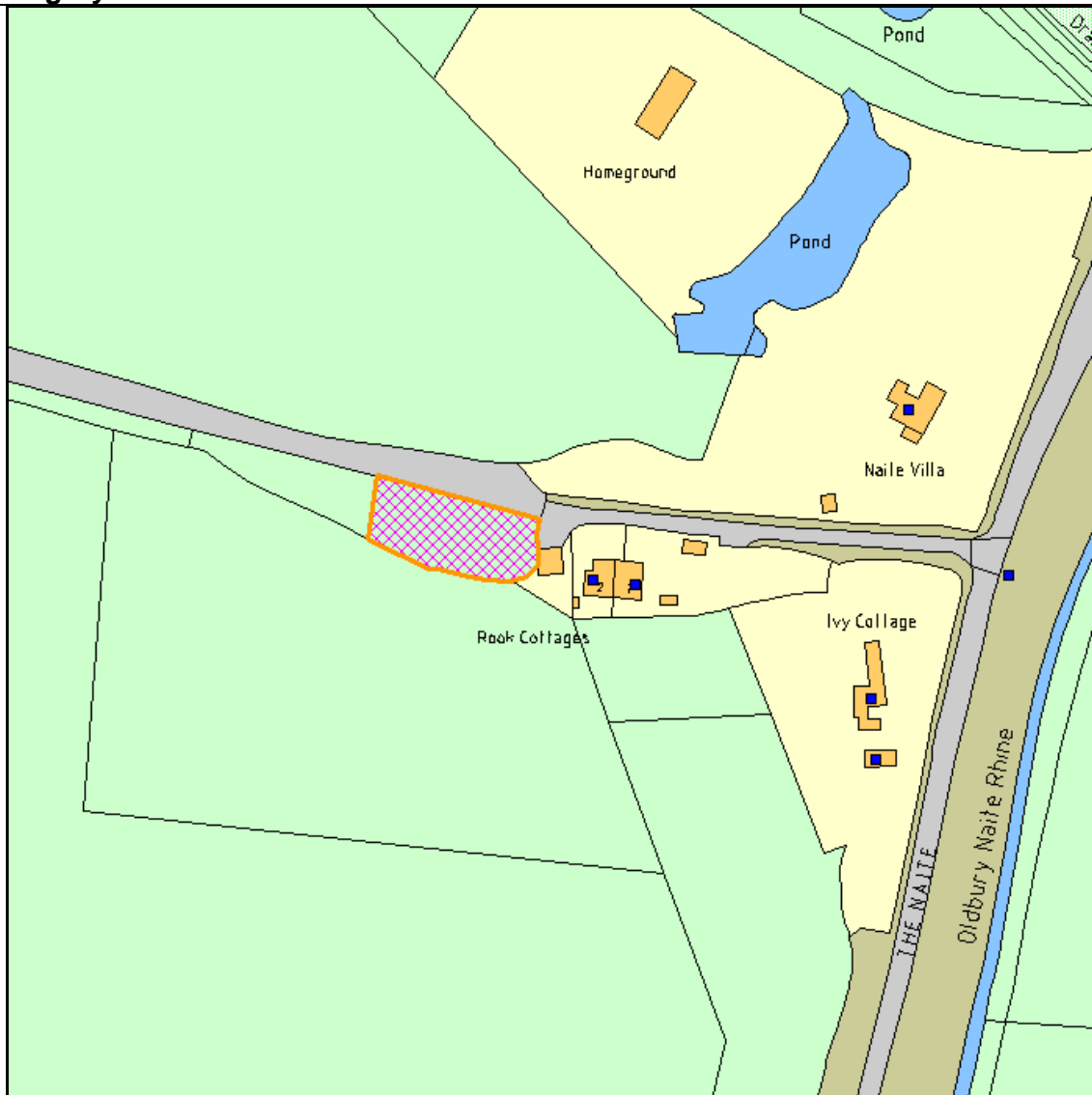
Reason

To protect the residential amenity of the neighbouring occupiers and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013).

ITEM 8

CIRCULATED SCHEDULE NO. 19/15 – 8 MAY 2015

App No.:	PT15/0989/CLE	Applicant:	Mr Simon Ingram
Site:	2 Rook Cottages Hall Lane Oldbury On Severn Bristol South Gloucestershire BS35 1RX	Date Reg:	11th March 2015
Proposal:	Application for certificate of lawfulness for the existing use of land as residential curtilage.	Parish:	Oldbury-on-Severn Parish Council
Map Ref:	361578 192700	Ward:	Severn
Application Category:	Certificate of Lawfulness	Target Date:	30th April 2015



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N.T.S.

PT15/0989/CLE

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The application is for a certificate of lawfulness for the existing use of the land edged in red as residential curtilage (Use Class C3).
- 1.2 The application site relates to no. 2 Rook Cottage located off Hall Lane within Oldbury on Severn. The host dwelling is a two-storey semi-detached cottage. The land which relates to this certificate of lawfulness is located approximately 13 metres to the west of the host dwelling. This distance is occupied by a detached garage and parking area. From the submitted Site Location Plan the detached garage is believed to be within the ownership of the applicant.
- 1.3 The applicant included plans for a proposed garage within information for this application. However, this application is a certificate of lawfulness for the existing use of a residential garden, and therefore a proposed garage will not be considered within this application.
- 1.4 The application land is a triangular shaped piece of land measuring approximately 75 metres in length, getting progressively thinner as from east to west. For clarity it is judged that the existing tarmac area in front of the existing detached garage to the west of the host dwelling is not considered to be within the application land for which this certificate of lawfulness will assess.

2. POLICY CONTEXT

- 2.1 National Guidance
 - I. Town and Country Planning Act 1990
 - II. Town and Country Planning (Development Management Procedure) (England) Order 2015
 - III. National Planning Practice Guidance 2014

3. RELEVANT PLANNING HISTORY

- 3.1 PT14/2870/F Withdrawn 05/11/2014
Erection of detached double garage.
- 3.2 PT14/2502/F Approve with Conditions 10/09/2014
Erection of first floor side extension to form additional living accommodation and erection of front conservatory.

4. **SUMMARY OF EVIDENCE**

4.1 Evidence in Support of the Application:

Two letters of support (unsworn) but signed as 'True Statements' have been received from neighbouring occupiers. These are summarised as follows:

Gerald Yates; Diane Yates Dated: 04/03/2015	<ul style="list-style-type: none">• Been the occupants of Ivy Cottage, The Naite, Oldbury-on-Severn since 1967.• The application land has been used as a garden on which the previous occupants recently laid to grass, grow flowers and grow vegetables.
John Rugman; Janet Rugman Dated: 02/03/2015	<ul style="list-style-type: none">• Been the occupants 1 Rook Cottage, The Naite, Oldbury-on-Severn since 1969.• The application land has been used as a garden on which the previous occupants recently laid to grass, grow flowers and grow vegetables.

4.2 In response to the Case Officer's request, the applicant submitted the following statutory declarations witnessed by a solicitor:

Gerald Yates; Diane Yates Dated: 24/04/2015	<ul style="list-style-type: none">• Been the occupants of Ivy Cottage, The Naite, Oldbury-on-Severn since 1969.• The area of land to the west of 2 Rook Cottage edged red on the submitted plan has been used solely and continuously, for the growing of flowers, shrubs, fruit vegetables and grass lawn, throughout the period of my occupancy.
John Rugman; Dated: 24/04/2015	<ul style="list-style-type: none">• Been the occupants 1 Rook Cottage, The Naite, Oldbury-on-Severn since 1969.• The area of land to the west of 2 Rook Cottage edged red on the submitted plan has been used solely and continuously, for the growing of flowers, shrubs, fruit vegetables and grass lawn, throughout the period of my occupancy.

4.3 Contrary Evidence Received:

No contrary evidence has been received from third parties.

5. **SUMMARY OF EVIDENCE FROM THE COUNCIL'S EVIDENTIAL BASE**

5.1 The Council's Landscape Officer submitted evidence in the form of an aerial photograph and an historical map. The officer has suggested the aerial photograph shows evidence of the application land being utilised as a garden in 1991 and 2006. Also the officer makes reference to two mature trees on the site which relate to the former use of the site historically as an orchard.

5.2 The Council's own evidence consists of aerial photographs for the following years: 1991, 1999, 2005, 2006, 2008-2009. A brief summary of each photograph is provided below (each image is on the case file):

Date of Aerial Photograph	Summary
1991	<ul style="list-style-type: none"> • The far western side of the application land approximately 55 metres from the host dwelling is a row of managed vegetation, possibly a vegetable patch; • Two mature trees separate this vegetable path from the rest of the application site; • Within this remaining space is a number of small scale sheds/greenhouses (approximately six).
1999	<ul style="list-style-type: none"> • The vegetable patch on the western edge of the plot has been removed now appears to be grass; • The two mature trees remain; • A larger white shed positioned on the northern boundary of the application site, approximately 25 metres from the host dwelling; • Two central sheds remain in the same position to 1991, as does a small shed next to the existing mature trees.
2005	<ul style="list-style-type: none"> • The two central sheds and the single white shed remains in the same position in 1999, a number of sheds have been removed; • The area beyond the mature trees to the west and the immediate area 10 metres from the mature tree to the east is unmanaged which is clear from differing grass-management appearance; • The site appears managed with what appears to be small fence partitioning off sections of the site in a small allotment style.
2006	<ul style="list-style-type: none"> • Little to no difference with 2005, the immediate area surrounding the mature trees once again appears unmanaged with a clear difference in how the grass appears.
2008-2009	<ul style="list-style-type: none"> • The key difference from the 2006 record is that a large degree of the site is unmanaged, namely the area to the west of the mature trees and the area within 22 metres to the east of these mature trees; • This unmanaged area is demarcated with what appears to be small fencing separating a more domestic-appearing area to the east; • A number of sheds have once again been removed.

