



**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. 38/15

Date to Members: 18/09/15

Member's Deadline: 24/09/15 (5.00pm)

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

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

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

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

NOTES FOR COUNCILLORS - FORMAL ARRANGEMENTS

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

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

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

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

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

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

GUIDANCE FOR 'REFERRING' APPLICATIONS

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

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

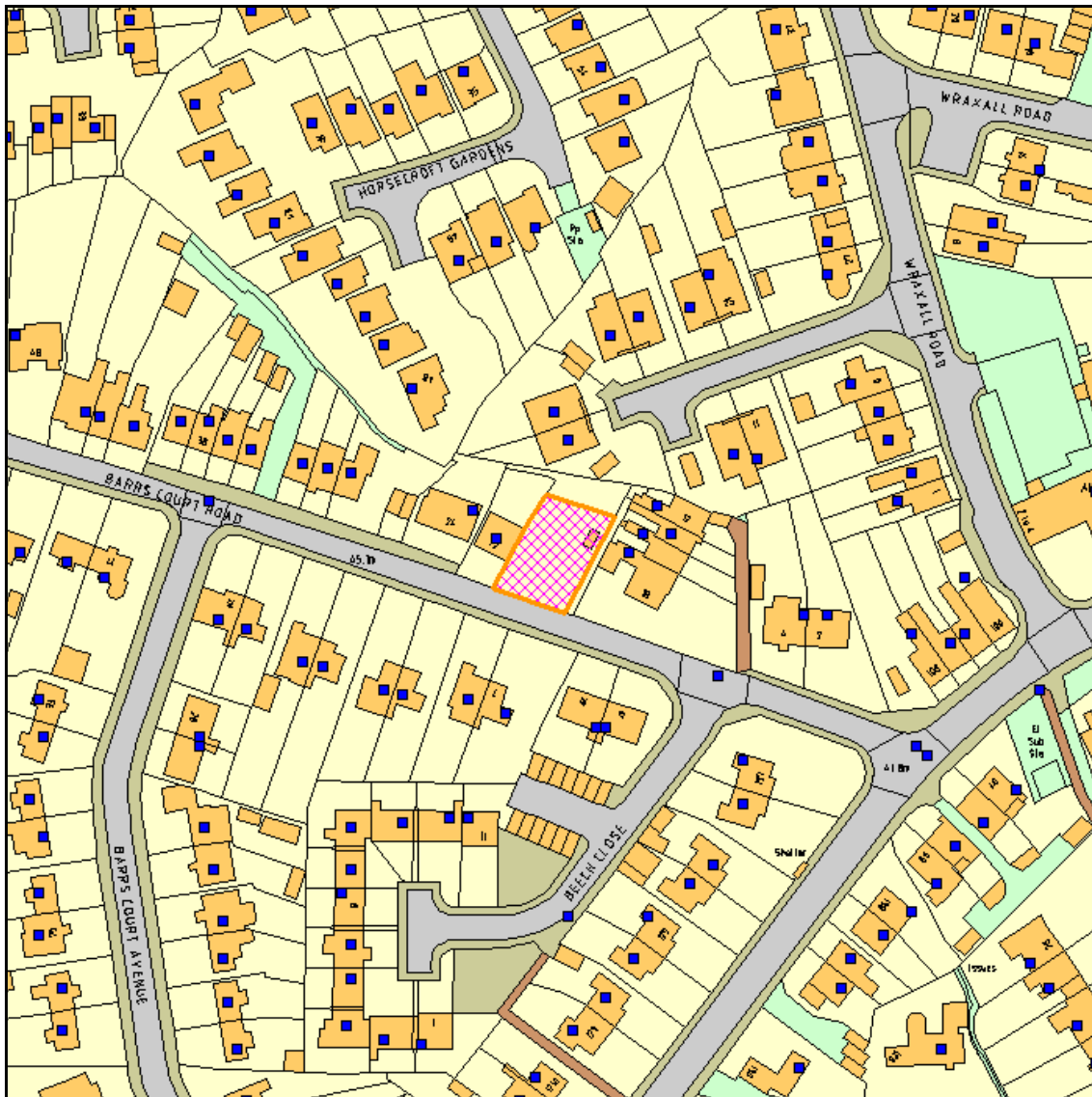
CIRCULATED SCHEDULE - 18 SEPTEMBER 2015

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK15/1628/F	Approve with Conditions	16 Barrs Court Road Barrs Court South Gloucestershire BS30 8DH	Parkwall	Oldland Parish Council
2	PK15/2071/F	Approve with Conditions	Willsbridge Mill Nature Reserve Willsbridge Hill Willsbridge South Gloucestershire BS30 6EX	Bitton	Oldland Parish Council
3	PK15/2072/LB	Approve with Conditions	Willsbridge Mill Nature Reserve Willsbridge Hill Willsbridge South Gloucestershire BS30 6EX	Bitton	Oldland Parish Council
4	PK15/2456/F	Approve	15 Broad Street Staple Hill South Gloucestershire	Staple Hill	None
5	PK15/2458/AD	Approve	15 Broad Street Staple Hill South Gloucestershire	Staple Hill	None
6	PK15/2743/F	Approve	Upper Farm West Littleton Road Marshfield Chippenham South Gloucestershire SN14 8JE	Cotswold Edge	Tormarton Parish Council
7	PK15/2972/F	Approve with Conditions	New House Farm Hawkesbury Common Badminton South Gloucestershire GL9 1BW	Cotswold Edge	Hawkesbury Parish Council
8	PK15/3067/F	Approve with Conditions	1 Woodhall Close Downend South Gloucestershire	Rodway	None
9	PK15/3133/F	Approve with Conditions	Unit R3 Link Road Yate South Gloucestershire BS37 4AY	Yate Central	Yate Town
10	PK15/3157/F	Approve with Conditions	15 Buckingham Place Downend South Gloucestershire BS16 5TN	Downend	Downend And Bromley Heath Parish Council
11	PK15/3274/AD	Approve	Aldermoor Way Longwell Green South Gloucestershire BS30 7DA	Longwell Green	Oldland Parish Council
12	PK15/3397/CLP	Approve with Conditions	16 Salisbury Road Downend South Gloucestershire	Downend	Downend And Bromley Heath Parish Council
13	PK15/3421/CLE	Refusal	Avglo Keynsham Road Willsbridge South Gloucestershire BS30 6EH	Bitton	Bitton Parish Council
14	PK15/3469/F	Approve with Conditions	28 Bye Mead Emersons Green South Gloucestershire BS16 7DL	Emersons	Emersons Green Town Council
15	PK15/3485/F	Approve with Conditions	39 Chesterfield Road Downend South Gloucestershire BS16 5RH	Downend	Downend And Bromley Heath Parish Council
16	PT15/2885/R3F	Approve with Conditions	Great Stoke Way South Of Great Stoke Roundabout Stoke Gifford South Gloucestershire BS34 8RJ	Stoke Gifford	Stoke Gifford Parish Council
17	PT15/3036/F	Approve with Conditions	Athelstan House Oakley Green Westerleigh South Gloucestershire BS37 8QZ	Westerleigh	Westerleigh Parish Council
18	PT15/3344/RM	Approve with Conditions	Charlton Hayes Phase 3 Parcel H38 Northfield Filton Airfield Patchway South Gloucestershire BS34 5DZ	Patchway	Patchway Town Council

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
19	PT15/3357/F	Approve with Conditions	1 School Way Severn Beach South Gloucestershire	Pilning And Severn Beach	Pilning And Severn Beach Parish Council
20	PT15/3373/F	Approve with Conditions	99 Bush Avenue Little Stoke South Gloucestershire	Stoke Gifford	Stoke Gifford Parish Council
21	PT15/3443/F	Approve with Conditions	Rock Cottage 80 Stone Lane Winterbourne Down South Gloucestershire BS36 1DJ	Winterbourne	Winterbourne Parish Council
22	PT15/3663/PNH	No Objection	Laurel Cottage Gloucester Road Almondsbury South Gloucestershire BS32 4HS	Almondsbury	Almondsbury Parish Council
23	PT15/3702/CLP	Approve with Conditions	3 Rose Oak Drive Coalpit Heath South Gloucestershire BS36 2AS	Westerleigh	Westerleigh Parish Council

CIRCULATED SCHEDULE NO. 38/15 – 18 SEPTEMBER 2015

App No.:	PK15/1628/F	Applicant:	Mr Lewis Prosser
Site:	16 Barrs Court Road Barrs Court Bristol South Gloucestershire BS30 8DH	Date Reg:	27th April 2015
Proposal:	Erection of 2no. semi-detached dwellings with access and associated works.	Parish:	Oldland Parish Council
Map Ref:	366303 172398	Ward:	Parkwall
Application Category:	Minor	Target Date:	17th June 2015



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100023410, 2008. N.T.S. PK15/1628/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is to appear on the Circulated Schedule due to the receipt of several letters of objection which are contrary to the Officer's recommendation to approve the application. This application has been on the Circulated Schedule previously with a recommendation for refusal, and this recommendation has been changed following receipt of amended plans.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of 2no. semi-detached dwellings with access and associated works on land adjacent to No. 22 Barrs Court Road.
- 1.2 The application site appears to have been more recently used as an allotment/garden. The applicant has advised that the land is now surplus to requirements and has been recently purchased by the owner of No. 16 Barrs Court Road.
- 1.3 The application site is flat and is bound by a modern bungalow at No. 22 Barrs Court Road to the west and the rear of 4no. traditional stone built terraced cottages No's 12 – 18 to the east. Barrs Court Road slopes down gently from west to east. To the east of the plot is a footpath for owners of No's 12 – 18 to access the rear of their properties. the footpath is a private right of way which is accessed from a gate and steps off Barrs Court Road. To the west are two more modern bungalows, followed by terraced houses. It is considered that the north side of the road has a higher density of terraced houses. On the south side are more modern ex-local authority, semi-detached, two-storey houses, with generous plots that are set back from the road. Overall, the area is not characterised by a particular architectural style or design.
- 1.4 The application site is located within an established residential area, within the settlement boundary and a Coal Referral Area. A Coal Mining Risk Assessment report has more recently been submitted by the applicant, following the request of the Coal Authority.
- 1.5 During the course of the application, several rounds of amendments have been received, the most recent on 28th August 2015, reducing the size of the eastern dwelling and relocating the parking area. A period of re-consultation was not deemed necessary as the proposal has been stepped away from the eastern boundary.

2. POLICY CONTEXT

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

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

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

H4 Residential Development in the Countryside
T12 Transportation Development Control

2.3 Supplementary Planning Guidance

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

3. RELEVANT PLANNING HISTORY

The site has no planning history attached to it. However, the following applications relating to a neighbouring site No. 24 are of note:

- 3.1 PK09/5209/F Erection of 1no. detached bungalow with access and associated works (Amendment to previously approved scheme PK07/0277/F)
Approved 14.10.2009
- 3.2 PK09/0277/F Erection of 1no. detached bungalow with access and associated works
Approved 13.04.2009

4. CONSULTATION RESPONSES

4.1 Oldland Common Parish Council
No objection.

4.2 The Coal Authority
OBJECTION: In accordance with the agreed risk-based approach to development management in the defined Development High Risk Areas, the applicant should again be informed that they need to submit a Coal Mining Risk Assessment Report as part of this application, prepared by a suitably qualified person. Without such a risk assessment, The Coal Authority does not consider that the LPA has sufficient information to determine this planning application and therefore maintains its objection to this proposal.

FINAL COMMENTS: The Coal Authority withdraws its objection to the proposed development, subject to the imposition of a condition to secure prior site investigations take place.

4.3 Highway Structures

No comment.

4.4 Lead Local Flood Authority

No objection in principle to this application subject to a SUDS condition being attached.

4.5 Sustainable Transport

No objection to revised parking provision subject to conditions.

Other Representations

4.6 Local Residents

Six comments have been received from local residents. Of these, there are 5no.comments of objections:

Access

- Existing concrete path along side of application site appears is to be used for rear access, but this is owned by No. 22;
- Existing path is fixed to the side of No. 22 and it is feared footfall will be felt in the property;
- The boundary of the proposed development should be limited to the edge to avoid becoming a nuisance and permanent intrusion to No. 22;
- Proposed plan shows the rear garden of new dwellings adjoining No. 22 garden fence with no gap;
- Existing footpath should not be used by new dwellings/occupiers;
- No access to rear of proposed dwellings, only via existing shared access path (for access to back of No. 12 – 18);
- Application seems to assume a right of access to rear of 3 bedroom property which does not exist;
- Pathway between application site and cottages is privately owned (right of access for cottages only);

Design

- Height of proposed buildings not to scale or does not show the new buildings at the correct scaled height;
- Proposed overall height of new dwellings likely to higher as land slopes downwards towards No. 14;
- Height of buildings will reduce light to No. 14;
- Proposed front elevation gives unclear appreciation of eaves height of cottages;
- Eaves height below No.22 Barrs Court Road;
- Proposed development too big for the site;
- Density not in keeping;
- Dispute distance between No. 18 and proposed building;
- Bungalow on site would fit in with other properties rather than two houses.
- Neighbouring properties have space around them;

Residential Amenity

- Proposal will overlook private garden and back window of No. 14;

- The proposed gardens for the new dwellings adjoin No. 14 garden and will affect privacy and quiet enjoyment (noise);
- Application states height of proposed dwellings are below height of existing cottages No's 12 – 18 as road on downward slope and gardens of No's 12-14 the same. The new dwellings are going to be above the height of the existing cottages and bungalow and would be out of place with surroundings;
- Upper windows of proposed development would be above windows of adjacent cottages;
- Permission for 2009 bungalow initially refused due to inclusion of dormer windows;

Culvert

- Proposal avoids the existing brook that runs through the land, but this could be disturbed during construction. How will this be mitigated?
- The proposed dwellings should avoid the brook running through the gardens;

Transportation/Parking

- Off-street parking is very limited due to surrounding properties not having private parking;
- Already an issue with existing limited on-street parking;
- Parking spaces provided are tight and would result in further on-street parking as a result;
- Parking access to the new dwellings would restrict vehicles parking opposite side of the road, which is regularly parked on;
- Parking in area would be exacerbated;
- Not enough parking space;
- No pavement fronting development;
- Larger vehicle would overhang and no turning space;
- Vehicles frequently mount the pavement to park;

One comment of support received:

- Area currently looks untidy;
- Street would look better if houses were built on this land and support proposed development.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The NPPF carries a presumption in favour of sustainable development and speaks of the need to 'boost significantly the supply of housing ' (paragraph 47) and to deliver a wide choice of high quality homes and widen opportunities for home ownership and create sustainable inclusive mixed communities (paragraph 50). Policy CS5 directs development to the existing urban areas. Policies CS16 and CS17 support increased density and greater diversification of housing. Furthermore weight is given to the recent appeal decision in Charfield which found the Council currently has a 4.6 year housing land supply. Accordingly, in such circumstances there is a presumption in favour of sustainable development unless the adverse impact would significantly and

demonstrably outweigh the benefits. Weight is therefore given to the benefits that 2 additional dwellings in an urban area would bring.

- 5.2 Policy CS1 of the adopted Core Strategy states that development proposals will only be permitted where the 'highest possible standards of design and site planning are achieved'. Development proposals will be required to demonstrate that siting, form, scale, height, massing, detailing, colour and materials are informed by, respect and enhance the character, distinctiveness and amenity of the site and context. Saved policy H4 of the adopted Local Plan states that new dwellings will only be permitted where they respect the massing, scale, proportions, materials and overall design and character of the existing property and the character of the street scene.
- 5.3 Saved Policy T12 identifies factors relating to parking, access and highway safety that must be taken into consideration. Residential Parking Standards SPD (Adopted) December 2013 advises on the minimum parking standards. The application will be assessed in light of the above policies.
- 5.4 Design and Visual Amenity
The NPPF and policy CS1 of the adopted Core Strategy seek to secure "the highest possible standards of design and site planning". The application site is a currently a former allotment/garden, that is no longer regularly maintained or required. The application site does not extend fully to the rear of the site and finishes in line with the north elevation of No. 16 Barrs Court Road. The land is flat and is set down slightly from the road. To the east of the plot and to the rear of the cottages is an existing footpath. The housing density in the area is mixed, with terraced properties and modern detached bungalows on the north side of Barrs Court Road. On the south side are large, former local authority, semi-detached houses and semi-detached chalet bungalows. The area is characterised by open frontages and there is a wide footpath that runs in front of properties until No. 24. Overall, the area is not characterised by a particular architectural style or design, but properties are generally set back from the road.
- 5.5 The application proposes 2no. semi-detached dwellings which are double storey with a hipped roof and double hipped roofs on the rear elevation. The dwellings would be set back from Barrs Court Road in line with No. 22, which is currently the last domestic property along this section of the road. Barrs Court Road is slightly higher than the application site. Due to concerns about the originally proposed height of the building, the applicant has further set down the proposed dwellings.
- 5.6 Private amenity space would be to the rear with side access on the east and west. The provision of private amenity space would be relatively proportionate to each dwelling, with no. 2 having a much wider and larger rear garden, for a slightly larger property. Both gardens would be bound by traditional wooden fencing. The front of the properties would be open, with parking provision and a small bin store for each dwelling, which has been relocated so that the front door of dwelling no. 2 does not open out to a communal bin store. The proposed materials include smooth white render with brick detailing on the walls and concrete tiles on the roof to match neighbouring dwellings. The

proposed parking layout has been altered to improve the layout, with tandem parking proposed to the side of plot 2, rather than two parking spaces proposed to the front, appearing cluttered and overhanging onto the highway.

- 5.7 The form, appearance and massing of the proposed dwellings has been amended during the course of the application following significant discussions with the applicant, and clarifying drawings indicating the height of the dwellings within the street scene have also been received. The original design proposed a contrived roof configuration with projecting windows on the front and rear, and a high eaves height. The revised proposal involves a lower eaves height, with a simplified roof design and form. The overall design of the dwellings would be simple and modern. The character of the area is mixed and as such the proposed design principles are generally in keeping with the surroundings. As previously discussed, the roof design of the dwellings has been improved and generally simplified. A large number of properties in the area have chimneys and are double fronted, including the neighbouring bungalows. There is a lack of detail reflected in the proposed design. The front elevation of the smaller dwelling no.1 would only have a one window on the ground and first floor. The proportions (i.e. width) and fenestration arrangement of dwelling no. 2 are more in keeping with the area. In this respect, the proposal has diluted the character of the dwellings somewhat.
- 5.8 Whilst the Officer considers there to be a number of positive improvements to the revised design, there are still some minor detailing concerns with regards to the principal elevation of plot 1, however the Officer does not consider this tantamount to a refusal reason.
- 5.9 Residential Amenity
Residential amenity should not be prejudiced as a result of development. Careful consideration is required regarding the effect on neighbouring occupiers given that the application site is surrounded by a mixture of bungalows and two storey dwellings. The garden space for each property would be to the rear of the site, and it is considered that there is sufficient private amenity space proposed for each of the new dwellings.
- 5.10 The proposed dwellings would have windows on the front and rear elevations only. The majority of window openings would be on the rear elevation. The rear elevation of the proposed two storey dwellings would finish in line with the south elevation No.18 Barrs Court Road and rear elevation of No. 22 Barrs Court Road. The rear elevation of the proposed dwellings would be at an oblique angle to No. 15 Wraxall Road (bungalow) to the rear of the application site with a distance of approximately 14 metres. Currently the application site is unoccupied by built form. In this respect, it is considered that the proposed development would have an impact in terms of increased overlooking to No. 15 Wraxall Road. However, given the surrounding context the relationship between these dwelling units is not an unusual one, and is considered unlikely to result in significant adverse impact.
- 5.11 Some of the residents of the traditional cottages to the east (No's 12 – 18) have raised concerns about the impact on their privacy, particularly their rear elevation windows. The application site does not extend to the rear of the site

or border No. 15 Wraxall Road and would finish in line with No. 16 Barrs Court Road. As the cottages and proposed new dwellings would be located at oblique angles to each other it is not considered that the proposed windows would have a significant privacy impact on the cottages. The relationship between the cottages and proposed new dwellings would preclude any harmful indivisibility of the rear elevation. The cottages private gardens are located to the front, further to the east of the proposed development.

5.12 Concerns have been raised by local residents about potential noise and reduction in daylight impacts from the proposed development. It is unlikely the proposed dwellings would result in a significant increase in noise, given they would be for residential use in an established residential area. The gardens of the new dwellings would face north; it is considered unlikely that the proposed development would reduce the amount of daylight to No. 14 Barrs Court Road which faces south-easterly.

5.13 Highway Safety

Vehicular access to the application site would be off Barrs Court Road. It is proposed that the off-street parking provision for plot 1 would be to the front of the site, and two parking spaces for plot 2 have been repositioned to the site of the site. Local residents have raised concerns about existing on-street parking issues on what is a relatively busy residential road, with vehicles often parking on the existing footpaths, however the number of parking spaces proposed meets the minimum requirements within the Residential Parking Standards SPD. The Transportation Development Control Officer has withdrawn their objection following the amended parking provision, which no longer overhangs the footpath across the front of the site. Overall, it is considered that the proposal does comply with the Residential Parking Standard SPD. The proposed parking layout is acceptable and a footway has now been provided.

5.14 Drainage

The Council's Drainage Officer has raised no objection to the proposal, providing the preferred method for surface water disposal is utilising the existing Public Water system and a SUDS condition is attached, should permission be granted.

5.15 The applicant and Officers are aware of the existing rainwater culvert that runs diagonally through the middle of the application site and this has informed the shape and footprint of the proposed dwellings. The new dwellings would not be constructed over the culvert.

5.16 Coal Authority

The application site falls within the defined Development High Risk Area. The Coal Authority previously objected and requested additional information in the form of a Coal Mining Risk Assessment report. The applicant was initially reluctant to provide such detailed information, but later submitted the necessary report along with the revised plans in early July 2015. The Coal Authority has now withdrawn its objection to the proposed development subject to the imposition of a condition securing a scheme of intrusive site investigations prior to the commencement of development.

5.17 Other Matters

There is an existing private way/footpath to the east of the application site. Neither the applicant nor the occupiers of the cottages to the east own the footpath, which provides access to the rear of the cottages and the remaining piece of land to the north. The applicant has addressed access to the rear of the proposed development site by providing separate side accesses for both new dwellings.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That planning permission is **APPROVED** subject to the 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. No development shall commence until surface water drainage details including SUDS (Sustainable Drainage Systems e.g. soakaways if ground conditions are satisfactory), for flood prevention; pollution control and environmental protection have been submitted and approved by the Local Planning Authority. Developers will be required to reduce run off rates (30%) and volumes as much as is reasonably practicable. The development shall then proceed in accordance with the approved details.

Reason

To comply with Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013, South Gloucestershire Council's Level 2 Strategic Flood Risk Assessment December 2011 and National Planning Policy

Framework 2012. This information is required prior to commencement to prevent remediation works being required during the construction period.

3. Intrusive site investigation works should be undertaken as recommended in the Coal Mining Risk Assessment Report. To evidence this, and prior to commencement of development, the following shall be submitted to the Local Planning Authority for written approval:
 - the submission of a scheme of intrusive site investigations
 - the submission of a report of findings arising from the approved intrusive site investigations
 - the submission of a scheme of remedial works for approvalThe development shall then commence in accordance with the approved remedial works.

Reason

In order to establish the exact situation regarding coal mining legacy issues on site, and to accord with the National Planning Policy Framework. The information is required prior to commencement in order to ensure the development is stable and to prevent remedial works later on in the construction process.

4. Prior to the commencement of development, details of the external facing materials proposed, including a sample of the proposed brickwork and roof tiles must be submitted to the Local Planning Authority for written approval. The development shall then be implemented in accordance with the approved details.

Reason

To ensure a satisfactory standard of external appearance and to accord with policy CS1 of the South Gloucestershire Core Strategy (Adopted) December 2013. The information is required prior to commencement as the materials used are integral to the construction process.

5. Prior to the first occupation of the dwellings hereby approved, the parking spaces shown on the Proposed Ground Floor Plan LP-01 Revision A (received on 28th August 2015) shall be implemented and maintained for that purpose thereafter.

Reason

To ensure adequate parking and to accord with policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006, policy CS8 of the Core Strategy (Adopted) December 2013 and the Residential Parking Standards SPD (Adopted) December 2013.

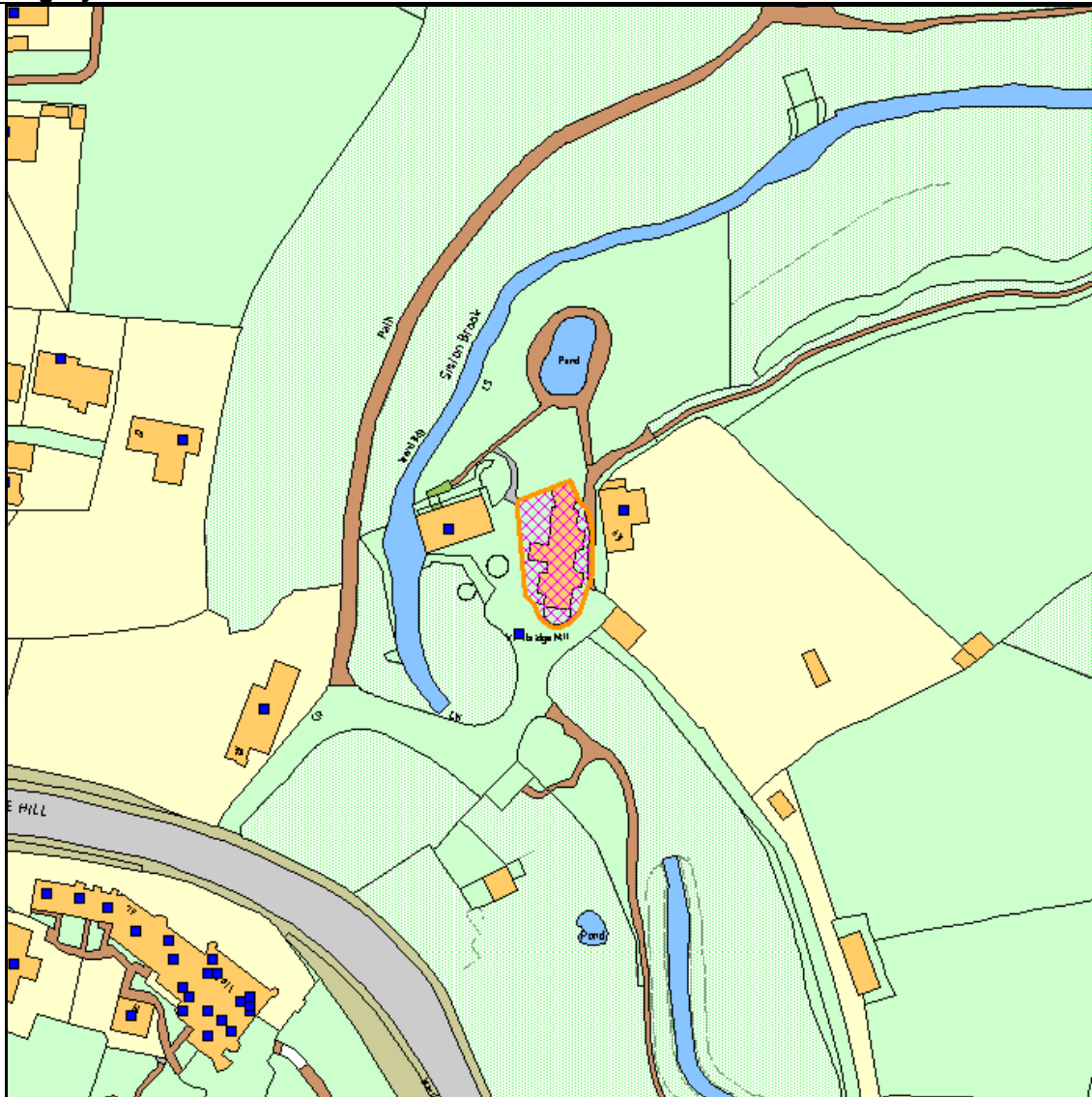
6. The front gardens of the proposed dwellings shall be maintained as 'open plan' with no boundary wall, fence or other obstruction between the dwellings and the highway, with the exception of the bin stores hereby approved.

Reason

In order to maintain adequate visibility and to accord with policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006 and policy CS8 of the Core Strategy (Adopted) December 2013.

CIRCULATED SCHEDULE NO. 38/15 – 18 SEPTEMBER 2015

App No.:	PK15/2071/F	Applicant:	Mr Chris Goodsall
Site:	Willsbridge Mill Nature Reserve Willsbridge Hill Willsbridge South Gloucestershire BS30 6EX	Date Reg:	20th May 2015
Proposal:	Erection of glazed porch over main entrance and recycling store to rear, external alterations including new windows and door and roof extract vent.	Parish:	Oldland Parish Council
Map Ref:	366436 170743	Ward:	Bitton
Application Category:	Minor	Target Date:	9th July 2015



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 100023410, 2008. **N.T.S.** **PK15/2071/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application is submitted to the circulated schedule as a result of the matters raised by the neighbouring parish council.

