



**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. 42/15

Date to Members: 16/10/15

Member's Deadline: 22/10/15 (5.00pm)

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

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

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

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

NOTES FOR COUNCILLORS - FORMAL ARRANGEMENTS

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

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

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

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

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

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

GUIDANCE FOR 'REFERRING' APPLICATIONS

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

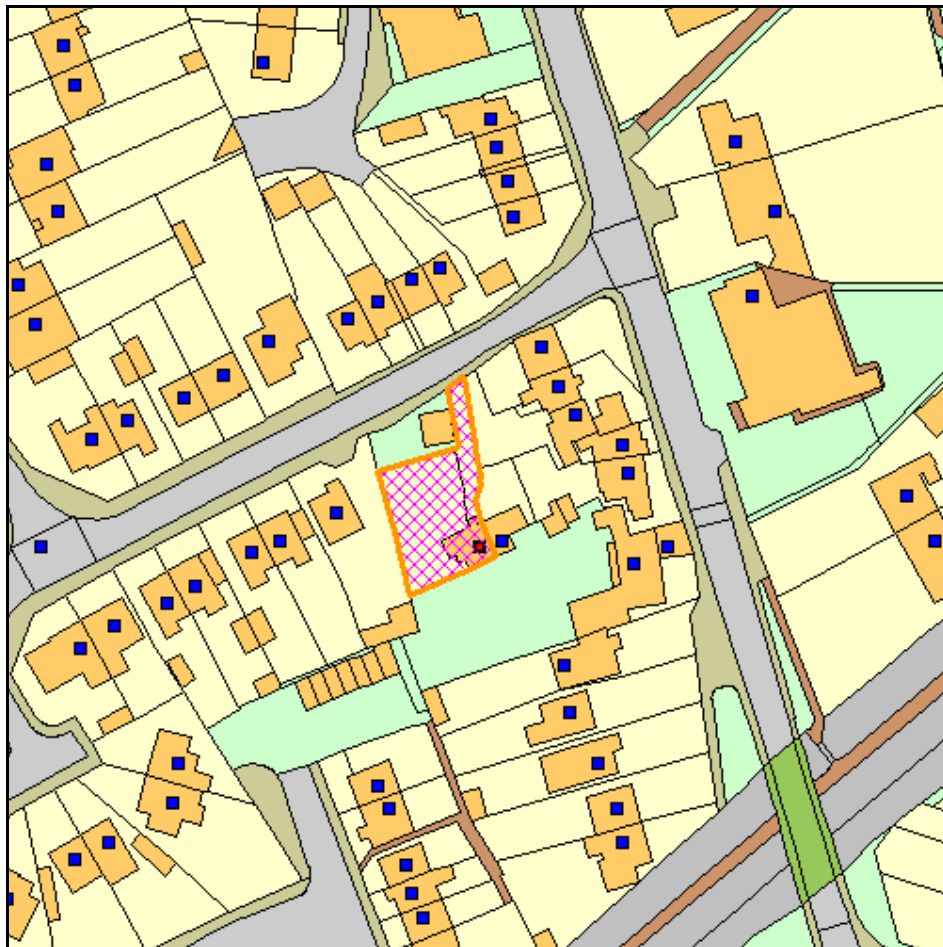
- Before referring an application always speak to the case officer or Area Planning Manager first to see if your concerns can be addressed without the application being referred.
- If you are considering referring in an application outside the ward you represent, as a courtesy, speak to the ward member(s)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

CIRCULATED SCHEDULE - 16 October 2015

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK15/2004/F	Approve with Conditions	5 Court Road Oldland Common South Gloucestershire BS30 9SR	Oldland	Bitton Parish Council
2	PK15/2110/MW	Approve with Conditions	Wickwar Quarry The Downs Wickwar Wotton Under Edge South Gloucestershire GL12 8LF	Charfield	Cromhall Parish Council
3	PK15/2842/R3R	Deemed Consent	Lyde Green Primary School Lyde Green Emersons Green	Emersons	Emersons Green Town Council
4	PK15/2944/F	Refusal	Rock View Engine Common Lane Yate South Gloucestershire BS37 7PX	Ladden Brook	Iron Acton Parish Council
5	PK15/3251/CLP	Approve with Conditions	40 Abbots Road Hanham South Gloucestershire BS15 3NG	Hanham	Hanham Abbots Parish Council
6	PK15/3375/F	Approve with Conditions	Goose Acre Siston Lane Siston South Gloucestershire BS30 5LY	Siston	Siston Parish Council
7	PK15/3550/F	Approve with Conditions	2 Cross Street Kingswood South Gloucestershire BS15 1SB	Kings Chase	None
8	PK15/3579/F	Approve with Conditions	70 Burley Grove Mangotsfield South Gloucestershire BS16 5PZ	Rodway	None
9	PK15/3646/F	Approve with Conditions	Ashmead Love Lane Chipping Sodbury South Gloucestershire BS37 6EX	Chipping	Sodbury Town Council
10	PK15/3975/CLP	Approve with Conditions	Broadlands 16 Hollyguest Road Hanham South Gloucestershire BS15 9NT	Hanham	Hanham Parish Council
11	PK15/4005/PNH	Approve	92 Westbourne Road Downend South Gloucestershire BS16 6RF	Emersons	Emersons Green Town Council
12	PT15/2942/F	Refusal	Musthay Tockington Green Tockington South Gloucestershire BS32 4NN	Severn	Olveston Parish Council
13	PT15/3698/F	Approve with Conditions	16 Willow Close Charfield Wotton Under Edge South Gloucestershire GL12 8UD	Charfield	Charfield Parish Council
14	PT15/3922/F	Approve with Conditions	39 Silver Birch Close Little Stoke South Gloucestershire BS34 6RL	Stoke Gifford	Stoke Gifford Parish Council
15	PT15/3998/F	Approve with Conditions	33 Waterford Close Thornbury South Gloucestershire BS35 2HU	Thornbury South And	Thornbury Town Council

CIRCULATED SCHEDULE NO. 42/15 – 16 OCTOBER 2015

App No.:	PK15/2004/F	Applicant:	Mr M MAGGS
Site:	5 Court Road Oldland Common South Gloucestershire BS30 9SR	Date Reg:	19th May 2015
Proposal:	Erection of two storey side extension to provide additional living accommodation	Parish:	Bitton Parish Council
Map Ref:	367234 171423	Ward:	Oldland Common
Application Category:	Householder	Target Date:	7th July 2015



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100023410, 2008. **N.T.S.** **PK15/2004/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule due to the receipt of objections from local residents and Bitton Parish Council.

1. THE PROPOSAL

- 1.1 The application seeks planning permission for the demolition of an existing single storey lean to side extension and the erection of a two storey side extension to form additional living accommodation and garage at No. 5 Court Road, Oldland Common.
- 1.2 The application site relates to a two storey end-terrace cottage, which is located at the southern side of Court Road, and the site is located within an established residential area.
- 1.3 The property sets back from the main road and benefits from a front and side garden. However it does not have any rear garden and the rear elevation of the dwelling abuts the rear garden of 94A West Street.
- 1.4 During the course of the application, a revised proposal has been submitted to show 3 no. off-street parking spaces within the site, reduce the width of the proposed extension by one metre, omit all originally proposed windows on the rear elevation, and install a rooflight on the rear elevation. The block plan has also been amended in order to reflect the boundary of the site.

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
CS8 Improving Accessibility
CS9 Managing the environment & heritage
CS29 Communities of the East Fringe of Bristol Urban Area

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

H4 Development within Existing Residential Curtilages
T12 Transportation Development Control Policy

2.3 Supplementary Planning Guidance

Design Checklist SPD (Adopted) 2007
Residential Parking Standard SPD (Adopted) 2013

3. **RELEVANT PLANNING HISTORY**

3.1 None.

4. **CONSULTATION RESPONSES**

4.1 Bitton Parish Council

Objection. The proposed extension appears to be more than double the original size of the dwelling and is out of proportion. Also, no indication is given as to how the required provision of at least 2 parking spaces is to be achieved.

Councillors feel that proposed changes do not address their concerns, therefore the Parish Council remains their objections to the revised proposal.

4.2 Lead Local Flood Authority

No objection. The method of surface water disposal needs to be clarified due to the sheer size of the proposed extension.

4.3 Highway Officer

No objection.

Other Representations

4.4 Local Residents

Five letters of objection have been received, the residents' concerns are summarised as follows:

Design issues

- There are 6 small cottages within a small area of land. An extension of this size has potential to increase the number of residents adding pressure to an already densely populated area of land.
- The plans are not in keeping with the existing two bedroomed cottages.
- The 'proposed front elevation' shows window spacing not in keeping with the existing cottage frontage.
- The extension is going to look like a third house as a separate dwelling, as opposed to an extension
- Ruin the appearance of this pair of quaint cottages

Residential issues

- Overlooking neighbours' garden
- Overbearing impact on adjoining property
- A complete lack of outlook
- The character of both properties will be taken away
- The size and stature of the proposed new house remains overbearing running along one side of our garden.
- The mature gardens have been entirely removed by bulldozer and replaced with hardcore leaving my courtyard and house totally exposed, and take away of all privacy. The neighbours cannot use the garden if the proposal is granted planning permission.
- Its human right to be able to enjoy my house and garden.

- The neighbouring property will be overlooked by two houses and the proposed car park, and the neighbours are unable to sit in their courtyard front garden.
- If planning permission be granted, the Council should consider to control the hours of works and consideration is given to how and when vehicles work on the site without any inconvenience to me

Highway issues

- parking concerns
- more traffic generated and more vehicles using the shared access
- The properties are very close to a major entrance to local school with several hundred children passing by the driveway entrance to the cottages on a daily basis.
- The driveway ends directly in front of my house. There has never been any parking facility for 5 Court Road, only 3 Court Road. It is a small narrow drive and is the only access to both properties, so shared access is currently an issue. If the dwelling 5 Court Road increases in size and presumably residents, the shared access issue will be a major issue
- Court Road has double yellow lines each side of the driveway
- Loading and turning: The narrow driveway can only be accessed via a left turn from the West Street direction due to the angle of it in relation to the road and as there is no turning in the drive, this makes the entrancing and exiting of the drive difficult due to traffic and the close proximity to the school.

Other issues

- Lack of foundations, the cottages are built on clay, the rear of both cottages are below ground level
- Incorrect plans - The existing ground floor plan is incorrect as there is no window and never has been, the block plan makes the proposal look less imposing and overbearing and shows incorrect ownership boundary of the site.
- the walls of the existing single storey extension contain asbestos; which makes me concerned for our health
- Mine shafts: 5 Court Road has approximately 3 mine shafts underneath it. This needs consideration.
- Due to the age of the properties, the five cottages in the vicinity have a regular problem with the drains which are also very old. If the dwelling size increases this could exacerbate the drain issue.
- Two huge trees are worryingly close to the proposed site and removal potentially could cause devastating damage to the non-existent foundations of both cottages (3 and 5 Court Road). All trees have been removed.
- As the proposed extension will require a huge amount of soil to be removed. I have concerns as to where this will ultimately go.
- Furthermore, I would be unhappy if any soil was to be removed without prior structural consultation that would consider both of our properties.
- Any damages have been caused to our non-existent foundations. I would like a full structural report as to the effects on both properties.
- The only sources of heating of No. 5 Court Road is a wood burner and TransCo have been involving in investigating the amount of smell and

smoke filling my house from their chimney. I worry that the new property will also rely on the same of heating, which would exacerbate the problem and become a serious health risk to us.

- Poor ventilation due to the reduction in the number of windows.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The saved policy H4 of the adopted Local Plan (2006) allows for the principle of development. The main issues to consider are the design, and impact on residential amenity and transportation effects. Policy CS1 of the adopted Core Strategy (2013) permits development only where the highest possible standards of design and site planning are achieved. Proposals are required to demonstrate that the siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of both the site and its context. The proposal is considered to accord with the principle of development.

5.2 Design

The proposed two storey side extension measures approximately 5 metres wide by 7 metres long with an eaves height of 4 metres and overall ridge height of 6 metres. The eaves and ridge height of the extension would match that of the host dwelling. The proposed extension would be slightly shorter in width, therefore it is not considered that it would cause significant harm to the character of this cottage. In particular, the external materials for the extension would match those of the existing property.

Furthermore, the property and the proposed two storey side extension would be significantly set back from the public domain, and it would partly be screened by an existing large detached garage. Whilst the extension does not replicate the design of the cottage, given that proximity of other relatively modern dwellings in the area, it is considered that the proposal is an appropriate addition and acceptable in terms of design.

5.3 Residential Amenity

The nearest neighbouring properties are No. 7 Court Road, No. 94/94a West Street, and No.3 Court Road. Residents of No. 94/94a West Street and No. 3 Court Road raise objections to the proposal.

The property has a raised garden area to the side of the dwelling and the proposal is to replace the existing single storey lean-to side extension with a two-storey side extension. Officers also noted that the cottage has a very low ceiling height in both ground floor and first floor level.

Overlooking issues

It is the applicant's intention to remove the existing raised garden area in order to make way for the proposed extension and to allow the proposed extension has the same finish ground level. The original proposed windows on the rear elevation have been removed from the proposal.

Officers noted that residents' concerns regarding the loss of the existing mature front garden that result in loss of privacy to the neighbouring residents of No. 3 Court Road. As planning permission is not required for general householders landscaping works including the formation of hard standing, it would be unreasonable to refuse the application on this ground.

The dwelling abuts the rear of No. 94/94a West Street, which has a reasonable good sized rear garden, there are existing timber fences along the rear boundary. On the first floor rear elevation, there is an existing bedroom window and there would be no new windows on the rear elevation. The proposal would introduce 1 no. rooflight, which would be installed in a bedroom. Given that the location of the rooflight, it is considered that this rooflight would not cause an unreasonable overlooking issue upon the neighbouring property subject to a condition to ensure that no further new windows to be installed at the rear elevation.

The proposed bedroom windows on the front elevation would be at least 10 metres from No. 7 Court Road, and they would be situated at an angle to the neighbours' garden. The proposed first floor window on the side elevation would be a landing window, as such, it is considered that the proposal would not cause significant overlooking impact upon the neighbouring property, No. 7 Court Road.

Overbearing issues

The proposed extension would be at least 10 metres from No. 7 Court Road, approximately 25 metres from the rear elevation of No. 94/94 West elevation, it is considered that the extension would not cause unreasonable overbearing impact upon these neighbouring properties.

Whilst No. 3 Court Road is attached to No. 5, the proposed extension would not cause any adverse impact upon the residential amenity of No. 3 given the location of the extension.

Overall, it is considered that the proposals would not have an unreasonable adverse impact on residential amenity in terms of overbearing, overshadowing/loss of light or privacy loss. The proposal is considered appropriate in terms of scale and appearance and as such, would not materially impact on the existing level of residential amenity of neighbouring residents. Whilst the remaining private amenity space would be small, it is considered that the proposal would provide adequate size of garden area for the occupiers of the dwelling.

In addition, due to the proximity of the surrounding residential properties, a planning condition is also imposed to restrict the construction hours in order to minimise adverse impact upon the neighbouring properties during the construction period.

5.4 Transportation and Highway Safety

Planning permission is sought to erect a two storey side extension to provide additional living accommodation. After development the bedrooms within the dwelling will increase from two to four.

Vehicular parking requirements for a residential dwelling are assessed on the number of bedrooms. The Council's residential parking standards state that a minimum of two spaces (each measuring 2.4m by 4.8m) would be required for the size of the proposed dwelling. Details have been submitted regarding the provision of parking spaces.

The applicant submitted a drawing to show that there would be 3 no. off-street parking spaces can be provided at the front of the dwelling. It is considered that there will be sufficient off-street parking within the site to comply with the Council's adopted parking standards.

Officers noted the resident's concerns with regard to the possibility of creating a separate dwelling. As the proposal is to erect a two storey side extension to provide additional living accommodation and there is an existing vehicular access to the site. On that basis, Officers have no highway objection subject to a condition to ensure that the extended property will continue remain as a single dwelling. As such, the subdivision of this extended property would be subject to a separate planning application.

Regarding the restriction outside Court Road in form of 'double yellow lines', officers consider that the proposal would include an appropriate level of off-street parking in line with the Council's Residential Parking Standards for the host dwelling and its extension, therefore there is no substantive parking reason to warrant a refusal of this application.

5.5 Drainage

Regarding the drainage issue, the Highway Drainage Engineer has no objection to the proposal, but sought the method of surface water drainage. Officers therefore consider that it would be necessary to impose a condition to seek details of surface water and foul drainage.

5.6 Other Issues

Residents raise a number of concerns regarding the proposal. The concerns regarding the transportation and residential amenity have been considered and addressed.

Concerns regarding the mining history, due to the nature and the scale of the proposal, it would not be necessary to consult the Coal Authority in this instance. However, the applicant is advised of the mining history of the site and to contact the Coal Authority to seek further guidance prior to the commencement of development of the proposal.

Concerns regarding the foundation of the property, the removal of asbestos, the use of wood burners, and the potential poor ventilations these will be subject to a separate or further approval of building regulations and relevant legislation.

Regarding the removal of large amount of soil, it would be the applicant's responsibility to ensure that such removal would be carried out accordingly and this would be a private civil matter.

There were some trees within the site and they have been removed since the submission of this application. These trees were not protected by a Tree Preservation Order, and the site is not situated within a conservation area, therefore officers have no objections to their removal and it would not be necessary to impose a condition to seek replacement tree planting.

Officers also noted residents' comments regarding the boundary and building lines shown on the submitted block plan, the applicant has submitted a revised block plan, which shows the rear of the dwelling at Court 5 abuts the rear garden of 94A West Street and it also shows No. 3 Court 3 has a small garden. It is noted that the building lines of No.3 Court Road is not accurately shown, however, officers are satisfied that this would not make any material difference in terms of the determination of this application.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 That 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 materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason

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

3. The hours of working on site during the period of construction shall be restricted to 08.00am to 18.00pm Mondays to Fridays, and 08.30am 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 amenities of the occupiers of nearby dwelling houses, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (December 2013) and the saved Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. The proposed extension hereby permitted shall not be occupied until the proposed car parking spaces have been provided, drained and surfaced in accordance with the details approved in writing by the Local Planning Authority. The facilities so provided shall not be used, thereafter, for any purpose other than the parking and manoeuvring of vehicles.

Reason

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

5. Prior to the occupation of the proposed extension hereby permitted, the proposed parking and turning area shall be surfaced with permeable materials or a provision has been made to direct surface (run-off) water to a permeable area within the curtilage of the dwelling.

Reason

To minimise the effect of any flooding which may occur within the locality and to comply with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013).

6. Prior to the commencement of the development hereby approved, details of surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The drainage works shall be strictly implemented in accordance with the approved details.

Reasons:

a. This is a pre-commencement condition in order to avoid any remedial work in the future.

b. To ensure that a satisfactory means of drainage is provided, and to accord with policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013 and the National Planning Policy Framework March 2012.

7. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no windows/dormer windows or rooflights [other than those expressly authorised by this permission] shall be constructed or installed at any time in the south rear elevation of the property other than those shown on the plan, Drawing No. R722/02 Rev C, hereby approved.

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; saved Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006; and the National Planning Policy Framework.

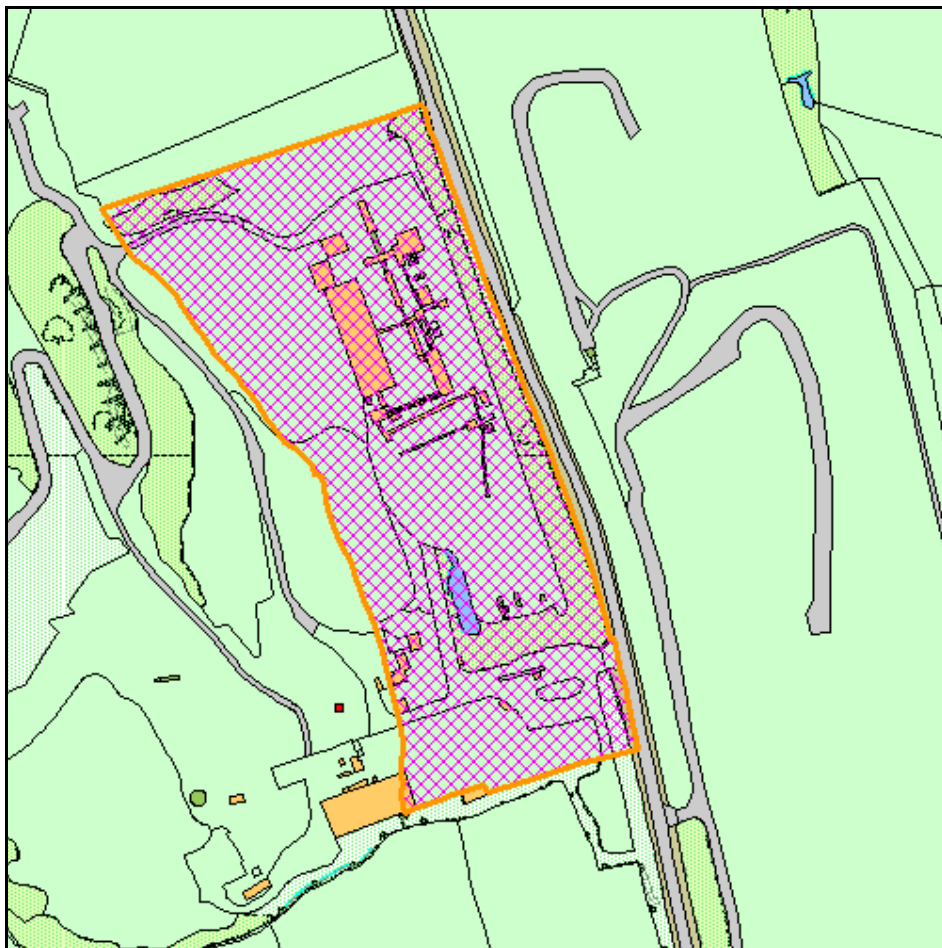
8. The proposed extension hereby permitted shall not be occupied at any time as a separate dwelling and shall only be used as an extension to the host property, known as No. 5 Court Road.

Reason

To protect the residential amenity of the neighbouring occupiers and safeguard parking highway safety and to accord with Policy CS1 and CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; saved Policy H4 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006, the Council's Residential Parking Standards (Adopted) December 201; and the National Planning Policy Framework March 2012.

CIRCULATED SCHEDULE NO. 42/15 – 16 OCTOBER 2015

App No.:	PK15/2110/MW	Applicant:	Cemex UK Materials Ltd
Site:	Wickwar Quarry The Downs Wickwar South Gloucestershire GL12 8LF	Date Reg:	26th May 2015
Proposal:	Variation of condition 7 attached to planning permission PT07/0573/F to allow an annual extraction rate of 1.2 million tonnes for a temporary period of two years	Parish:	Cromhall Parish Council
Map Ref:	371541 189824	Ward:	Charfield
Application Category:	Major	Target Date:	



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100023410, 2008. **N.T.S.** **PK15/2110/MW**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule as a result of consultation responses received, contrary to Officer recommendation.

1. THE PROPOSAL

- 1.1 The application seeks permission for the variation of condition 7 attached to planning permission PT07/0573/F to allow an annual extraction rate of 1.2 million tonnes for a temporary period of two years. For the avoidance of doubt and upon initial registration of the application, the application was cited as being for an increased extraction rate of '1 to 2 million tonnes', this is not the case and it is confirmed that the application is for an increased extraction rate of up to 1.2 million tonnes, and that is what is being assessed.
- 1.2 PT07/0573/F gave permission for the extension of the existing limestone quarry through progressive extraction in a northwards direction, and associated planting and landscaping. Condition 7 of that consent states that:
'The annual extraction rate of stone quarried from the site shall not exceed 750,000 tonnes. A record of annual production levels shall be made available to the Local Planning Authority upon written request
- Reason: In order to limit and monitor production levels at the site and to accord with Policies D1 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006 and Policies 22 and 24 of the South Gloucestershire Minerals and Waste Local Plan (Adopted) May 2006'*
- 1.3 The permission granted under PT07/0573/F represents the main excavation area to the overall Wickwar Quarry complex, which extends to both sides of the B4059, Downs Road, between Wickwar and Charfield. A further, smaller extension was recently granted under reference PK14/0913/MW.
- 1.4 The application is submitted on the basis of an increase in demand, fuelled by economic growth and a reduction in production capacity in the area.
- 1.5 The application has been screened under the current EIA regulations whereby it was not considered that the proposals constituted EIA development.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012
National Planning Policy Frameworks Technical Guidance 2012 (Minerals)
- 2.2 Development Plans
South Gloucestershire Minerals and Waste Local Plan (Adopted) May 2002
Policy 6 Landscape Protection
Policy 22 Residential/Local Amenity
Policy 24 Traffic Impact

Policy 28 Restoration
Policy 29 Standard or Restoration

South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design
CS10 Minerals

3. RELEVANT PLANNING HISTORY

- 3.1 PT07/0573/F - extension of the existing limestone quarry through progressive extraction in a northwards direction, and associated planting and landscaping. Approved 15th January 2010.
- 3.2 PK14/0913/MW - Extraction of limestone. Approved 5th June 2015.
- 3.3 There are numerous other historic consents for quarrying and consents for quarrying associated activity on other parts of the quarry complex.

4. CONSULTATION RESPONSES

4.1 Charfield Parish Council

Councillors were unanimous in OBJECTING to the proposals. They also wanted to point out that the application has been logged by SGC stating increase to 1 to 2 million tonnes when what CEMEX are after is increase to 1.2million tonnes. This is quite a difference. However, it makes no difference to their feelings. The extra lorry movements is significant – and the dust and noise from not only the traffic but extra blasting will have a negative impact on villagers - particularly those in Churchend area.

