



**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. 04/15

Date to Members: 23/01/15

Member's Deadline: 29/01/15 (5pm)

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

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

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

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

NOTES FOR COUNCILLORS - FORMAL ARRANGEMENTS

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

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

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

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

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

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

GUIDANCE FOR 'REFERRING' APPLICATIONS

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

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

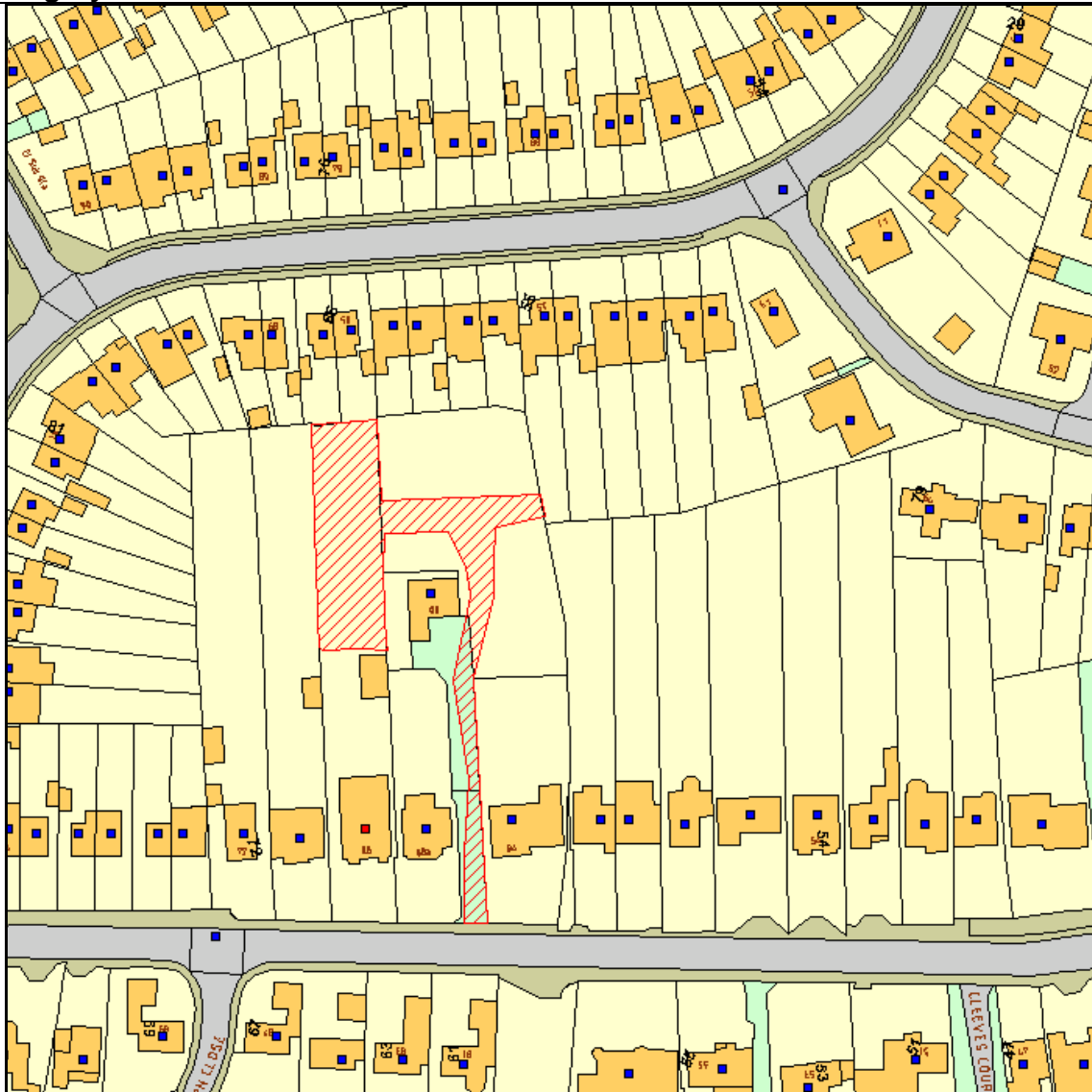
CIRCULATED SCHEDULE 04/15 - 23 January 2015

| ITEM NO. | APPLICATION NO | RECOMMENDATION | LOCATION | WARD | PARISH |
|----------|----------------|-------------------------|-----------------------------------------------------------------------------------------------------------------|---------------------------------------|----------------------------------|
| 1 | PK14/2391/F | Approve with Conditions | 68 Court Farm Road Longwell Green Bristol South Gloucestershire BS30 9AD | Longwell Green | Hanham Abbots Parish Council |
| 2 | PK14/4312/F | Refusal | 27 Lower Moor Road Yate Bristol BS37 7PQ | Yate North | Yate Town |
| 3 | PK14/4507/F | Approve with Conditions | 28 Birkdale Yate South Gloucestershire BS37 4EX | Yate Central | Yate Town |
| 4 | PK14/4664/CLP | Approve with Conditions | 28 Ridley Avenue Siston Bristol South Gloucestershire BS16 9QN | Siston | Siston Parish Council |
| 5 | PK14/4766/F | Approve with Conditions | 16 Maple Walk Pucklechurch Bristol South Gloucestershire | Boyd Valley | Pucklechurch Parish Council |
| 6 | PK14/4780/F | Refusal | 2 Toghill Barn Farm London Road Wick South Gloucestershire BS30 5RU | Boyd Valley | Cold Ashton Parish Council |
| 7 | PK14/4829/F | Approve with Conditions | 1 Grampian Close Oldland Common Bristol South Gloucestershire BS30 8QA | Oldland | Bitton Parish Council |
| 8 | PK14/4878/F | Approve with Conditions | 20 Parkwall Crescent Barrs Court Bristol South Gloucestershire BS30 8HP | Longwell Green | Oldland Parish Council |
| 9 | PK14/5007/CLP | Approve with Conditions | 33 Long Road Mangotsfield Bristol South Gloucestershire | Rodway | None |
| 10 | PT14/2276/CLE | Approve with Conditions | New Gates Farm Shepperdine South Gloucestershire BS35 1RT | Severn | Oldbury-on-Severn Parish Council |
| 11 | PT14/2837/F | Approve with Conditions | Former Tortworth Visitors Centre Land Adjacent B4509 Tortworth Wotton Under Edge South Gloucestershire GL12 8HQ | Charfield | Tortworth Parish Council |
| 12 | PT14/2838/LB | Approve with Conditions | Former Tortworth Visitors Centre Land Adjacent B4509 Tortworth Wotton Under Edge South Gloucestershire GL12 8HQ | Charfield | Tortworth Parish Council |
| 13 | PT14/2843/F | Approve with Conditions | Former Tortworth Visitors Centre Land Adjacent B4509 Tortworth South Gloucestershire GL12 8HQ | Charfield | Tortworth Parish Council |
| 14 | PT14/4099/F | Approve with Conditions | Tesco Express 2 Ratcliffe Drive Stoke Gifford Bristol South Gloucestershire BS34 8UE | Stoke Gifford | Stoke Gifford Parish Council |
| 15 | PT14/4196/F | Approve with Conditions | Mead House Hambrook Lane Hambrook Bristol South Gloucestershire BS16 1RT | Winterbourne | Winterbourne Parish Council |
| 16 | PT14/4763/F | Approve with Conditions | Priestlands 32 Mapstone Close Hambrook Bristol South Gloucestershire BS16 1RN | Winterbourne | Winterbourne Parish Council |
| 17 | PT14/4802/F | Approve with Conditions | Sunnymead Bristol Road Frenchay Bristol South Gloucestershire BS16 1LQ | Frenchay And Stoke Park | Winterbourne Parish Council |
| 18 | PT14/4849/TRE | Refusal | Chippings Wolfridge Ride Alveston South Gloucestershire | Thornbury South And | Alveston Parish Council |
| 19 | PT14/4980/PNH | No Objection | 180 Ellicks Close Bradley Stoke Bristol South Gloucestershire BS32 0EU | Bradley Stoke Central And Stoke Lodge | Bradley Stoke Town Council |

| ITEM NO. | APPLICATION NO | RECOMMENDATION | LOCATION | WARD | PARISH |
|-----------------|-----------------------|-----------------------|------------------------------------------------------------------|-------------|---------------------|
| 20 | PT14/4990/PNH | No Objection | 84 Conygre Road Filton Bristol South Gloucestershire BS34 7DQ | Filton | Filton Town Council |

CIRCULATED SCHEDULE NO. 04/15 – 23 JANUARY 2015

| | | | |
|------------------------------|-----------------------------------------------------------------------------|---------------------|------------------------------|
| App No.: | PK14/2391/F | Applicant: | Mr And Mrs A Coates |
| Site: | 68 Court Farm Road Longwell Green Bristol South Gloucestershire BS30 9AD | Date Reg: | 15th July 2014 |
| Proposal: | Erection of 2no. detached dwellings with associated works. | Parish: | Hanham Abbots Parish Council |
| Map Ref: | 365511 170646 | Ward: | Longwell Green |
| Application Category: | Minor | Target Date: | 29th August 2014 |



© South Gloucestershire Council 2015.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, 2014. N.T.S. PK14/2391/F

REASON FOR REPORTING TO CIRCULATED SCHEDULE

Objections from local residents and the Hanham Abbots Parish Council have been received, contrary to the Officer's recommendation.

1. THE PROPOSAL

- 1.1 This planning application seeks full planning permission for the erection of 2no. detached dwellings with associated works. The proposed dwellings would be 3 bedroom bungalows, to the rear (north) of No. 68 Court Farm Road and to the side (west) of No. 66.
- 1.2 The plot measures 14.2 metres wide by 48.3 metres in length. The site is relatively flat, with the land slightly sloping from south to north up towards Ellacombe Road. To the north of the site are residential properties on Ellacombe Road, which are slightly higher than the application site, with rear-facing windows gardens overlooking the site.
- 1.3 The access from Court Farm Road is an existing residential access which runs between No. 66A and No. 64 and would also serve the four previously approved bungalows (Ref. PK11/3880/O and PK12/3621/RM). Currently, the access track is gravelled and is the main vehicular access for No. 66.
- 1.4 During the course of the application, revised plans have been submitted. The Officer advised the agent that there were inaccuracies in the proposed plans. Subsequently, the applicant has instructed an architect to draw up new plans. The revised plans were submitted on 1st December 2014.

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

CS4A Presumption in Favour of Sustainable Development

CS5 Location of Development

CS8 Improving Accessibility

CS9 Managing the Environment and Heritage

CS16 Housing Density

CS17 Housing Diversity

CS29 Communities of the East Fringe of Bristol Urban Area

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

H4 Development in Existing Residential Curtilages

L9 Protected Species

T12 Transportation Development Control Policy for New Development

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

3. RELEVANT PLANNING HISTORY

- 3.1 PK13/3808/O Erection of 2no. dwellings (Outline) with access, appearance, layout and scale to be determined. Landscaping to be reserved. Resubmission of PK12/4213/O.
Approved 20.12.13
- 3.2 PK12/4213/O Erection of 2 bungalows (Outline)
Withdrawn 18.02.13
- 3.3 PK15/0076/F Applications relate to adjoining site land at No. 66 Court Farm Road:
66 Court Farm Road
Erection of 4no. detached dwellings and detached garage with associated works.
(Resubmission of PK14/2227/F)
Pending consideration
- 3.4 PK11/3880/O Erection of 4 bungalows and construction of access (Outline)
Approved 02.04.12
- 3.5 PK12/3621/RM Erection of 4 bungalows and construction of Access
Approve 14.12.12

4. CONSULTATION RESPONSES

- 4.1 Hanham Abbots Parish Council
Objection to the application on the grounds of overdevelopment with concerns over refuse and emergency vehicles negotiating the very narrow proposed access road.
- 4.2 Hanham District Green Belt Conservation Society
No comment received.
- 4.3 Drainage
The application does not show method of surface water disposal, although the Landscape Plan does indicate permeable block paving. Either method of surface water disposal for dwellings should be indicated or a SuDS condition applied.
- 4.4 Ecology
No objection, subject to a condition requiring a protected species survey prior to the commencement of development.

4.5 Environmental Protection

No objection.

4.6 Highway Structures

No comment.

4.7 Transportation DC

The application is in effect an amendment to the previously approved scheme (Ref. PK13/3808/O). the access remains unchanged from that previously approved; parking and manoeuvring space on site are the same as previously approved. Suggested conditions to be attached.

Other Representations

4.8 Local Residents

A total of 9no. comments have been received.

2no. comments of support have been received:

- Serious housing supply problem in the area not helped by NIMBY-ism;
- Most of Longwell Green used to be a green field
- Ellecombe Road properties were built after Court Farm Road;
- Bungalows are low level and not imposing or overlooking;
- Great need for bungalow developments, they are hard to find;
- There is no increase in the height of the previously approved bungalows;
- Roof void area is the same roof area as the already approved planning permission;
- There are no windows overlooking Ellecombe Road properties;
- Proposed velux windows are high level, small and obscurely glazed;
- Dwellings are not two storey houses.

1no. local resident has submitted a general comment:

- If velux windows are permitted, could a condition require they are obscurely glazed to prevent overlooking;

6no. local residents have objected to the proposal:

- Velux windows in the roof seem to be an underhanded way of getting around not building two storey dwellings;
- Introducing first floors;
- The land has been kept as trees, shrubs, tidy gardens and wildlife for years;
- Badger sets;
- Privacy loss;
- Overlooking;
- Affect the value of neighbouring properties;
- New access will affect security;
- Squeezing in new houses would be a detriment to the community;
- Court Farm Road has a problem with speeding and is a "rat run" for commuters;
- Additional traffic;

- Original application for No. 66 for two storey buildings was withdrawn due to concerns of overlooking;
- Is this application is for 3 or 4 bedroom dwellings?;
- Windows could change into dormer windows;
- Excess run-off has been draining into the gardens of Court Farm Road causing saturation and flooding;
- No affordable housing;
- Proposed increase in ridge height to 7m will have a greater impact on privacy and enjoyment of garden.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The NPPF seeks to boost the supply of new housing and contains a presumption in favour of sustainable development. Policy CS1 permits development only where the highest possible standards of design and site planning are achieved. Policy CS5 of the adopted Core Strategy is the locational strategy which sets out that the majority of new development is to be steered to within the existing urban areas. Policies CS16 and CS 17 support increased density and greater diversification of housing.

- 5.2 Saved policy H4 of the adopted Local Plan (2006) specifically relates to new development within the curtilage of residential properties, including the extension to existing dwellings and the erection of new dwellings. The proposed development is considered acceptable in principle and shall be determined against the analysis set out below.

5.3 Efficient Use of Land and Access to Services

Planning policy dictates that the most efficient use of land should be sought and development directed to areas where there is already a good provision of services, shops and public transport routes.

- 5.4 Being located within the existing urban area of Longwell Green, the site is considered to be a sustainable location for development. There is good access to existing infrastructure and local services and amenities in this location. The development site is considered large enough to accommodate the level of development proposed. Although the density proposed is low at 2no. units, the properties would be modest, detached bungalows; this is considered to be the most suitable form of development to its backland location and shared access. In this respect, the application site would be unsuited to a higher density given its location and site constraints. Overall, the site is considered a sustainable location to development and the proposal would contribute to creating a mix of types and density of housing in the locality.

5.5 Design

The proposed dwellings would be 3no. bedroom modern, detached bungalows with a front porch, rear gardens and parking spaces at the side of the property. the two properties would be different in layout. Plot A would have 3no. bedrooms, using only the ground floor. Plot B would have 2no. bedrooms and a bathroom on the first floor and a third bedroom on the ground floor. The

dwellings would measure 8.8 metres wide by 11 metres in length, with a maximum ridge height of 6.7 metres. Rooflights are included in both plots on the front elevation only, both facing inside the site. The dwellings will be rendered, with double Roman tiles and permeable paving. The boundary treatments will be close-boarded wooden fencing, which is common in this area.

- 5.6 The proposed layout is not considered to be out of character with the locality, which is largely made up of detached bungalows and large detached houses along Court Farm Road and semi-detached houses on Ellacombe Road. The shared access is in the same position and alignment as the original driveway for No. 66, between No's 66a and 64. The erection of two additional bungalows is considered to contribute to the diversification of housing types as required by Policy CS17 of the adopted Core Strategy.
- 5.7 Residential Amenity
Residential amenity should not be prejudiced as a result of new development. This plot consists of the rear garden of No. 68 Court Farm Road. Due to the backland location of the development, the proposed dwellings would effectively be tertiary development. To the north are semi-detached properties on Ellacombe Road and to the south are large bungalows, with generous rear gardens. The proposed dwellings are considered to afford a good standard of amenity.
- 5.8 The pitched roofs of the proposed dwellings would be set lower than the nearest neighbouring property No. 67 Ellacombe Road and slightly higher than No. 68 Court Farm Road. No. 67 Ellacombe Road is over 20 metres from Plot A and No. 68 Court Farm Road is over 26 metres from Plot B. The proposed dwellings would unlikely have an overbearing impact on the existing properties to the north and south.
- 5.9 First floor accommodation is to be provided in Plot B. Local residents have raised concern about the increase in the ridge height and inclusion of first floor accommodation impacting on privacy and creating overlooking. There are no windows proposed in the rear elevation; this is contrary to a previous application for No. 66 Court Farm Road (adjacent plot) which was withdrawn due to concerns of overlooking from rear elevation windows. The proposed scale and size of the proposed bungalows is considered acceptable and similar to the previously approved outline permission in 2013. Due to the proximity of neighbouring occupiers in respect of Plot A, the Officer considers it reasonable to remove the occupiers permitted development rights in respect of windows/dormer windows on the rear (north) elevation.
- 5.10 Considering the above, there is not considered to be any impact on privacy given that there would be only three small velux rooflights on the front elevations of the proposed dwellings. These rooflights would not overlook properties in Ellacombe Road. The separation between the proposed dwellings and the existing nearby properties is considered acceptable in respect of the proposed rooflights.

5.11 Landscape and Trees

A number of trees are located within the development site. A landscaping plan has been submitted. It is proposed to remove existing trees; three of these trees are located along the west boundary with No. 70. The short section of hedge along the western boundary will be retained and protected. The east and west boundary treatment will be a new 1.8metre close-boarded fence. There is limited planting on site, however the proposed boundary treatments are considered in-keeping with the area and the trees being removed are not considered worthy of retention.

5.12 Ecology

The application site consists of amenity grassland and scattered trees. The land was formerly part of No. 68 Court Farm Road's domestic garden. The applicant has not submitted any supporting ecological information with the application. Previously, the applicant for the neighbouring parcel of land No. 66 Court Farm Road submitted an ecological assessment in 2012 (Ref. PK12/3621/RM) for the erection of 4no. detached dwellings. This report found a badger sett (a protected species) within 1m from the eastern boundary of the site, although other protected species such as bats and slowworms were not found at this time.

5.13 From discussions with the Council's Ecology Officer, it is considered reasonable and necessary to ensure that a similar ecological survey is conducted prior to the commencement of the development, to ensure no protected species are disturbed or displaced as a result of the proposed development. This will form a condition attached to the decision notice.

5.14 Transportation

Access to the two proposed dwellings would be via the existing access off Court Farm Road, which serves No. 66. The access is largely 6 metres wide, briefly narrowing to a pinch point of 5 metres adjacent to No. 66a. The access is considered adequate for additional vehicular movement associated with two additional residential properties. It is not considered that the proposal would result in a significant increase in traffic movements or result in highway safety issues. Concern has been raised by a local resident about the new access affecting security; however, this is an existing access that is being extended towards the rear of the site. The empty plot of land at the rear of Court Farm Road already has outline planning permission to erect two detached bungalows and the access and parking arrangements have already been approved as such.

5.15 Both dwellings will benefit from two off-street parking spaces. Based on the standards set out in the Council's adopted Residential Parking Standards SPD, the minimum parking provision is 2no. spaces per dwelling. There would be adequate space for visitors to park at the front of the proposed dwellings. The Transportation Officer has also advised that conditions are attached requiring details of the construction of the access and implementation of the off-street parking facilities prior to the occupation of the dwellings, as per approved planning application PK13/3808/O. Overall, it is considered that the access and parking arrangements are acceptable.

5.16 Drainage

In respect of drainage, the Council's Drainage Engineer has commented that no drainage details for the site have been submitted. However, they are satisfied with a SUDS condition to be attached and discharged prior to the commencement of development.

5.17 Other Matters

In this section, I shall address any issues raised by local residents that have not yet been addressed earlier in my report.

5.18 The affect on the value of neighbouring properties is not a planning consideration. The land already has outline consent for the erection of 2no. detached dwellings. The proposal is considered acceptable in terms of design, location and density being appropriate development within this established residential area.

5.19 As the proposal is only for 2no. houses, this falls below the Council's threshold (10) for affordable housing provision.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 That planning permission is **approved**, subject to the conditions attached to the decision notice.

Contact Officer: Katie Warrington
Tel. No. 01454 863436

CONDITIONS

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

Reason

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

2. No development shall commence until a detailed development layout showing surface water and SUDS (Sustainable Drainage Systems, e.g. soakaways if ground conditions are satisfactory) for flood prevention, pollution control and environmental protection 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 comply with Policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 and National Planning Policy Framework (2012).

3. Prior to the commencement of development, full construction details of the access road hereby approved from Court Farm Road as shown on the Block Plan (Ref. 960/03/602, received by the Council 1st December 2014), shall be submitted to the Local Planning Authority for approval in writing. The access shall be constructed to an adoptable standard. Development shall be carried out in accordance with the approved details, prior to the occupation of the dwellings.

Reason

In the interests of highway safety, and to accord with Policy CS8 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 and Saved Policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. The off-street parking facilities shall be carried out in accordance with the approved plans, prior to the occupation of the dwellings 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 Saved 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 provisions of the Residential Parking Standards Supplementary Planning Guidance.

5. Prior to the commencement of development details shall be submitted to and approved in writing by the Local Planning Authority in respect of measures to:
 - (i) Identify, through site survey, of protected wildlife species and/or their habitat at present (as designated under the Conservation Regulations 2012, Wildlife and Countryside Act 1981 (as amended), and the Protection of Badgers Act 1992).
 - (ii) Protection, as required, of wildlife species, and/or their habitat referred to under (i) above and as identified through the site survey. The approved measures shall be implemented in full unless the Local Planning Authority gives written consent to any variation.

Reason

To ensure the works are carried out in an appropriate manner and in the interests of the protected species within the vicinity of the site, and to accord with saved policy L9 of the South Gloucestershire Local Plan (Adopted) January 2006 (saved policies) and Policy CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013.

6. The hours of working on site during the period of construction shall be restricted to 0730 to 1800 Monday to Friday and 0730 to 1300 on Saturdays and no working shall

take place on Sundays or Public Holidays unless with the prior written consent of the Local Planning Authority.

Reason

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

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any Order revoking or re-enacting that Order with or without modification), no windows/dormer windows or rooflights shall be constructed in the rear (north) elevation of Plot A dwelling.

Reason

To protect the privacy and amenity of neighbouring occupiers and to accord with saved policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies) and policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013.

ITEM 2

CIRCULATED SCHEDULE NO. 04/15 – 23 JANUARY 2014

| | | | |
|------------------------------|----------------------------------------------------------------------|---------------------|--------------------|
| App No.: | PK14/4312/F | Applicant: | Mr S Rowland |
| Site: | 27 Lower Moor Road Yate Bristol BS37 7PQ | Date Reg: | 12th December 2014 |
| Proposal: | Erection of single storey detached annexe ancillary to main dwelling | Parish: | Yate Town Council |
| Map Ref: | 371446 183888 | Ward: | Yate North |
| Application Category: | Householder | Target Date: | 4th February 2015 |



© South Gloucestershire Council 2015.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, 2014. N.T.S. PK14/4312/F

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application is referred to the circulated schedule for determination as comments of support have been received; the recommendation is for refusal.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a detached annexe in the rear garden of no.27 Lower Moor Road, Yate. The proposed annexe would measure 12 metres deep by 5.6 metres wide with an eaves height of 2.4 metres and an overall height of 4.2 metres. The annexe would be situated 13.8 metres from the rear elevation of the house and, at its closest, be 2 metres from the rear boundary. The annexe would contain: one bedroom with en-suite; living area; dining area; kitchen; utility room; toilet and ancillary storage.
- 1.2 Lower Moor Road is in the Brimsham Park area of Yate. No.27 is a detached house located on a corner plot at the end of a cul-de-sac. The rear garden backs onto Eastfield Drive, which is an arterial road which runs through the Brimsham Park estate. To the east is located an electricity sub-station which is well screened by mature trees. The site is within the settlement boundary for the town of Yate. No other statutory or non-statutory land use designations cover the site.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS4A Presumption in Favour of Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS15 Distribution of Housing
CS16 Housing Density
CS17 Housing Diversity
CS30 Yate and Chipping Sodbury

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

L1 Landscape
L5 Open Areas
T12 Transportation
H4 Development within Existing Residential Curtilages

2.3 Supplementary Planning Guidance

(a) South Gloucestershire Design Checklist (Adopted) August 2007

3. RELEVANT PLANNING HISTORY

- 3.1 P94/0600/27 Approval of Full Planning 13/04/1995
Development of land for the erection of 56 residential dwellings; construction of associated driveways, access roads and pavement; provision of landscaped areas without complying with Condition 11 of Planning Permission P92/0600/18
- 3.2 P92/0600/18 Approval 20/05/1992
Erection of 56 dwellings; construction of associated driveways, access roads, and pavement; provision of landscaped areas and play area.
- 3.3 P86/2231 Approval of Outline Permission 21/10/1987
Residential development with associated open space provision; construction of roads and sewers on approximately 90 acres of land (outline)

4. CONSULTATION RESPONSES

- 4.1 Yate Town Council
Objection Looks like a separate dwelling; condition must prevent formation of access onto Eastfield Drive.
- 4.2 Drainage
Foul sewage should connect to a public sewer
- 4.3 Public Rights of Way
No objection; informative requested

Other Representations

- 4.4 Local Residents
One comment of support has been received. No specific comments on the proposal were made.

5. ANALYSIS OF PROPOSAL

- 5.1 This application seeks planning permission for the erection of an annexe.
- 5.2 Principle of Development
A planning application is required for the proposed development because the building itself marginally too high to be permitted development under Part 1 Class E of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) and the use as a self-contained annexe would not be incidental.
- 5.3 Alterations and extensions to existing dwellings are supported, in principle, by policy H4 of the local plan subject to an assessment of design, amenity and transport. More detailed design considerations as set out in policy CS1 must also be applied; under this policy development will not be permitted unless it reaches the 'highest possible' standards of site planning and design. The layout of the development means that the rear gardens of the properties on Lower Moor Road and Clayfield contribute to the openness of Eastfield Drive

and therefore policy L5 should also be applied. The development is acceptable in principle subject to meeting the detailed assessment criteria of the above policies, as set out below. In this instance it is not considered that the development accords with these policies and the application is recommended for refusal.

5.4 Design and Layout

Policies CS1 and H4 set certain design criteria which includes the requirement for development to demonstrate that the siting and form, massing, and overall design and character of development are informed by and respect the character of the existing property and street scene and site. In order to assess the impact of development, it is first necessary to define the character of the area.

5.5 No.27 Lower Moor Road is situated in a position where it is highly visible in the public realm. The front of the property is the least prominent, this is set at the end of a cul-de-sac and an extended drive. However, from the rear and side, the house is much more prominent. Alongside the property runs a footpath, from which the application site is visible; adjacent to which is an electricity infrastructure installation. The rear elevation of the building follows the same building line as the rear of the electricity compound. All around the compound are mature trees which create a green corridor. This green corridor is further enhanced by the setting of Eastfield Drive. This road has wide open verges and pedestrian footpaths set between the estate walls on either side and the application site is visible from the road. As a result, the building line formed by the rear elevations of properties on Clayfield and Lower Moor Road are important in defining the form of development in this area.

5.6 The erection of a large structure, such as that proposed, within the open swathe created between Lower Moor Road and Clayfield would be harmful to the open feeling of the land along Eastfield Drive. A structure of this size would be out of character with the site context and therefore would fail to respect the existing form of development and layout. If permitted, the annexe would become an incongruous feature in the street scene when viewed from either Eastfield Drive or the footpath which runs adjacent to the site.

5.7 It is acknowledged that there is a large structure in the far end of the garden of the adjacent property (no.25). This structure is smaller than that proposed under this application and 'boxes off' the end of the garden. This structure is visible from the public realm; however, it is mainly constructed from wood and has the appearance of a garden structure rather than the more solid appearance of the proposed annexe. On initial assessment it would seem that this structure would be permitted development by virtue of Class E of Part 1 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) subject to being in an incidental use; there is no planning history held by the planning authority for the erection of this structure. As this structure would be permitted development, subject to being in an incidental use, it cannot be considered precedence for allowing the development proposed in this application.

5.8 Living Conditions

Development should not be permitted that has a prejudicial impact on residential amenity. Residential amenity should be considered with regard to all nearby occupiers and the amenity of the application site.

5.9 No.27 Lower Moor Road benefits from a large garden which would be capable of accommodating a building of this size whilst still providing adequate private amenity space.

5.10 It is not considered that the development would prejudice the amenity of nearby occupiers. The proposed building is of single storey only and therefore it is unlikely to cause overshadowing or to appear overbearing. No windows are positioned as to be able to overlook neighbouring occupiers.

5.11 It is therefore considered that any impact on living conditions would not amount to being prejudicial and therefore the development is acceptable with this regard.

5.12 Transport and Parking

Development must provide sufficient off-street parking to meet the needs arising from the development. No vehicular access is provided into the rear of the site (from Eastfield Drive) and therefore the annexe would rely on parking and access from Lower Moor Road.

5.13 Taking into account the number of bedrooms in the main dwelling and the proposed annexe, the parking requirement when assessed against the provisions of the Residential Parking Standard SPD would be three spaces. The property has a wide driveway where three vehicles would be able to park. In addition to this there is a double garage to provide additional capacity.

5.14 It is not considered that the development would lead to an increase of on-street parking or a decrease in levels of highway safety.

6. CONCLUSION

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

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

7. RECOMMENDATION

7.1 It is recommended that planning permission be REFUSED for the reason set out below.

Contact Officer: Griff Bunce
Tel. No. 01454 863438

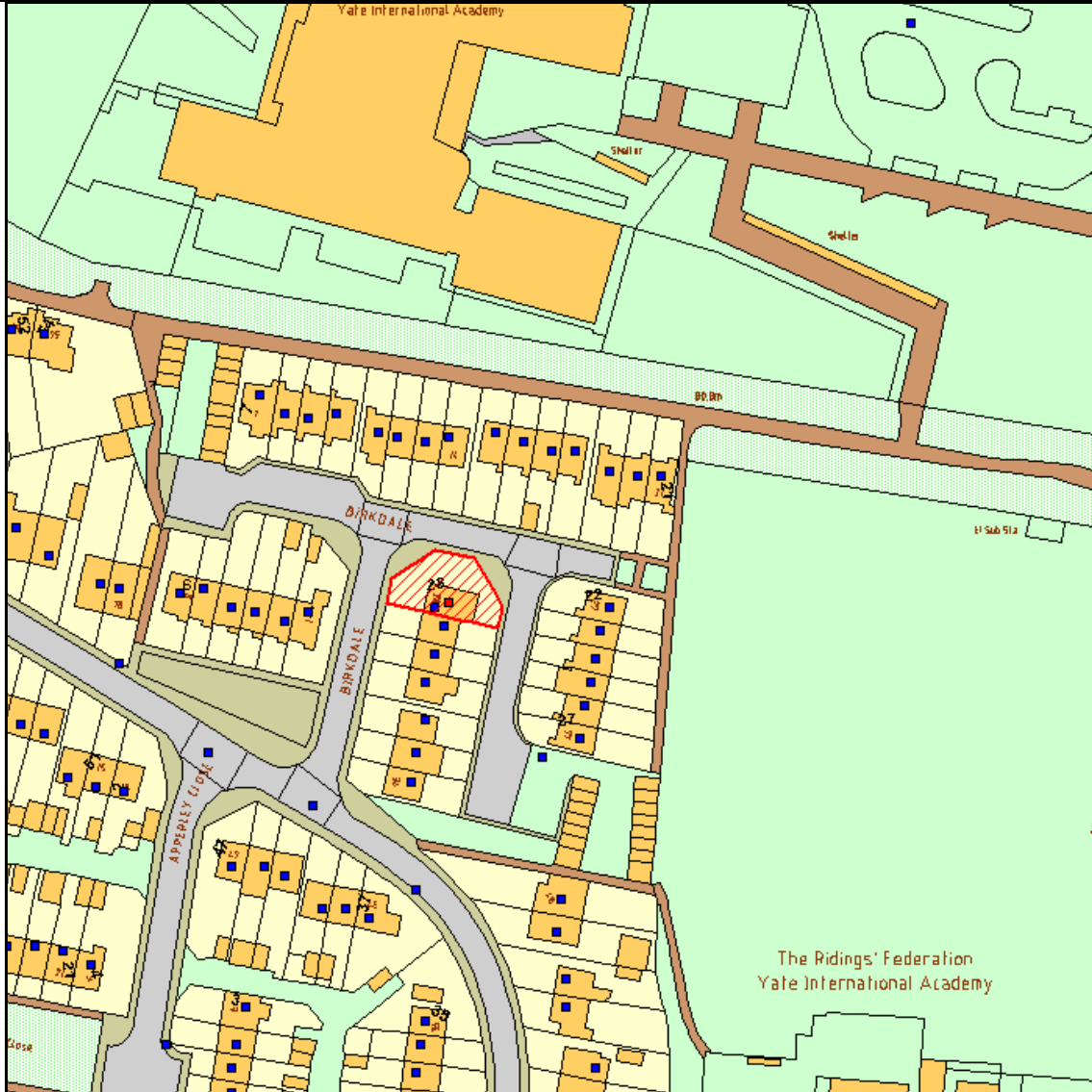
REFUSAL REASON

1. The proposed development is out of character with the existing form and layout of development in the locality and if permitted would result in a harmful impact on the open feel of Eastfield Drive and create an incongruous feature within the street scene. The proposed development fails to reach the highest possible standards of site planning and design or to respect the design and character of the existing property and surrounding area and is therefore contrary to Policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013, Policy L5 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies), the South Gloucestershire Design Checklist SPD (Adopted) August 2007, and the provisions of the National Planning Policy Framework, March 2012.

ITEM 3

CIRCULATED SCHEDULE NO. 04/15 – 23 JANUARY 2015

| | | | |
|------------------------------|----------------------------------------------------------|---------------------|--------------------|
| App No.: | PK14/4507/F | Applicant: | Mr Thomas O'malley |
| Site: | 28 Birkdale Yate South Gloucestershire BS37 4EX | Date Reg: | 21st November 2014 |
| Proposal: | Erection of 1no. attached dwelling and associated works. | Parish: | Yate Town Council |
| Map Ref: | 371060 181888 | Ward: | Yate Central |
| Application Category: | Minor | Target Date: | 15th January 2015 |



© South Gloucestershire Council 2015.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, 2014. **N.T.S.** **PK14/4507/F**

REASON FOR REPORTING TO CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The application relates to a two-storey, end of terrace dwelling in Yate which has been subdivided into a first floor flat and a ground floor flat. The property lies within a residential estate and has an open-plan frontage, with side and rear garden areas enclosed by a hedge and fence respectively.
- 1.2 The application is for a side extension to form a one-bedroom dwelling, and the application follows previously refused schemes for a two-bedroom dwelling and a side extension to form 2 no. flats.
- 1.3 Amendments were received on January 6th 2015 and January 8th 2015 to alter the design and layout, and a period of re-consultation was undertaken for a period of 7 days.

