



**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. 34/15**

**Date to Members: 21/08/15**

**Member's Deadline: 27/08/15 (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](mailto: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](mailto:MemberReferral@southglos.gov.uk), where referrals can be picked up quickly by the Development Management Technical Support Team. Please note a copy of your referral e mail will appear on the website. **If in exceptional circumstances, you are unable to e-mail you request, please contact 01454 863519, well in advance of the deadline, to discuss alternative arrangements to ensure your response can be received.**
- When you refer an application, make clear what the planning reasons are for doing so. This will help the case officer and other members give attention to the specific issues you have raised.
- It may also allow officers to seek to negotiate with the applicant to overcome the Member's concerns and therefore removing the need for a Committee determination.

**Dates and Deadlines for Circulated Schedule**  
**During August Bank Holiday Period 2015**

<b>Schedule Number</b>	<b>Date to Members</b> <b>9am on</b>	<b>Members</b> <b>Deadline</b> <b>4.30pm on</b>
No.35/15	Friday 28 August	Friday 04 September

Above are details of the schedules that will be affected by date changes due to August Bank Holiday.

# CIRCULATED SCHEDULE - 21 AUGUST 2015

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK15/1137/F	Approve with Conditions	Cadbury Heath Fc Cadbury Heath Road Cadbury Heath South Gloucestershire BS30 8BX	Parkwall	Oldland Parish Council
2	PK15/1724/F	Approve with Conditions	87 High Street Marshfield Chippenham South Gloucestershire SN14 8LT	Boyd Valley	Marshfield Parish Council
3	PK15/1728/LB	Approve with Conditions	87 High Street Marshfield Chippenham South Gloucestershire SN14 8LT	Boyd Valley	Marshfield Parish Council
4	PK15/2216/F	Approve with Conditions	34 - 36 Overhill Road Downend South Gloucestershire BS16 5DP	Downend	Downend And Bromley Heath Parish Council
5	PK15/2506/F	Approve with Conditions	Iron Acton Village Hall High Street Iron Acton South Gloucestershire BS37 9UG	Frampton Cotterell	Iron Acton Parish Council
6	PK15/2583/F	Approve with Conditions	49 New Cheltenham Road Kingswood South Gloucestershire BS15 1TN	Kings Chase	None
7	PK15/2622/F	Approve with Conditions	21-23 High Street Kingswood South Gloucestershire	Kings Chase	None
8	PK15/2901/ADV	Approve	Land Adjacent To Link Road Yate South Gloucestershire BS37 4AY	Yate Central	Yate Town
9	PK15/3053/F	Approve with Conditions	17 Baugh Gardens Downend South Gloucestershire	Emersons	Downend And Bromley Heath Parish Council
10	PT15/2137/RVC	Approve with Conditions	72A Bradley Avenue Winterbourne South Gloucestershire BS36 1HS	Winterbourne	Winterbourne Parish Council
11	PT15/2262/RVC	Approve with Conditions	Western Coach House Bristol Road Frampton Cotterell South Gloucestershire BS36 2AW	Frampton Cotterell	Frampton Cotterell Parish Council
12	PT15/2368/F	Approve with Conditions	Olveston Parish Hall Upper Tockington Road Tockington South Gloucestershire BS32 4LQ	Severn	Olveston Parish Council
13	PT15/2880/F	Approve with Conditions	Apple Dental Practice 97 High Street Winterbourne South Gloucestershire BS36 1RD	Winterbourne	Winterbourne Parish Council
14	PT15/2983/F	Approve with Conditions	57 Watleys End Road Winterbourne South Gloucestershire BS36 1PH	Winterbourne	Winterbourne Parish Council
15	PT15/2987/ADV	Approve	Traffic Roundabout Longdown Avenue Filton South Gloucestershire BS34 8JH	Frenchay And Stoke Park	Stoke Gifford Parish Council

## CIRCULATED SCHEDULE NO. 34/15 – 21 AUGUST 2015

**App No.:** PK15/1137/F  
**Site:** Cadbury Heath Fc Cadbury Heath  
Road Cadbury Heath Bristol South  
Gloucestershire  
BS30 8BX

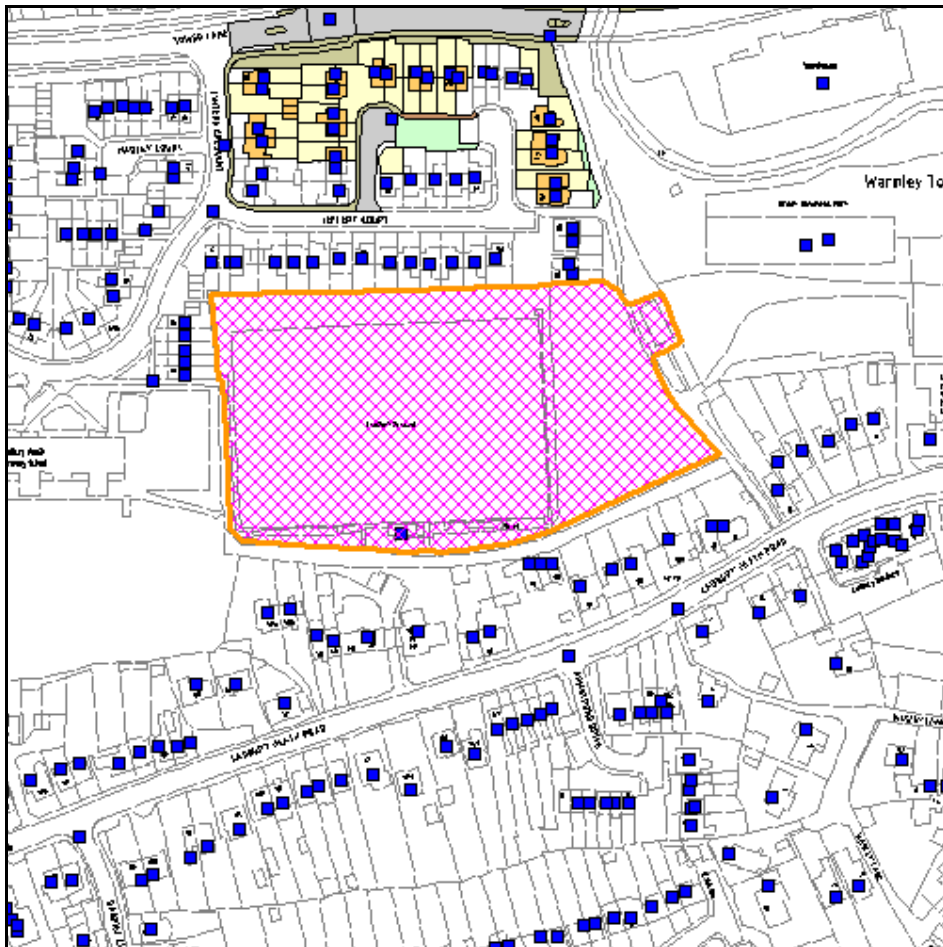
**Applicant:** Mr Steven Plenty  
**Date Reg:** 7th April 2015

**Proposal:** Retention of temporary seating area to remain until 27 August 2017 and erection of additional temporary building to form female changing room to remain on site until 27 August 2017 only.

**Parish:** Oldland Parish Council

**Map Ref:** 366660 172544  
**Application Category:** Major

**Ward:** Parkwall  
**Target Date:** 29th June 2015



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100023410, 2008.

N.T.S.

PK15/1137/F

## **REASON FOR REFERRING TO CIRCULATED SCHEDULE**

This application has been referred to the Circulated Schedule following the receipt of objections from 4no. local residents, which are contrary to the officer recommendation. The land, the subject of this application, is also owned by South Gloucestershire Council.

### **1. THE PROPOSAL**

- 1.1 The application relates to Cadbury Heath Football Club, which is based at Springfield, Cadbury Heath. Houses fronting Cadbury Heath Road lie to the south and similar properties fronting Jeffery Court lie to the north of the site. To the west is Cadbury Heath Primary School and further houses fronting Lintern Crescent; to the east is more sporadic residential and commercial development. The route of a Public Right of Way (PROW) POL11, currently bounds the site to the east and west. Substantial hedgerows bound the field to the north and west.
- 1.2 Springfield is a public open space that is owned by the Council but leased to Cadbury Heath F.C.; the club has recently acquired a new 21 year lease/licence over the site from the Council, giving the football club exclusive rights to play organised sports and associated training activities on the playing field. The actual playing area is enclosed by a low spectator barrier beyond which, is a high perimeter fence, within which are gates to allow public access during non-playing days. To the east of the main pitch is an area used for training purposes; low level floodlights are utilised to illuminate this training area during winter training sessions. Vehicular access to the site is via Cadbury Heath Road.
- 1.3 Planning permission PK06/2475/F was recently granted to erect 8no.floodlighting columns around the pitch, outside the spectator fencing but within the perimeter fencing; each column is 16 metres high with twin lanterns on top.
- 1.4 Application PK10/1419/F was approved for a number of improvements to the ground, these being:
  - Enlargement of the existing technical area on the northern side of the ground.
  - Provision of a 1m wide concrete hard standing at the eastern end of the playing area for the use of spectators.
  - Provision and siting of 1no. additional storage container (for club equipment) positioned in the existing clubhouse compound to the eastern boundary of the site.
  - Erection of new changing rooms and spectator stand to replace the existing facilities on the southern side of the pitch.
  - Erection of temporary covered seating area.
- 1.5 Condition 5 of the permission related to the temporary covered seating area and reads as follows:

*'Within 2 years of the date of this planning permission or within one month of the completion of the permanent spectator seating accommodation hereby approved, whichever is the sooner, the temporary stand hereby approved shall be removed from the site unless otherwise agreed in writing by the Local Planning Authority.'*

*Reason*

*To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy LC3 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.*

- 1.6 Planning permission PK12/1441/RVC was granted to vary the wording of the condition to allow an additional 3-year period before the temporary seating accommodation must be removed. The revised condition reads as follows:

*'No later than the 27<sup>th</sup> August 2015 or within one month of the completion of the permanent spectator seating accommodation hereby approved, whichever is the sooner, the temporary stand hereby approved shall be removed from the site unless otherwise agreed in writing by the Local Planning Authority.'*

- 1.7 Application is now made to retain the temporary seating area until 27 August 2017. It is also proposed to site a temporary building next to the existing dressing rooms to provide a separate changing facility for female referees; it is also intended to only site this building until 27 August 2017.

- 1.8 The application is supported by a Statement of Justification.

## **2. POLICY CONTEXT**

### **2.1 National Guidance**

The National Planning Policy Framework (NPPF) March 2012

The National Planning Practice Guidance (NPPG) 2014

### **2.2 Development Plans**

#### **South Gloucestershire Local Plan (Adopted) January 2006**

L1 - Landscape Protection and Enhancement

L5 - Open Areas within Urban Areas

LC3 - Proposals for Sports and Leisure Facilities within the Existing Urban Area and Defined Settlement Boundaries.

LC9 - Protection of Open Space and Playing Fields

LC12 – Recreational Routes

T8 - Parking Standards

T12 - Transportation Development Control Policy for New Development.

#### **South Gloucestershire Local Plan : Core Strategy (Adopted) Dec. 2013**

CS1 - High Quality Design

CS4A - Presumption in Favour of Sustainable Development

CS5 - Location of Development

- CS8 - Improving Accessibility
- CS9 - Managing the Environment and Heritage
- CS23 - Community Infrastructure, Sport and Recreation
- CS24 - Green Infrastructure, Sport and Recreation Standards

### Emerging Plan

#### Proposed Submission : Policies, Sites and Places Plan March 2015

- PSP1 - Local Distinctiveness
- PSP2 - Landscape
- PSP5 - Undesignated Open Spaces within Urban Areas and Settlements
- PSP8B - Residential Amenity
- PSP16 - Parking Standards
- PSP20 - Flood Risk, Surface Water and Watercourse Management
- PSP21 - Environmental Pollution and Impacts
- PSP21A - Unstable Land

- 2.3 Supplementary Planning Guidance  
South Gloucestershire Design Check List (Adopted) 23<sup>rd</sup> Aug 2007

### **3. RELEVANT PLANNING HISTORY**

- 3.1 P74/4457 - Extensions to existing club premises (previous ID K441)  
Approved 13<sup>th</sup> March 1975
- 3.2 P80/4336 - Comprehensive development of approx. 318 acres of land for residential and educational purposes, public open space and local centre (outline) (previous ID K1124/35)  
Approved 27<sup>th</sup> April 1981
- 3.3 P92/4167 - Erection of changing rooms toilets and store. Refurbishment of spectator stand and tea room. (Previous ID K441/5)  
Approved 15<sup>th</sup> May 1992
- 3.4 PK03/1961/F - Erection of 8no. 16 metre high floodlights.  
Withdrawn 2<sup>nd</sup> Feb 2004.
  - Location of lighting column on PROW.
- 3.5 PK04/2414/FDI - Diversion of public footpath POL/11  
Withdrawn 5 Dec 2007
- 3.6 PK06/2475/F - Erection of 8no. 16m high floodlights.  
Approved 22 Dec 2006
- 3.7 PK08/2184/RVC - Variation of Condition 3 attached to planning permission PK06/2475/F dated 22 Dec 2006 to allow floodlighting to be used for afternoon matches up to 17.00hrs and not for more than 10 games per season that commence after 17.00hrs.  
Approved 3 Oct 2008



- 3.8 PK10/1419/F - Alterations to sports ground to include enlargement of technical area, installation of hard-standing area, 1no. storage container, erection of single-storey changing rooms, spectator stand, temporary seating area and associated works.  
Approved 27 Aug 2010
- 3.9 PK10/1630/RVC - Variation of condition 2 attached to PK08/2184/RVC to include League and Cup matches and variation of Condition 6 to allow use of floodlights from 2.45pm to 5.00pm Sat and Bank Holidays and 6.30pm to 10.00pm Mon-Fri inclusive with no use on Sundays.  
Approved 8 Sept 2010
- 3.10 PK11/1977/F - Creation of hard-standing to north and west boundaries of playing area.  
Approved 11 Aug 2011
- 3.11 PK12/1441/RVC - Variation of condition 5 attached to planning permission PK10/1419/F to read - No later than the 27th August 2015 or within one month of the completion of the permanent spectator seating accommodation hereby approved, whichever is the sooner, the temporary stand hereby approved shall be removed from site unless otherwise agreed in writing by the Local Planning Authority.  
Approved 16<sup>th</sup> July 2012

#### **4. CONSULTATION RESPONSES**

4.1 Oldland Parish Council  
No objection

Siston Parish Council  
No response

4.2 Other Consultees

Highways Structures  
No comment

Transportation D.C.  
No objection

PROW  
No objection.

Lead Local Flood Authority  
No comment

Wessex Water  
No response

Avon Fire and Rescue  
No response

Police Community Safety Officer

No response

Open Spaces Society

No response

### **Other Representations**

#### 4.3 Local Residents

4no. letters/e.mails of objection have been received from local residents living at nos. 32-36 Cadbury Heath Road respectively. The concerns raised are summarised as follows:

- Adverse impact on property value.
- Loss of outlook.
- The existing stand is unsightly, having an industrial appearance.
- Cumulative impact of unsightly units.
- A business plan should be submitted to justify the proposal.
- Increased on-street parking and congestion in Cadbury Heath Rd.
- The stand is supposed to be temporary but has been there 5 years.
- No more temporary permissions should be granted.

2no letters/e.mails were received in support of the application. The points made in favour can be summarised as follows:

- The club is an important part of the community and should be supported.
- The club is trying to improve the facilities.
- It is a difficult task to build a new changing/seating complex.

## 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 In the first instance, the proposal falls to be determined under Policy LC3 of the South Gloucestershire Local Plan (Adopted) 6th January 2006, which permits the improvement of outdoor sports facilities within the existing urban area provided that:-
- A. Proposals for facilities which are likely to be major travel generators are located on sites which are, or will be, highly accessible by public transport, on foot and by bicycle; and
  - B. Development would not unacceptably prejudice residential amenities; and
  - C. Development would not have unacceptable environmental or transportation effects; and
  - D. Development would not give rise to unacceptable levels of on street parking to the detriment of the amenities of the surrounding area and highway safety.
- 5.7 The proposal will be considered in the light of the criteria attached to Policy LC3 and any other policy that is relevant to the proposal. Officers must consider if there is reasonable justification for the further retention of the stand and introduction of a further temporary changing room.
- 5.8 Justification for Development  
In support of the proposal the applicant has submitted a supporting statement, the key points of which are summarised as follows:
- 5.9 Application PK10/1419/F was approved 27<sup>th</sup> August 2010 for the installation of hard-standing, 1no. storage container, 1no. temporary seated stand and mainly 1no. single-storey main spectator stand with improved changing rooms. These items have been completed apart from the main spectator stand with new changing rooms, for which the club were unable to obtain sufficient funding due to the economic climate at that time.
- 5.10 As a result of this, application PK12/1441/RVC was submitted and approved 16<sup>th</sup> July 2012 to extend the usage of the temporary stand by a further 3 years expiring as at 27<sup>th</sup> August 2015.
- 5.11 On Saturday 21<sup>st</sup> April 2012, Cadbury Heath FC were crowned champions of Division 1 of the Toolstation Western League, and as such now play in the Premier Division of the Toolstation Western League, whereby the minimum requirements regarding facilities have changed. For example, the minimum covered accommodation must now be for 200 (of which at least 100 must be

seated), together with improved facilities for match officials, including provision for female officials.

- 5.12 As a result, the Football Club have decided to implement a new strategy in order to satisfy the minimum requirements of the league (Toolstation Western League Premier Division, National Ground Grading category F). New draft plans were drawn up on the 18<sup>th</sup> June 2013 to include the following:
- To retain the temporary 100 seater stand as a permanent structure.
  - To re-design the pavilion to house the new changing rooms and improved hospitality facilities etc., all contained in one building, utilizing the existing changing rooms within the complex.
  - To erect a further permanent stand for 100 spectators on the northern touchline opposite the pavilion.
  - To tidy up, but retain some storage facilities on the ground where the current clubhouse and portable buildings are located within the lockup compound.
- 5.13 On the 18<sup>th</sup> June 2013, these proposals and plans were submitted to the Landlords, South Glos. Council Community Spaces for consideration and approval, prior to submitting a new planning application.
- 5.14 To date, permission to proceed with the above has not been forthcoming, hence the need to submit the current application PK15/1137/F as an interim measure.

#### Analysis

- 5.15 Cadbury Heath F.C. have played at Springfield for over 50 years. The existing facilities at Springfield are now dated and will need upgrading if the club are to meet the required minimum standards to continue playing at Premiership level. It is now a requirement of the league that the club provide covered accommodation for at least 200 spectators of which 100 should be seated plus changing facilities for female officials, hence the original and continued need for the temporary stand until such time that the permanent stand has been developed and the additional need for the temporary female changing room.
- 5.16 It was originally envisaged that a new permanent stand and changing room complex would be completed by August 2012 by whence the temporary stand would be removed. The football club worked very hard in an effort to secure funding for the permanent stand and changing room complex from various bodies, the Football Trust etc., but due to the economic climate at that time, funding allowances were dramatically reduced and extremely difficult to secure. The football club are however determined to see the project through to completion, albeit taking more time than had earlier been anticipated. As a club now playing in the Premier Division, this now places the club in a much better position to obtain sponsorship and funding,
- 5.17 In order to apply for the revised draft scheme (as outlined above in para. 5.12) South Gloucestershire Council Community Spaces as landlords must first give permission. Correspondence from the Community Spaces Coordinator however

confirms that the Council are in the process of carrying out a comprehensive Playing Pitch and Built Facilities review of all such facilities within the district. This review will culminate in the Playing Pitch and Built Facility Policies which will guide how the Council looks at all new developments including requests to redevelop existing facilities such as at Cadbury Heath F.C. In the interim, requests to re-develop existing facilities on a piecemeal basis will not be considered; but rather included into the review. Sport England would be included in the review.

- 5.18 It was envisaged at that time i.e. July 2013, that the new policies would be adopted in 2014. Gathering the information necessary to inform the Strategy has proved extremely difficult and time consuming to such an extent that in Feb. 2015 the document was not even ready for consultation. Matters of policy were also put on hold pending the General Election in June. As a result, the Community Spaces Coordinator advised the Football Club to seek temporary consents for the stand and female changing room.
- 5.19 It should however be noted that in Jan 2015, the Community Spaces Coordinator did state that, rather than cause further delay, the Council was in agreement to Cadbury Heath F.C. pursuing its aim to improve and upgrade the current stand and changing facilities on the proviso that before applying for planning permission:-
- Copies of the latest plans are sent to the Council for consideration.
  - A business development plan is drawn up showing how the development will be funded including how the enlarged buildings will be maintained in the future.
  - Extensive consultation is carried out with local residents including ward Councillors.
- 5.20 Whilst copies of the latest plans have been submitted to the Community Spaces Coordinator officers are not aware that either of the other two provisos listed above have been progressed, hence this current application.
- 5.21 The Temporary Covered Seating Area  
Officers must balance the need and aspirations of the football club, which is an acknowledged important community facility, against the impact of the temporary stand on residential amenity. The temporary stand was originally required to meet the requirements of the league regarding seated accommodation and this has not changed. At present the existing permanent building does not contain seats so the temporary stand is required as an interim solution until such time that a new permanent stand(s) is/are erected.
- 5.22 The temporary stand is currently located to the east of the existing/proposed changing room complex, between the high perimeter fence and spectator barrier rail. The temporary stand accommodates 100 seats in 4 tiers. The stand measures 16.3m long x 3.2m wide with a maximum height of 3.8m to the rear with a mono-pitch roof sloping to approximately 5m at the front, with open ends.
- 5.23 The applicants originally indicated in 2010 that it could take up to 2 years to acquire the necessary funding and construct the new stand/dressing room

complex. Officers considered that, having regard to the proximity of a bedroom window in the rear of nearby no.28 Cadbury Heath Road and other residential properties including elderly persons accommodation nearby, that it would be appropriate to impose a condition to secure the removal of the temporary stand upon the expiry of the 2-year period, or completion of the new stand, whichever was the sooner. This period was however subsequently extended to 27<sup>th</sup> August 2015 under permission PK12/1441/RVC. The temporary stand has therefore now been in-situ for the best part of 5 years and this is clearly not a satisfactory situation, as highlighted by the local resident objections.

- 5.24 Officers acknowledge that it is inevitable that crowds watching football matches, even at a local level, will generate a level of noise that may be disturbing for local residents; although it is noted that this matter has not been raised in the local resident objections, despite the stand having been in place for 5 years. To prevent anti-social behaviour, an appropriate condition would again be imposed to ensure that the stand is secured when not in use. Given that the football club have played at the site for many years there is a balance to be drawn between the level, frequency and intensity of the club's activities and the impact on the amenities of surrounding residents. Average crowds are in the region of 100 for 1<sup>st</sup> Team matches and this figure is not likely to significantly increase, even now that the club is playing in the Premier Division. This scenario is very similar to other clubs in the locality such as Longwell Green F.C., which are also adjacent to residential properties.
- 5.25 The temporary stand is located close to the rear window of no. 28 Cadbury Heath Road but not directly in front of it. In the absence of the temporary stand, there would be nothing to stop spectators congregating in the area opposite the window without any obstruction to noise breakout; the temporary stand does however have a substantial rear wall. In the short term the temporary stand may attract more spectators to the eastern part of the ground but this would be for a temporary period only.
- 5.26 Concerns have been raised about the proximity of the temporary stand to residential property, the resultant loss of outlook, that the stand will become permanent and the adverse impact on property values. Officers acknowledge that the temporary stand does have a rather bland and functional appearance and should only remain in its current location on a temporary basis. Given that funds have already been committed to the new permanent stand/dressing room complex together with the clubs new Toolstation Premier League status, officers have no reason to question the club's commitment to the completion of the new stand/dressing room scheme, which could be earlier than the maximum 2 additional year period sought.
- 5.27 It is acknowledged that from the submissions, it is evident that the Football Club have aspirations to make the stand permanent but that would be a matter for determination when the planning application for the new stand/changing room scheme is submitted. The current proposal before the Council relates to the existing temporary stand and not a permanent structure.
- 5.28 The impact on property values is not currently a material consideration in the determination of planning applications. Loss of outlook and visual amenity are however material considerations.

- 5.29 Having considered all of the above, officers consider that it would be in all parties' interests if the scheme for more appropriately designed and sited permanent structures was forthcoming but to some extent progress has been thwarted by the Council itself (see para.5.9-5.10). Officers are concerned that it could well be deemed unreasonable, if the Council were to now refuse this further extension in time for the siting of the temporary stand, which in an appeal situation could result in an award of costs against the Council. Officers must however stress that given the length of time that the temporary stand has been in place, that any further temporary consent to beyond 27th August 2017 would not be supported. Subject therefore to a condition to secure the removal of the temporary stand on or before the 27th August 2017, officers consider that on balance the proposal to allow a 2 year extension in time is justified.

#### The Temporary Female Changing Room

- 5.30 As noted above, female changing accommodation is now a requirement of the Toolstation Western League Premier Division. Whilst such accommodation would be provided in the proposed new permanent changing complex, the temporary changing room is required in the interim.

- 5.31 The temporary changing room proposed is very modest in scale, being a portacabin measuring only 4.8m long x 3.6m wide and 2.7m high with a flat roof. Whilst the building would be appropriately located adjacent to the main changing rooms, it would add to the existing structures of a temporary nature, already to be found within the wider site. Given the circumstances already outlined above however, a two year period of temporary consent is considered appropriate and necessary if the Football Club is to continue playing in the Premier Division. A condition for removal of the temporary changing room, on or before the 27th August 2017 is again considered to be justified.