5.3 From the Case Officer's site visit, a number of photographs were taken and also the detailed site description was made, all of which is summarised below:

- Photograph 1 was taken from the far western side of the application site and depicts the two mature trees and shows a largely different site to that depicted in the 2008-2009 aerial photograph. There are no sheds or small fences partitioning the site into different sections, only a new fence which separates the site from the right of way which stretches along the northern side of the application site.

- Photograph 2 simply depicts part of the double garages and also the tarmac/paves area to the east of the application site and to the west of the host dwelling.
- Also evident from the Officer's site visit was a small vegetable patch measuring approximately 3 sqm and positioned approximately 20 metres from the host dwelling and 3 metres from the southern boundary of the application land.

6. CONSULTATION RESPONSES

6.1 Oldbury-on-Severn Parish Council

No objection

6.2 Public Rights of Way

No objection, although the application may affect the public bridleway OOS44 and public footpath OOS62. The application must not diminish the width of the rights of way, and no barriers, building materials etc. must block or be stored on the rights of way.

Open Spaces Society

None received.

Landscape Officer

The Council's Landscape Officer has submitted information in the form of an aerial photograph which supports the use of the majority of the application land as a garden.

Sustainable Transport

No comment.

Environmental Agency

None received.

Councillor

None received.

Other Representations

6.3 Local Residents

Two letters of support have been received supporting the use of the application land as a residential garden. The first letter was signed by the residents of no. 1 Rook Cottage (John Rugman and Janet Rugman) and the second letter was signed by the residents of Ivy Cottage, The Naite (Gerald Yates and Diane Yates). In addition to this, the same residents (John Rugman and Gerald Yates) have also submitted statutory declarations in support of the claim that the area marked in red edge on the submitted plans has been used solely and continuously for residential purposes by the occupiers of the no. 2 Rook Cottage for approximately 46 years.

7. EVALUATION

- 7.1 The application is for a certificate of lawfulness for the existing use of the land as residential garden (Use Class C3). The application therefore seeks to demonstrate that the land has been in residential use in connection to no. 2 Rook Cottage for a continuous period of at least 10 years prior to the date of the submission. Meaning the application land must have been in a continuous residential use since 03/03/2005. It is purely an evidential test irrespective of planning merit. The only issues which are relevant to the determination of an application for a Certificate of Lawfulness are whether in this case the land has been in a consistent residential use for not less than ten years.
- 7.2 The guidance contained within the National Planning Practice Guidance 2014 states that if a local planning authority has no evidence itself, nor any from others, to contradict or otherwise make the applicant's version of events less than probable, there is no good reason to refuse the application. This is however with the provision that the applicant's evidence alone is sufficiently precise and unambiguous to justify the grant of a certificate on the balance of probability.
- 7.3 The guidance contained within the National Planning Practice Guidance 2014 also states that the responsibility for providing sufficient information to support an application is that of the applicant, although a local planning authority always needs to co-operate with an applicant who is seeking information that the authority may hold about the planning status of the land. This accordingly includes historical records such as aerial photographs which the local authority may possess.
- 7.4 Assessment of Evidence
In terms of the sworn statements submitted in support of the application it is noted that two statutory declarations have been submitted by two individuals who have local knowledge of the property and the land. In all cases the declarants' state knowledge of the site for a period in excess of 10 years, both stating knowledge from 1969. Both declarants demonstrate intimate knowledge of the site, living in close proximity to the site since 1969. In all cases the declarants state that all of the land has, to the best of their knowledge, been used a domestic garden throughout the period they have known it.
- 7.5 From the declarations submitted it is noted that both declarants state knowledge of the site outlined within the red edge of the submitted plan being used for the growing of flowers, shrubs, fruit vegetables and a grass lawn, all activities which are associated with a residential use, common in residential gardens. Such a use is supported, to a degree, from the Council's aerial photograph records. The Council holds such records from 1991 until 2009, the aerial photograph records which are of interest for this certificate application are 2005, 2006 and 2008-2009. All of these records are congruent with each other in demonstrating an area of land which is being used for the growing of vegetables, a small number of domestic sheds are evident, and it is also clear that there are a number of vegetable patches.

This is pursuant to the declarations submitted in support of this certificate, namely in the suggestion that the area has been used to grow fruit and vegetables by the occupiers of no. 2 Rook Cottages.

- 7.6 Where the declarations and the Council's aerial records do conflict is to the extent of the residential curtilage. The 2005 aerial records show the area to the west and the immediate area within 10 metres to the east of the two mature trees as unmanaged. This is clear from the difference in the management of the grass and landscape of these areas when compared to the rest of the application site. Specifically, the grass is not managed and there is no evidence of residential activity through paraphernalia related to the growing of vegetables or fruit. Such a difference in management is exacerbated within the 2008-2009 aerial records where the area to the west of the mature trees and the area within 22 metres to the east of these mature trees is unmanaged, this is clear through a small fence separating a more domestic-appearing area to the east. However, what these records, in conjunction with the statutory declarations, present is evidence suggesting an area of the land within the red line submitted by the applicant is being used as a residential use (Class C3). For clarity this does not relate to the whole area outlined within the submitted plans, rather an area which starts approximately 22 metres to the east of the existing mature trees and ends at the hard surfacing near to the front of the garages.
- 7.7 Unfortunately, from 2009 onwards the Council does not have any aerial records available for this site, and in this time period a major change takes place at the site, namely all the sheds are removed and only one vegetable patch remains. The area now has much more of a manicured lawn, which does demonstrate a degree of residential use, but would not be sufficient by itself to convince the Case Officer that for a continuous period of time a residential use has occurred. However, the guidance within the National Planning Practice Guidance 2014, is clear in asserting that where a Local Planning Authority has no evidence itself, nor any from others, to contradict or otherwise make the applicant's version of events less than probable, there is no good reason to refuse the application. With this in mind, and the fact that statutory declarations demand considerable weight within the determining of this certificate, and those submitted support that the area has been used continuously for residential purposes, the Case Officer is convinced that the a continuous residential use has occurred on a section of the land adjacent to no. 2 Rook Cottages, as outlined in paragraph 7.6.
- 7.8 Based on the evidence and assessment outlined above, the Case Officer is not convinced that the submitted area outlined in red has all been used continuously in a residential used. However, the National Planning Policy Guidance states that a Local Planning Authority may choose to issue a lawful development certificate for a different description from that applied for, and that is advisable to seek the applicant's agreement to any amendments before issuing the certificate. The Case Officer therefore finds it pertinent to re-draw the red line for this proposal to reflect that expressed in paragraph 7.6, this will effectively approve the certificate for the area outlined in red by the Local Planning Authority.

8. CONCLUSION

8.1 It is considered that the evidence submitted, along with that of the evidence gathered by the Local Planning Authority, demonstrates, on the balance of probability, a section of the land has been in residential use for a consistent period of at least ten years immediately prior to the submission of the application.

9. RECOMMENDATION

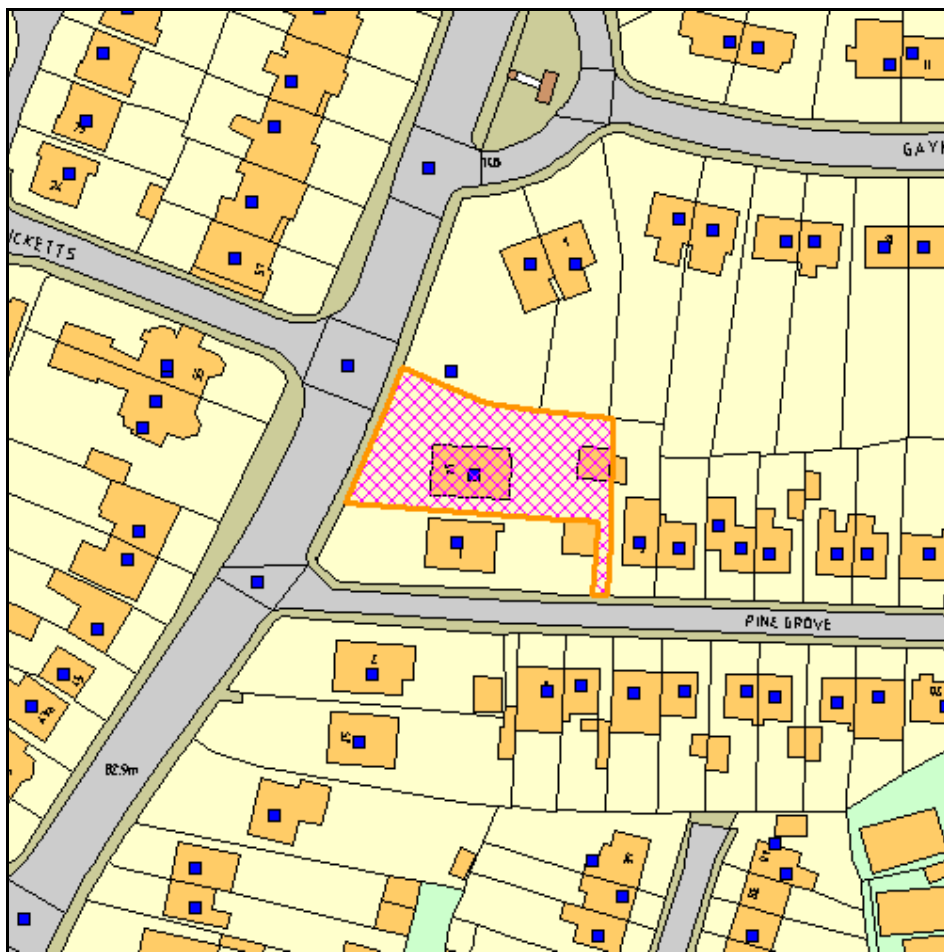
9.1 That the Certificate of Lawfulness is APPROVED in line with the Case Officer's amended red line Site Location Plan.