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
L1 Landscape

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

2.3 Supplementary Planning Guidance

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

3. RELEVANT PLANNING HISTORY

- 3.1 PK13/3330/RVC - Variation of conditions 4 and 6 attached to planning permission PK11/3684/F to alter off street parking facilities and bin storage area.
Approved with conditions 22/11/2013
- 3.2 PK13/1678/RVC - Removal of conditions 2 and 4 attached to planning permission PK11/3684/F relating to landscaping and off-street parking.
Refused 8 July 2013
- 3.3 PK12/1037/F - Erection of two-storey side extension to form 1no. two bed dwelling with car parking and associated works.
Refused 15 May 2012 for the following reasons:
1. *The proposal is poorly configured, which would result in an insufficient area of private amenity space to serve the proposed house; loss of privacy to the ground floor flat, inaccessible garden area for the flats, and loss of en suite windows serving the flats, all to the detriment of the residential amenity of both existing and future occupiers of the existing flats and proposed house respectively; contrary to the requirements of Policies D1, H2 and H4 of the South Gloucestershire Local Plan (Adopted) 6 Jan 2006.*
 2. *Insufficient information has been submitted to demonstrate that a suitable form of sustainable surface water drainage can be incorporated within the scheme; this is contrary to Policies L17, L18 and EP2 of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.*
- 3.4 PK11/3684/F - Erection of two-storey rear extension and conversion of existing dwelling to form 2no. self-contained flats with associated works. (Retrospective).
Approved 24 Feb. 2012
- 3.5 PK11/2165/F - Erection of two-storey rear extension and conversion of existing house to form 1no. one bedroom flat and 1no. two bedroom flat (Retrospective). Erection of two-storey side extension to form 2no. additional flats with associated works. Creation of new access including dropped kerbs.
Refused 16 Aug 2011 for the following two reasons:
1. *The plans show that the bin store for the two flats within the existing dwelling is to be located to the front of the existing dwelling adjacent to the boundary with the attached dwelling No. 29 Birkdale. Bin stores in front gardens are not a feature along Birkdale with other dwellings keeping their bins in the rear gardens. The introduction of a large bin store to the front of the existing dwelling would have a detrimental impact on the street scene and character of the area. In addition to this, the proposed bin store would be immediately adjacent to the front door of the neighbouring dwelling. Not only would the number of bins be unsightly to the front of the property, it would have a detrimental impact*

on the existing level of amenity afforded to No 29 by means of smells and flies, particularly during the summer. The application is therefore contrary to the requirements of Policies D1, H4 and H5 of the South Gloucestershire Local Plan (Adopted).

2. *Existing levels of on street parking along Birkdale are high. In order to ensure existing levels of highway safety remain and to limit further congestion and on street parking, a total of four off street parking spaces are required - that is one to serve each flat. In the absence of the required number of parking spaces, this is likely to lead to increased parking on the highway close to two right angle bends in the road having a detrimental impact on existing levels of highway safety. The application is therefore contrary to the requirements of Policies D1, H4 and H5 of the South Gloucestershire Local Plan (Adopted)*

3.6 PK11/1471/F - Erection of two-storey side extension to form 2no. one bedroom flats. Formation of new pedestrian access and associated works.
Withdrawn 8 June 2011

3.7 P88/2628 - Erection of first floor extension
Approved 12 Oct 1988

4. CONSULTATION RESPONSES

4.1 Yate Town Council

Objection due to overdevelopment of plot, loss of amenity, highway safety, apparent change to boundary line to include public pavement/highway.

4.2 Other Consultees

Highway Structures

No comment.

Transport

No objection subject to confirmation that the proposed parking space for the new dwelling meets the Council's minimum standards.

Highway Drainage

Initially concerned due to limited size of plot, however applicant submitted further information regarding a soakaway for the new dwelling which can be achieved in the front garden of no. 28. No objection subject to conditions.

Other Representations

4.3 Local Residents

Seven letters of objection have been received from six local residents. Their concerns are summarised as follows:

Drainage

- Previous applications stated there may not be sufficient space for a soakaway

- The existing sewer has blocked at least twice since the house became two flats

Waste

- Bin storage located outside my front door
- Insufficient bin storage

Transport

- Highways agency have previously rejected plans for access to a new parking space at this location due to restricted space in the street
- One of the parking spaces would be right next to the garden path, this is a safety issue particularly for children as it is a main route to school
- Four parking spaces are required, and only three are shown.
- Where will visitors park?
- Everyone else parks at the rear.
- Pictures submitted have been conveniently taken whilst everyone is at work and there are spaces
- Oversized vehicles such as rubbish vans will require the re-positioning of several parked vehicles

Design and landscaping

- Gardens will not be landscaped as they did not conform to the plans last time, enforcement action has been taken
- The design and access statement shows a fence around the property which looks hideous and will cause visibility issues. The front of the properties are designated as open plan areas and have been told by the Council that nothing permanent can be erected.
- The site looks very congested and overdeveloped with so much crammed into a small plot
- The illustration 'Proposed Street Scene' 2.2 is misleading, there is not enough space for the proposed dwelling.

Residential amenity

- Top floor flat has no amenity space, the park quoted as 40 metres away is not open to the public as it is within school grounds
- Insufficient private amenity space for new dwelling and existing flats also

Other

- Application does not address previous refusal reasons
- Planning laws state:
 - a. That side extensions can be no wider than half the width of the "original house" and the size of this extension exceeds this.
 - b. Height restrictions apply when building within 2 metres of a boundary and I don't believe the plans reflect this.
 - c. No more than 50% of the land, which surrounds the "original house", can be developed. The current property has already been extended and I believe adding the 1 bedroom flat would exceed this 50% ruling.
- Comparisons are being drawn to no. 22, but they are very different properties. The building lines are irregular and traffic does not drive past no. 22.

- Deeds to houses no. 28-34 have covenants which states that gates, fences, walls or other means of enclosure cannot be erected to the front or side of the dwellings, and that dwellings cannot be extended, and no new vehicular access shall be made to the property
- Who is to say it will not be turned into flats at a later date causing more heartache
- Will the building site be secured to prevent children entering it and how will the public be protected
- If approved, how would this extension be built without causing obstruction and chaos to the 20 to 30 properties in this cul de sac, is there a delivery plan for blocks, concrete etc? Where will the materials and plant be stored?
- Please end the charade of repetitive applications, we as tax payers do not wish to finance it.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The site lies within the settlement boundary of Yate 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 Location, Layout and Design

The proposal is considered to make efficient use of the land in what is a sustainable location, close to the centre of Yate, within easy walking distance of shopping and community facilities and main bus routes. The existing modern terraces within Birkdale exhibit a fairly simple repetitive design, typical of the suburban properties within the area. The existing (original dwelling) has already been converted to form two flats (albeit without complying with all of the conditions of the planning consent) – one on the first floor and one at ground floor level. The proposed two-storey dwelling would be of an appropriate design that reflects the character of the existing terrace. The existing eaves and ridge height would be maintained within the proposal and the front and rear walls would be flush with those existing. Given that the application site is at the end of the row of terraced dwellings, the continuation of this row by adding one further property is considered to be acceptable for a small one-bedroom property, and will appear as if part of the original terrace from the front elevation. It is therefore considered that the proposal does not constitute overdevelopment of the site, and instead is considered to be efficient use of the land to provide an additional property.

5.3 The proposed building would utilise facing materials and roof tiles to match those of the existing property. This includes a section of hanging tiles between the first and ground floor windows to match existing property, brick work to the side and front, and render to the rear. Amendments were sought at the Officer's

request and received on 6th January 2015 to remove the small secondary gable on the north elevation, as it appeared fussy and drew attention to the dwelling as a new addition. The amended design is acceptable in terms of policy CS1 of the Core Strategy (Adopted) December 2013.

5.4 Residential Amenity

Officers are satisfied that the proposal would have no adverse impact on residential amenity in terms of overbearing impact or loss of privacy from overlooking or inter-visibility. Some overlooking of neighbouring gardens in densely populated urban areas is considered to be inevitable and would not in this case constitute a refusal reason. The ground floor window of 28 Birkdale which serves the study is to be blocked in, preventing overlooking into the garden of the proposed dwelling.

5.5 If the proposal is approved, it will prevent the top floor flat of 28 Birkdale from having access to a garden, and the proposed dwelling will only have a very small area of amenity space. Lack of adequate amenity space formed part of the refusal reason for the previous application (PK12/1037/F) however the proposal has since been downsized from a two-bedroom dwelling to a one-bedroom dwelling. The proposed amenity space is considered to be an acceptable size for a one-bedroom property. The previous application which was refused (PK12/1037/F) proposed that the ground floor and top floor flat would share the amenity space to the rear of 28 Birkdale, but the access to the garden for both flats was totally impractical with occupants exiting the front door and walking around the side and through a gate to the rear. This also compromised the privacy of the ground floor flat whilst the top floor flat utilise the garden.

5.6 This proposal has provided direct access from the ground floor flat into the garden, but the top floor flat will no longer have access. Whilst this arrangement is not ideal, it is not uncommon for upper floor flats to not have access to private amenity space, and the Council does not have minimum amenity space standards so it is a matter of fact and degree. The applicant originally cited that the occupiers of the top floor flat could access amenity space at Yate Academy 40 metres from the site, however this is within school grounds and is not open to the public. Notwithstanding this, other public open space is available within walking distance of the site and so on balance, the proposal is considered to be acceptable in terms of residential amenity and in accordance with policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

5.7 Transport

The plans show the provision of three off-street parking spaces i.e. one each for the flats and one for the proposed one-bedroom house. This meets the minimum standards detailed in the Residential Parking Standards SPD. The Transport Officer raised concerns that the parking space for the new dwelling is rather tight, but it does meet the required dimensions and is at least 2.4 metres wide and 4.8 metres in depth. Visitors parking has been queried by local residents, however this is not a requirement for a single proposed dwelling.

- 5.8 Cycle parking is proposed to the rear and front to serve the two flats, and a cycle space for the new dwelling is proposed to the side and concealed by the hedge to be retained. The appearance of the cycle parking to the front and side will be conditioned to ensure that the open plan character of Birkdale is retained.
- 5.9 Concerns have been raised regarding the position of the parking space adjacent to the corner. Access from this point is no different to the extant situation, with just an additional space being proposed and the two existing spaces being repositioned, and planning permission is not required to create an access onto an unclassified road, which Birkdale is. The Transport officer does not have any concerns regarding the safety of pedestrians by gaining access to the driveway at this point, and weight is given to this. Therefore, there are no transportation objections to the proposal.
- 5.10 Waste
Many concerns have been raised regarding the positioning of bin and recycling storage, particularly the position of the bins for the existing flats adjacent to the front door of no. 29 Birkdale. This issue has since been resolved with the positioning of the bin store being moved away from neighbouring property and adjacent to the parking area, reducing the impact on the residential amenity of both the existing flats and no 29. Bin stores are not common along Birkdale which is mostly open in character, however a condition will ensure that the impact is mitigated with landscaping prior to the occupation of the development (see point 5.12 below). It is therefore considered that on balance, the reasons for refusal regarding waste under application no. PK11/2165/F have largely been addressed, particularly as the ground floor flat can keep bins to the rear, reducing the need for such a large bin store as previously proposed.
- 5.11 The bin store for the proposed dwelling is to be to the side and screened from the public realm by the existing hedge which is to be retained. This is an acceptable position and provides easy access for the residents as the front door is proposed to be on the side elevation also. The waste and recycling facilities are therefore considered to be of an acceptable layout, however the details of their design will be sought by means of a condition on the decision notice in the event of a recommendation for approval.
- 5.12 Landscaping and Vegetation
The existing hedge which borders the north of the site is to be retained, and a condition on the decision notice will ensure that this is the case. The open plan character of the terrace will be protected with a condition which removes permitted development rights relating to the erections of gates, walls, fences and other means of enclosure forward of the principle elevation of the existing and proposed dwelling. A landscaping scheme will be secured by condition to include all hard and soft landscaping and boundary treatments, in order to mitigate the impact of the increased parking area and proposed store for one cycle and small bin store. Subject to this information, the proposal is acceptable in terms of policy L1 of the Local Plan (Adopted) January 2006.

5.13 Drainage

The previous application for a new dwelling on the site (PK12/1037/F) was refused on drainage grounds, as insufficient information had been submitted to demonstrate that a suitable form of sustainable surface water drainage can be incorporated within the site. The Council's Drainage engineer initially had similar concerns regarding this proposal, however the applicant provided additional information stating that the rainwater for the terrace runs into soakaways to the front and rear of no. 28, where a 5 metre clearance can be achieved. The applicant who owns the property is happy for the soakaway to be enlarged to accommodate the proposed dwelling. This suggestion is acceptable and, subject to details being submitted by condition, there is no objection with regards to flooding.

5.14 Other Issues

Many objections refer to planning law which states that side extensions cannot be wider than the existing dwelling, or more than 50% of the curtilage etc. This information is not accurate and actually relates to permitted development only, not full planning applications which are considered on their own merit. Similarly, it is reported that the deeds to houses 28-34 have covenants which state that gates, fences, walls or other means or enclosure cannot be erected forward of the principal elevation, but no conditions exist on the Council's records which show these permitted development rights are removed. Covenants are civil matters not administered by the planning system.

5.15 Concerns are raised regarding the proposed dwelling being turned into flats later. The dwelling is very small as it is, only one-bedroom, so this is highly unlikely.

5.16 Objections due to disturbance during construction have been received. In order to address this a condition to prevent developers working late will be attached to any decision notice.

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 On balance, the improvements to the proposal for a one-bedroom house from the previously refused two-bedroom house are considered adequate to make the development acceptable, and it can be suitably mitigated by the use of appropriate planning conditions.

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

7. RECOMMENDATION

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

Contact Officer: Trudy Gallagher
Tel. No. 01454 862217

CONDITIONS

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

Reason

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

2. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (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 no 28 Birkdale or the dwelling hereby proposed, forward of any wall of that dwelling house which fronts onto a road.

Reason

In the interests of visual amenity and to preserve the character of the area in accordance with policy L1 of the Local Plan (Adopted) January 2006 and policy CS1 of the Core Strategy (Adopted) December 2013,

3. No machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the following times: 7.30am until 6pm Monday to Friday, 8am until 1pm on Saturday; nor at any time on Sunday or Bank Holidays.

Reason

To protect the amenities of neighbouring occupiers and to accord with policy H4 of the Local Plan (Adopted) January 2006.

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

Reason

In the interests of highway safety and adequate parking and to accord with CS8 of the Core Strategy (Adopted) December 2013 and the Residential Parking Standards SPD (Adopted) December 2013.

5. Prior to the commencement of development a scheme of landscaping, which shall include details of the existing hedgerow to be retained on the site, together with measures for its protection during the course of the development; proposed planting (and times of planting); boundary treatments and areas of hardsurfacing shall be

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

Reason

In the interests of visual amenity and to accord with policy L1 of the Local Plan (Adopted) January 2006 and policy CS1 of the Core Strategy (Adopted) December 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

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 commencement of development, details and elevations of the proposed bin stores and cycle stores indicated on the Site Scale Plan (received 6th January 2015) shall be submitted to and approved by the Local Planning Authority. The facilities approved shall then be implemented prior to first occupation of the dwelling hereby approved, and maintained thereafter.

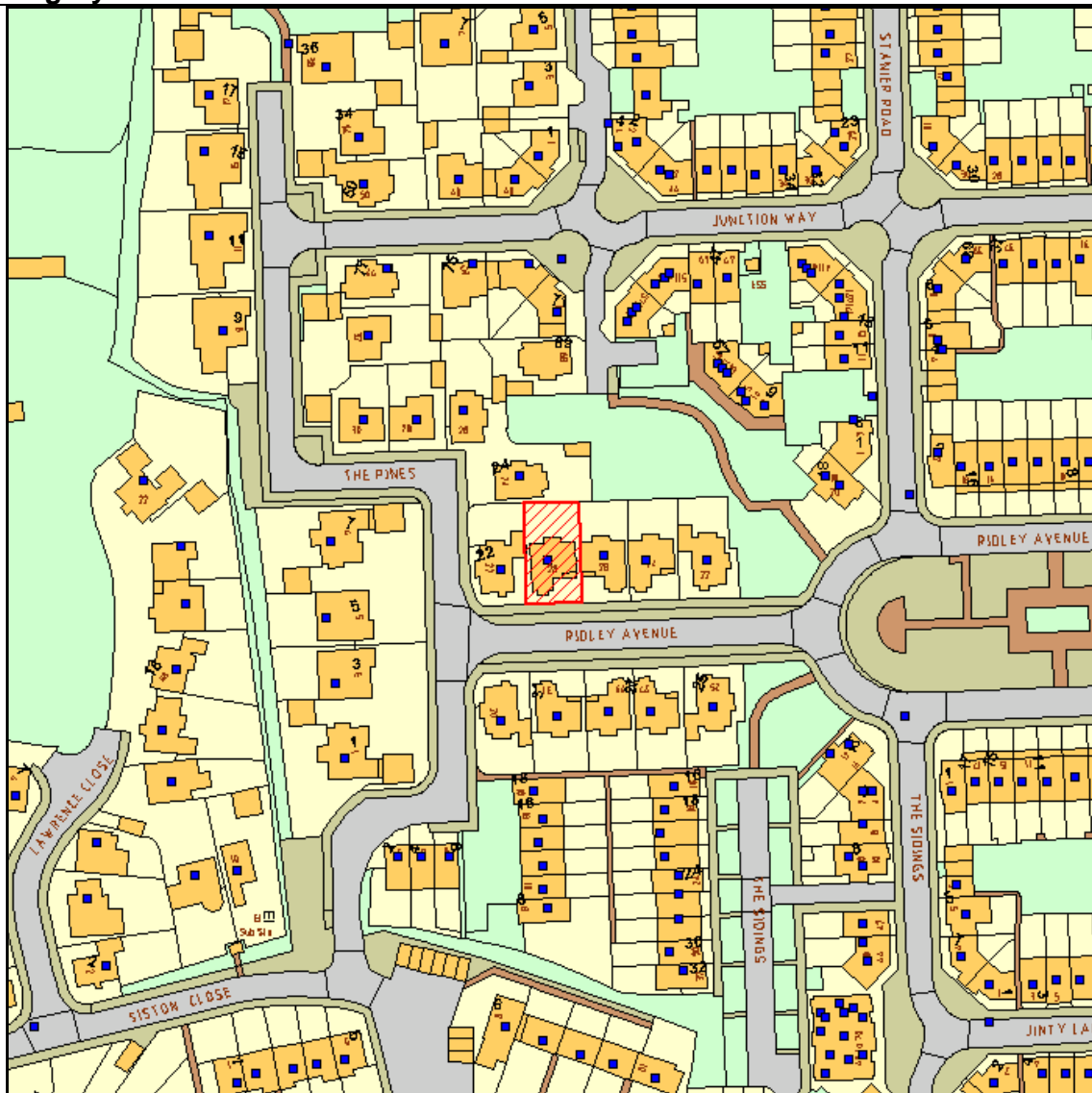
Reason

To provide adequate storage and to ensure a good quality design, to accord with policy CS9 and CS1 of the Core Strategy (Adopted) December 2013 and policies T7 and L1 of the Local Plan (Adopted) January 2006.

ITEM 4

CIRCULATED SCHEDULE NO. 04/15 – 23 JANUARY 2015

| | | | |
|------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|-----------------------|
| App No.: | PK14/4664/CLP | Applicant: | 3rd Storey |
| Site: | 28 Ridley Avenue Siston Bristol South Gloucestershire BS16 9QN | Date Reg: | 5th December 2014 |
| Proposal: | Application for a Certificate of Lawfulness for the proposed installation of 4no. front and 3no. rear rooflights to facilitate loft conversion. | Parish: | Siston Parish Council |
| Map Ref: | 366439 175029 | Ward: | Siston |
| Application Category: | | Target Date: | 29th January 2015 |



© South Gloucestershire Council 2015.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, 2014.

N.T.S.

PK14/4664/CLP

REASON FOR REPORTING TO THE 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 4 no. rooflights on the front (south) roof elevation and 3 no. rooflights on the rear (north) roof elevation, to facilitate a loft conversion at 28 Ridley Avenue, Siston, is lawful.
- 1.2 The application is a formal way of establishing whether the proposal requires planning permission or not. Accordingly there is no consideration of planning merit, the decision is based solely on the facts presented.
- 1.3 Although the permitted development rights are restricted in terms of the retention of garages and extending properties under planning ref. P98/4880 (see below), they are intact in terms of alterations to roofs.
- 1.4 The application was initially understood to just involve the installation of two rooflights, however, since consulting with the agent, the description has been appropriately modified and the appropriate consultations have occurred once again.

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 2010
Town and Country Planning (General Permitted Development) Order (GPDO) (As Amended) 1995

3. RELEVANT PLANNING HISTORY

- 3.1 PK04/2581/RM Approved 08/07/2005
Erection of 450 no. dwellings with access roads, parking, landscaping, open space provision, siting, design, external appearance and associated works. (Reserved Matters). To be read in conjunction with Outline planning application P98/4880 dated 10th September 2001. Variation of condition 24 to vary the proposed mix of house types.
- 3.2 P98/4880 Approval of Outline 08/07/1999
Residential development (outline).

Cond 18:- Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 (or any Order revoking and re-enacting that Order with or without modification, the garage(s) forming part of the dwelling(s) hereby permitted

shall be retained as such and shall not be used for any purposes other than the garaging of private motor vehicles, and ancillary domestic storage, without the prior written consent of the Local Planning Authority.

Cond 19:- Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 (or any Order revoking and re-enacting that Order with or without modification) the dwellinghouse shall not be extended without the prior written consent of the Local Planning Authority.

4. CONSULTATION RESPONSES

4.1 Siston Parish Council
None received.

4.2 Other Consultees

Councillor
No comment received.

Highway Drainage
No comment.

Other Representations

4.3 Local Residents
None received.

5. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

5.1 Existing and Proposed Floor Plans, Site Location Plan and Application Form – all received by the Council on 29/11/2014.

6. ANALYSIS OF PROPOSAL

6.1 Principle of Development

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

6.2 The key issue is to determine whether the proposal falls within the permitted development rights afforded to householders under Schedule 2, of the GPDO (As Amended) 1995.

6.3 The proposed development consists of a loft conversion facilitated by the installation of 2 no. roof lights. This development would fall under the criteria of *Schedule 2, Part 1, Class C* of the Town and Country Planning (General Permitted Development) Order (as amended) 1995, which permits any other alteration to the roof of a dwellinghouse. This allows for roof lights subject to the following:

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

(a) The alteration would protrude more than 150mm beyond the plane of the slope of the original roof when measure from the perpendicular with the external surface of the original roof

From the submitted plans it is clear that the proposed rooflights only protrude 100mm beyond the plane of the slope of the original roof.

(b) 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.

(c) 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 dwellinghouse 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 rooflights are not positioned on a roof slope forming a side elevation; therefore this criterion is not applicable.

7. RECOMMENDATION

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

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

Contact Officer: Matthew Bunt

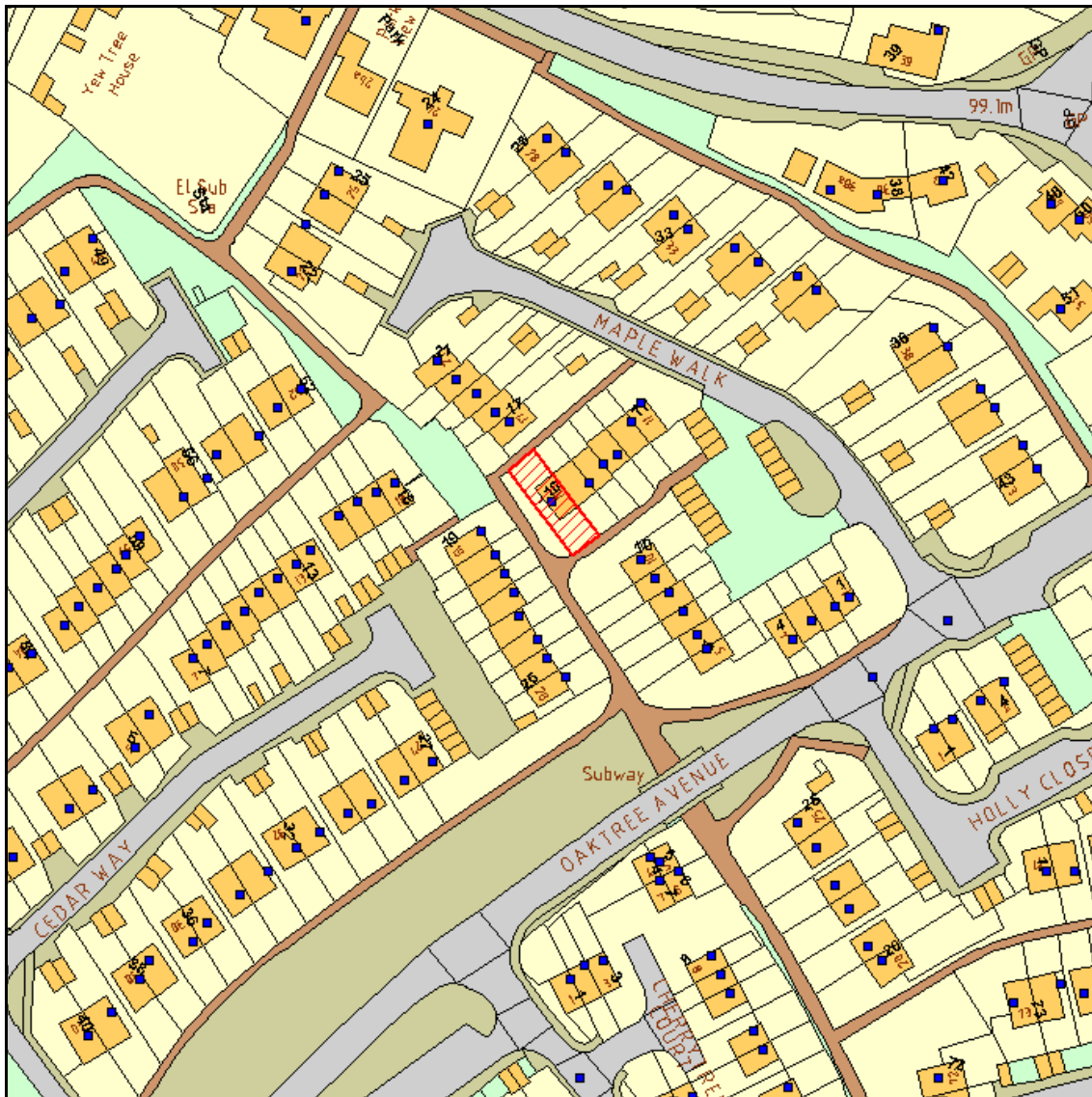
Tel. No.

01454 863131

ITEM 5

CIRCULATED SCHEDULE NO. 04/15 – 23 JANUARY 2015

| | | | |
|----------------------------------|-----------------------------------------------------------------------------------|-------------------------|--------------------------------|
| App No.: | PK14/4766/F | Applicant: | Mr And Mrs Powell |
| Site: | 16 Maple Walk Pucklechurch Bristol South Gloucestershire BS16 9RL | Date Reg: | 10th December 2014 |
| Proposal: | Erection of two storey side extension to form additional living accommodation. | Parish: | Pucklechurch Parish Council |
| Map Ref: | 370084 176272 | Ward: | Boyd Valley |
| Application Category: | Householder | Target Date: | 30th January 2015 |



© South Gloucestershire Council 2015.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, 2014. **N.T.S.** **PK14/4766/F**

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application is referred to the circulated schedule for determination in order to take account the public comments received.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a two-storey side extension to an end-of-terrace dwelling in Pucklechurch. The property is located on a Radburn style estate, with separate vehicular parking and pedestrian accesses.
- 1.2 The proposed extension would sit flush with the front elevation of the property and the existing ridge line. An amendment was requested to improve the appearance of the design, however, due to structural issues and the location of the staircase the applicant has stated that such an amendment would make the extension unviable. Therefore, the proposal will be determined against the original plans.
- 1.3 The application site is situated at the end of a terrace of six dwellings which is split in the middle by a change in ground levels. The properties have brick quoins separating them from each other and a brick gable wall. The roof is finished in a brown tile and externally the properties are finished with upvc cladding at first floor level.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS5 Location of Development
CS8 Improving Accessibility

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

L5 Open Areas
T12 Transportation
H4 Development within Existing Residential Curtilages

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

3. RELEVANT PLANNING HISTORY

- 3.1 None relevant

4. CONSULTATION RESPONSES

- 4.1 Pucklechurch Parish Council
No objection, but query whether the front elevation should be set back.
- 4.2 Drainage
No comment

Other Representations

- 4.3 Local Residents
One letter was received which raises the following points –
- Side window would affect privacy

5. ANALYSIS OF PROPOSAL

- 5.1 This application seeks planning permission for a two-storey side extension on a terraced house in Pucklechurch.
- 5.2 Principle of Development
Extensions and alterations to existing dwellings are acceptable in principle subject to an assessment of design, amenity and transport. In this case, the proposed extension is adjacent to an area of public open space and therefore policy L5 is key to establishing the principle of development. The development is acceptable in principle subject to the considerations as set out in this report.
- 5.3 Open Space
Open space within defined settlements should not be adversely affected by development where the open space makes a contribution to the quality, character, amenity or distinctiveness of the locality.
- 5.4 The application site is located on a Radburn style estate where there is a significant sense of openness to the front of the properties. This is where the built form is characterised by unenclosed gardens and pedestrian walkways. The application site forms a corner between properties on Maple Walk and Cedar Way.
- 5.5 However, the rear gardens are enclosed and part of the footprint of the extension is located on land enclosed by the wall of the rear garden. The small part of the footprint that would not be on enclosed land is minimal and the loss of this would not affect the amenity of the area or the contribution that the openness makes to the character of the area. This is because the loss is insignificant.
- 5.6 Design
The design of the proposed extension would see the development sit flush with the front elevation and the roof of the existing property. A letter was sent to the agent suggesting that the appearance of the development would be improved if the extension was set back from the front elevation and set down from the ridge. However, for reasons regarding the internal layout and the staircase

bulkhead, the applicant is unwilling to make the suggested amendments. Therefore, the application will be assessed as originally submitted.

- 5.7 Therefore, it is necessary to establish what level of harm the proposal would cause to the visual amenity of the locality should it be permitted. The most significant issue would be the impact that the extension had on the composition of the terrace as it would elongate one side.
- 5.8 As the terrace is split by a change in topography, the impact from Maple Walk and Cedar Way is limited as the far ends are not visible. Therefore it is when the terrace is assessed as a whole from the parking area that the development is most harmful. Due to the limited views of the extended terrace, it is not considered that the level of harm is significant to warrant refusal of the planning application.
- 5.9 Appropriate materials have been selected which would help the extension to blend into the existing built form. Taking the above into account it is considered that the harm of the development is not significant enough to refuse the application.
- 5.10 Living Conditions
Development should not be permitted that has a prejudicial impact on the residential amenity of occupiers of properties affected by the development which includes the application site.
- 5.11 It is not considered that the development would affect the amenities of the host dwelling as sufficient private amenity space is retained. It is not considered that the development will adversely affect the amenity of any nearby occupier as the extension is not considered to be overbearing.
- 5.12 Comments received state that the extension would lead to a loss of privacy. It is not considered that the first floor window in the side elevation would lead to a material loss of privacy as this window is a high level window located in a dressing room.
- 5.13 Transport and Parking
In terms of transport, the key issue is the provision of adequate off-street parking to meet the needs arising from the development. When development leads to a material change in the number of bedrooms in a property, the Residential Parking Standard SPD is triggered. However, in this instance the development does not increase the number of bedrooms and therefore it is not considered to increase the demand for parking facilities.
- 5.14 As there is no material change to parking demand or access and transport, there is no transportation objection to this proposal.

6. CONCLUSION

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

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

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

7. RECOMMENDATION

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

Contact Officer: Griff Bunce
Tel. No. 01454 863438

CONDITIONS

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

Reason

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

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

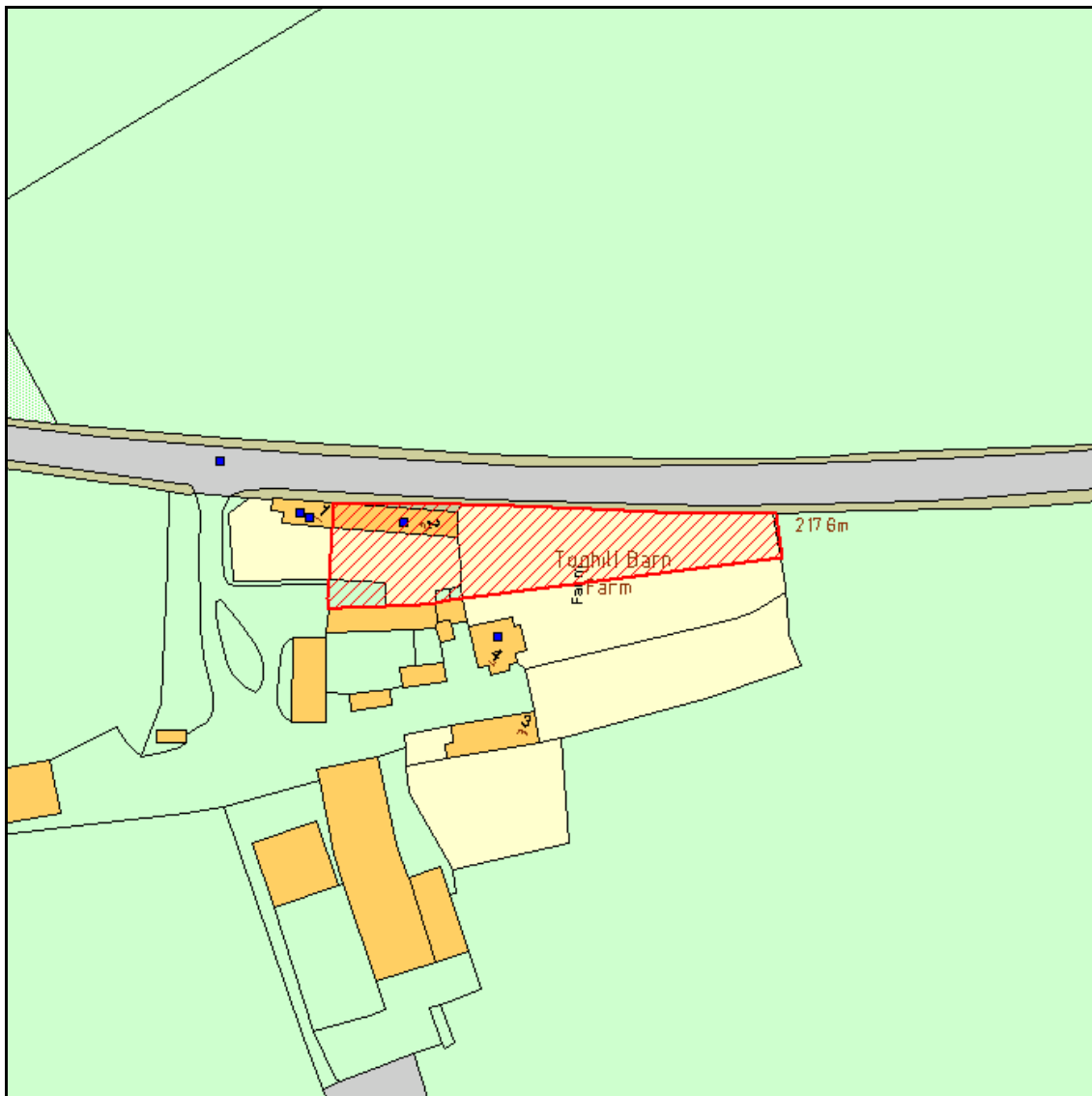
Reason

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

ITEM 6

CIRCULATED SCHEDULE NO. 04/15 – 23 JANUARY 2015

| | | | |
|----------------------------------|----------------------------------------------------------------------------------------------------|-------------------------|-------------------------------|
| App No.: | PK14/4780/F | Applicant: | Mr K Bond |
| Site: | 2 Toghill Barn Farm London Road Wick South Gloucestershire BS30 5RU | Date Reg: | 17th December 2014 |
| Proposal: | Erection of two storey extension to south elevation to form additional living accommodation. | Parish: | Cold Ashton Parish Council |
| Map Ref: | 373668 172604 | Ward: | Boyd Valley |
| Application Category: | Householder | Target Date: | 10th February 2015 |



© South Gloucestershire Council 2015.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, 2014.