#### 5.32 Environmental Matters

The Council's Drainage Engineer has raised no objection to the principle of this application. There are no objections on environmental grounds.

#### 5.33 Transportation Issues

The Football Club utilises the car park next to Cadbury Heath Social Club and this can accommodate 100 cars. The existing access and parking provision would not alter and this is considered to be adequate for the existing use. Officers consider that the proposal would not lead to any material increase in traffic or parking demand and as such there are no highway objections.

#### 5.34 Landscape Issues

There are no landscape features of significance affected by the proposal. Whilst the open area is a significant open space contributing to the character of the locality, the proposal would not entail any significant alteration to the visual character of the open area. Whilst it might be possible to carry out some planting to reduce the visual impact of the temporary structures, officers do not consider that a condition to secure this would be justified given the temporary nature of the stand and changing room and the amount of time that would be required for the vegetation to mature. There are therefore no landscape objections to the proposal.

5.35 Enforcement Issues

If the existing temporary stand is still in place come the 27<sup>th</sup> August 2015, a breach of condition 4 of planning permission PK12/1441/RVC would have occurred. It remains however for the Council to consider how expedient it would be to take enforcement action. Given that this current application PK15/1137/F is pending, no action would be taken until the outcome of this application is known.

**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. No later than 27th August 2017 or within one month of the completion of permanent spectator seating, whichever is the sooner, the temporary stand hereby approved shall be removed from the site and the land made good.

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy LC3 of the South Gloucestershire Local Plan (Adopted) January 2006.

2. No later than 27th August 2017 or within one month of the completion of permanent female changing facilities, whichever is the sooner, the temporary changing room hereby approved shall be removed from the site and the land made good.

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy LC3 of the South Gloucestershire Local Plan (Adopted) January 2006.



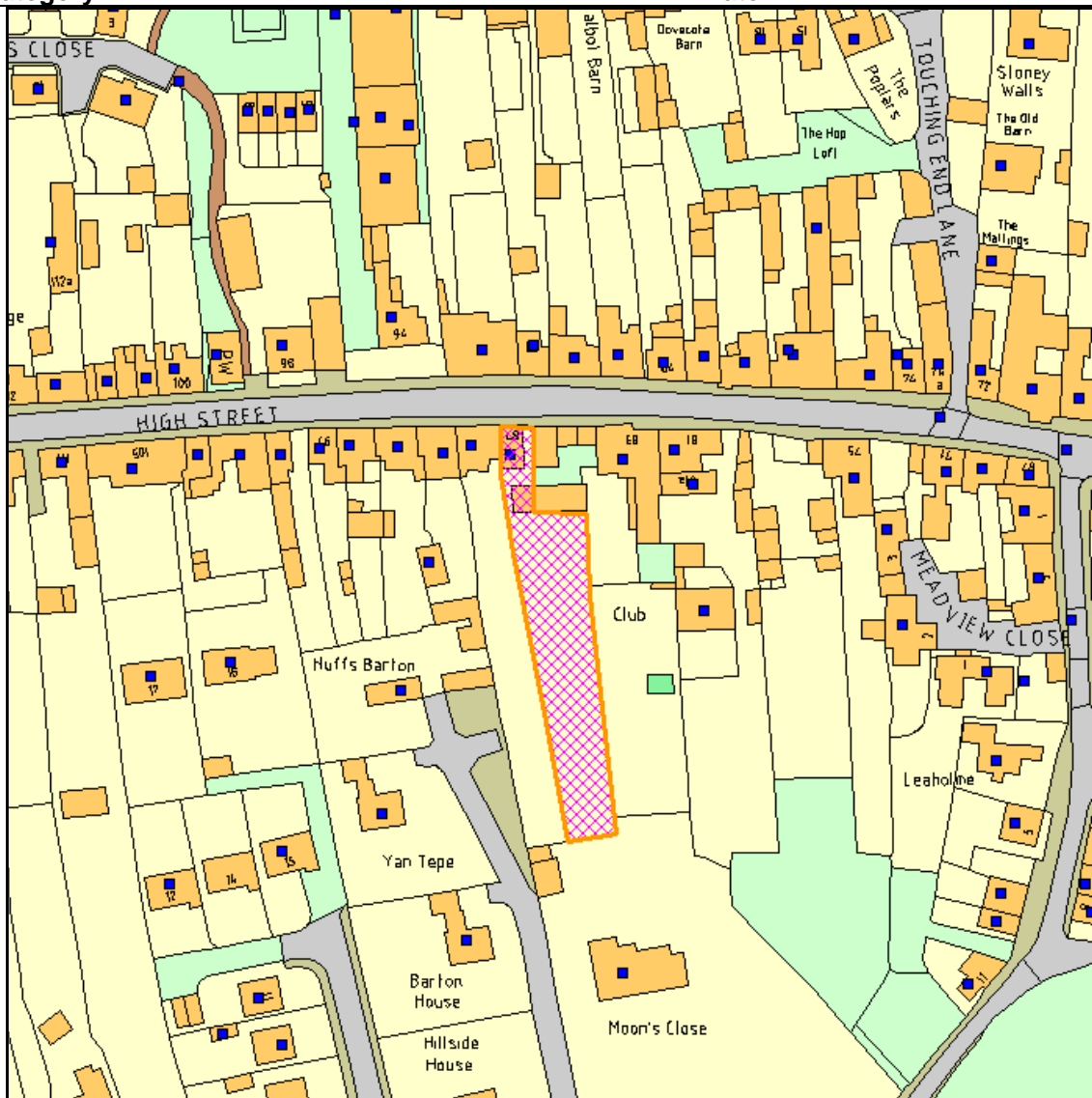
3. The temporary stand hereby approved shall be secured at all times when not in use in accordance with the details previously approved 4 May 2011 under PK10/1419/F.

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy LC3 of the South Gloucestershire Local Plan (Adopted) January 2006.

CIRCULATED SCHEDULE NO. 34/15 – 21 AUGUST 2015

<b>App No.:</b>	PK15/1724/F	<b>Applicant:</b>	Mr And Mrs Lines And Hollyer
<b>Site:</b>	87 High Street Marshfield Chippenham South Gloucestershire SN14 8LT	<b>Date Reg:</b>	8th May 2015
<b>Proposal:</b>	Erection of two storey and single storey rear extension and conversion of coach house from store to form additional living accommodation. Installation of flue to Coach house.	<b>Parish:</b>	Marshfield Parish Council
<b>Map Ref:</b>	377730 173736	<b>Ward:</b>	Boyd Valley
<b>Application Category:</b>	Householder	<b>Target Date:</b>	26th June 2015



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 100023410, 2008. **N.T.S.** **PK15/1724/F**

## **REASON FOR REPORTING TO CIRCULATED SCHEDULE**

This application is to appear on circulated schedule due to a mixed comment from a neighbouring resident, contrary to the Officer's recommendation to approve.

### **1. THE PROPOSAL**

- 1.1 This application seeks planning permission for the erection of two storey and single storey rear extension and conversion of coach house from store to form additional living accommodation, and installation of flue to coach house.
- 1.2 The application site relates to a historic end of terrace property located in Marshfield. The property is a terraced cottage built in the mid 19<sup>th</sup> century, possibly remodelling of a 17<sup>th</sup> century house. The property is two storeys, with two bays, large pane sash windows in a plain stone surround. The property is Grade II listed which is located on the south side of the historic High Street of Marshfield.
- 1.3 The site is located within the defined settlement boundary for Marshfield and within the Marshfield Conservation Area. Furthermore, the site is also within the Cotswolds Area of Outstanding Natural Beauty. No other statutory or non-statutory land use designations cover the site.
- 1.4 During the course of the application, the Officer and Conservation Officer met with the agent on site to discuss the plans and requested additional information and revisions to the rear single storey link extension. Such amended plans have been submitted.
- 1.5 This application is being determined in association with the supporting listed building consent application PK15/1278/LB.
- 1.6 The proposal contains the conversion of the Coach House from a storage use into a residential living accommodation. The existing Coach House is within the residential curtilage of the existing dwelling and therefore there is no material change of use proposed. Additionally, it is understood that the existing Coach House and proposed extensions will all be incorporated into the existing planning unit, rather than individual dwellings.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
National Planning Policy Framework March 2012  
Planning Policy Guidance 2014 –  
Section 7 Requiring Good Design  
Section 12 Conserving and Enhancing the Historic Environment
- 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  
CS34 Rural Areas

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

L1 Landscape  
L2 Cotswolds Area of Outstanding Natural Beauty  
L11 Archaeology  
L12 Conservation Areas  
L13 Listed Buildings  
T12 Transportation  
H4 Development within Existing Residential Curtilages

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) August 2007  
Marshfield Conservation Area Advice Note (Approved) March 2004  
Residential Parking Standards SPD (Adopted) 2013

**3. RELEVANT PLANNING HISTORY**

- 3.1 PK15/1728/LB Erection of two storey and single storey rear extension and conversion of coach house from store, including internal and external alterations, to form additional living accommodation, and installation of flue to coach house  
Pending consideration
- 3.2 N2481/1 Conversion of Bank House to 2 dwellings and change of use of stable block to dwelling. Construction of access drive and erection of 4 garages, (comprising or including works for the alteration or extension of a Listed Building)  
Approved 16.12.1976
- 3.3 N2481 Conversion of existing house to 2 separate dwellings, stable block dwelling.  
Withdrawn 25.02.1976

**4. CONSULTATION RESPONSES**

- 4.1 Marshfield Parish Council  
No objection.
- 4.2 Archaeology Officer  
Although this is in an area of archaeological potential, it is located in an area, most likely disturbed by the cottage and rear outbuildings and as such there is no archaeological objection to this application.
- 4.3 Conservation Officer  
No objections subject to a number of conditions.

#### 4.4 Lead Local Flood Authority

Noted that Water Butts are to be used for surface water disposal which is an acceptable method of SUDS, providing they remain and are maintained for the lifetime of the development. It is also stated that where Water Butts are not appropriate, a Soakaway will be utilised which, is also an acceptable method of SUDS providing ground conditions are suitable.

### **Other Representations**

#### 4.5 Local Residents

Two comments have been received, both of which have been from the same resident. These comments have both supported and objected to certain aspects of the proposal:

- Broadly in support of the plans and have had a number of positive discussions with the owners over recent months;
- Two elements of concern in respect of the bedroom window in the south elevation of the rear extension which is large and high;
- Discussed with owners who have assured us they would reduce the size of the window and move further eastwards to alleviate loss of privacy;
- Plans do not show the detail of what would be done to the party wall along which is a proposed significant corridor and kitchen would adjoin;
- Roof sloping towards wall, attention needs to be given to rainwater to ensure the wall is not damaged;
- We do not object to any window at all, but would prefer more attempt to be made to minimise our loss of privacy.
- Party wall would also need to be raised to protect and obscure this part of development from neighbouring garden (No. 89).

## **5. ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

Development within existing residential curtilages is broadly supported by saved policy H4 of the Local Plan subject to an assessment of design, amenity and transport. In addition, as the site is subject to heritage designations it must preserve the setting, architectural and historic interest of the property and the character and appearance of the conservation area to accord with saved policies L12 and L13 of the adopted Local Plan. Policy CS9 expects new development to ensure that heritage assets are conserved, respected and enhanced in a manner appropriate to their significance. The proposal is considered to comply with the principle of development.

### 5.2 Design and Impact on the Listed Building and Conservation Area

The proposal involves the demolition of the entire rear portion of the building, which is stone, two storeys under a tiled cat-slide roof. This part of the building is shown on the 1880's OS map and is therefore late nineteenth century at the latest, possibly earlier. Although it has some replacement critical windows these are not unattractive and generally the extension is of historic interest. Accordingly, there is a presumption against the demolition of the existing rear extension due to its historic interest. Correspondence with the agent and the subsequent submission of information regarding the structural quality of this

rear extension has convinced the Listed Building and Conservation Officer that such demolition is acceptable - the Case Officer agrees. The demolition of this section will enable the erection of a larger two storey rear extension; the proposed will have a hipped roof with a substantially lower maximum height than the existing dwelling. Through the proposal having a lower height than the existing, the proposal is considered acceptably subservient to the existing dwelling. The proposal includes an attic conversion; the conversion to the existing attic would not require planning permission, however, listed building consent is required. Overall, the proposed two storey rear extension is acceptable.

The conversion of the Coach House is deemed acceptable so long as the works required to facilitate the conversion such as alterations to historic fabric; insertion of fenestration and the altered rear opening is completed sensitively..

The proposed link extension will extend from the rear of the proposed two storey rear extension; past the existing Coach House (the extension will be attached to the Coach House and internal access will be inserted); and to the rear of the building, the extension will have a total length of approximately 22 metres. Historically, the principle of such a long extension must be determined. The historic maps are very interesting as they show a long narrow link between the rear elevation of the house, along the side stone wall, and attaching to the store/pig sties in the rear garden. The plastered area on the rear elevation of the house shows where it is attached. Additionally, the historic maps show former outbuildings and pig sties in the location of the existing garden, the majority of which are no longer in situ, there is a redundant green house within the garden, the demolition of which causes no objection due to the lack of historic significance. Due to the evidence of this historic precedent the principle of a proposed rear and link extension is acceptable. The link extension is considered to have an appropriate design, being mainly composed of glazing with stone wall sections, and retaining the historic western elevation wall.

In summary, it is noted that cumulatively the proposed works represent a fairly large amount of built form, however, such an amount of proposed extensions are considered acceptable due to the historic buildings that have previously occupied the rear garden of the host dwelling. Additionally, the proposed design is relatively light weight and acceptable, more intricate materials and detailing will be agreed through condition, such conditions shall not be applied to this planning application as they will be imposed on the accompanying application for listed building consent should planning permission be granted. Accordingly, it is judged that the proposal preserves the setting, architectural and historic interest of the property and the character and appearance of the conservation area.

#### 5.6 Residential Amenity

The proposal will have a double casement and single casement windows in the rear elevation of the proposed two storey rear extension. The occupiers of the adjacent dwelling no. 89 have suggested that these windows will result in a loss of privacy to parts of the garden of no. 89.

The aforementioned windows will have some indirect views into the adjacent garden, however, such views are not considered to materially harm the privacy or residential amenity of no. 89. Additionally, such indirect views are common in terrace housing layouts.

Due to the existing property being south facing a material loss of light is not expected to result from the proposed extensions. Additionally, the cumulative nature of the proposal is not considered to constitute a structure that would be materially overbearing to any nearby occupiers.

The proposed link extension has extensive glazing on the eastern elevation, such glazing is integral for the preservation of the historic character of the site. The boundary treatment between the host dwelling and the neighbouring property to the east is formed of a number of large trees, this will block/conceal any views from the link extension into the adjacent property. Likewise, these trees and also an existing outbuilding will block any views from the proposed room at the end of the link extension into any nearby properties.

In summary, the proposal is not expected to result to materially prejudice the residential amenity of any nearby occupiers.

#### 5.7 Parking and Highway Safety

If approved the proposal would result in four bedrooms at the dwelling, three in the main dwelling and one in the Coach House. To accord with the Council's adopted minimum Residential Parking Standard; the property must have two off-street parking spaces within the residential curtilage of the dwelling. To the side of the dwelling two such parking spaces are provided, these parking spaces have a tandem arrangement and their use as car parking spaces and access from the High Street is already established. Accordingly, there are no parking or highway safety objections to this proposal.

#### 5.8 Party Wall

The proposed single storey link extension has a mono-pitch roof that would slope toward the shared boundary wall between no. 89 and the host dwelling. Additionally, the agent has indicated that the water will not be left to run onto the shared wall, rather 'secret' guttering will be in place. The guttering for such a roof has been conditioned for historical conservation purposes. Other concerns have been submitted with regard to the link extensions impact on the shared wall, the Party Wall Act 1996 has legislation to cover these concerns, and therefore such concerns are not planning considerations.

### 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/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.

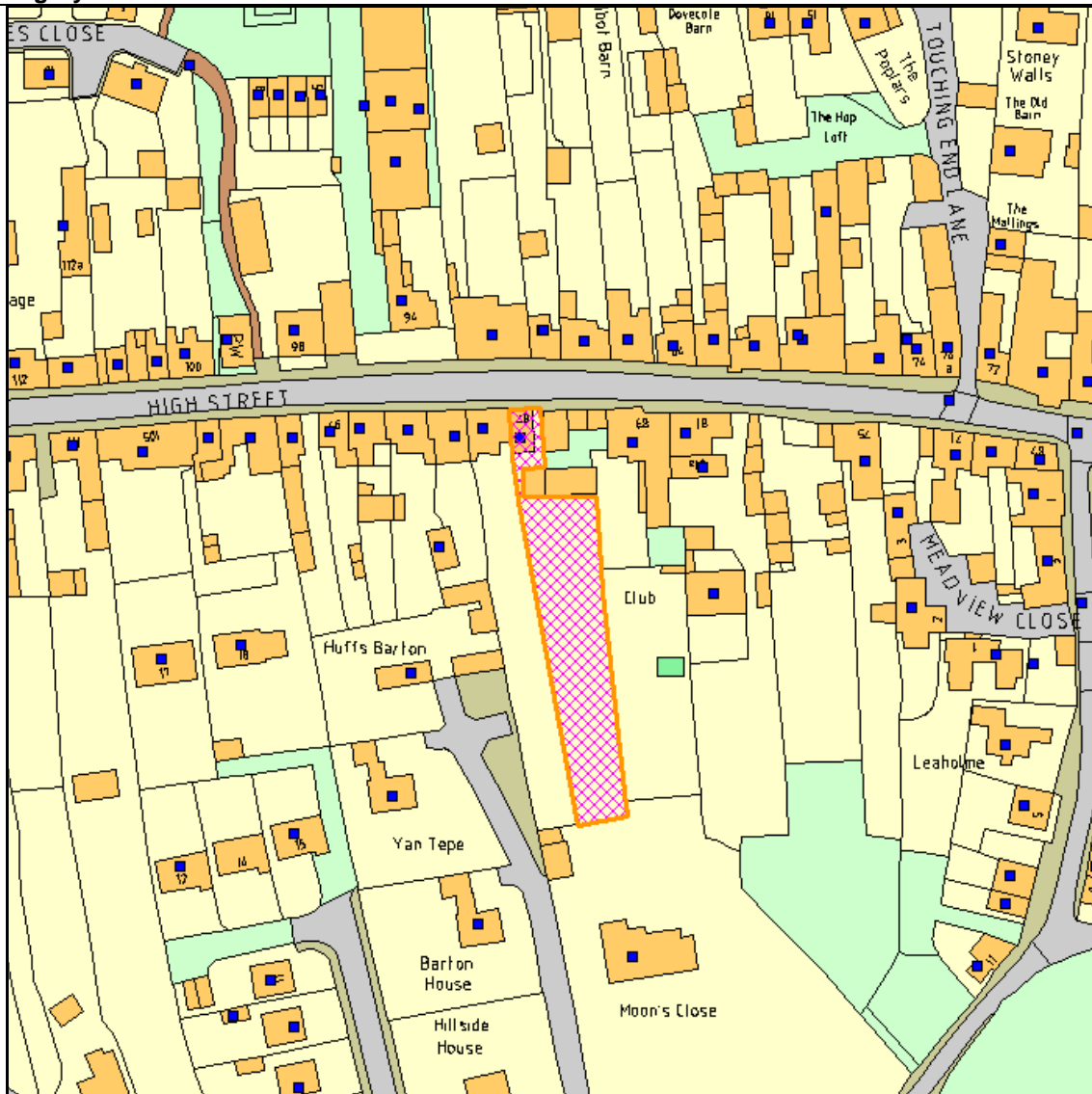
Reason

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



**CIRCULATED SCHEDULE NO. 34/15 – 21 AUGUST 2015**

<b>App No.:</b>	PK15/1728/LB	<b>Applicant:</b>	Mr And Mrs Lines And Hollyer
<b>Site:</b>	87 High Street Marshfield Chippenham South Gloucestershire SN14 8LT	<b>Date Reg:</b>	8th May 2015
<b>Proposal:</b>	Erection of two storey and single storey rear extension and conversion of coach house from store, including internal and external alterations, to form additional living accommodation. Installation of flue to Coach house.	<b>Parish:</b>	Marshfield Parish Council
<b>Map Ref:</b>	377730 173736	<b>Ward:</b>	Boyd Valley
<b>Application Category:</b>	Minor	<b>Target Date:</b>	26th June 2015



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 100023410, 2008. **N.T.S.** **PK15/1728/LB**

## **REASON FOR REPORTING TO CIRCULATED SCHEDULE**

This application is to appear on circulated schedule due to a mixed comment from a neighbouring resident, contrary to the Officer's recommendation to approve.

### **1. THE PROPOSAL**

- 1.1 This is not an application for planning permission, rather an application for listed building consent. Accordingly, all that can be considered is the impact of the proposed works on the special architectural and historic significance of the listed building. Therefore, concerns relating to issues such as residential amenity, arboriculture, highway safety and car parking provision cannot be assessed within this application, and are rather assessed within the accompanying planning application (planning ref. PT15/1724/F).
- 1.2 This application seeks listed building consent for the erection of two storey and single storey rear extension and conversion of coach house from store, including internal and external alterations, to form additional living accommodation, and installation of flue to coach house, and installation of flue to coach house.
- 1.3 The application site relates to a historic end of terrace property located in Marshfield. The property is a terraced cottage built in the mid 19<sup>th</sup> century, possibly remodelling of a 17<sup>th</sup> century house. The property is two storeys, with two bays, large pane sash windows in a plain stone surround. The property is Grade II listed which is located on the south side of the historic High Street of Marshfield.
- 1.4 The site is located within the defined settlement boundary for Marshfield and within the Marshfield Conservation Area. Furthermore, the site is also within the Cotswolds Area of Outstanding Natural Beauty. No other statutory or non-statutory land use designations cover the site.
- 1.5 During the course of the application, the Officer and Conservation Officer met with the agent on site to discuss the plans and requested additional information and revisions to the rear single storey link extension. Such revisions were made through the submission of revised plans.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

National Planning Policy Framework March 2012  
Planning Policy Guidance 2014 –  
Section 7 Requiring Good Design  
Section 12 Conserving and Enhancing the Historic Environment  
Planning (Listed Buildings and Conservation Areas) Act 1990

#### **2.2 Development Plans**

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

## CS9 Managing the Environment and Heritage

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

- L1 Landscape
- L2 Cotswolds Area of Outstanding Natural Beauty
- L11 Archaeology
- L12 Conservation Areas
- L13 Listed Buildings

### 2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) August 2007

Marshfield Conservation Area Advice Note (Approved) March 2004

## 3. **RELEVANT PLANNING HISTORY**

- 3.1 PK15/1724/F Erection of two storey and single storey rear extension and conversion of coach house from store to form additional living accommodation, and installation of flue to coach house  
Pending consideration
- 3.2 N2481/1 Conversion of Bank House to 2 dwellings and change of use of stable block to dwelling. Construction of access drive and erection of 4 garages, (comprising or including works for the alteration or extension of a Listed Building)  
Approved 16.12.1976
- 3.3 N2481 Conversion of existing house to 2 separate dwellings, stable block dwelling.  
Withdrawn 25.02.1976

## 4. **CONSULTATION RESPONSES**

- 4.1 Marshfield Parish Council  
No objection.
- 4.2 Ancient Monuments Society  
No comment received.
- 4.3 Council for British Archaeology  
No comment received.
- 4.4 Conservation Officer  
No objection subject to conditions.
- 4.5 Georgian Group  
No comment received.
- 4.6 Society for the Protection of Ancient Buildings  
No comment received.

4.7 Twentieth Century Society  
No comment received.

4.8 Victorian Society  
No comment received.

### **Other Representations**

4.9 Local Residents

One mixed comment has been received by neighbouring residents:

- Broadly in support of the plans and have had a number of positive discussions with the owners over recent months;
- Two elements of concern in respect of the bedroom window in the south elevation of the rear extension which is large and high;
- Discussed with owners who have assured us they would reduce the size of the window and move further eastwards to alleviate loss of privacy;
- Plans do not show the detail of what would be done to the party wall along which is a proposed significant corridor and kitchen would adjoin;
- Roof sloping towards wall, attention needs to be given to rainwater to ensure the wall is not damaged;
- Party wall would also need to be raised to protect and obscure this part of development from neighbouring garden (No. 89).

## **5. ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The only issue to consider in this application is the impact of the proposed works on the special architectural and historic significance of the listed building.

5.2 Assessment of Impact on Listed Building

The proposal involves the demolition of the entire rear portion of the building, which is stone, two storeys under a tiled cat-slide roof. This part of the building is shown on the 1880's OS map and is therefore late nineteenth century at the latest, possibly earlier. Although it has some replacement crittal windows these are not unattractive and generally the extension is of historic interest. Accordingly, there is a presumption against the demolition of the existing rear extension due to its historic interest. Correspondence with the agent and the subsequent submission of information regarding the structural quality of this rear extension has convinced the Listed Building and Conservation Officer that such demolition is acceptable - the Case Officer agrees. The demolition of this section will enable the erection of a larger two storey rear extension; the proposed will have a hipped roof with a substantially lower maximum height than the existing dwelling. Through the proposal having a lower height than the existing, the proposal is considered acceptably subservient to the existing dwelling. Overall, the proposed two storey rear extension is acceptable provided acceptable materials, functional requirements and fenestration arrangements are used in the construction of the extension, such details will be conditioned should listed building consent be granted.

The proposal includes an attic conversion; the conversion to the existing attic does not require planning permission, however, listed building consent is required. Two conservation rooflights are proposed to the rear, these rooflights are considered to be acceptable, large scale details of these rooflights will be conditioned to ensure appropriateness. The internal staircase will be repositioned to its original position, there is no need for this to be conditioned.