1. THE PROPOSAL

- 1.1 The application seeks consent to erect a glazed porch over the main entrance, the erection of a recycling store to the rear and external alterations including new windows, door and roof extract vent.
- 1.2 The building is curtilage listed as a result of its association with the main mill building (grade II) and within the Green belt and SSSI. The site is also in the flood zone 2.
- 1.3 The application has been amended by the correct service of ownership certificates and by the raising of the extract vent up the roof slope since first submission.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012 in particular chapter 12 'Conserving and Enhancing the Historic Environment' and accompanying Historic Environment Planning Practice Guide.

Planning (Listed Buildings and Conservation Areas) Act 1990
Planning Practice Guidance

2.2 Development Plans

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

L13 Listed buildings
LC12 Recreational routes

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
CS23 Community Infrastructure and Cultural activity
CS34 Rural Areas.

3. RELEVANT PLANNING HISTORY

- 3.1 PK15/2072/LB Internal and external alterations including erection of glazed porch over main entrance and recycling store to rear, new windows and door, roof extract vent, internal opening and new partitions. Pending
- 3.2 K1724/6 Conversion and exteisions to barn to provide educational and community facilities (Previous ID: K1724/6) approved 11.06.1984

3.3 L28/1 Conversion and extensions to barn approved 11.06.1984

4. **CONSULTATION RESPONSES**

4.1 Oldland Parish Council
No objection

4.2 Other Consultees

4.3 Bitton Parish Council (neighbouring parish council)
Councillors wish to comment because although the site lies within Oldland Parish Willsbridge Mill is a much loved facility used by residents from within Bitton Parish. Councillors have no objection in principle to the proposals but ask that further consideration is given to address concerns about: 1) the increased level of effluent going into a septic tank shared with Mill Cottage; and 2) the proximity of the vent to the footpath and Mill Cottage which, if used for any level of catering, is unacceptable.

4.4 Environmental Protection
It is noted that the kitchen extract is sited close to Mill Cottage, however as the kitchens intended use is stated to be limited to heating up soup, toasted sandwiches and cake baking no objection is raised.

4.5 Conservation Officer
The barn is located to the east of the mill and is curtilage listed as a result of its relationship with the mill building which is grade II listed. Both buildings are built of pennant sandstone. The barn has been converted in the past to a community space, including large communal full height meeting space, office, toilets and kitchen. The building has a number of extensions, as well as new windows, glazed screens and doors. The stairwell is housed in a new extension to the west elevation.

The barn has recently been taken on by a new community group who are looking to make some changes to the building. These mostly involve replacing/relocating modern additions to the building. One element involves removal of a small section of historic walling, and there are two areas of extension to the east elevation.

The internal reconfiguration of wc's and kitchen are considered neutral other than the removal of a small pier of the original gable wall at ground floor to make the café space larger and more useable. Substantial nibs will be retained which will still allow the plan form to be legible. The applicant's justification for the change is that it is 'critical to the extension of the activities in the building which will provide for the sustainability of the project in the future.' On balance the alteration is considered acceptable in terms of conservation.

- It was recommended at pre-app stage that the window on the north elevation was revised as it looked cramped against the round windows, and not agricultural in character;

- The extract vent on the roof at 400mm x 400mm is quite large. Could a vent be extracted through the wall to the covered store area?
- confirmation of the materials for the glazed porch are required although this could be conditioned.

4.6 Archaeology officer
No objection

4.7 Ecology Officer
There are no ecological constraints to granting planning permission. Two informatives regarding bats and birds are recommended.

4.8 Public rights of way
This development may affect the nearest public footpath, ref. POL28, which runs adjacent to the building on its eastern side. The footpath is a designated promoted route - the Dramway footpath. This section is also concurrent with the Community Forest Path.
There are concerns that introducing a kitchen vent at such a low level and close proximity to the right of way may adversely affect the amenity and enjoyment associated with this popular promoted route. I have no objection in principle to this development, but this is subject to a revised plan showing a more compatible vent arrangement.

4.9 Drainage
No comment

Other Representations

4.10 Local Residents
One neighbour (of Mill Cottage) writes in support of the scheme for the following reasons:
The activities here since the involvement of the applicant has greatly reduced vandalism and improved the surrounding environment bringing in a significant community engagement in the site.

I note the two concerns raised in the comments appended to this application and would respond as follows;

Extract ventilation - This is a new proposal but the level of extraction from the proposed kitchen is unlikely to be more of a nuisance than a domestic extract. The food preparation is limited to heating and warming and does not involve the level of cooking you would expect from a more commercial kitchen. I have no objection to this in principle therefore but you may like to condition the use of the kitchen to this level of use.

Combined Drainage - My property benefits from the right of sewage disposal via the cess pit managed by the applicant on behalf of the Council. When I first moved to the cottage the Barn was a well used educational facility with many school visits and evening events. There were no issues over drainage and effluent removal during that time.

The applicant expects to increase the public use of the site as a result of the improvements but having been closed and neglected for so long prior to the applicant taking over this is not surprising.

I do not envisage any problem therefore from this application. The drainage system relies on the cess pit being emptied on a regular basis and any increase in volume will just mean that the applicant will need to empty it more often.'

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The use of the building is not changing as part of this application but the building is subject to the changes to facilitate better use of the space available. Policy CS1 is a general policy which is supportive of high quality design where sufficient space is designed in for waste sorting/storing, prevention of crime and is generally enhancing public realm. As such the proposal needs to be accessed in terms of its impact on the listed building and visual amenity. Policies L13 and CS9 consider specifically the listed building and CS5 relates to Greenbelt which is a first consideration in this application.

5.2 Green Belt

The site is located in the Green Belt where the NPPF indicated that extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building are not inappropriate development. The proposal increases the mass of the building very little such that it is not considered to be disproportionate additions even with other works which have been undertaken. Moreover there is no harm to the openness of the green belt and as such it is concluded that very special circumstances are not required to be shown.

5.3 Impact on listed building

Policy L13 seeks to preserve the setting of a listed building, retaining features of its architectural or historic interest, whilst also maintaining its character, historic form and structural integrity. Policy CS9 seeks to ensure that heritage assets such as this site are conserved, respected and enhanced in a manner appropriate to their significance. The proposals to this curtilage listed building are generally acceptable and maintain the character and appearance of the building, being discrete and in materials appropriate to the building. Whilst the conservation officer suggests that that the new first floor window should be smaller it is north facing and faces directly onto a treed bank. As such on balance the perceived improvement by reducing the size of the window is outweighed by the potential additional light received to the host room and by the situation that there is very limited view of the window from the area.

The flue has been changed from white to black during the application but specific details have not been provided and can be secured by condition. Large scale details of windows and details of the glazed porch also need to be clarified by condition. As such the application complies with policies L13 and CS9 set out above.

5.4 Impact on neighbours

The changes to the building are not considered to have a material impact on the neighbouring dwelling by reason of physical proximity or appearance given the bin store facing the cottage and the flue extract are small and do not offer significant mass to the building in close proximity to the neighbour. However CS9 seeks to ensure that development respects its environment and in this case the potential impact of the flue extract close to Mill Cottage is a relevant consideration because whilst the use of the building is not changing the flue is a new proposal which could potentially direct odours towards Mill Cottage. Notwithstanding this it is noted that the neighbour at Mill Cottage is supportive of the scheme. The Design and Access Statement advises at paragraph 8.6 that *“Activities will be limited to heating soup, toasted sandwiches and the like, and making cakes and biscuits. There will be no deep fat frying. Odour control is not therefore considered necessary.”* Consideration has been given to whether it is reasonable to restrict the range of food offered given that there is no current restriction and no extract flue. At present any odours emanating would dissipate out of the doors/ windows facing the main mill building and be less likely to affect Mill Cottage and the footpath. The flue extract has been raised higher on the roof to aid dispersion of smells occurring. Because the agent indicates that the nature of the food operation will not include deep fat frying and because the agent has not shown details of the technical specification of the flue, in terms of smell/grease traps it is considered reasonable and necessary to restrict deep frying at the premises. This can be controlled by a condition.

5.5 Transportation

There is no direct impact on the vehicular transportation needs of this application.

The proposal has no direct impact on the route of the footpath and whilst smells from the kitchen may be discernible from the walking route of the footpath it is not considered that this would sufficiently harm the amenity of the users of the footpath such as to warrant refusal of consent. Notwithstanding this the height of the flue has been raised up the roof of the building during this application in order to keep it further from the footpath and as such further from eye-level. This is considered to be acceptable in relation to the footpath.

5.6 Drainage

The site is located in Flood Zone 2 where National Planning Guidance finds the use to be a ‘less vulnerable’ and is therefore acceptable development.

There is minimal work to the roof mass of the building and no change of use proposed and as such the Councils Drainage Team raise no comment on the application – however it is worth noting that the existing foul system appears to be that of a cess-pit and that if the use gets busier then it is likely that the cess-pit will need to be emptied more regularly. This is not a consideration in 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 is granted subject to the conditions set out below.

Contact Officer: Karen Hayes
Tel. No. 01454 863472

CONDITIONS

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

Reason

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

2. There shall be no deep fat frying, unless an odour management plan is first submitted to and agreed in writing by the Local Planning authority to demonstrate the impact upon nearby residential properties. Thereafter any deep fat frying may only take place in accordance with the odour management plan so agreed.

Reason

Cooking by means of deep fat frying would increase the likelihood of smell nuisance to the occupants of The Cottage, and as such further details would be required to control this. This would be in accordance with policy CS9 of the South Gloucestershire Local Plan Core Strategy adopted December 2013.

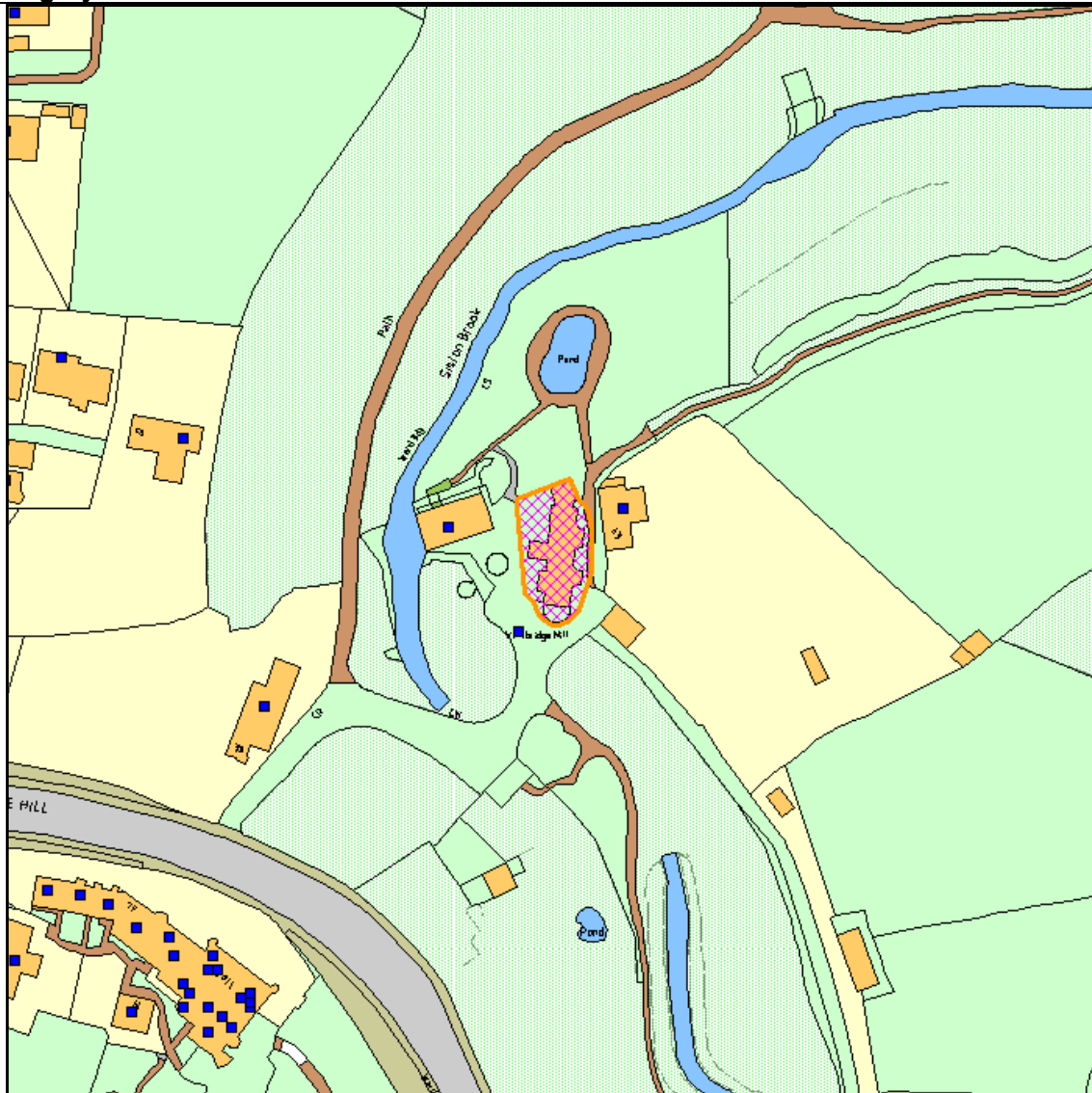
3. Prior to the commencement of development full details comprising plans at a scale of 1:20 of the following items shall be submitted to and agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the agreed details.
- (a) window and door details including glazing bars;
 - (b) rainwater goods;
 - (c) reveals to windows/door openings;
 - (d) eaves overhang;
 - (e) skirting etc.
 - (f) materials for the glazed porch.
 - (g) full details of the extract vent

Reason

To safeguard the special architectural and historic character of the building, and to accord with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, and to accord with Policy L13 of the South Gloucestershire Local Plan adopted 2006 and Policy CS9 of the South Gloucestershire Local Plan Core Strategy adopted December 2013.

CIRCULATED SCHEDULE NO. 38/15 – 18 SEPTEMBER 2015

App No.:	PK15/2072/LB	Applicant:	Mr C Goodsall
Site:	Willsbridge Mill Nature Reserve Willsbridge Hill Willsbridge South Gloucestershire BS30 6EX	Date Reg:	20th May 2015
Proposal:	Internal and external alterations including erection of glazed porch over main entrance and recycling store to rear, new windows and door, roof extract vent, internal opening and new partitions.	Parish:	Oldland Parish Council
Map Ref:	366436 170743	Ward:	Bitton
Application Category:	Minor	Target Date:	9th July 2015



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 100023410, 2008. **N.T.S.** **PK15/2072/LB**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application is submitted to the circulated schedule as a result of the matters raised by the neighbouring parish council.

1. THE PROPOSAL

- 1.1 The application seeks consent to erect a glazed porch over the main entrance, erection of a recycling store to the rear and external alterations including new windows, door and roof extract vent.
- 1.2 The building is curtilage listed and located adjacent to the grade II listed main .

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012 in particular chapter 12 'Conserving and Enhancing the Historic Environment' and accompanying Historic Environment Planning Practice Guide.

Planning (Listed Buildings and Conservation Areas) Act 1990

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) January 2006 (saved policies)
L13 Listed buildings

South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design
CS9 Managing the Environment and heritage

3. RELEVANT PLANNING HISTORY

- 3.1 PK15/2071/F Internal and external alterations including erection of glazed porch over main entrance and recycling store to rear, new windows and door, roof extract vent, internal opening and new partitions. Pending and to be decided with this application
- 3.2 K1724/6 CONVERSION AND EXTENSIONS TO BARN TO PROVIDE EDUCATIONAL AND COMMUNITY FACILITIES (Previous ID: K1724/6) approved 11.06.1984
- 3.3 L28/1 Conversion and extensions to barn approved 11.06.1984

4. CONSULTATION RESPONSES

- 4.1 Oldland Parish Council
No objection

4.2 Other Consultees

4.3 Bitton Parish Council (neighbouring parish council)

Councillors wish to comment because although the site lies within Oldland Parish Willsbridge Mill is a much loved facility used by residents from within Bitton Parish. Councillors have no objection in principle to the proposals but ask that further consideration is given to address concerns about: 1) the increased level of effluent going into a septic tank shared with Mill Cottage; and 2) the proximity of the vent to the footpath and Mill Cottage which, if used for any level of catering, is unacceptable.

4.4 Conservation Officer

The barn is located to the east of the mill and is curtilage listed as a result of its relationship with the mill building which is grade II listed. Both buildings are built of pennant sandstone. The barn has been converted in the past to a community space, including large communal full height meeting space, office, toilets and kitchen. The building has a number of extensions, as well as new windows, glazed screens and doors. The stairwell is housed in a new extension to the west elevation.

The barn has recently been taken on by a new community group who are looking to make some changes to the building. These mostly involve replacing/relocating modern additions to the building. One element involves removal of a small section of historic walling, and there are two areas of extension to the east elevation.

The internal reconfiguration of wc's and kitchen are considered neutral other than the removal of a small pier of the original gable wall at ground floor to make the café space larger and more useable. Substantial nibs will be retained which will still allow the plan form to be legible. The applicant's justification for the change is that it is 'critical to the extension of the activities in the building which will provide for the sustainability of the project in the future.' On balance the alteration is considered acceptable in terms of conservation.

- It was recommended at pre-app stage that the window on the north elevation was revised as it looked cramped against the round windows, and not agricultural in character;
- The extract vent on the roof at 400mm x 400mm is quite large. Could a vent be extracted through the wall to the covered store area?
- confirmation of the materials for the glazed porch are required although this could be conditioned.

4.5 Archaeology officer

No objection

4.6 Society for the protection of ancient buildings

Although we do not wish to formally comment on the proposals, it is our hope that the works carried out will be sympathetic to local tradition and that traditional materials will be used.

Council for British Archeology	– no comment
Georgian Group	– no comment
Twentieth century Society	– no comment
Victorian Society	- no comment
Ancient monuments society	– no comment

Other Representations

4.7 Local Residents

One letter of support with concerns about the delay of the proposal.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The building is listed and as such the Council have a duty to preserve the special architectural or historic interest of the building and the setting of other listed buildings. Policy CS9 and L13 are inline with the national guidance in this respect. Policy L13 seeks to preserve the setting of a listed building, retaining features of its architectural or historic interest, whilst also maintaining its character, historic form and structural integrity. Policy CS9 seeks to ensure that heritage assets such as this site are conserved, respected and enhanced in a manner appropriate to their significance. As such the proposal needs to be accessed in terms of its impact on the listed buildings.

5.2 Impact on listed building

The proposals to this curtilage listed building are generally acceptable and maintain the character and appearance of the building, being discrete and in materials appropriate to the building. Whilst the conservation officer suggests that that the new first floor window should be smaller it is north facing and faces directly onto a treed bank. It does not directly affect the retention of the existing round window and as such on balance the perceived improvement by reducing the size of the window is outweighed by the potential additional light received to the host room and by the situation that there is very limited view of the window from the area. This will support the future use of the room, weighing in favour of the beneficial use of the building and therefore is considered in line with the NPPF at paragraph 131.

The flue has been changed from white to black during the application but specific details have not been provided and can be secured by condition.

Large scale details of windows and details of the glazed porch also need to clarified by condition.

As such the application complies with policies L13 and CS9 set out above and is considered to be acceptable.

6. **RECOMMENDATION**

6.1 That listed building consent is granted subject to the conditions set out below.

Contact Officer: Karen Hayes
Tel. No. 01454 863472

CONDITIONS

1. The works hereby permitted shall be begun before the expiration of three years from the date of the consent.

Reason

As required by Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) to avoid the accumulation of Listed Building Consents.

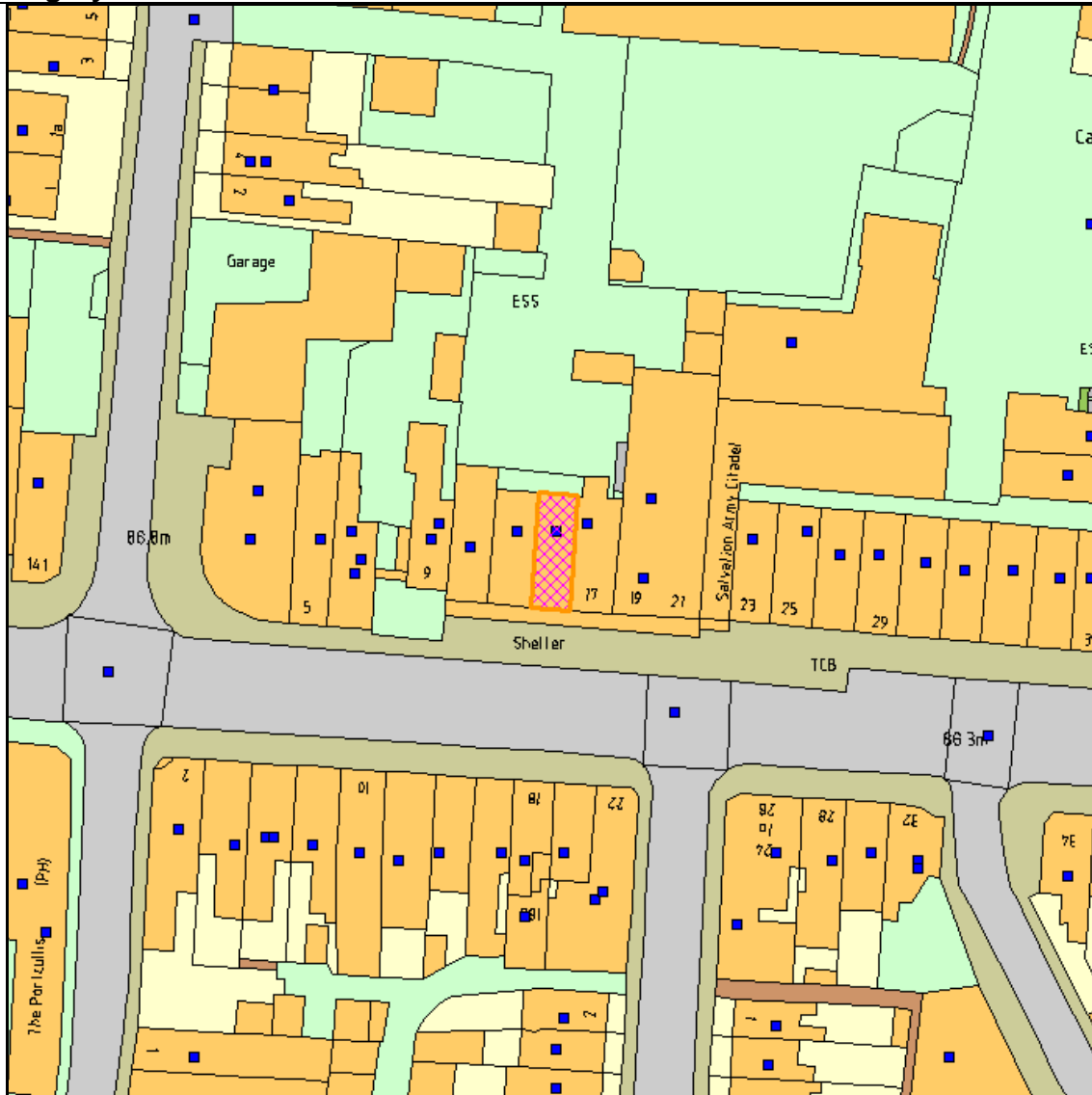
2. Prior to the commencement of development full details comprising plans at a scale of 1:20 of the following items shall be submitted to and agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the agreed details.
 - (a) window and door details including glazing bars;
 - (b) rainwater goods;
 - (c) reveals to windows/door openings;
 - (d) eaves overhang;
 - (e) skirting etc.
 - (f) materials for the glazed porch.
 - (g) full details of the extract vent

Reason

To safeguard the special architectural and historic character of the building, and to accord with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

CIRCULATED SCHEDULE NO. 38/15 – 18 SEPTEMBER 2015

App No.:	PK15/2456/F	Applicant:	NoteMachine UK Ltd
Site:	15 Broad Street Staple Hill Bristol South Gloucestershire BS16 5LN	Date Reg:	17th June 2015
Proposal:	Installation of ATM (Retrospective)	Parish:	None
Map Ref:	364961 175938	Ward:	Staple Hill
Application Category:	Minor	Target Date:	7th August 2015



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100023410, 2008. N.T.S. PK15/2456/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the circulated schedule as the recommendation to approve is contrary to an objection from a member of the public.

1. THE PROPOSAL

- 1.1 The application is for the installation of an Automated Teller Machine (ATM). The application is retrospective. A separate application has been received for the retention of internally illuminated fascia sign and surround to the ATM (PK15/2458/ADV).
- 1.2 The ATM is fitted to a retail premises on Broad Street in Staple Hill. The premises is set well back from the highway which is a primary retail frontage.

2. POLICY CONTEXT

2.1 National Guidance

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

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

CS1 High Quality Design
CS8 Improving Accessibility
CS14 Town Centres and Retail

South Gloucestershire Local Plan (Adopted) January 2006

T12 Transportation Development Control Policy for New Development
RT1 Development in Town Centres

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist SPD (Adopted) 2007

3. RELEVANT PLANNING HISTORY

- 3.1 There is no relevant planning history for this application.

4. CONSULTATION RESPONSES

4.1 Parish/Town Council

No comments have been received

4.2 Other Consultees

Sustainable Transport – No objection

Lead Local Flood Authority – No Comment

Other Representations

4.3 Local Residents

One letter of objection has been received from a member of the public making the following comments;

- Permission has already been granted.
- Sited opposite my house and the street is very noisy at night owing to the next door food business. This will intensify late night activity.
- There is an ATM 50 yards up the street.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The application seeks permission for the installation of an ATM on a primary shopping frontage in the centre of Staple Hill on the busy Broad Street. The pertinent issues to consider are the impact of the development on visual amenity, residential amenity and highway safety.

Principle of Development – Development in Town Centres

5.2 Saved Policy RT1 permits retail and other development appropriate to a town centre location where it would not detract from the vitality of the town centre, would be consistent with the scale and function of the town centre and would be accessible to public transport users, pedestrians, cyclists and those with special mobility needs, and it would not prejudice residential amenity. The Principles of this policy are supported by Policy CS14.

5.3 As a primary shopping frontage on the main road through Staple Hill and benefitting from wide pavements and multiple retail units, the retention and enhancement of the vitality of this location is afforded considerable weight and policy support. This unit will not detract from such vitality and is an important support for such retail, commercial, consumer enterprises. It is therefore consistent with the scale and function of the centre and is in a very accessible and safe location with a particularly wide footpath and access to the surrounding transport network and car parks. It is to be installed in accordance with DDA requirements.

Principle of Development – Residential Amenity

5.4 An objection has been received in regard to residential amenity impact through additional noise. It is acknowledged that an additional cash facility which will be accessible 24/7 will be used at unsociable hours. Nevertheless, this application must be assessed in the context of the site as a primary retail frontage where a night-time economy is important to that vitality and exists, primarily in the form of food and drink establishments.

5.5 The objection refers to another ATM in the vicinity that is away from residential properties. Many of the retail units have residential accommodation directly above them however and this is encouraged in planning policy. It is considered that in the context of this town centre location, a night-time economy is both existing and expected and the addition of one ATM will not have a particularly material impact on the level of noise above and beyond that already

established. It is a typical feature of a street of this character and it is not considered that there will be a harm to residential amenity that could amount to a refusal reason.

5.6 Principle of Development – Visual Amenity, Safety, Crime Prevention

Policy CS1 states that acceptable development must safeguard amenity value. The policy also requires the development to take account of personal safety, security, and crime prevention. The ATM will be set flush with the front of the retail unit and read as part of the building such that there is no obstruction to pedestrians. As a typical feature of a busy high street, it is not considered that there is any impact on visual amenity. The street scene is also well-lit at night with a number of illuminated signs along the street and there is not considered to be an unacceptable risk of light overspill.

5.7 The design and access statement includes a comprehensive list of security measures including a number of measures to protect against removal and CCTV to support customers.

5.8 Principle of Development - Highway Safety

The proposed ATM is on a public transport route and in reach of ample public parking within walking distance, which is suitable of accommodating a high volume of vehicles. It is therefore considered that, in accordance with policy T12, the proposal would not exacerbate traffic congestion or have an unacceptable effect on road safety caused by cars stopping to use the machine.

It is not considered that the proposal would have any material or detrimental impact on existing levels of highway safety.

5.9 Other

An objection has been received on the grounds that the objector understands planning permission to have already been granted. This is not the case, hence the planning application and this report determining the suitability of the proposal. The development was undertaken without the benefit of planning permission.

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.

Contact Officer: James Cooke
Tel. No. 01454 863429

CIRCULATED SCHEDULE NO. 38/15 – 18 SEPTEMBER 2015

App No.:	PK15/2458/ADV	Applicant:	NoteMachine UK Ltd
Site:	15 Broad Street Staple Hill Bristol South Gloucestershire BS16 5LN	Date Reg:	17th June 2015
Proposal:	Display of internally illuminated fascia sign to ATM and surround. (Retrospective).	Parish:	None
Map Ref:	364961 175938	Ward:	Staple Hill
Application Category:	Minor	Target Date:	7th August 2015



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 100023410, 2008. **N.T.S.** **PK15/2458/ADV**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule because its 'sister' application PK15/2456/F has been recommended for approval contrary to an objection from a member of the public.