N.T.S.

PK14/4780/F

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application is referred to the circulated schedule for determination in accordance with the scheme of delegation as comments of support have been received which are contrary to the recommendation for refusal.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a two storey extension to an existing cottage. The description of development has identified the extension as being located on the south elevation. Whilst this is true, it would also be considered to be the front elevation of the property.
- 1.2 The application site relates to a semi-detached cottage on a farmstead on Toghill which is within the Cotswolds Area of Outstanding Natural Beauty. The farmstead has a historic and remote character to it despite backing onto the A420. The site is outside of any defined settlement boundary (as shown on the adopted proposals maps) and is located on land covered by the Bristol and Bath Green Belt.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

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

South Gloucestershire Local Plan Adopted January 2006 (Saved Policies)

L1 Landscape Protection and Enhancement
L2 Cotswolds Area of Outstanding Natural Beauty
T12 Transportation
H4 Development within Existing Residential Curtilages

- 2.3 Supplementary Planning Guidance
 - (a) Development in the Green Belt (Adopted) June 2007
 - (b) South Gloucestershire Design Checklist (Adopted) August 2007
 - (c) Residential Parking Standard (Adopted) December 2013
 - (d) Landscape Character Assessment (Revised) November 2014

3. RELEVANT PLANNING HISTORY

- 3.1 None relevant

4. CONSULTATION RESPONSES

- 4.1 Cold Ashton Parish Council
No objection provided that the materials match
- 4.2 Drainage
No comment
- 4.3 Transport
No objection

Other Representations

- 4.4 Local Residents
One comment of support has been received which raises the following points:
- All cottages on the site require renovation and modernisation;
 - The proposed extension will improve the appearance of the cluster of buildings;
 - Modernisation will enhance the environment.

5. ANALYSIS OF PROPOSAL

- 5.1 This application seeks planning permission for a two storey extension to a property at Toghill Barn Farm.
- 5.2 Principle of Development
Extensions to existing dwellings are permitted subject to an assessment of design, amenity and transport. However, as the site is located within the green belt, and thus key to whether the proposal is acceptable in principle is the acceptability in green belt terms. Furthermore, the site is located in the Cotswolds Area of Outstanding Natural Beauty and therefore any development must not have a harmful impact on the landscape character of the area. The proposal is therefore acceptable in principle subject to the consideration of the issues set out below.
- 5.3 Green Belt
The site lies in the Bristol and Bath Green Belt. The government attaches great importance to green belts with the fundamental aim of keeping the land permanently open in nature. Inappropriate development within the green belt is by definition harmful to the green belt and should not be approved except in very special circumstances.
- 5.4 Development in the green belt is inappropriate unless it is listed in the exception categories as defined in paragraphs 89 and 90 of the NPPF. The extension or alteration of a building is an exception category provided that the development does not result in a disproportionate addition over and above the size of the original building.
- 5.5 The original building is the building as it stood on 1 July 1948 or as constructed if built after this date. The building appears as a terrace of four cottages on the 1880 maps of the site. The form, shape and size of the building appears to be

as originally built and therefore the building as it stands is considered to be the original in terms of green belt policy.

- 5.6 As the cottage was once part of a terrace (now semi-detached), it has a linear form. The proposed extension would project from the front elevation to create more of an L-shaped building form. This extension would equate to a 42% increase (approximately) in the volume of the building. By projecting away from the existing linear form, the extension significantly alters the shape of the building and, by doing so, has a material impact on the openness of the green belt. A projecting extension, such as that proposed, is considered to be disproportionate to the original building as it fails to respect the form of the building and the implication this has on the openness of the land. Therefore, the proposal fails to be included within the exception categories as listed in the NPPF and is therefore inappropriate development which is by definition harmful to the green belt. No case for very special circumstances has been submitted to support this application.
- 5.7 Design
Proposals should meet the highest possible standards of design to be approved. When the proposal relates to a householder extension, it must also respect the overall design and character of that property. Further more, the historic environment should be conserved, respected and enhanced in a manner appropriate to the significance of the heritage asset.
- 5.8 The cottage is not a designated asset; however, it still forms part of the historic environment. The stone-built cottage has retained much of its original appearance, with parapet gable walls, casement windows and a slate roof, and therefore its character is strongly defined by being a historical cottage. It is clear from the historic maps that the cottage was once a number of cottages that have been combined. The building has a very linear form, measuring roughly 22 metres long by 5 metres deep. The building backs onto the A420 which forms part of the old coaching route from Bristol to London, with Marshfield (to the east) being the first staging town.
- 5.9 Furthermore, the rural and isolated location at the top of Tog Hill on the Cotswolds escarpment also make a significant contribution to the character of the building and the setting of the cluster of buildings at Toghill Barn Farm. The farmstead is a tight-knit yet solitary set of buildings in a wild natural landscape. The building backs onto the road to the north with all the fenestration and curtilage to the south. The topography in reasonably proximity of the site is dramatic with the Cotswolds escarpment to the west and Tog Hill to the north. As a result, the buildings have a strong isolated and rural character and retain their historic appearance.
- 5.10 The proposed extension would project 8 metres from the south elevation and have a width of 5 metres. The height of the eaves and the ridge match that of the main dwelling. The form of the proposed extension utterly fails to respect the linear form of the building which has been identified above as an important part of the building's setting and character. By failing to respect this important aspect of the built form, the extension would result in a more suburban style of building which would affect the rural character identified above. Furthermore,

the size of the proposed extension does not respect the massing or proportions of the building; the proposed extension is out of character with the massing and proportions of the former terrace.

5.11 Although natural stone has been proposed for the parapet gable wall of the extension, the main section of the extension would be finished with a roughcast render. There is no use of roughcast render on the existing building or adjacent buildings on the farmstead. The use of render is not considered to be appropriate as it fails to respect the historic character of the building to the detriment of its historic and rural character and appearance.

5.12 Living Conditions

Development should not be permitted that has a prejudicial impact on residential amenities. This should be considered in terms of the impact on the application site and any nearby occupier.

5.13 It is not considered that the proposed extension would impact on the living conditions of the application site. Sufficient garden space is retained to serve the property and the amenity level is preserved.

5.14 By projecting at right angles to the prevailing built form, the development has the potential to impact on the amenity of nearby occupiers, particularly no.2 Toghill Barn Farm. However, the separation distance makes it unlikely to have such a significant impact that the development would have a prejudicial impact on the amenity of the occupiers of this property and therefore the development is acceptable with this regard.

5.15 Transport and Parking

Although the A420 which runs along the rear of the property is a classified road, parts of the farmyard are adopted highway (Class C4R). The development would result in a five-bedroom dwelling. Under the Residential Parking Standard SPD, a five-bedroom dwelling requires three parking spaces. An area has been identified as a parking area to the west of the dwelling. This area is sufficiently sized to provide three parking spaces and the provision of parking is therefore acceptable.

5.16 Other Matters

It has been raised in consultation responses that the development would result in the refurbishment and modernisation of cottages that had fallen into a state of disrepair. In this particular instance, little weight is given to this and the refurbishment of the cottage would not outweigh the harm caused to the green belt and visual amenity of the area.

6. CONCLUSION

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

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

7. RECOMMENDATION

- 7.1 It is recommended that planning permission be REFUSED for the reasons listed below.

Contact Officer: Griff Bunce
Tel. No. 01454 863438

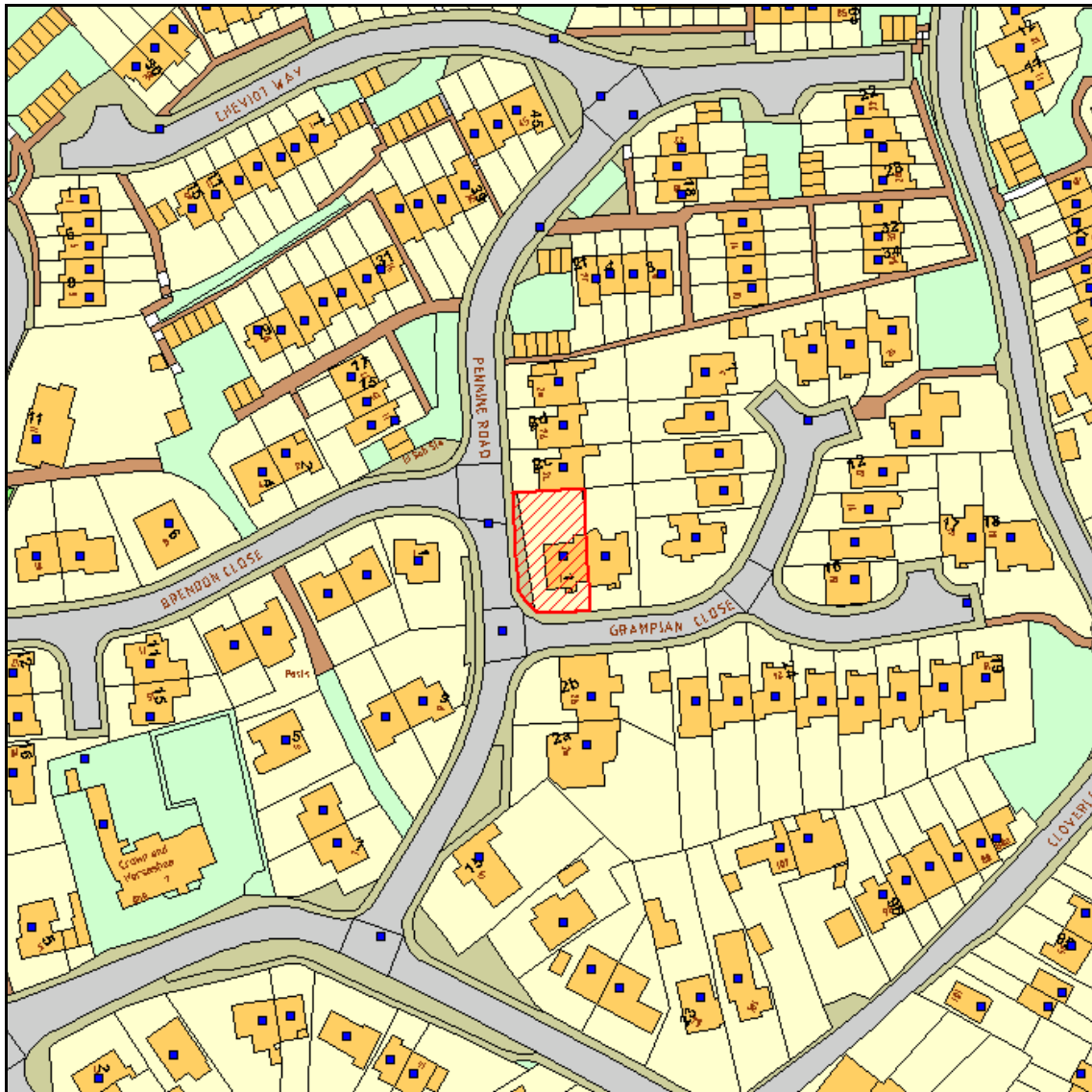
REASONS FOR REFUSAL

1. The site is located within the Bristol/Bath Green Belt and the proposed development, if permitted, would result in a disproportionate addition over and above the size of the original dwelling due to the size, form and layout of the extension. The proposal therefore fails to fall within the limited categories of development considered appropriate within the green belt. In addition, the applicant has not demonstrated that very special circumstances apply, such that the normal presumption against development in the Green Belt should be overridden. The proposal is therefore contrary to the provisions of the National Planning Policy Framework March 2012 and the Development in the Green Belt SPD (Adopted) June 2007.
2. The proposed development, if permitted, would fail to respect the character, appearance, form, massing, scale, proportions, and materials of the existing dwelling, or its historic character, appearance and form, or the rural setting of the building. The proposed development therefore fails to reach the highest possible standards of design and site planning and is contrary to policy CS1, CS9 and CS34 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013, policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies), the provisions of the National Planning Policy Framework March 2012, and the South Gloucestershire Design Checklist SPD (Adopted) August 2007.

ITEM 7

CIRCULATED SCHEDULE NO.04/15 – 23 JANUARY 2015

| | | | |
|----------------------------------|------------------------------------------------------------------------------------------------------------------|-------------------------|-----------------------|
| App No.: | PK14/4829/F | Applicant: | Mr And Mrs Milton |
| Site: | 1 Grampian Close Oldland Common Bristol South Gloucestershire BS30 8QA | Date Reg: | 16th December 2014 |
| Proposal: | Erection of single storey side and rear extension to form residential annexe (Resubmission of PK14/3249/F) | Parish: | Bitton Parish Council |
| Map Ref: | 367215 171928 | Ward: | Oldland Common |
| Application Category: | Householder | Target Date: | 5th February 2015 |



© South Gloucestershire Council 2015.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 Stationary Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
100023410, 2014. N.T.S. PK14/4829/F

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

This application is referred to the circulated schedule for determination in accordance with the scheme of delegation as an objection from the parish council has been received. This is contrary to the officer recommendation for approval.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a single storey side and rear extension to an existing two-storey dwelling in order to create an annexe. This application has been submitted following the refusal of PK14/3249/F; although this application was for a two-storey extension.
- 1.2 The proposed annexe would contain one bedroom, shower room, kitchen and living room. The only access to the proposed annexe is shown through the dining room of the existing house.
- 1.3 The application site is a detached dwelling located on the corner of Grampian Close and Pennine Road in Oldland Common. The application site is located within the existing urban area of the East Bristol fringe. No further statutory or non-statutory land use designations cover the site.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS8 Improving Accessibility

South Gloucestershire Local Plan Adopted January 2006 (saved policies)

L5 Open Areas
T12 Transportation
H4 Development within Existing Residential Curtilages

- 2.3 Supplementary Planning Guidance
Residential Parking Standard (Adopted) December 2013

3. RELEVANT PLANNING HISTORY

- 3.1 PK14/3249/F Refused 10/10/2014
Erection of two storey side extension to form residential annexe

Refusal Reasons –

1. The proposed extension, if permitted, would project beyond the established building line of the properties on Pennine Road and would result in a large bulky dwelling on a prominent street corner which would be harmful to the visual amenity of the locality. Inadequate plans have been submitted to fully assess whether the proposed extension would have a harmful impact on the grass verge that runs

along the side of the application site and Pennine Road. The proposed development is therefore contrary to policy CS1 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013, policy H4 and L5 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies), the South Gloucestershire Design Checklist SPD (Adopted) August 2007 and the provisions of the National Planning Policy Framework, March 2012.

2. Insufficiently detailed and accurate plans have been submitted with the application to determine whether adequate off-street parking can be provided within the curtilage of the dwelling to meet the needs of the development or whether the proposal would encroach into highway land. The proposed development is therefore contrary to policy CS8 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013, policy T12 of the South Gloucestershire Local Plan (Adopted) January 2006 (Saved Policies), and the Residential Parking Standard SPD (Adopted) December 2013.

- | | | | |
|-----|------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|------------|
| 3.2 | PK04/1475/F Erection of attached garage | Approve with Conditions | 21/06/2004 |
| 3.3 | K561/7 Erection of 32 dwellings with associated garages and parking spaces on approximately 3.2 acres, construction of estate roads and footpaths | Appraised | 07/03/1978 |

4. CONSULTATION RESPONSES

- | | | |
|-----|--------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------|
| 4.1 | <u>Bitton Parish Council</u> Objection | Previous refusal has not been overcome; parking proposal unrealistic; viability issues; overdevelopment of the site. |
| 4.2 | <u>Drainage</u> Location of a public sewer may affect development; refer applicant to Wessex Water. | |
| 4.3 | <u>Trading Standards</u> Weight restrictions apply in the area | |
| 4.4 | <u>Transportation</u> No objection | |

Other Representations

- | | |
|-----|-----------------------------------------|
| 4.5 | <u>Local Residents</u> None received |
|-----|-----------------------------------------|

5. ANALYSIS OF PROPOSAL

- | | |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 5.1 | This application seeks to erect a single-storey extension to form an annexe at a property in Oldland Common. |
| 5.2 | <u>Principle of Development</u> Policy H4 allows for the extension and alteration of existing dwellings, subject to an assessment of design, amenity and transport. As the site is located adjacent to a verge which forms part of the street scene, policy L5 also applies. |

Previously, it was considered that the two storey extension harmed the building line and the amenity of the verge. Therefore, the proposed extension remains acceptable in principle but must overcome the previous reasons for refusal and accord with all relevant planning policies.

5.3 Design and Layout

The proposed extension is located on the west elevation of the property, between the existing house and Pennine Road. From the corner of Grampian Close and Pennine Road a strong building line is formed from the side elevation of no.1 Grampian Close and the buildings along Pennine Road. As you travel along Pennine Road from North Street, a clear view is afforded along the road past the junction with Grampian Close. A reasonably high wall encloses the side and rear gardens of no.1 Grampian Close which runs adjacent to the verge beside Pennine Road.

5.4 Previously a two-storey extension was proposed. This has been revised to be of single storey only. By removing the first floor, the single storey extension manages to retain the view of the street scene and therefore the prominence of the building line remains intact. Furthermore, the reduction in the height of the building has limited the impact that the proposed extension has on the openness of the verge.

5.5 The proposed extension would project 2.1 metres from the rear elevation. This is not considered to be harmful or be a poor layout. The extension would sit in an area previously excluded from the public realm by the garden wall. A single-storey extension would provide a step between the main house and the verge and therefore in terms of design and layout, and the impact on the character of the area, the design is considered acceptable.

5.6 Transport and Parking

Previously, concern had been raised regarding the level of parking and whether the development encroached onto highway land. Plans have been provided that now satisfactorily show that the proposed development is located solely within the residential curtilage of the property and does not encroach onto highway land.

5.7 The second issue was the provision of appropriate parking. The Residential Parking Standard SPD requires development to provide sufficient parking to meet the needs arising from the development. In this instance, the development is required to provide three off-street parking spaces.

5.8 A plan has been submitted which shows the provision of three parking spaces and this has been assessed by the Highway Officer who raises no objection. The level of parking provided is considered satisfactory and it is not considered that the development would lead to additional parking on the public highway to the detriment of highway safety.

5.9 Living Conditions

Development should not result in an unacceptable impact on residential amenity. Considerations of amenity should include the application site and all nearby occupiers.

5.10 It is not considered that the proposal would have an adverse impact on the levels of amenity enjoyed by the application site. Adequate garden space is retained at the property to serve the existing dwelling and the proposed extension.

5.11 It is not considered that the development would have a significant impact on the levels of residential amenity enjoyed by nearby occupiers. The development does not introduce new vistas or overlook any hitherto unseen areas. It therefore does not materially reduce privacy. As the extension is located to the side of the existing building it is not considered to be overbearing. Overall, any impact on residential amenity is considered to be minimal and would not result in a poor standard of amenity to any affected property.

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 be GRANTED subject to the conditions listed below.

Contact Officer: Griff Bunce
Tel. No. 01454 863438

CONDITIONS

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

Reason

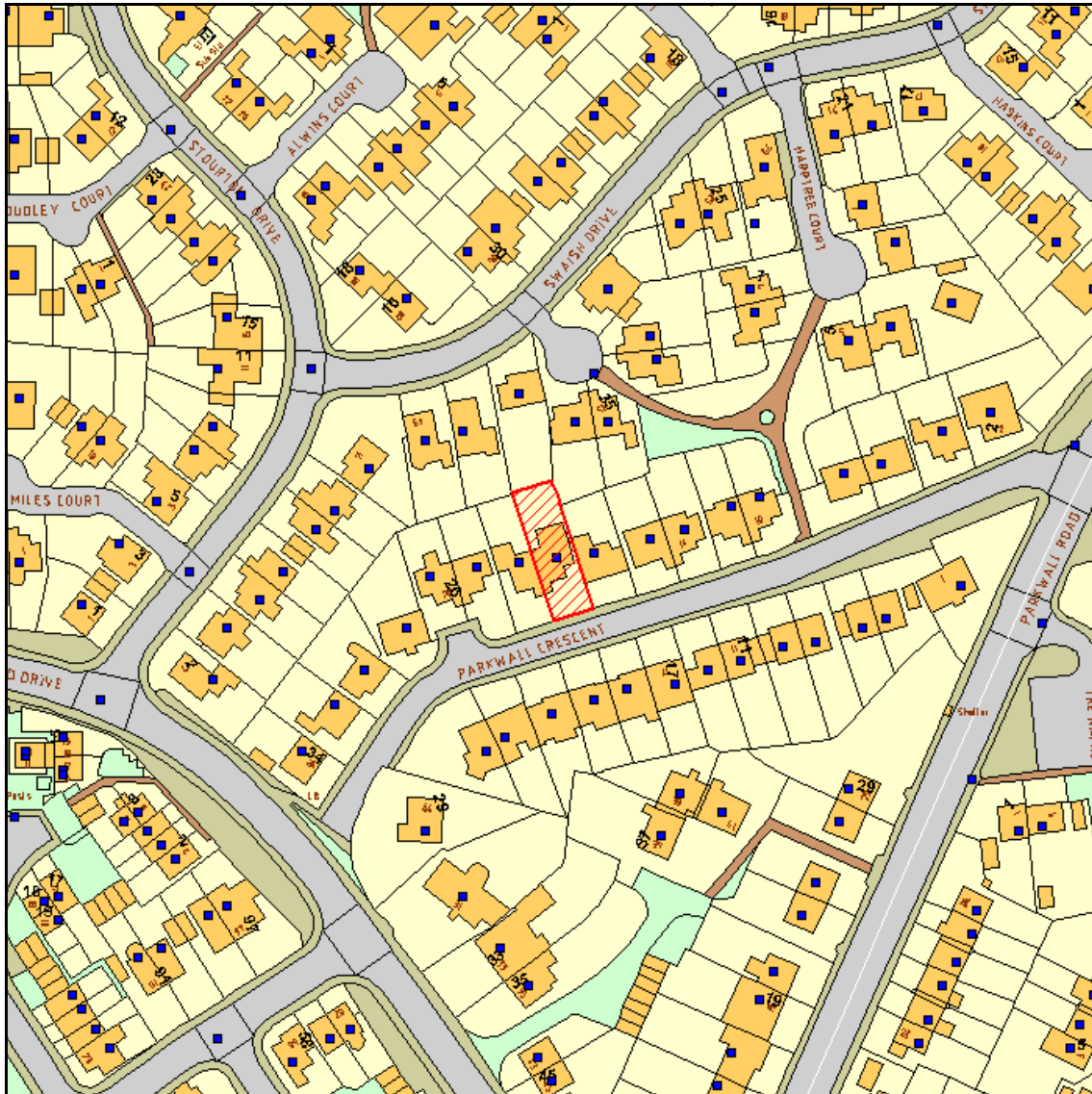
To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 (as amended).

ITEM 8

CIRCULATED SCHEDULE NO. 04/15 – 23 JANUARY 2015

App No.: PK14/4878/F
Site: 20 Parkwall Crescent Barrs Court Bristol
South Gloucestershire BS30 8HP
Proposal: Erection of two storey side extension to
provide additional living accommodation.
Map Ref: 365965 171784
Application Category: Householder

Applicant: Mr M Honeywell
Date Reg: 18th December
2014
Parish: Oldland Parish
Council
Ward: Longwell Green
Target Date: 9th February 2015



© South Gloucestershire Council 2015.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, 2014. N.T.S. PK14/4878/F

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the erection of a two-storey side extension to provide additional accommodation. The application site relates to a two-storey semi-detached dwellinghouse situated within the established settlement boundary of Barrs Court.
- 1.2 During the course of the application the applicant was requested to show how 2no. off street parking spaces could be achieved on site. Revised plans were duly received by the Council and as these did not materially change the proposal the details were not put out for re-consultation.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012

- 2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted December 2013)

| | |
|------|-------------------------|
| CS1 | High Quality Design |
| CS5 | Location of Development |
| CS8 | Improving Accessibility |
| CS15 | Distribution of Housing |
| CS16 | Housing Density |
| CS17 | Housing Diversity |
| CS18 | Affordable Housing |

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

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

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

3. RELEVANT PLANNING HISTORY

- 3.1 PK03/0316/F Single storey rear extension to form additional living accommodation
Approved 20.3.03

4. CONSULTATION RESPONSES

4.1 Oldland Parish Council
No objection

4.2 Other Consultees

Highway Transport

Planning permission is sought to extend the existing dwelling to provide additional living accommodation. After development the bedrooms within the dwelling will increase to four.

The vehicular access and parking are unaffected by this development. The level of parking currently available conforms with the Council's residential parking standards.

In light of the above, there is no transportation objection to the proposed development.

Other Representations

4.3 Local Residents

I am currently unable to view the plans online. The current one-storey extension is close to the end corner of our garden. My concern is that if a window is placed on the back or side wall of a two-storey extension our garden will be overlooked by a relatively close window. I was therefore trying to look at the plans to see if this was the case. If this is the case then I would like to object to the proposed two-storey extension due to it being too close to the end of our garden.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application stands to be assessed against the above listed policies and all other material considerations. Of particular importance in this instance would be the overall design of the proposed two-storey extension and its impact on the host property and character of the area in general. In addition the potential impact on residential amenity of existing and future occupiers and that of neighbours must be assessed. The proposal must not adversely impact on highway safety or on-street parking.

It is considered that the proposal accords with the principle of development and this is discussed in the report below.

5.2 Design and Visual Amenity

The application site is a two-storey semi-detached dwelling situated within a small cul-de-sac in Barrs Court. The property benefits from a single storey side extension that currently wraps around to the rear. The proposed two-storey extension would be positioned in front of this single storey structure but would still be stepped back from the main front building line. Its roofline would be

stepped down from that of the main dwelling and all external materials would be to match those existing, thereby complying with good design principles.

- 5.3 The proposed two-storey structure would accommodate ground floor living space in the form of an extended study area and also incorporate a first floor bedroom. Neighbours to the rear at No. 37 Swaish Drive have expressed concern with regard to the potential for over-looking from the proposed two-storey extension. However, it must be noted that the extension would not be directly above the existing single storey rear extension of the application site. It would in fact be positioned further back along the side of the dwelling, closer to the front of the dwelling rather than the rear. As such there would be no change from the existing situation of first floor bedroom windows of both the application site and those of the neighbouring No, 18, which it must be noted is even closer to No. 37 than the application site. It is therefore considered that there would be no issues of inter-visibility or overlooking over and above that already existing and as such the proposal is considered acceptable.

With regard to impact on adjacent neighbours at No. 18, this property has no openings in its opposing elevation and as such it is considered there would be no adverse impact on their residential amenity. Similarly, with regard to neighbours across the road, the proposed first floor window would be further back away from these properties than the existing openings and as such there would be no adverse impact on their residential amenity over and above the existing position.

5.4 Sustainable Transport

Highway Officers have assessed the scheme and conclude that there is sufficient parking within the site to accord with the adopted standards which require 2no. off-street parking spaces for a 4no. bed property.

5.5 Other Matters

With regards to the comments that the objector was unable to view the plans on line, it is not clear whether or not the person had the facility to view the plans electronically or whether it was meant that the plans were not showing on the Council's website. Officers have checked the website and can confirm that the plans are available to view in this format.

6. CONCLUSION

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

7. **RECOMMENDATION**

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

Contact Officer: Anne Joseph
Tel. No. 01454 863788

CONDITIONS

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

Reason

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

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

Reason

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

ITEM 9

CIRCULATED SCHEDULE NO. 04/15 – 23 JANUARY 2015

| | | | |
|----------------------------------|---------------------------------------------------------------------------|-------------------------|--------------------|
| App No.: | PK14/5007/CLP | Applicant: | Mr John Isles |
| Site: | 33 Long Road Mangotsfield Bristol South Gloucestershire BS16 9HQ | Date Reg: | 29th December 2014 |
| Proposal: | Certificate of lawfulness for the proposed installation of rear dormer | Parish: | None |
| Map Ref: | 366045 176273 | Ward: | Rodway |
| Application Category: | | Target Date: | 13th February 2015 |



© South Gloucestershire Council 2015.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, 2014.

N.T.S.

PK14/5007/CLP

REASON FOR REPORTING TO THE 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 extension at 33 Long Road, Mangotsfield would be lawful.
- 1.2 The application is a formal way of establishing whether the proposal requires planning permission or not. Accordingly there is no consideration of planning merit, the decision is based solely on the facts presented.

2. POLICY CONTEXT

- 2.1 National Guidance
Town and Country Planning Act 1990 (As Amended) 1990 section 192
Country Planning (General Permitted Development) Order (GPDO) (As Amended) 1995

3. RELEVANT PLANNING HISTORY

- 3.1 No planning history on the site.

4. CONSULTATION RESPONSES

- 4.1 Town/Parish Council
The area is unparished.

- 4.2 Other Consultees

Highway Drainage
No comment

Other Representations

- 4.3 Local Residents
None received

5. SUMMARY OF EVIDENCE IN SUPPORT OF APPLICATION

- 5.1 Site location plan and A2494_02 Existing and proposed plans, section, elevations and site location plan both received on 19 December 2014.

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 a application for planning permission and as such the development plan is not of relevance to the determination of this application; the decision rests upon the evidence that has been submitted. If the evidence submitted demonstrates that the proposed use is lawful, on the balance of probabilities, the Local Planning Authority must grant a certificate confirming that the proposed development is lawful.

6.2 The key issue is to determine whether the proposal falls within the permitted development rights afforded to householders under Schedule 2, of the GPDO (As Amended) 1995.

6.3 The proposed development consists of a loft conversion facilitated by a dormer extension in the rear roof slope of the property. This development would fall under the criteria of *Schedule 2, Part 1, Class B* of the Town and Country Planning (General Permitted Development) Order (as amended) 1995, which permits the enlargement of a dwellinghouse consisting of an addition or alteration to its roof. This allows for dormer additions subject to the following:

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

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

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

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

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

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

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

(ii) 50 cubic metres in any other case;

The dormer extension would have a volume of approximately 22.3 cubic metres, and is therefore below the maximum resulting roof space for a terraced dwelling.

(d) It would consist of or include-

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

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

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

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

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

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

Conditions

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

–

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

The dormer extension would be constructed from roof tiles and UPVC windows to match the existing those on the existing dwelling. As such the proposal therefore complies with this condition.

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

The part of the dormer which is closest to the eaves of the original roof is approximately 0.6 metres away. The proposal therefore meets this condition.

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

(i) Obscure glazed; and

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

No side facing windows are proposed.

7. RECOMMENDATION

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

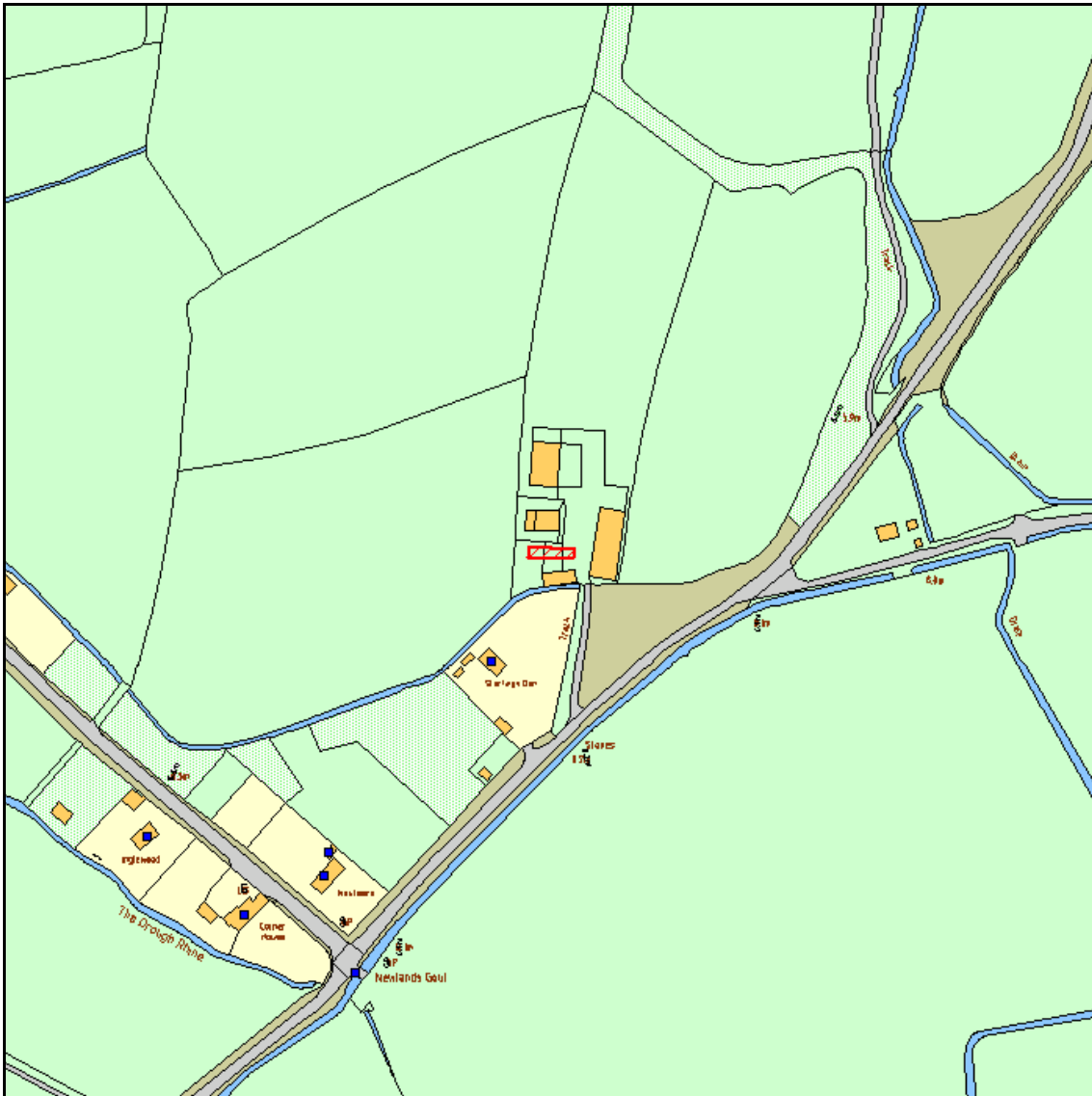
Evidence has been provided to demonstrate that the development falls within permitted development within the curtilage of the dwellinghouse under Part 1 of The Town and Country Planning (General Permitted Development) Order 1995 (as amended).

