

**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. 21/15

Date to Members: 22/05/15

Member's Deadline: 29/05/15 (4.30pm)

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

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

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

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

NOTES FOR COUNCILLORS - FORMAL ARRANGEMENTS

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

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

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

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

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

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

GUIDANCE FOR 'REFERRING' APPLICATIONS

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

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

Dates and Deadlines for Circulated Schedule
During May Bank Holidays 2015

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

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

All other dates remain as usual.

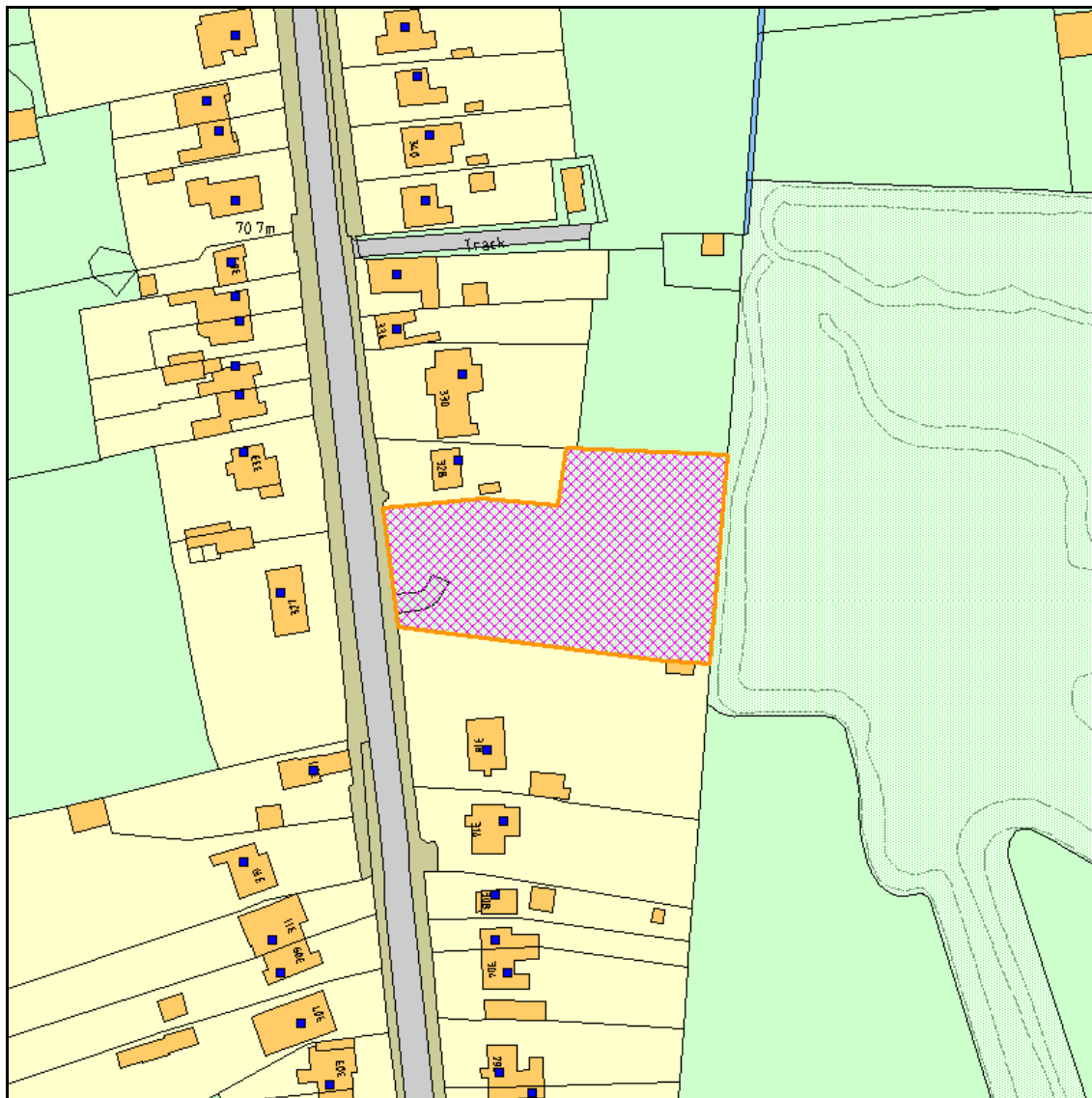
CIRCULATED SCHEDULE 22 May 2015

-

ITEM NO.	APPLICATION NO	RECOMMENDATION	LOCATION	WARD	PARISH
1	PK14/3152/O	Approve with Conditions	Land Adj. 328 North Road Yate South Gloucestershire BS37 7LL	Ladden Brook	Iron Acton Parish Council
2	PK15/0783/CLE	Refusal	Land Opposite The New Inn Badminton Road Coalpit Heath South Gloucestershire BS36 2NT	Westerleigh	Westerleigh Parish Council
3	PK15/1148/F	Approve with Conditions	2 Gloucester Road Staple Hill South Gloucestershire BS16 4SD	Staple Hill	None
4	PK15/1276/F	Approve	126 Mount Hill Road Hanham South Gloucestershire	Hanham	Hanham Parish Council
5	PK15/1322/PD	Approve with Conditions	51 Rushy Way Emersons Green South Gloucestershire BS16 7ER	Emersons	Mangotsfield Rural Parish Council
6	PK15/1381/F	Approve with Conditions	68 Cotswold Road Chipping Sodbury South Gloucestershire BS37 6DP	Chipping	Sodbury Town Council
7	PK15/1593/F	Approve with Conditions	11 Highfield Avenue Hanham South Gloucestershire	Hanham	Hanham Parish Council
8	PK15/1698/CLP	Approve with Conditions	30 High Street Hanham South Gloucestershire BS15 3DP	Hanham	Hanham Parish Council
9	PT14/4404/F	Approve with Conditions	98 Gloucester Road North Filton South Gloucestershire BS34 7PF	Filton	Filton Town Council
10	PT15/0167/F	Approve with Conditions	Westward House And Nicholson House Lime Kiln Close Stoke Gifford South Gloucestershire BS34 8SR	Frenchay And Stoke Park	Stoke Gifford Parish Council
11	PT15/1294/F	Approve with Conditions	17 Hicks Common Road Winterbourne South Gloucestershire BS36 1EH	Winterbourne	Winterbourne Parish Council
12	PT15/1318/CLE	Approve with Conditions	Land At Sturden Manor Winterbourne Hill Winterbourne South Gloucestershire BS36 1JR	Winterbourne	Winterbourne Parish Council
13	PT15/1319/F	Approve with Conditions	24 Court Road Frampton Cotterell South Gloucestershire BS36 2DN	Winterbourne	Winterbourne Parish Council
14	PT15/1350/F	Approve with Conditions	16 Ribblesdale Thornbury South Gloucestershire BS35 2DW	Thornbury South And	Thornbury Town Council
15	PT15/1377/F	Approve with Conditions	Hillside Gardens Filton Road Hambrook South Gloucestershire BS16 1QG	Frenchay And Stoke Park	Winterbourne Parish Council
16	PT15/1530/F	Approve with Conditions	2 Pretoria Road Patchway South Gloucestershire BS34 5PT	Patchway	Patchway Town Council
17	PT15/1709/TRE	Approve with Conditions	Park Farm Butt Lane Thornbury South Gloucestershire BS35 1RA	Thornbury North	Thornbury Town Council

CIRCULATED SCHEDULE NO. 21/15 – 22 MAY 2015

App No.:	PK14/3152/O	Applicant:	GMT Developments Ltd
Site:	Land Adj. 328 North Road Yate Bristol South Gloucestershire BS37 7LL	Date Reg:	22nd August 2014
Proposal:	Erection of 6 no. dwellings with garages and associated works (outline) with access, layout and scale to be determined together with all other matters reserved.	Parish:	Iron Acton Parish Council
Map Ref:	369861 184255	Ward:	Ladden Brook
Application Category:	Minor	Target Date:	6th October 2014



© South Gloucestershire Council 2007.all rights reserved.
This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
100023410, 2008. N.T.S. PK14/3152/O

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application is referred to the circulated schedule as representations have been received which are contrary to the officer's recommendation.

1. THE PROPOSAL

- 1.1 The application seeks outline consent for the erection of 6no. detached dwellings with access and associated works. The application seeks approval of matters relating to access, layout and scale with all other matters (appearance and landscaping) reserved.
- 1.2 The application relates to a vacant undeveloped plot of land situated between no.s 328 and 318 North Road. It falls within the defined settlement boundary of Engine Common. The site is covered by a blanket tree preservation order.
- 1.3 During the course of the application numerous changes have been made as follows:
 - Revised description to reduce the number of units from 7 to 6.
 - Revised site layout plans and indicative elevation plans.
 - Revised arboricultural information.
 - Additional supporting documentation relating to ecology, contamination and coal mining.
- 1.4 The application site has an extant consent for 7no. dwellings approved subject to a section 106 agreement under ref. PK13/1850/F.

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 Environment and Heritage
CS16 Housing Density
CS17 Housing Diversity
CS18 Affordable Housing
CS34 Rural Areas

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

L1 Landscape Protection and Enhancement
L5 Open Spaces
L9 Protected Species
EP2 Flood Risk and Development

EP6 Contaminated Land
T12 Transportation for New Development

- 2.3 Supplementary Planning Guidance
CIL and Section 106 Planning Obligations Guide (Adopted) March 2015
Affordable Housing and Extra Care Housing SPD (Adopted) March 2014
Residential Parking Standards SPD (Adopted) 2013
Design Checklist SPD (Adopted) 2007
Trees on Development Sites SPG (Adopted) 2005

3. RELEVANT PLANNING HISTORY

- 3.1 COM/14/1152/OD - Commencement of development without valid planning permission and damage to TPO'd trees. Temporary stop notice served 11th March 2015. Injunction granted 27th March 2015.
- 3.2 PK13/1850/F - Erection of 5no. detached dwellings and 2no. semi-detached dwellings with garages, access and associated works. Approved subject to section 106 agreement. 30th April 2014
- 3.3 PK12/2998/F - Erection of 5no. detached dwellings with associated works. Withdrawn 1st May 2014
- 3.4 PK07/1532/RM - Erection of 5 no. dwellings with associated works. (Approval of reserved matters to be read in conjunction with outline planning permission PK03/0388/O). Approved 28th September 2007
- 3.5 PK03/0388/O - Residential Development (Outline). Refused 26th April 2004. Appeal Allowed.

4. CONSULTATION RESPONSES

- 4.1 Iron Acton Parish Council
Objection. Out of keeping with street scene. Over development of the site.
- 4.2 Tree Officer
No objection to revised arboricultural information received 10th April 2015. Tree protection to be conditioned.
- 4.3 Environmental Protection
No objection.
- 4.4 The Coal Authority
No objection
- 4.5 Lead Local Flood Authority
No objection subject to SUDs.
- 4.6 Transport Officer
No objection to revised site layout.

4.7 Ecology Officer

While the hedgehog work is satisfactory, a reptile survey was carried out and as none were found no mitigation strategy has been provided. In fact the mitigation provided for hedgehogs would work for reptiles too, and so would prefer to see reptiles subject to the same process. The reptile report should be amended accordingly and re-submitted.

4.8 Children, Adults and Health

A contribution of £34,422 is required for additional primary school place provision.

4.9 Housing Enabling

Regard must be had the new threshold relating to 10 units or less and 1000sqm threshold. Although the scheme is for 6 units the overall and combined gross floor space must be less than 1000m² in order to be exempt from providing affordable housing.

Other Representations

4.10 Local Residents

One letter has been received from a local resident raising the following observations:

- Why has building commenced when planning permission has not been granted?
- No objections to development but planning regulations must be enforced.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The principle of residential development on this site has already been established within the previous applications: PK13/1850/F and PK03/0388/O. Application PK13/1850/F was for the erection of 7no. dwellings and was approved in April 2014. It therefore remains extant albeit with pre-commencement conditions remaining undischarged.

5.2 The pertinent issues to consider within the current application are residential amenity, highway safety, design, the environment, and any obligations that may be necessary to make the development acceptable in planning terms.

5.3 Residential Amenity

The application seeks permission for the erection of 6no. detached dwellings. The revised site layout indicates that the dwellings would be well spaced in a cul de sac formation facing the central access road. The two dwellings closest to the highway would be on a similar building line to no.s 318 and 328 North Road which are situated either side of the site.

5.4 The proposed layout is generally very similar to the layout approved under application PK13/1850/F, within which a detailed assessment of residential amenity impact was made and the development subsequently considered acceptable.

- 5.5 When comparing the approved layout against the current application there are some changes which are of note when assessing the impact of the development on residential amenity. These are:
1. Plots 6 and 7 have been replaced by a single detached dwelling (plot 3).
 2. The rear elevation of plot 3 (formerly plots 5 and 6) is closer to the mutual boundary of no.318.
 3. The introduction of double garages/ carports to each dwelling.
 4. Plot 2, which is adjacent to no.328, would have a large double car port rather than a single garage.
- 5.6 In terms of the replacement of plots 6 and 7 with a single dwelling (plot 3) it is considered that although the layout indicates that the new dwelling would now be closer to the boundary of no.318 than the previous approval, the overall impact of its massing and scale would be similar to the approved pair of dwellings. It is noted that the rear elevation of plot 3 would contain first floor windows that look across the garden of no.318 however it is not considered that this would result in a significantly greater impact on the privacy of the occupiers of no.318 when compared to the extant consent. The garden of no.318 is very large and spacious with a paddock style area adjacent to the development site. As a result of the spacious nature of the garden surrounding no.318 it is considered that the privacy of the occupiers, although affected, would not be significantly prejudiced.
- 5.7 In terms of the proposed double garages/ car ports, it is not considered that the introduction of these would materially increase any impact the development may have on the amenities of the neighbouring occupiers when compared to the extant permission. The car port adjacent to the boundary of no.328 would be higher and longer than the single garage previously approved but it is not considered that its massing or height, which is single storey, would appear significantly overbearing or oppressive.
- 5.8 The future occupiers of the proposed development would benefit from a satisfactory standard of living by virtue of the spacious nature of the development. The rear gardens of plots 2, 4 and 5 would be overshadowed to some extent by the trees but this is no different to the previously approved development.
- 5.9 Design
The locality is characterised by dwellings of varied architectural styles, forms and design with gaps between dwellings. The street is open and green in character but nevertheless, sub-urban in both character and appearance with a strong linear settlement pattern.
- 5.10 The layout of the proposed development in a cul de sac formation has previously been considered acceptable within this site and as such it is considered that the layout indicated is appropriate albeit at odds with the linear formation of development in Engine Common. The site itself is large and spacious and as such it is not considered that the proposed development of six dwellings, which is less than the previous approval, would appear adversely cramped or result in an overdevelopment of the plot.

- 5.12 Although the scale of the dwellings are slightly larger in footprint than the extant consent with additional garages/ car ports, the development would nevertheless be at a height and form which is similar to the approved scheme which has already been considered acceptable. It is therefore considered that the scale indicated by the indicative plans is acceptable.
- 5.13 Appearance is reserved for a future application however plans have been provided illustrating large double storey pitched roof dwellings similar in character to those previously approved within application PK14/1850/F. The final detailing and materials will be subject to approval at the reserved matters stage however it is considered that the indicative plans identify a design that would be appropriate within the locality.
- 5.14 Landscaping of the site will be subject to approval at the reserved matters stage. This will include the approval of details such as areas of hardstanding, landscaping and boundary treatments. Approval of these matters at the reserved matters stage will ensure that the development integrates into and fits into the semi-rural character of the locality.
- 5.15 Highway Safety
The access into the site remains as previously approved with the entrance having already been created. The access road also generally remains as previously approved and although not to adoptable standard is nonetheless suitable for the development proposal allowing sufficient space for vehicles to enter and exit in a forward gear with sufficient manoeuvrability, and with sufficient width for two vehicles to pass each other.
- 5.16 The revised site layout plans now includes an area of hardstanding for each plot which is of a satisfactory size to provide off street parking provision within the curtilage of the dwellings. With the exception of plots 1 and 3 the external parking spaces would only be suitable for one external space however the plans indicate that each plot would have a garage (plot 1) or car port (plots 2 to 6) thus bringing the off street parking provision up to at least two spaces each which is in accordance with the Council's minimum standards as set out in the Residential Parking Standards SPD (Adopted) 2013. Therefore, provided the access road and parking provision is provided prior to occupation, and provided car ports and garages are retained as such, there are no issues to raise with regard to highway safety.
- 5.17 Trees
The application is covered by a blanket Tree Preservation Order and includes a number of mature trees both to the front (west) boundary, and the north and east boundaries. The original information submitted with the application was considered outdated and inadequately addressed how the trees would be protected during the construction of the development.
- 5.18 Various submissions have been made with regard to arboricultural impact the most recent of which includes a revised tree survey (received by the Council on 3rd November 2014), a method statement (received 10th April 2015), and a tree protection plan (received 10th April 2015). It is considered that the revised details now identify a satisfactory level of protection for the trees covered by

TPOs. Two trees are identified for removal (T3 and T15) whilst other are to be reduced as ongoing management. Protective measures are outlined in detail including protective fencing around the root protection areas (now in the correct location), no dig where required, and cell web installations

5.19 The revised arboricultural information has been assessed by the Council's Tree Officer who now considers the details to be satisfactory with the provision that development is carried out in accordance with the various approved submissions. Replacement trees will form part of the landscaping proposals submitted at the reserved matters stage.

5.20 Ecology

The previous approval secured the submission of various ecological mitigation reports relating to hedgehogs, reptiles and birds. These have now been submitted with the current application and the reptile survey has also been amended in line with the comments of the Ecology Officer. As such, provided development is carried out in accordance with the submitted reports, there are no concerns in this respect.

5.21 Coal Mining

The previous approval secured the submission of details relating to past coal mining on the site. This information has been submitted with the current application and the Coal Authority confirms that there is no known risk with regard to past coal mining activity.

5.22 Contamination

The previous approval secured the submission of details relating to potential contamination on the site. The various reports for this have now been submitted and the Environmental Health Officer confirms that there is no risk from contamination.

5.23 Drainage

The application has not included details of sustainable drainage and as such the submission of these are secured by a condition as per the previous application.

5.24 Affordable Housing

The previous application (ref. PK14/1850/F) was approved subject to a section 106 agreement securing the provision of 2no. two bedroom affordable homes on site. The section 106 did not secure any other contributions towards education, open space, libraries or other services.

5.25 The on site provision of affordable housing was secured in accordance with policy H6 of the Local Plan (Adopted 2006), which was subsequently superseded by policy CS18 of the Core Strategy (Adopted 2013). The site is within a rural area and as such the affordable housing provision was triggered by the lower threshold (5 units) for which the development was above. A 35% on site affordable housing delivery was therefore secured in accordance with policy CS18.

- 5.26 Since the determination of application PK14/1850/F, and since the submission of the current application, the Government have released national guidance with regard to planning obligations. These are set out within the National Planning Practice Guidance and were released on 26th March 2015. The guidance set out within the NPPG states:

National planning policy defines specific circumstances where contributions for affordable housing and tariff style planning obligations should not be sought from small scale and self-build development, as set out in the Written Ministerial Statement on small-scale developers

- *Contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1000sqm (gross internal area).*
- *In designated rural areas, local planning authorities may choose to apply a lower threshold of 5-units or less. No affordable housing or tariff-style contributions should then be sought from these developments. In addition, in a rural area where the lower 5-unit or less threshold is applied, affordable housing and tariff style contributions should be sought from developments of between 6 and 10-units in the form of cash payments which are commuted until after completion of units within the development. This applies to rural areas described under section 157(1) of the Housing Act 1985, which includes National Parks and Areas of Outstanding Natural Beauty*
- *Affordable housing and tariff-style contributions should not be sought from any development consisting only of the construction of a residential annex or extension to an existing home.*

- 5.27 The above guidance, which was released in March 2015, post dates policy CS18 (Adopted December 2013) and the Affordable Housing SPD (Adopted May 2014) which, although still a material consideration, now carry less material weight by virtue of its limited compliance with the above Government guidance. On assessing the current application, therefore, greater weight is afforded to the NPPG which sets a threshold of more than 10 units, and a combined floorspace of 1000 sq m. Further clarification confirms that the site does not fall within a 'designated rural area', which are defined in Section 157(1) of the Housing Act 1985 as National Parks, Areas of Outstanding Natural Beauty (AONB) designated under section 82 of the Countryside and Rights of Way Act 2000 and an area designated by order of the Secretary of State as a rural area. As such the lower 6-10 threshold does not apply in this instance.

- 5.28 The application proposes six units, which is less than the 10 unit threshold. With regard to the 'combined gross floorspace' confirmation has been received that the total proposed combined floor space of the six units is 992.77 sq metres as shown in the following break downs (all numbers in square metres):
- Plot 1: Ground Floor (88.17), First Floor (74.6), Garage (35.5) (Total 198.27)
 - Plots 2, 3, 4, 5 and 6: Ground Floor (84.3); First Floor (74.6) (Total 158.9 x 5 = 794.5)
 - Total of plots 1 to 6 inclusive - 198.27 + 794.5 = 992.77.

5.29 It should be noted that the proposed 'car ports' to plots 2, 3, 4, 5 and 6 have not been included within the above calculation. This is consistent with the assessment for the calculation of the community infrastructure levy as stated within the Council's adopted CIL and Section 106 SPD (Adopted March 2015), which states that the following is included within the CIL chargeable floorspace:

'Generally, any water tight structure (into which people normally go), with walls and a roof is considered to be "internal" floorspace and therefore chargeable. All new build floorspace, measured as gross internal floorspace (i.e. the internal area of the building, including circulation and service space such as corridors, storage, toilets, lifts etc). It includes attic rooms that are useable as rooms, but excludes loft space accessed by a pull-down loft ladder. It includes domestic garages, but excludes car ports.'

5.30 Although there is no specific Government guidance with regard to calculating gross floorspace when assessing contributions, it is considered that an assessment consistent with CIL as outlined above is a reasonable approach.

5.31 In light of the above, the combined gross floorspace of the six units would fall just short of the 1000 sq m threshold set by the NPPG and as such an on-site affordable housing provision is not required. As this is an outline application the floorspace as identified above is recommended as a condition to ensure that scale parameters are controlled and to ensure policy compliance as set out above.

5.32 Other Obligations

Whilst an education contribution has been requested, the site would fall below the threshold for such pooled contributions as referred to in the NPPG. Education contributions were also not secured within the extant permission which is considered to carry substantial material weight.

5.33 It should be noted that whilst the Council has adopted its CIL and Section 106 SPD the charging schedule is not to be implemented until 1st August 2015.

5.34 Other Matters

It is noted that development has already substantially commenced on the site in breach of application PK14/1850/F, which has numerous pre-commencement conditions that remain undischarged, and prior to the determination of the current outline application. Appropriate enforcement action has taken place as a result with all works having been stopped until such a time that development can lawfully re-commence. The applicant is reminded that a reserved matters application is required to be submitted and determined, with all relevant conditions discharged as required, before any development can re-commence on the site.

6. CONCLUSION

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

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

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

7. RECOMMENDATION

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

Contact Officer: Sarah Fordham
Tel. No. 01454 865207

CONDITIONS

1. Approval of the details of the appearance of the buildings and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason

This is an outline permission only and the reserved matters shall be made to the Local Planning Authority.

2. Plans and particulars of the reserved matters referred to in the condition above, relating to the appearance of any buildings to be erected and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved. Plans and particulars shall include:
- (1) full details of proposed planting and the proposed replacement trees to compensate those that are planned to be lost as a result of the development;
 - (2) areas of hardstanding (including materials);
 - (3) boundary treatments
 - (4) full details of appearance including a materials schedule.

Reason

This is an outline permission only and the reserved matters shall be made to the Local Planning Authority

3. Application for approval of the reserved matters shall be made to the Local Planning Authority 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).

4. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the

date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason

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

5. Application for the approval of the reserved matters shall not exceed the following gross internal floor space calculations (all figures in square metres):

Plot 1: Ground Floor (88.17), First Floor (74.6), Garage (35.5)

Plots 2, 3, 4, 5 and 6: Ground Floors (84.3); First Floors (74.6)

For the avoidance of doubt any water tight structure (into which people normally go), with walls and a roof is considered to be 'internal floorspace' (i.e. the internal area of the building, including circulation and service space such as corridors, storage, toilets, lifts etc). It includes attic rooms that are useable as rooms, but excludes loft space accessed by a pull-down loft ladder. It includes domestic garages, but excludes car ports.

Reason

The application is allowed without a section 106 agreement on the basis that the combined floorspace is less than 1000 square metres and therefore does not meet the threshold for affordable housing as set out in the National Planning Practice Guidance. If the development exceeds this threshold a reassessment would be required in order that development can be reconsidered against the NPPG and policy CS18 of the South Gloucestershire Local Plan Core Strategy (Adopted) 2013.