The conversion of the Coach House is deemed acceptable so long as the works required to facilitate the conversion such as alterations to historic fabric; insertion of fenestration and the altered rear opening is completed sensitively. The proposed plans do suggest such an approach and finish, however, to ensure such an approach is implemented, a number of conditions will be imposed should listed building consent be granted.

The proposed link extension will extend from the rear of the proposed two storey rear extension; past the existing Coach House (the extension will be attached to the Coach House and internal access will be inserted); and to the rear of the building, the extension will have a total length of approximately 22 metres. Historically, the principle of such a long extension must be determined. The historic maps are very interesting as they show a long narrow link between the rear elevation of the house, along the side stone wall, and attaching to the store/pig sties in the rear garden. The plastered area on the rear elevation of the house shows where it is attached. Additionally, the historic maps show former outbuildings and pig sties in the location of the existing garden, the majority of which are no longer in situ, there is a redundant green house within the garden, the demolition of which causes no objection due to the lack of historic significance. Due to the evidence of this historic precedent the principle of a proposed rear and link extension is acceptable. The link extension is considered to have an appropriate design, being mainly composed of glazing with stone wall sections, and retaining the historic western elevation wall. Should listed building consent be granted, a number of conditions will be imposed to ensure the materials, fenestrations and intricate finishes are appropriate with regard to the historic value of the site.

For both the two storey rear extension and the proposed conversion to the Coach House, internal works that require listed building consent will be required. Details of such internal works will be conditioned should listed building consent be granted.

### 5.3 Other Matters

Concerns have been raised by a local resident regarding the impact of the proposal on residential amenity and other issues such as the party wall. As stated within the principle of development, the only issue that can be considered within this application are the proposal's impact on the special architectural and historic significance of the listed building.

### 5.4 Summary

In summary, it is noted that cumulatively the proposed works represents a fairly large amount of built form, however, such an amount of proposed extensions are considered acceptable due to the historic buildings that have previously occupied the rear garden of the host dwelling.

Additionally, the proposed design is relatively light weight and the materials and detailing will be agreed through condition should listed building consent be granted. Accordingly, it is judged that the proposal preserves the setting, architectural and historic interest of the listed building and its context.

## **6. CONCLUSION**

6.1 The recommendation to approve Listed Building Consent has been taken having regard to section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Government advice contained within the National Planning Policy Framework.

## **7. RECOMMENDATION**

7.1 That listed building consent is **GRANTED** with the conditions listed below/ on the decision notice.

**Contact Officer: Matthew Bunt**  
**Tel. No. 01454 863131**

## **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, the detailed design of the following items shall be submitted and approved in writing by the local planning authority.

- a. All new windows and fixed glazing (including cill, head, reveal and glass details)
- b. Rooflights
- c. All new doors (including frames and furniture)
- d. All new vents and flues and for the avoidance of doubt the flue pipe for the coach house should be specified with a permanent proprietary dark finish.
- e. Eaves (including rainwater goods), verges and ridges
- f. Coping details (for boundary wall)

The details shall be submitted via elevation and section drawings at a scale of 1:10, and the development shall be completed strictly in accordance with the agreed details.

### Reason

In light of the above details not being submitted at determination stage for consideration and approval, a pre-commencement is necessary in order to ensure that the works serve to preserve the architectural and historic interest of the listed building, in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out at the NPPF and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013).

3. Prior to the commencement of development a representative sample panel of the natural facing stone and stone walling, of at least one metre square, showing the stone, coursing, mortar and pointing, shall be erected on site and approved in writing by the local planning authority. The development shall be completed strictly in accordance with the approved panel, which shall be retained on site until completion of development, for consistency. For the avoidance of doubt, the mortar shall be a traditional lime based mortar.

Reason

In light of the above details not being submitted at determination stage for consideration and approval, a pre-commencement is necessary in order to ensure that the works serve to preserve the architectural and historic interest of the listed building, in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out at the NPPF and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013).

4. Prior to the commencement of development a representative sample panel of facing render, of at least one metre square, showing the texture and finish, shall be erected on site and approved in writing by the local planning authority. The development shall be completed strictly in accordance with the approved panel, which shall be retained on site until completion of development, for consistency. For the avoidance of doubt, the render should be a traditional lime based render.

Reason

In light of the above details not being submitted at determination stage for consideration and approval, a pre-commencement is necessary in order to ensure that the works serve to preserve the architectural and historic interest of the listed building, in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out at the NPPF and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013).

5. All new rainwater goods shall be of metal construction with a painted black finish or a substitute material which has been approved by the Local Planning Authority. Such details will be submitted for approval to the local planning authority prior to the commencement of the specific works. Thereafter the works will be carried out strictly in accordance with the approved details.

Reason

In order that the works serve to preserve the architectural and historic interest of the listed building, in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out at the NPPF and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013).

6. Prior to the removal of any roof timbers, a detailed specification and schedule of proposed timber repairs shall be agreed on site and submitted to the Council for approval. No works shall be commenced until the Council has given written approval for the submitted details, and the repairs shall be constructed exactly in accordance with the details so approved. Where further damage is found to the roof timbers upon opening up of the roof, the full extent of necessary replacement or repair of historic timbers shall be agreed in writing by the local planning authority prior to the

commencement of works. All replacement timbers shall match existing species, dimensions and traditional joinery detailing.

Reason

In order that the works serve to preserve the architectural and historic interest of the listed building, in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out at the NPPF and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013).

7. Prior to the commencement of the relevant works, a detached scheme of structural repair for the coach house is to be submitted to the local planning authority for written approval and the development shall be completed strictly in accordance with the agreed details.

Reason

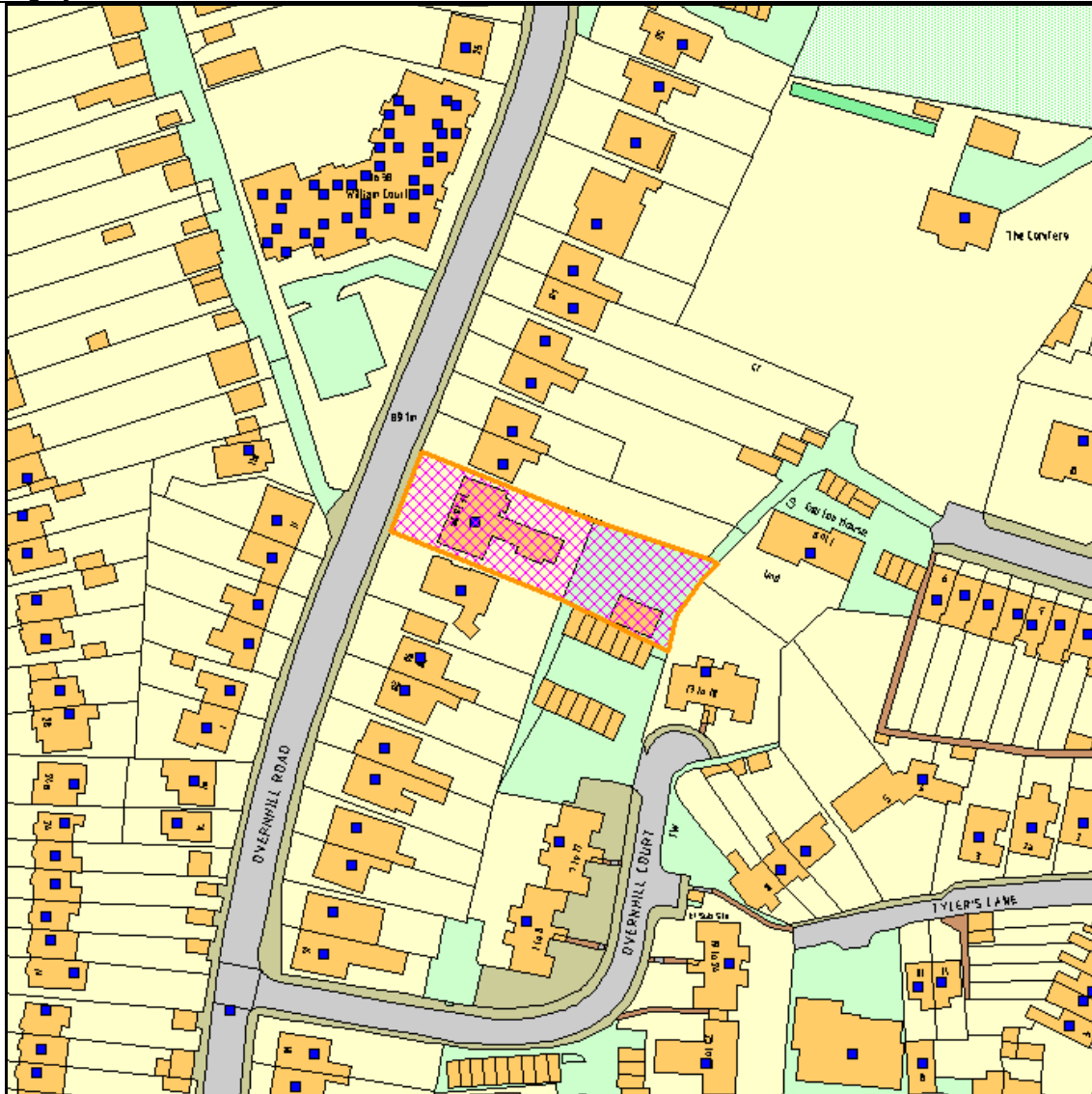
In light of the above details not being submitted at determination stage for consideration and approval, a pre-commencement is necessary in order to ensure that the works serve to preserve the architectural and historic interest of the listed building, in accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, national guidance set out at the NPPF and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013).



CIRCULATED SCHEDULE NO. 34/15 – 21 AUGUST 2015

**App No.:** PK15/2216/F  
**Site:** 34 - 36 Overhill Road Downend Bristol  
 South Gloucestershire BS16 5DP  
**Proposal:** Change of use from existing hostel (sui generis) and garage to Dwelling Houses (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) to facilitate the formation of 9no. residential units, 2no. single storey rear extensions and replacement dormer window; car parking, cycle parking and refuse/recycling storage areas.  
**Map Ref:** 364508 176143  
**Application Category:** Minor

**Applicant:** Mr & Mrs P Castles  
**Date Reg:** 3rd June 2015  
**Parish:** Downend And Bromley Heath Parish Council  
**Ward:** Downend  
**Target Date:** 24th July 2015



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 100023410, 2008. **N.T.S.** **PK15/2216/F**

## **REASON FOR REPORTING TO CIRCULATED SCHEDULE**

This application has been referred to the Circulated Schedule due to the receipt of objections and concerns, which are contrary to the Officer's recommendation.

### **1. THE PROPOSAL**

- 1.1 This full application relates to the change of use of an existing hostel (Sui generis) and a detached garage to facilitate the formation of 9 no. residential units including parking spaces and refuse storage area at No. 34-36 Overhill Road, Downend. The proposal is also to erect 2 no. single storey rear extensions and to replace an existing dormer at No. 34 - 36 Overhill Road, Downend.
- 1.2 The proposed dormer would be extended to a full width of the existing building and is approximately 3 metres in height, and the windows would be installed at approximately 1.3 metres above the eaves of the building. There would be a small extension to an existing single storey rear extension and an existing garage.
- 1.3 To facilitate the proposal, the existing rear dormers, balcony and external staircase will be removed. The proposal would provide 9 residential units - 3 of them would be two-bedroom units and 6 of them would be one bedroom units. Eleven car parking spaces and a communal bicycle store would be provided within the site. Each ground floor unit would have its own private amenity area.
- 1.4 The application site was a pair of two-storey semi-detached dwellings, which is currently used as a hostel. It is located at an elevated position and there is an existing vehicle access and a hard-standing, a detached garage at rear of the property. The site lies within a residential area of Downend, and is not within any land use designations.
- 1.5 During the course of application, revised drawings have been submitted to address officers' concerns regarding the design and location of the refuse storage area and the new window on the side elevation.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

National Planning Policy Framework March 2012  
National Planning Practice Guidance

#### **2.2 Development Plans**

##### **South Gloucestershire Local Plan: Core Strategy (Adopted December 2013)**

CS1	High Quality Design
CS4a	Presumption in favour of sustainable development
CS5	Location of Development
CS8	Improving accessibility
CS9	Managing the environment and heritage
CS16	Housing Density
CS17	Housing diversity

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

H5	Residential Conversions, Houses in Multiple Occupation and Re-Use of Buildings for Residential Purposes
T12	Transportation Development Control Policy for New Development

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted) 2007

Residential Parking Standards (Adopted December 2013)

**3. RELEVANT PLANNING HISTORY**

The site has been subject to a number of planning history in the past, and the most relevant to the determination of this application is as follows;

- 3.1 PK12/3456/F Demolition of existing rear extension and erection of single storey rear extension and extensions to rear dormer to facilitate change of use from hostel (sui-generis) to 2 no. dwellings with access and associated works. Approved
- 3.2 PK10/2293/F Change of use of nursing home (Class C2) to residential hostel (sui-generis). Approved 19.11.2010
- 3.3 K1140 Change of use of existing dwelling to use for elderly ladies home. Construction of 8 parking spaces. Approved 12.2.1976

**4. CONSULTATION RESPONSES**

- 4.1 Downend And Bromley Heath Parish Council  
No objection to the initial proposal but concerns that only 1 parking space/unit is proposed although the development is for a mix of 1 and 2 bedroom units. No objection to the revised proposal provided that the developer liaises with the Council and agrees any proposed changes.
- 4.2 Other Consultees [internal consultees of the Council]

Highway Structures

If the application includes a structure that will support the highway or support the land above a highway. No construction is to be carried out without first providing the Highway Structures team with documents in accordance with BD2/12 of the Design Manual for Roads and Bridges that will allow formal Technical Approval of the proposals to be carried out. The applicant will be required to pay the fees associated with the review of the submission whether they are accepted or rejected.

Lead Local Flood Authority (Drainage)

No comment.

### Arboricultural Officer

There are no objections to this application provided that it is undertaken in accordance with the Arboricultural documentation submitted with this application.

### Sustainable Transport

No highway objection. The plans submitted with this applications show total of 11 no. parking spaces within the site for 9 no. flats some of which are one bed flat. This level of parking as proposed meets SG Council parking standards and as such is considered acceptable. Additionally, the proposal includes provision of cycle parking on site. The access to the site is via an existing vehicular [private] access and this remains unchanged.

### Department for Children and Young People (Education requirement)

No comments.

### Waste Engineer

No objection to the revised proposal. The new arrangement is much better and will avoid the problems with people stretching over bins or moving them around and is certainly acceptable.

A concern was raised that the layout of one bin directly behind another can discourage tidy waste management. In addition, Unit 5 has a long way to walk to get to the bin store which might be off putting and may result in waste being stored by the apartment. The bin store will need some way of being lit to allow safe use during the winter months.

The garden gate and the bin store end door clash which is not ideal for the collection crew, who will access the bins from this side. If the garden gate hinged from the opposite side that would remove the issue.

## **Other Representations**

### 4.3 Local Residents

6 letters of objection have been received, the following concerns are raised:

#### Design

- How tenants will enter Units 3 and 4?
- Please clarify the design details for the proposed east elevation dormer? What materials will be used, size of window openings, will the eave heights be on a par with the existing dormer?
- The building will be extended in various areas, which will result an additional half of a 1-bed flat on top of the already substantial rear extensions, out of character.
- Decrease the visual amenity for future and adjoining owners

### Residential Amenity

- These plans can only be an improvement on the current hostel, which often has rubbish all over the front garden and the whole site is deteriorating and wall dilapidated.
- Will there be adequate refuse facilities?
- Unit 5 has an immediate neighbours and Wrenbert Road
- What noise restrictions are imposed on multiple residences for this site, which is located on this quiet and picturesque residential street?
- Over development of the site which originally a couple of semi-detached dwelling, no rear garden, just parking, out of context
- The location of refuse facilities to the front gives the fell and look of a commercial development, out of context.
- Lack of useable amenity space, the proposed enclosures will resemble prison pens and provide no merit to the future owners, and the front garden although large, will not provide the requirements of a private householder
- Overlooking adjoining owners garden, the proposed dormer will span the entire rear of the property, loss of privacy
- Lack of useable amenity space, the proposed enclosures will resemble prison pens and provide no merit to the future owners, and the front garden although large, will not provide the requirements of a private householder
- Overlooking adjoining owners garden, the proposed dormer will span the entire rear of the property, loss of privacy

### Highway issues

- Inadequate parking spaces, new owners will have more car than the existing tenants, and there is existing shortage of on-street parking due to parking restrictions.
- What impact will the rear access?
- Whole stretches of the road being sterilised due to overhanging trees that leach sap and attract birds that defecate on the vehicles below.
- No visitor parking proposed
- Rear access via Wrenbert Road, which is a narrow unmade substandard lane with poor visibility and without turning facilities,. With the proposed car parking spaces, could be at least 22 vehicles movements in and out every day.
- Increased traffic will cause disruption and inconvenience to the existing owners of Wrenbert Road and Overhill Road.
- The reality is that the owners of the proposed new development would have to park either on Wrenbert Road or to the front on Overhill Road, which as already mentioned suffers from overcrowding in places.
- Over intensification – the number of bedroom would be up to 15, and the proposal currently fail to meet the Council's parking standards
- The proposed conversion of the garage sets a precedent that remaining owners on Overhill Road with access to their gardens would in principle be able subject to planning convert or construct buildings in the rear of their gardens to be used as a dwelling house.

- The property as it stands at the moment does not pose on-going highway problems to the immediate community. In addition, the proposed development has changed the orientation of the building whereby the main entrance will be down Wrenburt Road and via the substandard single track lane.
- A planning permission was refused for a conversion of a garage into a dwelling in the locality due to the predicted traffic movements. Working on this basis, there is no way that Wrenburt Road can handle the potential increase in traffic of the proposal.
- Safety issues of the surrounding residents and the nearby school.
- The car ownership of the existing hostel occupants would be substantially lower than the proposal, and there is a going to be a substantial increase in the amount of vehicle movements along the lane.
- The applicant is required to undertake a traffic survey for the Wrenburt Road and the unadopted lane.
- The highway issues relating to PK10/1379/F needs to be considered. A precedent was refused under PK10/1379/F due the lane was poor and dangerous. Cannot see how the Council could accept a proposal for 11 cars.
- It is an irrelevant comparison of the existing against the proposed, the proposed in theory should be judged against that of two semi-detached properties.
- Planning permission was retrospectively granted for the existing use. A strong chance that it would not have been granted given the Highways Officers comments if had been applied for in the correct manner.
- The no. of car parking spaces to the rear of the building is far too high and these be relocated to the front.

#### Environmental issues

- Removal of trees without replacement planting and increasing the amount of hardstanding will decrease the ecological value of the site including the removal of birds habitats
- Increase the potential risk of surface run-off due to the use of impermeable surfaces

#### Other issues

- These properties will be sold as private?
- Confirms with the householders of Wrenburt Road be consulted?
- Does the applicant have permission from the freeholder to use the lane for the proposed development

## 5. **ANALYSIS OF PROPOSAL**

### 5.1 Proposed development

The property is a pair of semi-detached buildings locating at an elevated position of Overnhill Road. There is an existing vehicular access at the rear via Wrenburt Road. Part of the proposal would remove the existing dormer, balcony and an external staircase, and a new dormer with different scale and design is proposed.

The existing single storey extension would be altered and a new retaining wall would be constructed in order to provide a private amenity space for each ground floor unit. The existing detached garage would also be extended and converted into a one bedroom unit with a private amenity space. A Refuse storage is located at the front of the properties. Eleven car parking spaces are to be provided to the rear of the site.

#### 5.2 Principle of Development

The adopted Core Strategy and the National Planning Policy Framework support residential development within existing brown field sites. Policy H5 of the local plan solely relates to the conversion/re-use of existing buildings into smaller units of accommodation. Such development is permitted provided it would not prejudice the character of the surrounding area or the amenities of nearby occupiers, provides an acceptable level of off-street parking and adequate private amenity space. It is considered that in general terms, the principle of residential development is acceptable at this location.

The site lies within the settlement boundary of Downend, therefore there is no principle objection to the proposed change of use subject to that the proposal would not prejudice visual amenity and residential amenity and public highway safety.

#### 5.3 Density

In terms of density, the area of the site at 0.12 hectares, this would result in approximately 75 dwellings per hectares. Given that the site is located within an existing urban residential area of Downend, it is considered that the resulting density of the proposal is acceptable and commensurate with surrounding development

The remaining issues to be considered are design/visual amenity, residential amenity, transportation and the environmental impacts of the proposal

#### 5.4 Design / Visual Amenity

The proposal is to convert the existing hostel into 9 no. residential units on site. The existing dormer, balcony and external staircases are to be removed, and a flat roof dormer would be constructed at the rear. The proposed dormer would be finished with cladding with white uPVC windows. It is considered that the proposal would significantly improve the appearance of the building. The proposed garage conversion would not significantly alter the appearance, the resulting building would be slightly longer than the existing garage, however, the building would still be single storey with a very low pitched roof. Concern is raised regarding the design of the communal bin store. The proposed store would be approximately 1.3 metres in height and would be located behind the existing stone wall along Overhill Road. Officers consider the design is acceptable given that the storage is modest in scale and the site is not located within any environmental sensitive area. Part of the proposal is to construct a new retaining wall abutting an existing 2.1 metres high rendered wall along the northern boundary (adjacent to Unit 4). Officers have no principle objection to the proposed retaining wall subject to condition seeking the detailed design and finishing material.

As such, the design and materials of the proposed extension and alterations are acceptable subject to conditions seeking materials of the proposed dormers and the details retaining walls.

#### 5.5 Residential Amenity

All of the proposed residential units are private residential accommodation. Officers acknowledge concerns regarding overlooking upon the neighbouring properties. The proposal would remove the existing external staircase, balcony and dormers and replace with a dormer. Whilst the proposed dormer would cause a degree of overlooking, the impact upon the neighbouring occupiers would be much less than that of existing situation. In addition, there would be no window on either side elevation of the building. It is considered that the proposal would not cause unreasonable overlooking or loss of privacy upon the neighbouring properties. Additionally, the proposed alterations and extensions to the main building would be largely within the existing build form as such the proposal would not cause unreasonable overbearing impact upon the neighbouring properties.

Part of the proposal is to extend and convert the existing garage to a one-bedroom accommodation. Given that it would be a single storey building, which is adjacent to a communal parking to the north and the south, and there would be no primary windows overlooking the neighbouring properties, therefore there is no adverse impact upon the neighbouring properties of Wrenbert Road.

Regarding the provision of amenity space, all ground floor units and the proposed garage conversion would be allocated private amenity space. Unit 3 can be accessed via either side gate adjacent to Unit 1 or Unit 2. Unit 4 can be accessed via the side gate adjacent to Unit 2. Whilst the amenity space for Unit 1 is relatively small, given that it would be a one-bedroom unit and there is a communal landscaped garden at the front, therefore it is considered that there is any significant harm caused to the future occupiers of the unit.

Regarding the residential amenity for the future occupiers, all primary windows would have a reasonable distance from the nearby boundary fence and also they would not overlook over the adjacent residential units. It is noted that the residential units at the first floor and the second floor would overlook the garden area of ground floor units, however, this siting would not be unacceptable given that the site is located within a built-up residential area, the degree of overlooking would not be significant to be detriment to the living conditions of the ground floor occupiers.

Concern is raised regarding the noise restrictions on this site. Although the proposal would change the use of existing hostel to 9 no. residential units, officers consider that the building would still be used for residential purposes. As such the proposal would not cause any material impact upon the neighbouring properties. The noise or disturbance associated with the existing use would be subject to the environmental legislation.



## 5.6 Transportation

Officers acknowledge that there are a number of highway objections regarding the proposed change of use, in particular, the use of the existing rear vehicular access and the provision of parking spaces for the proposal.

The submitted existing plan shows that the existing building comprises 19 no. bedrooms with associated shared lounge, bathrooms, kitchens with parking spaces and cycle parking all located to the rear the existing building. The proposal would convert this building into 9 flats (including 6 no. one bed and 3 no. two bed flats).

In terms of transportation, it is considered that the generated traffic from the extant use would not be dissimilar to traffic that is likely to be generated by the proposal.

The parking requirement for Hostels is assessed against the saved Policy T8 of the South Gloucestershire Local Plan. According to this, the (maximum) parking requirement for Hotels, Boarding & Guest Houses (includes Youth Hostels) is 1 space per bedroom. The parking standards for residential development is assessed under the Residential Parking Standards SPD which is adopted in December 2013. According to this – the minimum parking requirement for one-bed flat is 1 space for 2-bed dwellings is 1.5 spaces. As a result, a minimum of 10 parking spaces and one visitor space would be required. As the proposal would provide 11 spaces on site, as such the proposal would meet the Council minimum parking requirement. Additionally, a turning space is also provided within the site to allow that vehicles can access and egress the site in forward gear safely.

In terms of provision of cycle parking, the proposal would include the provision of 12 secured and covered bicycle spaces. This would also meet the Council policy for cycle provision.

Regarding the issue of suitability or unsuitability of the vehicular access, which is a point raised by some local residents, the Highway Officer has also recently visited the site.

There is an existing private lane located to the rear off Wrenbert Road. This private access lane is narrow, unsurfaced with no footway or lighting. As such, it would not be suitable to accommodate additional traffic. Notwithstanding this, the lane is currently being used to access the existing car park and it can be continually used for the existing hostel (which has 19 bedrooms). As highlighted above, the proposed conversion would be unlikely to increase vehicular movement to and from this. Therefore, the impact upon this lane would not be necessarily greater than that of the existing authorised use. In this instance, it is considered that there is no substantiate highway objection to warrant a refusal of this application on the ground of vehicular access. Therefore there is no highway objection to the proposal subject to condition seeking an implementation of off-street parking and turning area, and a provision of secure and covered cycle parking.