Contact Officer: Hannah Minett
Tel. No. 01454 862495

ITEM 10

CIRCULATED SCHEDULE NO. 04/15 – 23 JANUARY 2015

| | | | |
|----------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|-------------------------------------|
| App No.: | PT14/2276/CLE | Applicant: | Miss V Hall |
| Site: | New Gates Farm Shepperdine South Gloucestershire BS35 1RT | Date Reg: | 20th June 2014 |
| Proposal: | Application for Certificate of Lawfulness for existing use of land as an operating centre (as defined by section 7 (3) of the Goods Vehicles (Licensing of Operators) Act 1995) (Sui Generis) for one HGV vehicle. | Parish: | Oldbury-on-Severn Parish Council |
| Map Ref: | 362420 194001 | Ward: | Severn |
| Application Category: | Minor | Target Date: | 5th August 2014 |



© South Gloucestershire Council 2015.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, 2014. N.T.S. PT14/2276/CLE

REASON FOR REFERRAL TO THE CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The application is for a certificate of lawfulness for the existing use of the land edged red as an operating centre (as defined by section 7 (3) of the Goods Vehicles (Licensing of Operators) Act 1995). This land use does not fall within any of the specified use classes and as is such is a 'sui generis' use. The definition of an 'operating centre' is defined by the above act as:

“the base or centre at which the license holder’s vehicles (and trailers) are normally kept”

- 1.2 The application relates to an area of land on the southern side of New Gates Farm situated between two buildings on a hardstanding area within a former farmyard, which is now used for equestrian purposes permitted by application PT12/2165/F.
- 1.3 During the course of the application additional evidence has been received from the applicant.

2. POLICY CONTEXT

2.1 National Guidance

- I. Town and Country Planning Act 1990
- II. Town and Country Planning (Development Management Procedure) Order 2010
- III. National Planning Practice Guidance 2014

3. RELEVANT PLANNING HISTORY

- 3.1 PT12/2165/F - Change of use of agricultural land and buildings to land for the breeding of horses (Sui Generis) and Riding School (Class D2) as defined in The Town and Country Planning (Use Classes) Order 1987 (as amended). Construction of minage. Approved 21st September 2012

4. SUMMARY OF EVIDENCE SUBMITTED IN SUPPORT OF APPLICATION

- 4.1 Good Vehicle Operator's License issued by Western Traffic Area.
- The document confirms that the license has been issued to Valerie Hall and has been in force from 1st August 1991 with a review date of 31st July 2011 (and at five yearly intervals thereafter).
 - The license relates to two motor vehicles: one at New Gates Farm, Shepperdine Road, Oldbury on Severn; one at Bagstone Garage, Bagstone Road, Wotton Under Edge
- 4.2 Signed Affidavit of Valerie Edna Hall sworn 27th August 2014. The affidavit is summarised as follows:

- Miss Hall purchased a lorry in 1991 (Leyland Bison).
- Miss Hall has owned New Gates Farm for 38 years where she had been engaged in stock farming before starting a haulage business.
- At the time of purchase the vehicle remained with the seller as Miss Hall did not have an Operator's license. A license was acquired on 1st August 1991 where New Gates Farm was nominated as an operating centre. The lorry was brought to the site as soon as the license was granted and operated from there.
- The lorry was kept parked at the premises at the end of each working day, plus at weekends, when Miss Hall was not driving it.
- Miss Hall has run the haulage business continuously since August 1991, parking the vehicle and all subsequent ones owned at the farm premises.
- Miss Hall states that locals have been aware of her activity since she commenced in 1991.
- Only one vehicle has been parked there at any one time except for a short period in 2014 where two vehicles were parked for a short overlap period of approximately four weeks whilst changing vehicles.
- The vehicle is always parked in the yard behind some buildings. It cannot be seen from the road or from elsewhere.
- The sole activity is the parking of the vehicle.
- Miss Hall makes reference to the attached photographs demonstrating the parking of the vehicles right back to the earliest vehicle – the Leyland Bison, in the early 1990s.
- There has been continuous parking since 1991 without interruptions as part of a legitimate trading business in accordance with the Operator's license.
- Miss Hall states the Parish Council has at a public meeting stated that it is aware that a commercial vehicle has been parked at the premises.
- The business is continuous and is the main source of income with the farm being more of a hobby activity.

4.3 Photographic exhibit referred to in the affidavit of Valerie Edna Hall sworn on 27th August 2014.

- Seven undated photographs are enclosed. One photo (black and white) shows a vehicle which is a Leyland (Registration Plate PRE 8IIW). The other six show a vehicle branded ERF (Registration N253 HF8).
- All photos show a vehicle parked on a hardstanding adjacent to an agricultural building.

4.4 Signed Affidavit of Valerie Edna Hall sworn 17th November 2014 with attached plan. The affidavit is summarised as follows:

- In the affidavit sworn on 27th August Miss Hall omitted to show the exact part of the premises in which the parking of the vehicle has taken place.
- The plan marks 'A' and is edged and coloured red to show the area on which the vehicle is parked every day.

4.5 Signed affidavit of Dennis Frank Chappell sworn on 27th August 2014. The affidavit is summarised as follows:

- Mr Chappell is a retired HGV driver having worked in the business from 1992 until retirement – starting as an employee of L. Cam and Son and then as a haulage contractor.
- Mr Chappell met Miss Hall in the course of his work doing trips from the quarries at Tytherington and Sodbury.
- As a result Mr Chappell and Miss Hall became good friends through their regular contract and have been friends ever since.
- Mr Chappell confirms that Miss Hall has been a road haulier since at least 1992 when he first knew her. He has been to New Gates Farm many times over the years, the first being in about 1996 where he saw her vehicle, the ERF, parked there.
- This was the same vehicle used by Miss Hall on her trips from the quarries at that time.
- Over the years Mr Chappell and Miss Hall have become very good friends and he has visited her on perhaps 70 or 80 different occasions. He helps her out with jobs which she cannot manage on her own. Work on the vehicle however is undertaken elsewhere.
- Every time Mr Chappell visits the vehicle is parked there.
- Mr Chappell confirms that throughout the time he has known her Miss Hall has been in business and certainly from his knowledge has been parking the vehicle on the premises since 1996. Mr Chappell knows that Miss Hall is in exactly the same business today and continues to park her vehicle there.

4.6 Signed Affidavit of Dennis Frank Chappell sworn 17th November 2014 with attached plan. The affidavit is summarised as follows:

- In the affidavit sworn on 27th August Mr Chappell omitted to indicate the exact location where he saw Miss Hall's lorry parked on his many visits to her property.
- The attached plan marks 'A' and is edged and coloured red to show the area on which he saw the lorry parked. He believes that it is always parked in that location.

4.7 Signed letter from Miss Hall dated 27th August 2014 enclosing a signed petition. Miss Hall states that the petition is signed by people who live in the area where the lorry is kept and who also know her. The petition states: "*We the undersigned can confirm that Ms Valerie Hall has continually used New Gates Farm, Oldbury Naite, as an operating centre for her HGV 8 wheel tipper lorry between 1991 to the present day*". The petition contains 39 signatures.

5. **SUMMARY OF SUPPORTING EVIDENCE RECEIVED**

5.1 None received

6. **SUMMARY OF CONTRARY EVIDENCE RECEIVED**

6.1 No contrary evidence received.

7. COUNCIL'S EVIDENCE

- 7.1 The Council's own evidence consists of aerial photographs for the years 1991, 1999, 2005, 2006, and 2008-2009. The aerial photographs for this site are summarised as follows:
- 2008-2009: The aerial photograph clearly shows the parking of a large vehicle (lorry) in the area edged red on the application.
 - 2006: The aerial does not show any vehicles parked in the land edged red. An object is evident to the east and outside of the site perpendicular to it but the aerial is not of sufficient quality to identify what this is.
 - 2005: The aerial shows an object on the land edged red but the aerial is not of sufficient quality to identify what this is.
 - 1999: A car is parked in the land edged red.
 - 1991: A number of objects appear to overlap into the land edged red however the aerial is not of sufficient quality to identify what these are.

8. CONSULTATION RESPONSES

8.1 Oldbury Parish Council

We have no objections to the storing of one commercial vehicle at the application site, because there is a long history of this arrangement. However, if this had been a new application we would have been seeking a condition to control the hours of operation due to the potential for noise nuisance being imposed on neighbouring properties. We hope that noise can be minimised and that redress to Environmental Health proves unnecessary.

8.2 Transportation DC

No comment.

Other Representations

8.3 Local Residents

Correspondence has been received in the form of two correspondence letters from the occupier of the adjacent dwelling (Starlings Den). The statements are summarised as follows:

19/01/15:

- We are the only residents that are directly affected by New Gates Farm.
- There has been no regard to the volume of noise.
- The Council did not accept that there was an operating centre at this location before planning was passed or after.
- If the Council had so recently passed planning (in 2012) why would they have no idea as to the use of an operating centre at this location, especially when a public riding school would cause a significant increase in traffic.
- The environmental department, whilst considering the planning for the riding school, mentioned that it was in a flood zone and therefore required an evacuation plan, yet there was no discussion or reference to an operating centre.
- On 16th May 2014 a letter was sent to New Gates Farm from the Environmental Department however this was returned to the Council undelivered.

- When buying this property there was no visual or documentation evidence to state that any business let alone an operating centre was located at this location.
 - In historical photographic evidence, within my time of living at this house it was impossible for us as next door neighbours to see the parking position of any operating centre next door due to the height and density of the trees (the top of the barn was barely visible) therefore I fail to see how anyone else could of seen it unless entering the premises.
 - In the years that I have lived here never until 2013 could I visibly see a lorry from my bedroom. This as I have stated earlier would have been impossible due to the density of the trees that even covered the view of the buildings.
 - This is not to say that I'm opposed to the Operating centre but I think the probability is that this should have been taken into account in the previous planning, particularly the noise within relation to the usage of equipment necessary for both of these businesses to operate. Along with the traffic increase of vehicles that doesn't just incur parking within the location but additionally the use of a rural road to gain access to the location that cannot even enable two cars to pass side by side.
 - This application reinforced my argument that the welfare/hay/ tack room that showed no windows in planning were installed not only for the riding school but additionally as a lorry tea room.
 - We now live with an operating centre closer to our home than our next residential neighbour
- 06/10/14
- I feel it is fair to support Miss. Hall in that we have had visibility of the lorry from our residential home since 2011.
 - When we purchased this property in 2007 there was no visual or documentation evidence to suggest that there was an operating centre neighbouring this property.
 - In the history of its first planning application New gates Farm (PT 12/2165/F) stated in its proposal to use the existing horses for teaching people how to ride, with no mention of an existing lorry. In this application a material change of use was granted and the parking for those using the riding school is shown in exactly the same location as for the parking of the lorry in this certificate of lawfulness.
 - This heavy goods vehicle being parked here could it also be suggested that in order to accommodate the parking facilities of those taking riding lessons (including an employed instructor) that this therefore entails the tipping lorry to move around not only within New gates farm location but also the surrounding area which could be argued to cause off site harm.
 - A direct result of this with regards to the layout of the land would then obviously have a negative effect on the enjoyment of how the residential neighbours enjoy their land.
 - There have been occasions in 2014 that the lorry has used the access road for parking, i would personally argue that not only has that incurred an extension of environmental issues but equally breached my children's right under Article 31 of the UN convention of their right to enjoy playing in their own garden.
 - Parish Councils comment: New Gates farm's initial application for planning permission (PT12/2165/F) was noted in their meeting on Tuesday 6th November 2012, of which one of the councillors who has also signed the

petition was present at this meeting. There was no comment at this point with relation to any tipping lorry being kept at New Gates Farm.

- Within this meeting in 2012 there was also a discussion relating to a fire that occurred at Westmarsh Lane industrial yard which involved the attendance of three fire engines and a JCB in order to rescue one spooked horse. You would have thought that at this time if they believed there to be a heavy goods vehicle located at this premises that they would have discussed this with relation to a material change of use to the land that involved not just general members of the public but also 13 adult horses plus their foals, specifically when in the event of a fire in order to rescue any horses and foals would incur in their belief having to pass a heavy goods vehicle surrounded with what would be fair to be argued as slightly flammable materials such as a large quantities of diesel and hay.
- Factual historical information is largely outweighed by family and friends 'evidence'.
- I believe the land cannot surpass Miss. Hall's ambitions with relation to the running of different business entities within the same location without causing off site harm which therefore affects the neighbouring property of their enjoyment of their land

9. EVALUATION

- 9.1 The application is for a certificate of lawfulness for the existing use of the land edged red as an operating centre (as defined by section 7 (3) of the Goods Vehicles (Licensing of Operators) Act 1995). The application therefore seeks to demonstrate that the land has been in this use for a continuous period of at least 10 years prior to the date of the submission. It is purely an evidential test irrespective of planning merit. The only issues which are relevant to the determination of an application for a Certificate of Lawfulness are whether in this case the land has been in a consistent use for not less than ten years and whether or not the use is in contravention of any Enforcement Notice which is in force.
- 9.2 The guidance contained within the National Planning Practice Guidance 2014 states that if a local planning authority has no evidence itself, nor any from others, to contradict or otherwise make the applicant's version of events less than probable, there is no good reason to refuse the application. This is however with the provision that the applicant's evidence alone is sufficiently precise and unambiguous to justify the grant of a certificate on the balance of probability.
- 9.3 Assessment of Evidence
The application relates to a small area of land situated on the southern side of New Gates Farm. The rest of the land is understood to be in use for the breeding of horses (Sui Generis) and a Riding School (Class D2), approved by application PT12/2165/F in September 2012. There are no conditions attached to PT12/2165/F which relate to the area of land subject to the current certificate application but it did form part of the greater site subject to the change of use.

- 9.4 The evidence submitted in support of the application implies that New Gates Farm has been used as an operating centre since 1991. This is substantiated by the Good Vehicle Operator's License issued by Western Traffic Area which identifies that New Gates Farm is one of the addresses that is an operating centre, and that the license has been in force since 1st August 1991. This is also consistent with the signed affidavit of Miss Hall which states that she has held the license since 1st August 1991 nominating New Gates Farm as an operating centre. The petition supplied by Miss Hall identifies that 39 people are also in support of the claim that New Gates Farm has been an operating centre since 1991.
- 9.5 The signed affidavit of Mr Chappell states that in the period of knowing Miss Hall and since first visiting New Gates Farm in about 1996 the vehicle (ERF) has been parked at New Gates Farm. The branding of the lorry described by Mr Chappell is also consistent with the branding on the lorry shown on the photographs appended to Miss Hall's affidavit. Mr Chappell states that he has visited New Gates Farm on numerous (70 to 80) occasions and therefore has knowledge of the farm. He is also a close friend of Miss Hall and confirms that she has been in the haulage business throughout the time that he has known her, which is since 1992. This evidence, which is sworn, is therefore considered to hold weight in favour of the application.
- 9.6 A consultation reply received from a local resident states that in 2007, when purchasing the adjacent property (Starlings Den) no visual or documentation evidence to suggest that there was an operating centre neighbouring the property was found. There is also no mention of it within the previous application on the site (ref. PT12/2165/F), or in the Parish Council's meeting in November 2012. These comments are noted and are also considered to hold some weight, however it is not considered that this statement is sufficient evidence in itself that make the applicant's version of events less than probable. It is true that there is no mention of an operating centre at New Gates Farm in the Officer's report for application PT12/2165/F or within the Parish Council's comments but it is considered that this is not evidence in itself that it did not exist. It is possible that the lorry was not at the site during the Officer's site visit or that the Officer did not consider it highly material in the determination of application PT12/2165/F.
- 9.7 From assessing the evidence described above, whilst it is noted that there has been no previous mention of an operating centre at this location, it is considered that on the balance of probability the evidence suggests that the address 'New Gates Farm' has been nominated as an operating centre for a period over ten years and this is substantiated by verifiable documentation and sworn statements. The issue to resolve therefore is where on New Gates Farm the vehicle has been kept throughout this period – i.e. on which part of the address the operating centre is located and the land to which the certificate would relate.
- 9.8 The additional signed affidavits of Miss Hall and Mr Chappell state that the vehicle has always been parked on the land edged red on the appended site plan (the application site). Both of these affidavits were sworn on 17th November 2014 and, given the knowledge that they have of the site, is

considered to hold weight in assessing the application. Miss Hall confirms that the vehicle is parked on the land edged red each day, though it is also noted from Miss Hall's earlier affidavit that the vehicle is moved away from the site during the weekday day time and returned in the evening and on weekends when it is not being used. This reflects the nature of the use of the vehicle as a haulage lorry.

- 9.9 It is noted from the Council's own aerial photographs that the only aerials to clearly show a lorry on the application site is dated in the year 2008-2009. The aerial dated 2005 does show an object on the land but the aerial is not of sufficient quality to confirm whether this is a lorry. All other aerial photographs held by the Council show the land to be either empty or in the case of 1999 used for parking a car. An object similar to that on the 2005 aerial can be seen on the 2006 aerial but falling outside of the application site. The photograph is not however of sufficient quality to determine what this is. A car is shown to be parked on the land in the 1999 photograph however it is noted that this could have been parked whilst the lorry was away from the site. Although the Council's own evidence does not show the use of the land for the parking of a lorry for at least 10 years it is noted that these photographs would have been taken during the day time. This is a time where Miss Hall confirms that the lorry would not be on the site due to it being used for haulage purposes. It is therefore not considered that this evidence makes the applicant's version of events less than probable.
- 9.10 The correspondence from the local resident makes reference to having visibility of the lorry from Starling Den, which is the only adjacent neighbour. There are however some discrepancies in the neighbour's comments with the letter received on 6th October 2014 stating that the neighbour has had visibility of it since 2011 whilst the letter received 19th January 2015 states that they have only had visibility since 2013. In each case the neighbour's visibility has been less than ten years however they do also observe that their visibility of the site had previously been obscured by the vegetation between the two properties. It is therefore considered that this statement, although acknowledged, does not make the applicant's version of events less than probable.
- 9.11 The application site is situated between two buildings on the southern side of New Gates Farm. The site is not visible from any public viewpoints and this was observed by the Officer on the application site visit. The photographs of the vehicles appended to Miss Hall's affidavit show that the vehicle is parked on a hardstanding area adjacent to an agricultural building. The photographs are undated and are not of sufficient quality to establish the exact location of where the vehicle is parked. The Council is not in receipt of any substantiated evidence to suggest that the lorry has been kept elsewhere in New Gates Farm.
- 9.12 In assessing the evidence available it is noted that the evidence provided by the applicant suggests that New Gates Farm has been nominated as an operating centre since 1991 and that the land edged red has been used as this operating centre. The Council's own evidence is not precise or unambiguous enough to make the applicant's events less than probable and nor is the correspondence from the neighbouring occupier. On the balance of probability,

taking account of all of the evidence available, given that the applicant's evidence is unambiguous and precise, it is considered that the Local Authority has no good reason to refuse the application. Accordingly, in line with the guidance contained within the NPPG, a certificate of lawful development is granted.

9.13 Other Matters

Comments received from the Parish Council and from a local resident make reference to the impact of the land use on residential amenity. However, as the application is for a certificate of lawful development, which is a purely evidential test, there is no consideration of planning merit. The submission is not a planning application and thus the Development Plan is not of relevance to the determination of this application; the decision rests upon the evidence that has been submitted. The local resident's concerns in relation to Article 31 of the UN convention are noted, however, as this is not a planning application, this concern cannot be held against the application.

10. CONCLUSION

10.1 It is considered that sufficient evidence has been submitted to demonstrate that on the balance of probability, the land edged red has been used for an operating centre (as defined by section 7 (3) of the Goods Vehicles (Licensing of Operators) Act 1995) for a period of at least 10 years.

11. RECOMMENDATION

11.1 That a certificate of lawful development is **granted**.

Contact Officer: Sarah Fordham
Tel. No. 01454 865207

ITEM 11

CIRCULATED SCHEDULE NO. 04/15 – 23 JANUARY 2015

| | | | |
|----------------------------------|--------------------------------------------------------------------------------------------------------------------------|-------------------------|-----------------------------|
| App No.: | PT14/2837/F | Applicant: | Mr Parkhill |
| Site: | Former Tortworth Visitors Centre Land Adjacent B4509 Tortworth Wotton Under Edge South Gloucestershire GL12 8HQ | Date Reg: | 30th September 2014 |
| Proposal: | Conversion of former stables to form 3no. residential units with car parking and associated works. | Parish: | Tortworth Parish Council |
| Map Ref: | 369881 193124 | Ward: | Charfield |
| Application Category: | Minor | Target Date: | 21st November 2014 |



© South Gloucestershire Council 2015.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, 2014. N.T.S. PT14/2837/F

REASON FOR REFERRING TO CIRCULATED SCHEDULE

The application appears on the Circulated Schedule following comments from a local resident.

1. THE PROPOSAL

- 1.1 The applicant seeks full planning permission for the conversion of former stables to form 3no. residential units with car parking and associated works. The application is part retrospective as work has already begun on site.
- 1.2 The application site relates to the former prison gardens associated with Leyhill Prison. The site has been sold and is now known as Torthworth Business Centre. The site stands within the open countryside and beyond any settlement boundary and is curtilage listed being within the curtilage of the grade II * Torthworth Court. Furthermore, the site is encompassed by land that is designated as a registered historic garden. To the northeast the site lies adjacent to the B4509 and is screened from this road by a high stone boundary wall. This application forms part of a scheme of re-development of the site.
- 1.3 This application should be read in conjunction with PT14/2838/LB.
- 1.4 During the course of the application additional and more detailed plans were requested. These were duly received by the Council and considered acceptable. As the plans only showed more details and did not change the principle of the application the plans were not put out for re-consultation.
- 1.5 Also during the course of the application the Ecologist requested further information with regard to the presence of bats within the stables. Additional details were received and considered acceptable subject to conditions.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
Planning (Listed Buildings and Conservation Areas) Act 1990

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy (Adopted December 2013)

| | |
|------|------------------------------------------------|
| CS1 | High Quality Design |
| CS5 | Location of Development |
| CS8 | Improving Accessibility |
| CS9 | Environmental Resources and Built Heritage |
| CS18 | Affordable Housing |
| CS23 | Community Infrastructure and Cultural Activity |
| CS34 | Rural Areas |

South Gloucestershire Local Plan (Adopted) January 2006 – Saved Policies
H10 Conversion and Re-use of Rural Buildings for Residential Purposes

L10 Historic Parks and Gardens and Battlefields
L9 Protected Species
L13 Listed Buildings
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**

Associated applications

- | | | |
|-----|---------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3.1 | PT14/2838/LB | Internal and external alterations to facilitate the conversion of former stables to form 3no. residential units with associated works |
| | Pending | |
| 3.2 | PT14/3692/F | Erection of attached garage to Gardens House (retrospective) |
| | Pending | |
| 3.3 | PT13/4494/TRE | Works to remove 1no. Cedar tree, 1no. Silver Birch tree. 1no. Ash tree and 1no. Beech tree covered by Tree Preservation Order SGTPO 7/10 dated 7 February 2011. |
| | Approved | 21.1.14 |
| 3.4 | PT03/1146/C84 | Erection of single storey rear extension to provide kitchen and changing/cloakroom facilities. Erection of side conservatory and installation of external mezzanine escape staircase on rear |
| | No objection | 2.6.03 |
| 3.5 | P97/2208 | Operation of a retail enterprise, cafe, museum and rare breeds centre. Construction of vehicular access |
| | No objection | 14.1.98 |
| 3.6 | P90/2714 | Construction of vehicular access. |
| | Objection | 14.4.91 |
| 3.7 | PT14/2836/F | Erection of 4 no. terraced dwellings and 3 no. garages with associated works. |
| | Withdrawn | |
| 3.8 | PT14/2835/F | Erection of 2no. end terraced dwellings to existing semi-detached dwellings to form a terrace of 4no. dwellings with 2.no attached garages and associated works |

Withdrawn

- 3.9 PT14/2842/F Change of use from Storage and Distribution (Class B8) to Mixed Use, Office (Class B1a), Research and Development (Class B1b), Light Industrial (Class B1c) and Storage or Distribution (Class B8) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).

Pending

- 3.10 PT14/2843/F Change of use of former arts centre building to microbrewery (Use Class B2 as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended))

Pending

- 3.11 PT14/2852/F Change of use of Shop (Class A1) to mixed use Shop (Class A1) and Cafe (Class A3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).

Pending

- 3.12 PT14/2841/F Change of use from Visitors Centre (sui generis) to Used Car Sales (sui generis) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). Retention of portacabin sales office. (Retrospective).

Pending

- 3.13 PT14/2840/F Conversion of greenhouse to form industrial unit to facilitate change of use of Greenhouse (Class A1) to Office (Class B1a), Research and Development (Class B1b), Light Industrial (Class B1C) and Storage or Distribution (Class B8) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).

Withdrawn

- 3.14 PT14/2839/O Erection of 4no. buildings (Outline) for Class B1 and B8 use with all matters reserved

Withdrawn

4. CONSULTATION RESPONSES

4.1 Tortworth Parish Council

No objection to the proposal but make the following observations:

- The proposed development needs to be sympathetic to the listing status
- Water is there sufficient pressure for the proposals?
- Broadband speeds are awful to Tortworth. South Gloucestershire is looking at how funding can be found to provide better Broadband to Tortworth. The parish does feel that this is important for this development and the wider parish.

- Drainage - parishioners noted that the proposals include the provision of drainage to septic tanks or bio-digester. Parishioners are concerned about the detail of the proposals. Are the proposals to make use of existing septic tanks, in which case are they fit for purpose, or install new sewage treatment works? In both cases parishioners are anxious that works are properly done given the importance of ongoing water quality in the Tortworth Brook and The Little Lake. An overall detailed scheme is required for further consideration.
- Lighting parishioners are concerned about the nature and amount of street and floodlighting on site

Ecology – Bats

Parishioners have drawn attention to the likely possibility of bats roosting on site particularly in the existing stables.

4.2 Other Consultees

Listed Building Officer

No objection in principle subject to conditions attached to the decision notice regarding materials and finishes.

Highway Drainage

No objection in principle subject to the following advice and recommendation: This application is one of a number of applications associated with the Former Leyhill Visitors Centre. Drainage Officers, therefore, require a drainage strategy for the whole Former Leyhill Visitors Centre site.

The Application Form associated with this particular application states foul sewage disposal as a septic tank. The preferred method for foul sewage disposal is to connect to a public foul sewer. If this is not economically viable by gravity or pumping, a Package Sewage Treatment Plant is recommended. A condition will be attached to the decision notice to ensure the proposed arrangements are acceptable.

The Design and Access statement submitted with this application states that the soakaways will be designed to a minimum standard of 1 in 30 year rainfall event plus 20% allowance for peak rainfall intensity. Soakaway design will be required to attenuate to 1 in 100 rainfall event plus 30% climate change allowance.

An Informative relating to surface water drainage will be attached to the decision notice.

Wessex Water

There are no public sewers within the vicinity of the site and the applicant has indicated they propose to dispose of foul sewerage to a septic tank. The applicant must contact Bristol Water regarding water supply.

Archaeologist

No comment

Avon Gardens Trust

No comment

Ecology

Objection on grounds that bats could be using the area as a corridor between woodland on either side of the application site.

Updated comments:

A bat survey for the stable block is now not required as sufficient information has been received to suggest that the building conversion has already largely taken place. This would suggest that any previous potential for the building to support bats is no longer present.

No objection subject to conditions attached to the decision notice.

Sustainable Transport

No objection

Environmental Protection

No objection subject to an informative regarding construction sites be attached to the decision notice.

Economic Development

No objection

English Heritage

English Heritage welcomes this opportunity to engage in the proposed developments around the kitchen garden site at Tortworth Court. The kitchen garden and its environs contribute strongly to the significance of the Tortworth Court grade II* Registered Park and Garden and, notwithstanding their current condition, form a highly significant component of the park. From what we have seen from these applications and our visit to the site, we are of the opinion that the site would benefit greatly from the preparation and adoption of a conservation management plan. Such a plan could assess and analyse the significance of the area, and would inform any future development proposals while containing provisions for the ongoing management of the site.

It is also noted from our site visit the considerable tree growth on the verge adjacent to the garden wall along the B4059. Given the significance of this wall, we would strongly advise that the tree growth be dealt with to ensure it does not undermine the structural stability of the wall.

These particular applications relate to the series of stables/potting sheds that form a group of original 19th century buildings at the northern end of the kitchen gardens. Built onto the side of a tall wall, they are low- key lean-to structures that are linked at the eastern end to the Garden Office- now used as a residential property. This is an attractive group that have survived much of

the changes that were imposed on the site during its use by the Home Office. They appear to be in relatively good structural condition and we are pleased to see proposals for their reuse as residential units.

The original plan form and layout in this conversion proposal will remain as existing with little alteration imposed, respecting the existing openings and joinery. A main concern is to ensure that the introduction of residential use in this part of the kitchen garden is as discreet as possible so that activities and paraphernalia associated with residential use is kept to a minimum, thereby protecting the character of the open space associated with the kitchen gardens. English Heritage would, therefore, resist the idea of subdividing the space in front of these units with fence panels, although we understand that private garden areas should be provided. English Heritage also wish to ensure that such features as washing lines are not erected in close proximity to these units. The communal bin store areas might benefit from being enlarged to incorporate drying facilities.

Other Representations

4.3 Local Residents

One letter of concern has been received by the Council regarding: Drainage. Currently there is no mains drainage available to the site. Whilst septic tanks and a bio digester are referred to, will they be adequate to meet the needs of any of the proposed applications ensuring that the adjoining land and watercourses are not affected in any way. We would be grateful that more detail be provided.

Design and Use.

That any agreed use be in keeping with character of the site and its setting and that the materials and standard of build reflect this.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application stands to be assessed against the above listed policies and all other material considerations. Of particular importance is the design and appearance of the extension and its impact on the character of the host property and area in general; the impact on the residential amenities of occupiers and neighbours and the impact on the wider setting of the listed park and gardens of Tortworth. Policy H10 allows for the conversion and re-use of rural buildings for residential purposes.

5.2 Under a previous planning application P97/2208 a plan indicates the buildings subject of this application to be offices associated with the operation of the site as a visitor's centre. On this basis the site as a whole is considered to have a *sui generis* class use. Furthermore, large parts of the site, including these buildings, are not currently being used although it is acknowledged that there are applications pending, one of which relates to a micro-brewery and the potential impact on residential amenity is mentioned in the relevant section below. When Officers visited the site much of the interior of the buildings had

been removed so it was impossible to tell if their former use had been for offices or for stables. The applicant stated that they had in fact been used as outbuildings for storage. Officers are satisfied that the buildings can be considered as being rural buildings and their re-use for residential purposes would be assessed under Policy H10. The conversion can be considered as being part of a scheme for business re-use of the site, albeit that a number of the recently submitted applications have been withdrawn pending further details; the buildings are of permanent construction and capable of conversion without major reconstruction; they are in-keeping with their surroundings and the detailing of the alterations would be conditioned to ensure they would not have a harmful effect on the character of the countryside or the amenities of the surrounding area.

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

5.3 Design and Visual Amenity

The application relates to a line of former stables which originally either served the Head Gardener's house or was ancillary to the general day-to-day function of the walled kitchen garden. They are single storey structures with a mono-pitch roof of concrete tiles. The tall rear wall faces south east into the walled garden and is predominantly blank save for a couple of low level window openings. To the north-west, the building has a limited number of door and window openings facing onto an area of rough ground. At its northern-most end, the former stables are connected to a two storey Victorian building that has recently been converted to a dwelling house from an office. The proposed conversion is acceptable in principle, and as noted on site has been commenced with the removal and replacement of doors and windows and various internal alterations.

- 5.4 Given that the work had already begun, the quality of the windows was of a concern to Officers, with standard double glazed units introduced next to single glazed casements, the former having no spacer bars between the two sheets of glass and thus allowing views between the applied bars. In addition the submitted joinery details also raised concern as they showed modern stormproof casements compared to the flush fitting casements currently in the building.
- 5.5 Revised plans were submitted following Officer requests and these are considered acceptable however, further details will be conditioned to ensure the design and materials are appropriate and in-keeping with the original building and its setting in general.
- 5.6 The openness of the area in front of the building and former office is a key part of its setting and subdivision of this space would be harmful. As such it is recommended that a landscaping condition should control the materials used in hard landscaping and the introduction of any new boundary treatments and also the locations of the amenity areas. Furthermore, following comments received from the Council Ecologist, a condition will be attached to the decision notice requiring the proposed position of the bin store area to be moved at least 2 metres away from the Pump House (not included within the red edge of this

application). This is to minimise the disturbance to any bats which may use this building.

5.7 Residential Amenity

Amenity space for the proposed residential units is minimal comprising a paved area to the front of the buildings which could be regarded as being sufficient for sitting out or for a small washing line. Given that the properties would be one bed dwellings and there are currently no set standards for outside amenity space within the Council, the proposal is not unacceptable. However, for future reference it is worth noting the comments within the design section above which state Officers preference to there being no subdivision of the area between the buildings and the high boundary wall to the west.

5.8 It is recognised that the application for the micro-brewery (PT14/2843/F) which is in close proximity to the stable is being progressed by another Officer. As such it is important to take into account the potential impact this micro-brewery might have on the residential amenity of the converted stables. Officers have been made aware that Council Environmental Health Officers have no objection to the micro-brewery subject to the windows of the brewery not being opened and are satisfied that there would be no resulting noise from the brewery over ambient noise levels. These would be conditioned under application PT14/2843/F. Given the above it is considered there would be no adverse material impact on the residential amenity of the converted stable block.

5.9 Sustainable Transport

The conversion of these stables to 3no. modest residential units is unlikely to introduce a significant traffic generation, although the site is in an unsustainable location where development which relies on the motor car as the principle form of transport should be discouraged. Parking in the form of 2no. spaces per dwelling, plus a further 2no. for The Lodge attached to the northern end of the terrace, have been provided on site. Those for Stable A to the southern end and the others to the northern end along with a bin store for the dwellings. The number of spaces accord with policy. Officers are also mindful of the fact that if the stables were to be used for keeping horses this could in fact introduce additional vehicle movements, so on balance there is no transportation objection to this proposal to convert the stables into residential accommodation.