6. The reserved matters application shall include drainage detail proposals incorporating Sustainable Drainage Systems SUDS within the development shall be submitted for approval in writing to the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

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

7. If unexpected contamination is found following commencement of development, development shall immediately cease upon the part of the site affected. The Local Planning Authority shall be informed immediately in writing. A further investigation and risk assessment shall be undertaken and where necessary an additional remediation scheme prepared. The findings and report shall be submitted to and agreed in writing to the Local Planning Authority prior to development recommencing. Thereafter the development shall be implemented in accordance with the further mitigation measures so agreed.

Reason

To ensure that adequate measures have been taken to mitigate against contaminated land to accord with saved Policy CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 and the provisions of the National Planning Policy Framework.

8. Development shall be carried out in strict accordance with the recommendations outlined within the following reports:
 - I. Reptile Survey Report (NKM Associates) dated 9th February 2015 received by the Council on 9th February 2015
 - II. Hedgehog Erinaceus Europaeus Mitigation Strategy (NKM Associates) dated October 2014 received by the Council on 27th October 2014
 - III. Nest Box Scheme (NKM Associates) dated February 2015 received by the Council on 9th February 2015

Reason

To ensure the development is carried out in an appropriate manner and in the interests of protecting local nature conservation and to accord with saved Policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006 and Policy CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013.

9. Development shall be carried out in strict accordance with the following:
 - I. BS5837 Tree Survey Assessment (Ref. 14496/A1) dated October 2014 received by the Council 3rd November 2014
 - II. BS5837 Method Statement (Ref. 14496/ A2_AMS) dated April 2015 received by the Council on 10th April 2015
 - III. Tree Protection Plan (Drawing no. 14496/TPP/01 Rev.A) received by the Council on 10th April 2015

Reason

To ensure the development is carried out in an appropriate manner in the interests of protecting the health and visual amenity of the protected trees and to accord with saved Policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006 and Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

10. The access road, off street parking, visitor parking and turning facilities as shown on drawing no. 950.01F (Site Layout) received by the Council on 12th May 2015 shall be provided before any dwelling is first occupied, and thereafter retained for that purpose.

Reason

In the interests of highway safety and to secure a satisfactory provision of off street parking, to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006, policy CS8 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013, and the Residential Parking Standards SPD (Adopted) December 2013

11. Notwithstanding the provisions of Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) the garage forming part of plot 1, and the carports forming part of plots 2 to 6 (inclusive) shall be retained as such and shall not be used for any purpose other than the garaging of private motor vehicles and ancillary domestic storage.

Reason

In the interests of highway safety and to secure a satisfactory provision of off street parking, to accord with policy CS8 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013, and the Residential Parking Standards SPD (Adopted) December 2013

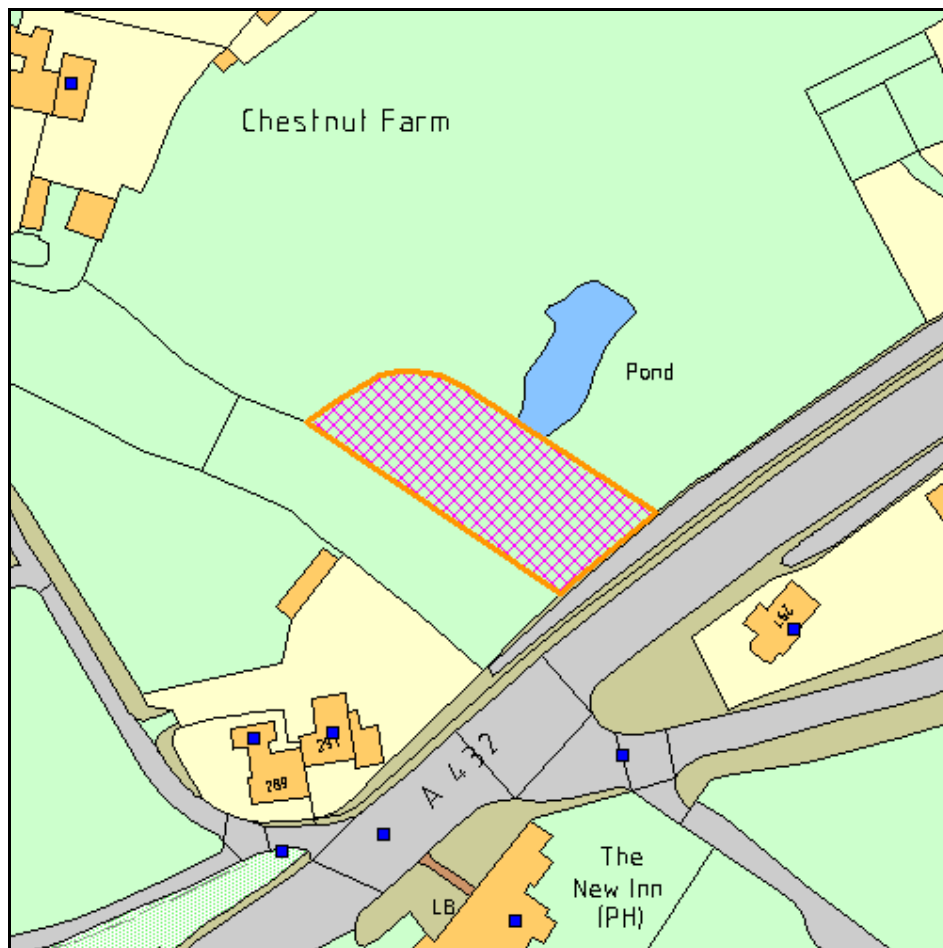
12. No windows shall be installed at first floor level in the south (side) elevation of Plot 1 unless it is glazed with obscure glass to level 3 standard or above with any opening part of the window being above 1.7m above the floor of the room in which it is installed.

Reason

To protect the privacy and amenity of neighbouring occupiers, and to accord with the provisions of the National Planning Policy Framework 2012

CIRCULATED SCHEDULE NO. 21/15 – 22 MAY 2015

App No.:	PK15/0783/CLE	Applicant:	Mr Michael Messenger
Site:	Land Opposite The New Inn Badminton Road Coalpit Heath South Gloucestershire BS36 2NT	Date Reg:	26th February 2015
Proposal:	Application for a certificate of lawfulness for the existing use of land for the storage of two lorries (Use Class B8).	Parish:	Westerleigh Parish Council
Map Ref:	368497 181982	Ward:	Westerleigh
Application Category:	Minor	Target Date:	20th April 2015



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008. N.T.S. PK15/0783/CLE

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application is for a Certificate of Lawful Existing Use and therefore under the Council's current scheme of delegation must appear on the Circulated Schedule.

By way of information, Members should be aware, that the test to be applied to this application for a Certificate of Lawful Development, is that the applicant has to prove on the balance of probability, that the use as described, has been occurring for a period of 10 years or more prior to the receipt of the application on the 23rd February 2015. The relevant period for consideration is therefore between 23rd February 2005 to 23rd February 2015.

1. THE PROPOSAL

- 1.1 The application for a certificate of lawfulness for the existing use of land for the storage of two Lorries. This would fall within Use Class B8. The application therefore seeks to demonstrate that the land has been used for the storage of two Lorries for a period in excess of ten years prior to the date of submission.
- 1.2 The site consists of a parcel of land located and accessed off Badminton Road, Coalpit Heath.

2. POLICY CONTEXT

- 2.1 National Guidance
The Town and Country Planning (Development Management Procedure) (England) Order 2015

3. RELEVANT PLANNING HISTORY

- 3.1 N3023 – Erection of two dwellings (outline). Refused 23rd September 1976.
- 3.2 PT01/0460/F – Store tractor with log cutter fitted to cut logs. Refused 30th March 2001.
- 3.3 PT08/1208/F – Change of use of land to stationing of residential mobile home (retrospective). Refused 6th June 2008.

Enforcement History

- 3.4 P91/1710/E – Enforcement Notice – Without planning permission the using of agricultural land for the purposes of storage of motor vehicles and parts thereof; containers and hard-core, unconnected with the agricultural use of the land. Dated 3rd April 1992. Took effect 18th May 1992. Compliance Date: 6 months. Notice Extant.
- 3.5 CAW/07/0050/2 – Unauthorised use of the land for the storage of vehicles, caravans, and non-agricultural materials. Withdrawn 2008.

4. CONSULTATION RESPONSES

4.1 Westerleigh Parish Council

The Council make no comment other than they would like to see the field cleared of all other vehicles and scrap.

The Council note that this application is for storage only, therefore do not want to see traffic movements in and off the site.

Other Representations

4.3 Local Residents

One letter of comment has been received, which raises the issues quoted below:

'In respect of the above application I would voice my concerns and objection regarding the granting of a Certificate of Lawfulness.

The land in question is situated within the green belt and in close proximity to several listed properties, over recent years the land has been subjected to enforcement notices and actions that are not sympathetic to the green belt and environment with the systematic removal of the natural vegetation to be replaced with hard core to provide a hard standing for several vehicles.

It would appear that the vehicles within the application are no longer roadworthy and require extensive restoration, consideration should be made into the purpose of the storage of such - the application concurs that they have previously been allowed to become overgrown with vegetation which has led to further deterioration, further concerns arise around the future of the further 5 vehicles currently on the land - the application refers to the removal of 3.

I would suggest that when this application is considered that the committee confirm the applicants future plans for the site and whether these and the storage of vehicles is an appropriate use of green belt including the access to the busy Badminton Road.'

5. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

5.1 The following evidence has been submitted in support of the application:

- A Statutory Declaration by the owner of the property
- A Statutory Declaration from an acquaintance of the owner of the property
- Aerial photographs of the site

6. SUMMARY OF CONTRARY EVIDENCE

6.1 None received from external sources

7. EVALUATION

- 7.1 The application for a Certificate of Lawfulness is not a planning application and is purely an evidential test. The test of evidence to be applied is whether or not the case has been shown on the balance of probability. As such the applicant needs to provide precise and unambiguous evidence.
- 7.2 In this instance it must be proven that the use in question has been occurring at the site for a period in excess of 10 years prior to the date of this application.
- 7.3 Assessment of Evidence
It is necessary to weigh up all evidence submitted and make a decision on the balance of probability.
- 7.4 In support of the application, a Statutory Declaration has been submitted, by the owner of the property. The landowner declaration states that the property has been used for the storage of the two vehicles in question for well over 10 years with cross reference to photographs and aerial photographs and a chronology of events at the site.
- 7.5 Further to this, an additional Statutory Declaration has been received corroborating the position of the landowner referred to above. This is based on 15 years experience in driving past the site, almost every week for the last 15 years, as well as carrying out work for the landowner every 3-4 months for the last 10 years.
- 7.7 The planning unit
The area of land to which this application relates (referred to in the application as "Plot 2") is approximately half of the site owned by Mr Messenger. The other half (referred to as "Plot 1") has an extant enforcement notice on it, and so no certificate could be granted for that land.
- 7.8 It is noted that there is nothing on the ground now to delineate the boundary between the two plots. It also appears from the historical aerial photographs that as far back as 1991 (i.e. before the service of the first notice) there has never been any visible boundary between the two. This therefore begs the question of whether or not the site plan attached to the 1992 enforcement notice was drawn correctly (i.e. quite probably it should have covered the entire site), but in any event it was issued only on Plot 1, and as that notice came into effect it formally divided the land owned by Mr Messenger into the two plots, and these must be considered as separate planning units since that notice came into effect.
- 7.9 Planning history and supporting evidence for Plot 2
As we have no evidence that the plan was in fact drawn in error, it might alternatively be presumed that at the point in time at which the 1992 notice was served, Plot 2 was not in use for the storage of vehicles, as otherwise the notice would have included that land too. Aerial photographs from 1991 are not

particularly clear, but Plot 2 appears largely clear save for something near the road frontage.

- 7.10 Aerial photographs from 1999 are also fairly blurred, but there is nothing evident that is likely to be a vehicle within Plot 2, nor anything evident in the two locations indicated on the plan attached to the Statutory Declarations.
- 7.11 In 2001, Mr Messenger submitted a planning application for the use of the land to store a tractor with a log cutter. This application was refused, however the site description in the officer report says the land "...is largely overgrown in nature" and goes on to say "...the site contained the remains of two commercial vehicles in various states of repair and a JCB digger parked on the highway verge". So all we can glean from this application is that the land appeared largely un-used and un-maintained, and there were two vehicles on it, though exactly where (whether on the side with the enforcement notice on or the other) is not clear.
- 7.12 Then in 2004, a former enforcement officer sent a letter to Mr Messenger requesting the land be cleared aside from two lorries, which were expressly specified as to be parked at the two entrances to the site. This letter is referred to in the applicants chronology of events. It should be noted that this was not any formal permission, and it appears clear that the purpose of their being there was not as a storage use, but as an incidental means of preventing unauthorised access to the site, as they were stated as being parked at the two access points to the site.
- 7.13 In aerial photographs from 2005 & 2006 (which are much clearer) there is no visible evidence of any lorries on Plot 2 (there is one consistent object to the front of the site, but this appears smaller than the cars on the adjacent property).
- 7.14 In 2008 the applicant applied for retrospective permission for the stationing of a mobile home on the land, which was refused. Later that year, a second enforcement notice was served on that land, alleging "storage of vehicles, caravans and non-agricultural materials". The notice was appealed by Mr Messenger and, following the submission of further information, both by Mr Messenger and a third party, the enforcement notice was withdrawn.
- 7.15 A 2008 aerial photograph again appears to show no conclusive evidence of the lorries referred to in this application, while the mobile home and another van to the rear of the site are very clearly visible.
- 7.16 The withdrawal of the 2008 notice
The enforcement notice was withdrawn on the advice of the Councils solicitor, on the basis that there was some doubt as to whether the use for the storage of vehicles was unlawful. However this cannot be taken as confirmation that the use was lawful, only that evidence to potentially alter the position on aspects of the notice and the precise wording of the notice had come to light. However, the onus was then on Mr Messenger to properly confirm this through an application for a Certificate of Lawfulness at that time, but no such application was subsequently submitted (though it is acknowledged that no further

enforcement action was taken either). The applicants planning statement refers to a number of photographs showing vehicles on site, but it is noted that no mention/cross-reference is made to the aerial photographs. The Council do not concur with the general assessment of the application - that on the basis of just a handful of photographs showing vehicles on site, with no evidence of their being consistently on site for an unbroken period in excess of 10 years, and in light of the aerial photography evidence that appears to indicate the contrary – that it appears likely that the use was lawful at that time or that precise and unambiguous evidence has been provided.

7.17 Assessment of the evidence submitted now

While the statutory declarations of Messrs Messenger and Bezer both state that the two lorries have remained in the same locations for up to 30 years, the aerial photographs, particularly those from 2005, 2006 and 2008 – which are all quite clear photos – do not appear to clearly show these lorries in situ. Considering the clarity with which other items on the site can be seen, and given the size context provided by cars on the adjacent property, it is difficult to accept that the lorries are there but not visible whatsoever. There does then appear to be certain ambiguity and discrepancy between the evidence submitted in the Statutory Declarations, the supporting chronology and the aerial photographs.

7.18 Would the presence of the two lorries amount to a storage, and if it does, whether that amounts to a storage use within the context of the planning unit?

Notwithstanding the above, the question must be asked whether the claimed stationing of the two vehicles on site, which by the applicants own submission have not been moved at all throughout the period of many years, and which have been allowed to decay to the point where there is little or no prospect of their being useable without almost complete rebuilding/replacement, can be considered to amount to a storage use. Storage implies something being kept safe and secure, and in a manner that would preserve the stored item, with a view to it being used again at some future point. This appears patently not the case with the vehicles on site, and therefore it is not considered that the vehicles have been stored in any reasonable interpretation or meaning of the word, or that a B8 storage use has been demonstrated.

7.19 Furthermore, the presence on the site of just the two vehicles the subject of this application, with (according to the applicants own submission) no subsequent movement of the vehicles within or off site, would arguably not be sufficient to amount to a material change of use to a storage use. The two vehicles could instead be considered to be either abandoned items, essentially dumped on the land, or if as appears to be the case with some of the vehicles, they were stationed on the land to prevent unauthorised access, then this would be an incidental purpose and not an active storage use.

7.20 Conclusion

There appears to be a conflict between the evidence submitted by the applicant in the form of the two Statutory Declarations and the aerial photographs, which do not appear to support the claim that there have been lorries stored on the land for up to 30 years or indeed consistently for the 10 year period prior to the submission of the application. While Statutory Declarations are strong

evidence, it seems difficult to conceive that something as large as the lorries could be present and not visible at all in the aerial photographs. Dated photographs can be given more weight than Statutory Declarations in the hierarchy of evidence. It is not considered therefore that precise and unambiguous evidence has been provided. It is therefore considered that it has not been demonstrated on the balance of probabilities that the lorries have been on site for a continuous period in excess of 10 years.

7.21 Furthermore, the nature of the activity that is described, together with the condition of the vehicles on site at present, suggests that the lorries on site are not 'stored' in any normal sense, but instead have essentially just been abandoned or dumped there. Additionally, the claimed level of vehicle storage (just two on the site), together with the lack of movements (the same two are claimed to have been in the same place the entire time) is not considered likely to amount to a material change of use within the context of the site as a whole. It is therefore considered that it has not been demonstrated on the balance of probabilities that the site has been used for the purposes of storage of the two Lorries for a continuous period in excess of 10 years.

7.22 It is therefore not considered that a material change of use to storage has occurred, nor has it been demonstrated on the balance of probabilities to have occurred for a period in excess of ten years.

8. CONCLUSION

8.1 Having regard to the above, insufficient evidence has been submitted to prove that, on the balance of probability, the land the subject of this application has been used for the storage of two lorries for a continuous period of 10 years.

9. RECOMMENDATION

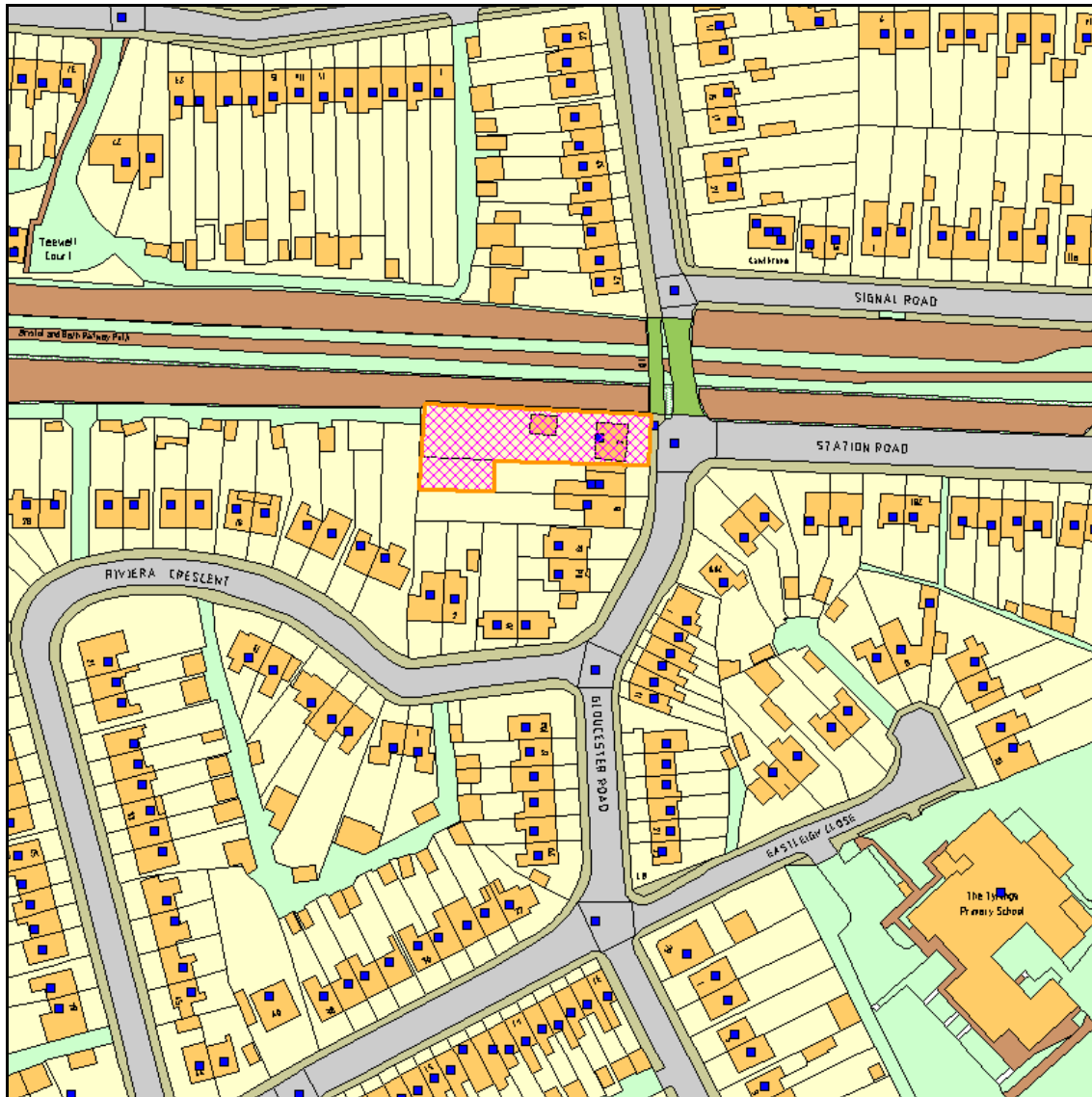
9.1 That the Certificate of Lawfulness for Existing Use is refused.

Contact Officer: Simon Ford
Tel. No. 01454 863714

Insufficient evidence has been submitted to precisely or unambiguously demonstrate that, on the balance of probability, the land has been used for the purposes of storage of two lorries for a continuous period of at least ten years.

CIRCULATED SCHEDULE NO. 21/15 – 22 MAY 2015

App No.:	PK15/1148/F	Applicant:	Mr And Mrs Evans
Site:	2 Gloucester Road Staple Hill Bristol South Gloucestershire BS16 4SD	Date Reg:	25th March 2015
Proposal:	Erection of 2no dwellings with associated works	Parish:	None
Map Ref:	365375 175649	Ward:	Staple Hill
Application Category:	Minor	Target Date:	18th May 2015



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008. **N.T.S.** **PK15/1148/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of two detached houses within the rear gardens of nos. 2 and 4 Gloucester Road, including a new access, parking provision and associated works.
- 1.2 The application site is within the Bristol East Fringe urban area, and is adjacent to the Bristol/Bath Railway Path.
- 1.3 Amendments were received on 24th April 2015 and 13th May 2015 to address design and highway safety issues. A period of re-consultation was not deemed necessary as the proposal did not differ significantly from the submitted application.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Policy Guidance 2014

2.2 Development Plans

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

H4 Development within Existing Residential Curtilages
T7 Cycle Parking
T12 Transportation
EP2 Flooding
LC12 Recreational Routes

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS4A Presumption in Favour of Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS9 Environment and Heritage
CS15 Distribution of Housing
CS16 Housing Density
CS17 Housing Diversity
CS29 Communities of the East Fringe of Bristol Urban Area

2.3 Supplementary Planning Guidance

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

3. **RELEVANT PLANNING HISTORY**

3.1 There is no relevant planning history at the site.

4. **CONSULTATION RESPONSES**

4.1 Parish/Town Council
Un-parished.

4.2 Other Consultees

Sustainable Transport
No objection to revisions, subject to conditions.

Highway Drainage
No objection.

Highway Structures
No comment.

Other Representations

4.3 Local Residents

Ten letters of objection have been received from nine local residents. The issues raised can be summarised below:

Highway safety

- Children and the elderly use the footpath along the front of no. 2 and Teewell Hill is heavily used by vehicles including heavy transport.
- Increase the amount of traffic on the highway
- There is subsidence in the vicinity of the embankment to the railway line, further structures and traffic will exacerbate this
- Visitors will park on Riviera Crescent as there are double yellow lines on Gloucester Road
- A fire engine will not be able to get access
- Highways have stated 'no comment' this is not acceptable

Drainage

- Storm water culvert and main sewer runs under the proposed development.
- Will affect the water table

Residential Amenity

- The proposal is overbearing towards no. 10 Riviera Crescent
- The development will cause loss of privacy to surrounding houses and gardens, including nos. 2, 6, 8 and 10 Riviera Crescent and properties on Gloucester Road
- Development site is too cramped already

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

5.2 Design

The general locality is characterised by a variety of building styles, which are predominately two-storey in height. Riviera Crescent to the south consists mostly of post-war semi detached properties, with hipped tiled roofs and a rendered finish. Nos. 2-6 Gloucester Road are dressed with course rubble and ashlar on the principal elevation, and finished in render to the side and rear. No. 2 is detached with a gable roofline, and nos 4 and 6 are semi detached with a flat roof hidden by a parapet wall. No. 8 Gloucester Road has a half-hipped gable roof, which appears to be the inspiration for the roofline of the proposed dwellings.