Wickwar Parish Council

Cromhall Parish Council

This application was considered at full meeting of parish council on June 10th 2015, councillors felt they needed more information to make an informed decision. They needed to know what the traffic flow of HGVs is likely to be how many will go through the village of Cromhall. ie how many do currently = and what would this look like?

Sustainable Transportation

As part of the pre-application discussion held with the applicant on the planning merits additional pre-application discussions were held with the applicants Transportation Consultant. The Access Review submitted with this application is a result of those discussions.

The site is currently restricted via a routing agreement and weight limits to transporting quarried stone via the B4058 and B4509 to the M5 junction at Falfield unless the delivery point is less than 9km from the site, in which case the local network is considered acceptable except where a weight limit applies. As a result the bulk of the transport assessment arising from the increase in quarried stone from the quarry is directed at the approved route.

The junctions and roads on the approved route have been assessed in accordance with what was identified and agreed at the pre-application stage, officers have looked at the findings within the submitted Access Review and consider that the review is sound and appropriate for the proposed development.

Accordingly the Access Review has looked at the capacity of the existing highway network, both in terms of existing and predicted traffic flows along the route and at the junctions. This assessment concurs with the Officers view that the junctions and route (to the M5) will continue to operate well within capacity even with the recently approved (on appeal) residential developments accessing the route to the M5 at the Tafarn Bach roundabout at the top of Charfield Hill.

The access review has highlighted an issue that needs attention, although this is a general issue in relation to management of visibility splays adjacent to the B4058 and B4509, although this would not prohibit recommended this application for approval, rather the maintenance of the visibility splay has been reported to the Council's Street Care team as if left unmanaged could in the future create a hazard for all Highway users.

Whilst there is no objection therefore to the proposed development, it is worth noting that the two year temporary period will allow for further assessment of the proposals in the event that the developer chooses to extend the time period for the extraction.

Lead Local Flood Authority

No comments

Archaeology Officer

No comment

Tree Officer

There is a tree buffer growing along the Eastern boundary of the site from Churchend lane. This buffer should remain in place. Also the boundary of the site with the main road should be planted up with trees to form an aesthetically pleasing boundary in order to lessen the impact of the quarry for road users. There are no objections to the above application provided that the above recommendations are taken into consideration.

Recommend – Eastern boundary trees are not impacted on and Roadside boundary is planted to form a screen from the main road.

Historic England

No comments

Other Representations

4.3 Local Residents

4 letters of objection have been received, raising issues on the following grounds:

- concerns over the increased traffic
- exacerbation of dust and debris left on the road
- speeding issues through local villages need to be controlled
- additional traffic calming measures should be requested
- increase in noise
- increase in pollution
- potential additional damage to properties from blasting

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The principle for the on going quarrying of the site is established through existing consents. The main issue for consideration is considered to be any additional impact associated with the proposed increase in extraction rates upon the local highway network and local amenity. The applicants have volunteered that an initial temporary period of 2 years would be acceptable, and this would enable the MPA to assess the impacts over the period, should further applications be made in the future. After this temporary period has lapsed and can no longer be lawfully implemented, the existing permanent consent and the relevant conditions limiting the output to 750,000 tonnes per annum would come back into force.

5.2 Highways

Whilst the concerns raised with regards to an increase in traffic is noted, and is an inevitable outcome of the increase in production rates, it is considered that the proposals can be acceptably accommodated when considered in terms of the additional traffic upon the capacity of the local local highway network. Existing access and routes would be used. Section 106 improvements to the local highway network, associated with the PT07/0573/F consent have been implemented and these improvements remain satisfactory for the additional level of traffic that is anticipated by an increase in production levels the subject of this application. With the exception of local deliveries all HGV traffic generated by the quarry will continue to use the B4508 and B4509 to gain access to the M4 junction 14 or the A38. The higher limit of extraction will also be the maximum and not necessarily the norm. There are no highways objections to the proposals.

5.3 Local Amenity

Hours of operation for the quarry will remain unchanged by this application. Similarly existing noise limits and controls, blasting limits and dust control will apply. Vehicle movements will increase, however this will be on existing routes and main roads direct to the motorway junction. It is not considered in its own right that the proposed increase in output and the additional level of vehicle movements that would result would give rise to material amenity impacts taking into account the nature of the routes out of the quarries themselves, the avoidance of village routes, highways improvements made to accommodate

additional traffic and the maximum levels of vehicle movements that will be generated. It is considered that the local highway network can adequately accommodate the proposed maximum output levels. On this basis and taking into account all operations will be within the existing permitted quarrying unit, it is not considered that there would be a material increase in any impact upon local amenity.

5.4 Trees

Whilst the comments relating to trees are noted, this application relates to a variation of condition relating to quarry output and no new development of land that may affect additional trees will occur. A tree condition, as suggested, is not therefore considered necessary or relevant in this instance.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The proposals are considered to be acceptable in terms of highways and local amenity, in accordance with Policies 22 and 24 of the South Gloucestershire Minerals and Waste Local Plan (Adopted) May 2002. The conditions and controls of the original quarrying consent will remain in force.
- 6.3 The recommendation to grant permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 set out above, and to all the relevant material considerations set out in the report.

7. RECOMMENDATION

- 7.1 That planning permission is granted, subject to the conditions recommended.

Contact Officer: Simon Ford
Tel. No. 01454 863714

CONDITIONS

1. The increase in the annual extraction rate hereby permitted shall cease on or before the expiry of 2 years from the date of this permission.

Reason:

In accordance with the application submitted and to enable the Local Planning Authority to review the impact of the operations upon the local highway network and local amenity and to accord with Policies 22 and 24 of the South Gloucestershire Minerals and Waste Local Plan (Adopted) May 2002.

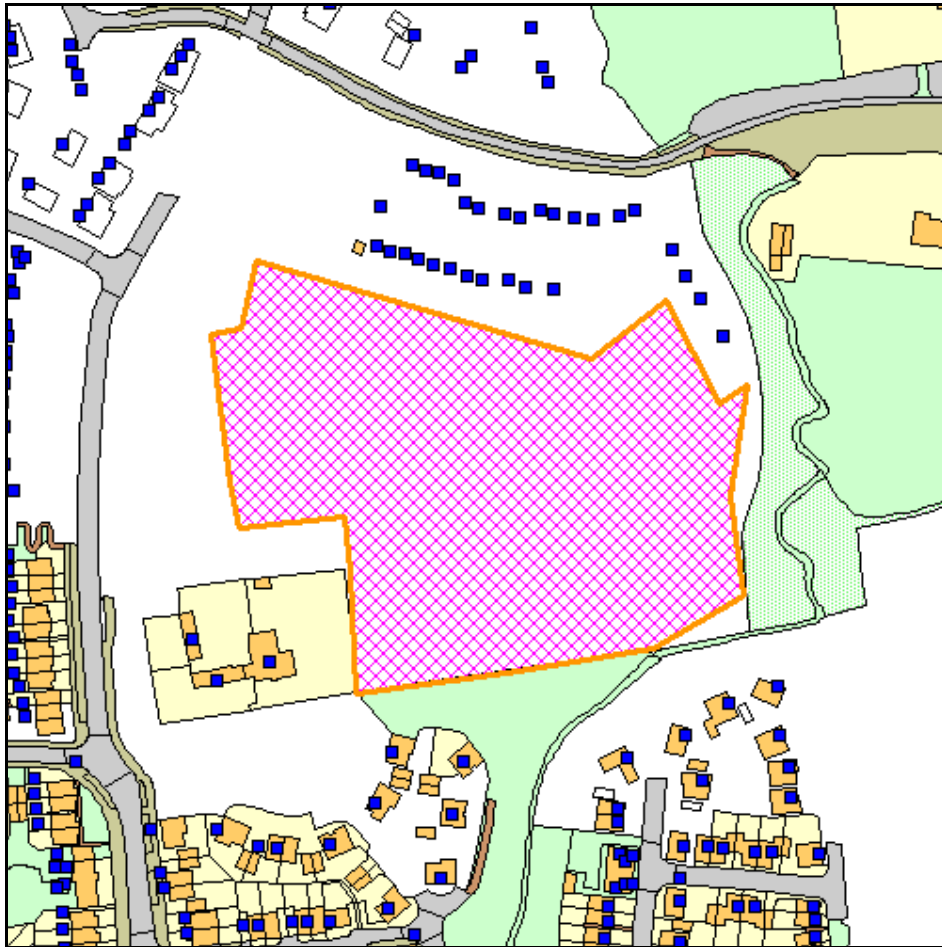
2. The annual extraction rate of stone quarried from the site shall not exceed 1.2 million tonnes. A record of annual production levels shall be made available to the Local Planning Authority upon written request

Reason:

In accordance with the application submitted and in order to limit and monitor production levels at the site in the interests of enable the Local Planning the local highway network and local amenity and to accord with Policies 22 and 24 of the South Gloucestershire Minerals and Waste Local Plan (Adopted) May 2002.

CIRCULATED SCHEDULE NO. 42/15 – 16 OCTOBER 2015

App No.:	PK15/2842/R3R	Applicant:	South Gloucester Council
Site:	Lyde Green Primary School Lyde Green Emersons Green	Date Reg:	14th July 2015
Proposal:	Erection of a new primary school with access, parking, landscaping and associated works. (approval of Reserved Matters to be read in conjunction with Outline Planning Permission PK04/1965/O)	Parish:	Emersons Green Town Council
Map Ref:	367219 177122	Ward:	Emersons Green
Application Category:	Major	Target Date:	9th October 2015



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100023410, 2008. N.T.S. PK15/2842/R3R

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the circulated schedule because the applicant is South Gloucestershire Council. In addition, a letter of objection has been received from a member of the public which is contrary to the officers recommendation.

1. THE PROPOSAL

- 1.1 This application seeks reserved matters consent for the erection of a new primary school with access, parking, landscaping and associated works. The reserved matters which comprises appearance, landscaping, layout, scale should be read in conjunction with outline planning permission PK04/1965/O for an urban extension on 99 hectares of land including residential development of up to 2550 dwellings and up to 100,000m² of B1, B2, B8 and C1 employment floorspace. This outline consent included details of access to the site as a whole off the Rosary roundabout. The site has the benefit of an approved Detailed Masterplan and approved Design Code.
- 1.2 The proposal relates to approximately 1.80 hectares of land allocated for a primary school within the centre of the Emersons Green East (EGE) urban extension, which is a Section 106 obligation in the original outline consent. The proposed school, along with a health centre, nursery, community hall and shop, form a local centre within the Emersons Green Urban Extension. The site, which slopes down significantly from west to east, is within the central character area defined in the EGE Design Code and abuts school square on the western boundary which is a key space area. The south and east boundaries of the application site abut Public Open Space (PK14/1116/RM), which forms a major green corridor and key foot/cycle route with existing trees and vegetation on the boundaries. The northern boundary of the site abuts phase 1 dwellings, which are currently under construction. The grade II listed building Hallen Farmhouse is located to the south of the site with a significant belt of trees on the eastern boundary abutting of the site. Planning permission has not been granted for any other local centre building at this point.
- 1.3 The primary school will provide 420 spaces for pupils. It is two-storeys in height and comprises an 'L' shaped footprint. Vehicular access and parking for 22 cars (including 2 disabled bays) are located to the northeast of the building; a hard surface play area and grass field and sports pitch are located to the southeast. Access is off a driveway from parcel 10 to be shared with other local centre buildings. The plans have been amended in accordance with the officers recommendation to include the driveway within the red line site plan so that it can be considered as part of the application.

2. POLICY CONTEXT

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

2.2 Development Plans

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

L1 Landscape Protection and Enhancement
L9 Species Protection
L11 Archaeology
L13 Listed Buildings
T7 Cycle Parking
T8 Parking Standards
T9 Car Parking Standards for People with Disabilities
T12 Transportation Development Control Policy for New Development
M2 Site 5 Major Mixed use Development at Emerson's Green East
EP2 Flood Risk and Development
LC4 Proposals for Educational and Community Facilities within the Existing Urban Area and Defined Settlement Boundaries

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
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS23 Community Infrastructure and Cultural Activity
CS29 Communities of the East Fringe of Bristol Urban Area

2.3 Supplementary Planning Guidance

The South Gloucestershire Design Checklist SPD (adopted)
Waste Collection: Guidance for New Developers SPD (adopted)
Emersons Green Local Centre Indicative Design Guide

3. **RELEVANT PLANNING HISTORY**

- 3.1 PK04/1965/O - Urban extension on 99 hectares of land comprising of :- Residential development of up to 2550 dwellings; up to 100,000m² of B1, B2, B8 and C1 employment floorspace. Up to 2,450 m² of small scale A1, A2, A3, A4 and A5 uses. One, 2 - form entry primary school, a land reservation for a second 2 - form entry primary school and a land reservation for a secondary school. Community facilities including a community hall and cricket pavillion (Class D1) and health centre. Transportation infrastructure comprising connections to the Folly roundabout on Westerleigh Road and the Rosary roundabout on the Ring Road and the construction of the internal road network. A network of footways and cycleways. Structural landscaping. Formal and informal open space. Surface water attenuation areas. (Outline) with means of access to be determined.
Approved 14th June 2013.
- 3.2 Development Control East Committee on 15th February 2013 approved the Detailed Masterplan associated with outline planning permission PK04/1965/O at Emersons Green East.

- 3.3 PK10/0473/F Construction of Multi Modal Interchange, Green Road and access to the A4174 Ring Road from Rosary Roundabout. Full planning permission granted 7th January 2013.
- 3.4 Environmental Impact Assessment was carried out for the Outline planning permission for this development and officers can confirm that the current RM application does not raise any issues that would call into question the EIA conclusions.
- 3.5 PK13/2649/RM, Erection of 137 units and associated road, landscape and parking (Approval of Reserved Matters to be read in conjunction with Outline Planning Permission PK04/1965/O). Approval, 20/06/2014.
- 3.6 PK13/2741/RM, Erection of 132 no. units and associated roads, landscaping and parking. Approval of reserved matters to be read in conjunction with planning permission PK04/1965/O, Approval, 12/11/13.
- 3.7 PK13/2372/RM, Construction of roads 2 and 3 (Approval of Reserved Matters to be read in conjunction with Outline Planning Permission PK04/1965/O), Approval, 17/10/14.

4. CONSULTATION RESPONSES

- 4.1 Emersons Green Town Council
No objection
- 4.2 Environmental Protection Officer
No objection subject to standard advice in relation to construction sites.
- 4.3 Ecological Officer
As all conditions relating to the outline application have now been discharged, there are no further ecological comments required at this stage.
- 4.4 Conservation Officer
Detailed landscaping plans to ensure a planting buffer is secured along the shared boundary with the listed building are required.

The design of the school also falls short of the opportunities that the site presents and so I would recommend the elevations are reconsidered.
- 4.5 Coal Authority
No objections subject to condition.
- 4.6 Tree Officer
Tree Protection Fencing to BS5837:2012 needs to be erected and method statement is required.
- 4.7 Crime Prevention Design Advisor
No objection subject to the following comments:

The fence from the building forming a boundary between the car park and the ASD hard play and school field should be 1.8m high;

The gate at the south of the site leading to the footpath network should be on the school access control system with the school ensuring the gate is locked during teaching times;

The cycle and scooter area is subject to very poor natural surveillance. This area would therefore, need to be covered by an alternative form of surveillance such as CCTV;

The curtain walling system forming the hall windows and the main entrance door is vulnerable to attack and criminal damage. If some small area of defensible space can be created here it will help, otherwise damage will occur in this area for which the school budgets would be liable. The glazing could be protected by products such as Crime Shield;

The interview room on the ground floor shows a standard inward opening door. This design could put staff at a potential risk of becoming trapped in the room with a person who becomes violent. Consideration could be made to making this door outward opening;

All external doors should be PAS24:2012 or LPS1175 SR2;

All windows should be PAS24:2012 Annex C and have a minimum of 6.8mm laminated glass fitted;

Glazed curtain walling must be installed using a secure glazing retention system. The method of retaining the glass must include one of the following: security glazing tape, dedicated security sealant or gasket, a secure mechanical fixing system.

4.8 Urban Design Officer

Subject to clarification of the stack bonded detail and high quality brick I would consider the scheme now acceptable.

Full manufacturers details of bricks and mortar colour, window frames including colour, render, brise soleil are still required.

4.9 Drainage Officer

No objection

4.10 Landscape Officer

The planting amendments are now acceptable.

4.11 Transportation Officer

No objection to this application; however, a planning condition would be necessary to ensure that all off-street parking and turning areas, as well as cycle parking areas on site are provided and maintained in accordance with the submitted plan.

4.12 Highway Structures Officer

If the application includes a structure that will support the highway or support the land above a highway, no construction is to be carried out without first providing the Highway Structures Team with documents in accordance with BD2/12 of the Design Manual for Roads and Bridges that will allow formal Technical Approval of the proposals to be carried out.

4.13 Public Art Officer

We would expect proposals for the new school to address public art and would suggest a condition to ensure that public art can be integrated into the scheme.

4.14 Wessex Water

The surface water network as shown on the Preliminary Proposed Drainage Strategy C-01 P1 shows an unrestricted discharge to an existing ditch with possible land drainage connections from playing field and MUGA. Whilst Wessex Water will not be adopting the on site surface water sewers the LLFA will need to assess the surface water scheme and flood risk measures.

Other Representations

4.15 Local Residents

One letter of objection has been received from a neighbouring occupier. The following is a summary of the reasons given for objecting:

At school opening and closing times, associated vehicular traffic often causes traffic chaos in the area. I.e. Downend School. The quiet and narrow roads of Clover Road and Pennycress Close will be jammed with parents dropping and collecting children, avoiding the traffic around the main entrance. This will not only be inconvenient for residents but also dangerous for pedestrians.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The principle of the development has been established with the approval of outline planning permission under application PK04/1965/O, which covers a substantial part of the Emersons Green East (EGE) development, allocated by saved policy M2 in the South Gloucestershire Local Plan (adopted) January 2006. The outline planning permission reserved all matters for future consideration, except the means of access off the Rosary roundabout, which has been approved in detail. The DC East Committee, in February 2013, approved the site wide detailed masterplan, and subsequently officers approved the design code under delegated powers for the whole of the outline application site.

5.2 Paragraph 72 of the National Planning Policy Framework states that the Government attaches great importance to ensuring sufficient choice of school places is available to meet the needs of existing and new communities; and Local planning authorities should give great weight to the need to create, expand or alter schools. The provision of the proposed primary school is required as part of the S106 agreement in the original consent to mitigate the increase in population resulting from the Emersons Green East Urban

Extension. The proposed primary school is in a sustainable location that will be highly accessible by non-car modes of travel; and its location and size (1.8Ha) is in accordance with the approved masterplan and design code. The proposal is therefore, acceptable in principle.

The main issues to consider are:

- Whether the proposal achieves an acceptable standard of design in accordance with the approved Emerson's Green East design code and masterplan;
- Whether it would adversely affect the residential amenity of neighbouring occupiers through loss of natural light, loss of privacy, noise and disruption;
- The effects on ecology and retained trees and vegetation;
- The effect on designated heritage assets;
- Transportation effects in terms of highway safety and parking,

5.3 Urban Design

In accordance with the Design and Access Statement approved at outline stage, the approved design code seeks to deliver a series of three distinct character areas – southern, northern and central, each of which contains sub areas of Spine, Core and Edge. The idea is to provide continuity and consistency in some elements within the character areas and within the sub areas, with the aim of creating a development that is harmonious yet legible and varied.

The only relevant approved parameter plan shows the application site falling in an area up to 2 storeys in height. The proposal at two storeys in height complies with this parameter. The detailed design of the Emersons Green local centre, including the primary school, is not covered by the approved design code. Barton Willmore has however, produced a Local Centre Indicative Design Guide to guide the development of the Local Centre. Although there is no requirement in the original consent for the document to be submitted, the Indicative Design Guide has been produced in consultation with the Local Planning Authority, and provides parameters and architectural principles to set a framework for high quality development of the Local Centre; accordingly, it is a material consideration when considering the proposed development.

Layout

The Indicative Design Guide sets out that the development principle is to create a strong continuous frontage along the central spine road and central square. It also sets out the following key layout principles:

- Create a well defined and enclosed central square (School Square) with an active frontage;

- Provide an interesting and varied roofline with emphasis at key locations; Promote active frontages with legible, inclusive accesses from foot/cycleway and streets;
- Sensitively respond to the adjacent grade II listed farmhouse mitigating adverse effects and helping to preserve/enhance the significance of the setting of the farm buildings and maintain the historic boundaries of the farmhouse boundary walls;
- Address existing constraints on site and maximise the developable area; Ensure the parking areas are designed with sufficient landscaping to create well defined routes and spaces;
- Promote surveillance to footpath/cycle links and parking areas.

According to the details submitted, the application site is constrained by the ground conditions, which comprises an area of rock just below the surface of the soil. The design responds to these constraints through adopting an 'L' shaped footprint, and a cantilevered foundation system for part of the building which overhangs the rock. This design response allows the building to front directly onto School Square, which is considered acceptable. The applicant has clarified that whilst the building is at a slight oblique angle to the red line boundary it will directly front the square. The building, whilst relatively narrow, would be flanked by boundary walls which would help to reduce space leak to the sides of the building and screen views of service equipment to the rear of the building.

The western elevation of the building immediately fronts onto School Square with this elevation containing large glazed areas to the main entrance and assembly hall. The Crime Prevention Design Advisor has raised no objections in principle but has highlighted that the western elevation being 'open' to School Square would leave the curtain walling forming the hall windows and the main entrance vulnerable to attack and criminal damage. The comments of the Crime Prevention Design Advisor are noted; however, it is important to consider the context and intended function of the site. It is located at the heart of the Lyde Green development and is predominately surrounded by residential development, for example, 3 storey dwellings and a main spine road are located directly opposite. The local centre is intended to be distinct, dynamic and vibrant, and well integrated physically and socially into the wider context. The Emersons Green Masterplan and Indicative Design Brief; therefore, show the school directly fronting the square with active frontages onto the square. Retractable grilles, shutters/bars, and defensible barriers are therefore, not considered necessary given that the elevation will be well surveilled and will not be isolated. A design solution comprising grilles, shutters/bars etc. would also not provide a sufficiently good quality public realm to this important central civic space.

A pupil entrance is proposed to the south of the building directly off school square, and the applicant has agreed to incorporate public art within the design of the gates, which will provide an interesting and legible entrance for pupils. The appearance of the gates on the concept drawing submitted indicates that they will be metal, decorative, with a high degree of through visibility. Whilst this is acceptable in principle, the detailed design of the gates is required to be

agreed given that they will be very prominent from views from the public realm. A condition is therefore, attached for the detailed design of the gates, incorporating public art, to be agreed with the Local Planning Authority. A separate vehicular access and staff access are proposed to the north of the building.

Given the above, there is no objection with regards to layout.

Scale

The proposed building is two-storeys in height, which meets the requirements of the approved design code, and will provide an acceptable means of enclosure to School Square. Officers requested that the western elevation be extended further north by re-orientating the assembly hall through ninety degrees to provide a greater level of enclosure to the square. The applicant has not acceded to this request due to the fact that the hall must have a dual function with two internal accesses. The applicant has however, provided boundary walls either side of the building to provide enclosure to the square.

The building is encompassed by a simple mono-pitch roof, which is obscured on the western elevation by a parapet wall. This helps increase the sense of scale of the building and provide greater enclosure to School Square, which is considered acceptable.

Appearance/Detailing

The Indicative Design Brief states that the aim is to create a dynamic and vibrant Local Centre which is integrated within the surrounding development and local context. The following principles are set out in the brief:

- Each building should have its own unique identity (appropriate to its setting and function) whilst being read as part of a whole for the Local Centre;
- Contemporary use of local vernacular form to inform the design; the design of buildings in close proximity to the listed farmhouse should be sensitive and considered in their approach;
- Consideration should be given to solar shading and orientation.

The applicant specifies the use of buff brick for the elevations with powder coated aluminium windows, the colour of which has not been specified. The roof is standing seam aluminium with roof lights and wind catchers. Rainwater goods will be ppc aluminium; a canopy to shade reception play space will be a galvanised metal structure with a polycarbonate roof. A condition is attached for further details in respect of the brise solair, roofing and window frames.

Concerns were originally raised regarding the appearance and detailing of the building. The Design and Access Statement describes the elevations as being kept: *“simple and elegant...entirely of brick to complement buff brick of the adjacent houses...with some brick detailing to provide interest”*.

In response, to enliven the elevations, a large strip of render has been introduced to the principal western elevation, which in conjunction with signage,

which requires separate advertisement consent, will provide more interest to this prominent part of the building. Officers consider that a bold render colour would be appropriate given the nature of the proposed building and to provide distinctiveness. Revised plans submitted also indicate that the main entrance door will be recessed by approximately 400 mm, which will provide a greater sense of depth and improve the appearance of the building. Aluminium brise soleil have been introduced on the southern and eastern elevations, which will provide colour and layering over the buff brickwork. The brise soleil will be powder coated different shades of green, which becomes lighter on the south elevation from left to right and darker on the east elevation from left to right in the same colour tone, which will provide greater interest to these elevations. Revised plans submitted indicate that the elevations will comprise horizontal brick banding with a recess to every other course, stack bonded brick soldier course, and stack bonded brick with every other brick recessed to create a checkerboard effect. It is considered that the proposed brick detailing will provide greater depth and interest to the elevations.