5.10 Drainage

Concerns have been expressed regarding the method of foul drainage for these buildings. The Council's Drainage Officer has assessed the application and has no objection in principle to the development subject to a condition regarding the method of foul drainage to be agreed and an informative regarding soakaway details.

5.11 Ecology

The site consists of a former stable building set within an area of largely unused greenhouses, other buildings, hardstanding and vegetation. There are two fields of improved (i.e. botanically poor) grassland to the north-west and south-east of the site. The site itself is not subject to any nature conservation

designations, but it is surrounded by the parkland, broad-leaved woodland and hedgerows of the ecologically rich Tortworth Estate.

5.12 An Ecological Report (Wessex Ecological Consultancy, dated July 2014) has been provided, with the most material findings as follows:-

- *The stable block is stone-built, with tightly fitting windows and tiles and is well-maintained.*

However it has loose-fitting door frames providing potential for bat access. A buildings inspection was carried out and found no bat signs, therefore the building was assigned as having low bat roost potential.

- The report states that *the site as a whole has low bat potential*, but The Ecologist considers, given the importance for bats of the woodland to the south-west and north-east of the site, it is likely to have potential to be used as a bat commuting corridor, disturbance or destruction of which may impact on local bat populations. This species tends to follow consistent routes. Bats are given full protection under the Conservation Regulations 2010 and the Wildlife and Countryside Act 1981.
- Potential for reptiles - protected under the Wildlife and Countryside Act 1981;
- Nesting birds – nesting birds are protected under the Wildlife and Countryside Act 1981.

5.13 It is was the initial opinion of the Council's Ecologist that a bat activity survey would be required to establish bat use of the site which should have been carried out during the months of May to September. This was due to the proximity of known lesser horseshoe maternity roosts, one lying within 1.5km to the north of the site and one within 900m to the south. Key bat commuting routes if found may impact on site design, planting or lighting. Subsequent and additional details been received and the Ecologist's updated comments declare that as the conversion has mostly taken place *any previous potential for the building to support bats is no longer present.*

5.14 However, given the importance of the area for bats, the opportunity should be taken to provide a bat roost at the site. The best location for this is the old pump house, to the east of the application site. It is already fairly suitable and would provide an ideal bat roost by having a door fitted with the upper half as a horizontal louvre design, facilitating bat access. The building would subsequently be retained and protected. The bin store currently proposed close to the old pump house should therefore be moved away, so that the bats have free flight access to within at least two metres.

5.15 Given the importance of creating a bat roost, it is considered that it is not unreasonable for the location of the proposed bin store to be moved at least two metres away from the old pump house to ensure that the bats are undisturbed. It is considered that these changes can be accommodated by means of a condition attached to the decision notice.

5.16 In addition, concerns have been expressed regarding the amount of lighting associated with the proposal and as such it is considered not unreasonable that

a condition limiting the amount of lighting to that already present be attached to the decision notice.

5.17 Other matter

The speed of Broadband connection in the area has been raised as a concern by the Parish. This is not a planning matter and therefore cannot be considered under the remit of this report.

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 conditions attached to the decision notice.

Contact Officer: Anne Joseph
Tel. No. 01454 863788

CONDITIONS

1. Notwithstanding the provisions of Schedule 2 of the Town & Country Planning (General Permitted Development) Order 1995 (as amended) (or any Order revoking and re-enacting that Order with or without modification) no development as specified in Part 1 (Classes A, B, D, E, F, G and H), or any minor operations as specified in Part 2 (Class A), other than such development or operations indicated on the plans hereby approved, shall be carried out without the prior written consent of the Local Planning Authority.

Reason:

To ensure the satisfactory external appearance of the development in the interests of visual amenity and to accord with Policy CS1 of the South Gloucestershire Core Strategy (Adopted) December 2013.

2. Prior to their construction or installation, and notwithstanding the submitted information, the detailed design including materials and finishes of the following items shall be approved in writing by the local planning authority:

- a. All new external doors including frames, architraves and door furniture/fittings
- b. All new vents, flues and extracts.
- c. All new windows (including cill, head and glazing bar details)
- d. Infill panels to existing door openings.

The design and details shall be accompanied by elevations and section drawings to a minimum scale of 1:5 with full size moulding cross sections. The works shall thereafter be implemented strictly in accordance with the agreed details.

Reason:

To maintain and enhance the character and setting of the listed building, and to accord with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the NPPF.

3. Prior to the commencement of development full details of both hard and soft landscaping works shall be submitted in writing to the Local Planning Authority for approval and these works shall be carried out as approved. These details shall include means of enclosure and boundary treatments; car parking layouts; hard surfacing materials and soft landscape works.

Reason:

To maintain and enhance the character and setting of the listed building, and to accord with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the NPPF.

4. A sample panel of the lime render indicating colour and texture, shall be erected on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The approved sample panel shall be kept on site for reference until the development is complete. Development shall be carried out in accordance with the agreed sample.

Reason:

To maintain and enhance the character and setting of the listed building, and to accord with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the NPPF.

5. Prior to the occupation of the converted stables subject of this application a dedicated lesser horseshoe bat roost shall be created at the old pump house, by providing improved bat access. A detailed design for the roost shall be submitted to the LPA for approval and the pump house adapted in accordance with this approved plan. The pump house shall be monitored by a suitably qualified bat surveyor for a minimum of three years (L9). The pump house shall be protected and retained.

Reason:

To protect the wildlife and the ecological interests of the site and to accord with Policy L9 of the South Gloucestershire Local Plan (Adopted) 2006

6. No additional lighting will be provided at the development beyond that already existing.

Reason:

To protect the wildlife and the ecological interests of the site and to accord with Policy L9 of the South Gloucestershire Local Plan (Adopted) 2006

7. Prior to the occupation of the stable block a plan showing the new location of the bin store (currently proposed adjacent to the old pump house) shall be submitted to the LPA for written approval. The revised position of the bin store shall be moved at least two metres away from the old pump house, preferably to the other side of the car park

Reason:

To protect the wildlife and the ecological interests of the site and to accord with Policy L9 of the South Gloucestershire Local Plan (Adopted) 2006

8. A methodology for reptile mitigation will be submitted to the LPA for approval. The development will take place in strict accordance with this approved plan

Reason:

To protect the wildlife and the ecological interests of the site and to accord with Policy L9 of the South Gloucestershire Local Plan (Adopted) 2006

ITEM 12

CIRCULATED SCHEDULE NO. 04/15 – 23 JANUARY 2015

| | | | |
|----------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|-----------------------------|
| App No.: | PT14/2838/LB | Applicant: | Mr Parkhill |
| Site: | Former Tortworth Visitors Centre Land Adjacent B4509 Tortworth Wotton Under Edge South Gloucestershire GL12 8HQ | Date Reg: | 30th September 2014 |
| Proposal: | Internal and external alterations to facilitate the conversion of former stables to form 3no. residential units with associated works. | Parish: | Tortworth Parish Council |
| Map Ref: | 369881 193124 | Ward: | Charfield |
| Application Category: | Minor | Target Date: | 21st November 2014 |



© South Gloucestershire Council 2015.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, 2014. N.T.S. PT14/2838/LB

CIRCULATED SCHEDULE

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

1. THE PROPOSAL

- 1.1 The applicant seeks listed building consent for internal and external alterations to facilitate the conversion of former stables to form 3no. residential units with associated works. The application site relates to part of the former Visitor's Centre/horticultural use associated with Leyhill Prison and now referred to as Tortworth Business Centre. The site comprises a number of old glass houses and buildings associated with the former use. The buildings subject of this application are single storey set in a row with an attached two-storey structure to one end. The single storey buildings are described as being former stables and are enclosed within the walled garden and included in the Grade II* Registered Park and Garden of Tortworth Court.
- 1.2 The site is located outside any settlement boundary and therefore in open countryside. Under a previous planning application P97/2208 a plan indicates the buildings subject of this application to be offices associated with the operation of the site as a visitor's centre. On this basis the site as a whole is considered to have a *sui generis* class use. Furthermore, large parts of the site, including these buildings, have fallen into disuse. When Officers visited the site much of the interior of the buildings had been removed so it was impossible to tell if their former use had been for offices or for stables. The applicant stated that they had in fact been used as outbuildings for storage. Officers are satisfied that the buildings can be considered as being rural buildings and this proposal would be to convert these former rural buildings into 3no. one bed properties.
- 1.3 This application should be read in conjunction with application PT14/2837/F conversion of stables to form 3no. residential units with car parking and associated works. At the time of submission several other applications relating to the re-development of the site were received and have been / are being dealt with under separate consideration. A number of these e.g those relating to disused green houses and the erection of new dwellings on the site have been withdrawn.
- 1.4 During the course of the application additional and more detailed plans were requested. These were duly received by the Council and considered acceptable. As the plans only showed more details and did not change the principle of the application the plans were not put out for re-consultation.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012
Planning (Listed Buildings and Conservation Areas) Act 1990

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design

CS9 Managing the Environment and Heritage

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

L1 Landscape Protection and Enhancement

L13 Listed Buildings

3. **RELEVANT PLANNING HISTORY**

Associated applications

- | | | |
|-----|---------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3.1 | PT14/2837/F | Internal and external alterations to facilitate the conversion of former stables to form 3no. residential units with associated works |
| | Pending | |
| 3.2 | PT14/3692/F | Erection of attached garage to Gardens House (retrospective) |
| | Pending | |
| 3.3 | PT13/4494/TRE | Works to remove 1no. Cedar tree, 1no. Silver Birch tree. 1no. Ash tree and 1no. Beech tree covered by Tree Preservation Order SGTPO 7/10 dated 7 February 2011. |
| | Approved | 21.1.14 |
| 3.4 | PT03/1146/C84 | Erection of single storey rear extension to provide kitchen and changing/cloakroom facilities. Erection of side conservatory and installation of external mezzanine escape staircase on rear |
| | No objection | 2.6.03 |
| 3.5 | P97/2208 | Operation of a retail enterprise, cafe, museum and rare breeds centre. Construction of vehicular access |
| | No objection | 14.1.98 |
| 3.6 | P90/2714 | Construction of vehicular access. |
| | Objection | 14.4.91 |
| 3.7 | PT14/2836/F | Erection of 4 no. terraced dwellings and 3 no. garages with associated works. |
| | Withdrawn | |

- | | | |
|------|-------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3.8 | PT14/2835/F | Erection of 2no. end terraced dwellings to existing semi-detached dwellings to form a terrace of 4no. dwellings with 2.no attached garages and associated works |
| | Withdrawn | |
| 3.9 | PT14/2842/F | Change of use from Storage and Distribution (Class B8) to Mixed Use, Office (Class B1a), Research and Development (Class B1b), Light Industrial (Class B1c) and Storage or Distribution (Class B8) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). |
| | Pending | |
| 3.10 | PT14/2843/F | Change of use of former arts centre building to microbrewery (Use Class B2 as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended)) |
| | Pending | |
| 3.11 | PT14/2852/F | Change of use of Shop (Class A1) to mixed use Shop (Class A1) and Cafe (Class A3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). |
| | Pending | |
| 3.12 | PT14/2841/F | Change of use from Visitors Centre (sui generis) to Used Car Sales (sui generis) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). Retention of portacabin sales office. (Retrospective). |
| | Pending | |
| 3.13 | PT14/2840/F | Conversion of greenhouse to form industrial unit to facilitate change of use of Greenhouse (Class A1) to Office (Class B1a), Research and Development (Class B1b), Light Industrial (Class B1C) and Storage or Distribution (Class B8) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). |
| | Withdrawn | |
| 3.14 | PT14/2839/O | Erection of 4no. buildings (Outline) for Class B1 and B8 use with all matters reserved |
| | Withdrawn | |

4. CONSULTATION RESPONSES

4.1 Tortworth Parish Council

No objection to the proposal but make the following observations:

- i. The proposed development needs to be sympathetic to the listing status
- ii Parishioners are concerned about the additional services required by the scheme:
- iii Water is there sufficient pressure for the proposals
- iv Broadband speeds are awful to Tortworth. South Gloucestershire is looking at how funding can be found to provide better Broadband to Tortworth. The parish does feel that this is important for this development and the wider parish.
- v Drainage - parishioners noted that the proposals include the provision of drainage to septic tanks or bio-digester. Parishioners are concerned about the detail of the proposals. Are the proposals to make use of existing septic tanks, in which case are they fit for purpose, or install new sewage treatment works? In both cases parishioners are anxious that works are properly done given the importance of ongoing water quality in the Tortworth Brook and The Little Lake. An overall detailed scheme is required for further consideration.
- vi Lighting parishioners are concerned about the nature and amount of street and floodlighting on site.

Ecology – Bats

Parishioners have drawn attention to the likely possibility of bats roosting on site particularly in the existing stables (PT14/2838/LB and PT14/2837/F).

4.2 Other Consultees

Listed Building Officer

No objection subject to conditions attached to the decision notice

English Heritage

No objection:

English Heritage welcomes this opportunity to engage in the proposed developments around the kitchen garden site at Tortworth Court. The kitchen garden and its environs contribute strongly to the significance of the Tortworth Court grade II* Registered Park and Garden and, notwithstanding their current condition, form a highly significant component of the park. From what we have seen from these applications and our visit to the site, we are of the opinion that the site would benefit greatly from the preparation and adoption of a conservation management plan. Such a plan could assess and analyse the significance of the area, and would inform any future development proposals while containing provisions for the ongoing management of the site.

We also noted from our site visit the considerable tree growth on the verge adjacent to the garden wall along the B4059. Given the significance of this wall, we would strongly advise that the tree growth be dealt with to ensure it does not undermine the structural stability of the wall.

These particular applications relate to the series of stables/potting sheds that form a group of original 19th century buildings at the northern end of the kitchen gardens. Built onto the side of a tall wall, they are low- key lean-to structures that are linked at the eastern end to the Garden Office- now used as a residential property. This is an attractive group that have survived much of the changes that were imposed on the site during its use by the Home Office. They appear to be in relatively good structural condition and we are pleased to see proposals for their reuse as residential units.

The original plan form and layout in this conversion proposal will remain as existing with little alteration imposed, respecting the existing openings and joinery. Our main concern is to ensure that the introduction of residential use in this part of the kitchen garden is as discreet as possible so that activities and paraphernalia associated with residential use is kept to a minimum, thereby protecting the character of the open space associated with the kitchen gardens. We would, therefore, resist the idea of subdividing the space in front of these units with fence panels, although we understand that private garden areas should be provided. We also wish to ensure that such features as washing lines are not erected in close proximity to these units. The communal bin store areas might benefit from being enlarged to incorporate drying facilities.

We would urge you to address the above issues, and recommend that the application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

Archaeologist

No objection

Wessex Water

Wessex Water has no public sewers within the vicinity of the site. The applicant has indicated the proposal would dispose of foul sewerage to a septic tank. The applicant is advised to contact Bristol Water regarding the water supply.

Highway Structures

No objection

Environmental Protection

No objection subject to informatives attached to the decision notice

Economic Development

No objection:

The proposal will enable a previous employment site to become reoccupied and productive in its rural setting, thus increasing rural employment. The proposed change of use would lead to in excess of 200 jobs being created. It will also encourage expanding businesses to relocate within the area, as opposed to occupying a site outside of South Gloucestershire. The inclusion of new dwellings in for this area will allow for a potential work/live environment for residents and employees which the employment area and its businesses will benefit from. These properties will allow employees to live in close proximity to their place of work. The stables are not suitable for business and therefore the conversion will further enable the development of a work/live environment.

The mixed use environment would be economically beneficial to the local area, as the possibility of a solely horticultural business would not be viable, as significant investments to the infrastructure would be required in order to achieve a high enough standard for business use. This proposal is in favour with the Local Enterprise Partnership's aspiration to develop rural growth hubs.

In current market conditions, it is positive to see this type of development being brought forward speculatively.

Ecologist

Original objection has been revised and revised comments make no objection to the proposal on the basis:

A bat survey for the stable block is now not required as sufficient information has been received to suggest that the building conversion has already largely taken place. This would suggest that any previous potential for the building to support bats is no longer present.

Other Representations

4.3 Local Residents

One letter of objection has been received from a local resident:

Drainage. Currently there is no mains drainage available to the site. Whilst septic tanks and a bio digester are referred to, will they be adequate to meet the needs of any of the proposed applications ensuring that the adjoining land and watercourses are not affected in any way. We would be grateful that more detail be provided.

Design and Use.

That any agreed use be in keeping with character of the site and its setting and that the materials and standard of build reflect this.

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

This application stands to be assessed against National Planning Policy Framework March 2012 and Planning (Listed Buildings and Conservation Areas) Act 1990.

5.2 Assessment

The application relates to a line of former stables which either served the Head Gardener's house or was ancillary to the general day-to-day function of the walled kitchen garden. They are single storey structures with a mono-pitch roof of concrete tiles. The tall rear wall faces south east into the walled garden and is predominantly blank save for a couple of low level window openings. To the north-west, the building has a limited number of door and window openings facing onto an area of rough ground. At its northern-most end, the former stables are connected to a two storey Victorian building that has recently been converted to a dwelling house from an office. The proposal is to convert these stables into 3no. one bed dwellinghouses. The proposed conversion is acceptable in principle, and as noted on site work had commenced with the removal and replacement of doors and windows and various internal alterations. Officers expressed concern regarding the quality of the windows with standard double glazed units introduced next to single glazed casements, the former having no spacer bars between the two sheets of glass and thus allowing views between the applied bars. Officers therefore considered that the original submitted joinery details were unacceptable and showed modern

stormproof casements compared to the flush fitting casements currently in the building. A number of original external doors had also been removed and relocated which would have been preferable to retain in-situ and some cheap concrete slabs laid down along the front of the building.

- 5.3 Following initial comments revised plans were submitted to the Council. It is considered that although there is still scope for further improvement in terms of design and construction of door/windows which would respect the simple character of the stables (or potting sheds) the proposal is acceptable. Further details, however, are to be conditioned.
- 5.4 The openness of the area in front of the building and former office is a key part of its setting and subdivision of this space would be harmful. Given this, it is recommended that a landscaping condition to control the materials used in hard landscaping, the introduction of any new boundary treatments and the locations of the amenity areas, be attached to the decision notice.

6. CONCLUSION

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

7. RECOMMENDATION

- 7.1 That the application be **approved** subject to the conditions outlined on the decision notice.

Contact Officer: Anne Joseph
Tel. No. 01454 863788

CONDITIONS

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

Reason

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

2. Prior to their construction or installation, and notwithstanding the submitted information, the detailed design including materials and finishes of the following items shall be approved in writing by the local planning authority:
- a. All new external doors including frames, architraves and door furniture/fittings
 - b. All new vents, flues and extracts.
 - c. All new windows (including cill, head and glazing bar details)
 - d. Infill panels to existing door openings.

The design and details shall be accompanied by elevations and section drawings to a minimum scale of 1:5 with full size moulding cross sections. The works shall thereafter be implemented strictly in accordance with the agreed details.

Reason: To maintain and enhance the character and setting of the listed building, and to accord with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the NPPF.

3. Prior to the commencement of development full details of both hard and soft landscaping works shall be submitted in writing to the Local Planning Authority for approval and these works shall be carried out as approved. These details shall include means of enclosure and boundary treatments; car parking layouts; hard surfacing materials and soft landscape works.

Reason: To maintain and enhance the character and setting of the listed building, and to accord with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the NPPF.

4. A sample panel of the lime render indicating colour and texture, shall be erected on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The approved sample panel shall be kept on site for reference until the development is complete. Development shall be carried out in accordance with the agreed sample.

Reason: To maintain and enhance the character and setting of the listed building, and to accord with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the NPPF.

5. Notwithstanding the provisions of Schedule 2 of the Town & Country Planning (General Permitted Development) Order 1995 (as amended) (or any Order revoking and re-enacting that Order with or without modification) no development as specified in Part 1 (Classes A, B, C, D, E, G and H), or any minor operations as specified in Part 2 (Class A), other than such development or operations indicated on the plans hereby approved, shall be carried out without the prior written consent of the Local Planning Authority.

Reason: To ensure the satisfactory external appearance of the development in the interests of visual amenity and to accord with Policy CS1 of the South Gloucestershire Core Strategy (Adopted) December 2013.

ITEM 13

CIRCULATED SCHEDULE NO. 04/15 – 23 JANUARY 2013

| | | | |
|----------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|-----------------------------|
| App No.: | PT14/2843/F | Applicant: | Mr Parkhill |
| Site: | Former Tortworth Visitors Centre Land Adjacent B4509 Tortworth South Gloucestershire GL12 8HQ | Date Reg: | 30th September 2014 |
| Proposal: | Change of use of former arts centre building to microbrewery (Use Class B2 as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended)) | Parish: | Tortworth Parish Council |
| Map Ref: | 369765 192960 | Ward: | Charfield |
| Application Category: | Minor | Target Date: | 20th November 2014 |



© South Gloucestershire Council 2015.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, 2014. N.T.S. PT14/2843/F

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 to change the use of a former arts centre building in order to facilitate its conversion into a micro-brewery, which falls under use class B2 as defined in the Town and Country Planning (Use Classes) Order 1987 (As Amended).
- 1.2 The application site consists of a former arts centre building which is an existing building situated on the western side of the former Tortworth Visitors Centre. The Visitor Centre site, which currently lies vacant, encompasses a number of buildings that had previously been associated with Leyhill Prison before being sold on. The building is accessed through the former Visitor Centre site via an existing shared access point on the B4059.
- 1.3 The application site falls within the Grade II* curtilage of Tortworth Court and is on land designated as a registered historic park and garden. It is situated within the open countryside far beyond the established settlement boundaries.
- 1.4 The application is one of a number of applications submitted on the former Visitor Centre site and forms part of its future proposed redevelopment for employment use. The full planning history, including a comment on the extant use of the site, can be found within the body of this report.
- 1.5 During the course of the application the description of development has been amended to include the proposed change of use to a microbrewery. A re-consultation period of 14 days was undertaken. The proposed mixed use of the building for Class B1, B2 and B8 uses has since been removed from the description with the development proposal now being for a microbrewery only.
- 1.6 The application was subject to a screening opinion (PT14/034/SCR) for the redevelopment of the whole of the former Visitors Centre site within which it was established that an Environmental Impact Assessment would not be required.

2. POLICY CONTEXT

2.1 National Guidance

National Planning Policy Framework March 2012
National Planning Practice Guidance 2014

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design

CS4A Presumption in Favour of Sustainable Development

CS5 Location of Development

CS8 Improving Accessibility
CS9 Managing Environment and Heritage
CS34 Rural Areas

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

L1 Landscape Protection and Enhancement
L9 Protected Species
L10 Historic Parks and Gardens and Battlefields
L12 Listed Buildings
T8 Parking Standards
T12 Transportation Development Control Policy
E6 Employment Development in the Countryside
E7 Conversion and Re-Use of Rural Buildings

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

3. RELEVANT PLANNING HISTORY

- 3.1 The following planning history relates directly to the subject building:
- 3.2 PT03/1146/C84 - Erection of single storey rear extension to provide kitchen and changing/cloakroom facilities. Erection of side conservatory and installation of external mezzanine escape staircase on rear elevation. No objection 2nd June 2003
- 3.3 P97/2208 - Operation of a retail enterprise, cafe, museum and rare breeds centre. Construction of vehicular access. No objection 14th January 1998.
- 3.4 The following applications relate to the proposed redevelopment of the former Visitor Centre site:
- 3.5 PT14/034/SCR - Redevelopment of site to include 9no. new dwellings (including stable conversion). Change of use of greenhouses and former non-residential institution to Class B1a, B1b, B1c and B8 use. Change of use of former visitors centre to used car sales. EIA Not Required 25th September 2014
- 3.6 PT14/2852/F - Change of use of Shop (Class A1) to mixed use Shop (Class A1) and Cafe (Class A3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). Pending Consideration.
- 3.7 PT14/2841/F - Change of use from Visitors Centre (sui generis) to Used Car Sales (sui generis) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). Retention of portacabin sales office. (Retrospective). Pending consideration.
- 3.8 PT14/2842/F - Change of use from Storage and Distribution (Class B8) to Mixed Use, Office (Class B1a), Research and Development (Class B1b), Light Industrial (Class B1c), and Storage or Distribution (Class B8) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). Pending Consideration.

- 3.9 PT14/2840/F - Conversion of greenhouse to form industrial unit to facilitate change of use of Greenhouse (Class A1) to Office (Class B1a), Research and Development (Class B1b), Light Industrial (Class B1C) and Storage or Distribution (Class B8) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended). Withdrawn 31st October 2014
- 3.10 PT14/2839/O - Erection of 4no. buildings (Outline) for Class B1 and B8 use with all matters reserved. Withdrawn 31st October 2014
- 3.11 PT14/2836/F - Erection of 4 no. terraced dwellings and 3 no. garages with associated works. Withdrawn 3rd November 2014
- 3.12 PT14/2835/F - Erection of 2no. end terraced dwellings to existing semi-detached dwellings to form a terrace of 4no. dwellings with 2.no attached garages and associated works. Withdrawn 3rd November 2011
- 3.13 PT14/2837/F and PT14/2838/LB - Conversion of former stables to form 3no. residential units with car parking and associated works. Pending
- 3.14 PT14/3167/ADV - Display of 2no. non-illuminated post mounted signs and 1no. non-illuminated hanging sign. (Retrospective). Refused 24th October 2014
- 3.15 PT14/3692/F - Erection of attached garage to Gardens House (retrospective). Approved 19th November 2014
- 3.16 PT13/4494/TRE - Works to remove 1no. Cedar tree, 1no. Silver Birch tree. 1no. Ash tree and 1no. Beech tree covered by Tree Preservation Order SGTPO 7/10 dated 7 February 2011. Approved 21st January 2014

4. CONSULTATION RESPONSES

4.1 Tortworth Parish Council

The Parish would ask that as the proposals are quite extensive for the village the overall scheme and the detail of each application requires careful consideration by the planning authority. Following consideration of the proposals the Parish wishes to make a number of generic observations regarding the site and the overall scheme proposals for the site together with comments on each application.

The Parish very much appreciates the need to consider the site and the need to do something with the site. A considerable amount of work and thought has gone into the applications. In conclusion the Parish generally accepts the proposed multi-user site with a balance of commercial and residential uses but subject to our comments below. It does however object to some of the applications. We welcome that the commercial uses only make use of existing footprints.

Generic Issues

The main issues that the parish have identified are:

- The various reports that accompany the applications are written on the applicant's instructions. Some of the detail regarding the past uses of the site is overstated. We would question particularly details of vehicle movements.
- Given the Listed Building status of the site the proposed developments need to be sympathetic to that status.
- Highway issues are the major concern to parishioners. The B4509 is the busiest B road in the area and is the equivalent to a trunk road as the main artery from the Cotswolds to the M5 into Bristol and beyond. The road gets more and more traffic use and certainly considerably more than when the site was in use previously as a Visitor Centre.
- We can only see greater traffic use with widespread proposal for new housing in Charfield, Kingswood and beyond in the Cotswolds. This together with commercial development on Bristol's northern fringes, more local development at Renishaw in Wotton Under edge, in Yate and at Oldbury Power Station can only mean additional pressure on this road.
- The B4509 does have an accident history and parishioners wish to ensure that any development does not cause further accidents and injury.
- If the whole scheme is implemented parishioners feel that there would be a large number of traffic movements in and out of the site. Parishioners are concerned whether or not the existing access can cope with the increased use.
- The possibility of traffic backing from the brow of the top of Tortworth Hill as vehicles try to turn right into the site.
- Visibility entering and exiting the site is not good. We do not see another viable or achievable alternative access.
- Large lorries and vehicles exiting and entering the site.
- The effect on the ongoing issues at the junction at Tortworth School which has been an ongoing concern to Parishioners. There is no doubt that this junction struggles to cope at present and this development could give rise to greater issues.
- Ongoing speed issues.
- Parishioners therefore propose that further consideration needs to be given to the highways and traffic issues that the development will give rise to on this busy road. They would suggest that:
 - o This developments gives an opportunity to once again consider the problems that persist at the Tortworth School junction.
 - o Given the new proposed housing development consideration should be given to a pavement access to Tortworth School from the site.
- A small point but parishioners have raised concerns about the vegetation, scrub and small trees abutting the site against the B4509. This needs to be addressed.
- Parishioners are concerned about the additional services required by the scheme:
 - Water is there sufficient pressure for the proposals?
 - Broadband speeds are awful to Tortworth. South Gloucestershire is looking at how funding can be found to provide better Broadband to Tortworth. The parish does feel that this is important for this development and the wider parish.
- Drainage parishioners noted that the proposals include the provision of drainage to septic tanks or bio-digester. Parishioners are concerned about

the detail of the proposals. Are the proposals to make use of existing septic tanks, in which case are they fit for purpose, or install new sewage treatment works? In both cases parishioners are anxious that works are properly done given the importance of ongoing water quality in the Tortworth Brook and The Little Lake. An overall detailed scheme is required for further consideration.

- Lighting parishioners are concerned about the nature and amount of street and floodlighting on site.
- Parishioners have drawn attention to the likely possibility of bats roosting on site particularly in the existing stables (PT14/2838/LB and PT14/2837/F).
- Parishioners would like to be assured that the green area adjacent to the pond on the present entrance drive is retained.

Application Specific Comments – PT14/2843/F

- The parish objects to the proposed B8 use.

4.2 English Heritage

English Heritage welcomes this opportunity to engage in the proposed developments around the kitchen garden site at Tortworth Court. The kitchen garden and its environs contribute strongly to the significance of the Tortworth Court grade II* Registered Park and Garden and, notwithstanding their current condition, form a highly significant component of the park. From what we have seen from these applications and our visit to the site, we are of the opinion that the site would benefit greatly from the preparation and adoption of a conservation management plan. Such a plan could assess and analyse the significance of the area, and would inform any future development proposals while containing provisions for the ongoing management of the site.

We also noted from our site visit the considerable tree growth on the verge adjacent to the garden wall along the B4059. Given the significance of this wall, we would strongly advise that the tree growth be dealt with to ensure it does not undermine the structural stability of the wall.

This application proposes the change of use of an existing, redundant building. We raise no objection to this, however it is not entirely clear what use is proposed here and you should ensure that any use will not adversely affect the character or significance of the site.

We would urge you to address the above issues, and recommend that the application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

4.3 Conservation Officer

The range of potential uses and their compatibility with the adjoining parcels within the walled garden is confusing and doesn't give me confidence that the 'masterplan' for the entire site has been thoroughly considered having regard to preserving or enhancing its heritage significance. The building is one of the more solid and well-built structures on the site although it remains very utilitarian and functional in its design and external appearance. There is no indication that the building would need to be altered externally which could maintain the status quo within the site and so I have no comments from a

heritage perspective on the principle of a change of use. I note that there is an indication of interest and support from a brewing company and such a use may be compatible with the building, but I would question how this would impact on the external appearance of the building in terms of ventilation/external equipment etc and whether it will affect the amenity of the adjoining uses and the wider area.

Recommendation: No objection in principle to diversification of uses within the site, subject to clarification of uses and consideration of potential impact of external alterations. It may be advisable to seek withdrawal of application pending discussions on overall approach to site.

4.4 Archaeology Officer

No comment

4.5 Tree Officer

There has been no tree information submitted and therefore I cannot assess this proposal. Please provide a tree report to BS5837:2012 to include an arboricultural method statement, an arboricultural implications assessment and a tree protection plan.

4.6 Drainage Engineer

No drainage issues following additional correspondence.

4.7 Wessex Water

Wessex Water have no public sewers within the vicinity of the site. The applicant has indicated the proposal to dispose of foul sewerage to a septic tank. Please contact Bristol Water regarding Water Supply.

4.8 Environmental Protection

No objection in principle subject to the following:

- Noise from the brewery operations should not increase the background by 0 dB which from your note being mainly electric should be a problem.
- The issue of smell is to be controlled by a vapour recovery system contained within the building with the condensate discharging to the sewer. The system shall be operated and maintained to prevent the escape of odour.
- There should therefore be no discharge of any emissions externally and consequently no smells. For information it will be may necessary to obtain the necessary discharge consents from Wessex Water.
- Windows and doors shall be kept closed other than for access and egress of goods and people.
- Informative
Should the vapour recovery system give rise to justified complaints of smell nuisance then the Environment Health Department will require under the Environmental Protection Act 1990 that an alternative system is installed within 90 days to abate a smell nuisance.

Objection to other Class B2 uses due to impact on residential amenity.

4.8 Ecology Officer

Following further information regarding the proposals it is considered that a bat activity survey across the site is not required, provided that no additional lighting to that already present is established.

The following Conditions should be attached to planning permission, if given, as follows:-

C1 No additional lighting will be provided at the development beyond that already existing (L9).

C2 A methodology for reptile mitigation will be submitted to the LPA for approval. The development will take place in strict accordance with this approved plan (L9).

The following Informative should also be attached to permission if granted:-

As breeding birds may be present, development (including any clearance of vegetation or trees) should only take place outside the nesting season, to avoid potential offences under the Wildlife & Countryside Act 1981 (as amended) or CROW Act 2000. Generally speaking, the nesting season is March to August inclusive although it will vary according to seasonal temperatures. If vegetation removal is planned during the breeding season, an experienced ecologist must first check the vegetation within 24 hours of its removal and their advice followed.

4.9 Highway Officer

This site is subject to a number of planning applications that seek to redevelop the former grounds of Leyhill Prison, as part of the proposal the applicant has submitted a Transportation Statement that encompasses all the applications. As such my initial comments relate to the Transportation Statement and then more appropriately to the applications themselves.

The site is accessed from a single junction onto the B4509, which during peak times is relatively busy.

Visibility at this junction 102m to the left and 89m to the right, therefore given the speed of vehicles on the B4509 visibility at the junction is in excess of that required, and as such is considered acceptable.

The site is not considered to be in a sustainable location, and as such links to services such as bus stops and local facilities need to be considered. To this end the applicant is required to provide a pavement linking the site to the existing pavement network adjacent to the primary school and public transport stops within 6 months of any approval.

In terms of comparison between the extant uses on the site and the proposed uses there is disagreement between the Council and the applicant. Officers have therefore undertaken a first principles assessment of the extant uses based upon the P97/2208 Site Layout where it was recorded as being a single planning unit comprising of a visitors centre. Following investigations online it is clear that the visitor centre was open for restricted hours from 9am to 4.30pm,

meaning that the development generated minimal traffic during the network peak hours.

In terms of traffic generation it is assumed the Greenhouse and Polytunnels would have negligible traffic generation in relation to staffing as they were run by the inmates under supervision, the only vehicle movements associated with this use would have been deliveries of either compost and or exportation of the grown produce to other centres by delivery vehicle, this is expected to generate typically 1-2 HGV movements per week. Consequently there is not expected to be any traffic movements associated with this use in the network peak hours and very limited movements outside these times.

In relation to the Museum and art gallery centre element, whilst these are considered to be an ancillary use on the site for robustness they have been assessed as if they were independent uses falling within use class D1. The scale of the farm shop and café is relatively small in nature, with potentially being in either an A1 or A3 use. This is not proposed to change with the redevelopment. Given the above it is reasonable to assume that during the network peak hours therefore that the Visitor Centre generated negligible vehicle movements with off peak movements being relatively low.