Officers also acknowledge that a planning permission, PK10/1379/F was refused on highway ground for the demolition of 2 no. garages and erection of 1 no. single storey dwelling with access and parking at the end of Wrenbert Road. Notwithstanding the highway refusal reason, every planning application needs to be determined on its own merit and officers also note that there are fundamental differences between two proposals.

5.7 Arboricultural / Landscaping issues

Concern is raised regarding the loss of existing trees without replanting new trees.

The proposal would result in a loss of 1 no. Horse Chesnut and 1 no. Sycamore. A tree survey, an arboricultural impact assessment and a tree protection plan were submitted with the application to support the proposal. The Council Arboricultural Officer has considered the proposal and raised no arboricultural objection subject to condition seeking an implementation of the submitted Tree Protection Plan.

Regarding the potential replanting, it should be noted that site is situated within an urban area and the proposed works would not significantly affect the landscape character of the site and the locality. However, there is a potential to plant garden shrubs within the individual garden area. However, it is considered that it would be unreasonable to impose a condition to seek such details given that the site is already used for residential purposes.

5.8 Drainage issues

The proposal is to convert the existing hostel to 9 no. residential units. The Council Drainage Engineer has considered the proposal and raised no drainage objection to the proposal. However, officers consider that it would be necessary to impose a condition to ensure any new hard-standing area would be constructed with permeable materials in order to minimise the potential flood risk in the locality.

5.9 Other matters

Concern is raised regarding the consultation of Wrenbert Road, officers confirm that No. 1-9 Garton House Wrenbert Road have been consulted in accord to the Council's consultation procedure.

Concern is raised regarding the prior permission from freeholders of the access lane, this would be private civil matter between the applicant and other owners.

**6. RECOMMENDATION**

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

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

**Contact Officer: Olivia Tresise**  
**Tel. No. 01454 863761**

### **CONDITIONS**

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

#### Reason

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

2. Prior to the commencement of the relevant part of the development, a sample of render, showing the render texture and finish, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed strictly in accordance with the approved panel, which shall be retained on site until completion of the development, for consistency.

#### Reason

1. To maintain and enhance the character and appearance of the locality, and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and the saved Policy H5 of the South Gloucestershire Local Plan (Adopted) January 2006.
  2. This is a pre-commencement condition in order to avoid unnecessary remedial works in the future.
3. Prior to the construction of the proposed dormer hereby approved, a sample of external materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved sample.

#### Reason

1. To maintain and enhance the character and appearance of the locality, and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and the saved Policy H5 of the South Gloucestershire Local Plan (Adopted) January 2006.
  2. This is a pre-commencement condition to avoid any unnecessary remedial works in the future.
4. Notwithstanding the submitted drawing, No. 007B, prior to the construction of the proposed retaining wall at the rear, details of the external materials and height, 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

1. To ensure the satisfactory external appearance of the development and to protect the residential amenity of the neighbouring occupiers and to accord with Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and the saved Policy H5 of the South Gloucestershire Local Plan (Adopted) January 2006.
  2. This is a pre-commencement condition to avoid any unnecessary works in the future.
5. The off-street parking facilities (for all vehicles, including cycles) and bin storage shown on the plan hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose.

Reason

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

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

Reason

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

7. The proposed development hereby approved shall be strictly carried out in full accordance with the submitted Tree Protection Plan, Drawing No. 4993.02 Rev A.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of the health and visual amenity of the tree, and to accord with The Town and Country Planning (Tree Preservation) (England) Regulations 2012, and Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and the saved Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006.

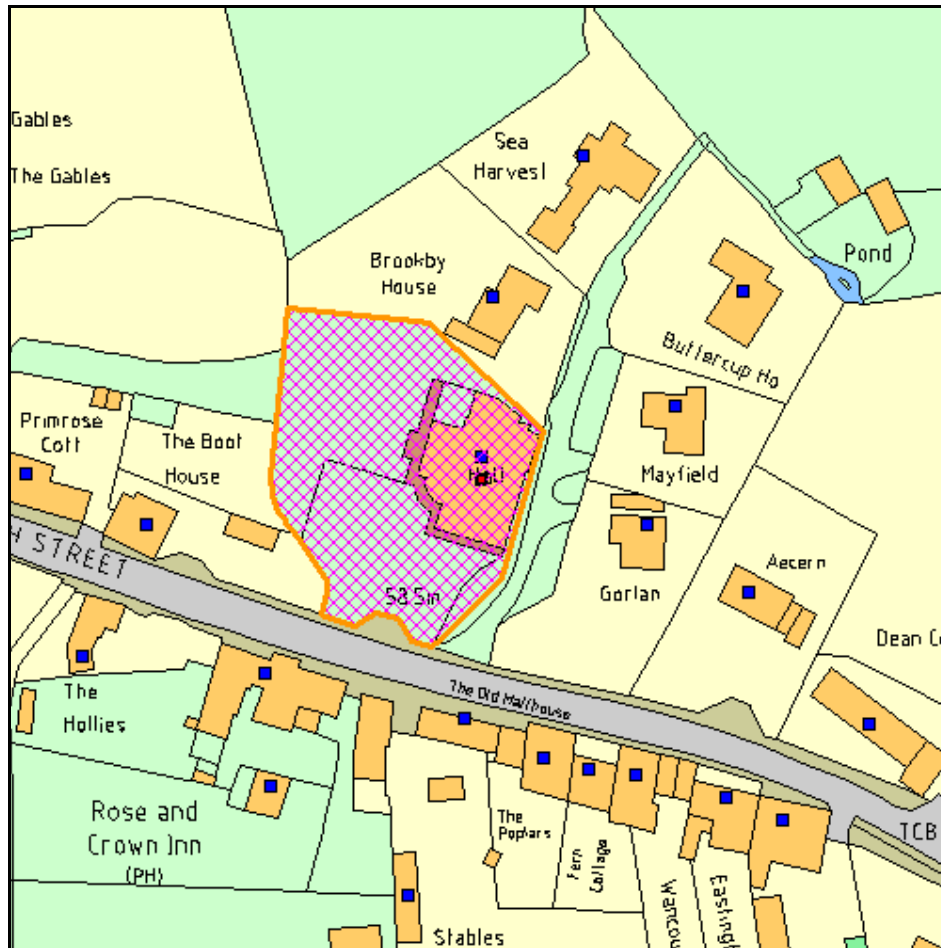
8. Notwithstanding the submitted site plan and ground floor plans (Drawing Nos. 04B and 07B), any new hard-standing area within the site shall be constructed with permeable materials.

Reason

To prevent non-point source pollution and flooding, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013).

**CIRCULATED SCHEDULE NO. 34/15 – 21 AUGUST 2015**

<b>App No.:</b>	PK15/2506/F	<b>Applicant:</b>	Iron Acton Parish Hall
<b>Site:</b>	Iron Acton Village Hall High Street Iron Acton Bristol South Gloucestershire BS37 9UG	<b>Date Reg:</b>	15th June 2015
<b>Proposal:</b>	Demolition of existing lobby and erection of single storey extension to form waiting area.	<b>Parish:</b>	Iron Acton Parish Council
<b>Map Ref:</b>	367894 183580	<b>Ward:</b>	Frampton Cotterell
<b>Application Category:</b>	Minor	<b>Target Date:</b>	6th August 2015



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 100023410, 2008. **N.T.S.** **PK15/2506/F**

## **REASON FOR REPORTING TO CIRCULATED SCHEDULE**

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

The constitution states:

*All applications where the proposed decision of the Director would, in his opinion, be contrary to the policies of the Council as expressed in the Development Plan and/or any emerging plan and require referral to the Secretary of State following approval in principle by the Council for the purposes of development control decision making. Such applications not requiring referral to the Secretary of State shall appear on circulated list for member consideration prior to determination.*

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

## **PROCEDURAL MATTERS**

As the application represents a departure from relevant Green Belt Policy within the Development Plan the application was advertised as such for a period of time in keeping with the Council's Statement of Community Involvement. No representations were received in response to this advertisement.

### **1. THE PROPOSAL**

- 1.1 This application seeks planning permission to demolish and existing lobby and erect a single storey extension to form a waiting area.
- 1.2 The host site is Iron Acton Village Hall, a community building positioned off High Street in Iron Acton. The application site is within the Bristol/Bath Green Belt and also the designated settlement boundary of Iron Acton. The application site is also within the Iron Acton Conservation Area.
- 1.3 The application building is a single storey building that has had numerous extension since it was originally built.
- 1.4 The proposal is relatively minor in relation to the whole building, simply infilling a section of the building where the conservatory-style lobby was previously situated. The extension is 8.4 metres in length and has a width of 5.48 metres, as well as this, the extension has a maximum height of 3.8 metres with an open-facing gable end.

### **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

### South Gloucestershire Local Plan Adopted January 2006 Saved Policies

- L12 Conservation Areas
- LC4 Proposals for Educational and Community Facilities within Existing Urban Areas and Defined Settlement Boundaries
- T12 Transportation

## 2.3 Supplementary Planning Guidance

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

## 3. **RELEVANT PLANNING HISTORY**

PK08/1503/F	Approve with Conditions	18/08/2008
Erection of single storey rear extension to provide kitchen and store room.		
P99/1847	Approval Full Planning	29/07/1999
Alterations and extensions.		
P95/2807/C	Conservation Area Consent	11/03/1996
Works of demolition to facilitate replacement of flat roof with pitched roof.		
P95/2806	Approval Full Planning	11/03/1996
Replacement of flat roof with shallow pitched roof.		
P95/2409/C	Conservation Area Consent	06/12/1995
Minor works of demolition to facilitate erection of single storey extension and construction of pitched roof.		
P95/2408	Approval Full Planning	06/12/1995
Erection of single storey extension and canopy and erection of pitched roof.		
N2808/1	Approve with Conditions	16/06/1983
Erection of extension to rear of existing village hall to provide storage space		

## 4. **CONSULTATION RESPONSES**

- 4.1 Iron Acton Parish Council  
No observation.

- 4.2 Lead Local Flood Authority  
No comment.
- 4.3 Conservation Officer  
No objection.
- 4.4 Sustainable Transport  
No objection as adequate off-street parking is provided on site.
- 4.5 Highway Structures  
No comment.

#### **Other Representations**

- 4.6 Local Residents  
None received.

### **5. ANALYSIS OF PROPOSAL**

- 5.1 This application seeks planning permission for the erection of a single storey extension to a community building within the Bristol/Bath Green Belt in a designated settlement boundary, also positioned within the Iron Acton Conservation Area.
- 5.2 Principle of Development  
Paragraph 89 within the NPPF allows for extensions or alterations to buildings within the Green Belt, provided this does not result in disproportionate additions over and above the size of the original building. Development which is judged to be disproportionate with regard to the original building will be viewed as inappropriate development, harmful to the Green Belt and will not be permitted unless very special circumstances are provided. Policy CS5 of the adopted Core Strategy is supportive of the NPPF and relevant local plan policies in the protection of the Green Belt.
- 5.3 Policy CS1 'High Quality Design' of the South Gloucestershire Core Strategy (adopted December 2013) states development proposals will only be permitted if the highest possible standards of site planning and design are achieved.
- 5.4 The proposal is located within the Iron Acton Conservation Area. Saved policy L12 of the South Gloucestershire Local Plan (adopted January 2006) only permits development where it would preserve or enhance the character or appearance of the Conservation Area. Similarly, Policy CS9 of the adopted Core Strategy is also material in assessment
- 5.5 Saved Policy LC4 of the South Gloucestershire Local Plan (adopted January 2006) is supportive in principle of development to community facilities within designated settlement boundaries. This support is provided proposals:
- Are located in sites that are highly accessible on foot and by bicycle; and



- Would not unacceptably prejudice residential amenities; and
  - Would not have unacceptable environment or transportation effects; and
  - Would not give rise to unacceptable levels of on street parking to the detriment of the amenities of the surrounding area and highway safety.
- 5.6 The proposal is acceptable provided that it accords with the relevant Green Belt policy set out within the NPPF; has an acceptable design and impact on the Iron Acton Conservation Area; and conforms to the criteria required by saved policy LC4.
- 5.7 Green Belt  
As stated within the principle of development section, development which is disproportionate over and above the size of the original building will not be permitted. Accordingly, only limited additions will be permitted. The NPPF gives particular regard to the original building and therefore whether the proposal is considered to be disproportionate or not, is considered cumulatively including any non-original additions.
- 5.8 It is evident from the planning history of the site that the original building has been extended heavily over its lifetime. Accordingly, with these previously approved extensions in mind the proposal does constitute a disproportionate addition. The proposal is considered to represent inappropriate development within the Green Belt and will therefore be refused unless very special circumstances are provided. Paragraph 88 of the NPPF is clear in stating that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other consideration.
- 5.9 The agent for the planning application has submitted circumstances that they believe to be 'very special'. Such circumstances are summarised below:
- The proposed extension has no detrimental effect on the residents, transportation, conservation or Green Belt;
  - The existing waiting area is insufficient to enable people to wait inside the hall, often mothers with pushchairs are forced to wait outside;
  - The proposal would enable people to wait inside the village hall in safety, rather than people waiting within the car park;
  - If the proposal was not granted planning permission the trust would have to consider another venue, but at present there is no suitable building within the village that would be able to accommodate the existing footfall of 550 people per week, additionally it would not be reasonable for the parish hall to be located outside of Iron Acton;
  - The building currently fails the requirements for the disabled under Part M of the building regulations, this proposal will address this.
- 5.10 Very special circumstances are often site-specific and can be composed of numerous factors as established in the following court case *Wychavon DC v SoS & Butler 23/06/2008*. Additionally, the case of *Brentwood BC v SoS 22/04/2007* established that a 'very special circumstance' could be something that was a commonplace factor that would normally arise as a consequence

from refusal of planning permission. Accordingly, with this in mind the following cumulative circumstances that surround the existing hall mean that if this proposal is not approved, the hall would not be able to accommodate the expected footfall, as the hall is not sufficient for disabled users and people often have to wait within the car park of the hall which is a safety risk. Accordingly, the hall needs to expand due to the factors set out above, if this application was refused another venue would have to be used. Such a venue does not exist within Iron Acton, and it would be highly unreasonable to expect the village hall to be located outside of Iron Acton.

- 5.11 Accordingly, officers are of the opinion that the need for the village hall to expand to allow the expected footfall to be safely accommodated coupled with the fact that the application site is the only site within Iron Acton that could accommodate such a village hall constitutes very special circumstances that outweigh the potential harm to the Green Belt by reason of inappropriateness. Additionally, the proposal does not materially harm the openness of the Green Belt, due to the size of the proposal and it being contained well within the existing application site.
- 5.12 For there to be no objections relating to Green Belt policy, the circumstances provided also need to overcome 'any other harm' that result from this development. Such considerations will be made throughout the remaining report.
- 5.13 Visual Amenity and Impact on the Conservation Area  
The Iron Acton Village Hall is located to the north and set back from the High Street. The hall is orientated perpendicular to the road so it "sides onto" rather than directly addresses the High Street. The proposed scheme seeks to demolish the existing entrance lobby (a timber framed glazed structure on a rendered block plinth) to the south-western corner of the building with a more substantial block and render construction under a shallow dual pitched roof. A projecting porch canopy is also proposed. The demolition of the existing structure is acceptable as it is of no considered architectural or historic significance. The proposed design and scale of the replacement structure is considered to be in keeping with the character of the existing building. Consequently the character and appearance of the Iron Acton Conservation Area would be preserved.
- 5.14 Accordingly, the proposal has an appropriate design that is in keeping with the site and its context. By nature of this design the proposal has an acceptable impact on the Iron Acton Conservation Area and therefore accords with the relevant policy that aims to preserve and enhance Conservation Areas.
- 5.15 Residential Amenity  
Saved policy LC4 of the adopted Local Plan aims to ensure that the residential amenity of the surrounding area is not unacceptably prejudiced. The application building is located within a well contained site and the proposal has an acceptable scale meaning the proposal has an acceptable impact on residential amenity.

5.16 Transport, Parking

The proposal is in a sustainable location being located within a designated settlement boundary, additionally, the village hall is an easily accessible location for both cyclists and pedestrians. The site has adequate level of car parking spaces provided within the application site meaning on-street parking should not be detrimentally impacted as a result of this proposal.

5.17 Environmental Impacts

The proposal has no unacceptable environmental effects.

5.18 Summary

The proposal represents inappropriate development in the Green Belt as the extension constitutes a disproportionate addition. Very special circumstances have been submitted that outweigh the potential harm to the Green Belt that would result from the proposal's inappropriateness. Additionally, the proposal would not constitute 'any other harm', this has been determined in the previous sections of this report. Accordingly, the proposal is pursuant to the relevant Green Belt policies within the NPPF and other pertinent policies regarding residential amenity, transport, the environment and the Iron Acton Conservation Area.

**6. CONCLUSION**

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

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

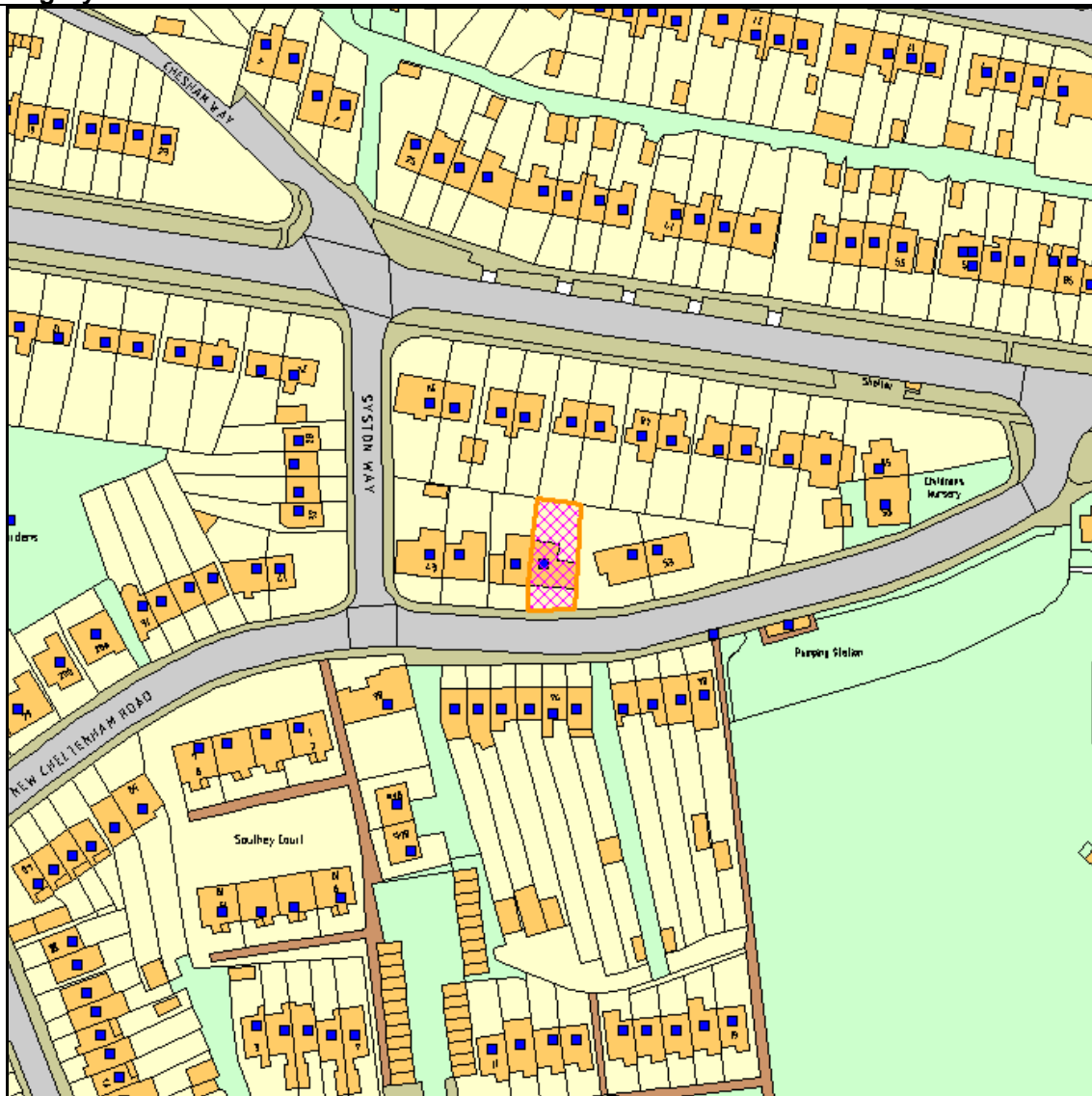
Reason

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



CIRCULATED SCHEDULE NO. 34/15 – 21 AUGUST 2015

<b>App No.:</b>	PK15/2583/F	<b>Applicant:</b>	Mr D Wilkinson
<b>Site:</b>	49 New Cheltenham Road Kingswood Bristol South Gloucestershire BS15 1TN	<b>Date Reg:</b>	17th June 2015
<b>Proposal:</b>	Demolition of existing garage to facilitate the erection of two storey side and single storey rear extension to provide integral garage and additional living accommodation.	<b>Parish:</b>	None
<b>Map Ref:</b>	364916 174377	<b>Ward:</b>	Kings Chase
<b>Application Category:</b>	Householder	<b>Target Date:</b>	7th August 2015



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## **REASON FOR REPORTING TO CIRCULATED SCHEDULE**

This application appears on the circulated schedule following an objection from a local resident.

### **1. THE PROPOSAL**

- 1.1 The applicant seeks full planning permission for the demolition of an existing garage to facilitate the erection of a two-storey side and single storey rear extension to provide an integral garage and additional living accommodation.
- 1.2 The application site relates to a two-storey semi-detached dwellinghouse situated within the established residential area of Kingswood.

### **2. POLICY CONTEXT**

#### 2.1 National Guidance

National Planning Policy Framework March 2012

#### 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted December 2013)

CS1	High Quality Design
CS4a	Sustainable Development
CS5	Location of Development

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

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

#### 2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted 2007)

South Gloucestershire SPD: Residential Parking Standards (adopted) 2013

### **3. RELEVANT PLANNING HISTORY**

- 3.1 PK00/2055/F          Erection of a single storey rear extension  
Approved                  26.9.00

### **4. CONSULTATION RESPONSES**

#### 4.1 Parish/Town Council

The area is unparished

#### 4.2 Other Consultees

Sustainable Transport

Planning permission is sought to demolish an existing detached garage to facilitate the erection of a two storey side extension to provide additional living accommodation. After development the bedrooms within the dwelling will increase to four.

Residential parking is assessed on the number of bedrooms available. A four-bed dwelling would require a minimum of two parking spaces. Although a garage is proposed in the new extension, it does not meet the Councils requirements. Internal dimensions of at least 3m wide by 6m deep need to be provided. Vehicular parking spaces on the driveway need to measure 2.4m wide by 5.3m (to avoid a vehicle overhanging on to the public highway).

Revised to scale plans showing the measurements above, needs to be submitted before final comments can be made on this proposed development.

#### Lead Local Flood Authority

No objection subject to an informative attached to the decision notice regarding a public sewer.

### **Other Representations**

#### 4.3 Local Residents

One letter of objection has been received. The comments are as follows:

- A two-storey extension of this type would be entirely inappropriate in an already built-up area
- Our garden is overlooked by many dwellings and it would further diminish our chances of enjoying any winter sun

## 5. **ANALYSIS OF PROPOSAL**

### 5.1 Principle of Development

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

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

### 5.2 Design and Visual Amenity

The application site relates to a typical post war semi-detached property situated in Kingswood. The property benefits from a detached garage to the side which would be demolished to facilitate the erection of the two-storey side extension. A single storey rear extension would then follow on from this and extend across the rear of the house.

5.3 The proposed side extension would be set back from the main front building line and set down from the main ridge height which are considered good design principles whereby an extension can easily be read as being a new addition to the original property. The side extension would therefore measure

approximately 7.4 metres in length and 2.8 metres wide with eaves to match the main dwelling. The two storey element would not extend beyond the existing rear building, however the single storey extension would follow on and stretch across the rear of the house. This would measure approximately 2 metres deep, 8.4 metres in length, 2.4 metres to eaves with a maximum height of 3.6 metres.

- 5.4 Comments from a local resident have objected to the scheme on the basis of it being inappropriate in a built-up area. The two-storey side and single storey rear addition proposed here is considered a popular and non uncommon design for such extensions. Many can be seen in the immediate Kingswood area as well as further afield within South Gloucestershire. The NPPF encourages development in sustainable locations and Kingswood is considered to be such an area. The design, scale and massing of the proposal is therefore considered to be acceptable. In terms of the materials to be used, these would be to match the existing property. Given the above the proposal is considered to accord with the principle of development and be supported.

5.5 Residential Amenity

The application site sits within a row of similar style and proportioned dwellings. Directly opposite the site are rows of terraced dwellings, again not too dissimilar from the design of No. 49 New Cheltenham Road. Concern has been expressed regarding overlooking and loss of sun by a neighbour who occupies a property to the rear and to the east of the application site. These properties are separated by their respective gardens and at an approximately distance of 23 metres. It is acknowledged there would be some changes for this neighbour and a judgement regarding the degree of impact must be made. Given that the proposal would be to the side and rear of the existing two-storey dwellinghouse along with the distance between the two, it is considered that the changes to the amount of sun this neighbour would receive would not adversely impact on the amenity of this neighbour sufficient to warrant a refusal of the application. This neighbour has also stated an existing situation of being overlooked by many properties. The extensions to the existing dwelling would be for the use of the occupants and as such it is considered there would be no adverse impact over and above the current situation. Enough garden space would remain to serve the host property following the development. The proposal is therefore deemed to accord with policy and can be recommended for approval.