Sustainability

A Planning Energy Statement and Part L Compliance Report prepared by Hydrock has been submitted with the application, which indicates that the building is designed to meet 2013 Building Regulations, in addition, the predicted rate of carbon dioxide emissions from the building will be 10% lower than the building regulations standard. The proposal includes 41m² of solar PV; given the orientation and downward slope of the roof, concerns were raised regarding the fitting and operation of the PV. However, revised plans have been submitted to demonstrate that the solar pv will be tilted at an angle to ensure efficient operation.

Other benefits include the introduction of brise soleil on the south and east elevations, which in conjunction with an enhanced glass specification to the windows, will reduce glare and overheating to classrooms.

Secure Design

The Crime Prevention Design Advisor (CPDA) has raised no objections to the proposal in principle but has raised a number of issues with regards to the design. The issues raised with regards to the height of the fence forming the boundary between the car park and the ASD hard play and school field can be addressed by way of a suitably worded condition to ensure that it is 1.8 metres high. Concerns raised regarding the poor level of surveillance to the pupil cycle and scooter store are noted; therefore, a condition is attached that require this area to be covered by an alternative form of surveillance such as CCTV. Other issues raised relating to the security performance of all external doors and all windows are matters that are covered by Building Regulations; therefore, a condition on this basis is unnecessary and does not pass the tests for applying conditions set out in the NPPF. An informative note is however, attached on this basis.

Landscaping

Planting

The Landscape Officer has requested changes to the tree species within the car park to give a more substantial canopy structure, which will contribute to the

appearance of the development in long distance views from the east in the long term. It was also requested that the tree species around the edge of the playing fields are amended to include some oak, sweet chestnut, beech, pine and cedar, as this would provide a greater variety of leaf shape/type and bark texture which the school could use as part of its teaching resource. Amended plans have been provided to address the planting issues raised, and there are now no objections on this basis. A condition is attached for the landscaping to be carried out in accordance with the landscape plan submitted within the first planting season following the first use of the primary school.

Concerns were raised that the overall design does not include any seating/shade structures or large scale play equipment. This is because, without any play equipment in place when the school opens individual trees in grass tend to suffer from a lot of wear and tear as they become the focus of play activities, with compacted ground, worn grass and bark/branch damage as a result. The applicant has however, clarified that play equipment/seating will be provided to ensure that trees do not become play features. A condition is required to ensure that play equipment is provided prior to the first use of the building.

5.4 Residential Amenity

Parcel 10 properties to the northeast of the application site are the closest to the proposed building at a distance of approximately 27 metres at the closest point. This level of separation is considered to be sufficient to ensure that occupiers will not be significantly adversely affected through loss of natural light or privacy; the proposed planting of trees and vegetation on the northern boundary will also help to screen views of the building and mitigate noise from parking/manoeuvring areas. Given that parking/manoeuvring areas will primarily only be used during normal school hours, it is not considered that neighbouring occupiers will be significantly adversely affected through noise and disruption. Although properties to the east of the application site are approximately 6 metres lower than the proposed building, the separation distance (over 100 metres) and proposed intervening native tree and shrub planting will ensure that occupiers will not be significantly adversely affected.

No floodlighting is proposed in relation to the proposed sports pitch; a condition in respect of times of operation and measures to control light spill from any other external lighting at the site is attached to protect neighbouring occupiers from adverse light intrusion.

The plans demonstrate that 2.4 metre high fencing would abut the southern and western rear gardens of properties, approximately 9 metres from the properties themselves. The applicant has acceded to the officer's request and provided details of the weld mesh fencing, which is green in colour and provides a high degree of through visibility. It is not considered that the fence will be obtrusive or have a significant adverse overbearing effect on neighbouring occupiers.

Conditions in the original outline consent will ensure that impacts on existing residential occupiers will be reduced during the construction period.

5.5 Transportation

Detailed plans for School Square are not currently available, but the scheme will cater for the school to ensure level access, drop off points and disabled parking in accordance with current Disability Discrimination Act (DDA) standards. The main pupil entrance is adjacent to School Square, which will be the main drop off point; however, there is also a drop off point within the school site for pupils with special needs. Concerns have been raised by a local resident regarding the fact that the secondary pupil entrance proposed in the southern boundary of the site will lead to congestion in residential roads close by, such as Clover Road and Pennycress Close, due to parents dropping off and collecting children in these locations to avoid traffic around the main entrance. The concerns raised are noted, however, whilst there may inevitably be some dropping off and picking up in surrounding residential streets, this would only occur for a relatively short space of time during the school opening and closing times. In addition, the supporting details submitted states that the school is committed to providing a School Travel Plan; therefore, a condition is attached on this basis to ensure that measures to control the dropping off and picking up of children at the start and end of the school day; a reduction in single occupancy car use and the promotion of walking, cycling and the use of public transport are prepared and agreed with the Local Planning Authority. As the school is unlikely to operate at full capacity initially, the Travel Plan should also include appropriate periods for review.

The vehicle and service entrance for the school is located at the northeast corner of the site. A hammerhead is provided for refuse collection and deliveries, which will allow large vehicles to manoeuvre acceptably within the site. There are 20 parking spaces, 2no. disabled parking bays and provision for staff cycle parking and pupil cycle and scooter parking. The amount of parking proposed is considered to be acceptable, and a condition is required for the parking to be provided in accordance with the submitted details prior to the first use of the school.

Accordingly, subject to appropriate conditions, it is not considered that there would be a significant adverse effect in terms of local congestion or highway safety.

Impact on Listed Building

The application site is located within the historic curtilage and setting of the grade II listed Hallen Farmhouse. In consideration of the detailed matters reserved for the application, a substantial landscape buffer is essential to help visually contain the school in views from Hallen Farm and the remnants of its curtilage. Therefore, officers were concerned to ensure that the existing planting (to its eastern boundary) would be retained and enhanced. A plan has been submitted which identifies that the hedge comprises multi-bole Ash trees to 14 metres, single bole cherry 14 metres and several bushy hawthorns. The plan identifies that all off-site boundary vegetation would be retained and supplemented with additional planting.

Accordingly, given that the existing landscape planting is to be retained and supplemented with additional planting, a sufficient landscape buffer would be provided between the proposed development and Hallen Farmhouse.

Therefore, it is not considered that the proposal will have a significant adverse effect on the significance or setting of the designated heritage asset Hallen Farmhouse. Significant weight is also given to the fact that a master plan, which includes provision of a primary school in the location proposed, has already been approved.

Ecology

The site has already been cleared, apart from trees and hedges to be retained, and earthworks carried out. In terms of ecology, the following activities and surveys have been undertaken:

Slow-worm and other reptiles

A presence/absence reptile survey was undertaken in July 2013 in the area which was urgently required for the balancing pond C3 extension.

One common lizard was found during the survey and therefore it was recommended that measures were undertaken to avoid harm and disturbance to reptiles. This included strimming the vegetation by hand to 6 inches prior to the soil stripping to discourage reptiles from the working areas. The strimming of vegetation was subsequently undertaken by commencing the balancing pond works.

Great Crested Newt

A watching brief, which included a hand-search and destructive search whilst the topsoil was stripped, was undertaken on 1st and 2nd July 2013 in parts of the site that fell within 500m of the great crested newt ponds at Shortwood Quarry. No great crested newts or other amphibians were found during the watching brief.

Breeding birds

Checks for active nests were undertaken in potential bird nesting habitats prior to the topsoil stripping along the Folly Brook tributary on 1st July 2013. No active nests were found. Checks for active nests were also undertaken in the area of trees and scrub which needed to be cleared for the balancing pond extension between 4th – 9th July 2013. During the checks, a number of active nests were noted in some of the shrubs and therefore these areas were not cleared.

Officers are satisfied that all conditions relating to the outline application have now been discharged; and that there are no further ecological issues relating to this reserved matters application.

Tree Impacts

The plans submitted indicate that all off-site boundary vegetation is to be retained, and that the proposed weldmesh fence to be installed will then constitute the tree/hedge protection fence. The details submitted indicate that the installation of the fence posts will have little impact on roots as the majority will be contained by existing retaining walls. The Council's Tree Officer; however, considers that the proposed fencing will not afford sufficient protection to the roots of the retained trees. Although it is accepted that the different levels will affect the distribution of the tree's root systems, it is considered that there will still be roots on the eastern side of the wall.

Therefore, tree protection fencing as prescribed in BS5837:2012 should be erected at the edge of the Root Protection Area (RPA) (again defined within the same British Standard) before any works commence and retained throughout the development. The fence proposed on the “Existing Boundary Vegetation” drawing, would effectively be constructed within the RPA of the retained trees; therefore, a method statement describing the measures and techniques that will be used to avoid damage to the trees is required prior to commencement. The method statement should include hand digging for post holes and lining the holes with an impermeable membrane to prevent concrete coming into contact with roots. Subject to appropriately worded conditions to ensure that trees will be adequately protected, there is no objection with regards to the impact on trees and vegetation.

Coal Mining

The Coal Authority initially objected to the proposed development on the basis that insufficient information was submitted with the application to identify risks posed to the proposed development by coal mining legacy. The applicant has subsequently submitted a Summary of Coal Mining Risk Report (4th September 2015, prepared by Hydrock). The report indicates that two shafts have been positively located as a result of soil stripping. These shafts are located away from the building proposed, in an area which is to form part of the landscaping for the site. Given that the shafts are located away from the proposed building, the report recommends that the shafts are capped with mass concrete plugs at rockhead. The Coal Authority concurs with the report submitted, but considers that the drilling and grouting of the shafts is also required in this instance. An appropriately worded condition is therefore, attached on this basis.

Drainage

The Council’s Drainage Officer has raised no objections to the proposed development in principle. The ‘Proposed Drainage Strategy’ plan submitted indicates that surface water from the site will be discharged at an unrestricted rate into the Folly Brook Tributary which complies with the agreed maximum allowable discharge rate set in the Emersons Green East Drainage Strategy. However, in order to satisfy the requirements set in the drainage strategy, a plan indicating both the permeable and impermeable areas for the site was requested. A plan has subsequently been submitted, which demonstrates that the impermeable area of the site equates to 35%, with the permeable area at 65%, which is 5% less than the maximum allowance of 60%. As such, the proposed drainage design meets the requirements of the Emersons Green East Drainage Strategy, and therefore, there are no objections with regards to drainage.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 Planning permission is GRANTED subject to the following conditions.

Contact Officer: Jonathan Ryan
Tel. No. 01454 863538

CONDITIONS

1. The off-street parking facilities (for all vehicles, including cycles) and turning areas shown on the plan hereby approved shall be provided prior to the first use of the school, and thereafter retained for that purpose.

Reason

In the interests of the amenities of the area and highway safety and to accord with Policy T12 of the South Gloucestershire Local Plan (adopted) January 2006; and Policy CS8 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

2. The bin storage shown on the drawings hereby approved shall be provided prior to the first use of the school hereby approved, and thereafter retained for that purpose.

Reason

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

3. The landscaping shall be carried out in accordance with the plan "Planting Plan" no. 1773-05 B received by the Council on 6th October 2015 in the first available planting season following the completion of the main school building hereby approved.

Reason

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

4. Outdoor play equipment shall be provided prior to the first use of the school hereby approved or an alternative date that is agreed in writing by the Local Planning Authority.

Reason

In the interests of the health and appearance of trees in the interests of the character and appearance of the area and to accord with policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013, and policy L1 of the South Gloucestershire Local Plan (adopted) January 2006..

5. Notwithstanding the details submitted the fence from the building forming a boundary between the car park and ASD hard play and school field shall be 1.8 metres high.

Reason

To ensure the development is sufficiently secure and to accord with policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

6. Prior to the completion of the main school building hereby approved the detailed design of the southern pedestrian access leading to the footpath network shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details. The access shall be kept shut and locked at all times during the hours of teaching.

Reason

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

7. Prior to the erection of any external lighting details of the location, design, times of illumination and measures to control light spillage shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason

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

8. Prior to the completion of the main school building hereby approved the detailed design of the pupil entrance gates, incorporating public art, on the western boundary fronting onto School Square shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

Reason

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

9. Prior to the commencement of the development above Damp Proof Course (DPC) level full manufacturer details of the window frames including colour, render colour, roofing, and brise soleil shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

Reason

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

10. Prior to the commencement of the development above Damp Proof Course (DPC) level, sample panels of brickwork demonstrating the colour, texture, facebond and pointing shall be erected on site and approved in writing by the Local Planning

Authority. For the avoidance of doubt, separate panels shall be erected for Ibstock Bradgate Multi Cream, Ibstock Leicester Multi Cream Stock and Ibstock Brunswick Autumn bricks with both light and dark coloured mortar to allow the most appropriate panel to be approved. Development shall be carried out in accordance with the approved sample panel, which will be kept on site for reference until the brickwork is complete.

Reason

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

11. Prior to the first use of the school hereby approved a draft "School Travel Plan" shall be submitted to and approved in writing by the Local Planning Authority. Within 30 days of the first use of the school, a full "School Travel Plan" shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented in full thereafter. For the avoidance of doubt the School Travel Plan shall as a minimum include: measures to control and manage the dropping off and picking up of children at the start and end of the school day; measures to reduce single occupancy car use and promote walking, cycling and the use of public transport; appropriate periods for review; details of monitoring and reporting back to the Council; a timetable for implementation.

Reason

To encourage means of transportation other than private car and to reduce the impact on neighbouring occupiers and to accord with policy T12 of the South Gloucestershire Local Plan (adopted) January 2006; and CS8 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

12. Prior to the completion of the main school building hereby approved details of a scheme of formal surveillance such as CCTV to encompass the cycle and scooter area will be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details prior to the first use of the school.

Reason

To ensure the development is sufficiently secure and to accord with policy CS1 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

13. Tree protection fencing as prescribed in BS5837:2012 shall be erected at the edge of the Root Protection Area (RPA) (defined within the same British Standard) of trees growing at the boundaries of the site prior to the commencement of the development at the site. The fencing shall be retained throughout the development.

Reason 1

This is a pre-commencement condition to ensure that trees are adequately protected.

Reason 2

To protect the health and appearance of trees in the interests of the character and appearance of the area and to accord with policies CS1 and CS9 of the South

Gloucestershire Local Plan Core Strategy (adopted) December 2013, and policy L1 of the South Gloucestershire Local Plan (adopted) January 2006.

14. Prior to the erection of the weld mesh boundary fencing within the Root Protection Area of trees an arboricultural method statement describing the measures and techniques that will be used to avoid damage to the trees shall be submitted to and agreed in writing by the Local Planning Authority. For the avoidance of doubt the method statement shall include hand digging for post holes and lining the holes with an impermeable membrane to prevent concrete coming into contact with roots. Development shall be carried out in accordance with the agreed details.

Reason

To protect the health and appearance of trees in the interests of the character and appearance of the area and to accord with policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013, and policy L1 of the South Gloucestershire Local Plan (adopted) January 2006.

15. Prior to the commencement of the development a scheme of treatment for the mine entries on site shall be submitted to and agreed in writing by the Local Planning Authority. The implementation of the approved treatment works shall be carried out prior to the commencement of the development.

Reason 1

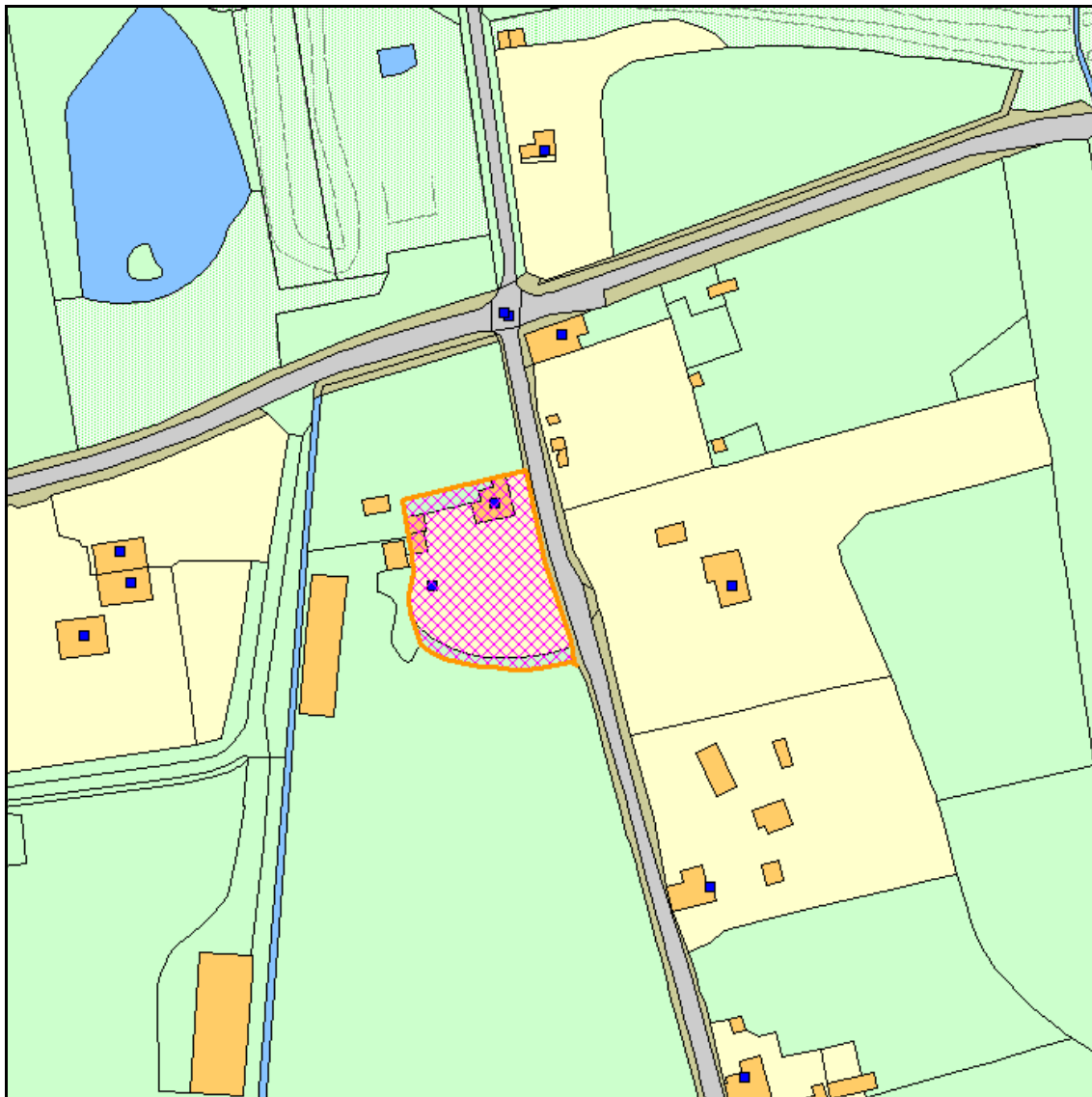
In the interests of safety and the stability of the proposed development and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013.

Reason 2

This is a pre-commencement condition to avoid the need for any unnecessary remedial action.

CIRCULATED SCHEDULE NO. 42/15 – 16 OCTOBER 2015

App No.:	PK15/2944/F	Applicant:	Mr & Mrs Townsend
Site:	Rock View Engine Common Lane Yate South Gloucestershire BS37 7PX	Date Reg:	9th July 2015
Proposal:	Change of Use of land from Agricultural to residential (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) to include mobile home to be used as annex ancillary to main dwelling (Retrospective)	Parish:	Iron Acton Parish Council
Map Ref:	370040 185015	Ward:	Ladden Brook
Application Category:	Minor	Target Date:	1st September 2015



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is listed on the Circulated Schedule because the Officer's recommendation to refuse is contrary to a letter of support from a member of the public.

1. THE PROPOSAL

1.1 This is a full application for the change of use of agricultural land to residential garden and the retention of a caravan to be used as an annexe. The application is retrospective as the caravan is already sited on the land and occupied for residential purposes by the applicant's (Mrs Townsend) sister and brother-in-law.

1.2 The application follows an investigation by the Council's Planning Enforcement Team into alleged breaches of conditions on the planning permission PK11/2680/F which was for the 'erection of 1no. detached replacement dwelling with access and associated works'. Condition 14 of the permission stated;

Within 3 months following occupation of the dwelling hereby approved the mobile home shown on drawing no. IDT-010 01 Rev A shall be removed from the site and the land on which it is positioned returned to its former condition. Thereafter only one dwelling shall be occupied within the land edged red and blue on the approved site and landscape plan.

Reason: To ensure that a maximum of one dwelling unit is provided within the application site at all times in accordance with Policy H3 of the adopted South Gloucestershire Local Plan (2006).

1.3 The Planning Enforcement Team served a Breach of Condition Notice on 2 June 2015 requiring the owners to '*permanently remove the mobile home from the land and restore the land to its former condition once the mobile home is removed*'.

1.4 The dwelling permitted by PK11/2680/F has now been completed and is occupied. Part of the land subject of this application (on which the mobile home sits), falls outside of the residential curtilage afforded by the planning permission and hence the change of use sought in the description. The land is described as agricultural land but appears to have also been used for the storage of caravans in recent years and this is explored in the report. The land falls outside the settlement boundary in open countryside.

2. POLICY CONTEXT

2.1 National Guidance
National Planning Policy Framework March 2012

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006 (saved policies)
L1 Landscape Protection and Enhancement
T8 Parking Standards

T12 Transportation Development Control Policy for New Development
H3 Residential Development in the Countryside

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
CS34 Rural Areas

South Gloucestershire Council Local Plan Proposed Submission: Policies, Sites and Places Plan March 2015

On 18 March 2015 the Council approved the publication of the proposed submission PSP Plan for a period of public consultation from 22 May – 3 July 2015. That consultation has now taken place and the Authority is considering all responses. The proposed submission is expected to be submitted for examination by the Secretary of State in the Autumn 2015. Only limited weight can be afforded to these policies.

PSP2 Landscape
PSP8 Settlement Boundaries
PSP9 Residential Amenity
PSP17 Parking Standards
PSP 41 Residential Development in the Countryside

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) August 2007
Residential Parking Standard (Adopted) December 2013

3. RELEVANT PLANNING HISTORY

- 3.1 P84/1092 - Use of land for the storage of touring caravans – Approved 18 April 1984
- 3.2 P85/1275 - Use of land for the storage of touring caravans. (Renewal of temporary consent) – Approved 17 April 1985
- 3.3 P88/1168 - Use of land for the storage of touring caravans (renewal of temporary consent) – Approved 9 March 1988
- 3.4 P91/1920 - Use of land for the storage of twelve touring caravans – Approved 31 July 1991
- 3.5 P94/1970 – Renewal of temporary consent for the stationing of 12 no. touring caravans (in accordance with supplementary plans received by the Council on 1 August 1994) – Approved 11 July 1994
- 3.6 PK11/2680/F - Erection of 1no. detached replacement dwelling with access and associated works. (Resubmission of PK11/1384/F) – Approved 21 October 2011

4. CONSULTATION RESPONSES

4.1 Iron Acton Parish Council
No observation

4.2 Other Consultees
Drainage and Flood Risk Management – No objection

Transportation Development Control – No objection

Other Representations

4.3 Local Residents

One letter of objection has been received from a local resident though it is noted that the objection is supportive of the development on a short term basis recognising the needs of the occupants and making the following observations;

- Concern for the occupants and support any short term needs in the use of the mobile home for the families.
- Longer term concerns about the continued use and positioning of the mobile home.
- It is not in keeping with the natural beauty of the area or the historic perspective.
- Mobile home is visible from Tan House Lane to the north and also from Engine Common Lane to the east. It is only the temporary fencing that obscures the view from Engine Common Lane.

One letter of support has been received from a local resident which again refers to the circumstances of the occupants and makes the following observations;

- The reason behind the application reinforce the support.
- Only address where the mobile home can be partly viewed from and it is unobtrusive and blends well with the surrounds.
- A good array of bushes and small trees discretely blend the mobile home with the development and these will mature and provide further unification.
- The Heras fencing is a temporary protective measure.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application is for the change of use of land from agricultural to residential, to add a parcel of agricultural land to an existing residential garden. The application then proposes the retention of a mobile home that had been occupied residentially whilst the new dwelling was constructed and is required to be removed by condition. The application is not therefore assessed as a new dwelling but as a means of extending the capacity of the existing dwelling. The National Planning Policy Framework 2012 advises that in rural areas, Council's should be responsive to local circumstances and housing should be located to enhance or maintain the vitality of rural communities but should avoid isolated homes in the countryside unless there are special circumstances.

It adds that the Government attaches great importance to the design of the built environment and that decisions should ensure that developments; function well and add to the overall quality of an area, respond to local character and history and are visually attractive as a result of good architecture and appropriate landscaping.

- 5.2 Policy H3 of the South Gloucestershire Local Plan (Adopted) 2006 states that proposals for new residential development outside the boundaries of settlements will not be permitted with the exception of a) affordable housing on rural exception sites b) housing for agricultural or forestry workers and c) replacement dwellings.
- 5.3 Further to the appeal decision APP/P0119/1/14/22202915, it is accepted that the Local Authority cannot currently demonstrate a 5-year supply of housing. Policy H3 is therefore considered to be 'out-of-date' and paragraph 14 of the NPPF is engaged such that residential applications for new housing should be permitted unless; a) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole or b) specific policies in this framework indicate development should be restricted. This is not an application for a new dwelling and it is considered that in the context of the extension of a residential curtilage, Policy H3 remains sound.
- 5.4 Policy H3 should also be read in the context of the afore-mentioned paragraph 55 of the NPPF and in the context of isolated homes in the countryside, policy H3 remains NPPF compliant.
- 5.5 Policy CS5 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 states that in the open countryside, new development will be strictly limited.
- 5.6 Policy CS34 of the same Local Plan Core Strategy states that development proposals will protect, conserve and enhance the rural areas distinctive character.
- 5.7 As an expansion of residential development outside the settlement boundary and in open countryside, the development is contrary to Policies H3 and CS5. As a relatively large mobile home, it is not of any architectural or design merit and does not protect or enhance the rural character so is also contrary to Policy CS34.
- 5.8 Existing Use
The application was submitted describing the existing use as agricultural, however during the site visit, the applicant referred to a history of touring caravan storage on the land. It was evident that a substantial hardstanding had been provided in the area for that caravan storage.