Contact Officer: Matthew Bunt
Tel. No. 01454 863131

ITEM 9

CIRCULATED SCHEDULE NO. 19/15 – 08 MAY 2015

App No.:	PT15/1118/F	Applicant:	Mr M Chaudhry
Site:	54 Gloucester Road North Filton Bristol South Gloucestershire BS7 0SJ	Date Reg:	25th March 2015
Proposal:	CHANGE OF USE OF PART DWELLING TO ACCOUNTANCY PRACTICE INCORPORATING NEW FRONT ACCESS AND PARKING AND SIGN	Parish:	Filton Town Council
Map Ref:	359993 178436	Ward:	Filton
Application Category:	Minor	Target Date:	13th May 2015



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is referred to the circulated schedule in accordance with procedure given that an objection has been raised that is contrary to the officer recommendation

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the Change of Use of part of a dwelling (Class C3) to an Office use (Class B1). This involves the use of an existing bedroom for a small accountancy business.
- 1.2 The proposal includes the provision of a new entrance onto Gloucester Road North with paved parking area to the front of the property indicated as accommodating 3 vehicles. No external changes to the building are proposed.
- 1.3 The application site comprises a detached dormer bungalow with a garage to the rear that is accessed from Pine Grove. To the front of the property there is a narrow pedestrian entrance beyond which steps lead up to the property which sits on higher ground.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted December 2013)

CS1	High Quality Design
CS5	Location of Development
CS8	Improving Accessibility
CS25	Communities of the North Fringe of the Bristol Area

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

E3	Employment Development within the Urban Area
T12	Transportation Development Control

- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted 2007)

3. RELEVANT PLANNING HISTORY

- 3.1 N7508 Erection of front boundary wall – Refused

PT14/4310/F Change of use from Dwelling (Class C3) to Offices (Class B1) as defined in Town and Country Planning (Use Classes) Order 1987 (as amended) to include new access and associated works – Withdrawn

4. **CONSULTATION RESPONSES**

4.1 Filton Parish Council

No objection

4.2 Other Consultees

Highway Drainage

No objection

Sustainable Transport

We have now reviewed this planning application and note that it seeks to convert part of the residential accommodation at Gloucester Road North, Bristol to an accountant's office. We understand that this application is a resubmission of a previous one (ref PT14/4310/F).

Whilst we had no objection in principal to this proposal, we previously raised concerns about this application because of the unsatisfactory nature of the proposed access to the visitor car parking. Although the applicant addressed this issue by revising their proposals so that satisfactory access was obtained from Gloucester Road North, they provided no information about the visibility from their proposed access or how vehicles would manoeuvre within the site so that they could leave in forward gear. We note that the current application is accompanied by visibility information which proves that the proposed access from Gloucester Road North is satisfactory in this respect. It is not, however, provided with information about manoeuvring. Although it appears that there is sufficient space to allow these manoeuvres to take place, we would prefer the car parking to be orientated in a north-south manner, i.e at 90 degrees to that shown on drawing R625/06 as this greatly simplifies vehicle paths within the site. Provided that this requirement is met we have no further highways or transportation comments about the current application either.

Other Representations

4.3 Local Residents

One letter of objection has been received. The grounds of objection can be summarised as follows:

- The proposed access is dangerous because of the busy road and the location close to road junctions
- The outlook from a property opposite would be altered to car parking and this would affect the value of the property
- The proposal would result in the loss of a house when more houses are needed in South Gloucestershire

5. **ANALYSIS OF PROPOSAL**

5.1 **Principle of Development**

The application stands to be assessed against the above listed policies and all other material considerations. It is noted that the proposal would result in the partial loss of a house but this can be weighed up against the benefit of the office space offering employment. Although concern regarding the loss of a house is noted, it remains substantially in its current use and the property can easily revert back. Advice to a large number of existing and future clients. Of particular relevance is the criteria under Policy E3 which allows for employment development within the existing urban area. Employment development would only be permitted if:

5.2 **Development would not have unacceptable environmental effects; and**

The proposed change of use would have no environmental impact by way of noise, smells, pollution etc over and above that arising from the current use of the building.

5.3 **Adequate provision is made for servicing and delivery requirements and development would not give rise to unacceptable levels of vehicular traffic, especially heavy goods vehicles, or on-street parking, to the detriment or the amenities of the surrounding areas and highway safety; and**

The use is unlikely to generate significant levels of traffic with provision for 3 vehicles shown. It is within easy walking distance of facilities within the wider area with shops and bus stops nearby. A more detailed comment on the new access is set out below.

5.4 **Development would not prejudice existing residential amenities; and**

The Use Classes Order (as amended) states that a B1 use covers all business uses that can be '*carried out in a residential area without having any detrimental effect on the amenity of the area (e.g. through creation of noise, vibration, fumes, smell)*'. Any use that creates levels of disturbance for residential properties probably does not fall within the authorised B1 category and thus could not occupy the building. Given the limited nature of the B1 use, it is considered that the proposed use would have any detrimental environmental impact on the surrounding residential area.

5.5 **The character of the area or settlement is not adversely affected; and**

All works are internal and there will be no change to the exterior of the building, the character of the area will not be adversely affected.

5.6 **The maximum density compatible with the site's location, its accessibility and its surroundings is achieved; and**

There would be no change in the overall footprint of the existing building as the proposal would utilise an existing first floor room. As such there would be no change to the density of the site.

5.7 Transportation

Concern has been raised that the proposal would be detrimental to highway safety given that a new access is being created close to two junctions.

The concern is noted and the Highways Team have looked at the proposal in detail. Concerns were raised in relation to a previous proposal with respect to visibility from the access along the road. The current proposal satisfies the requirement having shown that there is an adequate visibility splay. The parking layout is also acceptable allowing vehicles to manoeuvre so that they can leave in forward gear. The layout could be improved further however if the parking was orientated at 90 degrees to that shown on the submitted plan closer to the property. This would simplify the vehicle paths within the site. It is therefore recommended that a condition be attached to the decision notice to secure the submission of a revised parking layout.

Subject to this condition the proposed development is considered acceptable in transportation terms.

5.8 Other Issues

Concern has been raised that the car parking area will detract from the outlook from a property situated on the opposite side of the road. It is not considered given the distance of approximately 45 metres between the properties that any significant loss of outlook would occur. Vehicles are not permanent fixtures.

Concern has been raised that the proposal would result in the loss of value to a property. Property values and the impact upon them is not a material planning consideration.

6. CONCLUSION

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

6.2 The 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: David Stockdale

Tel. No.

01454 866622

CONDITIONS

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

Reason

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

2. Prior to the first use of the building hereby approved details of the parking layout (and turning area) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to the first use of the building.