5.6 Sustainable Transport

The proposal would comprise the removal of an existing garage and its replacement by an integral garage measuring approximately 2.5 metres wide by 6.3 metres in length. This space falls short of the size stated within the Residential Parking Standards (6m x 3m). As such it cannot be counted as a parking space. Following the development the property would have 4no. bedrooms for which 2no. off street parking spaces are required. A site visit confirms that at least two off-street parking spaces can be accommodated to the front of the property on the paved parking area and a revised block plan submitted by the agent also indicates this to be the case.



## 6. CONCLUSION

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

## 7. RECOMMENDATION

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

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

## CONDITIONS

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

Reason

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

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

Reason

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



CIRCULATED SCHEDULE NO. 34/15 – 21 AUGUST 2015

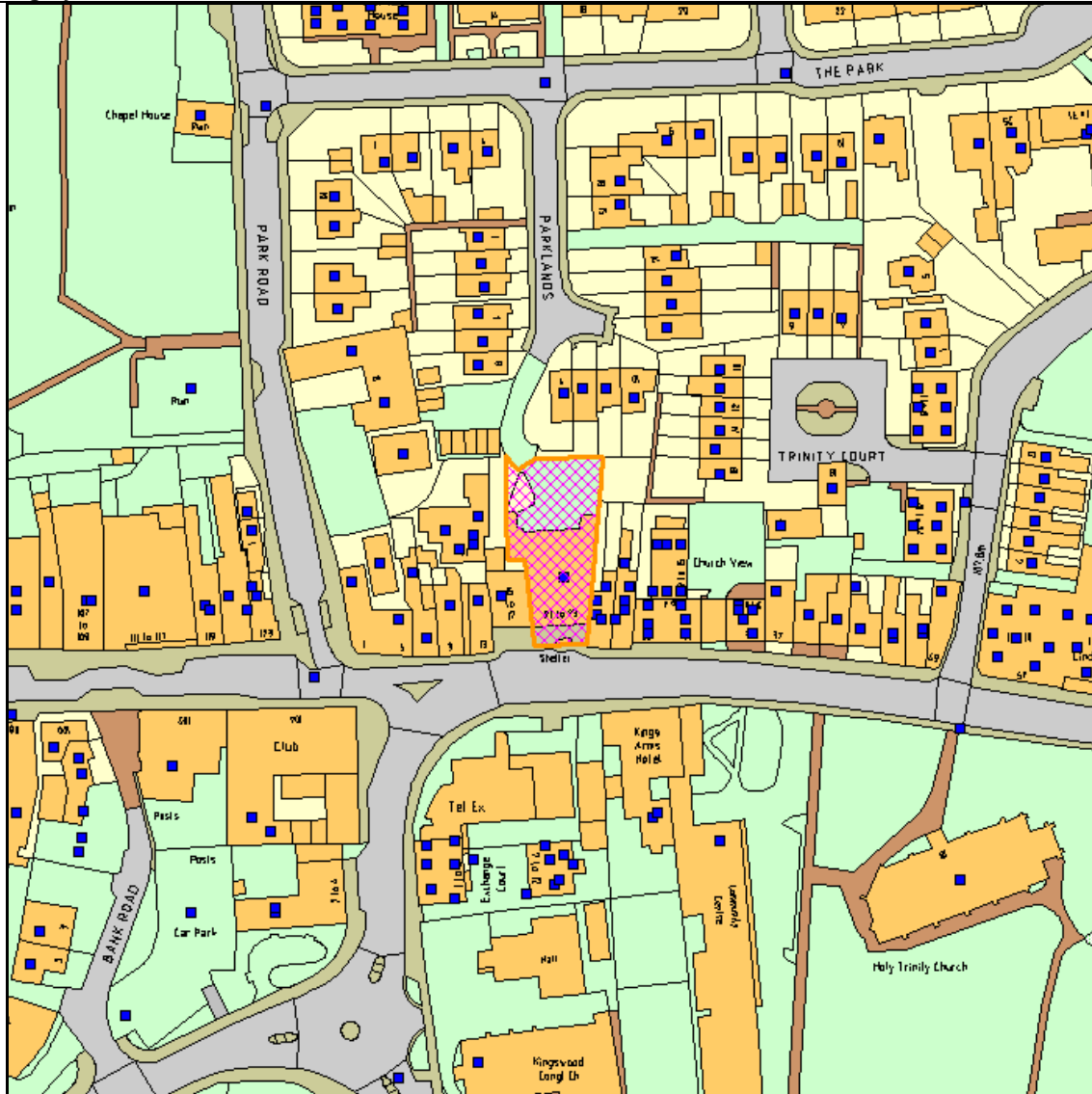
**App No.:** PK15/2622/F  
**Site:** 21-23 High Street Kingswood Bristol South Gloucestershire BS15 4AA  
**Proposal:** Erection of single storey rear extension to facilitate change of use of part ground floor and first and second floors from Offices (Class A2) to 6no. self contained flats (Class C3) as defined in Town and Country (Use Classes) Order 1987 (as amended) with associated works.

**Applicant:** Mr N HAKIM  
**Date Reg:** 6th July 2015

**Parish:** None

**Map Ref:** 365011 173864  
**Application Category:** Minor

**Ward:** Kings Chase  
**Target Date:** 28th August 2015



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## **REASON FOR REPORTING TO CIRCULATED SCHEDULE**

This report appears on the Circulated Schedule following comments received from five local residents, a local Councillor and the local Member of Parliament.

### **1. THE PROPOSAL**

- 1.1 The applicant seeks full planning permission for the erection of a single storey rear extension to facilitate the change of use of part of the ground floor and first and second floors from Offices (Class use A2) to 6no. self-contained flats (Class use C3) as defined in the Town and Country (Use Classes) Order 1987 (as amended) with associated works.
- 1.2 The application site relates to a three storey building, part of a terrace situated along the High Street in Kingswood with a two-storey element to the front. The site is part of a secondary shopping frontage and is set back from the main highway by a wide pavement. A bus stop is located directly outside the front entrance and the site has its own dedicated car parking area to the rear.

### **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
CS13	Non-safeguarded Economic Development Sites
CS14	Town Centres and Retail
CS15	Distribution of Housing
CS16	Housing Density
CS17	Housing Diversity
CS18	Affordable Housing
CS23	Community Infrastructure and Cultural Activity

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

T12	Transportation Development Control
RT1	Development in Town Centres
RT12	Use of Upper Floors in Town , Local and Village Centres
EP1	Environmental Pollution

#### **2.3 Supplementary Planning Guidance**

South Gloucestershire Design Checklist (Adopted 2007)

South Gloucestershire SPD: Residential Parking Standards (adopted) 2013

### 3. **RELEVANT PLANNING HISTORY**

- |     |             |   |
|-----|-------------|---|
| 3.1 | PK09/5632/F | Alterations to shop front. Erection of single storey rear extension to form toilet facilities |
|     | Approved    | 16.12.09  |
| 3.2 | P99/4542    | Alterations to shop front and replacement of windows at rear                                  |
|     | Approved    | 9.9.99  |
| 3.3 | P99/4027    | Change of use from retail (A1) to professional and financial services (A2)                    |
|     | Approved    | 2.3.99  |

### 4. **CONSULTATION RESPONSES**

- 4.1 Parish/Town Council  
The area is unparished

- 4.2 Other Consultees

#### Environmental Protection

No objection in principle however, the proposed development is sited within the Kingswood Air Quality Management Area (AQMA) and as such, could introduce new receptors into an area of poor air quality. This could result in impacts on the health of the future occupants. However, given the position of the ground floor flats to the rear and the set back location of the first and second floor flats it is considered that exposure risk to the source of pollution is lower in these instances. Specific measures to mitigate against pollution is not considered necessary. A recommendation is made with regard to the gas boiler being required to meet minimum standards and this will be included in the list of informatives along with a list of constraints related to the construction period.

#### Sustainable Transport

No objection – vehicular access remains the same as existing, located to the rear of the property. Revised plans show 6no. parking spaces for the site and this is considered appropriate whilst also taking into account other factors such as its sustainable location where there is good access to public transport and other public car parking options in close proximity. A condition should allocate a parking space to each flat.

#### **Other Representations**

- 4.3 Local Residents

Comments have been received from 5 local residents, a local Councillor and the local Member of Parliament. The comments are summarised as:

- Overlooking and loss of privacy
- Anti-social behaviour, noise
- Parking problems, increased amount of traffic, speed of traffic, inconsiderate parking, problems for emergency vehicles

- Disruption due to building works
- Not all houses in Parklands have been consulted
- Money from the rates associated with the site would influence planning decision
- This area of Kingswood is becoming a dumping ground for undesirable characters – it is a scruffy and badly kept place to live

## **5. ANALYSIS OF PROPOSAL**

### **5.1 Principle of Development**

The proposal stands to be assessed against the policies listed above in light of all material considerations. The key issues to be assessed here include the principle of housing on the site, the impact of the development upon the retail frontage, the impact of the development upon the surrounding highways network with emphasis upon highway safety, the design of the development and the impact of the development upon residential amenity. Of particular importance is the location of the application site within a secondary retail frontage in Kingswood where residential use is promoted by policy as a first choice for existing premises above ground floor level.

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

### **5.2 Suitability of the site for housing development**

The site is an office block, previously The Youth Hub, but currently empty. It sits within a highly built up area in Kingswood characterised by its mixed use which includes businesses, retail and residential. Examples of conversions/alterations of previous office blocks can be seen just a few metres away from the application site. The site is therefore considered a very sustainable location where development is promoted by both national and local planning policies. In some cases the conversion of offices into residential is covered under recent changes to the permitted development regulations. In this case the existing class use is A2 (financial and professional) falls outside the permitted development rights but the aim of national planning is clear in that changes of use from offices to residential is an acceptable form of development provided other criteria are met such as no adverse impact on highways, residential amenity, no adverse environmental impact and community facilities can support the site. The site is part of a secondary rather than primary shopping frontage, and it is noted that the office frontage would remain. It is considered that the site is suitable for housing development.

### **5.3 Retail considerations**

The application site sits within a mixed use which includes some vacant retail premises. Policy RT1 is supportive of development within town centres such as Kingswood provided that it would not detract from the overall vitality and viability of the centre; and would be consistent with the scale and function of the centre; and would be accessible by public transport, pedestrians, cyclists and those with special mobility needs; and would not have unacceptable environmental or transportation effects and would not prejudice residential amenity; and would include residential accommodation or other non-retail uses appropriate to a town centre on upper floors. Furthermore, Policy RT12

promotes the change of use of upper floors premises in town centres again with the proviso that it would not have unacceptable environmental or transportation effects and would not prejudice residential amenity.

- 5.4 National and local planning policy are supportive of change of uses which protect and enhance the vitality and viability of town centres. This ethos allows for the promotion of a range of uses appropriate to town centres including mixed use schemes. The proposal under consideration here would retain the office use at ground floor level whilst at the same time creating new residential accommodation in the upper floors. This is considered to be both appropriate use of the built form within town centres and would also give the opportunity to enhance the local economy. Policy thereby encourages changes of use within town centres to include such proposals as extensions, refurbishment or re-development of existing premises. Kingswood is identified as one of the areas where variety and diversification of uses is important to its viability and continuing operation as a thriving town centre. The proposal is considered to follow these principles of retail policy and significant weight is awarded to the proposal on this basis.

5.5 Design and Visual Amenity

The existing block of three storeys with a single storey projection to the front, would remain unchanged. The proposed change of use from offices to residential would be for the most part internal, save for a modest extension to an existing single storey rear addition. The configuration of flats would comprise one 2 bed flat and one 1 bed flat on the ground floor and two 1 bed flats on the first and second floors. Access would be from a new shared entrance from the rear car parking court and a shared entrance to the front which would be separate from the main office business entrance. In addition, at ground level to the rear the existing entrance door would be blocked up and a new set of full height doors to serve Flat 2 would be created. The proposed single storey extension to the rear would follow on from an existing modest storey structure. It would have a mono-pitched roof and in total the extension would measure approximately 4.4 metres deep, 3.4 metres in length, eaves of 2.5 metres and an overall height of 3.3 metres. It would have full height windows facing onto the car park to the east. Materials would include a painted render exterior and double Roman tiles. Given the very small extension and the limited changes to the fenestration/openings it is considered that the proposed development would adopt an acceptable scale, form and layout that is appropriate to both the existing building and the character of the area in general. There are no objections in design terms.

5.6 Residential Amenity

Concern has been expressed by a number of residents regarding the potential impact the change of use from offices to flats would have on their property. Houses directly to the rear of the site at Nos.7 and 8 Parklands are situated to the north and are separated from the building by the car park serving the building and by their respective gardens. These houses are also set at a lower level and screened by a high stone/brick boundary wall such that their first floor windows are approximately level with the top of the wall. Plans show the presence of two large first floor windows in the rear elevation of the application site but these are behind the pitched roof of the 1.5 almost 2 storey extension

which runs the length of the rear elevation. In this way the windows cannot be seen from the neighbouring dwellings and similarly the proposed occupants of the first floor flats would not be able to see down into the gardens or houses of properties along this part of Parklands. Submitted plans indicate the distance to be approximately 23 metres between the two. It is recognised that the proposal would create some changes but it must also be noted that the current use of the whole of the building is an office with associated vehicle movements of employees and other related users. The relative degree of difference between this office function and the small scale residential use proposed is considered minor and as such unacceptable impact on existing residential amenity on this basis could not be substantiated as a refusal reason.

- 5.7 The location of the site within an area of established and mixed use is an important factor in the overall assessment of impact on residential amenity. In built-up areas such as Kingswood it is not uncommon for residential properties to be in close proximity to one another and the distance of about 23 metres between the first floor windows (which cannot be directly seen) and the neighbours in Parklands is not an unusual nor an unacceptable distance in this type of locality. When studying the ground floor flat although the application site is at a higher level than Parklands, the high boundary wall successfully screens neighbours from any inter-visibility or overlooking. It is therefore considered that there would be no unacceptable loss of privacy, inter-visibility or other amenity resulting from the proposal for existing neighbours.
- 5.8 Officers do have some concern regarding the privacy of occupiers in the proposed ground floor flat, potentially resulting from occupiers in the first floor flat above. This is because the roof of the ground floor element is made up of a large amount of glazing. Despite the glazing being of a blue colour or made up of blue transparencies, or similar, it is still possible to have a clear view through the glass. A condition will therefore be attached to the decision notice stating that this roof glazing needs to be obscure to protect the privacy of future occupants. The flats themselves would have limited outside space dedicated for occupiers, however, a large park is a few metres away on the High Street. This situation is considered acceptable for the size of flats in this particular built-up location.
- 5.9 Environmental Protection  
The site is noted as being within the Kingswood Air Quality Management Area (AQMA) and could therefore introduce new receptors into an area of poor air quality with the of adverse impacts on the health of the future occupants. However, the potential risk of future occupants being exposed to poor air quality is reduced as the residential unit on the ground floor is proposed to the rear of the property. Also while the proposed residential units on the first and second floor will front directly onto High Street, the exposure risk to occupants could be considered to be lower because they will be further away, in terms of height, from road traffic and therefore, the source of pollution.
- 5.10 When the pollutant (nitrogen dioxide) concentrations at the nearest SGC monitoring sites (site 93, 94 and 95) are considered, these show the levels of nitrogen dioxide were below the target set to protect human health (40 µg/m<sup>3</sup>) in 2014, although one monitoring site (site 94) located in High Street opposite



the proposed development site was borderline at 39.7 µg/m<sup>3</sup> and exceeded the objective in the preceding four years. However, this monitoring site is located closer to the roadside and queuing traffic than the proposed development site which is set back in a lay-by, so the risk of exposure to poor air quality could be considered to be reduced. Consequently, specific mitigation to protect future occupants is not considered necessary in this instance.

5.11 While the development itself is unlikely to contribute significantly to pollution levels within the AQMA, it is strongly recommended that the following principle of good practice is incorporated into the development, in line with the “Land-Use Planning & Development Control: Planning for Air Quality” guidance produced by Environmental Protection UK/Institute of Air quality Management (May 2015), to reduce emissions and contribute to better air quality management:

5.12 Transportation

The applicant is seeking permission to convert part of the existing building in to 6no. flats. The business use on the ground floor would be retained unchanged as office. It is noted that many of the comments received by local residents have objected on the basis of access and parking for the development. These points will be covered below.

5.13 Firstly, it is noted that the vehicular access is to remain unchanged, located to the rear of the property and accessed from Parklands, a residential cul-de-sac. The entrance gate to this parking court is located at the end of the road which slopes up to the site. Some on-street parking in this location was noted during the Officer’s site visit but entering and exiting the parking court can be made in a forward gear as there is sufficient manoeuvring room within the site. There can therefore be no objection to the application on the grounds of the access.

5.14 Moving on to the issue of parking, according to the Council’s parking standards for residential development, one parking space is required per one or two-bed flat and for office use, a maximum of one space is required per 35m<sup>2</sup> floor area. For the proposed scheme (i.e. 6 residential flats and 167m<sup>2</sup> of office space), maximum parking requirement for this development is calculated at 10no. spaces. Plans as submitted by the applicant show 6no. parking spaces. Whilst it is acknowledged that the proposed level of car parking on this site proposed is restricted, it is considered appropriate to also take into account other relevant factors that may influence potential future occupiers of the flats or those working in the offices to use private car for travelling. It is noted that, the site is within a highly sustainable location in middle of Kingswood Town Centre where there is good access to amenity, employment and shops. Kingswood town centre is one of the main arterial routes out of Bristol and there is excellent public transport facilities both to the centre of Bristol and other part of South Gloucestershire. There is a bus stop on High Street immediately outside the front of the building. Other bus stops include one on Hanham Road which serves bus services 17, 42 and 44 and one on Cecil Road which serves services 6, 17, 42, 43, 44, 86, 319, 634 and X18.

5.15 In addition to the car parking provision on site provided within the actual site, there is also good public car parking provision less than 200 metres (walking

distance) of the site. The Cecil Road car park has 53 spaces and the Bank Road car park 24 spaces. Both also have provision for disabled/blue badge holders. Parking is free in these car parks for maximum of 2 hours and this provides for the shoppers but for the development it could be provide for visitors.

- 5.16 Given the above, the proposal necessitates a balanced judgement which takes into account the excellent sustainable credentials of the scheme, along with the ability to also provide six car parking spaces within the site. On balance it is therefore, considered that the level of parking provided is reasonable and as such it would be difficult to substantiate a highway refusal in an appeal situation on the basis of lack of parking. It is further noted that in accordance with saved policy T7 of the Local Plan, secure cycle spaces will be provided within the secure inner courtyard and the scheme also provides for a refuse / recycling store also to be located within the rear courtyard area, which is considered suitable location for such a facility. There are therefore no highway objections to the scheme.
- 5.17 Some neighbours have commented on an existing situation of inconsiderate parking and excessive speed with the Policy Authority having been called in to deal with the situation. It is considered that this is the correct procedure to follow should any similar instances occur in the future. Concern regarding emergency access has also been cited but submitted plans show there would be sufficient room within the site for such vehicles to manoeuvre in and out in forward gear. An increase in the amount of traffic has also been given as an objection reason to the scheme but in this particular built-up sustainable location it is not proven that the proposed 6no. new flats and the retained ground floor office space would result in additional traffic over and above the existing use of the building. It would therefore be unfair to cite this as a refusal reason to the scheme.

5.18 Other Matters

A comment has been received asking why some neighbours have not been made aware of the proposal in a letter. Officers have referred to the adopted Statement of Community Involvement which states that for this type of application which is classed as a minor development, the following should be consulted:

*Neighbours- all adjoining occupiers having a common boundary with the site, and properties directly opposite. All occupiers of land within 30m of the vehicular and pedestrian access points (measured linearly along the road, including properties on the opposite side of the road).*

It is considered that all those who should have been consulted were sent letters on 6<sup>th</sup> July 2015 informing them of the application and inviting comments.

- 5.19 Some comments have implied that the decision will be based on how much money the scheme would earn for the Council in terms of fees from rates etc. As a planning application the scheme is assessed against national and local planning policies and any other materials considerations. The planning

process is an open and democratic procedure where decisions are fully justified against the relevant planning policy.

- 5.20 Comments have expressed disappointment at the creation of more flats in this part of Kingswood which residents consider have changed the feel of the area for the worse. Anti-social behaviour, noise and fly-tipping have all been given as reasons for objecting to this scheme. Again Officers would state that planning applications can only be assessed against planning policies. Direction is given at a national level where for example the NPPF (2012) declared a presumption in favour of sustainable development, such as more housing in urban areas and the support of diversification in town centres. More recent changes to planning legislation in 2015 have introduced other changes that allow conversions of certain buildings without the need for a full planning application. The conversion of some types of offices (those falling within Class Use B1(a)) to flats is one such regulatory change and can be done under permitted development provided the scheme complies with the list under Class O of the GPDO (2015). In this case, however, a full application was needed due to the offices being Class Use A2 and the requirement of a small rear extension and a full assessment was made.
- 5.21 Concern regarding noise disruption during the construction phase will be dealt with through a condition limiting the hours of work and delivery etc.

## 6. **CONCLUSION**

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

## 7. **RECOMMENDATION**

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

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

## **CONDITIONS**

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

Reason

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

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

Reason

To minimise disturbance to nearby buildings/occupiers and to accord with Policy RT1 of the South Gloucestershire Local Plan (Adopted) January 2006 and Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013.

3. The off-street parking facilities (for all vehicles, including cycles) and the refuse facilities shown on the plan R835/07 Rev B hereby approved shall be provided before the building is first occupied, and thereafter retained for that purpose with the exception that all six parking spaces are to be for the sole use of the proposed flats and one space shall be allocated to each flat for the specific use of that flat.

Reason

To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area, and to accord with Policies T7, T8, T12, and RT1 and RT12 of the South Gloucestershire Local Plan (Adopted) January 2006 and SPD: Residential Parking Standards (Adopted) 2013.

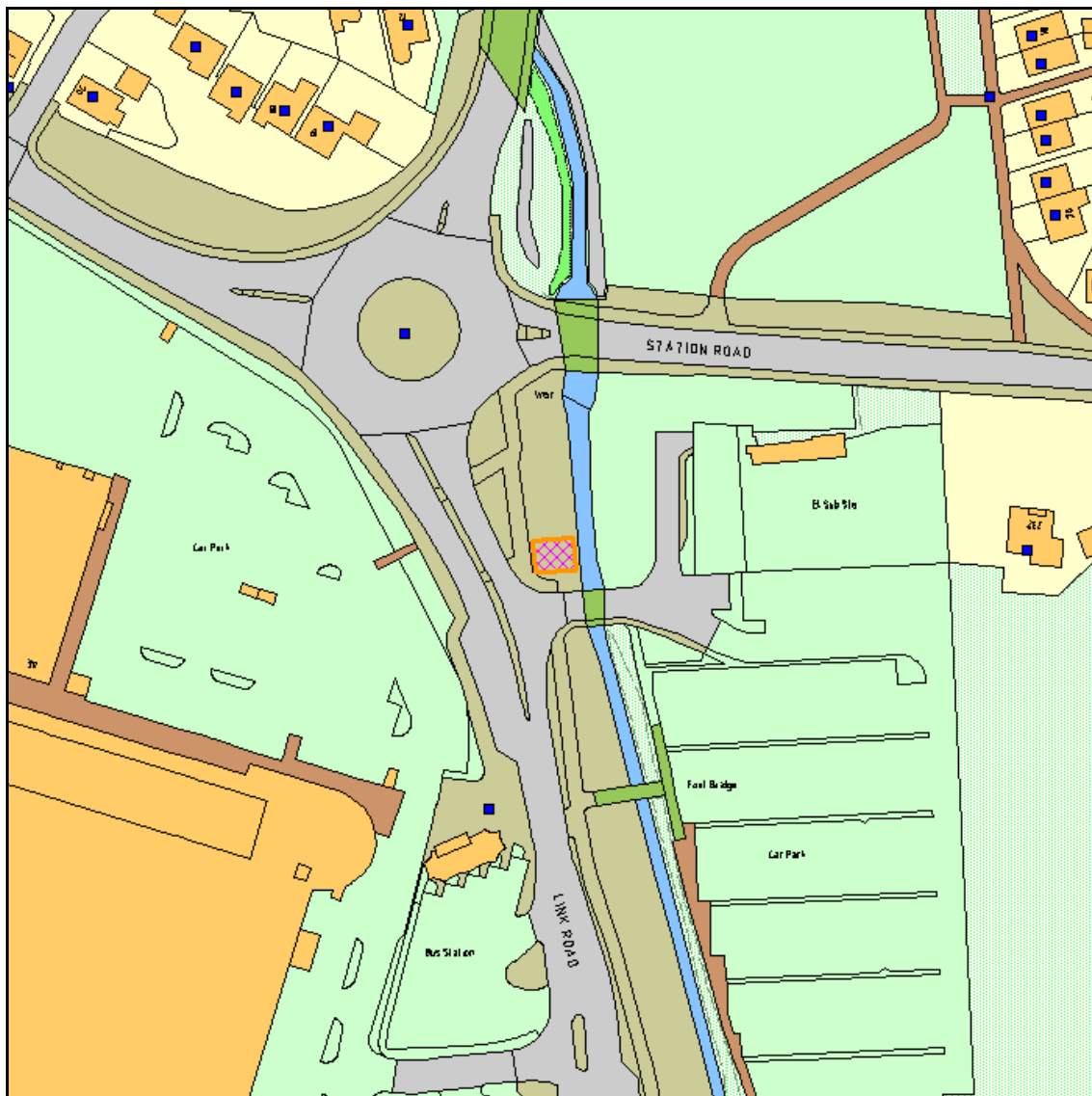
4. Prior to the use or occupation of the flats hereby permitted, and at all times thereafter, the existing glazed roof element of the existing rear ground floor extension shall be be glazed with obscure glass to level 3 standard or above .