- 5.9 A review of the planning history, as per the above, confirms a longstanding use of the land for caravan storage however the approved plans identify that this was for just a fairly small strip of land in front of the long, rectangular agricultural building. The permission did not extend to the land now proposed to be residential curtilage.
- 5.10 Aerial photographs from 1999 suggest that the extent of the storage had spread by this time onto the area of land now proposed for residential curtilage and hosting the mobile home. There are three caravans on this part of the site in 1999, of the 15 caravans on the site. The aerial photo from 2005 shows 4 caravans on the small part subject of the application and the 2009 aerial 2 caravans. This would suggest that the applicant might at one time have been in a position to demonstrate a lawful use of the land for the storage of caravans. Such a use would not have met the NPPF definition of 'previously developed land', however it might have been a material consideration as a possible fall-back position and in assessing the impact on the countryside.
- 5.11 It is understood however that the mobile home has been sited on the land for quite some time now, several years in fact and the caravan storage use has receded to just one or two caravans inherited by the applicants when they purchased the land. These are sited back on the land which benefits from the planning permission. The residential occupation of the mobile home has amounted to a further material change of use and with the existence of a condition requiring the removal of the mobile home and the return of the land to its former use, the Officer is satisfied that a lawful use for caravan storage is not established and the lawful use of the land is agriculture. The immediately adjacent parcel of land, which does retain planning permission for the storage of caravans, can be considered as a material consideration in the impact on amenity.
- 5.12 Residential Amenity
The mobile home is proposed to be retained within the same (once extended) residential curtilage as the main dwelling for use ancillary to that dwelling and whilst any change of use to an independent dwelling would require a further planning permission, conditions could be imposed to reinforce this. As an ancillary use, there should not be any risk of a detrimental impact on the residential amenity of the main dwelling. Essentially the two are operating together with a shared household. Other residential properties are set back a not insignificant distance and behind landscaped boundaries, other buildings and the roads. There should be no risk of unreasonable noise, traffic disturbance or other impacts on residential amenity, save for the visual amenity impact.
- 5.13 Visual Amenity and Landscape
Policy CS1 advises that development will only be permitted where the highest possible standards of design and site planning are achieved. Development proposals will be required to demonstrate that materials are informed by, respect and enhance the character, distinctiveness and amenity of both the site and its context.

- 5.14 This is quite a large mobile home but nonetheless one which appears to fit comfortably within the established definition of such units. The elevations are finished in a cream-rendered panels and a grey felt roof is fitted in sheet panels.
- 5.15 The mobile home is fit for purpose but cannot be considered to meet the highest possible standards of design and site planning. It is visible from the public realm at Tanhouse Lane and from private residential dwellings and the materials are in stark contrast to those of the host dwelling and other residential dwellings in the area which are generally finished to a high standard, with attractive stone and brickwork and architectural features befitting the attractive countryside location. The materials fail to respect the character and amenity of the site and the context.
- 5.16 Considerable weight can be afforded to the fact that there remains a planning permission for the storage of touring caravans on land immediately adjacent to this mobile home. The storage of 12 caravans would likely have a greater impact on the visual amenity of this setting, however touring caravans are very much temporary by definition and are typically much smaller than this mobile home. The intention to use the mobile home as an annexe is clearly not short-term and whilst the building might technically be mobile, it is intended to be retained in its current position with a significant degree of permanence.
- 5.17 With its intent as a long-term annexe to the host dwelling, the design is considered to be inappropriate in this countryside setting.
- 5.18 Transportation and Parking
The proposed use as an annexe will serve extended family. It is not considered that there will be an increase in vehicle numbers and movements that cannot be accommodated by the existing parking provision and access arrangements and as such there is no objection from a transportation perspective. The development proposed accords with parking and transport policies.
- 5.19 Personal Circumstances of the Occupants
The occupants of the mobile home are close family relatives of the applicants. The couple have moved in following a sudden deterioration in health of one of the occupants. A separate confidential report is provided to be read in conjunction with this report but medical records have been provided to corroborate the occupant's condition which is clearly very serious.
- 5.20 The mobile home affords the occupant an opportunity to have an accessible residence with full support and care from his family and considerable weight is attached to the severity of the individual's condition and the value that this accommodation appears to afford at this time.
- 5.21 It is the Officer's consideration that the personal circumstances of one occupant are such that a temporary planning permission might be considered to be granted to allow the residential occupation to continue until such time as the circumstances can be reconsidered or suitable alternative accommodation can be found for the occupants.

- 5.22 That said, the challenge with this is that a temporary planning permission should really be used to provide an opportunity for further circumstances affecting an application, or a site, to be tested with a view to challenges being overcome and demonstration of circumstances where a permission might be granted. In this case however, the circumstances are entirely personal and the Council does not envisage a position where there could be a positive recommendation to any later application. It also potentially leaves the applicant in an ambiguous position, having to re-apply at further cost in 11 months time.
- 5.23 On balance, it has been considered that the specific personal circumstances are better addressed through the discretionary powers of the Planning Enforcement Team and in this instance a temporary planning permission would not be appropriate. The application is therefore recommended for refusal.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 That the planning application be refused for the following reasons.
- 7.2 The extension of the residential curtilage does not fall within any of the exception criteria afforded by Policy H3 of the South Gloucestershire Local Plan (Adopted) 2006 and therefore represents an unacceptable residential use of the land in the countryside where such development should be strictly limited. The application is contrary to the advice of Policies CS5 of the South Gloucestershire Local Plan (Adopted) December 2013, Policy H3 of the South Gloucestershire Local Plan (Adopted) 2006 and the advice of the National Planning Policy Framework (2012).
- 7.3 The proposed mobile home fails to meet good design principles for an annexe addition to a residential property in the countryside. The design, form and materials are in stark contrast to those of the host dwelling and surrounding residential properties such that the development fails to respect the character and amenity of the site and the context. The development is therefore contrary to Policies CS1 and CS34 of the South Gloucestershire Local Plan (Adopted) December 2013 and the advice of the National Planning Policy Framework (2012).

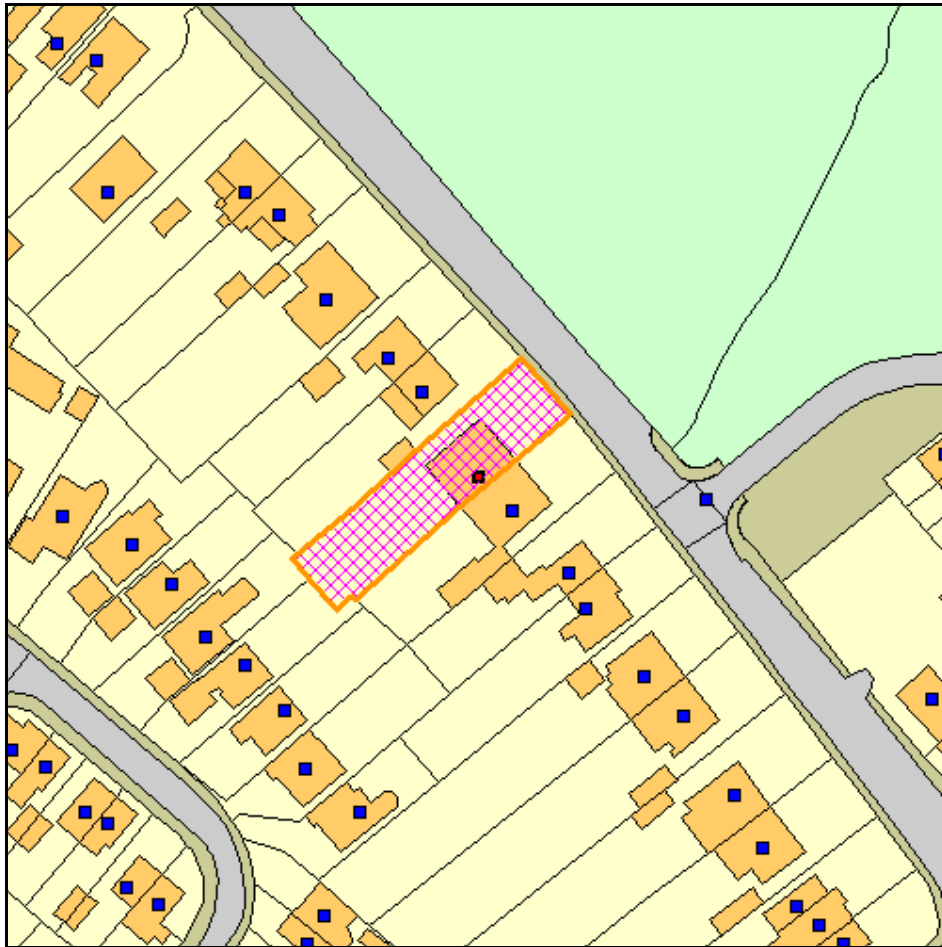
Contact Officer: James Cooke
Tel. No. 01454 863429

REASONS FOR REFUSAL

1. The extension of the residential curtilage does not fall within any of the exception criteria afforded by Policy H3 of the South Gloucestershire Local Plan (Adopted) 2006 and therefore represents an unacceptable residential use of the land in the countryside where such development should be strictly limited. The application is contrary to the advice of Policies CS5 of the South Gloucestershire Local Plan (Adopted) December 2013, Policy H3 of the South Gloucestershire Local Plan (Adopted) 2006 and the advice of the National Planning Policy Framework (2012).
2. The proposed mobile home fails to meet good design principles for an annexe addition to a residential property in the countryside. The design, form and materials are in stark contrast to those of the host dwelling and surrounding residential properties such that the development fails to respect the character and amenity of the site and the context. The development is therefore contrary to Policies CS1 and CS34 of the South Gloucestershire Local Plan (Adopted) December 2013 and the advice of the National Planning Policy Framework (2012).

CIRCULATED SCHEDULE NO. 42/15 – 16 OCTOBER 2015

App No.:	PK15/3251/CLP	Applicant:	Mr Peat
Site:	40 Abbots Road Hanham South Gloucestershire BS15 3NG	Date Reg:	16th September 2015
Proposal:	Application for Certificate of Lawfulness for the proposed erection of a single storey side extension.	Parish:	Hanham Abbots Parish Council
Map Ref:	364168 171078	Ward:	Hanham
Application Category:		Target Date:	9th November 2015



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule following an objection from a local resident which is contrary to the recommendation in this report.

1. THE PROPOSAL

- 1.1 The seeking a formal decision as to whether the proposed erection of a single storey side extension at 40 Abbots Road, Hanham, would be lawful.
- 1.2 This application is a formal way of establishing whether the proposal requires planning permission or not. Accordingly there is no consideration of planning merit, the decision is based on the facts presented.
- 1.3 It is important to highlight that under Condition 10 of application K25/18, no gates, walls, fences or othans of enclosures shall be erected, placed or constructed in front of the wall of a dwelling which fronts the highway without the prior express planning permission of the Local Planning Authority. However, as this is a side extension that does not come forward of the principal building line it is considered that permitted development rights are in tact for this particular development.

2. POLICY CONTEXT

- 2.1 National Guidance
Town and Countring (General Permitted Development) (England) Order 2015
- Schedule 2, Part 1, Class A.

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

3. RELEVANT PLANNING HISTORY

- 3.1 PK07/1425/F Erection of single storey rear extension to form additional living accommodation. Installation of rear dormer and alterations to roof to facilitate loft conversion. Erection of detached garage. Refusal 27.06.2007.
- 3.2 PK07/2073/F Erection of single storey rear extension to form additional living accommodation. Installation of rear dormer and alterations to roof to facilitate loft conversion. (Resubmission of PK07/1425/F). Approve with Conditions 28.09.2007
- 3.3 PK08/3158/F Erection of single storey rear extension to form additional living accommodation. Installation of rear dormer and alterations to roof to facilitate loft conversion. Installation of 1no. side dormer to provide additional living accommodation. (Amendment to previously approved scheme PK07/2073/F). Approve with Conditions 30.01.2009
- 3.4 PK10/0417/F Erection of single storey rear extension with balcony above to form additional living accommodation. Refusal 19.04.2010
- 3.5 PK12/1009/F Erection of rear conservatory. Approve with Conditions 01.05.2012.

4. **CONSULTATION RESPONSES**

4.1 Hanham Abbots Parish Council
No comments received

4.2 Other Consultees

Councillor

No comment received.

Other Representations

4.3 Local Residents
No comments received

5. **SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION**

5.1 Site Plan and Site Location Plan, Existing Ground Floor Plan, Existing and Proposed side and front elevations. (15059_CLD_01)
All received on 27th July 2015.

6. **ANALYSIS OF PROPOSAL**

6.1 Principle of Development

The application for a Certificate of Lawfulness is purely an evidential test and is a formal way of establishing whether or not the proposed development can be implemented lawfully without the need for planning permission. Accordingly there is no consideration of planning merit, the application is based on the facts presented. The submission is not an application for planning permission and as such the development plan is not of relevance to the determination of this application; the decision rests upon the evidence that has been submitted. If the evidence submitted demonstrates that the proposed use is lawful, on the balance of probabilities, the Local Planning Authority must grant a certificate confirming that the proposed development is lawful.

6.2 The key issue is to determine whether the proposal falls within the permitted development rights afforded to householders under Schedule 2, of the GPDO 2015.

6.3 The proposed development consists of a single storey side extension. This development would fall within Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 2015, which permits the enlargement, improvement or other alteration of a dwellinghouse, provided it meets the criteria as detailed below:

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

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

The dwellinghouse was not granted under classes M, N, P or Q of Part 3.

(b) As result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original

dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);

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

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

The height of the side and rear extension would not exceed the height of the roof of the existing dwellinghouse.

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

The height of the eaves of the extension will not exceed the eaves of the existing dwellinghouse.

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

- (i) forms the principal elevation of the original dwellinghouse; or**
(ii) fronts a highway and forms a side elevation of the original dwellinghouse;

The extension would not extend beyond a wall which forms the principal elevation of the original dwellinghouse. The extension would extend beyond the side elevation of the dwellinghouse but it does not front a highway. The development therefore meets this criteria.

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

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

The application relates to a semi-detached dwellinghouse. The proposed extension is to the side and will not extend beyond the rear wall. The side extension is also 2.8 metres in height. The development therefore meets this criteria.

- (g) Until 30th May 2019, for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and—**

- (i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or**
(ii) exceed 4 metres in height;

Not applicable, as the applicant is not applying for an extended householder extension through the prior approval procedure.

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

- (i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or**
(ii) be within 7 metres of any boundary of the curtilage the dwellinghouse opposite the rear wall of the dwellinghouse;

The extension would be single storey.

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

The enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse and the height to the eaves does not exceed 3 metres. The development therefore meets this criteria.

- (j) **The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would—**
(i) **exceed 4 metres in height,**
(ii) **have more than a single storey, or**
(iii) **have a width greater than half the width of the original dwellinghouse; or**

The development extends beyond the side elevation of the dwellinghouse. However, it does not exceed 4 metres in height, have a second storey or have a width greater than half the width of the original dwellinghouse. The proposal therefore meets these criteria.

- (k) **It would consist of or include—**
(i) **the construction or provision of a verandah, balcony or raised platform,**
(ii) **the installation, alteration or replacement of a microwave antenna,**
(iii) **the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or**
(iv) **an alteration to any part of the roof of the dwellinghouse.**

The development would not include any of the above.

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

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

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

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

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

Within the plans received on 27th July 2015 (15059_CLD_01) it states that the materials used will be brick quoin and render which will match those of the existing building.

- (b) **any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse must be—**
(i) **obscure-glazed, and**

(ii) **non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed; and**

Not applicable.

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

Not applicable.

7. RECOMMENDATION

7.1 That a certificate of Lawfulness for Proposed Development is **granted** for the following reason:

Contact Officer: Chloe Buckingham

Tel. No. 01454 863464

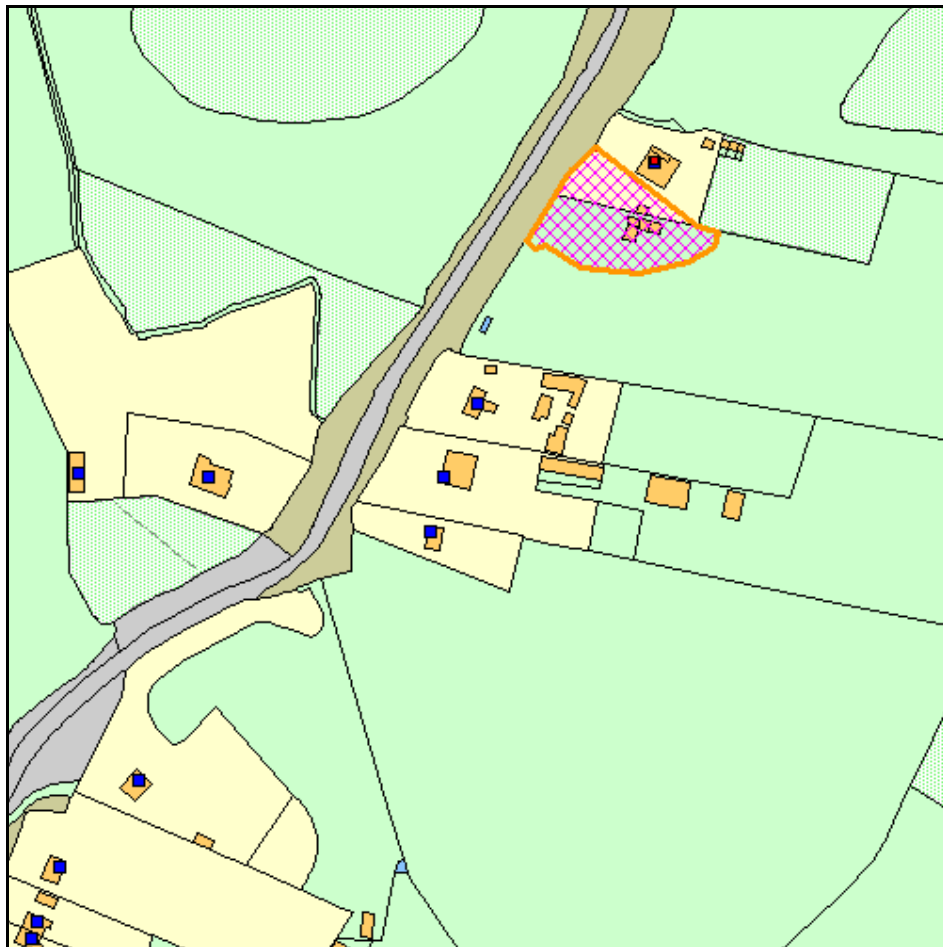
CONDITIONS

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

ITEM 6

CIRCULATED SCHEDULE NO. 42/15 –16 OCTOBER 2015

App No.:	PK15/3375/F	Applicant:	Mr R Bendrey
Site:	Goose Acre Siston Lane Siston South Gloucestershire BS30 5LY	Date Reg:	11th August 2015
Proposal:	Conversion of former piggery to 1no. dwelling with associated works and erection of detached double garage.	Parish:	Siston Parish Council
Map Ref:	368488 174428	Ward:	Siston
Application Category:	Minor	Target Date:	5th October 2015



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100023410, 2008. **N.T.S.** **PK15/3375/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule following the receipt of an objection from Siston Parish Council; the concerns raised being contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The application relates to a redundant agricultural building, located within the open countryside and Green Belt to the east of Siston Lane, near Webbs Heath. The building was previously used as a piggery within an agricultural small-holding, associated with a residential property now called Goose Acre (formerly The Haven).
- 1.2 The former agricultural building is a brick and tile construction of no great age or traditional appearance. There is a rudimentary extension, at the western end of the building, constructed of timber cladding with a corrugated sheet roof. A redundant static caravan is currently located to the west of the former piggery building. The house (Goose Acre) and agricultural building are served by separate existing accesses off Siston Lane.
- 1.3 The application proposes the conversion of the piggery building to provide a single-storey, three bedroomed dwelling. The existing timber cladding and corrugated sheet roof elements would be replaced with brick walling and double roman roof tiles to match the main piggery building. It is also proposed to erect a small detached garage to the west of the proposed dwelling; this would be timber clad with a clay pantile roof. The existing vehicular access into the site, off the adjacent lane, would be utilised.
- 1.4 The application is supported by the following documents:
 - Design and Access Statement
 - Ecological Survey

2. POLICY CONTEXT

2.1 National Guidance

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

2.2 Development Plans

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

CS1 - High Quality Design

CS4a - Presumption in favour of Sustainable Development

CS5 - Location of Development

CS6 - Infrastructure and Developer Contributions

CS8 - Improving Accessibility

CS9 - Managing The Environment and Heritage

CS15 - Distribution of Housing

CS17 - Housing Diversity

CS18 - Affordable Housing

CS34 - Rural Areas

South Gloucestershire Local Plan (Adopted) 6th January 2006.

L1 - Landscape Protection and Enhancement

L9 - Species Protection

L11 - Archaeology

EP2 - Flood Risk and Development

T7 - Cycle Parking

T12 - Transportation Development Control Policy for New Development

H10 - Conversion and Re-use of Rural Buildings for Residential Purposes

Emerging Plan

Draft Policies, Sites & Places Plan

PSP1 - Local Distinctiveness

PSP2 - Landscape

PSP7 - Development in the Green Belt

PSP8B - Residential Amenity

PSP16 - Parking Standards

PSP17 - Heritage Assets and the Historic Environment

PSP19 - Wider Biodiversity

PSP20 - Flood Risk, Surface Water and Watercourse Management

PSP36 - Residential Development in the Countryside

PSP39 - Private Amenity Space Standards

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (SPD) Adopted 23rd Aug 2007

Development in the Green Belt (SPD) Adopted June 2007

South Gloucestershire Council Residential Parking Standards (Adopted)

South Gloucestershire Landscape Character Assessment (Adopted) Nov. 2014

3. RELEVANT PLANNING HISTORY

3.1 PK03/0988/F - Erection of 2no. front bay windows with canopy over entrance.
Approve 15 May 2003

3.2 K4794 - Two storey extension and garage.
Approved 10 June 1985

4. CONSULTATION RESPONSES

4.1 Siston Parish Council

Object to proposed formation of a substantial separate dwelling outside the defined settlement boundary and in a protected Green Belt location, with no very special circumstances having been established.

4.2 Other Consultees [including internal consultees of the Council]

Sustainable Transport

No objection subject to a condition to secure two off-street parking spaces and turning area.

Lead Local Flood Authority

No objection

Highway Structures

No comment

Wales and West Utilities

Standard comments.

Other Representations

4.3 Local Residents

No responses

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Para. 14 of the NPPF states that decision takers should approve development proposals that accord with the development plan without delay; where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or
- specific policies in the Framework indicate development should be restricted.

5.2 The relevant parts of the development plan are The South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec. 2013 and the saved policies within the South Gloucestershire Local Plan (Adopted) 6th Jan. 2006. The Policies, Sites & Places Plan is an emerging plan only. Whilst this plan is a material consideration, only limited weight can currently be given to the policies therein.

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

- 5.4 Chapter 4 of the NPPF promotes sustainable transport and states that development should only be prevented on transport grounds where the residual cumulative impacts of development are 'severe'.
- 5.5 The NPPF seeks to significantly boost the supply of housing and para. 55 seeks to promote sustainable development in rural areas including development which would re-use redundant or disused buildings and lead to enhancement of the immediate setting. There is therefore no in-principle objection to the proposal.

Green Belt Issues

- 5.6 In the first instance the proposal must be considered in the light of the latest policies relating to development within the Green Belt. Policy GB1 of the South Gloucestershire Local Plan (Adopted) 6th January 2006 is not a saved policy. The relevant Green Belt policy is therefore to be found in the NPPF.
- 5.7 Inappropriate development is by definition harmful to the openness of the Green Belt and requires the applicant to demonstrate very special circumstances if it is to be approved. Paragraph 89 of the NPPF however states that the extension or alteration of a building in the Green Belt is not inappropriate development provided it does not result in disproportionate additions over and above the size of the original building. Paragraph 90 further advises that the re-use of existing buildings which are of permanent and substantial construction are also not inappropriate in the Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in the Green Belt.
- 5.8 The purposes of including land within the Green Belt are set out at para. 80 of the NPPF and include:
- To check the unrestricted sprawl of large built up areas.
 - To prevent neighbouring towns merging into one another.
 - To assist in safeguarding the countryside from encroachment.
 - To preserve the setting and special character of historic towns.
 - To assist in urban regeneration by encouraging the recycling of derelict and other urban land.

Officers consider that with appropriate controls over future extensions and outbuildings etc. the proposed conversion would, on balance, not have a materially greater impact than the present authorised use on the openness of the Green Belt. The building is single-storey and other than the proposed garage, the overall foot-print would remain the same. The proposed garage would be small and is not considered to be a disproportionate addition, especially since it has been reduced in scale from that originally proposed (now a double garage as opposed to a triple one).

- 5.9 The proposed dwelling would not be entirely isolated, there being existing neighbouring residential properties on either side of Siston Lane. The proposed conversion is therefore not considered to conflict with any of the above criteria and as such is **not inappropriate** development in the Green Belt. As such,

very special circumstances are not required such as suggested by the Parish Council.