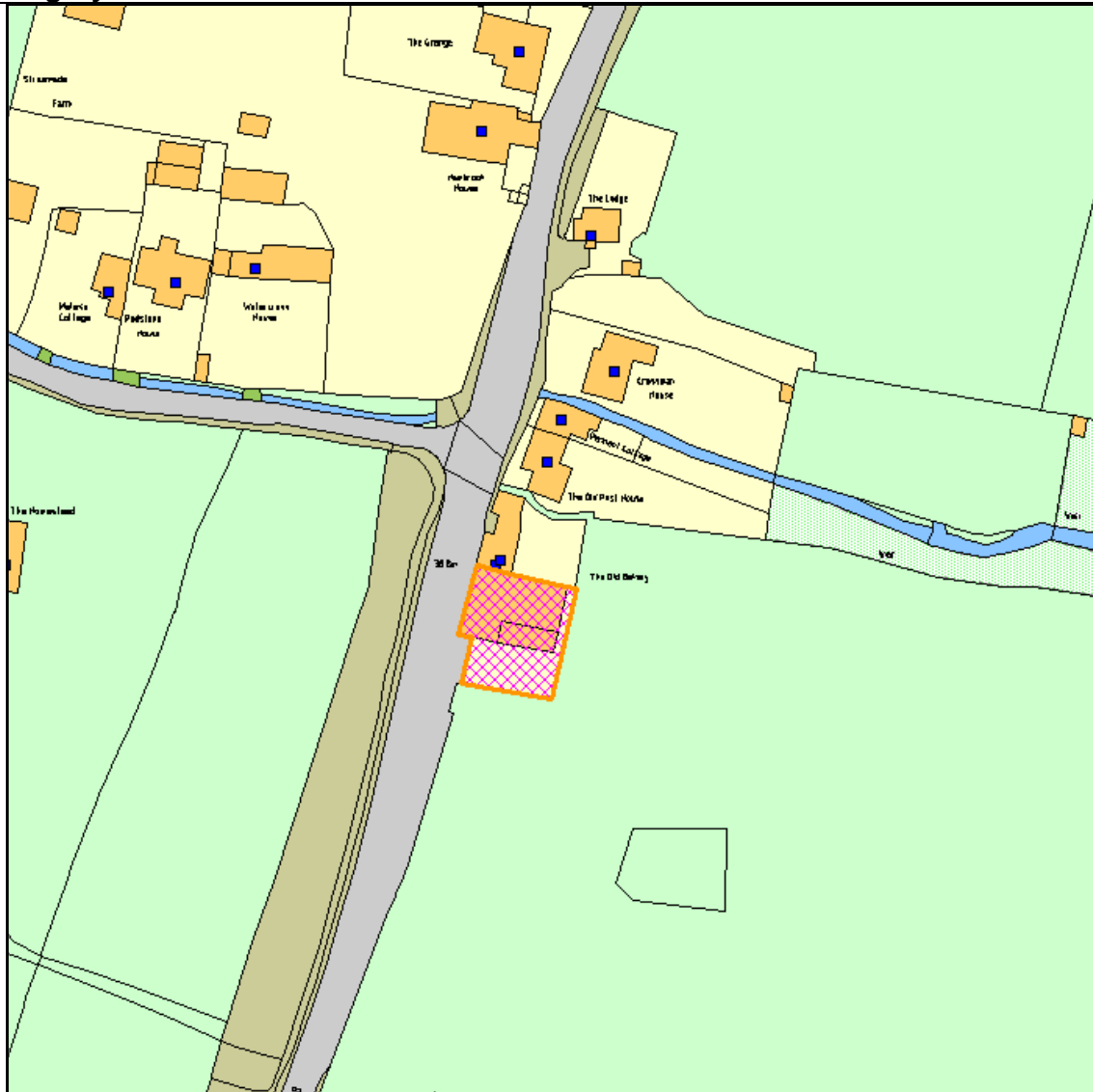
Reason

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

ITEM 10

CIRCULATED SCHEDULE NO. 19/15 – 8 MAY 2015

App No.:	PT15/1153/F	Applicant:	Great Western Brewing Co.
Site:	The Stream Bakery Bristol Road Hambrook South Gloucestershire BS16 1RF	Date Reg:	7th April 2015
Proposal:	Erection of single storey extension to north elevation (Part Retrospective)	Parish:	Winterbourne Parish Council
Map Ref:	364049 178710	Ward:	Winterbourne
Application Category:	Householder	Target Date:	26th May 2015



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PT15/1153/F

REASON FOR SUBMISSION TO CIRCULATED SCHEDULE

The application has been submitted to the Council's Circulated Schedule procedure, following objections from local residents and concerns from the Parish Council which are contrary to the recommendation detailed in this report.

1. THE PROPOSAL

- 1.1 The application seeks planning permission for the erection of a single-storey extension to the north elevation of The Stream Bakery, which is in use as a microbrewery. The application form states that the extension will be used as a store room.
- 1.2 The application site is situated within the settlement boundary of Hambrook, within the Bristol/Bath Green Belt. The site is also located within Hambrook Conservation Area, and The Stream Bakery is a locally listed building. The site is also directly opposite The Old School, which is a grade II listed building.
- 1.3 The application is partly retrospective, as the walls of the proposed extension are already in situ on site.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012

National Planning Policy Guidance 2014

2.2 Development Plans

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

- E3 Employment Development within the Urban Area/Defined Settlement Boundary
- L12 Conservation Areas
- L13 Listed Buildings
- L15 Locally Listed Buildings
- T8 Parking Standards
- T12 Transportation
- EP2 Flood Risk

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

2.3 Supplementary Planning Guidance

- South Gloucestershire Design Checklist SPD (Adopted)
- Development in the Green Belt SPD (Adopted) June 2007
- Local List SPD (Adopted) February 2008

3. RELEVANT PLANNING HISTORY

- 3.1 PT07/0203/F Approve with conditions 02/04/2007
Change of use from bakery (Class B1) to micro brewery (Class B2) as defined in the Town and Country Planning Act (Use Classes) Order 1997 (as amended)

4. CONSULTATION RESPONSES

- 4.1 Winterbourne Parish Council
No objection, however the breeze block extension is very unsightly to the neighbour's garden.

4.2 Other Consultees

Environmental Protection

We would recommend the usage for the extension is restricted to a store room, and no future installation of plant or machinery permitted to prevent noise complaints from local neighbours.

Sustainable Transport

No comment received.

Listed Building and Conservation

No objection.

Landscape Officer

No comment received.

Lead Local Flood Authority

No comment.

Other Representations

4.3 Local Residents

Six letters of objection have been received from local residents raising the following issues:

- The plans are not detailed enough to show how rainwater from the roof will be disposed of.
- The wall is already in situ and fencing and plants ripped down to make way for it, destroying the garden at the adjacent The Old Bakery.
- The wall has been built on land which the applicant does not own, and any proposed drainage will also overhang
- The permission is to hold three vats for brewing beer, not as a store room, and the water from the vats will go directly under our property
- The clay soil on the field to the rear is impermeable
- The odour and noise will increase and we are unable to open the windows
- This is a residential, conservation property and not a business area – the brewery have outgrown their premises and should relocate
- The site attracts vermin and resembles a junk yard
- The wall is overbearing, ugly and blocks day light from the garden for most of the day

- Trees have been removed from the Green Belt without permission
- There must be health and safety issues as beer barrels are stacked nine high and a forklift truck is used in a confined space
- There can be as many as six vehicles parked outside on the road when the brewery is busy

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The proposal is to extend the building, with the use of the building to remain the same. Saved policy E3 of the South Gloucestershire Local Plan (adopted) allows for the principle of the development. The main issues to consider are the appearance/form of the proposal and the effect on the character of the area; the environmental effect; the transportation effects; and the residential amenity impacts. Limited extensions to buildings are acceptable in the Green Belt, provided they do not have a negative impact on the openness of the Green Belt. As the site is a locally listed building, adjacent to a listed building and situated within a Conservation Area, policies CS9, L12, L13 and L15 must also be adhered to.

5.2 Impact on the Green Belt

The NPPF allows for limited extensions to buildings within the greenbelt providing that they do not result in disproportionate additions over and above the size of the original building (the volume of the building at construction or its volume on July 1st 1948). The South Gloucestershire 'Development within the Green Belt SPD' indicates that a limited extension can be defined as no more than a 50% volume increase from the size of the existing building.

5.3 The property has been extended to the rear significantly in the 1980s to provide a large canopy for the bakery which occupied the site at the time, and although there is not enough information provided to calculate the original volume, this addition is estimated to be around 35% more than the original volume of the building. The proposed development is small and is unlikely to tip the property beyond the realms of a 'limited' extension. Due to the infill location of the extension and its single storey height, the development is likely to have only a very minimal impact on the openness of the Green Belt, and the location of the site within the settlement boundary allows for greater flexibility. It is therefore considered that the proposal is appropriate development in Green Belt terms.

5.4 Design and Impact on the Heritage Assets

The proposed scheme seeks permission to erect a lean-to in fill extension on the side (north facing) of an existing rear wing. Due to the proposed design, materials and finish, the extension will intentionally read as a non-domestic structure in keeping with the aesthetic character of the rear dual pitched wing. It is therefore not considered that the extension, either in isolation or cumulatively, would result in any visual competition with its historic host. It is therefore considered that the proposal would not detract from the significance of this locally listed building. .

- 5.5 Set to the rear of an existing terrace, it is not considered that the extension would have any prominence within the public realm and so the character and appearance of the conservation area would be preserved, and the opposite listed building would be unaffected. It is also worth noting that the buildings historic status stems from its previous use as a bakery, and so the industrial elements are part of its character and heritage. Therefore, the proposal is considered to comply with policy CS9 of the Core Strategy, and policies L12, L13 and L15 of the Local Plan.
- 5.6 Although not visible from the public realm, the visual impact of the block wall on the adjacent dwelling is acknowledged, and is considered to be harmful and contrary to policy CS1 of the Core Strategy. In the event of an approval, a condition will ensure that details of a suitable boundary treatment will be submitted for approval within 6 months and erected on site prior to occupation of the development. Ordinarily, details should be submitted prior to commencement however the development is partly retrospective as the walls of the extension are already in situ.
- 5.7 Residential Amenity
The development is on the border to The Old Bakery, an adjacent residential dwelling. Objections have stated that the development is overbearing and will cause loss of light. With the eaves being 2.4 metres in height at the tallest point (nearest to the property) it is not considered that the development is overbearing to the point that it would harm the residential amenity of The Old Bakery. Furthermore, any loss of light experienced is not considered to be significantly greater than the fence which existed previously, and the existing brewery, as the garden is due north of the proposed development. Overall, the proposal is considered acceptable in terms of residential amenity.
- 5.8 Environmental Impacts
Letters received from members of the public have stated that the noise and odour from the brewery is already excessive, and they fear that the proposed store room will be used to house up to three more beer brewing vats. The Council's Environmental Health team have been consulted, who also have concerns about plant and machinery being installed closer to the boundary with the residential property. A condition specifying that the development can only be used as a store room and the removal of permitted development rights relating to the installation of flues, plant machinery and chimneys will be added to the decision notice to prevent further impact on the neighbouring property. It is likely that the erection of the enclosed store room will reduce the existing environmental impacts on the adjacent property, as it will shield noise pollution and odour from escaping from the premises.
- 5.9 Many objections received regarding this development relate to drainage. The application form states that surface water will be disposed of via the main sewer, and the Council's Drainage engineer has no objection to this. This is considered adequate information as drainage is primarily covered under the Building Regulations procedure.