5.3 The two proposed detached dwellings will be situated within the existing residential curtilage of no. 2 Gloucester Road. Their design is not directly influenced by any properties in the vicinity, but due to their backland location and their height above the Bristol/Bath cycle path, the dwellings are not considered to form part of an existing street scene. Only the upper half of the proposals will be visible from the adjacent public cycle path. The dwellings are to have a half-hipped gable roof on both the east and west elevations, finished in double roman roof tiles, a render finish on the top half and a brick finish on the lower half, and brick detailing around the windows. In the event of an approval, a condition on the decision notice will ensure that a sample roof tile is submitted for approval by the Local Planning Authority.

5.4 Amendments were requested from the agent to improve the design, as the principal elevations of the original submission were of a poor standard did not convey the appearance and individual character that a principal elevation of a dwelling should have. Amendments were received on 24th April 2015 to show a canopy added over the front door which enabled the opening to be easily legible as the main entrance to the house. Officers suggested that the north elevation could serve as the principal elevation as windows would only overlook the cycle path, however the agent stated that this elevation was to remain fairly blank in order to prevent heat loss in the winter. As the dwellings are not visible as part of an existing street scene, the provision of a porch canopy was considered to be enough to address design concerns. Overall, the proposal is acceptable in terms of policy CS1 of the Core Strategy (Adopted) December 2013.

- 5.5 An existing tree in the south-west corner of the plot is to be retained; a condition on the decision notice will ensure that tree protection measures are undertaken, and that the proposed tree within the garden of house B is planted.
- 5.6 Residential Amenity
Objection letters have raised concerns regarding the overbearing nature of the proposal, however as the closest property is no. 4 Gloucester Road which is over 14 metres away and at an indirect angle, it is not considered to overbear onto any neighbouring properties.
- 5.7 Upper floor windows in the west elevation have been kept obscure glazed to avoid overlooking the gardens of Riviera Crescent, and to prevent house B overlooking house A. A condition on the decision notice will ensure that these windows remain obscure glazed, and new windows are not inserted into this elevation. The east facing bedroom window is considered a secondary window and at a suitable distance to prevent loss of privacy at the host dwelling, no. 2 Gloucester Road. The south-facing elevation has two upper floor windows serving principal rooms, and an outlook out towards no. 2 and 4 Riviera Crescent, across the garden of no. 6 Gloucester Road. It is considered the rear garden of no. 6 Gloucester Road will experience some overlooking, however this only affects the rear portion of the garden, leaving plenty of private amenity space closer to the house. The gardens of no. 2 and 4 Riviera Crescent are over 16 metres away from the closest proposed house (house B) and there is 30 metres separating the facing windows. Windows in the south elevation provides only indirect views into the garden of no. 6 Riviera Crescent, an outlook typical of residential areas within the urban fringe. The distance between no. 6 and the proposed dwellings is 26 metres approximately. Objection letters citing residential amenity issues have been received from no. 8 and 10 Riviera Crescent, but officers consider that the angle and distance from the development means that they will not experience adverse impacts. Windows to the north face across the cycle path and are not considered to cause any issues.
- 5.8 No. 2 and no. 4 Gloucester Road will both lose garden space to facilitate the development, but adequate private amenity space is considered to remain with a plot size comparable to neighbouring properties, for example 6c and 6d Gloucester Road. The proposed properties are to be two-bedrooms each, and the areas allocated for garden space are adequate and private. The proposal is therefore considered to be acceptable in terms of policy H4 of the Local Plan (Adopted) January 2006.
- 5.9 Transport
The original submission showed the parking for the host dwelling positioned to the front on the paved forecourt, however this was deemed unsuitable as there is insufficient space to turn vehicles and enter the highway in forward gear, a requirement at this busy junction to a classified road. The access was partially blocked by storage for waste bins awaiting collection.
- 5.10 Amendments have been submitted by the applicant on 13th May 2015 to address these issues. They show a sufficiently wide enough access for a car to pass a pedestrian or a cyclist, and there is waiting space either side of the side

elevation to no. 2 for vehicles to pass one another. The parking for the existing dwelling has been moved to the rear allowing for a turning head, and the five spaces shown (three for the new dwellings, two for the existing dwelling) meet the Council's Residential Parking Standards. The waste storage area is below the maximum distances considered acceptable for carrying waste to the collection area, and for waste operatives to collect.

5.11 Concerns have been raised regarding access by the emergency services. A fire tender could operate from the front of no. 2 Gloucester Road which is within the 45 metre maximum distance to the furthest house, and alternatively the emergency services could use the access driveway and operate from the turning area.

5.12 Widening works are currently being undertaken to the adjacent bridge and this will open the access up so that adequate visibility is provided in all directions when emerging from the access. Once these works to the bridge are complete, the access will be considered acceptable. A condition will prevent works from commencing until the widening works to the adjacent bridge to the north of the access have been completed. In conclusion, the revised drawings show a safe and suitable access and adequate parking and turning, and there is no transportation objection to the development.

5.13 Drainage

Many objection letters raise concerns about the location of a main sewer and a storm water culvert on the site of the development. The Proposed Block Plan shows the mains sewer is to be diverted around the development, which is considered to be acceptable. With regards to the culvert, weight is given to the fact that the Lead Local Flood Authority have not objected to this proposal. Any specific alterations to a culvert which may be found to be present would be dealt with under Land Drainage Legislation and authority to divert or alter the culvert cannot be considered through planning legislation.

5.14 Ground Stability

Letters have been received querying the structural stability of the site, which is adjacent to an embankment which borders the Bristol to Bath cycle path. The development is not on the embankment, and forms part of the residential curtilage of 2 Gloucester Road. There was no evidence at the site to suggest that requesting a full report from the applicant regarding the structural stability of the site would be necessary or reasonable, particularly as there is existing housing a similar distance from the embankment on both sides of the cycle path. It is the developer's responsibility to ensure the structural stability of the site and the required Building Regulations application will ensure that the foundations of the proposed dwellings are stable.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Contact Officer: Trudy Gallagher
Tel. No. 01454 862217

CONDITIONS

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

Reason

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

2. Prior to the commencement of development, samples of the roof tiles proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

To ensure a satisfactory standard of external appearance and to accord with Policy CS1 of the South Gloucestershire Core Strategy (Adopted) December 2013. This is required prior to commencement of development so that the proposal does not have to be rebuilt to accommodate for different materials.

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

Reason

To protect the character and appearance of the area to accord with Policies CS1 of the South Gloucestershire Core Strategy (Adopted) December 2013. This is required prior to commencement to ensure adequate protection for existing trees is in place before construction begins.

4. No work shall commence on the development until the adjacent bridge improvement works (to the north of the access hereby approved) have been completed.

Reason

To ensure adequate visibility in the interests of highway safety, and to accord with policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

5. The dwellings hereby approved shall not be occupied until the access and parking (vehicle and cycle) arrangements have been completed in accordance with the submitted drawings nos. 1336.12A and 1336.11B.

Reason

In the interest of highway safety and adequate parking, and to accord with policies T12 and T7 of the South Gloucestershire Local Plan (Adopted) January 2006 and the Residential Parking Standards SPD (Adopted) December 2013.

6. No upper floor windows other than those shown on the plans hereby approved shall be inserted at any time in the west or east elevations of the dwellings.

Reason

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

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

Reason

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

CIRCULATED SCHEDULE NO. 21/15 – 22 MAY 2015

App No.: PK15/1276/F
Site: 126 Mount Hill Road Hanham Bristol
 South Gloucestershire BS15 8QR

Applicant: Mr Tom Bilder
Date Reg: 13th April 2015

Proposal: Demolition of existing garage and
 erection of detached summerhouse.

Parish: Hanham Parish
 Council

Map Ref: 364962 172628

Ward: Hanham

Application Category: Householder

Target Date: 3rd June 2015



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008. N.T.S. PK15/1276/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This is a full planning application for a proposed detached summerhouse. A local resident has objected to this proposal which is contrary to the officer's recommendation.

1. PROPOSAL AND SITE DESCRIPTION

- 1.1 The applicant seeks full planning permission to erect a single storey summerhouse ancillary to the main dwelling of 126 Mount Hill Road, Hanham. The application site relates to a semi-detached property which fronts on Mount Hill Road.
- 1.2 The property is set in a long and narrow plot, characteristic of the streetscene, there is vehicular access to the rear of the property via an access lane to a detached single garage and parking area.
- 1.3 The plot is set on a residential street facing towards a highway. The property is semi-detached with an area of hard surfacing to the front and gardens to the rear.
- 1.4 Following negotiations to reduce the impact on the visual amenity, drainage and parking concerns revised plans were submitted and accepted on 30th of April 2015. It is considered that there was not a need to re-consult as the overall design has not changed significantly.

2. POLICY CONTEXT

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

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

South Gloucestershire Local Plan (Adopted) January 2006 – Saved Policies
H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted 2007)

3. RELEVANT PLANNING HISTORY

- 3.1 PK01/2952/F Approved with Conditions 30.11.2001
Erection of two storey and single storey rear extension

4. CONSULTATION RESPONSES

4.1 Hanham Parish Council
No Objection

4.2 Other Consultees

Highway Drainage
No Objection

Transportation DC
No Comment

Other Representations

4.3 Local Residents

One letter of objection has been received by a neighbouring resident. They have raised concerns in regards to the overall height of the proposal and the proximity of the summerhouse to their boundary.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

5.2 Visual Amenity

The application proposes to erect a single storey detached summerhouse type building adjacent to the boundary at the far end of the rear garden to 126 Mount Hill Road. The proposed annex would have a width of 6.15 metres, a depth of 8 metres and a maximum height of 3metres with a flat roof construction. The total area covered by the proposed building would equate to 45.97 m². The building's proposed uses are as a gym, office and seating space with a separate store room. There will be bi-folding doors to the elevation facing towards the host dwelling with one small side window and a roof light.

The size and scale of the annex is considered to be large in comparison to the host dwelling but is regarded as acceptable due to its location at the end of a narrow garden amongst existing detached built forms, which face onto to the access lane. It is therefore considered that the proposed development would not unacceptably impose upon the current character of the area of the street scene. The design of the summerhouse and choice of materials to be used are considered simple, allowing it to be visually subservient to the host dwelling.

Overall, it is considered that the proposed extension would not harm the character or appearance of the area and as such, is considered acceptable in terms of visual amenity.

5.3 Residential Amenity

The dwelling is semidetached; neighbours to the rear are a significant distance away, separated by gardens. The neighbours to the front are separated by a highway and front gardens or parking areas. There are close neighbours both sides with adjoining gardens to the rear, with their own detached garages. The proposed extension is single storey in height and the windows proposed are considered to be of an acceptable distance so as not to cause an unacceptable loss of privacy to neighbouring dwellings. As the orientation of the annex has the principal elevation facing the rear of the host dwelling, and any other neighbouring windows are of a fair distance from the annex it is therefore considered it will not result in a loss of privacy to neighbouring dwellings.

In terms of the impact of neighbouring properties it is considered that the proposed building, by virtue of its siting, height and scale, would not have an overbearing impact on any of the neighbouring dwellings in regards to residential amenity and would not result in a significant loss of light to them. Providing the annex remains ancillary to the host dwelling is it considered that reasonable amenity space would remain within the site.

Overall, it is considered that the proposal would not harm the living conditions currently enjoyed by neighbouring dwellings and as such, is considered acceptable.

5.4 Sustainable Transport

The application is not proposing to increase the total number of bedrooms within the property; however the proposed summer house would impose upon some of the off street parking currently enjoyed to the rear of the property. It is considered however that 3 no. off street parking spaces would still be provided post development and therefore there are no objections in terms of parking and highway safety.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That the application be **APPROVED** subject to the conditions set out below.

Contact Officer: Jessica Robinson
Tel. No. 01454 868388

CONDITIONS

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

Reason

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

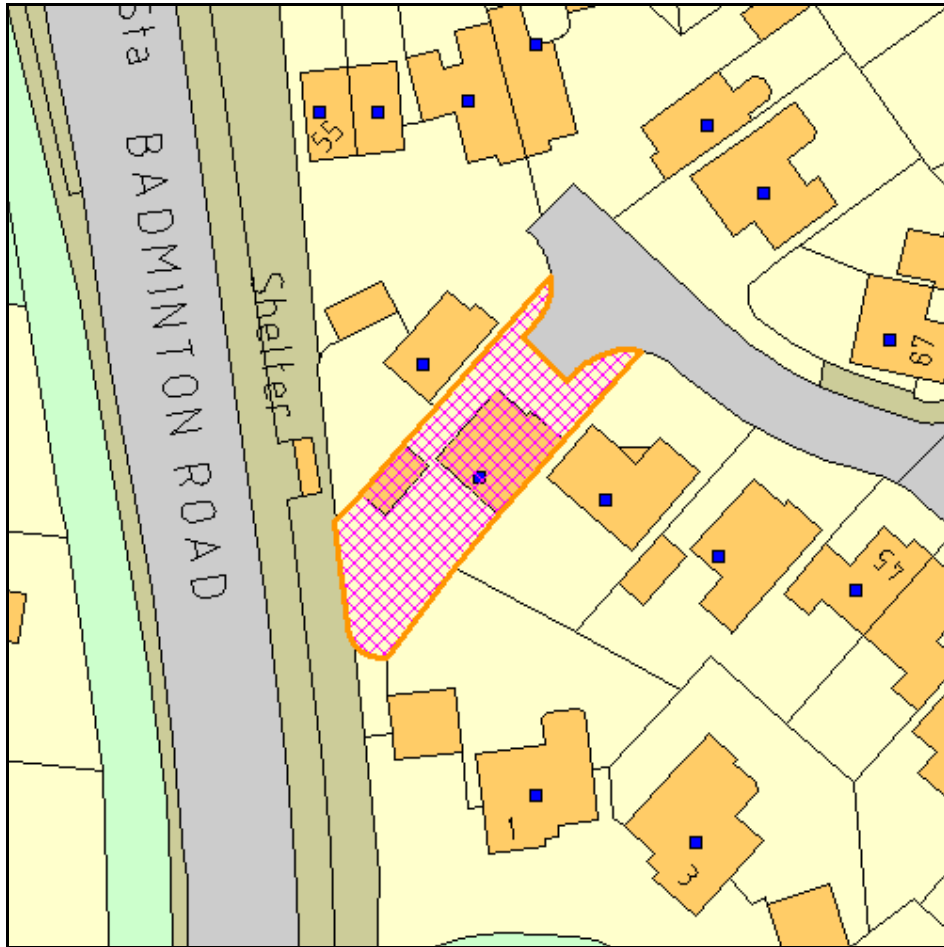
2. The summerhouse hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 126 Mount Hill Road, Hanham, Bristol.

Reason

A separate dwelling would require further consideration and to accord with Policies H4, T7, and T12 of the South Gloucestershire Local Plan (Adopted) January 2006, CS1 and CS5 of the South Gloucestershire Core Strategy adopted December 2013 and the Residential Parking Standards SPD Adopted December 2013.

CIRCULATED SCHEDULE NO. 21/15 – 22 MAY 2015

App No.:	PK15/1322/PDR	Applicant:	Mr Andrew Jones
Site:	51 Rushy Way Emersons Green Bristol South Gloucestershire BS16 7ER	Date Reg:	14th April 2015
Proposal:	Erection of single storey rear extension to form additional living accommodation.	Parish:	Mangotsfield Rural Parish Council
Map Ref:	366102 178396	Ward:	Emersons Green
Application Category:		Target Date:	4th June 2015



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008. N.T.S. PK15/1322/PDR

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This is a full planning application for a proposed single storey rear extension. A local resident has objected to this proposal which is contrary to the officer's recommendation.

1. PROPOSAL AND SITE DESCRIPTION

- 1.1 The applicant seeks full planning permission to erect a single storey rear extension to 51 Rushy Way, Emersons Green. The application site relates to a two story detached property within a suburban development in Emersons Green, where permitted development rights have been removed under P98/4586.
- 1.2 The plot sits within a cul-de-sac of similar properties. There is a small area of lawn to the front of the property, with an area of hard standing to the side which creates an access for vehicles to a detached single garage. There is a projected gable to the principle elevation and the property is finished in buff and red coloured brick, with a pitched roof covered in dark coloured double roman tiles. There are close neighbours to each side and a neighbour to the south, the property also backs onto Badminton Road.

2. POLICY CONTEXT

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

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

South Gloucestershire Local Plan (Adopted) January 2006 – Saved Policies
H4 Development within Existing Residential Curtilages, Including Extensions and New Dwellings
- 2.3 Supplementary Planning Guidance
South Gloucestershire Design Checklist (Adopted 2007)

3. RELEVANT PLANNING HISTORY

- 3.1 P98/4586 Approval of Reserved Matters 22.10.1998
Erection of 97 dwellings with associated works (Reserved Matters)

4. CONSULTATION RESPONSES

- 4.1 Downend and Bromley Heath Parish Council
No Comments Received

4.2 Other Consultees

Highway Drainage
No Comments Received

The Archaeology Officer
No Comments Received

Mangotsfield Rural Parish Council
No Comments Received

Other Representations

4.3 Local Residents

One Letter of Objection has been received from a neighbouring resident raising concern that the proposed extension would be overbearing and cause a detrimental loss of light to their property.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

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

5.2 Visual Amenity

The proposal consists of rear single story extension spanning the width of the existing dwelling. This will also involve alterations to the existing garage roof as the proposed extension will encroach into the overhang of the garage, therefore the roof will be altered to meet the roof of the extension. The proposal is modest in scale and the design and use of materials has been informed and is in keeping with the character of the existing dwelling. Overall, it is considered that the proposed extension would not harm the character or appearance of the area and as such, is considered acceptable in terms of visual amenity.

5.3 Residential Amenity

The dwelling is located in a cul-de-sac with neighbouring dwellings either side. Given the proposed extension is single storey in height and would have a lean-to roof arrangement, it is not considered to result in an unreasonable loss of privacy or light to any neighbouring dwellings. It is also considered that the proposed dwelling would not have a detrimental overbearing effect upon any neighbouring dwelling. Overall, it is considered that the proposal would not unreasonably harm the living conditions currently enjoyed by neighbouring dwellings and as such, is considered acceptable.

5.4 Sustainable Transport

The application is not proposing to increase the total number of bedrooms within the property, nor would it effect the existing off street parking arrangements and as such, there are no objections in terms of parking and highway safety.

6. **CONCLUSION**

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

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

7. **RECOMMENDATION**

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

Contact Officer: Jessica Robinson
Tel. No. 01454 868388

CONDITIONS

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

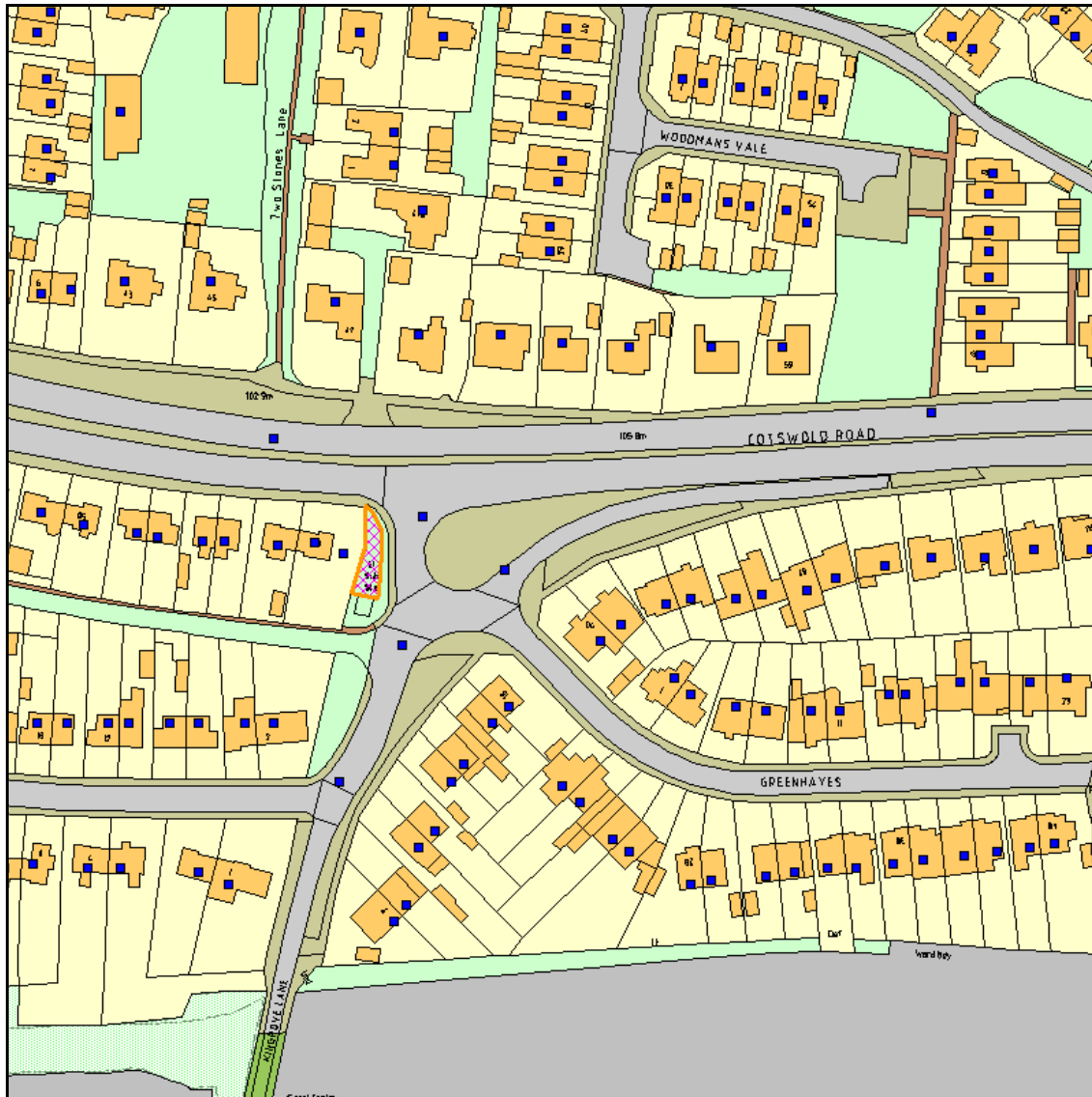
Reason

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

ITEM 6

CIRCULATED SCHEDULE NO. 21/15 – 22 MAY 2015

App No.:	PK15/1381/F	Applicant:	Mr And Mrs N Purnell
Site:	68 Cotswold Road Chipping Sodbury Bristol South Gloucestershire BS37 6DP	Date Reg:	24th April 2015
Proposal:	Change of use of land to residential curtilage (retrospective) and erection of a garden shed (Use Class C3)	Parish:	Sodbury Town Council
Map Ref:	373061 181746	Ward:	Chipping Sodbury
Application Category:	Minor	Target Date:	16th June 2015



© South Gloucestershire Council 2007.all rights reserved.
This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
100023410, 2008. N.T.S. PK15/1381/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application is referred to the Circulated Schedule as a representation has been received which is contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 The application seeks permission for the change of use of land to the side of a newly constructed dwelling from grass verge amenity land (sui generis) to residential (Use class C3) in order to incorporate it into the residential curtilage of the new dwelling. The application also seeks permission to erect a detached garden shed on this land.
- 1.2 The land subject to this application has already been enclosed by a timber boarded fence and as such the application seeks retrospective approval for the change of use of the land. The plans indicate that the intention is to replace the newly constructed timber fence with a 1 metre post and wire fence and evergreen hedgerow. The garden shed has not yet been erected.
- 1.3 The application relates to an area of open land situated to the side of a newly constructed detached dwelling approved under application ref. PK14/0685/F. The site falls within the defined urban area of Chipping Sodbury.
- 1.4 During the course of the application the description of development has been amended in order to accurately reflect the nature of the development proposal. For the avoidance of doubt the change of use of the land is retrospective however all other elements are not.

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
CS5 Location of Development
CS9 Managing Environment and Heritage
CS16 Housing Diversity
CS17 Housing Density
CS30 Yate and Chipping Sodbury

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

L1 Landscape Protection and Enhancement
L5 Open Spaces within the Urban Area and Settlement Boundaries
T12 Transportation Development Control Policy

2.3 Supplementary Planning Guidance

Residential Parking Standards SPD (Adopted) 2013

3. RELEVANT PLANNING HISTORY

- 3.1 PK14/0685/F - Erection of 1no. detached dwelling and detached garage with access and associated works. Approved 17th April 2014
- Permitted development rights removed (condition 6).

4. CONSULTATION RESPONSES

- 4.1 Sodbury Town Council
Objection. Substantial development has taken place on public land.
- 4.2 Lead Local Flood Authority
No comment.

Other Representations

- 4.3 Local Residents
No comments received.