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

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

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

- 5.11 **a) All reasonable attempts have been made to secure a suitable business re-use or the conversion is part of a scheme for business re-use;**

- 5.12 As required by Policy H10(A), alternative uses to residential use for the existing buildings should first be explored. Criterion A requires that all reasonable attempts have been made to secure a suitable business re-use or the conversion is part of a scheme for business re-use. The supporting text (para. 8.217) to the policy states that normally a consecutive period of 12 months marketing is considered to be reasonable.

- 5.13 In this case the building is unsuitable for modern agricultural purposes. Furthermore, the close proximity of the existing residential property (Goose Acre) renders the site unsuitable for commercial uses. The viability of such an enterprise also remains in question, especially considering the likely cost of conversion of the building.

- 5.14 Officers have noted that emerging Policy PSP36 only requires that all reasonable attempts have been made to secure an economic development use which is defined within the Core Strategy as including development within the B Use Classes, public and community uses and main Town Centre uses; furthermore a 12 month marketing exercise is not specifically required and neither does the NPPF require one; in this regard Policy H10(A) is now outdated (see para. 5.1 above). In addition it is also material to the determination of this application that the Government has recently relaxed planning controls in respect of conversion of existing agricultural buildings to residential properties in the countryside (see GPDO Part 3 Class Q) and this

weighs heavily in favour of the proposal. Officers consider in this case, that a residential conversion is, on balance the most appropriate use for the building.

- 5.15 **b) The buildings are of permanent and substantial construction and are capable of conversion without major or complete reconstruction; and .**
- 5.16 The building is not particularly old and has more recently been repaired and re-furnished. A structural survey of the building has not been carried out but having inspected the building on-site, officers are satisfied that the building is clearly suitable for conversion and will not require major re-construction or repair. The majority of the brick walls and roof structures are capable of retention. Officers are therefore satisfied that criterion 2 of Policy H10 is met.
- 5.17 Design and Visual Amenity
Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec. 2013 seeks to secure good quality design in new development and more specifically Policy H10(D), which relates to the conversion of rural buildings for residential purposes, requires that – “Development, including any alterations, extensions or the creation of a residential curtilage would not have a harmful effect on the character of the countryside or the amenities of the surrounding area”.
- 5.18 Residential conversions do tend to have the most impact on traditional farm buildings due to the need to accommodate all of the different rooms and functions associated with domestic properties. Conversions to alternative uses can, therefore, result in more sympathetic schemes of adaptation and re-use that better respect the character and significance of historic farm buildings.
- 5.19 In this case the building is of no special architectural interest and being fairly recent has no traditional features. The overall design of the proposed dwelling would be sufficiently rural in character, incorporating the existing simple form of the building, existing openings, brickwork walls and tiled roof, and replacing the unsightly cladding and corrugated sheet roof elements with brick and tile to match those existing. As such the proposed scheme would be a visual enhancement. Only very limited additional build, in the form of the garage, is required but this would be modestly scaled and appropriate in design.
- 5.20 Some of the proposed residential curtilage may take on a planned, cultivated and domestic character and appearance and the garden could typically accommodate a range of physical features, such as items of hard landscaping, play equipment, clothes drying facilities and garden furniture. However this must be balanced against the fact that the existing building would be converted to give an enhanced appearance. Furthermore it is intended to remove the existing static caravan from the site; this could be secured by condition. An existing small summer house would be retained at the eastern extremity of the proposed residential curtilage. The residential curtilage would be well enclosed by existing and proposed boundary fences and hedgerows. Nevertheless, given the rural Green Belt location and character of the building, a condition to remove permitted development rights is in this case considered justified. The proposed conversion and associated change of use of land to residential

curtilage is not inappropriate in this case and therefore meets criteria c and d of Policy H10.

5.21 Transportation Issues

Although the site is outside any settlement boundary it is within a reasonable distance of schools, convenience stores and employment opportunities in Warmley and Emersons Green. In accordance with criterion 'e' of Policy H10, the buildings are well related to other groups of buildings, there being residential dwellings on either side of this part of Siston Lane.

5.22 There is sufficient space within the site to provide adequate parking and turning provision, which to some extent already exist. At least two parking spaces for the 3-bedroom property would be provided within the proposed garage, which complies with the South Gloucestershire Residential Parking Standards, which are minimum standards. A turning area would be provided within the site to allow vehicles to exit onto Siston Lane in forward gear. Adequate parking would be retained to serve the existing dwelling.

5.23 The proposal would utilise an existing gated access, which is comparable to existing access points along Siston Lane. The access would be upgraded by the introduction of a bound surface for the section of driveway from the edge of the carriageway to the gate. There is no transportation objection to this proposal.

5.24 Landscape Issues

The site is within the open countryside and Green Belt but has no other landscape designation. The proposed conversion of the building is acceptable in landscape terms. The proposed conversion results in a development that would be well enclosed by the existing and proposed fences and hedgerows. The proposal would conform to the sporadic residential development along Siston Lane. It is proposed to create separate residential curtilages for both Goose Acre and the proposed dwelling, by sub-dividing the existing residential/agricultural site using a new length of hedgerow (see Proposed Block Plan). Given the amount of existing and proposed vegetation within and around the site, an appropriate scheme of landscaping would be secured by condition, should planning permission be granted. Subject to this condition, it is considered that there is no landscape character or visual amenity objection to the development with regard to Policy L1.

5.25 Impact Upon Residential Amenity

Although well related to the neighbouring dwellings, the new dwelling would be a reasonable distance from them. The proposed residential use is likely to have significantly less impact on the residential amenity of neighbouring property than a farming use, both in terms of noise or disturbance from the traffic generated or from the smell of pigs; furthermore the general outlook for neighbouring occupiers would be improved by the conversion of the building. Given the position, orientation and distance of the proposed dwelling in relation to the nearest properties, there would be no significant issues of overlooking. Whilst there would inevitably be some disturbance for neighbouring occupiers during the conversion phase, this would be on a temporary basis only and could be adequately mitigated by imposing a condition to limit the hours of

working. An adequate area of private residential amenity space would be provided/retained for the existing and proposed dwelling. The proposal therefore accords with Policy CS1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

5.26 Environmental Issues

The site lies in Flood Zone 1 and as such is not prone to flooding. The site does not lie within a Coal Mining Referral Area. It is proposed to use a septic tank for foul disposal, which is shown located to the rear of the proposed new garage. Surface water would be disposed of to the existing drainage system. The existing Wales and West Utility Mains which serve Goose Acre would not be affected by the proposed development. The proposal is considered to be in accordance with Policy EP2 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

5.27 Ecology Issues

The site is not covered by any statutory or non-statutory nature conservation designations. Appropriate ecological surveys have been carried out that found no evidence of, or potential for, bat roosts within the building. Furthermore there was no evidence of owl or bird nests within the building. There was no evidence to suggest the presence of Great Crested newts in the pond or field to the south. The proposal would therefore have no ecological implications and would be in accordance with Policy L9 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

5.28 Affordable Housing

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

5.29 Community Services

The proposal falls below the Council's threshold for (10) for contributions to community services.

5-Year Land Supply

5.30 A recent appeal decision APP/P0119/A/14/2220291 – Land South of Wotton Road, Charfield, established (para. 146) that the Council can currently only demonstrate a 5-year housing land supply sufficient for 4.64 years. As there is provision for windfall sites in the calculation, this weighs in favour of the proposal, which would make a positive contribution, albeit a small one, to the housing supply within South Gloucestershire.

CIL Matters

5.31 The South Gloucestershire Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide SPD was adopted March 2015. CIL charging commenced on 1st August 2015 and this development, if approved, is potentially liable to CIL charging.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.
- 6.2 The recommendation to grant planning permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec. 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 listed on the Decision Notice.

Contact Officer: Roger Hemming

Tel. No. 01454 863537

CONDITIONS

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

Reason

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

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

Reason

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

3. The hours of working on site during the period of conversion shall be restricted to 07.30 to 18.00 Mondays to Fridays, and 08.00 to 13.00 Saturdays and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery

(mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

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

4. Prior to the first use of the development for the purposes hereby approved, the re-surfacing of the access, car parking facilities and turning areas shall be implemented in accordance with the approved Combined Proposed Drawing No. 70269/00/101 rev F.

Reason

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

5. Prior to the commencement of the development hereby approved, a scheme of landscaping, which shall include details of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection during the course of the development; proposed planting (and times of planting) plus a 5-year maintenance schedule, 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

Having regard to the Green Belt location, rural character and setting of the buildings; to protect the openness of the Green Belt; to ensure the satisfactory appearance of the development and to protect the landscape character in general; to accord with Policies L1 and H10 of the South Gloucestershire Local Plan (Adopted) January 2006, Policies CS1 and CS34 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11 Dec. 2013 and the provisions of the NPPF. This is a prior to commencement condition to ensure that those trees/hedgerows to be retained are adequately protected for the whole duration of the development.

6. Prior to the first occupation of the dwelling hereby approved, the existing static caravan shall be removed from the site.

Reason

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

CIRCULATED SCHEDULE NO. 42/15 –16 OCTOBER 2015

App No.: PK15/3550/F
Site: 2 Cross Street Kingswood South
Gloucestershire BS15 1SB

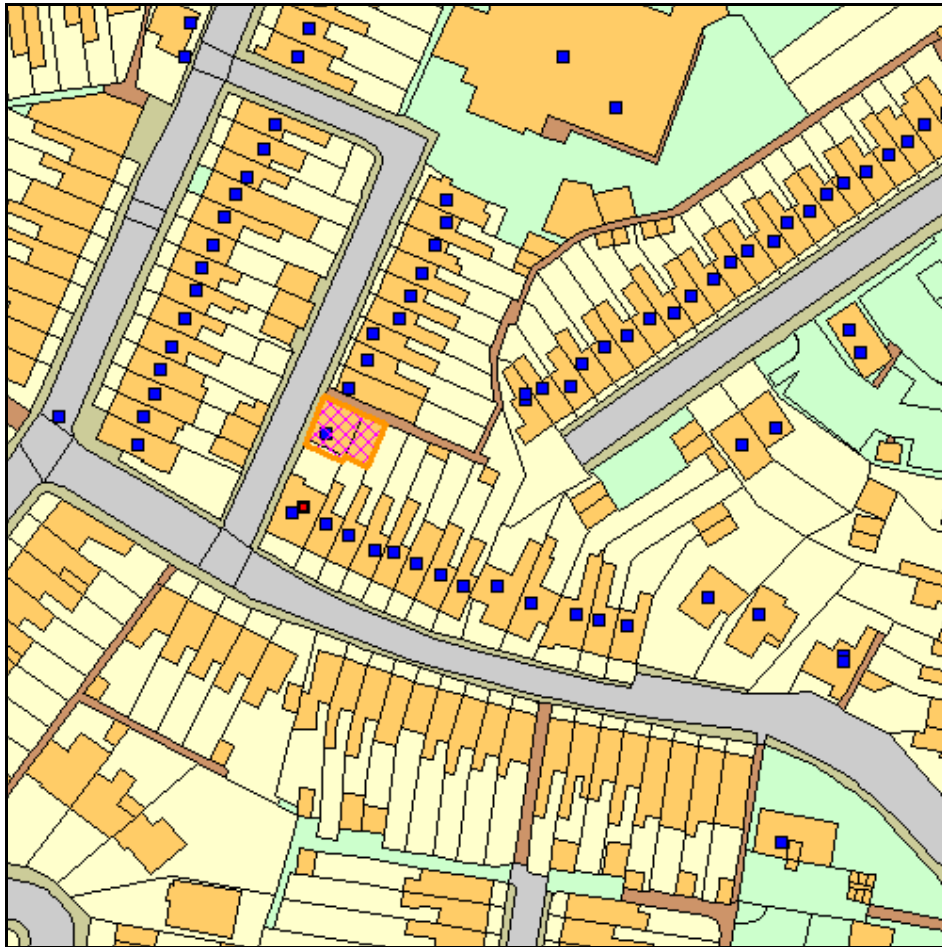
Applicant: Mr Barrie Cook
Date Reg: 20th August 2015

Proposal: Alterations to external of building to include raising of roofline. New pedestrian access and gate.

Parish: None

Map Ref: 364489 174185
Application Category: Minor

Ward: Kings Chase
Target Date: 14th October 2015



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100023410, 2008.

N.T.S.

PK15/3550/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Council's Circulated Schedule procedure following objections from local residents which are contrary to the recommendation detailed in this report.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for alterations to the external of an existing garage/store to include the raising of the roofline, and a new pedestrian access and gate to the rear of 2 Cross Street, Kingswood.
- 1.2 The application site is under different ownership to the adjacent property, no. 2 Cross Street, and takes its access from Seymour Road.
- 1.3 Amendments have been received to clarify whether a change of use is proposed, and the building is to remain as a garage/store.

2. POLICY CONTEXT

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

South Gloucestershire Local Plan (Adopted) January 2006 (saved policies)
T12 Transportation Development Control Policy for New Development
T8 Parking Standards

South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design
CS5 Location of Development
CS29 Communities of the East Fringe of Bristol Urban Area
- 2.3 Supplementary Planning Guidance
The South Gloucestershire Design Checklist SPD (adopted)

3. RELEVANT PLANNING HISTORY

- 3.1 PK15/3690/F Pending consideration
Demolition of existing garage/store and erection of 1no. detached dwelling with access and associated works. (Resubmission of PK15/2124/F)
This application is an alternative proposal for the use of the site.
- 3.2 PK15/2124/F Refusal 03/07/2015
Demolition of existing garage/store and erection of 1no. detached dwelling with access and associated works.

Refusal reasons:

- 1- The proposed two storey building would be sited hard on the boundaries of the rear gardens of no's 2 and 4 Cross Street. The proposed dwelling would be only 7 metres from the main rear wall of No. 2 Cross Street. The proposed two storey building with eaves height of 4.7 metres in such close proximity to the neighbour would have an overbearing impact on the level of amenity afforded to No. 2 Cross Street. The application is therefore contrary to the requirements of the NPPF.*
- 2- The perception of being overlooked can be just as detrimental to residential amenity as actually being overlooked. Having a window and two eye level rooflights facing out over the neighbouring gardens in such close proximity (only 2.5 metres) will have a significant and detrimental impact on the amenity of those neighbours. When this is combined with the size, massing and proximity of the dwelling to the garden serving No 6, the proposal is considered to have a detrimental impact on No. 6 and 8 Cross Street by means of overbearing, overlooking and loss of privacy. The application is therefore contrary to the requirements of the NPPF.*
- 3- The proposal is for the erection of a two bedroomed dwelling than could reasonably be expected to accommodate children. Not including the side walkway, the proposed dwelling only has an amenity space area of 15 sq.m. Furthermore, this amenity space is sandwiched between the two storey dwelling and a 2.5 metre high wall so is likely to be very overshadowed with an imposing sense of enclosure. This is not considered to be sufficient to meet the needs of the residents. The application is therefore contrary to the requirements of the NPPF and the emerging Policies Sites and Places Development Plan Document.*
- 4- The area is characterised by terraced houses with narrow gardens. By virtue of its detached nature, double pitched roof, fenestration, eaves and ridge height, and cramped form shoehorned onto a very small plot, the proposed dwelling does not appear to have been informed by or respect the character of the area. The building will stand out as an alien feature in the street scene and detract from the quality of the area. The application therefore fails to respect and enhance the character and distinctiveness of the locality and the application is contrary to the requirements of Policy CS1 of the South Gloucestershire Local Plan Core Strategy) Adopted and the requirements of the NPPF.*

3.3 PK06/3346/F Refusal 29/01/2007
Erection of 4no. flats with associated works.

Refusal Reasons:

- 1- The proposal represents an over-development of the site which would be cramped in appearance and by reason of overbearing impact and lack of amenity space, would be detrimental to the amenities of the occupiers of both neighbouring residential property and future occupiers of the proposed flats respectively. The proposal is therefore contrary to Policy H2 (A) of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.*
- 2- The presence on this small site of a detached building of the scale and mass proposed would neither be informed by, respect or enhance the character, distinctiveness or visual amenity of the locality, which would be*

contrary to Policy D1 (A) of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

3- The proposal would lead to residential development with no off-street parking provision and would give rise to increased on-street parking to the detriment of highway safety. The proposal is therefore considered to be contrary to Policy T12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

3.4 K4364 Approved 12/12/1983
Erection of extension to existing builders yard store

This application included the following condition (b):

'The extension hereby approved shall be used for storage purposes only and there shall be no machinery installed or industrial activity carried on within the building without the prior consent of the District Planning Authority.

Reason: In the interests of amenities of nearby residents.'

4. CONSULTATION RESPONSES

4.1 Parish/Town Council
Un-parished.

4.2 Other Consultees

Highway Structures

No comment.

Lead Local Flood Authority

No comment.

Sustainable Transport

No objection subject to conditions.

Other Representations

4.3 Local Residents

Four letters of objection have been received stating the following:

- Puzzled by the submission of two applications at the site for different proposals
- Support cosmetic improvements but the raising of the roofline will impact on neighbouring properties and reduce natural light
- Cross St and Seymour Rd are both attractive Victorian terraces which should be preserved as part of Kingswood's heritage
- Fully functioning garage/workshop appears to be created, wouldn't this require a change of use?
- Workshop would cause noise and smell of fuel to increase

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Following confirmation from the applicant and the submission of amended plans which clarify the use of the building, it is clear that a change of use is not proposed and the building is to remain in a restricted B8 use as a store (restrictions to be discussed in more detail below.) It is therefore pertinent to assess the proposed development against policy CS1 of the Core Strategy, which requires development to be of the highest quality of design, in order to enhance the character, distinctiveness and amenity of both the site and its surroundings.

5.2 Design and Impact on Character of the Area

The site is to the rear of no. 2 Cross Street but is under separate ownership, taking its access from Seymour Road. Both Cross Street and Seymour Road consist of Victorian terraces in a residential use, however there is some commercial development to the north of Seymour Road. The existing store to be altered as part of this proposal is a single storey building with a sloped corrugated roof, and the external walls are finished in exposed blockwork, render and metal cladding.

5.3 The majority of objection letters received welcome the cosmetic improvements proposed to the building. The sloped roof is to be raised up slightly on the southern side to create a uniform height and the new walls are to be finished in the same materials, either metal cladding, render, or blockwork. The corrugated roof is to be replaced with a grey coloured single ply membrane and 6 no. kerb roof lights are to be installed to allow light into the storage space. The increase in height will cause the building to appear slightly more prominent in the street scene, however the cosmetic improvements being made are considered to improve the appearance overall. The development is therefore acceptable in terms of policy CS1 of the Core Strategy.

5.4 Residential Amenity

The application site is surrounded by residential properties to the south, north and east. The increase in height will primarily impact on the properties to the south, however due to the orientation of the buildings and the position of the sun it is unlikely that the development will cause overshadowing or loss of light over and above what is caused by the existing buildings. New openings in the elevation facing nos 2 and 4 Cross Street are high level (1.9 metres) and obscure glazed, and a condition on the decision notice will ensure they remain obscure glazed. The roof lights will not impinge onto the neighbour's privacy due to their height and angle. On the officer site visit it was noted that the fence between no. 2 Cross Street and the application site has fallen down. Enquiries were made to rectify this to prevent the new pedestrian access providing direct views into the garden of no. 2 Cross Street however the fallen fence is not under the ownership of the applicant.

5.5 Several objection letters received have raised concerns regarding noise, due to the floor plan labels of 'Garage/Workshop' implying a change of use. Plans have been requested and received on 30th September 2015 to have these misleading labels removed from the floor plans as a change of use is not

proposed, and the building is to remain within a B8 use as a storage unit. This use has been restricted by a condition on a previous planning application in 1983 for an extension to the unit, which stated that:

The extension hereby approved shall be used for storage purposes only and there shall be no machinery installed or industrial activity carried on within the building without the prior consent of the District Planning Authority.

The condition was applied in the interest of the amenities of nearby residents. The footprint of the unit is not being enlarged and so it is not necessary to reapply this condition to this proposal.

5.6 Environmental Effects

A change of use is not proposed only external alterations, and therefore it is not considered there will be any environmental impacts on the site or its surroundings.

5.7 Transport

The proposal does not include a change of use and as such the building would remain under the existing B8 use. One parking space appeared to be available behind the garage door of the existing building, and the potential for parking within the building is to be increased as the garage door is to be widened across the principal elevation. The transport officer has requested a condition requiring two parking spaces to be secured by condition, however this does not seem reasonable given that the use and footprint of the building is to remain unchanged. Therefore, there is no transportation objection to the proposal, subject to a condition requiring the vehicular crossover to be installed prior to re-occupation of the building and the footway is to be reinstated in accordance with the Council's specifications.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That the application is **APPROVED** subject to the conditions on the decision notice.

Contact Officer: 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 first use of the development permitted, and at all times thereafter, the proposed windows 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 nos 2 and 4 Cross Street and to accord with Policy H4 of the South Gloucestershire Local Plan (Adopted) Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; and the National Planning Policy Framework.

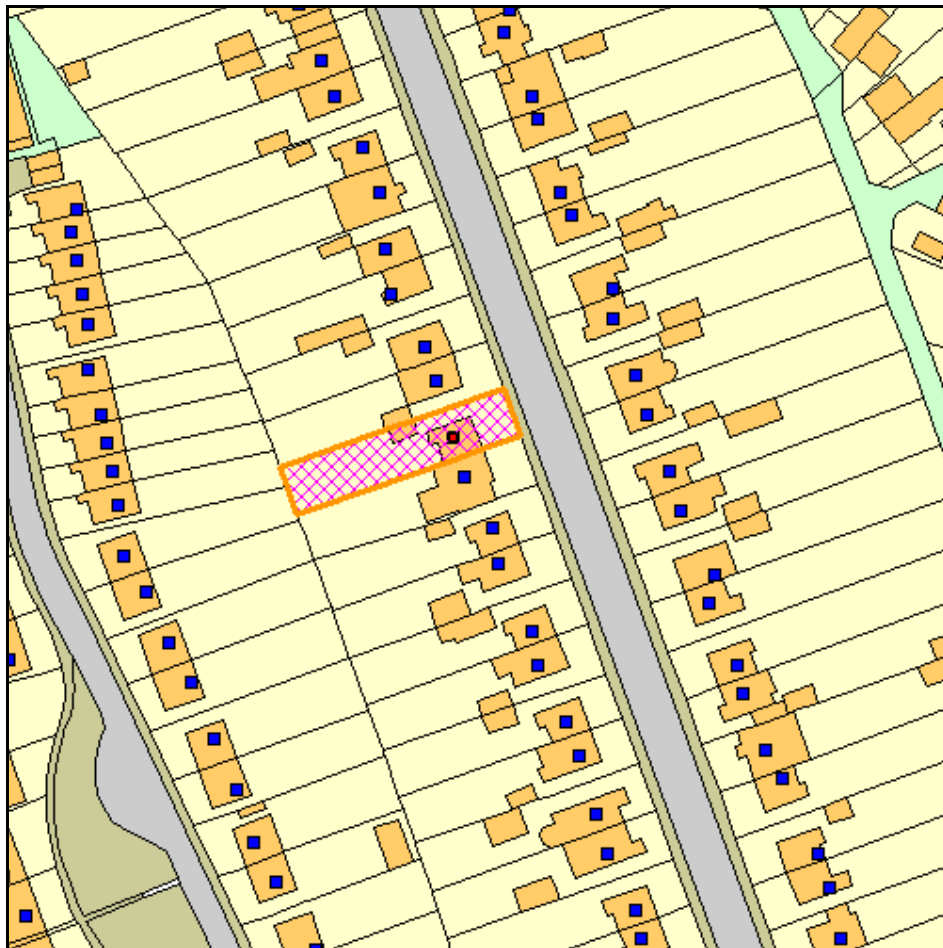
3. Prior to the first use of the development hereby approved, the vehicular crossover must be installed and the footway reinstated in accordance with the Council's specifications.

Reason

In the interests of highway safety and to accord with policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006, Policy CS1 of the Core Strategy (Adopted) December 2013 and the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 4215 – 16 OCTOBER 2015

App No.:	PK15/3579/F	Applicant:	Mrs Gemma North
Site:	70 Burley Grove Mangotsfield South Gloucestershire BS16 5PZ	Date Reg:	19th August 2015
Proposal:	Erection of two storey rear extension to provide additional living accommodation and single storey side extension to form garage. Insertion of window to side elevation	Parish:	None
Map Ref:	365860 176416	Ward:	Rodway
Application Category:	Householder	Target Date:	9th October 2015



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100023410, 2008. **N.T.S.** **PK15/3579/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule following the receipt of a representation from a local resident who raised concerns that are contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The application relates to a two-storey, semi-detached dwelling house, circa. Mid 20thC in age. The property lies on the south-western side of Burley Grove in an entirely residential and suburban location. Similar properties lie on either side of the street.
- 1.2 It is proposed to erect a two-storey rear extension, to provide additional living accommodation, and an adjoined single-storey side extension to provide a single garage. An existing single-storey, rear extension and single garage would be demolished to facilitate the proposed development. It is also proposed to insert a new window at first floor level in the existing side elevation of the house.

2. POLICY CONTEXT

2.1 National Guidance

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

2.2 Development Plans

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

CS1 High Quality Design
CS4a Presumption in favour of Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage

South Gloucestershire Local Plan (Adopted) January 2006

L1 - Landscape Protection and Enhancement
H4 - Development within Existing Residential Curtilages
EP2 - Flood Risk and Development
T12 - Transportation Development Control Policy for New Development

2.3 Supplementary Planning Guidance

The South Gloucestershire Design Checklist (SPD) Adopted August 2007
The South Gloucestershire Council Residential Parking Standards SPD (Adopted) 2014.