5.10 Transportation Impacts

The proposed development is for a small store room which is nestled in between the existing development and the boundary. It will not interfere with pedestrian and vehicular movements around the site, or require additional parking provision. There is no transportation objection to the proposal.

- 5.11 One of the objection letters mentioned a number of vehicles parked at the site when the brewery is busy, for example during the Christmas period. The planning permission for the brewery in 2007 gave permission for off-sales subject to certain conditions, and the provision of a store room is not considered to have an impact on the number of vehicles attending the site.

5.11 Other Issues

Several objection letters have reiterated the point that the applicant does not own the land he has begun to carry out works on. At the time the application was submitted, the applicant confirmed that the land was under their ownership, and signed the relevant ownership certificate. Ownership is not controlled through the planning system, however the applicant will be reminded on the decision notice that they cannot carry out works on land which does not belong to them without the consent of the owner.

- 5.12 Issues with health and safety at the site have been raised. This issue has its own legislation and licensing process which does not fall under the planning remit, however it is unlikely that the erection of a store room will have an impact on the existing health and safety procedures at the microbrewery.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 Planning permission is **GRANTED** subject to the condition in the decision notice.

Contact Officer: Trudy Gallagher
Tel. No. 01454 862217

CONDITIONS

1. Within six months of the decision date, a detailed plan showing the provision of a boundary treatment on the northern boundary to the site shall be submitted to the Local Planning Authority for written approval, and the approved details shall be in situ prior to the occupation of the development hereby approved.

Reason

In the interests of visual amenity and to accord with policy CS1 of the South Gloucestershire Core Strategy (Adopted) December 2013. A time limit is required for this condition to ensure that the impact can be adequately mitigated before this partly retrospective development is continued any further.

2. Notwithstanding the provisions of Article 3 and Part 7 (Classes I and H) of the Second Schedule to the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order) no development relating to the installation of flues, fans, chimneys and plant machinery shall be carried out without the prior written consent of the Local Planning Authority.

Reason

In view of the residential location of the development and to prevent noise and odour pollution at the adjacent property, any further extensions or installation of machinery (including flues for example) would require further detailed consideration in order to accord with policy E3 of the South Gloucestershire Local Plan (Adopted) January 2006.

3. The extension hereby approved shall be used for the purposes of storage only, and shall not be used to house machinery or vats which form part of the brewing process.

Reason

In the interest of residential amenity and to prevent noise pollution and odour issues, in accordance with policy E3 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 19/15 – 08 MAY 2015

App No.:	PT15/1268/CLP	Applicant:	System Engineering & Assessment Ltd
Site:	Building 450 Bristol Business Park Stoke Gifford South Gloucestershire BS16 1EJ	Date Reg:	1st April 2015
Proposal:	Application for a certificate of lawfulness for the proposed creation of 7no. additional parking spaces.	Parish:	Stoke Gifford Parish Council
Map Ref:	362489 178370	Ward:	Frenchay And Stoke Park
Application Category:		Target Date:	25th May 2015



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

1.1 A application for a certificate of lawfulness for the proposed creation of 7no. additional parking spaces has been applied for in relation to an existing business unit, located on Bristol Business Park, off Coldharbour Lane. the proposed creation of the parking spaces is within the curtilage of the business unit, the majority of which is currently used as car parking.

1.3 This application is a formal way of establishing whether or not the proposal falls within the permitted development afforded to householders under the Town and Country Planning (General Permitted Development) Order 2015, which came into force on the 15th April 2015. Accordingly there is no consideration of planning merit, the decision is based on the facts presented.

2. POLICY CONTEXT

2.1 National Guidance

Town and Country Planning (General Procedures) Order 2015, Schedule 2, Part 7, Class G.

3. RELEVANT PLANNING HISTORY

3.1 Various applications across the site as whole relating to the sites use as part of the business park.

4. CONSULTATION RESPONSES

4.1 Stoke Gifford Parish Council

No objection

Highways Drainage

No objection in principle to this application as there will be no significant change to the existing surface.

4.2 Local Residents

No response received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The purpose of this application for a Certificate of Lawful Development is to establish whether or not the proposed development can be implemented lawfully without the need for Planning Consent. This is not a Planning Application but is an assessment of the relevant planning legislation, and as such the policies contained within the South Gloucestershire Local Plan

(Adopted) January 2006 and the South Gloucestershire Core Strategy (Adopted) December 2013 do not apply in this instance.

It stands to be ascertained whether the proposed development falls within the limits set out in Part 7 of The Town and Country Planning (General Permitted Development) Order 2015.

- 5.2 The proposed development consists of the creation of 7 additional car parking spaces within the curtilage of the business unit. The total hardstanding area applied for under the certificate is 48 square metres. This development would fall under the criteria of Schedule 2, Part 7 (Non domestic extensions and alterations), Class G (Hard surfaces for office buildings) of the Town and Country Planning (General Permitted Development) Order 2015, which allows up to 50 square metres as permitted development under this class.

Development is not permitted by this Class if –

(a) it exceeds 50 square metres;

The application is for 48 square metres

(b) the development would be within the curtilage of a listed building;

the development would not be within the curtilage of a listed building

- 5.3 Development is permitted by Class G subject to the following conditions:

(a) where there is a risk of groundwater contamination, the hard surface is not made of porous materials; and

(b) in all other cases either

(i) The hard surface is made of porous materials, or

(ii) Provision is made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the office building

6. RECOMMENDATION

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

It is considered that the development as proposed falls within permitted development for non domestic alterations, under Part 7, Class G of the Town and Country Planning (General Permitted Development) Order 2015.

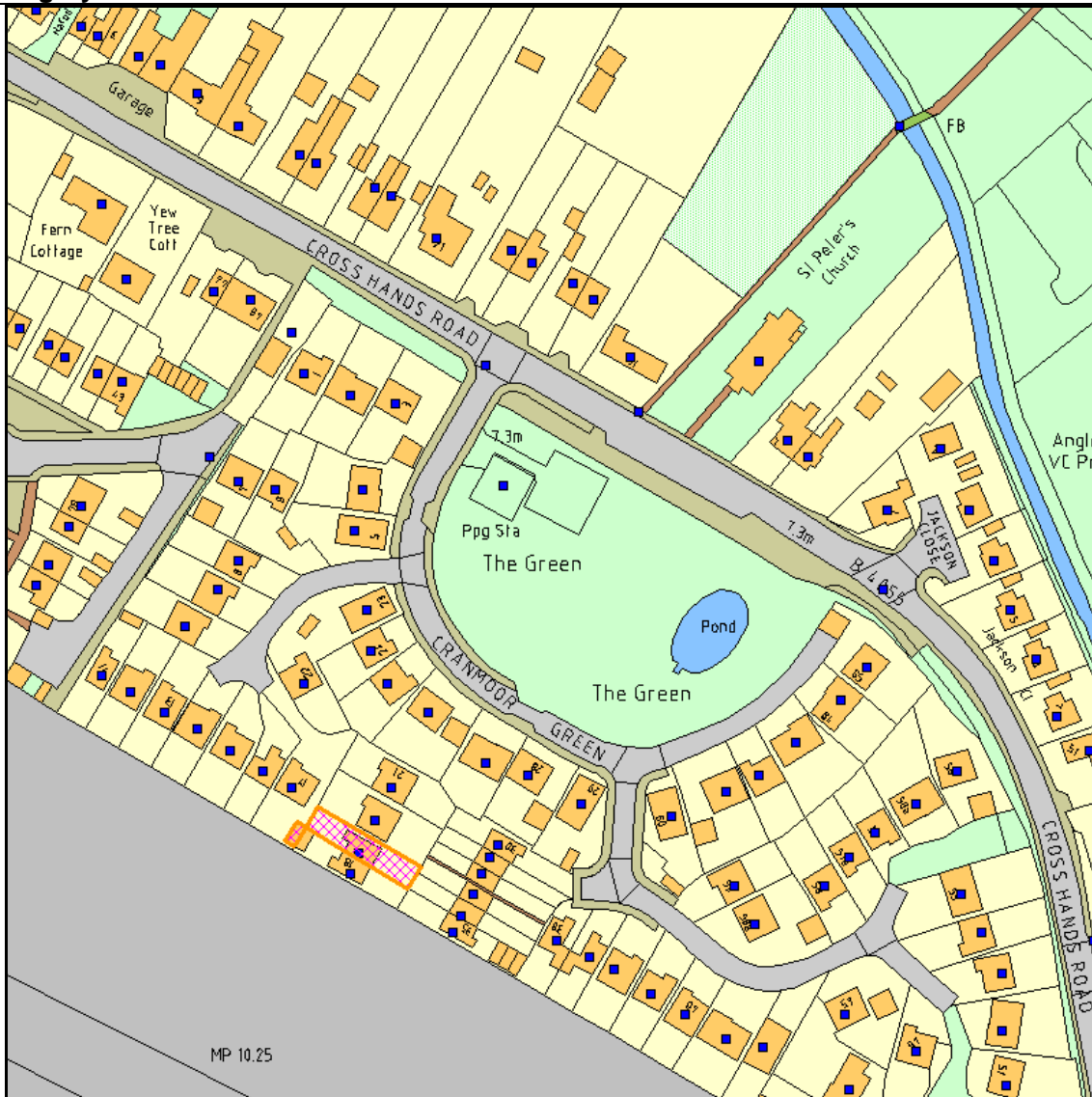
Contact Officer: Simon Ford
Tel. No. 01454 863714

ITEM 12

CIRCULATED SCHEDULE NO. 19/15 – 8 MAY 2015

App No.: PT15/1274/F
Site: 19 Cranmoor Green Pilning Bristol South Gloucestershire BS35 4QF
Proposal: Demolition of existing rear conservatory. Erection of two storey and single storey rear extension to form additional living accommodation.
Map Ref: 355669 184942
Application Category: Householder

Applicant: Mr Tom Gourd
Date Reg: 9th April 2015
Parish: Pilning And Severn Beach Parish Council
Ward: Pilning And Severn Beach
Target Date: 25th May 2015



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is referred to the Circulated Schedule in accordance with procedure as objections have been received which are contrary to the officer recommendation.