Reason:

To protect the residential amenity of the future occupiers of the ground floor flat hereby approved and Policy RT1 and RT12 of the South Gloucestershire Local Plan (Adopted) January 2006.

**CIRCULATED SCHEDULE NO. 34/15 – 21 AUGUST 2015**

<b>App No.:</b>	PK15/2901/ADV	<b>Applicant:</b>	Crestbridge Corporate Trustees
<b>Site:</b>	Land Adjacent To Link Road Yate Bristol South Gloucestershire BS37 4AY	<b>Date Reg:</b>	9th July 2015
<b>Proposal:</b>	Display of 1 no. internally illuminated static totem sign	<b>Parish:</b>	Yate Town Council
<b>Map Ref:</b>	371670 182320	<b>Ward:</b>	Yate Central
<b>Application Category:</b>	Minor	<b>Target Date:</b>	31st August 2015



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## **REASON FOR REPORTING TO CIRCULATED SCHEDULE**

The following report appears on the Circulated Schedule due to an objection received from the Town Council.

### **1. THE PROPOSAL**

- 1.1 The applicant seeks advertisement consent for the display of 1no. internally illuminated static totem sign.
- 1.2 The application site is situated within the established settlement of Yate and relates to a recently approved scheme for Riverside Yate development.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
National Planning Policy Framework March 2012  
National Planning Practice Guidance
- 2.2 Supplementary Guidance  
Shopfronts and Advertisements SPD (Adopted April 2012)

### **3. RELEVANT PLANNING HISTORY**

The site has been subject to a number of applications the most relevant of which is listed below:

- 3.1 PK13/4116/F                      Demolition of existing buildings and erection of building for Retail (Class A1), Restaurant/Cafe (Class A3) and Cinema (Class D2) uses with car parking area, access, landscaping and associated works.  
  
Approved                              19.3.14

### **4. CONSULTATION RESPONSES**

- 4.1 Yate Town Council  
Objection to design, visual appearance, landscaping and materials – request size is reduced
- 4.2 Other Consultees  
  
Sustainable Transport  
No objection: - the proposal will not create any adverse highway or transportation issues.

### **Other Representations**

- 4.3 Local Residents  
  
None received

## 5. ANALYSIS OF PROPOSAL

### 5.1 Principle of Development

As stated in the NPPF, the government attaches great importance to the design of the built environment, citing good design as the key aspect of sustainable development and thereby positively contributing to making places better for people. Developments should function well and add to the overall quality of the area, creating attractive and comfortable places to live, work and visit. It specifically states that poorly placed advertisements can have a negative impact on the appearance of the built environment and should be subject to control in the interests of amenity and public safety, taking account of cumulative impacts.

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

### 5.2 Visual Amenity

The application site is located in the centre of Yate, close to the existing large development associated with Tesco and its car park. The proposed sign is connected with the recently approved scheme for Riverside and would be directly outside the entrance to the site on Link Road. The proposed totem sign would be 8 metres high, 2.5 metres wide with the main body of the sign being 30 cm thick. The sign would be mostly white in colour with blue at the top denoting it as being Yate Riverside development with a number of logos for the business within such as Cineworld, Next, Matalan and Pets At Home following on down the length. The pole would be internally illuminated.

5.3 In terms of visual amenity the totem pole would be quite a large structure, but its purpose is to draw attention to and advertise the proposed Riverside development and the other businesses within the site and it is not an uncommon size or design for such poles. It is considered that the proposal would not be out of place in this location being opposite a bus station, car wash and as previously mentioned Tesco and other shops within the Yate Shopping Centre. It is some distance from residential properties and would not appear out of place here.

### 5.4 Highway Safety

The sign has been assessed with regard to its impact on public safety and the highway in general. Officers acknowledge that the sign is large but it is also noted that the logos and writing on the sign are clear and do not include additional details such as telephone number which could be distracting. On balance the sign is considered not to encroach onto the public highway and not to obstruct a driver's view and consequently, the impact on highway safety is considered acceptable.

### 5.5 Cumulative Impact

The sign relates to the retail park and given its function and location within this part of Yate is considered to be in-keeping with the nature of the area. Overall the size of the sign, the writing and luminance level proposed is considered acceptable and would not result in any harmful cumulative impact.

5.6 Other Matters

The Town Council has objected on the grounds of landscaping. The sign would be positioned on a grass verge adjacent to the road and there will be very little impact on the existing landscape other than the footprint of the sign's foundations. It is not considered that an objection in landscaping terms would be a substantial or relevant reason for refusing the application.

6. **CONCLUSION**

6.1 In accordance with Section 220 of the Town and Country Planning Act 1990 and Regulation 3 of the Advertisement Regulations 2007, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.

7. **RECOMMENDATION**

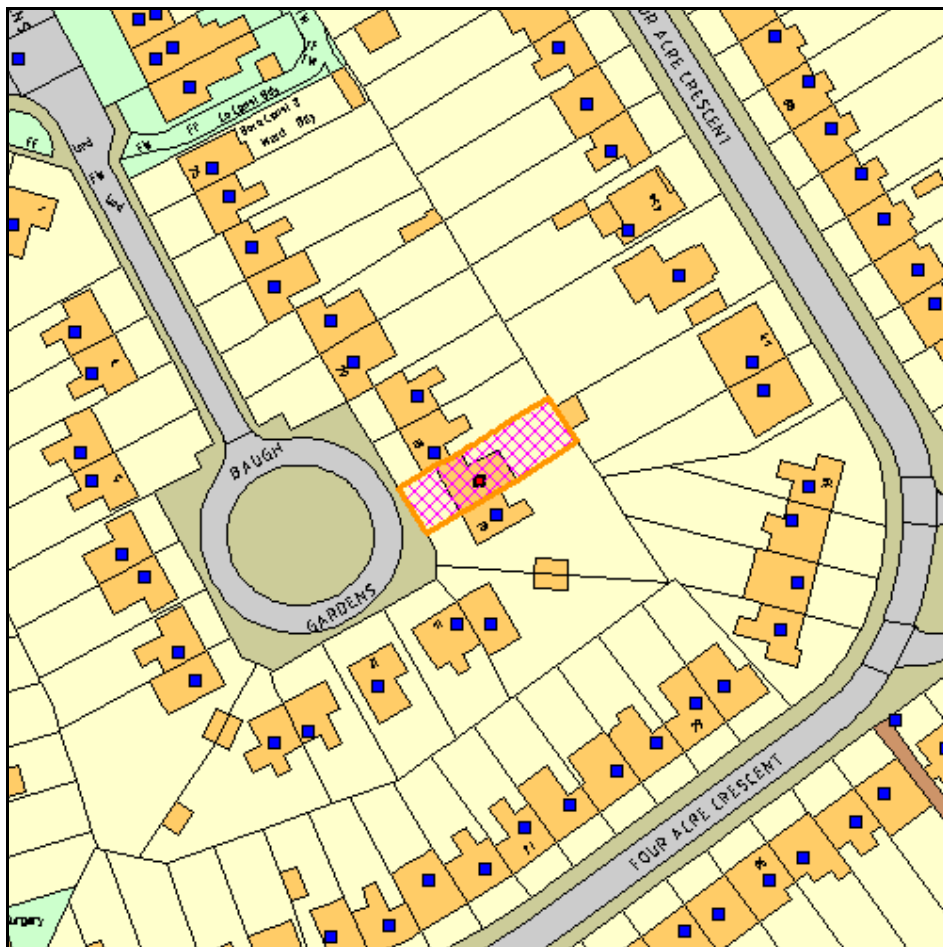
7.1 that advertisement consent is **GRANTED**

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



CIRCULATED SCHEDULE NO. 34/15 – 21 AUGUST 2015

<b>App No.:</b>	PK15/3053/F	<b>Applicant:</b>	Mr B Tottle
<b>Site:</b>	17 Baugh Gardens Downend Bristol South Gloucestershire BS16 6PN	<b>Date Reg:</b>	16th July 2015
<b>Proposal:</b>	Erection of two storey side extension to provide additional living accommodation	<b>Parish:</b>	Downend And Bromley Heath Parish Council
<b>Map Ref:</b>	365502 177988	<b>Ward:</b>	Emersons Green
<b>Application Category:</b>	Householder	<b>Target Date:</b>	7th September 2015



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## **REASON FOR REPORTING TO CIRCULATED SCHEDULE**

This application has been forwarded to the Circulated Schedule due to the receipt of an objection raised by an adjoining occupier.

### **1. THE PROPOSAL**

- 1.1 The application seeks full planning permission for the erection of a first floor side extension and a rear dormer at 17 Baugh Gardens, Downend.
- 1.2 The application site relates to a two storey, semi-detached house within an established residential area. There is an area of hardstanding paving forward of the principal elevation and a large garden at the rear. There are residential neighbours that adjoin the curtilage to the north, east and south, with a highway and an area of green space separating the site from residential properties to the west.
- 1.3 This property has been extended previously by a single storey that wraps around the side and rear of the original dwelling, forming additional living accommodation.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
National Planning Policy Framework March 2012
- 2.2 Development Plans  
  
South Gloucestershire Local Plan (Adopted) January 2006 (saved policies)  
H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings  
T12 Transportation Development Control Policy for New Development  
  
South Gloucestershire Local Plan Core Strategy Adopted December 2013  
CS1 High Quality Design  
CS8 Improving Accessibility
- 2.3 Supplementary Planning Guidance  
South Gloucestershire Design Checklist (Adopted) 2007  
Residential Parking Standards SPD (Adopted) 2013

### **3. RELEVANT PLANNING HISTORY**

- 3.1 PK11/1250/F Approved with conditions 23.05.2011  
Erection of rear and side extension to provide additional living accommodation

### **4. CONSULTATION RESPONSES**

- 4.1 Downend and Bromley Heath Parish Council  
No objection

4.2 Lead Local Flood Authority  
No comment

4.3 Sustainable Transport  
No objection

### **Other Representations**

4.4 Local Residents

Comments were received from one adjoining neighbour that can be summarised as follows

- The height of the proposed side extension would create an overbearing presence
- The height of the extension would block light, particularly into the kitchen which has a window facing the proposed development

## **5. ANALYSIS OF PROPOSAL**

5.1 Principle of Development

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

5.2 Design

The proposal seeks to extend the first floor of the host dwelling to the side by 2.4 metres, spanning the entire width of the existing ground floor side extension. The depth of the addition would total approximately 7.5 metres and would fall in line with the rear elevation of the original building which is set further back than that of the neighbour to the north. The addition would be stepped back from the principal elevation by approximately 0.7 metres and would be slightly set down from the ridge line. There is one window proposed for the front elevation of the extension and one to the rear, with no windows proposed for the side elevation. The roof would be hipped to mirror that of the existing dwelling as well as other properties in the locality. Materials used to construct the external surfaces would match those of the existing dwelling.

The rear dormer to be installed in the existing rear roof slope would be set back from the eaves by approximately 0.4 metres and be slightly set down from the ridge line. This would ensure that the dormer would not be visible from a public vantage point. The width of the dormer would total 2.8 metres and the height 2.8 metres. The only window proposed for the dormer is in eastern elevation and the materials used would match the existing.

It is considered that the proposed extension would be suitably subservient in scale and mass, and the use of matching materials would ensure that the

development is in keeping with the character of the host dwelling and the street scene. It was noted that the design of the dormer largely mirrors that of the property that adjoins the residential curtilage to the rear, creating a uniform appearance. The positioning of both the side extension and the rear dormer is considered appropriately integrate with the host dwelling and respect the amenity of the site. The proposal therefore accords with policy CS1 of the Core Strategy and policy H4 of the Local Plan and is acceptable in design terms

### 5.3 Amenity

According to saved policy H4 of the Local Plan, in order for a proposal to be considered acceptable, it must not prejudice the amenities of nearby occupiers. The pertinent issues to consider are whether the proposal would prejudice outlook, privacy, levels of light currently afforded to neighbouring properties or whether the development would have an overbearing presence.

There are no windows proposed for the side elevation of the addition, preventing any opportunity for overlooking or loss of privacy for the occupier to the north of the site. There is one window proposed in the rear of the side addition and one at the front, neither of which would substantially change the level of overlooking or levels of privacy currently enjoyed by neighbours at this location. It is not thought that the dormer window, although at a greater height than the first storey windows, would impact on privacy or outlook for neighbours to the rear. The neighbours to the rear are positioned some distance away and separated by private amenity space.

As per the one objection received, it needs to be considered whether the development would result in the residential occupier/s to the North of the site (no.18) experiencing an increased sense of oppression due the physical 'presence' of 17 Baugh Gardens. The increased height of the side elevation is particularly significant due to its close proximity to the neighbour at no. 18 Baugh Gardens and because this neighbour has two windows in the side elevation that will face the development. One of these windows is located on the ground floor in the kitchen, and the other on the first floor landing. It was found that the outlook from the neighbours' kitchen window currently consists of the ground floor side elevation of the existing extension at the application site. The first storey of the application site is not be easily visible from the kitchen window due to the proximity of the dwellings to one another, meaning the extension would be largely unnoticeable from this room. The outlook from the first floor landing window is of the original side elevation of the application site. Although the proposed addition would be visible from the landing window, it is not thought that view would be significantly different to what it is currently, only that the elevation would be 2.4 metres closer. As this is not a habitable room, this change to the 'presence' of the application site could not be considered to have a significant impact on residential amenity, and therefore would not justify a refusal.

The level of light currently afforded to the neighbouring property to north (no. 18 Baugh Gardens) has also been raised as a concern. Due to the positioning of both the side extension and the dormer, it is not considered that there will be any issues of overshadowing to any other neighbour. The neighbour at no. 18 has commented that light into the kitchen through the side window and into the

landing will be detrimentally impacted as a result of the proposal. Whilst it is considered that there will be some overshadowing due to the increased height associated with a first floor extension, it is not considered that this would result in a significant change, much for the same reasons that have been considered above. Light into the kitchen is already somewhat blocked due to the height, positioning and proximity of the application site. Light afforded to the landing window will admittedly represent a more significant change than that of the kitchen, however as this is not a habitable room it would not be appropriate to refuse the development on this basis. The hipped design of the roof and the way that is set down from the ridge line is sympathetic to the issue of overshadowing and for this reason, the proposal is considered acceptable.

Parts of the proposal would be clearly visible from a public vantage point and it is important that the development does not have a detrimental impact on visual amenity. As discussed, it is considered that the design of the development would be unobtrusive and in keeping with the street scene and as such, there would be no significant impact on visual amenity. Overall, it is considered that the policy accords with policy H4 of the Local Plan and is acceptable in terms of amenity.

#### 5.4 Transportation

The application proposes to increase the number of bedrooms in the dwelling from three to four, however the installation of a rear dormer has the potential to increase this number to five through the facilitation of a loft conversion. Under the Residential Parking Standards SPD a dwelling with five bedrooms should have provision within the residential curtilage for three off street parking spaces. The garage that would be retained as part of the development falls below the size standards set out by the Residential Parking Standards SPD, however the large hardstanding area to the front of the dwelling can provide space for 3 standard motor vehicles. Furthermore, it is not considered that the proposed development would have any material impact on the highway safety or congestion. Therefore the proposal is considered to accord with policy T12 of the Local Plan and is acceptable in terms of transportation.

## 6. CONCLUSION

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

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

## 7. RECOMMENDATION

7.1 That planning permission is **granted** subject to the conditions on the decision notice.

**Contact Officer: Helen Benjamin**  
**Tel. No. 01454 865119**

**CONDITIONS**

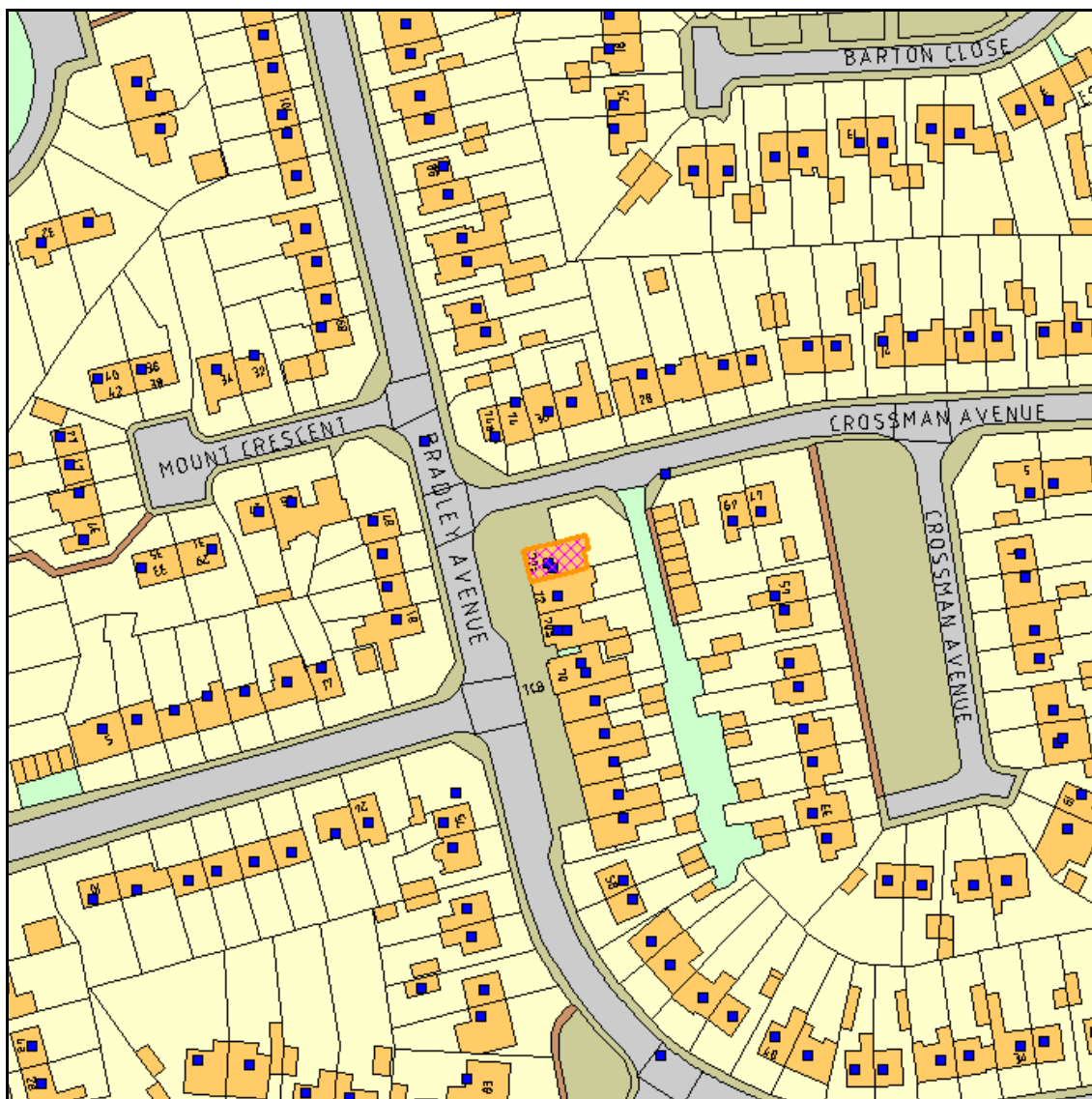
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

## CIRCULATED SCHEDULE NO. 34/15 – 21 AUGUST 2015

<b>App No.:</b>	PT15/2137/RVC	<b>Applicant:</b>	Property Manager
<b>Site:</b>	72A Bradley Avenue Winterbourne South Gloucestershire BS36 1HS	<b>Date Reg:</b>	27th May 2015
<b>Proposal:</b>	Variation of condition 2 attached to application P85/1725 to change hours of working from 08:30 to 19:00 hours Monday to Saturday to 08:00 to 20:00 Monday to Saturday. No working shall take place on Sundays or Bank Holidays.	<b>Parish:</b>	Winterbourne Parish Council
<b>Map Ref:</b>	365117 180131	<b>Ward:</b>	Winterbourne
<b>Application Category:</b>	Minor	<b>Target Date:</b>	21st July 2015



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 100023410, 2008. **N.T.S.** **PT15/2137/RVC**

## **REASON FOR REFERRING TO CIRCULATED SCHEDULE**

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

### **1. THE PROPOSAL**

1.1 This planning application is made under Section 73 ("s73") of the Town and Country Planning Act 1990 (as amended) ("the Act"). Applications made under this section of the Act seek to develop land without compliance with conditions previously attached to the relevant planning permission. In this instance, the applicant seeks to vary planning condition 2 relating to the working hours of the site.

1.2 The application relates to No. 72A Bradley Avenue, Winterbourne. The site is currently occupied by a veterinary practice and is one of units in a local centre of Winterbourne. The site is also surrounded by residential properties.

1.3 Planning permission P85/1725 was granted for the use of premises from a retail shop to a veterinary surgery in 1985. Condition 2 reads as follows:

*'The hours of working at the premises shall be restricted to 08.30-19.00 hours and no working shall take place on Sundays or public holidays.'*

*Reason:*

*To safeguard the amenities of the occupiers of nearby residential property.*

1.4 It is proposed to vary the condition to read as follows:

*'The hours of working at the premises shall be restricted to 08.00 to 20.00 hours Monday to Saturday, and no working shall take place on Sundays or public holidays.'*

1.5 The proposed variation would result in increase of half hour each morning and one hour each evening of Mondays to Saturdays. The applicant suggests that the change of hours would allow the customers can access care for their pets after work.

### **2. POLICY CONTEXT**

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

2.2 Development Plans

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



CS4A Presumption in Favour of Sustainable Development  
CS5 Location of Development  
CS8 Improving accessibility  
CS9 Managing the Environment and Heritage  
CS14 Town Centres and Retail  
CS34 Rural Areas

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

L12 Conservation Areas  
T12 Transportation  
RT1 Development in Town Centres  
RT11 Retention of Local Shops, Parades, Village Shops and Public Houses

**3. RELEVANT PLANNING HISTORY**

- 3.1 P85/1255 Change of use of premises from retail shop to Chinese take-away / fish and chip. Refused 17.04.85
- 3.2 N6842 Erection of a single storey rear extension to kitchen. Approved 11.09.80
- 3.3 N41/ADV Installation of internally illuminated box fascia sign to read The Sherry Cask Free off Licence. Approved 15.01.76
- 3.4 P85/1725 Change of use of premises from retail shop to veterinary surgery. Approved 16.09.85
- 3.5 P99/2170 Change of use of shop with A1 use to Betting Shop. Withdrawn.

**4. CONSULTATION RESPONSES**

- 4.1 Winterbourne Parish Council  
No objection
- 4.2 Lead Local Flood Authority  
No comment
- 4.3 Sustainable Transport  
No objection

**Other Representations**

- 4.4 Local Residents  
A letter of objection has been received from a local resident, the concerns are summarised as follows:
- Objection on the grounds of parking in the close proximity to the vet practice.

- Neighbours are already subject to a constant coming and going of vehicles throughout the day due to customers of the vets and other businesses in the locality.
- The shop forecourts are treated by all and sundry as a car park –
- Is it really necessary to have a 12hour surgery when the practice operates an appointment only system?
- The previous occupants made a very good living and successful business whilst operating an open surgery for no more than 3hours per day.
- The extended hours affects the neighbours' comfort of living.

Letters of support from the practice have been received:

- The practice is a valuable and longstanding part of the local pet owning community and contributes positively to the local community as a whole.
- The extended hours will allow customers who are at work during normal hours can also access invaluable veterinary care for their animals at their convenience.
- These are standard operating times for the veterinary industry as a result and in fact because the out of hours work is outsourced elsewhere these opening hours are very social.
- The practice is a valuable source of passing trade for other local businesses. As other businesses on the parade are open much later than this.
- The practice rarely has more than 3 customers in the premises at any one time and usually just one or two, many of whom walk to us.
- Although the application is to extend until 8pm, last consults will be at 7.20pm adding a mere 20 minutes to our current trading hours. This will make any noticeable negative impact to the local area.

## 5. **ANALYSIS OF PROPOSAL**

5.1 This application seeks to extend the working hours of a veterinary practice in a local parade of Winterbourne.

### 5.2 Principle of Development

Applications made under s73 of the Act seek permission for the development of land without compliance with conditions subject to which a previous planning permission was granted. With applications made under s73, the Local Planning Authority shall consider only the conditions subject to which planning permission was granted; the principle of development is therefore established.

If the Local Planning Authority decides that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, the Authority should grant permission accordingly. If the Authority decides that planning permission should be granted subject to the same conditions, then the application should be refused.

Therefore, an analysis of other conditions attached to the previous planning consent shall also be undertaken as part of this application against the provisions of paragraph 206 of the National Planning Policy Framework.

### 5.3 Proposed Variation in Operating Hours

The proposed variation seeks to increase the opening hours by half hour per morning and increase the opening by one hour per evening Mondays to Saturdays. The reason for the existing condition is to safeguard the amenities of the occupiers of nearby residential properties.

The unit is one of the premises within a local shopping parade and is also surrounded residential properties. There are also residential properties above the premises. Given that the proposal would not change the authorised use of the site and there is no extension or alteration to the existing buildings, it is therefore considered that the proposed extended working would not cause significant unreasonable adverse impact, in terms of noise and disturbance, upon the neighbouring occupiers. In addition, it is noted that other businesses in the local parade also have longer opening in the evening, officers therefore consider that the proposed extended opening hours would not cause significant harm to the amenity of the locality.