1. THE PROPOSAL

- 1.1 The application is for the display of an internally illuminated fascia sign to an Automated Teller Machine (ATM) and surround. The application is retrospective. A separate application has been received for the retention of the ATM (PK15/2456/F).
- 1.2 The ATM is fitted to a retail premises on Broad Street in Staple Hill. The premises is set well back from the highway which is a primary retail frontage.

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)
N/a

South Gloucestershire Local Plan Core Strategy Adopted December 2013
N/a
- 2.3 Supplementary Planning Guidance
Shopfronts and Advertisements Design Guidance SPD (2012)

3. RELEVANT PLANNING HISTORY

- 3.1 There is no planning history relevant to this application.

4. CONSULTATION RESPONSES

- 4.1 Parish/Town Council
No comments have been received.
- 4.2 Other Consultees
Sustainable Transport – There is no transportation objection.

Other Representations

- 4.3 Local Residents
No comments have been received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The National Planning Policy Framework states that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the Local Planning Authority's detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

5.2 Visual Amenity

The signage would be located within and surrounding a new automated teller machine on an existing retail premises with existing signage. This is a primary shopping frontage and as such, there are multiple shop frontages and associated signage within the vicinity. The signage is set well back from the highway and although illuminated, this is a surround illumination with limited overspill. It is not considered that the nature and scale of the signage proposed at this location would in its own right have a significant or material adverse impact or indeed a cumulative impact to the detriment of the visual amenity of the area. The advertisement is in keeping with the development (installation of the ATM) and is in keeping with the street scene.

5.3 Public Safety

There are no transportation objections to the proposals and there is not considered to be any impediment to public safety. The signage is set well back from the highway and is set into the fabric of the shop frontage posing no obstruction.

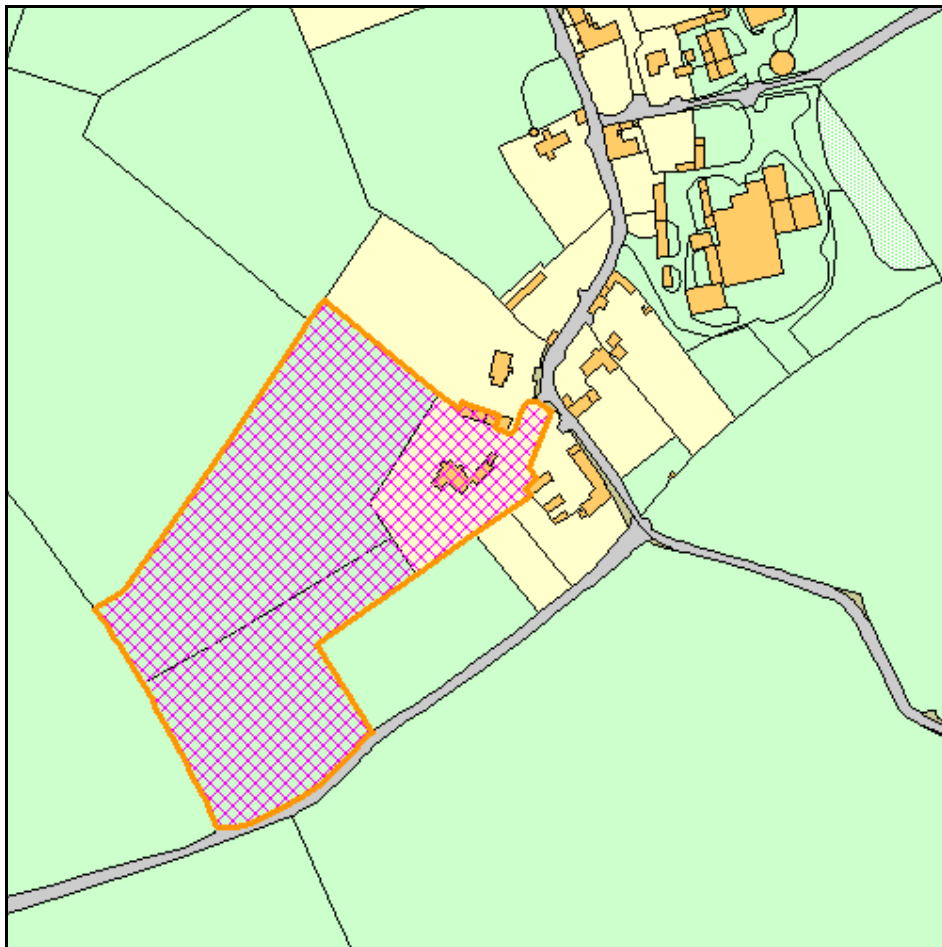
6. RECOMMENDATION

6.1 That advertisement consent be granted.

Contact Officer: James Cooke
Tel. No. 01454 863429

CIRCULATED SCHEDULE NO. 38/15 – 18 SEPTEMBER 2015

App No.:	PK15/2743/F	Applicant:	Mr & Mrs M Conze
Site:	Upper Farm West Littleton Road Marshfield Chippenham South Gloucestershire SN14 8JE	Date Reg:	9th July 2015
Proposal:	Construction of extended horse walking track and alterations to design of timber storage building. (Partially Retrospective). (Amendment to previously approved scheme PK14/4608/F).	Parish:	Tormarton Parish Council
Map Ref:	376099 175221	Ward:	Cotswold Edge
Application Category:	Major	Target Date:	7th October 2015



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100023410, 2008. **N.T.S.** **PK15/2743/F**

REASONS FOR REPORTING TO CIRCULATED SCHEDULE

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

This application previously appeared on the circulated schedule in the week commencing 4th September. The application was not called to committee. However, during the circulation period it was noticed that not all of the application is retrospective as the track that is already in place does not relate exactly to the track on the plan. In light of this, the report is updated and re-circulated to take account of this.

1. THE PROPOSAL

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

2. POLICY CONTEXT

2.1 National Guidance

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

2.2 Development Plans

South Gloucestershire Local Plan (Adopted) 6th January 2006

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

2.3 South Gloucestershire Local Plan Core Strategy (Adopted)

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

- 2.3 Supplementary Planning Guidance
The South Gloucestershire Design Checklist (SPD) – Adopted August 2007
Residential Parking standards SPD

3. RELEVANT PLANNING HISTORY

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

4. CONSULTATION RESPONSES

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

Sustainable Transport
No Objection

Highway Structures
No Comment to make

Conservation Officer
No Objection subject to the attachment of conditions

Lead Local Flood Authority
No comment

Other Representations

4.4 Local Residents

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

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

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

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

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

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

- 5.4 Finally, the detached store must be considered against policy H4 of the South Gloucestershire Local Plan with regards to design and impact on residential amenity. All elements of the proposal must be considered against the requirements of Policy L2 given the location of the site in the Cotswold AONB.
- 5.5 In the interests of clarity, the main distinct elements will be discussed in turn.
- 5.6 Horse Walking Track
A horse walking track is already in existence and runs around the perimeter of the fields that have authorised use for the keeping of horses as approved under application PK14/4608/F. The track is at ground level and finished with a sand surface. There is a very simple post a rail fence around the inside edge of the track to guide the horses along. The track is not prominent in views and is largely hidden by the existing boundary walls and vegetation. There are no views of the track from within the conservation area itself, but limited views of the site are possible along the track to the southeast (Slait Lane). In light of this, there are no objections to the proposal
- 5.7 Storage Building
The previous application also included the erection of a modest storage building for residential purposes. The store as approved measured 9.6 metres in length, 3.3 metres deep and had a maximum height to the ridge of 2.5 metres. By means of comparison, the store as erected measures 9.1 metres in length, 4.3 metres deep and has a maximum roof height of 2.3 metres. The roof of the store would be visible above the stone boundary wall from the neighbouring dwelling Cadwell House but to a lesser extent than the store as originally approved because of the reduction in height. The impact on existing levels of residential amenity is therefore deemed to be entirely acceptable.
- 5.8 Although the proposed store will be visible from the front of the application dwelling, it will be well screened from the surrounding public areas. The visual impact on the conservation area, AONB and adjacent listed building are all considered to be entirely acceptable.
- 5.9 Conditions
Consideration has been given to the attachment of conditions. It is important to note that this application relates only to the horse walking track and store building only. All other conditions attached to the original application for the stables and the change of use of land still apply.
- 5.10 Issues Raised by Neighbours
The neighbour has raised the query as to whether the horse walking track will allow sufficient space between the boundary and the track to allow landscape planting to grow. This is an important consideration as screen planting was necessary through the original planning application. Nonetheless, at its closest point, the horse walking track as shown on the submitted drawing, is still just over 2.5 metres from the boundary therefore no impacting on the ability to implement screen planting.
- 5.11 The submitted plan does not appear to exactly match the track that is already in existence. It is important to clarify that this approval grants consent for the

track as shown on the approved drawing. If the track is not implemented exactly in accordance with the approved drawings, this could be a breach of planning permission.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That planning permission be GRANTED subject to the following condition

Contact Officer: Marie Bath
Tel. No. 01454 864769

CONDITIONS

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

Reason

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

CIRCULATED SCHEDULE NO. 38/15 – 18 SEPTEMBER 2015

App No.:	PK15/2972/F	Applicant:	Mr S Blakeney
Site:	New House Farm Hawkesbury Common Badminton South Gloucestershire GL9 1BW	Date Reg:	10th July 2015
Proposal:	Erection of two storey side extension to form residential annexe ancillary to the main dwelling	Parish:	Hawkesbury Parish Council
Map Ref:	375632 187235	Ward:	Cotswold Edge
Application Category:	Householder	Target Date:	3rd September 2015



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 100023410, 2008. N.T.S. PK15/2972/F

REASON FOR REFERRING TO THE CIRCULATED SCHEDULE

This application is referred to the Circulated Schedule for determination to take into account the comments of the Parish Council.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a two-storey side extension to a farmhouse on Hawkesbury Common to provide an ancillary residential annex.
- 1.2 The development has been described as an annex and would contain two bedrooms and a bathroom at first floor level with a living room, kitchen and utility room on the ground floor. An interconnecting door would be provided on the ground floor to link the extension to the main building. Access to the annex would be provided by a door on the side elevation into the garden of the farmhouse. It should be noted that the vehicular access to the site is on the northern side of the existing house and that there is a separate access to the south.
- 1.3 As submitted the plans include a minor discrepancy in the side door and canopy are not shown on the proposed floor plans but are shown on the elevations. It is assumed that the door and canopy would be installed and therefore the application is assessed on that basis. The discrepancy is not considered to be so significant that the LPA cannot make an informed decision on the proposed development.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS4A Presumption in Favour of Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS15 Distribution of Housing
CS17 Housing Diversity
CS34 Rural Areas

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

L1 Landscape
L9 Species Protection
T12 Transportation
H3 Residential Development in the Countryside
H4 Development within Existing Residential Curtilages

- 2.3 Supplementary Planning Guidance
Residential Parking Standard SPD Adopted December 2013

3. **RELEVANT PLANNING HISTORY**

- 3.1 PK04/3588/F Approve with Conditions 23/12/2004
Siting of mobile home for residential use. (Resubmission of PK04/2745/F).
- 3.2 PK04/2745/F Withdrawn 27/09/2004
Siting of mobile home for residential use.

4. **CONSULTATION RESPONSES**

- 4.1 Hawkesbury Parish Council
No objection in principle. The caravan should be removed. Described as an annex.
- 4.2 Lead Local Flood Authority
No comment

Other Representations

- 4.3 Local Residents
None received

5. **ANALYSIS OF PROPOSAL**

- 5.1 This application seeks planning permission for the erection of a two-storey side extension to provide an ancillary annex.

- 5.2 Principle of Development
Several factors with this application affect the principle of development. It is necessary to consider whether the proposal is an annex or whether it is tantamount to a new dwelling in order to establish which policies are relevant. If it is found to be a new dwelling it should be assessed as such whereas if it is found to be an ancillary annex, it should be assessed as an extension.

Test of an Annex

- 5.3 To be an annex the development must have a functional and physical relationship with the main dwelling in order to be considered as one planning unit and it must be ancillary in nature.
- 5.4 The proposed development includes all the elements of primary living accommodation and would on first inspection appear to resemble an independent dwelling rather than an annex as there is little functional relationship between the two. However, the interconnecting door creates a link between the two properties which allows a direct physical connection. Furthermore, there would be shared gardens which also point towards an ancillary relationship.

- 5.5 As part of the application, the agent was asked to confirm the use of the building. It was confirmed that it would be used as an annex as part of the operations of the farm. The fact that the site is on a farm does weigh in favour of the development as it is likely that as the current farmer gets older, assistance in running the enterprise is required. There is no reason why this should not be from a family member and why accommodation cannot be provided in the form of an annex.
- 5.6 Whilst the level of accommodation provided exceeds what is reasonably necessary for the development to function as an annex, it is considered that the site would function as one planning unit and therefore it is accepted that the proposal forms an annex. A condition shall be attached that required the annex to be occupied as ancillary accommodation to the main dwelling.
- 5.7 Therefore the development is acceptable in principle subject to an assessment of design, amenity and transport.
- 5.8 Design
The proposed extension is sizable. However, it mimics the proportions of the existing dwelling. The effect is that the extension appears well proportioned and the building would have the character of a pair of houses rather than an extended house. An extension of this size should not be made to be subservient as it would result in a contrived design. Materials have been selected that match those on the original house. The fenestration is traditional in appearance and mimics that on the original house. Overall, it is considered that an acceptable standard of site planning and design is achieved that respects the character and appearance of the original house.
- 5.9 Amenity
Development should not be permitted that has a prejudicial impact on residential amenity. It is not considered that the development would have an adverse impact on the amenities of nearby occupiers as the surrounding residential properties are set well away from the application site. It is not considered that the development would have an adverse impact on the amenities of the application site. The site offers sufficient amenity space to provide for the needs of the main dwelling and the annex. It is not considered that the development would result in prejudicial harm to residential amenity.
- 5.10 Transport and Parking
This is considered to be householder development. For this type of development, the main concern is the provision of adequate off-street parking. Under the Residential Parking Standard, off-street parking should be provided at a level commensurate with the number of bedrooms in a property. The annex would have two bedrooms and generate a requirement of 1.5 parking spaces. Plans show that the existing house also has two bedrooms. Therefore 3 parking spaces are required on the site.
- 5.11 There is sufficient space to provide 3 parking spaces on this site. On this basis there is no objection to the development.

5.12 Other Matters

Concern has been raised by the Parish Council that the caravan on the site should be removed. This caravan was permitted by PK04/3588/F on the basis that it was subsequently removed. Should the caravan still be in position it would be in breach of the planning condition requiring its removal. This matter has been referred to the Planning Enforcement team for investigation.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Contact Officer: Griff Bunce
Tel. No. 01454 863438

CONDITIONS

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

Reason

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

2. The two-storey side extension to form an annex hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as New House Farm.

Reason

The development has been permitted on the particular circumstances of the case and the development would be unsuitable for use as a separate residential dwelling because it would require wider consideration under Policy CS5, CS15, CS16, CS17 and CS34 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 and Policy H3 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies).

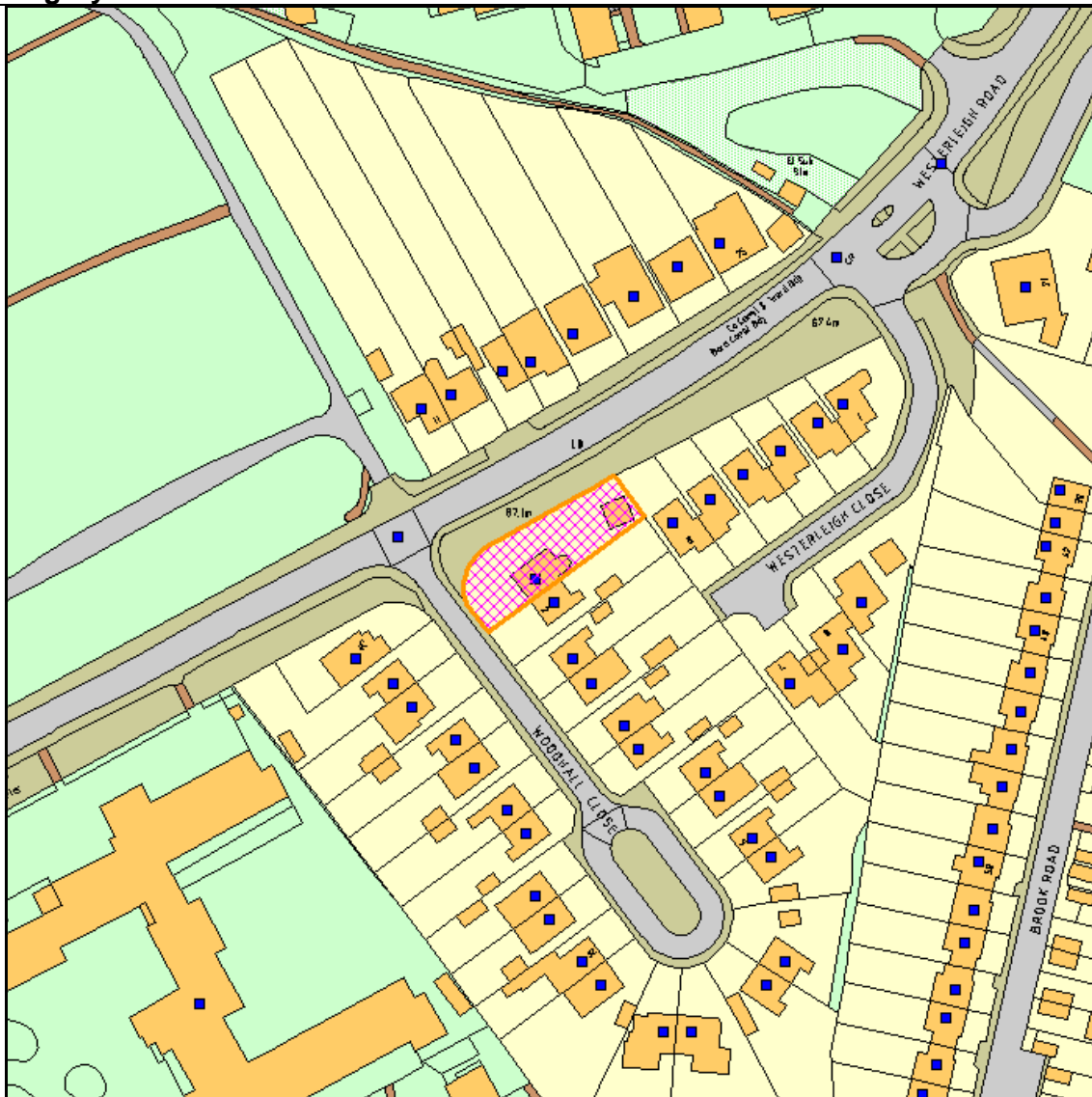
3. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason

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

CIRCULATED SCHEDULE NO. 38/15 – 18 SEPTEMBER 2015

App No.:	PK15/3067/F	Applicant:	Mr N Purnell and Miss E Hancock
Site:	1 Woodhall Close Downend Bristol South Gloucestershire BS16 6AJ	Date Reg:	17th July 2015
Proposal:	Erection of 1no. dwelling including alterations to vehicular and pedestrian access and associated works.	Parish:	None
Map Ref:	365789 177000	Ward:	Rodway
Application Category:	Minor	Target Date:	9th September 2015



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application has been referred to the Circulated Schedule following the receipt of objections from local residents, the concerns raised being contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 The application relates to existing garden land located to the side of no. 1 Woodhall Close, Downend. The existing dwelling is a two-storey, semi-detached house, sitting at the end of a cul-de-sac of similar properties i.e. Woodhall Close, with its northern side elevation facing Westerleigh Road. Residential properties within Westerleigh Close lie to the rear (east); semi-detached dwellings lying on the opposite side of Westerleigh Road are flanked to the east by Downend School and to the west by Downend Cemetery. Stanbridge Primary School lies a short distance to the west. A parking area and garage lie to the rear of no.1 and are accessed off Westerleigh Road.
- 1.2 It is proposed to erect a two-storey, detached, 3-bedroom dwelling on the land to the north of no.1. The existing vehicular access off Westerleigh Road would be widened to provide access to a parking and turning area located at the rear of the existing and proposed dwellings. It should be noted that, an originally proposed garage building, has now been deleted from the scheme.
- 1.3 A similar scheme to that proposed was recently approved at no. 24 Woodhall Close (see PK05/3073/O & PK06/1240/RM), the property has been erected and is now no.25.

2. POLICY CONTEXT

2.1 National Guidance

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

2.2 Development Plans

The 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 - Accessibility

CS9 - Managing the Environment and Heritage

CS17 - Housing Diversity

CS18 - Affordable Housing

CS23 - Community Infrastructure and Cultural Activity

CS24 - Green Infrastructure, Sport and Recreation Standards

CS29 - Communities of the East Fringe of Bristol Urban Area

South Gloucestershire Local Plan (Adopted) January 2006

- L1 - Landscape Protection and Enhancement
- L5 - Open Spaces
- L9 - Species Protection
- H4 - Development in Residential Gardens
- EP2 - Flood Risk and Development
- EP4 - Noise-sensitive development
- T7 - Cycle Parking
- T12 - Transportation Development Control Policy for New Development
- LC1 - Provision for Built Sports, Leisure and Community Facilities (Site Allocations and Developer Contributions)
- LC2 - Provision for Education Facilities (Site Allocations and Developer Contributions)

2.3 Supplementary Planning Guidance

Trees on Development Sites SPG (Adopted) Nov. 2005.
 The South Gloucestershire Design Check List (SPD) Adopted Aug 2007.
 Affordable Housing SPD Adopted Sept.2008.
 South Gloucestershire Council Residential Parking Standards (SPD) Adopted.

2.4 Emerging Plan

Proposed Submission: Policies, Sites & Places Development Plan March 2015

- PSP1 - Local Distinctiveness
- PSP2 - Landscape
- PSP3 - Trees and Woodland
- PSP5 - Undesignated Open Spaces within Urban Areas and Settlements
- PSP6 - Onsite Renewable & Low Carbon Energy
- PSP8A - Settlement Boundaries
- PSP8B - Residential Amenity
- PSP11 - Development Related Transport Impact Management
- PSP16 - Parking Standards
- PSP19 - Wider Biodiversity
- PSP20 - Flood Risk, Surface Water and Watercourses
- PSP21 - Environmental Pollution and Impacts
- PSP39 - Private Amenity Space Standards

3. RELEVANT PLANNING HISTORY

- 3.1 K1217 - Outline application for the erection of single-storey extension to provide study/bedroom shower room and additional kitchen area.
 Approved 11 March 1976

Applications Relating to no.24 Opposite

- 3.2 PK05/3073/O - Erection of 1no. dwelling and detached garage (Outline) with siting and means of access to be determined. All other matters reserved.
 Approved 27 Jan. 2006
- 3.3 PK06/1240/RM - Erection of 1no. detached dwelling. (Approval of reserved matters to be read in conjunction with outline planning permission PK05/3073/O).

Approved 14th July 2006

4. CONSULTATION RESPONSES

There have been two rounds of consultations, an initial consultation and a re-consultation following the removal of the originally proposed garage.

4.1 Parish/Town Council
Not a parished area.

4.2 Other Consultees

Highway Structures
No comment

Lead Local Flood Authority
No objection

Sustainable Transport
No objection subject to a condition to secure the parking and turning areas.

Other Representations

4.3 Local Residents

4no. letters/e-mails of objection were received from local residents. The concerns raised are summarised as follows:

- The proposed garage would be too close to the rear of no.6 Westerleigh Close.
- The proposed garage would be too high, resulting in loss of light to the rear of no. 6 Westerleigh Close.
- There are no turning areas proposed, cars would have to reverse to exit the site.
- There would be increased on-street parking in Woodhall Close, which is a congested cul-de-sac.
- The proposed garage would be used for storage only.
- Inadequate on-site parking provision for the existing and proposed dwellings.
- The front elevation would not be in line with nos. 1 & 2 Woodhall Close.
- Parents of children attending Stanbridge School park in Woodhall Close during the school run.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The acceptance in principle of a similar scheme to that proposed, has to some extent been previously established with the approval of applications PK05/3073/O & PK06/1240/RM for the erection of a detached dwelling to the side of no.24 Woodhall Close, which lies directly opposite the current application site. Whilst this weighs heavily in favour of the current proposal, the

subject of this application PK15/3067/F, each application must still be determined on its individual merits.

- 5.2 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-Year Land Supply

- 5.3 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.
- 5.4 The Policies, Sites & Places Plan is an emerging plan only. Whilst this plan is a material consideration, only very limited weight can currently be given to the policies therein.
- 5.5 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.
- 5.6 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 Paragraph 50 of the NPPF sets out the importance of delivering a wide range of residential accommodation. This policy stance is replicated in Policy CS17 of the Core Strategy which makes specific reference to the importance of planning for mixed communities including a variety of housing type and size to accommodate a range of different households, including families, single persons, older persons and low income households, as evidenced by local needs assessments and strategic housing market assessments.
- 5.8 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.

- 5.9 Local Plan Policy H2 is not a saved policy; there is no prescribed minimum density requirement for housing development. The NPPF however seeks to make efficient use of land in the Urban Area for housing. One dwelling on this specific plot is considered to make the most efficient use of this plot in the Urban Area, which is a requirement of the NPPF.
- 5.10 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.

Scale and Design Issues

- 5.11 The scale and design of the proposed dwelling is similar to that of the recently constructed no.25 opposite and no.1 itself. The hipped roofs that are characteristic of the area have been replicated in the scheme and it is proposed to finish the elevations of the proposed new dwelling in render with brick detailing to compliment the neighbouring properties and to use a similar concrete roof tile.
- 5.12 Some concerns have been raised about the relationship of the proposed dwelling to the established building lines on Woodhall Close and Westerleigh Road. Officers note that the frontages of the houses along Woodhall Close are generally staggered whilst those along Westerleigh Road and Westerleigh Close are more uniform.
- 5.13 The front elevation of the proposed dwelling would be set approximately 1.0m in front of that of nos. 1 & 2 but given the staggered nature of the houses in Woodhall Close this is acceptable. When looking down Westerleigh Road, nos. 1, 24 and 25 Woodhall Close already lie in advance of the building line along Westerleigh Close. The proposed dwelling would not therefore appear much different from this existing situation and as such would not appear as an incongruous element within the street scene, especially given the presence of a wide grass verge and high boundary treatments on Westerleigh Road.
- 5.14 Whilst it is accepted that the impact on the character of the street scene is a material consideration, in this case, on balance the scale and design is acceptable and would not have a significant adverse impact on the character of the street scene and surrounding area and as such would accord with Local Plan Policy H4, Core Strategy Policy CS1 and the requirements of the NPPF.

Impact on Residential Amenity

- 5.15 The proposed dwelling would sit alongside the existing dwelling and being similar in scale would not have an overbearing impact on no.1. There are only

minor secondary and obscurely glazed windows in the northern side elevation of no.1. The proposal would not therefore be overbearing for neighbouring occupiers.

- 5.16 Concerns were raised by the occupier of no.6 Westerleigh Close about the height and proximity of the originally proposed garage, as well as the impact of the existing conifer trees on the boundary of the site. Since then the scheme has been amended whereby it is no longer proposed to erect a new garage. Furthermore, the existing garage would be demolished to provide the turning and parking area and the trees to the front of the site removed to allow the access to be widened; thus improving the situation for no.6.
- 5.17 There would be adequate distance between the windows in the front elevation and the houses on the opposite side of Woodhall Close i.e. 28m. The houses on the opposite side of Westerleigh Road would be some 22m from the northern side elevation of the proposed house whilst only a ground floor W.C. window is proposed for the southern side elevation facing no.1. To the rear, windows would directly overlook the front garden only of no.6 Westerleigh Close, whilst the side elevation of no.6 would be some 23m away and at an oblique angle from the rear of the proposed dwelling. Officers consider that some overlooking of neighbouring property is inevitable in densely populated urban locations, especially if the most efficient use of land is to be achieved in line with government expectations. In this instance there would be minimal loss of privacy for neighbouring occupiers to result from the proposal.
- 5.18 In terms of amenity space provision for the existing and proposed dwellings; notwithstanding the front garden and rear parking/turning areas; there would be approximately 50sq.m. retained to the rear of no.1 and 50 sq.m provided for the new dwelling. These amounts compare favourably with the proposed amenity space standards for 3 bedroom houses outlined in emerging policy PSP39 and as such are considered to be acceptable.
- 5.19 Having regard to the above, the proposal is not considered to have a significant adverse impact on residential amenity to justify refusal of the application.