1. PROPOSAL AND SITE DESCRIPTION

- 1.1 The applicant seeks full planning permission to erect a two storey rear extension to form additional living accommodation to 19 Cranmoor Green, Pilning. The application site relates to a semi-detached property within a modern suburban development. The property has a light coloured render finish to all exterior elevations with red brick detailing. The dwelling has a pitched roof and dark coloured double roman tiles. There is an existing detached garage to the front of the property, with an area of parking and a small garden to the front, there is a rear garden set within a fenced boundary.
- 1.2 The plot sits within a corner plot of a cul-de-sac and has close neighbours to each boundary. The property currently benefits from a conservatory to the rear.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012
National Planning Policy Guidance 2014
- 2.2 Development Plans
South Gloucestershire Local Plan Core Strategy (Adopted December 2013)
CS1 High Quality Design
CS8 Improving Accessibility
South Gloucestershire Local Plan (Adopted) January 2006 – Saved Policies
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 | PT02/1527/PDR
Erection of rear conservatory | No Objection | 28.05.2002 |
| 3.2 | P95/2510
Erection of 65 dwellings and associated works. | Approved | 12.12.1995 |

4. CONSULTATION RESPONSES

- 4.1 Pilning and Severn Beach Parish Council
No Comment

4.2 Other Consultees

Local Lead Flood Authority

No objection as a SGC Flood Mitigation form has been provided, however informative attached regarding public sewer.

Environment Agency

No Comments Received

Lower Severn Drainage Board

No Comments Received

Other Representations

4.3 Local Residents

One neighbour objection has been received which expresses concern regarding the overall design, scale and character of the proposal, loss of light and overshadowing to their property, oppressive nature of two story brick wall, overcrowding and density of buildings and drainage concerns.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

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

5.2 Visual Amenity

The proposal consists of a two storey side extension to the rear elevation. The extension will form additional kitchen and living space to the ground floor and an additional bedroom to the first floor. The proposed extension will extend to the build line of the previous conservatory, with a ground floor extension which will span the width of the original dwelling house, this will be stepped in 2 metres to form a narrower two story element of the extension.

It is considered that the design, scale and use of materials has been informed and is in keeping with the character of the existing dwelling. Overall, it is considered that the proposed extension would not harm the character or appearance of the area and as such, is considered acceptable in terms of visual amenity.

5.3 Residential Amenity

The dwelling is located in a cul-de-sac with close neighbouring properties to each elevation, although separated by gardens residential amenity has been carefully considered in regards to this proposal. The proposed extension will have no windows to the either side elevation. There are windows to the rear elevation, these are considered not to cause any loss of privacy to the dwellings to the rear as they are of a suitable distance as not to cause overlooking. There is a window to the rear elevation that is stepped in over the single storey aspect of the extension below, this is considered to be at a suitable angle as to not cause any loss of privacy to the neighbouring window behind.

It is not considered the proposed development will cause a detrimental loss of light to any neighbouring dwellings. This is due to the orientation of the proposed extension in relation to the surrounding properties; it is considered that the mostly effected neighbouring dwelling could be 20 Cranmoor Green, this property is located to the side of the proposed extension. The track of the sun will not be interrupted by the proposed extension throughout the majority of the day light hours and the depth of the proposal is not significant enough to have a detrimental impact upon the current level of light enjoyed by 20 Cranmoor Green.

Furthermore the host dwelling would have adequate amenity space remaining post development. Overall, it is considered that the proposal would not harm the living conditions currently enjoyed by neighbouring dwellings and as such, is considered acceptable.

5.4 Sustainable Transport

The application is proposing to increase the total number of bedrooms within the property from three to four. The existing garage and off street parking will be retained. The minimum parking requirement for a four bedroom house is 2 no. parking spaces, it is considered that the existing parking arrangements will be adequate for the size of the development.

Overall it is considered that the provision of parking is adequate for the total no. of bedrooms combined and the development will not have an adverse effect on parking or the highway.

5.5 Other Matters

A local resident has expressed concern regarding the potential drainage issues relating to a public drain which runs close to the applicant's property. This application has been consulted on by a drainage officer within the council, they have specifically attached an informative to the application which advises the applicant of the close proximity of the public sewer and informs them who to contact regarding this issue.

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: Jessica Robinson
Tel. No. 01454 868388

CONDITIONS

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

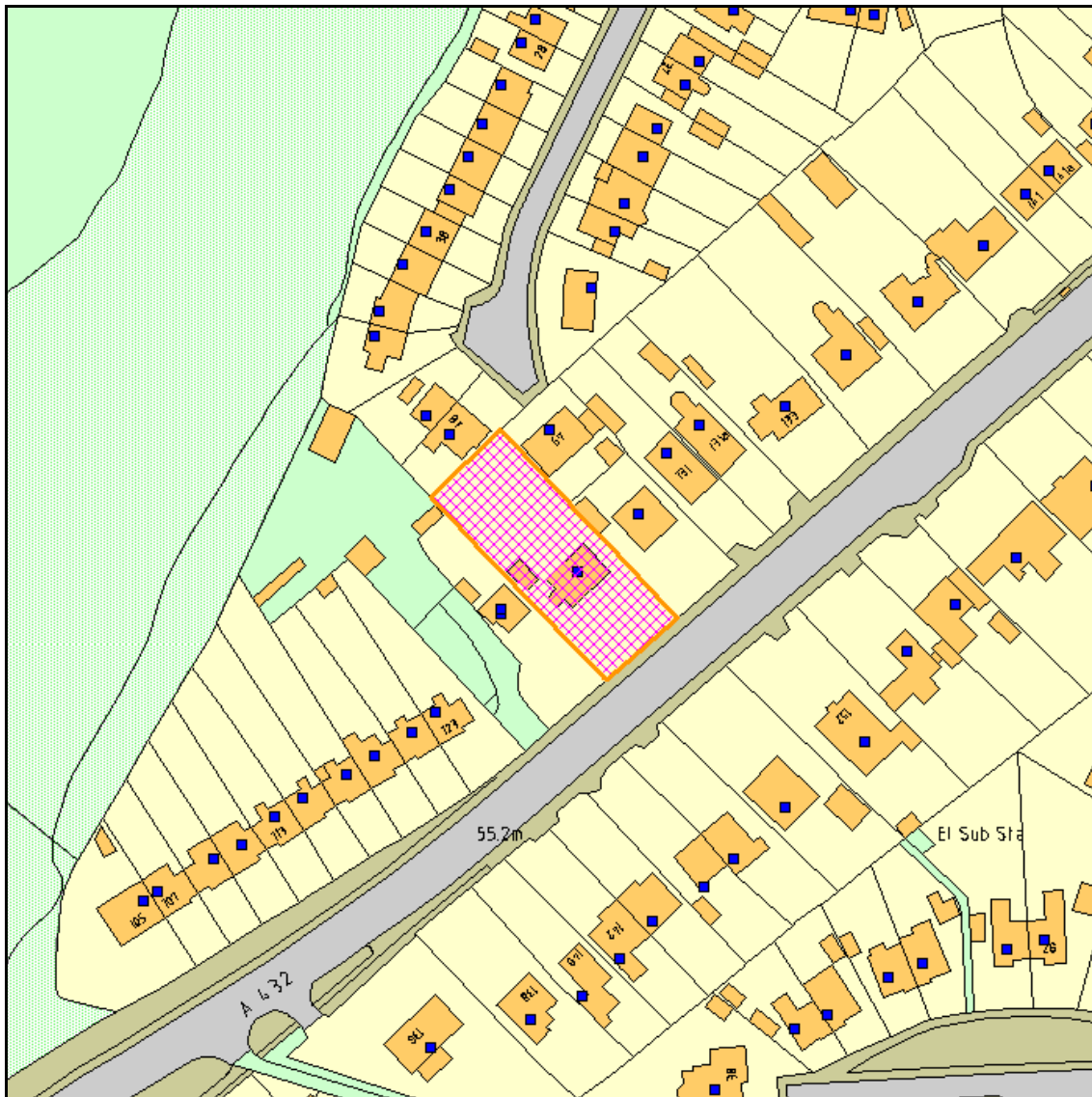
Reason

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

ITEM 13

CIRCULATED SCHEDULE NO. 19/15 – 8 MAY 2015

App No.:	PT15/1281/CLP	Applicant:	Miss K Penney
Site:	127 Badminton Road Coalpit Heath South Gloucestershire BS36 2SY	Date Reg:	8th April 2015
Proposal:	Certificate of lawfulness for the proposed installation of rear dormer window	Parish:	Westerleigh Parish Council
Map Ref:	367075 180424	Ward:	Westerleigh
Application Category:	Certificate of Lawfulness	Target Date:	19th May 2015



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PT15/1281/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 would be lawful. This is based on the assertion that the proposal falls within the permitted development rights normally afforded to householders under the Town and Country Planning (General Permitted Development) Order 1995 (As Amended).