### 5.4 Transportation concerns:

Officers acknowledge the transportation concerns raised by a local resident.

The Council Highway Officer has considered the proposed variation and also recently visited the site. It is noted there is adequate parking available to accommodate the increased opening hours proposed as part of this proposal.

Whilst it is noted that there are concerns from a resident relating to the parking in front of the business premises, the hard landscaped area in front of the businesses is not public highway, as such, it would be unreasonable to limit or restrict parking duration on the frontage.

Given that there is plenty of space on the adjacent highway to accommodate parking associated with the increased hours without utilising the hard landscaping in front of the parade of shops (which although private is also utilised for parking), Officers therefore have no highway reasons to refuse the proposal.

### 5.5 Other Conditions

Planning permission P85/1725 has a number of other conditions attached to it. These conditions must be replicated, amended, or removed as part of deciding the current application.

Condition 1 relates to an implementation of the approved use of the premises within five years. It is considered that this condition is not necessary because the premises is already used as a veterinary practice.

Condition 3 is to remove the permitted development rights of the unit in order to restrict the use of the premises. It is considered that this condition would still be relevant given the proximity of the neighbouring properties and the wording of

the condition needs to be updated given that the recent changes to the legislation.

Condition 4 is to restrict the use of the premises for kennelling of animals overnight. It is considered that this condition would still be relevant due to the proximity of the neighbouring properties.

## **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 following conditions:

**Contact Officer: Olivia Tresise**

**Tel. No. 01454 863761**

### **CONDITIONS**

1. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended), the premises shall not be used for any purpose there than the veterinary surgery (Class D1 use) that hereby authorised without the prior written consent of the Council.

Reason

To protect the amenity of the neighbouring occupiers and to accord with Policy CS9, CS14 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and the saved Policy RT11 of the South Gloucestershire Local Plan (Adopted January 2006).

2. The use of the premises hereby authorised shall be limited to the treatment of domestic animals and only under exceptional circumstances shall the premises be used for the kennelling of animals overnight.

Reason

To protect the amenity of the neighbouring occupiers and to accord with Policy CS9, CS14 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and the saved Policy RT11 of the South Gloucestershire Local Plan (Adopted January 2006).

3. The hours of working at the premises shall be restricted to 08.00 to 20.00 hours Monday to Saturday, and no working shall take place on Sundays or public holidays.

Reason

To protect the amenity of the neighbouring occupiers and to accord with Policy CS9, CS14 and CS34 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and the saved Policy RT11 of the South Gloucestershire Local Plan (Adopted January 2006).

## CIRCULATED SCHEDULE NO. 34/15 – 21 AUGUST 2015

**App No.:** PT15/2262/RVC  
**Site:** Western Coach House Bristol Road  
Frampton Cotterell South Gloucestershire  
BS36 2AW

**Applicant:** Mr G Wilson  
**Date Reg:** 4th June 2015

**Proposal:** Removal of conditions 2 (implementation of keep clear markings) and 8 (acoustic fencing) attached to planning permission PT06/2188/F.

**Parish:** Frampton Cotterell Parish Council

**Map Ref:** 366028 182194  
**Application Category:** Minor

**Ward:** Frampton Cotterell  
**Target Date:** 27th July 2015



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PT15/2262/RVC

## **REASON FOR REPORTING TO THE CIRCULATED SCHEDULE**

This application is referred to the Circulated Schedule for determination in order to take into account the comments of objection received from the Parish Council.

### **1. THE PROPOSAL**

- 1.1 This application is made under section 73 of the Town and Country Planning Act 1990 (as amended). Applications made under this section seek to develop land without compliance with conditions previously attached to planning permissions. In this instance, the applicant seeks to remove conditions which relate to the provision of keep clear markings and an acoustic fence.
- 1.2 The application site is the former Western Coach House public house in Frampton Cotterell. Planning permission PT06/2188/F granted the conversion of the pub into three dwellings. The site is located outside of the settlement boundary on land designated as part of the green belt. The building stands directly on the junction of Bristol Road and Perrinpit/Church Road.
- 1.3 Since the application was first approved, the Council has adopted the South Gloucestershire Local Plan Core Strategy and much national guidance has been replaced with the National Planning Policy Framework and National Planning Policy Guidance.

- 1.4 This application seeks to remove the following conditions:

- (2) *Prior to the first occupation of the dwellings a scheme of advisory "keep clear" markings should be submitted to the council and be approved and implement prior to the first occupation of any of the units and at all times hereafter, pedestrian priority should be maintained across the access.*

*Reason*

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

- (8) *Notwithstanding the details shown on the plans hereby approved, a drawing showing details of the 0.5 metres acoustic fence as identified in the Acoustic Report shall be submitted to the council for approval. The works shall be completed in accordance with the approved details.*

*Reason*

*To protect the amenity of future occupiers of the dwellings and to accord with Policy EP4 of the South Gloucestershire Local Plan (Adopted) and the guidance given in PPG24.*

### **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

CS9 Managing the Environment and Heritage

CS34 Rural Areas

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

EP4 Noise Sensitive Developments

T12 Transportation

## 2.3 Supplementary Planning Guidance

Specific Guidance Note 1: Planning and Noise (March 2015)

## 3. RELEVANT PLANNING HISTORY

- 3.1 PT06/2188/F Approve with Conditions 18/08/2006  
Demolition of single storey side and rear extensions and conversion of existing building to facilitate 3 no. dwellings (Resubmission of PT06/1041/F)
- 3.2 PT06/1041/F Withdrawn 12/05/2006  
Demolition of single storey side and rear extensions and conversion of existing building to facilitate erection of 3 no. dwellings.

## 4. CONSULTATION RESPONSES

- 4.1 Frampton Cotterell Parish Council  
Objection: No attempts to implement the original acoustic requirements or update
- 4.2 Environmental Protection  
Objection: Removal of requirement for acoustic fence does not accord with current guidance. Updated acoustic report should be provided.
- 4.3 Lead Local Flood Authority  
No comment
- 4.4 Transport  
Justification for keep clear markings is no longer valid and would not be required if the conversion was to come forward now.

### Other Representations

- 4.5 Local Residents  
None received

## 5. ANALYSIS OF PROPOSAL

- 5.1 This application seeks to remove conditions attached to a previous planning permission for the conversion of a public house on the edge of Frampton Cotterell into three dwellings.



5.2 Principle of Development

Applications made under s73 of the Act seek permission for the development of land without compliance with conditions subject to which a previous planning permission was granted. With applications made under s73, the Local Planning Authority shall consider only the conditions subject to which planning permission was granted; the principle of development is therefore established.

5.3 If the Local Planning Authority decides that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, the Authority should grant permission accordingly. If the Authority decides that planning permission should be granted subject to the same conditions, then the application should be refused.

5.4 Therefore, an analysis of other conditions attached to the previous planning consent shall also be undertaken as part of this application against the provisions of paragraph 206 of the National Planning Policy Framework.

5.5 Keep Clear Markings

When the original application was decided, it was concluded that the proposed residential conversion would result in fewer vehicle movements than that associated with the public house. Access was proposed for Perrinpit Road (rather than Bristol Road) as it provided acceptable levels of visibility. However, due to the proximity of the access to the traffic light controlled junction there was concern that should the access be blocked by traffic waiting at a red light and a vehicle wanted to turn into the site, traffic may block up and restrict the free flow of vehicles at the junction.

5.6 In order to prevent such a situation it was proposed that 'Keep Clear' markings would be painted on the road thus keeping the access unobstructed.

5.7 'Keep Clear' markings are advisory and it is not an offense to enter a section of road designated as 'Keep Clear'; this is different to yellow hatched boxes where it is an offense to enter such areas unless the exit is clear.

5.8 Chances of a vehicle waiting at a red light blocking the entrance is remote. Such an event would require 20 or more vehicles to be in the right place at the right time. Since the conversion of the building to residential the Highway Authority has no evidence of any such event occurring.

5.9 Should the application come forward now, it is unlikely that the 'Keep Clear' markings would be required for the reason set out above. Therefore it would be unreasonable for the Local Planning Authority to insist on the retention of this condition as it would fail the 'tests' of a planning condition set out in the NPPF.

5.10 Acoustic Fence

Under the authorising application, specialist advice was sought from the Council's Environmental Services team with regard to noise. The site was considered to fall within Category C for the purposes of PPS24 where planning permission for noise sensitive developments would not normally be permitted

unless there were no alternative quieter sites available. The Environmental Protection Officer raised no objection in principle at the time provided that the recommendations in the acoustic report were undertaken.

- 5.11 This acoustic report summarised that 'on the basis of the details of the rooms and the acoustic specifications of the glazing, under the worst case scenario of the highest hourly noise levels, the noise levels inside the bedrooms at daytime and night are expect to meet the WHO guideline for noise inside bedrooms at night. Naturally, the averaged hourly noise levels, which are much lower, will meet the guidelines by a long margin.'
- 5.12 In its recommendations, the acoustic report suggested the installation of acoustic air bricks and a 0.5m high acoustic fence on the boundary wall to reduce the noise in the gardens. However, section 6 of the report confirmed that noise levels within the rear gardens were just within the WHO guidelines.
- 5.13 No new acoustic information has been provided with the application to remove the condition requiring the erection of the acoustic fence. Since the application was determined, PPG24 has been cancelled and replaced with the NPPG. Whilst the application, under current guidance, would still be subject to high levels of noise the properties have been occupied for a number of years. Internal noise levels were at the time found to fall just inside the acceptable category and the fence was required to manage external noise levels in the garden.
- 5.14 The erection of a 0.5m fence on top of the stone boundary wall would result in a significant increase in the height of the boundary and lead to the use of mixed materials. It is questionable as to whether the appearance of such a boundary would reach 'the highest possible standards of site planning and design' which are required by policy CS1.
- 5.15 On the basis that the dwellings have been occupied for a number of years, the internal noise levels are acceptable, and the proposed fence would not represent a high standard of design quality, it is considered that the removal of condition 8 is acceptable. It is not considered that the lack of an acoustic fence would result in significant and demonstrable harm.
- 5.16 Other Conditions  
The planning permission has a number of other conditions attached to it. These shall be addressed below.

*Condition 1:*

This condition required development to be implemented within three years. The permission has been implemented and this condition is no longer required.

*Condition 2:*

This condition is subject to the assessment set out above. It has been found that it is acceptable for this condition to be removed.

*Condition 3:*

This condition prevents gates from being fitted to the access, the surface of the parking area to be bound, and two parking spaces per dwelling to be maintained. This condition remains extant and shall be attached to any new permission granted.

*Condition 4:*

This condition requires the existing access to be closed. This is a compliance condition. It is considered that the access has been closed and therefore this condition is not required.

*Condition 5:*

This condition requires all external materials to match those used in the existing building. This is a compliance condition. As the development is complete, this condition is not required.

*Condition 6:*

This condition requires the roof tiles to match the existing tiles. This is a compliance condition. As the development is complete, this condition is not required.

*Condition 7:*

This condition requires the development to be carried out in accordance with the acoustic report. Some matters in relation to this have been discussed above. This is a compliance condition. As the development is complete, this condition is not required.

*Condition 8:*

This condition is subject to the assessment set out above. It has been found that it is acceptable for this condition to be removed.

*Condition 9:*

This condition requires the submission and agreement of boundary treatments. This condition has been discharged by the Local Planning Authority. As the development is complete, this condition is not required.

*Condition 10:*

This condition requires the submission and agreement of drainage details. This condition has been discharged by the Local Planning Authority. As the development is complete, this condition is not required.

## **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. No gates to be fitted to the access at any time, the surface to the access and parking area shall be constructed of a bound material, two parking spaces per dwelling shall be maintained (as shown on drawing 31005/P-200 associated with planning permission PT06/2188/F) at all times hereafter.

### Reason

In the interests of the visual amenities of the area, highway safety and the provision of adequate off-street parking and to accord with Policy CS1 and CS8 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013, Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies) and the Residential Parking Standard SPD (Adopted) December 2013.

CIRCULATED SCHEDULE NO. 34/15 – 21 AUGUST 2015

<b>App No.:</b>	PT15/2368/F	<b>Applicant:</b>	Olveston .& Tockington Tennis Club
<b>Site:</b>	Olveston Parish Hall Upper Tockington Road Tockington South Gloucestershire BS32 4LQ	<b>Date Reg:</b>	11th June 2015
<b>Proposal:</b>	Erection of single storey building to provide Tennis Clubhouse	<b>Parish:</b>	Olveston Parish Council
<b>Map Ref:</b>	360564 186645	<b>Ward:</b>	Severn
<b>Application Category:</b>	Minor	<b>Target Date:</b>	4th August 2015



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 100023410, 2008. **N.T.S.** **PT15/2368/F**

## **REASON FOR REPORTING TO CIRCULATED SCHEDULE**

This application appears on the Circulated Schedule because concerns and objections have been received from the Olveston Parish Council and local residents.

### **1. THE PROPOSAL**

- 1.1 This application seeks planning permission for the erection of a single storey building to provide a tennis clubhouse to replace the existing temporary timber building at the existing tennis court of Olveston Parish Hall, Olveston. The proposed building would be approximately 11 metres by 8 metres and 4.5 metres to its ridge. To the side of the proposed building would be a covered area.
- 1.2 The application site comprises an existing tennis club located to the north side of Upper Tockington Road. It is situated within the open countryside and outside of any defined settlement boundary. The site is washed over by the Bristol / Bath Green Belt. Access is off Upper Tockington Road and the existing building is set well back from main road behind the overflow car park.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

National Planning Policy Framework March 2012  
National Planning Practice Guidance

#### **South Gloucestershire Local Plan: Core Strategy (Adopted December 2013)**

CS1	High Quality Design
CS4A	Presumption in favour of sustainable development
CS8	Improving Accessibility
CS9	Managing the environment and heritage
CS34	Rural Areas

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

LC5	Proposals for Outdoor Sports and Recreation Outside Existing Urban Areas and Boundaries of Settlements
T12	Transportation Development Control Policy for New Development
L1	Landscape Protection and Enhancement
L11	Archaeology

#### **2.3 Supplementary Planning Guidance**

The South Gloucestershire Design Checklist SPD (adopted)  
The South Gloucestershire Development in the Green Belt SPD (adopted)

### **3. RELEVANT PLANNING HISTORY**

- 3.1 P85/2607 Use of part of existing car park for recreational purposes. Erection of chain link fencing and gate. Approved 12.03.86

- 3.2 P88/1178 Use of part of existing car park for recreational purposes. Erection of chain link fencing and gate (Renewal of temporary consent). Approved 09.03.88
- 3.2 P90/1240 Use of part of existing car park for recreational purposes (renewal of temporary consent) Approved 21.03.90
- 3.3 N177 Construction of a car park to serve the Parish Hall. Construction of new and alteration of existing vehicular access; use of land for recreational purposes, and use of an area of land for possible future extensions to the Parish Hall. Approved 15.08.74
- 3.4 N177/1 Construction of an area of hardstanding on par of existing car park for use for recreational purposes. Erection of chain link fencing and gate. Approved 14.06.79
- 3.5 N177/2 Erection of four lighting poles to provide lighting for recreational purposes. Approved 10.12.81
- 3.6 N177/3 Erection of four lighting poles to provide lighting for recreational purposes. Approved 10.06.82
- 3.7 P85/2282 Construction of two tennis courts. Erection of boundary fencing. Approved 12.03.86
- 3.8 PT01/2379/TMP Erection of timber clubhouse (retrospective). Approved 02.10.01
- 3.9 PT10/0755/F Erection of single storey rear extension to form pre school accommodation and associated works. Approved 03.06.10

#### **4. CONSULTATION RESPONSES**

- 4.1 Olveston Parish Council  
The Parish Council recognise the need for a new facility, but it is felt that it is overdevelopment in the Green belt because of the size of building being proposed. Concerns were expressed that when viewed from the road and the lower court that the building will appear very tall.
- 4.2 Landscape Officer  
Raised concerns regarding the principle of the proposal given that it would be located within the Bristol / Bath Green Belt. However, it is suggested a condition can be imposed to seek a detailed landscaping scheme to mitigate the landscaping impact upon the character.
- 4.3 Lead Local Flood Authority  
No comment
- 4.4 Archaeology Officer  
No objection subject to condition seeking a programme of archaeological work.

4.5 Highway Structures  
No comment

4.6 Highway Officer  
No objection.

### **Other Representations**

4.7 Local Residents

One letter of objection from a local resident has been received and the concerns are summarised as follows:

- There is similar catering and recreational facilities provided by Olveston Parish Hall. Event in both venues would increase noise and disturbance to local residents.
- The proposed building would also encourage those seeking to use the recreational or catering facilities, such increase noise, parking, vehicles and movement close to nearby residential homes.
- Any increase in cars and parking close to the Parish Hall will affect the nearby residents are unable to see oncoming traffic from Olveston as the visibility is blocked by on-street parking.
- Our wish to support the use of the Parish Hall facilities that were recently refurbished and are for use by local parishioners.
- Secondly the increase in parking at night on an unlit road that has no footpath that side could prove dangerous.
- We would have no objection to improve the changing facilities on the existing shed.

## **5. ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The National Planning Policy Framework emphasises on adopting a positive planning approach and achieving economic growth. There is also a presumption In favour of sustainable development.

A temporary planning permission was granted for the existing timber clubhouse in 2001 for a period of 5 years in order to allow the Local Planning Authority to assess the long term provision of facilities in relation to the club and their cumulative impact upon the openness of the Green Belt.

The proposal is to remove the existing clubhouse and to erect a permanent clubhouse to provide facilities for the users of the site.

5.2 Green Belt

Guidance contained in the NPPF is that Local Planning Authorities should plan positively to enhance the beneficial use of the Green Belt such as looking for opportunities to provide...opportunities for outdoor sport and recreation. The Government continues to attach great importance to Green Belts, with their fundamental aim being to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their



permanence. The NPPF also states that Local Planning Authorities should plan positively for the provision and use of community facilities such as sports venues.

Paragraph 89 of NPPF allows a provision of appropriate facilities for outdoor sport, outdoor recreation, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. Given that the existing outdoor sport facilities, i.e. tennis courts, has been approved and the proposed club house is to provide essential facilities, an accessible toilet, 2 no. changing rooms, a storage and a small kitchen area and a sitting / waiting room, for the users of the existing tennis courts, as such, it is considered that there is no objection to the principle of the proposal.

The NPPF also allows the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces. Whilst the proposed replacement building would be larger than the existing temporary timber building, it should be noted that the existing building is more or less like a garden shed, which does not provide adequate essential facilities for the users of the tennis courts. Given the site has been authorised for an outdoor sport and recreational use, it is considered that it would be reasonable to support the proposal to allow the tennis club to function to a reasonable standard. Additionally, the proposed building would result in a significant improvement to the appearance of the site, replacing the unsightly timber shed. Accordingly, it is considered that this indicates that there is a very special circumstance to justify the size of the proposed building, which would be used associated by the users of the tennis courts.

### 5.3 Design, Visual Amenity

The proposed building would be finished with block work walls cladding in timber plank under recycled rubber slate effect tiles. Although the proposed building would be larger than the existing timber shed, it would be single storey structure and cladded with appropriate materials, that would commensurate the use of the land for outdoor sport and recreation, as such it would not cause significant harm to the character and appearance of the surrounding area. Whilst the proposed building would be located at a more dominant feature than that of existing timber shed, it is not considered that the proposal would cause significant harm to the character of the locality given the new building would be significantly set back from the main road, Upper Tockington Road and it also has a low pitched roof.

No advertisement or illumination is proposed. If permission is granted, a condition is recommended to restrict floodlighting at the site in the interests of the character and amenities of the area.

### 5.4 Residential Amenity

The nearest properties to the proposed clubhouse would be the Parish Hall and Court Farm, which lies adjacent (east of) the Parish Hall. Given that the building would be single storey and it would be approximately 18 metres from the neighbouring boundary of Court Farm, it is considered that there would not be any unreasonable overbearing or overlooking impact upon the neighbouring occupiers.

Officers acknowledge residents' concerns regarding the noise and disturbance caused by the proposal. Careful consideration is required as to whether the proposal will increase the existing impact by an unreasonable degree. The proposed building would be closer to the existing Parish Hall and Court Farm, which are located to the east of the site. Whilst proposed building would consist of a kitchen area, it is not a full sized kitchen to provide catering facilities or accommodate for a large number of people. The applicant confirms that the facilities would only be used for tennis related activities and the new clubhouse will provide an indoor space for waiting parents, teaching and during adverse weather conditions. In addition, the proposal would not increase the number of tennis courts on site and there is no planning restriction on hours of use of these courts. Whilst the proposal may encourage more tennis players to use the existing tennis facilities, it is not considered the impact, in terms of noise and disturbance, would not be material significant to warrant a refusal of this application.

Officers acknowledge that the concerns regarding the potential cumulative impact as results of the events being held both the proposed building and the adjacent Parish Hall. Given that proposal is relatively small in scale, it is considered that the impact would not be significant, as such, the impact upon the residential amenity would be deemed acceptable.

#### 5.5 Transportation

Officers acknowledge residents' concerns regarding the highway issues of the site. Whilst the proposed building would provide better facilities than the existing shed, it is not considered that this will cause material greater impact on the local highway.

Regarding parking provision, the applicant confirms that the club currently will only hold one, one day event (club tournament) and this would generate no more than 10-15 cars. As such, this would not exceed the existing capacity of the existing parking area. In addition, weight is given to the fact that the Highway Officer had not objected to the development proposed, therefore it is considered that the proposal is acceptable in transportation terms.

#### 5.6 Landscaping issues

The proposal would result in a loss of the existing beech hedge and the temporary shed within the site, which is an existing outdoor recreational facility and situated within the Bristol / Bath Green Belt.

Given that there is a physical restriction on the site boundary and the design requirement for spectators and parents, Officers therefore accepted the location of the proposed building. Nevertheless, it is considered that the proposed building would be more dominant than the existing shed, it is considered that it would be necessary to impose a condition seeking a detailed landscaping scheme to mitigate the loss of the existing beech hedge and to minimise the visual impact caused by the proposed building on the wider landscape. Subject to the landscaping condition, there is no landscaping objection to the proposal.

## 5.7 Archaeological issues

The application is within an area of archaeological potential. There is potential habitation evidence to the south which may extend onto the site and the site also borders the Medieval (and potentially earlier) settlement of Tockington. Ordinarily this would require some form of pre-determination assessment, but as previous ground disturbance appears to have occurred on site, it is considered that there is no archaeological objection subject to condition seeking a programme of archaeological work.

## 6. CONCLUSION

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

## 7. RECOMMENDATION

- 7.1 Planning permission is GRANTED subject to the following conditions.

**Contact Officer: Olivia Tresise**  
**Tel. No. 01454 863761**

## CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
  
Reason  
To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 (as amended).
2. Prior to the commencement of the development, a sample of external wall and roof material shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.  
  
Reason  
To ensure an adequate standard of external appearance and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013).
3. Prior to the commencement of development, a scheme of soft and hard landscape shall be submitted to and approved in writing by the Local Planning Authority. The

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

#### Reasons

1. This is a pre-commencement condition to avoid any unnecessary remedial works.
2. In the interests of the character and visual amenity of the area and to accord with Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and the saved Policy L1 and LC5 of the South Gloucestershire Local Plan (adopted) January 2006.
4. There shall be no flood lighting installed on the site at any time unless approved in writing by the Local Planning Authority.

#### Reason

In the interests of the character and amenities of the area and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and the saved Policy L1 and LC5 of the South Gloucestershire Local Plan (adopted) January 2006.

5. The clubhouse hereby permitted shall not be occupied at any time other than for purposes ancillary to the use of the tennis club.

#### Reason

In the interests of the amenities of the area and to accord with Policy CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and the saved Policy T12 and LC5 of the South Gloucestershire Local Plan (adopted) January 2006.

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

#### Reason

In the interest of archaeological investigation or recording, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and the saved Policy L11 of the South Gloucestershire Local Plan (Adopted) January 2006.

7. The hours of working on site during the period of construction shall be restricted to 0800 hours to 1800 hours Mondays to Fridays and 0800 hours to 1300 hours Saturdays, 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

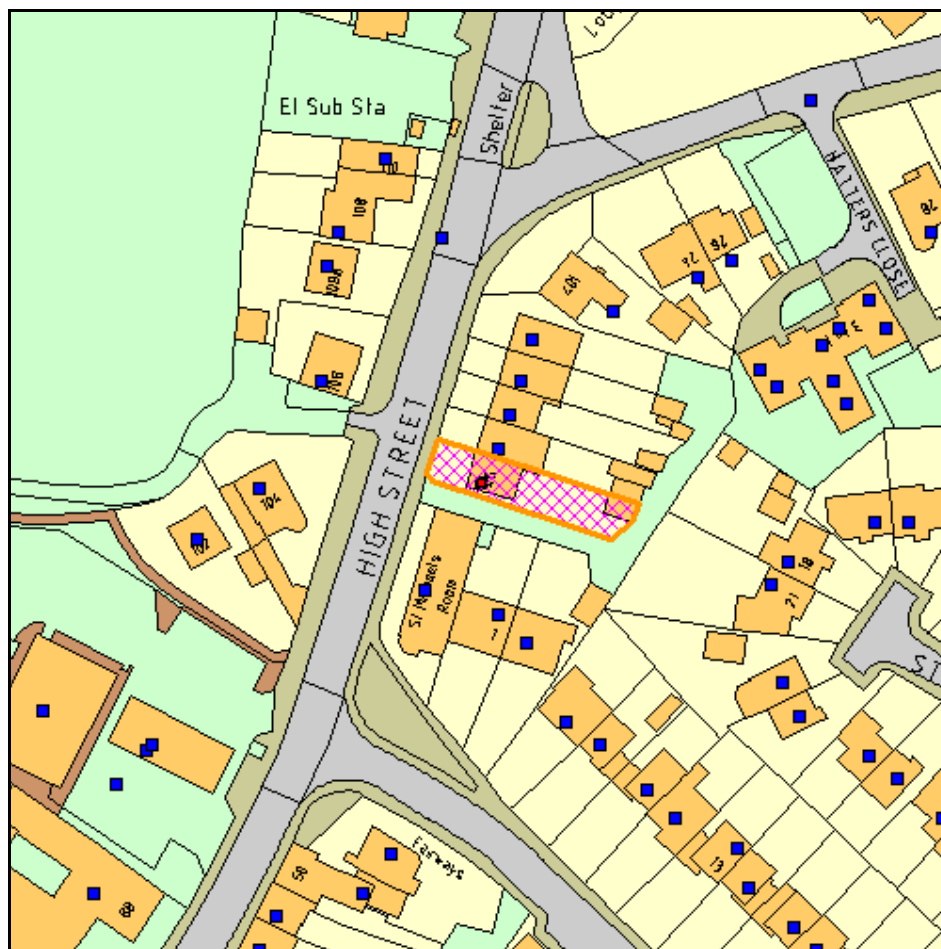
plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site. Any use of the site outside these hours shall have the prior written consent of the Local Planning Authority.