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
The application seeks permission for the change of use of land from open amenity verge to residential curtilage, and the erection of a garden shed. The principle of the proposed change of use within the established urban area is considered acceptable provided it does not have an adverse affect on the contribution that an open area has to the quality, character and amenity of the locality. Other pertinent issues include residential amenity and highway safety.
- 5.2 Visual Amenity
The application site consists of a strip of open land situated between the newly constructed dwelling and the highway edge. It had formerly been occupied by a number of trees and overgrowth offering a green break in the street scene. It followed the line of the other verges further to the south. An electricity station remains in situ to the rear of the site enclosed by a palisade fence. The trees and vegetation have since been cleared with part of the grass verge now enclosed by a fence and incorporated into the new curtilage of the recently erected dwelling to the side of no.68. The site does not include the whole of the grass verge leaving a strip adjacent to the highway which has a width adjacent to the electricity sub station of 3.5 metres tapering down to a narrower point adjacent to the junction.
- 5.3 The proposal is to change the use of the land and to erect a one metre post and wire fence with an evergreen hedge planted adjacent to it which would fall within the newly formed curtilage. The proposal is not to retain the recently erected 2 metre timber boarded fence that is currently in situ. A garden shed is proposed to the south of the site adjacent to the electricity substation.
- 5.4 The applicant indicates that all reasonable attempts have been made to identify the owner of the land and has signed certificate D of the application form with a notice issued in the local newspaper. It is unclear if the land is 'publicly' owned

however this is not in any case an issue that holds material weight within the planning assessment. The land does serve a purpose of offering a visual break in the street scene and as such the main issue is whether the proposed development would harm the contribution the land makes to the amenity of the local area. The new dwelling itself was erected on land that fell within the curtilage of no.68 Cotswold Road.

- 5.5 It is noted that the proposal would result in the partial loss of an existing open area that does make a contribution towards the visual amenity of the locality and follows the line of the grass verges further to the south. However, on balance, it is not considered that the change of use would adversely harm the character or quality of the area. Some verge would remain to the side of the newly formed curtilage retaining a green break in the street scene thus continuing to enhance the character and amenity of the immediate locality. The proposed boundary treatment, which is a post and wire fence, would also not appear adversely intrusive or prominent in the street scene and would be further softened by the proposed hedge which is to be planted within the new curtilage adjacent to the boundary. The newly formed curtilage would continue to be read in conjunction with the recently erected detached dwelling remaining in keeping with the linear residential character of Cotswold Road. Notwithstanding any issue that may be associated with land ownership, which is a civil matter, whilst the comments of the Parish Council are acknowledged, it is considered overall that the development is acceptable in planning terms.
- 5.5 The proposed shed is modest in scale and would be read in the context of the existing adjacent substation. Once established the shed would be well screened from the highway. It would also remain in keeping with the residential character and use of the site. There are therefore no concerns in this respect.
- 5.6 Within the previously approved application a condition was applied removing the permitted development rights from the new dwelling in the interests of retaining a satisfactory level of private amenity space. The extension of the dwelling would continue to be controlled by this condition and as such it is not necessary to reapply the condition within the current application. It is however considered necessary to prevent the erection of new boundary treatments without the prior permission of the Local Planning Authority in order that satisfactory control is retained over boundary treatments in the interests of visual amenity. Subject to this condition and provided a hedgerow is planted there are no objections on grounds of visual impact.
- 5.7 Residential Amenity
It is not considered that the development would have a harmful impact on the amenity of the nearby occupiers and would improve the living standards of the future occupiers. There are therefore no concerns in this respect.
- 5.8 Highway Safety
The proposed development would not have an impact on the access or parking provision serving the new dwelling and would not obscure visibility at the junction. There are therefore no concerns in this respect.

6. CONCLUSION

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

7. RECOMMENDATION

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

Contact Officer: Sarah Fordham
Tel. No. 01454 865207

CONDITIONS

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

Reason

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

2. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no walls, fences, gates or other means of enclosure shall be erected, positioned or placed within the curtilage of any dwelling house forward of any wall of that dwelling house which fronts onto a road other than those permitted by the plans hereby approved.

Reason

In the interests of visual amenity and to accord with Policy L5 of the South Gloucestershire Local Plan (Adopted) January 2006, and policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013

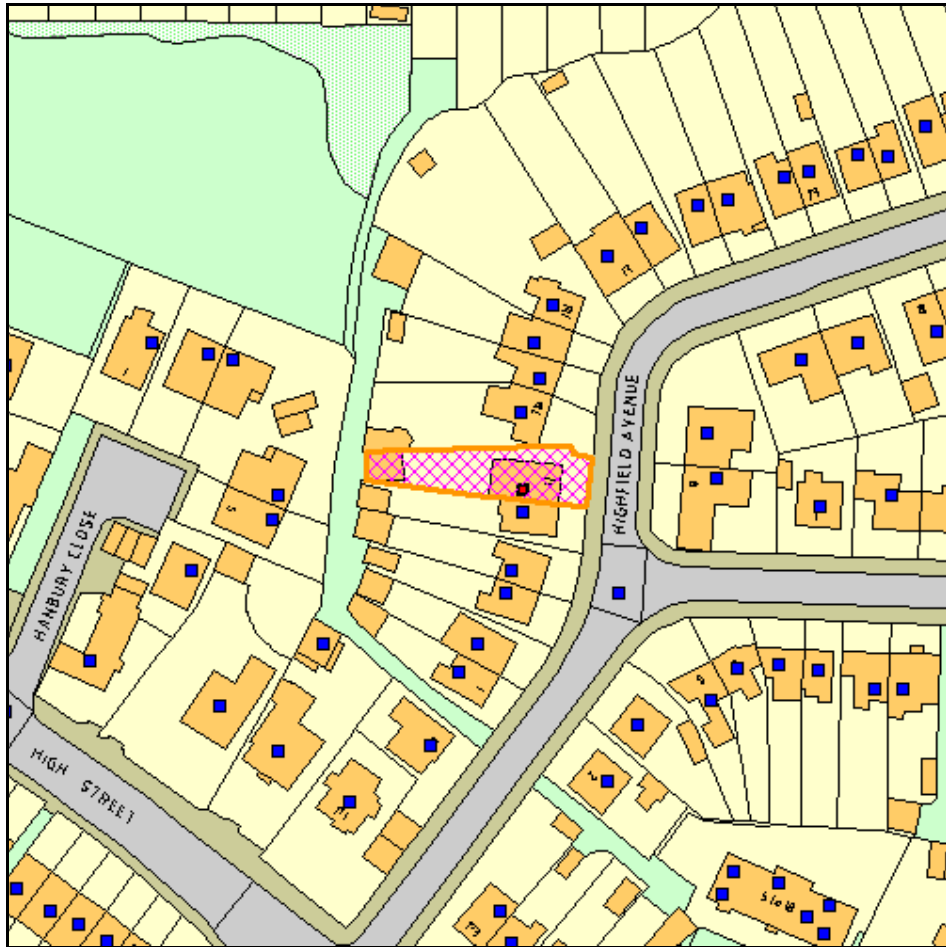
3. The hedgerow shown on the Site Layout Plan hereby approved shall be planted in the first planting season following the date of this decision.

Reason

In the interests of visual amenity and to accord with Policy L5 of the South Gloucestershire Local Plan (Adopted) January 2006, and policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013.

CIRCULATED SCHEDULE NO. 21/15 – 22 MAY 2015

App No.:	PK15/1593/F	Applicant:	Mr Rubby Sartoni
Site:	11 Highfield Avenue Hanham Bristol South Gloucestershire BS15 3RA	Date Reg:	17th April 2015
Proposal:	Erection of two storey side extension to form additional living accommodation.	Parish:	Hanham Parish Council
Map Ref:	364747 172165	Ward:	Hanham
Application Category:	Householder	Target Date:	9th June 2015



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008. N.T.S. PK15/1593/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This is a full planning application for a proposed two storey side extension. A local resident has objected to this proposal which is contrary to the officer's recommendation.

1. PROPOSAL AND SITE DESCRIPTION

- 1.1 The applicant seeks full planning permission to erect a two storey side extension and side dormer to form additional living accommodation to 11 Highfield Avenue, Hanham. The application site relates to a semi-detached property on a residential street fronting onto a highway. The property has a brown coloured pebble dash render and red brick finish to all exterior elevations with a hipped roof covered by dark coloured double roman tiles. There is an area of garden space to the side of the property, with a small patio area to the front. There is a rear garden set within a fenced boundary with a detached double garage to the rear, served by a small access lane. The property has previously benefitted from a single storey rear extension.
- 1.2 The plot sits within an established residential street. The property sits on lower ground than the neighbouring property to the north.
- 1.3 Following negotiations to reduce the impact on the visual amenity, revised plans were submitted and accepted on 18th of May 2015. It is considered that there was not a need to re-consult as the overall design has not changed significantly.

2. POLICY CONTEXT

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

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

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

3. RELEVANT PLANNING HISTORY

- 3.1 PK05/0279/F Approved with Conditions 21.03.2005

Erection of single storey rear extension to form additional living accommodation. Erection of detached garage.

4. CONSULTATION RESPONSES

4.1 Hanham Abbots Parish Council
No Comments Received

Hanham Parish Council
No Comments Received

4.2 Other Consultees

Highway Drainage

No Objection, subject to an informative be attached to the decision notice regarding the close proximity of a public sewer.

Other Representations

4.3 Local Residents

One objection has been received form a neighbour which detailed their concerns regarding the proposed gable end and pitched roof arrangement and the possible visual and residential amenity effects this could pose to their property.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

5.2 Visual Amenity

The proposal consists of a two storey side extension to the north elevation and to be slightly stepped back from the original property line. The extension will form an additional living accommodation and stairs to a proposed loft conversion. One additional bedroom will be provided to the third storey along with a new bathroom to both the second and third storey.

The application site is located along a residential street with an attached neighbour to the southern elevation and a close neighbours to the northern elevation. The proposal will be slightly stepped back from the original line of the property. The roof will not exceed the original ridge height and will extend the hipped roof out to the proposed side extension. There will also be a side dormer which will be visible from the principal elevation. Whilst this extension is considered to be a large addition to the original dwelling house, the scale and use of materials has been informed and is in keeping with the character of the existing dwelling.

Overall, it is considered that the proposed extension would not harm the character or appearance of the area and as such, is considered acceptable in terms of visual amenity.

5.3 Residential Amenity

The dwelling is located along an established residential street with neighbouring properties to each elevation, although properties to the rear and front are separated by gardens or the highway. The proposed extension will have no windows to the side elevation. There are 2 no. proposed windows to the side dormer, however these will be obscure glazed, so are considered not to cause an unreasonable loss of privacy. There are 2. No proposed windows to the rear elevation of the property, these are again considered not to cause an unreasonable loss of privacy to the dwelling to the rear as neighbouring properties to the rear are of a suitable distance away. It is not considered the proposed development will cause a detrimental loss of light to any neighbouring dwellings. Furthermore the dwelling would retain adequate amenity space with the proposal.

Overall, it is considered that the proposal would not unreasonably harm the living conditions currently enjoyed by neighbouring dwellings and as such, is considered acceptable.

5.4 Sustainable Transport

The application is proposing to increase the total number of bedrooms within the property from two to four. The existing garage will be demolished and replaced with an integral single garage measuring 3.1 metres by 5 metres. Given the proposed garage would not meet the minimum size required by the Councils Parking SPD it will only count as 0.5 of a parking space. To the front of the property it is proposed to extend the area of hard surfacing to provide 1 no. extra parking spaces. This would increase the total no. of parking spaces to 2.5 thus would be in line with the Council's minimum parking requirements.

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

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Contact Officer: Jessica Robinson
Tel. No. 01454 868388

CONDITIONS

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

Reason

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

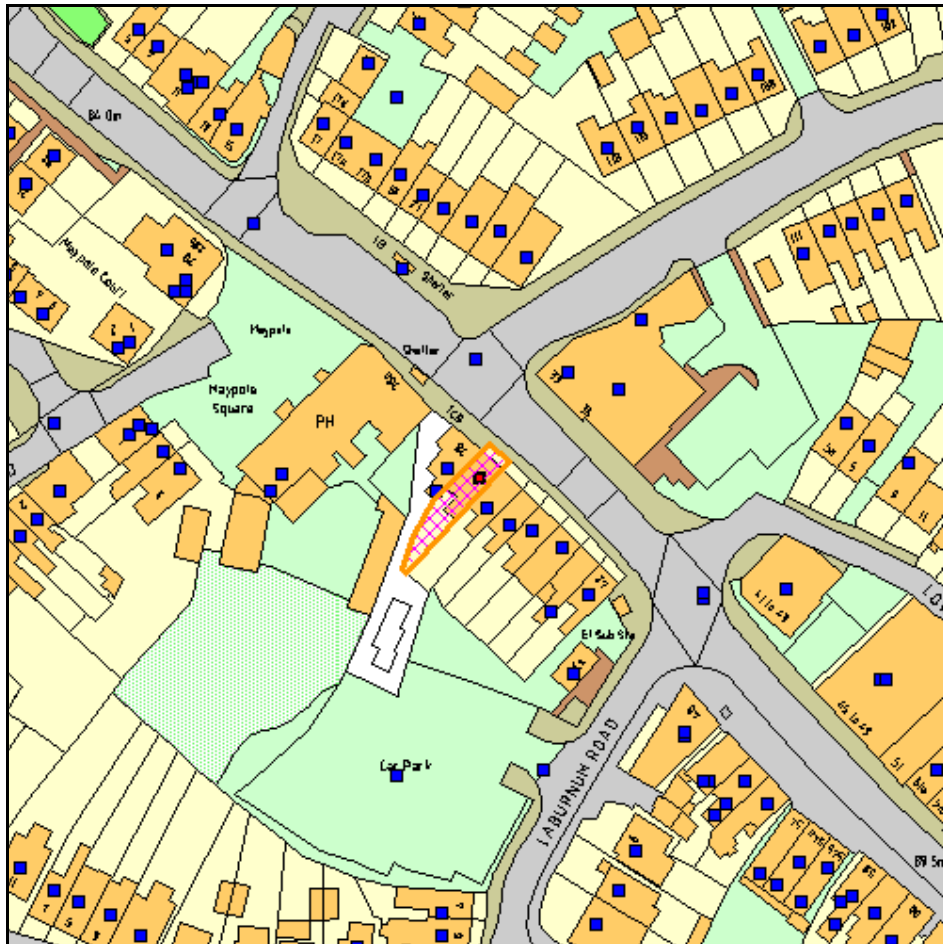
2. Prior to the use or occupation of the extension hereby permitted, and at all times thereafter, the proposed side dormer windows on the northern elevation shall be glazed with obscure glass to level 3 standard or above with any opening part of the window being above 1.7m above the floor of the room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

Reason:

In the interest of residential amenity.

CIRCULATED SCHEDULE NO. 21/15 – 22 MAY 2015

App No.:	PK15/1698/CLP	Applicant:	Mr Derrick Shore
Site:	30 High Street Hanham Bristol South Gloucestershire BS15 3DP	Date Reg:	24th April 2015
Proposal:	Application for certificate of lawfulness for proposed installation of rear dormer and 2no. rooflights to the front roof elevation to facilitate a loft conversion	Parish:	Hanham Parish Council
Map Ref:	364070 172436	Ward:	Hanham
Application Category:		Target Date:	16th June 2015



© South Gloucestershire Council 2007.all rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2008.

N.T.S.

PK15/1698/CLP

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

1.1 The applicant is seeking a formal decision as to whether the proposed installation of a rear dormer window, and 2 no. roof lights to the front roof elevation to facilitate a loft conversion at 30 High Street, Hanham would be lawful. This is based on the assertion that the proposal falls within the permitted development rights normally afforded to householders under the Town and Country Planning (General Permitted Development) (England) Order 2015.

1.2 The application is a formal way of establishing whether the proposal requires planning permission or not. Accordingly there is no consideration of planning merit, the decision is based solely on the facts presented.

2. POLICY CONTEXT

2.1 National Guidance

Town and Country Planning Act 1990 (As Amended) 1990 section 192
Town and Country Planning (Development Management Procedure) (England) Order 2015 Article 39
Town and Country Planning (General Permitted Development) (GPDO) (England) Order 2015

3. RELEVANT PLANNING HISTORY

3.1 None relevant.

4. CONSULTATION RESPONSES

4.1 Hanham Parish Council
No objection.

4.2 Other Consultees

Lead Local Flood Authority
No comment received.

Other Representations

4.3 Local Residents
None received.

5. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

5.1 Existing Elevations, Existing Floor and Roof Plan, Proposed Elevations, Proposed Ground and First Floor Plans, Proposed Loft and Roof Plan, Site Location and Block Plan – all received by the Council on the 21/04/2015.

6. ANALYSIS OF PROPOSAL

6.1 Principle of Development

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

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

6.3 The proposed development consists of a loft conversion facilitated by a dormer window in the rear roof slope of the property and 2 no. roof lights inserted in the front roof elevation. This development would fall under the criteria of *Schedule 2, Part 1, Class B and Class C* of the Town and Country Planning (General Permitted Development) (England) Order 2015, which permits the enlargement of a dwelling house consisting of an addition or alteration to its roof. This allows for dormer windows and roof lights subject to the following:

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

(a) Permission to use the dwelling house as a dwelling house has been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (change of uses);

The use of the building as a dwelling house was not granted by virtue of Class M, N, P or Q of Part 3 of this Schedule.

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

The proposed works do not exceed the maximum height of the existing roof.

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

The proposed dormer window extends from the rear roof elevation which does not form a principal elevation and does not front a highway. The two roof lights proposed on the forward facing slope are to be considered against Class C of Part 1 of the GPDO.

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

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

(ii) 50 cubic metres in any other case;

The dormer window has a volume of 15.12 cubic metres.

(e) It would consist of or include-

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

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

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

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

(f) The dwelling house is on article 2(3) land.

The dwelling house is not on article 2(3) land.

Conditions

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

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

The applicant has stated in the proposed plans that the materials of the dormer enlargement will match the existing dwelling house. The proposal therefore meets this condition.

(b) The enlargement must be constructed so that –

i. Other than in the case of a hip-to-gable enlargement or an enlargement which joins the original roof to the roof of a rear or side extension-

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

(bb) the edge of the enlargement closest to the eaves of the original roof is, so far as practicable, not less than 0.2 metres from the eaves, measures along the roof slope from outside the edge of the eaves; and

The proposal leaves the original eaves of the dwelling house unaffected, and the edge of the proposed dormer closest to the eaves is 0.2 metres set back from the existing eaves.

ii. Other than in the case of an enlargement which joins the original roof to the roof of a rear or side extension, no part of the enlargement extends beyond the outside face of any external wall of the original dwelling house; and

The proposal does not extend beyond the outside face of any external wall of the original dwelling house.

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

(i) Obscure glazed; and

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

The proposal does not include any side elevation windows.

Class C relates to any other alteration to the roof of the dwelling house such as the proposed roof lights, and is considered below.

C.1 Development is not permitted by Class C if-

(a) Permission to use the dwelling house as a dwelling house has been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (change of uses);

The use of the building as a dwelling house was not granted by virtue of Class M, N, P or Q of Part 3 of this Schedule.

(b) The alteration would protrude more than 0.15 metres beyond the plane of the slope of the original roof when measure from the perpendicular with the external surface of the original roof

The windows on the front elevation of the roof slope will not protrude more than 150mm from the roofline.

(c) It would result in the highest part of the alteration being higher than the highest part of the roof; or

The proposal does not exceed the highest part of the original roofline at any point, and therefore meets this criterion.

(d) It would consist of or include-

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

(ii) The installation, alteration or replacement of solar photovoltaics or solar thermal equipment.

The proposal does not include any of the above.

C.2 Development is permitted by Class C subject to the condition that any windows on the roof slope forming the side elevation of the dwelling house shall be –

(a) obscure glazed; and

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

The proposal does not include any side elevation windows.

7. RECOMMENDATION

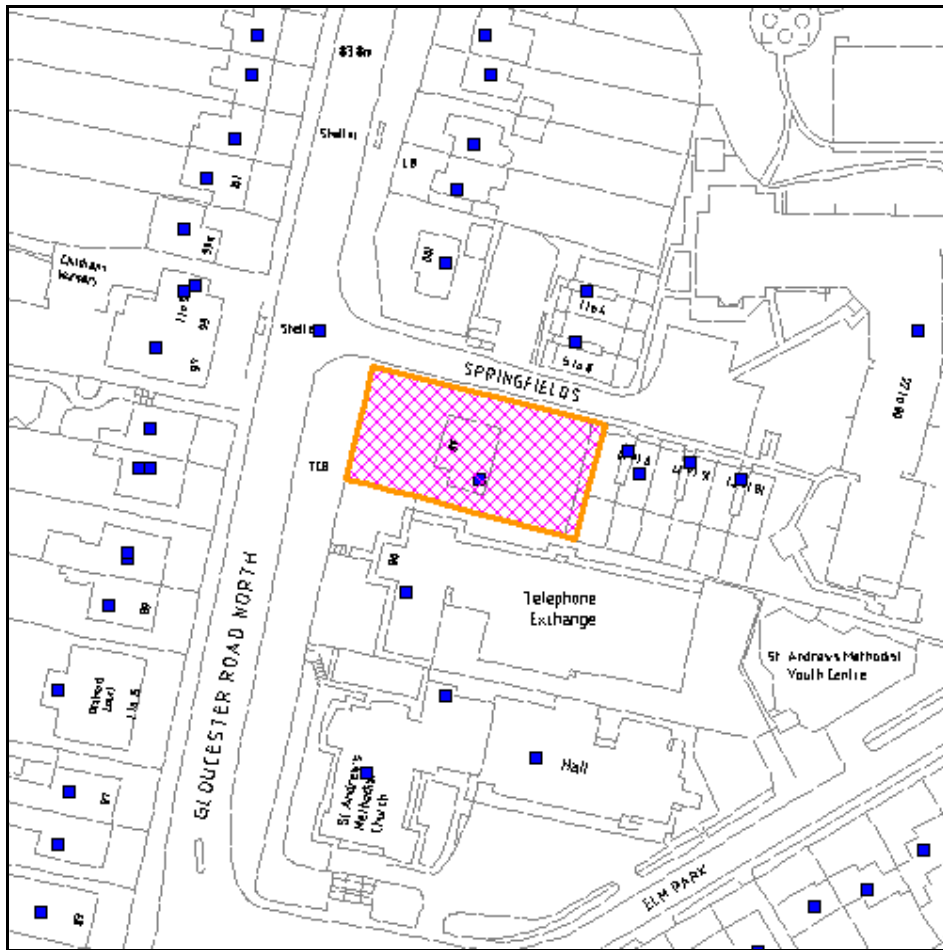
- 7.1 That a Certificate of Lawfulness for Proposed Development is granted for the following reason;

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

Contact Officer: Matthew Bunt
Tel. No. 01454 863131

CIRCULATED SCHEDULE NO. 21/15 – 22 MAY 2015

App No.:	PT14/4404/F	Applicant:	Knightsone Housing Association
Site:	98 Gloucester Road North Filton Bristol South Gloucestershire BS34 7PF	Date Reg:	20th November 2014
Proposal:	Demolition of existing property and erection of 10 one bed flats and associated works	Parish:	Filton Town Council
Map Ref:	360109 178810	Ward:	Filton
Application Category:	Major	Target Date:	17th February 2015



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008. N.T.S. PT14/4404/F

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 property and the erection of a block of 10no. one bed flats (Class use C3) and associated works. The proposed block of flats would be for socially rented housing. The application site relates to a substantial two-storey detached property situated adjacent to Gloucester Road North in the established settlement boundary of Filton. The building is currently unoccupied but has most recently been used as a staffed group home for people with mental health issues and therefore there would be no change of class use. The site occupies an elevated corner position on Springfields a private road leading to three existing blocks of social housing and is currently screened from the main road by planting comprising tall conifer trees. A further group of confers can be found in the rear garden along with a TPO'd Ash Tree.
- 1.2 The flats will comprise a three storey block and 2 two-storey blocks with their main entrance side onto Gloucester Road North. Properties in the area, including the development of Springfields, alongside and to the rear of the site, are a mix of two and three storey buildings. The maximum height of the three storey element would be approximately 9.7 metres with the two-storey structures would be approximately 7.3 metres. By comparison the existing house has a maximum height of approximately 8.7 metres. It is noted that the surrounding area is predominantly residential but some business and commercial uses including, for example, a children's nursery directly opposite and a small amount of businesses and leisure and community facilities are also within close proximity. Good public transport links are to be found along Gloucester Road North.
- 1.3 During the course of the application revised plans relating to the design, materials, parking and cycling were received by the Council.