Transportation Issues

- 5.20 A number of concerns have been raised regarding parking and highway safety issues. The host 3-bedroom dwelling would retain its two parking spaces whilst two spaces would be provided for the new 3-bedroom dwelling. This level of off-street parking accords with the minimum requirements of Appendix A of the recently adopted South Gloucestershire Residential Parking Standards.
- 5.21 The access to the parking area would be broadly in the same place as the existing one. The existing trees on the Westerleigh Road frontage adjacent to the access would be removed to facilitate widening of the access, this would also improve visibility at the access onto Westerleigh Road. The existing post box to the front would be re-located to allow easy access to the 4no. parking spaces. The existing garage within the site would be demolished leaving adequate space to provide the 4no. parking spaces and a turning area to allow cars to exit and enter the site in forward gear, as demonstrated by the

submitted swept path analysis drawing. This is considered to be an enhancement to the existing situation.

- 5.22 The proposal is therefore considered to provide adequate off-street parking and turning areas and would not compromise existing levels of highway safety. As such the proposal would accord with Local Plan Policy T12 and H4 as well as NPPF para. 32.

Landscape Issues

- 5.23 There are no landscape features of note within the site that would be affected by the scheme. As an existing, enclosed, residential garden of modest size, the site is not considered to be an open green space worthy of retention under Local Plan Policy L5. The existing 1.8m high close board fence would be retained on the northern boundary of the site to Westerleigh Road. There would be no encroachment onto the wide grass verge along Westerleigh Road. The proposal therefore complies with Local Plan Policy L1.

Environmental Issues

- 5.24 There are no environmental grounds for refusal. The site does not lie within a zone at high risk of flooding, neither is it in a Coal Referral Area. Whilst there may be some disturbance for local residents during the construction phase, this would be on a temporary basis only and the hours of working could be adequately controlled by condition. It is proposed to utilise the existing mains sewer for foul disposal. Surface water would be disposed of to soakaways controlled via Building Regulations.

5.25 Affordable Housing

The proposal is for 1no. new dwelling only, which is below the Council's threshold (10) for affordable housing provision.

5.26 Community Services

The proposal is for 1no. new dwelling only, which is below the Council's threshold (10) for contributions to Community Services.

CIL Matters

- 5.27 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, would be 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) 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 dwelling hereby approved, the car parking facilities, turning areas and improved access shall be provided in accordance with the details shown on the approved Proposed Plans, Elevations and Location Plan Drawing No. HAN/965/PL/09/15/001/D and maintained for their intended purpose thereafter.

Reason

To ensure a satisfactory level of off-street parking and turning facilities and access facilities 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. Prior to the construction of the relevant parts of the dwelling hereby approved, samples/details of the materials to be used for the external surfaces and roof covering of the dwelling, shall be submitted to and approved in writing by the Local Planning

Authority. Thereafter the relevant parts of the development shall be carried out in full accordance with the details/samples so agreed.

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.

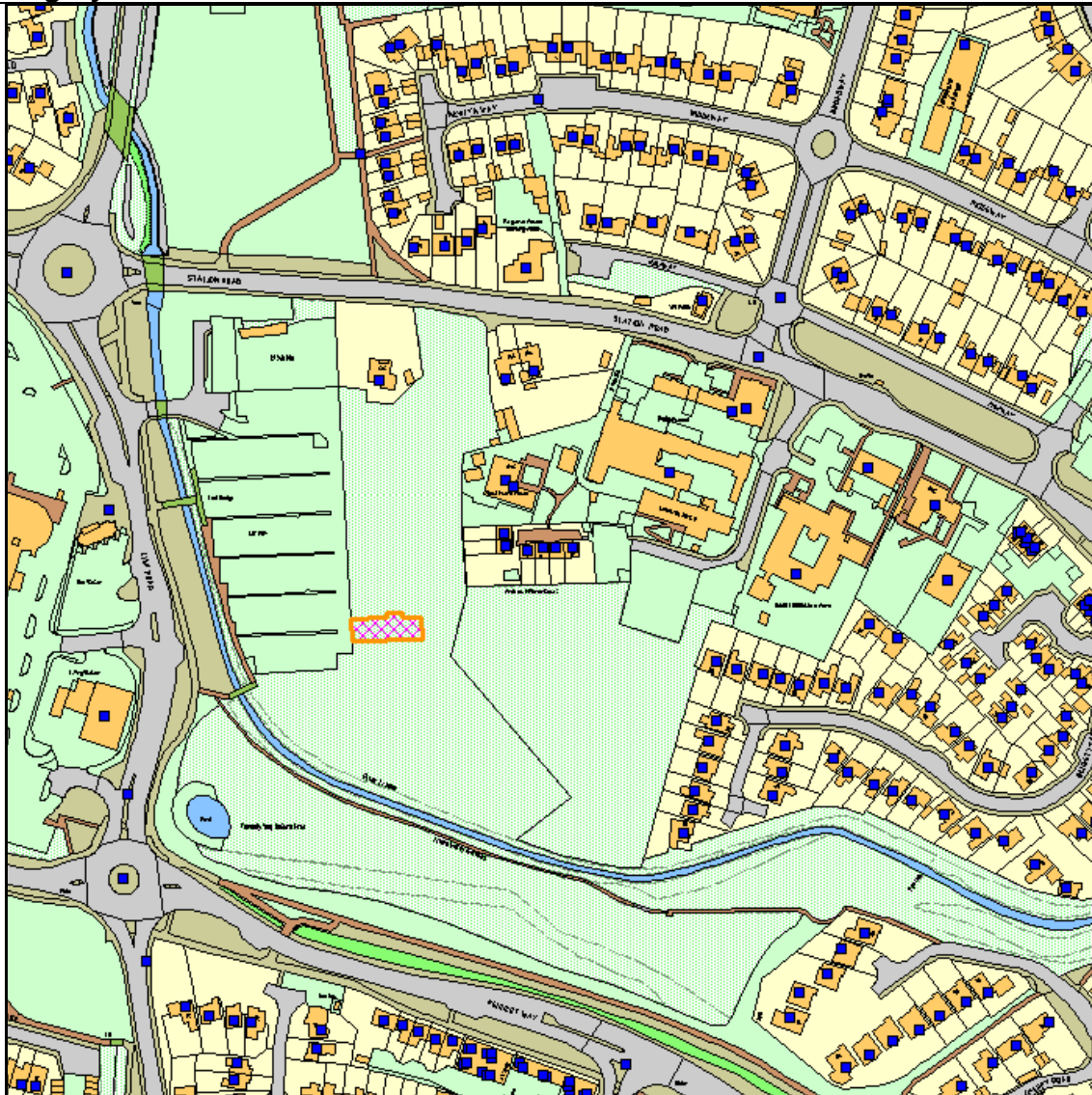
5. Prior to the first occupation of the dwelling house hereby approved, the existing Post Box shall be re-located away from the access hereby approved.

Reason

To ensure satisfactory access facilities are 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.

CIRCULATED SCHEDULE NO. 38/15 – 18 SEPTEMBER 2015

App No.:	PK15/3133/F	Applicant:	Prezzo Ltd
Site:	Unit R3 Link Road Yate Bristol South Gloucestershire BS37 4AY	Date Reg:	21st July 2015
Proposal:	Installation of extraction and ventilation equipment to roof and change of use of land to front of premises to form outdoor seating area.	Parish:	Yate Town Council
Map Ref:	371670 182320	Ward:	Yate Central
Application Category:	Minor	Target Date:	14th September 2015



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REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The application seeks planning consent to agree details of the installation of extraction and ventilation equipment to the roof associated with an individual unit (R3) at the Yate Riverside development. The unit is currently under construction. Additionally, planning permission is sought for the change of use of land to the front of the unit to be used as outdoor seating area for the unit.
- 1.2 The application site consists of a restaurant unit for the recently approved Yate Riverside development that is currently under construction. The plans also show an area of external seating but the principle of this has already been established through the existing planning consent.
- 1.3 Initially the application did not include plans displaying the front elevation of the unit, officers required such plans to enable a judgement as to how the proposed equipment would impact upon the external appearance of the unit. The proposed plan was submitted, this plan demonstrated that the proposed equipment would not be visible within the streetscene. An appropriate period of consultation occurred in response to the receipt of these plans.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS4A Presumption in Favour of Sustainable Development
CS5 Location of Development
CS9 Managing the Environment and Heritage
CS14 Town Centres and Retail
CS30 Yate and Chipping Sodbury

South Gloucestershire Local Plan Adopted January 2006 Saved Policies

T12 Transportation
E3 Employment Development
RT1 Development in Town Centres
RT3 Land to the East of Link Road, Yate

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

3. RELEVANT PLANNING HISTORY

- 3.1 PK15/3133/F Installation of shopfront.
Approved August 2015
- 3.2 PK14/4908/RVC Variation of conditions attached to PK13/4116/F
Approved April 2015
- 3.3 PK14/4500/NMA NMA to list plans as a condition
Approved December 2014
- 3.4 PK13/4116/F Demolition of existing building and erection of building for
retail, restaurant/café, and cinema with car parking area, access, landscaping
and associated works.
Approved November 2013
- 3.5 PK13/040/SCR Associated Screening Opinion.
EIA not required November 2013

4. CONSULTATION RESPONSES

- 4.1 Yate Town Council
Objection until the elevation of proposal has been seen.
- 4.2 Other Consultees
 - Sustainable Transport
None received.
 - Highway Structures
No Objection
 - Lead Local Flood Authority
No comment.
 - Environmental Protection
No adverse comments provided the noise and odour control measures are
installed in accordance with the submitted Mechanical Services Report.

Other Representations

- 4.3 Local Residents
None received

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development

The application site lies adjacent to Yate Town Centre and is within the defined settlement boundary. Policy CS30 of the Adopted Core Strategy sets out the vision and priorities for Yate and Chipping Sodbury. Point 4 of Policy CS30 sets out the aim to diversify the range of town centre uses in Yate Town Centre to encourage a more active and vibrant evening economy. Saved Policy RT1 supports retail and other appropriate development in town centres, provided the proposal has a suitable scale and does not detract from the overall vitality and viability of the centre; proposals also must not have detrimental impacts on transportation or residential amenity.

- 5.2 Additionally, Policy CS1 'High Quality Design' of the South Gloucestershire Core Strategy (adopted December 2013) states development proposals will only be permitted if the highest possible standards of site planning and design are achieved.
- 5.3 Policy CS9 'Managing the Environment and Heritage' of the South Gloucestershire Core Strategy (adopted December 2013) must also be considered within the assessment of this proposal. Policy CS9 requires proposals to protect the air, buildings and people from pollution.
- 5.4 Overall the principle of development is acceptable, the proposal will enable the unit to function as its intended use, a use that will contribute to the vitality and viability of the area.
- 5.5 Visual Amenity
The proposal includes the installation of 3no. external compressors; an extraction fan; a fresh air intake; and associated ducting. The equipment shall all be positioned on the roof of the unit and shall not be visible from within the complex. Additionally, the seating area to the front of the shopfront is acceptable and further contributes to the street scene and the vitality of the area.
- 5.6 Transportation
The proposal has no detrimental impact on transportation matters as the proposed seating area does not obstruct the walkway.
- 5.7 Residential Amenity
The proposal will have no detrimental impact on existing levels of residential amenity. Similarly the hours of operation for the proposed equipment shall not be restricted through condition, this is because the operating of this equipment would not impact upon any nearby residents in a materially harmful manner due to distance and the nature of the equipment.
- 5.8 Environmental Protection
Extraction and ventilation equipment can produce odour and noise. Accordingly, the agent has submitted a Mechanical Services Report that has suitable attenuation measures to ensure noise and odour do not disturb the enjoyment of the unit and the surrounding area. The Council's Environmental Protection Team has commented on this application, confirming that the Mechanical Services Report is sufficient in ensuring the proposed equipment would not impact negatively on the enjoyment and general amenity of the host

and neighbouring units. To ensure such attenuation measures are installed, a condition shall be imposed on any planning permission granted that guarantees the equipment shall be installed in accordance with the submitted Mechanical Services Report.

- 5.9 Additionally, officers did consider recommending a condition that prior to the preparation of any hot food at the unit, the proposed ventilation and extraction equipment is installed. However, this condition is considered to be outside of the scope of this planning application, this application is only proposing extraction and ventilation equipment, rather than to prepare hot food at the premises, this was agreed under planning ref. PK13/4116/F. Accordingly, should planning permission be granted, the aforementioned condition is not advised.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 It is recommended that planning permission is **GRANTED** subject to the conditions listed below and on the decision notice.

Contact Officer: Matthew Bunt
Tel. No. 01454 863131

CONDITIONS

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

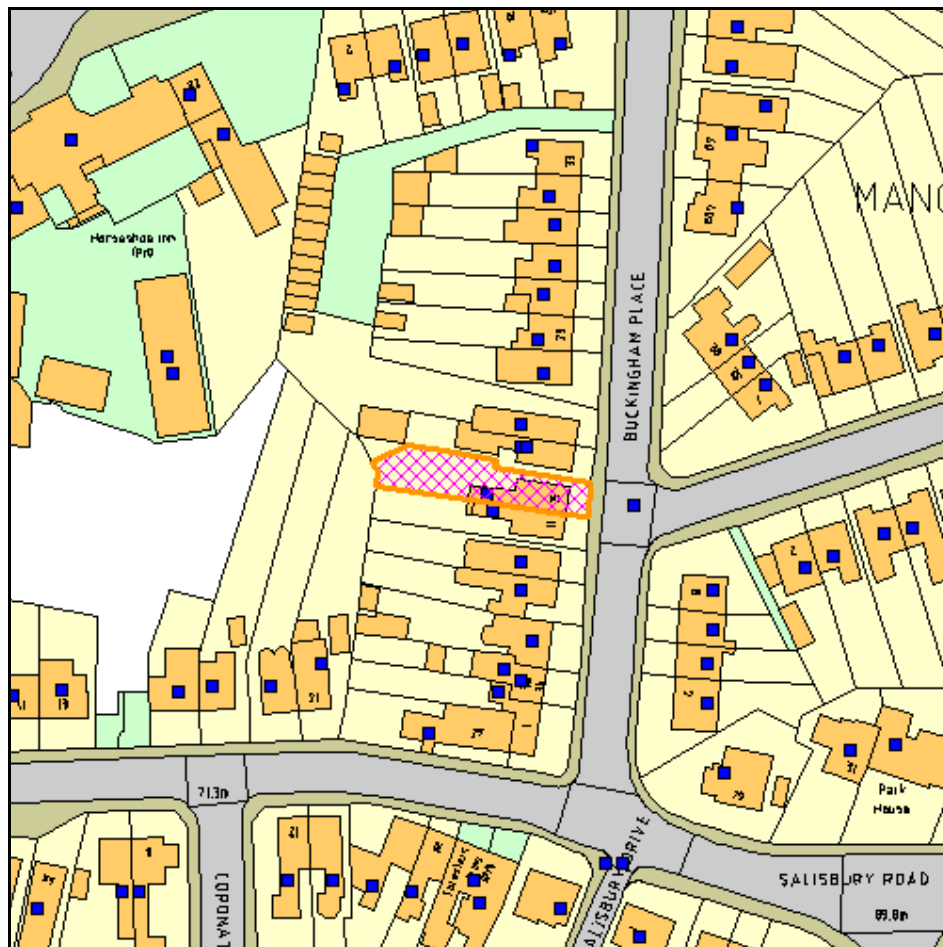
Reason
To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 (as amended).
2. The hereby approved extraction and ventilation equipment shall be installed and thereafter operated in accordance with the agreed details within the submitted Mechanical Services Report prepared by Boatman Mechanical Services (Jan 2015).

Reason

To control noise levels from the odour extraction system in the interests of protecting the amenity enjoyed by those living and utilising the locality to accord with Policy RT10 of the South Gloucestershire Local Plan (Adopted) January 2006; and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

CIRCULATED SCHEDULE NO. 38/15 – 18 SEPTEMBER 2015

App No.:	PK15/3157/F	Applicant:	Mr Copp
Site:	15 Buckingham Place Downend Bristol South Gloucestershire BS16 5TN	Date Reg:	28th July 2015
Proposal:	Erection of single storey side extension to form additional living accommodation.	Parish:	Downend And Bromley Heath Parish Council
Map Ref:	365223 176639	Ward:	Downend
Application Category:	Householder	Target Date:	18th September 2015



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REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application is referred to the Circulated Schedule for determination in order to take full account of the comments of objection received; the officer recommendation is for approval.

1. THE PROPOSAL

1.1 This application seeks planning permission for the erection of a single storey side extension at a semi-detached Victorian house in Downend. The proposed extension is situated to the rear of the property and would attach to the side of the existing rear extension. A number of other alterations to the existing roof would be undertaken as part of the development.

1.2 The application site is located within the existing urban area of the East Fringe of Bristol. No further land use designations cover the site.

2. POLICY CONTEXT

2.1 National Guidance
National Planning Policy Framework March 2012

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design

CS8 Improving Accessibility

CS9 Managing the Environment and Heritage

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

T12 Transportation

H4 Development within Existing Residential Curtilages

2.3 Supplementary Planning Guidance

(i) Residential Parking Standard SPD (Adopted) December 2013

3. RELEVANT PLANNING HISTORY

3.1 None relevant

4. CONSULTATION RESPONSES

4.1 Downend and Bromley Heath Parish Council

Objection: overdevelopment; not in-keeping; major impact on neighbouring property; neighbour has raised an objection.

4.2 Lead Local Flood Authority

No comment

Other Representations

4.3 Local Residents

Two comments of objection have been received which raise the following points -

- extension would result in a claustrophobic feel;
- extension would make the entrance to no.17B more difficult to find;
- extension will block light to ground floor flat next door (no.17A);
- extension would make no.17A unsellable;
- application site has already been extended.

5. ANALYSIS OF PROPOSAL

5.1 This application seeks planning permission for the erection of a single-storey side extension at a dwelling in Downend.

5.2 Principle of Development

Extensions and alterations to existing dwellings are assessed against policy H4 of the Local Plan. This policy is generally supportive subject to an assessment of design, amenity and transport. Therefore, the proposed development is acceptable in principle but should be determined against the analysis set out below.

5.3 Design

The proposed extension is situated in the position of the existing shed, to the right hand side of the building. In order to erect the extension, a small part of the terraced rear garden would require excavation. Externally, it is stated that the extension would be finished with a render and cladding. No details of the cladding material have been supplied and this detail shall be covered by condition.

5.4 In general, the proposed extension has an acceptable appearance. The use of a pitched roof enables the building to appear as an outbuilding which has been linked with the main building over time. By slanting the roof down towards the neighbouring property it is considered that the design is more respectful than the existing roof arrangement albeit closer to the boundary. It is not considered that the development represents low quality design or that it would be harmful to the visual amenity of the area.

5.5 Residential Amenity

Development should not be permitted that has a prejudicial impact on the residential amenities of nearby occupiers or the applications site itself. Concern has been expressed in consultation responses that the development would have an adverse impact on residential amenity, particularly that of the two flats within no.17 Buckingham Place.

5.6 The space between the two properties is narrow and provides a pedestrian footway to the 'front' doors of the dwellings, which are actually on the side/to the rear. For no.17 this footway opens out into a small courtyard where there are a number of windows and doors. A circa 2 metre high redbrick wall divides no.15 and 17. The existing extension has a mono-pitched roof and the ridge wall

faces the adjacent property. Under the plans, the direction of the roof slope will be inverted so that the slope faces the adjacent properties.

5.7 As the existing dwellings are Victorian they are reasonably high for two-storey properties. The properties are also orientated on an east-west alignment. As such, the amount of light to enter the side parts of the properties is limited. Whilst there may be a slight drop in light, it is not considered that it would be prejudicial as it is unlikely that the extension would have a materially greater impact than the existing shed and wall. It also cannot be said that the extension would lead to a loss of outlook as it is unlikely that the extension would have a materially greater impact than the existing shed and wall. All windows are proposed to be high level only and therefore would not result in a loss of privacy.

5.8 While it is noticed that the development may result in a perceived loss of amenity, it is not considered that the impact on amenity would be prejudicial. It should also be noted that the prevailing character of the site is that of being tight-knit and the extension is not considered to be inconsistent with this.

5.9 Transport and Parking

The proposed development would not increase the number of bedrooms at the property and therefore would not increase the transportation demand from the site. Two parking spaces are provided at the front of the property although these are likely to be undersized against the Council's standard. Notwithstanding this, as the proposed development does not materially change the transportation requirements of the dwelling, no objection is raised in this regard.

5.10 Other Matters

Some matters raised in consultation responses have not been discussed above and will therefore be covered here. It is not within the remit of this planning application to make the entrance to the flats at no.17 easier to find. Property values as a result of a development are given little weight and are not considered to be relevant in determining this planning 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 It is recommended that planning permission is GRANTED subject to the conditions listed below.

Contact Officer: Griff Bunce
Tel. No. 01454 863438

CONDITIONS

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

Reason

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

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

Reason

To ensure a satisfactory standard of external appearance and to accord with Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 and Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006. This is required prior to commencement to ensure the materials are satisfactory.

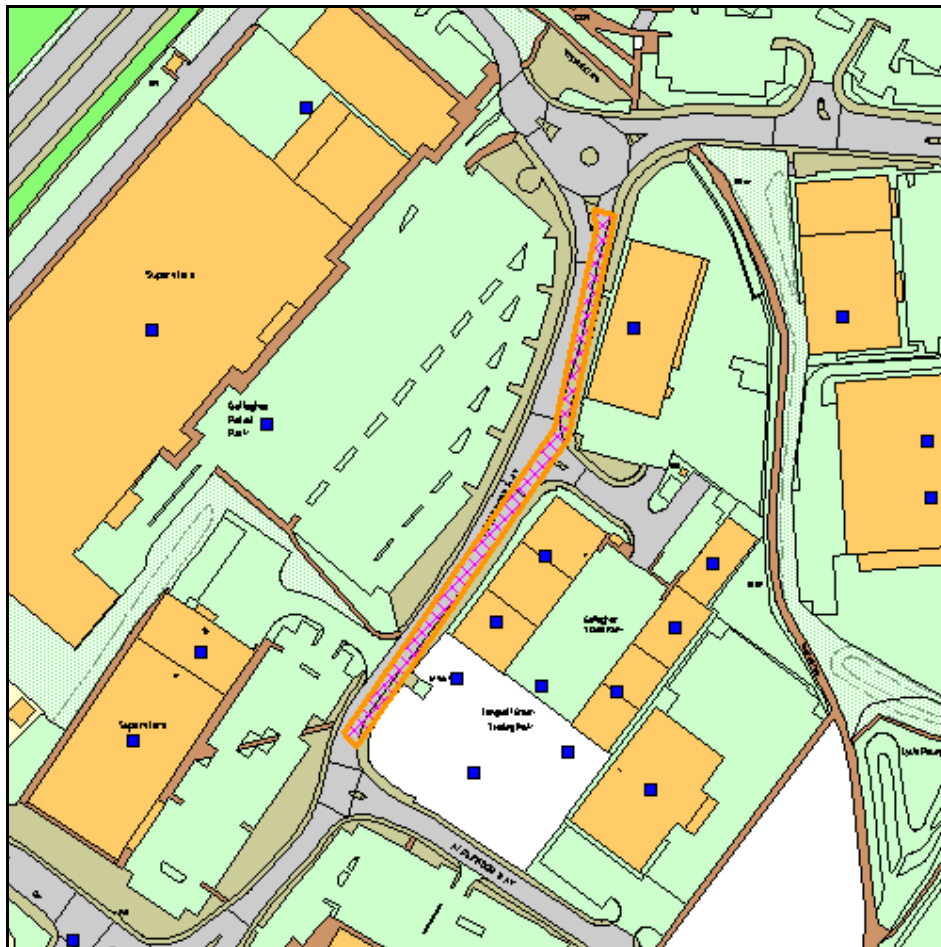
3. No windows other than those shown on the plans hereby approved shall be inserted at any time in the north and east elevation of the property.

Reason

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

CIRCULATED SCHEDULE NO. 38/15 – 18 SEPTEMBER 2015

App No.:	PK15/3274/ADV	Applicant:	Bommel UK Ltd
Site:	Aldermoor Way Longwell Green South Gloucestershire BS30 7DA	Date Reg:	4th August 2015
Proposal:	Display of 6no. banners mounted on existing lighting columns	Parish:	Oldland Parish Council
Map Ref:	365231 171730	Ward:	Longwell Green
Application Category:	Minor	Target Date:	24th September 2015



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PK15/3274/ADV

REASON FOR SUBMISSION TO THE CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 This application seeks advertisement consent for the display of 6 non-illuminated lamppost banners attached to existing lighting columns. The banners would be located on existing lampposts on Aldermoor Way.
- 1.2 The proposed signs consist of an area available for sponsorship; the individual signs would measure 0.8 metres wide and 2 metres tall. The banners would be located 3.0 metres above ground level and project a maximum of 0.9m. The banners would be displayed as a single banner on each lamppost.
- 1.3 The banners have been designed in accordance with central government regulations in order to ensure that no excess loads (due to wind) are placed on the lighting columns.
- 1.4 The proposed signage is part of a programme of highway signage currently being rolled out across the district. Application PK14/3439/ADV for was recently granted for the display of 12no. identical banner signs along Marsham Way and Aldermoor Way and these signs are now in place.
- 1.5 Aldermoor Way is surrounded by retail and commercial uses, namely Gallagher Shopping Park.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012
The Town and Country Planning (Control of Advertisements) (England) (Amendment) Regulations 2007
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006 (saved policies)
T12 Transportation Development Control
- 2.3 South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design
- 2.4 Supplementary Planning Guidance
South Gloucestershire Design Checklist SPD (Adopted) August 2007

3. RELEVANT PLANNING HISTORY

- 3.1 PK14/3439/ADV - Display of 12no. non-illuminated lamppost banners attached to existing lighting columns.

4. CONSULTATION RESPONSES

4.1 Oldland Parish Council
Objection on the grounds of visual amenity and distraction to motorists.

4.2 Other Consultees

Transportation Development Control
No objection

PROW
No objection subject to standard informatives.

Open Spaces Society
No response

Other Representations

4.3 Local Residents
None Received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development
Guidance within the National Planning Policy Framework para.67 states that control over outdoor advertisements should be efficient, effective and simple. The guidance goes on to state that advertisements should be controlled in the interests of amenity and public safety, taking account of cumulative impacts. Design and design quality is assessed in terms of visual amenity and cumulative impact, in accordance with policy CS1 of the Core Strategy. Public safety is assessed using saved policy T12 of the Local Plan to ensure that the signage is not detrimental of highway safety or presents a traffic hazard.

5.2 Design and Amenity
The proposed banners are simple in appearance. They would be attached close to the lighting columns and would be uniform in appearance, and would therefore appear as part of the street furniture.

The size of the banners is considered appropriate for their use and location. The banner design and location is not considered to be harmful to the visual amenity of the area. Aldermoor Way serves Gallagher Shopping Park and as a consequence has a commercial/retail character, meaning the proposal would be in keeping with the area.

The proposal is considered to have an appropriate design and is accordingly not considered to have detrimental impact on design.

5.3 Cumulative Impact
The proposal has been considered cumulatively within the locality having regard to the existing 12no. banners that have already been installed along

Marsham Way and part of Aldermoor Way. Aldermoor Way does have some existing advertisement and retail signs, but the majority of these are located on the surrounding shops. Therefore, the proposed banners would not result in a cluttered landscape and would merely represent a continuation of banner adverts along the road. As well as this, the lampposts to which the banners would be attached are reasonably well spaced and the individual banners are relatively small. The proposal would be experienced by users of the highway and public rights of way separately on individual lampposts, further minimising any cumulative impact. Having regard to the above and the commercial nature of the location, the cumulative affect is considered acceptable.