2.4 Emerging Plan

Proposed Submission : Policies, Sites & Places Plan March 2015
PSP1 - Local Distinctiveness

PSP2 - Landscape
PSP3 - Trees and Woodland
PSP8A - Settlement Boundaries
PSP8B - Residential Amenity
PSP11 - Development Related Transport Impact Management
PSP16 - Parking Standards
PSP17 - Heritage Assets and The Historic Environment
PSP20 - Flood Risk, Surface Water and Watercourse Management
PSP39 - Private Amenity Space Standards

3. **RELEVANT PLANNING HISTORY**

3.1 None

4. **CONSULTATION RESPONSES**

4.1 Parish Council
Not a parished area.

4.2 Other Consultees

Lead Local Flood Authority
No comment

Transportation D.C.
No objection

Other Representations

4.3 Local Residents
1 No response was received from the occupier of no.65 Burley Grove who stated the following:

“Whilst having no objections to the proposed extension itself, I do have concerns regarding the reduction in parking provision on the property that this proposal seems likely to cause. Burley Grove is a busy bus route and, in my opinion, has a parking issue with either drives not being fully utilised, or changes to properties providing insufficient levels of off street parking. My concern would be that if (as suggested in the council documentation) there is insufficient parking at the property, this would further encourage parking on the road, exacerbating the current issues.

5. **ANALYSIS OF PROPOSAL**

Principle of Development
5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Para. 14 of the NPPF states that decision takers should approve development proposals that accord with the development plan without delay; where the

development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or
- specific policies in the Framework indicate development should be restricted.

- 5.2 In accordance with para.187 of the NPPF, Core Strategy Policy CS4A states that; when considering proposals for sustainable development, the Council will take a positive approach and will work pro-actively with applicants' to find solutions, so that sustainable development can be approved wherever possible. NPPF Para.187 states that Local Planning Authorities should look for solutions rather than problems and decision-takers at every level should seek to approve applications for sustainable development where possible.
- 5.3 Core Strategy Policy CS16 seeks efficient use of land for housing. It states that: *Housing development is required to make efficient use of land, to conserve resources and maximise the amount of housing supplied, particularly in and around town centres and other locations where there is good pedestrian access to frequent public transport services.* The site is considered to lie in a sustainable location, close to a mix of local amenities including schools, shops, public houses, sports facilities and employment opportunities with good pedestrian and highway links, including various bus service routes in and out of the city with links to surrounding areas.
- 5.4 Policy CS17 goes on to say that building on gardens will be allowed where this would not adversely affect the character of an area and where, cumulatively, it would not lead to unacceptable localised traffic congestion and pressure on parking. Such development will be allowed where each home has adequate private/semi-private and/or communal outdoor space and where occupiers have access to adequate open and play space within the immediate vicinity.
- 5.5 Policy H4 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 permits development within existing residential curtilages, including extensions to existing dwellings and new dwellings subject to criteria that are discussed below. Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) Dec 2013 seeks to secure good quality designs that are compatible with the character of the site and locality.
- 5.6 Chapter 4 of the NPPF promotes sustainable transport and states that development should only be prevented on transport grounds where the residual cumulative impacts of development are 'severe'.
- 5.7 The Policies, Sites & Places Plan is an emerging plan only. Whilst this plan is a material consideration, only very limited weight can currently be given to the policies therein.

Design Issues

- 5.8 The property is a red brick dwelling with a red tiled bay window to the front, white Upvc windows and a grey concrete tiled roof. There is a large enclosed rear garden and smaller front garden that is mostly laid to hard-standing. A low red brick wall bounds the site to the front, whilst the boundary with the adjoining property is fenced. To the north the boundary is open to the driveway of neighbouring no. 68. The property is typical of those within the street.
- 5.9 The proposed two-storey extension would be quite large, protruding 4.0m beyond the main rear elevation, of the host dwelling, incorporating the entire rear elevation of the property and 2.65m beyond to the side. The proposed single-storey element would protrude a further 3.5m down the driveway in front of the two-storey element. The eaves level of the two-storey extension would be set at the same level as those of the host dwelling. In order to achieve some semblance of subservience, the apex of the hipped roof of the main rear extension would be set down 0.25m from that of the host dwelling, whilst that of the side element would be set down 1.5m. The single-storey extension would have a mono-pitch roof rising from the front eaves level of 2.0m to a maximum height of 3.4m. The front elevations of the single and two-storey elements would however be set well back from the front elevation of the host dwelling.
- 5.10 The external walls of the extensions would be finished in facing brick, presumably to match those of the existing dwelling, but this is not confirmed on the plans or on the application form; a condition is therefore required to secure this. It is proposed to change the roof tiles from plain concrete to double roman; again a condition can ensure that the tiles of the extensions match those of the host dwelling.
- 5.11 Such an extension of the bulk and form described will to a large extent, fill the existing gap between no. 70 and the neighbouring semi-detached dwelling no. 68, thus creating a terracing effect, that to some extent is less pleasing on the eye. Officers are however mindful that, during their site visit, it was noticed that similar such extensions have been erected at neighbouring nos. 41, 52, 54, 55, 60, 72 and 74. These extensions have already compromised the street scene. The extension at no.74 was granted consent as recently as July 2014. Given therefore the evolution of the street scene as described, officers consider that it would be difficult to now justify a refusal of the current proposal on the grounds of adverse impact on the street scene.
- 5.12 The proposed extension to the rear of the subject dwelling would not be readily visible from the public realm. Views of the site from surrounding properties are restricted also, however it is noted that the dwellings along Burley Grove have (for the vast majority) been extended to the rear in a very wide variety of forms. It is considered that the development proposed to the rear of the subject dwelling would not have a material impact on the character of the area and is therefore acceptable.
- 5.13 In design terms, the proposal therefore accords with Policy H4 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and Policy CS1 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec. 2013.

Transportation Issues

- 5.14 There is unrestricted parking along both sides of Burley Grove; it is however evident that there is a great deal of on-street parking along the road that results in congestion, which is especially hazardous for buses that utilise the route.
- 5.15 The existing dwelling has 3 bedrooms i.e. two to the rear and one plus a bathroom to the front and the proposed extension would provide an additional bedroom. The applicant has confirmed that the front bedroom and bathroom would remain as-is but the two rear bedrooms would be extended to include an en-suite shower and dressing room respectively. The existing room at the top of the stairs would be retained as smaller study/bedroom.
- 5.16 In response to concerns raised by the Council's Transportation Officer, as alluded to by the objector, the applicant has provided scaled plans to clarify the existing and proposed on-site parking provision. At present there is space for at least two cars to park on the existing driveway and probably more if the area of hard-standing in the front garden were utilised. In the proposed scheme, notwithstanding the garage, which is considered to be too small to count as a parking space; there would still be space for two cars to park on the driveway and this alone would satisfy the minimum parking standards required by The South Gloucestershire Residential Parking Standards SPD, there being at best only 4 bedrooms in the extended property. For the time being the applicant intends to retain the red brick wall to the front of the property, but the existing hard-standing would be retained in the front garden. The applicant has confirmed, that it is intended at a later date to fully utilise this area for parking by raising the levels and demolishing the low brick wall to the front, thus allowing direct access off Burley Grove; these works, whilst not required to approve this current application, could be carried out using permitted development rights.
- 5.15 Given the above there are no transportation objections to the proposal which accords with Policies H4 and T12 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

Landscape Issues

- 5.16 Whilst there is a belt of very high vegetation on the rear boundary of the site, this would not be affected by the proposal. The rear garden areas of no. 70 are well enclosed by high fences and vegetation and as such are not important open green spaces. The proposal would not affect any landscape features of note. The proposal would therefore accord with Local Plan Policy L1.

Residential Amenity

- 5.17 Given the presence of extensions and garages to the neighbouring properties, the proposed extension would not result in a significant overbearing impact for neighbouring occupiers.
- 5.18 The property is served by a generous amount of private garden space to the rear; adequate private amenity space would therefore be retained to serve the extended dwelling.
- 5.19 In terms of loss of privacy from overlooking or inter-visibility between habitable room windows; officers consider that it is inevitable in a densely populated,

residential area such as this, that gardens are overlooked to some extent from neighbouring first floor windows. There would however in this case be very good screening at ground floor level.

- 5.20 There would be more than adequate distance to facing windows on the opposite side of Burley Grove and to the nearest houses along The Croft to the rear; furthermore the long rear garden terminates in a belt of very high conifers that provide screening. No windows are proposed for the side elevations of the extensions and this could be secured by condition. The rear extension will necessitate the re-location of an existing first-floor rear window to the side elevation facing no. 68. This window would serve the smaller study/bedroom.
- 5.21 Whilst there are windows in the side elevation of no.68, these are mostly obscurely glazed or serve non-habitable rooms. There is however a clear glazed window at first floor level that is believed to serve a bedroom. Prior to neighbouring no.68 being extended, this was a secondary window only but is now the only window serving the room.
- 5.22 There is potential for some inter-visibility between this window and the re-located study/bedroom window and this would be across the driveways over a short distance. Officers consider that this matter can be adequately mitigated by imposing a condition to obscurely glaze the re-located window. Whilst officers are mindful that this is the only window serving the study/bedroom, any outlook would be very limited in any case and adequate light should still penetrate the room even if the window is obscurely glazed.
- 5.23 It is considered therefore that subject to the aforementioned conditions, there would be no issues of inter-visibility or loss of privacy. Furthermore, there are no concerns relating to loss of daylight/sunlight and sufficient garden space would remain to serve the property. The impact on residential amenity is therefore deemed to be acceptable.

Environmental Issues

- 5.24 The site is not in an area at risk of flooding; neither does it lie within a Coal Referral Area. Any noise from the construction phase would be on a temporary basis only and the hours of working can be controlled by condition.

CIL

- 5.25 The South Gloucestershire Community Infrastructure Levy (CIL) & Section 106 Planning Obligations Guide SPD was adopted March 2015. The introduction of CIL charging was delegated to the Director of ECS with charging commencing on 1st August 2015. This development is not however considered to be CIL liable.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That planning permission be GRANTED subject to the conditions listed on the Decision Notice.

Contact Officer: Roger Hemming
Tel. No. 01454 863537

CONDITIONS

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

Reason

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

2. The hours of working on site during the period of construction and demolition shall be restricted to 07.30hrs to 18.00hrs Mon to Fri; and 08.00hrs to 13.00hrs Sat, 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 the requirements of Policy H4 of The South Gloucestershire Local Plan (Adopted) 6th Jan. 2006 and the NPPF.

3. Prior to the first occupation of the development hereby approved, a minimum of 2 car parking spaces shall be provided in accordance with the details shown on the approved Site Block Plan Drawing No. 001 and maintained for their intended purpose thereafter.

Reason

To ensure a satisfactory level of off-street parking is provided in the interests of highway safety and the amenity of the area and to accord with Policy CS8 of The South Gloucestershire Local Plan Core Strategy Adopted 11th Dec. 2013 and Policies T12 and H4 of The South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and The South Gloucestershire Council Residential Parking Standards SPD (Adopted) 2014.

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

Reason

To ensure a satisfactory appearance of the dwelling having regard to the visual amenity and character of the street scene and locality in general and to accord with Policy CS1 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec. 2013, Policy H4 of The South Gloucestershire Local Plan (Adopted) 6th Jan. 2006 and The South Gloucestershire Design Check List (SPD) Adopted Aug. 2007.

5. No windows other than those shown on the plans hereby approved shall be inserted at any time in the side; elevations of the extensions hereby approved.

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; Policy H4 of The South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and the requirements of the National Planning Policy Framework.

6. Prior to the use of the room to which the relocated window hereby approved relates and at all times thereafter, the proposed re-located first floor window on the side 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.

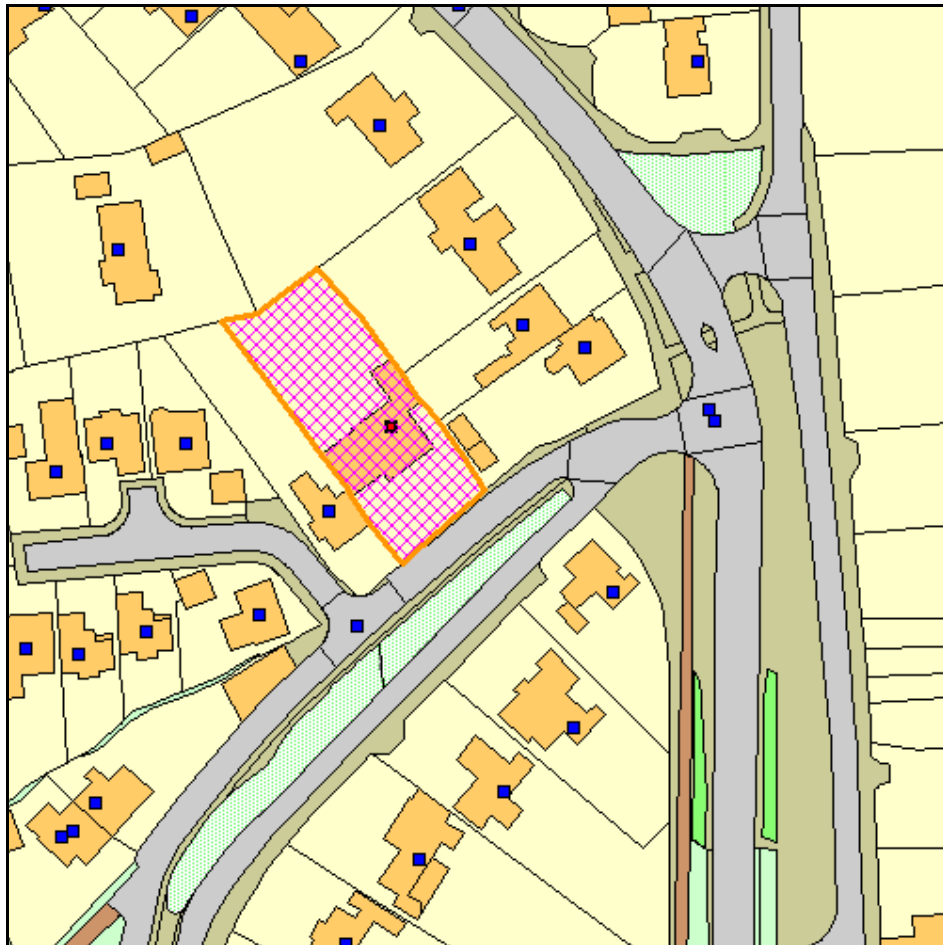
Reason

To protect the residential amenity of the neighbouring occupiers and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; Policy H4 of The South Gloucestershire Local Plan (Adopted) 6th Jan 2006 and the requirements of the National Planning Policy Framework.

ITEM 9

CIRCULATED SCHEDULE NO. 42/15 – 16 OCTOBER 2015

App No.:	PK15/3646/F	Applicant:	Mr Andrew Elmore
Site:	Ashmead Love Lane Chipping Sodbury South Gloucestershire BS37 6EX	Date Reg:	27th August 2015
Proposal:	Demolition of existing conservatory. Erection of single storey side and rear extension to form additional living accommodation	Parish:	Sodbury Town Council
Map Ref:	372505 181978	Ward:	Chipping Sodbury
Application Category:	Householder	Target Date:	19th October 2015



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Council's Circulated Schedule procedure following an objection from a neighbour which is contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the demolition of an existing conservatory, and the erection of a single storey side and rear extension at a property known as Ashmead, Love Lane in Chipping Sodbury.
- 1.2 Permission is sought to create a large kitchen, dining and living room area.

2. POLICY CONTEXT

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

South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design
CS8 Improving Accessibility

South Gloucestershire Local Plan Adopted January 2006 Saved Policies
T12 Transportation
H4 Development within Existing Residential Curtilages
- 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 P98/1981 Approval 05/11/1998
Erection of boundary walls, gates and fences.
- 3.2 P96/2515 Approval 31/10/1996
Erection of extension (amended design).
- 3.3 P90/1733 Approval 13/06/1990
Erection of two storey extension to form double garage and study with bedroom, bathroom and studio over. Formation of dormers to create three bedrooms and two bathrooms in roof space. Single storey rear extension to form utility and garden room.

4. CONSULTATION RESPONSES

- 4.1 Sodbury Town Council
No objection.

Other Representations

4.3 Local Residents

One letter of support has been received, which did not make any further comments other than they supported the application.

One letter of objection has been received stating the following:

- These changes will lead to a net reduction in natural light in our property
- The building is longer, higher than the existing and has a gable end, all resulting in a reduction of light
- The roof is tiled when previously it was a conservatory roof

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Saved Policy H4 of the South Gloucestershire 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 in accordance with policy CS1 of the Core Strategy, and that there is no unacceptable impact on residential and visual amenity, and also that there is safe and adequate parking provision and no negative effects on transportation. Therefore, the proposal is acceptable in principle but should be determined against the analysis set out below.

5.2 Design

The conservatory is to be replaced with a slightly taller single storey rear extension with a larger footprint, and a shallow gable roofline. Officers do not have concerns regarding the replacement of the conservatory roof with a tiled roof as highlighted in the objection letter received, particularly as the tiles proposed will match the host dwelling in appearance and will improve the design of the dwelling as a whole. The development is acceptable in terms of policy CS1 of the Core Strategy.

5.3 Residential Amenity

Concerns have been raised with regards to loss of light to 24 Culverhill Road caused by the proposed extension, which runs along the boundary wall of this adjoining property. The adjacent property is approximately 17 metres away from the extension, and therefore unlikely to be affected. There may be some loss of light towards the end of the garden when the sun is low in the sky in the evenings, but this is unlikely to be significantly different to the extant situation with the conservatory. Amendments were sought to create a hipped roof rather than a gable to reduce the amount of extension visible to the neighbour, however this would require the height to be raised to allow for a supporting beam to be installed. This would increase the impact on no. 24 and therefore these amendments were not pursued further. Overall, the extension will cause some overshadowing but it is not considered to be detrimental to the residential amenity of the nearby occupiers, due to the single storey height. The rooflights proposed in the north-eastern roof slope will not cause overlooking due to their height and angle, and openings in the south-west elevation are some distance

from the neighbour to the south-west and views are screened by a fence of approximately 1.6 metres in height. Overall, the development is acceptable in terms of policy H4 of the Local Plan.

5.4 Transport

The capacity of the dwelling is not increasing, nor does the extension encroach onto existing parking provision. There is no transportation 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** permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 set out above, and to all the relevant material considerations set out in the report.

7. **RECOMMENDATION**

7.1 It is recommended to **GRANT** planning permission subject to the conditions listed 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.

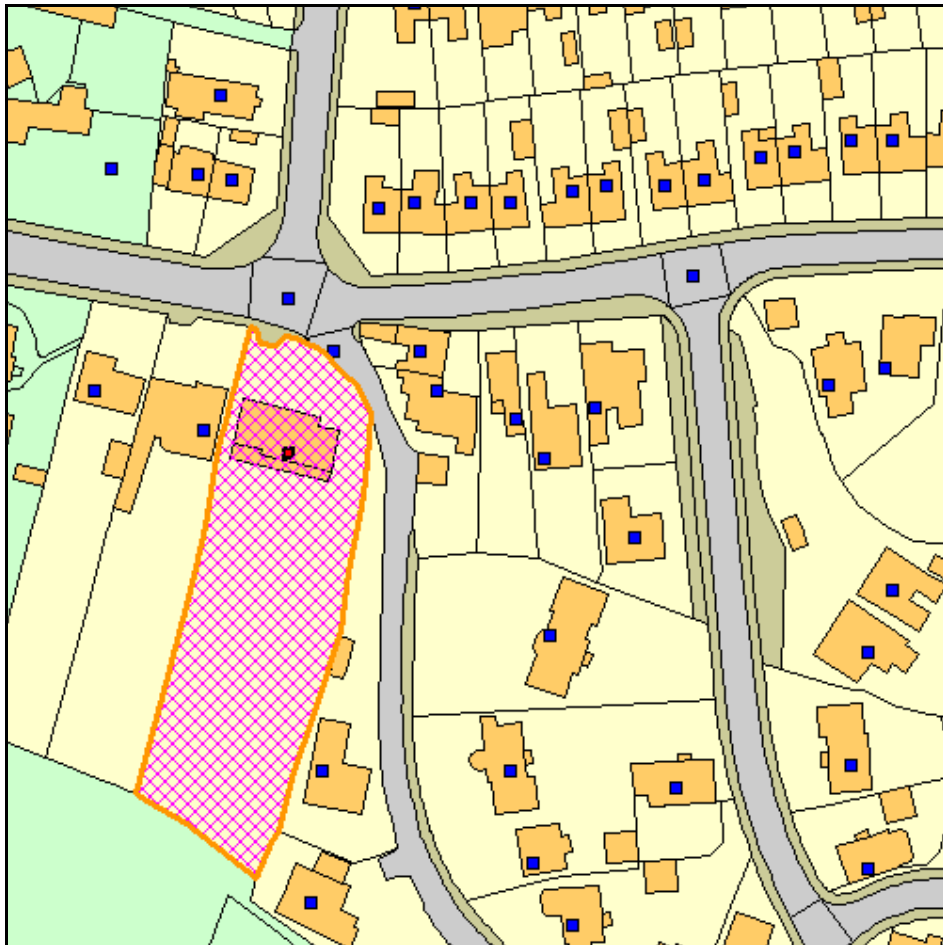
Reason

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

ITEM 10

CIRCULATED SCHEDULE NO. 42/15 – 16 OCTOBER 2015

App No.:	PK15/3975/CLP	Applicant:	Mr Colin Ludwell
Site:	Broadlands 16 Hollyguest Road Hanham South Gloucestershire BS15 9NT	Date Reg:	16th September 2015
Proposal:	Application for a certificate of lawfulness for the proposed installation of a rear dormer to facilitate loft conversion.	Parish:	Hanham Parish Council
Map Ref:	365018 172513	Ward:	Hanham
Application Category:		Target Date:	6th November 2015



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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 to form a loft conversion at Broadlands, 16 Hollyquest Road, Hanham, would be lawful.
- 1.2 The application is a formal way of establishing whether the proposal requires planning permission or not. Accordingly there is no consideration of planning merit, the decision is based solely on the facts presented.

2. POLICY CONTEXT

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

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

3. RELEVANT PLANNING HISTORY

- 3.1 No relevant planning history.

4. CONSULTATION RESPONSES

- 4.1 Hanham Parish Council
No Comment
- 4.3 Councillor
No Comment

Other Representations

- 4.3 Local Residents
No Comment

5. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

- 5.1 Existing and Proposed Ground Floor Plan, Proposed Roof Plan, Existing and Proposed Front, Side and Rear Elevations (Drawing No.PLN- 1), all of which were received on 11th September 2015.

6. ANALYSIS OF PROPOSAL

6.1 Principle of Development

The application for a Certificate of Lawfulness is purely an evidential test and is a formal way of establishing whether or not the proposed development can be implemented lawfully without the need for planning permission. Accordingly there is no consideration of planning merit, the application is based on the facts presented. The submission is not an application for planning permission and as such the development plan is not of relevance to the determination of this application; the decision rests upon the evidence that has been submitted. If the evidence submitted demonstrates that the proposed use is lawful, on the balance of probabilities, the Local Planning Authority must grant a certificate confirming that the proposed development is lawful.

6.2 The key issue is to determine whether the proposal falls within the permitted development rights afforded to householders under Schedule 2, of the GPDO 2015.

6.3 The property in question has its Permitted Development Rights in tact and the proposed development consists of the installation of a rear dormer window to form a loft conversion. This development would fall under the criteria of *Schedule 2, Part 1, Class B* of the Town and Country Planning (General Permitted Development) (England) Order 2015, which permits the enlargement of a dwellinghouse consisting of an addition or alteration to its roof. This allows for dormer additions subject to the following:

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

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

The proposed dormer would sit approximately 2 metres below the ridge of the existing roofline, and therefore does not exceed the height of the highest part of the roof.

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

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

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

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

(ii) 50 cubic metres in any other case;

The cubic content of the resulting roof space does not exceed 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 includes none of the above.

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

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

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

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

Conditions

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

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

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

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

The part of the dormer which is closest to the eaves of the original roof is approximately 0.5 metres away. The proposal therefore meets this condition.

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

(i) Obscure glazed; and

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

The dormer window is to the rear of the dwelling and therefore this is not applicable.