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	Environmental Resources and Built Heritage
CS15	Distribution of Housing

CS16	Housing Density
CS17	Housing Diversity
CS18	Affordable Housing
CS23	Community Infrastructure and Cultural Activity
CS24	Open Space Standards
CS25	Communities of the North Fringe of Bristol Urban Area
CS26	Cribbs/Patchway New Neighbourhood

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

L1	Landscape
T7	Cycle parking standards
T8	Parking Standards
T9	Parking Standards for People with Disabilities
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

Relating to the site and the adjacent social housing at Springfields

- 3.1 N251: Change of use of premises from offices to residential.
 Refused: 12 Sept 1974
- 3.2 N251/1: Outline application for the erection of a two-storey dwelling;
 conversion of property to three self-contained flats. Permitted:
 13 Feb 75
- 3.3 N251/2: Use of land for stationing of additional residential caravans.
 Permitted: 4 Nov 76
- 3.4 N7557: Use of land as extension to existing mobile home park.
 Permitted: 17 Sept 1981
- 3.5 N251/3: (Outline) Erection of one dwelling in front of existing house
 and one dwelling to rear of existing house.
 Refused: 10 Nov 83
- 3.6 N251/4: Erection of flat.
 Withdrawn: 6 Feb 84
- 3.7 P84/1171: (Outline) Erection of elderly persons dwellings on 0.38Ha.
 Permitted: 18 April 84
- 3.8 P84/1921: (Outline) Erection of elderly persons dwellings on two and
 three storey blocks and construction of vehicular and pedestrian
 access.
 Permitted: 12 Sept 84

- 3.9 P84/2276: Change of use from residential to convalescent / nursing home/ old folks home.
Permitted: 7 Nov 84
- 3.10 P84/2277: Change of use from residential to offices
Refused: 7 Nov 84
- 3.11 P84/2650: Change of use of premises from single dwelling to use as flats.
Permitted: 19 Dec 1984
- 3.12 P86/1184: Change of use of premises from single dwelling to use as staffed group home.
Permitted: 12 March 1986
- 3.13 P86/2091: Erection of 59 elderly persons flats and 1 wardens flat with common room and ancillary facilities in two and three storey blocks; construction of vehicular and pedestrian access.
Permitted: 4 Sept 1986
- 3.14 P87/1536: Erection of single-storey plant room
Permitted: 20 May 1987
- 3.15 PT11/0493/F Erection of single-storey extension to north elevation to provide additional communal space and associated facilities; erection of disabled scooter store.
Split Decision: 6 April 2011

4. CONSULTATION RESPONSES

4.1 Filton Parish Council
No objection

4.2 Other Consultees

Tree Officer

No objection following discussion.

The Ash Tree to the rear of the site was identified as worthy of retention and issued with a TPO. Further assessment concluded that the tree could cause problems to the existing neighbouring building in the future and that sufficient measures to mitigate against its loss could be made with appropriate planting. A condition would secure this.

Landscape Officer

No objection subject to a condition that an appropriate scheme of planting should be implemented to mitigate against the loss of a number of conifers and other trees/shrubs.

Highway Engineer

Although only 6 parking spaces can be achieved on site it is acknowledged that the proposed 10 cycle spaces meet the standards and the proposal is regarded

as being in a sustainable location where other forms of transport are present. No objection subject to a condition regarding the proposed parking, cycle parking and refuse storage.

Urban Design Officer

No objection following receipt of revised plans which addressed initial concerns over proposed materials/colour palette.

Highway Drainage

No objection in principle subject to conditions attached to the decision notice.

Highway Structures

No comment.

Enabling

No objection. The proposed scheme would replace a single dwelling with 10 purpose built flats within the Filton area. The proposal would secure additional social housing which would add to the mix of housing in the immediate area.

Care Quality Commission

No comment.

Wessex Water

No objection subject to an informative attached to the decision notice.

Other Representations

4.3 Local Residents

One letter of objection has been received from a local resident. The points raised are summarised as:

- Concerns regarding loss of light and privacy
- Very modern building, out of keeping with area
- Perception of anti-social behaviour

A letter has been received from Jack Lopresti, MP, requesting that the concerns of his constituents as listed above are fully considered.

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 overall design of the building and its impact on the character of the area (CS1, CS5), the impact on the residential amenity of nearby occupiers and future occupiers (H4, CS24), impact on highway safety and parking (T8, T9, T12 and SPD: Residential Parking Standards), effect on the landscape and trees (L1), the contribution the proposal would make to different types of/affordable housing (CS17, CS18).

5.2 The NPPF states that there is a strong presumption in favour of sustainable development and that the effective use of land by the re-use of land that has previously been developed should be a priority. In a similar vein it goes on to

state that any development should maximise the potential of sites to accommodate new development. Policy CS5 encourages new development to take place with the communities of the North and East Fringes of the Bristol urban area. The proposed development is located within Filton an established residential area is a previously developed site and as such would accord with these policy aims.

- 5.3 The proposed 10 no flats would replace a single dwelling house and as such the class use would not change but the development would bring in additional affordable housing to the area. This type of purpose built housing would contribute to the different types and size of dwellings in Filton. In the balancing assessment exercise the benefit of this type of housing scheme to the wider community and being located in a highly sustainable location can be given some considerable weight.
- 5.4 It is worth noting that throughout this assessment Officers have been mindful of the Equalities Act 2010 which requires that the public sector must in the exercise of its functions have due regard to the need to among other things eliminate discrimination, harassment, victimisation and advance equality of opportunity.

Subject to consideration of the criteria set out below, the proposed development is acceptable in principle and considered to accord with policy.

5.5 Design and Visual Amenity

The application site occupies a corner plot between the A38 Gloucester Road North and Springfields, a private cul-de-sac occupied by extra care housing. Springfields itself consists of 58 no. extra care flats in blocks of two and three storeys of typical 1980s design. It has communal gardens and shared car parking on the road within the cul-de-sac. No. 98 is a substantial double bay fronted hipped roof dwellinghouse holding a corner position of Springfields and Gloucester Road North. The house has other attractive design features such as additional bay windows and quoin stone detailing. It sits within a good size garden plot. The building is set back from the busy main road and separated from it by mature trees. The site slopes from the east to the west and as such the boundary wall varies in height along the cul-de-sac of Springfields. No 98 would be demolished to facilitate the development.

- 5.6 This proposal would be positioned closer to the main road and would achieve 3 storeys in height. It is noted that the character of the area of Gloucester Road North is rather varied at this juncture with a mix of properties ranging from modest two-storey dwellings to more imposing Victorian type villas with dormer windows at second floor level and Springfields itself comprises two and three storey structures. Directly to the south of the site is the Old Telephone Exchange and beyond that St Andrew's Church. The proposal would be a large modern block of contemporary design. It would hold an important position being viewed from the public highway and being the one of the gateway buildings into Springfields.
- 5.7 The proposed contemporary structure with its asymmetric roof would be set over three floors in what would appear to be three blocks. The entrance would

be off Springfields road and centrally positioned in the structure. Two wings/blocks each of two storeys either side of the entrance foyer would lead to the stairway and lifts and give access to the main three storey block beyond these two storey elements, further to the south. The ground floor would provide four flats as would the first floor with the remaining two on the second floor level. This level would also have a roof terrace positioned to the east, furthest away from the road. It is noted that the wall enclosing this roof terrace is angled being highest closest to the existing two storey housing in Springfields and falling to the west. Proposed materials include reconstituted stone and render for the external walls with grey upvc windows and areas of wooden boarding to soften the appearance of the standing seam metal roof covering. It is considered that the materials complement the overall design and given the mix of materials in the immediate area, the proposal would not be at odds with the street scene.

5.8 The proposal includes communal gardens to the front and six car parking spaces to the rear along with cycle storage and refuse storage. Currently the site has a number of trees, one of which has been TPO'd. The application proposes a scheme of landscaping to compensate for the loss of the trees and this is discussed in more detail in the relevant sections below.

5.9 Residential Amenity

No. 100 Gloucester Road North sits on the opposing corner to the application site, separated by the road Springfields. This is a large extended detached residential property with vehicular access off Springfields. These neighbours have expressed concerns regarding possible overlooking by the proposed development. The proposed block of flats would be to the south of No. 100. This house has a large expanse of tarmacked driveway to the side (south) and rear (east) and an area of paths and gravel with planting at the boundary to the front (west). It is acknowledged that No. 100 has three openings in the opposing elevation comprising a doorway leading to a second sitting room (once a garage which also has a window to the east), a small window serving the kitchen (the main window is to the front elevation), and a first floor window bedroom above (the main window to this bedroom faces Gloucester Road North). Currently, No. 98 is set back off the main road while No. 100 is positioned closer to it. It is acknowledged that the proposed block of flats would be positioned further towards the highway and plans indicate that the distance between the two would be approximately 16 metres. Two flats on the ground floor and two flats on the first floor would be opposite and closest to No. 100. Those closest to the road Springfields would have their kitchen and one of the living/dining room windows situated in this elevation. The main and larger window would, however, be in the elevation facing Gloucester Road North. It is considered appropriate that the first floor window serving the living/dining area of flat 8 be of a type of glazing or design to mitigate against any potential privacy issues for No. 100. A condition will be attached to the decision notice to secure this.

5.10 Neighbours have stated their concern regarding loss of daylight as the proposed development would be to the south of their property. It is recognised that the proposed block of flats would be three storeys high and slightly closer to No. 100 than the existing building but it is considered that a reasonable

relationship with the adjacent properties would be maintained given the distance between the two and the intervening access road leading to Springfields. Currently the main garden for No. 100 is to the front adjacent to the highway, and to some extent would already experience some shading from high trees within the application site. The property has a small second sitting room opposite the application site that also has a second window to the east and the first floor bedroom directly above, has its main windows facing west. The road serving Springfields would be in between the two. Given this, the living conditions of these neighbours would not be significantly prejudiced and can be mitigated against with for the example, landscaping and a redesign of one of the windows.

- 5.11 Neighbours to the east occupy flats in one of the existing two-storey red brick buildings that make up the Springfields site. Flats here would be approximately 23 metres away from the proposed structure. Two small circular windows, one in the first floor and one in the ground floor are present in this elevation and it is assumed from their size and fairly high level position that these do not serve primary habitable living space. The first floor flat benefits from a window situated on the most north westerly corner of the building which then wraps around the respective sides allowing a triple aspect view. Openings in the proposed new block would be positioned further to the south away from this existing window and as such there would be no direct inter-visibility between the two.
- 5.12 On the south side of the building the ground floor flats would be between approximately 5 and 7 metres away from the old Telephone Exchange building. This structure has been extended to the east with a series of single and two storey flat roof extensions. The main building is a one and a half gable roof structure with a single fairly high ground floor window in the elevation directly opposite the proposed flats. It is acknowledged that part of the single storey extension and the one and a half storey structure would be quite close to the living/kitchen/dining areas of each flat but it is further recognised that each flat on each floor would also benefit from other windows in the side elevations to serve these respective rooms. These alternative openings are larger than the windows in the south elevation and would provide much welcome daylight. Furthermore, planting would assist in screening the existing built form.

Conclusion of residential amenity assessment

- 5.13 As stated above, the existing class use for the building at No. 98 is Class use C3, residential and the use class under this proposal would not change. The impact the proposed development would have on the residential amenity of existing neighbours and future occupiers has been fully assessed above and the thorough balancing exercise has concluded that given the location and setting of the proposed block of flats, the overall benefit to the community resulting from additional affordable housing, the impact is acceptable subject to conditions regarding further screening that would be achieved by new planting and by design changes to a first floor window in flat 8.
- 5.14 Other matters
Concern has been expressed over the wellbeing of future occupants. It must however be noted that there is no change of class use to assess under this

application. There would be no change to the existing residential use. This planning report is in this instance primarily a land use assessment based on national and local planning policy. In terms of this assessment little weight can be given to concerns regarding the well being of future occupants.

5.15 However, should there be any unacceptable issues in the future regarding the occupants or their visitors it is suggested that the proper authorities be contacted which would include both Knightstone Housing and the Police Authority.

5.16 Transportation

Policy dictates that a block of 10 one bed flats would require a minimum of 1 parking space per flat plus 0.2 spaces per flat for visitor parking, giving a total of 12no. spaces. The development as submitted has a total of 6no. parking spaces and a total of 10no. cycle parking spaces.

5.17 It is acknowledged that the number of parking spaces falls short of the standards however, Officers have given regard to the fact that the proposal is within a sustainable location, within close proximity to major arterial routes through the district and close to services and facilities that would reduce the need for car ownership. On balance it is considered that the benefits of 10no. new purpose built flats that would contribute to the mix of housing in the area and being in a highly sustainable location outweigh the need for the usual number of parking spaces. A condition will be attached to the decision notice to secure the appropriate amount of car and cycle parking and refuse storage.

5.18 Landscape and Tree Assessment

The removal of a number of trees on site is proposed. These include various conifer type trees and an Ash Tree which has a tree preservation order on it. Difficulties with the topography of the site have meant that root protection solutions to try to retain the tree on site whilst at the same time maximising the number of parking spaces were not possible. Achieving 6no. car parking spaces over 5no. if the tree remained, was considered to be of greater benefit to the wider community and the scheme in general. The loss of the Ash Tree and the other less worthy specimens is to be mitigated by a landscaping and planting scheme which will also contribute to the street scene along Gloucester Road North. Initial details have been submitted and no objection has been raised by the Landscape or Tree Officer but a condition will secure the species, size and location of replacement trees and shrubs are agreed and approved by the landscape officer.

5.19 Affordable Housing

This application seeks planning permission for the erection of 10 one bed flats for people with learning difficulties (LD) following the demolition of the existing four bed property. Both the existing and the proposed use is classed as C3. The plans have been developed through a Project Working Group consisting of representatives from Knightstone Housing Association, SGC Adult Social Care, Homechoice, Enabling and South Gloucestershire Clinical Commissioning Group (CCG). It is anticipated that this scheme will be funded with recycled capital receipts from the sale of previous LD residential homes.

5.20 The purpose of the scheme is to provide self-contained housing for people with LD's who are in receipt of statutory services from the Council. It has been confirmed that the application scheme is for 10 dwellings with a gross internal floorspace of less than 1000 square metres, thus putting the scheme below the national threshold above which an affordable housing contribution would be required. No affordable housing obligation is therefore requested for this scheme.

5.21 Highway Drainage

The Surface Water and Foul Water Drainage Strategy submitted with the application states the surface water drainage system will be designed using MicroDrainage software. In the absence of drainage calculations evidence to support this submission, it is recommended that a SuDS condition should be attached to the decision notice.

5.22 Overall balance

The proposed development has raised a number of issues such as the impact on residential amenity, the removal of a TPO'd tree and parking that does not meet the required minimum standards. These matters have been discussed individually in the above report and a balancing exercise has been used against each item. The conclusion has shown that concerns regarding the impact on residential amenity of neighbours can be mitigated by changes in the glazing of one first floor window; a detailed landscaping and planting scheme can mitigate against the loss of trees and the insufficient on-site vehicular parking can be off-set by the site's sustainable location close to good public transport links. It is therefore Officer opinion that the proposal is acceptable and is recommended for approval.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Reason 1:

This is a pre-commencement condition to avoid any unnecessary remedial action in the future

Reason 2:

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

3. The 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 CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

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

Reason 1:

This is a pre-commencement condition to avoid any unnecessary remedial action in the future

Reason 2:

To protect the character and appearance of the area and the longevity of the trees and to accord with Policy L1 of the South Gloucestershire Local Plan (Adopted)

January 2006 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

5. The off-street parking facilities (for all vehicles, including cycles) and the refuse storage facilities as shown on the Proposed Site Plan 120943 AL(0)01 Rev A 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 Policies T8, T9 and T12 of the South Gloucestershire Local Plan (Adopted) January 2006 and Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013 and the SPD: Residential Parking Standards (Adopted) 2013.

6. No development shall commence until surface water drainage details including SUDS (Sustainable Drainage Systems e.g. soakaways if ground conditions are satisfactory), for flood prevention; pollution control and environmental protection have been submitted and approved by the Local Planning Authority.

Reason 1:

This is prior commencement condition so as to avoid any unnecessary remedial future action.

Reason 2:

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

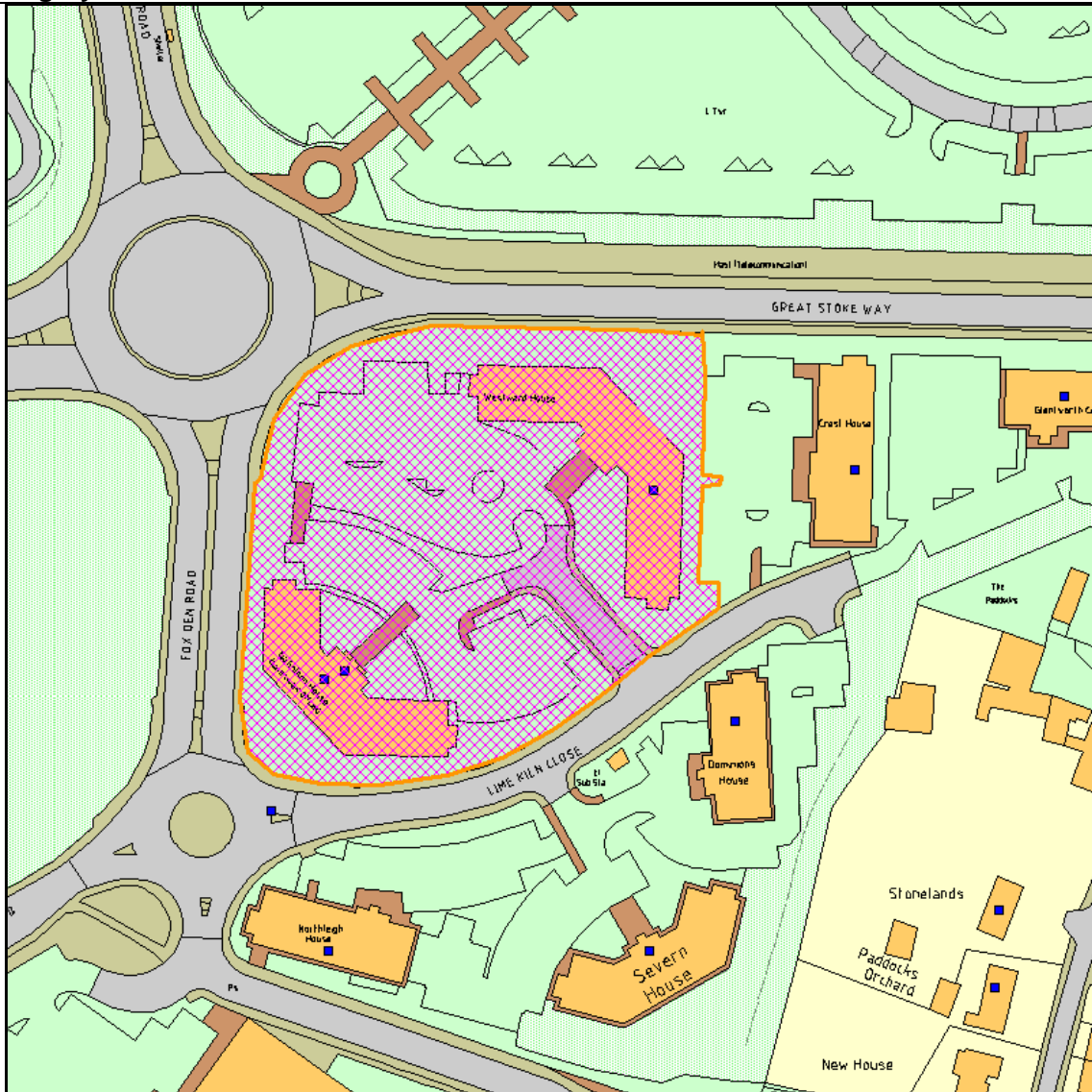
7. Prior to the first occupation of the building hereby permitted, details of the glazing for the proposed first floor window on the north elevation serving the lounge/dining area for flat 8 shall be submitted to the LPA for written approval. Development shall be carried out in accordance with the approved details.

Reason

To protect the residential amenity of the neighbouring occupiers and to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

CIRCULATED SCHEDULE NO. 21/15 – 22 MAY 2015

App No.:	PT15/0167/F	Applicant:	HEFCE
Site:	Westward House And Nicholson House Lime Kiln Close Stoke Gifford South Gloucestershire BS34 8SR	Date Reg:	23rd January 2015
Proposal:	Reconfiguration of existing car park to increase parking spaces to 139. Erection of cycle shelters, bin store and security barriers with associated works	Parish:	Stoke Gifford Parish Council
Map Ref:	362008 179065	Ward:	Frenchay And Stoke Park
Application Category:	Minor	Target Date:	17th March 2015



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008. N.T.S. PT15/0167/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application is circulated as a result of four consultation responses which are contrary to the officer recommendation.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the alteration of the car park to facilitate five additional spaces, bringing the total parking spaces to 139 parking spaces. The proposal also seeks to install barriers to prevent unauthorised access to the parking areas and for a central bin store outside of the barriers. Further to this 60 covered cycle parking spaces are to be provided in new or relocated cycles shelters at the front of Nicholson House.
- 1.2 The application site comprises Westward House and Nicholson House, which are large two-storey office buildings (Use Class B1) located on the northern side of Lime Kiln Close. The site is located within Parkway Business Park, which is a safeguarded employment area within the north fringe of the Bristol urban area.
- 1.3 The application has been amended since submission to prevent the removal of a large expanse of trees within the centre of the car park. These were to be removed in order to facilitate cycle parking and the cycle parking has now been relocated closer to Nicholson House.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012

2.2 Development Plans

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

L1 Landscape Protection and Enhancement

T12 Transportation Development Control Policy for New Development

E3 Employment Development within Defined Settlement Boundaries

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design

CS8 Improving Accessibility

CS9 Managing the Environment and Heritage

CS12 Safeguarded Areas for Economic Development

CS25 Communities of the North Fringe of Bristol Urban Area

2.3 Supplementary Planning Guidance

The South Gloucestershire Design Checklist SPD (adopted)

South Gloucestershire Council adopted planning guidelines- Trees on Development Sites

3. **RELEVANT PLANNING HISTORY**

- 3.1 PT14/3430/F Erection of two storey rear glazed extension. Approved with conditions 11.12.2014
- 3.2 PT09/5760/F Construction of access ramps and handrails Approved 27.01.2010
- 3.3 PT03/1560/F, Construction of four disabled ramp accesses and alterations to existing car park, approval, 30/06/03.
- 3.4 PT03/0062/F Alterations to existing car park to facilitate 27 no. extra spaces and relocation of existing emergency generator. Refused 28.02.2003 (Involved removing most of the trees within the car park with out justification of a travel plan.)
- 3.5 P94/2704, erection of air conditioning platform and enclosure, approval, 24/01/95.
- 3.6 P92/1787, installation of roof mounted cowl for mechanical extraction system, approval, 15/07/92.
- 3.7 P91/2801, erection of standby generation unit and brick enclosure, approval, 29/01/92.

4. **CONSULTATION RESPONSES**

- 4.1 Stoke Gifford Parish Council
No objection
- 4.2 Other Consultees
Tree Officer
No objection as the replacement of the Blue Cedar with the Dawn Redwood is ample mitigation for the loss of the Blue Cedar.

Highways Structures
No comment

Drainage
No objection but seeks a condition to reduce flow rates of surface water.

Other Representations

- 4.3 Local Residents/ consultation responses

Four people, at least one of whom is a member of staff to the new occupants objected in relation to the following matters:

- HEFCE is merely relocating within the local plan area, vacating one site and moving to another. In doing so it is not adding anything long term to the area, but it will have a negative impact in terms of traffic generation and loss of landscape amenity and wildlife habitat.

- Loss of visual amenity.
- Concern at loss of trees including category A or B. Other benefits of the trees would also be lost, namely the absorption of greenhouse gases, cleaning of surrounding air and cooling from shade and evaporation.
- Car parking capacity is already sufficiently provided if the 1 space per 30m² is applied, even taking account of the extension. There therefore seems to be double counting of the extension to justify additional spaces. The granting of additional space would be perverse given the current policy for parking provision and the well known problems the area experiences with congestion and resulting pollution problems.
- The travel plan provided with the application indicates that fewer car spaces will be needed after the move, and there is a commitment to further reducing the use of the car by HEFCE staff. The granting of permission for further parking spaces will not assist the shift and will work against the objectives of the travel plan. There is a good public transport network identified in the travel plan as well as staff intentions to travel more sustainably that make the granting of permission for further parking spaces unnecessary. The site is therefore considered to have very good accessibility by buses. A staff survey suggested increased in sustainable modes of transport so additional car parking is not justified.
- Concern at further parking spaces exacerbate problems of run-off and potential for flooding, neither of which is addressed in the planning application.
- Concerns about loss of habitat and biodiversity and the visual amenity provided by the current planting on the site.
- The siting of the bicycle storage facilities is inappropriate and outside the security cordon (entrance barrier) of the proposal. There has been no recognition of minimising the potential for theft/crime of staff cycles which will also work against the aims of the travel plan submitted alongside the application.
- This proposed loss of trees represents urban vandalism of some scale and it would be deeply unfortunate if it were to be permitted at any time and especially when Bristol has just become European Green Capital.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The application site comprises a partially vacant office site located within a safeguarded employment area. The site is due to be occupied by a new user, HEFCE who would use one and half of the building with the remainder being retained by a separate office user. The proposal seeks to secure and maximise circulation of the currently segmented parking areas whilst also facilitating additional covered cycle parking facilities and communal accessible (by the refuse collection operator) bin storage facilities.