5.4 Public Safety

The applicant previously engaged in pre-application advice with the transportation development control team. The banner design is fairly simple and the highway would not become cluttered as a result of the proposal, consequently the proposal is not considered to be a distraction to drivers. The signs are 3.5 metres above ground level, meaning they will not harm users of the public rights of way in the area and are not considered to be any more of a distraction than other signs already approved in Aldermoor Way and Marsham Way. Accordingly, there is no objection to the proposed signage on highway grounds or public safety

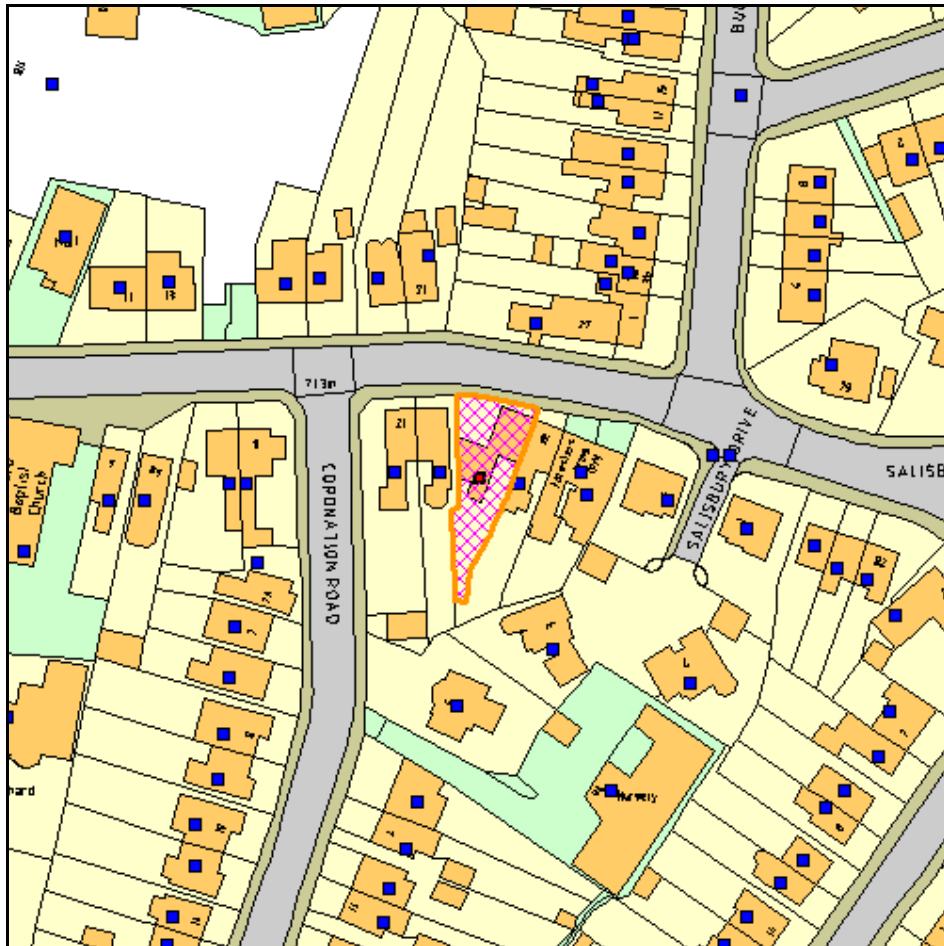
6. **RECOMMENDATION**

6.1 It is recommended that advertisement consent be **GRANTED**.

Contact Officer: **Roger Hemming**
Tel. No. **01454 863537**

CIRCULATED SCHEDULE NO. 38/15 – 18 SEPTEMBER 2015

App No.: PK15/3397/CLP	Applicant: Sue Billings
Site: 16 Salisbury Road Downend Bristol South Gloucestershire BS16 5RB	Date Reg: 10th August 2015
Proposal: Certificate of lawfulness for the proposed installation of a rear dormer.	Parish: Downend And Bromley Heath Parish Council
Map Ref: 365203 176570	Ward: Downend
Application Category:	Target Date: 1st October 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 16 Salisbury Road, Downend, BS16 5RB 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 1995 (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 There is no relevant Planning history

4. CONSULTATION RESPONSES

- 4.1 Downend and Bromley Heath Parish Council
No Comment

- 4.2 Councillor
No Comment

- 4.3 Other Consultees
No Comment

Highway Drainage
No Comment

Other Representations

- 4.4 Local Residents
No Comment

5. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

- 5.1 Site location and block plan. Floor Plan for existing ground floor, first floor and roof plan. Section and Elevations as Existing. Floor Plan for proposed ground floor, first floor and second floor. Section and Elevations as Proposed, all of which were received on 6th August 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 (As Amended) 1995.

- 6.3 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) Order (as amended) 1995, which permits the enlargement of a dwellinghouse consisting of an addition or alteration to its roof. This allows for dormer additions subject to the following:

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

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

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

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

The alterations to the roofline would be to the 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 dormer extension would have a volume below 40 cubic metres and is therefore below the maximum resulting roof space for a terraced dwelling.

(d) It would consist of or include-

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

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

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

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

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

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

Conditions

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

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

The 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 0.4 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 **approved** 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) Order 1995 (as amended).

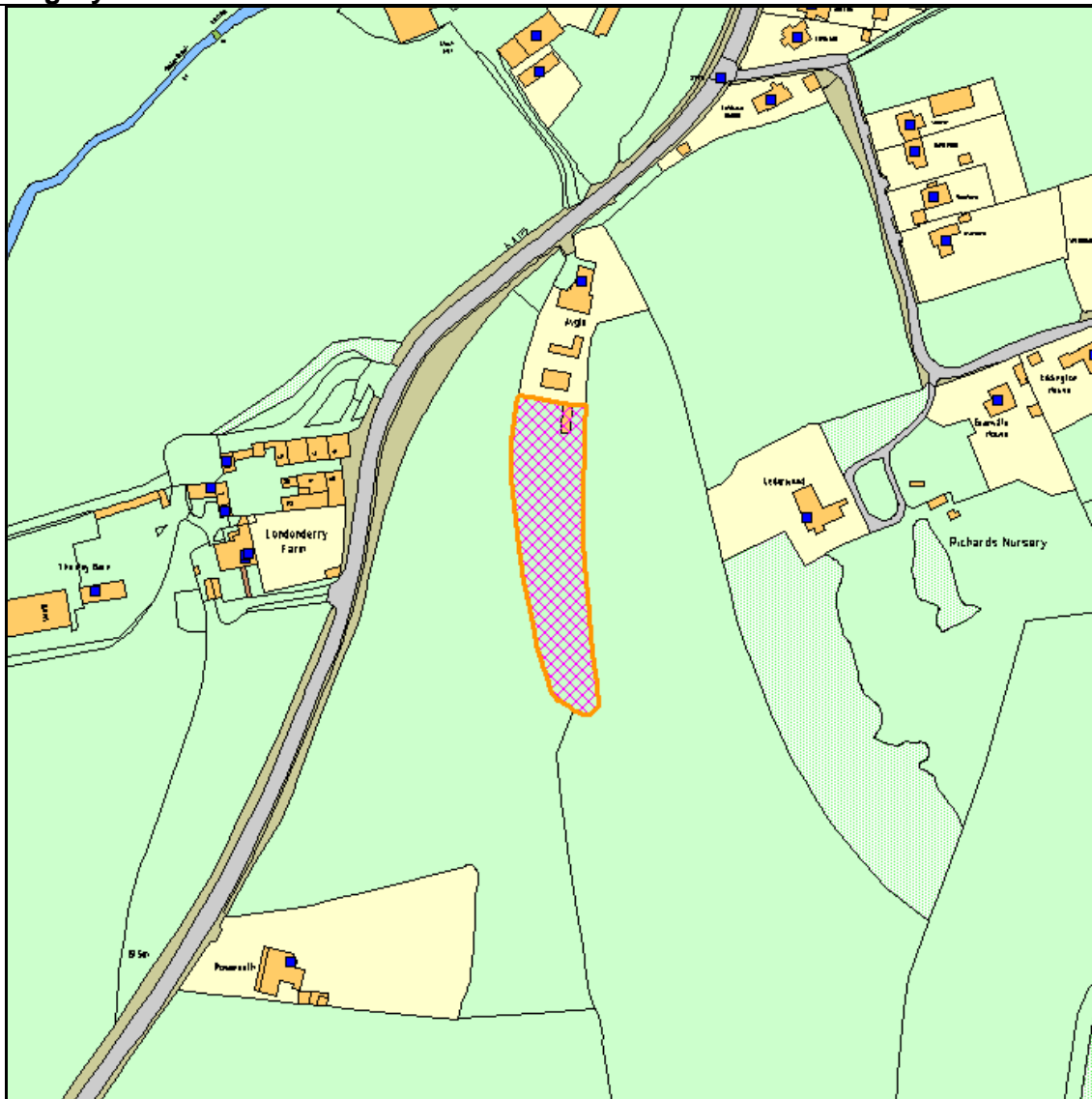
Contact Officer: Chloe Buckingham
Tel. No. 01454 863464

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. 38/15 – 18 SEPTEMBER 2015

App No.:	PK15/3421/CLE	Applicant:	Mr C Hall
Site:	Avglo Keynsham Road Willsbridge Bristol South Gloucestershire BS30 6EH	Date Reg:	7th August 2015
Proposal:	Application for certificate of lawfulness for the existing use of land as residential curtilage.	Parish:	Bitton Parish Council
Map Ref:	366516 169994	Ward:	Bitton
Application Category:		Target Date:	30th September 2015



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circumstances. The proposal is therefore contrary to the provisions of PPG2, and Policies GB1 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006, and Supplementary Planning Document - Development in Green Belt.

4. SUMMARY OF EVIDENCE SUBMITTED IN SUPPORT OF APPLICATION

- 4.1 Sworn statutory declaration from a Mr Richard David Clapp of Meadow Drive in Keynsham, summarised as follows:
- The property Avglo was originally a dramway leading from the A4175 down to the River Avon, the dramway was filled in and the bungalow built by a Peter Groves. The rest of the dramway was then sold to myself and my father
 - Unsure of date Avglo built but was there when I moved to Meadow Drive in 1969. At this time the land attached to the bungalow was cultivated in the sense that grass was cut with a lawnmower and decorative trees were planted
 - Previous owner of Avglo cut hedges on eastern boundary right back, and then re grow to a height of 20 ft. The current occupier, Mr Hall, has cut the hedge on the Western boundary and I run a hedge cutter over it once a year for him
 - The land attached to Avglo has been used as it is at present for about 40 years

5. SUMMARY OF CONTRARY EVIDENCE RECEIVED

- 5.1 No contrary evidence has been received from third parties, other than consultation responses from members of the public which are summarised in section 6 of this report.
- 5.2 The Council's own evidence consists of the following:
- Aerial photographs for the following years: 1991, 1999, 2005, 2006, 2008-2009, 2014-2015

6. CONSULTATION RESPONSES

- 6.1 Bitton Parish Council
Stated that they are not in a position to comment.

Other Representations

- 4.3 Local Residents
One letter of objection has been received from a local resident enclosing a map showing two parcels of land adjacent to Avglo and not subject to this Certificate of Lawfulness, one to the east and one to the west. The letter states the following

'I enclose a map – the green shaded area was, until a few years ago, farmland which was grazed by cattle. I think you will soon receive a request for

Certificate of Lawfulness on this area... and soon after an application for houses... the owner of Avglo is a builder!

One general letter has also been received from a member of the public, although it is not clear if they are local from the information sent in. It stated that:

'The area subject to the Certificate of Lawfulness was used by the previous owner for the storage of large numbers of second hand cars, which were brought to the site on large transporters.'

7. EVALUATION

- 7.1 The application is for a certificate of lawfulness for the existing use of the land as residential garden. The application therefore seeks to demonstrate that the land has been in residential use for a continuous period of at least 10 years prior to the date of the submission. It is purely an evidential test irrespective of planning merit. The only issues which are relevant to the determination of an application for a Certificate of Lawfulness are whether in this case the land has been in a consistent residential use for not less than ten years and whether or not the use is in contravention of any Enforcement Notice which is in force.
- 7.2 The guidance contained within the National Planning Practice Guidance 2014 states that if a local planning authority has no evidence itself, nor any from others, to contradict or otherwise make the applicant's version of events less than probable, there is no good reason to refuse the application. This is however with the provision that the applicant's evidence alone is sufficiently precise and unambiguous to justify the grant of a certificate on the balance of probability.
- 7.3 Assessment of Evidence
A single piece of evidence has been submitted by the applicant, in the form of a sworn statutory declaration from a third party who has lived in the area since 1969. The statement makes reference to the land being cultivated, the hedges trimmed and the grass mown in 1969, and that it has remained this way since then – a period of over 40 years. Reference is made to the eastern boundary hedges being trimmed by the previous owner, and the western boundary hedges being trimmed by the writer of the sworn declaration since the current occupier moved in, although specific dates are not given for these activities.
- 7.4 This is broadly inconsistent with the Council's own aerial photographs which show that between 1991 and 2006, the land was used for the stationing of a large number of vehicles and caravans on a scale which does not imply a residential use, varying from 26 vehicles in 1991, 7 in 1999, 3 in 2005 and back up to 13 in 2006. Whilst this application only requires a continuous residential use over the last 10 years, and the aerial photographs from 1991 and 1999 are clearly outside of this period, they do demonstrate that the large number of vehicles photographed in 2006 are not just a one off, and it is likely that the land was used for the storage of vehicles for a number of years, including as recently as 9 years ago. This is further supported by a consultation response from a member of the public, who advised that the land was used for the

storage of a large number of second hand cars, which arrived on large transporter vehicles. Officers consider that this use appears to be in excess of ancillary residential storage, and most likely formed part of a business.

- 7.5 The use of the land for the storage of vehicles does not necessarily discredit the statutory declaration submitted by Mr Clapp, but as the vehicles were not mentioned in the statement it does reduce the weight that can be applied to it and highlight Mr Clapp's limited knowledge of the site from 1991-2006. Furthermore, the trimming of hedges, planting of trees and mowing of the grass do not necessarily mean that the land is in residential use. It is not uncommon for trees to be planted and grass mowed to enhance the appearance or amenity of the land without a material change of use taking place, and no evidence of residential use or residential paraphernalia can be seen in any of the aerial photographs from the last 10 years. The statutory declaration does not make reference to activities which can be precisely or unambiguously described as residential. It is therefore considered that the evidence provided by the applicant, which is in conflict with the Council's own evidence, is not sufficiently precise or unambiguous to justify the grant of a certificate.
- 7.6 Moving forward to 2008/2009, aerial photographs show the vehicles removed and the site completely overgrown; it is difficult to distinguish the land from the adjacent agricultural fields. There is no evidence of residential use on the site 6 or 7 years ago.
- 7.7 Overall and in conclusion to the above it is considered that on the balance of probability the use of the land as residential has not been proven. This is because the evidence provided does not clearly or unambiguously demonstrate the use of the land as residential for a consistent period of at least ten years, and the Council's own evidence is contradictory making the applicant's version of the events less than probable. This application for a certificate of lawful development for an existing use is therefore refused on these grounds.
- 7.8 Other Matters
A letter of objection has been received stating that Certificate of Lawfulness applications are to be submitted for two other parcels of land under the ownership of the applicant. This does not fall under the remit of this application and therefore will not be commented on within this report.

8. CONCLUSION

- 8.1 Insufficient evidence has been submitted to precisely or unambiguously demonstrate that, on the balance of probability, the land has been in residential use for a consistent period of at least ten years.

7. RECOMMENDATION

- 7.1 That the Certificate of Lawfulness is **REFUSED**.

Contact Officer: Trudy Gallagher
Tel. No. 01454 862217

REASONS FOR REFUSAL

1. Insufficient evidence has been submitted to precisely or unambiguously demonstrate that, on the balance of probability, the land has been in residential use for a consistent period of at least ten years.

CIRCULATED SCHEDULE NO. 38/15 – 18 SEPTEMBER 2015

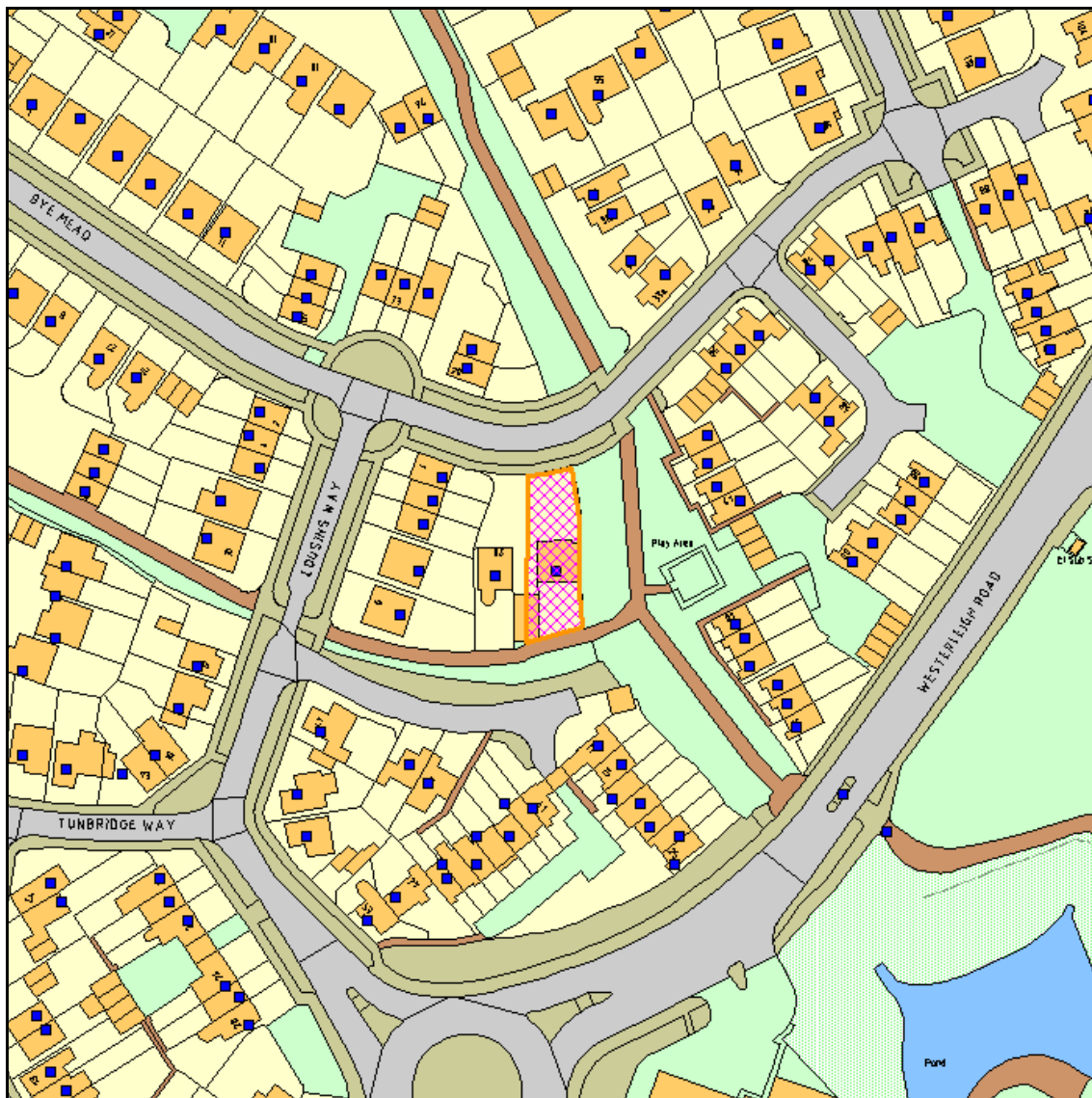
App No.: PK15/3469/F
Site: 28 Bye Mead Emersons Green Bristol
 South Gloucestershire BS16 7DL

Applicant: Mr P DREW
Date Reg: 20th August 2015

Proposal: Erection of rear conservatory.

Parish: Emersons Green
 Town Council
Ward: Emersons Green
Target Date: 14th October 2015

Map Ref: 366566 177767
Application Category: Householder



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the circulated schedule due to letters of concern from the Town Council and a neighbouring property.

1. THE PROPOSAL

- 1.1 This application seeks full planning permission for the erection of a single storey extension to the rear of the existing dwelling. The proposed extension would have a glazed roof with brick walls. The purpose of the extension is to provide additional living accommodation.
- 1.2 The application relates to a large detached dwelling standing in the residential area of Emersons Green. The property is served by an open plan/shared driveway to the front.

2. POLICY CONTEXT

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

South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design
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 PK04/1814/F Erection of single and two storey side extensions to form additional living accommodation.
Approved July 2004

4. CONSULTATION RESPONSES

- 4.1 Emersons Green Town Council
The Town Council have no objections in principal to the building of the rear conservatory, but want to ensure that damage is not caused to the hedgerow during its construction and during the transport of building materials. The Town Council therefore ask that there is a condition to provide access to the site which fully considers the protection of the wildlife corridor. Parking of vehicles and storing of building materials which block the footpath or cause damage to

the amenity land should also be prohibited. The Town Council also mention the previous enforcement investigations at the site.

Other Representations

4.2 Local Residents

One letter of concern has been received from a local resident. The neighbour comments that;

- The extension looks like a sun room not a conservatory.
- The site plan isn't a true reflection of reality.
- The drive way serves 4 other homes and private parking. Please can access to this be totally unobstructed as the area is not purely for 26 and 28. The entrance or shared area cannot be blocked at any times.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

Policy CS1 of the South Gloucestershire Core Strategy (Adopted) December 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, 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 proposal is for the erection of a single storey rear extension. The extension will have a glazed roof and brick walls to be finished in a matching face brick to match the existing. It is noted that the neighbour has expressed concern that the extension looks more like a sun room than a conservatory but the design is still considered to be entirely acceptable and in keeping with the existing character of the dwelling and the locality. Appropriate materials have been selected and the layout of the development is suitable to the site and the density of the surrounding area, and it is in accordance with policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 CS1 of the South Gloucestershire Core Strategy (Adopted) December 2013.

5.3 Residential Amenity

Due to the limited size of the proposed extension and its relationship with neighbouring dwellings, it is not considered that neighbouring dwellings will be adversely affected by loss of privacy or overbearing. Impact on residential amenity is therefore deemed to be acceptable.

5.4 Highways

On the basis that the development does not materially alter either the provision of parking spaces or the needs of the property (i.e. no additional bedrooms are proposed) there is no transportation objection to the proposal. It was noted at the time of the officer site visit that the property is served by a shared driveway. It is not possible however to condition the use of this driveway as this is a civil issue to be resolved by all owners of any private land and is not a planning issue.

5.5 Your officer is also aware of the previous enforcement investigations that have taken place but is satisfied that these investigations have been closed. The extension will be erected entirely within the existing rear garden with no need for encroachment onto neighbouring land.

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: Marie Bath
Tel. No. 01454 864769

CONDITIONS

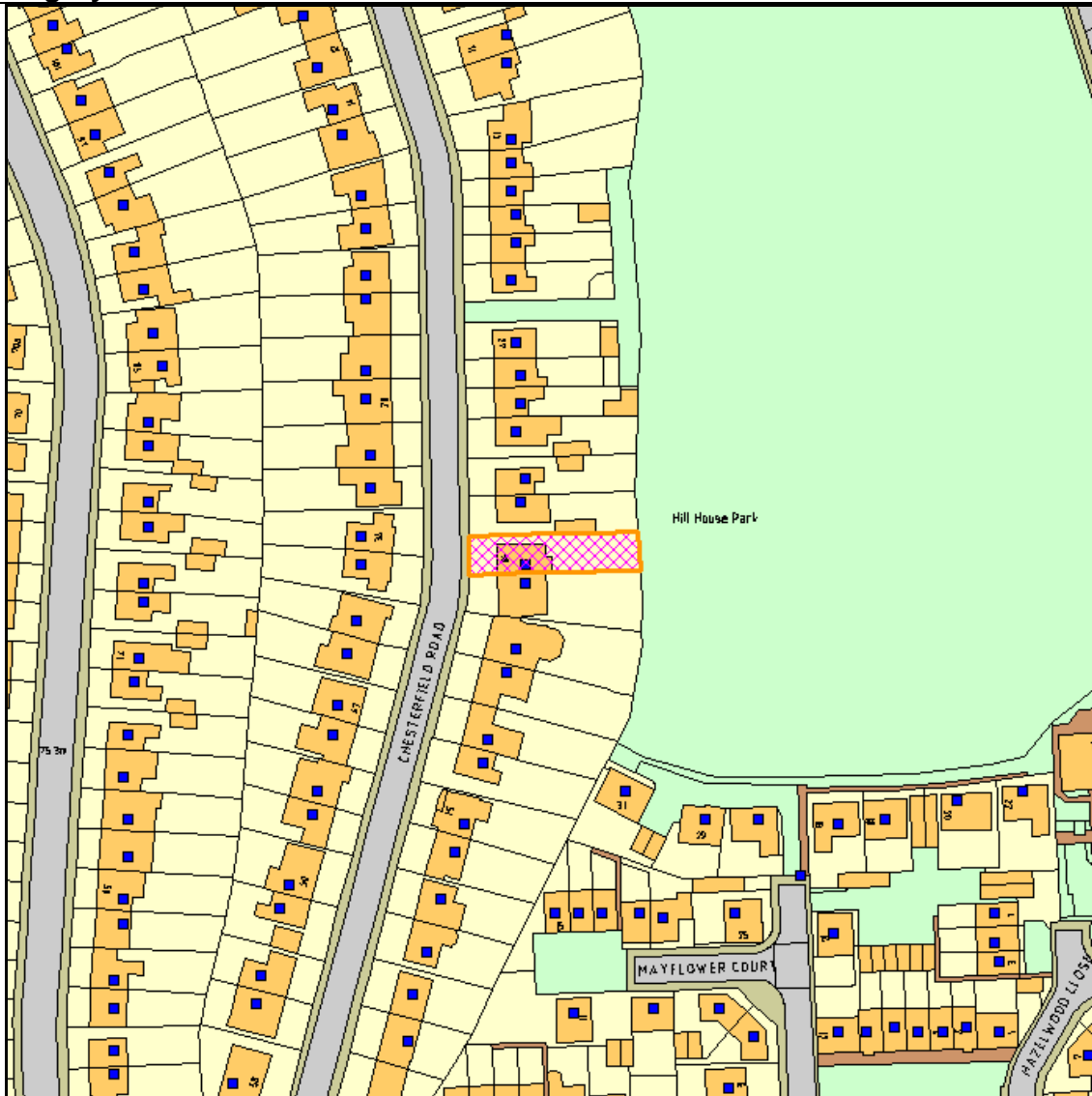
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 38/15 – 18 SEPTEMBER 2015

App No.:	PK15/3485/F	Applicant:	Mr Frank Gallagher
Site:	39 Chesterfield Road Downend Bristol South Gloucestershire BS16 5RH	Date Reg:	11th August 2015
Proposal:	Erection of two storey side and single storey rear extension to form additional living accommodation. Erection of front porch.	Parish:	Downend And Bromley Heath Parish Council
Map Ref:	365431 176398	Ward:	Downend
Application Category:	Householder	Target Date:	3rd October 2015



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REASON FOR SUBMISSION TO THE CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a two storey side and single storey rear extension to form additional living accommodation, as well as the erection of a front porch.
- 1.2 The application site is no. 39 Chesterfield Road, located within a residential area of Downend. The host dwelling is a two storey semi-detached house, although the attached property (no. 41 Chesterfield Road) has appeared to have joined the property to the south through a two storey side extension, effectively making the host dwelling an end terrace.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design

CS4A Presumption in Favour of Sustainable Development

CS5 Location of Development

CS8 Improving Accessibility

South Gloucestershire Local Plan Adopted January 2006 Saved Policies

T12 Transportation

H4 Development within Existing Residential Curtilages

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

3. RELEVANT PLANNING HISTORY

- 3.1 PK08/2387/F Approval with Conditions 18/09/2008
Erection of rear conservatory.

4. CONSULTATION RESPONSES

- 4.1 Downend and Bromley Heath Parish Council
No comment received.
- 4.2 Lead Local Flood Authority
No comment.

- 4.3 Sustainable Transport
No objection provided two car parking spaces can be provided at the site.

Other Representations

- 4.4 Local Residents
One comment has been received from a member of the public, this letter neither objected or supported the application, the comments have been summarised below:
- The existing boundary fence should be left intact;
 - Concerns regarding how far the two storey extension falls into the line of view of the commenter's (no. 37 Chesterfield Road) kitchen windows.

5. ANALYSIS OF PROPOSAL

- 5.1 This application seeks planning permission for the erection of a two storey side and single storey rear extension to form additional living accommodation, as well as the erection of a front porch.
- 5.2 Principle of Development
Policy CS1 'High Quality Design' of the South Gloucestershire Core Strategy (adopted December 2013) states development proposals will only be permitted if the highest possible standards of site planning and design are achieved. Meaning developments should demonstrate that they: enhance and respect the character, distinctiveness and amenity of the site and its context; have an appropriate density and well integrated layout connecting the development to wider transport networks; safeguard and enhance important existing features through incorporation into development; and contribute to strategic objectives.
- 5.3 Saved Policy H4 of the South Gloucestershire Local Plan (adopted January 2006) is supportive in principle of development within the curtilage of existing dwellings. This support is provided proposals respect the existing design; do not prejudice residential and visual amenity, and also that there is safe and adequate parking provision and no negative effects on transportation.
- 5.4 Design and Visual amenity
Chesterfield Road is thought to have originally been composed of semi-detached two storey properties set back from the highway. However, over the period of time since these dwellings were originally built a number of two storey side extensions and other alterations to the houses in the immediate area have occurred that have essentially eroded any form of distinct character within the streetscene.
- 5.5 The proposal is composed of three components: a two storey side extension; a single storey rear extension and a front porch. The proposed two storey side extension is suitably set back from the principal elevation of the dwelling with an appropriate scale and hipped roof, these design features allow the existing dwelling to retain its prominence.

Additionally, the single storey rear extension extends to the rear for approximately 3 metres replacing an existing rear extension and conservatory. The proposed rear extension has a suitable height utilising a lean-to roof, and the width of the proposal is also acceptable. The front porch is a modest extension to the front of the dwelling, positioned appropriately to the side of the existing bay window.