2. POLICY CONTEXT

2.1 National Guidance

Town and Country Planning (General Permitted Development) Order (GPDO) (As Amended) 1995. Schedule 2, Part 1, Class B.

3. RELEVANT PLANNING HISTORY

3.1 No planning history available.

4. CONSULTATION RESPONSES

4.1 Westerleigh Parish Council

No objection.

4.2 Councillors

No comments received.

Other Representations

4.3 Local Residents

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

- Overlooking and loss of privacy.
- The house has velux windows in place which do not pose the same impingement.

5. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

5.1 Existing Ground and First Floor Plans, Site Plan, Elevations and Section AA (Drawing no. S01)
Proposed Ground and First Floor Plans, Site Plan, Elevations and Section AA (Drawing no.P01)

6. ANALYSIS OF PROPOSAL

6.1 Principle of Development

The application is for a Certificate of Lawfulness for a proposed dormer. It is purely an evidential test and 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 decision is based on the facts presented. The submission is not a planning application and as such the Development Plan is not of relevance to the determination of this application. If the evidence submitted demonstrates that the proposed development is lawful, on the balance of probabilities, the Local Planning Authority must grant a certificate confirming this.

6.2 Although objection comments have been received, given the type of application only objections regarding the validity of the application in relation to the legislation (Town and Country Planning (General Permitted Development) Order 1995 (As Amended) can be taken in to account. There is no consideration of planning merit.

6.3 The key issue is to determine whether the proposal falls within the permitted development rights afforded to householders under Schedule 2, Part 1, Class B of the GPDO (As Amended). The site consists of a dwellinghouse and its curtilage, and there is no evidence to indicate that the permitted development rights have been removed. Schedule 2, Part 1, Class B of the GPDO allows for the following:

6.4 Permitted Development:

B. The enlargement of a dwelling consisting of an alteration to its roof.

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

(za) Permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class IA or MB of Part 3 of this Schedule (changes of use)

The dwellinghouse was not permitted under either classes IA or MB of Part 3.

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

The proposed dormer would not exceed the maximum height of the existing roof.

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

The principal elevation of 127 Badminton Road is the elevation that faces the highway. The proposed dormer is to the rear and as would not exceed the roof plane of the principal elevation.

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

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

The application relates to a detached dwelling.

(ii) 50 cubic metres in any other case;

The dormer would be less than 50 cubic metres.

(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 dwelling contains a chimney but the proposal would not alter it.

(e) The dwellinghouse is on article 1 (5) land.

The dwellinghouse is not on article 1 (5) land.

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 plans indicate the face of the dormer would be hanging tiles with single ply membrane to the roof. The dormer facing would not match the brick on the elevations of the original dwelling but would be similar in appearance to the materials used on the roof, which is the suggestion contained within the permitted development technical guidance (April 2014).

(b) The enlargement shall be constructed so that—

(i) other than in the case of a hip-to-gable enlargement or an enlargement which joins the original roof to the roof of a rear or side extension —

(aa) the eaves of the original roof are maintained or reinstated; and

The plans indicate that the eaves will be maintained.

(bb) the edge of the enlargement closest to the eaves of the original roof shall, so far as practicable, be not less than 20 centimetres from the eaves, measured along the roof slope from the outside edge of the eaves; and

The enlargement would be more than 20cm from the eaves when measured along the roof slope from the outside edge of the eaves.

(ii) other than in the case of an enlargement which joins the original roof to the roof of a rear or side extension, no part of the enlargement extends beyond the outside face of any external wall of the original dwellinghouse;

The dormer would not extend beyond the outside face of any external wall of the original dwellinghouse.

(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 development includes does not include additional windows in the side elevation.

7. RECOMMENDATION

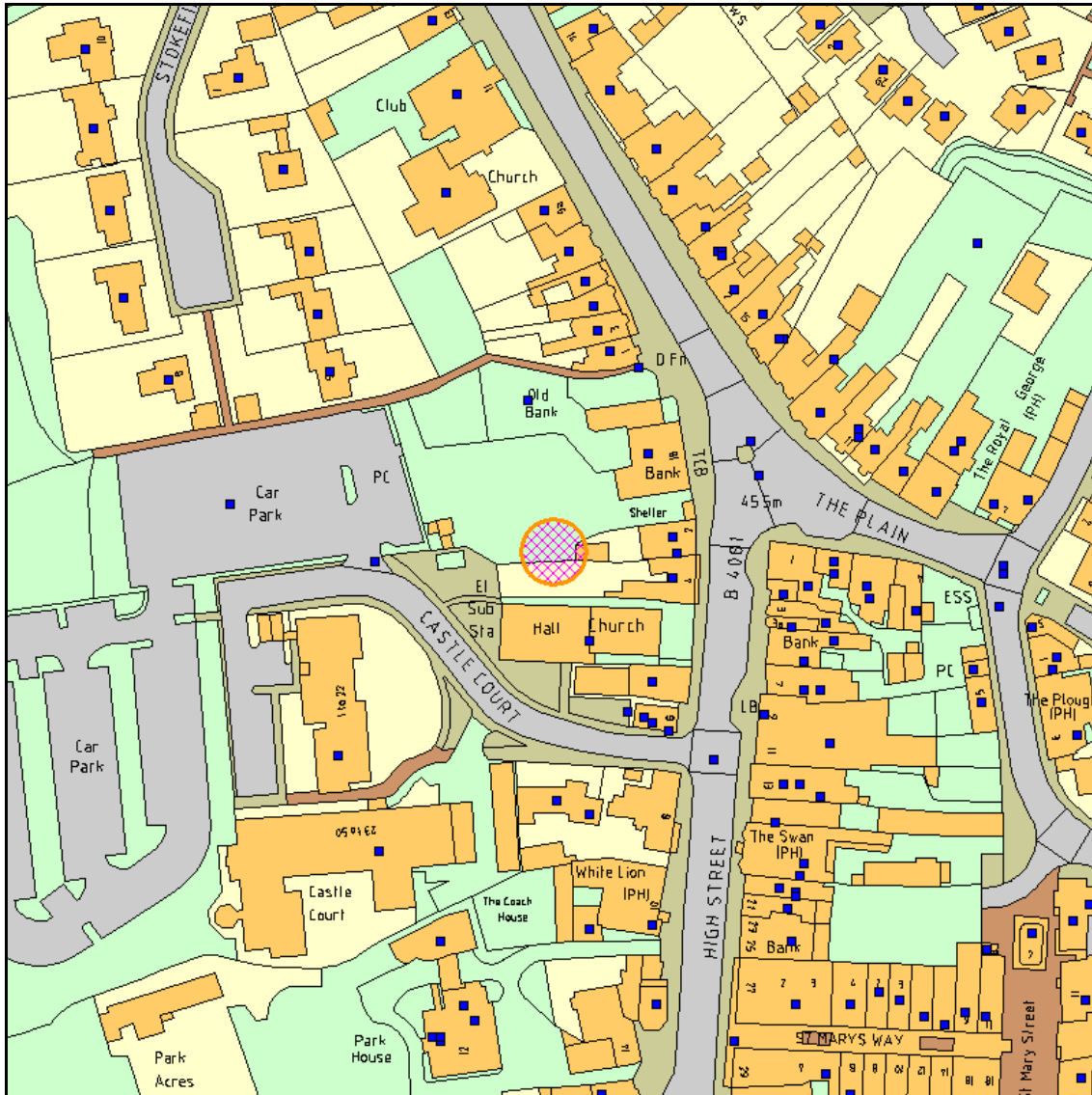
7.1 That a Certificate of Lawfulness for Proposed Development is granted for the following reason;

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

Contact Officer: Sarah Fordham
Tel. No. 01454 865207

CIRCULATED SCHEDULE NO. 19/15 – 8 MAY 2015

App No.:	PT15/1444/TCA	Applicant:	ISS World
Site:	16 The Plain Thornbury South Gloucestershire BS35 2BF	Date Reg:	10th April 2015
Proposal:	Works to fell 1no. Horse Chestnut Tree in Thornbury Conservation Area	Parish:	Thornbury Town Council
Map Ref:	363655 190184	Ward:	Thornbury North
Application Category:		Target Date:	21st May 2015



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REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application is referred to the Circulated Schedule as comments have been received during the public consultation period that are contrary to the recommendation.

However, this application is a prior notification of proposed works to trees in a conservation area. The purpose of such an application is to provide an opportunity for the Local Planning Authority (LPA) to serve a Tree Preservation Order (TPO) on the tree, should it fulfil the criteria of designation. A TPO must be served within a period of six weeks (21st May 2015). Failure by the LPA to serve a TPO or respond to the notification within this timeframe results in a default position of the works gaining deemed consent. Therefore this application appears on the Circulated Schedule for information purposes only.