**Reason**

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and the saved Policy LC5 of the South Gloucestershire Local Plan (Adopted) January 2006.

**CIRCULATED SCHEDULE NO. 34/15 – AUGUST 2015**

<b>App No.:</b>	PT15/2880/F	<b>Applicant:</b>	Apple Dental Practice
<b>Site:</b>	Apple Dental Practice 97 High Street Winterbourne South Gloucestershire BS36 1RD	<b>Date Reg:</b>	6th July 2015
<b>Proposal:</b>	Demolition of existing single storey extension and garage. Erection of single storey rear extension to existing dentist surgery to create ancillary office accommodation and enlargement of car parking area.	<b>Parish:</b>	Winterbourne Parish Council
<b>Map Ref:</b>	365168 181184	<b>Ward:</b>	Winterbourne
<b>Application Category:</b>	Minor	<b>Target Date:</b>	27th August 2015



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 100023410, 2008. N.T.S. PT15/2880/F

## **REASON FOR REPORTING TO CIRCULATE SCHEDULE**

This report appears on the Circulated Schedule following a comment from a local resident.

### **1. THE PROPOSAL**

- 1.1 The applicant seeks full planning permission for Demolition of existing single storey extension and garage, the erection of a single storey rear extension to existing dentist surgery to create ancillary office accommodation and enlargement of car parking area.
- 1.2 The application site lies within the established settlement boundary of Winterbourne.

### **2. POLICY CONTEXT**

#### **2.1 National Guidance**

National Planning Policy Framework March 2012

#### **2.2 Development Plans**

South Gloucestershire Local Plan Core Strategy (Adopted December 2013)

CS1	High Quality Design
CS5	Location of Development
CS8	Improving Accessibility
CS9	Environmental Resources and Built Heritage
CS23	Community Infrastructure and Cultural Activity

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

H4	Development within Existing Residential Curtilages, Including Extensions and New Dwellings
T12	Transportation Development Control
LC4	Proposals for Education and Community Facilities within Settlements

#### **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 PT10/0838/F Installation of 2 no. roof lights to front elevation, 1 no. roof light to the rear elevation (Resubmission of PT10/0035/F).  
Approved 6.5.10
- 3.2 PT10/0035/F Installation of 3 no. roof lights to front elevation, 1 no. roof light to the rear elevation, and 1 no. rear dormer to provide staff room and storage.  
Refused 4.3.10

- 3.3 P93/1632/A Display of non-illuminated free standing sign to read  
'dental' surgery  
Approved 20.6.93

#### **4. CONSULTATION RESPONSES**

- 4.1 Winterbourne Parish Council  
No objection

- 4.2 Other Consultees

Sustainable Transport Officer  
No objection

Highway Drainage  
No objection

Highway Structures  
No comment

Archaeology  
No comment

#### **Other Representations**

- 4.3 Local Residents

One letter of objection has been received, summarised as:

- Disruption to foundations of my property
- Works traffic and contractors potentially blocking lane and causing potential damage to lane
- Noise from operations and vibrations during development and also by new extension being used as a reception area adjacent to my conservatory
- Demolition of the garage would make my car port structurally unsound and leave no partition between commercial and residential land
- The application does not state the number of employees or whether the numbers are to be increased with associated knock-on impact on staff and customer parking

### **5. ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development

The application stands to be assessed against the above listed policies and all other material considerations. Of particular importance is the overall scale of the development and its design given its function and location within a residential area in Winterbourne (CS1; CS5); the impact on residential amenity for adjacent neighbours must be considered (H4; LC4); and the impact on highway safety and off street parking (T12; SPD residential parking standards; LC4) and consideration of its function as an existing community facility which is



located in a highly sustainable location accessible on foot and by bicycle (LC4; CS23).

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 two-storey end of terrace property situated adjacent to the main High Street running through Winterbourne. The property was formally a dwellinghouse but prior to 1993 changed use as a dental practice. The application site is adjacent to a lane providing access to a rear parking area for the business and access to other garages/gardens of nearby houses including some perpendicular to the site off Nicholls Lane.

5.3 The application site currently has a small rear extension, semi-detached to that of its neighbour at No. 99 High Street. A number of similar small structures can be seen serving other properties along this rank. The proposal is to demolish this single storey structure and replace it with a slightly larger structure that would stretch across part of the width of the building but not extend out any further than the current structure and retain the existing eaves and overall height. The purpose is to create an ancillary office/reception area for the exiting business. The proposed extension would measure approximately 3 metres deep, 3 metres in length and 3 metres in height. It would have openings in its south elevation comprising a bank of full height doors/windows and a solid door in its east elevation allowing access into the WC. Rooflights would provide additional natural light. Materials used in the finish would be to match those of the existing building.

5.4 In terms of its design, scale, massing and proposed materials the extension is very similar to many other extensions attached to residential properties in the area. Although this is currently not a residential property and has a business use, if it were to revert at any stage in the future, the extension would not appear out of place for use as a family home and could easily be integrated into the living accommodation. Regardless of what might happen in the future, the proposal is considered to be acceptable in terms of its overall appearance and can be recommended for approval.

5.5 *Residential Amenity*

It is noted that a local resident has objected citing several reasons of concern. It is stated that there are concerns regarding noise and as such it is appropriate that a condition be attached to the decision notice to restrict operating times. Concerns regarding impact on foundations and the vibrations associated with the development have been expressed. It is well known that development must not encroach on land belonging to another but this is a civil matter to be discussed between the relevant parties and not something that can be covered under the remit of a planning report. Similarly, although it is acknowledged there could be some vibrations resulting from development this would be a matter for building control inspectors rather than planning officers who can only assess a proposal against planning policy criteria and associated material considerations. If the contractors block the lane then this is something to be

discussed with the applicant. In extreme cases the policy authority should be contacted.

- 5.6 The neighbour has however stated the proposal has the potential to impact on amenity given its proposed use. It is considered that as a reception area/office for a dentist surgery, the noise levels are firstly, unlikely to reach an unacceptable degree and secondly, given the nature of the business, it is limited to certain opening times. It is therefore not considered that the proposal would result in an adverse impact on the amenity of this neighbour sufficient to warrant a refusal of the application.
- 5.7 The neighbour has gone on to express concerns that the demolition of the existing garage would cause her carport to become structurally unsound. Officers noted on the site visit that this car port is attached to the garage subject of this application. Clearly its attachment should not have been carried out without the permission of the garage owner. Officers can find no reference for formal planning permission and it may well be that it was built under permitted development rights. However, either way something that relies on being attached to another structure outside of the control of that party would not be permitted development. Similarly, it is unlikely that planning permission would have been given for it if its structural integrity was dependent on something outside the control i.e. the ownership of the applicant. Regardless of this or any previous agreement between the parties, the demolition of a garage to facilitate the creation of additional parking to serve the business is not unreasonable and its removal and subsequent impact on the neighbouring car port would not be sufficient reason for a refusal of this application.
- 5.8 It is acknowledged that the proposed plans do not make it clear what the boundary treatment would be following the demolition of the garage. As such it is reasonable to attach a condition to the decision notice stating that the existing 2.8 boundary fence should be continued along this northern edge to replace the garage wall and maintain the distinction between the two sites.
- 5.9 Sustainable Transport  
The application proposes the demolition of an existing detached garage to facilitate the creation of additional usable parking for the existing dental practice. The proposal would create a total of 7no.parking spaces, to be used by staff and customers. Adequate parking and turning is provided in accordance with the Council's adopted standards. Given the above there are no transport objections.
- 5.10 Other Matters  
The neighbour has questioned that the number of existing employees or the potential for increasing the number has not been declared. As a business providing a local service to local people in the community its value is noted, and provided that it would not impact adversely on the amenity of nearby residents, it is incumbent on the planning system to encourage such local enterprises. In this instance the proposed rear extension is considered unlikely, given its function and size, to have a direct bearing on the number of employees employed in the business and there can be no objection to the scheme on this basis.

## 6. **CONCLUSION**

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

## 7. **RECOMMENDATION**

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

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

## **CONDITIONS**

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

Reason

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

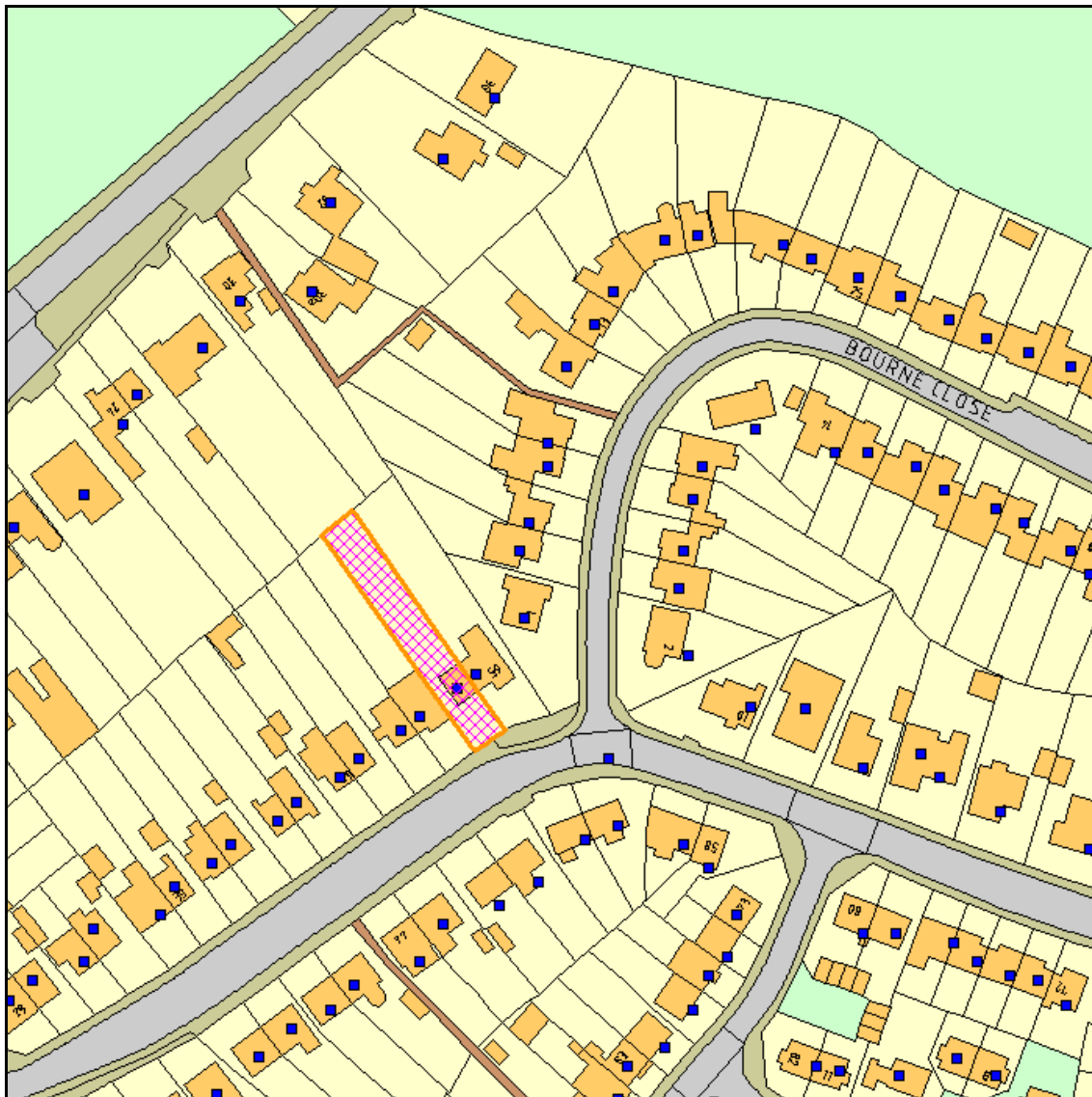
2. The hours of working on site during the period of construction shall be restricted to 7:30 to 18:00 Monday to Friday and 8:00 to 13:00 on Saturday; and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the 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 protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy LC4 of the South Gloucestershire Local Plan (Adopted) January 2006.

**CIRCULATED SCHEDULE NO. 34/15 – 21 AUGUST 2015**

<b>App No.:</b>	PT15/2983/F	<b>Applicant:</b>	Ms Louise Tayler
<b>Site:</b>	57 Watleys End Road Winterbourne Bristol South Gloucestershire BS36 1PH	<b>Date Reg:</b>	13th July 2015
<b>Proposal:</b>	Erection of two storey side and rear extension to form additional living accommodation.	<b>Parish:</b>	Winterbourne Parish Council
<b>Map Ref:</b>	365375 181355	<b>Ward:</b>	Winterbourne
<b>Application Category:</b>	Householder	<b>Target Date:</b>	4th September 2015



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## **REASON FOR REPORTING TO THE CIRCULATED SCHEDULE**

This application is referred to the Circulated Schedule in order to take into account the comment on objection received from an adjacent neighbour.

### **1. THE PROPOSAL**

- 1.1 This application seeks planning permission for the erection of a two-storey side and rear extension. The application site is a 1930s semi-detached property on Watleys End Road in Winterbourne.
- 1.2 At present, the property contains two bedrooms. The proposed extension would increase the number of bedrooms in the property to four. The site is within the settlement boundary of Winterbourne and no other constraints restrict development on 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  
CS34 Rural Areas  
  
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

### **3. RELEVANT PLANNING HISTORY**

- 3.1 There is no planning history on this site

### **4. CONSULTATION RESPONSES**

- 4.1 Winterbourne Parish Council  
No objection
- 4.2 Archaeology Officer  
No comment

- 4.3 Lead Local Flood Authority  
No comment
- 4.4 Transport Officer  
Two parking spaces are required

### **Other Representations**

- 4.5 Local Residents  
One comment of objection has been received which raises the following points  
-

- Extension is not proportionate with the size of the original dwelling
- Two-storey element at rear would affect amenity by obstructing natural sunlight
- Extension is close to boundary and therefore maintenance may be an issue
- May result in a terracing effect
- Development will effect character of 1930s design
- No consideration has been given to drainage

## **5. ANALYSIS OF PROPOSAL**

- 5.1 This application seeks planning permission for a two-storey side and rear extension at a semi-detached dwelling in Winterbourne.
- 5.2 Principle of Development  
Extensions and alterations to existing dwellings are managed through policy H4 of the Local Plan. This policy is generally supportive of development subject to an assessment of design, amenity and transport. Therefore the proposal is acceptable in principle but should be determined against the analysis set out below.
- 5.3 Design  
No.57 Watleys End Road is mostly original in appearance. It forms part of a pair of semi-detached. The adjoining property has been extended to the side with a two-storey extension and a single storey extension at the rear. The result of this is that the proportions of the pair of houses have already been distorted and therefore the proposed side extension would not be harmful or look out of place. As the property has a hipped roof, this would assist in preventing any terracing effect.
- 5.4 The proposed fenestration is a honest interpretation of the original windows and it is considered that this contributes to a successful principal elevation. At the rear, the appearance of the proposed extension is considered to be acceptable.
- 5.5 Residential Amenity  
Development should not be permitted that has a prejudicial impact on residential amenity. It is not considered that the proposal would have an

adverse impact on the amenity of the application site. The property benefits from a long rear garden and adequate amenity space would be retained. It is also considered that the proposal would not adversely affect the amenities of no.55 to the south west of the application site as this property has had a very similar extension.

5.6 The property that would be most affected is no.59, the adjoining property to the north east. The proposed extension would project 3.8 metres from the rear elevation to match the building line of the single storey rear extension on no.59. The rear elevations of the dwellings face a north-west orientation. It is acknowledged therefore that these windows have limited direct sunlight to them. It is also acknowledged that the position of the proposed extension to the south west would have some impact on the availability of light. However, it is not considered that this impact would be so significant that it would be prejudicial to the amenities offered to the adjoining property. Furthermore, there is clear evidence that other such extension have been permitted in the immediate vicinity, namely nos.55 and 51 Watleys End Road.

5.7 Transport and Parking

With householder development, the most significant concern with regard to highways is the provision of adequate off-street parking. Under the Residential Parking Standard, a four-bedroom property would require two off-street parking spaces. The front garden of the property is laid to gravel and it is possible to park two vehicles within the curtilage. Therefore, no objection is raised with regard to transport and parking.

5.8 Other Matters

Concern has been raised by an adjoining neighbour that the extension would be too close to the existing buildings to enable maintenance and that drainage has not been considered. The Planning Act does not grant a right of access onto land and therefore access for maintenance would be a civil matter between the respective occupiers. With regard to drainage, this matter is addressed under the Building Regulations and therefore in this instance drainage is not relevant.

**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 (Saved Policies).

3. No windows shall be inserted at any time in the side elevations of the property.

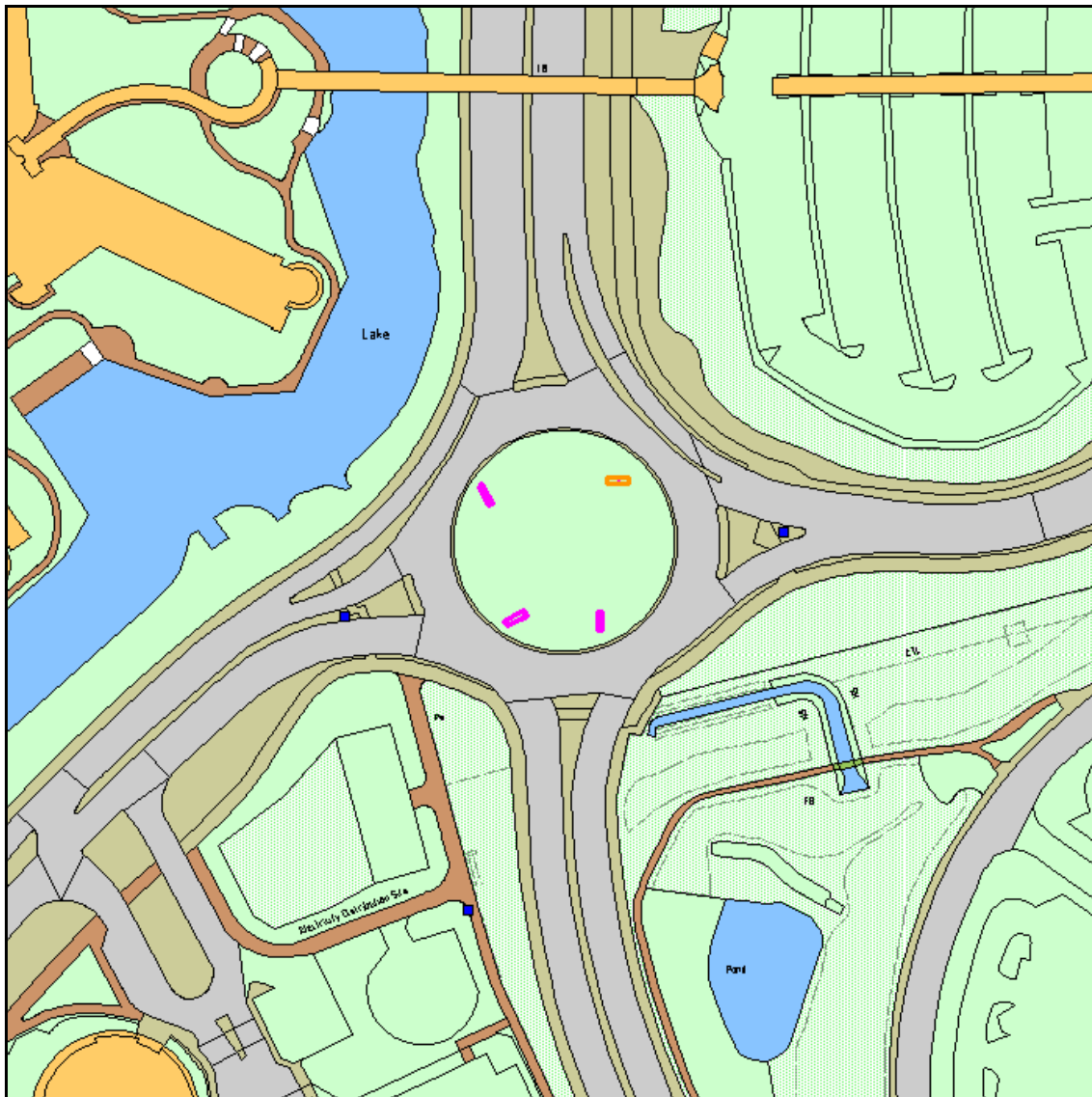
Reason

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



**CIRCULATED SCHEDULE NO. 34/15 – 21 AUGUST 2015**

<b>App No.:</b>	PT15/2987/ADV	<b>Applicant:</b>	Bommel UK Ltd
<b>Site:</b>	Traffic Roundabout Longdown Avenue Filton South Gloucestershire BS34 8JH	<b>Date Reg:</b>	10th July 2015
<b>Proposal:</b>	Display of 4no. non-illuminated post mounted signs on roundabout.	<b>Parish:</b>	Stoke Gifford Parish Council
<b>Map Ref:</b>	361292 178359	<b>Ward:</b>	Frenchay And Stoke Park
<b>Application Category:</b>	Minor	<b>Target Date:</b>	2nd September 2015



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## **REASON FOR REPORTING TO CIRCULATED SCHEDULE**

This application has been submitted to the Council's Circulated Schedule procedure, following an objection received from the Parish Council which is contrary to the recommendation detailed in this report.

### **1. THE PROPOSAL**

- 1.1 The application seeks advertisement consent for the display of 4 no. non-illuminated post-mounted signs to be located on a roundabout on Longdown Avenue, Filton.
- 1.2 The proposed signs are part of South Gloucestershire Council's roundabout sponsorship scheme.
- 1.3 The application site is within the North Bristol urban fringe and the roundabout provides access to the Ministry of Defence Abbey Wood and parts of the University of the West of England's Frenchay campus.

### **2. POLICY CONTEXT**

- 2.1 National Guidance  
National Planning Policy Framework March 2012  
The Town and Country Planning (Control of Advertisement) Regulations 2007  
The Town and Country Planning Act 1990 Section 220

### **3. RELEVANT PLANNING HISTORY**

- 3.1 There is no recent or relevant planning history at the site.

### **4. CONSULTATION RESPONSES**

- 4.1 Stoke Gifford Parish Council  
Objection – proliferation of signage
- 4.2 Other Consultees  
  
Transport  
No objection.

#### **Other Representations**

- 4.3 Local Residents  
None received.

### **5. ANALYSIS OF PROPOSAL**

- 5.1 Principle of Development  
As stated in the NPPF, the government attaches great importance to the design of the built environment, citing good design as the key aspect of sustainable development and thereby positively contributing to making places better for

people. Developments should function well and add to the overall quality of the area, creating attractive and comfortable places to live, work and visit. It specifically states that poorly placed advertisements can have a negative impact on the appearance of the built environment and should be subject to control in the interests of amenity and public safety, taking account of cumulative impacts. The proposal is deemed to accord with the principle of development and this is discussed in more detail below.

#### 5.2 Amenity

The principal appearance of the signs will change depending on the sponsors message, for which separate consent may be required. Accordingly, the Local Planning Authority will be able to control any future change to the appearance of the signs. The area is primarily characterised by the ring road and vegetation growing on the boundaries. It is not considered that the scale, form, siting and appearance of the signs will appear adversely out of keeping in this context.

#### 5.3 Public Safety

The proposed signs are set back from the edge of the roundabout and are sited so that they face traffic approaching the roundabout from the connecting roads. Accordingly, the signs will not be sited where they will be adversely distracting to motorists who are already navigating the roundabout. Weight is also given to the fact that the Highway Authority have raised no objections to the scheme and the fact that a number of similar signs have been granted on roundabouts in the South Gloucestershire Area.

#### 5.4 Cumulative Impact

No existing signs are on this roundabout, just the usual blue arrows indication the correct direction to navigate the roundabout. Given that other similar signs have been placed on other roundabouts along the A4174, the number of signs is considered acceptable and not to result in any harmful cumulative impact.

### 6. CONCLUSION

6.1 In accordance with Section 220 of the Town & Country Planning Act 1990 and Regulation 3 of the Advertisement Regulations 2007, Local Planning Authorities are required to determine applications in accordance with the policies of the Development Plan, unless material considerations indicate otherwise.

### 7. RECOMMENDATION

7.1 That advertisement consent is **GRANTED** subject to the conditions on the decision notice.

**Contact Officer: Trudy Gallagher**  
**Tel. No. 01454 862217**