- 5.6 All the materials proposed will match those used in the existing dwelling, this further contributes to the appropriate design of the proposed development. Overall the proposal has an acceptable design which accords with policy CS1 of the adopted Core Strategy.
- 5.7 Residential Amenity
Saved policy H4 of the adopted Local Plan aims to ensure that residential development within established residential curtilage does not prejudice the residential amenity of any neighbouring occupiers.
- 5.8 As a result of the proposed two storey extension being located on the northern elevation of the dwelling, there is not expected to be a material loss of direct light to any nearby occupiers. Similarly, due to the scale of the proposed front porch and the single storey rear extension, it is not considered that a material loss of light will result from these modest additions.
- 5.9 The host dwelling has a number of significant boundary treatments. Specifically, the between the host dwelling and no. 37 the shared boundary treatment ranges from 1.8 metres to 2 metres in height, and is composed largely of timber fencing, but also no. 37's detached garage forms part of the boundary treatment. Additionally, the host dwelling shares a 2 metre high fence with no. 41. This proposal includes no plans to remove these boundary treatments.
- 5.10 The occupier of no. 37 has expressed concerns with regard to the impact of the proposal on the shared boundary treatment and the outlook from their kitchen window. It is understood that no. 37's kitchen is formed partly of a rear extension and the original house, there are two windows on the side elevation of the dwelling that face the host dwelling, and also windows on the rear elevation. The two storey side extension and single storey rear extension are considered to be the components of this proposal that may impact upon the outlook of no. 37. From a site visit it is clear that the two windows on the side elevation of no. 37, and also the rear windows, already have a compromised outlook due to the existence of the existing boundary treatment, which is largely 2 metres in height and also the existing dwelling which is only approximately 5 metres from no. 37. Accordingly, the proposed two storey side extension and single storey rear extension would not be expected to materially harm the outlook of the windows at no. 37, especially when considering the existence of the physical features that already disrupt the outlook from no. 37.

- 5.11 Similarly, due to the existing physical features at the site, the proposal is not expected to materially reduce the levels of natural light that the occupiers of no. 37 currently enjoys. Additionally, the proposed development would not result in an overbearing impact on the adjacent properties, due to the appropriate scale and positioning of the proposed development.
- 5.12 There are no side elevation windows proposed, but there is a single casement first floor rear window proposed. This window may result in some indirect views into neighbouring rear gardens, but such views are common in such semi-urban housing layouts, and are not considered to result in a material loss of privacy to any nearby occupier.
- 5.13 Overall the proposed two storey side extension, single storey rear extension and front porch are considered to have an acceptable impact on the residential amenity of the nearby occupiers.
- 5.14 Transport and Parking
The proposal does not increase the number of bedrooms at the property, and also does not impact the existing parking area at the dwelling. Nonetheless, the agent has submitted plans displaying that at least two car parking spaces can be achieved within the curtilage of the dwelling. Accordingly, there are no highway safety objections to this 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 that planning permission is **GRANTED** subject to the conditions listed on the decision notice.

Contact Officer: Matthew Bunt
Tel. No. 01454 863131

CONDITIONS

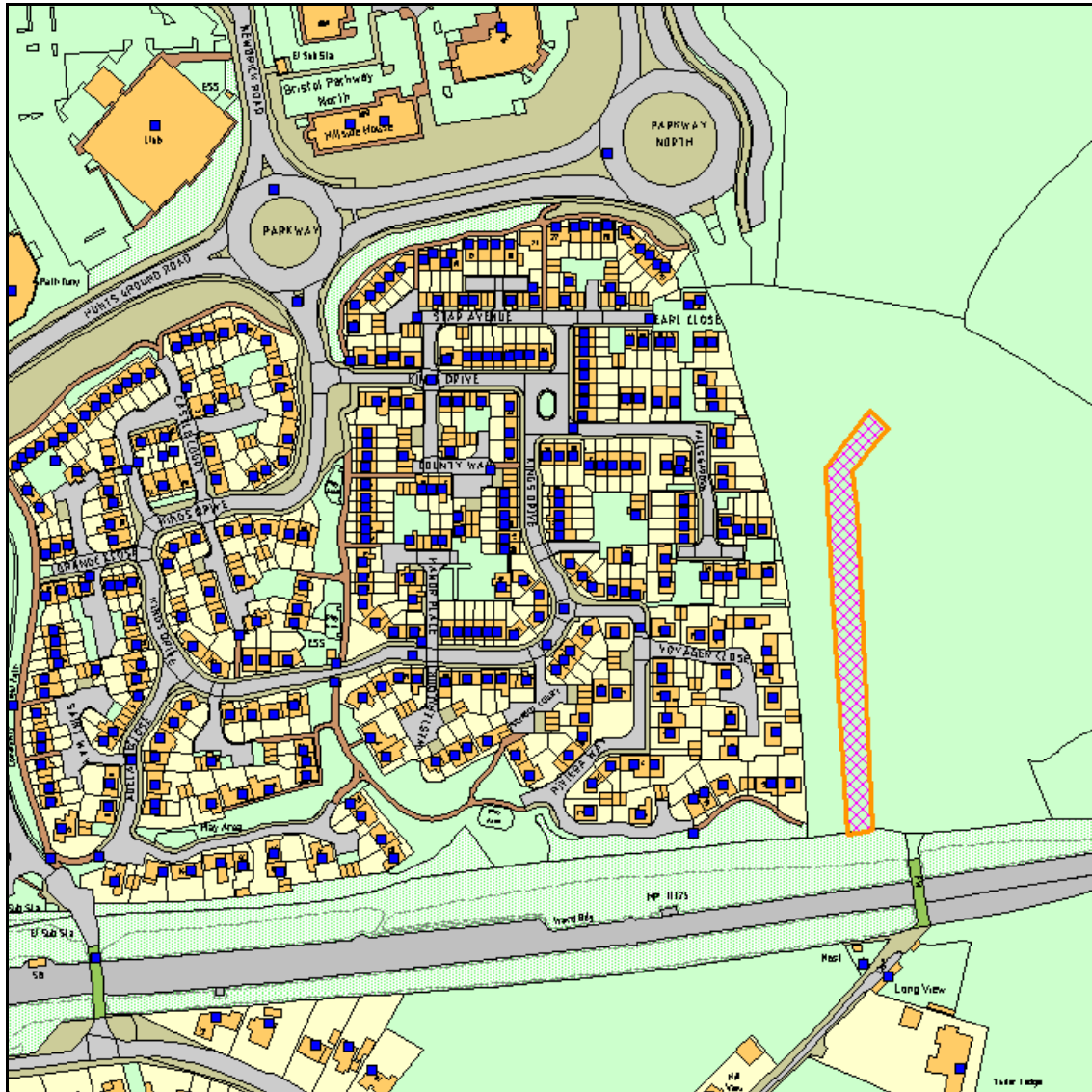
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 38/15 – 18 SEPTEMBER 2015

App No.:	PT15/2885/R3F	Applicant:	South Gloucestershire Council
Site:	Great Stoke Way South Of Great Stoke Roundabout Stoke Gifford Bristol South Gloucestershire BS34 8RJ	Date Reg:	7th July 2015
Proposal:	Erection of a temporary noise bund	Parish:	Stoke Gifford Parish Council
Map Ref:	363345 179711	Ward:	Stoke Gifford
Application Category:	Minor	Target Date:	28th August 2015



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application appears on the circulated schedule as it is an application made by the Council itself.

1. THE PROPOSAL

- 1.1 The application seeks temporary planning permission for the erection of a temporary noise bund for the construction of the Stoke Gifford Transport Link.
- 1.2 The application is required to mitigate the impacts of the development related to the construction of a new Network Rail bridge of its track near Bristol Parkway.
- 1.3 The site consists of a field, currently used for grazing, just north of the railway line, to the east of residential dwellings on the edge of Stoke Gifford. The bund itself is proposed to be 2.5m high and 45m long, running north-south to the east of residential properties in the Kings Drive area of Stoke Gifford. A permanent noise bund in a different location was approved as part of the scheme for the Stoke Gifford Transport Link PT14/0600/R3F and therefore does not form part of this application. The site lies within the allocation for the East of Harry Stoke New Neighbourhood.

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)

T12 Transportation Policy for New Development

EP2 Flood Risk and Development

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS9 Managing the Environment and Heritage

CS27 East of Harry Stoke New Neighbourhood

3. RELEVANT PLANNING HISTORY

- 3.1 PT14/0600/R3F Construction of new road link (Stoke Gifford Transport Link), incorporating single carriageway highway, (with additional bus lanes where appropriate) footways and cycle ways. Construction of bridge over the South Wales - London railway line and construction of new bridge over the Ham Brook. Associated works and landscaping. (Amendment to previously approved scheme PT13/1529/R3F including revisions to the vertical and horizontal alignment of the road of no more than 1.5m, revisions to Harry Stoke junction and Hambrook lane junction.) Approved with conditions 23 May 2014

4. CONSULTATION RESPONSES

4.1 Stoke Gifford Parish Council
No objection

Winterbourne Parish Council
No objection

4.2 Other Consultees

Network Rail

Network Rail originally objected to the scheme on the grounds that they did not have information on the detailed design of the bund, and concerns about surface water drainage.

Following discussions with the applicants' engineers, Network Rail have withdrawn their objection, subject to requirements for the safe operation of the railway, including drainage, safety, excavations and positioning of plant and cranes.

Natural England
No comment

Internal consultation responses of the Council

Tree Officer

No objection

Local Lead Flood Authority

Any bund or embankment within or abutting this site must be provided with an approved toe drain which is to be taken to a positive drainage system or watercourse to prevent flooding of property or adjacent land in accordance with Policy EP2 of the Local Plan. Bunding must not block natural flow from an adjacent site causing flooding within that land. Details of such approvals are required for approval.

Environmental Protection

The applicant has advised that there may be a requirement to import soils/sub-soils to create the bund. Should this be necessary, to avoid importing potentially contaminated materials a condition is recommended to assess and address any issues with contamination of imported materials.

Sustainable Transport

This is part of the works associated with the construction of the Stoke Gifford Transport Link. As it is not located adjacent to an existing road, it

is not considered likely to materially affect highway safety and therefore there are no transportation comments about this application.

Archaeology Officer

No objection as it will involve building the ground up. The removal of the bund will need to be tied to condition under PT14/0600/R3F which requires archaeological work.

Other Representations

4.3 Local Residents

None received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The Stoke Gifford Transport Link (SGTL) was approved last year, and this site is related to this major highway scheme. The SGTL, close to the location of the application site, is required to cross the railway track, that will require the construction of a bridge (already approved under the SGTL planning permission- see history above). Whilst a permanent noise fence has been approved for the final scheme, close to the edge of the SGTL itself, no noise bunding was considered at the time for the works to construct the bridge and it was considered that, given the likely noise of the bridge construction, that a temporary bund was necessary, to mitigate the impacts of the works on local residents. As such, the proposed bund is considered necessary to mitigate the noise impacts on local residential properties for the length of time the railway bridge is under construction.

5.2 Whilst the site lies within the allocation of the East of the Harry Stoke New Neighbourhood, Policy CS27 supports the location of the SGTL here, and the creation of temporary noise bund, restricted to the length of time required to construct the railway bridge only, will not result in any impediment to the comprehensive delivery of the East of the Harry Stoke development.

5.3 Given the above, and with an appropriate condition requiring the bunding to be removed when the bridge works have been completed, it is considered that the principle of development is acceptable.

5.4 Transportation

There are no highway safety issues relating to the proposal. There will be no access to the site from surrounding residential streets.

5.5 Visual Amenity and Landscape

The field in which the site is located is flat in the location of the bund, but slopes eastwards towards the M32. Views will therefore be afforded of the bund from the wider area. Since there is no public access to the field in this location, the only views afforded in the local area will be from the properties in residential streets that radiate off Kings Drive, as the bund will be approximately 4m from their garden boundaries. However, any

impacts on the visual amenity or landscape of the area will be temporary the of the bridge construction, and any temporary landscape and visual amenity impacts are considered to be outweighed by the need to mitigate the noise impacts for the residents in the locality.

5.6 Environmental Protection

The proposed bund will reduce noise impacts from residential properties in Earl Close, Halls Garden, Voyager Close and Riveria Way, and no issues have been raised by the Environmental Health Officer with regard to noise.

5.7 Since the creation of the bund will include the importation of soils and sub-soils, the Environmental Health Officer has requested a condition to ensure that there is no contamination as a result of these importation of soils, and this condition is recommended.

5.8 Drainage

The Council's Drainage Team have raised no objection to the scheme subject to details of the drainage provided for the bund, and this will be required by a recommended condition.

5.9 Residential Amenity

The proposed bund is designed to mitigate noise from the works to construct a bridge over the railway line to local residents in the Kings Drive area. As such, the proposals seek to preserve the residential amenity of the area and are acceptable in this regard.

5.10 Other Issues

Issues relating to archaeology and ecology are extensively covered by conditions on the original SGTL permission (PT140600/R3F) and do not need to be repeated here.

5.11 Network Rail's requirements, apart from drainage, which will be covered by a recommended condition (see 5.8 above), are outside of planning controls and will therefore be the subject of a recommended informative on any grant of planning permission.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Contact Officer: Sarah Tucker
Tel. No. 01454 863780

CONDITIONS

1. The bund hereby permitted shall be removed and the land restored to its former condition on or before 30 September 2016 in accordance with the scheme of work submitted to and approved in writing by the Local Planning Authority.

Reason

The bund is required as a temporary measure to protect residents against noise from the construction of the new bridge over the railway line and would not be acceptable to be retained permanently.

2. Details of a toe drain to the bund hereby permitted, which is to be taken to a positive drainage system or watercourse shall be submitted to and approved in writing prior to the development commencing. The drainage details so approved shall be implemented for the duration of the bund.

Reason

To prevent flooding of property or adjacent land and in accordance with Policy EP2 of the adopted South Gloucestershire Local Plan

3. Should it be necessary to import soils or sub-soils to construct the temporary noise bund, prior to the commencement of development, a risk assessment in the form of a conceptual model with regard to the potential for contamination from imported materials shall be submitted to and approved in writing by the local planning authority. The details so approved shall include the proposed acceptance criteria for contaminants in the imported material and a scheme for the frequency of testing of the material. Thereafter the scheme shall be implemented in accordance with the agreed details.

Reason

To avoid contamination due to importation of soils and to accord with Policy CS9 of the adopted Core Strategy

4. The development hereby approved shall be carried in strict accordance with the following plans/drawings: Location plan, temporary noise bund details- drawing no: BMNFHP-CH-Z2-RDZ-SK-C-0005 Rev P4 received 8 July 2015

Reason

In the interests of clarity and in order to define the planning permission

CIRCULATED SCHEDULE NO. 38/15 – 18 SEPTEMBER 2015

App No.:	PT15/3036/F	Applicant:	Mr M Hooper
Site:	Athelstan House Oakley Green Westerleigh South Gloucestershire BS37 8QZ	Date Reg:	17th July 2015
Proposal:	Erection of agricultural building for the storage of machinery and fodder	Parish:	Westerleigh Parish Council
Map Ref:	368953 179207	Ward:	Westerleigh
Application Category:	Minor	Target Date:	9th September 2015



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 100023410, 2008. **N.T.S.** **PT15/3036/F**

REASON FOR REFERRING TO COIRCULATED SCHEDULE

This application has been referred to the Circulated Schedule following the receipt of an objection from Westerleigh Parish Council, the concern raised being contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 Athelstan House is a two-storey, detached dwelling house, lying within the open countryside and Green Belt land to the north of Westerleigh Road. The property is accessed from Westerleigh Road via a gated access and driveway that runs parallel to Westerleigh Road. A large Garden Centre lies to the west of the site.
- 1.2 The dwelling, Athelstan House, sits within its own residential curtilage as established under Certificate of Lawfulness PT12/4037/CLE. The land to the north, east and south, which covers some 2.41ha (5.95 acres), remains in agricultural use and the same ownership as Athelstan House; this land is currently laid to pasture. The agricultural machinery used to maintain this land, together with agricultural produce such as hay bales, is currently stored in 4no. unauthorised shipping containers, located on the agricultural land to the south of the dwelling house.
- 1.3 It is proposed to erect a single agricultural building in the south-eastern corner of the agricultural land, adjacent to the existing access track. It is proposed that once the building is erected, the shipping containers would be removed from the site.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Practice Guidance 2014

2.2 Development Plans

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

L1 Landscape Protection and Enhancement
EP2 Flood Risk and Development
T12 Transportation Development Control Policy for New Development
E9 Agricultural Development

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

CS1 High Quality Design
CS4A Presumption in Favour of Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS34 Rural Areas

Emerging Plan

Proposed Submission: Policies Sites and Places Plan March 2015

PSP2	Landscape
PSP7	Development in the Green Belt
PSP8B	Residential Amenity
PSP20	Flood Risk, Surface Water and Watercourse Management
PSP27A	Agricultural Development

- 2.3 Supplementary Planning Guidance
Development in the Green Belt (Adopted) June 2007

3. RELEVANT PLANNING HISTORY

- 3.1 PT00/2006/F - Creation of new vehicular access onto Westerleigh Road (B4465).
Approved 6 Nov. 2000
- 3.2 PT01/0505/F - Erection of dwelling to replace existing mobile home.
Approved 26 April 2001
- 3.3 PT12/2020/F - Erection of agricultural building for the storage of fodder and machinery.
Withdrawn 26 July 2014
- 3.4 PT12/4037/CLE - Certificate of lawfulness for the existing use of land as residential curtilage.
Granted 16 Jan. 2014
- 3.5 PT14/3219/F - Erection of detached garage with above store.
Withdrawn 10 Oct. 2014
- 3.6 PK15/0251/F - Erection of single-storey extension to form double garage and retrospective permission for the change of use of land to allow existing access to be used as residential.
Approved 22 May 2015

4. CONSULTATION RESPONSES

- 4.1 Westerleigh Parish Council
OBJECTION on the grounds of the size of the structure. This is a private dwelling, not agricultural land therefore the size and shape of the building is not in keeping with the suggested use of the land.
- 4.2 Other Consultees
- Highway Structures
No comment

Lead Local Flood Authority

No comment

Other Representations

4.3 Local Residents

No responses

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

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

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

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

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

5.6 Saved Policy E9 of the South Gloucestershire Local Plan permits agricultural buildings subject to the following criteria being met:

- A. They are sited on land which is in use for agricultural purposes and there are no existing suitable underused buildings available; and
- B. Adequate provision is made for access and manoeuvring of machinery and livestock to avoid the perpetuation, intensification or creation of a traffic hazard;
- C. Development would not have unacceptable environmental effects; and
- D. The proposal would not prejudice the amenities of people residing in the area.

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

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

In the first instance, the proposal must be considered in the light of the most recent Green Belt Policy. Paragraph 79 of the NPPF states that the government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

5.8 Inappropriate development is by definition harmful to the openness of the Green Belt and should not be approved except in very special circumstances (para. 87).

5.9 Para. 89 of the NPPF states that planning authorities should regard the construction of new buildings as inappropriate in the Green Belt but lists exceptions which include “*buildings for agriculture and forestry*”.

5.10 The proposed agricultural building, is therefore not considered to be inappropriate development within the Green Belt.

Moving to the criteria attached to Local Plan Policy E9

A. They are sited on land which is in use for agricultural purposes and there are no existing suitable underused buildings available; and

5.11 The authorised use of the land is agricultural and not residential as the Parish Council suggest. There are no buildings on the agricultural land. The existing shipping containers are unauthorised and given their unsightly utilitarian appearance, are not suitable for agricultural storage in the open countryside and Green Belt. Criterion A is therefore met.

B. Adequate provision is made for access and manoeuvring of machinery and livestock to avoid the perpetuation, intensification or creation of a traffic hazard;

5.12 The proposed building would be appropriately located within the south eastern corner of the main field, close to the existing access. Although gated, the access has a wide bell mouth with good visibility and the gate is set well back into the site to allow vehicles to pull off Westerleigh Road before the gate is opened. A new spur off the existing track would be constructed to provide access from the existing driveway to the new agricultural building; this spur would be surfaced with compacted hard-core and would include a turning area to allow vehicles to exit in forward gear. As the proposed building would be used for the same storage purposes as the existing shipping containers, which would be removed, it is not anticipated that the building would create any increase in traffic movements above that which already exists from the site. Criterion B is therefore satisfied.

C. Development would not have unacceptable environmental effects; and

- 5.13 The site does not lie within a Coal Mining referral area neither is it in an area at high risk of flooding. Surface water would be disposed of to a soak-away; drainage matters would be covered by building regulations. It is proposed to use the building for storage purposes only. There would therefore be no unacceptable environmental effects.

D. The proposal would not prejudice the amenities of people residing in the area.

- 5.14 There are only isolated dwellings along this part of Westerleigh Road. The nearest dwelling would be 'The Cottage' located some 40m to the east behind the boundary hedge and a low earth bund located on the eastern boundary of the application site. The building would be more preferably located away from 'Athelstan House' than the existing shipping containers. Given its location and the enclosed nature of the building, in particular to the east, there would be no adverse impact on residential amenity.

Landscape and Design Issues

- 5.15 The proposed building would have a volume of 167.17 cubic metres and measure 18.29m x 9.14m with height to eaves of 4.57m and ridge height of 5.87m. The scale of the building is not considered to be excessive given its proposed use and size of the field it would serve. The building would be set on a concrete hard-standing and would have dark green, metal corrugated sheet walls with a roof of light grey, fibre cement sheets with eight roof-lights. This design is considered to be perfectly appropriate for a rural building in a countryside location. Given the presence of existing mature boundary hedges and sporadic tree planting to the front of the building, additional landscaping is not considered to be justified in this case.
- 5.16 The existing shipping containers currently serve as secure storage areas for the agricultural machinery and produce. When the proposed agricultural storage building is brought into use, it is proposed to remove the unsightly containers; this can be secured through this application by imposing a condition to remove the containers within one month of the first use of the agricultural building and restoring the land to agricultural use.

Ecology

- 5.17 The site has no special designation and is already intensively used for hay cropping.

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 proposal would provide a more appropriately located and designed agricultural storage facility than the existing unsightly and unauthorised shipping containers.
- 6.3 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).

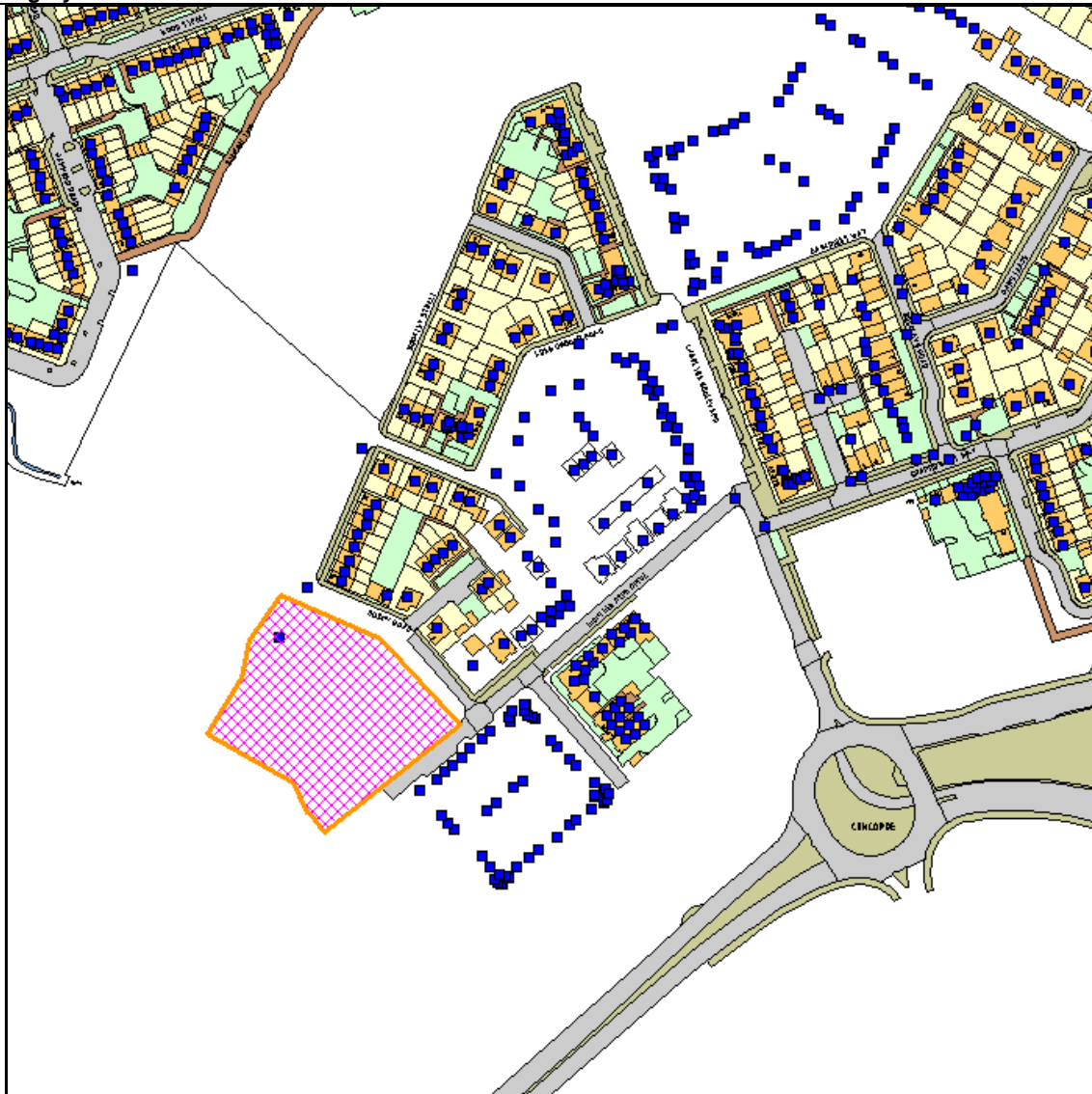
2. Within one month of the first use of the building for the purposes hereby approved, all existing shipping containers shall be removed from the land and the land restored to its original agricultural use.

Reason

To protect the character and appearance of the Green Belt and landscape in general and to accord with saved Policy L1 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006, Policies CS5 and CS34 of The South Gloucestershire Local Plan Core Strategy (Adopted) 11th Dec. 2013 and the requirements of the National Planning Policy Framework March 2012 and the South Gloucestershire Council SPD - 'Development in the Green Belt' (Adopted) June 2007.

CIRCULATED SCHEDULE NO. 38/15 – 18 SEPTEMBER 2015

App No.:	PT15/3344/RM	Applicant:	Linden Homes Western
Site:	Charlton Hayes Phase 3 Parcel H38 Northfield Filton Airfield Patchway South Gloucestershire BS34 5DZ	Date Reg:	3rd August 2015
Proposal:	Erection of 28no. dwellings with details of the siting, design, external appearance of buildings, landscaping with associated garaging and parking on Parcel H38 (Approval of Reserved Matters to be read in conjunction with Outline Planning Permission PT03/3143/O).	Parish:	Patchway Town Council
Map Ref:	360230 181166	Ward:	Patchway
Application Category:	Major	Target Date:	30th October 2015



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application appears on the circulated schedule due to representations received contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 This application seeks Reserved Matters consent for the erection of 28 residential units with details of the siting, design, external appearance of buildings, and landscaping with associated garaging and parking. (Reserved Matters application to be read in conjunction with outline planning permission PT03/3143/O as amended).
- 1.2 The proposal is for the delivery of development area H38 that forms part of 'phase 3' of the Charlton Hayes development. This has an agreed detailed master plan and design code. The site wide master plan and Design & Access Statement (DAS) identifies parcel H38 as 'residential'. The parcel is a development between the two main streets forming part of the 'Main Streets Character Area' and the 'Neighbourhood/Side Streets Character Area' identified in the design code. The scheme is made up of 12x2 bed, 11x3 bed and 5x4bed dwellings including 8 affordable units (4 x3bed units and 4x4bed units) representing 28.5 percentage of affordable housing.
- 1.3 Amended plans were submitted by the applicant following Officer's concerns in regard to the overall design of the scheme, landscaping and drainage.

2. POLICY CONTEXT

2.1 National Guidance

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

2.2 Development Plans

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

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

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS1 High Quality Design
CS2 Green Infrastructure
CS5 Location of Development

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

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

3. RELEVANT PLANNING HISTORY

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

4. CONSULTATION RESPONSES

- 4.1 Patchway Town Council
No objection raised.

- 4.2 Other Consultees

Avon and Somerset Police

No objection subject to following comments:

1. Plot 5 has identified parking areas in front of garage, whilst accepting that the vehicles should be parked in the garage, reality seems to indicate that they will be parked in front. It would be advantageous to either provide additional light in the area and/or ensure that the buildings have habitable rooms overlooking the area.
2. The gates to plots 06 and 10 should be moved level with the boundary wall located in the rear courtyard. This prevents a 'Dead Area' being created in which an offender can be concealed.

The gate to Plot 4 needs to be moved. Gates to the side of the dwelling that provide access to rear gardens or yards must be robustly constructed of timber, be the same height as the fence (minimum height 1.8m) and be lockable. Such gates must be located on or as near to the front of the building line as possible.

The scheme has since been amended to address these comments.

Environment Agency

No objection

4.3 Internal Consultees of the Council

Affordable Housing Officer

The AH Officer has no objection in principle to the provision (mix & location) of affordable housing on H38 on the understanding that an additional unit is provided on the adjoining parcel H37 to ensure general conformity with the AH target schedule and plan. Recommends and informative is attached.