1. THE PROPOSAL

- 1.1 Works to fell 1no. Horse Chestnut Tree in Thornbury Conservation Area

2. POLICY CONTEXT

2.1 National Guidance

- i. The Town and Country Planning Act 1990
- ii. The Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990
- iii. The Town and Country Planning (Tree Preservation) (England) Regulations 2012

3. RELEVANT PLANNING HISTORY

- 3.1 PT14/2631/TCA Decision: NOB, Date of Decision: 20-AUG-14. Proposal: Works to reduce 1no Chestnut tree (T1) and 1no Plum tree (T10) by 2 metres, reduce group of Sycamores (G1) by 2 metres and prune by 1 - 2 metres 2no groups of Sycamores (G2 and T3 - T9) all situated within Thornbury Conservation Area
- 3.2 PT10/2748/TCA Decision: NOB, Date of Decision: 22-NOV-10. Proposal: Works to 5no. Lime trees to re-pollard to previous points and to fell 1no. Hawthorn tree situated within the Thornbury Conservation Area.
- 3.3 PT08/1599/TCA Decision: NOB, Date of Decision: 10-JUL-08. Proposal: Works to remove 6 no. Sycamore trees 1 no. prunus tree and re-pollard 1 no. horsechestnut tree situated within the Thornbury Conservation Area

4. CONSULTATION RESPONSES

- 4.1 Thornbury Town Council
Object to the removal of a healthy tree

Other Representations

4.3 Local Residents

An objection has been received from a resident who is concerned that a tree that poses no risk to the public and is not diseased is to be removed. The resident is also concerned that there has been no provision to replace the tree if felled.

5. ANALYSIS OF PROPOSAL

5.1 This application provides prior notification of proposed works to trees situated within a conservation area.

5.2 Principle of Development

Under the Planning (Listed Buildings and Conservation Areas) Act 1990, it is recognised that trees can make a special contribution to the character and appearance of a conservation area. Under the above Act, subject to a range of exceptions, prior notification is required for works to a tree in a conservation area. The purpose of this requirement is to provide the Local Planning Authority an opportunity to consider bringing any tree under their general control by making a Tree Preservation Order. When considering whether trees are worthy of protection the visual, historic and amenity contribution of the tree should be taken into account and an assessment made as to whether the tree fulfils the criteria of a Tree Preservation Order.

5.3 Consideration of Proposal

The tree in question is an early mature horse chestnut, situated amongst various similar aged deciduous trees.

5.4 The tree is in close proximity to a built structure. There is the risk of structural damage to the building from tree roots, which would in turn apply pressure to prune or remove the tree in the future. For this reason it would be inappropriate to place a Tree Preservation Order (TPO) on the subject tree.

5.5 Tree Preservation Order legislation sets out that the LPA cannot place a TPO on a tree unless it offers public amenity. As the subject tree is not visible from a public place, and therefore not offering public amenity, South Gloucestershire Council is prevented from protecting the tree.

5.6 A replacement tree is not required for trees removed within a Conservation Area that are not covered by a TPO.

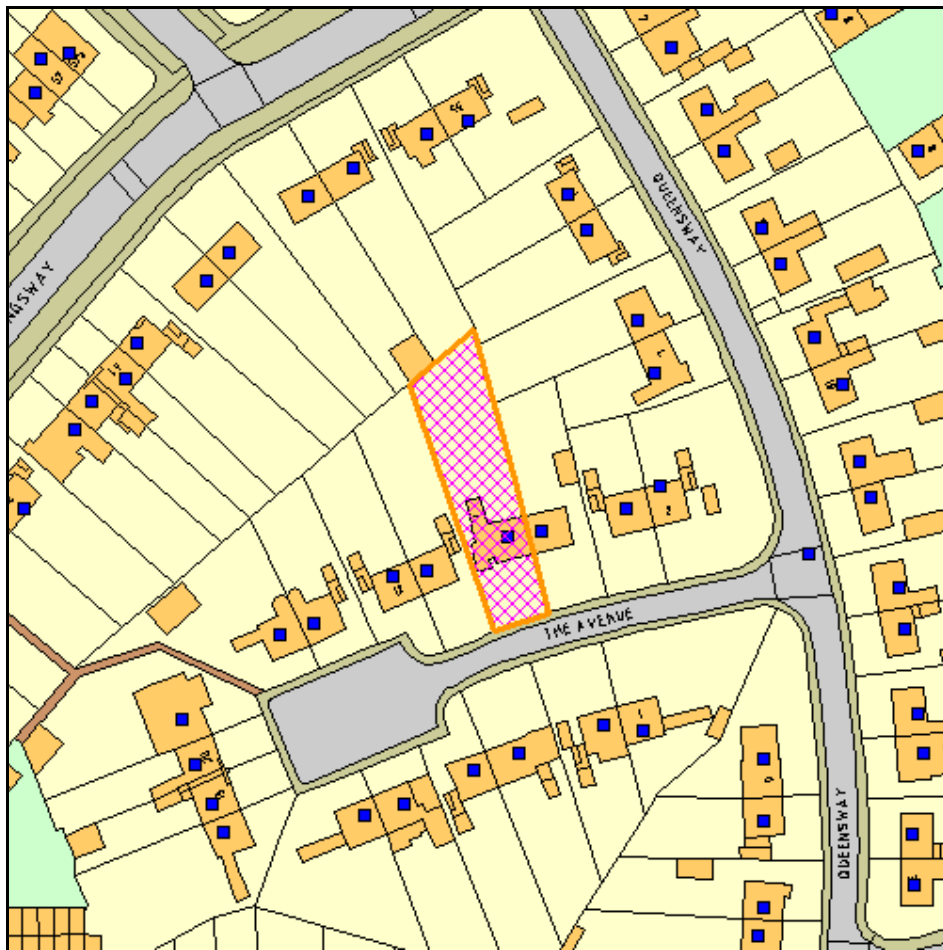
6. RECOMMENDATION

6.1 No objection

Contact Officer: Phil Dye
Tel. No. 01454 865859

CIRCULATED SCHEDULE NO. 19/15 – 8 MAY 2015

App No.:	PT15/1510/PNH	Applicant:	Mr John Hughes
Site:	8 The Avenue Little Stoke Bristol South Gloucestershire BS34 6LJ	Date Reg:	13th April 2015
Proposal:	Erection of single storey rear extension which would extend beyond the rear wall of the original house by 6 metres, for which the maximum height would be 3 metres and the height of the eaves would be 3 metres	Parish:	Stoke Gifford Parish Council
Map Ref:	361448 180707	Ward:	Stoke Gifford
Application Category:		Target Date:	19th May 2015



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REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

The application has been reported to the circulated schedule because comments of objection have been received from Stoke Gifford Town Council and an adjoining neighbour.

It should however be noted that as this is an application for prior notification it has been referred to the schedule for information only. If the local authority does not notify the developer of its decision within the 42-day determination period, the development may go ahead. Therefore, it is essential that a decision is made within the 42-day determination period.

1. THE PROPOSAL

1.1 The application is for the Prior Notification of a single storey rear extension at 8 The Avenue. The property is a two storey semi-detached house located within an established residential area of Little Stoke. The extension would extend beyond the rear wall of the original house by 6 metres, for which the maximum height would be 3 metres and the height of the eaves would be 3 metres.

1.2 This application is for a Prior Notification, which is a process that allows a household to notify the Local Planning Authority of intent to use their permitted development rights to build an extension of up to 6 metres in depth and no more than 4 metres in height for any other dwellinghouse (i.e. not detached).

2. POLICY CONTEXT

2.1 National Guidance
Town and Country Planning (General Procedures) Order 1995 Article 24

2.2 The Town and Country Planning (General Permitted Development) (England) Order 2015 Schedule 2, Part 1, Class A.

3. RELEVANT PLANNING HISTORY

3.1 PT15/0450/PNH Erection of single storey rear extension which would extend beyond the rear wall of the original house by 6 metres, for which the maximum height would be 3.5 metres and the height of the eaves would be 3 metres
No objection 03.03.15

4. CONSULTATION RESPONSES

4.1 Stoke Gifford Town Council
No Objection - Support neighbours comments stating that the extension wall should be set back by a sufficient distance from the boundary

Other Representations

4.2 Local Residents

One comment of objection from No. 6 The Avenue stating their property is joined to the above application site and could they request the extension is 6 inches away from the boundary.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

It stands to be determined whether the proposed development falls within the limits set out in Schedule 2, Part 1, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 Schedule 2, Part 1, Class A.

5.2 The application site is not located on article 2(3) land nor is it on a site of special scientific interest. The proposed extension would measure no more than 6 metres in depth and has a maximum height of less than 4 metres, as such the proposal is considered to comply with the criteria set out in Part 1, Schedule 2 (development within the curtilage of a dwellinghouse), Class A, of the Town and Country Planning (General Permitted Development) (England) Order 2015.

5.3 Because objections have been raised by Stoke Gifford Town Council and a neighbouring resident this application also needs to be considered in terms of the proposals impact on amenity.

5.4 Impact on Amenity

Concern has been raised by a neighbouring resident that the proposed single storey rear extension is at least 6 inches off the shared boundary (eastern).

5.5 The proposed single storey rear extension appears to be set back from the side boundary by approximately 400mm, which is in excess of the minimum 6 inches requested by the neighbouring resident. The proposed extension will not touch the shared boundary. The proposal is the same distance away from the boundary as the previously approved PT15/0450/PNH application (approved March 2015). There were no objections to the above Prior Notification application.

5.6 Overall, the proposed extension is not considered to have a negative impact on the neighbouring occupiers. Prior Notification has already been granted for a similar sized extension measuring 6 metres, with a maximum height of 3.5 metres and height of the eaves at 3 metres. This proposed extension would be 0.5m lower in height. It is considered that the proposed extension is unlikely to appear overbearing due to its modest height, being set away from the shared boundary and therefore would not have a material impact on amenity on the nearest neighbouring occupier's amenity.

6. RECOMMENDATION

6.1 That prior approval is required and **approved**

Contact Officer: Katie Warrington
Tel. No. 01454 863436