Within the TA and supporting information the applicant makes comment that the business was a thriving commercial activity yet it is also noticed that in parliamentary questions the decision to close Leyhill arts and garden centre was taken because of a significant fall in income. In relation to the TA whilst the methodology for assessing vehicle trips is considered appropriate, there is a difference of opinion in relation to the former uses on the site and hence the extant traffic generation proposed by the applicant and the authority.

Clearly there is a balance to be made in relation to the need to reuse the existing buildings against the sustainability of the site. It is however acknowledged that the site was unique and ultimately sustainable in that all the employees on site were 'captive' and hence generated little or no vehicle movement. As mentioned above officers are of the opinion that the site is in an unsustainable location, which would normally be objected to as being contrary to policy CS8, however it is an existing development.

It is also acknowledged by the authority that the access is capable of accommodating addition vehicle movements and that the visibility at the entrance is appropriate for the speed of traffic on the adjacent B4509.

However, what is in disagreement between the authority and the applicant is use classes that the existing buildings fall into, and hence what their traffic generation would be.

It is noted that the whole planning unit as one site is 'sui generis'

Given the unique nature of the site Officers are happy to accept from a sustainable perspective to consider the existing traffic generation from the site to be comparable with what the site could have generated within if it were

commercially run, rather than by HMP. With any alternative uses considered against this background and not being intensified.

PT14/2843/F – The change of use from ‘sui generis’ to B1 B2 B8 would intensify the use of this unsustainable site, however, it is noted that the applicant would like to see a microbrewery on site, it is not considered that this element would generate a significant volume of vehicle movements or be so labour intensive to represent an overall intensification of this element over the extant use on the site, and as such would be considered acceptable if the application were changed to reflect this.

4.10 Economic Development

I understand that there are a number of applications for this site, and the topics addressed will be applicable to each of the proposals

On review of the application presented it is the view of the Strategic Economic Development Team at South Gloucestershire Council that we support this application and the economic benefit that the proposal brings. This view has been formed having considered this application in relation to the following strategic aims and objectives:

- South Gloucestershire 2026 Sustainable Community Strategy – Our Economy “Ensure that all parts of South Gloucestershire and all groups share the benefits of economic development, in particular priority neighbourhood areas, rural areas and disadvantaged groups including young people and families.”
- Council strategy 2012/16 - Our Economy “To have all our communities benefit from economic growth & employment opportunities”.
- South Gloucestershire Economic Development Strategy 2012-16 Action Plan
 - o “To encourage rural Enterprise and diversification - Support the development of rural workspace opportunities”
 - o Protect and develop rural sites
 - o Support SMEs especially in rural areas with hub services
 - o Identify and promote sites where firms can ‘grow on’ within the areas including those in rural areas

The proposal will enable a previous employment site to become reoccupied and productive in its rural setting, thus increasing rural employment. The proposed change of use would lead to in excess of 200 jobs being created. It will also encourage expanding businesses to relocate within the area, as opposed to occupying a site outside of South Gloucestershire. The inclusion of dwellings in related proposals for this area will allow for a potential work/live environment for residents and employees which the employment area and its businesses will benefit from.

The mixed use environment would be economically beneficial to the local area, as the possibility of a solely horticultural business would not be viable, as significant investments to the infrastructure would be required in order to achieve a high enough standard for business use. This proposal is in favour with the Local Enterprise Partnership’s aspiration to develop rural growth hubs.

In current market conditions, it is positive to see this type of development being brought forward speculatively.

In conclusion, in determining this application please take into consideration that the South Gloucestershire Council Strategic Economic Development Team supports this application.

- 4.11 Community Infrastructure Officer
The new communities team have no S106 requirements.

Other Representations

- 4.12 Local Residents
One letter has been received from a local business (Severn Vale Brewing Co.) in support of the application and one letter has been received from the Tortworth Estate Company raising a number of observations in relation to the development of the whole site. It should be noted that Severn Vale Brewing Co. are the intended occupier of the microbrewery and therefore have an interest in the proposal but are not the applicants. Their comments are as follows:

Severn Vale Brewing Co.

I am the proprietor of a local micro-brewery, Severn Vale Brewing Co. We have recently merged our business with another local brewer, Cotswold Spring Brewery Ltd and now trade together under an umbrella company, Combined Brewers Ltd. Neither of our existing premises is suitable for expansion to cope with our growing business.

We are looking for premises where we can expand our business and bring all our employees and equipment together on the same site and consider the existing building at Tortworth Business Park to be ideal for our requirements. We understand that this would require a change of use from its previous use as HMP Leyhill Visitor Centre and are writing to support the owner, Mr Parkhill in his application for this change.

Our combined business currently supports 5 full-time and 4 part-time staff and this could well increase as we become established in our larger premises.

Tortworth Estate Company

Drainage. Currently there is no mains drainage available to the site. Whilst septic tanks and a bio digester are referred to, will they be adequate to meet the needs of any of the proposed applications ensuring that the adjoining land and watercourses are not affected in any way. We would be grateful that more detail be provided.

Design and Use. - That any agreed use be in keeping with character of the site and its setting and that the materials and standard of build reflect this.

The estate would also like to comment concerning PT14/2852/F and the Change of use of shop to mixed use shop and café - Since the closure of the former visitor centre, Tortworth Farm Shop has been built, which serves the

surrounding community and there is a fast food outlet operating from the layby in the parish. As there are already existing facilities in the village the estate therefore objects to this application.

I would also refer you to P97/2208 and in particular the retail enterprise and café covered by that permission and the background and conditions attached to this. When the site was in the process of being brought to the market advice was given by the council concerning P97/2208 in ET05/3626 with particular reference to the retail enterprise and café. It stated that “it was of a less intensive use as part of the prison, not as a commercial undertaking where goods would be imported for sale.” This advice was reaffirmed by Gareth John in a meeting with the estate, a council officer at that time, in November 2008. It would therefore appear that the council’s advice then would mean that such uses would not be permitted now.

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The application seeks permission for the change of use of an existing building which is situated within the former Tortworth Visitor Centre, falling outside of the defined urban areas and settlement boundaries and within the open countryside. The application is one of a number of applications submitted on the site which seeks to redevelop the former visitor centre for employment purposes. The principle of the proposed development stands to be assessed against policies CS5, CS8, CS9 and CS34 of the Core Strategy (Adopted 2013), saved policies E6, E7, L10 and L12 of the SGLP (Adopted 2006), and the provisions of the NPPF.

5.2 The NPPF has a presumption in favour of sustainable development within which there are three dimensions: an economic role, a social role and an environmental role. These roles should not be taken in isolation because they are mutual dependent. The planning system should play an active role in guiding development to sustainable solutions. This includes seeking positive improvements to the quality of the built, natural and historic environment. The NPPF states that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong, rural economy local plans should support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings.

5.3 The above principle is broadly reflected within saved policies E6 and E7 of the Local Plan (Adopted) 2006, which permit proposals for the conversion and re-use of existing buildings for employment uses outside of the urban areas and settlement boundaries provided that: the buildings are permanent, structurally sound and capable of conversion without major reconstruction; the buildings are in keeping with their surroundings and; development – including intensification – would not have a harmful effect on the character of the countryside or amenities of the surrounding area.

- 5.4 Policies CS5 and CS34 of the Core Strategy state that in rural areas communities will be empowered to shape their own future. Policy CS5 states that in the open countryside new development will be strictly limited with small scale development allowed within the settlement boundaries. Policy CS8 of the Core Strategy states that in the interests of sustainable development new development which generates a significant demand for travel will be more favourably considered the nearer they are to existing and proposed public transport infrastructure. Developments that are car dependent or promote unsustainable travel behaviour will not be supported.
- 5.5 The application site is considered to fall within an unsustainable location being within the open countryside far beyond the established settlement boundaries and in a location very poorly served by any public transport infrastructure. The application forms part of the wider redevelopment of the Former Visitor Site and as such, whilst the site has been divided into a number of applications, the Local Authority must consider the cumulative impact of the proposed uses when combined.
- 5.6 In this respect it is noted that the proposed employment uses when combined have potential to result in a significant demand for travel and, due to the location of the site, would be entirely dependent on the car. The Council are however also mindful that the applications relate to a brownfield site, previously used as a Visitor Centre. In assessing the principle of the proposed development the cumulative use of the site, once developed, should be balanced against the extant use, and the wider benefits of the proposed developments when considered against the presumption in favour of sustainable development and the different roles that this encompasses as outlined within the NPPF.
- 5.7 In addition, the Council are further mindful that the site is situated within a sensitive location within the curtilage of the Grade II* listed Tortworth Court and on land designated as a registered historic park and garden. The Council has a statutory duty to have special regard to the impact of the development on the significance and the preservation of these heritage assets.
- 5.8 Extant Use/ Sustainability
In assessing the cumulative impact of the development proposals the Council has given weight to the extant use of the site as a 'baseline' for considering its future redevelopment. The Council and the applicant are not in agreement on the lawful use of the site with the applicant suggesting that the use of the whole site would fall under use class A1 (Retail) whilst the Council consider the extant use to be a 'Visitor Centre' (Sui Generis) encompassing a number of different functions and uses. The Council's assessment of the extant use is based on the historic application for the site ref. P97/2208 within which the following facilities are described:
- A café
 - A retail shop for the sale of gift ware, fruit and vegetables
 - A retail area for the sale of garden goods and paintings
 - Museum entitled 'farming through the ages'
 - A centre for the rare breed animals
 - Miscellaneous buildings associated with the items listed above.

- 5.9 The above functions and buildings are also identified within the 'existing site layout' plan dated Jan 1996 submitted with application P97/2208. It is noted that some of these functions are also described within the applicant's supporting documentation (legal summary).
- 5.10 The Council are of the view that the previous use of the site as a Visitors Centre, which was associated with Leyhill Prison was unique and ultimately sustainable in that all the employees on site were 'captive' and hence generated little or no vehicle movement. In assessing the functions and various uses within the Visitor Centre the Council are of the opinion that the traffic generation would be much lower than that predicted by the applicant, whose assessment is based on the extant use of the site falling under use class A1. The Council's view is consistent with the Parish Council's view that the applicant's take on the past uses and traffic generation of the site is overstated. The Council are also mindful that following investigation the visitor centre was open for restricted hours from 9am to 4.30pm, meaning that the development generated minimal traffic during the network peak hours. In summary, therefore, the Council and the applicant are not in agreement on the 'baseline' to which the redevelopment of the site is compared against.
- 5.11 In assessing the cumulative impact of the proposed development as a whole against the extant use the Council are of the opinion that the combined proposed uses would result in a greater traffic generation than the extant use. The development as a whole would be entirely dependent on the car and would therefore promote unsustainable travel behaviour contrary to the aims of policy CS8.
- 5.12 Notwithstanding the above, in assessing this application the Council are mindful that the proposed microbrewery use only would not be a significant traffic generator given that it would likely only employ approximately 8 to 9 employees and with few additional deliveries or visitors. The previously proposed B1 and B8 in this building uses would however have potential to generate greater traffic movements. Since the greenhouse and polytunnel redevelopments have been withdrawn the former arts centre (the application building) is the building which has the greatest floorspace on the former Visitor Centre with an area of 875+61sq m. In response to the Council's concerns over the sustainability of the site and the cumulative impact of the redevelopment the applicant has agreed to change the description of the development to propose the microbrewery only.
- 5.13 Since the change of description it is considered that on an individual basis the proposed change of use to a microbrewery would not have a significant impact in terms of traffic generation over the extant use. It is further noted that the development would provide an employment opportunity and would promote rural economic growth. As the building is of permanent and substantial construction the principle of the re-use of the building is considered acceptable under policies E6 and E7 which are saved policies and therefore carry weight in the determination of the application. In reaching an overall balance it is considered these matters weigh in favour of the proposed development and when considered against the three principles of sustainable development

contained within the NPPF, would meet the Government's objective of achieving sustainable development. It should be noted that this application is, as agreed with the applicant, is the first of the outstanding applications to be determined on the site. The cumulative impact of the outstanding applications is therefore to be assessed in detail on a case by case basis.

5.14 The acceptability of the principle of the development in this location is on the basis that the development would be for a microbrewery only. In the interests of retaining some control of the future use of the site and in the interests of sustainable development it is considered that a condition restricting any future change of use without the prior permission of the Local Authority would be reasonable and necessary. The applicant has not disputed a condition to this effect. Within the Highway Officer's comments a Grampian condition has been suggested for the provision of a footpath from the site to the nearest bus stop. This has been assessed against paragraph 206 of the NPPF and on this application, given that it is considered that the traffic generation from the microbrewery would be low, a condition to this effect is not considered necessary and would unreasonable burden its deliverability.

5.15 Heritage/ Design

The application site is within a sensitive location within the curtilage of the Grade II* listed Tortworth Court and on land designated as a registered historic park and garden. The application seeks permission to convert an existing building within the former Visitor Centre site. It is a double storey height building with a first floor mezzanine level. The building is one of the more solid and well-built structures on the site although it remains very utilitarian and functional in its design and external appearance.

5.16 The proposal is to convert the building and make use of the existing hardstanding area to the south of it to provide parking facilities. It is confirmed that the only alterations to the building would be internal and as such the change of use would retain the status quo in terms of visual impact. Whilst the development would not lead to an enhancement or improvement of the heritage asset it similarly would not have a harmful effect on it. Similarly there would be no material change in terms of the visual impact on the wider landscape. There are therefore no objections to the development on grounds of heritage impact or visual amenity. This is with the provision that any future extension or alteration of the building is subject to the prior consent of the Council. Part 8 of the General Permitted Development Order states that permitted development rights for industrial buildings do not apply to buildings within a listed building curtilage and as such the Council are satisfied that there is sufficient control over the future alteration or extension of the building and as such a condition is not necessary in this instance.

5.17 Comments have been made by English Heritage and the Parish Council in relation to the state of the listed wall and the vegetation which surrounds the former visitor centre area and for which this buildings enclosed by. These comments are noted however it is considered that as the wall would not be affected by this change of use in any way it would not be reasonable to request any improvements to this is as a result of this development. It is recommended that the applicant is advised of the need to repair this wall by an informative.,

5.18 Residential Amenity

The site is within close proximity to an existing residential dwelling 'The Gardens House', which is situated to the north of the building. The stables which are to the southeast of the building are also subject to applications PT14/2837/F and PT14/2838/LB which seek to convert the building into three residential units.

5.19 The proposed development has been considered by the Environmental Health Officer who had raised an objection in relation to the proposed use of the building for Use Class B2. The Officer raised concern that the B2 industrial use would result in conflict between the residential uses and the proposed nearby offices uses as a result of noise. Concern had also been raised in relation to potential odour as a result of the proposed microbrewery use.

5.20 In assessing the proposed use as a microbrewery only the Environment Health Officer has visited an existing microbrewery. It is advised that on inspection it is possible to incorporate adequate odour abatement by a vapour recovery system contained within the building. It is therefore considered that the issue of odour can be satisfactorily overcome by a suitable worded planning condition. In terms of noise the Officer advises that provided the brewery operations do not exceed the background noise levels and that windows and doors are kept closed (with the exception of entrance and egress), which can be controlled by condition, there would be no grounds for objection on this matter. The Agent advises that the business would predominantly use electrical equipment and as such any noise would not be discernible.

5.21 The application relates to an existing building and as such there are considered to be no issues in terms of loss of light, overbearing impact or loss of light, and the application raises no issues in terms of privacy. Therefore, subject to the conditions described above, there are no objections on grounds of residential amenity. This is on the provision that there would be no future change of use, including changes with the B2 use class, without the prior permission of the Council, and that deliveries to and from the site are controlled in the interests of protecting the amenity of the nearby occupiers.

5.22 Highway Safety

In terms of the impact of the development on highway safety it is noted that concern has been raised by the Parish Council in relation to proposed intensification of the use of the existing access point from the B4059 and the visibility available at the junction. In this regard it is noted that the applications are supported by a combined Transport Statement which has been assessed by the Council's Transport Officer. The Transport Officer has confirmed that the visibility at the junction is 102m to the left and 89m to the right. Given the speed of vehicles on the B4509 the existing visibility at the junction is in excess of that required, and as such is considered acceptable in highway safety terms.

5.23 The issue of traffic generation in sustainability terms has been considered in detail within paragraphs 5.8 to 5.14 of this report and on balance has been considered acceptable. Whilst the Highway Officer had raised an objection to the development on sustainability grounds the Officer has raised no objection

on highway safety grounds confirming that the access is capable of accommodating the traffic that would be generated by the proposed development when considered cumulatively. The development would be served by the existing hardstanding parking and turning area to the front of the building which is considered adequate for the proposed use. There are therefore no grounds for objection in highway safety terms.

5.24 Drainage

In terms of drainage the Agent confirms that the building is connected to a pumping station located on the property and this then drains through an existing foul main which connects into the existing foul sewer from the prison and eventually into the sewage treatment works to the west. The building also has existing surface water drainage that runs to soakaways.

5.25 The Agent also confirms that the development would not result in any additional hardstanding areas over the existing situation. Although it is noted that on the plans the land directly to the east of the building has been identified as car parking when it is currently scrubland/ vegetation the Agent confirms that this area will not be laid to hardstanding and this can be secured by a condition. The drainage, foul sewage disposal and surface run off associated with the building would therefore remain as existing. On receiving this clarification the Drainage Officer has confirmed that they are in agreement with the Agent's record in this regard and as such does not have any drainage issues to raise. The development is no longer required to provide details of the drainage prior to the commencement of development given that there would be no material increase in water run off or disposal arising from the proposal over the extant use.

5.26 Trees

It is noted to the east of the building there is a mature tree on the existing vegetated area/ open space. No arboricultural information has been received in support of the application. The Tree Officer had requested details of this. Notwithstanding this, given that the development does not propose any external alterations or engineering operations and given that it has been confirmed that there will be no hardstanding areas added to the development site, it is not considered that the development would give rise to any unacceptable impacts on the health or visual amenity of the nearby trees. As such an arboricultural impact assessment will not be necessary for the proposed development.

5.27 Ecology

The former Tortworth Visitors Centre is currently lying vacant largely consisting of disused greenhouses and polytunnels, a number of other buildings (including the application building), hardstanding and ruderal vegetation. There are two fields of improved (botanically poor) grassland to the north west and south east of the site. The site itself is not subject to any nature conservation designations, but it is surrounded by the parkland, broad-leaved woodland and hedgerow of the ecologically rich Tortworth Estate.

5.28 The applications are supported by an ecological report (Wessex Ecological Consultancy, dated July 2014). The Ecology Officer outlines the most material findings as follows:

- Great crested newt (gcn) in a site pond within 500m of the proposals – fully protected under the Conservation Regulations 2012. One gcn was recorded in this pond and this, coupled with the generally inhospitable habitat on the site, the existence of a stone wall separating the pond from the site, and highly suitable foraging and hibernation habitat around the pond, means that there is a negligible risk of this species being impacted by the development. Therefore no gcn mitigation is proposed. Gcns are protected under the Conservation Regulations 2010 and the Wildlife and Countryside Act 1981.
- The report states that the site has low bat potential, but I consider, given the importance for bats of the woodland to the south-west and north-east of the site, the site is likely to have potential to be used as a bat commuting corridor, disturbance or destruction of which may impact on local bat populations. This species tends to follow consistent routes. Bats are given full protection under the Conservation Regulations 2010 and the Wildlife and Countryside Act 1981.
- Potential (low) for bats in a stable block;
- Potential for reptiles - protected under the Wildlife and Countryside Act 1981;
- Nesting birds – nesting birds are protected under the Wildlife and Countryside Act 1981.

5.29 In terms of the ecological issues identified above it is noted that the only matter which raises significant concern is the impact of the development on the local bat populations. The Ecology Officer had originally requested a bat activity survey is required to establish bat use of the site. This would be carried out during the months of May to September, and would be conducted twice per month, due to the proximity of known lesser horseshoe maternity roosts, one lying within 1.5km to the north of the site and one within 900m to the south. Key bat commuting routes if found may impact on site design.

5.30 On reflection of the above request the Officers are mindful that since the withdrawal of the greenhouse redevelopments the proposals consist of conversions only and as such the site would retain a status quo in terms of impact from buildings. No external lighting is proposed as part of the application and the Agent confirms that there is no intention to install any. It is considered that based on the outstanding proposed developments on this application the external lighting would be the only issue that could have a prejudicial impact on the bat commuting corridors. Therefore, it is considered that subject to a condition removing the ability to install any external lighting or floodlighting, the developments would not give rise to an unacceptable impact on the local bat population. A condition is therefore recommended to this effect.

5.31 The ecological report further recommends that if slow worms are found then a mitigation strategy should be drawn up. This would involve translocating slow worms to a nearby area, which could be within either the north-western or

south-eastern fields. A commitment to suitable management of the receptor site would be required. It is considered that within the application site the issues that could arise from the development would be in the form of clearing any vegetation/ overgrowth from the hardstanding areas that has built up over the years. It is therefore considered that condition requiring the submission of a mitigation survey to be submitted for approval prior to any external clearance would be necessary and reasonably related to the development proposal.

5.32 Obligations

The development proposals have been considered cumulatively and it is considered that there is no requirement for any off site or on site financial contributions arising from the development proposals.

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. The premises shall be used for a microbrewery and for no other purpose (including any other purpose in Class B2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to the Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason

In order that the Local Planning Authority can assess the impact of any future change of use on the environment and in the interests of the amenity of the nearby occupiers, to accord with saved policies E6 and E7 of the South Gloucestershire Local Plan (Adopted) 2006, policy CS8 of the South Gloucestershire Local Plan Core Strategy (Adopted) 2013, and the provisions of the National Planning Policy Framework 2012

3. Notwithstanding plan ref. APP1, for the avoidance of any doubt, this decision does not grant permission for the laying of any additional hardstanding areas or engineering operations to facilitate the additional car parking area to the east of the building

Reason,

In the interests of the health and visual amenity of the nearby tree, in the interests of the visual amenity of the site and in the interests of the environment, to accord with policy CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) 2013, and the provisions of the National Planning Policy Framework 2012

4. The rating level of noise emitted from the microbrewery operations shall not exceed the existing background noise (LA90T) by 0dB or more as measured on the boundary of the site. The measurements and assessment shall be made in accordance with the provisions of BS4142:1997

Reason

To protect the residential amenity of the neighbouring occupiers and to accord with saved policies E6 and E7 of the South Gloucestershire Local Plan (Adopted) January 2006, and the provisions of the National Planning Policy Framework 2012

5. No machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the following times 07:30 to 18:00 Mondays to Fridays (inclusive), 08:00 to 13:00 Saturdays, nor at any time on Sunday or Bank Holidays

Reason

To protect the residential amenity of the neighbouring occupiers and to accord with saved policies E6 and E7 of the South Gloucestershire Local Plan (Adopted) January 2006, and the provisions of the National Planning Policy Framework 2012

6. Prior to the first use of the microbrewery hereby permitted a vapour recovery system shall be installed within the building with the condensate discharging to the sewer. The system shall be operated as such thereafter and maintained to prevent the escape of odour.

Reason

To protect the residential amenity of the neighbouring occupiers and to accord with saved policies E6 and E7 of the South Gloucestershire Local Plan (Adopted) January 2006, and the provisions of the National Planning Policy Framework 2012

7. Throughout the operation of the microbrewery use hereby approved all external windows and doors shall be kept closed other than for the access and egress of good and people.

Reason

To protect the residential amenity of the neighbouring occupiers and to accord with saved policies E6 and E7 of the South Gloucestershire Local Plan (Adopted) January 2006, and the provisions of the National Planning Policy Framework 2012

8. No external lighting, floodlighting or external illuminations other than safety lighting over exits shall be installed on the site at any time.

Reason

In the interests of protected species and visual amenity and to accord with saved policies L1 and L9 of the South Gloucestershire Local Plan (Adopted) 2006, and policy CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) 2013

9. Prior to the commencement of any clearance of any vegetation or overgrowth on the external areas surrounding the application building a methodology for reptile mitigation shall be submitted to and approved in writing by the Local Planning Authority. Thereafter development and external clearance of vegetation shall take place in strict accordance with the approved details.

Reason

In the interests of protected species to accord with saved policies L9 of the South Gloucestershire Local Plan (Adopted) 2006, and policy CS9 of the South Gloucestershire Local Plan Core Strategy (Adopted) 2013

ITEM 14

CIRCULATED SCHEDULE NO. 04/15 – 23 JANUARY 2015

| | | | |
|----------------------------------|-----------------------------------------------------------------------------------------------|-------------------------|----------------------------------------------|
| App No.: | PT14/4099/F | Applicant: | Mr Graham Pickering Brookton 2000 Limited |
| Site: | Tesco Express 2 Ratcliffe Drive Stoke Gifford Bristol South Gloucestershire BS34 8UE | Date Reg: | 27th October 2014 |
| Proposal: | Erection of extension to existing retail store to provide enlarged store and new shop unit | Parish: | Stoke Gifford Parish Council |
| Map Ref: | 362161 179983 | Ward: | Stoke Gifford |
| Application Category: | Minor | Target Date: | 12th December 2014 |



© South Gloucestershire Council 2015.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 Stationary Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
100023410, 2014.

N.T.S. PT14/4099/F

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

The following report appears on the circulated schedule following objections received from two local residents.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of a single storey extension to an existing retail store to provide an enlarged store and a new shop unit.
- 1.2 The application site comprises a single storey retail store (Use Class A1) located to the east of Ratcliffe Drive. The site, along with four additional retail units located to the north, forms a local centre. The site is located in the north fringe of the Bristol urban area within the defined Stoke Gifford urban boundary.
- 1.3 The extended and reconfigured retail space within the proposed development will provide a total of 158 square metres (approx.) of additional ground floor retail space. The proposed new shop would have a floor area of 106 square metres (approx.), and the existing convenience store would gain only 52 square metres (approx.) of additional floor space.
- 1.4 Planning permission was originally sought for a two-storey extension with 5no. flats at first floor level; however, this application was withdrawn.
- 1.5 During the course of this application the agent was notified of concerns expressed by the Urban Design Officer who requested changes to the appearance and design of the proposed extension. Responses received by the Council have justified why the design should stay as proposed and this is covered in more detail in the design section below.

2. POLICY CONTEXT

- 2.1 National Guidance
National Planning Policy Framework March 2012

- 2.2 Development Plans

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

T12 Transportation Development Control Policy for New Development

L5 Open Areas within the Existing Urban Areas and Defined Settlements

RT8 Small Scale Retail Uses within the Urban Areas and the Boundaries of Small Settlements

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design

CS4a Presumption in Favour of Sustainable Development

CS5 Location of Development

CS9 Managing the Environment and Heritage

CS14 Town Centres and Retail

CS25 Communities of the North Fringe of the Bristol Urban Area

- 2.3 Supplementary Planning Guidance
The South Gloucestershire Design Checklist SPD (adopted)

3. RECENT PLANNING HISTORY

- 3.1 PT14/1656/F, Erection of extensions and alterations to existing retail unit to 1no. additional retail unit and 5no. self-contained flats with associated works, withdrawn, 08/09/14.

4. CONSULTATION RESPONSES

- 4.1 Stoke Gifford Parish Council
Local member to call to sites. Residential amenity and parking concerns highlighted in relation to this application. Noted that post box is not illustrated on drawings.

- 4.2 Other Consultees

Transport Engineer

The proposal is for an increase in the retail floor area of the Tesco store by 57.5 m sq., and one new retail unit of 105.9m sq.

The total new retail floor area therefore would be 157.6m sq.

The development results in a reconfiguration of the service yard.

No objections subject to conditions relating to a Management Plan.

Urban Design Officer

The existing parade is characterised by its tired rudimentary appearance, on this locally prominent corner. The proposal is also for a new (wholly re-built) store. It should not therefore be treated as an extension, i.e. to match the existing.

The proposal thus provides an opportunity to provide a 'fresh' approach (as befitting the brand). It also provides an opportunity to enhance surveillance and provide additional active frontage to the adjoining footpaths in accordance with good design practice.

Objection. Core Strategy policy CS1(1) requires that proposals respect and ENHANCE the character, distinctiveness and amenity of both the site and its context. It is therefore considered that the existing approach fails adequately to enhance the character and distinctiveness of the locality nor do the 'blocked' up poster panels provide enhancement in terms of the amenity of the area. It is therefore requested that further consideration is given to the materials, i.e. replace the brick with further render or timber boarding (as their client has been keen to promote on larger stores elsewhere in recent years) and the AO poster frames are replaced with windows to provide transparency and surveillance of / to the nearby footpath/highway.

Highway Structures

No comment

Other Representations

4.3 Local Residents

Two letters of objection have been received from local residents:

- The Transport Report is completely incorrect, of which your planning committee was made aware during their last site visit. The number of vehicles and type of vehicle movements are completely wrong
- The other shops do not rely on Tesco for their trade, they are stand alone businesses
- The area has been gridlocked because of over development since its original design
- Where will the builders store their materials and equipment?
- How will the hundreds of children and adults who use the pavement alongside each day be safe guarded?
- Will the historic dividing hedge which was required to remain under the original development be protected or destroyed?
- In this area we are overwhelmed with supermarkets and convenience stores
- We feel this bigger development of the original store is totally unnecessary
- The submitted Transport Report emphasizes the opportunities to cycle to and from the site and in view of the limited availability of car-parking spaces it is essential that as many customers as possible do cycle however, the cycle access is unsatisfactory. The path between the site and the bottom of Hatchet Lane is used by cyclists from Radcliffe Drive who are unwilling to cycle in the busy traffic on Hatchet Road. It is also used by vulnerable pedestrians e.g pensioners with zimmer frames trying to access the Post Office. The proposal to erect 'cyclist dismount' signs is a completely inadequate response to this problem and will reduce safety since it will prevent cyclists from being able to use quiet Hatchet Lane and force them into busy Hatchet Road.
- The application should be refused until the developer commits to provide a separate cycleway between Hatchet Lane and Radcliffe Drive and to provide improved cycle access to the enlarged Tesco Express and neighbouring shops leaving the existing footway for use by pedestrians
- The new cycleway should cross the vacant land between the existing footway and the road and if this land is not owned by the developer then the developer should provide sufficient funding to enable the Council to build the new cycleway. The developer should also be required to fund a zebra crossing at the entrance to Radcliffe Drive
- The developer's intention to provide proper cycle parking is to be commended – this should comply with the Council's new guidelines (even if these are in draft form) – in particular the cycle stands should be positioned far enough from the wall to allow usage by full-sized bikes

5. **ANALYSIS OF PROPOSAL**

5.1 Principle of Development

The site is in the north fringe of the Bristol urban area, and the defined Stoke Gifford settlement boundary. Policy CS5 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013 sets out that the largest share of new development will take place in this location, as this is where essential infrastructure is in place or planned, and this will reduce the need to travel and commute.

- 5.2 The National Planning Policy Framework (NPPF) states that Local Planning Authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. However, the NPPF also promotes the provision of community facilities such as local shops to enhance the sustainability of communities and residential environments.
- 5.3 The site is designated as a local centre/parade within the Council's adopted Core Strategy. Accordingly, the proposal is for new retail facilities within an existing centre, which is in accordance with the overall aims of the NPPF. Weight is also given to the fact that policy RT8 of the South Gloucestershire Local Plan (adopted) January 2006, which is a saved policy, allows for small scale retail uses within the existing urban areas and the boundaries of settlements. Planning policies generally safeguard local centres and shops as they provide an essential and valuable service to the community, particularly to those who do not have a car. Accordingly, the proposal represents an opportunity to consolidate the existing local centre by improving and providing an additional retail facility for the community. Policy CS14 of the Core Strategy states that development in local centres/parades will be to meet local needs only, of a scale appropriate to the role and function of the centre/parade, and where it would not harm the vitality and viability of other centres.
- 5.4 Consideration is therefore, required as to whether the proposed development is of a scale that would meet local needs only, and the effect on the viability and vitality of existing town centres. The proposal will provide a total of 158 (approx.) square metres of additional ground floor retail floor space by extending to the south side of the existing store. However, the floor area of the existing main convenience store will only increase by a net amount of 52 square metres (approx.). A reconfiguration of the existing internal layout will result in the majority of the additional ground floor retail area providing a new separate retail unit of 106 square metres (approx.). Accordingly, it is considered that the proposed new retail unit, and the extended convenience store, will be of a scale that is consistent with the purpose of the local centre and would serve the needs of the local area only; it is not considered that there will be a significant adverse effect on the viability or vitality of existing Town Centres.
- 5.5 Given the sustainable location of the site, the fact that the proposal will help consolidate an existing local centre, and will provide small scale retail facilities for the local community, it is considered that the proposal represents sustainable development that is acceptable in principle. The main issues to consider are the appearance/form the proposal and the impact on the character of the area; the environmental effects; the residential amenity effects; and the transportation effects.

5.6 Design Context

The site is on the corner of a roundabout junction off Hatchet Road, which is a primary commuter route. The surrounding area is characterised by 1980s estate development which backs onto the main highway resulting in a car dominated environment. The existing side elevation of the store is cushioned from Hatchet Road by a grass area, which contains trees and vegetation. This area contains a footpath which links the front of the Local Centre (Ratcliffe Drive) with Hatchet Road. The flank wall of the store is located to the north of the footpath, and this is a solid brick wall. With vegetation providing screening on the opposite side of the footpath, the area has little surveillance and has an isolated feel for pedestrians. The trees and vegetation on the site do not make a significant contribution to the character of the area. Accordingly, the proposal represents an opportunity for a high quality scheme to improve the amenity of this area of the site, and there are no objections in the context of policy L5 of the Local Plan (saved policy).

5.7 Appearance

The existing building is single storey with red brick walls and a concrete hipped roof; it is linked to a similar style two-storey terrace building. Policy CS25 of the Core Strategy requires development proposals to promote the distinctiveness of the Bristol North Fringe as a whole, and Officers have negotiated with the applicant to try to achieve a higher quality design.

5.8 The main retail unit comprises a pitched gabled form, with a lower splayed section to the side with a flat roof behind a parapet wall. Access is through the north side elevation via bi-parting glazed entrance doors; the front elevation comprises a large area of glazing within grey aluminium frames; the side elevation adjacent to the footpath comprises 3no. recessed feature brick panels (basket weave bond) for detailing, with cant brick soldier courses to the perimeter, and with space for advertisement poster frames.

5.9 The additional retail unit proposed is located within the hipped roof part of the existing building and comprises two large areas of glazing as well as the entrance door within grey aluminium frames in the front elevation, and a new shop front unit in the north side elevation.

5.10 The applicant has specified the materials render and brick to match the existing building for the walls, and concrete roof tiles for the roof to match the existing building.

The design of the extension is sympathetic to the existing buildings; however, as these do not comprise any significant architectural merit, the applicants were advised to take a different approach, especially as the majority of the existing store will be demolished, which would respond better to the constraints and opportunities of the site, to provide a distinctive high quality design in a prominent location and increase the level of transparency and surveillance in the area. The applicant has not acceded to this request and provided more justification to each of the points raised by the Urban Design Officer.