Conservation Officer

No objection.

Lead Local Flood Authority

No objection – confirm that amended engineering plans, impermeable areas & discharge rates now comply with the site wide drainage strategy.

Ecology Officer

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

Highway Structures Officer

No objection raised.

Landscape Officer

No objection raised.

Transportation Officer

No objection - Clarification was requested with respect to parking numbers, footpaths and carriage way widths. The applicant has now included an additional footpath and additional parking which are now confirmed as acceptable.

Urban Design Officer

No objection. Following the submission of revised plans that improved the elevations the scheme is now considered to be acceptable.

Waste Management Officer

No objection raised.

Other Representations

4.4 Local Residents

Two representations have been received by local residents making the following comments:

No Footpath on Bushy Road;

No front garden to houses facing Bushy road.

Plots 1 and 2 seems to be affordable housing it would be good if you can move this to main roads;

The land should be protected and used to either provide open space such as a country park and land should also be reserved for commercial activity such as the building of a museum of aviation and aerospace engineering for the Concorde plane and a restaurant or a Waitrose or other supermarket.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The principle of development has been established with the approval of the outline planning permission PT03/3143/O, and the approval of the amended phase 3 master plan and Design Codes. The outline permission granted consent for a "Major mixed-use development across 81.25 hectares of land comprising 2,200 new dwellings, 66,000 sq m of employment floor space (B1, B2 and B8), 1,500 sq m of A1, A2, A3, A4 and A5 floor space: together with the provision of supporting infrastructure and facilities including; new vehicular and pedestrian accesses to Highwood Road, new link road, public open space, primary school, community building, hotel (C1) (Outline)".

5.2 This application considers Reserved Matters consent parcel H38 which is identified by way of the amended detailed master plan and design codes as being 'residential'. The phasing strategy and accompanying schedule (page 140 of the DAS as recently amended) identifies H38 as accommodating a total of 28 dwellings. The phase 3 Design Code illustrates that the parcel provides for 2-3 storey development with high density development fronting the Main Streets and medium density fronting the neighbourhood Streets/Side Streets. The average density of the proposal is 57 dwellings per hectare (dph) with the higher densities of above 65dph located on Main Streets. Lower densities of between 40-65dph are located along the Neighbourhood Streets. The proposal achieves this in the form of predominantly 2 storey but includes 3 storey on key focal corners of the Main Streets resulting in mixture of a 2 and 3 storey units in a range of dwelling types split between 12 apartments and 16 houses. It is considered the use and amount of development is generally acceptable and in accordance with the Design Code.

5.3 The proposal in terms of use, density, form and street typology accords with the site wide Design and Access Statement, amended detailed master plan and the phase 3 Design Code.

- 5.4 Given the above, it is considered that the principle of development is acceptable. The proposal is therefore acceptable overall subject to the following detailed assessment:
- 5.5 Urban Design, Landscaping and Visual Amenity
The Charlton Hayes Phase 3 Design Code (as amended) sets out the design considerations for Phase 3. The Design Code was approved in accordance with condition 6 of outline planning permission PT03/3143/O. The design code includes guidance for matters such as: character areas, street types and street materials, building heights, boundary treatments, and architectural and sustainable construction principles.
- 5.6 In terms of character areas parcel H38 provides important frontage onto the Main streets and Neighbourhood streets. Amendments to the design have been made to ensure both front and rear of the blocks provide attractive and safe street scenes.
- 5.7 The proposed building heights are in accordance with the Phase 3 Design Code. The density of dwellings also complies. In terms of architectural principles it is the aim of the Code to create distinctive streets with a sense of consistency and regularity. The materials consist of a palette of smooth renders, buff and blue bricks, concrete roof tiles finished with dark grey window frames on the main streets and white frames in the side streets. As such the proposed materials are in accordance with the codes. With regards to Street lighting details, the design is being formulated with the Council and will be available once completed. As such this will form a condition to the reserved matters.
- 5.8 Landscaping
Officers consider that the planting plan provided shows a good level of planting across the parcel, providing street trees and hedges.
- 5.9 Transportation
Parcel H38 to which this reserved matters relates is bounded on two sides (north west and south-east) by Main Streets. To the north east and south west are Neighbourhood streets / Side streets' which are the lowest tier in the hierarchical structure of the highway network as approved in the Phase 3 Design Code. These latter streets -'shared space streets' endeavour to respect pedestrian priority. However, the street to the north west of parcel H38 is part of Phase 1b, governed by a separate design code (Design Code Phase 1) which has already been approved and built out and as such is essentially a different style of road. It is a traditional road with twin footpaths instead of shared surfaces. On the basis of the above and that the opposite footpath has been built out and is outside the applicant's control, it is considered acceptable in this particular instance to retain the traditional road form and as such the plans have been amended to provide two footways.
- 5.10 The Council's Transportation Development Control Officer initially expressed concern with parking numbers. Revised plans have been submitted demonstrating sufficient policy compliant vehicle parking

numbers. The scheme provides for 1.5 parking spaces per unit plus 2 visitor spaces. Other visitor parking spaces are provided in the locality.

5.11 Affordable Housing

The application has been considered by the Council's Housing Enabling Officer. Affordable housing is required to comply with a target schedule and plan to provide 25% AH in total across the scheme. The parcel provides for 8 affordable units for social rent (4x3bed family homes and 4x4bed family homes). This represents a 28.5 percent provision of affordable homes, but is 1 less than the target schedule required for this parcel. The applicant (Linden) now own Parcel H37 adjacent. They have provided assurances that the additional unit will be provided on the adjoining parcel. On this understanding AH provision is considered acceptable. Informative to be attached.

5.12 Residential Amenity

The proposed development has been designed having regard to the orientation of and relationship between the proposed dwellings. The proposal demonstrates acceptable amenity standards and includes sufficient provision of cycle and bin storage. Accordingly, the proposal is considered acceptable in regard to residential amenity.

5.13 Drainage

The Environment Agency and the Lead Local Flood Authority (LLFA) were consulted as part of the application process. The Environment Agency deferred to the LLFA. LLFA confirm that the proposed drainage strategy for this parcel complies with the overall site Surface Water Drainage Strategy (PBA, May 2014). Revised plans ensure that proposed drainage will not conflict with tree planting.

5.14 Ecology

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

5.15 Other matters

With regard to the concerns raised by local residents, the applicant has provided an additional footpath along Bushy Road and landscaping fronting the street scene where possible. Affordable housing is located in general conformity with the Outline target schedule, plan and clustering principles and is therefore considered acceptable. The principle of the use of this land as residential has already been approved and agreed by the Council and local members at Outline stage. Moreover, the master plan for Charlton Hayes provides for significant areas of open space. Reserved Matters for the 'Green Spine' are currently being considered. An aviation museum (for Concorde) is to be provide on the airfield off Hayes Way. A small supermarket is proposed for the Charlton Hayes local centre on Phase I.

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 reserved matters consent is APPROVED subject to the following conditions:

Contact Officer: Robert Nicholson
Tel. No. 01454 863536

CONDITIONS

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

Reason

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

2. Notwithstanding the plans hereby approved, prior to the commencement of development details relating to the storage provision for refuse bins, boxes and cycle storage for the flats shall be submitted to and agreed in writing by the Local Planning Authority. The residential flats hereby approved shall not be occupied until the storage areas have been provided in accordance with the agreed details.

Reason

To protect the amenities of the occupiers of residential flats, and to accord with CS1 of the adopted South Gloucestershire Core Strategy, and to provide appropriate cycle

storage in accordance with Policy T7 of the adopted South Gloucestershire Local Plan.

3. The development hereby approved shall be in strict accordance with the following plans/drawings:

Dated 31st July 2015

15042 (05)100 Site Location Plan;
15042 (05) 101 Existing Site Levels;
15042 (05) 106 Site Enclosure Details Rev A;
15042 (05) 122A Apartments 19-28 Roof plan;
15042 (05) 123C Apartments 19-28 Elevations;
SP03 - Swept Path Analysis

Dated 17th Sept 2015

15042 (05) 121B Apartments 19-28 Second and third floor plans Rev B;
15042 (05) 102M Proposed Site Layout Rev M;
15042 (05) 103A Proposed Materials Schedule Rev A;
15042 (05) 107C Proposed Street Elevations 1-4 Rev C;
15042 (05) 109A Proposed Standard Garage Rev A;
15042 (05) 110F_HT-304 Rev F;
15042 (05) 111F_HT 230+ FOG Rev F;
15042 (05) 112D_HT-410 Rev D;
15042 (05) 113E_HT A42 Rev E;
15042 (05) 114D_HT A34 Rev D;
15042 (05) 115E_HT 301 Rev E;
15042 (05) 116D_HT A34 - Neighbourhood Rev D;
15042 (05) 117G_HT-230 FOG Rev G;
15042 (05) 120B Apartments Floor Plans Rev B;
1507-31_1000 E H38 Engineering;
1507-31_1010_D Impermeable Areas;
01882.00009.29.001.6-PLANTING PLAN Rev 6.

Reason

In the interests of clarity and in order to define the planning permission

CIRCULATED SCHEDULE NO. 38/15 – 18 SEPTEMBER 2015

App No.:	PT15/3357/F	Applicant:	Mr Garry Kendall
Site:	1 School Way Severn Beach Bristol South Gloucestershire BS35 4QA	Date Reg:	5th August 2015
Proposal:	Erection of single storey side and rear extension to provide additional living accommodation	Parish:	Pilning And Severn Beach Parish Council
Map Ref:	354316 184554	Ward:	Pilning And Severn Beach
Application Category:	Householder	Target Date:	28th September 2015



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REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application is referred to the Circulated Schedule to take into account the comments of the Parish Council and a local resident. Whilst these are not stated as being objections, they could be construed as such and therefore warrant referral to the Schedule for determination.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a single-storey side and rear extension at a detached house on School Way in Severn Beach.
- 1.2 The proposed development would skirt around the outside of the existing house. It would have a lean-to roof. The existing conservatory shall be removed to facilitate the extension.
- 1.3 The application site is located within the settlement of Severn Beach and is also located in an area of flood risk.

2. POLICY CONTEXT

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

South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design
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
Residential Parking Standard (Adopted) December 2013

3. RELEVANT PLANNING HISTORY

- 3.1 N3742 Approve with Conditions 28/07/1977
Erection of conservatory at rear and erection of shiplap fencing 4ft. 0ins. in height along side boundary.

4. CONSULTATION RESPONSES

4.1 Severn Beach Parish Council

Garage must be checked to see if it meets internal size standard and will allow maintenance. Should the garage comply with the minimum requirements, no objection is raised.

4.2 Lead Local Flood Authority

Proposed flood mitigation measures are acceptable.

4.3 Sustainable Transport

No comment made.

Other Representations

4.4 Local Residents

One letter from a nearby occupiers has been received which raises the following points -

- extension may cause damage to the foundation of the garage immediately adjacent to the extension
- drainage is important so that the immediately adjacent garage does not flood
- a gap should be left between the two buildings to carry out maintenance and repairs

5. ANALYSIS OF PROPOSAL

5.1 This application seeks planning permission for the erection of a single-storey rear and side extension at a property in Severn Beach.

5.2 Principle of Development

Extensions and alterations to existing dwellings is managed under policy H4 of the Local Plan. This policy is generally supportive of development subject to an assessment of design, amenity and transport. Therefore the proposed development is acceptable in principle but should be determined against the analysis set out below.

5.3 Design

The proposed extension has a simple design. It consists of a lean-to wrap around extension. To the side of the property it projects 2.3 metres and at the rear it projects 4 metres. Using the area to the side of the dwelling makes the most efficient use of space with the least impact on the streetscene. Whilst there would be a material change to the appearance of the dwelling, it is not considered to be harmful and the extension is considered to respect the character and appearance of the existing house.

5.4 Amenity

Development should not be permitted that has a prejudicial impact on residential amenity. Amenity considerations should include the application site and any affected nearby occupier.

- 5.5 It is not considered that the development would have an adverse impact on the amenities of the application site. Adequate garden space is retained and the site would still be able to function as a dwelling with required levels of amenity space.
- 5.6 It is not considered that the extension would have an adverse impact on the amenities of nearby occupiers. Due to its single storey nature, the development is unlikely to result in significant overbearing issues or a loss of light. Windows are not positioned in a location which would lead to a loss of privacy.
- 5.7 Transport and Parking
The development would not lead to an increase in the number of bedrooms in the property (which would remain at three). It is therefore not considered that the development would result in an increased transport demand from the extended property. However, as a result of the development, parking at the side of the property would be lost. It is therefore reasonable to conduct an assessment of parking availability.
- 5.8 A three-bedroom property requires two off-street parking spaces. The proposed 'garage' does not meet the minimum size standards (3 metres by 6 metres) as it only measures 2.4 metres by 3.1 metres. It cannot therefore be considered a parking space and the two parking spaces must be provided elsewhere.
- 5.9 There is sufficient space within the front curtilage to provide two parking spaces to meet the parking standard. Therefore no objection is raised with regard to the provision of adequate off-street parking.
- 5.10 Flood Risk
The site is in an area of flood risk, identified as flood zone 3 by the Environment Agency and therefore drainage is an important factor. For householder development of this nature, the applicant is required to demonstrate that the development is safe from the risks posed in a flood event. The submitted flood risk assessment and mitigation measures are acceptable. The development shall be conditioned so that these measures are completed.
- 5.11 Other Matters
Matters have been raised in consultation responses that have not been addressed above. Foundations are a matter for building control, as and when the development requires Building Regulations approval. It may be an issue in planning when there is evidence of ground instability issues; none are present here. Damage to existing buildings would be a civil matter and cannot be addressed through the planning system.
- 5.12 As with foundations, drainage in this instance would be a matter addressed through the Building Regulations. In terms of flood risk, the development has demonstrated that it is safe.

5.13 Issues with regard to maintenance and repairs are a civil matter. Planning permission does not grant rights of access onto land without the consent of the landowner.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Contact Officer: Griff Bunce
Tel. No. 01454 863438

CONDITIONS

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

Reason

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

2. The 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 Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

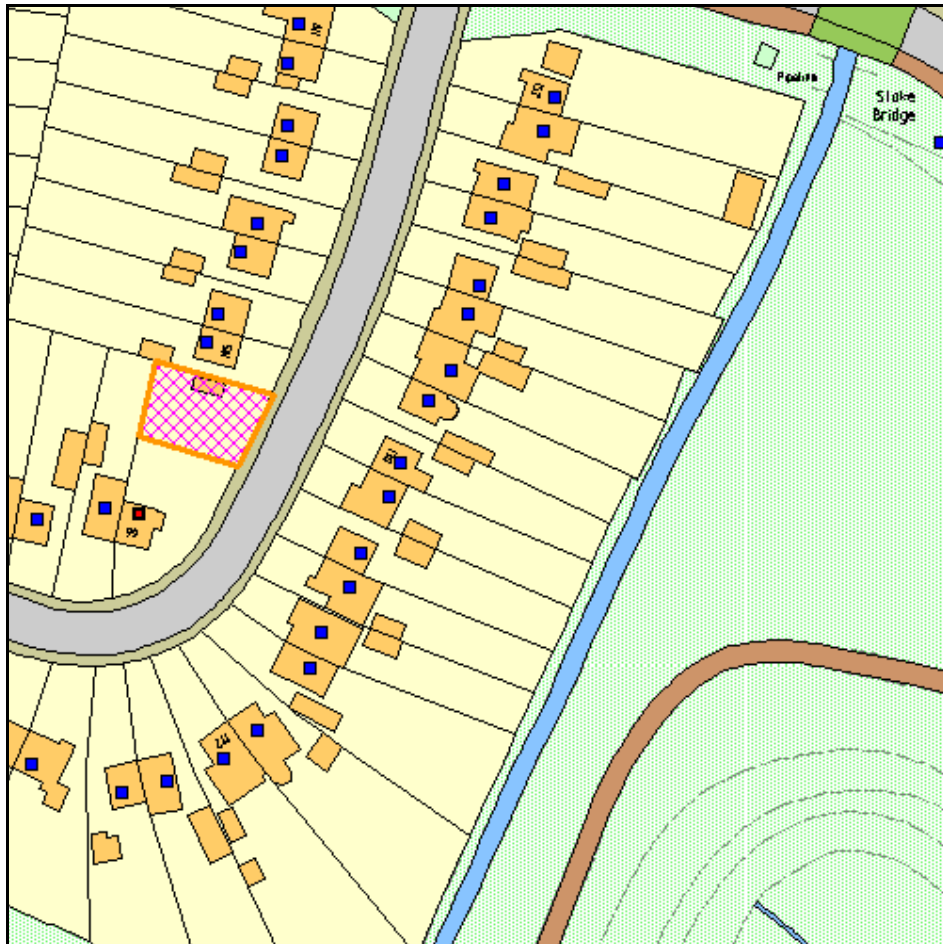
3. The development hereby permitted shall be carried out in accordance with flood mitigation measures signed 1 September 2015.

Reason

To manage risks associated with flooding, and to accord with Policy CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 and Policy EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 38/15 – 18 SEPTEMBER 2015

App No.:	PT15/3373/F	Applicant:	Mr Khakh
Site:	99 Bush Avenue Little Stoke Bristol South Gloucestershire BS34 8NG	Date Reg:	11th August 2015
Proposal:	Erection of 1 no. dwelling with access and associated works (Retrospective) Erection of attached single garage	Parish:	Stoke Gifford Parish Council
Map Ref:	361703 180409	Ward:	Stoke Gifford
Application Category:	Minor	Target Date:	2nd October 2015



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REASON FOR SUBMISSION TO THE CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 This application seeks retrospective planning permission for the erection of one detached dwelling within the former garden of a semi-detached house in Little Stoke. Additionally, planning permission is also sought for the erection of an attached single garage at the site.
- 1.2 A slightly smaller dwelling was approved by Members at the site in September 2014. The reason the application is retrospective is due to the approved house being built larger than the previously approved dwelling, this application seeks to regularise this error and also gain planning permission for the erection of an attached single storey garage, which at the time of the officer's site visit was not built.
- 1.3 A number of applications have been submitted previously with regard to the erection of a dwelling on this site; these are listed in section 3.
- 1.4 The site is located within the existing urban area of Little Stoke. According to the flood maps produced by the Environment Agency, the site lies within Flood Zone 2; the flood risk assessment submitted with this application identifies the site as being located within Flood Zone 3. No further statutory or non-statutory land use designations cover the site.
- 1.5 The previously approved planning permission for the erection of a dwelling at this site is still extant, accordingly, this planning application is essentially an amendment to this previously approved scheme. Therefore, in assessing this planning application, only the proposed changes from the extant permission can be assessed within this planning application.
- 1.6 The proposal differs to the extant planning permission in the following ways:
 - The proposed southern elevation extends approximately 0.6 metres further to the south than what was previously approved;
 - The chimney is wider than the previous proposal and only erects from the roof of the dwelling;
 - Obscure glazed windows on both the northern and southern elevations (side elevations) are proposed at first floor level;
 - An attached single storey garage is now proposed on the southern elevation;
 - The parking and access arrangement are different in that a garage is now proposed, and also that the access is on the southern side of the plot, rather than the north.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Policy Framework, Technical Guidance March 2012

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS4A Presumption in Favour of Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS15 Distribution of Housing
CS16 Housing Density
CS17 Housing Diversity
CS25 Communities to the North Fringe of Bristol

South Gloucestershire Local Plan Adopted January 2006 Saved Policies

L1 Landscape
L9 Species Protection
EP2 Flood Risk and Development
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 | PT15/2758/F | Withdrawn | 27/07/2015 |
| | Erection of two storey side extension to form additional living accommodation.
Erection of attached single garage.(Re submission of PT15/2010/F). | | |
| 3.2 | PT15/2010/F | Withdrawn | 03/06/2015 |
| | Erection of attached garage. | | |
| 3.3 | PT14/2332/F | Approve with Conditions | 23/09/2014 |
| | Demolition of existing garage to facilitate the erection of 1no. dwelling with access and associated works. (Resubmission of PT13/4498/F). | | |
| 3.4 | PT13/4498/F | Refusal | 29/01/2014 |
| | Demolition of existing garage to facilitate the erection of 1no. dwelling with access and associated works. | | |

Refused for the following reason

1. *The proposed development is located within Flood Zone 2 as shown on the Environment Agency's indicative flood maps. The site specific Flood Risk*

Assessment, prepared by H2OK and dated 14 October 2013, identifies that the site lies within Flood Zone 3. The application has not demonstrated that there are no reasonably available sites in areas of a lower probability of flooding and has failed the sequential test. The proposal is therefore contrary to the provisions of the National Planning Policy Framework March 2012, the Technical Guidance to the National Planning Policy Framework March 2012, Policy CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013, and Policy EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

- 3.5 PT13/0924/F Refusal 21/5/2013
Demolition of existing garage. Erection of 1no. detached dwelling with new access and associated works. Erection of 1.8m boundary fence.

Refused for the following reasons –

- 1. The application site is within Flood Zone 2 and the proposed development is classified as being 'more vulnerable' to flooding in Technical Guidance to the National Planning Policy Framework. No information has been submitted to demonstrate that there are no other reasonably available sites available in Flood Zone 1 to accommodate the proposed development. The proposed development therefore fails the sequential test as is contrary to the National Planning Policy Framework and Policy EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.*
- 2. The submitted application did not include a Flood Risk Assessment. As such, the Local Planning Authority were unable to fully assess whether the proposal was flood resilient and resistant. The proposal is therefore contrary to the National Planning Policy Framework and Policy EP1 and EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.*
- 3. Insufficient information has been submitted with the application to determine the level of visibility required to ensure the proposed access is safe and appropriately positioned. The proposal is therefore contrary to Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006*

4. CONSULTATION RESPONSES

- 4.1 Stoke Gifford Parish Council
No objection.
- 4.2 Lead Local Flood Authority
No objection as a Flood Risk Assessment and Flood Mitigation Form have been submitted.
- 4.3 Transportation
No objection subject to further details being submitted regarding the access.
- 4.4 Planning Enforcement
No comment received.

Other Representations

4.5 Local Residents

Three letters of objection from local residents have been received that raise the following points –

- The original plans were rejected three times by planning officers due mainly to the site being located in Flood Zone 2 – the plans were approved at committee by reducing the ‘surrounding area’ to such a small zone that it would get approved;
- Planning control should have enforced the correct size of the building, taking account of the flooding issues;
- The proposed garage is within Flood Zone 2, this could lead to issues;
- The access point is close to a sharp bend at which cars travel at speed;
- Why was the dwelling allowed to be built larger than the previously approved when ‘building control’ measures should have been in place;
- Access issues regarding visibility splays.

5. ANALYSIS OF PROPOSAL

5.1 This application seeks planning permission for the erection of a detached dwelling (retrospective), with an attached single storey garage, within an existing residential curtilage in Little Stoke.

5.2 Principle of Development

The principle of a three bedroom dwelling at this site has been accepted at this under planning ref. PT14/2332/F. Accordingly, this is not up for assessment under this planning application. This application is simply with regard to the increase in the size of the dwelling; the proposed single storey attached garage and the proposed access. These changes must be assessed with regard to flood risk. Additionally, the development must also meet a high standard of design, have due regard to residential amenity and provide sufficient parking in the interests of highway safety.

5.3 Flood Risk

According to the indicative Environment Agency flood maps, the site is located within Flood Zone 2. The Flood Risk Assessment submitted by the applicant indicates that the site lies within Flood Zone 3. The Local Planning Authority should use the most recent and up-to-date information to inform its decision making; therefore, the application is assessed on the basis that the site falls within Flood Zone 3.

5.4 Applications for development in areas of flood risk must be assessed against national guidance in section 10 of the National Planning Policy Framework. This states that the sequential test should be passed for the development to be permitted. Only once the sequential test has been passed should the exception test be applied. Under planning ref. PT14/2332/F Members concluded that the development passed the sequential test. Accordingly, in terms of flood risk the development is not materially different in terms of its use and siting, the only

difference with this planning proposal is the size of the dwelling and the erection of an attached garage.

- 5.5 For the exception test to be passed, the application should be able to demonstrate that (i) the development provides wider sustainability benefits to the community that outweigh the flood risk, *and* (ii) the flood risk assessment shows the development is safe for its lifetime.
- 5.6 Members concluded under planning ref. PT14/2332/F that the development passed the first consideration of the exception test. Therefore, all that should be considered under this planning application would be the second consideration, which is whether the flood risk assessment is acceptable.
- 5.7 The Lead Local Flood Authority were consulted with regard to this planning application, they had no objection to this proposal stating that the submitted flood risk assessment and flood mitigation form were acceptable. Accordingly, should planning permission be granted it is recommended that the components of the proposal that have not been built are carried out in accordance with the submitted flood risk assessment and mitigation form, and also that the retrospective aspects have been carried in accordance with the aforementioned flood risk details.
- 5.8 Design and Layout
Development proposals must meet the 'highest possible standards of site planning and design' to accord with policy CS1. When development is proposed within an existing residential curtilage, the design should also respect the massing, scale, proportions, materials, and overall design and character of the existing property and street scene (policy H4).
- 5.9 As stated the proposal differs from the extant permission in that the proposal extends further to the south; an attached garage is proposed and also the access is at the southern side of the plot. These changes are acceptable in terms of their impact on the streetscene, and the wider character of the area. Additionally, the proposal retains a number of the design features that have been informed by the existing building stock, appropriate building materials are also proposed.
- 5.10 Attached garages are common in the area, and therefore the proposed garage does not cause concern with regard to design or layout.
- 5.11 Overall, the design of the proposed dwelling and garage is considered to be acceptable.
- 5.12 Transportation
In terms of the use of the site there is no material difference in the level of traffic generated at the site compared to the previously approved scheme. However, this proposal differs from the extant permission in that the access has changed position from the north eastern side of the plot to the south eastern side of the plot. In response to this the Council's transportation officer has requested a more details of the access be submitted. Such details were requested, but have not been submitted. Officers must consider the fall-back position of the site,

which is simply that means of access can be formed without planning permission at the site. This is because Bush Avenue is neither a trunk road or classified highway, meaning the access at the site can be formed under Schedule 2, Part 2, Class B of The Town and Country Planning (General Permitted Development) (England) Order 2015. Accordingly, officers do not find it reasonable to insist that further detail of the access at the site are provided, or to require such details through condition.

- 5.13 As with the previously approved scheme, this proposal is for a three bedroom dwelling. A dwelling of this size required a minimum of two car parking spaces be provided within the residential curtilage of the dwelling. Such a parking provision has been provided in the form of a single garage and parking to the front of the garage. To ensure these parking facilities are provided, a condition is advised should planning permission be granted that requires the parking areas to be provided prior to occupation and are thereafter retained.
- 5.14 Accordingly, there are no transportation objections to this proposal subject to the suggested condition.
- 5.15 Residential Amenity
Residential amenity should not be subject to prejudicial harm as a result of development. The amenities of the proposed dwelling and that of nearby occupiers should be considered.
- 5.16 Although the garden for the proposed dwelling and the retained garden for the existing dwelling are small, indeed much smaller than the prevailing norm on the street, adequate private amenity space is provided.
- 5.17 A bathroom window is proposed on the southern elevation, this window will be obscure glazed, but the top element will be opening. It is unclear whether the opening section of the window is 1.7 metres or more above the floor level within this room, an acceptable height for side elevation windows to prevent potential overlooking, however, the use of the room must be considered. As the window is a bathroom window, it is considered that window is not for a 'primary room', accordingly, the fact that the window may be open at a level where occupants could look out is not considered to be a factor that would result in material loss of privacy to neighbouring occupiers. This is because of the nature of a bathroom, it is not a room where occupants are likely to spend a prolonged amount of time standing looking out of such windows.
- 5.18 Similarly, an obscure glazed window is proposed on the northern elevation, this will be an upstairs 'landing' window. The opening section of this window is approximately 1.7 metres above internal first floor level, meaning material overlooking from this window is not expected.
- 5.19 In order to ensure that the aforementioned windows are built in accordance with the proposed plans, i.e. obscure glazed, a condition is recommended should planning permission be granted, that ensures such windows are obscure glazed.

- 5.20 The rear elevation windows do differ slightly from the previously approved permission, however, these window arrangements do not materially differ in terms of the privacy of nearby occupiers.
- 5.21 The proposal does have a larger built form as explained within the introductory section of the report. The built form would not result in the significant overbearing impact upon adjacent properties, or a material loss of light, as although located due south of the adjacent semis, the proposed development is in line with these properties. Additionally, the lean-to roof of the proposed garage aids in the proposal not being physically oppressive.
- 5.22 Bush Avenue is a residential area, as such to limit disruption to the nearby occupiers, a condition will be applied that limits the hours of working on site during the period of construction.
- 5.23 Overall, the impacts on residential amenity as a result of this development are not significant and would not be prejudicial to the enjoyment of any nearby dwelling.
- 5.24 Ecology
Under previous planning applications PT13/0924/F and PT14/2332/F the Council's Ecologist established that the site offers suboptimal conditions for slowworms, and a destructive search would be required should planning permission be granted as a precaution. The previously approved permission conditioned that such a search take place prior to the commencement of development. Accordingly, such a search has been carried out and the potential habitats destroyed as requested by condition. Therefore, should planning permission be granted, officers do not find it pertinent to recommend such a condition regarding slowworms.
- 5.25 Retrospective Planning Permission
Concerns have been raised by members of the public with regard to the nature of the application being retrospective, specifically, to how the dwelling was allowed to be built not in accordance with permitted plans. The Government have deemed it acceptable to submit planning applications retrospectively with no form of penalty. The fact an application is retrospective should not prejudice the assessment of the planning application. Generally where a proposal is built without planning permission, and retrospective planning permission be refused, the Council's planning enforcement team will take action should they deem it expedient.
- 5.26 Additionally, concerns were submitted with regard to building control, such concerns are outside of planning legislation, and therefore cannot be considered as part of the assessment of this planning application. Should permission be granted, an informative note would be attached to the decision notice alerting the applicant with regard to building regulations.