5.2 The buildings are currently vacant, and taking into account the location of the site within a safeguarded employment area, development which encourages its re-use and occupation is considered to represent development that is sustainable. Moreover, the proposals for employment development within safeguarded employment areas is supported by saved policy E3 of the South

Gloucestershire Local Plan (adopted) January 2006, and policy CS12 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013. The principle of the development is therefore, acceptable.

5.3 The main issues to consider are the appearance/form, the transportation effects, any residential amenity effects and environmental effects.

5.4 Appearance/Form and Effect on the Character of the Area

The application buildings are large two-storey modern office buildings with a 'C' shaped footprint and hipped roof form. These are not proposed to be changed in this application.

5.5 The site contains a number of trees, which were subject to a tree survey. Notably within the site a row of trees forming a landscaped bank separating the north of the car park from the south were to be removed to facilitate cycle parking and a further area was to be removed to facilitate travel in a circular route around the site. The later area of trees had been removed at the time of the officer visit. The loss of those trees does not have a material impact on the site. Further trees were to be removed to facilitate a central cycle parking area along the landscaped bank but amendments secured to the scheme during the application have prevented the need for this. Moreover the new cycle parking facilities will not be highly visible from outside of the site. A single tree, a Blue Cedar was labelled as a grade A tree and given the protection of a Tree Preservation Order however, given the location of the tree within a car park area and noting its propensity to drop limbs, the tree officer has agreed that a replacement tree in a more visible location to the public would better serve the public realm and would be a replacement protected tree. As such details of a Dawn Redwood, planted on the south-west of the site have been provided and is now proposed and this proposal would secure a significant tree in the long term.

5.6 Transportation Effects

The Council's Transportation Officer has raised no objections to the proposal. Six disabled parking spaces are provided in accordance with the Council's standard of 5% of overall parking spaces. Further 60 cycle parking spaces are shown to be provided, 44 of which would be under cover. These cycle spaces are located sufficiently close to an office building to facilitate secure cycle parking. The vehicular layout is better than previously submitted although there is still an issue relating to accessing the site with a standard sized rigid vehicle (10m). These vehicles would also have previously had difficulty manoeuvring around the site in the existing layout. However it is noted that the agent has indicated that a 7.5t rigid van can access the site. It is however noted that the applicant has recognised the issue with 10m vehicles and proposes that on the rare event that a larger rigid does come to the offices procedures are in place to accommodate the situation; this procedure is set out in a modest Parking Management Plan for the buildings which was submitted but should be secured within a Travel Plan which was secured as part of the previous application on this site and would need revising due to the proposed changes. The level of parking, despite the five additional spaces created would remain under the maximum parking standards set out in the local plan.

The application therefore raises no objection subject to the provision of conditions securing the cycle parking and a revised travel plan for the whole site, which will include car park management both in terms of service deliveries and staff usage.

Trees and landscape

Further to initial concerns regarding the number and location of trees proposed to be lost, officers are now satisfied that the scheme is acceptable overall. Whilst some trees had already been removed within the site to facilitate the circuitous route through the parking areas, and four trees will be removed to facilitate bin storage in the centre of the site, these had/have little impact from outside the site. Negotiations have prevented the need to remove further trees to facilitate the cycle sheds, as these have been re-sited and it is acknowledged that the loss of the blue cedar (T25), which was made subject of a TPO during the course of the application, can be readily mitigated by replacing with a more suitable tree species in a more prominent position to offer greater long term public amenity. With this in mind, a tree planting plan has been submitted proposing a Dawn Redwood at size 20-25 (200L). This will be planted on the verge of the roundabout to the immediate south west of the site. As such overall the proposal is considered acceptable.

5.7 Environmental Effects

The application would have negligible impact from outside of the site although the securing of the Dawn Redwood in a prominent position to the southwest of the site would be a long term benefit to the locality. The lead local flood authority seek an improvement in the drainage for the site as a result of the works. As works had commenced at site this can be secured by a condition requiring details before first use of the amended parking spaces.

5.8 Residential Amenity

The site is located within a safeguarded employment area where there are no neighbouring properties within close proximity. As such, it is not considered that the proposal will bring about any significant adverse residential amenity issues.

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 following conditions.

Contact Officer: Karen Hayes
Tel. No. 01454 863472

CONDITIONS

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

Reason

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

2. The development hereby approved shall be implemented and used thereafter in association with the Travel Plan submitted to the Local Planning Authority on 18 May 2015.

Reason

To encourage more sustainable modes of travel other than by private car, to ensure that the car park is not blocked by oversized vehicles which leads to problems on the wider highway network and to accord with policies E3 and T12 of the South Gloucestershire Local Plan (adopted) January 2006 (saved policies) and policy CS8 of the of the South Gloucestershire Local Plan Core Strategy adopted December 2013.

3. The car park alterations shall be surfaced in accordance with the sustainable paving solutions submitted to the Local Planning Authority on 18/5/2015 prior to the first use of the revised car parking spaces hereby approved. The agreed scheme shall then be maintained as such thereafter.

To ensure a reduction in runoff rates from previously developed sites when compared to existing discharge rates. To comply with South Gloucestershire Council's Level 2 Strategic Flood Risk Assessment of December 2011 and CS9 of the South Gloucestershire Local Plan: Core Strategy (adopted) December 2013.

4. The proposed cycle parking should be provided in accordance with the approved plans within 6 months of the date of this consent.

Reason

To encourage more sustainable modes of travel other than by private car, to ensure that the car park is not blocked by oversized vehicles which leads to problems on the wider highway network and to accord with policies E3 and T12 of the South Gloucestershire Local Plan (adopted) January 2006 (saved policies) and policy CS8 of the of the South Gloucestershire Local Plan Core Strategy adopted December 2013.

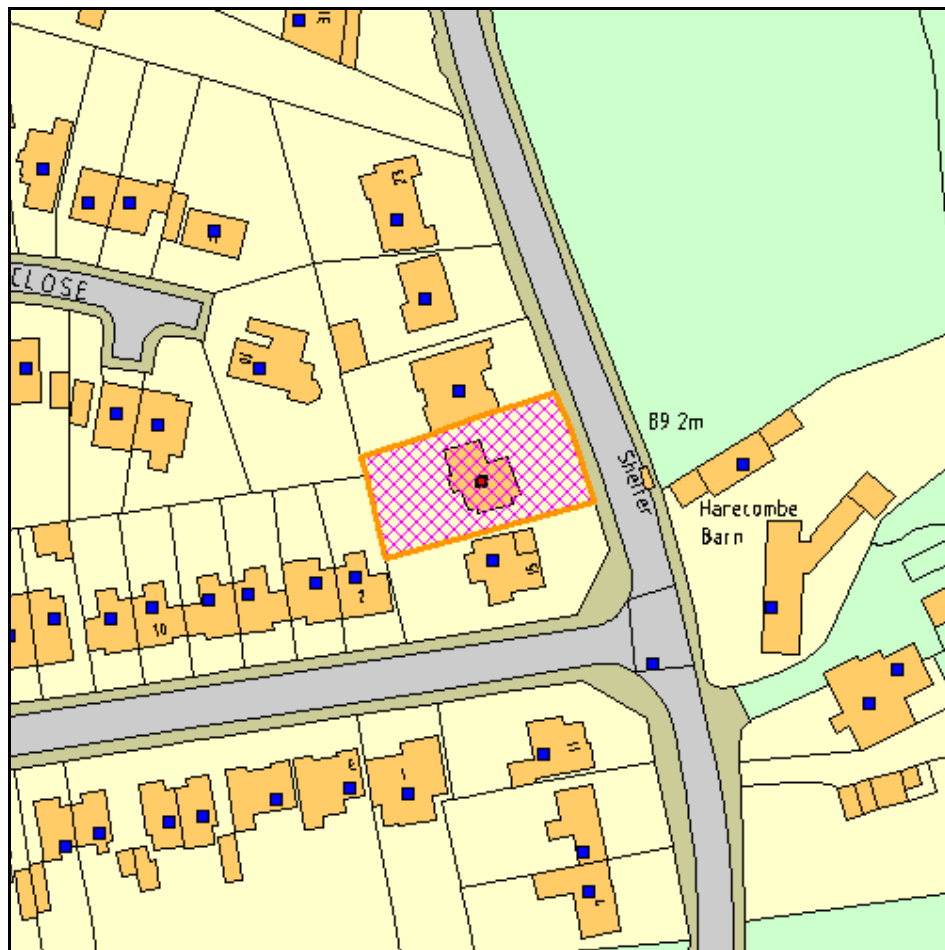
5. The tree detailed in plan BRS.5691_03 shall be planted as set out within the first planting season following the commencement of works to alter the car park. The works shall be carried out in accordance with the agreed details.

Reason

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

CIRCULATED SCHEDULE NO. 21/15 – 22 MAY 2015

App No.:	PT15/1294/F	Applicant:	Mr M Hewlett
Site:	17 Hicks Common Road Winterbourne Bristol South Gloucestershire BS36 1EH	Date Reg:	1st April 2015
Proposal:	Erection of two storey and single storey side and front extension and single storey side extension to form additional living accommodation.	Parish:	Winterbourne Parish Council
Map Ref:	365424 180077	Ward:	Winterbourne
Application Category:	Householder	Target Date:	22nd May 2015



© South Gloucestershire Council 2007.all rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2008.

N.T.S.

PT15/1294/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application is circulated as a result of the comments of a neighbour which are dealt with in the report.

1. THE PROPOSAL

1.1 The application seeks planning permission to erect two storey side extension with a ground floor extension in front, creating garage and hall with a bedroom above. Also proposed is a 2.9m wide single storey extension to the other side of the house, creating a utility room toilet area and the alteration of existing flat roof extensions to pitched roofs. The materials proposed are matching facing brick and render with tiles to match the existing house.

1.2 The site is located just inside the Winterbourne settlement boundary.

2. POLICY CONTEXT

2.1 National Guidance
National Planning Policy Framework March 2012

2.2 Development Plans

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

H4 Residential Extensions

T12 Transportation Development Control Policy for New development

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design

CS5 Location of development

CS8 Improving accessibility

CS9 Protecting resources

2.3 Supplementary Planning Guidance
Residential parking Standards SPD Adopted Dec 2013

3. RELEVANT PLANNING HISTORY

3.1 None

4. CONSULTATION RESPONSES

4.1 Winterbourne Parish Council
No objection

4.2 Other Consultees
Highways Officer
Need to see two parking spaces in accordance with standards.
Lead Local Flood Officer
No comment

Other Representations

4.3 Local Residents

One comment from a neighbour in relation to the following matters:

- The plans available do not state the distance between the boundary of 15 Hicks Common Road and the proposed new extension on the South elevation of 17 Hicks Common Road.
- concerns with regard to the suitability of the current and proposed sewerage arrangements, considering the introduction of additional bathroom facilities. Wessex Water were recently called to investigate sewerage emanating from a manhole within the garage of 15 Hicks Common Road. The problem was located in the sewerage system of 17 Hicks Common Road. The sewerage from both numbers 15 and 17 enter the mains sewer within the boundaries of 17 Hicks Common Road, however the manhole within the garage at 15 Hicks Common Road represents the lowest point of the system disposing of waste from both properties.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

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

5.2 Design

The house is under whole modernisation and the existing spar render at first floor had been removed at the time of the officer visit. A large flat roof two storey extension is proposed to be incorporated in the proposed scheme which re-renders the first floor of the house in a smooth render and improves the appearance of the first floor flat roof extension by erecting a pitched roof over. A smooth render would be an acceptable finish in this area where there are a variety of materials. The two story proposal is located on the side of the house and is set back modestly from the front elevation offering a subordinate appearance. The ground floor extensions are to be finished in matching brickwork and are acceptable in appearance.

Paths/space is maintained to the side of the house offering some separation from the non-adjointed neighbours. It appears that 1.3m would be maintained on the southern side (adjacent to the commenting neighbour above) and 2.8m to the northern side. There is no material harm to the appearance of the road as a result of the proposal. There is ample residential amenity space retained for the resulting house. The level of detail provided with the application and in the agents email detailing smooth render gives sufficient materials details to ensure that a materials condition is not required.

5.3 Residential amenity

The proposed extensions are not considered to affect the residential amenity of neighbours as they are located away from boundaries such that they would not have an overbearing effect. A new toilet window would face the neighbouring property directly south of the site, at some 1.3m distant but otherwise all windows on the side elevations are existing windows and would only be replaced by double glazing. As such there is no loss of privacy to neighbours. Overall therefore the proposal is not considered to materially harm the residential amenity of the neighbouring occupiers.

5.4 Transportation

The house would become a four bedroomed property. This would require two parking spaces under the current residential parking standards and this shown on the associated amended block plan. There is also a modestly substandard length garage (5.9m long rather than 6m long). As such subject to a condition ensuring that two parking spaces are maintained on the property the proposal is acceptable.

5.5 Drainage

The neighbour has raised a specific matter of a previous drainage problem where Wessex Water were called out to investigate drain problems and that neighbour is concerned that the existing system should be capable of taking the additional load from additional water facilities. The drainage team raise no concern about the proposal and in due course the new facilities will have to pass the Building Regulations requirements. As there is a mains system in place at present, albeit with recent problems, there is no reason to withhold planning consent in this instance. An informative is recommended to draw this to the attention of the owner.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That planning permission is granted subject to the conditions set out below:

Contact Officer: Karen Hayes
Tel. No. 01454 863472

CONDITIONS

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

Reason

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

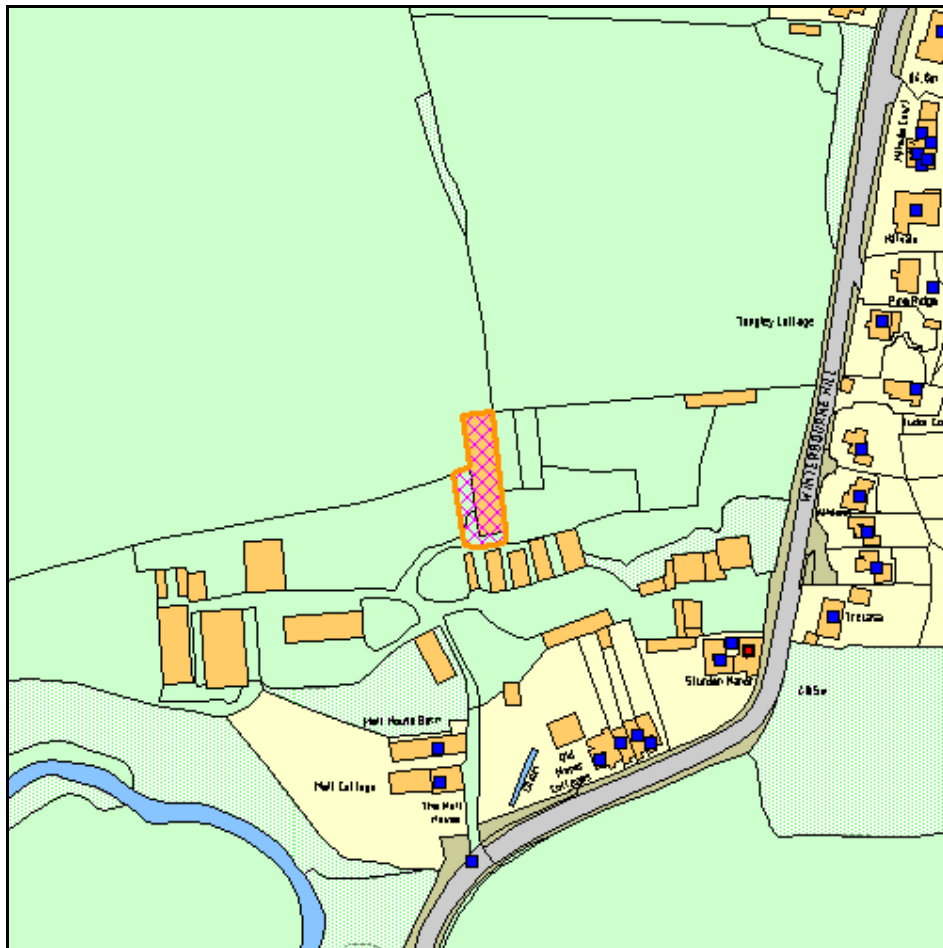
2. The off-street parking facilities for two cars shown on the block plan shall be installed and maintained as such for that purpose prior to first occupation of the two storey extension.

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 South Gloucestershire Residential parking Standards SPD Adopted Dec 2013.

CIRCULATED SCHEDULE NO. 21/15 – 22 MAY 2015

App No.:	PT15/1318/CLE	Applicant:	Mr Peter Sargent
Site:	Land At Sturden Manor Winterbourne Hill Winterbourne Bristol South Gloucestershire BS36 1JR	Date Reg:	1st April 2015
Proposal:	Application for Certificate of Lawfulness for the existing use of building for (Class B2) General Industry and (Class B8) storage	Parish:	Winterbourne Parish Council
Map Ref:	364684 180192	Ward:	Winterbourne
Application Category:		Target Date:	18th May 2015



© South Gloucestershire Council 2007.all rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2008.

N.T.S.

PT15/1318/CLE

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 This application is for a Certificate of Lawfulness for the existing use of a building at Sturden Manor, Winterbourne for (Class B2) General Industry and (Class B8) storage as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).
- 1.2 The application site relates to two large attached single storey buildings situated within the Green Belt accessed off Winterbourne Hill. The site is part of an old farm which is host to a number of other buildings including residential properties, farm buildings and others subject to a previous certificate of lawfulness for storage and general industrial uses.
- 1.3 During the course of the application revised plans were produced to correct a labelling error.

2. POLICY CONTEX

2.1 National Guidance

I. Town and Country Planning Act 1990

II. Town and Country Planning (Development Management Procedure) Order 2010

III. Town and Country Planning (General Procedures Development Order) 1995 (as amended)

These policies were current at the time of submission. Revisions were made to the GPDO and the DMPO in March but have similar provisions.

IV. National Planning Practice Guidance 2014

3. RELEVANT PLANNING HISTORY

- 3.1 PT14/3377/CLE Certificate of lawfulness for the existing use of land and buildings for B2 and B8 uses (as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended),
Approved 14.10.14
Ten buildings were assessed under this application and sufficient evidence was considered to have been provided to demonstrate that eight of them had been in the purported use for the required amount of time. This current application seeks to provide additional information in support of the remaining two buildings.

4. CONSULTATION RESPONSES

- 4.1 Winterbourne Parish Council

No objection.

4.2 Sustainable Transport

No comment to make on this application (i.e. 'Certificate of Lawfulness') as it is considered to be the test for facts and the legal issues.

Other Representations

4.3 Local Residents

No comments received.

5. SUMMARY OF EVIDENCE IN SUPPORT OF THE APPLICATION

5.1 In support of the application, the following information has been submitted:

- A statutory declaration by Mr P Sargent
- A statutory declaration by Mr J Clarke

6. SUMMARY OF CONTRARY EVIDENCE

6.1 None

7. ANALYSIS OF PROPOSAL

7.1 The proposal

The applicant seeks to prove that building 1 edge in red on the Land Use Plan BRS.5402-12 has been used continuously as a unit for car repairs (Class use B2) and building 2 edged in red has been continuously used as general storage (Class use B8) for a period of more than 10 years. The plan also includes a small area of land immediately outside the two buildings providing access to the two units. The buildings are attached but have separate entrances are not connected internally and can therefore, be treated as two separate entities.

7.2 The application for a Certificate of Lawfulness is not a planning application and is purely an evidential test. The test of evidence to be applied is whether or not the case has been shown on the balance of probability. As such, the applicant needs to provide precise and unambiguous evidence. For a certificate to be issued, the buildings as labelled within the red edged application site-plan, must have been continuously used for B8 storage or B2 general industry purposes for 10 years consecutively, prior to the receipt of the application on the 23rd March 2015. The relevant period for consideration is therefore between 23rd March 2005 and 23rd March 2015.

7.3 The guidance contained within the National Planning Practice Guidance 2014 states that if a local planning authority has no evidence itself, nor any from others, to contradict or otherwise make the applicant's version of events less than probable, there is no good reason to refuse the application. This is however with the provision that the applicant's evidence alone is sufficiently precise and unambiguous to justify the grant of a certificate on the balance of probability. The planning merits of the use are not relevant to the consideration of the purely legal issues, which are involved in determining an application. Any

contradictory evidence, which makes the applicant's version of events less than probable, should be taken into account.

7.4 Hierarchy of Evidence

The evidence submitted comprises two statutory declarations. Inspectors and the Secretary of State usually value and give weight to evidence in the following order of worth:-

1. Personal appearance, under oath or affirmation, by an independent witness whose evidence can be tested in cross-examination and re-examination, especially if able to link historic events to some personal event that he/she would be likely to recall.
2. Other personal appearance under oath or affirmation.
3. Verifiable photographic evidence.
4. Contemporary documentary evidence, especially if prepared for some other purpose.
5. Sworn written statements (witness statements or affidavits), which are clear as to the precise nature and extent of the use or activity at a particular time.
6. Unsworn letters as 5 above.
7. Written statements, whether sworn or not, which are not clear as to the precise nature, extent and timing of the use/activity in question.

7.5 Examination of Evidence

Supportive evidence

The evidence provided is accepted as true unless contradictory evidence indicates otherwise.

Statutory declaration of Peter Sargent dated 16th March 2015 states that he has owned the property for a period of 25 years. The declaration states that the Land use plan marked PS1 (BRS/5402-10) annexed to the declaration accurately reflects the uses on the property for the last ten years.

Statutory declaration of John Clarke of Kingsway Associates, dated 16th March 2015 states that he has helped manage the property known as Sturden Manor, for approximately 31 years. He states that he frequently visits the property and has first-hand knowledge of the various businesses that occupy the property. The declaration states that the Land use plan marked PS1 (BRS.5402-11) annexed to the declaration accurately reflects the uses on the property for the last ten years.

Contrary Evidence

There is no written contrary evidence but the evidence gathered during the Officer's site visit must be noted.

Building 1 – car repairs: During the Officer site visit this building was observed to hold within it a series of tools and equipment, workbenches, parts and vehicles and a small area enclosed as a paint spray shop conducive with a car

repair workshop i.e. B2 class use. No contrary evidence has been put forward with regard to the use and as such on the balance of probabilities the building has been used continuously for car repairs for the required period.

Building 2 – general storage: During the Officer site visit this building was empty and very dirty. Its unlocked and open door allows unchecked access within as evidenced by numerous, fresh animal droppings likely to be sheep and birds. An abandoned white plastic garden chair lay discarded within as did a large framed picture with its glass shattered and an old desk/table. A number of pipes were stacked in one corner and these had been left *in situ* for some time as indicated by their poor condition. A pile of small pallets had been stacked just inside the door. and given their clean appearance these were assumed to be a more recent addition.

During the site visit it was stated to the Officer that the building was used for the storage of office equipment and auction furniture. A subsequent email from the agent has stated that the building has been used principally for the storage of auction furniture stock and more recently building materials and therefore, has a general storage use. It was reiterated that the building has been used for the storage of various goods for the last 15 years with no substantial break and the application is supported by two statutory declarations to back this claim.

Although the building was not in use as a storage area when the Officer visited the site, some evidence of it having had a storage use was seen.

It is noted that the red line is tight around the curtilage of building 2 with the exception of a small area outside the entrance door allowing access into the building. This area then extends to the south along the west side of building 1 and around its southern edge. The land this encloses facilitates access, turning and manoeuvring into and for both buildings.

8. CONCLUSION

- 8.1 It is considered that on the balance of probability the applicant has provided sufficient clear and unambiguous evidence to demonstrate that building 1 identified on the submission documents has had a general industrial B2 use for a continuous period of 10 years or more. With regards to building 2 the information is not quite as strong as the building was empty for the Officer's visit, but taking account of the sworn statements supplied and with no contrary evidence on the balance of probability the use of this building as a general storage, B8 class use can be considered as having been established for over ten years. The use of both buildings is therefore considered to be lawful.

9. RECOMMENDATION

- 9.1 That the Certificate of Lawfulness is **APPROVED**.

Contact Officer: Anne Joseph
Tel. No. 01454 863788

CIRCULATED SCHEDULE NO. 21/15 – 22 MAY 2015

App No.: PT15/1319/F
Site: 24 Court Road Frampton Cotterell
 Bristol South Gloucestershire BS36
 2DN

Applicant: Mr Rob Clarke
Date Reg: 8th April 2015

Proposal: Demolition of existing garage and
 erection of detached single storey
 garage and summer house.