- 5.11 With regard to the suggestion that the whole building be rendered the applicant has responded with the justification that brickwork façades are generally more robust and less prone to graffiti. In response to a 'green roof' the applicant has stated that there would be limited ecological benefits as the roof itself would bring minimal visual amenity to the area as it is not directly overlooked and furthermore, would have additional potential cost and drainage implications given the scale of development. In reply to the suggestion that glazing be introduced to the roof gable for added interest, the applicant has indicated this would further compromise the overall appearance as the internal design of the shop requires a internal ceiling line at approximately 2.9 metres which would in turn require an internal bulkhead to be placed against any such glazing. In response to additional windows to the side, security implications were cited but brickwork detailing as mentioned above, will help to visually break up and add interest to this elevation.

It is considered that the applicant has justified the design of the scheme and, on balance, it is considered to be acceptable and appropriate to the character of the area and location in general.

5.12 Landscaping

The applicant has moved the flank wall of the building further away from the footpath to allow landscape planting to be undertaken to the front of the wall to soften its appearance from the footpath. If permission is granted, a condition is recommended for a planting plan to be agreed with the Local Planning Authority.

Officers have worked hard in trying to secure a more distinctive, fresher design; however, the applicant has not acceded to the officers requests. Notwithstanding this, on balance, given the benefits the scheme will bring in terms of improving the vitality and viability of an existing centre through the provision of an additional retail unit, the proposal is acceptable in terms of design.

5.13 Residential Amenity

The closest neighbouring property to the site is No. 14 Hatchet Road, which is located to the southeast of the existing building. The southeastern boundary of the site abuts the neighbouring garden. Careful consideration is therefore, required regarding the impact on occupiers. The proposed extension will be approximately 5.4 metres from the neighbouring property and approximately 2 metres from the neighbouring garden at the closest points. The proposal will result in a 4 metre (approx.) brick wall extending the full length of the neighbouring garden. Although the proposal will be visible from windows in the rear elevation of the neighbouring property, it will be at an oblique angle, and therefore, on balance, it is not considered that the outlook of occupiers will be significantly adversely affected.

- 5.14 The proposal will be visible from the neighbouring garden due to its height and proximity to the boundary. However, weight is given to the fact that the proposal would be stepped in from the boundary by approximately 2 metres; and vegetation is growing on the boundary; therefore, on balance, it is not considered that there will be a significant adverse overbearing impact on the

garden of the neighbouring property. The extension is located to the northwest of the neighbouring property; therefore, whilst there may be some loss of light late in the afternoon, it is not considered that there will be a significant adverse effect in terms of loss of natural light.

5.15 No windows are proposed in the rear (eastern) elevation of the extension; therefore, the privacy of neighbouring occupiers will not be significantly adversely affected. All other neighbouring properties are located at a sufficient distance from the site to not be significantly adversely affected.

5.16 Sustainable Transport
Parking

There are currently 21no. car parking spaces to the rear of the local shopping centre and 9no. to the front. There is a medical centre behind the shops and a school behind the medical centre. A car park occupancy survey was carried out on Friday 11th July 2014. This time was selected as it represented a busy weekday when the school was open. The car parks to the front and rear of the shops operated at about 55% capacity spread across the whole day. Two of the three car parking areas reached 100% capacity during the afternoon school pick up time however there were still 4no. unoccupied spaces in the other car park.

5.17 The Council's maximum car parking standard for retail use is 1 space per 5sq m. Highway Engineers have also interrogated the TRICS database and established by looking at 6 other local retail centres that the average maximum parking accumulation is around 1 space per 35sq m. of floor space. If this was a new stand alone store the maximum parking demand would be $157.5 / 35 = 4.5$ spaces.

5.18 Research into retail parking demand has shown that where there is a store extension and there are other retail stores sharing the same car park the demand for parking is reduced because of shared trips. The demand is also reduced if there are other attractors nearby using the same or adjacent car parks as in this case where there is a school and medical centre very near the shops.

5.19 The application site is also in the middle of the residential area it serves and good access is provided by bus and train services. For these reasons it is reasonable to reduce the parking demand by 50%, which results in an additional maximum parking demand at the site of between 2no. and 3no. spaces. These additional cars can be accommodated in the car park even if they arrived at the busiest time of the day.

5.20 The Council's standard requires less than the maximum standard to be provided where the site has good access to public transport and shared public parking is available.

5.21 The proposal also includes 4no. additional under cover cycle parking hoops which would accommodate 8no. cycles which is in excess of the Council's minimum standard of 4no. spaces.

5.22 Servicing

The service yard has been reduced in size. The proposed service area has been tested with the swept paths of a 10m delivery vehicle which is the expected size of vehicle to be used by Tesco. The swept path demonstrates that service vehicles can safely access load and unload in the service area. It is not anticipated that there will be significant increase in delivery vehicles because existing delivery lorries will be able to carry any extra goods sold, however it is recognised that there will be a slight increase and the developer has proposed a Delivery Management Plan covering the following items:

- i. Clearly defined servicing hours;
- ii. Efforts to optimise (reduce) vehicle size and frequency of movements;
- iii. Measures to ensure that drivers switch off engines on arrival at the site to avoid causing noise nuisance to local residents or unnecessary pollution;
- iv. A forum to enable liaison and engagement with local Members and other interested parties in order that any concerns or complaints can be addressed, and
- v. Delivery and servicing movements to be recorded and reviewed to ensure that objectives and targets are being met.

- 5.23 Officers would also add to this list measures to manage safe customer parking and ensure safe access to the development for pedestrians and cyclists when servicing is taking place.

The convenience store deliveries are predicted to be :

3x daily deliveries and 1 weekly delivery all by 10m rigid vehicles.

Deliveries for the other retail store would depend on the end user. It is generally the case that convenience stores generate more deliveries than other shops.

Given the above there are no transportation objections to the scheme subject to conditions attached to the decision notice.

5.24 Environmental Impacts

Given that the proposal would involve an existing retail unit which is already part of an existing local retail area, it is considered that it would not give rise to any unacceptable environmental issues over and above those already existing.

5.25 Other Matters

Comments have been received stating that the other retail units in the rank of shops are stand alone and do not rely on Tesco and that the area is already inundated by convenience stores. These are not matters that can be covered under the remit of this planning application which has considered the proposal against planning policies and which has been deemed to accord with policy.

Concern has been expressed regarding where builders materials will be kept, how the public will be able to use the footpath and the retention of the historic hedge. An informative attached to the decision notice will indicate that the public footpath must not be blocked during construction. The hedge is outside the application site and so would not be part of any development. It plays an

important contribution to the visual amenity of the area and could provide a haven for some wildlife and or birds. An informative will therefore be attached to the decision to reflect this.

Safety issues re cyclists have been raised. The Highway Engineer has assessed the application and considers that the provisions for cycle parking have been met under the proposal. Improvements to the existing cycle network including a new zebra crossing, cannot be considered under this application and the application is not sufficiently large enough to require any financial contributions to be made. Furthermore, such contributions are strictly limited with any qualifying proposal having to match strict criteria.

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 conditions written on the decision notice.

Contact Officer: Anne Joseph
Tel. No. 01454 863788

CONDITIONS

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

Reason

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

2. A site specific Construction Environmental Management Plan (CEMP), shall be agreed in writing with the Local Planning Authority prior to commencement of work. The CEMP as approved by the Council shall be fully complied with at all times.

The CEMP shall address the following matters:

- (i) Measures to control the tracking of mud off-site from vehicles.
- (ii) Measures to control dust from the demolition and construction works approved.

- (iii) Adequate provision of fuel oil storage, landing, delivery and use, and how any spillage can be dealt with and contained.
- (iv) Adequate provision for the delivery and storage of materials.
- (v) Adequate provision for contractor parking.
- (vi) Measures to ensure the safety of the public accessing the shops and car parks during the construction works.

Reason:

In the interest of highway and public safety during the construction works and to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) 2006.

3. The development shall not be opened for business until a Delivery Management Plan for the completed development has been submitted to and approved in writing by the Local Planning Authority.

The DMP shall include

- (i) Clearly defined servicing hours;
- (ii) Efforts to optimise (reduce) vehicle size and frequency of movements;
- (iii) Measures to ensure that drivers switch off engines on arrival at the site to avoid causing noise nuisance to local residents or unnecessary pollution;
- (iv) A forum to enable liaison and engagement with local Members and other interested parties in order that any concerns or complaints can be addressed, and
- (v) Delivery and servicing movements to be recorded and reviewed to ensure that objectives and targets are being met.
- (vi) Measures to manage safe customer parking and ensure safe access to the development for pedestrians and cyclists when servicing is taking place.

The approved Delivery Management Plan shall be implemented for as long as the development exists.

Reason:

In the interest of highway and general public safety and to accord with Policy T12 of the South Gloucestershire Local Plan (Adopted) 2006.

4. The development shall not open for business until the cycle parking spaces have been provided in accordance with the submitted details.

Reason:

To promote sustainable transport choices and to accord with Policy T8, T12 and RT8 of the South Gloucestershire Local Plan (Adopted) 2006 and Policy CS8 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 2013.

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

To screen the development from adjacent property and to protect the character and appearance of the area to accord with Policies RT8 and L1 of the South Gloucestershire Local Plan (Adopted) January 2006 and Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted) 11 Dec. 2013 and SPG Note 'Trees on Development Sites' adopted Nov 2005.

6. Prior to the first use of the site for the purposes hereby approved, all car parking plus turning areas shall be provided in accordance with the submitted and approved Drawing No URB.SG.08.00.06.D00 'Proposed Site Block Plan' and such measures shall be maintained satisfactorily on site thereafter and used only in conjunction with the site's purpose.

Reason

In the interests of highway safety in accordance with Policies T8, T12 and RT8(A) of The South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

7. The retail units hereby approved shall not be open to customers outside of the following hours:

08.00hrs - 22.00hrs Mon-Sat including Bank Holidays and 10.00hrs-17.00hrs Sundays.

Reason

To protect the residential amenity of neighbouring occupiers in accordance with Policy RT8 (B) of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

8. No deliveries shall be taken at or despatched from the service yard of the units hereby approved outside the hours of 07:00hrs to 22:00hrs Mondays to Saturdays and 08:00hrs to 20:00hrs on Sundays and Bank Holidays.

Reason

To protect the residential amenity of neighbouring occupiers in accordance with Policy RT8 (B) of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

9. The hours of working on the site for the period of any demolition and construction of the development hereby approved, shall be restricted to 07.30 to 18.00 Monday to Friday and 08.00 to 13.00 Saturday and no working shall take place on Sundays or Public Holidays. The term 'working' shall, for the purpose of clarification of this condition include: the use of any plant or machinery (mechanical or other), the carrying out of any maintenance/cleaning work on any plant or machinery deliveries to the site and the movement of vehicles within the curtilage of site. During the demolition and construction phases, any use of the site outside these hours shall have the prior written consent of the Local Planning Authority.

Reason

To protect the amenities of the occupiers of nearby dwelling houses, and to accord with Policy RT8(B) of the South Gloucestershire Local Plan (Adopted) January 2006

10. There shall be no overnight parking of refrigeration lorries on the site that is the subject of this permission.

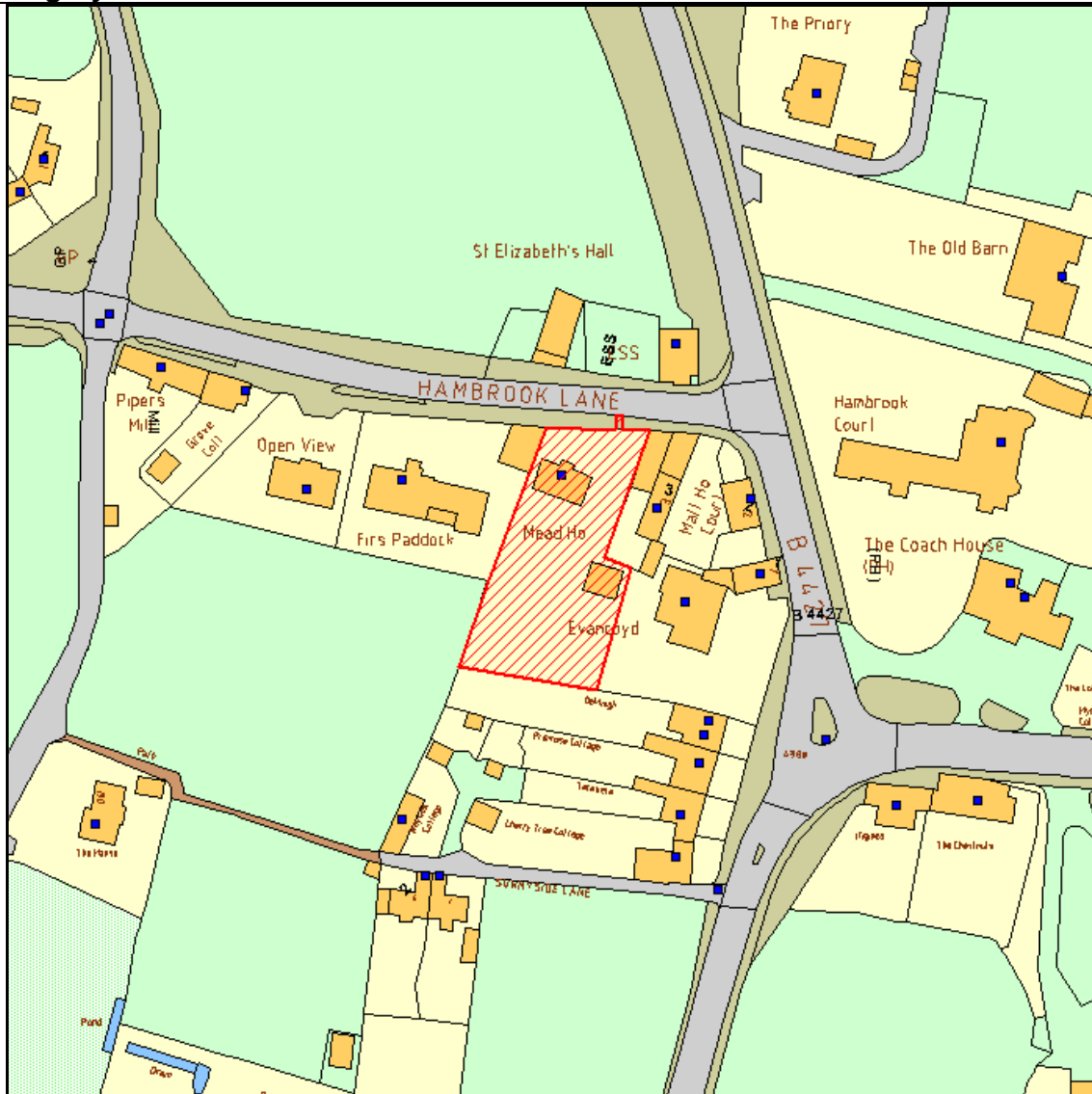
Reason

To protect the residential amenity of neighbouring occupiers in accordance with Policy RT8(B) of the South Gloucestershire Local Plan (Adopted) 6th Jan 2006.

ITEM 15

CIRCULATED SCHEDULE NO. 04/15 – 23 JANUARY 2015

| | | | |
|------------------------------|-----------------------------------------------------------------------------------|---------------------|--------------------------------|
| App No.: | PT14/4196/F | Applicant: | Mr C Heaton |
| Site: | Mead House Hambrook Lane Hambrook Bristol South Gloucestershire BS16 1RT | Date Reg: | 6th November 2014 |
| Proposal: | Conversion of existing garage with associated works to form 1 no. dwelling. | Parish: | Winterbourne Parish Council |
| Map Ref: | 364069 179037 | Ward: | Winterbourne |
| Application Category: | Householder | Target Date: | 30th December 2014 |



© South Gloucestershire Council 2015.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 Stationary Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 100023410, 2014. N.T.S. PT14/4196/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 decision.

1. THE PROPOSAL

- 1.1 This application seeks planning permission to convert an existing two storey garage to form a new dwelling in the residential curtilage of the existing residential dwelling known as Mead House. This application also includes the associated works required to form such a dwelling, these include:
 - on the southern elevation: the insertion of a dormer window, and three doors;
 - on the western elevation: the insertion of two sets of the glazed large windows and;
 - on the northern elevation: the insertion of two small windows.
- 1.2 The application was initially to convert the existing garage to an ancillary dwelling to Mead House with associated works. However, the proposed dwelling was not considered to be ancillary to Mead House and has consequently been considered as the conversion of an existing garage to a new dwelling.
- 1.3 The proposal is positioned off Hambrook Lane and located within the settlement boundary of Hambrook, a settlement 'washed over' by the Green Belt. In addition to this, the curtilage of the host dwelling, abuts the grade II listed property, Evancoyd (to the east) and also the grade II listed property, Oakleigh (to the south east). The proposal is also located in the Hambrook Conservation Area.
- 1.4 There has been a previous attempt to gain planning permission for the conversion of the existing garage to a detached dwelling with associated works under planning ref. PT13/0341/F, this application was refused (see below). This application is largely different to the previous application, as the current proposal makes limited external changes.
- 1.5 Over the course of the application amended plans have been submitted, namely to reflect requested revisions to the proposed dormer window and also the extent of the residential curtilage. Such amendments were not considered to be significant enough to warrant re-consultation.

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 Development within Existing Residential Curtilages, Including Extensions and New Dwellings

L12 Conservation Areas
L13 Listed Buildings
T7 Cycle Parking
T12 Transportation Development Control

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS4A Presumption in Favour of Sustainable Development
CS5 Location of Development
CS8 Improving Accessibility
CS9 Managing the Environment and Heritage
CS15 Distribution of Housing
CS16 Housing Density
CS17 Housing Diversity
CS18 Affordable Housing

2.3 Supplementary Planning Guidance

Residential Parking Standard SPD (Adopted) December 2013
South Gloucestershire Design Checklist SPD (Adopted) August 2007
Development in the Green Belt SPD (Adopted) June 2007

3. RELEVANT PLANNING HISTORY

- 3.1 PT13/1927/F Approve with Conditions 17/07/2013
Erection of attached garage with study above.
- 3.2 PT13/0341/F Refusal 03/04/2013
Erection of two storey side and single storey side extension to facilitate conversion of existing garage and office to 1 no. detached dwelling and erection of single storey side extension of Mead House to provide garage with study over.

Refusal reasons:

- The proposed new dwelling would be contrived in its appearance given its back land position adjoining the boundary and in view of the flat roofed single-storey front extension proposed. The application is therefore considered to be contrary to Planning Policies D1, H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006 and the South Gloucestershire Design Checklist (Adopted) Supplementary Planning Document (Adopted).
- The site is located within a 'washed over' village in the Bristol/ Bath Green Belt where only infill residential development is permitted. It is considered that the proposal does not fall within the definition of infill development and the proposal is therefore considered to be inappropriate development within the Green Belt that by definition is harmful to the openness of the Green Belt and which would also impinge on the openness of the Green Belt. The proposal is therefore considered to be contrary to Planning Policies GB1, H2 and H4 of the South Gloucestershire Local Plan (Adopted) January 2006

and Development in the Green Belt (Adopted) Supplementary Planning Document.

- The proposed new dwelling, by virtue of its design, scale and close proximity to Evancoyd (a Grade II Listed building), as well as the further subdivision of the associated garden, would have a harmful impact on the setting of the listed building and the character and appearance of the Hambrook Conservation Area. The proposed development is therefore considered to be contrary to Planning Policies L12 and L13 of the South Gloucestershire Local Plan (Adopted) January 2006.

- | | | | |
|-----|-----------------------------------------------------------------------|----------|------------|
| 3.3 | PT03/1228/F | Refusal | 09/06/2003 |
| | Erection of four bedroom detached house and garage. | | |
| 3.4 | P99/1050 | Approval | 29/03/1999 |
| | Erection of detached double garage with storage and games room above. | | |

4. CONSULTATION RESPONSES

- 4.1 Winterbourne Parish Council
Objection, this property is within the Green Belt.

4.2 Other Consultees

Highway Drainage

No objection, however, the drainage team have suggested advice regarding the extent and materials used when surfacing the area surrounding the proposed dwelling. This advice will be included in full as an informative note with any permission granted.

Highway Structures

No Comment

Conservation Officer

No objection, with regard to the layout of the site, intervening vegetation and boundary treatment, the orientation of the listed building and views from the public realm, the proposal will not have a harmful impact. Regarding the proposed dorm, it would be wise to reduce the width to a double casement and also to condition large scale details of the dormer to ensure its design, detailing and use of material are appropriate.

Sustainable Transport

No objection, however, the officer suggested a condition ensuring two covered and secure cycle parking spaces are provided for the existing and proposed dwellings.

Other Representations

- 4.3 Local Residents
None Received

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

Policy CS5 of the adopted Core Strategy supports small scale infill development within defined settlement boundaries - the proposal is located in the defined settlement boundary of Hambrook.

Saved Policy H4 of the South Gloucestershire Local Plan (adopted January 2006) is supportive in principle of development within the curtilage of existing dwellings, subject to considerations of design, residential amenity and highway safety. In addition to this, policy CS1 of the adopted Core Strategy requires development to be of the highest possible design quality. As well as this, saved policy L12 of the adopted Local Plan suggests development within a Conservation Area will only be permitted where it would preserve or enhance the character and appearance of the Conservation Area.

Policy CS17 of the adopted Core Strategy is supportive of housing development in gardens, only where the character of the area would be adversely affected. CS16 of the adopted Core Strategy requires housing development to make efficient use of land, but suggests the density of new development should be informed by the character of the local area and such developments must provide adequate private outdoor space.

With regard to the Green Belt, the NPPF permits extensions and alterations of a building provided that it does not result in disproportionate additions over and above the size of the original building. This application only involves very limited alterations to the existing garage and does not seek to extend the existing garage.

5.2 Design and Impact on the Conservation Area/Listed Building

Mead House and the existing detached garage are built within the former ground of Evancoyd, a grade II listed detached Georgian house. A previous planning application under ref. PT13/0341/F involved the extension of the garage and consequently converting this garage into a dwelling. This was refused on a number of grounds involving design; the Green Belt and importantly the impact it would have on Evancoyd and the conservation area. The Council's conservation officer has submitted comments regarding this application and is of the opinion the proposed works would not have a harmful impact of the setting of Evancoyd or the conservation area.

Planning ref. PT13/0341/F was refused on a number of grounds, one of which involved the impact the subdivision of the existing garden would have on the Hambrook Conservation Area and Evancoyd. This application does involve the subdivision of the existing garden, as demarcated on the revised 'Proposed Site Plan (dwg no. PL-10a)', but to a much smaller degree, and the conservation officer has expressed no objection to this subdivision.

The proposal includes the addition of a dormer window on the south elevation. This dormer will have a dual pitched roof and will extend from the roof a maximum of 2.1 metres and have width of 1.5 metres. The conservation officer has expressed concerns regarding the proposed dormer window, the applicant

has responded to these concerns through reducing the window from a triple casement window to a double casement window which presents a window where the proportion of dormer cheek to window is more proportionate and the dormer window is considered to be much more acceptable. To further ensure this dormer window has an acceptable design and utilises materials appropriately, a condition will be attached to any permission granted, requiring details of the dormer are submitted to the Local Planning Authority prior to the construction of the dormer window.

As well as this, the associated works include a number of windows and doors being inserted on the south, north and west ground elevations - none of which face neighbouring dwellings. It is a concern that little details of the materials to be used have been submitted, the only material suggested is the finish to the elevations, which has no works proposed. Accordingly, a condition will be imposed on any permission granted to ensure the proposed alterations match the existing building and are congruent with the surroundings.

The dwelling would be of a modest size with only two bedrooms, a kitchen/living room, a bathroom and a WC. However, the proposal represents an efficient use of land and helps to provide a mix of dwellings in the locality, which does not have adverse affect on the character of the area. From this it is clear that the proposal satisfies policy CS16 and CS17 of the adopted Core Strategy.

Overall, the design, with the conditions noted within this report, is of an acceptable standard which respects the existing site, the neighbouring listed buildings and the Conservation Area. Accordingly, the proposal satisfies policy CS1, CS17 and CS9 of the adopted Core Strategy and the saved policies L12 and L13 of the adopted Local Plan.

5.3 Residential Amenity

As a result of this proposal, the residential amenity of the neighbouring occupiers must not be detrimentally impacted. The proposed dormer window could result in some indirect views into neighbouring gardens, but such views are not expected to result in a material loss of privacy. The external elevations of the proposal are not being altered in terms of dimensions, apart from the dormer window. Accordingly, the proposal is not expected to have a materially overbearing impact or result in a significant loss of light to the neighbouring occupiers.

Therefore, the proposal would not result in any materially detrimental impacts on the residential amenity of neighbouring occupiers. As such the proposal is considered acceptable in terms of saved policy H4 of the adopted Local

The proposal will have a modest size garden, and as consequence will only remove a small section of the existing dwelling's garden, meaning both the proposed and existing dwelling will have a sufficient level of private amenity space. Consequently according with policy CS17 of the adopted Core Strategy.

5.4 Green Belt

This application does not seek to extend the existing garage, the only exterior alterations the proposal will make are limited, notably only a dormer window. This proposed dormer window is not considered to be a disproportionate addition to the existing building, and the proposal is not considered to detrimentally impact the openness of the Green Belt.

The proposed dwelling is in the same location as a previously refused dwelling under planning ref. PT13/0341/F. This application is vastly different to the proposal considered within this report, as the extent of the previous proposals work was considered to be of such a degree it constituted almost a new building and dwelling in this location. It was therefore considered inappropriate development in the Green Belt as the proposal did not represent 'infill development'. Although the proposal considered under this report is in the same location as the previously refused application (PT13/0341/F), this application is only a conversion of an existing garage with limited works to facilitate this. Accordingly, weight must be attached to the limited harm the proposal will have on the Green Belt, and the proposal is therefore considered to satisfy relevant Green Belt policy.

5.5 Permitted Development

In order to prevent any further additions or alterations which could have a detrimental impact on the visual amenity of the site and its context, and also the setting of the Conservation Area and the listed building, Evancoyd, and the Green Belt, householder permitted development rights under Schedule 2, Part 1 of the GPDO will be removed through condition.

5.6 Highways

Saved policy T7 of the adopted Local Plan requires converted dwellings to have minimum of two secure, undercover spaces provided for dwellings with 2 or more bedrooms. Accordingly, the transport officer has requested that two secure cycle spaces are provided for the proposed dwelling and also two secure cycle spaces are provided for the existing dwelling. The existing dwelling currently has sufficient space to store two bicycles within the recently built garage, afforded planning permission under ref. PT13/1927/F. The proposed dwelling has space demarcated on the Proposed Site Plan (dwg no. PL-10a), in front of the north elevation for such cycle storage. However, no elevations of such a store have been provided, and as the permitted development rights for the property will be restricted, a condition will be applied to any permission granted to ensure such a cycle storage facility is implemented prior to the occupation of the dwelling.

The Council's residential parking standard requires dwellings with two or less bedrooms to have a minimum of one car parking space, and dwellings with four bedrooms to have a minimum of two car parking spaces. Both of which have been demonstrated on submitted plans, to ensure this a condition will attached to any permission granted. Accordingly there are no transport objections to this proposal.

6. CONCLUSION

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

7. RECOMMENDATION

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

Contact Officer: Matthew Bunt
Tel. No. 01454 863131

CONDITIONS

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

Reason

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

2. Notwithstanding the provisions of Schedule 2 of the Town & Country Planning (General Permitted Development) Order 1995 (as amended) (or any Order revoking and re-enacting that Order with or without modification) no development as specified in Part 1 (Classes A, B, D, E, F, G and H), other than such development or operations indicated on the plans hereby approved, shall be carried out without the prior written consent of the Local Planning Authority.

Reason

In the interests of visual amenity, the openness of the Green Belt and the character and appearance of the setting of the listed building Evancoyd and also the Hambrook Conservation Area, in accordance with Policy CS1, CS9 and CS17 of the Core Strategy (adopted) December 2013; saved Policy L12 and L13 of the South Gloucestershire Local Plan (adopted) January 2006; the Development in the Green Belt SPD (Adopted) June 2007; and the relevant Green Belt policy within the NPPF.

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

Reason

In the interests of visual amenity, and the character and appearance of the setting of the listed building Evancoyd and also the Hambrook Conservation Area, in

accordance with Policy CS1, CS9 and CS17 of the Core Strategy (adopted) December 2013; saved Policy L12 and L13 of the South Gloucestershire Local Plan (adopted) January 2006.

4. Prior to the occupation of the hereby permitted dwelling, the parking area located to the north of Mead House and the parking space located to the east of the permitted dwelling, shall be constructed and thereafter retained, in accordance with the 'Proposed Site Plan (dwg no. PL-10a)'.

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 Residential Parking Standard SPD (Adopted) December 2013

5. Prior to the occupation of the hereby permitted dwelling, details of the cycle store located to the north of the permitted dwelling must be submitted to the Local Planning Authority for consideration and subsequently completed.

Reason

To ensure the satisfactory provision of cycle storage facilities and in the interest of sustainable transport choices, and to accord with saved Policy T7 of the Local Plan (adopted) January 2006.

6. Prior to the commencement of development the detailed design of the new dormer window, including cheeks, eaves, window and cills, shall be submitted and approved in writing by the local planning authority. The details shall be at a scale of 1:5 including sections. The works shall be completed strictly in accordance with the agreed details.

Reason

In order to ensure that the works are of an appropriate standard of design serving to preserve the character and appearance of the conservation area, in accordance to adhere with Policy CS1, CS9 and CS17 of the Core Strategy (adopted) December 2013 and saved Policy L12 and L13 of the South Gloucestershire Local Plan (adopted) January 2006.

ITEM 16

CIRCULATED SCHEDULE NO. 04/15 – 23 JANUARY 2015

| | | | |
|----------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|--------------------------------|
| App No.: | PT14/4763/F | Applicant: | Mr Rafiq |
| Site: | Priestlands 32 Mapstone Close Hambrook Bristol South Gloucestershire, BS16 1RN | Date Reg: | 11th December 2014 |
| Proposal: | Installation of 2no. dormers to facilitate conversion of roof space over garage to residential annexe. (Resubmission of PT14/3147/F) | Parish: | Winterbourne Parish Council |
| Map Ref: | 363975 179210 | Ward: | Winterbourne |
| Application Category: | Householder | Target Date: | 2nd February 2015 |



© South Gloucestershire Council 2015.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, 2014.

N.T.S.

PT14/4763/F

REASON FOR REPORTING TO THE 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 erection of 2no. pitched roof dormers east wing of the dwelling to facilitate the conversion of the roofspace of the garage to form a residential annexe.
- 1.2 The application relates to a substantial detached dwelling situated outside of the defined settlement boundaries and within the adopted Bath/ Bristol Green Belt.
- 1.3 The application is a re-submission of application ref. PT14/3147/F, which was for 2no. pitched roof dormers and 1no. flat roof dormer, refused on 6th October 2014 for the following reasons:
 1. *The application site is situated within the adopted Bath/ Bristol Green Belt and the proposed development does not fall within any of the limited categories of development normally considered appropriate in the Green Belt because the development would result in a disproportionate addition over and above the original building. In addition, the applicant has not demonstrated that very special circumstances apply such that the normal presumption against inappropriate development in the Green Belt should be overridden. The proposal is therefore, contrary to the provisions of the National Planning Policy Framework 2012; policies CS5 and CS34 of the South Gloucestershire Local Plan Core Strategy (adopted) December 2013; saved policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006, and the Development in the Green Belt SPD (adopted) June 2007*
 2. *The proposed flat roof dormer to the east elevation would result in a bulky, domestic and visually intrusive addition to the site failing to respect or enhance the character and distinctiveness of the site and the locality and, failing to preserve the visual amenity of the Green Belt. The development is therefore contrary to policies CS1 and CS34 of the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013, saved policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006, the Development in the Green Belt SPD (adopted) June 2007, and the provisions of the National Planning Policy Framework 2012.*

2. POLICY CONTEXT

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

2.2 Development Plans

South Gloucestershire Local Plan Core Strategy Adopted December 2013

CS1 High Quality Design
CS5 Location of Development
CS34 Rural Areas

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

H4 Development within Existing Residential Curtilages

2.3 Supplementary Planning Guidance

Development in the Green Belt SPD (Adopted) 2007
Residential Parking Standards SPD (Adopted) 2013

3. RELEVANT PLANNING HISTORY

- 3.1 PT14/3147/F - Installation of 3no. dormers to facilitate conversion of roof space over garage to residential annexe. Refused 6th October 2014
- 3.2 PT13/2005/F - Installation of 4no dormer windows and 3no velux rooflights to provide granny annex accommodation. Approved 23rd July 2013
- 3.3 P96/2348 - Erection of carport and conservatory. Approved 14th October 1996
- 3.4 P94/2113 - Erection of extension to existing garages. Approved 9th October 1994
- 3.5 P94/1161 - Erection of detached double garage (in accordance with amended plans received by the council on 11 march 1994 and 17 march 1994) Approved 30th March 1994
- 3.6 N1210/4 - Erection of two storey extension to form dining room and playroom with three bedrooms and bathroom over. Erection of three garages. Approved 17th September 1981
- 3.7 N1210/3 - Erection of two storey extension to dwelling to provide lounge, dining room and cloakroom with bathrooms, two bedrooms and balcony above; alterations to dwelling and garage, formation of additional vehicular access. Approved 15th January 1976
- 3.8 N1210/2 - Erection of extension to existing dwelling to form W.C. and kitchen with enlarged bedroom over (in accordance with the submitted revised plan number H/OGR/4/a). Approved 14th August 1975
- 3.9 N1210/1 - Erection of boarding kennels for dogs in curtilage of existing dwelling. Refused 12th June 1975
- 3.10 N1210 - Change of use of first floor of existing barn to residential. Refused 15th May 1975

4. CONSULTATION RESPONSES

4.1 Winterbourne Parish Council

Strong objection. No individual reason has been given for this development in the green belt and in these revised plans there is no resubstantiation for the development. It could become a separate dwelling and should the plan be approved, councillors would like a condition that it should not be sold as a separate dwelling.

4.2 Transportation DC

No objection

4.3 Highway Drainage

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 erection of 2no. dormers to the roofspace above a triple garage in order to form a residential annexe. The site is situated within the adopted Bath/Bristol Green Belt and within the open countryside. Section 9 of the NPPF affords substantial weight to any harm to the Green Belt making it clear that Local Authorities should regard the construction of new buildings in the Green Belt as inappropriate. Exceptions to this are outlined within paragraphs 89 and 90 of the NPPF. Amongst others the NPPF identified the following type of development as an exception:

“The extension of a building provided that it does not result in disproportionate additions over and above the original building”

5.2 The above is also reflected within saved policy H4 of the SGLP (Adopted 2006) and the Development in the Green Belt SPD (Adopted 2007) which state that in the Green Belt extensions to dwellings will be acceptable in principle provided they do not result in disproportionate additions over and above the original building and would not prejudice the openness of the Green Belt. Other pertinent issues include residential amenity, highway safety and design.

5.3 Green Belt

The application relates to a detached dwelling situated within a large plot accessed from Mapstone Close to the east of Old Gloucester Road. From viewing the planning history of the site it is clear that the dwelling has been substantially extended in the past including double storey extensions to the north elevation, the erection of numerous garages, a conservatory and more

recently the installation of dormers to the northern wing of the building to form an annexe.