7. RECOMMENDATION

7.1 That a Certificate of Lawfulness for Proposed Development is **allowed** 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 Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015

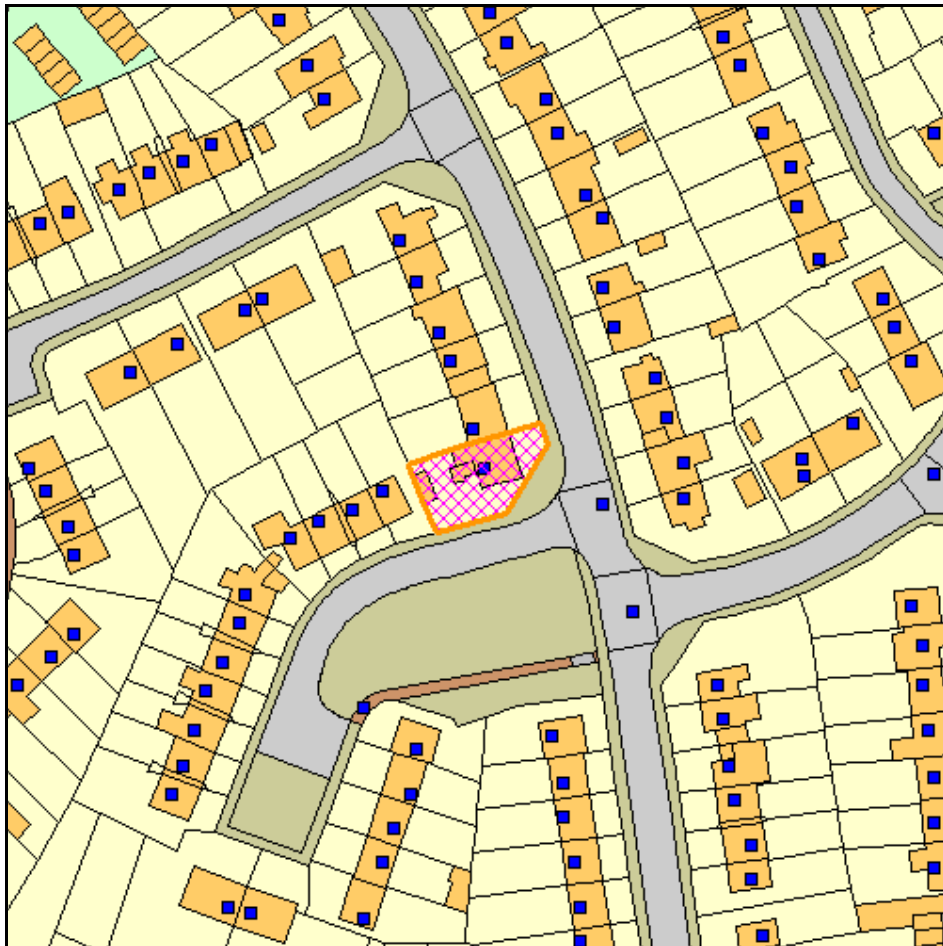
Contact Officer: Chloe Buckingham
Tel. No. 01454 863464

CONDITIONS

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

CIRCULATED SCHEDULE NO. 42/15 – 16 OCTOBER 2015

App No.:	PK15/4005/PNH	Applicant:	Mr Mark Hayward
Site:	92 Westbourne Road Downend Bristol South Gloucestershire BS16 6RF	Date Reg:	17th September 2015
Proposal:	Erection of single storey rear extension which would extend beyond the rear wall of the original house by 4.63 metres, for which the maximum height would be 2.7 metres and the height of the eaves would be 2.7 metres	Parish:	Emersons Green Town Council
Map Ref:	365967 177450	Ward:	Emersons Green
Application Category:		Target Date:	26th October 2015



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is referred to the Circulated Schedule as comments of objection have been received from the Parish.

1. THE PROPOSAL

- 1.1 This application is a prior notification of a proposed larger home extension under the permitted development neighbour consultation scheme. The purpose of such an application is to provide neighbours with the opportunity to comment on proposals that may affect them.
- 1.2 Should an objection be received then the 'prior approval' of the Local Planning Authority is required. The prior approval can be given or refused but only through the criteria set out in the neighbour consultation scheme. Under paragraph A.4 (5) of the Town and Country Planning (General Permitted Development) Order 2015, in determining the prior approval the Local Planning Authority may only assess 'the impact of the proposed development on the amenity of any adjoining premises.'
- 1.3 The prior approval (if required) of the application must be issued by the Local Planning Authority within 42 days of receipt of the application. If this period elapses before a decision on the prior approval is issued then the development is deemed acceptable, and a default consent given.
- 1.4 Therefore this application appears on the Circulated Schedule for information purposes only. It is not usually possible to call such applications before a Development Control Committee as the notification period would expire and by default the development would be deemed acceptable.
- 1.5 This application provides a prior notification of a proposed larger home extension, as set out in A.4 of the Town and Country Planning (General Permitted Development) Order 2015.
- 1.6 The proposed extension comprises a single storey rear extension with a maximum depth of 4.63 metres, a maximum height of 2.7 metres, and an eaves height of 2.7 metres.

2. POLICY CONTEXT

- 2.1 National Guidance
 - i. The Town and Country Planning (General Permitted Development) Order 1995 2015.

3. RELEVANT PLANNING HISTORY

- 3.1 None

4. CONSULTATION RESPONSES

4.1 Emersons Green Town Council

Objection, with the absence of plans the Committee feel that they need to raise an objection. The current existing plans of the dwelling appear to indicate both a previous large side extension and a loft extension and therefore the Committee believe that a full planning application should be submitted not an application through permitted rights rule.

Other Representations

4.2 Local Residents

None received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

This application requires the prior approval of the Local Planning Authority under the larger home extensions neighbour consultation scheme.

5.2 The development is acceptable in principle and it also complies with the Part 1 Class A regulations of the Town and Country Planning (General Permitted Development) Order 2015.

5.3 In determining the prior approval of the Local Planning Authority, only the residential amenity of all adjoining premises can be considered.

5.4 Amenity

As mentioned above, although the Parish have objected on the grounds of overdevelopment given previous extensions, this application can only be assessed against the current permitted development regulations which only allow consideration of impact on residential amenity of neighbouring dwellings.

5.5 The proposed extension would be single storey and would replace an existing single storey rear extension, albeit having a slightly larger footprint than existing. The proposal would have a flat roof with a large central lantern window bringing additional light into the structure. The application site is on a corner position where the land slopes up to the west and to the north. Neighbours to the north are at a considerable height above the application site and would be unaffected by the proposal. Similarly, neighbours to the south are slightly higher than the site but separated from it by a high wall, approximately about 3 metres. It is therefore considered that the proposal would not have an adverse impact on the residential amenity of closest neighbouring properties and the proposal falls within the remit of the permitted development regulations. There can therefore be no objection to the scheme.

6. **CONCLUSION**

6.1 Taking into account the analysis set out above, it is therefore considered that the proposed extension is not prejudicial to residential amenity and the prior approval of the Local Planning Authority should be given.

7. **RECOMMENDATION**

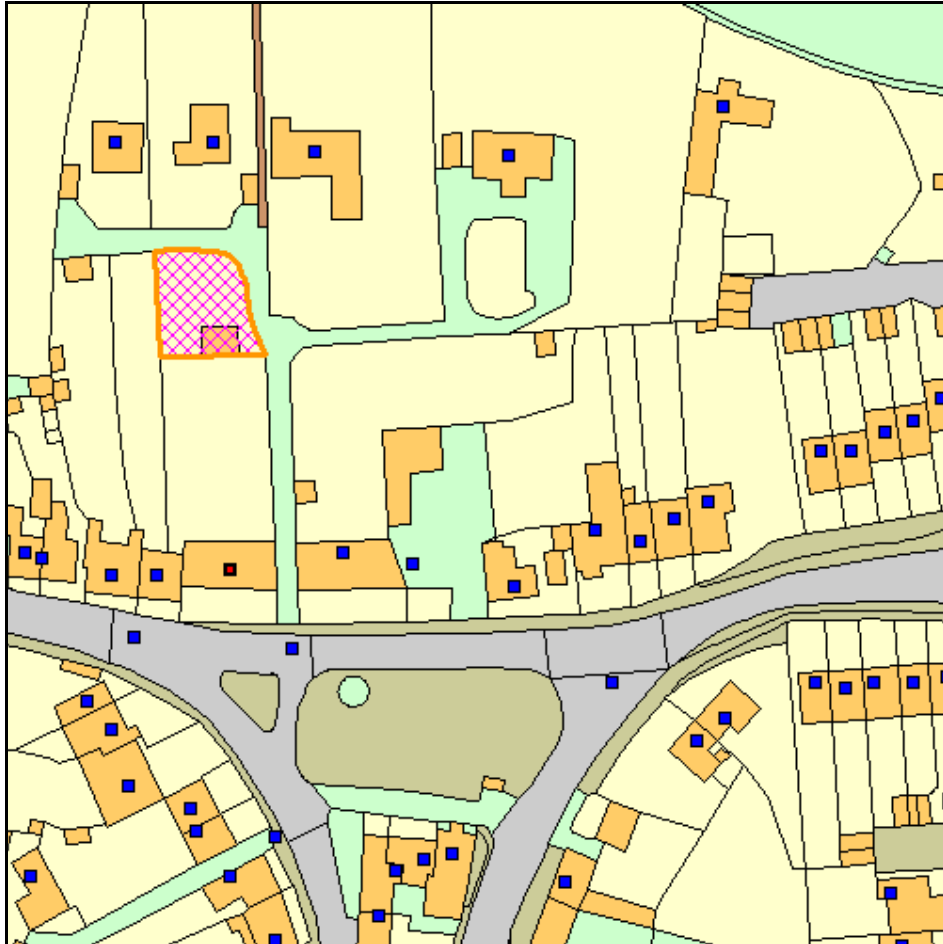
7.1 It is recommended that the prior approval be **GIVEN**.

Contact Officer: **Anne Joseph**
Tel. No. **01454 863788**

ITEM 12

CIRCULATED SCHEDULE NO. 42/15 – 16 OCTOBER 2015

App No.:	PT15/2942/F	Applicant:	Mr Rodney Bisiker
Site:	Musthay Tockington Green Tockington South Gloucestershire BS32 4NN	Date Reg:	27th July 2015
Proposal:	Erection of a detached bungalow with attached garage and associated works	Parish:	Olveston Parish Council
Map Ref:	360838 186576	Ward:	Severn
Application Category:	Minor	Target Date:	18th September 2015



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This report has been submitted to the Council's Circulated Schedule procedure following letters of support from members of the public which are contrary to the recommendation within this report.

1. THE PROPOSAL

- 1.1 The proposal seeks planning permission for the demolition of an existing detached double garage to facilitate the erection of 1 no. detached dwelling with associated works on land to the rear of Musthay, Tockington Green.
- 1.2 A number of important designations cover the site. Tockington is washed over by the Green Belt, and the site is also within Tockington Conservation Area. The access is taken from Tockington Green, which is surrounded by several listed buildings including Musthay House, to the east of Musthay.
- 1.3 A Public Right of Way footpath runs to the east of the site.
- 1.4 An Ecological Appraisal of the site was received from the agent during the course of the application in response to comments from the Council's Ecology Officer.
- 1.5 The proposed dwelling is described as a two bed, however given the attic studio room it is to be assessed as a three bedroom property.

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)

- L1 Landscape Protection & Enhancement
- L5 Open Areas with Defined Settlements
- L9 Protected Species
- L12 Conservation Areas
- L13 Listed Buildings
- L15 Locally Listed Buildings
- T7 Cycle Parking
- T12 Transportation
- H4 Development within Existing Residential Curtilages

South Gloucestershire Local Plan Core Strategy Adopted December 2013

- CS1 High Quality Design
- CS5 Location of Development
- CS8 Improving Accessibility
- CS9 Managing the Environment & Heritage
- CS16 Housing Density

CS17 Housing Diversity
CS34 Rural Areas

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist SPD (Adopted) June 2007
Residential Parking Standards SPD (Adopted) December 2013
The Local List SPD (Adopted)

2.4 Other Material Considerations

Planning Appeal Reference APP/P0119/1/14/2220291 relating to development of 106 dwellings to the south of Wotton Road, Charfield.

The appeal was allowed and in part it was found that South Gloucestershire Council cannot demonstrate a 5 year supply of deliverable housing land and as such Policies CS5, CS15 and CS34 can no longer be regarded as 'up to date' and the presumption in favour of sustainable development as set out in paragraph 14 of the National Planning Policy Framework now applies.

3. RELEVANT PLANNING HISTORY

- | | | | |
|-----|--|-------------------------|------------|
| 3.1 | PT07/2136/F | Approve with conditions | 21/08/2007 |
| | Erection of single storey rear extension to form garden room. | | |
| 3.2 | PT03/3629/F | Refusal | 14/01/2004 |
| | | Appeal Dismissed | 25/01/2005 |
| | Demolition of existing garage. Erection of detached dwelling with integral garage. | | |

Reasons for refusal:

- 1- *The access road is inadequate in width to accommodate the development traffic. This would result in vehicles reversing back onto the classified highway known as Washingpool Hill Road via a sub-standard junction to the detriment of highway safety, contrary to policy D1 and T12 of the South Gloucestershire Local Plan (Revised Deposit Draft).*
- 2- *The geometry of the junction of the access track and the adjacent classified highway is sub-standard and would require vehicles turning left into the access to sweep wide onto the opposing carriageway, creating an unacceptable danger and hazard to highway users to the detriment of highway safety contrary to policies D1 and T12 of the South Gloucestershire Local Plan (Revised Deposit Draft).*
- 3- *Visibility at the point of access with the classified highway is sub-standard and the increased use of the junction would be detrimental to highway safety, contrary to policies D1 and T12 of the South Gloucestershire Local Plan (Revised Deposit Draft).*
- 4- *The proposal would result in the number of dwellings served off a private drive being in excess of five. This is contrary to the advice contained in Design Bulletin 32 and Residential Roads in Avon and detrimental to pedestrian and highway safety contrary to policy T12 of the South Gloucestershire Local Plan (Revised Deposit Draft).*

- 5- *The proposal fails to respect and enhance the character of the street scene and the surrounding area, contrary to policy D1 of the South Gloucestershire Local Plan (Revised Deposit Draft).*
- 6- *The site lies within the Tockington conservation area. The proposal would dominate this sensitive area and would fail to preserve or enhance the character of the conservation area contrary to policy RP43 of the Rural Areas Local Plan and policy L13 of the South Gloucestershire Local Plan (Revised Deposit Draft).*
- 7- *The proposed development, by reason of its position, density and height, would have an overbearing effect on the character of the area and on the occupiers of adjoining properties and detrimental to the residential amenities of the area, contrary to policy RP81 of the Rural Areas Local Plan and policy H4 of the South Gloucestershire Local Plan (Revised Deposit Draft).*

3.3 PT02/0134/F Refusal 10/06/2002
Erection of dwelling.

Refusal reasons:

- 1- *The access road is inadequate in width to accommodate two-way traffic. This could result in vehicles reversing back onto the classified highway known as Washingpool Hill Road via a sub-standard junction. The proposal is contrary to policy T12 of the South Gloucestershire Local Plan (Revised Deposit Draft) and Policy TR19 of the Avon County Structure Plan (Incorporating the Third Alteration).*
- 2- *The proposal would result in the number of dwellings served off a private drive being in excess of the Councils standard of five, to the detriment of pedestrian and highway safety contrary to Policy T12 of South Gloucestershire Local Plan (Revised Deposit Draft) and Policy TR19 Avon County Structure Plan (Incorporating the Third Alteration).*
- 3- *The proposal fails to respect the character of the street scene and the surrounding area contrary to policy D1 of the South Gloucestershire Local Plan (Revised Deposit Draft).*
- 4- *The site lies within the conservation area and in close proximity to listed buildings. The proposal would dominate this sensitive area and would fail to preserve or enhance the character of the conservation area contrary to policy RP43 of the Rural Areas Local Plan and policy L13 of the South Gloucestershire Local Plan (Revised Deposit Draft).*
- 5- *The proposed development by reason of its position, mass and height would have an overbearing effect on the occupiers of the adjoining properties, which would be to the detriment of residential amenity and would also be contrary to policy H4 of the South Gloucestershire Local Plan (Revised Deposit Draft).*

3.4 Referring to Winfield – a dwelling to the north-east of the site
PT15/1451/F Approve with conditions 04/06/2015
Use of annex as a separate dwelling (Class C3)

4. **CONSULTATION RESPONSES**

4.1 Olveston Parish Council

Objection. Whilst the Parish Council do not object to the application for the bungalow, it believes that the two storey studio above the garage is inappropriate. The materials used in the construction must be consistent with the conservation area.

4.2 Other Consultees

Tree Officer

No objection.

Sustainable Transport

Objection due to substandard access and visibility.

Ecology Officer

No objection subject to a condition requiring an ecological mitigation and enhancement plan to be submitted for approval.

Lead Local Flood Authority

No comment.

Horizon Nuclear Power

No comment.

Magnox

No comment.

Office for Nuclear Regulation

No objection.

Public Rights of Way

No objection subject to informatives.

Open Spaces Society

No comment.

Listed Building and Conservation Officer

No objection.

Highway Structures

No comment.

Other Representations

4.3 Local Residents

Three letters of support have been received from members of the public stating the following:

- Great use of under utilised land in a highly constrained village – natural infill opportunity
- NPPF is supportive of making the best use of land and government anxious to provide additional housing
- Will diversify housing stock
- Design is subordinate to the main house
- Garage sets precedent for vehicular access to the site
- Low roofline will have zero effect on nearby properties
- Good visibility along length of access and have never known of a traffic accident

One letter of objection has been received stating the following:

- Trevane is not a modern dormer bungalow as described in the application, it is an established part of the village of over 60 years old
- The footprint of the dwelling is too large given the size of the plot
- Twice applications for a four bed have been refused on this plot
- Description of this as a two bed is not accurate, it is a three bed with further development potential
- The plan does not reflect the edge of Trevane as being the outside boundary of a hedge that has been in existence for over fifty years, but that the track width should be taken for the middle of the hedge.
- The actual width of the track to the boundary marked by loosely placed stones around the edge of the plot in question is the same as a car width, i.e 2.1m. 3.1 m is an exaggeration and inaccurate. Hence if the property is developed to the edge of the plot this will be inadequate to allow any medium sized vans lorries, service or maintenance vehicles or critically emergency services that may have to gain access, and there are no turning areas
- Construction of foundation and scaffolding will prevent access to all of the properties on the lane which is unacceptable
- Access is already dangerous with blind bends

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Paragraph 14 of the National Planning Policy Framework (NPPF) makes a general presumption in favour of sustainable development. In particular (in respect of decision making) Paragraph 14 of the NPPF makes it clear that where development plans are absent, silent or relevant policies are out of date, the Local Planning Authority should grant planning permission unless;

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole; or,
- specific policies in the NPPF indicate development should be restricted.

5.2 The recent planning appeal decision (APP/P0119/1/14/2220291) approved the development of 106 dwellings in Charfield. The outcome of that appeal is such that it has been found that South Gloucestershire Council can no longer demonstrate that it has a five year supply of deliverable housing. Accordingly,

in considering this application weight should be given to Paragraph 49 of the NPPF which sets out that;

- Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

- 5.3 On this basis, it is considered that the failure by South Gloucestershire Council to demonstrate a five-year supply of deliverable housing land means that policies CS5, CS15 and CS34 are now out of date. The assessment of this application therefore falls to the requirements of paragraph 14 of the National Planning Policy Framework and as such, the proposed development should be approved unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the proposal; which are the provision of new housing towards the five-year supply of deliverable housing land.
- 5.4 Policy CS1 of the South Gloucestershire Core Strategy (Adopted) 2013) states that all development will only be permitted where the highest possible standards of design and site planning are achieved. Proposals will be required to demonstrate that they respect and enhance the character, distinctiveness and amenity of the site and its context; is well integrated with existing and connected to the wider network of transport links; safeguards existing landscape/nature/heritage features; and contributes to relevant strategic objectives. Saved Policy H4 of the South Gloucestershire 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. In addition Policy CS8 of the Core Strategy seeks to ensure that development will have no adverse impact on highway safety and residential parking standards have been revised under supplementary planning guidance adopted 2013.
- 5.5 Policy CS9 seeks to protect and manage South Gloucestershire's environment and its resources in a sustainable way and new development will be expected to, among others, ensure that heritage assets are conserved, respected and enhanced in a manner appropriate to their significance; conserve and enhance the natural environment and conserve and enhance the character, quality, distinctiveness and amenity of the landscape. This policy is particularly relevant due to the sites location within the Tockington Conservation Area. Policy CS5 of the Core Strategy recognises that small scale rural development may be permitted within the existing settlement boundaries of villages, and the application site is within the settlement boundary of Tockington. The proposal is deemed to accord with the principle of development subject to the analysis detailed below.
- 5.6 Impact on the Green Belt
The National Planning Policy Framework states that new buildings may only be constructed in the Green Belt if they fall under one of the exceptions of development types which are acceptable within the Green Belt, which includes limited residential infilling. Infill development is small in scale and fits between

an existing built up area in between existing buildings within a defined settlement boundary. The site is within the defined settlement boundary of Tockington which is washed over by the Green Belt, and as it is surrounded by other built form on all sides. It is therefore considered that the proposed dwelling meets the NPPF's definition of limited infilling and is appropriate development on Green Belt land.

5.7 Design and Impact on Tockington Conservation Area

The footprint of the dwelling is an unusual shape and wraps around the north and east boundaries of the site, with the garden to the south-west of the plot. The dwelling is mostly single storey in height with a gable roof line of multiple elevations, with the exception of a one and a half storey structure with a steep pitched roof forming one room at first floor level. The majority of the openings face out into the garden with the exception of the first floor part of the dwelling, and the many conservation style rooflights on the roof slopes facing the access tracks. The lack of openings visible from the public realm combined with the predominantly single storey height allows the development to be read as a series of outbuildings.

5.8 The current proposals follow two previous refusals on site, the most recent of which was in 2003 and had the subsequent appeal dismissed by the Planning Inspectorate (PT03/3629/F). One of the reasons for dismissing the appeal was due to the introduction of "*a substantial mass of building into the centre of the transitional space. This in my mind would significantly detract from the character of the Conservation Area and its setting.*" The Inspector also expressed concern that development here "*would change the semi-rural appearance created by overgrown stone walls and dense hedges lining the unmade tracks to that of a more suburban area.*" The current design seeks to address these concerns by replacing the previously refused two storey structure with a predominantly single storey structure which reflects more closely the architecture of the conservation area. Whilst the openness of the area will be reduced, the introduction of the stone elevation walls of the dwelling as a boundary treatment has a positive impact on the character of the access lane by improving the sense of enclosure.

5.9 On balance, it is considered that subject to conditions relating to details and high quality traditional materials being issued as part of any decision recommending approval, the development would not harm the special character of the Tockington Conservation Area and would not harm the setting of the nearby listed buildings surrounding Tockington Green. The development is considered acceptable in terms of policy CS1 and CS9 of the Core Strategy, and policy L12 and L13 of the Local Plan (Adopted) January 2006.

5.10 Transport

The previously refused applications at this site for a new dwelling related to a four bedroom property, and this application proposes a three bedroom property. As well as the aforementioned appeals being upheld for design reasons, they were also both upheld with regards to highway safety concerns. There has been no material change in circumstances on the adjacent highway network since that appeal. However, since the appeal visibility requirements have changed as a result of Manual for Streets and Manual for Streets 2.

Whilst this has resulted in a relaxation of visibility requirements, the access onto the public highway is still substandard. The previous refusal reasons also related to the geometry of the junction and the suitability of the access road by virtue of its narrow width and lack of passing places to accommodate extra traffic.

- 5.11 When communicating these concerns during the course of the application, a case was put forward by the agent with regards to the application in 2004 for a residential annex associated with Winfield, which shares the same access lane. Another planning application for Winfield approved in June this year (PT15/1451/F) allowed this annex to become an independent dwelling and a separate planning unit from Winfield. Despite the substandard access, poor visibility and lack of passing places, on balance it was decided that a highway safety refusal reason could not be sustained, as the number of regular vehicular movements caused by Winfield and the annex as separate planning units (a two bedroom house and a four bedroom house) would only be marginally increased from the extant situation as one planning unit with six bedrooms. The annex already had all the facilities to function as a separate dwelling with its own living room, kitchen and bathroom. It is therefore considered by officers that this case is not comparable and does not warrant the highway safety objection on this application to be removed.
- 5.12 The existing site to the rear of Musthay currently has a large double garage used as storage for a vintage vehicle, and stated by the agent to be a separate planning unit from Musthay itself. A planning application to change the use of this garage to private storage does not seem to exist but it does indeed appear to be separate to Musthay. The agent makes the argument that this proposal offers substitute movements for those utilised by the garage, and as such there is limited change in the number of vehicular movements, which was the same argument utilised back in the previous appeal. The nature of the use to store a vintage vehicle is such that vehicle movements are infrequent, with the owner preferring to use the frontage access and alternative garage integral to the house for general access, whilst access to the annex at Winfield would have been much more frequent.
- 5.13 The applicant has considered localised widening of the existing footway to artificially improve visibility by forcing passing vehicles further out into the carriageway. This would not be supported as a widening in this location, which is already constrained by occasional parked cars, the junction immediately opposite would increase the hazards faced by the travelling public on the highway. Unfortunately, opportunities to address the highway safety concerns seem very limited, and would not be sufficient enough to overcome the recommended refusal reason. In consequence, this proposal would represent an increase in vehicle movement along a private access track, that by virtue of its narrow width and lack of passing places is not considered suitable to accommodate the additional movements, as it would lead to vehicles having to reverse on the adjacent classified highway via an access that is substandard in terms of visibility to the detriment of highway safety and contrary to T12 of the Local Plan (Adopted) January 2006 and CS8 of the Core Strategy (Adopted) December 2013.

5.14 Ecology and Vegetation

The site consists of a 275m² area of land to the rear of the residential garden associated with the property. It is overgrown and includes a former vegetable garden. The site itself has no ecological designations and none of the trees or hedges are subject to Tree Preservation Orders.

5.15 An Ecology Appraisal has been provided in response to a consultation response from the Ecology officer, and it concluded that common pipistrelle bats were found to be foraging at the site, reptiles may be present in the hedgerows or piles of debris, birds may be breeding on site and the European Hedgehog, which although not currently protected it is a severely declining species, was noted to be present on site. The Ecology Officer is satisfied that all of these issues can be addressed with an Ecological Mitigation and Enhancement plan based on the recommendations provided in Sections 4 and 5 of the Appraisal, and this will be conditioned on the decision notice in the event of the application being approved.

5.16 There are some low quality trees on site which should not be considered a constraint to the development. An oak tree is situated in the north west corner of Musthay but this tree appears to already be in decline. The Council's Tree Officer has not objections.