Parish: Winterbourne
 Parish Council

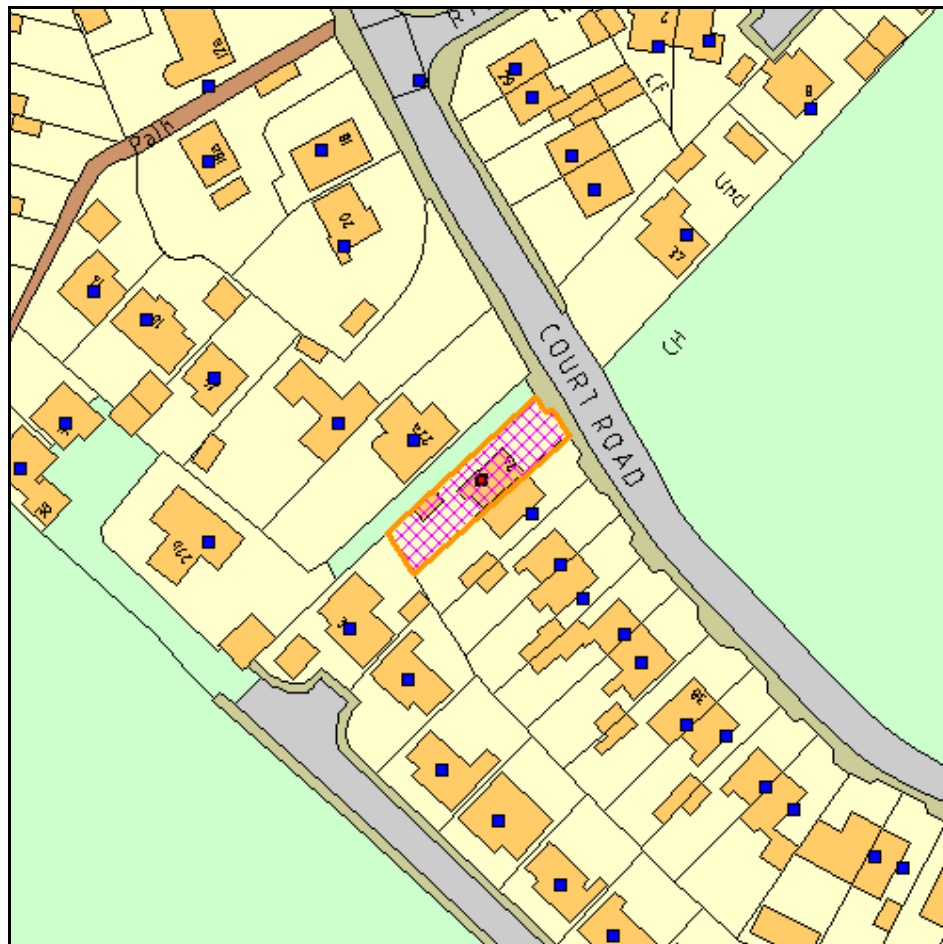
Map Ref: 365829 181630

Ward: Winterbourne
Target 25th May 2015

Application Householder

Date:

Category:



© South Gloucestershire Council 2007.all rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2008.

N.T.S.

PT15/1319/F

REASON FOR SUBMISSION TO THE CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 This application seeks planning permission for demolition of an existing garage and the erection of a detached single storey garage and summer house.
- 1.2 The existing detached garage is to the rear of the host dwelling no. 24 Court Road. This single storey garage borders with a small lane adjacent to no. 26 Court Road, the single storey garage will be demolished to facilitate the erection of a 12 metre long single storey structure with a flat roof.
- 1.3 The host dwelling is located within the designated settlement boundary.

2. POLICY CONTEXT

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

South Gloucestershire Local Plan Core Strategy Adopted December 2013
CS1 High Quality Design
CS4A Presumption in Favour of Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility

South Gloucestershire Local Plan Adopted January 2006 Saved Policies
T12 Transportation
H4 Development within Existing Residential Curtilages
- 2.3 Supplementary Planning Guidance
Residential Parking Standard SPD (Adopted) December 2013
South Gloucestershire Design Checklist SPD (Adopted) August 2007

3. RELEVANT PLANNING HISTORY

- 3.1 None relevant.

4. CONSULTATION RESPONSES

- 4.1 Winterbourne Parish Council
No objection, although the committee suggested a condition be applied to any permission granted that states no further development occurs to this single storey building.
- 4.2 Lead Local Flood Authority
No objection, subject to the provision of a soakaway for surface water disposal.

- 4.3 Frampton Cotterell
None received (adjoining parish).

Other Representations

- 4.4 Local Residents
None received.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy CS1 'High Quality Design' of the South Gloucestershire Core Strategy (adopted December 2013) states development proposals will only be permitted if the highest possible standards of site planning and design are achieved. Meaning developments should demonstrate that they: enhance and respect the character, distinctiveness and amenity of the site and its context; have an appropriate density and well integrated layout connecting the development to wider transport networks; safeguard and enhance important existing features through incorporation into development; and contribute to strategic objectives.

- 5.2 Saved Policy H4 of the South Gloucestershire Local Plan (adopted January 2006) is supportive in principle of development within existing residential curtilages. This support is provided proposals respect the existing design; do not prejudice residential and visual amenity, and also that there is safe and adequate parking provision and no negative effects on transportation.

5.3 Design and Visual amenity

The proposal will demolish an existing garage and erect in its place a longer single storey outbuilding which is composed of a summer house, workshop and garage. The proposal has a height of approximately 3 metres and a width of 2.8 metres, both of which are considered to be acceptable in terms of scale. The proposal is rather long, with a length of 12 metres. Such a long outbuilding would usually cause concern, but due to the siting and location of the proposal at the rear of the dwelling the proposal's length is considered to be acceptable.

- 5.4 The proposal matches the majority of the materials used in the existing dwelling, although utilising a felt roof. Such use of materials is considered to be acceptable. Overall, the proposal has an appropriate scale and uses materials well, accordingly, the proposal satisfies policy CS1 of the Core Strategy.

5.5 Residential Amenity

Saved policy H4 of the adopted Local Plan only permits new development within the residential curtilage of a dwelling where the amenities of the neighbouring occupiers will not be prejudiced. The north western boundary of the host dwelling is marked by a hedge/shrubbery arrangement which is approximately 3 metres high, and the remaining boundaries of the dwelling's rear garden is marked with 2 metre fences. This will lessen any potential impact the proposal may have on any nearby occupiers. The proposal does have a number of glazed doors on the side elevation of the proposal but due to the boundary treatments there will not be a risk of a material loss of privacy.

5.6 The proposal is single storey in scale so a material loss of light is not expected to result from this proposal. Overall, the proposed works will not result in a materially detrimental impact on the residential amenity of the nearby occupiers, and therefore the proposal accords with saved policy H4 of the adopted Local Plan.

5.7 Possible Annexe

Although the proposal has none of the facilities usually within annexes, such as cookery equipment, bathroom/toilet facilities etc., it must be considered if the proposal could be used as an annexe in the future. The proposed outbuilding could be converted into an annexe without the need for planning permission and this does cause the case officer concern. However, as the proposal measures only 2 metres internally, it is extremely unlikely that such a structure could be used as annexe without being extended further, and to do so the applicant would have to apply for planning permission. Therefore, the case officer does not deem it to be appropriate to condition that the applicant should apply for planning permission to use the outbuilding as annexe.

5.8 Transport and Parking

The proposal does not constitute an addition bedroom at the property. Although the proposal would mean the property results in a smaller garage at the site, there is an acceptable level of parking provided at the property to the side of the existing dwelling and also at the front. Therefore, there are no transport objections to this proposal.

5.9 Other Matters

The Parish Council have stated that they have no objection, subject to a condition that prevents the applicant from further extending the proposed structure in the future. Such a condition would not meet the requirements of paragraph 206 of the NPPF, as the applicant would have to secure further planning permission to increase the size of the outbuilding. Accordingly, this condition will not be imposed on planning permission granted.

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

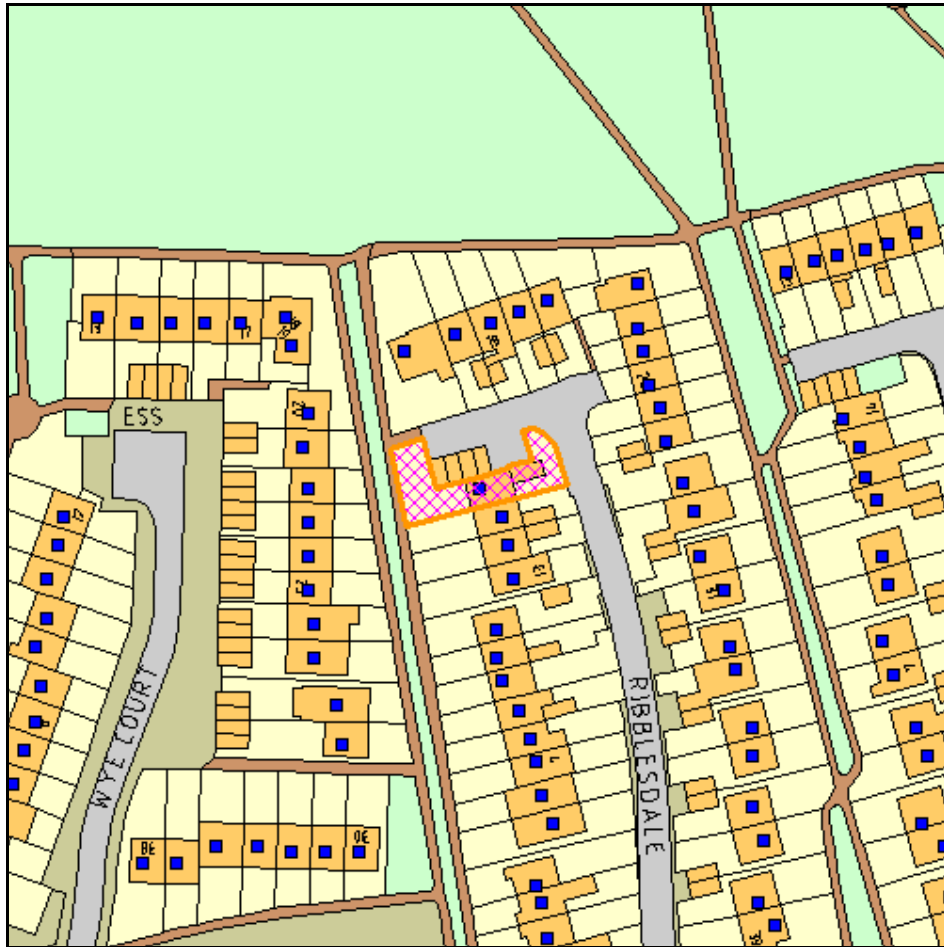
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 21/15 – 22 MAY 2015

App No.:	PT15/1350/F	Applicant:	Mr And Mrs Wilson
Site:	16 Ribblesdale Thornbury Bristol South Gloucestershire BS35 2DW	Date Reg:	16th April 2015
Proposal:	Erection of detached garage/store.	Parish:	Thornbury Town Council
Map Ref:	364477 189578	Ward:	Thornbury South And Alveston
Application Category:	Householder	Target Date:	2nd June 2015



© South Gloucestershire Council 2007.all rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2008.

N.T.S.

PT15/1350/F

REASON FOR SUBMISSION TO THE CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 This application seeks planning permission for erection of a detached garage.
- 1.2 The application site is no. 16 Ribblesdale, which is situated in the settlement of Thornbury. The dwelling forms end-terrace and is two-storey property. The dwelling forms part of a housing arrangement where the houses are accessed through the rear in a 'Radburn-style' estate.
- 1.3 The host dwelling has an 'L' shaped garden, and the proposal will be situated to the north west of the dwelling, within the associated garden. To facilitate this proposal, two existing sheds will be demolished.

2. POLICY CONTEXT

2.1 National Guidance
National Planning Policy Framework March 2012

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design

CS4A Presumption in Favour of Sustainable Development

CS5 Location of Development

CS8 Improving Accessibility

South Gloucestershire Local Plan Adopted January 2006 Saved Policies

T12 Transportation

H4 Development within Existing Residential Curtilages

2.3 Supplementary Planning Guidance

Residential Parking Standard SPD (Adopted) December 2013

South Gloucestershire Design Checklist SPD (Adopted) August 2007

3. RELEVANT PLANNING HISTORY

3.1 PT08/0358/F Approve with Conditions 20/03/2008
Erection of single storey rear extension to provide additional living accommodation.

4. CONSULTATION RESPONSES

4.1 Thornbury Town Council

Objection, there are concerns that the neighbours amenities will be affected if the applicant parks a car in front of the newly erected garage.

4.2 Lead Local Flood Authority

No objection, the officer originally objected to the proposal as there was no drainage information submitted. The applicant then submitted such details which were deemed to be appropriate after conversations with the applicant and the officer.

Other Representations

4.3 Local Residents

None received.

5. ANALYSIS OF PROPOSAL

5.1 This application seeks planning permission for the erection of a single storey garage within the residential curtilage of a dwelling.

5.2 Principle of Development

Policy CS1 'High Quality Design' of the South Gloucestershire Core Strategy (adopted December 2013) states development proposals will only be permitted if the highest possible standards of site planning and design are achieved. Meaning developments should demonstrate that they: enhance and respect the character, distinctiveness and amenity of the site and its context; have an appropriate density and well integrated layout connecting the development to wider transport networks; safeguard and enhance important existing features through incorporation into development; and contribute to strategic objectives.

5.3 Saved Policy H4 of the South Gloucestershire Local Plan (adopted January 2006) is supportive in principle of development within existing residential curtilages. This support is provided proposals respect the existing design; do not prejudice residential and visual amenity, and also that there is safe and adequate parking provision and no negative effects on transportation.

5.4 Design and Visual amenity

The proposed garage measures 3.8 metres in height (2.4 metres from ground level to eaves height), with a width and length measuring just under 5 metres. The garage will be finished in render which matches the nearby garages, and the roof will be finished in tiles to match the existing houses, all fenestration will utilise UPVC and there will be a garage door on the east elevation.

5.5 Accordingly, the garage has an appropriate scale and is located in an appropriate location - near an existing rank of garages. In addition to this, the garage utilises material well, meaning the proposal would be congruent with the character of the area.

5.6 The proposal has an acceptable standard of design through having an appropriate scale and utilising materials well. Therefore, the proposed garage is pursuant to policy CS1 of the Core Strategy.

5.7 Residential Amenity

As a result of the proposed development the residential amenity of neighbouring occupiers should not be prejudiced. The proposed garage is a single storey structure and is not expected to result in a materially overbearing impact on neighbouring dwelling, especially when considering two sheds are currently positioned where the proposed garage will be located.

5.8 The proposal will result in some minor shadowing to no. 17 Ribblesdale's rear garden, but such shadowing is relatively minor and would not change the way in which the occupiers of no. 17 utilise their garden. Therefore, the proposal is not expected to result in a material loss of light to any nearby occupiers.

5.9 By nature of the proposal being a garage, a material loss of privacy will not occur to any neighbouring residents. In addition to this, the proposal would leave the occupiers of the host dwelling with an adequate level of private amenity space within in their garden.

5.10 Accordingly, the proposal would not result in a materially detrimental impact to the nearby occupiers, therefore, the proposal accords with saved policy H4.

5.11 Transport and Parking

The Town Council has objected to the proposal on the grounds that the applicant will park a car in front of the proposed garage, affecting the residential amenity of the neighbouring occupiers. The proposed garage does not affect any existing parking area, and does not increase the demand for parking in the area through for example adding a bedroom to the property. If the applicant chooses to park in front of the garage, this would be a civil matter, outside of the control of planning. Accordingly, the officer attributes little weight to this concern.

5.12 Lead Local Flood Authority (LLFA)

The LLFA officer originally objected to this proposal, however, since then the applicant has provided information regarding drainage. The Proposed/Existing Plan demonstrates that the proposed garage will drain surface water through the existing surface water drain. This is considered to be an acceptable method of surface water drainage.

6. **CONCLUSION**

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

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

7. **RECOMMENDATION**

- 7.1 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

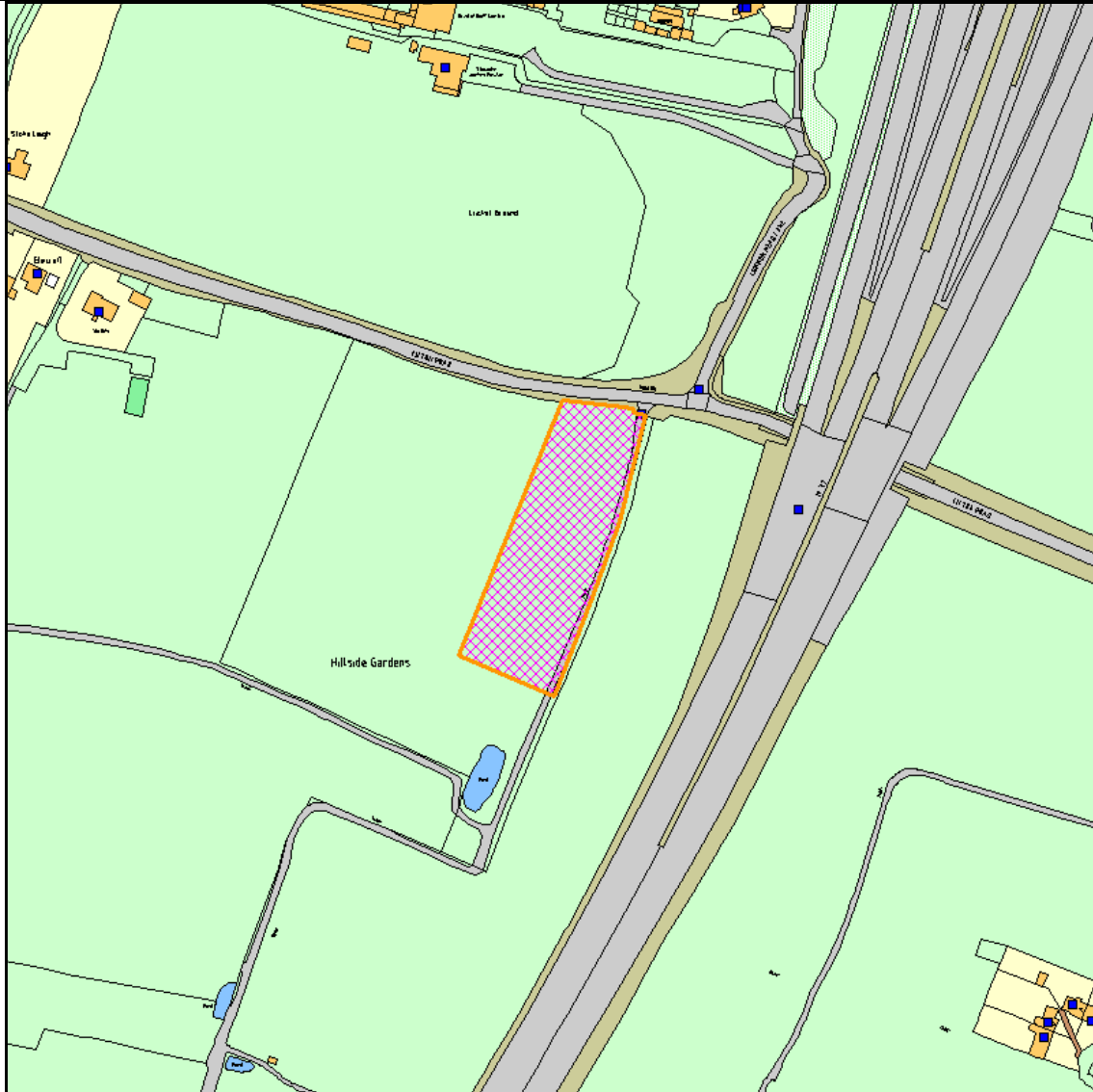
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 21/15 – 22 MAY 2015

App No.:	PT15/1377/F	Applicant:	University Of The West Of England
Site:	Hillside Gardens Filton Road Hambrook Bristol South Gloucestershire BS16 1QG	Date Reg:	9th April 2015
Proposal:	Erection of single storey building to form changing rooms, ancillary facilities and associated works.	Parish:	Winterbourne Parish Council
Map Ref:	362734 178482	Ward:	Frenchay And Stoke Park
Application Category:	Minor	Target Date:	28th May 2015



© South Gloucestershire Council 2007.all rights reserved.
This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
100023410, 2008.

N.T.S.

PT15/1377/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This application appears on the Circulated Schedule as a representation has been made contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of a single storey building to form changing rooms, ancillary facilities and associated works.
- 1.2 The application site consists of an agricultural field to the south of Filton Road within the Bristol/Bath green belt. The site is located approximately 250 metres south west of junction 1 of the M32, and it is accessed off Filton Road opposite Frenchay cricket club which lies to the north. The site has an extant planning permission for the 'change of use of agricultural land to 2no. sports playing pitches (Class D2) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) and associated works' under application PT14/2400/F. The pitches were granted permission in December 2014 after the Council determined that there were 'very special circumstances' that outweighed the harm to the green belt by reason of inappropriateness and the principle of development and subsequent detailed assessment of other matters was considered acceptable.
- 1.3 The single storey building proposed will be constructed of timber and have a tiled roof with 3no. roof lights. The building will provide 4no. 14-person changing rooms for players with shower and toilet facilities, as well as a kitchen and officials changing area.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework 2012
Technical Guidance to the National Planning Policy Framework 2012
National Planning Practice Guidance 2014
- 2.2 Development Plans
South Gloucestershire Local Plan (Adopted) January 2006 (saved policies)
L1 Landscape Protection and Enhancement
L9 Species Protection
L11 Archaeology
L13 Listed Buildings
L16 Protecting the Best Agricultural Land
EP2 Flood Risk and Development
T7 Cycle Parking
T8 Parking Standards
T12 Transportation Development Control Policy For New Development
E11 Tourism
LC5 Proposals for Outdoor Sports and Recreation Outside Existing Urban Area and Defined Settlement Boundaries
LC12 Recreational Routes

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS2 Green Infrastructure
CS3 Renewable and Low Carbon Energy
CS4A Presumption in Favour of Sustainable Development
CS5 Location of Development
CS7 Strategic Transport Infrastructure
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS23 Community Infrastructure and Cultural Activity
CS24 Green Infrastructure, Sport and Recreation Standards
CS25 Communities of the North Fringe of Bristol Urban Area
CS27 East of Harry Stoke New Neighbourhood
CS28 The University of the West of England
CS34 Rural Areas

- 2.3 Supplementary Planning Guidance
Development in Green Belt SPD (Adopted) 2007
South Gloucestershire Design Checklist (Adopted) 2007

3. RELEVANT PLANNING HISTORY

- 3.1 PT14/2400/F Change of use of agricultural land to 2no. sports playing pitches (Class D2) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) and associated works. Approved December 2014.

4. CONSULTATION RESPONSES

4.1 Winterbourne Parish Council

The comments of the Parish Council are Objection. The committee feel that the parking is inadequate. Also, in the previous application PT14/2400/F, access to the sports pitches was to be from behind the Bristol Business Park and not Filton Road. The design of the buildings is also not in keeping with a green belt site.

4.2 Other Consultees

Council's Ecology Officer

Development on the grassland of the site would have a low impact on biodiversity, but opportunities for enhancement should be taken. The hedgerows should be retained and managed, the more recently planted western hedgerow being enhanced. The report suggests the creation of wetland in the form of a ditch which should be subject to a management plan. Should UWE have a Biodiversity Action Plan, opportunities consistent with this should be considered, perhaps the creation of species-rich grassland around the playing field margins. If approved, the planning application should be subject to a suitably worded condition requiring an Ecological Enhancement

Plan (to include habitat management) to be submitted to the Council prior to the commencement of development.

Council's Crime Prevention Officer

Having viewed the information as submitted we find the design to be in order and complies appropriately with the crime prevention through environmental design principles.

Council's Public Rights of Way Officer

The proposal may affect the public footpath, LWB4, that runs through the site. We have no objection to the proposal but please ensure that the applicant is aware of the following:-

No change to the surface of the footpath can be approved without consultation with the Council;

There can be no interference with the footpath either whilst development is in progress or once it has been completed;

There must be no diminution in the width of the footpath;

No building materials can be stored on the footpath;

No damage should be caused to the surface of the footpath;

vehicle movements should be arranged so as not to unreasonably interfere with the footpath;

No barriers or gates may be placed across the footpath;

The safety of the public using the footpath must be ensured at all times.

Council's Landscaping Officer

No objection – subject to the same conditions present on the application for the change of use of land to 2no. pitches being copied onto the decision notice for the proposed changing rooms.

Lead Local Flood Authority Officer

No objection subject to SUDs and foul drainage conditions.

Council's Highway Structures Officer

The Highway Structures team has no comment.