6. CONCLUSION

- 6.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities are required to determine applications in

accordance with the policies of the Development Plan, unless material considerations indicate otherwise.

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

7. RECOMMENDATION

- 7.1 It is recommended that planning permission is **GRANTED** subject to the conditions listed on the decision notice.

Contact Officer: Matthew Bunt
Tel. No. 01454 863131

CONDITIONS

1. The development hereby permitted that is not retrospective in nature shall be begun before the expiration of three years from the date of this permission.

Reason

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

2. The hours of working on site during the period of construction shall be restricted to 07:30 to 18:00 Monday to Friday, 08:00 to 13:00 Saturday and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site.

Reason

To ensure that residential amenity is protected during construction works and to accord with the core planning principles of the National Planning Policy Framework and Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies).

3. The components of the proposal that have not been built shall be carried out in strict accordance with the submitted Flood Risk Assessment prepared by H2OK (dated 14 October 2013) and the submitted Flood Mitigation Form signed by Dorrel Ferguson (dated 20 August 2015). Additionally, the retrospective aspects of the proposal must have been completed in accordance with the Flood Risk Assessment prepared by H2OK (dated 14 October 2013) and the submitted Flood Mitigation Form signed by Dorrel Ferguson (dated 20 August 2015).

Reason

To accord with the requirements of the National Planning Policy Framework and to minimise the effect of any flooding which may occur to comply with Policy EP2 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies).

4. Prior to the first occupation of the dwelling hereby approved and at all times thereafter, two off-street parking spaces shall be provided.

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 minimum Residential Parking Standard SPD (Adopted) December 2013.

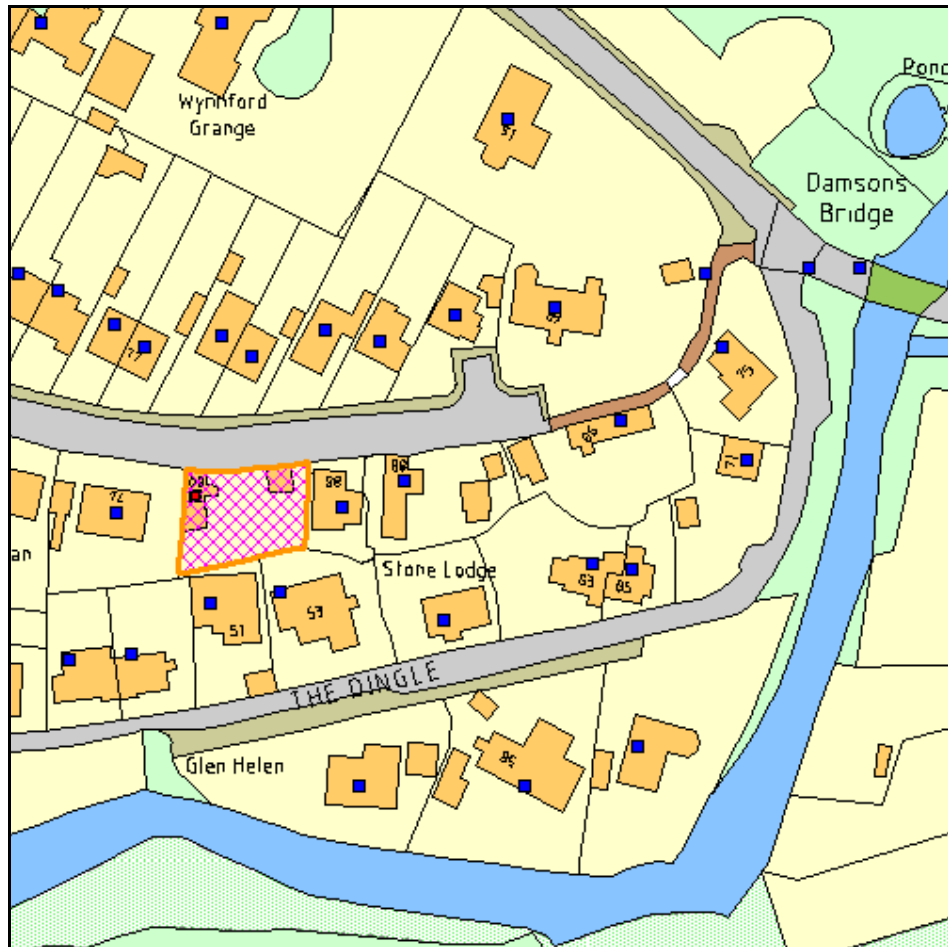
5. The hereby approved windows on the northern and southern elevations of the dwelling shall be obscure glazed; implemented in strict accordance with the approved plan dwg no. R700/02 B, and retained as such thereafter.

Reason

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

CIRCULATED SCHEDULE NO. 38/15 – 18 SEPTEMBER 2015

App No.:	PT15/3443/F	Applicant:	Mr Chris Lodge
Site:	Rock Cottage 80 Stone Lane Winterbourne Down Bristol South Gloucestershire BS36 1DJ	Date Reg:	10th August 2015
Proposal:	Erection of a first floor front and side extension to form additional living accommodation. Conversion of detached garage to form residential annexe ancillary to main dwelling to include single storey rear extension and raised decking area.(Re submission of PT15/0927/F)	Parish:	Winterbourne Parish Council
Map Ref:	365632 179421	Ward:	Winterbourne
Application Category:	Householder	Target Date:	2nd October 2015



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 100023410, 2008. N.T.S. PT15/3443/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This report appears on the Circulated Schedule following objections received from the Parish Council and from one local resident.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of a first floor front and side extension to form additional living accommodation, in addition to the conversion of a detached garage to form a residential annex ancillary to the main dwelling to include a single storey rear extension and raised decking area.
- 1.2 The application site relates to a two-storey detached cottage situated within the established settlement of Winterbourne. This is a re-submission of a recently withdrawn scheme. The previous scheme was withdrawn due to concerns relating to the proposed materials and them not being in-keeping with the character of the area. Revisions under this application seek to address the concerns.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted December 2013)

CS1	High Quality Design
CS4a	Sustainable Development
CS5	Location of Development
CS8	Improving Accessibility
CS9	Environmental Resources and Built Heritage
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS18	Affordable Housing
CS23	Community Infrastructure and Cultural Activity
CS24	Open Space Standards

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

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

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted 2007)

South Gloucestershire SPD: Residential Parking Standards (adopted) 2013

3. **RELEVANT PLANNING HISTORY**

- | | | | |
|-----|-------------|---|---------|
| 3.1 | N203/1 | Erection of detached dwellinghouse with garage. Construction of new vehicular and pedestrian access. (Outline).
Refused | 12.2.76 |
| 3.2 | N203/2 | Erection of a detached bungalow and two garages. Construction of new vehicular access. (Outline).
Refused | 17.6.76 |
| 3.3 | P86/1375 | Erection of two storey side extension to form kitchen, bedroom and ensuite shower room and front porch. (In accordance with amended plans received by the council on 11TH April 1986.)
Approved | 30.4.96 |
| 3.4 | P89/2642 | Erection of first floor extension to provide additional bedroom. Erection of rear porch
Approved | 4.10.89 |
| 3.5 | P90/1748 | Erection of bungalow; construction of new vehicular and pedestrian access (outline)
Refused | 13.6.90 |
| 3.6 | PT02/3347/F | Erection of two storey side and front extension to form a lounge/dining room and shower room with two additional bedrooms above.
Approved | 3.12.02 |
| 3.7 | PT12/0370/F | Erection of single storey side extension to form additional living accommodation.
Approved | 1.3.12 |
| 3.8 | PT15/0927/F | Erection of first floor side and front elevation to form additional living accommodation. Conversion of existing garage to form residential accommodation/workshop with raised decking area.

Withdrawn | |

4. **CONSULTATION RESPONSES**

- 4.1 Winterbourne Parish Council
Objection:
The loss of the garage is a concern as the area is already congested. Members are unable to comment further as no drawings of the resubmission are available. As an appointed consultee they cannot pass comment without relevant plans. (*Parish was unable to open the documents to view*).

Updated comments:

The pressure on vehicle parking in Stone Lane is already so great that any reduction in the proposed number of spaces on site, as indicated in the revised drawings is also of deep concern to the Parish Council

4.2 Other Consultees

Sustainable Transport

No objection as the proposal complies with the parking standards. However, a condition should be attached to the decision notice to ensure the annex cannot become a separate residential dwellinghouse.

Archaeologist

No comment

Drainage Engineer

No comment

Other Representations

4.3 Local Residents

One letter of objection has been received. The points raised are summarised as:

- Potential for congestion resulting from lack of parking provision for this application. The land is congested with parked cars and recently emergency, utility and delivery vehicles have been hampered getting to the end of the lane.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The proposal stands to be assessed against the above listed policies and all other material considerations. Of particular importance is the design of the proposal and its impact on the appearance of the host property and that of the area in general (CS1; CS5). Impact on residential amenity of both the application site and its closest neighbours must also be carefully assessed (saved H4) as must the impact the proposal would have on highway safety and on-street parking (T12; CS8 and SPD: Residential Parking Standards).

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

5.2 Design and Visual Amenity

The application site is a small one bedroom cottage situated on the southern side of Stone Lane. Within its plot, the property sits at the most westerly position where its blank rear elevation abuts the boundary with No. 74. The property has both two-storey and single storey components. The main two-storey element has a north-south orientation and thus presents its north side to the street. The single storey element is off its southern side and also extends

beyond the front boundary line of the cottage to the east. The cottage is of painted render with a small porch off the front elevation.

- 5.3 The first part of the proposal would be to introduce a first floor extension over the existing single storey structure. This would measure approximately 7.6 metres in length, 3.5 metres in width, resulting in eaves of 4.6 and a maximum height of 6.6 metres. The structure would follow the footprint of the existing single storey extension and would also have a ridge height set down from that of the main dwelling. Openings in the existing single storey structure would remain in the same position, although the style would be changed slightly, and new openings in the first floor would be in the south and east elevations only. The main fenestration for the first floor would be a large expanse of full height windows doors in the south elevation which would wrap around for part of the eastern side. A Juliette balcony is proposed in the south elevation. The proposal would be finished in a mix of painted render to the north side facing the highway while the rest would be of Cedar cladding.
- 5.4 It is considered appropriate that when viewed from the highway the new elevation would present the same materials as the existing cottage. The use of different materials can provide an interesting contrast to buildings and in this instance and given the scale of this traditional cottage, it is considered that the introduction of a disproportionate amount of different materials would detract from the original character of the dwelling. Timber cladding has been proposed for both the east and south first floor elevations only and this is considered a reasonable degree of contrast.
- 5.5 In terms of its design, scale and massing the proposal is considered appropriate to the modest cottage and in keeping with the area in general.
- 5.6 The second part of this application relates to the conversion of the existing detached garage into an annex along with a small extension to the rear of this structure to create a workshop/storage area, plus the creation of a raised decking area of approximately 12 sq m to the south side. The small extension would be to the east, for a width of approximately 2.5 metres. With regards to the workshop area this would be separate from the annex and accessed via a single door with two small rooflights bringing natural light into the structure. It would be finished in painted render and in terms of its scale and design there are no objections to this small extension. The existing garage door to the west would be changed to windows and the main door and a further set of full height doors/windows would be introduced into the south elevation opening out onto the proposed decking.
- 5.7 Moving on to the principle of the proposed conversion of the garage to an annex a number of issues must be considered. For such a conversion to be acceptable it is usual for the annex to be recognisable as being ancillary to the main dwelling. This is achieved by it having some form of reliance on the main dwelling. In this case the annex could not operate as an independent residential unit as internally it would have a bedroom and bathroom. Kitchen facilities would be provided within Rock Cottage itself. In these terms the proposal can be read as an annex and is therefore, acceptable. To be clear, this application has been assessed on the details as presented and although it

is noted that the workshop has a sink, this assessment has made no presumption that the workshop area would be incorporated into the annex. Regardless, a condition would be attached to the decision notice stating the annex cannot become a separate dwelling in the future. This is considered a proportionate course of action. The proposed conversion to residential use, the small extension and the raised decking area are judged as being acceptable.

5.8 Residential Amenity

Given the location of the dwelling set high above The Dingle and the houses below, and the position of the proposed new openings it is considered that the proposed first floor extension would not adversely impact on the amenity of closest neighbours.

5.9 With regard to the conversion of the existing garage into residential accommodation, the garage is located behind a high stone wall that is adjacent to the highway and is for the most part well screened from general view. Neighbours to the east at No. 86 would be closest to the proposed rear extension of the garage. These neighbours are at a slightly lower level than the application site. The extension would go right up to the boundary of the two where the path of No. 86 leads around the house. Openings here comprise a side entrance door at ground level leading to the utility room and a small dormer at first floor serving the bathroom. The extension would not be directly in front of this neighbour's door and would therefore not impact on the amount of light entering the house or be overbearing to the occupants. The two sites are separated by high boundary treatments and planting. It is acknowledged that the proposed decking and extension would create changes for this neighbour but the resulting degree of change is not considered to be unacceptable given the village setting location. The proposal is therefore acceptable and can be recommended for approval.

5.10 Sustainable Transport

The proposed conversion of the garage and extension to the existing dwelling would increase the residential accommodation on site whilst reducing the amount of parking available. However, the applicant also proposes 2no. off street car parking spaces within the garden area which means the development would comply with the Council's Residential Car Parking SPD. Comments from both the Parish Council and a local resident with regard to the loss of parking are noted, however, the proposal would result in a modest increase from a one bedroom to a two bedroom dwelling for which the adopted parking standard requires 1no. parking space. An annex associated with a dwelling does not require its own parking space but in this instance a second off-street parking space is proposed. As such the provision is deemed to be appropriate.

5.11 If however, the annex were to be used as a separate dwelling then parking on site would be reduced to a level not commensurate with the SPD. A condition would be applied to any permission to prevent the subdivision of the site.

5.12 Other Matters

Comments have also been received with regards to the problems large vehicles including emergency vehicles have accessing the end of the road. As an existing situation, this cannot form part of this report, however, inconsiderate

parking should be reported to the correct authority which would be the Policy Authority.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 That the application be **APPROVED**

Contact Officer: Anne Joseph
Tel. No. 01454 863788

CONDITIONS

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

Reason

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

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

Reason

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

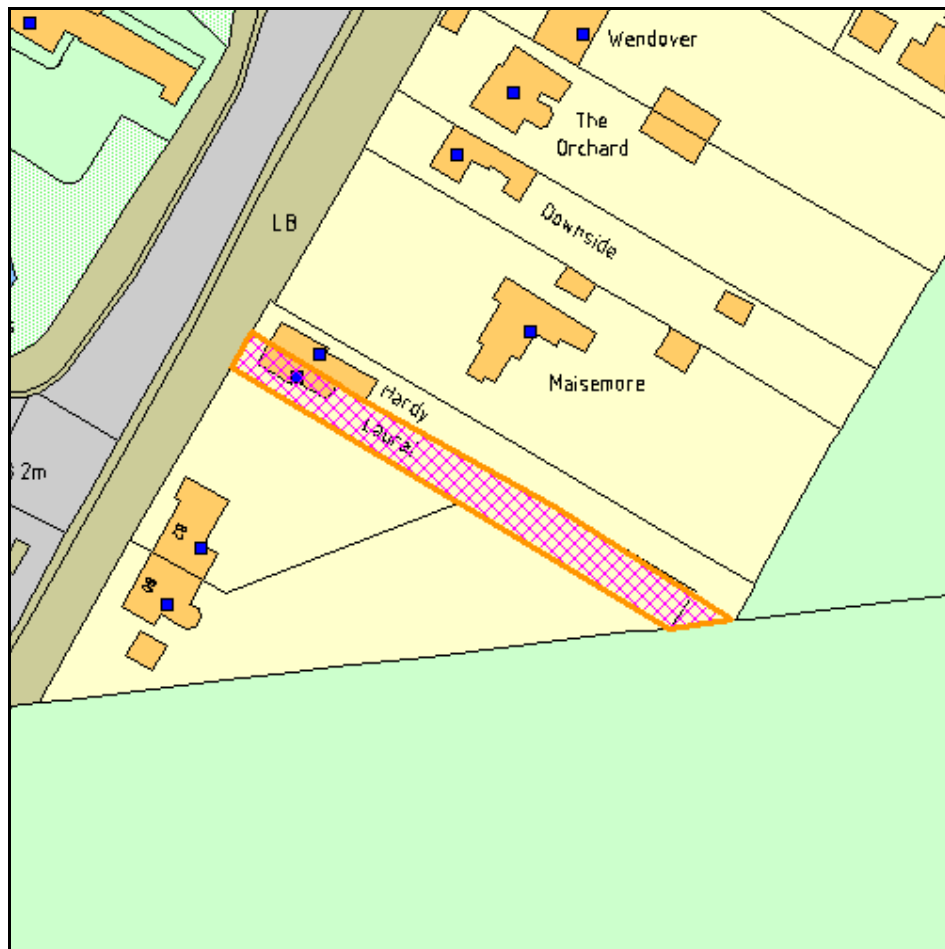
3. The converted garage to residential accommodation hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Rock Cottage, 80 Stone Lane, Winterbourne, South Gloucestershire BS36 1DJ.

Reason

To protect the residential amenity of the neighbouring occupiers and to accord with saved Policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013 and to ensure highway safety and to accord with adopted parking standards under saved Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006, Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013 and the South Gloucestershire SPD: Residential Parking Standards (Adopted) 2013.

CIRCULATED SCHEDULE NO. 38/15 – 18 SEPTEMBER 2015

App No.:	PT15/3663/PNH	Applicant:	Mr Colin Ryan
Site:	Laurel Cottage Gloucester Road Almondsbury South Gloucestershire BS32 4HS	Date Reg:	21st August 2015
Proposal:	Erection of single storey rear extension, which would extend beyond the rear wall of the original house by 6 metres, for which the maximum height would be 3.6 metres and for which the height of the eaves would be 3 metres	Parish:	Almondsbury Parish Council
Map Ref:	361608 185052	Ward:	Almondsbury
Application Category:		Target Date:	30th September 2015



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 100023410, 2008. **N.T.S.** **PT15/3663/PNH**

REASON FOR INCLUSION ON CIRCULATED SCHEDULE:

Resident objection received from Hardy Cottage regarding privacy issues with the lantern skylight in the roof of the proposed extension.

This application has a default approval and as such should be decided by 30th September and so inclusion on the Circulated Schedule is for information purposes only.

1. THE PROPOSAL

- 1.1 This application is for the Prior Notification of a rear single storey extension at Laurel Cottage, Gloucester Road, Almondsbury. The property is a two storey semi-detached dwelling located within greenbelt land, along a busy highway. The extension would extend beyond the rear wall of the original house by 6 metres, the maximum height would be 3.6 metres and the height of the eaves would be 3 metres.
- 1.2 This application is for a Prior Notification, which is a process that allows a household to notify the Local Planning Authority of intent to use their permitted development rights to build an extension of up to 6 metres in depth and no more than 4 metres in height for a dwellinghouse which is not detached. The property's permitted development rights relevant to this proposal are intact.
- 1.3 Applications of this kind have to be determined within 42 days following the date on which the application was validated. This application has been included on the Council's Circulated Schedule, but as the application has a default approval this is for information purposes only.

2. POLICY CONTEXT

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

3. RELEVANT PLANNING HISTORY

- 3.1 N8888 Erection of single storey rear extension to form utility room and bathroom. Approve with Conditions 29.09.1983.
- 3.2 PT11/4066/F Erection of two storey side and rear extension to form integral garage and provide additional living accommodation. Erection of front porch. Approve with Conditions 01.02.2012
- 3.3 PT12/2905/NMA Non Material Amendment to PT11/4066/F to increase size of 1 no front window in the extension and revise the footprint of the extension. No Objection 30.08.2012

4. CONSULTATION RESPONSES

- 4.1 Almondsbury Parish Council

No comment

- 4.2 Olveston Parish Council
No comment

Other Representations

- 4.3 Local Residents

One objection was received from the adjoining neighbour (Hardy Cottage, Gloucester Road) whom raised the following concerns:

- Issues regarding privacy and the skylight proposed in the flat roof. Objector would like the skylight in the roof to be opaque glass as the landing window of Hardy Cottage will overlook the skylight.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development

It stands to be determined whether the proposed development is acceptable within the limits set out in Part 1 of The Town and Country Planning (General Permitted Development) (England) Order 2015.

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

- 5.3 As an objection has been raised by a neighbouring resident this application also needs to be considered in terms of the proposals impact on residential amenity.

- 5.4 Residential Amenity

Concern was raised that the proposed skylight in the roof would result in a loss of privacy to the adjoining property (Hardy Cottage). It should first be noted that the neighbouring dwelling (Hardy Cottage) has a two-storey extension which extends out from the original rear wall by approximately 9 metres. The landing window of Hardy Cottage will overlook the proposed extension and skylight. The plans demonstrate that the highest point of the flat roof, including the skylight would reach 3.55 metres which is just below the ridge of the landing window. The lantern skylight will project from the flat roof by 0.5 metres which means that it is unlikely that there will be any overlooking or privacy issues. It is also important to highlight that the window overlooking the extension is not a principal habitable room and therefore this will also lessen the impact of the privacy issues expressed in the objection. The case officer does not find that a material loss of privacy would result from this proposed extension.

- 5.5 Summary

Whilst the concerns of the neighbour at Hardy Cottage, Gloucester Road are appreciated, it is not considered that the proposed development would result in

a detrimental effect on privacy and therefore the proposal is deemed acceptable in terms of residential amenity.

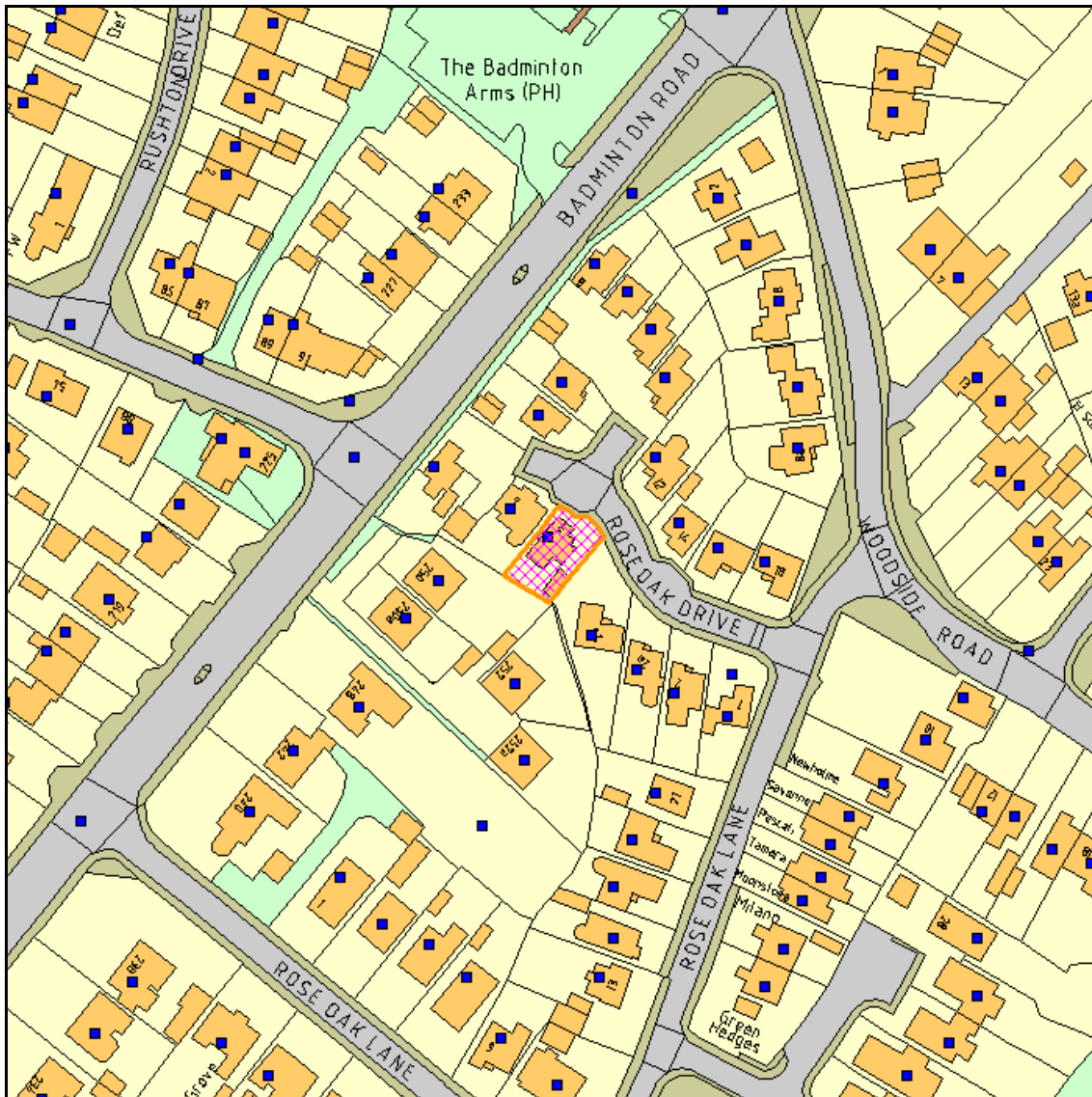
6. RECOMMENDATION

6.1 That the prior notification is approved.

Contact Officer: Chloe Buckingham
Tel. No. 01454 863464

CIRCULATED SCHEDULE NO. 38/15 – 18 SEPTEMBER 2015

App No.:	PT15/3702/CLP	Applicant:	Ms Alison Woods
Site:	3 Rose Oak Drive Coalpit Heath Bristol South Gloucestershire BS36 2AS	Date Reg:	26th August 2015
Proposal:	Certificate of lawfulness for the proposed erection of single storey side and rear extension	Parish:	Westerleigh Parish Council
Map Ref:	367801 181159	Ward:	Westerleigh
Application Category:		Target Date:	19th October 2015



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REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The applicant is seeking a formal decision as to whether the proposed erection of a single storey side and rear extension at 3 Rose Oak Drive, Coalpit Heath, 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.

2. POLICY CONTEXT

- 2.1 National Guidance
Town and Country Planning (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 P96/2706 Bryant Homes SW Ltd- erection of 20 dwellings and garages and construction of off-site road improvements. Approval - 19.03.1997.
- 3.2 P97/2052 Bryant Homes SW Ltd- erection of 6 dwellings and associated works. Approval- 12.02.1998

4. CONSULTATION RESPONSES

- 4.1 Westerleigh Parish Council
The size of this extension to that of the site means there is a reduction in the onsite parking provision to the property. Council question as to whether this provision is adequate for the size of the dwelling.
- 4.2 Other Consultees

Councillor
No comment received.

Other Representations

- 4.3 Local Residents
An objection was received from neighbours (2B Rose Oak Drive)
If the building line at the front of the property known as 3 Rose Oak Drive is extended outwards running parallel to our front garden wall, we feel this will be detrimental to our

out-look and enjoyment of the garden. As this road is a cul-de-sac and several families own three or more cars, parking at night and weekends becomes quite difficult. Therefore by reducing the driveway and taking away the use of the garage, and then increasing the size of the house to four bedrooms, will increase the probability of more cars being parked somewhere in the road or having to go to another road close by.

5. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

- 5.1 Existing Elevations 1569-03
Existing First Floor Plan 1569-03
Existing Ground Floor Plan 1569-03
Proposed Elevations 1569-03 A
Proposed Ground Floor Plan 1569-03 A
Proposed First Floor Plan 1569-03 A
Block Plan and Site Location Plan 1569-01
All received on 24th August 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 a single storey side and rear 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 detached dwellinghouse. The proposed extension would extend 3.4 metres beyond the rear wall out of a maximum distance of 4 metres. The development is 4 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 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 24th August 2015 (1569-03 A) it states that the materials used 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. OBJECTIONS

- 7.1 The objections received by Westerleigh Parish Council and the resident of 2B Rose Oak Drive do not provide evidence from the criteria that the development is not lawful. The application for a Certificate of Lawfulness 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.

8. RECOMMENDATION

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

Evidence has been provided to demonstrate that the development falls within permitted development within the curtilage of the dwellinghouse under Part 1 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.