5.17 Residential Amenity

Residential amenity should not be harmed as a result of development. Amenity should be considered in terms of the application site and all nearby occupiers, and future occupiers of the proposed dwelling. The site is already removed as residential curtilage from Musthay by means of a dividing boundary wall, so the loss of the space to create this new dwelling will not have an impact on the amount of amenity space available to present and future occupiers of Musthay. The proposed dwelling does have some glazed patio doors which serve principal rooms and face towards Musthay, however the single storey height of the doors and the distance from the dwelling means that it is unlikely there will be any inter visibility, and the Musthay garden will remain private. The proposed conservation rooflights, due to their height and angle, are not considered to cause overlooking to any neighbouring properties.

5.18 The adjacent gardens to the west relate to other properties on Tockington Green and are a significant distance from the actual dwellings they serve. As the gardens are long and linear in shape, the development will not have a negative impact on the residential amenity of these properties, and the attic room window will provide only long distance and indirect views into their gardens. The east facing attic room window is to face down the access track towards Winfield, and similarly will have only indirect and long distance views towards the rear of Musthay House, the listed building to the south-east. Appledore, Trevane and Woodview to the north have windows which face towards the development site, Trevane in particular, however as the proposal is single storey in height and does not have facing windows, the properties to the north will not have their amenities harmed. Overall, the development is acceptable in terms of policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

5.19 Other Matters

Letters of support noting that the site is an ideal opportunity for infill development that will diversify the housing stock in this small village are noted, however these issues do not outweigh the highway safety concerns relating to the narrow access and poor visibility.

5.20 Following an appeal decision on 8th June 2015 (APP/P0119/1/14/22202915) relating to a site in Charfield, the Inspector came to the conclusion that the Local Planning Authority in South Gloucestershire could not demonstrate a 5-year supply of deliverable housing land, and therefore paragraph 49 of the NPPF is currently engaged. Housing applications should be considered in the context of the presumption in favour of sustainable development, and that the Local Planning Authority should grant planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. This proposal will add one dwelling to the housing supply, and it is not considered to make a significant contribution. When balancing the benefits to the housing supply that one house will provide alongside the aforementioned highway safety concerns, unfortunately the harm caused from the substandard access and poor visibility cannot be outweighed by the modest contribution made to the housing supply. In conclusion, it is recommended that the application be refused for highway safety reasons.

6. CONCLUSION

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

6.2 The recommendation to **refuse** permission has been taken having regard to the policies and proposals in the South Gloucestershire Local Plan (Adopted) January 2006 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 **REFUSED** for the reason(s) on the decision notice.

Contact Officer: Trudy Gallagher
Tel. No. 01454 862217

REFUSAL REASONS

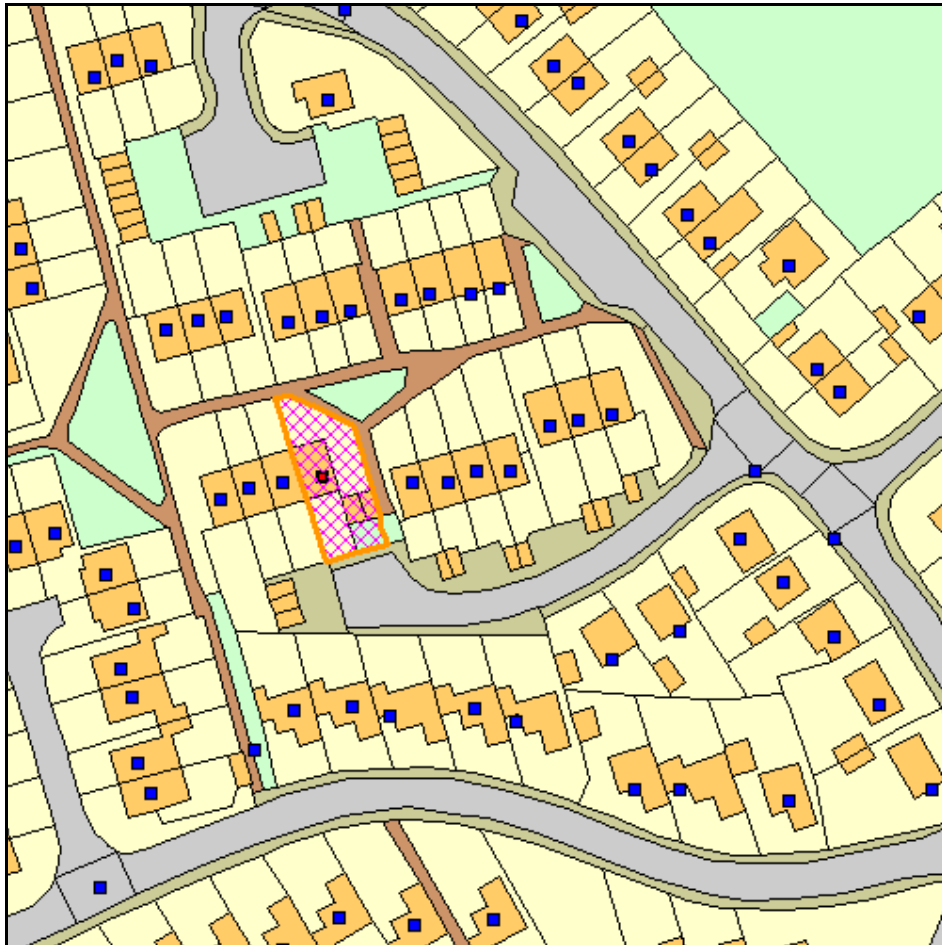
1. This development, if approved, would represent an increase in vehicle movements along a private access track that by virtue of its narrow width and lack of passing places is not considered suitable to accommodate the additional movements, and it would lead to vehicles having to reverse out on to the adjacent classified highway via an access that is substandard in terms of visibility, to the detriment of highway safety and contrary to policy T12 of the South Gloucestershire Local Plan (Adopted) January

2006 and CS8 of the South Gloucestershire Local Plan Core Strategy (Adopted)
December 2013.

ITEM 13

CIRCULATED SCHEDULE NO. 42/15 – 16 OCTOBER 2015

App No.:	PT15/3698/F	Applicant:	Ms Lea Watson
Site:	16 Willow Close Charfield South Gloucestershire GL12 8UD	Date Reg:	1st September 2015
Proposal:	Demolition of existing garage to facilitate erection of 1no terraced dwelling with associated works	Parish:	Charfield Parish Council
Map Ref:	372244 191988	Ward:	Charfield
Application Category:	Minor	Target Date:	22nd October 2015



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100023410, 2008. N.T.S. PT15/3698/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule following an objection from a local resident which is contrary to the recommendation in this report.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of 1 no. end terrace dwelling at 16 Willow Close, Charfield.
- 1.2 The application site comprises a two-storey end of terrace property located on the northern side of the cul-de-sac Willow Close within the established residential area of Charfield. The application dwelling and surrounding properties are built to the Radburn principle whereby vehicular access is to the rear, and the dwellings front onto open green space and footpaths.
- 1.3 No statutory or non-statutory designations cover the 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)
H4 Development within Existing Residential Curtilages
T7 Cycle Parking
T12 Transportation

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
- 2.4 Other Material Considerations
Planning Appeal Reference APP/P0119/1/14/2220291 relating to development of 106 dwellings to the south of Wotton Road, Charfield.

The appeal was allowed and in part it was found that South Gloucestershire Council cannot demonstrate a 5 year supply of deliverable housing land and as

such Policies CS5, CS15 and CS34 can no longer be regarded as 'up to date' and the presumption in favour of sustainable development as set out in paragraph 14 of the National Planning Policy Framework now applies.

3. RELEVANT PLANNING HISTORY

- 3.1 PT14/3518/F Approve with conditions 21/10/2014
Erection of two storey side extension to form additional living accommodation.
This planning permission has not been implemented but is still extant.

4. CONSULTATION RESPONSES

- 4.1 Charfield Parish Council
No comment received.

4.2 Other Consultees

Highway Structures
No comment.

Transport
No objection subject to conditions.

Lead Local Flood Authority
No objection.

Other Representations

4.3 Local Residents

One anonymous letter of objection has been received, via the Local Councillor:

- Parking is at a premium in the area, and it is difficult to squeeze past all the parking cars
- Development will be adding two additional cars (typical for most households) and taking away one parking space (garage)
- Will cause safety issues for drivers, walkers and joggers

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Paragraph 14 of the National Planning Policy Framework (NPPF) makes a general presumption in favour of sustainable development. In particular (in respect of decision making) Paragraph 14 of the NPPF makes it clear that where development plans are absent, silent or relevant policies are out of date, the Local Planning Authority should grant planning permission unless;

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole; or,
- specific policies in the NPPF indicate development should be restricted.

- 5.2 The recent planning appeal decision (APP/P0119/1/14/2220291) approved the development of 106 dwellings in Charfield. The outcome of that appeal is such that it has been found that South Gloucestershire Council can no longer demonstrate that it has a five year supply of deliverable housing. Accordingly, in considering this application weight should be given to Paragraph 49 of the NPPF which sets out that;
- Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.
- 5.3 On this basis, it is considered that the failure by South Gloucestershire Council to demonstrate a five-year supply of deliverable housing land means that policies CS5, CS15 and CS34 are now out of date. The assessment of this application therefore falls to the requirements of paragraph 14 of the National Planning Policy Framework and as such, the proposed development should be approved unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the proposal; which are the provision of new housing towards the five-year supply of deliverable housing land.
- 5.4 The site lies within the established settlement boundary of Charfield 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 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.
- 5.5 Design
The general locality is characterised by terraces which follow the Radburn principle whereby vehicular access is to the rear, and the dwellings front onto open green space and footpaths. The application site consists of an end terrace dwelling finished in hanging tiles, red brickwork, interlocking roof tiles and white UPVC openings, typical of the rest of the terrace. The site benefits from extant planning permission for a large two storey extension to no. 16 approved in 2014, and this application is put forward as an alternative. The existing garage, which is of no particular architectural merit is to be demolished. The proposal extends the existing ridge and eaves level straight across for approximately 4.5 metres (1.2 metres more than the previously approved extension) to form a 1no. two bedroom dwelling, with the linear style and proportions to match the character of the existing terrace row. The proposed openings are of a similar size and scale to the adjacent property and all of the materials are detailed on the plan to match the existing dwelling, including the use of hanging tiles. The size of the plot proposed is tightly constrained, however this is acceptable given the small size of the dwelling proposed and

the high density of housing in the area, and the development is found to be in accordance with policy CS1 of the Core Strategy.

5.6 Residential Amenity

The main neighbouring properties affected are the host property, no 16, and the property across the footpath to the west, no. 14. The host property is to lose a significant amount of garden space to form the proposed house, its garden and an additional parking space, however given that no. 16 is a relatively small three-bedroom property, it is considered that adequate amenity space will remain following the development, and will remain private. The amenity space proposed for the new dwelling is acceptable given the two-bedroom capacity, and the footprint of the garden is not dissimilar to that of no. 14 or no. 12 Willow Close, both of which are larger properties with very modest gardens.

5.7 A first floor bathroom window faces towards no. 14 Willow Close, and is detailed on the plans to be obscure glazed. A condition on the decision notice will ensure that it is obscured to the required standard. No other openings are proposed on the first floor of the side elevation, and the rear and front windows of the new dwelling provide only indirect views of neighbouring properties which are common in high density residential areas such as this location. Given the orientation of the new dwelling in relation to the surrounding properties, the proposed built form will overshadow only to the front of the dwellings, and should not harm the outlook from neighbouring gardens or surrounding windows serving principal rooms. The development is acceptable in terms of policy H4 of the Local Plan.

5.8 Transport

An objection has been received raising concerns regarding parking provision following development, and this is based on the assumption that each new dwelling will require parking for two vehicles. This is not the case; a two bedroom dwelling, such as the one proposed, requires only one parking space, and the existing dwelling requires two parking spaces giving a total of three spaces. Three parking spaces have been shown on the Block Plan and therefore there is no transportation objection to the development.

5.9 Other Matters

Following an appeal decision on 8th June 2015 (APP/P0119/1/14/22202915) relating to a site in Charfield, the Inspector came to the conclusion that the Local Planning Authority in South Gloucestershire could not demonstrate a 5-year supply of deliverable housing land, and therefore paragraph 49 of the NPPF is currently engaged. Housing applications should be considered in the context of the presumption in favour of sustainable development, and that the Local Planning Authority should grant planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. This proposal will add one dwelling to the housing supply, and whilst it is not considered to make a significant contribution, it does make a contribution nonetheless, and weight has been afforded to this.

6. **CONCLUSION**

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

7. **RECOMMENDATION**

- 7.1 Planning permission is **GRANTED** subject to the conditions in 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 occupation of the dwelling hereby permitted, the three parking spaces shown on the Proposed Block Plan in plan reference 1524-01 shall be implemented and maintained thereafter.

Reason

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

3. The dwelling shall not be occupied until two covered and secure cycle parking spaces have been provided each for the existing and proposed dwellings in accordance with the bin and cycle store design shown on the Proposed West Elevation on approved plan 1524-01.

Reason

To encourage means of transportation other than the private car, to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

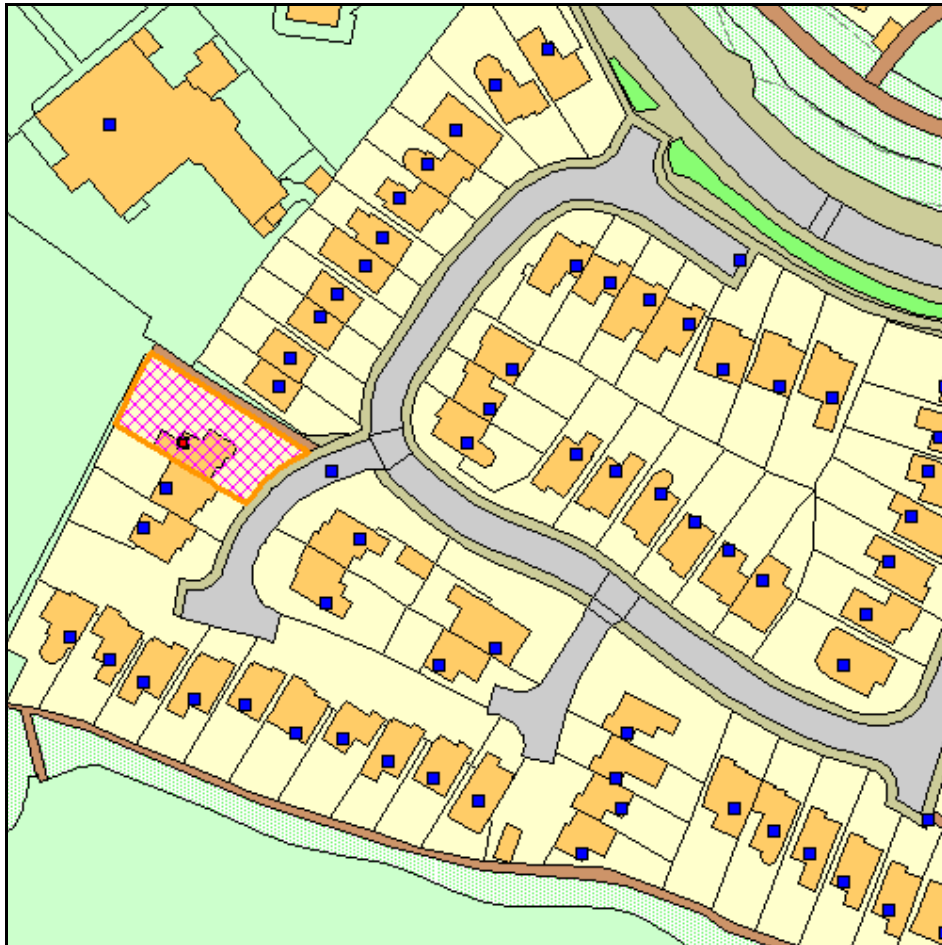
4. Prior to the use or occupation of the dwelling hereby permitted, and at all times thereafter, the proposed first floor window on the east elevation shall be glazed with obscure glass to level 3 standard or above with any opening part of the window being above 1.7m above the floor of the room in which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

Reason

To protect the residential amenity of the neighbouring occupiers and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013; policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and the National Planning Policy Framework.

CIRCULATED SCHEDULE NO. 42/15 – 16 OCTOBER 2015

App No.:	PT15/3922/F	Applicant:	Mr John Sharp
Site:	39 Silver Birch Close Little Stoke South Gloucestershire BS34 6RL	Date Reg:	16th September 2015
Proposal:	Erection of single storey rear extension to provide additional living accommodation	Parish:	Stoke Gifford Parish Council
Map Ref:	361581 181233	Ward:	Stoke Gifford
Application Category:	Householder	Target Date:	9th November 2015



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is referred to the Circulated Schedule in accordance with procedure given a comment in support of the application has been received that is contrary to the officer recommendation.

1. PROPOSAL AND SITE DESCRIPTION

- 1.1 The applicant seeks full planning permission to erect a single storey rear extension to 39 Silver Birch Close, Little Stoke. The application site relates to an end of linked terraced dwelling
- 1.2 The plot is set on a residential street within a cul de sac in an established residential estate in Little Stoke. The property has red brick to the lower and hanging red tiles to the upper part. There is also a garage that is set back and to the side of the property and a tarmac driveway with a separate gravel driveway directly to the side. There is a garden to the front and rear of the property and about three off-street parking spaces to the front and side elevations.

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 N6789/1 Residential and ancillary development on approximately 8.6 acres including a church site, Health Authority use and open space; construction of vehicular and pedestrian access and car parking areas (Outline). Approve with Conditions 25.08.1981
- 3.2 P84/0004/1 approximately 7 acres (2.8 hectares) including a church site and open space areas; construction of vehicular and pedestrian access and car parking areas (outline). Approval 25.07.1984

4. CONSULTATION RESPONSES

4.1 Bradley Stoke Parish Council
No Objection

4.1 Stoke Gifford Parish Council
No Objection

4.2 Other Consultees

Trading Standards and Licensing Service

39 Silver Birch Close is within close proximity of a weak bridge. Any vehicle with a maximum gross weight exceeding 18 tonnes is prevented from crossing any of the structure(s) subject to the weight restriction. The applicant and any contractor associated with the works at the property should be made aware of this vehicle weight restriction to avoid any inconvenience.

Other Representations

4.3 Local Residents

1 Objection received from 38 Silver Birch Close, Little Stoke.

Concern regarding the layout, density, design, visual appearance, landscaping and materials of the proposal. Loss of daylight/sunlight and privacy are also mentioned as 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 single storey side extension to provide additional living space. The proposal consists of a flat roof over a single storey side extension. The proposal is modest in scale and the design 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 an end of linked terrace with neighbours to the front and both side elevations. The neighbouring properties are of a significant distance separated by gardens. As the side extension is the opposite side of no. 38 it is considered highly unlikely that there will be any loss of light or privacy issues

generated. The proposed extension is single storey in height and one new small obscure glazed window is proposed in the side elevation and larger windows are proposed to the front and rear elevations. Due to the single-storey nature of the extension and as the window to the side is to be obscure glazed and there is a sufficient distance between the window and no. 40 Silver Birch Close, it is not considered that the side window will have an impact on the levels of privacy currently afforded to these properties. Similarly, the windows to the rear and front elevations would not cause any more overlooking than is normal within residential estates such as this. 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 will increase the total number of bedrooms within the property to 4 bedrooms and it will convert the existing garage. However the Residential Parking Standards SPD (2013) states that for a four-bedroom property there needs to be two parking spaces provided. It was clear from the site visit that the double driveway would have sufficient space for two cars.

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: Chloe Buckingham
Tel. No. 01454 863464

CONDITIONS

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

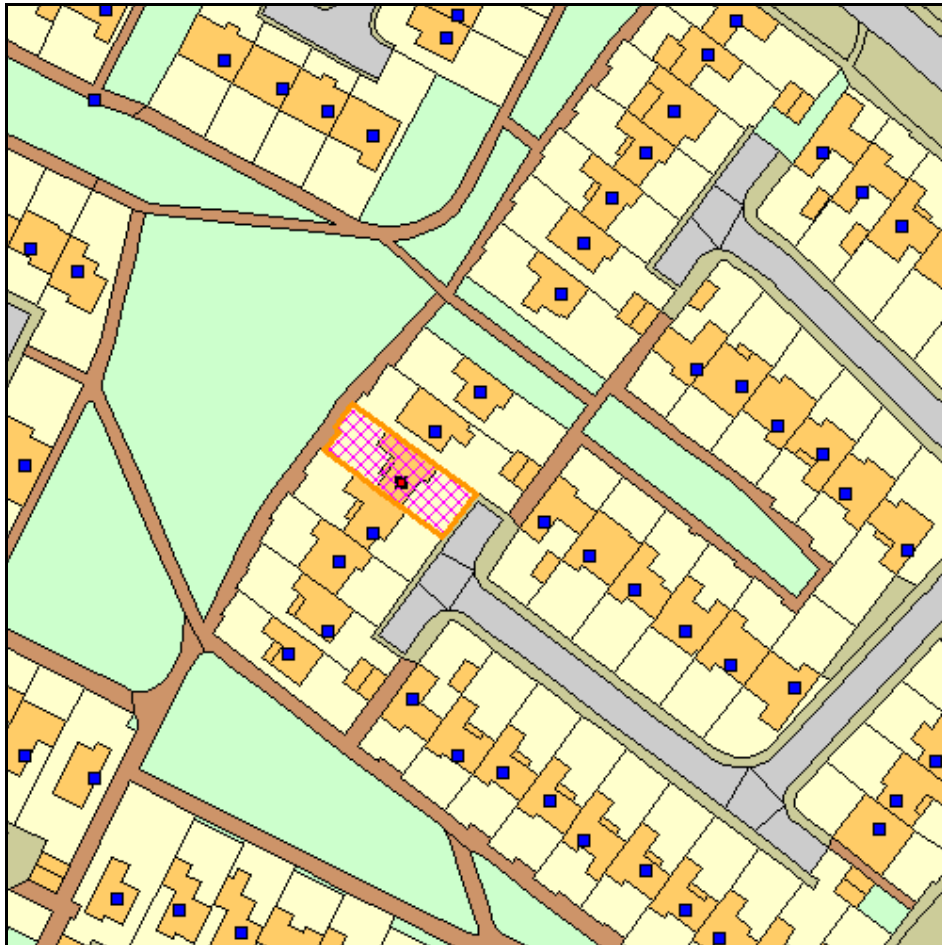
Reason

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

ITEM 15

CIRCULATED SCHEDULE NO. 42/15 – 16 OCTOBER 2015

App No.:	PT15/3998/F	Applicant:	Mr Scott King
Site:	33 Waterford Close Thornbury South Gloucestershire BS35 2HU	Date Reg:	16th September 2015
Proposal:	Erection of front porch	Parish:	Thornbury Town Council
Map Ref:	364812 189531	Ward:	Thornbury South And Alveston
Application Category:	Householder	Target Date:	9th November 2015



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100023410, 2008. N.T.S. PT15/3998/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

An objection was received contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 The application seeks permission for the erection of a porch on the front of a semi-detached two-storey dwelling situated within an established residential area in Thornbury.

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

South Gloucestershire Local Plan (Adopted) January 2006 (saved policies)
H4 Development within Existing Residential Curtilages

- 2.3 Supplementary Planning Guidance
Residential Parking Standards SPD (Adopted) 2013

3. RELEVANT PLANNING HISTORY

- 3.1 There is no relevant planning history.

4. CONSULTATION RESPONSES

- 4.1 Thornbury Town Council
No comment.

- 4.2 Public Rights of Way
No objection

- 4.3 Open Spaces Society
No objection.

Other Representations

- 4.3 Local Residents
Objection summary from No. 32 Waterford Close:

The neighbour objection is related to issues regarding loss of outlook and loss of light to No.32 due to the distance of the houses and that the primary living areas are side by side which would create a greater impact than it would other

properties on the street, which have a greater distance between the primary living areas.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application seeks permission to erect a front porch. The principle of the proposed development is considered acceptable under saved policy H4 of the South Gloucestershire Local Plan (adopted) 2006 subject to criteria relating to residential amenity, design and highway safety.

5.2 Residential Amenity

The application proposes a single storey porch to the front elevation of no.33 Waterford Close, Thornbury. It would have a depth of 2.3 metres, a width of 3.6 metres and a maximum height of 3.2 metres with a pitched roof.

With regard to the objection submitted by No.32 Waterford Close, it is considered that due to the modest size of the front porch the proposed development would not appear adversely overbearing on the occupiers to the front and either side of the dwelling, nor would it unreasonably prejudice the existing levels of outlook or light afforded to them. It is considered that the position and size of the porch is such that all neighbour occupiers would not be unreasonably prejudiced.

5.4 Design

The application relates to a semi-detached two-storey dwelling situated within a residential cul-de-sac. The dwelling is finished in red brick facing and half of the dwelling protrudes further out than the other half, which is a style typical of the other semi-detached properties on the streetscene.

The proposed porch is modest in scale and would be constructed using similar materials to the existing dwelling. Even though all the semi-detached properties on the street are of a similar design it is not considered that the porch will be out-of-keeping with the streetscene due to the modest size and the proposed matching materials. It is also important to note that other properties on the street have also built extensions to the side and front of their properties. Therefore, it is considered that the proposed porch is of a scale and design that would be in keeping with the character and appearance of the dwelling and there are no concerns in terms of design.

5.6 Highway Safety

The proposed development would have no impact on any parking provision and would not increase vehicular movements to the site. Accordingly there are no issues in terms of highway safety.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That the application is **APPROVED** subject to the condition on the decision notice.

Contact Officer: Chloe Buckingham
Tel. No. 01454 863464

CONDITIONS

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

Reason

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