Council's Sustainable Transportation Officer

The access and parking arrangements are the same as those approved for Application No. PT14/2400/F and were assessed as being sufficient and suitable for that application. This application adds changing facilities for the approved sports pitches and as such there is no additional travel demand. There is no transport objection subject to the following conditions.

Other Representations

4.3 **Local Residents**

No comments received.

5. ANALYSIS OF PROPOSAL

5.1 **Principle of Development**

The proposal is for the erection of a single storey building to form changing rooms, ancillary facilities and associated works. The proposed building and associated works will be located within the Bristol / Bath Green Belt.

5.2 As with previous Green Belt policy the NPPF affirms that, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. '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 considerations.

5.3 Policy CS25 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013 sets out the plan for development of communities of the north fringe of Bristol urban area. Figure 5 of this policy puts the application site within an area set aside for 'Significant Green Infrastructure in the Green Belt and in the New Neighbourhood'. Policy CS27 of the Local Plan: Core Strategy sets out the development plan for East of Harry Stoke New Neighbourhood. Para. 12.23 of the policy subtext states that, 'The area south of the ring road will remain as Green Belt as it is not considered suitable for residential development due to highway access constraints and the visual amenity and character of the area. However, given existing sports facilities in the area, it has been identified as providing a potential opportunity to consolidate the outdoor sports pitch requirement from the new neighbourhood, possibly as part of a larger strategic facility for the wider area'. The current proposal for the Harry Stoke New Neighbourhood provides all outdoor sports provision on-site. Policy CS25 and CS27 therefore effectively 'safeguard' the area south of the ring road, where the application site is located, for public open space and Green Infrastructure.

5.4 Policy LC5 of the South Gloucestershire Local Plan (Adopted) December 2013 allows for proposals for the development, expansion or improvement of outdoor sports and recreation (including water related recreation, motorised and noisy sports and golf facilities) outside the existing urban area and the boundaries of settlements subject to a number of criteria in relation to accessibility, impact upon the character and diversity of the landscape, environmental impact, transportation impact including levels of parking facilities, and public highway safety, residential impact, and any other loss of amenity.

5.5 Green Belt Assessment

National Planning Policy Framework clearly states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

Green Belt serves five purposes:

- To check the unrestricted sprawl of large built-up areas;
- To prevent neighbouring towns merging into one another;
- To assist in safeguarding the countryside from encroachment;
- To preserve the setting and special character of historic towns, and;
- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

5.6 The NPPF states at para. 89 that the local planning authority should regard the construction of new buildings as inappropriate in the Green Belt and goes on to list exceptions to this. One of these exceptions is:

- provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.

5.7 The existing site already has planning permission (PT14/2400/F) for 2no. sports pitches and associated works, which includes the construction of a 30 space car park with cycle parking. The proposed single storey building will provide 4no. 14-person changing rooms for players with shower and toilet facilities, as well as a kitchen and officials changing area. The scale of these facilities is exactly what you would expect for 2no. sports pitches ie 2no. 14-person changing rooms per pitch – a changing room for each team. The proposed facilities are considered commensurate and therefore ‘appropriate’ in relation to the existing sites use for outdoor sport.

5.8 In addition to being ‘appropriate’ the proposal must also preserve the openness of the Green Belt and not conflict with the ‘five purposes’ of the Green Belt. The existing site is currently an open field, agricultural in nature. Permission PT14/2400/F, which is material in the determination of this application, would see 2no. sports pitches and a car park constructed. The field would also undergo some ‘cut and fill’ to level it out. Along Filton Road there are already numerous dwellinghouses, agricultural buildings as well as sporting facilities at Frenchay Cricket Club and Bristol Golf Centre. Therefore, although the current field is open in nature there is sporadic built form along the Filton Road ‘corridor’. The building proposed is commensurate to the use proposed and has a reasonably small-scale footprint at 24.7 m x 8 m. The height of the building has been kept low at 4.7 m and benefits from a low roof pitch. The building is positioned reasonably close to the entrance of the site where the car park is proposed and will be adjacent to boundary hedgerow to the east that is approximately 3.5 m in height meaning most of the building will be screened from long distance views. The Council’s Landscape Officer raises no objection

to the scheme. Taken within the context of the site and given the small-scale nature of the building and example of other buildings in situ off Filton Road it is considered that the openness of the Green Belt will be preserved.

- 5.9 Having regard to the five purposes of the Green Belt, it is not considered the proposal would lead to: the unrestricted sprawl of large built-up areas; neighbouring towns merging into one another, or; encroachment into the countryside. The proposal would not impact upon the setting and special character of historic towns and nor would it prejudice urban regeneration, by encouraging the recycling of derelict and other urban land. The proposal is therefore acceptable having regard to Green Belt policy.

5.10 Design and Visual Amenity Assessment

Design and Appearance

- 5.11 The proposed building will be faced in horizontally laid timber cladding, have minimal fenestration (including 3 no. rooflights) and have a tiled roof. It will be 24.7 m in length, 8 m in width and 4.7 m in height. As has already been mentioned, the building itself will not be very visible from views other than within the existing site due to established vegetation on the site boundary approximately 3.5 m in height. However, there will be long distance views of the roof particularly from the M32 to the east. The size and scale of the building is considered acceptable however it is considered expedient to recommend a condition requiring material samples. The timber is considered acceptable but for the roof a slate tile or green roof is preferred to a pantile.

Landscape

- 5.12 The site lies adjacent to the M32 to the east of Sims Hill woodland and comprises two sloping pasture fields enclosed by clipped hedgerows. Officers consider it appropriate to include a landscaping condition requiring 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 hardsurfacing (including parking areas) be submitted to the Council for approval prior to the commencement of development. The same condition appears on the pitches application PT14/2400/F.

5.13 Transportation Assessment

Concern has been raised by Winterbourne Parish Council that the proposed amount of parking is inadequate and that in the previous application PT14/2400/F, access to the sports pitches was to be from behind the Bristol Business Park and not Filton Road. Both the parking provision of 30no. spaces plus cycle storage and the access off Filton Road were approved under application PT14/2400/F. Officers do not consider that the construction of changing rooms on-site will significantly increase the amount of vehicular traffic visiting the site. In regard to the access off Filton Road, Officers consider this acceptable as in application PT14/2400/F subject to conditions in respect of cycle storage, access arrangements and providing a bound surface on the first

10 m of the access road. As this proposal will involve the construction of a new building, Officers also consider a site specific Construction Environmental Management Plan (CEMP) is required and it is recommended that a condition can secure this.

5.14 Residential Amenity Assessment

No floodlighting or social/bar facilities are proposed. The use of the pitches and changing room facilities would therefore be restricted to daylight hours. The nearest residential properties are approximately 100 metres away and this is considered far enough for there to be no undue loss of residential amenity to occupiers caused by noise or traffic.

5.15 Agricultural Land Classification / Soil Handling Assessment

The Agricultural Land Classification of farmland determines the versatility and suitability for growing crops. The top three grades, Grade 1, 2 and 3a, are referred to as 'Best and Most Versatile' land. A "Soil Handling and Mitigation" report has been submitted by the applicant and identifies the application site as being grade 1 – excellent quality. Policy CS9 of the Core Strategy states at (9) that new development will be expected to: "maximise opportunities for local food cultivation by (a) avoiding the best and most versatile agricultural land and; (b) safeguarding allotment sites". In this instance consent has already been granted for 2no. sports pitches on the site as very special circumstances demonstrated that they have to be provided on the application site. The proposed changing rooms are appropriate development in Green Belt terms, commensurate to the scale of facilities proposed. As such, whilst the Council seeks to avoid the loss of high quality agricultural land through Policy CS9 in this case the loss of the grade 1 land could be unavoidable. The applicant's Soil Handling and Mitigation report provides essentially a best practice guide to how excavation works can take place on the site that will retain the grade 1 land classification. A condition is suggested to ensure works are carried out in accordance with the report to give the land the best possible chance of retaining its classification.

5.16 Drainage Assessment

The Environment Agency recommended that a condition requiring a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, was attached to the pitches application PT14/2400/F. Storm water drainage needs to be considered as part of this application and the Council's Drainage engineer considers that this can be dealt with concurrently by applying a sustainable drainage systems condition to this application. In addition, the changing rooms facility will require foul drainage to be appropriately installed. The applicant is considering a number of alternative solutions in this regard and the drainage engineer is satisfied that a foul sewerage condition can be recommended that requires a suitable scheme be submitted to the Council and agreed in writing prior to the commencement of development.

5.17 Ecology Assessment

Neither the site itself or the immediate environment are subject to any nature conservation designations. Development on the grassland of the site would have a low impact on biodiversity, but opportunities for enhancement should be taken in accordance with Policy CS9 of the Core Strategy. An Ecological Report (Wessex Ecological Consultancy, dated May 2014) has been submitted with the application. The report suggests the creation of wetland in the form of a ditch which should be subject to a management plan. This can be secured via an appropriately worded condition. Subject to this condition, the proposal complies with Policy CS9 of the Core Strategy.

5.18 Other Matters

As part of application PT14/2400/F Sport England requested a condition relating to the community use of the pitches. Sport England's request for a management programme for community use of the pitches is considered to be in accordance with the NPPG tests and in accordance with the Council's Core Strategy and so this condition will be applied to this application.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 That planning permission is **GRANTED** subject to the following conditions:

Contact Officer: Will Collins
Tel. No. 01454 863425

CONDITIONS

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

Reason

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

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

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with policy EP2 of the South Gloucestershire Local Plan (Adopted) January 2006.

This is required prior to commencement because adequate drainage is required prior to the construction of the proposed building.

3. The development shall not commence until a foul water drainage strategy, which shall include a timetable/scheme of implementation, has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved strategy.

Reason

To ensure that a satisfactory means of drainage is provided in accordance with policy CS9 of the South Gloucestershire Local Plan: Core Strategy 2013.

This is required prior to commencement because adequate foul drainage is required prior to the construction of the proposed building.

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

Reason

To conserve and enhance the natural environment and in the interests of visual amenity to accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013.

This is required prior to commencement because trees may be required to be protected during construction and planting needs to be carried out at the earliest opportunity.

5. Prior to the commencement of development an ecological enhancement plan based on the recommendations in the mitigation and enhancement section of the Ecology Report (Wessex Ecological Consultancy, dated May 2014) shall be submitted to, and approved in writing by the Local Planning Authority. For the avoidance of doubt the ecological enhancement plan will include hedgerow management and the consideration of further enhancements. Development shall be carried out in accordance with the approved details.

Reason

To conserve and enhance the natural environment to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013.

This is required prior to commencement because hedgerow management needs to be undertaken at the earliest opportunity to ensure there is no conflict with the proposed building.

6. Development shall be carried out in strict accordance with the 'Soil Handling and Mitigation' report received by the Council on 3rd November 2014.

Reason

To maximise the opportunity for future local food cultivation by avoiding the loss of the best and most versatile agricultural land (grade 1) and to accord with Policy CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013.

7. All off-site highways works as shown on drawing 14714/SKT03 Rev D shall be completed to the satisfaction of the Highway Authority prior to the commencement of recreational use of the development hereby approved of the 2no. sports pitches as shown within the 'red edge' on drawing 14714/SKT03 Rev D.

Reason

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

This is required prior to commencement because adequate access is required prior to facilitate the construction of the proposed new dwelling.

8. Prior to the commencement of development full details of a minimum of 4no. covered and secure cycle spaces 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 promote sustainable transport options and to accord with Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013.

This is required prior to commencement because the cycle spaces would constitute development in their own right.

9. Notwithstanding drawing 14714/SKT03 Rev D a revised drawing showing a pedestrian access a minimum of 1.8 metres wide adjacent to the west side of the proposed access to the site 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

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

10. Prior to the first use of the changing rooms hereby approved a community use management programme shall be submitted to, and approved in writing by, the Local

Planning Authority. The scheme shall include details of hours of use, access by non-educational establishment users/non-members, management responsibilities, a mechanism for review and a programme for implementation. The approved programme shall be implemented upon the start of use of the development and shall be complied with for the duration of the use of the development.

Reason

To enhance community infrastructure and promote sustainable communities and to accord with Policies CS23 and CS24 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013.

11. Prior to the commencement of development, a Construction Management Plan shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the agreed details.

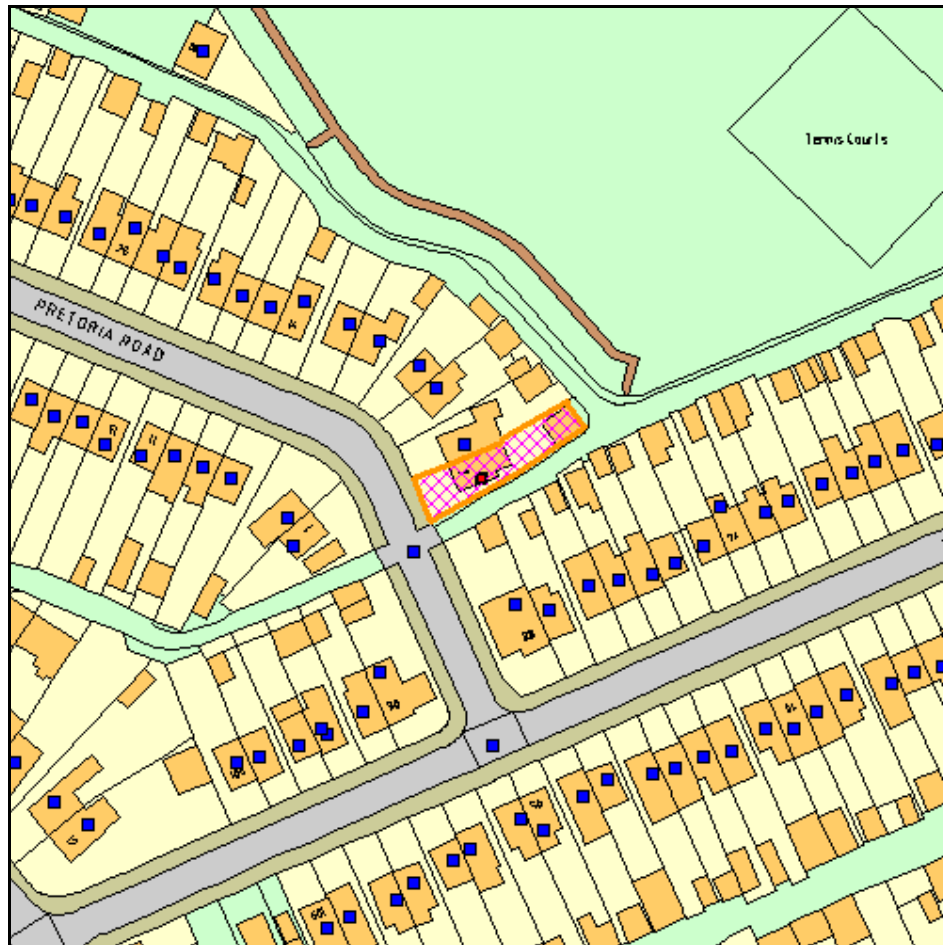
Reason

To protect the amenities of the occupiers of nearby dwellings houses and in the interests of highway safety to accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013 and Policy T12 of the South Gloucestershire Local Plan (Adopted) 2006.

This is required prior to commencement because the plan must be implemented prior to the commencement of construction.

CIRCULATED SCHEDULE NO. 21/15 – 22 MAY 2015

App No.:	PT15/1530/F	Applicant:	Mr Ian Williams
Site:	2 Pretoria Road Patchway Bristol South Gloucestershire BS34 5PT	Date Reg:	23rd April 2015
Proposal:	Erection of single storey side extension to from additional living accommodation	Parish:	Patchway Town Council
Map Ref:	360144 181737	Ward:	Patchway
Application Category:	Householder	Target Date:	15th June 2015



© South Gloucestershire Council 2007.all rights reserved.

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

100023410, 2008.

N.T.S.

PT15/1530/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

This is a full planning application for a proposed two storey rear and single storey side extension. A local resident has objected to this proposal which is contrary to the officer's recommendation.

1. PROPOSAL AND SITE DESCRIPTION

1.1 The applicant seeks full planning permission to erect a single storey side extension that will extend up to the existing building line of the principal elevation of 2 Pretoria Road, Patchway. The application site relates to a semi-detached dwelling, with an access lane to the side of the property leading to a detached garage at the rear.

1.2 The property is set in a long and narrow plot, characteristic of the streetscene. The main door to the property is set within the principal elevation fronting onto a highway. There is an existing single story lean too section of the property to the principal elevation. The dwelling is finished in light coloured pebble dash render to each elevation. The property has a hipped roof with red shingle tiles and has previously befitted from a rear extension.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012

National Planning Policy Guidance 2014

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted December 2013)

CS1 High Quality Design

CS8 Improving Accessibility

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

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

2.3 Supplementary Planning Guidance

South Gloucestershire Design Checklist (Adopted 2007)

3. RELEVANT PLANNING HISTORY

3.1 PT03/2113/F Approved with Conditions 14.08.2003
Erection of first floor rear extension to enlarge existing bedroom.

3.2 P88/1670 Approved 11.05.1988
Erection of a single storey rear extension to form enlarged kitchen

4. CONSULTATION RESPONSES

4.1 Patchway Town Council
No Comments Received

4.2 Other Consultees

Highway Drainage
No comment

Other Representations

4.3 Local Residents

One objection has been received in regards to this application. The objector has referred to an existing roof window and has raised concerns over building up to and including the boundary wall with the access lane.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

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

5.2 Visual Amenity

The proposal consists of a single storey side extension that will project up to the building line of the principle elevation to form a new bathroom. The proposal consists of a lean to and hipped roof arrangement with 1 no. Velux type window within the roof. There will be 1 no. window to the principle elevation of the proposed extension and no proposed window to any other elevation. The walls will be finished in render to match the original dwelling house and the roof will be finished with flat tiles to match the existing roof. The proposal is modest in scale and the design and use of materials has been informed and is in keeping with the character of the existing dwelling.

Overall, it is considered that the proposed extension would not harm the character or appearance of the area and as such, is considered acceptable in terms of visual amenity.

5.3 Residential Amenity

The dwelling is semi-detached, with no neighbours to the rear, the neighbours to the front are separated by a highway and front gardens or parking areas. The neighbours to the south side elevation are separated by side access lane and gardens, there is an attached neighbour to the northern side. The proposed extension is single storey in height and no windows are proposed on the side

elevations, except within the roof which is considered to be acceptable due to the adequate distance between the window and any neighbouring property. There is a window within the principal elevation visible from the front, however this will not contribute to any loss of privacy as the neighbouring dwelling to this elevation is of a substantial distance. It is therefore considered it will not result in a loss of privacy or a loss of light to any neighbouring dwellings.

Overall, it is considered that the proposal would not harm the living conditions currently enjoyed by neighbouring dwellings and as such, is considered acceptable.

5.4 Sustainable Transport

The application is not proposing to increase the total number of bedrooms within the property, nor would it effect the existing off street parking arrangements and as such, there are no objections in terms of parking and highway safety.

5.5 Other Matters

An objector has raised concerns regarding the building of the proposed extension up to and including the boundary wall with the access lane. This is regarded as a civil matter and has been given little weight within this report. An informative has been attached to the decision notice which advises the applicant of their responsibilities in regards to land ownership and non-planning consents.

The objector has concerns regarding an existing floor window, as this is outside the scope of this planning application it cannot be considered.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Contact Officer: Jessica Robinson
Tel. No. 01454 868388

CONDITIONS

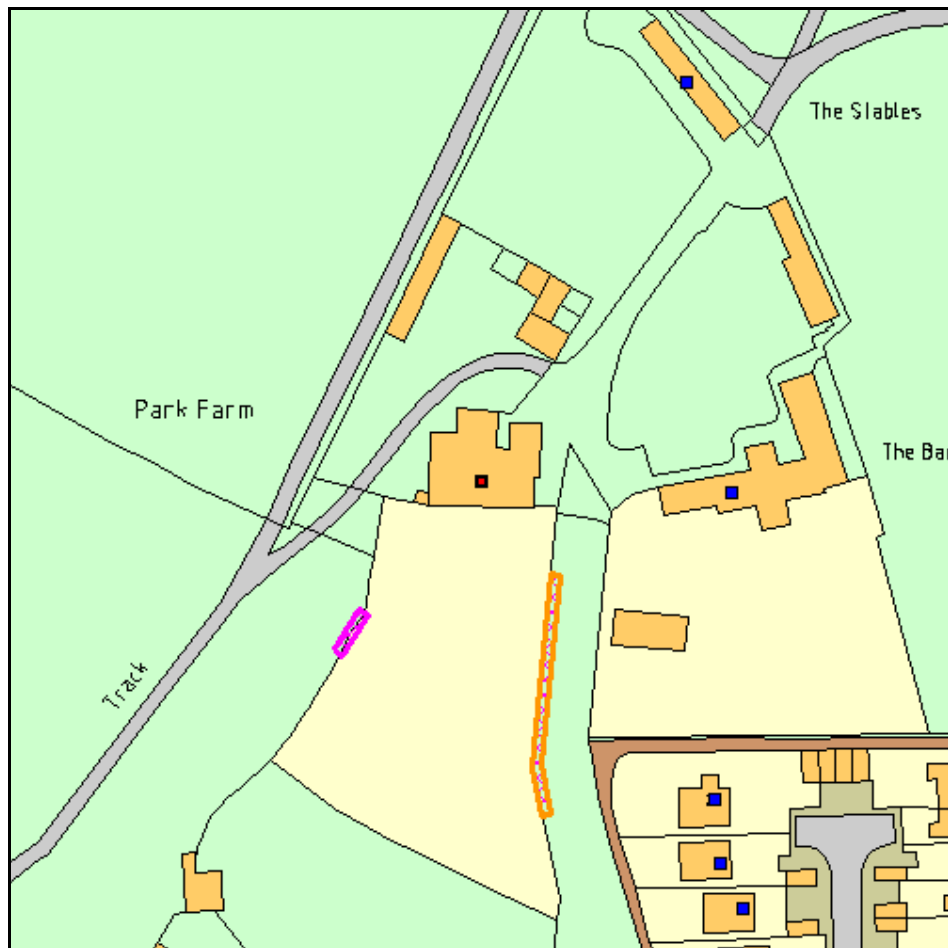
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

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

CIRCULATED SCHEDULE NO. 21/15 – 22 MAY 2015

App No.:	PT15/1709/TRE	Applicant:	Mr Christopher Rickard
Site:	Park Farm Butt Lane Thornbury Bristol South Gloucestershire BS35 1RA	Date Reg:	24th April 2015
Proposal:	Works to fell 36 no. Leyland Cypress trees covered by SGTPO/08/13 dated 15/10/2013	Parish:	Thornbury Town Council
Map Ref:	363829 191392	Ward:	Thornbury North
Application Category:		Target Date:	16th June 2015



© South Gloucestershire Council 2007.all rights reserved.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2008. **N.T.S.** **PT15/1709/TRE**

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 Works to fell 36 no. Leyland Cypress trees covered by SGTPO/08/13 dated 15/10/2013

2. POLICY CONTEXT

- 2.1 National Guidance
- i. The Town and Country Planning Act 1990
 - ii. The Town and Country Planning (Tree Preservation) (England) Regulations 2012.

3. RELEVANT PLANNING HISTORY

- 3.1 PT14/2658/TRE Decision: COND, Date of Decision: 02-SEP-14. Proposal: Works to various trees covered by SGTPO/08/13 dated 24/10/2013

4. CONSULTATION RESPONSES

- 4.1 Thornbury Town Council
No objections subject to compensatory tree planting being undertaken

Other Representations

- 4.3 Local Residents
A letter of support has been received from a neighbour who welcomes the removal of the trees stating they are inappropriate for the site and location.

5. ANALYSIS OF PROPOSAL

- 5.1 Works to fell 36 no. Leyland Cypress trees covered by SGTPO/08/13 dated 15/10/2013
- 5.2 Principle of Development
The only issues to consider are whether the proposed works would have an adverse impact on the visual amenity offered by the trees to the locality.
- 5.3 Consideration of Proposal
The line of 36 early mature Leyland cypress trees runs along the boundary of the garden of Park Farm. It forms a continuous tall hedge which suppresses some of the more significant mature broadleaf trees within the site.
- 5.4 The row of conifers are considered to offer a low level of amenity to the locality and their removal would benefit the remaining trees through improved sunlight and physical space to grow.

5.5 Thornbury Town Council have requested that compensatory planting is undertaken. However, the site is already well tree-stocked and further planting would not improve the amenity of the locality or benefit the existing tree stock. Therefore, under section 206(2) of the Town and Country Planning Act 1990 we recommend dispensing with the duty placed on the tree owners to replant in this instance.

6. RECOMMENDATION

6.1 It is recommended that permission is GRANTED subject to conditions in the decision notice.

Contact Officer: Phil Dye
Tel. No. 01454 865859

CONDITIONS

1. The tree works hereby permitted shall be begun before the expiration of two 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).