5.4 The previous application was refused on the grounds that the 2no. dormers and 1no. flat roof dormer would result in a cumulative disproportionate addition over and above the original dwelling. The current application is a re-submission of this previously refused application seeking only 2no. pitched roof dormers on the west facing roof slope of the east wing of the building.

5.5 In terms of the current proposal it is noted that the proposed dormers would only partially extend the roofspace of this wing of the dwelling and as such the volume increase is very limited. In assessing the impact of these two dormers it is considered that in terms of the openness of the Green Belt the extended area and volume increase would only be marginal in the context of this site and, as the dormers are facing inwards, would not be visible from or prejudice the open area the east. The previously refused application had a large flat roof dormer to the east facing roof slope which would have a much greater impact on openness and for which the disproportionate nature of the extensions would be much more apparent.

5.6 In reaching an overall balance it is considered that in the context of the site, the very marginal increase in volume that would result from the 2no proposed dormers would not appear disproportionate and would not impact openness given that they are inward facing and contained within the body of the already extended building. It is considered therefore that the removal of the large flat roof east facing dormer has removed the in principle Green Belt objection in this respect. It is considered on balance that an objection to the two west facing dormers alone could not be upheld as it is not considered that these dormers would have materially greater impact on the openness of the Green Belt than the existing site.

5.7 Design

The application relates to a substantial detached dwelling situated within a large plot. The building has been extended over the years into a U-shape with the main bulk of the dwelling being double storey with single storey pitched roof wings to the north and east of the site. Although the dwelling is relatively well screened to the north and west boundaries the roof of the garages on the east boundary are visible across the agricultural fields from the highway. The locality has a rural and open appearance reflecting the character of the Green Belt and open countryside.

5.7 Within the previously refused application Officers raised no concern in relation to the design or siting of the 2no. west facing dormers given that these would be well screened from public views and would be in keeping with the character and appearance of the existing building. The plans also indicate that materials would match the existing. The second refusal reason related to the impact of the flat roof east facing dormer. Given that the flat roof dormer has been removed from the development proposal it is considered that the Officer's previous objection on grounds of design has been overcome.

5.8 Residential Amenity

The proposed dormers would be to the eastern wing of the dwelling above the triple garage. The dormers would not look onto and would remain an appreciable distance from the nearest neighbouring property to the north (Rockwood Break). There are no other neighbouring properties in close proximity that may be prejudiced by the development. The dwelling is situated on a large plot with a large garden area and as such there are no concerns in terms of private amenity space. Accordingly there are no concerns in terms of residential amenity.

5.9 Highway Safety

The dwelling is served by a private access and driveway with a courtyard parking area capable of accommodating in excess of three parking spaces which is in accordance with the Council's minimum standards. There are therefore no concerns in terms of parking provision or highway safety.

5.10 Other Matters

The Parish Council has raised concern that the proposed annexe would be used as a separate planning unit. These comments are noted however on assessment Officers are satisfied that the development is at a scale which would be sufficiently subservient and ancillary to the host dwelling. A condition is recommended to secure this for the avoidance of any doubt. An informative is also recommended in order to make the applicant aware that any future subdivision would require planning permission in its own right.

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. The annexe accommodation hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Priestlands, 32 Mapstone Close, Hambrook.

Reason

For the avoidance of any doubt and to accord with saved policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006

ITEM 17

CIRCULATED SCHEDULE NO. 04/15 – 23 JANUARY 2015

App No.: PT14/4802/F
Site: Sunnymead Bristol Road Frenchay
Bristol South Gloucestershire
BS16 1LQ

Applicant: Yeo And Andrews Ltd.
Date Reg: 15th December 2014

Proposal: Erection of 1no detached dwelling and
1no attached garage with associated
works and creation of new access

Parish: Winterbourne Parish
Council

Map Ref: 363654 178104
Application Minor

Ward: Frenchay And Stoke Park
Target 4th February 2015

Category:

Date:



© South Gloucestershire Council 2015.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, 2014. N.T.S. PT14/4802/F

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

The application has been referred to the Council's Circulated Schedule procedure, following an objection from a local resident which is contrary to the recommendation detailed in this report.

1. THE PROPOSAL

- 1.1 This application seeks planning permission for the erection of 1 no. detached two storey dwelling within the residential curtilage of Sunnymead, along Bristol Road in Frenchay.
- 1.2 A new access is proposed from Bristol Road, and a detached garage which is to be attached to the existing garage serving Sunnymead.

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
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
CS25 Communities of the North Fringe of Bristol Urban Area

South Gloucestershire Local Plan Adopted January 2006 Saved Policies

H4 Development within Existing Residential Curtilages
T7 Cycle Parking
T12 Transportation

- 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 PT14/2548/F Approve with conditions 20/08/2014
Demolition of existing dwelling to facilitate erection of 1no. replacement dwelling and garage with associated works.
This planning permission relates to the dwelling to the north-east of Sunnymead.

- 3.2 PT04/0159/F Refusal 13/02/2004
Erection of two storey and first floor extension to existing detached garage to form garden room with store/games room over.
Refusal reason:
The proposed extension to the garage, by reason of its size, design and external appearance and relationship to the main dwellinghouse and neighbouring properties, would harm the character and identity of the area and, if allowed, would detract from the visual amenities of the locality.
- 3.3 P92/2380 Approval 15/11/1992
Erection of two storey granny annexe extension to form ground floor living room and kitchen with bedroom and bathroom over. Erection bay window
- 3.4 P87/1907 Approval 24/06/1987
Erection of detached double garage

4. CONSULTATION RESPONSES

4.1 Winterbourne Parish Council
No objection.

4.2 Other Consultees

Highway Drainage

No objection subject to conditions and informatives.

Highway Structures

No comment.

Sustainable Transport

No objection subject to conditions.

Other Representations

4.3 Local Residents

One letter of objection has been received raising the following points:

- The new house is facing our plot and the rear elevation consists of four upstairs windows, two of which are very large. Must they be so large?
- The proposal adds to the overlooking which will be caused by PT14/2548/F. Previously the garden was totally private.
- The ridge height seems very high, and the proposal has a full length ridge rather than a hipped design which is more common in Frenchay and would reduce the impact
- We wonder if the style blends in with the other houses in the area, which are typically bungalows with upstairs accommodation facilitated by dormer windows
- The design is large and imposing and squeezed into a narrow plot
- Four other houses share the manhole indicated on the plans, and the drainage system blocks on average once per year. I hope the capacity will be improved.

- If permission is granted, could the developer be bound to provide tall planting to the rear/side boundary as a consideration to neighbours?

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

The site lies within the Bristol North 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 and scales. The proposed site is within a row of largely unaltered 1920's bungalows, however a replacement two-storey dwelling has been approved and development commenced to the north-east side of Sunnymead. The opposite side of Bristol Road exhibits two storey dwellings, and a development of flats up to three storeys in height. The host dwelling, Sunnymead, which separates the development site from the 1920's bungalows, has been subject to a number of past extensions and alterations which are considered to have eroded the original character. It has a prominent and wide-set gable facing the highway with mock Tudor detailing, a two storey clad gable atop the south-west roof slope, single storey extensions with a hipped roof, and a flat roof addition which spans more than the rear width of the property.

5.3 Sunnymead benefits from a large residential curtilage, and the new dwelling is to be situated to the south-west. The proposed dwelling has four small gables with a lower ridge height and perpendicular to the main gable, and there is also a small pitched roof feature in the centre of the eaves on the rear and front elevation. The principal elevation, facing Bristol Road, has two large, hipped bay windows at ground floor level, and a lean-to canopy over the front door. The rear elevation benefits from larger windows, a set of patio doors and also a glazed folding screen providing access into the garden. The side elevations have only small openings. Traditional finishes have been proposed such as cills and stone lintels above the windows and doors, and two brick chimney stacks. The detached garage to the front of Sunnymead is to be partially demolished and rebuilt to provide a double garage for both the existing dwelling and the proposed dwelling. The design of the new part of the garage matches the existing, and will appear as if part of the original outbuilding.

5.4 An objection from a neighbour has been received stating that the proposal is too large for the narrow plot and has been squeezed in. This comment has been noted, however it is considered that the linear layout of the plot is acceptable, typical of the area (particularly the dwellings to the north along Old Gloucester Road) and the footprint of the dwelling takes up less than a third of

the proposed site. It has also been suggested that the ridge is too high and the style does not fit into the character of the area. Whilst there are many bungalows in the vicinity, the host dwelling, Sunnymead, has a unique two storey design on the side which will face the proposal, and the replacement dwelling which is currently being erected to the north-east is two storey with a ridge height of 8 metres. The proposed dwelling also has a ridge height of 8 metres, and so the three two-storey dwellings together will have a positive impact on the public realm, exhibiting a variety of styles and making effective use of the space. The proposal is therefore considered to be acceptable in terms of policies CS1 and CS16 of the Core Strategy (Adopted) December 2013.

5.5 Residential Amenity

Residential amenity should be protected in order for the development to accord with saved policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006. The development is not considered to have an impact on no. 41 to the south-west due to the significant boundary treatment including evergreen trees, and the only upper floor facing windows proposed are small, with one serving an en-suite and one serving a bedroom. Sunnymead, which is the host dwelling situated to the north-east, has facing windows serving principal rooms. In order to prevent loss of mutual privacy between facing windows, a condition will be added to the decision notice to ensure that the windows proposed on the north-east elevation are obscure glazing, which is reasonable as the windows serve a bathroom and an en-suite. The position of the new dwelling will cause some loss of light to the patio area of Sunnymead adjacent to the conservatory, however due to the large area of garden to the rear of Sunnymead which will be unaffected it is considered that, on balance, the harm to the residential amenity of the occupiers is not significant enough to warrant a reason for refusal.

5.6 The distance between the proposed dwelling's rear windows and two properties to the rear, Elwyn Lodge and no. 42 Old Gloucester Road, is acceptable, however following an objection from a property to the rear it is noted that due to a lack of tall boundary treatment, the rear garden of no. 42 will feel exposed if the proposal is erected. It has been suggested by the objector that a landscaping scheme be imposed and this is considered to be a reasonable request, and can be dealt with by condition. It will require that a landscaping scheme be submitted, agreed and implemented along the north-east and north-west boundaries, which will address the concerns raised whilst also prevent overlooking from Sunnymead into the garden of the proposed house. The new boundary treatment between the two has not been specified and so the condition will also require the details of a boundary treatment to be submitted.

5.7 The proposal will create a five-bedroom property, and adequate amenity space will remain for the new dwelling and the existing dwelling. The proposal is therefore considered to be acceptable in terms of policy H4 of Local Plan (Adopted) January 2006.

5.8 Transport

The parking and turning areas proposed are large enough for the minimum three parking spaces required for a five bedroom dwelling. A double garage is

also proposed, however it is 0.5 metres shorter than the minimum internal measurements required for a parking space, but is adequate for the parking of cycles and for storage.

5.9 The Council's Transport Officer has been consulted with regards to the new access, who has stated that in the absence of a speed survey, visibility splays of 2 metres by 54 metres must be provided in both directions, based on a vehicle doing 34 miles per hour on a 30 miles per hour highway such as Bristol Road. The provision of these splays seems feasible at the site, and so will be sought by means of a condition in the event of a recommendation for approval. There is no transportation objection to the proposal.

5.10 Drainage

Comments have been received regarding the drainage system, which a neighbour states is under strain and already gets blocked at least once per year. To ensure that adequate drainage is provided, a condition on the decision notice will require the developer to submit a drainage details including a Sustainable Urban Drainage System to the Council for approval, for flood prevention, pollution control and environmental protection.

6. CONCLUSION

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

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

7. RECOMMENDATION

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

Contact Officer: Trudy Gallagher
Tel. No. 01454 862217

CONDITIONS

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

Reason

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

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

Reason

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

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; proposed planting (and times of planting); boundary treatments and areas of hardsurfacing shall be submitted to the Local Planning Authority for approval. The landscaping scheme should provide screening along the north-east and north-west boundaries. Development shall be carried out in accordance with the agreed details.

Reason

To protect the visual amenity of the area to accord with policy CS1 of the South Gloucestershire Core Strategy (Adopted) December 2013, and to allow for mutual privacy between neighbouring occupiers to accord with policy H4 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. The development shall not be occupied until the car parking and turning and access arrangements have been completed in accordance with the submitted details.

Reason

In the interests of highway safety and to accord with policy CS8 of the Core Strategy (Adopted) December 2013 and to accord with the Residential Parking Standards SPD (Adopted) December 2013.

5. The dwelling shall not be occupied until visibility splays measuring 2m set back x 54m in both directions to the carriageway edge at a height of 1.05m above the road surface have been provided and those parts of the splays within the application site retained as such thereafter.

Reason

In the interests of highway safety and to accord with policy CS8 of the Core Strategy (Adopted) December 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.

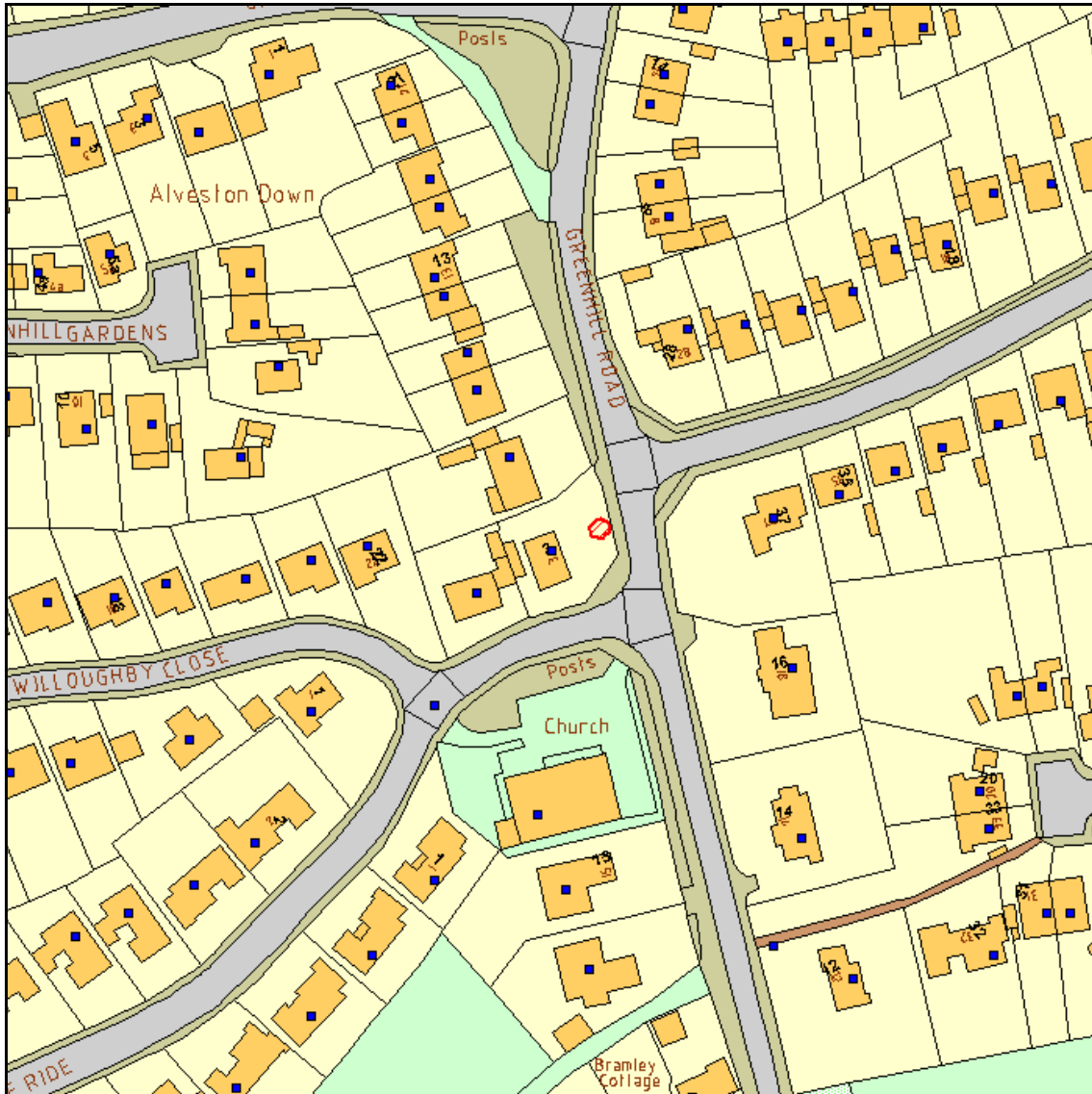
Reason

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

ITEM 18

CIRCULATED SCHEDULE NO. 04/15 – 23 JANUARY 2015

| | | | |
|----------------------------------|-----------------------------------------------------------------------------------------------------------------------|-------------------------|---------------------------------|
| App No.: | PT14/4849/TRE | Applicant: | Mr Webster |
| Site: | Chippings Wolfridge Ride Alveston South Gloucestershire BS35 3RA | Date Reg: | 17th December 2014 |
| Proposal: | Works to section fell 1no. Dawn Redwood covered by Tree Preservation Order TPO458 confirmed 15th February 1995. | Parish: | Alveston Parish Council |
| Map Ref: | 363241 187885 | Ward: | Thornbury South And Alveston |
| Application Category: | | Target Date: | 9th February 2015 |



© South Gloucestershire Council 2015.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, 2014. N.T.S. PT14/4849/TRE

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

Comments have been received in relation to this application that are contrary to the Planning Officer's recommendations.

1. THE PROPOSAL

- 1.1 Works to section fell 1no. Dawn Redwood covered by Tree Preservation Order TPO458 confirmed 15th February 1995.

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 PT00/3188/TRE, Site Address: The Chippings, Wolfridge Ride, Alveston South Gloucestershire BS35 3RA, Decision: REFU, Date of Decision: 02-JAN-01. Proposal: Felling of dawn redwood tree covered by Tree Preservation Order.

4. CONSULTATION RESPONSES

- 4.1 Alveston Parish Council
No objections

Other Representations

4.2 Local Residents

A letter of support has been received from a neighbour. The reasons given are as follows:

1. When in full leaf the tree obscures the neighbour's view of traffic
2. If the tree fell it could feasibly damage the roof of the neighbouring property.

5. ANALYSIS OF PROPOSAL

- 5.1 Works to section fell 1no. Dawn Redwood covered by Tree Preservation Order TPO458 confirmed 15th February 1995.

5.2 Principle of Development

The only issues to consider are whether the proposed works would have an adverse impact on the health, appearance, or visual amenity offered by the tree to the locality and whether the works would prejudice the long-term retention of the specimen.

5.3 Consideration of Proposal

The subject tree is a well formed dawn redwood tree in a prominent location to the front of Chippings, Wolfridge Ride.

- 5.4 It is considered that the tree offers significant amenity to the local landscape.
- 5.5 The main reasons given for removal by the applicant are not supported by any professional structural report. Upon inspection the South Gloucestershire Council maintained footpath was not displaying any significant disruption as a result of root activity.
- 5.6 Leaf fall is a seasonal part of a deciduous tree's life cycle and should not be a consideration for tree removal.
- 5.7 The neighbour's concerns over visibility of traffic can be addressed through the judicious pruning back of relevant lower branches.
- 5.8 Upon inspection, there was no obvious defect or disease noted in the tree and no reason to believe the tree's stability is compromised in any way. Furthermore, no supporting evidence has been provided by the tree owner or the neighbour to suggest that the tree is unstable.

6. RECOMMENDATION

- 6.1 That permission is REFUSED.

Contact Officer: Phil Dye
Tel. No. 01454 865859

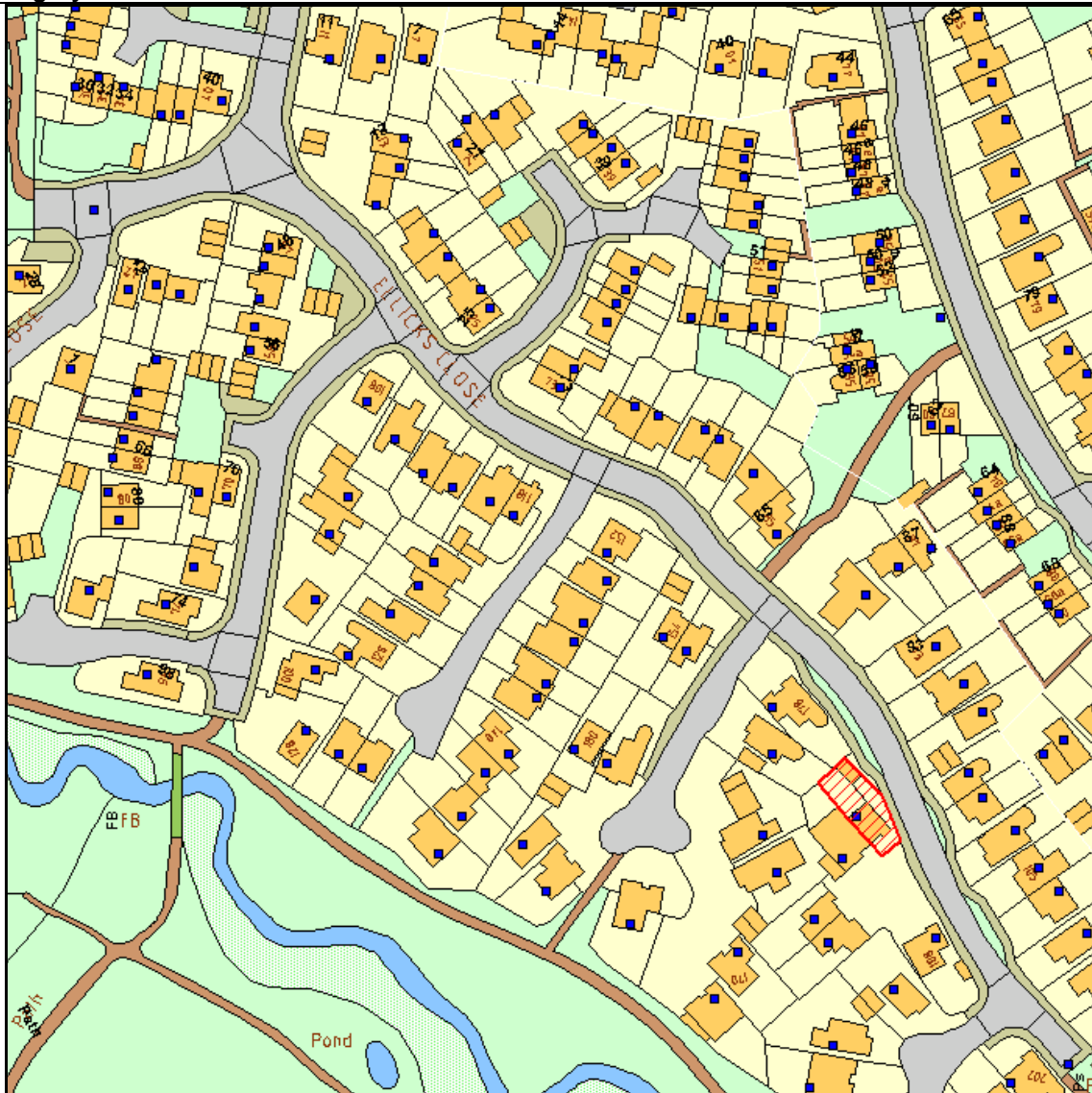
REASONS FOR REFUSAL

1. Reason
The proposed works would be detrimental to the visual amenity of the locality and as such are contrary to policy L1 of the South Gloucestershire Local Plan (Adopted) January 2006; and policies CS1 and CS9 of the South Gloucestershire Local Plan: Core Strategy (Adopted) December 2013.

ITEM 19

CIRCULATED SCHEDULE NO. 04/15 – 23 JANUARY 2015

| | | | |
|------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|---------------------------------------|
| App No.: | PT14/4980/PNH | Applicant: | Mr Fabrizio Fazzino |
| Site: | 180 Ellicks Close Bradley Stoke Bristol South Gloucestershire BS32 0EU | Date Reg: | 5th January 2015 |
| Proposal: | Erection of single storey rear extension, which would extend beyond the rear wall of the original house by 3.5 metres, for which the maximum height would be 3.45 metres and for which the height of the eaves would be 2.25 metres | Parish: | Bradley Stoke Town Council |
| Map Ref: | 362261 182442 | Ward: | Bradley Stoke Central And Stoke Lodge |
| Application Category: | | Target Date: | 8th February 2015 |



© South Gloucestershire Council 2015.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, 2014. N.T.S. PT14/4980/PNH

REASON FOR REPORTING TO CIRCULATED SCHEDULE

The application has been reported to the circulated schedule because an objection has been received from an adjoining neighbour. It should however be noted that as this is an application for prior notification it has been referred to the schedule for information only.

1. THE PROPOSAL

- 1.1 This application is for the Prior Notification of a rear conservatory at 180 Ellicks Close. The property is a two storey semi-detached dwelling located within the established residential area of Bradley Stoke. The conservatory would measure 3.5 metres deep with a ridge height of 3.45 metres and eaves height of 2.25 metres.
- 1.2 This application is for a Prior Notification, which is a process that allows a household to notify the Local Planning Authority of intent to use their permitted development rights to build an extension of up to 6 metres in depth and no more than 4 metres in height for a semi-detached house.

2. POLICY CONTEXT

- 2.1 National Guidance
Town and Country Planning (General Procedures) Order 1995 Article 24 Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008, Schedule 2, Part 1, Class A.
- 2.2 Statutory Instrument 2013 No.1101 The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013

3. RELEVANT PLANNING HISTORY

- 3.1 No relevant planning history.

4. CONSULTATION RESPONSES

- 4.1 Bradley Stoke Town Council
No comments received.

Other Representations

- 4.3 Local Residents
One letter of objection has been received from the occupier of the adjoining dwelling (No.182 Ellicks Close) which raised the following concerns:
 - The extension would result in a loss of light

5. ANALYSIS OF PROPOSAL

- 5.1 Principle of Development
It stands to be determined whether the proposed development falls within the limits set out in Part 1 of The Town and Country Planning (General Permitted

Development) (Amendment) (No.2) (England) Order 2008, and the Statutory Instrument 2013 No.1101 The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013.

The application site is not located on article 1(5) land nor is it on a site of special scientific interest. The proposed conservatory would measure less than 6 metres in depth and has a maximum height of less than 4 metres as such the proposal is considered to comply with the criteria set out in Part 1, Schedule 2 (development within the curtilage of a dwellinghouse), Class A, of the Town and Country Planning (General Permitted Development) (Amendment) Order 2013.

Because an objection has been raised by a neighbouring occupier this application also needs to be considered in terms of the proposals impact on amenity.

5.2 Impact on Amenity

Concern was raised that the proposed conservatory would result in a loss of light to the adjoining property (No. 181). It should first be noted that the neighbouring dwelling (No. 181) has a conservatory built up against the boundary between the properties which is smaller than the one proposed with a lower ridge height and shallower depth. Whilst it is recognised that the proposed conservatory would have a higher pitch, it also has a hipped roof and eaves which appear to match those of the neighbouring conservatory. Furthermore, the roof would be glazed and so would not obstruct light as would a tiled roof. Therefore, it is considered that whilst the proposed conservatory would be visible from the neighbouring dwelling's garden, it would not result in any overshadowing to the dwelling.

6. **RECOMMENDATION**

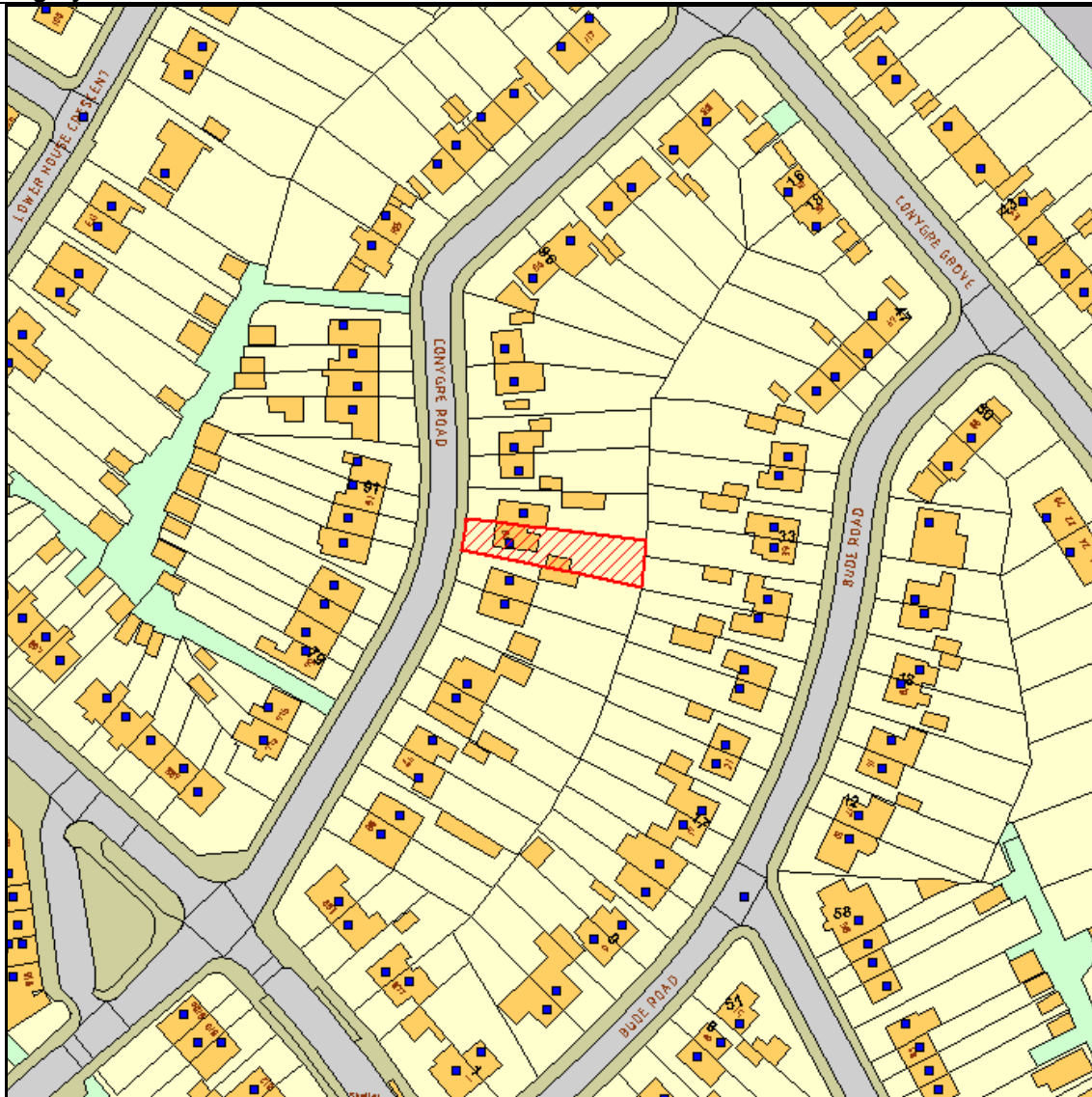
7.1 That prior approval is required and approved.

Contact Officer: Hannah Minett
Tel. No. 01454 862495

ITEM 20

CIRCULATED SCHEDULE NO. 04/15 – 23 JANUARY 2015

| | | | |
|------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|---------------------|
| App No.: | PT14/4990/PNH | Applicant: | Mrs A Berry |
| Site: | 84 Conygre Road Filton Bristol South Gloucestershire BS34 7DQ | Date Reg: | 5th January 2015 |
| Proposal: | Erection of single storey rear extension which would extend beyond the rear wall of the original house by 6 metres, for which the maximum height would be 3.6 metres and the height of the eaves would be 2.5 metres | Parish: | Filton Town Council |
| Map Ref: | 360856 179555 | Ward: | Filton |
| Application Category: | | Target Date: | 8th February 2015 |



© South Gloucestershire Council 2015.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, 2014. **N.T.S.** **PT14/4990/PNH**

REASON FOR REPORTING TO THE CIRCULATED SCHEDULE

The application has been reported to the circulated schedule because an objection has been received from an adjoining neighbour. It should however be noted that as this is an application for prior notification it has been referred to the schedule for information only.

1. THE PROPOSAL

- 1.1 This application is for the Prior Notification of a rear extension at 84 Conygre Road. The property is a two storey semi-detached dwelling located within the established residential area of Filton. The extension would L-shaped around an existing single storey rear extension would measure a maximum of 6 metres deep with a ridge height of 3.6 metres and eaves height of 2.5 metres.
- 1.2 This application is for a Prior Notification, which is a process that allows a household to notify the Local Planning Authority of intent to use their permitted development rights to build an extension of up to 6 metres in depth and no more than 4 metres in height for a semi-detached house.

2. POLICY CONTEXT

- 2.1 National Guidance
Town and Country Planning (General Procedures) Order 1995 Article 24 Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008, Schedule 2, Part 1, Class A.
- 2.2 Statutory Instrument 2013 No.1101 The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013

3. RELEVANT PLANNING HISTORY

- 3.1 P86/1223 - Erection of a two storey rear extension to form dining room with bedroom above.
Approved 23/04/1986

4. CONSULTATION RESPONSES

- 4.1 Filton Town Council
No comments received.

Other Representations

- 4.3 Local Residents
One letter of objection has been received from the occupier of the adjoining dwelling (No.86 Conygre Road) which raised the following concerns:
 - The extension would be visible from kitchen window and block sunlight
 - The extension is too deep, reduced by 1 metre would be acceptable
 - The roof apex (pitch) protrudes out too far, a roof sloping back to the house would be better

5. ANALYSIS OF PROPOSAL

5.1 Principle of Development

It stands to be determined whether the proposed development falls within the limits set out in Part 1 of The Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008, and the Statutory Instrument 2013 No.1101 The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013.

The application site is not located on article 1(5) land nor is it on a site of special scientific interest. The proposed extension would measure no more than 6 metres in depth and has a maximum height of less than 4 metres as such the proposal is considered to comply with the criteria set out in Part 1, Schedule 2 (development within the curtilage of a dwellinghouse), Class A, of the Town and Country Planning (General Permitted Development) (Amendment) Order 2013.

Because an objection has been raised by a neighbouring occupier this application also needs to be considered in terms of the proposals impact on amenity.

5.2 Impact on Amenity

Concern was raised that the proposed extension would result in a loss of light and be an eyesore to the adjoining property (No. 86). It should first be noted that the adjoining dwelling has a two storey and single storey rear extension, the latter of which is built up against the boundary between the properties. The neighbouring single storey rear extension appears to have higher eaves and is not as deep as the proposed extension. Whilst it is recognised that the proposed extension would be visible from the neighbouring dwelling, it would have a pitched roof which is not considered to cause any overshadowing to the neighbouring kitchen window. The neighbour expressed concern that the pitched roof would be an eyesore, however considering the neighbouring dwelling already has a pitched roof with higher eaves than the proposed extension and the proposed design is commonly found in built up residential areas such as Filton, there are no objections against the character or appearance of the extension from the Council.

6. RECOMMENDATION

7.1 That prior approval is required and approved.

Contact Officer: Hannah Minett
Tel. No. 01454 862495